The 4th Meeting of the Planning and Environment Committee
March 1, 2021, 4:00 PM
2021 Meeting - Virtual Meeting during the COVID-19 Emergency
Please check the City website for current details of COVID-19 service impacts.
Meetings can be viewed via live-streaming on YouTube and the City website

Members
Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins, S. Hillier, Mayor E. Holder

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1. Disclosures of Pecuniary Interest

2. Consent

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3.5. Public Participation Meeting - Not to be heard before 4:30 PM - Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties

- a. S. Woodward
- b. J. Grainger
- c. M. Rooks
- d. J. Fooks

3.6. Public Participation Meeting - Not to be heard before 5:00 PM - Application - 3924 Colonel Talbot Road

3.7. Public Participation Meeting - Not to be heard before 5:00 PM - Application - 403 Thompson Road - File OZ-9290

3.8. Public Participation Meeting - Not to be heard before 5:00 PM - Application - 345 Sylvan Street - File OZ-9297

3.9. Public Participation Meeting - Not to be heard before 5:45 PM - Core Area Community Improvement Plan (O-9257) - Core Area Community Improvement Plan Financial Incentive Program Guidelines

3.10. Public Participation Meeting - Not to be heard before 6:15 PM - Application - 122 Base Line Road West - File SPA21-005

4. Items for Direction

4.1. 2nd Report of the London Advisory Committee on Heritage

5. Deferred Matters/Additional Business

6. Confidential (Enclosed for Members only.)

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.

7. Adjournment
Advisory Committee on the Environment

Report

The 1st Meeting of the Advisory Committee on the Environment
February 3, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance

PRESENT: R. Sirois (Chair), N. Beauregard, M. Bloxam, J. Howell, K. May, M. Ross, M.D. Ross, J. Santarelli, D. Szoller and B. Vogel and H. Lysynski (Acting Committee Clerk)
ABSENT: R. Pate, A. Thompson and A. Tipping

The meeting was called to order at 12:17 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 remainder of the current term
That it BE NOTED that the Advisory Committee on the Environment elected R. Sirois and M. Ross as Chair and Vice Chair, respectively, until the end of the current term.

2. Scheduled Items

2.1 Service Area Work Plan for 2021
That it BE NOTED that the Service Area Work Plan for 2021 presentation, as appended to the Added Agenda, from K. Scherr, Managing Director, Environmental and Engineering Services and City Engineer, J. Stanford, Director, Environment, Fleet and Solid Waste, A. Rammeloo, Division Manager, Sewer Engineering, G. Barrett, Director of Planning and City Planning and M. Fabro, Manager, Sustainability and Resiliency, was received.

3. Consent

3.1 4th Report of the Advisory Committee on the Environment
That it BE NOTED that the 4th Report of the Advisory Committee on the Environment, from the meeting held on March 4, 2020, was received.

4. Sub-Committees and Working Groups
None.

5. Items for Discussion

5.1 Respectful Workplace Policy
That it BE NOTED that the Respectful Workplace Policy document, as appended to the agenda, was received.
5.2 ACE Terms of Reference
That it BE NOTED that the Advisory Committee on the Environment (ACE) held a general discussion with respect to the ACE Terms of Reference document, as appended to the agenda.

5.3 Advisory Committee Review
That it BE NOTED that the Advisory Committee on the Environment held a general discussion with respect to the ongoing Advisory Committee Review; it being noted that a verbal update from B. Westlake-Power, Deputy City Clerk, with respect to this matter, was received.

5.4 ACE Work Plan
That the Advisory Committee on the Environment (ACE) held a general discussion with respect to its 2020 Work Plan.

6. Adjournment
The meeting adjourned at 2:09 PM.
To: Chair and Members
Planning & Environment Committee
From: Gregg Barrett, Director, City Planning and City Planner
Subject: Draft Masonville Secondary Plan
Date: March 1, 2021

Recommendation

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the draft Masonville Secondary Plan:

(a) The draft Masonville Secondary Plan, as attached in Appendix “A” BE RECEIVED for information purposes;

(b) The draft Masonville Secondary Plan BE CIRCULATED for further public engagement with the community and stakeholders;

(c) IT BEING NOTED that a public participation meeting is scheduled for March 29th, 2021 before the Planning and Environment Committee so that Municipal Council and staff can gather public feedback on the draft Masonville Secondary Plan; and,

(d) IT BEING NOTED that the feedback received through this consultation process, and the outcome of supporting studies will inform a revised Masonville Secondary Plan and implementing Official Plan Amendment that will be prepared for the consideration and approval of Municipal Council at a future meeting of the Planning and Environment Committee.

Executive Summary

The purpose and effect of the recommended action is for Municipal Council to receive the draft Masonville Secondary Plan for consideration and information. The draft Masonville Secondary Plan will be circulated to the public and stakeholders, and staff will hold a public participation meeting at the March 29, 2021 meeting of the Planning and Environment Committee to gather feedback.

Linkage to the Corporate Strategic Plan

The preparation of the draft Masonville Secondary Plan contributes to implementing the Strategic Plan through Building a Sustainable City and Strengthening Our Community. The Masonville area is within a strategic location for growth and intensification which supports Londoners’ access to affordable public transit where they work and live. The preparation of the draft Masonville Secondary Plan coordinates growth and development in a well-planned and sustainable manner over the long term. The draft Secondary Plan will promote pedestrian safety and active transportation connections and ensure that new development will fit within and enhance the surrounding community.

Analysis

1.0 Background Information

1.2 Previous Reports Related to this Matter

October 7, 2019 – Planning and Environment Committee: Masonville Transit Village Secondary Plan – Principles Update Report
1.3 Purpose of the Masonville Secondary Plan

The London Plan identifies four Transit Villages, which are intended to be exceptionally designed, high density, mixed-use urban neighbourhoods connected by rapid transit to the Downtown and to each other. These Transit Villages are intended to support intense forms of mixed-use development. The lands around the intersection of Richmond Street and Fanshawe Park Road, including lands fronting on portions of North Centre Road and Sunnyside Drive, in the Masonville neighbourhood are identified as one of the Transit Villages in The London Plan, referred to as the “Masonville Transit Village”. The Transit Village Place Type encourages mixed-use buildings, and permits a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses. Under the current policy framework that allows for bonus zoning, a range of heights between two to 15 storeys are permitted, with bonusing allowed up to 22 storeys.

The Masonville Transit Village is located in an existing built-up area, which has opportunities for significant infill, redevelopment, and an overall more efficient use of land to support transit. Currently, the area within the Masonville Transit Village is primarily occupied by low-rise retail, attached residential uses and large expanses of surface parking. It is anticipated that the area will undergo redevelopment through infill and intensification over time to realize the vision of the Transit Village Place Type. The development of a Secondary Plan is intended to provide a greater level of detail and more specific guidance for the Masonville Transit Village than the general Transit Village Place Type policies, to create a plan for the future development of a Transit Village that is unique to the Masonville community. The Secondary Plan also addresses compatibility and transition to existing uses within the Transit Village and the surrounding neighbourhood.

At its meeting of January 15, 2019, Municipal Council approved the Terms of Reference for the Masonville Transit Village Secondary Plan study, thereby directing Staff to undertake the development of a new Secondary Plan to guide future development in the Masonville area. At its meeting October 15, 2019, Municipal Council endorsed the draft principles that would shape the development of the draft plan.

1.4 Study Area

The study area that will be subject to the policies in the Masonville Transit Village Secondary Plan, encompasses all lands within the Transit Village Place Type in The London Plan that are located near the intersection of Fanshawe Park Road and Richmond Street. A map detailing the study area can be found in Figure 1 below.

Select properties have been subject to recent Official Plan and/or Zoning By-law Amendments that have involved significant public consultation. These properties are also identified in Figure 1 as the hatched area. The intention of the existing policy framework and zoning permissions that apply to these sites will not be reconsidered through the Secondary Plan study, but will be recognized as existing policy and incorporated into this Secondary Plan.
2.0 Community Engagement

2.1 Engagement Overview and Summary of Feedback

Following Municipal Council’s adoption of the Terms of Reference in 2019, staff began the Masonville Transit Village Secondary Plan study. Broad public engagement was undertaken to promote awareness of the plan and capture ideas and feedback. To date, approximately 130 interested parties have provided their contact information to stay updated about the study. In addition to the interested parties, 150 other Londoners have informally engaged with Staff about the study through Planner “Office Hours”. The following describes the study outreach to date.

2.2 Community Information Meeting #1

March 27, 2019: City Planning staff hosted a Community Information Meeting to introduce the Masonville Transit Village Planning Study to the community. This was the first Community Information Meeting of the Study attended by approximately 40 people. Information was provided on timelines and process, existing conditions in the area, and the topics that would be considered in the study.

2.3 Walk and Imagine My Neighbourhood Tour

May 23, 2019: City Planning staff hosted a Walk and Imagine My Neighbourhood Tour to walk around the project’s study area with residents and discuss their ideas about the existing conditions and vision for the future. Approximately 18 people participated in the walking tour and a “virtual walking tour” was also posted on the project website to allow those who were unable to participate in the walking tour the opportunity to comment.
2.4 Community Information Meeting #2

September 18, 2019: City Planning staff hosted a Community Information Meeting to provide an update on the study and feedback received to date, and review three built out scenarios for positive and negative features. Approximately 50 people attended.

2.5 Planner “Office Hours”

Planning Staff held “Office Hours” for individuals to find out more about the Masonville Transit Village Secondary Plan. These “Office Hours” provide an informal opportunity for community members to learn about the study and provide feedback. Over 150 people engaged with Staff through these “Office Hours” activities to learn more about the Masonville Secondary Plan study and provide feedback. Staff held “Office Hours” at the following venues to discuss the study with the community:

- London Public Library, Masonville Branch – April 2, 2019, April 9, 2019, April 11, 2019, April 16, 2019, April 25, 2019
- Masonville Farmers’ Market – May 17, 2019, June 21, 2019, August 16, 2019
- Outdoor Movie Night at Hastings Park – June 21, 2019
- CF Masonville Place – August 16, 2019
- Richmond Woods – April 10, 2019

2.6 Bus Stop Survey

August 16, 2019: Planning Staff attended the bus terminal and surveyed transit riders about their use of public transit, trip destination and duration, what they do when they are waiting and what would make the experience better. Approximately 16 surveys were conducted.

2.7 Masonville Public School Activity

December 8, 2020: Planning Staff held a planning activity with a grade 8 class from the Masonville Public School to capture comments from a youth perspective on the secondary plan.

2.8 Get Involved Website

Throughout the preparation of the draft Masonville Secondary Plan, the Get Involved website has provided an opportunity for individuals to learn about the Masonville Secondary Plan and provide feedback on the study. The website contains previous community engagement event materials for the public to access, as well as contact information for the project team. The website will continue to be updated as information is available.

2.9 Summary of Comments and Themes

The overarching themes from the various consultation events include the following:

- Concern about how future development would transition to existing low-rise residential development both adjacent to and within the Study Area
- Desire for information about population targets
- Desire for enhanced connections to surrounding area
- Pedestrian environment needs improvement
- Desire for additional greening and de-paving
- Need for community gathering spaces (ie. civic squares, parks etc.)
- Opportunities for intensification in certain location, but need to transition to low-rise development
- Desire for buildings to front onto sidewalks to be more accessible for pedestrians
- Need to consider opportunities for bike lanes
- Pedestrian connections to the Masonville bus terminal need improvement
- Desire to see more members of the community engaged in the study process
- Concern about traffic and congestion in the study area as a result of increased development
- Concern about current and future parking provision for retail establishments
- Questions about the Official Plan and Zoning By-law Amendment application at 1680 Richmond Street (south portion of CF Masonville Place) and how it relates to the Secondary Plan Study process
- Preference for pedestrian-only connections to the surrounding neighbourhoods, rather than vehicular connections

The feedback received from the public has helped inform the development of Principles that formed the foundation of the policy framework in the draft Secondary Plan. Additional public feedback will continue to be considered and provide input into the next phases in the project.

3.0 Policy Framework

3.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. The policies support the integration of land use planning, growth management, transit-supportive development and optimization of transit investments to minimize land consumption and servicing costs (1.1.1.e)). The draft Masonville Secondary Plan effectively integrates land use and transit to create a transit-oriented node.

The PPS identifies that settlement areas shall be the focus of growth and development and that densities should efficiently use land and be transit-supportive where transit is planned, exists or may be developed (1.1.3.2.f)). There is an existing transit interchange within the Masonville Plan area and future planned rapid transit which will elevate the services. A higher level of intensity and a broader range of land uses are planned for the Masonville area to capitalize on the transit opportunities and promote a development pattern that has convenient access to these connections. The PPS promotes the supply of housing in proximity to transit corridors and stations to facilitate compact form and minimize the cost of housing (1.4.3.e)&f)). A broad range of residential uses will be permitted and encouraged in the plan area to best utilize and benefit from transit.

The PPS promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future uses of transit and active transportation (1.6.7.4). A development pattern that encourages development in close proximity to transit services will provide convenient access for residents and employees to use transit and reduce single vehicle trips. New green connections will encourage more active transportation options like walking and cycling within and to the plan area.

The PPS prepares for the impacts of a changing climate by supporting major commercial land uses that are well served by transit where it exists or is to be developed (1.8.c). The existing Masonville Plan area is a popular and well-established commercial shopping precinct. The draft Masonville Secondary Plan will build on this character and diversify the uses to create a more complete community where people can readily access transit, services, shopping and green spaces within a walkable community.

A well-designed built form and sense of place is promoted by the PPS (1.7.1.e)). The design policies of the draft Secondary Plan focus on creating an active and engaging walkable, pedestrian-oriented environment. Areas of intensification will be designed to create vibrancy and activity, and will be buffered from lower density residential areas to create effective transitions.

3.2 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 Masonville Plan area is within the Transit Village Place Type in *The London Plan* which is intended to be an exceptionally designed, high-density mixed-use urban neighbourhood connected by rapid transit (806). Transit Villages are intended to support the rapid transit system, by providing a higher density of people living, working and shopping in close proximity to high-quality transit service (808). The Masonville Transit Village is one of four Transit Villages in the City and is planned to be a major destination and development area for the north, to create a vibrant and diverse complete neighbourhood.

Policy 1556 of *The London Plan* provides the direction to prepare a Secondary Plan to elaborate on the policies of *The London Plan*. Policy 1557 identifies instances that may warrant the preparation and adoption of a Secondary Plan, including areas within the Transit Village Place Type that may require vision and more specific policy guidance for transitioning from their existing form to the form envisioned by *The London Plan*. Policy 810 identifies that secondary plans for transit villages may be prepared to guide redevelopment, establish street and pathway networks, identify park spaces, establish more detailed policies for land use, intensity and built form, and establish transitional and interface policies. The draft Masonville Secondary Plan provides a framework for growth and development as well as direction for new connections, parks, community and transit facilities.

### 3.3 1989 Official Plan

The lands within the study area have a variety of designations including: Enclosed Regional Commercial Node (ERCN), Office Area (OA), Multi-Family, High Density Residential (MFHDR), Multi-Family, Medium Density Residential (MFMDR), Low Density Residential (LDR), and Open Space (OS). The various designations permit a wide range of commercial, retail, shopping, office, mid-rise and high-rise residential forms. The draft Masonville Secondary Plan will build on the planning direction from the *1989 Official Plan* and provide additional details for the type and location of development, as well as a vision for the overall node.

### 4.0 Discussion and Considerations

#### 4.1 Transit

As the name suggests, the Masonville Transit Village is an area that is planned to integrate land use and transit; both existing and planned. Rapid transit is a powerful opportunity for this area that can be a catalyst for new development to transform an area dominated by surface parking lots into an exciting and active transit-oriented community.

In May of 2017 City Council approved the Bus Rapid Transit (BRT) network, and in July of 2017, the Rapid Transit Initiative Master Plan was approved by Council to develop a bus rapid transit network to achieve the mobility goals of *The London Plan*. The Environmental Project Report (EPR) for London’s Bus Rapid Transit was approved by Municipal Council on May 8, 2018. This report identified lands within the Masonville Secondary Plan boundary as the north extent of the north-east rapid transit route. The detailed design and construction of the north leg of the rapid transit system is currently unfunded.

There is an existing bus terminal operated by the London Transit Commission (LTC) in the northwest portion of the CF Masonville Place parking lot. The existing bus terminal serves as a terminus and layover with 6 bus stops, servicing 8 bus routes. Under the rapid transit scheme, it is anticipated that additional platforms and layover space would be required to accommodate the increase in transit services to the site.

The new transit station could be incorporated within a new building or provided as a surface station area in the existing location or an alternative centrally located space within the Secondary Plan area. The Secondary Plan will support transit service through the efficient use of land and by providing significant opportunities for residential
intensification and employment growth, which will grow ridership. New and existing residents and workers within the plan area will benefit from the improved connectivity and access for a wide range of socio-economic groups.

4.2 Protected Major Transit Station Area (PMTSA) Intensity

The Planning Act defines Protected Major Transit Station Areas (PMTSA) as areas “surrounding and including an existing or planned higher order transit station or stops” (S.16(15)). Municipal Council approved the designation of PMTSAs in the City of London on December 8, 2020. The Masonville Protected Major Transit Station Area aligns with the Transit Village Place Type, which surrounds the existing interchange and includes planned higher order transit. This area is intended to accommodate increased residential and employment growth with highly urban, mixed-use, transit-supportive forms of development.

Planning and development applications within the Masonville Protected Major Transit Station Area will be evaluated to ensure that they provide for an adequate level of intensity to support minimum targets established. A higher level of intensity is envisioned to support rapid transit, utilize infrastructure and services, and ensure that the limited amount of land within this secondary plan is most efficiently utilized. The intensity targets are intended to apply to the entire PMTSA and are carried forward in the draft Secondary Plan, including:

i) A minimum of 150 residents and jobs combined per hectare.

ii) The minimum density for residential development is 45 units per hectare.

iii) The minimum floor area ratio for non-residential uses is 0.50.

4.3 Inclusionary Zoning

As a designated Protected Major Transit Station Area, the Masonville Secondary Plan area is eligible for the future consideration of Inclusionary Zoning. Inclusionary Zoning could require that a certain number of units or gross floor area within residential development be set aside as affordable housing for a set period of time. The terms of reference for Inclusionary Zoning were brought forward in January of 2021, and work is underway to develop these policies.

The Masonville PMTSA is anticipated to experience high residential growth during the planning horizon, which makes it an appropriate and desirable area to integrate Inclusionary Zoning. Inclusionary Zoning within the Masonville Secondary Plan area will be implemented through the Official Plan policies within The London Plan or through the development of a Community Planning Permit System (CPPS). Inclusionary Zoning has the potential to deliver a level of affordable housing that will create housing choice and diversity, and serve to replace units previously secured through bonusing.

4.4 Bonusing

Bonusing under section 37 of the Planning Act contemplates greater heights and densities for developments in exchange for the provision of certain services, facilities or matters provided as community benefits. Recent changes under Bill 108 to the Planning Act removed section 37 Bonusing and replaced the mechanism with a Community Benefit Charge. The City is transitioning away from using Bonus Zoning; however while the permissions exist, planning and development applications can be made under the existing framework for site-specific bonus zones. Eventually other tools such as a Community Benefits Charge By-law or Inclusionary Zoning will provide certain community benefits that were formerly achieved through Bonus Zoning. The draft Secondary Plan policies utilize bonusing in the interim by reverting back to the policies of The London Plan for certain areas that would qualify for bonus zoning. When the parent policies of The London Plan are updated to transition from bonusing, the Secondary Plan will be likewise updated.
4.5 Richmond and Fanshawe Intersection

Fanshawe Park Road and Richmond Street are two major transportation corridors within the City and the Fanshawe Park Road/Richmond Street intersection is a focal point for development within the plan area. The City completed a Municipal Class Environmental Assessment (EA) for the Fanshawe Park Road/Richmond Street intersection in 2018. Improvements to the intersection were identified to address existing traffic volumes, future traffic volumes, intersection safety, pedestrian and cyclist movements, access management issues, existing transit movements, and future Bus Rapid Transit needs.

The preferred intersection design includes westbound dual left turn lanes, northbound dual left turn lanes, a southbound slotted left turn lane, an eastbound slotted left turn lane and northbound and eastbound right turn lanes as well as additional through lanes westbound and eastbound in the vicinity of the intersection. Other design features include improved pedestrian and cycling facilities, landscaping and urban design elements. The improvements will better accommodate pedestrian and vehicle traffic passing through and will support the additional population associated with the Secondary Plan in the future.

4.6 Transportation Impact Assessment

A consistent theme arising from public consultation was concern regarding existing and future traffic and movements within the plan area, and Stantec was retained to undertake a Transportation Impact Assessment (TIA) and Parking Study for the study area. This work is on-going and will assess the existing traffic in the area and evaluate anticipated impacts for the projected growth in the area. The results of the two transportation studies will inform policies of the Secondary Plan including possible reductions to parking rates.

4.7 Parkland and Community Facilities

The Masonville Secondary Plan Area totals approximately 89ha and does not have any public parks within it. There are a few parks and open spaces in the surrounding area including: Plane Tree Park to the northwest; Virginia Park and the Gibbons wetland to the northeast; Carriage Hill Park and Camden Crescent Park to the southeast; and Helen Mott Shaw Park to the southwest. The intent of the plan is to provide additional parkland within the plan area to support existing and future residents and complement other parks in the surrounding area.

The Masonville Secondary Plan area is a highly urbanized environment that will be based entirely on infill and redevelopment. In recognition of this unique situation, the parkland provision will be based on modified standards to reflect the intent for this area. Parkland within the study area will recognize the urban setting and have features and facilities that provide a wide range of activities in smaller footprints than more traditional suburban park examples. There are three new parks identified within the Secondary Plan area in the northeast, northwest, and southeast quadrants of the intersection of Fanshawe Park Road and Richmond Street. The size and future function of these parks relates to the amount of development potential in the area.

There is an existing identified need for a neighbourhood-scale Community Centre for London North as per the Parks and Recreation Master Plan. The Masonville Plan area is potentially an ideal location based on planned levels of intensification. The Secondary Plan policies permit such a use in any location within the plan boundary. The Masonville branch of the London Public Library is currently located within the plan area, serves as a community facility and would benefit from the clustering of future similar facilities nearby.

4.8 Land Use

The London Plan contemplates a broad range of residential, retail, service, office, cultural, recreational, institutional, hospitality, entertainment, recreational and other related uses within the Transit Village Place Type (811). The draft Masonville Secondary Plan will continue to permit a wide range of uses for the majority of the study area.
area, and provides for a scoped range of uses in strategic transition areas comprised of and/or near existing neighbourhoods. The uses proposed within the draft Secondary Plan area are consistent with the vision for the Masonville Transit Village and will support the transformation of the area into a vibrant, exciting, transit-oriented hub.

4.9 Permitted Heights and Built Form

Within the Transit Village Place Type in *The London Plan*, buildings are contemplated at a range of two storeys (or eight metres) to 15 storeys in height, with an increased up to a maximum of 22 storeys through site-specific bonusing (813*). The permitted heights in the plan area refine those heights permitted for the entire Transit Village and designate areas of low, mid and high-rise development forms where they are appropriately situated and buffered. Individual sites may not allow for the full range of heights permitted and will be determined at the time of a Zoning By-law Amendment Application. The greatest heights of between three (3) storeys to 15 storeys, and up to 22 storeys with bonusing are oriented to the lands that front on Richmond Street and Fanshawe Park Road. Mid-rise forms at a range of two (2) storeys to eight (8) storeys surround the highest intensity development areas, and provide a more moderate development potential to transition towards lower rise forms. The low-rise heights are permitted between two (2) storeys to four (4) storeys, and encompass lands located in or near existing low-rise uses.

The built form in the draft Masonville Secondary Plan provides detailed guidance for low, mid and high rise buildings to facilitate well-designed built forms that contribute to the transit village character while providing sympathetic transitions and minimizing any adverse impacts. The greatest heights in the plan area are contemplated along Fanshawe Park Road and Richmond Street where there is strategic proximity to the transit station and adequate separation distance from lower density residential areas. Orienting higher development forms to these main streets provides an opportunity for an enhanced ground floor that is activated with commercial spaces and pedestrian movements, and consistent with *The London Plan* policy that the base of all buildings will be designed to establish and support a high-quality pedestrian environment (814-7). The draft Secondary Plan also identifies certain priority streets to provide minimum amounts of active commercial uses at grade to cluster commercial areas and promote pedestrian movements.

4.10 Growth Projections

The City retained consultant DTAH to undertake modelling and provide urban design support for the study. DTAH also provided the City with projections based on estimates of new population and jobs based on the draft plan policies. Development concepts within the study area were initially considered for low, moderate and high growth scenarios, and then refined to align with the plan direction for land uses and intensity.

Modelling was undertaken to quantify the planned intensity based on the anticipated amount of people and jobs per hectare (PPJ/Ha) to ascertain whether the draft plan could achieve the intention of a Protected Major Transit Station Area. These projections provide a detailed forecast on the eventual build-out of the plan area, and a measurement to ensure that the anticipated population is able to be well supported by infrastructure and parks.

Depending on the actual development pattern, timing and other market forces, the total people and jobs per hectare could be different from the projections. The projections are indicative only, based on a long-term build out of the Transit Village, and subject to change.

The following tables represent the existing units, gross floor area, people and jobs per hectare that currently exist within the plan area, as well as the projected or ‘ultimate’.

This is further broken down, as follows:

- ‘Existing’ identifies the figures that are currently existing in the plan area
- ‘To Keep’ identifies existing development that is not likely to change
• ‘New’ identifies future planned development and/or redevelopment based on the Secondary Plan policies
• ‘Ultimate’ identifies the total future build out which included both existing developments to remain and new planned development or redevelopment.

**Residential Units**

The residential units table breaks down the type and total number of residential units that are existing and anticipated. For instance, there are 68 single detached dwellings that are identified ‘to keep’ which indicates they were not considered as part of a redevelopment scenario. No new single detached dwelling units are anticipated to be built through the draft plan. The majority of the new residential units are expected to be in the form of apartment units, with some new townhouse units. A total of 7,658 residential units are anticipated at the ultimate built scenario.

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<th>Residential Units</th>
<th>Existing</th>
<th>To Keep</th>
<th>New</th>
<th>Ultimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached Dwellings</td>
<td>68</td>
<td>68</td>
<td>0</td>
<td>68</td>
</tr>
<tr>
<td>Residential Townhouses</td>
<td>213</td>
<td>213</td>
<td>76</td>
<td>289</td>
</tr>
<tr>
<td>Residential Apartments</td>
<td>1,353</td>
<td>1,353</td>
<td>5,947</td>
<td>7,301</td>
</tr>
<tr>
<td><strong>Total Units</strong></td>
<td><strong>1,634</strong></td>
<td><strong>1,634</strong></td>
<td><strong>6,023</strong></td>
<td><strong>7,658</strong></td>
</tr>
</tbody>
</table>

**Non-Residential Gross Floor Area**

The gross floor area provides a breakdown of the non-residential floor area that is existing and anticipated. The categories are broadly identified as commercial (retail, shopping, service uses), civic (community, recreation, government uses), and office uses. The existing gross floor area is 105,190m² within the study area, with approximately half maintained as is, and half identified for redevelopment. A total gross floor area of 159,851m² is anticipated at the ultimate built scenario.

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Existing m²</th>
<th>To Keep m²</th>
<th>New m²</th>
<th>Ultimate m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>99,791</td>
<td>47,110</td>
<td>81,686</td>
<td>128,798</td>
</tr>
<tr>
<td>Civic</td>
<td>1,487</td>
<td>1,487</td>
<td>16,782</td>
<td>18,269</td>
</tr>
<tr>
<td>Office</td>
<td>3,912</td>
<td>3,483</td>
<td>9,303</td>
<td>12,786</td>
</tr>
<tr>
<td><strong>Total GFA</strong></td>
<td><strong>105,190</strong></td>
<td><strong>52,080</strong></td>
<td><strong>107,771</strong></td>
<td><strong>159,851</strong></td>
</tr>
</tbody>
</table>

**Population**

The population table converts the number of residential units to the number of people residing in those units based on assumptions for average occupation extracted from the 2019 Development Charge Growth Projection Study. A single detached dwelling has an average assumed population of 3.12 people, a townhouse has an average assumed population of 2.11 people and an apartment unit has an average assumed population of 1.68 people.

Table 3 also shows the total number of employees (jobs) projected which are based on the total anticipated amounts of non-residential gross floor area and assumptions for the average number of employees per gross floor area. The assumptions include an average of 1 employee per 40m² of gross floor area for commercial uses, an average of 1 employee per 65m² of gross floor area for civic uses, and an average of 1 employee per 23m² of gross floor area for office uses.
Table 3: Population Based on Residential Units and Workers per Gross Floor Area

<table>
<thead>
<tr>
<th>Residential Type</th>
<th>Existing</th>
<th>To Keep</th>
<th>New</th>
<th>Ultimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Detached Dwellings</td>
<td>212</td>
<td>212</td>
<td>0</td>
<td>212</td>
</tr>
<tr>
<td>Residential Townhouses</td>
<td>449</td>
<td>449</td>
<td>160</td>
<td>610</td>
</tr>
<tr>
<td>Residential Apartments</td>
<td>2,273</td>
<td>2,274</td>
<td>9,991</td>
<td>12,285</td>
</tr>
<tr>
<td>Commercial</td>
<td>2,495</td>
<td>1,178</td>
<td>2,042</td>
<td>3,220</td>
</tr>
<tr>
<td>Civic</td>
<td>23</td>
<td>23</td>
<td>258</td>
<td>281</td>
</tr>
<tr>
<td>Office</td>
<td>170</td>
<td>151</td>
<td>404</td>
<td>556</td>
</tr>
</tbody>
</table>

**Total People** | **2,934** | **2,935** | **10,151** | **13,087**
**Total Jobs**   | **2,688** | **1,352** | **2,704**  | **4,057**
**Total People and Jobs** | **5,622** | **4,287** | **12,855** | **17,144**

**Total Number of People and Jobs per Hectare**

This table provides the total number of people and jobs per hectare by using the total number of jobs and people from table 3 and dividing it by the total number of hectares in the study area (89ha). This provides the people and jobs per hectare as a relative figure which can then be assessed and tracked for the intensity targets.

Table 4: People and Jobs per Hectare

<table>
<thead>
<tr>
<th>People and Jobs per Hectare</th>
<th>Existing</th>
<th>To Keep</th>
<th>New</th>
<th>Ultimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total People per Hectare</td>
<td>33</td>
<td>33</td>
<td>115</td>
<td>147</td>
</tr>
<tr>
<td>Total Jobs per Hectare</td>
<td>30</td>
<td>15</td>
<td>30</td>
<td>46</td>
</tr>
<tr>
<td><strong>Total PPJ per Hectare</strong></td>
<td><strong>63</strong></td>
<td><strong>48</strong></td>
<td><strong>145</strong></td>
<td><strong>193</strong></td>
</tr>
</tbody>
</table>

The modelling and projections prepared for the draft Secondary Plan identify a total of 193PPJ/Ha based on the ultimate development over a horizon of at least the next 25 years. The projections demonstrate there is sufficient development potential planned to achieve a minimum of 150PPJ/Ha for the Protected Major Transit Station area, while also maintaining existing residential neighbourhoods.

5.0 Draft Masonville Secondary Plan Structure

The draft Masonville Secondary Plan is comprised of 11 sections and 6 schedules. The draft Masonville Secondary Plan aims to achieve the following vision:

The Masonville Secondary Plan Area will be an exceptionally designed, high density, mixed-use urban neighbourhood, with convenient access to quality public transit and community gathering spaces. Through infill and redevelopment, the Masonville area will become an exciting complete community that is balanced with places to live, work, play and recreate.

The development of the draft Secondary Plan was also guided by the following overarching Principles:

- Build a connected community that encourages transit use and active transportation.
- Green the community through a network of public spaces.
- Develop a pedestrian-oriented environment that is safe, comfortable, and animated at street level.
- Promote exceptional design.
- Identify opportunities for intensification.
- Create a complete community that supports a mix of uses, housing types and affordability.

The Principles inform the policies of the draft Secondary Plan which provide detailed planning and development direction on matters such as:

- Community Structure
- Mobility and Public Realm
• Green Development and Sustainable Design
• Stormwater Management
• Community Facilities
• Rapid Transit Station
• Parks
• Housing Mix and Affordability
• Community Benefits
• Land Use
• Ground Floor Use and Design
• Intensity
• Permitted Heights
• Built Form
• Implementation Tools
• Specific Policies

The policies and principles of the draft Secondary Plan provide a greater level of detail and more specific guidance for the Masonville Area than the general Transit Village Place Type policies of The London Plan. The draft Secondary Plan provides more specific direction for growth and development based on the local context that is unique to the Masonville community.

Conclusion

The draft Masonville Secondary Plan is based on the parent policies of The London Plan and has been developed with community and stakeholder input. The draft Secondary Plan provides the policies and direction that will help shape and transform the Masonville area. There will be additional engagement events and circulation to advisory committees to receive feedback and comments for further refinement of the plan contents.

Prepared by: Sonia Wise, MCIP, RPP
Senior Planner, Planning Policy

Submitted by: Britt O’Hagan, MCIP, RPP
Manager, City Building and Design

Recommended by: Gregg Barrett, AICP
Director, Planning and City Planner
Appendix A
Appendix B – 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, 2020

1.1.1.e – optimize transit investments
1.1.3.2.f – land use and densities support transit where planned or exists
1.4.3.e – supply of housing in proximity to transit
1.6.7.4 – minimize length of vehicle trips and promote active transportation
1.7.1.e – well-designed built form
1.8.c – prepare for impacts of a changing climate

The London Plan

59_8 – mixed-use compact city
61_10 - affordable housing in neighbourhoods
83 - appropriate intensification
91 - built-area boundary intensification target
92_2 - primary transit area intensification target
495 – accessible and affordable housing
806 – exceptionally designed transit villages
808 – higher density close to transit services
810 – secondary plans for transit villages
811 – range of uses
813* - intensity policies
814_7 – high-quality pedestrian environment
1557 – secondary plan policies
1638* - bonusing

1989 Official Plan

Chapter 3 – Residential Land Use Designations
Chapter 4 – Commercial Land Use Designations
Chapter 11 – Urban Design
Chapter 19 – Implementation
Draft Masonville
Secondary Plan
March 2021
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<td>Interpretation</td>
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<td>49</td>
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<td>9.6</td>
<td>Plans of Subdivision, Plans of Condominium, and Consents to Sever</td>
<td>49</td>
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<td>9.7</td>
<td>Site Plan Approval</td>
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<td>New Parkland</td>
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<td>Stormwater Management</td>
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<td>10.2</td>
<td>1643, 1649, 1653 Richmond Street</td>
<td>59</td>
</tr>
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<td>10.3</td>
<td>230 North Centre Road</td>
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</tr>
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<td>10.4</td>
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<td>61</td>
</tr>
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<td><strong>Schedules</strong></td>
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<td>Schedule 1: Plan Boundary</td>
<td>64</td>
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<td>Schedule 3: Land Use</td>
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<tr>
<td>Schedule 5: Connections</td>
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<tr>
<td>Schedule 6: Priority Streets</td>
<td>69</td>
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</table>
1.0 Introduction

1.1 Background

The name “Masonville” was originally attributed to a tavern named “Mason House” built in 1958 as well as a post office established in 1874 at the intersection of Highways 4 and 22 (Richmond Street and Fanshawe Park Road). Masonville was a toll gate on the Proof Line Road (now Richmond Street) making it a popular place to stop. The historic draw of the area has continued to the current day with a wide variety of retail, shopping and commercial uses attracting visitors from the region and throughout the City.

The Masonville Secondary Plan area includes lands around the intersection of Richmond Street and Fanshawe Park Road, which is primarily occupied by low-rise commercial buildings, multi-unit residential uses, and large expanses of surface parking. The Masonville Transit Village Place Type is identified as an area for growth in *The London Plan*, and is beginning to see redevelopment interest with the addition of new apartment buildings and infill commercial development.
Masonville is already a hub for transit services and was part of an Environmental Assessment to evaluate city-wide rapid transit options. The preferred routing includes a future rapid transit route along Richmond Street with a terminus station near the intersection of Richmond Street and Fanshawe Park Road. The area is a Protected Major Transit Station Area which will accommodate additional population and jobs in a transit-oriented format.

There are future challenges and opportunities that come with higher-order transit service, infrastructure upgrades, redevelopment and intensification. This Secondary Plan will provide a framework for future growth and redevelopment, public and private investment in the area, and to transform Masonville into a connected, mixed-use community with a high-quality public realm.
1.2 Location

The Masonville Secondary Plan includes approximately 89 hectares (219 acres) of land within the Urban Growth Boundary in the north of the City of London. The Secondary Plan applies to all properties in the Masonville community that are within the Transit Village Place Type in The London Plan. These lands generally extend along Richmond Street between Plane Tree Drive to the north and Shavian Boulevard to the south; and along Fanshawe Park Road between the Masonville Public School to the west and Fawn Court to the east. The Secondary Plan area boundary is illustrated in Schedule 1.
1.3 Purpose and Use

The purpose of this Secondary Plan is to establish a vision, principles, and detailed policies for the Masonville Secondary Plan area that provides a consistent framework to evaluate future development and public realm improvements. The intent of the policies is to provide direction and guidance to ensure the Secondary Plan area continues to evolve into a vibrant, connected and mixed-use community that enhances the human-scale quality of streetscapes, and integrates new and existing development, people and open spaces in a compatible and cohesive way.

The policies in this Secondary Plan apply to all properties in the boundary of the Masonville Secondary Plan area unless where specifically noted as only applying to a specific property or area. The policies of this Secondary Plan provide a greater level of detail than the policies of the Official Plan. Where the policies of the Official Plan provide sufficient guidance to implement the vision of this Secondary Plan, these policies are not repeated. As such, the policies of this Secondary Plan should be read in conjunction with the Official Plan and any other applicable policy documents. If an instance arises where the Official Plan and this Secondary Plan appear to be inconsistent, consideration will be given to the additional specificity of the Secondary Plan, and the Secondary Plan shall prevail.

The schedules form part of this Secondary Plan and have policy status whereas other figures and photographs included in the Secondary Plan are provided for graphic reference, illustration, and information. The policies of this Secondary Plan that use the words “will” or “shall” express a mandatory course of action. Where the word “should” is used, suitable alternative approaches that meet the intent of the policy may be considered.

The policies of this Secondary Plan will be implemented through mechanisms set out in this Secondary Plan, public investments in infrastructure and public realm improvements, as well as other tools available to the City including the Zoning By-law and Site Plan Control By-law. Planning and development applications will be evaluated based on the Planning and Development Application policies in the Our Tools section of The London Plan and this Secondary Plan to ensure that the permitted range of uses and intensities is appropriate within the surrounding context.

Any required funding associated with the recommendations in the Secondary Plan are subject to availability and approval of funding through the Corporation's multi-year budget process.
1.4 Vision

The Masonville Secondary Plan area will be an exceptionally designed, high density, mixed-use urban neighbourhood, with convenient access to quality public transit and community gathering spaces. Through infill and redevelopment, the Masonville area will become an exciting complete community that is balanced with places to live, work, shop, and recreate.

1.5 Principles

To realize the unique vision for the Masonville area, the development of this Secondary Plan has been guided by the following principles:

i) Principle 1: Build a connected community that encourages transit use and active transportation.
   a) Create a connected system of pathways and sidewalks that increase pedestrian and cycling permeability through the plan area and connect to transit and key destinations.
   b) Break up large commercial blocks during site development to create a more fine-grain connectivity network and improve walkability throughout the area.
   c) Prioritize pedestrian and active transportation movement through the plan area.
ii) Principle 2: Green the community through a network of public spaces.

a) Create new public parks and open spaces within the plan area that are publicly accessible, functional and exciting.

b) Create a variety of public spaces including plazas, parks and open spaces that cater to many different needs and preferences and provide opportunities for diverse activities.

c) Reduce the amount of hard surfaced parking area in the plan area and introduce soft landscaping and other forms of greening to beautify the area, improve pedestrian comfort and aid in stormwater management in the area.

d) Enhance new and existing streets with the addition of trees, soft landscape areas and green infrastructure.

iii) Principle 3: Develop a pedestrian-oriented environment that is safe, comfortable, and animated at street level.

a) Shift the primary mode of transportation in the plan area from the current dependency on the automobile to pedestrian movements.

b) Locate active uses at grade that provide a better environment for pedestrians and encourage walking throughout the plan area.

c) Delineate pedestrian connections and minimize the potential of pedestrian and vehicular conflicts.

d) Strategically locate and screen blank building facades, loading and utility areas to minimize impacts and ensure they do not detract from a positive streetscape environment.
iv) Principle 4: Promote exceptional design.
   a) Ensure a high standard of architectural quality and composition for new development throughout the plan area that reflects the character of Masonville.
   b) Construct functional and attractive built forms and public spaces that people want to use.
   c) Encourage pedestrian-oriented development that includes human-scale interest, texture, articulation, a mix of materials and ground floor activation in to the base of buildings.

v) Principle 5: Identify opportunities for intensification
   a) Encourage infill and redevelopment of underutilized land to support an efficient use of land and transit ridership.
   b) Support intense forms of mixed-use development to create vibrancy in the area while providing an effective transition to existing lower density areas, cultural heritage resources and sensitive land uses.
   c) Transition to more vertically-integrated mixed-use forms as opposed to segregating residential and non-residential uses.

vi) Principle 6: Create a complete community that supports a mix of uses, housing types and affordability.
   a) Provide a mix of residential dwelling types that cater to the needs of all ages, stages of life, socio-economic groups and household structures.
   b) Ensure residential dwellings are designed and delivered in a compact form.
   c) Provide a variety of employment, shopping, dining and service opportunities, including live/work opportunities.
   d) Design housing options to encourage social interaction, and a sense of community amongst residents.
2.0 Community Structure

The Community Structure Plan, illustrated in Schedule 2 of this Secondary Plan and described on the following page, focuses on establishing connectivity, providing an appropriate transition to the surrounding mature neighbourhoods and concentrating areas of intensification. The elements identified in the Community Structure Plan are intended to assist with implementing the vision for the area.
2.1 Areas of Intensity

The two main transportation corridors of Richmond Street and Fanshawe Park Road intersect in the plan area which forms a major central point of convergence. Lands surrounding this intersection have excellent access to the transit interchange and are well separated from existing lower density neighbourhoods. The most intensive land uses and forms are directed to these arteries to transform the intersection into a vibrant, transit-oriented, mixed-use focal point for the area. New development along these frontages will have active commercial ground floors to create interest and animation along the street and support a walkable main street environment.

2.2 Areas of Sensitivity

Surrounding the high-rises at the Richmond and Fanshawe intersection is an area where mid-rise developments are permitted to provide a transition from the higher heights to sensitive land uses like lower forms of development and cultural heritage resources. The majority of the plan area will feature a wide variety of uses and intensities, though the plan recognizes the existing low density mature neighbourhoods that are intended to be preserved. Land use for existing lower density residential areas is limited to a range of low-rise, residential uses that are compatible with the existing neighbourhoods. New development in proximity to these areas of sensitivity will provide effective transition in built form and massing to ensure a sympathetic transition.

Cultural heritage resources within and adjacent to the Masonville Secondary Plan area are intended to be conserved. New development adjacent to cultural heritage resources will be sensitively designed to achieve a compatible relationship to the cultural heritage resource.

2.3 Gathering Spaces

New green spaces and public parks are planned to provide outdoor amenity spaces to new and existing residents in the 3 major quadrants of the plan area. These new parks will create focal points for community gathering, recreation and activities, and are equitably distributed throughout the plan area so users won’t have to cross major roads to access them.

2.4 Transit Station

The transit station will be featured as a comfortable and attractive gathering space that connects Masonville to the rest of the City. The station will provide enhanced facilities for pedestrians and cyclists and be celebrated as a major destination and focal point. A distinct sense of place will be established around the station using decorative design features, unique street furniture, lighting and public art. The Transit Station will benefit from close proximity to the mixed-use hub at Fanshawe Park Road and Richmond Street and easy access to a diverse mix of commercial and service offerings.

2.4 Moving Around

The creation of new connections through a system of public or private streets will decrease block sizes and increase the permeability of the area and create a more walkable environment. These connections will provide new opportunities to green the corridors with tree plantings to provide shade for pedestrian comfort and manage stormwater. Active transportation will be improved through the new connections and will become a more appealing method of moving around. The new routes will provide connections to new open spaces, community facilities, the Rapid Transit Station and other points of destination.
3.0 General Policies

3.1 Mobility and Public Realm

Mobility in the plan area is based on all movements and infrastructure required for pedestrians, cyclists, motorists, and transit users. The street network within the Masonville Secondary Plan area consists of existing public streets such as: Main Streets (Fanshawe Park Road and Richmond Street North), Rapid Transit Boulevard, Neighbourhood Connectors and Neighbourhood Streets as well as new planned streets, that may be either public or private. For the purpose of this plan, the term 'private street' shall refer to privately-owned, publicly-accessible streets that connect and contribute to the street network to create an integrated system for enhanced pedestrian, cycling and vehicular connectivity. The mobility and public realm policies include:

i) Street Network

ii) Streetscape and Public Realm

iii) Private Streets

iv) Parking
3.1.1 Street Network

The connections shown on Schedule 5 represent a conceptual street network in a modified grid pattern that supports walking, cycling, access to transit and efficient delivery of emergency services. New connections within the plan area will be created as public roads or as private roads that are publicly accessible. Additional connections not identified on Schedule 5 may also be provided. The street network is based on the following policies:

i) The design of streets will prioritize pedestrian movement through provision of wide sidewalks, benches, trees, landscaping, lighting and other streetscape elements that improve pedestrian comfort.

ii) Transit and active transportation will be supported through the design of the street network to connect to key destinations, open spaces and transit.

iii) Connections shown on Schedule 5 are intended to break up large commercial blocks to create smaller development blocks that promote pedestrian movement by allowing for variation in routes and making walking easier and more efficient.

iv) The provision and construction of Connections in Schedule 5 shall be determined at the time of planning and development applications such as Zoning by-law amendments, plans of subdivision and site plans.

v) Future Active Transportation connections identified on Schedule 5 will provide additional pedestrian and cycling linkages to the existing recreational pathway network as well as providing better access surrounding the transit station.
vi) All new connections surrounding the Rapid Transit Station shall be designed to provide enhanced pedestrian infrastructure such as two (2) metre minimum sidewalk widths, tree plantings and landscaping, benches and seating areas, and other features to accommodate high levels of pedestrian traffic from people using transit.

vii) All new connections should be designed to be landscaped with tree planting and stormwater management controls to serve as greened corridors connecting park spaces, open spaces and community facilities.

viii) The use of common elements condominiums should be considered for the ownership, use and maintenance of common laneways and private roads between multiple property owners.

ix) Variations to Schedule 5 may be considered by the City by exception based on circumstances such as topography, proposed abutting land use(s), and opportunities to implement other objectives from the Transportation Master Plan, the Cycling Master Plan, the Rapid Transit Environmental Assessment, and this Secondary Plan.

x) All street typologies within the plan area shall be constructed in accordance with the Complete Street Design Manual and The London Plan to ensure that streets provide a variety of features to support a broad range of different users.

xi) The creation of private streets shall be in accordance with the policies in section 3.1.3.
3.1.2 Streetscape and Public Realm

The public realm in the Masonville Secondary Plan area will develop into a pedestrian and bicycle-friendly environment that will prioritize walking, cycling, and transit use based on the following policies:

i) Pedestrian and cyclist comfort and safety will be prioritized in the streetscape design for all public and private streets and the design of the public realm.

ii) All portions of North Centre Road are identified as priority cycling routes and shall provide cyclist infrastructure in any future public works, lifecycle renewal, or offsite improvements associated with development.

iii) Future public works projects or offsite improvements associated with development along Fanshawe Park Road and Richmond Street shall incorporate vegetative features to minimize the visual and auditory impacts of vehicular traffic on pedestrians.

iv) Future public works projects in the Masonville Secondary Plan area will incorporate soft landscaping, where feasible, to improve stormwater management.

v) Utilities should be located within the vehicle portion of the street or under the sidewalk to optimize growing space for trees, and utility boxes should be located underground where possible.

vi) Street furniture such as lighting, signage, parking meters, bicycle parking, utilities and garbage receptacles shall be designed and placed in a coordinated manner to enhance pedestrian comfort, maintain a direct clearway and minimize obstacles.
vii) Street tree planting and landscaping is encouraged along all public and private streets to provide shade for pedestrians, retain stormwater for ground water recharge, reduce the heat-island effect and enhance the aesthetic of the plan area.

viii) Patio spaces, small plazas, and courtyards are encouraged to be integrated into new development and should be oriented to the street for visibility and access.

ix) New high-rise multi-unit residential developments shall include indoor and outdoor communal amenity spaces for residents.

tax) Pedestrian-scale lighting and decorative light standards distinctive to the Secondary Plan area may be used to enhance the vibrancy and sense of place.

xi) The Rapid Transit Station shall be designed as a landmark facility and community focal point with high quality treatments and decorative features.

### 3.1.3 Private Streets

Private streets within the plan area are intended to function as public streets for pedestrians, cyclists and motorists, while providing flexibility and efficient use of land for private owners. An easement and agreement with the City shall be entered into to secure public access over private streets. The design and function of private roads shall implement the following:

i) Private streets shall be designed to provide the same function as public streets for pedestrians, cyclists and motorists and implement the concepts of ‘complete streets’.

ii) Where new private streets are created and retained in private ownership, they shall complement the road pattern, and connect to the established grade of public roads and public sidewalks with an appropriate design that achieves minimum separation requirements for intersections and other City standards.

iii) The private streets should provide for a streetscape and sidewalk environment designed for pedestrians, with features that include wide sidewalks, trees and feature plantings, decorative paving, and low impact development.

iv) Sidewalks shall be provided on both sides of new private streets.

v) Sidewalks should be separated from the travelled portion of private streets by a buffer area comprised of landscaping, on-street parking areas and/or cycle lanes.

vi) Lighting, signage and street furniture should be included where appropriate without detracting from the function or design of the space.

vii) Private streets are permitted to utilize the space above and below the street for such uses as underground parking, aerial art fixtures or decorative lighting, as long as there is no conflict for the use of the space by vehicles, pedestrians and cyclists.

viii) Private streets may utilize alternative paving and surface materials to be flexibly designed (ie. a woonerf) and used for festivals, events and gatherings.

ix) Plantings shall be installed in permanent landscaped areas, and should include tree planting where adequate soil volumes exist.
x) Plantings may be in alternative forms such as landscape planters or containers where underground constraints exist, such as underground parking or utilities.

xi) Where a private street is providing on-street parking, landscape bump-outs should be provided at all new intersections and mid-block for street segments longer than 6 spaces, to break up large stretches of parking areas and provide opportunities for trees and other streetscape furniture and amenities.

xii) Landscape bump-outs should be a minimum of 25m² to provide adequate space to incorporate multiple tree planting, low-impact development and rain gardens.

xiii) The East-west extension of Jacksway Crescent shall be designed at a higher standard as a major east west connector from the transit station to the surrounding area, and as a major cycling connection to planned cycle lanes along North Centre Road.

xiv) The East-west connection of Hillview Boulevard to the Masonville Mall Entry at North Centre Road is prioritized as a future public road.

xv) The boundary of private streets will be established at the outer edge from one sidewalk to another, to define the public versus private realm. Streetscape elements outside of this boundary will be considered part of the private buffer zone.
3.1.4 Parking

i) On-street parking may be provided along public and private streets within the plan area to support street-level commercial uses, where it does not conflict with pedestrian priority or constrain transit operation.

ii) Off-street parking shall be designed to reduce the visual impact of the parking from the public realm and should be provided as underground parking or structured parking integrated into the building and wrapped in active uses along all facades facing streets or public spaces.

iii) Structured parking should be designed in a flexible manner with an appropriate floor to ceiling height so that it may be converted into alternative active uses in the future. Structured parking ramps should not have parking located on them.

iv) Where surface parking is provided, these surface parking lots shall be environmentally responsible and well-designed to address the following:

a) Reduce the visual impact of surface parking lots through the use of landscaping.

b) Incorporate sustainable materials and technologies.

c) Create direct, comfortable, and safe pedestrian routes from parking to streets and buildings.

d) Mitigate the urban heat island effect through shade tree planting and landscaping.

e) Manage stormwater quality and quantity on-site.

f) Landscape islands within parking areas should be a minimum of 25m² to provide adequate space for multiple tree plantings, low-impact development, and rain gardens.

g) Enhance the safety and attractiveness of the public realm.

v) Establish joint access to parking lots (above or below ground) on adjoining properties where feasible.

vi) With the exception of purpose-designed on-street parking spaces, parking should not be located between a building and a public or private street.

vii) Locate access to parking areas on lower order streets, where possible, and consolidate driveway/laneway access points to minimize curb cuts and pedestrian conflicts.

viii) Reduced parking standards may be considered for new developments that demonstrate offset measures such as integrated vehicle share programs for residents.

ix) Bicycle parking and supportive facilities such as change rooms and showers should be provided for all new development and are encouraged to be publicly accessible.
3.2 Green Development and Sustainable Design

The Secondary Plan addresses the climate emergency by providing a compact form of development that reduces urban sprawl and encourages the use of public transit. The use of green spaces and building technologies will also help to contribute to sustainability and addressing the climate emergency. Development in the plan area is encouraged to achieve a high standard of environmental sustainability through incorporation of the following policies:

3.2.1 Green Spaces

i) Reduce private automobile dependency through provision of new pedestrian and cycling connections that encourage active transportation options and provide convenient links to transit facilities.

ii) Create a more green and livable community through the provision of new parks, green spaces, and gathering places.

iii) Existing healthy trees should be protected where possible and new treescapes shall be integrated into the design of streetscape, public spaces and within development sites to contribute to the character of the area, build a sustainable tree canopy, reduce the heat island effect, moderate sun and wind, and improve ground filtration.

iv) Urban agriculture and food production opportunities will be encouraged to be integrated into building and landscapes through elements such as community gardens, private gardens, greenhouses, roof-top gardens, and edible landscaping.
3.2.2 Green Buildings

i) Dedicate areas within buildings for the collection and storage of recycling and organic waste that is equally as convenient as the garbage facility.

ii) Reduce impacts on the environment through best practices such as LEED principles and certification.

iii) Achieve net-zero or net-positive greenhouse gas emissions for buildings through efficient design and energy usage.

iv) Minimize the waste of materials, water and other limited resources, and utilize recycled and reclaimed materials.

v) Use durable materials that help to conserve energy by lowering maintenance and replacement costs.

vi) Use locally harvested, recovered, manufactured or extracted building materials.

vii) Install green roofs or cool roofs on all new mid-rise and high-rise developments that include surface materials with high solar and thermal reflectivity to help reduce the impact of buildings on the climate.

viii) Orient buildings to maximize opportunities for passive solar gain, and utilize green building technologies such as solar devices.

ix) Install electric vehicle charging stations in all new mid-rise and high-rise developments.

x) Utilize alternative green energy sources such as district energy where available.
3.3 Stormwater Management

Currently, the Masonville Secondary Plan area is highly impervious. New development and redevelopment within the area will provide opportunities to substantially improve stormwater management through the implementation of water quality controls and integration of Low Impact Development (LID). Stormwater controls should be integrated along corridors, parks and linkages to not only provide an aesthetically appealing and cohesive path network but also improve sustainability within the area. The following policies apply to stormwater management within the Masonville Secondary Plan:

i) Stormwater will be considered as a resource to be utilized and not as a waste product for disposal.

ii) Stormwater management facilities and LIDs should be incorporated as focal points and design features within the community and should be delivered in a way that is compatible with, and enhances the vibrant, urban character of the area.

iii) Use of irrigation systems are discouraged. Efforts to utilize stormwater as a resource and/or selection of native, drought tolerant plants is preferred.

iv) Stormwater management shall be incorporated into all new development or redevelopment sites, surface parking areas and other hard surface development.

v) Utilize sustainable stormwater management techniques such as enhanced use of organic cover, and/or reduced vehicle lane width to reduce the runoff and impervious area coverage and to relieve stormwater management demands.

vi) Promote and showcase Low Impact Development (LID) principles and practices to improve water quality and reduce runoff volumes through infiltration or filtration including the use of: bioretention in surface parking landscape islands, free-draining garden planters, grassed swales (depressed areas), underground infiltration systems such as third pipe-systems or infiltration galleries, green roofs, rain gardens and rain harvesting vessels/barrels.

vii) Locate pathways or other public spaces adjacent to naturalized and/or greened LIDs, on both public and private lands where possible.

viii) Above ground stormwater management facilities and features will be designed to fulfill their planned function while also contributing positively to the aesthetic of the area.

3.4 Community Facilities

At the time this Secondary Plan was developed, the Masonville Secondary Plan area had very limited spaces for community use or gathering. In accordance with the City of London Parks and Recreation Master Plan, a future neighbourhood scale community centre is planned to serve the London North area and the Masonville area could be an ideal location. Council will undertake a separate site selection process to determine the appropriate location for the facility.
As the Masonville Secondary Plan area grows and develops, the need for community spaces will continue to increase. Future community spaces within the Masonville Secondary Plan area will be guided by the following policies:

i) Community spaces such as community centres and libraries should be designed to meet the needs of current and future residents as the area grows.

ii) Community centres and libraries are permitted in all land use areas within the Secondary Plan area.

iii) Community centres and libraries may be designed as separate stand-alone buildings or as part of an integrated multi-use building. The creation of a community hub with multiple community facilities is encouraged.

iv) The possibility of including a new community centre within a mixed-use development with residential or commercial uses will be explored, as opportunities arise.

v) Community facilities will be designed as landmark buildings. The ground floor of any community facility use will be designed to contribute to the vibrancy and animation of the public or private street.

vi) The integration of community spaces with affordable housing is encouraged.

vii) Community spaces should be designed with some planned open space to create a hub and extend complementary uses and services.
3.5 Rapid Transit Station

The City-wide Rapid Transit system includes two Rapid Transit routes, operating in north-east and south-west alignments. The ‘north leg’ extends to the Masonville Place (mall) terminus within the Secondary Plan area. Rapid Transit will improve frequency and reliability, increase the passenger capacity of the network and improve the quality of service for transit passengers.

The Rapid Transit Station shall be designed to be functional, accessible and attractive to serve as a focal point and landmark for the Masonville Secondary Plan area. The following policies apply to the Rapid Transit Station:

i) The built form may be either of a stand-alone Rapid Transit Station or may be incorporated into a building.

ii) Pedestrian connections to and from the station shall include wider sidewalks with a minimum width of two (2) metres and designed to enhance pedestrian comfort.

iii) Pedestrians and transit vehicle movements will have priority in and around the station area.

iv) Land uses surrounding the station shall be active and oriented to the station with building entrances, and direct pedestrian connections.

v) Decorative design features, public art, unique street furniture, and lighting will be used to highlight the station to establish a distinct sense of place.
3.6 Parks

At the time this Secondary Plan was developed, there were no public parks within the Masonville Secondary Plan area, which totals approximately 89ha. It is anticipated that the plan area will accommodate a high growth rate and substantially add to the existing population upon plan build-out. Open space is a necessary component of a thriving community and a vital feature to create a complete community.

The intent of the plan is to establish parkland within the plan area to support existing and future residents and complement the parks in the nearby area. The Masonville Secondary Plan area will be highly urban environment that will be based entirely on infill and redevelopment. In recognition of this unique situation, the parkland provision will be based on modified standards from those set out in the Parks and Recreation Masterplan and Design Manual to reflect the intent for this area. Smaller, more intense urban parks will be utilized in this highly urbanized plan area in place of traditional larger neighbourhood parks. Future parks and open spaces within the Masonville Secondary Plan area will be guided by the following policies:

i) As development occurs, the provision of new public parks and privately-owned, public spaces (POPS) is identified as a priority.

ii) The provision of land for future public parks is prioritized over the collection of cash-in-lieu to establish locations for new open spaces within the Secondary Plan area.

iii) The identification and consideration of land for future public park dedication shall be undertaken through all planning and development applications. Parkland dedication from development will be encouraged to consolidate and assemble to create a larger park space.
iv) New public parks will be required for the northwest, northeast and southeast quadrants of the intersection of Fanshawe Park Road and Richmond Street as identified in schedule 2 the Community Structure Plan, including:

• A new park is required in the southeast quadrant of the study area at the classification level of ‘urban park’ with a minimum size of 1.75ha.
• A new park is required in the northeast quadrant of the study area at the classification level of ‘urban park’ with a minimum size of 0.5ha.
• A new park is required in the northwest quadrant of the study area at the classification level of ‘urban park’ with a minimum size of 0.5ha.

v) New public parks and/or POPS will be encouraged for the southwest quadrant of the intersection of Fanshawe Park Road and Richmond Street.

vi) New parks should be designed to be buffered from vehicular traffic on Fanshawe Park Road and Richmond Street where possible.

vii) Publicly-owned parkland is preferred, however in instances where this may not be possible, or where retaining private ownership may provide additional community benefits, such as activities and programming, POPS may be acceptable alternative to the satisfaction of the City.

viii) Where POPS are provided in private ownership they shall be publicly accessible as established through an easement and agreement entered into with the City.

ix) An expanded range of activities, programming, events and uses may be permitted on POPS as established through an agreement with the City.

x) Enhanced pedestrian space or public plazas are encouraged for the lands at the intersection of Richmond Street and Fanshawe Park Road.

xi) New POPS such as seating areas, plazas and forecourts should be provided in high-traffic pedestrian areas such as at intersections and primary building entrances, to increase pedestrian comfort, enhance wayfinding and build character.

xii) Safe and convenient pedestrian and cycling connections will be established to the Uplands Trail from North Centre Road.

xiii) Additional pedestrian and cycling connections will be established as identified on Schedule 5: Connections through future redevelopment.
3.7 Housing Mix and Affordability

The Masonville Secondary Plan represents an opportunity to provide a wide range of housing options, including affordable housing for the plan area and the City as a whole. Development within the plan area will provide accessible, affordable, and quality housing options that people will want to live in. The City will work with other government agencies, the not-for-profit, and private sectors to promote innovative housing forms, development techniques, and incentives that will facilitate the provision of affordable housing. The following policies shall apply to all lands within the Masonville Secondary Plan:

i) Provide for a range and mix of housing types, including affordable forms of housing, to achieve a balanced residential community.

ii) Provide live/work opportunities for people to live near current or future jobs in the plan area.

iii) New mid-rise and high-rise developments shall include a mixture of unit sizes and configurations including a mix of bachelor, 1, 2, and 3-bedroom units.

iv) Grade-related multi-level, townhouse-style and live/work units should be incorporated into the base of mixed-use and high-rise development along appropriate street-frontages to promote walkability and social interaction.

v) It is the objective of this Plan that a minimum 25% of all new residential development meet the Provincial definition of affordable housing.

vi) Each site-specific development proposal will be assessed on its ability to contribute to affordable housing.
vii) Affordable housing units within market housing buildings shall be integrated with shared lobbies and amenities.

viii) The indoor and outdoor communal amenity spaces included in new developments should support a variety of age groups, including children, adults, seniors and families.

ix) Secure and convenient storage areas are encouraged for strollers, mobility aids and other equipment to support the needs of a diverse population.

x) The provision of affordable housing will be secured through Planning Act and other tools such as inclusionary zoning available at the time of development applications.

xi) Utilize innovative design features, construction techniques, or other tenure arrangements for residential developments, to broaden the provision of affordable housing.
3.8 Community Benefits

Community benefits are the facilities, services and matters that enhance the area with desirable attributes to be provided through new development and redevelopments. Council may deliver community benefits through the use of, but not limited to such tools as Bonusing, a Community Benefits Charge, and/or a Community Planning Permit System. The provision of community benefits in return for greater height or density does not have to be provided on the same site as the proposed development. Community benefits that will be prioritized for the Masonville Secondary Plan area include:

i) Provision of affordable housing that meets the Provincial definition established through an agreement with the City.

ii) Additional dedication of parkland above and beyond the minimum requirements specified in the Parkland conveyance by-law.

iii) Development of privately-owned public spaces (POPS) and community elements such as publicly accessible promenades, parks, gardens, plazas, or seating areas.

iv) Advanced provision of Development Charge (DC) and Community Benefits Charge (CBC) planned and identified facilities, works or matters.

v) Contribution to the development of transit amenities, features, commuter parking, and/or other facilities.
4.0 Land Use

The Masonville Secondary Plan area is intended to develop as a high-density, mixed-use, urban neighbourhood. The following policies will facilitate the development of a thriving mixed-use community with a diversity of uses, while recognizing existing mature neighbourhoods that are intended to be maintained. Permitted land uses are shown on Schedule 3 and described in the following policies:

4.1 General

i) The following uses are permitted anywhere within the plan area: community facilities such as community centres and libraries; transit facilities, public and private parks, and private roads.

ii) New single detached dwellings, semi-detached dwellings and duplexes are not permitted.

iii) New auto-oriented, restricted automotive uses and service stations are not permitted.

iv) Auto-oriented, restricted automotive uses and service stations that are existing on the date of the passing of this plan may continue to operate and are encouraged to transition to other permitted uses.

v) No more than 20,000m² of office space will be permitted in the plan area, and no more than 5,000m² of office space will be permitted in any individual building.
4.2 Transit Village Mixed-Use Area

The Transit Village Mixed-Use Area encompasses most of the plan area and includes a wide variety of uses to support the development of a vibrant, mixed-use transit supportive village.

4.2.1 Permitted Uses

i) A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.

ii) Mixed-use buildings are the preferred form of development with active ground floor commercial uses and residential uses above, unless otherwise specified in Schedule 6.

iii) New stand-alone, single-tenant commercial buildings are not permitted.

4.3 Low-Rise Residential Area

The Low-Rise Residential Area generally encompasses the outer edges of the Secondary Plan and includes a variety of existing low-rise and low-density residential developments. There is opportunity for a limited amount of compatible intensification within the Low-Rise Residential area.

4.3.1 Permitted Uses

i) A range of low-rise residential uses including triplexes, fourplexes, townhouses, stacked townhouses, and low-rise apartment buildings may be permitted.

ii) Within low-rise apartment buildings, small-scale convenience uses, such as convenience stores and cafes are permitted up to a maximum gross floor area of 300m².
5.0 Commercial And Residential Character Streets

5.1 Ground Floor Design

Improving the pedestrian experience is a priority of the Masonville Secondary Plan which requires thoughtful attention to the design of the ground floor. Creating active building façades increases activity and encourages passive surveillance which will in turn, help the Masonville Secondary Plan area evolve into a walkable, pedestrian-friendly neighbourhood.

i) New residential development will be located close to public and private streets, while maintaining a modest setback to accommodate building elements, such as landscape buffers, porches, canopies, courtyards and steps.

ii) New non-residential (commercial) development will be located close to public and private streets, while maintaining a modest setback to building elements, such as canopies, patios, plazas, public or private forecourts, doors and steps. Greater building setbacks are permitted to accommodate patios spaces, publicly-accessible plazas, and courtyards.
iii) Buildings and main entrances shall be oriented toward and front onto public and private streets, public parks and open spaces. Main building entrances shall not front onto surface parking lots.

iv) Private streets will be treated and considered as street frontages or exterior side yards for the purpose of this plan.

v) Buildings will have attractive and active frontages onto public and private streets. Blank walls, parking, services, and utilities should not be visible from public and private streets.

vi) Buildings with frontages along Fanshawe Park Road and Richmond Street shall have their massing, siting and principal entrances oriented to the street(s) to establish an animated pedestrian-scale environment. ‘Back of house’ activities such as loading areas are not permitted along the Fanshawe Park Road and Richmond Street frontages.

vii) Entrances to retail and commercial units, and lobbies that provide access to uses above the ground floor, will be at grade (flush) and accessible directly from the public or private road in order to activate the sidewalk.

viii) Non-residential ground floors should be designed to be tall enough to avoid conflicts with overhead elements such as signage, canopies and awnings, and to increase visual connection from interior spaces to the outdoors.

ix) Glazing should be transparent and maximized for non-residential uses located on the ground floor.

x) The ground floor of residential buildings within the Transit Village Mixed-Use area should be designed with the flexibility to accommodate future conversion to non-residential uses, such as providing a raised floor over the slab that can be removed to provide additional ground floor height in the future.

xi) Where residential units are provided at-grade, the setback will be sufficient to accommodate direct entryways and private amenity spaces for residential units, including any walkways, steps, porches, private courtyards and landscaping areas.
5.2 Priority Streets

To direct the clustering of commercial uses and provide for more intimate residential streets, Schedule 6 identifies where Commercial Character Streets and Residential Character Streets are required, and where they can be mixed. These streetscape characters are generally in line with the land uses on Schedule 3.

The lands fronting the intersection of Richmond Street and Fanshawe Park Road, and the future streets surrounding the transit station are identified in Schedule 6 as Commercial Character Streets, that require mandatory commercial uses at grade to promote pedestrian movements and create vibrancy at a focal point in the plan area. Active ground floor commercial are those uses that encourage regular and frequent movement to and from building entrances that activate the streetscape with high volumes of people. Active commercial uses include, but are not limited to:

i) Retail
ii) Restaurant
iii) Service
iv) Recreational
v) Cultural
vi) Entertainment
vii) Institutional
viii) Community Facilities

Portions of North Centre Road where there are existing mature residential neighbourhoods, are identified as Residential Character Streets on Schedule 6. These Residential Character Streets require a minimum number of residential units to be directly accessible from the sidewalk to enhance the residential streetscape and promote pedestrian movements that activate the sidewalk.
5.2.1 Commercial Character Street

Within a Commercial Character Street where a non-residential ground floor is required, a minimum of 50% of the building frontage should include active uses. Non-active uses, such as residential lobbies and offices may be permitted for the remaining building frontage. Where possible, non-active uses should be provided along lower-order street frontages.

5.2.2 Residential Character Street

Within a Residential Character Street where a residential ground floor is required, a minimum of 50% of the building frontage should include direct access to individual units from the adjacent sidewalks. Residential lobbies, and small-scale, non-residential uses may be permitted for the remaining building frontage.

5.2.3 Mixed Character Street

Schedule 6 identifies Commercial Character Streets where non-residential ground floors are required, as well as Mixed Character Streets where non-residential ground floors are encouraged, but not required. Mixed Character Streets may have ground floor uses that are in the format of either Commercial or Residential Character Street, or a combination of both.
6.0 Intensity

Transit Villages like the Masonville Transit Village are designated as Protected Major Transit Station Areas (PMTSA) in *The London Plan*, and second only to the downtown for permitted intensity. A high-level of intensity is envisioned for development in this plan area to achieve the vision and support the provision of higher-order transit. The following minimum intensity policies apply to the entire plan area:

i) A minimum of 150 residents and jobs combined per hectare within the plan area is required.

ii) The minimum density for residential development is 45 units per hectare.

iii) The minimum floor area ratio for non-residential uses is 0.50.
7.0 Height

The range of permitted heights identified on Schedule 4 will vary throughout the area to focus areas of intensity and ensure transitions in height to existing sensitive uses. Within the plan area buildings are based on High-Rise, Mid-Rise and Low-Rise permitted heights. The following policies apply to the entire plan area, unless otherwise specified:

7.1 High-Rise

High-Rise forms are permitted along Richmond Street and Fanshawe Park Road, which is the main intersection and focal point for development within the plan area. There is significant opportunity for intensification due to the high availability of surface parking lots, and the separation distance to the Low-Rise Residential areas and existing neighbourhoods. There is strategic proximity to the Rapid Transit Station, and this area will feature the tallest building heights and greatest intensity in the plan area to support public transit.

i) High-Rise buildings shall be a minimum height of three (3) storeys.

ii) The maximum permitted heights for High-Rise buildings shall be up to 15 storeys.

iii) Heights exceeding 15 storeys up to 22 storeys may be permitted in accordance with the Transit Village intensity policies of The London Plan.
7.2 Mid-Rise

Mid-Rise forms are permitted surrounding the High-Rise area and will provide development options at a mid-rise scale. Mid-Rise buildings will provide an important transition for building heights from High-Rise buildings to Low-Rise buildings and existing neighbourhoods. New development will be designed to provide transitions in building height and massing, and utilize screening and buffering to provide a sensitive interface with lower forms of development.

i) Mid-Rise buildings shall be a minimum height of two (2) storeys.

ii) The maximum permitted heights for Mid-Rise buildings will be up to eight (8) storeys.

7.3 Low-Rise

Low-Rise forms are permitted in areas generally comprised of existing mature residential neighbourhoods, or areas located in proximity to low-rise residential uses. New development within these areas will be based on low-rise development forms to ensure compatible scale and building heights.

i) Low-Rise buildings shall be a minimum height of two (2) storeys or eight metres for new development.

ii) The maximum permitted heights for Low-Rise buildings will be up to four (4) storeys.
8.0 Built Form

The Built Form policies guide the development of new buildings in the Secondary Plan area. These policies provide policy direction on building typologies and design as a framework for how the area will develop into an exceptionally-designed, high-density urban neighbourhood. Neighbourhood transition policies establish requirements to ensure development is an appropriate fit to existing low-rise residential uses.

8.1 General

The following built form policies apply to all new development in the Masonville Secondary Plan area:

i) The height, setbacks and stepbacks of new mid-rise and high-rise development shall fit within a 45 degree angular plane measured above 7m height from the property boundary of lands in the Neighbourhoods Place Type and/or any lands in the Low-Rise Residential Land Use Area in the Masonville Secondary Plan area as shown on Schedule 3. This is intended to provide a sympathetic transition from lower to higher development forms. All elements of fit and transition must be accommodated within the development site.
ii) All buildings shall be designed to express three defined components: a base, middle and top. Alternative design solutions that address the following intentions may be permitted:

a) the base shall establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, awnings, porches, canopies, lighting, and the use of materials that reinforce a human scale.

b) the middle shall be visually cohesive with, but distinct from, the base and top.

c) the top shall provide a finishing treatment, such as a roof or a cornice treatment, and will serve to hide and integrate mechanical penthouses.

iii) New development will be designed and massed to minimize the impacts of shadows on parks, POPS, the public realm, and outdoor communal and private amenity spaces.

iv) Buildings should have articulated façades that create a human-scale rhythm along streetscapes. No extensive blank walls should be visible from the public or private street.

v) Usable outdoor amenity spaces that activate the front yard setback, including porches, stoops, courtyards and plazas are encouraged.

vi) Buildings located at the terminus of vistas or view corridors should incorporate architectural design elements and massing that enhances the terminal view.

vii) The design of buildings should form a well-defined and continuous street edge to support a pedestrian-oriented environment.

viii) Buildings located at corner sites and intersections shall address and frame the corner with building entrance(s), massing, articulation, and height.

ix) Mid-block pedestrian and active transportation connections should be provided between buildings to facilitate pedestrian and cyclist permeability through the area.
8.2 High-Rise Buildings

The following policies apply to new high-rise development in the Masonville Secondary Plan area:

i) High-rise buildings are buildings that are nine (9) storeys in height or taller.

ii) A high-rise building consists of a podium and a tower on top to support a pedestrian-scale environment at street level.

iii) Podiums for high-rise buildings should have a minimum 5 metre setback above the third or fourth storey, and should be a maximum of five storeys tall, to provide a pedestrian-scale environment, limit the visual impact of the building at street level, and mitigate shadow and wind impacts on the public realm.

iv) Notwithstanding policy 8.2.iii, portions of high-rise buildings located along Fanshawe Park Road and Richmond Street frontages do not require a podium setback at the third or fourth storey.

v) The tower portion of high-rise buildings shall be setback a minimum of 5 metres from the podium along all street frontages.

vi) High-rise buildings should be designed with slender towers to reduce shadow impacts, minimize the obstruction of views and limit the massing on nearby properties. Tall buildings should have a maximum tower floor plate of 1,000 square metres above the fifth storey, with the length to width ratio not exceeding 1:1.5 to minimize shadowing and visual impact from all approaches.

vii) Towers shall not have any blank façades.
viii) Tower design and orientation is encouraged to provide privacy for occupants through techniques such as angling and offsetting towers.

ix) High-rise buildings should have a minimum separation distance of 30 metres between towers. This separation distance is intended to:

   a) Minimize the impacts of shadows and loss of sunlight on surrounding streets, open spaces, and nearby properties.

   b) Provide access to natural light and a reasonable level of privacy for occupants of high-rise buildings.

   c) Enhance the ability to provide pedestrian-level views of the sky between tall buildings particularly as experienced from adjacent streets, pedestrian connections, and open spaces.

   d) Minimize the impacts of uncomfortable wind conditions on streets, pedestrian connections, open spaces, and surrounding properties.

x) All portions of high-rise buildings above the podium shall be setback a minimum of 15 metres from the interior property line of any adjacent site that could accommodate high-rise development, or from the centre line of any public or private street, to protect and preserve the development potential of adjacent properties.

xi) The top portion of the tower shall be designed to create an integrated and attractive finish to the building and contribute to the quality and character of the Masonville skyline. The top portion of the tower shall integrate the mechanical penthouse and be architecturally distinct from the rest of the building through the use of stepbacks, articulation, materials or other architectural features.
8.3 Mid-Rise Buildings

The following policies apply to new mid-rise development in the Masonville Secondary Plan area:

i) Mid-rise buildings are buildings five (5) storeys in height up to and including eight (8) storeys in height.

ii) Mid-rise buildings should provide a minimum of three (3) metres setback above the third storey or fourth storey to provide a consistent pedestrian-scale environment, limit the visual impact of the building at street level and minimize the impacts of downward wind shear.

iii) Notwithstanding policy 8.3.ii, mid-rise buildings located along Fanshawe Park Road and Richmond Street shall provide a minimum of five (5) metres setback above the fifth storey for portions of the building along those frontages.

iv) Mid-rise buildings, particularly those on the south side of a public or private street should incorporate additional setbacks, or terracing, above the fifth storey to mitigate shadow impacts and provide better sunlight penetration at street level.
8.4 Low Rise Buildings

The following policies apply to new low-rise development in the Masonville Secondary Plan area:

i) Low-rise buildings are buildings up to and including four (4) storeys in height.

ii) Low-rise built form and front entrances shall be oriented to public and private roads, parks and open spaces.

iii) Garages for new low-rise development forms should be located at the rear of buildings and accessed off of a private street or driveway to minimize pedestrian-vehicle conflicts, create a pedestrian-oriented public realm and ensure vehicles do not dominate the streetscape. Garages should be integrated into the building design and not project beyond the main building.

iv) Multi-unit forms of development shall be limited to no more than six (6) attached units for townhouses and eight (8) attached units for stacked townhouses to ensure breaks in the street wall for connectivity.

v) Cluster developments will only be permitted where buildings are oriented with active street frontages along public and private streets as a first priority.

8.5 Back of House and Loading Areas

Loading areas are a necessary component of existing and future commercial uses which are an integral part of this Secondary Plan. The following policies are required for back of house and loading areas:

i) Loading docks and back of house activities will be located away from public and private streets.

ii) Loading areas shall be screened from public and private streets, and neighbouring uses by the combined use of building massing and landscaping.

iii) Waste storage areas should be located inside buildings to mitigate their visual and odour impacts. Where outside waste disposal areas are necessary, they will be enclosed and screened with landscaping.
9.0 Our Tools

9.1 Implementation of the Plan

The Masonville Secondary Plan shall be implemented through the following implementation mechanisms:

i) This Secondary Plan shall be implemented according to the provisions of the Planning Act, the Provincial Policy Statement, other applicable Provincial legislation, and the provisions of the City of London Official Plan; The London Plan.

ii) Where applicable, approval of development applications shall be conditional upon commitments from the appropriate authorities and the proponents of development to the timing and funding of any required road and transportation facilities. These works will be provided for in site plan agreements. Phasing of the development, based on the completion of the external road works, may be required by the City of London.

iii) Approval of development applications shall be conditional upon commitments from the appropriate authorities and the proponents of development to the timing and funding of required storm water management, sanitary sewer and water supply facilities. These works shall be provided for in site plan agreements. Phasing of development, based on the completion of external sewer and water services, may be implemented if required by the City of London.

iv) All municipal works shall be consistent with the policies of this Plan.

v) All planning and development applications shall be consistent with the policies of this Plan.
9.2 Interpretation

The following policies are intended to provide guidance in the interpretation and understanding of the policies, objectives, principles and schedules of this Secondary Plan.

i) The policies and principles contained in the Masonville Secondary Plan are intended to implement this Secondary Plan, as described in (Section 1). It is intended that the interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

ii) The boundaries between land use areas as shown on Schedule 3 are not intended to be rigid, except where they coincide with physical features such as public streets. The exact determination of boundaries that do not coincide with physical features will be the responsibility of Council. Council may permit minor departures from such boundaries if it is of the opinion that the general intent of this Secondary Plan is maintained and that departure is advisable and reasonable. Where boundaries between land use designations do not coincide with physical features, any major departure from the boundary will require an Official Plan amendment to this plan.

iii) Minor variations from numerical requirements in this Secondary Plan may be permitted by Council without an amendment to the Official Plan, provided that the general intent and objectives of this Secondary Plan and Official Plan are maintained.

iv) Where lists or examples of permitted uses are provided in the policies related to specific land use designations, they are intended to indicate the possible range and types of uses to be considered. Specific uses which are not listed in this Secondary Plan, but which are considered by Council to be similar in nature to the listed uses and to conform to the general intent and objectives of the applicable land use designation, may be recognized as permitted uses in the Zoning By-law.

9.3 Municipal Works

Municipal works shall be consistent with the policies of this Plan. Such works include:

i) Road development or reconstruction.

ii) Sewer, water, stormwater and wastewater infrastructure.

iii) Parks.

iv) Public facilities.

9.4 Official Plan

i) Any amendments to the text or schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the schedules of this Plan may require amendments to the associated maps of the Official Plan – The London Plan.

ii) Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of the City of London Official Plan – The London Plan.
9.5 Zoning By-law

i) Any applications for amendments to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.

ii) Consideration of other land uses through a Zoning By-law Amendment shall be subject to a Planning Impact Analysis as described in the Our Tools section of The City of London Official Plan. The Zoning By-law may restrict the use or size of some uses.

iii) The Zoning By-law will provide more detail on individual permitted heights which may not include the full range of heights identified in this Secondary Plan.

9.6 Plans of Subdivision, Plans of Condominium, and Consents to Sever

Any application for subdivision, condominium or consent to sever shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.

9.7 Site Plan Approval

Any applications for site plan approval shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.

9.8 Guideline Documents

Guideline documents may be adopted by Council to provide greater detail and guidance for development and the public realm elements of the Secondary Plan.
9.9 Street Creation

New public and private streets will be created through the following processes:

i) Plan of Subdivision.

ii) Plan of Condominium.

iii) Site Plan.

iv) Consent.

v) Land Dedication.

vi) Land Purchase.

Schedule 5 shows the Conceptual Street Network. This Secondary Plan establishes a street pattern that represents the foundation for the community and establishes the framework for the layout of land uses. This Secondary Plan identifies the general alignment of roads and allows for minor changes to the street alignments to be made without amendments to this Secondary Plan provided that the general intent and objectives of this Secondary Plan and the Official Plan are maintained. The street network may need to be modestly realigned to address constraints and opportunities identified through future planning and development applications or to allow for enhanced site or building design. Substantive changes or omissions to any road alignments will require an Official Plan amendment and shall only be permitted where they are consistent with the underlying principles of the Community Structure Plan and this Secondary Plan.

At the subdivision and/or site plan application stage traffic controls - including the provision of signalized intersections and turning movements - and frontages that may be subject to full or partial restrictions on individual driveway access, shall be identified within traffic studies required as part of a complete application.

Private Streets may utilize street names to assist with way-finding and establish a sense of place. Speed limit signage, traffic calming techniques such as roundabouts, and other traffic management elements may be considered as part of the street design.

9.10 New Parkland

To ensure that new parkland is delivered concurrently with new development, staff are directed to utilize parkland cash in lieu funding, supplied from this immediate growth area (parkland reserve fund), to support park construction costs that may not be fully covered under future development charge studies and/or future parkland development charge standard rates.

9.11 Stormwater Management

Planning and development applications shall address the following stormwater management policies:

i) All efforts should be made for new and redevelopment site plans within the area to capture and infiltrate the first 25mm of stormwater onsite during all storm events.

ii) All overland flows from 250-year flow events in new and redevelopment areas are required to be safely conveyed offsite and are not to impact neighbouring properties.

iii) In areas that LID cannot be accommodated (i.e., where underground parking exists), the use of oil/grit separators should be used to achieve required total suspended solids (TSS) removal to improve water quality to the satisfaction of the City.
iv) In accordance with established policies, the stormwater drainage system will be designed to the satisfaction of the City and all applicable approval agencies having jurisdiction. Where permitted, Permanent Private Systems (PPS) will provide water quality and/or quantity control for storm drainage. Stormwater servicing works for the subject lands will be required to be designed to the satisfaction of the City Engineer.

v) The implementation of Best Management Practices (BMPs) is encouraged where possible, subject to favourable geotechnical conditions and land development within the plan area, all to the satisfaction of the City Engineer.

vi) A Stormwater Management Plan may include but not be limited to conceptual stormwater plan, an Environmental Assessment, a functional Stormwater Management Plan, as determined by the City.
9.12 Required Studies

This Secondary Plan identifies the following studies, plans, reports and assessments that may be required to be completed to the satisfaction of the City of London and any agency having jurisdiction, prior to the City considering a development application to be complete and prior to the approval of development applications within parts of, or the entire, Secondary Plan Area. The City shall determine on an application by application basis the need for supporting studies, plans and assessments, and when in the approvals process they may be required:

- Archaeological Assessments
- Affordable Housing Strategy or Statement demonstrating response to policies in 3.7
- Conceptual Master Development Plan or Development Phasing Plan
- Conceptual Site Design Plan/Building Elevations
- Construction Impact Mitigation Study
- Cultural Heritage Evaluation Report
- D-6 Guideline Compatibility Study
- Environmental Impact Studies
- Functional Servicing Plans (sewer and water)
• Geotechnical Report and/or hydrogeological investigations to support Low Impact Development features

• Green Development Statement demonstrating response to policies in Section 3.2

• Heritage Impact Assessment

• Shadow Study

• Stormwater Management Plan

• Storm/Drainage Servicing Report demonstrating reasonable measures to include LID and other traditional stormwater control measures.

• Traffic Impact Assessment

• Tree Inventory, Preservation, Protection and Edge Management Plans

• Urban Design Brief

• Wind Impact Assessment

Additional studies beyond those described above may be required by the City for individual sites at the time of pre-application consultation.

Any study that requires a peer review shall be carried out at no cost to the City and subject to approval by the City or any other authority having jurisdiction.
10.0 Specific Policy Areas

The following policies relate to specific sites or areas within the Masonville Secondary Plan area. These policies serve to augment the more general policies in the Masonville Secondary Plan. Where there is a conflict between the following policies and the more general Masonville Secondary Plan policies, these more specific policies shall prevail. Specific Policy Areas are identified in Schedule 1.

10.1 Richmond Street-Old Masonville

a) The Richmond Street-Old Masonville Area is located on the west sides of Richmond Street between Shavian and Hillview Boulevards on lands that are municipally known as 1607, 1609, 1611, 1615, 1619, 1623, 1627, 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along an important transit corridor, and are adjacent to Masonville Mall, a regional activity centre and major node. Given the prominent location, it is desirable to increase the net residential density of these lands to facilitate the development of an aesthetically pleasing, functional, and transit-supportive residential development while simultaneously preserving the residential amenity of the abutting low density residential lands to the west and south, and providing for a limited amount of accessory commercial space intended to service the day-to-day convenience needs of the future residents and immediate neighbourhood. Future development of these lands shall be in accordance with the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines.
b) In addition to the requirements identified in the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines, the key principles to be implemented through the development of these lands include the following:

i. Increasing setback distances from low density residential areas to the west and south of the subject lands to provide for enhanced buffering opportunities.

ii. Facilitating appropriate intensity by establishing a cap on the number of bedrooms at 3 per dwelling unit.

iii. Apartment buildings shall be required to include a mix of 1, 2, and 3 bedroom units.

iv. Mitigation of impacts on the surrounding established low density residential neighbourhood by lowering the maximum height of townhouse dwellings and restricting the above-grade height of basements through the use of zoning regulations.

v. Implementing a mix of at-grade and below-grade parking to provide opportunities for more landscaped open space. Above-grade parking decks shall not be permitted. Below-grade parking shall be utilized in the development of the properties located at 1631, 1635, 1639, 1643, 1649, and 1653 Richmond Street in the event that parking requirements cannot be provided at grade without an accompanying reduction in the lot coverage and/ or landscaped open space coverage regulations.

vi. Apartment buildings shall be oriented toward the Richmond Street corridor as well as Hillview Boulevard along the northern perimeter.

vii. Front yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.

viii. Decreasing the height of the buildings from east to west and from north to south such that the greatest heights shall be located at the northern and eastern portions of the subject lands with lower heights along the western and southern portion of the subject lands.

ix. Retaining existing vegetation and providing for dense landscaping to maximize privacy between the subject lands and the abutting low density residential properties to the west and south.

x. Limiting the number of townhouse dwellings to four per block to break up the visual massing.

xi. Requiring the comprehensive development of these lands through the use of internal driveway access and limited mutual access points.

c) In addition to the Richmond Street-Old Masonville Master Plan and Urban Design Guidelines and the key principles identified above, the following policies will provide additional guidance for the development of these lands:For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and
west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law.

i. Mutual access to Richmond Street may be required through these properties and, if so, it shall be provided for the benefit of all the subject properties identified in this specific policy.

ii. For the lands located at 1615, 1619, 1623, and 1627 Richmond Street, the permitted uses shall include apartment buildings and cluster townhouses. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 150 units per hectare shall be permitted and a maximum height of four storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

iii. For the lands located at 1631, 1635, and 1639 Richmond Street, the permitted uses shall include apartment buildings, cluster townhouses, and limited convenience commercial uses on the ground floor of the apartment building which service the day-to-day convenience needs of the residents of the immediate neighbourhood. Any commercial uses must be integrated within the residential apartment building and are not intended to be within a “stand-alone” commercial structure. The exact range of permitted convenience commercial uses shall
be specified in the Zoning By-law. The location of the apartment buildings shall be restricted to the eastern portion of these properties, thereby locating the maximum heights and densities away from the existing single detached dwellings to the west. Notwithstanding the general Transit Village Place Type policies, a maximum net density of 200 units per hectare and a maximum height of six storeys shall be permitted for the apartment building, subject to the regulations of the Zoning By-law.

d) Mutual access to Richmond Street shall be provided opposite Jacksware Crescent for the benefit of all the subject properties identified in this specific policy. The construction of below-grade parking shall be required below the apartment building to supplement the surface parking area. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space coverage requirements specified in the Zoning By-law.
10.2 1643, 1649, 1653 Richmond Street

a) The subject lands are located on the west side of Richmond Street, south of Hillview Boulevard, including the lands that are municipally known as 1643, 1649 and 1653 Richmond Street. These lands are situated along an important gateway into the City of London from the north, along a future rapid transit corridor, and are adjacent to Masonville Mall, a regional activity and employment centre. Given the prominent location of the subject lands, it is desirable to increase the scale of development and range of uses permitted on these lands. It is intended that the following site-specific policies will facilitate the development of an aesthetically pleasing, functional and transit-supportive development which simultaneously preserves the residential amenity of the abutting low density residential lands to the west. A limited amount of medical/dental office space within a mixed-use building may be provided to service surrounding neighbourhoods and provide an effective pedestrian-oriented interface with the corner of Richmond Street and Hillview Boulevard. Future development of these lands shall be generally in accordance with a conceptual block development plan developed in support of a zoning by-law amendment application which meets the Intensification policies in the Our City part, and City Design chapter of this Plan, as well as the following site-specific policies:

i. For the lands located at 1607, 1609, and 1611 Richmond Street, the permitted uses shall be cluster townhouses and cluster stacked townhouses. The location of the cluster stacked townhouses shall be restricted to the
eastern portion of 1609 and 1611 Richmond Street, directly abutting the Richmond Street corridor, thereby locating the maximum heights and densities away from the abutting low density residential lands to the south and west. To implement these uses, a maximum net density of 45 units per hectare shall be permitted and the maximum height of the permitted uses shall be regulated by the Zoning By-law.

ii. Notwithstanding the general Transit Village Place Type policies, a maximum density of 200 units per hectare and a maximum height of up to six storeys shall be permitted subject to the regulations of the Zoning By-law.

iii. The development of the subject lands will occur in a comprehensive manner wherein internal driveway connections are required to connect various phases of development and redevelopment as well as properties to the south including 1607-1639 Richmond Street. Similarly, mutual access to underground parking facilities may be provided to properties within this block to connect various phases of development. Mutual access to Hillview Boulevard shall be provided through these properties for the benefit of all of the subject properties identified in this specific policy as well as all properties located south of the subject lands, on the west side of Richmond Street including 1607-1639 Richmond Street.

iv. Applications for zoning by-law amendments will require the submission of a comprehensive block development plan which shall include a site plan and conceptual building elevations, which conform to the policies of this section. Holding provisions may be utilized to ensure a development agreement is entered into with the City of London which provides assurances that the ultimate form of development be in accordance with the conceptual block development plan. The requirement to provide a conceptual block development plan is intended to ensure that development, which may occur in phases over time, generally appears and functions as a comprehensive development.

v. Other principles that will guide the development of the conceptual block development plan and the associated zoning regulations include:

1. Minimum setback distances from low density residential properties to the west shall be specified in the Zoning By-law in order to provide for significant buffering opportunities.

2. The construction of below-grade parking shall be required. Limited opportunities for surface parking may be provided. Above-grade parking structures shall not be permitted. Additional below-grade parking shall be encouraged to reduce the amount of surface parking area and, if required, to maintain the lot coverage and landscaped open space requirements specified in the Zoning By-law.

3. The maximum height of townhouse dwellings and restrictions regarding the above-grade height of basements shall be implemented through the zoning provisions to ensure the visual impacts on adjacent low density properties to the west are minimized.
4. Apartment buildings shall include primary entrances oriented toward the Richmond Street corridor. Primary entrances may be oriented toward the corner of Richmond Street and Hillview Boulevard along the northern portion of the site.

5. Yard depths from the apartment buildings to Richmond Street and Hillview Boulevard shall be minimized.

6. Existing vegetation along the western property line shall be retained to the greatest extent possible with additional vegetation maximized to provide for privacy between the subject lands and the abutting low density residential uses to the west.

7. The number of townhouse dwellings shall be limited to four per block to break up the visual massing.

10.3 230 North Centre Road

a) A maximum density of 192 units per hectare and a maximum height of 15 storeys shall be permitted subject to the regulations of the Zoning By-law.

10.4 1836 Richmond Street

a) Low-rise development is permitted on the western portion of this property, subject to the regulations of the Zoning By-law including the removal of holding provisions.
11.0 Schedules
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: Z-1 Zoning Bylaw - Holding Provision Review

Meeting on: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following report **BE RECEIVED** for information with respect to a review of holding provisions within the Z-1 Zoning Bylaw.

Executive Summary

The following information report provides an analysis of the application of Z-1 Zoning By-law Holding Provisions to identify development constraints. The report provides some historical context on how Holding Provisions have been incorporated within the Z-1 By-law, identifies issues with the use of Holding Provisions, and provides an analysis of some options to consider in order to streamline the approvals process.

The information and recommendations on holding provisions contained within this report should be considered through the ReThink Zoning process.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

The jurisdiction which allows municipalities to apply holding provisions is outlined in the Planning Act:

Holding provision by-law

36 (1) The council of a local municipality may, in a by-law passed under section 34, by the use of the holding symbol “H” (or “h”) in conjunction with any use designation, specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law. R.S.O. 1990, c. P.13, s. 36 (1).

The City has had Holding Provisions in the Z-1 Zoning By-law (Z-1) since it was originally approved in 1993. This consolidation of multiple area-based versions provided a set of regulations for each Zone type (i.e., residential, commercial, industrial, etc.). This allowed for easier interpretation and use by Council, City-staff, the development community and ultimately the public. As part of this consolidation, holding provisions were included to identify development constraints that needed to be addressed prior to the issuance of a building permit as opposed to site specific zoning.

When Z-1 was passed in 1993 there were less than twenty (20) holding provisions included in the original bylaw. It was anticipated that these holding provisions could be used for multiple situations but also acknowledged that additional provisions may be necessary to address unique situations. Since 1993, the number of provisions has
crept to up to 227 with approximately half of these added in the past 10-years to address site specific constraints.

“Just-in-Time” Development Process

In order for a landowner/developer to obtain a building permit, the holding provision must be removed through a Council approved By-law amendment. Although not as in-depth as a re-zoning, the Planning Act requires Council approval to take the holding provision off the subject site. The process includes submitting an application to the City (along with the appropriate fee) as well as justification for removal of the holding provision. The process usually takes about 1-2 months. Although it is a relatively short time frame, the applicant is responsible for ensuring the application is submitted in a timely manner and does not impact their business plans. Timing of Council meetings, site plan approval and servicing all play into the “just-in-time” nature of this stage of the development process.

On infill sites the developer and builder are often the same company and requirements of the restrictions imposed by a holding provision are typically well understood. Conversely, in new subdivisions, the developer is typically responsible for removing the “h” and not the home builder. Holding provisions are typically the last zoning item that needs to be addressed prior to building permit issuance and it is often perceived as a significant delay for home builders keen on starting construction.

2.0 Discussion and Considerations

Review of Existing Holding Provisions

The following principles / questions were considered in the review of the 227 holding provisions:

1. Are there similarities between any of the existing provisions?
2. Can generic language be used?
3. Is the holding provision a duplication of the Planning Act review and approval process?
4. Are there existing administrative systems in place to communicate requirements to staff and / or the public?
5. Were they imposed by the Ontario Municipal Board (OMB) or Local Planning Appeals Tribunal (LPAT)?

Existing Holding Provision Categories

The existing holding provisions can be grouped into the following 16 distinct categories with one miscellaneous category to address holding provisions under appeal.

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of Holding Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Resource</td>
<td>1</td>
</tr>
<tr>
<td>Agriculture</td>
<td>3</td>
</tr>
<tr>
<td>Archaeological</td>
<td>2</td>
</tr>
<tr>
<td>Built Heritage</td>
<td>4</td>
</tr>
<tr>
<td>Contamination</td>
<td>4</td>
</tr>
<tr>
<td>Lotting</td>
<td>6</td>
</tr>
<tr>
<td>Natural Heritage</td>
<td>9</td>
</tr>
<tr>
<td>Noise/Vibration/Dust/Odour</td>
<td>10</td>
</tr>
<tr>
<td>Parks Planning</td>
<td>1</td>
</tr>
<tr>
<td>Planning</td>
<td>6</td>
</tr>
<tr>
<td>Servicing</td>
<td>35</td>
</tr>
<tr>
<td>Public Site Plan</td>
<td>2</td>
</tr>
<tr>
<td>Slope Stability</td>
<td>2</td>
</tr>
<tr>
<td>Transportation</td>
<td>24</td>
</tr>
<tr>
<td>Urban Design</td>
<td>25</td>
</tr>
<tr>
<td>Wind</td>
<td>2</td>
</tr>
</tbody>
</table>
The top three (3) categories are Servicing, Urban Design and Transportation accounts for almost 60% of all holding provisions in use. This group is followed by Noise, Natural Heritage and Planning matters which accounts for an additional 17% of all holding provisions in use.

**Update Link Between Mapping and Bylaw**

There are currently 227 holding provisions listed in Z-1. This total number does not reflect those that have been deleted through zoning amendments. The structure of the by-law is such that the numbers are not reused when new holding provisions are created. The new provisions are simply added in a sequential manner.

To support his review, staff have carried out a comparison of the text and maps of Z-1 and it appears that 86 holding provisions in the text are not shown on the zone maps. The mapping is updated each time a holding provision is lifted but the by-law was not changed as it was assumed that the holding provision might apply to other properties in the city. After this review, the total number of holding provisions has decreased from 227 to 141.

In addition to the above, a review of the remaining holding provisions identified that a number are exact duplications or very similar to each other. Based on this, it is anticipated that as many as 50 additional holding provisions could be deleted or reworded to avoid duplication. As a result, the total number of holding provisions would again be substantially reduced.

**ACTION:**

- Update and modify existing holding provisions in the bylaw and build a process to ensure the mapping and text are updating in unison.
- Work to be completed prior to enacting ReThink Zoning bylaw.

**Other Planning Tools to Address Development Constraints**

Based on Staff’s review of the City’s current development approvals processes there are other planning tools that could be used in place of holding provisions to address development constraints.

1. Further to the policies outlined in The London Plan (1580, 1581, 1582, 1583), within the various Planning Act application reviews for a Re-Zoning or Official Plan Amendment, Minor Variances, Consents, Site Plans and Subdivisions a broad range of planning, engineering and public interest matters are assessed. The outcomes derived from these reports and studies could be addressed through:

   - special provisions of the Zoning bylaw,
   - conditions of draft approval for subdivisions,
   - conditions relating to consent and minor variance applications
   - and, development / subdivision agreement clauses.

2. Further, many of the engineering matters associated with servicing have been addressed through the Development Charges Background Study and the City’s Engineering Design Standards. This has been an evolutionary process, reducing the universal need for holding provisions. For example, h-104 identifies a comprehensive storm drainage plan that is required. This could be addressed as part of a site plan application submission rather than requiring a holding provision to compel the work to be undertaken. In the case of a re-zoning, site plan or subdivision application there is an extensive pre-consultation process that highlights the various issues that the applicant must address prior to receiving Council or Approval Authority endorsement.
3. Changes to sections of the Zoning By-law could be considered to address general development constraints (such as wind, servicing, etc.) which would eliminate the need for certain existing holding provisions.

4. The AMANDA database can be used more extensively by staff to identify site specific conditions prior to development.

**ACTION:**
- Review the 4 options outlined above as part of the ReThink Zoning process.

### 3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

### 4.0 Key Issues and Considerations

The following options provide background and consideration for the ReThink Zoning team in developing a new more user-friendly bylaw for Council, staff, the development community and the public. These options will be weighed against the Terms of Reference and principles of that process.

**Option 1 – Use Existing Provisions and Adjust Language**

Use the existing list of holding provisions to develop a new set that appropriately addresses the necessary restrictions on the various sites.

**Specific Holding Provisions to be Retained**

Based on the review, 14 holding provisions could be retained as they relate to development constraints outside of other application processes or were imposed by an OMB order.

The OMB or LPAT holding provisions are important to maintain as there is an expectation from the public that these restrictions are upheld until the holding provision is removed. Once these provisions are removed, they will no longer exist, and the total number reduced to around ten (10) holding provisions.

The following list of holding provisions should be retained due to the fact that there are limited means to address the issues through other review or approval processes:

- **h**
  - Create generalized holding provision to apply in limited situations in the future.
  - Include servicing requirements in General Provisions of Zoning By-law.
  - Include in conditions field in AMANDA as additional flag for Zoning staff.

- **h-2**
  - Holding provision be expanded and generalized, in consultation with Ecological Planning staff to reduce duplication across multiple properties.
  - Components of other holding provisions (i.e. h-35, h-202, h-222, etc.) to be used as part of consolidation review.

- **h-4**
  - Holding provision be updated and generalized to reduce duplication across multiple properties.

- **h-5**
  - Holding provision to be updated to reflect one window approach to development applications and reduce repetition in the process.

- **h-6**
  - Carry out a review to determine if other properties should have this holding provision.

- **h-11**
  - To remain based on Ontario Municipal Board Order.

- **h-18**
  - Retain h-18 Holding Provision and update if necessary in consultation with Heritage Planner.
### Option 2 – Create Special Provision Zones and/or Generic Holding Provisions

The Provincial Policy Statement identifies issues that municipalities must take into consideration when considering any development application. These issues include (but are not limited to) items such as Aggregate Resource impacts, Agriculture impacts, Planning, Natural Heritage, Cultural Heritage, Man Made Hazards, Urban Design, Servicing, etc. A generic set of holding provisions to address these items could be created to address these issues.

In all cases below, information on the property would be populated in AMANDA as a flag to assist staff with implementation during the review of future applications. In addition to the more generic provisions below any OMB or LPAT ordered zones would be maintained until they have been formally removed.
<table>
<thead>
<tr>
<th>Category</th>
<th>Recommended Alternatives for Addressing Development Constraints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slope Stability</td>
<td>Update h-4.</td>
</tr>
<tr>
<td>Transportation</td>
<td>Create special provision zone and/or apply another more generic holding provision to address the issues.</td>
</tr>
<tr>
<td>Urban Design</td>
<td>Create special provision zones and/or apply another more generic holding provision to address the issues.</td>
</tr>
<tr>
<td>Wind</td>
<td>Add regulations to General Provision Section of Z-1.</td>
</tr>
</tbody>
</table>

The pros and cons of this option is as follows:

<table>
<thead>
<tr>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
<tbody>
<tr>
<td>This would limit the number of holding provisions and no further holding provisions would be required.</td>
<td>Additional research would be required from property owners to try to determine what would be required to lift the holding provision.</td>
</tr>
<tr>
<td>Property owners would be aware of development restrictions by searching through the City map and Zoning By-law.</td>
<td>Additional staff inquiries from potential property owners trying to obtain the specifics of the holding provision.</td>
</tr>
</tbody>
</table>

Option 3 - Create Single Generalized Holding Provision to address all issues

As opposed to having a series holding zones split by category, an option to create one holding provision could be used. The language below is provided as an example and would be refined through discussion with Legal Services and City Planning prior to incorporating into the new ReThink Zoning Bylaw:

**Purpose:** To ensure the orderly development of lands and the adequate provision of municipal services, any necessary studies or additional formation identified by Council during the rezoning process, at the time this holding provision was applied, shall be carried out by a qualified professional and submitted to the City for review and acceptance. Any recommendation from the accepted study(s) shall be undertaken to the satisfaction of the City of London, prior to the removal of the "h" symbol.

**Permitted Interim Uses:** As identified Council.

For this to work, the information required for the clearance of the holding provision would be noted in the staff report and as a clause in the Council resolution. With this approach, the imprecise nature of the holding provision may limit a potential purchase’s ability to make an informed decision regarding a property.

By using a single general holding provision, London’s bylaw would be more in-line with other south western Ontario municipalities. The main difference between the current practice and this approach would be how the information would be disseminated to the public i.e. through the Council Resolution.

The pros and cons of this option is as follows:

<table>
<thead>
<tr>
<th>Pros</th>
<th>Cons</th>
</tr>
</thead>
<tbody>
<tr>
<td>No confusion or interpretation on the language of a holding provision.</td>
<td>Potential purchaser cannot obtain enough info from the zoning by-law to make an informed decision on a property.</td>
</tr>
<tr>
<td></td>
<td>Additional research would be required from property owners to try to determine what would be required to lift the holding provision.</td>
</tr>
<tr>
<td></td>
<td>Council resolution is not applicable law.</td>
</tr>
</tbody>
</table>
Analysis of Options – Recommendation to ReThink Zoning

Based on the above analysis, Option 3 is not considered a viable option.

A combination of Option 1 and Option 2 in addition to administrative tools discussed in Section 2.0 of this report can be used to identify and address development constraints. By using facets of both of these options, a reduction in the number of holding provisions can be achieved along with building in a more efficient development approvals process. Further, the team can consider other potential categories to reflect The London Plan policies where the Site Plan Control By-Law, Engineering Design Manual or other standards and policies do not have a well-documented approach.

In practice, holding provisions should be used sparingly and instead rely on the development approvals process to achieve the necessary review and approval.

Conclusion

Based on the review of holding provisions, the total number of holding provisions does not account for those that have been deleted through zoning amendments. Many of the holding provisions can be combined to create a more generic holding provision to be applied in multiple situations. There are other tools that can be utilized through the development application process to achieve the same intent as the site-specific provisions.

These changes could substantially reduce the number of holding provisions and could eliminate holding provisions currently applied to certain properties. This would eliminate the need for process applications to remove holding provisions, which would streamline the approval process.

It should be noted that the proposed changes to how the City deals with holding provisions should be considered on a go forward basis only and that the existing holding provisions should remain in place until the development constraints have been addressed. It is anticipated that once the existing holding provisions have been removed from the by-law many of them will no longer be applied as other tools will be utilized to address development constraints. The ReThink Zoning process can address this matter prior to enacting the new bylaw.

This report has been prepared with the assistance of Allister MacLean.

Prepared by: Matt Feldberg
Manager, Development Services (Subdivisions)

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: Justin Adema
Gregg Barrett
Michael Tomazincic

February 22, 2021
Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: Bensy Mathew
973 Gainsborough Road
Removal of Holding Provision h-17

Meeting on: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application of Bensy Mathew relating to the properties located at 973 Gainsborough Road the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on March 22, 2021 to amend Zoning By-law No. Z.1 in conformity with the Official Plan to change the zoning of 973 Gainsborough Road FROM a Holding Business District Commercial (h-17*BDC) Zone TO a Business District Commercial (BDC) Zone to remove the h-17 holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the h-17 holding provision applied to this site to permit the development of a music studio.

Rationale of Recommended Action

1. The removal of the holding provision will allow for development in conformity with the Zoning By-law.

2. Development Services Engineering has confirmed services are available for this site. The Development Agreement and accepted engineering plans will include provisions to ensure the site is connection to the existing municipal water and sanitary systems. The h-17 is no longer required.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London’s growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

The lands are designated Business District Commercial through the Hyde Park Community Plan adopted by Council in 2001.
1.1 Property Description

The subject lands are located on the north side of Gainsborough Road, east of and Hyde Park Road and West of Coronation Drive. This section of Gainsborough Road is classified as a Main Street in The London Plan and an Arterial Road in the 1989 Official Plan. The applicant is converting the existing single family house into a music studio.

1.2 Current Planning Information (see more detail in Appendix C)
- The London Plan Place Type – Neighbourhoods Place Type
- 1989 Official Plan Designation – Business District Commercial
- Existing Zoning – Holding Business District Commercial (h-17*BDC)

1.3 Site Characteristics
- Current Land Use – Vacant
- Frontage – 18.5 metres
- Depth – 58.5 metres
- Area – 1083.73m$^2$
- Shape – Rectangular

1.4 Surrounding Land Uses
- North – Single detached dwellings
- East – Church
- South – Single detached dwellings
- West – Single detached dwellings, approx. 300 metres, Hyde Park Road
2.0 Discussion and Considerations

The proposed application is to remove the h-17 holding provision to allow the conversion of the vacant single family house into a music studio.

2.1 Development Proposal

The purpose of this amendment application is to remove the h-17 holding provision from these lands to allow for the construction of a music studio. The holding provision requires full municipal sanitary sewer and water services be readily available to service the site.

Figure 1: Conceptual Site Plan
2.2 Community Engagement (see more detail in Appendix B)
On November 19, 2020 a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

2.3 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, notification and removal procedures.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

Why is it Appropriate to remove this Holding Provision?

h-17 Holding Provision

The h-17 holding provision states that:

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

The h-17 holding provision requires that full municipal sanitary sewer and water service systems are available for these lands. Municipal Services were upgraded along Gainsborough Road in 2018 with municipal sanitary sewer and watermain located in the right-of-way. Development Services Engineering has confirmed services are now available for this site. Through the Site Plan Approval process, the applicant will enter into a Development Agreement that will include accepted engineering drawings requiring the development to connect to the existing municipal water and sanitary.

This satisfies the requirement for removal of the “h-17” holding provision.
Conclusion

It is appropriate to remove the h-17 holding provision from the subject lands at this time as full municipal sanitary and water services are available. The applicant is required to enter into a development agreement that will include provisions to require connection to the municipal services. In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbols from the zoning map.

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

cc: Matt Feldberg, Manager, Development Services (Subdivisions)
c: Bruce Page, Manager, Development Services (Subdivisions)
c: Peter Kavcic, Manager, Development Services (Subdivisions)
c: Michael Pease, Manager, Development Services (Site Plan)
Appendix A

Bill No. (Number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-__________

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 973 Gainsborough Road.

WHEREAS Bensy Mathew has applied to remove the holding provision from the zoning for the lands located at 973 Gainsborough Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 973 Gainsborough Road, as shown on as shown on the the attached map comprising part of Key Map No. 101, to remove h-17 holding provision so that the zoning of the lands as a Business District Commercial (BDC) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - March 22, 2021
Second Reading – March 22, 2021
Third Reading - March 22, 2021
Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner on November 19, 2020.

0 replies were received

Nature of Liaison: City Council intends to consider removing h-17 holding provision from the lands which requires full municipal sanitary sewer and water services are available to service the site to the satisfaction of the City. Council will consider removing the holding provision as it applies to these lands no earlier than December 14, 2020.

Agency/Departmental Comments:
None
Appendix C – Relevant Background

Existing Zoning Map

COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR HOUSING
- R8 - MEDIUM DENSITY LOW/RISE APARTS.
- R9 - MEDIUM TO HIGH DENSITY APARTS
- R10 - HIGH DENSITY APARTMENTS
- R11 - LOGGING HOUSE
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTIRIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
- OR - OFFICE RESIDENTIAL
- OCO - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

RF - REGIONAL FACILITY
CF - COMMUNITY FACILITY
NF - NEIGHBOURHOOD FACILITY
HER - HERITAGE
DC - DAY CARE
OS - OPEN SPACE
CR - COMMERCIAL RECREATION
AR - ENVIRONMENTAL REVIEW
OB - OFFICE BUSINESS PARK
LI - LIGHT INDUSTRIAL
GI - GENERAL INDUSTRIAL
HI - HEAVY INDUSTRIAL
ER - RESOURCE EXHAUSTIVE
UR - URBAN RESERVE
AG - AGRICULTURAL
ACC - AGRICULTURAL COMMERCIAL
RRC - RURAL SETTLEMENT COMMERCIAL
TS - TEMPORARY STORAGE
RT - RAIL TRANSPORTATION
H - HOLDING SYMBOL
D - DENSITY 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: H-9274 SM
MAP PREPARED: 2020/11/3 RC

This map is an unofficial extract from the zoning by-law with added notations.

Zoning as of September 29, 2020

H-9274
S. Meksula

112
To: Chair and Members  
Planning and Environment Committee  

From: Cathy Saunders, City Clerk  

Subject: Proposed Amendment to the Hamilton Road Business Improvement Area By-law  

Date: March 1, 2021  

Recommendation  

That, on the recommendation of the City Clerk, the proposed by-law attached as Appendix “A” to the staff report dated March 1, 2021, being “A by-law to amend By-law C.P.-1528-486, as amended, being “A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area” by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors”, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021.

Executive Summary  

The purpose of this report is to bring forward a proposed by-law for Municipal Council’s consideration, in response to a request from the Hamilton Road Business Improvement Area, to amend the composition of the Board to provide for a Board consisting of six (6) to twelve (12) members.

Linkage to the Corporate Strategic Plan  

Growing our Economy by increasing access to support for entrepreneurs and small business and community economic development, increase partnerships that promote collaboration, innovation and investment and increase public and private investment in strategic locations.

Analysis  

1.0 Background Information  

1.1 Previous Reports Related to this Matter  

Planning and Environment Committee – September 24, 2018 – Item # 2.7  
Planning and Environment Committee – November 4, 2018 – Item #4.1  
Planning and Environment Committee – January 18, 2021 – Item #4.1  

1.2 Establishment of the Hamilton Road Business Improvement Area  

On October 2, 2018 the Municipal Council passed By-law C.P.-1528-486 entitled “A By-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area”.

On January 15, 2019, the Municipal Council passed an amendment to By-law C.P.-1528-486, provide for further clarification with respect to quorum requirements for the Annual General Meeting, notice provisions with respect to the Annual General Meeting and membership of subcommittees of the Board.
At the Municipal Council meeting held on February 2, 2021, the following resolution was passed in response to a request from the Hamilton Road Business Improvement Area to amend the composition of the Board of Management to provide for a Board comprised of six (6) to twelve (12) directors:

“That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the Hamilton Road Business Improvement Area By-law as requested by the Hamilton Road Business Improvement Area Board of Management as outlined in the communication dated December 15, 2020 from R. Pinheiro, Chairman, Hamilton Road Business Improvement Area. (2021-C05) (4.1/2/PEC)”

For your reference, the December 15, 2020 communication from the Hamilton Road Business Improvement Area in support of the request is attached as Appendix “B” to this report.

2.0 Discussion and Considerations

In support of the request for an amendment to the “Hamilton Road Business Improvement Area Board of Management By-law” the Board offers the following:

“Since the spring of 2020, Hamilton Road BIA members experienced unprecedented challenges in the global pandemic. With this current situation, the Hamilton Road BIA Board of Management incurred two Director vacancies. It has become a difficult task for staff and the remaining Directors to fill in the vacancies with BIA members. A flexible amount of Board members will allow us to continue operating the organization sufficiently and in addition, fill in vacancies as BIA members become interested and be able to commit.”

3.0 Financial Impact/Considerations

There is no additional financial impact anticipated from the proposed change in composition of the Board of Management.

Conclusion

In response to the request from the Hamilton Road Business Improvement Area request and the direction of the Municipal Council, it is recommended that the proposed by-law attached as Appendix “A” to the staff report dated March 1, 2021, being “A by-law to amend By-law C.P.-1528-486, as amended, being “A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area” by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors”, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021.

Prepared and Recommended by:  
Cathy Saunders, City Clerk
APPENDIX “A”

Bill No.
2021

By-law No. C.P.-1528-xxx

A by-law to amend By-law C.P.-1528-486, as amended, being “A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area” by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors.

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

AND WHEREAS section 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 204(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides a local municipality may designate an area as an improvement area and may establish a board of management;

AND WHEREAS the Municipal Council passed By-law C.P.-1528-486 on October 2, 2018 to establish the board of management of the Hamilton Road Business Improvement Area;

AND WHEREAS the Municipal Council passed By-law C.P.-1528(a)-27 on January 15, 2019 to amend By-law C.P.-1528-486 to provide further clarification with respect to quorum requirements for the Annual General Meeting, notice provisions with respect to the Annual General meeting and membership of subcommittees of the Board;

AND WHEREAS the Municipal Council deems it appropriate to further amend By-law C.P.-1528-486, as amended, to amend the composition of the Board of Management to provide for a Board to be comprised of six (6) to twelve (12) directors;

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

1. By-law C.P.-1528-486, as amended by By-law C.P.-1528(a)-27, is hereby further amended by deleting section 4.1 in its entirety and by replacing it with the following new section 4.1:

4.1 The Board of Management shall consist of six (6) to twelve (12) directors:

(a) at least one director appointed by Council; and,

(b) the remaining directors selected by a vote of the Members and then appointed by Council.
2. This by-law comes into force and effect on the day it is passed.


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
APPENDIX “B”
To: Chair and Members, Planning and Environment Committee  
Subject: Request for Amendment to our Hamilton Road BIA By Laws

Dear Sir/Madams:

Our Board of Management has reviewed the Hamilton Road BIA’s By Law and kindly request that the suggested amendments be added to the Planning and Environment Committee Agenda.

1. Board Composition

   Current:
   4.1 The Board of Management shall consist of twelve (12) directors.

   To: The Board of Management shall consist of a flexible amount of six to twelve (6 to 12) directors.

   Rationale:
   Since the spring of 2020, Hamilton Road BIA members experienced unprecedented challenges in the global pandemic. With this current situation, the Hamilton Road BIA Board of Management incurred two Director vacancies. It has become a difficult task for staff and the remaining Directors to fill in the vacancies with BIA members. A flexible amount of Board members will allow us to continue operating the organization sufficiently and in addition, fill in vacancies as BIA members become interested and able to commit.

Thank you in advance for consideration. Please let us know if you have any questions.

Permission is granted for all communication to be made public, including postings to the PEC Agenda and as well as City of London website(s).

Rick Pinheiro  
Chairman Hamilton Road Business Improvement Area  
596B Hamilton Road  
London, Ontario  
N5Z 1S6
Environmental and Ecological Planning Advisory Committee
Report

The 1st Meeting of the Environmental and Ecological Planning Advisory Committee
February 18, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance


ABSENT: E. Arellano, A. Cleaver and J. Khan


The meeting was called to order at 5:00 PM

1. Call to Order

   1.1 Disclosures of Pecuniary Interest

      That it BE NOTED that M. Wallace disclosed a pecuniary interest in clauses 5.8, 5.9, 5.10 and 5.12, having to do with the properties located at 1938 and 1964 Commissioners Road East; 6019 Hamlyn Street; 101 Meadowlily Road South and 14 Gideon Drive and 2012 Oxford Street West, by indicating that the proponents of the above-noted applications are members of the London Development Institute, his employer.

   1.2 Election of Chair and Vice-Chair for the remainder of the current term

      That the following actions be taken with respect to the election of Chair and Vice-Chair, until the end of the current term:

      a) notwithstanding section 4.12 of the "General Policy for Advisory Committees", it BE NOTED that S. Levin was elected Chair; and,

      b) notwithstanding section 4.12 of the "General Policy for Advisory Committees"; it BE NOTED that S. Hall was elected Vice-Chair.

2. Scheduled Items

   2.1 905 Sarnia Road Wetland Compensation Monitoring

      That, it BE NOTED that the Environmental and Ecological Planning Advisory Committee received the following information with respect to the wetland compensation monitoring relating to the property located at 905 Sarnia Road:

      a) the Annual Post-Construction Monitoring Report (2020); and,

      b) the presentation by S. Spisani, Stantec, as appended to the Added Agenda.

3. Consent

   3.1 2nd Report of the Environmental and Ecological Planning Committee
That it BE NOTED that the 2nd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on February 20, 2020, was received.

4. Sub-Committees and Working Groups

4.1 414 - 418 Old Wonderland Road - EEPAC Comments
That the Old Wonderland Road Working Group comments, as appended to the Agenda, relating to the properties located at 414-418 Old Wonderland Road BE FORWARDED to the Civic Administration for consideration.

5. Items for Discussion

5.1 Respectful Workplace Policy
That it BE NOTED that the Respectful Workplace Policy document, as appended to the agenda, was received.

5.2 EEPAC Terms of Reference
That it BE NOTED that the Environmental and Ecological Planning Advisory Committee (EEPAC) held a general discussion with respect to the EEPAC Terms of Reference document, as appended to the Agenda.

5.3 Advisory Committee Review
That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion with respect to the ongoing Advisory Committee Review; it being noted that a verbal update from C. Saunders, City Clerk, was received.

5.4 Service Area Work Plan for 2021
That it BE NOTED that the verbal presentation with respect to the Service Area Work Plan for 2021 from G. Barrett, Director, City Planning and City Planner, was received.

5.5 EEPAC 2020 Work Plan
That, the following actions be taken with respect to the Environmental and Ecological Planning Advisory Committee (EEPAC) 2021 Work Plan:

a) the 2021 Work Plan BE INCLUDED on the March EEPAC Agenda for further consideration; it being noted that the EEPAC held a general discussion with respect to its 2021 Work Plan; and,

b) the EEPAC 2020 Work Plan BE RECEIVED.

5.6 Environmental Impact Study for Long Term Water Storage Environmental Assessment
That it BE NOTED that the Long-Term Water Storage Environmental Impact Study was received; it being further noted that the Environmental and Ecological Planning Advisory Committee will review the Long-Term Storage EIS at the detailed design stage along with the compensation, restoration and enhancement plan.
5.7 3080 Bostwick Road
That, it BE NOTED that the Environmental and Ecological Planning Advisory Committee received the following information with respect to the property located at 3080 Bostwick Road:

a) the Storm Drainage and Stormwater Management Plan - Addendum; and,
b) Environmental Impact Study 2020 Addendum.

5.8 1938 and 1964 Commissioners Road East
That a Working Group BE ESTABLISHED consisting of S. Hall, S. Levin and I. Whiteside, with respect to the properties located at 1938 and 1964 Commissioners Road East; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) reviewed and received the following documents relating to these matters: Victoria on the River Phase 6 Environmental Impact Study; the Geotechnical Investigation - Slope Assessment and the Hydrogeological Assessment and Water Balance relating to the properties located at 1938 and 1964 Commissioners Road East; it being further noted that the attached "Response to UTRCA, City and EEPAC Comments", dated October 9, 2019 and updated December 15, 2020 from Sifton Properties Limited, was received.

5.9 6019 Hamlyn Street
That it BE NOTED that the Environmental and Ecological Planning Advisory Committee received the following information with respect to the property located at 6019 Hamlyn Street:

a) the Municipal Council resolution from its meeting held on December 18, 2018;
b) the Notice of Draft Plan of Subdivision and Zoning By-law Amendment dated February 10, 2021;
c) the July 29, 2020 Environmental Impact Study Addendum;
d) the final proposal report; and,
e) the revised Draft Plan and Zoning By-law Amendment.

5.10 101 Meadowlily Road South
That it BE NOTED that the Environmental and Ecological Planning Advisory Committee received the following information with respect to the property located at 101 Meadowlily Road South:

a) the Environmental Impact Study; and,
b) the communication from D. Riley, Natural Resource Solutions Inc., dated July 24, 2020, relating to the response to comments received from the City of London.
5.11 1697 Highbury Avenue North

That, it BE NOTED that the Environmental. and Ecological Planning Advisory Committee received the following information related to the property located at 1697 Highbury Avenue North:

a) the Scoped Environmental Impact Study dated January 18, 2021; and,

b) the preliminary screening for species at risk dated March 19, 2020.

5.12 14 Gideon Drive and 2012 Oxford Street West

That a Working Group BE ESTABLISHED consisting of S. Esan, S. Heuchan and S. Levin, with respect to the properties located at 14 Gideon Drive and 2012 Oxford Street West; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received the following documents relating to these matters: a Notice of Draft Plan of Subdivision Official Plan and Zoning By-law Amendment dated February 10, 2021 and the Environmental Impact Study prepared by MTE Consultants, dated September 29, 2020.

5.13 (ADDED) 435-451 Ridout North

That a Working Group BE ESTABLISHED consisting of S. Hall and I. Arturo, with respect to the properties located at 435-451 Ridout Street North; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received the following documents relating to these matters: a Notice of Official Plan and Zoning By-law Amendments dated December 18, 2019 and the attached Final Preliminary Environmental Impact Study.

6. Adjournment

The meeting adjourned at 7:12 PM.
<table>
<thead>
<tr>
<th>Comment #</th>
<th>Comments</th>
<th>Geotechnical Response (exp)</th>
<th>Hydrogeological Response (exp)</th>
<th>Environment Response (AECOM)</th>
<th>Planning / Engineering Response</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Slopes Assessment</strong></td>
<td></td>
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<tr>
<td>1)</td>
<td>On page 1, it is mentioned that the purpose of the investigation was to assess the physical conditions of the slope located along the Grenier property. The report considers the stable slope analysis to identify the development limit based on the natural hazard and only considers the local tributary rather than the physical conditions of the slope located on site. Please revise the purpose statement in the term of reference.</td>
<td>The physical conditions of the of the site slopes were considered, and are discussed in the report, to identify the development limit. The overall Erosion Hazard Limit (Development Setback) for the site slope is determined by evaluating the slope stability, considering surficial seepage and shallow failures, allowance for potential flooding hazards, and an erosion allowance.</td>
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<tr>
<td>January 22, 2020 Comment: UTRCA ok with comment, they have not received the updated report and assume it will be in the updates.</td>
<td>January 22, 2020 Comment: UTRCA ok with comment, they have not received the updated report and assume it will be in the updates.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2)</td>
<td>In Section 2.2 it is mentioned that exp acknowledges the potential seepage zones that can exist within the stratified deposits in localized area and the EIS prepared by AECOM also identified multiple seeps from an ecological perspective. Section 3.3. also reports on the local seeps however, the MNR rating charts for the cross-sections do not account for the seepage. The seeps may pose a threat to the stability of the slope irrespective of whether they are local seeps reported for ecological purposes or for a geotechnical investigation. They must be considered in the Factor of Safety (FOS) analysis for the stable slope. Please update the report and consider the local seeps and groundwater in the FOS analysis for the stable slope.</td>
<td>The MNR Rating Chart is a tool that is completed during a site reconnaissance survey. As noted in Section 2.2; During our site reconnaissance, the slope condition was examined by EXP staff and did not reveal any noticeable seepage zones at the slope face. However, local seeps and groundwater were considered in the FOS analysis as indicated in Section 4.2.2.; Local changes and variations in the groundwater level were also considered when carrying out the analyses, to examine possible post-development effects. Changes in the groundwater level may result from a number of causes, included (but not limited to) possible site grading activities, changes to site drainage, use of</td>
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Sifton Properties Limited
1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road
RESPONSE DATE – OCTOBER 9, 2019
UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020

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<td>match)</td>
<td>Hydro G and Geotech reports are not showing the same information on boreholes. Exp to revise report to ensure the vertical scale is the same (re-label).</td>
<td>Geotechnical Response is adding-source infiltration, or types of surface cover.</td>
<td>Hydrogeological Response (exp) is being revised so that the slope report and hydrogeological report use the same logs.</td>
<td>Environment Response (AECOM) is being revised to ensure consistency with the updated reports.</td>
<td>Planning / Engineering Response is being updated to reflect the new information.</td>
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<tr>
<td>3)</td>
<td>Please submit the Slope/W cross-sections used in the software and provide details showing the Factor of Safety and slope failure surfaces.</td>
<td>Slope/W output will be included in Appendix D of the revised report. The figure has been attached to this response table.</td>
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<td>January 22, 2020 Comment:</td>
<td>Need to provide cross-sections.</td>
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<td>December 2020 Response:</td>
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<td>4)</td>
<td>The provided cross-sections are mostly in the southern half of the valley and may not be representative of the creek slope characteristics in the northern portion of the site. The UTRCA recommends that the cross-sections be taken at critical locations along the creek from the northern limit of the site to the southern limit of the site in order to establish the development limit along the tributary. The UTRCA recommends adding cross-sections for the northerly portion of the site/valley where a crossing is being proposed. Also, the cross-sections should be considered at the critical locations on the east and west sides of the site slope to establish the development limit on both sides of the natural hazard. Please confirm that the cross-sections have been considered for the critical locations of the slope and are representative of the slope characteristics.</td>
<td>Two additional cross sections have been completed in the northern portion of the site, within 1645 Hamilton Road, and are included in the revised report. Additionally, a cross section (see attached) has been completed on the east side of the valley where the proposed crossing is being proposed. Site development is limited on the east side of the valley to the southern end, Lots 10 and 11. The valley slopes in this area exist with an inclination less than 10H:1V. Cross section D-D is provided in the vicinity of Lot 10 to show the development limit in this area as the valley slope inclination increases.</td>
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<td>1)</td>
<td>January 22, 2020 Comment: Explain in report re: additional cross-sections north. No additional issues east side cross-section.</td>
<td>December 2020 Response: Two additional cross sections have been completed in the northern portion of the site, within 1645 Hamilton Road, and are included in the revised report. Additionally, a cross section has been completed on the east side of the valley where the proposed crossing is being proposed. UTRCA had no additional issues with the east cross section.</td>
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<td>2)</td>
<td>Please resubmit Site Plan Drawing 1 supported by contour information. The plan should show all of the geotechnical features including the boreholes and be a full size 24&quot; x 36&quot; drawing having suitable scale and shall be signed, sealed and dated by a professional engineer. The plan must be georeferenced by using suitable datum and show the existing toe of the slope, existing top of the slope, toe erosion if any, stable top of the slope, the 6 m erosion access limit. The information shown on the site plan shall match the information shown on the cross-sections.</td>
<td>Interpolated contour lines were shown on Drawing 1 as provided by Trueline Services Inc. as part of their topographic survey. Full size (24&quot; by 36&quot;) drawings have been provided as part of the revised report, as requested including the required components of our slope stability analysis. All components including: top of slope, stable slope, erosion hazard limit, toe of slope and toe erosion allowance are shown on the attached drawings were appropriate.</td>
<td>NA</td>
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<td>6)</td>
<td>The proposed 2 metre toe erosion component may not be sufficient given the reported seepage and erosion on the slope. Please consider a minimum 5 m toe erosion component for the reported silty clay/sand silt soils.</td>
<td>The MNR Technical Guide specifies a value between 1 and 2 m being appropriate for the onsite native soils and a bankfull width of less than 5 m with no evidence of active erosion. Based on our interpretation of the site conditions the 2 m setback is appropriate. The indiscriminate use of a larger value is not supported at this time.</td>
<td>Our recommended value for a toe erosion component of 2 m is supported by the Geomorphology work which has been done at the site (by others).</td>
<td>December 2020 Response: The MNR Technical Guide specifies a value between 1 and 2 m being appropriate for the onsite native soils and a bankfull width of less than 5 m with no evidence of active erosion. Based on our interpretation of the site conditions the 2 m setback is appropriate. The indiscriminate use of a larger value is not supported at this time.</td>
<td>NA</td>
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<td>7)</td>
<td>Please account for the drainage features on the site such as gullies, swales etc. under the pre- and post-development conditions and their affects on the stability of the slope.</td>
<td>When the Slope Stability report was prepared, the analyses for the site slopes allowed for variations in water level to reflect anticipated seasonal changes and the presence of perched water, and to allow for seasonal variations for the elevation at which seepage zones may be present in the slope face.</td>
<td>It is expected that post-development conditions will reduce and/or control drainage features to the tributary as per the recommendations provided in Section 4.4 of the report; Surface erosion of the soil on the face of the slope could be caused by run-off water washing over the face of the slope, such as tile drains or redirected surface water which is directed onto existing slopes.</td>
<td>NA</td>
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January 22, 2020 Comment: Geomorphology to be confirmed by Maureen. Toe erosion refer to geotech report, confirm data. Accepted.

December 2020 Response: The MNR Technical Guide specifies a value between 1 and 2 m being appropriate for the onsite native soils and a bankfull width of less than 5 m with no evidence of active erosion. Based on our interpretation of the site conditions the 2 m setback is appropriate. The indiscriminate use of a larger value is not supported at this time.
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<td>8)</td>
<td>Please resubmit all the cross-sections showing the toe of the existing slope, toe erosion, top of the existing slope, top of the stable slope and the 6 metre erosion access allowance on 11 x 17 paper signed and sealed by P.Eng. The various components of the slope shown on the cross-sections shall match with the survey info and the information shown on the Site Plan Drawing 1. The existing and proposed profiles of the slope shall be based on actual surveyed cross-sections. Also, the top of the slope and the toe of the slope shall be surveyed in the field and shall not be based on contour information. The top of the slope shall be established such that relatively flat ground exists after the top of the slope. As previously indicated, the location of the cross-sections shall be at critical locations of the site, for the entire ravine and simply the southerly limit and should be based on a site inspection. Justification for the selection of the cross-sections should be provided in the report. A description of how the toe and top of slope have been established shall also be provided in the report. The cross-sections should have suitable horizontal and vertical scale and shall be extended to cover the entire floodplain. They must show the regulatory floodline, the bank of the watercourse, the toe of the bank and the depth of water as part of the stable slope analysis, where applicable. January 22, 2020 Comment: Accepted.</td>
<td>Where possible, uncontrolled surface water flows over the face of the slope should be minimized, to reduce the risk of surface erosion. Erosion control measures may be required during construction, to reduce the risk of surface water flows from washing out non-vegetated surfaces.</td>
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<td>9)</td>
<td>Any external loading that may jeopardize the stability of the slope such as structures, traffic, fill etc shall be</td>
<td>External loading was considered and is referenced in Section 4.2.2.;</td>
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<td>10)</td>
<td>Soil erosion is a naturally occurring process and commonly the agents of soil erosion include water and wind, each contributing a significant amount of soil loss. Soil erosion may be a slow process that continues relatively unnoticed, or it may occur at an alarming rate causing serious loss of topsoil, which may cause slope failure. The loss of soil due to erosion from a site may be reflected in lower surface water quality, damaged drainage networks, slope failure and loss of property and life. Please consider the soil erosion in the stable slope analysis.</td>
<td>The stability of the slope profiles were investigated for a number of conditions. The examinations involve an assessment of the natural slope with and without the influence of perched groundwater and the effects of possible construction in proximity to the site slopes. Site work, with respect to site drainage is addressed in Section 4.4; Surficial erosion of the soil on the face of the slope could be caused by run-off water washing over the face of the slope, such as tile drains or redirected surface water which is directed onto existing slopes. Where possible, uncontrolled surface water flows over the face of the slope should be minimized, to reduce the risk of surface erosion. Erosion control measures may be required during construction, to reduce the risk of surface water flows from washing out non-vegetated surfaces. and Water from downspouts and perimeter weeping tile etc. must also be collected in a controlled manner and re-directed away from the slope.</td>
<td>NA</td>
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<td>11)</td>
<td>Please correct the page numbering in the report.</td>
<td>This item is covered within Section 4.2.1.1 Consideration of Surface Erosion and Piping.</td>
<td>NA</td>
<td>NA</td>
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January 22, 2020 Comment: Accepted.
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<td>12)</td>
<td>On page 18 of the Final Proposal Report (December, 2018) it is indicated that the watermain will be extended through the proposed pathway block and strapped under the proposed pedestrian bridge spanning the ravine. The geotechnical analysis must evaluate the most appropriate location for the bridge. As indicated in Comment 4, further geotechnical analysis is required for the northerly portion of the ravine where a bridge is being contemplated. <strong>January 22, 2020 Comment:</strong> Pedestrian crossing geotech condition being proposed.</td>
<td>EXP has reviewed the proposed pedestrian bridge location and completed an additional cross section to confirm the development setback in the area. This information is provided in the revised report. The figure has been included with this response table. <strong>December 2020 Response:</strong> A Pedestrian Bridge Foundation section has been included within the report.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
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<td>13)</td>
<td>The geotechnical investigation report for development at 1938 Commissioners Road East (exp, May 29, 2017) and for 1964 Commissioners Road East (exp, April 2018) were not reviewed as they are intended for the site development and should be reviewed by the City of London. <strong>January 22, 2020 Comment:</strong> Accepted.</td>
<td>No comment required.</td>
<td>NA</td>
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**Hydrogeological Assessment**

<p>| 1)       | Please include updated quantity and quality (quality includes temperature) data in the final report. The submitted report provided limited water quantity data. a. Please provide continuous water quantity data. Analyze the water quantity data for additional information that can infer the recharge on Site (Healy &amp; Cook, 2002) as an additional tool to corroborate estimates using single well response tests. b. Please include water temperature analysis collected in continuous data: temperature range, differences between wells etc. <strong>January 22, 2020 Comment:</strong> UTRCA will require a minimum of 5 months of continuous monitoring. | NA | a. At the time the project was initiated in 2017 there was not a requirement for installing dataloggers to collect continuous water quantity data. It is our opinion that the collection of manual water levels for the past 1.5 years (Sept. 2017 to April 2019) has been sufficient in assessing the groundwater conditions. The Healy &amp; Cook reference (Using Water Levels to Estimate Recharge) will be used to estimate recharge in the final report. We do not have continuous data therefore there is no water temperature data to present. However, there were manual measurements collected during water quality sample collection which can be presented in the updated report. | NA | NA | NA |</p>
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| 2)        | Determine the hydroperiod and provide discussion. Water table presented is from November 3, 2017 which is the lowest groundwater period. A high water table is required. **January 22, 2020 Comment:** SW program is to continue until summer 2020. | NA | December 2020 Response:  
  a. Continuous water quantity data is now provided for selected monitoring wells on site. The reference to Healy and Cook (2002) is specifically for estimating groundwater recharge by the water-table fluctuation (WTF) method and is applicable only to unconfined aquifers. Due to the site being overlain by till, the aquifers on site are considered confined and therefore the reference to Healy and Cook (2002) does not apply.  
  b. Water temperature analysis is included on each of the hydrographs in Appendix G. | NA | NA |
| 3)        | Incorporate a discussion of the natural heritage features; describe their groundwater dependent status | NA | The natural heritage feature on site is considered an Unevaluated Vegetation | NA | NA |

**December 2020 Response:**

Section 4.6.1 in the report is titled ‘Hydroperiod’. This section details the water levels fluctuations observed within Tributary 3 throughout the monitoring period.

**NA**

**NA**
### Updated Response to Comments from January 22, 2020 (Comments and Responses Provided in Red) – December 15, 2020

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<td>as outlined in the background material (Toronto and Region Conservation Authority, 2017) and what to focus on in the assessment.</td>
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<td>Patch with a water course and not a Provincially Significant Wetland (PSW).</td>
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<td>January 22, 2020 Comment: EXP to conduct a wetland risk assessment for the final, updated hydrogeological report. Linda would like EXP to use Cook reference in updated assessment.</td>
<td></td>
<td>The TRCA 2017 document Wetland Water Balance Risk Evaluation (2017), is typically used for discussions related to wetlands. However, a Risk Evaluation for this property can be conducted since alteration to the surface water catchment is to be expected during development of the area based on construction of impervious areas (i.e. roadways, concrete, roofs, etc.).</td>
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<td>By using the pre-development and post-development catchment model in the Water Balance, a Risk Evaluation will be conducted in the updated report.</td>
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<td>To support the assessment of the natural feature, a shallow groundwater and surface water field program was initiated in September 2019 in order to identify changes in water levels, assess water chemistry, and identify areas of groundwater upwelling or discharge (seepage areas).</td>
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<td><strong>December 2020 Response:</strong> Section 3.2 of the updated Hydrogeological Report is titled &quot;Ecology and Natural Heritage&quot;. This section describes the ELC as well as groundwater indicator plants observed within Tributary 3. The seepage areas are described in further details throughout the reports in the Surficial Geology section (3.3.4) as well as the Groundwater and Surface Water Quality section (4.8). A wetland risk assessment has been completed and is included in the updated HydroG report.</td>
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<td>4)</td>
<td>Improve the quality of Figures 10 and 11. The scale is inappropriate to provide clarity to the interpretation on Site. The text and fonts are difficult to read.</td>
<td>NA</td>
<td>As mentioned above, the reference to Healy and Cook (2002) is specifically for estimating groundwater recharge by the water-table fluctuation (WTF) method and is applicable only to unconfined aquifers. Due to the site being overlain by till, the aquifers on site are considered confined and therefore the reference to Healy and Cook (2002) does not apply.</td>
<td>Acknowledged. Will edit figures 10 and 11 in updated report.</td>
<td>NA</td>
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<td></td>
<td>January 22, 2020 Comment: EXP to update figures in final updated report.</td>
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<td>5)</td>
<td>Cross-sections - a. The fill is continuous across a large portion of cross-section B-B and is likely over-represented across the Site. It appears that the fill is largely sandy silt. Does this represent local materials on Site? The fill likely does not act as a confining layer and should be evaluated in the water budget. b. Describe the aquifer/aquitard relationship on Site. For example the water table is in a sand aquifer below the till; the till pinches out towards the drain. c. Describe the interaction of the groundwater and surface water with emphasis on the natural heritage features and catchment. d. The northern portion of the Site is a designated vulnerable area. Do the boreholes and monitoring wells adequately capture this transition?</td>
<td>NA</td>
<td>a. Bottom surface of fill in cross-section B-B will be modified to lessen fill material and increase the sandy silt layer. According to borehole logs BH105 and BH108, this fill is likely representing local onsite materials. EXP agrees that the fill likely does not act as a confining layer, however, the instructed method for compiling water budgets has been to use the MNR soil mapping reference. The soils identified for the site were C-type soils (clayey silt) therefore this soil type was used in the water balance. b. Monitoring wells were installed into the overlying till, silty sand, as well as the confined sand unit. Phreatic surfaces were observed in both sand units with capillary barriers</td>
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<td>e.</td>
<td>The water levels on the three geological layers are very different- how does this impact the natural heritage? Install piezometers in seep area and compare and contrast water quality and quantity.</td>
<td>measured between the sand units and the overlying till.</td>
<td>c. The interaction of groundwater and surface water is presented in Cross Sections A-A’ and B-B’. As discussed above in comment response 5.b., phreatic surfaces were observed in the overlying till (as perched conditions) as well as within the sand units. Cross Section A-A’ shows the water tables within the till and sand units seeping into the Tributary 3. These seepage locations have been confirmed by on site mapping by AECOM and EXP.</td>
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<td>January 22, 2020 Comment:</td>
<td>• Linda would like to see three (3) additional monitoring wells installed within this stratigraphic upper aquifer in order to identify GW flow direction and GW quality. Linda would like to see water quality sampled from these wells in addition to water quality sampled from the ravine – dissolved water quality parameters for both surface water and groundwater quality in order to facilitate direct comparisons</td>
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<td>• Linda would like to see at least 2 seasons captured in these new monitoring wells (if wells are installed in February, she would accept monitoring until summer 2020).</td>
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<td>• Linda mentions that the water quality within the lower aquifer and the surface water sample collected in the northern portion of the ravine both show signatures of septic system impacts – Linda suggests this is because the intermediate till layer is likely permeable.</td>
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<td>• Linda would like to know why there are catch basins on site and how deep they are installed.</td>
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the designation of 'vulnerable area' is not appropriate for the northern portion of the Site.

e. As discussed in response to comment 5b above, phreatic surfaces were observed in both sand units with capillary barriers measured between the sand units and the overlying till. The underlying phreatic surface found within the underlying sand unit does not have any interaction with the natural heritage feature and does not contribute to the surface water quantity.

Shallow groundwater piezometers and surface water monitoring locations were installed along the Unnamed Drain in September 2019 in order to measure and characterize the surface water and shallow groundwater interactions. Surface water elevations and water chemistry will be collected during this updated monitoring.

**December 2020 Response:**
On February 3, 2020 an additional three (3) monitoring wells (BH201, 202, and 203) were installed into the upper/shallow aquifer located to the west (upgradient) of the ravine and seepage area. These 3 new monitoring wells were incorporated into the monthly monitoring which occurred on site until August 2020, which was the monitoring period previously approved by the UTRCA during the January 22, 2020 meeting. Dataloggers were installed into monitoring wells BH201 and BH203 with daily water levels and temperature collected until August 2020. These hydrographs are included in the updated...
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<td>6)</td>
<td>The final development has the potential to significantly impact the water balance as indicated in Section 6.2 on P. 15-17. The loss of infiltration and increased runoff have potential to affect the natural heritage feature. The evaluation needs to review the seasonal and long term variations of the natural heritage, based on species, habitat and water level variation. January 22, 2020 Comment:</td>
<td>NA</td>
<td>report. Additional manual measurements have been included in the updated report until November 2020. Water quality samples were collected on February 18, 2020 and April 6, 2020 from old and new monitoring wells, as well as from each of the three (3) surface water stations established within the ravine. Details pertaining to the water quality results and interpretations are included in the updated report. The 3 catch basins located on the property were further investigated by Development Engineering (DevEng) and subsequently named CB1, CB2 and CBMH3. DevEng discovered that there is a 300mm culvert and a 150mm drain connected to a DICB on Commissioners Road that outlets to a 375 dia. Boss HDPE sewer coming into the site. The Boss pipe connects to CBMH3 and then outlets to the ravine to the north. The existing catch basins west of the ravine (CB1 and CB2) are connected and outlet to the ravine through a 300 dia. Blue Brute watermain pipe. Catch basin invert details include: CB1 invert = 0.7m (terminated in till); CB2 invert = 0.7m (terminated in till); CBMH3 invert = 5.5m (terminated in upper sand aquifer).</td>
<td></td>
<td>December 2020 Response: An O&amp;M manual is enclosed for the private LID system. The condo corporation will be responsible for the long-term maintenance of the LID, just as they will be for the on-site sewer systems, oil/grit separator and the roadways.</td>
</tr>
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1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road
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UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020

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<tr>
<td>• UTRCA (Imtiaz) questioned the 94% infiltration capture and where this value came from. EXP (Heather) clarified and Imtiaz accepted the calculation.</td>
<td>Based on the updated water balance, the pre-development infiltration and runoff rates towards the Unnamed Drain is presently 11,567 m$^3$/year and 16,508 m$^3$/year, respectively. In the post-development scenario with infiltration galleries and mitigation features installed, the water balance suggests infiltration and runoff will be approximately 8,377 m$^3$/year and 15,579 m$^3$/year, respectively. The post-development scenario is estimating a reduction in site runoff and a slight reduction in infiltration with 94% of infiltration being captured on site. These values are typically deemed acceptable by the Conservation Authority Guidelines. This hydrogeological assessment of the water balance only considers changes to water quantity and does not consider potential long term variations of the natural heritage feature based on species and habitat. Typically those impact assessments are completed by ecologists.</td>
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<td>• The UTRCA is not happy with how the water balance is essentially the only basis for post-development remediation. What if the LIDs do not work? UTRCA does not like having LIDs designed for private property. How will Sifton be able to enforce maintenance of these features into the future?</td>
<td>December 2020 Response: The water balance has been updated with more recent changes to the SWM and LID strategies, as well as more details regarding the current drainage pathways located on site (i.e. existing catch basins and outlets to the ravine). Section 6.2 in the updated report speaks to the LID practices proposed for the site as well as the Operation and Maintenance strategies.</td>
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<td>• EXP reminded UTRCA that the water balance completed is to the exact requirements as outlined by the Conservation Authority document and they agreed.</td>
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<td>• Add a section in updated report on LIDs and long-term maintenance strategies.</td>
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<td>• Tara would like to see much more integration of the EIS and Hydrogeology with regards to evaluating the ravine. Tara wants to see EIS comments and drawings embedded within the updated hydrogeology report</td>
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7) Groundwater indicator species are present in FOD9-5, FOD 7-4 and SWT2 communities. Seeps are present on GROUNDBASE INDICATOR SPECIES

| 7) | Groundwater indicator species are present in FOD9-5, FOD 7-4 and SWT2 communities. Seeps are present on | NA | Seeps have been identified on the site through field investigations by AECOM | NA | NA |
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| Site. The interpretation of the interaction of groundwater and surface water is inadequate in part because the data is incomplete. **January 22, 2020 Comment:** EXP to confirm whether Linda has seen (and approved) the additional surface water program. |
| Geotechnical Response (exp) | Hydrogeological Response (exp) | Environment Response (AECOM) | Planning / Engineering Response |

**December 2020 Response:**
Since the installation of additional monitoring wells within the upper aquifer, a much more clear understanding has been provided with regards to the geology of the site and the interaction of the upper sand aquifer with the seepage areas within the ravine. This interaction has been described in detail within the updated report.

8) Indicate the natural heritage features/system on the cross-sections and illustrate the correlations to natural heritage. For example, are the seeps associated with the aquifer located at approximately 258-259 m asl where the water table is included on Drawing 14? The interpretation of the Site is incomplete and description of the relevance of the various figures means. Glacial fluvial sediments are indicated on the northern portion of the Site (Figure 12) and not correlated on the cross-sections. **January 22, 2020 Comment:** UTRCA has requested additional data be collected on the upper aquifer and the seepage area. The correlation between the aquifer layers requires more data collection.

**NA** | Additional details regarding the natural heritage features (i.e. creek and seepage areas) will be included in the updated cross sections. A shallow groundwater and surface water assessment was initiated in September 2019 to better identify the natural heritage feature. As mentioned above, during the drilling at the Site, the most northern borehole advanced was BH103 which encountered compact SILT with trace fine sand and trace clay at surface. There were no coarse grained, glaciofluvial sediments encountered at surface in the northern portion of the Site, therefore it is suggested that the mapping compiled by the Ontario Geological Survey is more regional in extent and does not define the sediments found on Site. **December 2020 Response:**
NA | NA | NA
**Sifton Properties Limited**


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<td>9)</td>
<td>Only the water quality of surface water and MW 102 were discussed. MW 105 and 109 may be influenced by current and/or past septic systems. <strong>January 22, 2020 Comment:</strong> UTRCA wants to see dissolved metals analyzed of the surface water moving forward as well as arsenic (septic system indicator).</td>
<td>NA</td>
<td>The installation of the three (3) new monitoring wells into the upper aquifer, as well as shallow monitoring stations installed within the ravine has clarified the geology of the site and the interactions of the shallow aquifer and seepage areas within the ravine. Updated cross sections are included in Appendix A within the updated report, as well as more extensive descriptions of the site geology and hydrogeological systems.</td>
<td>Discussions on the water quality results from MW105 and MW109 will be included in the updated report. <strong>December 2020 Response:</strong> Water quality samples were collected on February 18, 2020 and April 6, 2020 from old and new monitoring wells, as well as from each of the three (3) surface water stations established within the ravine. Details pertaining to the water quality results and interpretations are included in the updated report. Dissolved metals were collected for the surface water samples and arsenic was also analysed. All results are discussed in the updated report.</td>
<td>NA</td>
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<tr>
<td>10)</td>
<td>LIDs are proposed but locations and how their development will maintain the natural heritage are not described. <strong>January 22, 2020 Comment:</strong> Provide a more thorough discussion on proposed LIDs in updated hydrogeo report, including long-term maintenance plan (i.e. information packages to future residences).</td>
<td>NA</td>
<td>The LIDs proposed during development include rear yard infiltration galleries and overflow outlets which will promote recharge and infiltration to Tributary 3 within areas A2 and A4. The exact design parameters of the LIDs have not been identified at this stage, however, additional on site test pits and grain size analyses have been completed to identify areas of higher infiltration. LID features are shown on Fig 2.0 of Appendix B of the Functional Servicing Report. Block 44 contained sand units with factored infiltration rates ranging between approximately 20 mm/hour to 70 mm/hour which is sufficient for the use of the proposed infiltration system.</td>
<td>NA</td>
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<p>| 9)        | Only the water quality of surface water and MW 102 were discussed. MW 105 and 109 may be influenced by current and/or past septic systems. <strong>January 22, 2020 Comment:</strong> UTRCA wants to see dissolved metals analyzed of the surface water moving forward as well as arsenic (septic system indicator). | NA | The installation of the three (3) new monitoring wells into the upper aquifer, as well as shallow monitoring stations installed within the ravine has clarified the geology of the site and the interactions of the shallow aquifer and seepage areas within the ravine. Updated cross sections are included in Appendix A within the updated report, as well as more extensive descriptions of the site geology and hydrogeological systems. | Discussions on the water quality results from MW105 and MW109 will be included in the updated report. <strong>December 2020 Response:</strong> Water quality samples were collected on February 18, 2020 and April 6, 2020 from old and new monitoring wells, as well as from each of the three (3) surface water stations established within the ravine. Details pertaining to the water quality results and interpretations are included in the updated report. Dissolved metals were collected for the surface water samples and arsenic was also analysed. All results are discussed in the updated report. | NA |
| 10)       | LIDs are proposed but locations and how their development will maintain the natural heritage are not described. <strong>January 22, 2020 Comment:</strong> Provide a more thorough discussion on proposed LIDs in updated hydrogeo report, including long-term maintenance plan (i.e. information packages to future residences). | NA | The LIDs proposed during development include rear yard infiltration galleries and overflow outlets which will promote recharge and infiltration to Tributary 3 within areas A2 and A4. The exact design parameters of the LIDs have not been identified at this stage, however, additional on site test pits and grain size analyses have been completed to identify areas of higher infiltration. LID features are shown on Fig 2.0 of Appendix B of the Functional Servicing Report. Block 44 contained sand units with factored infiltration rates ranging between approximately 20 mm/hour to 70 mm/hour which is sufficient for the use of the proposed infiltration system. | NA |</p>
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<td>11)</td>
<td>Please include additional impact assessment and comprehensive recommendations to maintain the natural heritage features on and proximal to the Site. January 22, 2020 Comment: UTRCA would like to see more of a discussion in the final updated Hydrogeology report.</td>
<td>NA</td>
<td>Recommendations to maintain the natural heritage features on and proximal to the Site includes:</td>
<td>NA</td>
<td>December 2020 Response: A more thorough description of the LID and an O&amp;M manual is enclosed in the Functional SWM Report for the private LID system.</td>
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<td>- During the site grading work, suitable sedimentation controls will be required to help control and reduce turbidity of run-off water which may flow towards the surface water feature</td>
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<td>- Maintain an appropriate buffer from the natural feature during construction</td>
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<td>- Maintaining the natural vegetation within the buffer area during and post-construction</td>
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<td>- Re-establishing any vegetative cover in disturbed areas following the completion of construction work</td>
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<td>- Limit the use of commercial fertilizers in landscaped areas which border the natural feature</td>
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<td>Limit the use of salts or other additives for ice and snow control on the roadways during and post-construction</td>
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**December 2020 Response:**

- Additional details regarding the existing on site drainage features are included in the updated report (Section 3.2 – Topography and Drainage). The proposed SWM and LID designs have been updated to enhance the existing conditions drainage pathways as well as provide
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| 12 | Please include a discussion of proper abandonment of septic systems. (wells and septic systems exist according to well survey Appendix F). | NA | In the City of London, the following is done for abandonment of septic systems:  
  - Pump out tank by a hauler who has a license (Sewage License)  
  - Hire a back hoe in the drainage business that either pulls tank out or fills it in. Materials must be deposited appropriately if removed  
  - ‘Septic decommissioning’ paperwork needs to be submitted to the City of London  
No requirement by the MOECP for removal | NA | NA |

**January 22, 2020 Comment:**
- UTRCA mentions that septic system impacts are seen in the deeper aquifer and in the surface water quality (the northern SW station) likely because the stratigraphy is scoured, and the upper aquifer sand is pinched out to the north. Need more evidence with water quality
- Are septic systems still being used to the south?
- How deep are the catch basins on site?

**December 2020 Response:**
- Section 4.4 (Local Septic System) has been included in the updated report which describes local septic systems and proper abandonment.
- Only one (1) door to door survey response included a comment regarding the use of a ‘septic tank’. Address is 1798 Hamilton Road (approximately 500m to the east of the site).
- The 3 catch basins located on the property were further investigated by Development Engineering (DevEng) and subsequently named CB1, CB2 and CBMH3. DevEng discovered that there is a 300mm culvert and a 150mm drain connected to a DICB on Commissioners Road that outlets to a 375 dia. Boss HDPE sewer coming into the site. The Boss pipe connects to CBMH3 and then outlets to the ravine to the north. The existing catch basins west of the ravine (CB1 and CB2) are connected and outlet to the ravine through a 300 dia. Blue Brute watermain pipe.
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<td>13)</td>
<td>Please include an estimate of on site recharge based on (Healy &amp; Cook, 2002). January 22, 2020 Comment: Should use Healy &amp; Cook (2002) reference in updated report.</td>
<td>NA</td>
<td>Catch basin invert details include: CB1 invert = 0.7m (terminated in till); CB2 invert = 0.7m (terminated in till); CBMH3 invert = 5.5m (terminated in upper sand aquifer).</td>
<td>This will be completed for the updated report. December 2020 Response: The reference to Healy and Cook (2002) is specifically for estimating groundwater recharge by the water-table fluctuation (WTF) method and is applicable only to unconfined aquifers. Due to the site being overlain by till, the aquifers on site are considered confined and therefore the reference to Healy and Cook (2002) does not apply.</td>
<td>NA</td>
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**Water Balance**

1) The area contributing currently to the ravine/woodland is 6.282 ha as shown on Figure 1 in Appendix I and will be reduced to 3.582 ha under the proposed conditions as shown on Figure 2 in Appendix I. The reduction in the contributing area to the ravine/woodland will result in less runoff under the proposed conditions as shown by water balance analysis. Please provide details of how runoff and infiltration to the ravine/woodland will be maintained under the proposed conditions. January 22, 2020 Comment: The water balance has been updated and the post-development drainage to the ravine/woodland is now estimated to be 5,004 ha. Post development runoff is planned to be captured in Low Impact Development design features throughout the site. Although not specifically designed at this stage, it is proposed that LID features to be implemented will include rear yard infiltration galleries as well as overflow outlets to the water body. December 2020 Response: The water balance has been recently updated to include the (now understood) surface drainage contributing to the runoff volumes to Tributary 3. Updated water balance Figures and calculations are included in the updated HydroG report, Appendix J. Updated SWM and LID features shown on Fig 2.0 of Appendix B of the Functional Servicing Report. Block 44 contained sand units with factored infiltration rates ranging between approximately 20 mm/hour to 70 mm/hour which is sufficient for the use of the proposed infiltration system.
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<td>2)</td>
<td>Figure 2 in Appendix I shows two SWMF namely SWMF 1 and SWMF 2. Will the runoff from the site be collected in the two SWM ponds and discharged to the Tributary (Area 3.582 ha) as point flow discharging into the ravine/woodland? The UTRCA encourages that the pre-development runoff pattern to the ravine/woodland be mimicked. Also, the post-development areas shown in the water balance calculations in Appendix I do not match with the post-development areas shown on Figure 2. The post-development areas in the water balance calculations in Appendix I are shown as SWMF2a, SWMF2b etc while Figure 2 shows area as SWMF1 and SWMF2 etc. Please match the areas so that it is easy for comparison under the post-development conditions.</td>
<td>NA</td>
<td>No, in the post-development scenario, the runoff to the stormwater facilities SWMF 1 and SWMF 2 will not discharge into the ravine. The SWM facilities are offsite and no discharge is expected to return to the site. The water balance figures have been updated and the pre and post-development areas now match up in size as well as in nomenclature. We apologize for the oversight.</td>
<td>NA</td>
<td>SWM Pond locations are identified on Fig 5.0 of Appendix B the cover and in the Functional Servicing Report. December 2020 Response: Updated locations are provided in the SWM Report.</td>
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<td>3)</td>
<td>The LID measures being proposed for the site to compensate for the infiltration etc on site under the proposed conditions should be provided to the stormwater engineer who will design the storm system for the site to make sure that the recommendations of the water balance analysis are considered.</td>
<td>NA</td>
<td>This comment is noted and the LID measures proposed for the site will be provided to the stormwater engineer during site design.</td>
<td>NA</td>
<td>The LID location was proposed in a location where the sand was suitable for infiltration. Dev Eng has been working closely with exp regarding the infiltration system. Dev Eng will continue consultation with exp during the detailed design of the LID features to incorporate the water balance recommendations.</td>
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<td>4)</td>
<td>The UTRCA suggests undertaking an infiltration test on the site and to use the actual infiltration capacity measured on the site.</td>
<td>NA</td>
<td>The method used for the water balance infiltration rate has been the UTRCA previously approved method of using the soil conditions as mapped by the Ministry of Natural Resources and Forestry.</td>
<td>NA</td>
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LID designs have also been included in the updated water balance calculations.
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<td>5)</td>
<td>The deficit in infiltration to Tributary 3 under the proposed conditions is approximately 8559 m3. Please provide details of how the deficit in the infiltration and runoff will be maintained to Tributary 3 under the proposed conditions. January 22, 2020 Comment:</td>
<td>NA</td>
<td>The method used for the water balance infiltration rate has been the UTRCA previously approved method of using the soil conditions as mapped by the Ministry of Natural Resources and Forestry.</td>
<td>NA</td>
<td>NA</td>
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| 1)        | Section 1.6.3 - the regulation limit which applies to the subject lands includes riverine flooding and erosion hazards and although not shown on the Regulation Mapping, there are also regulated wetland features located on the property. In this regard, the UTRCA’s regulation is "text-based". In the case of a discrepancy between the mapping and what is actually observed in the field, the text of the regulation shall prevail over the areas shown as being regulated on the mapping. January 22, 2020 Comment: Accepted. | NA | NA | Noted. We have inserted the following additional text into Section 1.6.3 to clarify: "While UTRCA maintains mapping showing regulation limits and regulated features, features must be investigated and mapped in the field to confirm the presence of features. In the case of a discrepancy between the mapping and what is actually observed in the field, the text of the

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| 1)        | Section 1.6.3 - the regulation limit which applies to the subject lands includes riverine flooding and erosion hazards and although not shown on the Regulation Mapping, there are also regulated wetland features located on the property. In this regard, the UTRCA’s regulation is "text-based". In the case of a discrepancy between the mapping and what is actually observed in the field, the text of the regulation shall prevail over the areas shown as being regulated on the mapping. January 22, 2020 Comment: Accepted. | NA | NA | Noted. We have inserted the following additional text into Section 1.6.3 to clarify: "While UTRCA maintains mapping showing regulation limits and regulated features, features must be investigated and mapped in the field to confirm the presence of features. In the case of a discrepancy between the mapping and what is actually observed in the field, the text of the
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<td>2)</td>
<td>In Section 2.2.4, please include a description of the groundwater indicator species that are found in FOD 9-5, FOD 7-4 and SWT2 communities. January 22, 2020 Comment: Accepted.</td>
<td>NA</td>
<td>NA</td>
<td>Report Section 2.2.1.3 (note that report formatting has been revised) identifies the groundwater indicator plants within the ravine. The following groundwater indicator species were observed within the study area: - Watercress (FOD7-4, SWT2) - Skunk Cabbage (FOD7-4, SWT2) - Jewel weed (FOD7-4, FOD9-5, SWT2) The populations of these plant species were mapped during field investigations conducted on July 22, 2019. Figure 5 (attached and in the revised report) shows the extent of the groundwater indicators and the locations of seepage areas.</td>
<td>NA</td>
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<td>3)</td>
<td>The ecological consultant must coordinate its findings with the consultant of the hydrogeological assessment in Section 4.1. For example: a. Bullet 2 states that &quot;there is potential for seepage to occur&quot;, yet the ecological work has demonstrated definitively that seepage does occur on the ravine slopes. Please revise/strengthen the language in this section. b. Section 5.3.3 states that &quot;through the use of LIDs, it is anticipated that the proposed development plan will not result in a reduction of groundwater contribution to the watercourse&quot;. This statement contradicts bullet 4 in Section 4.1 which states that there will be a</td>
<td>NA</td>
<td>NA</td>
<td>Section 4.1 of the EIS report has been revised based on an up-dated water balance prepared by exp. The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development infiltration rates. December 2020 Response: There are multiple stages of surface water treatment including catchbasins with deep sumps and goss traps, an oil-grit separator, and a potential vegetated strip prior to runoff discharging into the LID. The LID’s must be located within the site and cannot be located within the hydro corridor, the final location to be determined during the Site Plan stage.</td>
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<td>significant reduction in post-development infiltration and a decrease in runoff for the area.</td>
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<td>the implementation of mitigation measures. This level of infiltration should maintain the seepage to indicator plants and wetland communities in the ravine.</td>
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<td>c. Table 10 states that post vs pre-development groundwater levels and flows within the receiving area are similar. This statement contradicts bullet 4 in Section 4.1 that states that there will be significant reduction in post-development infiltration and a decrease in runoff for the area.</td>
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<tr>
<td>January 22, 2020 Comment:</td>
<td>Water balance is ok. UTRCA would like to see water balance significant to minimal, LID’s (DevEng). If cautioned about LID’s lifespan and maintenance of them. They don’t want LID’s on private land (i.e. back yards), as it’s hard to control or maintain. They would like them in common spaces or multi-family blocks. It was mentioned to place them along the hydro corridor.</td>
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<td>4)</td>
<td>Sub-bullet 2 of bullet 7 in Section 4.1 states that the use of BMPs will “enhance post development infiltration” and Table 10 lists some mitigation / compensation measures for a change in water regime. Please provide more information on the proposed LIDs to demonstrate that there will be no net effect on post versus pre development surface and ground water levels and flows to the natural features. Please include:</td>
<td>NA</td>
<td>NA</td>
<td>exp has prepared an up-dated water balance based on natural infiltration being maintained. The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development infiltration rates. Section 4.1 will be revised to provide clarification regarding enhancement.</td>
<td>The detailed design of the site grading, SWM features, and LID features will incorporate recommendations of the water balance to mimic pre development surface and groundwater levels as closely as possible.</td>
</tr>
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<td>d.</td>
<td>a. What is meant by “enhance” in sub-bullet 2 of bullet 7 in Section 4.1.</td>
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<td>b. Data that demonstrates how these measures will achieve no net effect.</td>
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<td>January 22, 2020 Comment:</td>
<td>Accepted.</td>
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<td>5)</td>
<td>Bullet 4 in Section 4.1 states that there will be significant reduction in post-development infiltration of 68% and a decrease in runoff (no value given) for the area. Recognizing that the area is located in an HVA and a SGRA, and that there will be a further 40% reduction</td>
<td>NA</td>
<td>NA</td>
<td>exp has prepared an up-dated water balance based on natural infiltration being maintained.</td>
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### Comments and Responses to Geotechnical, Hydrogeological, Environment, and Planning/Engineering Responses

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<td>6)</td>
<td>Section 5.3.3 states that “the use of LIDs within the subject lands will be required to maintain the post-development water balance to the watercourse and wetland”. Please demonstrate how the pre-development water balance to the watercourse and wetland will be maintained. January 22, 2020 Comment: Requested that the mapping includes the block numbering as well (overlay).</td>
<td>NA</td>
<td>NA</td>
<td>exp has prepared an up-dated water balance based on natural infiltration being maintained. Block 44 contained sand units with factored infiltration rates ranging between approximately 20 mm/hour to 70 mm/hour which is sufficient for the use of the proposed infiltration system.</td>
<td>LID features shown on Fig 2.0 of Appendix B of the Functional Servicing Report.</td>
</tr>
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</table>

**January 22, 2020 Comment:**
Accepted but mentioned that water balance needs to work.

The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development infiltration rates.

We do not anticipate significant impacts to the groundwater dependent plant species or the seepage areas that support them.

The estimated 94% maintenance of pre-development infiltration is not expected to affect the Significant Wildlife Habitat status of the seepage areas. Based on the infiltration rates, we expect that the seepage areas are sustainable within the post-development context.

**December 2020 Response:**
The EIS has been up-dated based on the up-dated water balance prepared by exp.

The detailed design of the site grading, SWM features, and LID...
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<td>7)</td>
<td>Table 10 in Section 5.6 states that “post vs pre-development groundwater levels and flows within the receiving area are similar”. Please demonstrate how post vs pre-development groundwater levels and flows to the natural areas will remain similar.</td>
<td>NA</td>
<td>NA</td>
<td>exp has prepared an up-dated water balance based on natural infiltration being maintained.</td>
<td>NA</td>
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<tr>
<td></td>
<td>January 22, 2020 Comment: Accepted.</td>
<td></td>
<td></td>
<td>The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development infiltration rates.</td>
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<td>8)</td>
<td>Recommendation 6 in Section 6.3 states that an updated water balance should be completed as part of final design. The water balance to the features must be completed now as part of the application process and must demonstrate that post vs pre-development surface and groundwater levels and flows to the natural areas are in fact similar as stated.</td>
<td>NA</td>
<td>NA</td>
<td>exp has prepared an up-dated water balance based on natural infiltration being maintained.</td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td>January 22, 2020 Comment: Accepted.</td>
<td></td>
<td></td>
<td>The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development infiltration rates.</td>
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<td>9)</td>
<td>In Appendix C, the UTRCA provided a recommendation in 2017 that “once the hydrogeological assessment and water balance analysis have been accepted, the information is then handed off to the ecologist to incorporate into the EIS analysis”. Since that time, the UTRCA has gained more experience with working with consultants and evaluating the natural heritage features. Based thereon, the UTRCA has learned that these studies must be much more integrated and that the professionals working on the project must communicate continuously with one another in developing the supporting technical reports. The ecologist, hydrogeologist and water resources engineer</td>
<td>NA</td>
<td>NA</td>
<td>Noted</td>
<td>NA</td>
</tr>
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</table>

The use of LIDs is, therefore, expected to enhance the above-noted infiltration rate.

**December 2020 Response:**

The block numbering has been added to Figures 6 and 7 of the EIS report.

**Features will incorporate recommendations of the water balance to mimic pre development surface and groundwater levels as closely as possible.**
must work together to identify which natural features and functions are important to maintain on the subject property; ii) the pre-development quality and quantity of surface and ground water that maintains those features; iii) how much variation the features and functions can tolerate; and iv) how acceptable surface and groundwater quality and quantity will be maintained in the post-development scenario.

January 22, 2020 Comment: Accepted.

10) Section 2.3 mentions that Candidate Bat Habitat exists on site while Section 2.4 mentions that Candidate Significant Wildlife Habitat exists on site for Bat Maternity Colonies. Please discuss how much buffer is needed to protect these habitats given the proposed development type and location.

January 22, 2020 Comment: Larger buffer is contemplated.

11) Section 3.3 mentions the presence of a locally significant wetland. Please confirm if all SWT2 vegetation communities are considered locally significant. Please discuss how much buffer is needed to
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<td>12)</td>
<td>Section 3.3 states that the woodland features on site are considered significant according to the City of London Evaluation Guidelines. Please discuss how much buffer is needed to protect these communities given the proposed development type and location. <em>January 22, 2020 Comment:</em> Additional buffer bump out. Hydro corridor restoration area, larger buffer for larger wetland. SWT2 community more critical for groundwater. Add heights of trees for the woodland min. setback.</td>
<td>NA</td>
<td>NA</td>
<td>The buffer zones were established to protect the trees within the natural feature and their rooting zones. Based on the tree heights of edge trees, their critical rooting zones (within the dripline) and the estimation of their feeder rooting zone, a 10m buffer is considered to be sufficient protection. The 10-12m woodland buffer is consistent with the City of London’s Buffer Guidelines.</td>
<td>The proposed buffers and maintenance of 91% of pre-development infiltration will provide sufficient protection to the wetland communities within the natural feature. The primary concern with regard to protection of the wetland communities and their respective plant species is the maintenance of groundwater and surface water contributions from adjacent lands. Based on the revised water balance we believe that this concern is addressed.</td>
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</table>
**Sifton Properties Limited**  
**1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road**  
**RESPONSE DATE – OCTOBER 9, 2019**  
**UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020**

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| 13)       | Section 4 and Figure 5 reference a “potential footpath”/“pathway” located within the buffer on the east side of the natural feature that also crosses the ravine near the north end of the subject lands. The UTRCA does not support development (including pathways and trails) in the buffer and requires adequate consideration of the impact and of buffer size. We offer the following comments:  
   a. Recommendation 2 in Section 6.2.1 states that “buffers may include multi-use trails”, yet no justification or rationale is provided for this statement. Please clarify whether this reference is to the City’s multi-use paved pathway rather than a trail. Please address.  
   b. As stated in Appendix C (p.4), the UTRCA expects an analysis of the pedestrian bridge/trail crossing now so that we can confirm whether the necessary Section 28 approvals could be issued. The analysis shall consider a location where the crossing would have the least amount of impact and is properly evaluated in the geotechnical assessment and the EIS. Ensure that the specifications and maintenance activities of the multi-use path (3 m wide and lighted bridge crossing according to Appendix C) are considered when evaluating crossing locations and path footprint.  
   c. The UTRCA requires compensation for the trail crossing to demonstrate a net environmental benefit. | Geotechnical Response (exp): After further discussion with Parks Planning, it has been decided that the trail along the east side will be a pedestrian trail, not a multi-use trail. Minor adjustments to Lots 6 and 7 can be made to bring the trail outside of the buffer for the majority of its length.  
   Hydrogeological Response (exp): A revised conceptual trail alignment will be provided.  
   Environment Response (AECOM): The proposed trail crossing of the ravine is a City of London initiative and has only been included in the proposed development plan to indicate a future crossing. A Scoped EIS will likely be required to specifically address the proposed crossing at the time that the proposed works are being planned.  
   Planning / Engineering Response: December 2020 Response: As previously stated by Planning and Engineering, the trail alignments shown are conceptual and do not represent the final trail design. It is recommended that the final trail setback and location be determined at the detailed design stage. All efforts will be made to reduce associated impacts by locating the trail alignment as far back as possible from the natural feature. The primary concern with regard to protection of the wetland communities and their respective plant species is the maintenance of groundwater and surface water contributions from adjacent lands. Based on the revised water balance we believe that this concern is addressed. | Further discussions have been held with Parks Planning, and the trail on the east side of the ravine will not be a multi-use path. Instead, it will be a pedestrian trail that is not hard surfaced. The draft plan has also been revised at the rear of lots 7 and 8 to bring the trail outside of the buffer. As a result, there is only a very minor encroachment of the trail into the buffer, primarily where it would cross the ravine. This area is impossible to avoid. It should also be noted that any trail alignments shown are conceptual in nature. Final alignment would be determined at the detailed design stage in consultation with Parks Planning and the consulting team. |
### Sifton Properties Limited


*1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road*

**RESPONSE DATE – OCTOBER 9, 2019**

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<td>14)</td>
<td>Recommendation 2 in Section 6.2.1 states that the recommended buffers will include a 12 m buffer along the eastern edge of the natural feature and a 10m buffer along the western edge of the natural feature. This is not consistent with the buffers which were proposed by Tridon for the lands to the east which included a 10m woodlot constraint, a 30m watercourse constraint and a 30m wetland constraint. The UTRCA does not support the location of the two lots shown southeast of the feature in Figure 5, nor the road alignment at the southern tip of the feature, as these encroach into the outermost constraint boundary. Please apply the Tridon constraint limits on a map and show a proposed lot fabric that respects those constraint boundaries. What compensation will be provided for the road encroachment?</td>
<td>NA</td>
<td>NA</td>
<td>Our understanding is that NRSI, on behalf of Tridon, did not conduct investigations of the ravine and its features. The proposed buffers that Tridon applied were simply standards for common features. We do not agree with the application of those buffers in this case. The wetland communities observed in the study area did not meet the criteria to be considered Provincially Significant and therefore were not provided a buffer of 30 m. The proposed buffers and maintenance of 91% of pre-development infiltration will provide sufficient protection to the wetland communities within the natural feature. The primary concern with regard to protection of the wetland communities and their respective plant species is the maintenance of groundwater and surface water contributions from adjacent lands. Based on the revised water balance we believe that this concern is addressed.</td>
<td>No reason has been provided by the UTRCA regarding their opposition to Lots 10 and 11 in the southeast portion of the plan. These lots are outside of all buffers and are sufficiently large to provide a suitable building envelope. It is acknowledged that the dwellings will likely need to be custom designed to meet the zoning setbacks that have been requested. December 2020 Response: As previously noted, all proposed buildings and zoning setbacks are outside of the buffers. The lots are very large and provide ample space for a custom-designed dwelling. There is no reason to sterilize them.</td>
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**January 22, 2020 Comment:**

Figure all setbacks on one drawing. Work to confirm the location of trail, as it spans the entire valley (no scope rationale).
Section 6.2.2 indicates that the implementation of buffers will provide opportunities for habitat enhancement. How will the habitat in the buffer be enhanced if the buffer contains a multi-use paved pathway?

January 22, 2020 Comment: Accepted.

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<td>15)</td>
<td>Section 6.2.2 indicates that the implementation of buffers will provide opportunities for habitat enhancement. How will the habitat in the buffer be enhanced if the buffer contains a multi-use paved pathway?</td>
<td>NA</td>
<td>NA</td>
<td>Of the 0.86 ha of natural buffers provided by the subdivision design, 0.11 ha (13%) are currently committed to the construction of a pathway in the buffer. The pathway now being proposed, however, will be a pedestrian footpath, reducing the potential impacts within this buffer area. The remaining 0.75 ha will be planted with native shrubs and herbaceous species including milkweed.</td>
<td>After further discussion with parks Planning, the proposed trail on the east side of the ravine will not be a multi-use paved path. It will be a pedestrian trail.</td>
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### Sifton Properties Limited
1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road
RESPONSE DATE – OCTOBER 9, 2019
UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020

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<td>16)</td>
<td>In Section 7, please explain the difference between the first two bullets. Are the areas proposed for restoration different than the naturalized buffer areas? Please show on a map.</td>
<td>NA</td>
<td>NA</td>
<td>The naturalized buffer area will be established as part of the development with restoration activities taking place within the established area.</td>
<td>NA</td>
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<td>January 22, 2020 Comment: Accepted.</td>
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<td>In addition to the buffers, areas under the hydro corridor are proposed for meadow habitat restoration. This will provide substantial restoration within the subject lands.</td>
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| 17)       | In Section 1.4, please include all relevant information collected for the Tridon lands on the east side (Old Victoria East Subdivision for 1691, 1738 and 1742 Hamilton Road) by NRSI (July 2015) including the following: 10m buffer for east side of woodland 30m buffer for wetland 30m buffer from high water mark cumulative impact of infiltration reduction by 40% from the Tridon lands transplant location of Hairy Aster | NA                           | NA                           | As noted above, our understanding is that NRSI, on behalf of Tridon, did not conduct investigations of the ravine and its features. The proposed buffers that Tridon applied were simply standards for common features. We do not agree with the application of those buffers in this case. | NA                           |
| January 22, 2020 Comment: Water balance mitigation. Confirm with Tridon where their Hairy Aster was relocated on Sifton property. |                                   |                              |                              | December 2020 Response: We have consulted with NRSI regarding the location of the hairy aster transplant. The hairy aster was transplanted in 2016 to a location outside of Sifton’s project limits. A figure showing the location is attached to this table. | |

<p>| 18)       | Section 2.1.1 mentions that critical habitat for several SAR species was identified in the Thames River, of which the on-site stream is a tributary. Please discuss how this site is being serviced, and whether any outlets are entering the on-site tributary or the Thames River. | NA                           | NA                           | On-site stream connectivity to the Thames River is discussed in section 2.1.3 of the EIS report. Limited property access downstream of the study area prevented AECOM staff | Refer to Section 5 of the functional servicing report, there are no proposed outlets to Tributary 3 or the Thames River. |</p>
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<td>19)</td>
<td>Section 2.3.3 mentions that a Barn Swallow structure was installed prior to May 1, 2017. Please provide the location of this structure and whether it has been successful in compensating for the loss of 12 Barn Swallow nests located in a structure at 1938 Commissioners Road East.</td>
<td>NA</td>
<td>NA</td>
<td>The barn swallow structures are located within the Victoria by the River lands north of Block 153 along the Thames River. To-date we have not observed barn swallows nesting in the structures. For this reason, we are proposing to MECP that the structures be modified to improve the potential for nesting.</td>
<td>NA</td>
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<td>January 22, 2020 Comment: Accepted.</td>
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<td>20)</td>
<td>Appendix G recommends that milkweed be included in seed mixes used during post construction vegetation restoration. Please include this in recommendations 4 and 8 in Section 6.7.</td>
<td>NA</td>
<td>NA</td>
<td>Milkweed will be proposed for the vegetation restoration within the established buffer zones and the restoration areas indicated on Figure 7. Milkweed is currently included in the Recommended Plantings table within the Buffer Planting areas on Figure 7s of the EIS report. December 2020 Response: Recommendations in the EIS report have been updated to include the recommendation that milkweed be included in the proposed seed mixes.</td>
<td>NA</td>
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<td>January 22, 2020 Comment: Recommendations not included, include in the end of document (all recommendations).</td>
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<td>21)</td>
<td>Appendix G recommends exclusion fencing for snapping turtles. Please include this as a recommendation in Section 6.7, and ensure that this fencing is permanent and will remain in the post development scenario.</td>
<td>NA</td>
<td>NA</td>
<td>Fencing of the development site will be addressed during the site plan approval process. Fencing is generally a requirement of the City of London site plan approval.</td>
<td>NA</td>
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<td>22)</td>
<td>In Section 6.7 please include all recommendations about when vegetation removal should occur, given the potential for sensitive species and Significant Wildlife Habitat.</td>
<td>NA</td>
<td>NA</td>
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<td><strong>January 22, 2020 Comment:</strong> Recommendations not included, include in the end of document (all recommendations).</td>
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<td>23)</td>
<td>In the beginning of the second paragraph of Section 2.2.1.3 it states that two site visits for amphibians were conducted, yet data is provided for three site visits.</td>
<td>NA</td>
<td>NA</td>
<td></td>
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<td><strong>January 22, 2020 Comment:</strong> Accepted.</td>
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<td>24)</td>
<td>Please ensure that consistent terminology is used. Is a multi-use trail or multi-use paved pathway which is being proposed in the buffer?</td>
<td>NA</td>
<td>NA</td>
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<td><strong>January 22, 2020 Comment:</strong> Accepted.</td>
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<td>25)</td>
<td>Why can’t a pedestrian connection be accommodated on a sidewalk along Constance Avenue rather than in the buffer along the east side of the ravine?</td>
<td>NA</td>
<td>NA</td>
<td></td>
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**December 2020 Response:**

Section 6.7 has been updated to include the recommendations for exclusionary fencing for snapping turtles. A recommendation to consider permanently fencing the development limit of the vegetation patch has also been included.

January 22, 2020 Comment:

Recommendations not included, include in the end of document (all recommendations).

December 2020 Response:

Vegetation removal shall occur outside of sensitive wildlife timing windows (i.e., breeding bird season April 1 – August 31, bat maternity roosting season (March 30 – October 1). No in water work is anticipated.

January 22, 2020 Comment:

Accepted.

December 2020 Response:

Section 6.7 has been updated to include the sensitive wildlife timing windows.

January 22, 2020 Comment:

Accepted.

December 2020 Response:

If the City / Parks Planning would prefer to have the trail overlap with the sidewalk in certain sections, we have no issue with that. The precise alignment of the trail would be...
### Comments #

#### Comments

- Accepted. City has requested sidewalk outside of the buffer. Larger buffer would be ok to include the trail/path. Further discussions with Parks to confirm this is required.
- Please provide a revised draft plan which clearly delineates the top of slope, the stable top of slope and the 6 metre erosion access allowance as well as the ecological buffer. Please identify these lines in different colours or more legible/distinguishable markings.
- The plan includes a line labelled “recommended boundary”. What does this line represent? Does it include the 6 metre erosion access allowance? The ecological buffer?
- Street B encroaches into the buffer. What compensation is being provided?
- The UTRCA does not support Lots 10 and 11. Please revise the plan.

#### Geotechnical Response (exp)

- NA

#### Hydrogeological Response (exp)

- NA

#### Environment Response (AECOM)

- NA

#### Planning / Engineering Response

- Refer to the proposed Draft Plan in Appendix A and Figure 3.0 in Appendix B of the Functional Servicing Report. The feature lines are also transposed to cross sections on Figure 4.0.

**December 2020 Response:** The revised draft plan includes all slope and buffer delineations in different colours.

- The “recommended boundary” reflects the outermost constraint, whether it is ecological or geotechnical, and includes the buffers and/or 6 metre erosion allowance.
- Street B encroaches into the buffer less than 2 metres, at the most, in the area that would be part of the treed boulevard. Any compensation area required could be provided at various locations on the plan in the park blocks.

**December 2020 Response:** The area of the incursion is 8.1 sq.m. in total and it projects into the ROW 1.65m. This is extremely minimal and would be part of the boulevard which would be grassed and planted. If desired, this boulevard area could be naturalized.

- No reason has been provided by the UTRCA regarding their opposition to Lots 10 and 11 in the southeast portion of the plan. These lots are
**Sifton Properties Limited**


1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road

RESPONSE DATE – OCTOBER 9, 2019

**UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020**

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<tr>
<td><strong>Comments on the Final Proposal Report</strong></td>
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<tr>
<td>The Table of Contents indicates that Appendix G is the Stormwater Management Plan but the provided version of the report only includes figures. Is there a stormwater management plan? If so, please provide a hard copy and an electronic copy to the UTRCA.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>The FPR document was originally being utilized to describe the servicing/SWM approach but Dev Eng has since prepared the enclosed functional servicing report dated September, 2019, to assist in addressing comments.</td>
<td></td>
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<tr>
<td>January 22, 2020 Comment: Accepted. It was noted that the SWM 1 and 2, VOTR not on site but in the subdivision.</td>
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<tr>
<td>Please ensure that the infiltration gallery is located outside of the natural hazard and natural heritage features including the buffer. Please provide more details about the proposed overflow outlets including information on energy dissipation measures, sediment and erosion and confirm that the outlets will not impact the slope.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>LID features are proposed outside of the natural hazard and natural heritage features as shown on Figure 2.0. The proposed overflows from the LID system will include engineered slope reinforcement, energy dissipation measures, and sediment and erosion protection at the detailed design stage as required to safely convey the major flows down the slope to Tributary 3.</td>
<td></td>
</tr>
<tr>
<td>P.14 – it is noted that there is a minor incursion of Street B into the buffer and that additional information is provided in the EIS. The list of recommendations in the EIS does not appear to include compensation for the incursion. Please address.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>The incursion is extremely minor (8.1 sq. m.), and would be part of the grassed / treed boulevard. Opportunities could be considered for a more naturalized boulevard, or equivalent compensation could be provided in one of the park / open space blocks, if necessary.</td>
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</tr>
<tr>
<td>P.15 – Subdivision Design – does not make reference to the ravine crossing.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>The crossing is referenced in Section 5.0, 8.4 and 9.3.</td>
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</tr>
<tr>
<td>P.18 – It is stated that the watermain is anticipated to be extended through the proposed pathway block and strapped under the proposed pedestrian bridge spanning the ravine onto Street A (Oriole Drive?) of the adjacent Old Victoria East development. Adequate analysis has not yet been completed for a location for the proposed ravine crossing/pedestrian bridge.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Refer to Section 5.3.1 of the functional servicing report. The water connection is required to loop the low-pressure system from Victoria on the River to the Oriole Drive in adjacent development to the east.</td>
<td></td>
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</tbody>
</table>
Sifton Properties Limited
1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road
RESPONSE DATE – OCTOBER 9, 2019
UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020

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<tr>
<td>P. 18 – Stormwater Management Plan – please provide a copy of the stormwater management plan if there is one.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>The FPR document was originally being utilized to describe the servicing/SWM approach but Dev Eng has since prepared the enclosed functional servicing report dated September, 2019, to assist in addressing comments.</td>
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CITY DEVELOPMENT SERVICES COMMENTS – JULY 8, 2019

Detailed Comments on the EIS

1. Section 2.2.4 Results and Discussion (Vegetation)
This section does not accurately represent the full extent of the groundwater dependent plants located throughout the Woodland/Valley. A site walk by the DS Ecologist identified skunk cabbage through the feature and in relatively high numbers in a couple locations. However, the description found in this section of the EIS implies that it was just noted with a couple individuals. Identify the extent of ground water indicator species throughout the various polygons. Action: Revise section accordingly and clearly indicate the location/extent of the groundwater indicator species.

January 22, 2020 Comment: Accepted.

2. Section 2.2.9 & 2.2.11 Breeding Birds
AECOM identifies that they completed breeding bird surveys during the “spring/summer 2017”, however the report identifies that the surveys were carried out on July 6, 2017 and July 9, 2017. This is not acceptable and does not represent a complete breeding bird survey for the subject lands. Standard breeding bird surveys should be carried out at a minimum of 2 dates separated by at least 10 days. It is possible that multiple species that are breeding within the subject lands were not identified. Therefore, an assumption of species

January 22, 2020 Comment: Accepted.

2. Section 2.2.9 & 2.2.11 Breeding Birds
Report Section 2.2.1.3 (note that report formatting has been revised) identifies the groundwater indicator plants within the ravine.

- Watercress (FOD7-4, SWT2)
- Skunk Cabbage (FOD7-4, SWT2)
- Jewel weed (FOD7-4, FOD9-5, SWT2)

The populations of these plant species were mapped during field investigations conducted on July 22, 2019. Figure 5 (attached and in the revised report) shows the extent of the groundwater indicators and the locations of seepage areas.

January 22, 2020 Comment: Accepted.

2. Section 2.2.9 & 2.2.11 Breeding Birds
Agreed.
The report section will be revised.
As the vegetation patch has been identified as a Significant Woodland, the habitat for breeding birds will be protected by virtue of protection of the feature with associated ecological buffers.
### Sifton Properties Limited


**1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road**

**RESPONSE DATE – OCTOBER 9, 2019**

**UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020**

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<td></td>
<td>presence must be taken due to lack of data (i.e. Eastern wood-pewee). Greater sensitivity of this feature for more sensitive breeding birds must be afforded in the Environmental Management Plan section of this EIS. Action: Update this section to identify that complete breeding bird surveys that represent the breeding bird window were not carried out for the subject site.</td>
<td>Geotechnical Response</td>
<td>Hydrogeological Response</td>
<td>December 2020 Response: The original date of the breeding surveys was correct. As such, the report has been updated to list both Eastern Wood-pewee and Wood Thrush as candidate SOCC within the study area. However, as stated previously in the original response, the vegetation patch has been identified as a Significant Woodland and the habitat for these species will be protected by virtue of protection of the feature with associated ecological buffers.</td>
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<td>January 22, 2020 Comment: Gary to confirm bird survey timing on when it was conducted, may have been reported incorrectly in terms of dates. Normally 10-15 days apart.</td>
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<td>3. Section 2.4 Significant Wildlife Habitat</td>
<td>DS Ecologist identified during the site visit multiple Terrestrial Crayfish Chimneys located adjacent to the SWT2 Community towards the north end of the subject site. This confirms SWH for Terrestrial Crayfish is associated with this features as well. Based on the breeding bird survey (see comment above), update this section to identify SAR/ SC bird species that have suitable habitat present within the study area and now have to be assumed to be present. Action: Update this section and other sections accordingly to identify confirmed SWH for Terrestrial Crayfish and update the SWH for Breeding Bird Species.</td>
<td>NA</td>
<td>NA</td>
<td>Noted</td>
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<td>January 22, 2020 Comment: Sufficient habitat/setback.</td>
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<td>4. Section 4.0 Proposed development</td>
<td>Update Figures to better identify the single family homes (lot #s), and the medium density block locations. Action: Update figures accordingly.</td>
<td>NA</td>
<td>NA</td>
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<td>January 22, 2020 Comment: Accepted.</td>
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<tr>
<td>5. Section 4.1 Hydrogeological Assessment / Water Balance</td>
<td>This section does not thoroughly address the protection of the groundwater features associated with this significant Natural Heritage Feature. This does not demonstrate that the feature and its function are</td>
<td>NA</td>
<td>NA</td>
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## RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020

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|           | protected as a result of this proposed draft plan. Further detail and connection to the Hydrogeological Study/ Water Balance is needed. The City also defers to the UTRCA for additional comments regarding the Hydrogeological Assessment and Water Balance for these features and functions. **Action:** Update this section and any other relevant sections accordingly.  
**January 22, 2020 Comment:** Accepted.  
**December 2020 Response:** The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development. Section 4.1 will be revised to reflect the up-dated water balance. | NA | NA | The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development. Section 4.1 will be revised to reflect the up-dated water balance. | NA |
| 6. Section 5.6 Net Environmental Impacts | This section does not adequately identify and address all of the potential effects the development could have and the natural heritage features and functions. Please review Section 1.0 of the EMG (Table 1), that identifies potential impacts and their expected effects. Update the table to consider all of these components and properly identify the low/med/high potential impacts have and how mitigation measures may (or may not) reduce these potential impacts over the short/long-term. As it currently stands, with the current AECOM proposed mitigation strategy (only 10-12m buffers) that the overall impacts on this feature will likely be negative over the long-term and not positive as AECOM has proposed. **Action:** Review and revise this section accordingly.  
**January 22, 2020 Comment:** Effects long term, more analysis buffer function. Smaller buffer setback, higher failure rate, function to protect feature.  
**December 2020 Response:** The buffer section of the EIS report has been revised to provide further rationale for the proposed buffers.  
**December 2020 Response:** The wetland communities observed in the study area did not meet the criteria to be considered Provincially Significant and therefore were not provided a buffer of 30 m.  
**December 2020 Response:** The proposed buffers and maintenance of 91% of pre- | NA | NA | We will review and up-date the Net Effects Section and table.  
We disagree, however, that the net effects will be negative over the long-term.  
**December 2020 Response:** The net effects table has been updated to better address potential long-term effects. | NA |
| 7. Section 6.2, 6.2.1, 6.2.2, and 6.3 Buffer Zone Establishment and Management | These sections do not provide for adequate protection using buffers for the natural heritage features and their associated functions/ sensitivities. AECOM also has not provided the buffer calculation from Section 5.0 of the EMG. This calculation would show that much larger buffers (minimum/maximum) are needed for this feature and its ecological functions. This calculation is to be provided and discussed as part of this section. The woodland feature scored four high criteria, three medium and zero low, in addition to the other sensitivities (i.e. seeps/springs, wetlands, SWH) identified and lack of sufficient breeding bird data. Minimum buffers for wetlands is 30m. Additional | NA | NA | The buffer section of the EIS report has been revised to provide further rationale for the proposed buffers.  
**December 2020 Response:** The wetland communities observed in the study area did not meet the criteria to be considered Provincially Significant and therefore were not provided a buffer of 30 m.  
The proposed buffers and maintenance of 91% of pre- | NA |
Sifton Properties Limited  
1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road  
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<td>1. buffers are needed for the feature and additional rationale provided if a reduction (in some locations) in the minimum buffers is proposed. Perhaps discussing and showing buffers for different sections (i.e. 5-6 sections) along the feature would be helpful. <strong>Action:</strong> Revise section and update all Figures accordingly. Provide the buffer calculation from the EMG Section 5.0 and further discussion on the protection of highly sensitive features and functions. <strong>January 22, 2020 Comment:</strong> Calculation required. Expected to see development limit, discuss with Gary and James.</td>
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<tr>
<td>8. Section 6.0 Environmental Management Plan</td>
<td>AECOM has placed the proposed pathway location inside of an already relatively small buffer. This is not consistent with the EMG, which identifies that pathways/trails are to be located outside of the buffer. While it is recognized that a pathway will need to cross into the buffer in order to cross the feature, running the length of the pathway on the east side within the buffer is not acceptable, unless a much larger buffer is</td>
<td>NA</td>
<td>NA</td>
<td>The application of a 10 m buffer on the west and a 12 m buffer along the eastern edge of the natural feature are sufficient to mitigate any impacts from the development to the natural feature (woodland and wetland) and provide opportunities for restoration within the buffer zone. The current buffer zone also provides a 25 to 35 m separation to the intermittent watercourse that flows through the middle of the feature. Additional buffer capacity is provided in restoration areas adjacent to the wetland community SWT2 on the east side (Block 46) providing up to 40m and on the west side (Blocks 47 and 52) providing 15m to &gt;30m. On the southeast side Block 48 provides additional buffer capacity ranging from 12m to 30m.</td>
<td></td>
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<tr>
<td>Note that: the trail and the trail crossing of the ravine are a City of London initiative. After further discussion with Parks Planning, it has been decided that the trail along the east side will be a pedestrian trail, not a multi-use trail.</td>
<td>The pathway on the east side will be a pedestrian trail, not a multi-use trail.</td>
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<td>9. Section 6.7 Recommendations</td>
<td>This section is required to better reflect the protection measures needed for the subject site during pre-construction, active construction, and post-construction. The recommendations are taken directly from the EIS and translated to future development stages. Further detail is needed and referral in the recommendations to the implementation of the Environmental Management Plan section 6.0 is needed. The EMP needs to identify the extensive construction mitigation measures needed, hydrogeological monitoring for the seeps and springs, restoration objectives etc. Furthermore, no reference to London Plan policies are provided. Consideration of London Plan Environmental Policies are required as part of the EIS and recommendations/ conclusions. <strong>Action: Revise section and provide additional details on protection measures, restoration measures, and monitoring requirements.</strong></td>
<td>NA</td>
<td>NA</td>
<td>The EMP section of the report will be reviewed and revised to provide greater detail regarding recommendations. However, a certain degree of detail will need to be provided as part of the Detailed Design in order to more accurately reflect the site-specific requirements.</td>
<td>NA</td>
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<tr>
<td></td>
<td>January 22, 2020 Comment: Detailed recommendations. Additional details will be provided.</td>
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**EEPAC COMMENTS**

**Theme 1 – Buffer Surrounding the Ravine**

| 1. | Prepare a site plan that indicates both the erosion hazard limit and the buffer from the Significant Woodland to clearly delineate the limiting factor for the development limit. The limiting factor should be the wider of the two. | NA | NA | A revised Subdivision Plan has been prepared (see attached) and indicates the erosion hazard limit, top-of-slope and the ecological buffer. | Please see the attached plan which delineates various constraints by colour. |
| | **January 22, 2020 Comment:** To include on drawings, recommendations. | | | | |

**Action:** Review and update this section accordingly.

**January 22, 2020 Comment:** Accepted.

**A pedestrian trail with a wood chip or other low-impact surface will significantly reduce impacts.**

**December 2020 Response:** The EMP section of the report has been revised to include greater detail and provide additional recommendations. However, as stated previously a degree of detail will need to be provided as part of the Detailed Design.

**Please see the attached plan which delineates various constraints by colour.**
### Theme 2 – Development within the Buffer

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<tr>
<td>2.</td>
<td>Incorporate post-development site conditions/ ravine flow regime into the slope stability report and re-evaluate whether the proposed erosion hazard limit is sufficient to address post development site conditions.</td>
<td>NA</td>
<td>NA</td>
<td>exp has prepared an up-dated water balance based on natural infiltration being maintained.</td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td><strong>January 22, 2020 Comment:</strong> No comments.</td>
<td></td>
<td></td>
<td>The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development.</td>
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<td>As part of the above, exp has confirmed the erosion hazard limits.</td>
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<td>3.</td>
<td>The Clean equipment protocol be followed during construction to reduce the possibility of phragmites and other invasive species spreading in an area close to the Significant Woodland and the Meadowlily Woods ESA.</td>
<td>NA</td>
<td>NA</td>
<td>The “Clean Equipment Protocols” will be included as part of the Construction Mitigation Plan.</td>
<td>NA</td>
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<td></td>
<td><strong>January 22, 2020 Comment:</strong> No comments.</td>
<td></td>
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<td>Also, invasive plant species management will be addressed.</td>
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### Theme 3 – Post Development Stormwater Management

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<td>4.</td>
<td>Relocate the proposed pathway outside of the buffer and use the roadway to the east as the connection to the TVP. Ensure that any footings for the proposed bridge are located outside of the buffer and the erosion hazard limit.</td>
<td>NA</td>
<td>NA</td>
<td>Note that: the trail and the trail crossing of the ravine are a City of London initiative.</td>
<td>After further discussions with Parks Planning, the trail corridor on the east side of the ravine will be a pedestrian only path, not a paved multi-use trail.</td>
</tr>
<tr>
<td></td>
<td><strong>January 22, 2020 Comment:</strong> No comments.</td>
<td></td>
<td></td>
<td>After further discussion with Parks Planning, it has been decided that the trail along the east side will be a pedestrian trail, not a multi-use trail. A pedestrian trail with a wood chip or other low-impact surface will significantly reduce impacts.</td>
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<tr>
<td>5.</td>
<td>Redesign the stormwater management system such that it meets the minimum requirement of achieving an 80% post-development infiltration rate. This is also recommendation 5, page 48 of the EIS.</td>
<td>NA</td>
<td>NA</td>
<td>exp has prepared an up-dated water balance based on natural infiltration being maintained.</td>
<td>NA</td>
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<tr>
<td></td>
<td><strong>January 22, 2020 Comment:</strong></td>
<td></td>
<td></td>
<td>The up-dated water balance demonstrates that there will be a minimal reduction in infiltration.</td>
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Confirming the 94% pre-development, UTRCA were questioning the data and Gary and Heather explained.

Section 4.1 will be revised to reflect the up-dated water balance.

December 2020 Response:
Section 4.1 has been up-dated with the revised water balance prepared by exp. As stated in the comment above, The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development.

6. As recommended on page 48 of the EIS, an updated water balance be completed as part of the final design.

January 22, 2020 Comment:
MF Blocks, clean runoff (OGS filter water). Not fully supported.

See the response above.
The water balance will be up-dated to reflect the specifics of the Detailed Design.

December 2020 Response:
There are multiple stages of surface water treatment including catchbasins with deep sumps and gross traps, an oil-grit separator, and a potential vegetated strip prior to runoff discharging into the LID.

7. Should the revised stormwater management plan include LID systems, these systems be placed on public property, as the eventual homeowner may lack the desire or skill to maintain the LID measures and run-off may consequently increase over time as the efficacy of the LID measures wane.

January 22, 2020 Comment:
Location of LID’s in MF Block or Hydro corridor not adjacent to public road or private site (back yards).

The City of London has insisted that LID features be outside of the municipal road allowance and on private property, a monitoring and maintenance document will be provided to the homeowners/condo corporation where these features are located similar to other underground infrastructure.

December 2020 Response:
LID’s cannot be located in the hydro corridor, final location to be confirmed at Site Plan Stage.

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<td>Confirming the 94% pre-development, UTRCA were questioning the data and Gary and Heather explained.</td>
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<td>result in post-development infiltration estimated at 94% of pre-development.</td>
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<td></td>
<td></td>
<td>Section 4.1 will be revised to reflect the up-dated water balance.</td>
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<td></td>
<td></td>
<td>December 2020 Response:</td>
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<td></td>
<td>Section 4.1 has been up-dated with the revised water balance prepared by exp. As stated in the comment above, The up-dated water balance demonstrates that there will be a minimal reduction in infiltration resulting in post-development infiltration estimated at 94% of pre-development.</td>
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<tr>
<td>6.</td>
<td>As recommended on page 48 of the EIS, an updated water balance be completed as part of the final design.</td>
<td>NA</td>
<td></td>
<td>See the response above.</td>
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<tr>
<td></td>
<td>January 22, 2020 Comment: MF Blocks, clean runoff (OGS filter water). Not fully supported.</td>
<td></td>
<td></td>
<td>The water balance will be up-dated to reflect the specifics of the Detailed Design.</td>
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<td></td>
<td>December 2020 Response:</td>
<td>There are multiple stages of surface water treatment including catchbasins with deep sumps and gross traps, an oil-grit separator, and a potential vegetated strip prior to runoff discharging into the LID.</td>
</tr>
<tr>
<td>7.</td>
<td>Should the revised stormwater management plan include LID systems, these systems be placed on public property, as the eventual homeowner may lack the desire or skill to maintain the LID measures and run-off may consequently increase over time as the efficacy of the LID measures wane.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>The City of London has insisted that LID features be outside of the municipal road allowance and on private property, a monitoring and maintenance document will be provided to the homeowners/condo corporation where these features are located similar to other underground infrastructure.</td>
</tr>
<tr>
<td></td>
<td>January 22, 2020 Comment: Location of LID’s in MF Block or Hydro corridor not adjacent to public road or private site (back yards).</td>
<td></td>
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<td></td>
<td>December 2020 Response: LID’s cannot be located in the hydro corridor, final location to be confirmed at Site Plan Stage.</td>
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Theme 4 – Butternut Tree Preservation
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<td>8.</td>
<td>Given the tree will be retained, ensure that the proposed buffer zone is at least 25m to protect the tree.</td>
<td>NA</td>
<td>NA</td>
<td>The butternut tree will be protected within the Significant Woodland feature. However, given that it has been determined to be a non-retainable tree, a 25m buffer is not required.</td>
<td>NA</td>
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<tr>
<td></td>
<td><strong>January 22, 2020 Comment:</strong> Health assessment completed not able to protect butternut tree.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Theme 5 – Environmental Management Plan</td>
<td>9.</td>
<td>An Environmental Management Program to the satisfaction of the City be included as a condition of development.</td>
<td>NA</td>
<td>NA</td>
<td>A detailed Construction Mitigation Plan, including Species at Risk and Wildlife Handling Protocol will be prepared as part of the Detailed Design Stage.</td>
</tr>
<tr>
<td></td>
<td><strong>January 22, 2020 Comment:</strong> No comments.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Theme 6 – Construction Impacts</td>
<td></td>
<td>EEPAC is concerned that the EIS leaves open (p. 39) that construction will take place within the buffer. This should not occur even if it means redesigning the development.</td>
<td>NA</td>
<td>NA</td>
<td>The intent was not to allow construction within the buffer; it was identified as a potential impact. The buffer will be considered a &quot;no development&quot; area and protected as part of the feature.</td>
</tr>
<tr>
<td></td>
<td><strong>January 22, 2020 Comment:</strong> No fuel staging 30 m away.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Theme 7 – Post Construction Impacts</td>
<td>10.</td>
<td>The homeowner brochure recommended in the EIS include information on why homeowners should limit their use of fertilizers as well as salt and other additives for snow removal because they will disrupt the natural feature and its functions because water will run into the ravine because of the use of LID measures.</td>
<td>NA</td>
<td>NA</td>
<td>Noted. This can be included in the Homeowners brochure.</td>
</tr>
<tr>
<td></td>
<td><strong>January 22, 2020 Comment:</strong> Include pool information package for drainage, natural areas package and cat/dog brochure.</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Signage be posted at both ends of the proposed bridge explaining the significance of the feature and the nearby Environmentally Significant Area. The text should be to the satisfaction of the City and the requirement be included in the development agreement.</td>
<td>NA</td>
<td>NA</td>
<td>Noted.</td>
<td>This can be included by the City as a draft plan condition.</td>
</tr>
</tbody>
</table>
**Sifton Properties Limited**  
1938 & 1964 Commissioners Road East and Portion of 1645 Hamilton Road  
RESPONSE DATE – OCTOBER 9, 2019  
**UPDATED RESPONSE TO COMMENTS FROM JANUARY 22, 2020 (COMMENTS AND RESPONSES PROVIDED IN RED) – DECEMBER 15, 2020**

<table>
<thead>
<tr>
<th>Comment #</th>
<th>Comments</th>
<th>Geotechnical Response (exp)</th>
<th>Hydrogeological Response (exp)</th>
<th>Environment Response (AECOM)</th>
<th>Planning / Engineering Response</th>
</tr>
</thead>
</table>
| 12.       | Prior to assumption, the proponent deliver to each residence a copy of the City’s “Living with Natural Areas” brochure. This requirement is to be included in the development agreement.  
January 22, 2020 Comment:  
No comments.  | NA | NA | Noted. This will be recommended. | This can be included by the City as a draft plan condition. |
**435-451 Ridout Street, London Ontario**

**Final Preliminary Environmental Impact Study**

Prepared for: Farhi Holdings Corporation, 484 Richmond Street, Suite 200  
London, ON N6A 3E6

Prepared by: Natural Resources Solutions Inc.

Project No. 2161 – July 2019

Reviewed for EEPAC by: Ian Arturo and Susan Hall, 14 May 2020

<table>
<thead>
<tr>
<th><strong>General Comments</strong></th>
<th>A proposed multi-use development is planned on a, roughly rectangular in shape, approximately 1.4ha plot of land, bordered by Harris Park to the north, Ridout Street North to the east, Queens Avenue to the south, and a small access road to the west, which borders the North Thames River. The property contains parking lots, existing heritage buildings with established businesses, manicured lawn, and small cultural natural areas. A large portion of the subject property is identified as being within the floodplain and regulated area by the Upper Thames River Conservation Authority (UTRCA).</th>
</tr>
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<tr>
<th></th>
<th>“The primary objective of the Environmental Management and Monitoring Plan is to restore the function and structure of features which are removed and to enhance any areas on-site. It is proposed that this brownfield site be remediated, as well as the non-natural fill materials be excavated from the bank. There is opportunity to stabilize the bank and re-naturalize it with native species through new landscaping.” (p. 37).</th>
</tr>
</thead>
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<tr>
<th></th>
<th><strong>Recommendation 1:</strong> Support the Landscape plan described on p. 24 and the process that is outlined to identify what to plant as well as the removal of invasive species while following all applicable City, Provincial, and Federal regulations if this is indeed a Brownfield site. Ontario Records of Site Condition regulations are here: <a href="https://www.ontario.ca/laws/regulation/040153">https://www.ontario.ca/laws/regulation/040153</a>.</th>
</tr>
</thead>
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<tr>
<th></th>
<th>“Stormwater management will need to consider the Thames River and the floodplain, as well as the One River Environmental Assessment (if finalized at the time).” (p. 24).</th>
</tr>
</thead>
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<tr>
<th></th>
<th><strong>Specific Comment 1:</strong> The subject property is within floodplain lands considered for the “Back to the River” conceptual plan: <a href="https://backtotheriver.ca/sites/default/files/DIL1501_Back-to-the-River_Final-Book_DIGITAL%20%281%29.pdf">https://backtotheriver.ca/sites/default/files/DIL1501_Back-to-the-River_Final-Book_DIGITAL%20%281%29.pdf</a> and is also part of the Thames Valley Corridor. “The majority of the study area falls within the significant valleyland corridor” (p. 20). A 100 m buffer is suggested on p. 7, citing the Thames Valley Corridor Plan from 2011.</th>
</tr>
</thead>
</table>
**Recommendation 2:** Even if the One River Environmental Assessment has not been finalized at the time of writing, concepts in the One River Environmental Assessment and the Back to the River plan must be accommodated.

"Specific to the subject property, and just beyond, included Redbud and Canada Yew (Taxus canadensis), both species believed to be associated with landscaping of the subject property and the adjacent Eldon House." (p. 13).

"Canada Redbud, which is considered Extirpated from Ontario (SX), was noted growing within the Cultural Woodland Inclusion. This species has escaped from the gardens at Eldon House, so this observation is also not considered significant." (p. 14).

**Specific Comment 2:** These statements offer varying degrees of certainty. Is the presence of Redbud and Canada Yew naturalized from nearby landscaping the opinion of NRSI? Cite source if not.

**Recommendation 3:** “The Tree Inventory Data” table in Map 3 doesn’t indicate which species are invasive. Indicate which species are invasive/non-invasive, perhaps as an asterisk in the native/non-native column.

**Recommendation 4:** More discussion should take place regarding management of invasive vascular plants. There should be a clear differentiation between non-native species which are not considered invasive (such as London Plane-Tree (*Platanus X acerifolia*)) and those that are (such as Norway Maple (*Acer platanoides*)).

Three onsite surveys were completed (Sept., Oct. and Nov.). The timing was acknowledged as possibly accounting for a very low species diversity (total of 4 bird species observed within the subject property) of birds, no sightings of herpetofauna (p.16) nor Lepidoptera or Odonata species (p.18).

Eastern Wood-pewee (SCC): In 2013 UTRCA indicated that habitat for Eastern Wood-pewee should be protected regardless of whether the species was observed or not. Habitat for Eastern Wood-pewee was identified in Harris Park as candidate SWH (Eastern Wood-pewee), which extends onto the subject property as part of the northern cultural woodland (p.21).

**Specific Comment 3:** The same holds true for the common nighthawk which is considered special concern provincially and the flat top roof on the heritage buildings.

**Recommendation 5:** Disturbance to wildlife should consider bird impacts from the completed building. Building design should use the City of London’s Bird Friendly Skies guidelines: [http://www.london.ca/business/Planning-Development/Pages/Bird-Friendly-Skies.aspx](http://www.london.ca/business/Planning-Development/Pages/Bird-Friendly-Skies.aspx).

“It is expected that once detailed designs, grading plans, and servicing information is known, that an addendum will be required to this EIS in order to update the impact analysis and identify further mitigation measures.” (p. 1).

**Recommendation 6:** EEPAC should be invited to give feedback at this point and to review the monitoring plan.
Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Application By: Sifton Properties Limited
6019 Hamlyn Street

Date: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 6019 Hamlyn Street:

(a) The proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on March 23, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone, a Holding Urban Reserve (h-2*UR4) Zone, and an Environmental Review (ER) Zone, TO:

i) a Holding Residential R1 Special Provision (h*h-100*R1-3(\_)) Zone;

ii) a Holding Residential R1/R4 Special Provision (h*h-100*R1-3(\_)/R4-3(\_)) Zone;

iii) a Holding Residential R4/R5/R6/R7/R8 Special Provision (h*h-100*h-155*R4-3(\_)/R5-7(\_)/R6-5(42)/R7(\_)*D75*H20/R8-4(\_)) Zone;

iv) an Open Space Special Provision (OS1(3)) Zone; and

v) an Open Space (OS5) Zone;

(b) The Planning and Environment Committee REPORT TO the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft plan of subdivision of Sifton Properties Limited relating to a property located at 6019 Hamlyn Street; and

(c) Council SUPPORTS the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-18504), prepared by Monteith Brown Planning Consultants, and certified by Jason Wilband OLS, (Project No. 12-812, dated February 10, 2021), which shows ninety-three (93) single detached lots, two (2) medium density residential blocks, three (3) parkland blocks, three (3) open space blocks, one (1) SWM facility block, two (2) road widening blocks and six (6) 0.3 m reserve blocks, all served by three (3) local/neighbourhood streets (Street A, B, C) SUBJECT TO the conditions contained in the attached Appendix “B”.

Executive Summary

Summary of Request

The request is to permit a subdivision consisting of low density single detached dwellings/ lots, street townhouse dwellings, cluster residential developments or apartment buildings, parks/open space, multi-use pathways, and public road access via street connections to Hamlyn Road.
Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is for Municipal Council to approve the recommended Zoning By-law Amendments and recommend the Approval Authority for the City of London, issue draft approval of the proposed plan of subdivision, subject to conditions.

Rationale of Recommended Action

1. The proposed and recommended amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents.

2. The proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods and Environmental Review Place Type.

3. The proposed and recommended amendments conform to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation, the Multi-Family Medium Density Residential designation, and the Environmental Review designation.

4. The proposed and recommended amendments conform to the policies of the Southwest Area Secondary Plan.

5. The proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, the 1989 Official Plan, and the Southwest Area Secondary Plan.

6. The recommended draft plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments along the Wonderland Road corridor. The Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing development that is pedestrian friendly, transit supportive and accessible to the surrounding community.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London’s growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Planning History

The subject lands were previously a part of the Town of Westminster. In 1993, the subject lands, and the larger area south to Lambeth, were annexed to the City of London.

The subject site is located within the Southwest Area Secondary Plan (SWAP). The Southwest London Area Planning Study was a City-initiated and funded project that provided a comprehensive assessment of the opportunities and constraints for the planning and development of the study area. City Council approved the SWAP and associated Official Plan amendments in November 2012, which were subsequently appealed to the Ontario Municipal Board (OMB). A decision from the OMB, making
some changes to the SWAP was issued on April 29, 2014.

The original application was accepted by the City on September 24, 2018 and circulated to the appropriate commenting agencies and departments. Through the circulation process, issues were raised by Staff and the UTRCA regarding the impacts of the proposed development on the natural heritage system and hazard lands and concerns raised with the supporting technical reports. Over the past 2 years the applicant has with the City and the UTRCA to resolve the identified issues and concerns.

In September 2020, the applicant submitted a revised application that addressed the identified issues. On September 28, 2020, the City circulated the application for review and comment. Through the circulation process, no significant issues were identified.

1.2 Property Description

The subject site is located at the southwest corner of Wonderland Road and Hamlyn Street. It is currently used as an active agricultural field.

The site is generally flat with a gently sloped terrain across the central and east portion of the site. The westerly and southerly portions of the site form part of a natural heritage feature comprised of a significant woodland and wetland areas. A hydro transmission corridor is located on the western edge of the site adjacent to the significant woodland.

One single family residence is located at the northeast corner of the site along with a relatively large accessory structure (barn and equipment shed). Adjacent land uses are as follows:

1.3 Current Planning Information (see more detail in Appendix E)
- Official Plan Designation – Low Density Residential; Multi-Family, Medium Density Residential; Environmental Review; Open Space
- The London Plan Place Type – Neighbourhoods; Environmental Review
- SWAP - Low Density Residential, Medium Density Residential, Open Space and Environmental Review
- Existing Zoning – Holding Urban Reserve (h-2*UR4) Zone; Urban Reserve (UR4) Zone; Environmental Review (ER) Zone

1.4 Site Characteristics
- Current Land Use – farm
- Frontage – 404.6 m (1327.4 ft) - Wonderland Road South
- Depth – 364.6 m (1196.2 ft) - Hamlyn Road
- Area – 16.6 ha (41.1 ac)
- Shape – irregular

1.5 Surrounding Land Uses
- North – single detached dwelling; vacant/farm
- East – vacant/farm
- South – single detached dwelling; vacant/farm
- West – hydro corridor; open space
1.6 Location Map
2.0 Discussion and Considerations

2.1 Development Proposal

The proposed Draft Plan provides for 93 single detached lots and two (2) multi-family medium density blocks for future residential development in the form of street townhouses, cluster residential and/or apartment buildings, three (3) parkland blocks, three (3) open space blocks, one (1) SWM facility block, two (2) road widening blocks and six (6) 0.3 m reserve blocks, all served by three (3) local/neighbourhood streets.

Consistent with the approved SWAP, a north-south pedestrian corridor is proposed along the west edge of the property within the recommended natural heritage buffer. An additional pedestrian connection is proposed from Wonderland Road South abutting the SWM facility.

Figure 1. Proposed Draft Plan of Subdivision
2.2 Applicant’s Requested Amendment

The Applicant has submitted a draft plan of subdivision, and Zoning By-Law amendments, to permit the creation of a residential subdivision consisting of low density single detached dwellings/ lots, cluster dwellings, street townhouse dwellings, apartment buildings, parks, multi-use pathways, open space lands and public road access via street connections to Hamlyn Street. Portions of the site are protecting a significant natural heritage feature that contain woodlands and wetlands.

The applicant submitted the following reports in support of the above requested amendments:

1. EIS – the original EIS was reviewed by the City’s ecologist, UTRCA and EPPAC. Several issues were identified with the document and the recommendations. The applicant’s consultant worked with the City to resolve these issues. In September 2020, the applicant submitted a second EIS to address the concerns raised in the first review. The City and UTRCA have accepted the revised EIS.
2. Final Proposal Report
3. Cut and Fill Analysis/ Cut and Fill Analysis (Memorandum)
4. Buffer Compensation & Incursion Plan
5. Stage 1- 2 Archeological Investigation
6. Urban Design Brief
7. Sanitary Servicing Report
8. Water Servicing Report
10. Hydrogeological Investigation/ Hydrogeological Investigation Revised
11. Geotechnical Investigation
12. Sightline Analysis
13. Final Proposal Report

Details on the full amendment application is provided under Appendix C- Public Engagement.
2.3 Community Engagement (see more detail in Appendix C)

Public Circulation #1
The original application was circulated on October 2, 2018. Through the public circulation process one comment was received about the proposed Plan of Subdivision and Zoning By-law amendment. The full extent of the comment received by Staff is attached to Appendix “C”.

Summary:
- Concerned about the number of streets exiting onto Hamlyn. Impacts on traffic.
- What is the plan for traffic flow control on Hamlyn once the construction starts.
- Need for a traffic light at Hamlyn and Wonderland
- Plan for schools in the area to accommodate growth.

Public Circulation #2
The second circulation was circulated on September 28, 2020. Through the public circulation process no comments were received about the proposed Plan of Subdivision and Zoning By-law amendment.

2.5 Policy Context (see more detail in Appendix E)

Planning Act
The proposed plan of subdivision and Zoning By-law amendments have been evaluated with respect to the requirements under Sections 2, 51(24) and 51(25) of the Planning Act.
Act and for matters of provincial interest and subdivision design. Based on Development Services Planning Staff’s review of the criteria in the Planning Act, the proposed plan of subdivision has regard for the health, safety, convenience, accessibility for persons with disabilities, and welfare of the present and future inhabitants of the Municipality.

Provincial Policy Statement, 2020

1. Building Strong Healthy Communities:

The PPS provides direction for land use planning that focuses growth within settlement areas, and encourages an efficient use of land, resources, and public investment in infrastructure. To support this, the PPS defines a number of policies to promote strong, liveable, healthy and resilient communities which are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, employment and institutional uses to meet long-term needs. These policies are set out in Section 1.0 and seek to promote cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development and appropriate land use patterns within settlement areas shall be established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and is transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (1.1.3.6).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

2. Wise Use and Management of Resources:

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends upon the conservation and protection of our natural heritage and agricultural resources. Section 2.0 of the PPS establishes a number of policies that serve to protect sensitive natural features and water resources.

Section 2.1 Natural Heritage 2.1.1.: “Natural features and areas shall be protected for the long term”; Section 2.1.8: “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions”

3. Protecting Public Health and Safety:

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. Accordingly, Section 3.0 of the PPS states a number of policies designed to direct development away from natural and human-made hazards where there is an unacceptable risk (1) to public health or safety or (2) of property damage. The recommended vacant land condominium does not pose any public health and safety concerns, and there are no known human-made hazards.
A full PPS 2020 analysis is provided in section 4.1 of the report.

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

The London Plan includes criteria for evaluating plans of subdivision through policy *1688 that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type in which the proposed subdivision is located
5. Our Tools
6. Relevant Secondary Plans and Specific Policies

Our Strategy

Direction #5 is to Build a Mixed-use Compact City by managing outward growth by supporting infill and intensification within the Urban Growth Boundary in meaningful ways (59_8). The proposed subdivision is located within the Urban Growth Boundary on lands identified for future development. The proposal will provide a compact mixed-use subdivision with multiple types and forms of housing to support the existing services and community facilities in the area and provide increased access to parks and greenspace in the community.

Direction #7 is to Build Strong, Healthy and Attractive Neighbourhoods for Everyone through designing complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, and allowing for affordability and ageing in place (61_2). The proposed subdivision will facilitate a variety of housing forms including low density single detached dwellings, street townhouses, cluster residential and low rise apartment buildings. This is a compatible range of housing type which help create a complete community of residential uses while providing opportunities for ageing in place, affordability and housing choice. The recommended zoning for the subdivision also provides a range of alternative residential land uses depending on market demands.

Direction #8 is to Make Wise Planning Decisions by ensuring that planning is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the City are accessible for everyone (62_11). The recommended draft plan of subdivision will be required to incorporate sidewalks on both sides of all streets to ensure a walkable and connected community that promotes active health and accessibility, as well as providing a dedicated pathway network for even greater pedestrian connections.

Our City

The Our City policies require that adequate municipal infrastructure services can be supplied prior to any development proceeding (172), and the site has access to future water, stormwater, sanitary servicing and transportation infrastructure that the proposed development can access. The proposed Draft plan of subdivision has access to sufficient services to support the proposed land uses.

City Building Policies

The City Building policies provide the over-arching direction for how the City will grow over the next 20 years. City Design ensures that the built form considers elements such as streets, streetscapes, public spaces, landscapes and buildings. City design is about planning the built form to create positive relationships between these elements (*189_).
City design also helps us to create pedestrian and transit-oriented environments that support our plans for integrating mobility and land use (191_). The proposed development incorporates these elements by providing zoning regulations on the Medium Density Residential block that will ensure that future buildings create a consistent streetscape and are oriented appropriately to create a positive relationship along Wonderland Road South. Additional provisions are also being recommended to ensure single detached dwellings and street townhomes do not create a streetscape dominated by garages. *Active Mobility* is supported by requiring sidewalks to be located on both sides of all streets (*349_). The recommended draft plan conditions require the new streets to include sidewalks on both sides of the streets to reflect the direction of The London Plan as well as the Southwest Area Secondary Plan to plan for enhanced walkability and connectivity going forward. The proposed plan of subdivision provides two large blocks with zone variations that provide alternative forms of housing. Townhouses and apartment dwelling units provide for a choice in size, cost and function. The *Street Network* will include streets planned for new neighbourhoods to be a grid or modified grid, with cul-de-sacs and other dead-ends to be minimized (212*). The proposed street layout is of a modified grid and provides connections to Hamlyn Street. The subdivision is constrained to the west and south by an environmentally significant area making additional connections to other areas difficult.

**Place Types**

Almost the entirety of the subdivision is located within the Neighbourhoods Place Type. A range of primary and secondary uses may be allowed based on the street classification the property fronts (*921_ Permitted Uses). The draft plan of subdivision provides frontage on future Neighbourhood Streets, a Neighbourhood Connector (Hamlyn Street), and an Urban Thoroughfare (Wonderland Road S). The range of permitted uses which includes single detached dwellings, street townhouses, stacked townhouses, low-rise apartments and mixed-use buildings (*Table 10). Height permissions range from 1 to 4-storeys and up to 6-storeys through bonus zoning. Higher heights are directed to higher order roads like Urban Thoroughfares (*Table 11). Appropriate zoning will be applied to ensure an intensity of development that is compatible within to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (Intensity, *935_). All planning and development applications will conform to the City Design policies of this Plan (Form, *936_). These policies are reviewed within section 4.3 of this report through review of the proposed amendments to the zoning by-law. The remainder of the site is within the Environmental Review Place Type. The place type is used on lands that may contain natural heritage features and areas that have not been adequately assessed to determine whether they are significant and worthy of protection as part of the city’s Natural Heritage System. The Environmental Review Place Type will ensure that development which may negatively impact the value of these features does not occur until such time as the required environmental studies are completed (779_). Until the appropriate environmental studies are completed only existing uses, agriculture, woodlot management, horticulture, conservation, and recreational uses are permitted (784_). As part of any planning and development application the applicant will be required to submit an environmental impact study when Environmental Review lands are affected. Through the review process it will be determined which components of the Natural Heritage System are significant. Areas deemed significant will be included in the Green Space Place Type and components of the Natural Heritage System that are determined not to be significant will be included within an appropriate place type (786_). As a result of this application and the EIS review process the Environmental Review lands have been studied and their protection has been accounted for through significant buffering and the recommended zoning on the site. The City will be undertaking a City initiated OPA to designate the lands identified as significant natural heritage features to the Green Space Place Type. These changes will mirror the recommended zoning.
amendments being proposed through this ZBA. These redesignations will take place solely on lands which are to be dedicated to the City.

Southwest Area Secondary Plan
The purpose of the Southwest Area Secondary Plan (SWAP) is to establish a vision, principles and policies for the development of the Southwest Planning Area as a vibrant community in the city which incorporates a significant gateway into the city, elements of mixed-use development, an increased range and density of residential built form, sustainability, preservation of significant cultural heritage resources, walkability and high quality urban design (Policy 20.5.1.2). It is intended that the Low, Medium and High Density Residential designations will support an urban housing stock, with residential intensity generally decreasing with greater distance from the Wonderland Road South corridor. Residential areas are to accommodate a diversity of dwelling types, building forms and heights, and densities in order to use land efficiently, provide for a variety of housing prices, and to allow for members of the community to “age-in-place”. The maintenance and enhancement of existing residential areas, and the development of new residential areas at higher than current densities, will provide a population base to help to support neighbourhood community facilities, the stores and services offered in the Village Core and Wonderland Road South Commercial Area, and the provision of transit routes along the higher order roads serving the area.

The proposed subdivision is subject to the Low Density/Medium Density Residential policies of the Wonderland Boulevard Neighbourhood and the Open Space and Environmental Review policies to the SWAP. The Low Density Residential designation is intended to provide for a higher intensity of low density residential development than typically occurs in suburban low density areas. It permits a range of residential uses from single detached up to stacked townhouse dwellings and requires development to occur at a minimum density of 15 units per hectare to a maximum of 30 units per hectare. Heights are permitted up to a maximum of four storeys but shall be sensitive to the scale of development in the surrounding neighbourhood.

The Medium Density Residential designation is intended to provide for a higher intensity of medium density residential development than typically occurs in medium density areas. It permits a range of residential uses from triplex’s up to low-rise apartment buildings and requires development to occur at a minimum density of 35 units per hectare to a maximum of 75 units per hectare. Building heights shall generally not be permitted to exceed six storeys. The low density residential and medium density residential policies will reviewed in greater detail as they relate to proposed draft plan of subdivision within section 4.3 of this report.

The Open Space designation will apply to lands within the Southwest Planning Area that are intended for active and passive recreation, and that are components of the city’s natural heritage system. Visible connections and linkages to the Open Space designation will serve as prominent features and amenities to residential neighbourhoods. Open space lands will also serve as a buffer for the residential neighbourhoods adjacent to the high intensity land uses of the Wonderland Boulevard Neighbourhood. Enhanced, visible connections to the open space areas will be incorporated into all Neighbourhood Areas, and will promote appropriate linkages within and between neighbourhoods.

As previously noted, the City will be undertaking a City initiated OPA to designate the lands identified as significant natural heritage features to the Open Space and Environmental Review designation of the SWAP. These changes will mirror the recommended zoning amendments being proposed through this ZBA and take place on lands which are to be dedicated to the City.

City of London Official Plan (1989)
Like its successor the London Plan, the 1989 Official Plan (“Official Plan”) contains policies that guide the use and development of land within the City of London. The subject site is designated “Low Density Residential”, “Multi-Family, Medium Density Residential”, and “Open Space”. The more detailed or alternative policy direction in
SWAP supersedes the policy direction in the 1989 Official Plan.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1 – PPS, 2020 (PPS)

Provincial Policy Statement

The recommended Draft Plan is consistent with the PPS 2020, summarized as follows:

1. Building Strong Healthy Communities:

The recommended draft plan is consistent with objectives of Section 1.1.1 by creating healthy, liveable, and safe communities sustained by promoting efficient development patterns, and compact and cost-effective development. The proposed plan is also consistent with policies to promote economic development and efficient use of existing municipal infrastructure. The proposed subdivision accommodates a range and mix of residential uses and densities, such as street townhomes, single detached dwellings, potential cluster housing or apartment buildings. 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 pathways, 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) and are designated to permit a mix of uses. The proposed development will be serviced by full municipal services within a reasonable timeframe.

The draft plan of subdivision will both benefit and support the existing resources, surrounding infrastructure and public service facilities in the area (1.1.3 Settlement Areas). The subject site is located in close proximity to the Community of Lambeth (west) and the Enterprise Corridor located to the north along Wonderland Road South which can provide convenient amenities, employment and shopping destinations. The site is also considered to be transit supportive as it is in close proximity to an arterial road and highway as well as contributing to the future passive recreation trail system within the SWAP (1.1.3.2) contributing to a healthy, livable and safe community. Although the subdivision does not abut existing development due to the sites isolated location, the proposed development has a compact form and mix of uses that allows for the efficient use of land, infrastructure and public service facilities (1.1.3.6).

The proposed development is also in keeping with the PPS as it contributes to the mix of housing type in the area and provides a density that will help to meet the projected requirements of current and future residents but will remain compatible with the existing land uses in the area. The proposed subdivision efficiently uses the land, resources and surrounding infrastructure and public service facilities and support the use of active transportation and transit in areas where it exists or is to be developed [1.4.3(d)].

2. Wise Use and Management of Resources:

Based on the accepted EIS, the recommended Draft Plan of Subdivision and Zoning By-law Amendments are consistent with the Provincial Policy Statement - Section 2.0. Through the review of the EIS, and consultation with Staff appropriate buffering is being provided from the significant wetland and significant woodland features identified on the site. The proposed buffers ensure the continued protection of the abutting natural heritage features. Further review of these features can be found in below in section 4.2 (Natural Heritage/Environmental Review) of the report.
3. Protecting Public Health and Safety:

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

4.2 Issue and Consideration #2 - Subdivision Analysis

The proposed Draft Plan has been reviewed on the principle elements, found within the policies of the SWAP and The London Plan:

Subdivision Design and Connectivity

Connectivity and Mobility (307...) are key principles in the SWAP and the London Plan. One of the main principles of the SWAP is the creation of a diverse and connected community which creates inclusive, diverse and unique neighbourhoods that have a mix of uses and have a high level of connectivity for multi-modal transportation opportunities (20.5.1.4). The Community Structure Plan sets out the overall structural elements that are the building blocks for the Southwest Planning Area. Development patterns in new planning applications for the Southwest Planning Area shall “…generally reflect a fine urban grid street network with a high level of connectivity” (20.5.2(i)).

The draft plan of subdivision supports a range of low and medium density residential development opportunities including more intensive, mid-rise apartments in the north east corner of the site at the intersection of Wonderland Road South and Hamlyn Street. The Draft Plan has been designed to support these uses and to achieve an aesthetically pleasing residential development that is pedestrian friendly, transit supportive and accessible to the surrounding community. The policies of the SWAP (20.5.4.1. iii c)) require plans of subdivision to accommodate a diversity of building types. Semi-detached, duplex and cluster dwellings are encouraged. Along all arterial, primary and secondary collector roads, a variety of townhouse forms is encouraged, including 2 storey townhouses, 3 storey townhouses and stacked townhouses. Overall, the proposed uses meet the policies of the SWAP.

The London Plan also requires an evaluation based on the subdivision’s Connectivity Ratio. Policy 331 refers to the degree to which a street network is well connected, allowing for easy mobility in every direction. This ratio is calculated by dividing the number of street segments in a neighbourhood by the number of intersections, dead ends, and cul-de-sacs in that neighbourhood added together. A higher connectivity ratio represents a better-connected street pattern. To achieve a high level of connectivity that can support all forms of mobility, street networks within new neighbourhoods will be evaluated for their connectivity ratio. A ratio of 1.5 or higher will be used as a target (332...).

A review of the draft plan of subdivision indicates that the connectivity ratio is 1.5, which is in keeping with the London Plan target. As has been previously noted, a higher connectivity ratio is challenged due to the natural heritage feature that limits additional connections and intersections to the west.

City Design and Placemaking

The London Plan and the SWAP include numerous policies on City Design (189... to 309...) and Urban Design (20.5.3.9.). The design of our city is shaped by both its natural setting and its built form. The built form includes elements such as streets, streetscapes, public spaces, landscapes and buildings. City design is about planning the built form to create positive relationships between these elements, which influence how we navigate and experience the City (189...). The focus of the City Design policies of the London Plan are to encourage: a well-designed built form throughout the city; development that is designed to be a good fit and compatible within its context; development that supports a positive pedestrian environment; a built form that is supportive of all types of active mobility and universal accessibility; a mix of housing
types to support ageing in place and affordability; and healthy, diverse and vibrant
eighbourhoods that promote a sense of place and character *(193_)."

Placemaking Guidelines were adopted by the City in 2007 to ensure new subdivision
development results in livable communities that provide an identifiable character, sense
of place, and a high quality of life. Many of the placemaking design elements have been
included in the policies of the SWAP (20.5.3.9.), including providing an overall
community vision, a focus on streetscape design and creating pleasant walking
environments, ensuring a consistent approach to design, providing housing choice in
design and type, providing a range of and a mixing and blending of uses, and providing
focal points for the community.

The proposed draft plan of subdivision in combination with the recommended zoning
has the ability to provide a mix of complementary land uses which includes a range of
housing types, forms of development and mix of unit type, size and affordability. The
implementation of specific zoning regulations helps ensure building designs and
orientations foster an attractive and pleasant streetscape and are in keeping with design
goals of the SWAP.

To ensure future developments within the subdivision are a good fit and compatible
within its context the proposed medium density residential uses and zoning for greater
heights and densities are focused along Wonderland Road South while the low density
uses remain internal away from higher order roads. The development also provides a
neighbourhood park and several open space areas as focal points in the community as
well as excellent pedestrian connections on the proposed street network and dedicated
pathway connections.

Natural Heritage/Environmental Review
The direction of The London Plan is to become one of the greenest City’s in Canada, by
protecting and enhancing the health of our Natural Heritage System (58_Direction #4).
The policies of The London Plan and SWAP seek to protect significant natural heritage
features specifically through the Green Space Place Type which consists of natural
heritage features and areas. We will realize our vision by providing for the protection of
natural heritage features and areas which have been identified, studied and recognized
by City Council as being of city-wide or regional significance, and/or by the Ministry of
Natural Resources and Forestry as provincially significant (761_7.).

The SWAP notes that the delineation of the natural feature and appropriate ecological
buffers associated with the feature will be recommended through an approved
Environmental Impact Study (EIS) in accordance with Section 15 of the Official Plan
(20.5.3.6. i) c)).

As part of the draft plan of subdivision application an Environmental Impact Study (EIS)
was submitted and reviewed by Staff and UTRCA. Through the review process it was
determined that there was a significant wetland corridor along the west side of the site
as well as a Significant Wetland and Significant Woodland in the southeast corner of the
property. Through the EIS review process, City Staff and UTRCA worked with the
applicant to establish an appropriate buffer of 30 metres around the Significant Wetland
features and a 10 metre buffer from the Significant Woodland.

It was identified through the review process that a 30 metre buffer was not achievable in
all locations of the subdivision. On the west side of the site lots 1 to 7 were encroached
upon by the proposed buffering and in the southeast corner lots 42-48 were encroach
upon. The significant woodland was able to achieve a 10m buffer for the most part with
minor encroachments into lots 32-34. The total amount of buffering encroachment
equaled 1509.06m². Staff worked with the applicant to come up with a compensation
plan that would see 1704.35m² of additional lands added to the proposed buffer areas
within the Draft Plan of Subdivision.
UTRCA and City Staff are satisfied with the buffering provided throughout the subdivision and have no concerns with the proposed Draft Plan of Subdivision and potential impacts on the abutting natural heritage features. The lands identified as significant features and the proposed buffering will be protected through the recommended zoning and future land dedication to the City. Any outstanding concerns will be addressed through conditions of draft approval.
Parks and Pathways
The London Plan strives to develop facilities, amenities and programming that are flexible, serve multiple users and can be linked to broader community strategies and initiatives related to health, economy, development, mobility, education, sustainability, and growth management. Parks spaces are meant to be beautiful, functional, evenly distributed in size and shape throughout the City, accessible, and connected (408_).
The London Plan also provides a focus on mobility, by encouraging cycling routes and pedestrian pathways that will provide linkages between open space areas, neighbourhoods, centres, corridors, employment areas and the public transit services and will enhance the convenience, safety and enjoyment of walking and cycling (*357_).

The SWAP seeks to provide enhanced open space corridors adjacent to key natural heritage features. These corridors are intended to provide for uses such as trail, active and passive parkland (20.5.3.6. ii). Schedule 2 of the SWAP also delineates the general location of the multi-use pathways.

The proposed draft plan of subdivision provides a multi-use trail along the existing natural heritage feature on the west side of the site. This pathway ensures the plan is providing the appropriate linkages as required through the SWAP and is located within lands that act as a buffer for the natural heritage features. Three open space blocks (Blocks 100, 101 and 110) will be dedicated to the City providing 6.776 ha (16.74 ac) of open space land to help ensure the continued protection of the existing natural heritage features and creating a continuously linked open space system (410_6) by providing linkages through the site and to lands outside of the subdivision.

The proposed draft plan has also identified 3 parkland blocks within plan of subdivision. Block 97 has been identified as a neighbourhood park. Block 98 is an additional park block being dedicated to the City and will act as an open space area and potential trail head to a multi-use pathway to the south. Block 96 is a proposed pathway connection between Wonderland Road and the internal subdivision providing an east/west pedestrian connection. In total 0.519 ha (1.28 ac) of parkland will be dedicated to the City through the Draft Plan of Subdivision.

Community Facilities
The London Plan recognizes that schools and other public facilities have a wide range of influences on our city life, including economic development, safety, innovation, research and development, social connectedness, and health. These facilities can be fundamental to how our city’s image is perceived by others. Many of these buildings and services form important hubs within neighbourhoods (425_). Small scale community facilities such as schools and churches are permitted in the Neighbourhoods Place Type along Neighbourhood Connectors. The London Plan also directs these uses, where appropriate, to create shared park/school complexes and campuses with local school boards and other institutions to maximize the use of these facilities and to coordinate the design for mutual benefit (410_8).

Given the smaller scale of the proposed subdivision and general isolation from the surrounding areas due to the surrounding ESA it was determined that the proposed subdivision would not be an ideal location for a community facility. The proposed subdivision is in close proximity to existing community facilities that will be able to accommodate the needs to the proposed development.

Archaeological and Cultural Heritage
The London Plan and SWAP contain policies related to cultural heritage and the investigation and retention of significant features.

As part of this application the subject site has undergone a Stage 1 and 2 archeological study which identified 6 locations with potential archeological concern. As a result of these studies, it was determined that Stage 3 assessments were required for Location 1 – Grant Site (AfHh-70); Location 2 (AfHh-923); Location 5 (AfHh-924); and, Location 6 (AfHh-925). Stage 3 assessments were completed for Location 1 – Grant Site (AfHh-
70); Location 5 (AfHh-924); and, Location 6 (AfHh-925) however a Ministry clearance letters are still outstanding for locations 1 and 5.

Further studies on Location 2 were not undertaken as the lands are well within the ESA and proposed Open Space zone where no development will occur. Modifications were also made to the lot depth slightly adjacent to Location 5 (Lot 32) in order to avoid the site in its entirety, including a 10 m buffer, based on the recommendations of the archaeologist. Although location 5 is now located further away from the proposed development a Stage 4 mitigation of development impacts is required to make sure that appropriate measures are implemented to protect Location 5 and ensure the site/artifacts remain in situ.

As a result of the stage 3 reports submitted by the applicant it was determined that a stage 4 archeological study will be required for locations 1 and 6. As a result of the ongoing archeological requirements and ministry clearances still being required, a condition of draft approval is being used to ensure the studies and ministry clearances are provided prior to any construction being undertaken.

Servicing
The London Plan and SWAP recognizes the provision of reliable, coordinated, and cost-effective civic infrastructure as a primary function of a municipality. Civic infrastructure delivers the services that make our city run smoothly. Ensuring services are readily available or available in the near future is a fundamental requirement for subdivision development.

Stormwater Management
The proposed plan of subdivision is located within the Dingman Creek Subwatershed. The eastern portion of the subdivision will be outletted to the Pincombe Drain Channel and the western portion of the subdivision will outlet to the Dingman Creek – Tributary D (Thornicroft Drain). A SWM Facility will be constructed on Block 99 of this draft plan. SWM control systems and downstream conveyance systems to the ultimate outlet will be determined in accordance with the accepted SWM facility design. On site private permanent systems will be required for multi-family blocks located within this Plan.

Water
Water connections will be made for this subdivision via Hamlyn Street. The Applicant will be required to demonstrate water looping through phasing at detailed design.

Sanitary
Sanitary servicing will be available either through a connection to the existing sewers along Hamlyn Street or a connection out to Wonderland Road South. The final connection location will be determined through future engineering review.

Transportation
Transportation is satisfied with the proposed road layout of the subdivision. There will be three new neighbourhood streets created through the Draft plan which all provide connections to Hamlyn Street. The London Plan identified a future Neighbourhood Connector to run from south from Hamlyn Street in order to connect the lands to the south of the proposed subdivision to Hamlyn Street. Due to the Natural Heritage Feature identified along the southerly property line the thru street was removed in favour of protecting this natural heritage feature. A London Plan amendment will be required for to remove the Neighbourhood Connector from The London Plan.

Development Engineering is also requesting standard holding provisions (h and h-100) over the entire site to ensure that appropriate services will be provided on a site-specific basis as development proposals are submitted for the proposed blocks.

‘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.

and

‘h-100’ Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Permitted Interim Uses: A maximum of 80 residential units

Affordable Housing

Both the London Plan and the policies of the SWAP provide direction on affordable housing. Secondary plans and larger residential development proposals should include a 25% affordable housing component through a mix of housing types and sizes. In keeping with this intent, 40% of new housing units within a secondary plan, and lands exceeding five hectares in size outside of any secondary plan, should be in forms other than single detached dwellings (*518_). Policy 20.5.3.1 of the SWAP details further development of the Southwest Planning Area will provide an opportunity to contribute to the supply of affordable housing and may assist the City in meeting its target for the provision of affordable housing. The following policies shall also apply to the SWAP lands:

a) where appropriate, density bonusing will be considered for proposals that have an affordable housing component above 25% of the total dwelling count in any one development;
b) opportunities for affordable housing shall be integrated into neighbourhoods and developments that also provide for regular market housing; and,
c) a wide range of unit sizes within multiple-unit buildings will be encouraged.

The proposed zoning allows for opportunities to provide affordable forms of housing as street townhomes, cluster residential uses and apartment buildings can provide an alternative form of housing with different unit sizes, number of bedrooms and use different construction alternatives helping to reduce costs. A calculation reveals that at a minimum 44% of the proposed residential units could be in an alternative form of housing other than single detached dwellings and upwards to 55% could be developed if the recommended zoning is maximized.

Currently Staff does not have any planning tools to require affordable housing through the Housing Development Corporation or other affordable housing groups when working through the plan of subdivision process. The proposed zoning does not include the need for any bonusing provisions where affordable housing is typically received.

Green Development

The policies of The London Plan and SWAP promote sustainability and green development, in an effort to impose minimal impact on the environment, minimize consumption of water and energy, and reduce or eliminate waste outputs such as air pollution, water pollution, wastes and heat in a sustainable fashion. Green cities also have a small ecological footprint – the amount of land and water area required to sustain a city’s consumption patterns and absorb its wastes on an annual basis (687_). A healthy city is one that supports the health of those that live in it. It can do so as a result of how it is planned and developed – offering such things as active mobility options, quality parks and recreational facilities for active and passive recreation, a clean and healthy environment, accessible health care facilities and services, protection from natural hazards, and safe and secure places (690_).

As previously mentioned, the proposed plan of subdivision is providing a variety of outdoor recreational amenities including a neighbourhood park, a multi-use corridor, open space and natural heritage lands. All of which will provide opportunities for active
mobility as the proposed multi-use pathway within the development form part of an area wide pathway corridor that spans the full length of the SWAP. Through future site plan processes for the blocks created through he Draft Plan of subdivision, the City will seek to promote green development methods for construction, encourage LID solutions and where possible limit the amount of surface parking and promote landscape open space throughout the site.

The SWAP is based on a design in which one of the key goals is to maximize the potential for sustainable development. In a City Planning context, this is achieved through such features as enhanced connectivity to transit, mixed-use development, a modified grid road system, and a connected open space system (Policy 20.5.3.2.(i)), all of which are key elements within the proposed plan of subdivision.

4.3 Amendments to the Zoning By-law

As per the SWAP (20.5.16.5), any applications for amendment to the City of London Zoning By-law shall be subject to the policies of the Secondary Plan and applicable policies of the City of London Official Plan. Consideration of other land uses through a Zoning By-law amendment shall be subject to a Planning Impact Analysis as described in the applicable designation of the Official Plan. Further to this, the London Plan requires amendments to consider the Use, Intensity and Form for any new development.

The use of the h and h-100 holding provisions will be applied to every developable zone variation on the site to ensure adequate servicing is available as the lands come in for development in the future.

The proposed zoning amendments are as follows:

1) Holding Residential R1 Special Provision (h*h-100*R1-3(\_)) Zone and Holding Residential R1/R4 Special Provision (h*h-100*R1-3(\_/R4-3(\_)) Zone.

- **Use:**
  - The R1-3 zone permits single detached dwellings with a maximum height of 9 metres, maximum frontage of 10 metres, and lot area of 300m² as the sole permitted use. This is in keeping with the permitted uses of the Low Density Residential designation of the SWAP and the Neighbourhoods Place Type of The London Plan;
  - The R4-3 zone permits street townhouse dwellings with a maximum height of 10.5 m, minimum lot area of 200m² and a minimum lot frontage of 5.5 m as the sole permitted use. Street townhouses are permitted through the SWAP policies for Low Density Residential designation in the Wonderland Boulevard Neighbourhood and permitted within the Neighbourhoods Place Type in The London Plan;

- **Intensity:**
  - The SWAP requires a minimum density of 15 units per hectare to be established within its Low Density designations and anything in excess of 30 units per hectare may be permitted through a site specific zoning by-law amendment, site plan application, and urban design review;
  - The proposed lotting pattern and R1-3 and R4-3 zones provide lot requirements that help ensure that the minimum densities can be achieved. Based on the 93 lots proposed in the low density designation the development is able to achieve 18 units per hectare and with the inclusion of street townhomes on block 94 this number will only increase.

- **Form:**
  - Heights shall be sensitive to the scale of development in the surrounding neighbourhood and should not exceed four storeys within the Low Density Residential (LDR) designation of the SWAP;
The proposed R1-3 and R4-3 zone provide a form of Low Density Residential development that is in keeping with the policies of the SWAP and The London Plan;

The proposed R1-3 and R4-3 zones provide height limits which will be sensitive to the future uses in the area and cannot exceed 4 storeys in height;

The proposed R1-3 Zone identifies special provisions for a reduced setback of 5.5 metres for the front yard depth of the garage and a maximum lot coverage of 45%. Staff is supportive of these provisions as they are minor deviations from the standard R1-3 zone regulations.

To ensure developments are in keeping with the design guidelines of the SWAP a special provision is being recommended that will ensure garages do not project beyond the façade of the buildings, and do not occupy more than 50% of the frontage of the lot.

The proposed R4-3 zone has identified a special provision for a maximum lot coverage of 50%. Given the built form of street townhomes and setback requirements of the Zoning By-Law staff feel the increase in lot coverage is appropriate and that significant amenity space can be provided for each unit.

To ensure developments are in keeping with the design guidelines of the SWAP (20.5.3.9 iii e)) a provision that garages do not project beyond the façade of the buildings, and do not occupy more than 50% of the frontage of the lot is being recommended by staff.

These special provisions will ensure a street-oriented housing form and avoid garage dominated streetscapes;

Staff is also recommending that the R4-3 zone require a minimum lot frontage of 6.7 metres where 5.5 metres is identified. This requirement is based on the City Standards for narrow lot servicing requirements. The special provision ensures appropriate services can be provided to the townhouse units in the future.

**Planning Impact Analysis:**

Overall, the recommended zoning is compatible with future lands uses and the proposed lots блокs are of a sufficient size and shape to accommodate the future land uses. The recommended zoning is in keeping with the goals of the SWAP and The London Plan.
2) Holding Residential R4/R5/R6/R7/R8 Special Provision (h*h-100*/R4-3(_)/R5-7(_)/R6-5(_)/R7(_)/D75*H20/R8-4(_)) Zone (Block 95)

- **Use:**
  - As previously noted, the R4-3 zone permits street townhouse dwellings with a maximum height of 10.5 m, a minimum lot area of 200\(\text{m}^2\) and a minimum lot frontage of 5.5 m. Street townhouses are permitted through the SWAP policies for both Low Density Residential designation and Medium Density Residential designation in the Wonderland Boulevard Neighbourhood and are permitted within the Neighbourhoods Place Type of The London Plan;
  - The R5-7 Zone permits cluster housing in the form of cluster townhouse dwellings and cluster stacked townhouse dwellings with a maximum height of 12 m and a maximum density of 60 units per hectare.
  - The R6-5 Zone permits cluster housing in the form of cluster single detached dwellings, cluster semi-detached dwellings, cluster duplex dwellings, cluster triplex dwellings, cluster townhouse dwellings, cluster stacked townhouse dwellings, cluster apartment buildings, and cluster fourplex dwellings with a maximum height of 12 m and a maximum density of 35 units per hectare.
  - The R7 Zone permits senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments requiring a minimum 25m lot frontage and 1000\(\text{m}^2\) lot area.
  - The R8-4 Zone permits low rise apartments, in addition to handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities requiring a 30m lot frontage, 1000\(\text{m}^2\) lot area and maximum density 75 uph.
The above-mentioned uses are all in keeping with the permitted uses of the Medium Density Residential designation of the SWAP within the Wonderland Boulevard Neighbourhood. The uses are also permitted within the Neighbourhood Place Type given the blocks location along a Neighbourhood Throughfare.

• Intensity:
  o The Medium Density Residential designation in the SWAP (Wonderland Boulevard Neighbourhood) permits residential uses at a density of 30-75 units per hectare and building heights up to six storeys.
  o The Neighbourhood Place Type permits a range of heights requiring a minimum of 2-storeys up to a maximum of 4-storeys with the option to bonus up to 6-storeys when located at the intersection of an Urban Thoroughfare and Neighbourhood Connector.
  o Given that the SWAP policies take priority over The London Plan bonusing is not required in this instance to achieve 6-storeys in height.
  o The proposed zones and uses mentioned above are all in keeping with the regulations of the Medium Density Residential Policies of the SWAP and are considered appropriate on the proposed Medium Density Residential block.

• Form:
  o The proposed zones on the site will provide a wide range of residential uses and forms of development which are all in keeping with the intent of both the SWAP and The London Plan.
  o The following Special Provisions are being recommended on all zone variations on Block 95 except for the R4-3 Zone.
    ▪ Any proposed use will require a minimum setback of 3 metres and maximum of 6 metres; and
    ▪ The front face and primary entrance of any dwelling unit shall be oriented to adjacent streets.
  o These provisions will ensure the units are oriented to the street with rear amenity areas, parking and vehicular driveways located internal to the block.
  o The R5-7 and R6-5 zone are also proposing 50% lot coverage and require a provision that garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage to ensure the development is in keeping with the design guidelines of the SWAP (20.5.3.9 iii e))
  o The R7 zone does not have a base height or density regulations within the Zoning By-law. These provisions are established through the rezoning process on a site-specific basis. The proposed height is 20m (6-storeys) and density of 75 units per hectare which is in keeping with the policies of the SWAP and is considered appropriate on the subject site.
  o The standard R8-4 zone requires a special provision to increase in height permissions within the zone. The requested height is 20m which would allow future developments the ability to reach 6-storeys in height. Staff feel this special provision is appropriate given the site size, location and policies of the SWAP.
  o The R4-3 zone will maintain the same special provisions as previously identified.

• Planning Impact Analysis:
  o Overall, the proposed zones will be compatible with future lands uses and the proposed block is of a sufficient size and shape to accommodate the proposed uses, potential intensity and forms of land uses. A site plan will be required to address any future compatibility issues.
Figure 5. Proposed Medium Density Zones

3) an Open Space Special Provision (OS1(3)) Zone (Blocks 96, 97, 98 and 99), an Open Space (OS5) Zone (Blocks 100, 101 and 110)

- **Use:**
  - The vision for the SWAP includes a community with enhanced open space and encourages recreation and alternative modes of transportation. This is dependent on the provision, development and incorporation of different types of parkland and open space connections into newly developing and redeveloping areas (20.5.3.4).
  - Schedule 2 of this Plan identifies the general locations of a combination of existing and new neighbourhood and district parks, and proposed pedestrian and multi-use pathways. The pathway corridor on Schedule 2 identifies a multi-use pathway through the Natural Heritage feature on the west side of the subject site. This pathway is to run parallel to the Hydro Corridor, north to the Bostwick Community Center and south where it will connect into the subdivision north of Greenhills Golf Course.
  - **Block 100, 101 & 110 (OS5 Zone):**
    - The proposed Draft Plan of subdivision has identified a multi-use pathway along the rear lot lines of the westerly properties in keeping with the intent of Schedule 2 of the SWAP. The pathway is located within Block 100 of the Draft Plan which was identified as a buffer to the abutting ESA to the west (Block 110).
    - Block 100 also extends along the rear lot lines of the proposed homes on the southerly side of the development as a buffer to the ESA, however the multi-use trail will not continue in that direction.
    - Block 101 is located in the SE corner of the site and has been identified as an ecological buffer on the south side of the ESA. This block abuts a future parkland block where no development will occur.
    - These lands (Block 100, 101 and 110) will be zoned OS5 to ensure the...
continued protection of the ESA while providing permissions for the multi-use pathway identified through the SWAP.

- Blocks 100, 101 and 110 will be dedicated to the City as part of the subdivision process.

Figure 6. Proposed Open Space Zones

Figure 7. Proposed Multi-Use Pathway
- **Block 96, 97, 98 and 99 (OS1(3) Zone):**
  - A proposed neighbourhood park, although not identified on Schedule 2, will be located within this plan, identified as block 97 and will be serviced by the proposed multi-use pathway on the west side of the subdivision.
  - Block 98 is identified as parkland and will be considered as passive park space with the potential to be an entrance into the future multi-use pathway system to the south of the subdivision.
  - Block 96 is identified as a pathway between Wonderland Road South and Street “C” providing an east/west pedestrian connection to the subdivision. This block is directly north of the abutting SWM pond.
  - Block 99 is identified as the SWM pond for the subdivision.
  - All parkland blocks identified will be zone OS1(3) to permit future public parks, pathways and SWM facilities.
  - Both the SWAP and the London Plan recognize and permit parks and multi-use pathways within various designations and Place Types.
  - All Park Blocks identified will be dedicated to the City of London.

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**Figure 8. Proposed Park Blocks**

- **Intensity and Form:**
  - Pathways, parks and open space features are integral parts to any new and developing subdivisions and are encouraged through multiple policies in all Plans. The form and size of the pathways and parks have been agreed upon with staff and the Applicant.

- **Planning Impact Analysis:**
  - The parks, pathways and open space areas are not anticipated to negatively impact the proposed subdivision or the natural heritage
features and will provide the necessary parks and open space that are envisioned through the London Plan and the 1989 Official Plan.

4.4 Public Concern

In response to the specific concerns raised by a member of the public, the Southwest Area Plan has taken into account the anticipated populations within the community and identified locations where school sites should be located that will best serve the anticipated growth in the area. The subject site was not identified as a location for a school site. Through existing and future draft plans of subdivision locations for school sites have/will be identified for school uses.

The use of three access points along Hamlyn Street are a result of achieving the preferred grid like road network within the subdivision as well as seeking to avoid rear lotting on to higher order roads which create the need for noise walls. The closes intersection (Street “C”) to Wonderland Road is a right-in, right-out to avoid left hand turns onto Hamlyn Street which would result in a safety issue. Staff is in support of the proposed road network.

In regard to dealing with traffic, the developer will be required to provide a traffic management plan prior to construction in order to ensure traffic will function in a safe and efficient manner.
The proposed amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The proposed draft plan of subdivision and Zoning By-law Z.-1 will implement a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments along the Wonderland Road South corridor. The Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing, mixed-use development that is pedestrian friendly, transit supportive and accessible to the surrounding community.

Prepared by:

Mike Corby, MCIP RPP
Senior Planner, Development Services

Recommended by:

Paul Yeoman, RPP PLE
Director, Development Services

Submitted by:

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

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
Bruce Page, Manager, Development Planning
Mike Pease, Manager, Development Planning
Appendix “A” – Zoning By-law Amendment

Bill No. (number to be inserted by Clerk’s Office)
2021

By-law No. Z.-1-21 ______

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 6019 Hamlyn Street.

WHEREAS Sifton Properties Ltd. has applied to rezone an area of land located at 6019 Hamlyn Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to the middle portion of the lands located at 6019 Hamlyn Street, as shown on the attached map comprising part of Key Map No. A.114, from an Urban Reserve (UR4) Zone, a Holding Urban Reserve (h-2*UR4) Zone, and an Environmental Review (ER) Zone, to a Holding Residential R1 Special Provision (h*h-100*R1-3(____)) Zone, a Holding Residential R1/R4 Special Provision (h*h-100*R1-3(____)/R4-3(____)) Zone, a Holding R4/R5/R6/R7/R8 Special Provision (h*h-100*R4-3(____)/R5-7(____)/R6-5(42)/R7(____)/D75*H20/R8-4(____)) Zone, a Open Space Special Provision (OS1(3)) Zone; and a Open Space (OS5) Zone;

Section Number 5.4 of the Residential R1 Zone is amended by adding the following Special Provision:

) R1-3(____)

a) Regulations:

i) Garage Front Yard Depth (minimum) 5.5 m (18 ft.)

ii) Lot Coverage (maximum) 45%

iii) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage

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

) R4-3(____)

a) Regulations:

i) Lot Frontage (minimum) 6.7m (22 ft)

ii) Lot Coverage (maximum) 50%
iv) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:

   ) R5-7(*)

      a) Regulation[s]

         i) Front & Exterior side Yard Depth to Main Building (minimum) 3 metres (9.84 feet)

         ii) Front & Exterior side Yard Depth to Main Building (maximum) 6 metres (19.68 feet)

         iii) Lot Coverage (maximum) 50%

         iv) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

         v) The front face and primary entrance of dwellings shall be oriented to adjacent streets.

3) Section Number 10.4 of the Residential R6 Zone is amended by adding the following Special Provision:

   ) R6-5(_)

      b) Regulation[s]

         j) Front & Exterior side Yard Depth to Main Building (minimum) 3 metres (9.84 feet)

         vi) Front & Exterior side Yard Depth to Main Building (maximum) 6 metres (19.68 feet)

         vii) Lot Coverage (maximum) 50%

         viii) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

         ix) The front face and primary entrance of dwellings shall be oriented to adjacent streets.

4) Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

   ) R7(*)

      a) Regulation[s]
Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

R8-4(*)

a) Regulation[s]

i) Front & Exterior side Yard Depth to Main Building 3 metres (9.84 feet)
   (minimum)

ii) Front & Exterior side Yard Depth to Main Building 6 metres (19.68 feet)
    (maximum)

iii) Height 20 metres (65.62 feet)
     (6-storeys)

x) The front face and primary entrance of dwellings shall be oriented to adjacent streets

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.


Ed Holder
Mayor

Catharine Saunders
City Clerk
Appendix “B” – Draft Approved Plan and Conditions

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-18504 ARE AS FOLLOWS:

NO. CONDITIONS

General

1. This draft approval applies to the draft plan submitted by Sifton Properties (File No. 39T-18504), prepared by Monteith Brown Planning Consultants, and certified by Jason Wilband OLS, (Project No. 12-812, dated July 6, 2020), which shows ninety-three (93) single detached lots, two (2) medium density residential blocks, three (3) parkland blocks, three (3) open space blocks, one (1) SWM facility block, two (2) road widening blocks and six (6) 0.3 m reserve blocks, all served by three (3) local/neighbourhood streets (Street A, B & C).

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. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.

6. 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.

7. 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.

8. 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.

9. 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. In conjunction with the first submission engineering drawings, the Owner shall submit a lotting plan which complies with all City standards and zoning regulations all to the satisfaction of the City.

13. The Owner shall register on title for Lots 1, 64, 65, and 93, and include in all Purchase and Sale Agreements for Lots 1, 64, 65, and 93, a requirement that Hamlyn Street facing elevations are designed as the fronts of the future homes with front doors, porches and windows facing Hamlyn Road and that fencing along the north property line is limited to a maximum of 50% of the length of the lot.

14. The Owner shall register on title for Lots 15, 16, 22, 23, 40, 49, 50, 78, 81, 88, and 104, and include in all Purchase and Sale Agreements for Lots 15, 16, 22, 23, 40, 49, 50, 78, 81, 88, and 104 a requirement that the homes to be designed and constructed are to have a similar level of architectural detail on the front and exterior side elevations (materials, windows (size and amount) and design features, such as but not limited to porches, wrap-around materials and features, 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 side-yard abutting the exterior side-yard frontage.

15. In conjunction with the submission of Focused Design Studies, and prior to any demolition, site alteration activities or any other soil disturbances, the Owner shall retain an archaeologist, licensed by the Ministry of Tourism, Culture and Sport under provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out all required archaeological assessment(s) and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. The archaeological assessment(s) must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport. All archaeological assessment reports, in both hard copy and as a pdf, must be submitted to the City of London once the Ministry of Tourism, Culture and Sport has accepted them into the Public Registry. The Owner shall submit the Ministry’s compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied prior to any site works.

16. In conjunction with the Focused Design Studies submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future residential uses adjacent to arterial roads. The noise study shall be prepared in accordance with the Ministry of the Environment Guidelines and the City of London policies and guidelines. Any recommended noise attenuation measures are to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner, or may be incorporated into the subdivision agreement.

17. The Owner shall circulate the lot grading and drainage plan to Hydro One Networks Inc. for its review in a timely manner. The City Engineer will have regard for the comments from Hydro One when reviewing and approving the lot grading and drainage plans

**Parks Planning**

18. The Owner shall convey up to 5% of the lands included within this plan to the City of London for park purposes or 1 hectare per 300 units, whichever is greater for
residential uses, or as cash in lieu, in accordance with By-law CP-9. Based on ecological findings, staff may accept natural heritage lands at a compensated rate as defined in Parkland Dedication By-law CP-9.

19. As part of Focused Design Studies submission, the Owner’s Landscape Architect shall prepare and submit a conceptual plan for all park blocks and pathway alignments, to the satisfaction of the City.

20. In conjunction with the first submission of engineering drawings, the Owner’s qualified consultant shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for all Blocks. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of residential blocks, park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is sooner.

21. The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.

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

Natural Heritage

23. The Owner shall implement the Environmental Management Plan and all recommendations contained in the Environmental Impact Study (EIS) prepared by MTE and any EIS Addendum, all to the satisfaction of the City, including, but not limited to provision for buffer zones; re-vegetation/restoration; construction mitigation; timing of work; wetland relocation; and environmental monitoring.

24. In conjunction with the Focused Design Studies submission, the Owner shall have their ecological consultant detail the implementation of the Environmental Management Plan and all recommendations listed in the Environmental Impact Study and/or addendums, all to the satisfaction of the City.

25. In conjunction with the Focused Design Studies submission, the Owner’s Landscape Architect or Ecologist shall prepare and provide a concept plan for all ecological buffers, compensation areas and/or restoration areas all to the satisfaction of the City.

26. As part of the first submission of engineering drawings, the Owner’s Landscape Architect and/or ecological consultant shall prepare a detailed restoration and buffer planting plan in accordance with the Environmental Impact Study, all to the satisfaction of the City.

Monitoring of Ecological Works

27. In conjunction with the first submission engineering drawings, the Owner’s ecological consultant shall prepare and submit a detailed environmental monitoring program in accordance with the EIS for the natural heritage features and functions, and for all ecological works including buffer plantings, restoration areas and
compensation areas to the satisfaction of the City. The Owner’s consultant shall provide an annual monitoring report for each year of the program to Development Services, unless otherwise directed in writing by the City Planner.

**Erosion and Sediment Control**

28. The Owner shall implement the requirements of the City concerning sedimentation and erosion control measures during all phases of construction. The Owner shall provide bi-monthly status reports to the City Planner and the City Engineer ensuring the appropriate measures are in place and functioning, prior to and during work on the site, unless otherwise directed in writing by the City Planner or City Engineer.

29. Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with a site inspection report. The Owner’s engineer shall provide bi-monthly status reports to the City Planner and the City Engineer during development activity along the edge of any Natural Heritage Feature.

**Tree Preservation**

30. As part of the Focused Design Studies, the Owner shall have a Tree Preservation Report and Plan prepared for lands within the proposed draft plan of subdivision as required by the Tree Inventory. 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 Planner. The Owner shall incorporate the approved Tree Preservation Plan on the accepted grading plans.

31. Focused Design Studies, the Owner’s qualified consultant shall undertake a Hazard Tree Assessment Study for all open space blocks abutting residential lots/blocks. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of lot lines and provide recommendations to abate the hazard, to the satisfaction of the City.

**Homeowners Guide**

32. As part of the first submission of engineering drawings, the Owner shall prepare for delivery to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City. The approved package shall be delivered to homeowners upon occupancy.

**UTRCA**

33. In conjunction with the Focused Design Studies submission, a Final Environmental Impact Study shall be prepared that compiles all of the addendums and also addresses the UTRCA’s outstanding concerns.

34. In conjunction with the Focused Design Studies submission, a scoped Hydrogeological Study and Water Balance Analysis shall be prepared to the satisfaction of the City and the UTRCA.

35. In conjunction with the Focused Design Studies submission, a detailed Stormwater Management Report shall be prepared to the satisfaction of the City of London and the UTRCA.
36. In accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act, the Owner shall obtain the necessary permits/approvals from the UTRCA prior to undertaking any site alteration or development within the UTRCA Regulated Area including filling, grading, construction, site alteration to watercourse and/or interference with a wetland.

37. In conjunction with the Focused Design Studies submission, a Floodplain Storage Balance Analysis shall be completed to the satisfaction of the UTRCA and the recommendations of the Analysis implemented within the engineering review.

SEWERS & WATERMAINS
Sanitary:

38. In conjunction with the first submission of engineering drawings submission, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:
   i) Provide a sanitary drainage area plan and design sheet, including the sanitary sewer routing through this plan and the external areas to be serviced, to the satisfaction of the City;
   ii) Provide all details including connection details, proposed maintenance hole drop structures, dewatering requirements, etc. as it relates to servicing of this plan;
   iii) Confirm and demonstrate whether a proposed connection is being made to the existing 900 mm diameter municipal sanitary sewer on Hamlyn Street with flows going east to the trunk sewer on Wonderland Road and ultimately to Wonderland/Dingman trunk sewer;
   iv) Provide an hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407; and
   v) Demonstrate that the servicing to the proposed street townhouses can be constructed with adequate separation distances and avoid conflicts with City services, which meet City of London standards and requirements.

39. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
   i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 375 mm diameter sanitary sewer to the 1650 mm diameter sanitary sewer located on Wonderland Road South and Dingman Road OR the 900 mm diameter sanitary sewer located on Hamlyn Street;
   ii) Oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, if necessary, all to the satisfaction of the City;
   iii) Where trunk sewers are greater than eight (8) metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City Engineer. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.
   iv) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;

40. The Owner shall implement the following enhanced inflow and infiltration (I & I) measures, to the satisfaction of the City, at no cost to the City:
i) provide regular unscheduled inspection of basement excavations by the Owner’s agents to ensure sanitary connections remain capped until plumbing connections are made;

ii) provide a notice to all builders and homeowners within the development, complete with an acknowledgement of receipt, regarding sanitary private drain connections (pdc’s) and the City’s By-law WM-4 and secure against any infractions as a deterrent;

iii) wrap all manhole joints at time of installation; and

iv) permit City flow monitoring of this plan to monitor inflow and infiltration.

Storm and Stormwater Management (SWM)

41. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer update the 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 and demonstrate these flows can be adequately controlled and conveyed to the final outlet with no impacts to downstream property, to the satisfaction of the City;

iii) Provide supporting overland flow route capacity calculations and associated drawings for the conveyance of the major overland flows from this plan of subdivision to the intended receiving system to the south of this plan;

iv) design the SWM control systems and downstream conveyance systems (e.g., culvert under Wonderland Road South) to the ultimate outlet in accordance with the accepted SWM facility design.

v) Provide details of servicing corridor through Block 96;

vi) Provide details of SWM dry facility as proposed on Block 99;

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

viii) ensure the post-development discharge flow from the subject site (and any blocks) meets stormwater control requirements for water balance, quality, quantity, and erosion control. The subject site shall not exceed the capacity of the stormwater conveyance system, to the satisfaction of the City Engineer. In an event where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply with the accepted design requirement for Permanent Private Stormwater Systems, to the satisfaction of the City Engineer, at no cost to the City.

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

x) developing sediment and erosion control plan(s) that will identify all sediment and erosion control measures, responsibilities and inspecting/reporting requirements for the subject lands in accordance with City of London, the Ministry of the Environment, Conservation and Parks (MECP) standards and requirements, and current industry standards all to the specification and satisfaction of the City Engineer. The sediment and erosion control plan(s) shall confirm and identify all interim and long-term drainage measures as well as a monitoring program 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 the Erosion and Sediment Control Guideline for Urban Construction (TRCA, December 2019). The erosion and sediment control plan and monitoring program shall be developed with consideration for the sensitive downstream habitat and any recommendations associated to the habitat features. Prior to any work on the
site, the Owner’s professional engineer shall submit these measures and is to have these measures established and approved all to the satisfaction of the City Engineer. Further, the Owner’s Professional Engineer must inspect and confirm that the required erosion and sediment control measures are maintained and operated as intended during all phases of construction.

xi) Implement SWM soft measure Best Management Practices (BMP’s) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer.

42. The subdivision to which this draft approval relate shall be 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.

43. In conjunction with the submission of engineering drawings, should the accepted SWM Report determine the SWM Block size be revised, the Owner shall submit a red-line draft plan of subdivision to be reviewed and accepted by the City, to the satisfaction of the City.

44. The Owner acknowledges that the subject lands are located within the Dingman Creek Subwatershed. The major and minor storm system targets and locations for this plan are identified on the Dingman Creek Subwatershed: Stormwater Servicing Strategy for Stage 1 Lands Schedule B Municipal Class Environmental Assessment, preferred option, as prepared by Aquafor Beech Inc. (Notice of Completion Letter February 2020). In conjunction with the first submission of engineering drawings, the Owner shall provide supporting documentation for major and minor storm/drainage and SWM related servicing/works for inclusion of these identified areas, all in accordance to the Dingman Creek EA and to the satisfaction of the City Engineer.

45. Prior to the first submission of engineering drawings, the Owner is to engage with Upper Thames River Conservation Authority (UTRCA) to pursue a resolution for the subject lands, where possible, as a portion of the property is identified within the Dingman Creek Subwatershed Screening Area identified in the report to Planning and Environment Committee titled “Upper Thames River Conservation Authority Dingman Creek Subwatershed Screening Area Mapping” (November 12, 2018).

46. In conjunction with the first submission of engineering drawings, the Owner shall have a consulting professional engineer design and construct proposed storm/drainage and SWM servicing works for the subject lands all to the satisfaction of the City Engineer and in accordance with the requirements of the following:

i) The Dingman Creek Subwatershed: Stormwater Servicing Strategy for Stage 1 Lands Schedule B Municipal Class Environmental Assessment, preferred option, as prepared by Aquafor Beech Inc. (Notice of Completion Letter February 2020).

ii) The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study updated 2005.

iii) The Pincombe Dain EA 2013.

iv) The approved Storm/Drainage and SWM Servicing functional Report for the subject lands;

v) The City Design Requirements for Permanent Private Stormwater Systems were approved by City Council and is effective as of January 01, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.
vi) The City’s Waste Discharge and Drainage By-Laws, lot grading standards, policies, requirements and practices;

vii) The Ministry of the Environment, Conservation and Parks (MECP) SWM Practices Planning and Design Manual (2003), including updates and companion manuals; and

viii) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies, including but not limited to the Erosion and Sediment Control Guideline for Urban Construction (TRCA, December 2019), etc.

47. 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 outlet the eastern portion of the subdivision to the Pincombe Drain Channel and outlet for the western portion of the subdivision to the Dingman Creek – Tributary D (Thornicroft Drain).

ii) Construct the proposed SWM Facility on Block 99 of this draft plan, to the satisfaction of the City Engineer;

iii) design and construct the SWM control systems and downstream conveyance systems (e.g., culvert under Wonderland Road South) to the ultimate outlet in accordance with the accepted SWM facility design.

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

v) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith;

vi) Implement SWM soft measure Best Management Practices (BMP’s) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City Engineer; and

48. In conjunction with the first submission of engineering drawings, the Owner shall have its professional engineer ensure that all geotechnical issues, natural heritage and/or hazard considerations and required setbacks related to the slope stability, natural features as well as associated with open watercourses that services upstream catchments are adequately addressed for the subject lands, all to the satisfaction of the City Engineer and The Upper Thames River Conservation Authority.

49. In conjunction with the first submission of engineering drawings, the Owner acknowledges that in accordance with the MECP and City’s requirements, adequate setbacks will be maintained and allocated in accordance with the City Council approved Official Plan Policies relating to open watercourse setbacks. Required setbacks, buffers, regulated areas and areas to be protected during construction shall be clearly identified within the engineering drawings issued for construction.

50. In conjunction with the first submission of engineering drawings, the Owner shall have a professional engineer prepare a hydrogeological investigation and/or addendum/update to the existing hydrogeological investigation(s) based on the final subdivision design, to determine the potential short-term and long-term effects of the construction associated with the development on existing groundwater elevations and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, including Low Impact Development (LIDs) solutions to the satisfaction of the City Engineer. Elements of the hydrogeological investigation should include, but are not to be limited to, the following:
i) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction;

ii) Evaluation of water quality characteristics and the potential interaction between shallow groundwater, surface water features, and nearby natural heritage features;

iii) Completion of a water balance and/or addendum/update to the existing water balance for the proposed development, revised to include the use of LIDs as appropriate;

iv) Completion of a water balance for any nearby natural heritage feature (i.e., all open space Blocks) to include the use of LIDs as appropriate;

v) Details related to proposed LID solutions, if applicable, including details related to the long-term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table;

vi) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;

vii) Evaluation of construction related impacts and their potential effects on local significant features;

viii) Development of appropriate short-term and long-term monitoring plans (if applicable);

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

x) The effects of the construction associated with this subdivision on the existing ground water elevations, private domestic or farm wells in the area and adjacent natural areas;

xi) Identify any abandoned wells in this plan;

xii) Any fill required in the plan;

xiii) Provide recommendations for foundation design should high groundwater be encountered;

xiv) Address any contamination impacts that may be anticipated or experienced as a result of the said construction;

xv) Provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.

xvi) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken all to the satisfaction of the City.

51. In conjunction with the first submission of engineering drawings, the Owner’s professional engineer shall implement any remedial or other works as recommended in the accepted hydro geological report, to the satisfaction of the City, at no cost to the City.

52. In conjunction with the first submission of engineering drawings, the Owner’s consulting Professional Engineer shall submit, a Monitoring and Operational Procedure Manual for the maintenance and monitoring program for each of the SWM Facilities within this plan (i.e., the SWM Facility, flood storage features, LIDs, OGSs, etc.), in accordance with the City’s “Monitoring and Operational Procedure for Stormwater Management Facilities” and other available guidance document requirements to the City Engineer for review and approval. The program will include but not be limited to the following:

i) A work program manual for the phasing, maintenance and monitoring of these facilities during all phases of buildout as well as following assumption.

ii) A verification and compliance monitoring program the developer will need to complete to verify the SWM features meet the intended design prior to assumption.
53. Following construction and prior to the assumption of the stormwater system, the Owner shall complete the following at no cost to the city, and all to the satisfaction of the City Engineer:

i) Operate, maintain and monitor the SWM Facilities in accordance with the approved maintenance and monitoring program and the City’s “Monitoring and Operational Procedure for Stormwater Management Facilities”

ii) Have its consulting Professional Engineer submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City’s “monitoring and Operational Procedure for Stormwater Management Facilities” to the City Engineer for review and approval.

54. The Owner shall ensure the post-development discharge flow from the subject site (and any blocks) meets stormwater control requirements for water balance, quality, quantity, and erosion control. The subject site shall not exceed the capacity of the stormwater conveyance system, to the satisfaction of the City Engineer. In an event where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply with the accepted design requirement for Permanent Private Stormwater Systems, to the satisfaction of the City Engineer, at no cost to the City.


**Watermains**

56. 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) Maintaining water quality shall include watermains external to the Plan of Subdivision, being the Wonderland Road South watermain extension from Exeter Road to Hamlyn Street and the Hamlyn Street watermain across the frontage of the Plan, from zero build-out through full build-out of the subdivision;

v) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;

vi) 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);

vii) Develop a looping strategy to the satisfaction of the City Engineer for when development is proposed to proceed beyond 80 units;

viii) Medium density multi-family Block 95 shall have a minimum assigned fire flow demand of 90 litres per second; water servicing to the Block shall be taken off the internal subdivision watermain;
ix) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;

x) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision (both the Hamlyn Street and Wonderland Road watermains are inadequate to service the proposed subdivision);

xi) Identify any watermain oversizing required, and any cost sharing agreements;

xii) Identify the effect of development on existing water infrastructure – address potential conflicts and identify solutions;

xiii) 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

57. 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) Have their consulting engineer design, and construct a 400mm diameter external watermain along Hamlyn Street across the frontage of the Plan of Subdivision from Wonderland Road South to the westerly limit of the Street ‘A’ intersection, all to the satisfaction of the City Engineer;

ii) Connect the external Hamlyn Street watermain to the GMIS Wonderland Road South watermain extension;

iii) Have their consulting engineer issue a Certificate of Completion of Works for the external Hamlyn Street watermain construction and connection to the GMIS Wonderland Road South watermain extension;

iv) Construct watermains internal to the Plan and connect them to the low-level municipal system, namely the external 400mm diameter watermain to be constructed on Hamlyn Street;

v) 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;

vi) 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

vii) Have their consulting engineer confirm to the City that the watermain system has been constructed, is operational, and is looped to the external 400mm diameter watermain to be constructed on Hamlyn Street.

58. Prior to the issuance of any Certificates of Conditional Approval the City’s Growth Management Implementation Strategy (GMIS) Wonderland Road South watermain extension from Exeter Road to Hamlyn Street shall be constructed and operational, all to the satisfaction of the City Engineer

59. The Owner shall be responsible to maintain water quality within certain watermains external to the Plan of Subdivision, being the Wonderland Road South watermain extension from Exeter Road to Hamlyn Street and the Hamlyn Street watermain across the frontage of the Plan, from zero build-out through full build-out of the subdivision.

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

Roadworks

61. 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 perpendicular through their intersections and opposite each other thereby having these streets centred with each other, unless otherwise approved by the City Engineer.

62. In conjunction with the first submission of engineering drawings, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:

   i) provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, 6m straight tangents, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections.

   ii) confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard “Minimum Centreline Radii of Curvature of Roads in Subdivisions:”

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

   iv) shall provide a minimum of 5.5 metres along the curb line between the projected property lines of irregular shaped lots around the bends and/or around the cul-de-sacs on streets in this plan of subdivision.

   v) shall ensure street light poles and luminaires, along the street being extended, match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the City of London.

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

   vii) shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on an assumed street.

63. The Owner shall restrict access to Street ‘C’ at Hamlyn Street to right in/right out through the construction of a median built in accordance with the City’s Access Management Guidelines (AMG) to the satisfaction of the City Engineer.

64. In conjunction with the first submission of engineering drawings, the Owner shall align Street ‘A’, Street ‘B’ and Street ‘C’ perpendicular to Hamlyn Street, to the satisfaction of the City Engineer.

65. The Owner shall have it’s professional engineer design and construct the roadworks in accordance with the following road widths:

   i) Street ‘A’, Street ‘B’ and Street ‘C’ have a minimum road pavement width (excluding gutters) of 7.5 metres with a minimum road allowance of 20 metres.

   ii) Street ‘A’ (elongated cul-de-sac at the south limit of Street ‘A’ with a LID feature in the centre with a 7.5 metre pavement width and a minimum road allowance of 40.0 metres as per the accepted engineering drawings, to the satisfaction of the City.
Street ‘A’, Street ‘B’ and Street ‘C’ from Hamlyn Street to 30 metres south have a minimum road pavement width (excluding gutters) of 9.0 metres with a minimum road allowance of 21.5 metres. The widened road on Street ‘A’, Street ‘B’ and Street ‘C’ shall be equally aligned from the centreline of the road and tapered back to the 7.5 metres of road pavement width (excluding gutters) and 20.0 metres of road allowance width for this street with 30 metre long tapers on both street lines.

66. The Owner shall install enhanced landscape boulevards on Street ‘A’, Street ‘B’ and Street ‘C’ at Hamlyn Street, to the satisfaction of the City.

Sidewalks

67. In conjunction with the first submission of engineering drawings, the Owner shall provide a 1.5 metre sidewalk on both sides of all streets in this Plan, to the satisfaction of the City.

68. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

Street Lights

69. In conjunction with the first submission of engineering drawings, the Owner shall identify street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City.

Boundary Road Works

70. In conjunction with the first submission of engineering drawings, the Owner shall identify minor boulevard improvements on Hamlyn Street and Wonderland Road South 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.

71. In conjunction with the first submission of engineering drawings, the Owner shall identify and provide details of temporary street lighting at the intersections of Street ‘A’, Street ‘B’ and Street ‘C’ with Hamlyn Street, to the specifications of the City, at no cost to the City.

Road Widening

72. The Owner shall be required to dedicate sufficient land to widen Hamlyn Street to 11.5 metres from the centreline of the original road allowance.

73. The Owner shall be required to dedicate sufficient land to widen Wonderland Road South to 22.5 metres from the centreline of the original road allowance.

74. The Owner shall be required to dedicate 6.0 m x 6.0 m “daylighting triangles” at the intersection of Street ‘A’, Street ‘B’ and Street ‘C’ with Hamlyn Street and at the intersection of Hamlyn Street and Wonderland Road. The sight triangles shall be calculated using the criteria outlined in Section 2.3.3.2 of the City’s Design Specifications and Requirements and the Geometric Design Guide for Canadian Roads Part II.

Vehicular Access

75. The Owner shall ensure that no vehicular access will be permitted to Lots 1, 64, 65 and 93 and Blocks 94 and 95 from Hamlyn Street and Block 95 from Hamlyn Street and Wonderland Road South. All vehicular access is to be via the internal subdivision streets.
76. The Owner shall restrict access to Hamlyn Street and Wonderland Road South by establishing blocks for 0.3 metre (1’) reserves along the entire frontages, to the satisfaction of the City.

Traffic Calming

77. In conjunction with the first submission of engineering drawings, the Owner shall identify and provide details of a raised intersection at Street ‘A’ and Street ‘C’, to the satisfaction of the City Engineer, at no cost to the City. Should it be determined, the raised intersection will affect the major overland flow route, the Owner shall construct alternative traffic calming measures on Street ‘A’ at Street ‘C’, to the satisfaction of the City Engineer.

Construction Access/Temporary/Second Access Roads

78. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Hamlyn Street or other routes as designated by the City.

GENERAL CONDITIONS

79. 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.

80. Once construction of any private services, i.e.: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed re-lotting 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.

81. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision as per the accepted engineering drawings, at no cost to the City, all to the specifications and satisfaction of the City Engineer.

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

83. Prior to the construction of works on existing City streets and/or unassumed subdivisions, the Owner shall have its professional engineer notify new and 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 along with any remedial works prior to assumption, all in accordance with Council policy for “Guidelines for Notification to Public for Major Construction Projects”.

84. The Owner shall not commence construction or installations of any services (e.g. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing (e.g. Ministry of the Environment, Conservation and Parks Certificates, City/Ministry/Government permits: Permit of Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, Conservation and Parks, City, etc.)

85. In conjunction with the first submission of engineering drawings, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing
plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.

86. 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.

87. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.

88. 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.

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

90. 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 municipal or private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services and these services are operational, at no cost to the City.

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

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

92. In conjunction with the engineering drawings submission, the Owner shall have its geotechnical engineer identify if there is any evidence of methane gas within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any methane gas within or in the vicinity of this draft plan of subdivision, the Owner’s geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer, under the supervision of the geotechnical engineer, to the satisfaction of the City, at no cost to the City.

93. In conjunction with the engineering drawings submission, the Owner shall have its geotechnical engineer identify if there is any evidence of contamination within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any contamination within or in the vicinity of this draft plan of subdivision, the Owner’s geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer to remediate, remove and/or dispose of any contaminates under the supervision of the geotechnical engineer to the satisfaction of the City, at no cost to the City.
94. In conjunction with the first submission of engineering drawings, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:

i) servicing, grading and drainage of this subdivision;
ii) road pavement structure;
iii) dewatering;
iv) foundation design;
v) removal of existing fill (including but not limited to organic and deleterious materials);
vi) the placement of new engineering fill;
vii) any necessary setbacks related to slope stability for lands within this plan;
viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions;
ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback; and
x) any other requirements as needed by the City, all to the satisfaction of the City.

95. In conjunction with the first submission of engineering drawings, the Owner shall implement all geotechnical recommendations to the satisfaction of the City.

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

97. In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per City Standards to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.

98. The Owner shall have the common property line of Wonderland Road South graded in accordance with the Wonderland Road South Environmental Assessment, to the satisfaction of the City and at no cost to the City.

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

100. 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.

101. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.

102. The Owner shall submit confirmation that they have complied with any requirements of Hydro One with regards easement crossing and any relocations of servicing in this plan of subdivision.

103. In conjunction with the first submission of engineering drawings, the Owner shall make adjustments to the existing works and services on Hamlyn Street to accommodate the proposed works and services in accordance with the approved
design criteria and accepted drawings, all to the satisfaction of the City Engineer, at no cost to the City.

104. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved, all to the satisfaction of the City Engineer.
Appendix “C” – Public Engagement

Community Engagement

Public liaison: Circulation - On October 2, 2018, Notice of Application was sent to 14 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 11, 2018. A “Planning Application” sign was also posted on the site.

One (1) reply from the public was received.

Nature of Liaison: 6019 Hamlyn Street – The purpose and effect of these applications would be the creation of a plan of subdivision with 104 single detached dwellings, one (1) multi-family medium density block, four (4) park blocks, four (4) open space blocks, and one (1) future development block, all served by three (3) new streets connecting to Hamlyn Street.

Consideration of a Draft Plan of Subdivision consisting of 104 single detached dwellings, one (1) multi-family medium density block, four (4) park blocks, four (4) open space blocks, and one (1) future development block, all served by three (3) new streets connecting to Hamlyn Street.

Possible Amendment to Zoning By-law Z.-1 to change the zoning from an Urban Reserve (UR4), a Holding Urban Reserve (h-2*UR4) Zone, and an Environmental Review (ER) Zone to: a Residential R1 Special Provision (R1-4(28) Zone (Lots 1-104) to permit single detached dwellings with a minimum lot frontage of 12m and a minimum lot area of 360 m², with a special provision to permit a lot coverage of 45% for one storey single detached dwellings; a Residential R5 Special Provision/Residential R6 Special Provision/Residential R7 Special Provision/Residential R8 Special Provision (R5-7(*)/R6-5(42)/R7(*)D75*H18/R8-4(29)) Zone (Block 105), to permit cluster townhouse dwellings and cluster stacked townhouse dwellings with a maximum height of 12m and a maximum density of 60 units per hectare, with a special provision for a minimum front and exterior side yard building setback of 3m and a maximum lot coverage of 50% (R5-7(*)), to permit cluster single detached dwellings, cluster semi-detached dwellings, cluster duplex dwellings, cluster triplex dwellings, cluster townhouse dwellings, cluster stacked townhouse dwellings, cluster apartment buildings, and cluster fourplex dwellings with a maximum height of 12m and a maximum density of 35 units per hectare, with a special provision for a minimum front and exterior side yard building setback of 3m and a maximum lot coverage of 50% (R6-5(42)), to permit senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, and emergency care establishments with a maximum height of 18m and a maximum density of 75 units per hectare, with a special provision for a minimum front and exterior side yard building setback of 3m (R7(*)D75*H18), and to permit apartment buildings, handicapped person’s apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities with a maximum density of 75 units per hectare, with a special provision for a minimum front and exterior side yard building setback of 3m and a maximum height of 18m (R8-4(29)); an Open Space Special provision (OS1(3)) Zone (Block 107, 108 and 109), to permit to conservation lands, conservation works, cultivation of land for agricultural/horticultural purposes, golf courses, private parks, public parks, recreational golf courses, recreational buildings associated with conservation lands and public parks, campground, and managed forest, with a special provision for no minimum lot area and no minimum lot frontage; an Open Space (OS5) Zone (Block 110, 111, 121 and 122), to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots; an Urban Reserve Special Provision (UR4(*)) Zone (Block 112), to permit existing dwellings, agricultural uses except for mushroom farms, commercial greenhouses, livestock facilities and manure storage facilities, conservation lands, managed woodlot, wayside pit, passive recreation
use, kennels, private outdoor recreation clubs, and riding stables, with a special provision for a minimum lot frontage of 10m and a minimum lot area of 0.2 ha.

The City is also considering the following amendments: Special Provisions in zoning to implement the urban design requirements and considerations of the Southwest Area Secondary Plan; Adding holding provisions for the following: urban design, water looping, municipal services, and phasing.

**Public Comments, Circulation #1 – October 2, 2018**

**Sent:** Monday, October 15, 2018 5:58 PM  
**To:** Pasato, Nancy <npasato@london.ca>  
**Subject:** RE: Notice of Planning Application Feedback - 39T18504/Z8960

Hi Nancy,

I would also like to better understand the plan for schools for the proposed subdivision. Lambeth is experiencing tremendous growth resulting in approximately 100 additional students and 5 additional portables at Lambeth Public School this year alone. It is not a sustainable plan to add 5 new portables every year to a school already over capacity. We welcome and support the growth in our community but approving plans for additional housing must be accompanied with plans to support schools.

Thanks,
Brad

**Sent:** Monday, October 15, 2018 4:19 PM  
**To:** npasato@london.ca  
**Subject:** Notice of Planning Application Feedback - 39T18504/Z8960

Hi Nancy

I am a resident of and I recently received the notice of planning application for the file number above. First of all, thank you so much for the opportunity to provide feedback. My husband and I have been residents for over 10 years and are actively involved and very invested in our community. We look forward to opportunities to work together on engagement and ways to invest in a thriving community.

I read the application plan and myself and others on my street we have consulted with are not in favour/unsure of why there are so many streets exiting onto Hamlyn. The plan currently shows 3 streets exiting onto Hamlyn and there appears to be a street in between every 2 house lots. We drove around Lambeth and looked as well at other housing developments and did not see any examples of 3 streets in a row exiting onto a main road that were separated by only 2 housing lots. Why is this? This seems like a potential traffic problem for many cars attempting to turn at once and in competing directions. We recommend one exiting street on to Hamlyn, and connect 2 of the remaining streets to that one street as crescents, as an example.

Furthermore, what is the plan for traffic flow control on Hamlyn once the construction starts? This is a big concern to residents of Hamlyn street. Currently it is very difficult to turn left on wonderland during busy times. Since the 401 exit ramp was built and traffic is increasing on wonderland, the need for a traffic light at Hamlyn and Wonderland has grown. Is this in the development plans? What are the timelines? It is concerning to consider the higher volume of traffic of heavy equipment and congestion when the construction starts, further contributing to the already difficult and dangerous issue of turning left onto wonderland. The only other exit from Hamlyn street is onto Campbell which has increased significantly in traffic volume since the construction and has been the site of accidents and driver confusion about right of way.

Is there a plan to address Hamlyn street traffic flow and exits? One recommendation would be to pave Bostwick all the way to Hamlyn. It is currently paved nearly all the way
then stops, and is now being used as a dirt thru way for construction vehicles which they block off with barriers on the weekend so no vehicles can pass through. Perhaps some of the regular traffic flow could be relieved if this road is paved and made accessible to all vehicles. This may be helpful to cars trying to turn left on wonderland. Or do you have another plan for the Hamlyn street traffic flow concern?

Thanks in advance for your response, and once again for the opportunity to provide feedback.

Gillian

Public liaison: Circulation - On September 28, 2020, Notice of Application was sent to 13 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 25, 2020. A "Planning Application" sign was also posted on the site.

No (0) replies from the public were received.

Nature of Liaison: 6019 Hamlyn Street – The purpose and effect of these two (2) applications would be the creation of a residential plan of subdivision.

1. Consideration of a Draft Plan of Subdivision consisting of 93 single detached dwellings, two (2) multi-family medium density block, two (2) park blocks, one (1) walkway block, three (3) open space blocks, one (1) stormwater facility block, six (6) one foot reserve blocks and two (2) road widening blocks all served by three (3) new streets connecting to Hamlyn Street.

2. Possible Amendment to Zoning By-law Z.-1 to change the zoning from an Urban Reserve (UR4), a Holding Urban Reserve (h-2*UR4) Zone, and an Environmental Review (ER) Zone to:

- a Residential R1 Special Provision (R1-3(12)) Zone (Lots 1-93) to permit single detached dwellings with a minimum lot frontage of 10m and a minimum lot area of 300 m², with a special provision to permit minimum front yard depth for garages of 5.5m and a lot coverage of 45% for single detached dwellings;
- a Residential R1/R4 Special Provision (R1-3(12))/R4-3(*) Zone (Block 94) to permit single detached dwellings with a minimum lot frontage of 10m and a minimum lot area of 300m², with a special provision to permit minimum front yard depth for garages of 5.5m and a lot coverage of 45% for single detached dwellings and street townhouse dwellings with a minimum lot frontage of 5.5m per unit and a minimum lot area of 200m², with a special provision to permit a maximum lot coverage of 45%;
- a Residential R4/R5/R6/R7/R8 Special Provision (R4-3(*))/R5-7(*))/R6-5(42)/R7(*)D75*H20/R8-4(*)) Zone (Block 95), to permit street townhouse dwellings with a minimum lot frontage of 5.5m per unit and a minimum lot area of 200m², with a special provision to permit a maximum lot coverage of 45%; cluster townhouse dwellings and cluster stacked townhouse dwellings with a maximum height of 12m and a maximum density of 60 units per hectare, with a special provision for a minimum front and exterior side yard building setback of 3m and a maximum lot coverage of 50% (R5-7(*)); to permit cluster single detached dwellings, cluster semi-detached dwellings, cluster duplex dwellings, cluster triplex dwellings, cluster townhouse dwellings, cluster stacked townhouse dwellings, cluster apartment buildings, and cluster fourplex dwellings with a maximum height of 12m and a maximum density of 35 units per hectare, with a special provision for a minimum front and exterior side yard building setback of 3m and a maximum lot coverage of 50% (R6-5(42)); to permit senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities, and emergency care establishments with a maximum height of 20m and a maximum density of 75 units per hectare, with a special provision for a minimum front and exterior side...
yard building setback of 3m (R7(*)D75*H20)); and to permit apartment buildings, handicapped person’s apartment buildings, lodging house class 2, stacked townhouses, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities with a maximum density of 75 units per hectare, with a special provision for a minimum front and exterior side yard building setback of 3m and a maximum height of 6-storeys (20m) (R8-4(*));

- an Open Space Special provision (OS1(3)) Zone (Block 96, 97, 98 and 99), to permit to conservation lands, conservation works, cultivation of land for agricultural/horticultural purposes, golf courses, private parks, public parks, recreational golf courses, recreational buildings associated with conservation lands and public parks, campground, and managed forest, with a special provision for no minimum lot area and no minimum lot frontage;
- an Open Space (OS5) Zone (Block 100, 101 and 110), to permit conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots.

The City is also considering the following amendments: Special Provisions in zoning to implement the urban design requirements and considerations of the Southwest Area Secondary Plan by adding holding provisions for the following: urban design, water looping, municipal services, and phasing.
Appendix “D” – Agency/Departmental Comments

Agency/Departmental Comments – Circulation #1 – October 2, 2018

Bell – October 5, 2018

We have reviewed the circulation regarding the above noted application. We have no conditions and/or objections to the application at this time. We hereby advise the Developer, however, to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario’s principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1). The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the Developer elects not to pay for the above noted connection, then the Developer will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

MMM (a WSP company) operates Bell Canada’s development tracking system, which includes the intake and processing of municipal circulations. Please note, however, that all responses to circulations and other requests, such as requests for clearance, come directly from Bell Canada, and not from MMM. MMM is not responsible for the provision of comments or other responses. Should you have any questions, please contact the undersigned.

Upper Thames River Conservation Authority – November 30, 2018

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.

PROPOSAL

The applicant is proposing a plan of subdivision with 104 single detached dwellings, one (1) multi-family medium density block, four (4) park blocks, four (4) open space blocks, and one (1) future development block, all served by three (3) new roads connecting to Hamlyn Street.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, the subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the
Conservation Authorities Act. The Regulation Limit is comprised of a riverine flooding hazard associated with a tributary of the Dingman Creek, as well as wetland features and the surrounding areas of interference. The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)
The UTRCA’s Environmental Planning Policy Manual is available online at: http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/

3.2.2 General Natural Hazard Policies
These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands which is consistent with the Provincial Policy (PPS) and is intended to limit the number of owners of hazardous land and thereby reduce the risk of unregulated development etc.

3.2.3 Riverine Flooding Hazard Policies
These policies address matters such as the provision of detailed flood plain mapping, floodplain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

3.2.6 & 3.3.2 Wetland Policies
New development and site alteration may only be permitted in the area of interference and/or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological and ecological function of the feature.

3.3.3.1 Significant Woodlands Policies
The woodland that is located on the subject lands and adjacent property has been identified as Significant in the Middlesex Natural Heritage Study (2003) and the Middlesex Natural Heritage Systems Study (2014). The UTRCA does not permit new development and site alteration in woodlands considered to be significant. Furthermore, new development and site alteration is not permitted on adjacent lands to significant woodlands unless an EIS has been completed to the satisfaction of the UTRCA which demonstrates that there will be no negative impact on the feature or its ecological function.

We note that Table 4-2 of the Natural Heritage Reference Manual Second Edition (OMNR, 2010) identifies adjacent lands from significant natural heritage features as being 120m from the feature for considering potential negative impacts. The Natural Heritage Reference Manual provides technical guidance for implementing the natural heritage policies of the Provincial Policy Statement, 2005. The UTRCA Environmental Planning Policy Manual (2006) predates the NHRM (2010) and the UTRCA considers the policies of the contemporary implantation manual in its review. This EIS should demonstrate no negative impacts on the ecological form and function of the features. These natural heritage areas should be located and avoided as inappropriate places for development.

An EIS has been completed for this proposal by Natural Resources Solutions Inc. (NRSI) dated August 2018. The UTRCA has completed a review of this report and our comments are summarized below.

DRINKING WATER SOURCE PROTECTION
Clean Water Act

The Clean Water Act (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government’s commitment to implement
the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario’s 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region.

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Wellhead Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas.

Mapping which identifies these areas is available at: http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport

Upon review of the current assessment report mapping, we wish to advise that the subject lands are identified within a vulnerable area.

Provincial Policy Statement (PPS, 2014) Section 2.2.1 requires that “Planning authorities shall protect, improve or restore the quality and quantity of water by:

1. implement necessary restrictions on development and site alteration to:
   1. protect all municipal drinking water supplies and designated vulnerable areas;
   2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions.”

Section 2.2.2 requires that “Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.”

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development. Policies in the Approved Source Protection Plan may prohibit or restrict activities identified as posing a significant threat to drinking water. Municipalities may also have or be developing policies that apply to vulnerable areas when reviewing development applications. Proponents considering land use changes, site alteration or construction in these areas need to be aware of this possibility. The Approved Source Protection Plan is available at:
http://www.sourcewaterprotection.on.ca/source-protection-plan/approved-source-protection-plan/

TECHNICAL PEER REVIEW COMMENTS
The UTRCA has completed peer reviews of the following technical reports:

Stormwater Management Report
The UTRCA has reviewed the report titled Stormwater Management Report – 6019 Hamlyn Street – Draft Plan of Subdivision – London prepared by AECOM and dated August 2018. We offer the following comments:

1. The site is within the Dingman Creek Subwatershed and there is a Class Environmental Assessment (Class EA) study already initiated by the City of London for updating the old subwatershed study. How will this development consider some of the issues related to base flow requirements, water balance and Low Impact Development (LID) being proposed for the new subwatershed study for the Dingman Creek?
2. Under Section 2.1.1, the report claimed that the wetlands onsite are sustained by groundwater due to high rates of infiltration and hydraulic conductivity. The UTRCA recommends maintaining the infiltration and groundwater contributions
including surface runoff and quality of runoff to the wetland. The UTRCA recommends undertaking infiltration tests onsite to be used in the water balance analysis. Please provide details of any infiltration test undertaken on the site.

3. Under Section 2.1.3, the report mentioned 2230 m² of the buffer will be occupied by development in the form of rear yards, roadways and future medium density residential uses. The buffers are developed to maintain a setback for the ecological purposes of the wetland. The aforementioned development within the buffer will affect the buffer and may affect the ecology of the site within proximity of the wetland. The buffer zone being proposed should be undeveloped.
   - Please refer to comment #44 regarding the amount proposed for removal from the vegetative communities.

4. The UTRCA regulatory storm event is the 250-year storm, not the 100-year storm. Under Section 3.1, the report mentioned that water quantity peak flow control will be provided up to the 100-year storm. Please update the report by providing control up to the 250-year storm.

5. The report mentioned LID for the proposed development. The UTRCA requires location, type, cross sections and design of the proposed LID for the site. Also, the UTRCA discourages using infiltration practices for polluted runoff from roads, streets and parking lots. The UTRCA allows only clean runoff to be infiltrated.

6. The UTRCA recommends checking with the City of London regarding the proposed rear lot ponding of 0.45 metres under the major storm events.

7. The site has drainage divide in the middle running from northeast to southwest. The UTRCA recommends maintaining the base flow conditions to the east and the west including base flow requirements to the existing wetland onsite.

8. Please consider the effects of groundwater recharge on the operation of the proposed bioretention cell. The bioretention cell should accept clean runoff and shall be treated before infiltration to avoid effects on the groundwater quality.

9. The water balance calculations under the pre-development conditions should be undertaking based on the catchment or drainage areas contributing runoff to the existing features (i.e. woodland and wetland) rather than using the total area of 16.7 hectares.

Hydrogeological Assessment

The UTRCA has reviewed the Preliminary Hydrogeological Investigation prepared by MTE Consultants Inc, dated July 26, 2018, and offer the following comments:

Overall:
   10. The Hydrogeological Assessment is preliminary in nature. There has been a considerable amount of background work completed. Primary deficiencies have been outlined.

Scope and Methodology:
   11. Part 2 – Field Investigations: Installation of three mini-piezometers (details of installation needed i.e. depth) into two onsite wetlands has not been documented in the appendices. Only one manual water level was recorded although it states more were taken.

Field Program:
   12. Groundwater Levels: It is stated that manual monitoring well water levels were recorded until July 6. Only 4 manual water level measurements were documented in a two week period between November 23 and December 8. Two of the measurements were a day apart. One of the dates was associated with a pump test.

   13. Continuous water levels were displayed in 6 monitors for 2 weeks between November 25 and December 8, 2017. This is an insufficient period of monitoring. During pre-consultation, the UTRCA identified that a year of monitoring information would be required.
14. Groundwater sampling occurred on November 24 utilizing accepted practice techniques. Measurements of total metals were taken and dissolved metals were omitted. The UTRCA requires dissolved metals to be measured as Piper diagrams are based on dissolved ions. A Piper diagram cannot be constructed from a mix of dissolved and total measurements, for example, calcium, magnesium, potassium and sodium are a total evaluation and chloride and sulfate are dissolved.

15. Piezometers also need to be sampled at the same time as the monitoring wells.

Impact Assessment

16. To ensure the viability of the proposed development on the natural heritage features, a detailed investigation of water quantity and quality, which includes temperature, is required. The sensitivity of these features will only tolerate certain quality and quantity changes.

17. The water balance estimates infiltration across the site will increase by approximately 3% over the pre-development conditions. Runoff will increase significantly, by approximately 48%, and require treatment prior to release back to the natural environment and naturally vegetated areas.

18. The water table was only documented in this report for a two week period in November to December. Based on years of data from the Provincial Groundwater Monitoring Network (PGMN) throughout the watershed and within the City of London, it is well documented that this investigative period is a time of low groundwater levels. The hydroperiod which includes the highs and lows are required to understand the pattern of water level change and the net sum interaction between the different water balance components (i.e. change in storage) is required.

a. Based on PGMN water level data from the City of London, a minimum of 1 metre higher water level is likely during the spring with respect to the documented period provided;

b. Change in storage also provides a general estimate of recharge across the site; and,

c. If the implementation of LIDs are required to decrease runoff, the amount of added infiltration may have a detrimental effect on the hydroperiod of the wetland.

19. Further groundwater level monitoring is required to establish the hydroperiod and the natural heritage features.

Conclusions

20. Essentially, the low water table has been mapped. The high groundwater table and flow patterns are required. There is a surface water divide across the site and a flow divide may be present in Figure 9. Is the groundwater affected by the surface water divide? Is there seasonality to the divide if it exists? There are wetlands to the west that cannot be ignored. The catchment size of the wetlands should be evaluated.

21. The Conservation Authority has detailed water balance tolerances for pre- to post-development which needs to be evaluated for the natural heritage/groundwater dependence evaluation.

22. The discussion of water quality is limited to type. The information is based on improperly analyzed data. Further sampling and discussion is required based on the Piper diagram, as Piper diagrams demonstrate mixing as well as background chemistry. How is the groundwater related to the surface water?

23. Nitrate and phosphorous levels are high and management of these parameters, as well as others (such as de-icing materials), are required. Discuss how to ensure protection of the natural heritage features from introduced dissolved ions from road de-icing, pool drainage and nutrients (lawn and garden maintenance), as well as maintain groundwater temperature to the wetland.

24. How will introducing LIDs, in the form of increased infiltration, affect the water table and the quantity reaching the wetland? LIDs require a clearance of 1 metre from the high water table and the water table is shallow during the low period of
investigation. Will the LIDs be able to be supported by the water level during different times of the year?

Environmental Impact Study
The UTRCA has reviewed the 6019 Hamlyn Street, London Environmental Impact Study prepared by Natural Resources Solutions Inc. (NSRI), dated August 2018, and offer the following comments:

25. More detail is needed that demonstrates how surface water and groundwater quantity will be maintained to the natural features given that
   a. The entire subject property is a SGRA and HVA;
   b. Wetland features occur within the west, south, and southeast portion of the subject property; and,
   c. There are numerous groundwater indicator species within the natural features.

26. Were the culverts along Wonderland Road South surveyed for Barn Swallow nests?

27. Show the locations of the following groundwater indicator species:
   a. Watercress
   b. Crested Wood Fern
   c. Sensitive Fern
   d. White Cedar
   e. Spotted Touch-Me-Not
   f. Great Lobelia
   g. March Marigold
   h. Jack-In-The-Pulpit
   i. Skunk Cabbage
   j. Porcupine Sedge
   k. Tussock Sedge
   l. Fringed Brome

28. Trails are considered development and therefore are to remain outside of the recommended buffer limits. If this is not possible, then additional compensation and mitigation is necessary for the area of the buffer being removed for trail placement.

29. Please discuss the locations of the buffer encroachment and the location of the buffer exceedances (compensation) with respect to impacts on the natural features since some locations may be of more importance to the feature trying to be protected.

30. Provide information that supports the statement that the LID measures will assist in “balancing the water budget” and contribute to “achieving water balance”. What is the water balance referring to – the entire site or the natural features?

31. In Table 6, there are several concerns with the Land Use Impacts, including:
   a. Interruption or change of surface water and groundwater flows is a Direct Impact;
   b. Ecological Feature or Function Effected by the Land Use Impacts includes wetlands;
   c. Multi-use trails must be kept outside of the natural features and natural feature buffers as trails are considered “development”;
   d. More information is needed on how the Stormwater Management (SWM) and drainage onsite will maintain water balance to the natural features;
   e. The projected loss of infiltration and increase in runoff values are different than the values found under “Stormwater Management Development Impacts”. Provide information to demonstrate that these values will be mitigated by the proposed LIDs. Do these values include the proposed trail?
   f. Where is the tractor path in the southwest corner? Please show on a map.

32. In Table 6, under Site Clearing and Vegetation Removal, please change “surveys for nesting birds may be undertaken” to “surveys for nesting birds must be undertaken”.

33. In Table 6, under Stormwater Management Development Impacts, include wetlands under Ecological Feature or Function Effected for the Alterations to Surface Water Flow Patterns and Groundwater Properties.
34. Section 8.1 mentions that the sandy soils onsite are compatible with artificial reptile hibernacula and will facilitate its implementation. However, Table 1 in Appendix II states that “suitable habitat features for *Reptile Hibernacula* are not observed within the subject property” and that “exposed sandy mineral soils for *Turtle Nesting Areas* are associated with agricultural features only”. Please discuss this discrepancy.

35. In Section 9.1, include the recommendation that “a road crossing to future residential subdivisions to the south is not recommended for the upland corridor”.

36. How long will the monitoring of planted restoration vegetation occur?

General Comments:
37. In Table 2, please add the May 15 amphibian call surveys.
38. In Table 2, please note that spring bird migration surveys are normally conducted in April, not May while the first amphibian call survey normally occurs in the second half of April. Please justify why alternative dates were used to conduct these surveys.
39. In Table 2, please include wind, temperature, cloud cover, and precipitation data for all animal surveys, as well as the time of day surveys were undertaken.
40. In Section 2.2, the paragraph states “The drainage ditch along the west side of Wonderland Road South is located immediately off-property to the east, and was the only feature determined to be within the subject property or close vicinity”. Please confirm whether the drainage ditch is within or adjacent to the subject property.
41. Section 4.2 refers to patch #10075 and the East Lambeth Forest ESA. Please label these on a map for reference.
42. In Table 3, only four (4) Ecological Land Classification (ELC) communities are described, yet Map 2 lists eleven (11) ELC communities. Please provide a description of the other seven (7) communities.
43. Include watercress (*Nasturium officinale*) in Appendix III “Vascular Flora Species Reported from the Study Area”.

Lastly, the UTRCA will defer to the City of London to determine is the ESA boundary and the associated setbacks and buffers have been defined appropriately according to the City’s Guidelines.

Compensation Plan
Upon review of the drawing titled *Conceptual Layout and Vegetation Compensation Plan* prepared by Monteith Brown Planning Consultants, dated August 22, 2018, we offer the following:

44. The Vegetation Compensation component of this plan identifies “adding” an area of 2366 m² and “removing” an area of 2361 m² from the vegetative communities. It would appear that there is a discrepancy in the area being removed on the plan versus the area being removed that is contained in the Stormwater Management Report (Section 2.1.3), as it states 2230 m². Please clarify the correct additional/removal values.
45. The EIS remains consistent with the numbers provided on this drawing. Please update accordingly should the Stormwater Management Report be correct.
46. This drawing has laid out boundaries for the Significant Wetland (NSRI, May 2018), the Significant Woodland (NSRI August 2018), and the Environmentally Significant Area (NSRI, May 2018). Buffers have been lightly identified on this drawing. Please ensure the distances of these buffers are included.

RECOMMENDATION
As indicated, the subject lands are regulated by the UTRCA. Given the UTRCA’s outstanding concerns regarding the cumulative impacts of the proposed development on the natural hazard lands and the natural heritage system, as well as the noted deficiencies of the supporting technical reports, the Conservation Authority recommends that the applications be deferred.

EEPAC – December 19, 2018
Northern part of East Lambeth ESA.

**RECOMMENDATION:** Given this site and other sites adjacent to this ESA are owned by the proponent, this represents piecemeal planning. Good ecosystem planning should require a look at the entire ESA and define buffers ahead of all applications.

**POSITIVES**
– Recommendation for signage in public areas in addition to the standard homeowner’s booklet. This is supported by EEPAC.
– Agreement by proponent to retain the wooded link between the ESA and the other wetland/woodland on the site

**MAIN ISSUES**

**Hydrology and Storm Water Issues** – details to follow

width of encroachment into 30 m wetland buffer and 10 m woodland buffer by a number of properties (6 back yards and a multi-use pathway that is not only in the buffer but IS thru the ESA in violation of the principle “to not thru an ESA”).

Although it is interesting that there is an area of buffer compensation, it is the distance from the feature NOT the amount that is relevant. As area compensation ignores the critical function zone (see How Much Habitat Is Enough, Environment Canada, particularly 2.1.5 and)

https://www.ec.gc.ca/nature/default.asp?lang=En&n=E33B007C-1#_02_1_4

Protection Zones should protect the wetland attributes from stressors. Recommended widths should consider sensitivities of the wetland and the species that depend upon it, as well as local environmental conditions (e.g., slopes, soils and drainage), vegetative structure of the Protection Zone, and nature of the changes in adjacent land uses. Stressors need to be identified and mitigated through Protection Zone design.

**RECOMMENDATION:** As per How Much Habitat is Enough, Critical Function Zones should be established around the wetlands based on knowledge of species present and their use of habitat types.

Lots 91-92 have no woodland buffer and only 20 m wetland
Lots 65-66 have only 12.5 m wetland buffer by our measurement
From the medium density, the wetland buffer is as small as 8 m
Lots in the NW where the buffer is IN the backyard, there is only 12.5 m and part of that buffer appears to have a 3 m wide multiuse pathway that would be mowed at least 0.5 m on each side.

**RECOMMENDATION:** The minimum buffer from the wetland must be 30 m and 10 m from woodland features. This must be put in place for the entire patch which constitutes the East Lambeth Forest ESA (see attached pages from the SWAP Natural Heritage Study)

Unclear rationale (page 24) for excluding parts of the wetlands on the west side from the ESA. Given that they are not developable anyway, why are they excluded? It is noted that Frequency occurrence of MAM (Meadow Marsh) in London is only 5.6% and SWT is only 8% (Bergsma and DeYoung – 2006)
RECOMMENDATION: All wetlands must be included in the ESA and designated Green Space as per the London Plan.

The “sliver” of future development in the SE appears to be forced and fanciful. Why not make it part of the renaturalization plan?

There is no detail about the re-naturalization plan – when might it be produced and how would a City Ecologist be involved in its review?

Not clear why buckthorn on adjacent property means that no effort will be made to reduce buckthorn (page 39). Isn’t much of the adjacent property to the south owned by the same proponent?

There is mention of a re-naturalization plan for the buffer on page 36-37 with no details other than “dense plantings” mentioned on page 39. At a minimum, a condition of approval must be the preparation of a re-naturalization plan to the satisfaction of the City and UTRCA and that such plan be implemented as soon as possible, so that the plants have a chance to mature.

RECOMMENDATION:
- The EIS be considered incomplete until a specific re-naturalization plan including buckthorn management is included.
- Alternatively, a specific re-naturalization plan be a requirement of the subdivision agreement

RECOMMENDATION: The subdivision agreement include fencing with no gates where private property will abut the ESA or wetland features

CONSTRUCTION RECOMMENDATIONS
To minimize construction impacts, all forested and wetland areas must be fenced during construction the intent being to reduce the amount of waste from the site blowing into the natural areas.
EEPAC agrees that refueling and marshalling of equipment must be at least 30 m min from natural features.

PHRAGMITES RECOMMENDATION
Phragmites should be dealt with either by the proponent or the City depending on when Wonderland Road is widened. If widened first, the City project should deal with it. It is unclear at this time if the herbicide that would be most effective has been approved for use in a watercourse. If not, and a special permit is required, the City (or Upper Thames) should be responsible for its use with payment coming from the proponent.

POST CONSTRUCTION RECOMMENDATIONS
It must be made clear in the subdivision agreement when the monitoring period starts, which seasons monitoring will take place, who is responsible for monitoring, and how reports will be shared with the City. There should be a holdback to pay for any re-plantings that would only be released after the end of the monitoring period. The triggers for monitoring to start should be by the advancement of the subdivision.

The City should send each residence “Living with Natural Areas” 6 mons after the subdivision is 70% completion and again when the multi residential block is 70% occupied.

Hydro One Networks Inc. – December 2, 2018

Please be advised that Hydro One Networks Inc. (“HONI”) has completed a preliminary review of the proposed plan of the above noted subdivision application. As the subject land is abutting and/or encroaching onto a HONI high voltage transmission corridor (the “transmission corridor”), HONI does not approve of the proposed subdivision at this time, pending review and approval of the required information.
Please be advised that the transmission corridor lands affected by the proposed
development and identified as such herein are subject to a statutory right in favour of
HONI pursuant to Section 114.5(1) of The Electricity Act, 1998, as amended. The owner
of these lands is Her Majesty, The Queen In Right of Ontario, as represented by The
Minister of Infrastructure (“MOI”). Ontario Infrastructure & Lands Corporation (“OILC”) as agent for the Province, must review and approve all secondary land uses such as
roads that are proposed on these lands. HONI is currently acting as a service provider
to OILC, and undertakes this review on their behalf.

The comments detailed herein do not constitute an endorsement of any element of the
subdivision design or road layout, nor do they grant any permission to access, use, proceed with works on, or in any way alter the transmission corridor lands, without the
express written permission of HONI.

The following should be included as Conditions of Draft Approval:

1. Any proposed secondary land use on the transmission corridor is processed
through the Provincial Secondary Land Use Program (PSLUP). The developer
must contact Joan Zhao, Senior Real Estate Coordinator at 905-946-6230 to
discuss all aspects of the subdivision design, ensure all of HONI’s technical
requirements are met to its satisfaction, and acquire the applicable agreements.

2. Prior to HONI providing its final approval, the developer must make
arrangements satisfactory to HONI for lot grading and drainage. Digital PDF
copies of the lot grading and drainage plans (true scale), showing existing and
proposed final grades, must be submitted to HONI for review and approval. The
drawings must identify the transmission corridor, location of towers within the
corridor and any proposed uses within the transmission corridor. Drainage must
be controlled and directed away from the transmission corridor.

3. Any development in conjunction with the subdivision must not block vehicular
access to any HONI facilities located on the transmission corridor. During
construction, there must be no storage of materials or mounding of earth, snow
or other debris on the transmission corridor.

4. At the developer’s expense, temporary fencing must be placed along the
transmission corridor prior to construction, and permanent fencing must be
erected along the common property line after construction is completed.

5. The costs of any relocations or revisions to HONI facilities which are necessary
to accommodate this subdivision will be borne by the developer. The developer
will be responsible for restoration of any damage to the transmission corridor or
HONI facilities thereon resulting from construction of the subdivision.

6. This letter and the conditions contained therein should in no way be construed as
permission for or an endorsement of proposed location(s) for any road
crossing(s) contemplated for the proposed development. This permission may be
specifically granted by OILC under separate agreement(s). Proposals for any
secondary land use including road crossings on the transmission corridor are
processed through PSLUP. HONI, as OILC’s service provider, will review
detailed engineering plans for such proposals separately, in order to obtain final
approval.

Should approval for a road crossing be granted, the developer shall then make
arrangements satisfactory to OILC and HONI for the dedication and transfer of
the proposed road allowance directly to the London.

Access to, and road construction on the transmission corridor is not to occur until
the legal transfer(s) of lands or interests are completed.

In addition, HONI requires the following be conveyed to the developer as a precaution:

7. The transmission lines abutting the subject lands operate at either 500,000,
230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the
Occupational Health and Safety Act, require that no object be brought closer than
Our preliminary review only considers issues affecting HONI’s transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier

Through follow up discussions between the applicant and HONI it was determined that HONI would only require a finalized lot grading and drainage plan for review prior to the developer seeking clearances. Staff have included a condition of draft approval that requires the applicant to submit their final lot grading and drainage plan for review.

Parks Planning and Open Space Design - January 14, 2019

Parks and Open Space Section has reviewed the submission for the above noted plan of subdivision and offers the following comments:

NATURAL HERITAGE SYSTEM

Under separate memo

PARKS AND OPEN SPACE

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.

- It is the expectation of POSD that the required parkland dedication will be satisfied through the combination of land dedication and payment of cash-in-lieu of parkland.

- In accordance with the Bicycle Master Plan and the Southwest Area Plan, a multi-use pathway corridor is to be located along the east edge of the existing hydro corridor with an opportunity to utilize the hydro corridor lands for the pathway alignment. However, at this location, a wetland exists within the hydro corridor and a portion of the surrounding lands. Consistent with discussions at the IPR meeting, the applicant has relocated the multi-use pathway within the east buffer of the natural heritage feature. The submitted EIS is to address the opportunity for the pathway within the buffer and provide any necessary mitigation/compensation recommendations. Currently, the EIS is silent on this matter; revisions to the EIS will be required.

- While noting the multi-use pathway is conceptually shown on the proposed plan, the alignment of the pathway should be shifted to the west to provide for adequate separation between the pathway and the rear yards.

- At the IPR stage, staff expressed interest in the extension of Street A to the south to service these lands. However; based on the findings of the EIS and the recommendation of the City Ecologist, the proposed extension of Street A would compromise the integrity of the continuous ecological/wildlife corridor to be created along the south property line. Staff agree with the proposed pathway alignment in the southwest corner of the site.

- Given the shape and size of Blocks 107 and 109, they will not be considered as parkland dedication. Consideration should be given to include Block 112 as
parkland to complete the natural heritage feature.

- Block 106 is to be increased in width to a minimum 15 meters to be considered as parkland.

- The Official Plan requires neighbourhood parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-9 establishes and implements these rates as follows:
  - 2.1.3 Land - for park purposes - conveyance – Hazard, Open Space and Constrained Land
    The Corporation retains the right not to accept the conveyance of land that is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the Corporation’s use of the land. Where the Corporation does not request the Owner to convey table land, the Corporation may in lieu accept constrained land at the following ratios:
    1) Hazard land - 27 hectares of hazard land for every 1 hectare of table land;
    2) Open space or other constrained lands - 16 hectares of open space or constrained lands for every 1 hectare of table land.

- Block 53 will be considered as a portion of the parkland dedication based on the Council approved rate of 16:1 because of the significant woodlot.

- The table below summarizes the parkland information as per the submitted plan of subdivision. The medium and high density residential unit counts are based on the number of units proposed on the face of the plan. Revisions to the table below will be required based on resubmission of a revised draft plan.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area (ha)</th>
<th>Density (units)</th>
<th>Expected Dedication (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density</td>
<td>5.061</td>
<td>lots 1-104 (104)</td>
<td>1/300 0.347</td>
</tr>
<tr>
<td>Medium Density Residential (Block 105)</td>
<td>1.776</td>
<td>R6-5/R8-4 @ 75uph (133)</td>
<td>1/300 0.443</td>
</tr>
<tr>
<td><strong>Total Dedication required</strong></td>
<td></td>
<td></td>
<td><strong>0.79</strong></td>
</tr>
<tr>
<td><strong>Provided Parkland Dedication</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parks (redlined 106 and 108)</td>
<td></td>
<td></td>
<td>0.243</td>
</tr>
<tr>
<td>Open Space (1:16) (Blocks 107 and 109) (0.06 at a rate of 1:16)</td>
<td></td>
<td>.004</td>
<td></td>
</tr>
<tr>
<td>Open Space (1:27) (Blocks 110, 111, 121 and 122) (6.759 at a rate of 1:27)</td>
<td></td>
<td>0.250</td>
<td></td>
</tr>
<tr>
<td><strong>Parkland Provided</strong></td>
<td></td>
<td></td>
<td><strong>0.497</strong></td>
</tr>
<tr>
<td><strong>Outstanding Balance</strong></td>
<td></td>
<td></td>
<td><strong>0.293</strong></td>
</tr>
</tbody>
</table>

- As part of Focused Design Studies submission, the Owner’s Landscape Architect shall prepare and submit a conceptual plan for all park blocks and pathway alignments, to the satisfaction of the City.

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

- As part of Focused Design Studies, the Owner’s ecological consultant shall prepare and submit an implementation plan for all recommendations within the approved EIS prepared by NRSI (2018).

- As part of Focused Design Studies, the Owner’s qualified consultant shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks, and completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.

- In conjunction with the first submission of engineering drawings, the Owner’s qualified consultant shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for all Blocks. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of residential blocks, park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is sooner.

- The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City.

- The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.

- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to Development Services monthly during development activity along the edge of the woodlot.

Development Services (Ecology) – January 24, 2019

Development Services (DS) has reviewed the EIS for the proposed subdivision located at 6019 Hamlyn Street completed by Natural Resource Solutions Inc. Overall, DS find the report to be well written and comprehensive, however, there are several outstanding issues that need to be addressed so that the Report can be finalized and accepted by DS. The following comments must be addressed in order to be compliant with the City’s Environmental Management Guidelines (EMG), London Plan policies, and the Provincial Policy Statement (PPS 2014). Detailed comments on the EIS are presented below. Please provide responses to show how comments have been addressed in either table or memo format.

**Detailed Comments on the EIS**

1. **Section 2.0 Relevant Policies, Legislation and Planning Studies** – In this section under Table 1, please update the London Plan section to indicate that a number of the policies are now in force and effect as a result of the board resolution. What
policies are in force can be found in the London Plan document on the City website (dated August 2018). **Action: Update section accordingly.**

2. **Section 3.0 Field Methods** – Table 2 does not identify the date of the second amphibian calling survey. **Action: Update this section accordingly.**

3. **Section 4.4.1 Birds** – Based on the information provided in the report, the Forest and Swamp habitat should be identified as SWH for Eastern Wood-pewee. This meets the criteria identified in the SWH Criteria for Ecoregion 7E. **Action: Update sections and figures accordingly.**

4. **Section 5.3 Environmentally Significant Areas** – NRSI should have applied the boundary delineation criteria located in the same section (Section 3.0) of the EMG to identify if the potential ESA areas would be included as part of the overall ESA patch already recognized on Map 5 as ESA or would be identified as a significant feature on their own (i.e. just a Significant Woodland) based on the boundary delineation criteria. **Action: Review section, apply criteria and update Figures accordingly where needed.**

5. **Section 6.0 Recommended Buffers** – This section requires the EMG buffer calculation to be shown and discussed. There are a number of sensitive components to this feature that have not been fully addressed as part of buffer requirements and how these buffers will protect key species and overall ecosystem health with the significant change in land use. **Action: Review and update section accordingly.**

6. **Section 7.4 Evaluation of the Potential Effects, Mitigation, and Net Effects** – Please note that the cumulative impacts of the final (combined entry) for items under the Land Use Management Impacts could be high. The mitigation measures used can reduce these cumulative impacts, but not remove them and the net impact could in fact be med-high. This should be reflected in this table, or in text associated with this section. Further mitigation measures listed should include use of a pathway system adjacent to the rear lots (limits encroachment and dumping of yard waste), enhanced restoration plan for all buffer areas, rear yard fencing not to include any gates. **Action: Review and revise section accordingly.**

7. **Section 8.0 Restoration and Enhancement** – The seeding mix is to be consistent with the City of London approved ‘Construction Specification for Seeding and Cover’ document (DS will send to NRSI as a separate attachment). **Action: Update this Section accordingly.**

8. **Section 8.2 Monitoring** – Vegetation monitoring is to be carried out for a minimum of 3 years. The monitoring program is to include the requirement to conduct standard breeding bird surveys for at least two years post construction. Clearly identify the overall program goals and that a monitoring plan will be required, this will detail the reporting requirements associated with the various monitoring activities. **Action: Update this section accordingly.**

9. **Section 9.1 Summary of Recommendations** – This section requires revisions. Not enough detail is found within this section for recommendations that need to be carried forward through the planning process (design/engineering drawings etc.). Further consideration also needs to be provided for the protection measures that must be carried forward – i.e. Robust and heavy duty silt fencing is needed to protect sensitive wetland features), no grading or works other than restoration is to occur in the identified buffer areas etc. This section must also include a recommendation that the Official Plan & London Plan mapping be updated to identify Natural Heritage features (i.e. ESA, Significant Woodlands, PSW) **Action: Thoroughly review and update this section accordingly with additional details and requirements that must be followed as the project moves forward to ensure the feature and its functions are protected during construction and post construction.**
Urban Design – January 23, 2020

I have reviewed the Urban Design Brief and submitted Subdivision Plans for the above noted address and provide the following comments:

- A condition is requested for lots 1, 14, 48, 49, and 83 to ensure that the Hamlyn Street facing elevations are designed as the front of the future homes with front doors, porches and windows facing Hamlyn Road and that fencing along the north property line is limited to a maximum of 50% of the length of the lot.

- A condition is requested that all corner lots (29, 33, 64, 68, 87, 88, and 104) and lots sharing a property line with a park or pathway block (13, 84, 99, and 100) will require the same level of detail and articulation of the side façade facing the public space, as the front façade. Fencing along these shared property lines is limited to a maximum of 50%.

- A condition is requested that all residential garages shall not project beyond the façade of the dwelling or the façade (front face) of any porch, consistent with 20.5.3.9 iii) e).

- The zoning for block 105 should include reduced and maximum setback along both the Wonderland Road and Hamlyn Street frontages in order to ensure the units are oriented to the street and rear amenity areas are internal to the block. It is recommended that a maximum set back on 3m be implemented for the front and exterior side yard regulations.

- A holding provision is requested for block 105 to ensure street orientation and the implementation of the SWASP design policies.

Agency/Departmental Comments – Circulation #2 – September 28, 2020

Hydro One Networks Inc – September 28, 2020

Please be advised that Hydro One Networks Inc. (“HONI”) has completed a preliminary review of the proposed plan of the above noted subdivision application. As the subject land is abutting and/or encroaching onto a HONI high voltage transmission corridor (the “transmission corridor”), HONI does not approve of the proposed subdivision at this time, pending review and approval of the required information.

Please be advised that the transmission corridor lands affected by the proposed development and identified as such herein are subject to a statutory right in favour of HONI pursuant to Section 114.5(1) of The Electricity Act, 1998, as amended. The owner of these lands is Her Majesty, The Queen In Right of Ontario, as represented by The Minister of Infrastructure (“MOI”). Ontario Infrastructure & Lands Corporation (“OILC”) as agent for the Province, must review and approve all secondary land uses such as roads that are proposed on these lands. HONI is currently acting as a service provider to OILC, and undertakes this review on their behalf.

The comments detailed herein do not constitute an endorsement of any element of the subdivision design or road layout, nor do they grant permission to access, use, proceed with works on, or in any way alter the transmission corridor lands, without the express written permission of HONI.

Should the developer require any use of and/or access to the transmission corridor at any time, the developer must contact Lana Kegel at in order to ensure all of HONI’s technical requirements are met to its satisfaction, and acquire any applicable agreements.
The following should be included as **Conditions of Draft Approval**:

1. Prior to HONI providing its final approval, the developer must make arrangements satisfactory to HONI for lot grading and drainage. Digital PDF copies of the lot grading and drainage plans (true scale), showing existing and proposed final grades, must be submitted to HONI for review and approval. The drawings must identify the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.

2. Any development in conjunction with the subdivision must not block vehicular access to any HONI facilities located on the transmission corridor. During construction, there must be no storage of materials or mounding of earth, snow or other debris on the transmission corridor.

3. At the developer’s expense, temporary fencing must be placed along the transmission corridor prior to construction, and permanent fencing must be erected along the common property line after construction is completed.

4. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the developer. The developer will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the subdivision.

5. This letter and the conditions contained therein should in no way be construed as permission for or an endorsement of proposed location(s) for any road crossing(s) contemplated for the proposed development. This permission may be specifically granted by OILC under separate agreement(s). Proposals for any secondary land use including road crossings on the transmission corridor are processed through the Provincial Secondary Land Use Program (PSLUP). HONI, as OILC's service provider, will review detailed engineering plans for such proposals separately, in order to obtain final approval.

   Should approval for a road crossing be granted, the developer shall then make arrangements satisfactory to OILC and HONI for the dedication and transfer of the proposed road allowance directly to the City of London.

   Access to, and road construction on the transmission corridor is not to occur until the legal transfer(s) of lands or interests are completed.

   In addition, HONI requires the following be conveyed to the developer as a precaution:

   6. The transmission lines abutting the subject lands operate at either 500,000, 230,000 or 115,000 volts. Section 188 of Regulation 213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 metres (15 feet), and for 115 kV conductors it is 3 metres (10 feet). It is the developer’s responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

   Our preliminary review only considers issues affecting HONI’s transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

   **As previously noted, through follow up discussions between the applicant and HONI it was determined that HONI would only require a finalized lot grading and drainage plan for review prior to the developer seeking clearances. Staff have included a condition of draft approval that requires the applicant to submit their final lot grading and drainage plan for review.**

London Hydro – September 28, 2020
Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the 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.

Development Services (Engineering) – October 30, 2020

In response to the revised draft plan for 6019 Hamlyn Street, the Stormwater Engineering Division (SWED) has reviewed the Stormwater Management Report for 6019 Hamlyn Street – Draft Plan of Subdivision – London, prepared by AECOM and dated July 2020 as well as the Hydrogeological report prepared by MTE Consultants, and titled Hydrogeological Investigation Report, 6019 Hamlyn Street, London, On. July 26, 2018, Revised February 21, 2019 and July 30, 2020. Based on our review of the stormwater management report, there are details of the stormwater management strategy which SWED would like to be confirmed prior to draft plan acceptance. The SWM details to be confirmed may impact the draft plan layout.

The “SWM approach” comments below note the issues identified in the SWM report are required prior to providing draft plan conditions and are to be considered in advance of the design studies stage in order to ensure adequacy of the proposed SWM strategy within the proposed draft plan.

To the SWM approach:
1. The quantity and quality controls targets for this subdivision are to be in accordance with the Dingman Creek Subwatershed Stormwater Servicing Study Environmental Assessment (October 2020) and available at https://getinvolved.london.ca/dingmancreek. This includes a total suspended solids removal target of 80% and infiltration of the 25 mm storm event following the hierarchy of stormwater controls.
2. As indicated to the City by AECOM staff, it is not preferred for bioretention cells to have standing water depths of more than 150 mm as the weight of the standing water may compact the filter media and reduce infiltration potential. Section 6.4.1 notes a bioretention depth of 300 mm.
3. Design storms should be selected as outlined in Chapter 6 of the City’s design standards. The 25 mm quality event should only be used as a 4 hour event. The Consultant is to clarify the statement “The 25mm and 250-year storms are 24-hour,...” in table 4 section 5.2 and elsewhere within the report.

Additionally, the following comments to the SWM and Hydrogeological Reports were noted during the review, are included below in an effort to streamline future reviews and should be considered as part of future report revisions. The SWM and Hydrogeological Reports could be revised at the same time and submitted to the City with the comments for the SWM approach or they could be addressed in draft plan conditions to provide an update to the reports.

Additional Comments to the SWM Report:
1. The proposed conveyance system from the dry pond to the ultimate outlet described in Section 6.1 is to be detailed in the SWM report to demonstrate positive conveyance to the ultimate outlet under interim and ultimate scenarios. The consultant is to ensure coordination with the “Wonderland Rd S from Highway 402 to Exeter Rd” Transportation Infrastructure Replacement project schedule for 2026 as per the City's GMIS.
2. Further to the point above, the report is to include a culvert assessment and hydraulics of the existing culvert under Wonderland Road South to confirm adequacy to convey the anticipated ultimate flows.
3. Figure 5 indicates catchment area 105 extends beyond the west property limit of the subdivision (capturing lands within and west of the HONI lands) and therefore this catchment area should be revised to include only the portion of the subdivision discharging to the Tributary D.

4. Figure C-1 indicates a floodplain catchment draining toward the subdivision. Will a portion of this external catchment area accommodated by the subdivision? As per section 6.10 a 700mm culvert under street “A” will be required to convey the flows but it is not indicated as to how flows from the north will reach the south ditch.

5. The proposed flood storage features shown in the Natural Recourses Solutions Inc. - Figure 2 are located outside of the limits of the subdivision and within the 30m buffer. This may create accessibility issues for construction and maintenance operations and should be considered in following report submissions.

6. The report is to discuss any possible subdivision development in phases and incorporate interim/ultimate SWM strategy (e.g. wetlands recharge and water balance, etc.) to the satisfaction of City and UTRCA.

7. Proposed Development Plan and Buffers in Natural Resources Solutions Inc. - Figure 2 does not match AECOM Figure 6. Figure 6 shows different locations and configurations for LIDs and storage tank and does not indicate the flood storage A, B and C shown in Figure 2.

8. The medium density residential condo blocks will require PPS for water quantity and quality and will likely be discharging to the storm sewer fronting Street C which in turn will be provided with OGS to treat ROW runoff. How will treated flows from the medium density block bypass the downstream OGS in the ROW? Discharging treated flows from the block will increase unnecessarily the size of the ROW OGS. Future PPS SWM targets for condo block are to be stated in the SWM Report. Pre-treatment to bioretention cells that receive runoff from a roadway should be hard infrastructure such as a sump to facilitate maintenance.

9. The continuous simulation water balance approach should utilize the most recent data available. In 2019 Environment Canada release data up to 2016 and it would be preferred for the most recent data be used in the water balance analysis.

10. The continuous simulation water balance approach should utilize the most recent data available. In 2019 Environment Canada release data up to 2016 and it would be preferred for the most recent data be used in the water balance analysis.

11. The continuous simulation water balance approach should utilize the most recent data available. In 2019 Environment Canada release data up to 2016 and it would be preferred for the most recent data be used in the water balance analysis.

12. The continuous simulation water balance approach should utilize the most recent data available. In 2019 Environment Canada release data up to 2016 and it would be preferred for the most recent data be used in the water balance analysis.

13. The City has drafted an amended soil guideline. Prior to finalizing this standard, the City would like the standard to be implemented to gain feedback prior to finalization. Consideration for utilizing amended soils to this site may provide benefit to the site and the proposed development.

14. Report to update the STEP design guide in all references within the report (e.g. STEP-2018 instead of CVC-2010).

Comments to the Hydrogeological Report:
Please note, that the City is not aware of any previous discussions occurring between City Staff and the applicant to scope the hydrogeological assessment report. Based on the review, the following comments are related to the Hydrogeological Assessment:

1. As noted above, City staff are not aware of any previous discussions occurring between City Staff and the applicant to properly scope the hydrogeological assessment report. The report does indicate that pre-consultation occurred with the Upper Thames River Conservation Authority.
(UTRCA), however the City of London is also required to be involved in scoping and consultation meetings. Further, the report indicates that the scope of work was implemented in general accordance with the Hydrogeological Assessment Submissions, Conservation Authority Guidelines for Development Applications (June 2013). Please note that the hydrogeological assessment also needs to conform to the most recent City of London Design Specifications & Requirements Manual. Please refer to Section 6 of the City’s Manual, and Table 4 found in Section 6 (“Hydrogeological Assessment Checklist”). Note that this document should also be referenced, as appropriate, in future report submissions submitted to the City of London for review.

2. As noted in the report, AECOM completed a stormwater management report for the Site which assessed the water balance impacts of the proposed development. Please clarify if the water balance completed was feature-based, to ensure that the water balance objective to the nearby natural heritage features will be maintain in the post-development condition. If a standard Site-based water balance was completed, a water balance for protection of natural features should be considered, as outlined in Appendix D in the Toronto and Region Conservation Authority (TRCA) Stormwater Management Criteria (August 2012). Note that a water balance for the protection of natural features must be computed in monthly time steps, at minimum and should be consistent with the SWM report. The report indicates that Natural Resource Solutions Inc. (NRSI) mapped two wetland complexes and that the details for these wetlands can be found in the NSRI report entitled 6019 Harlmy Street, London, Environmental Impact Study (2018, amended 2020). Please include any relevant details from any completed ecological work into the hydrogeological assessment report including any observed groundwater seepage areas, groundwater indicator species, etc. It should be anticipated that if the SWM design is to support these existing features, a monitoring program will be required during construction and buildout to monitor and mitigate impacts and to the system.

3. The report indicates “Manually measured groundwater levels were collected from all on-Site monitoring wells on 11 occasions between November 23 and July 13, 2020. Manually measured groundwater levels were collected from the on-Site mini-piezometers on eight occasions from December 8, 2017 to July 13, 2020”. It is assumed that manual water levels were collected on 11 occasions between November 23, 2017 and July 13, 2020. Please clarify this statement.

4. As noted in the report, Groundwater elevations, as collected by the data loggers and manual measurements, are illustrated on Hydrograph 1 through Hydrograph 7. Manual measurements are shown on the legend of each hydrograph, but are not visible on the hydrograph plots. Please show manual measurement (or increase font size) to allow for manual measurement and datlogger correlations.

5. The report indicates (Section 3.5) that “based on Figure 8b, there does not appear to be any mixing between shallow and deeper groundwater”. Given the chemical similarities between each sample shown on the Piper diagram, please expand/clarify this statement and how this conclusion is being reached.

6. As noted in the report, groundwater contour maps were constructed using the maximum or minimum observed groundwater elevation observed at each monitoring well as recorded by the data logger. Typically, groundwater contours would be constructed using manual measurements at the time of gauging the water levels during one monitoring event. What is the time difference between each datlogger measurement used to construct the groundwater contours? Were water levels at one fixed time chosen for each monitoring well, or were the maximum/minimum water levels recorded in each well chosen over an acceptable pre-determined period of time?
7. As noted in the report, the Site does not lie within any Well Head Protection Area (WHPA) or Intake Protection Zone (IPZ). Consideration should be given if the Site falls within a Highly Vulnerable Aquifers (HVA) and/or Significant Groundwater Recharge Area (SGRA), as defined in the Thames - Sydenham & Region Source Water Protection Plan.

8. LID are discussed in the report, and groundwater mounding calculations are presented in Section 4.0 for the proposed bioretention cell. Please also include a discussion related to the operation of the bioretention cell with respect to natural groundwater table fluctuations.

9. As noted in Section 4.0, “below ground infiltration” is also a proposed LID measure being considered for the Site, however there are no details, drawings, or information related to what type of below ground infiltration measures are proposed. Please provide details regarding these measures, type of LID, locations, cross-sections, depth in relation to seasonal groundwater table fluctuations, and infiltration testing along each system. Please also include mounding calculations for these systems.

10. As noted in Section 4.0 mounding calculations were based on infiltration rates calculated by AECOM as presented in the SWM report (June, 2020). How do the infiltration rates calculated by AECOM correlate to those calculated and presented in the hydrogeological assessment report? Please provide a rationale for using infiltration rates calculated by AECOM, as opposed to using values collected and obtained along the bioretention cell alignment, as presented in the hydrogeological assessment.

11. Please include a section discussing the potential interaction between basement foundation elevations within the development and seasonal groundwater fluctuations. Please also provide a recommendation for final basement elevations within the development, to reduce the potential for frequent seasonal sump pump operation/flooding concerns.

12. As noted in the conclusions of the report, there is currently no discussion regarding the potential dewatering requirements during construction of the proposed development. Please include this assessment as part of a future submission, and ensure it includes estimates of anticipated dewatering rates, radius of influence, proposed discharge locations, potential impacts on nearby receivers and/or groundwater users, sediment and erosion control measures, etc. Please note, that if City of London infrastructure is proposed as a final dewatering discharge location, approval from City Staff will be required and additional sampling activities may be necessary to support final discharge.

13. As noted in the conclusions of the report, a door-to-door well survey is recommended to verify locations of private wells in the Study Area and to assess the potential for impacts to water supply both in the long term and during construction activities. Please provide the results of this assessment once completed.

The Owner shall submit the required information to address the “SWM Approach” comments for review and acceptance by the City. Once these comments have been addressed and accepted by SWED, we may proceed to providing draft plan conditions.

Should you have any concerns and/or questions, please feel free to contact this office or the SWED Division.

Through follow up discussions/submissions Staff are satisfied with the proposed Stormwater and Hydrogeological submissions. Any additional concerns/requirements are addressed through conditions of draft approval.

Upper Thames River Conservation Authority – November 3, 2020
Sifton Properties Limited has submitted revised applications for a Draft Plan of Subdivision and a Zoning By-law Amendment for the lands located at 6019 Hamlyn
Street, London. The proposal now includes 93 single detached dwellings, two (2) multi-family medium density blocks, two (2) park blocks, three (3) open spaces blocks, and one (1) stormwater management facility. Included in this submission package were the following:

- Revised Zoning Map, dated August 4, 2020;
- Revised Draft Plan, dated July 6, 2020;
- Response to UTRCA Comments, dated July 2020;
- Environmental Impact Study (EIS) Addendum, dated July 29, 2020 prepared by NRSI;
- Revised Hydrogeological Investigation, dated July 30, 2030 prepared by MTE;
- Revised Stormwater Management Report, dated July 2020 prepared by AECOM; and,
- Floodplain Balanced Cut and Fill Analysis, dated July 9, 2020 prepared by AECOM.

The UTRCA offers the following comments, broken down into categories based on report. The numbering format has been re-initiated, with reference made to the previous comments where relevant:

**Environmental Impact Study**

Overall, the UTRA’s comments from November 30, 2018 and April 17, 2019 have been adequately addressed in the Comment Response Table (items #25 to 45) and the Revised Report. The following comments seek clarification:

1. Please ensure discussion included in the comment responses is included in the final version of the EIS, i.e. discussion on loss of buffers under comment #29.
2. Through the completion of the Balanced Cut and Fill Analysis, AECOM has proposed grading works within the buffer zone. Please ensure this information is portrayed on a figure within the final EIS (i.e. Map 3 and 6) and discussion is included in relation to these works and mitigation efforts through construction. Consideration must be given to:
   a. No grading works within the dripline of the features;
   b. No grading works within the Butternut buffer zone;
   c. No grading works within the 10 metre buffer from FOD9.
   d. Consideration for additional planting/restoration between the trail and the grading areas.

**Hydrogeological Assessment**

The UTRCA compliments the amount of quality work put into the hydrogeological assessment thus far, and overall the UTRCA’s comments from November 30, 2018 and April 17, 2019 have been adequately addressed in the Comment Response Table (items #10 to 24) and Revised Report. The following comments seek clarification.

Some key interpretation needs to be expanded upon to draw conclusions that result in the development concept and stormwater management design. A review of sections of the Stormwater Management Report was also undertaken to make connections between the features and functions of the site. Please provide an addendum document that addresses the following, a full revised report will not be required:

3. Please provide a nutrient management information package to homeowners that includes information such as salt management, de-icing and nutrient application.
4. Please ensure any existing on-site septic systems are properly decommissioned.
5. Further discussion is required to address a feature based discussion on water quality (including temperature).
6. As noted previously, the hydroperiod forms an important part of establishing a feature-based assessment. The information provided within this report and in the Water Balance are insufficient to both establish a hydroperiod and ensure proper maintenance of a balance post development. The Water Balance and hydroperiod need to be established on an annual basis, with data from all 12
The current analysis only includes select months, April to October. Winter and spring recharge are important contributors to wetlands and need to be maintained. Please revise the Water Balance to appropriately consider this information and ensure no negative impacts as a result of the proposed development. Toronto Region CA and Credit Valley CA offer thorough guidelines and graphic representations of appropriate data in this regard.

Stormwater Management Report and Water Balance

7. Section 1 of the report states that stormwater management (SWM) for the medium density blocks will be completed separately. Consideration is currently required to analyze how these areas may impact the water balance of the site and base flow requirements.

8. Please provide further justification for the operations of the proposed SWM techniques in the presence of a shallow groundwater table. The bottom of the SWM facility is at an elevation of 257 masl, only 0.7 masl above the high groundwater table. Is this spacing sufficient to allow infiltration that will not impact the groundwater?

9. It is noted that water quality is an important consideration to avoid contamination given the shallow groundwater table. The report provides high level comments on water quality, such as “provided through a variety of physical, biological and chemical processes” and, “managed using conventional water quality and quantity controls”. Please provide more site specific details on water quality controls.

10. Are the subject lands impacted by runoff from any external lands? If so, please include discussion on how these flows will be routed through the site.

11. Catchment 102 is not identified on Figure 5, however there are two Catchment 103. Please revise accordingly.

12. Check dams are proposed within the bio swales. Please ensure these include bio media and filter check dams that can withstand high flow velocities. Please submit a drawing identifying the location and sizing of the check dams, supported by calculations.

13. OGS in the north shall be designed to provide minimum level 1 enhanced water quality protections.

14. Section 6.4.1 states that the size of the bioretention cell was driven by the requirement to capture runoff from the 24 hour, 25 mm storm event. Provide justification why water quality volume was not considered. Has consideration been given to the design based on rainfall contribution and the area contributing to the cell?

15. The Water Balance does not consider infiltration during winter months, but notes that some infiltration occurs in the winter. Please explain.

16. The Water Balance only considers rainfall data from April to October. Annual total rainfall, from January to December is required to complete this analysis. The volumetric difference in this data is almost double, 574 mm from April to October and 1025 mm from January to December. Please update Table 12 accordingly.

17. The Water Balance combines infiltration and evapotranspiration in the analysis. The analysis will need to consider rainfall, runoff, infiltration and evapotranspiration values separately, based on the catchment areas to ensure no negative impacts to the natural features. The catchment based assessment will establish targets for runoff and infiltration under existing conditions which should be matched under proposed conditions; see hydrologic assessment submission methods by Conservation Authorities, June 2013, and values from Table 4.1 in MECP SWM manual.

18. Section 6.9 notes a 2.7% net reduction in infiltration and evapotranspiration based on impervious surface proposed, such as roadways. This loss is based on average rainfall from April to October. An annual calculation is needed to determine actual deficit in infiltration, and any mitigation requirements as a result.

19. Section 9 speaks to winter sanding and salt operations, with coordination between City of London and UTRCA. The UTRCA does not have the resources
to monitor a salt management plan, however can undertake a review if the City would like assistance.

20. Please provide LID operations and maintenance information package to homeowners and condo blocks.

Floodplain Balanced Cut and Fill Analysis

A balanced cut and fill analysis was requested to address the limited areas of encroachment into the floodplain along the western edge of the property. UTRCA staff held a meeting with AECOM, NRSI and the applicant on October 21, 2020 to review comments on the cut and fill analysis. The information provided in this report detailed preliminary volumes on grading, however important information was missing in terms of appropriately balancing the cut and fill works. The UTRCA expressed some concerns over the “features” proposed and has requested revisions. It is our understanding that AECOM is currently undertaking this work and a re-submission will be provided in the future.

SUMMARY & RECOMMENDATION

Overall, the work completed to date has established strong support for the proposed development. The key components that remain outstanding to move forward are:

- EIS: confirming grading works from cut and fill analysis;
- Hydrogeological Assessment: providing more information relating to a feature based approach, and ensuring water quality and quantity are maintained;
- Stormwater Management: finalize details such as catchment areas and water quality;
- Water Balance: re-do analysis to consider annual rainfall, runoff, infiltration, and evapotranspiration, instead of April to October. Include connections to natural features and hydrogeological assessment; and,
- Balanced Cut and Fill: revise areas proposed for grading works and ensure floodplain storage is maintained, not the creation of SWM features.

Please provide a finalized second submission of the revised reports that addresses this information, along with a response letter that confirms where this information can be found within the revised reports/addendums. If further discussion is required to ensure these comments are captured in the revised reports/addendums, UTRCA staff are willing to discuss expectations on a call/meeting.

Upon receipt of this information, the UTRCA is likely in a position to move forward through draft conditions.

The UTRCA has no objections to the proposed Zoning By-law Amendment as described on the zoning map and notice of application.

Through follow up discussions/submissions UTRCA are supportive of the proposed draft plan of subdivision. Any additional concerns will be address through conditions of draft approval.

Parks Planning and Design – November 11, 2020

Parks and Open Space Section has reviewed the second submission for the above noted plan of subdivision and offers the following comments:

- Required parkland dedication shall be calculated pursuant to section 51 of the Planning Act at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of PP&D that the required parkland dedication will be satisfied through the combination of land dedication and payment of cash-in-lieu of parkland.
- In accordance with the Bicycle Master Plan and the Southwest Area Plan, a multi-use pathway corridor is to be located along the east edge of the existing hydro corridor with an opportunity to utilize the hydro corridor lands for the
pathway alignment. However, at this location, a wetland exists within the hydro corridor and a portion of the surrounding lands. After discussions with staff, the applicant has relocated the multi-use pathway within the east buffer of the natural heritage feature. The submitted EIS is to address the opportunity for the pathway within the buffer and provide any necessary mitigation/compensation recommendations.

- While noting the multi-use pathway is conceptually shown on the proposed plan, the alignment of the pathway is to be shifted to the west to provide for adequate separation between the pathway and the rear yards.
- At the IPR stage, staff expressed interest in the extension of Street A to the south to service these lands. However, based on the findings of the EIS and the recommendation of the City Ecologist, the proposed extension of Street A would compromise the integrity of the continuous ecological/wildlife corridor to be created along the south property line. Staff agree with the proposed pathway alignment in the southwest corner of the site.
- Staff are satisfied with the reconfiguration of Blocks 97 and 98 as Park Blocks. However, Block 96 appears to function as a servicing corridor and will not be considered as parkland.
- The submitted plan is to rename the multi-use trail to Multi-use Pathway. The Official Plan requires neighbourhood parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-9 establishes and implements these rates as follows:

  1. Hazard land - 27 hectares of hazard land for every 1 hectare of table land;
  2. Open space or other constrained lands - 16 hectares of open space or constrained lands for every 1 hectare of table land.

- The table below summarizes the parkland information as per the submitted plan of subdivision. The medium and high density residential unit counts are based on the number of units proposed on the face of the plan. Revisions to the table below will be required based on resubmission of a revised draft plan.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Area (ha)</th>
<th>Density (units)</th>
<th>Expected Dedication (ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density</td>
<td>4.480</td>
<td>lots 1-93 (93)</td>
<td>1/300 0.31</td>
</tr>
<tr>
<td>Medium Density Residential (Block 105)</td>
<td>2.079</td>
<td>R6-5/R8-4 @ 75uph (157)</td>
<td>1/300 0.523</td>
</tr>
<tr>
<td>Total Dedication required</td>
<td></td>
<td></td>
<td>0.833</td>
</tr>
<tr>
<td>Provided Parkland Dedication</td>
<td></td>
<td></td>
<td>0.457</td>
</tr>
<tr>
<td>Parks (redlined 97 and 98)</td>
<td></td>
<td></td>
<td>0.251</td>
</tr>
<tr>
<td>Open Space (1:27) (Blocks 100, 101 and 110) (6.776 at a rate of 1:27)</td>
<td></td>
<td>0.708</td>
<td></td>
</tr>
<tr>
<td>Parkland Provided</td>
<td></td>
<td></td>
<td>0.125</td>
</tr>
</tbody>
</table>

- As part of Focused Design Studies submission, the Owner’s Landscape Architect shall prepare and submit a conceptual plan for all park blocks and pathway
alignments, to the satisfaction of the City.

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

- As part of Focused Design Studies, the Owner’s ecological consultant shall prepare and submit an implementation plan for all recommendations within the approved EIS prepared by NRSI (2018).

- As part of Focused Design Studies, the Owner’s qualified consultant shall prepare and submit a tree preservation report and plan for lands within the proposed draft plan of subdivision. The tree preservation report and plan shall be focused on the preservation of quality specimen trees within lots and blocks, and completed in accordance with current approved City of London guidelines for the preparation of tree preservation reports and tree preservation plans, to the satisfaction of the City Planner. Tree preservation shall be established first and grading/servicing design shall be developed to accommodate maximum tree preservation as per the Council approved Tree Preservation Guidelines.

- In conjunction with the first submission of engineering drawings, the Owner’s qualified consultant shall undertake, by a Registered Professional Forester, a Hazard Tree Assessment Study for all Blocks. The study will undertake a tree risk assessment to identify hazard trees or hazardous parts of any trees within falling distance of residential blocks, park lot lines (this being the hazard tree management zone) and trails (as approved by the city), this also taking into account wind-firmness of adjacent trees affected by any recommended hazard tree removals, and ensure that those hazard trees, or parts thereof, are abated or removed in a timely manner by competent, certified arborists prior to any other persons (workers) entering the hazard tree management zone, or within one year of registration, whichever is sooner.

- The Owner shall prepare and deliver to all homeowners an education package which explains the stewardship of natural area, the value of existing tree cover and the protection and utilization of the grading and drainage pattern on these lots. The educational package shall be prepared to the satisfaction of the City.

- The Owner shall not grade into any open space areas. Where lots or blocks abut an open space area, all grading of the developing lots or blocks at the interface with the open space areas are to match grades to maintain exiting slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.

- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed and certified with site inspection reports submitted to Development Services monthly during development activity along the edge of the woodlot.

**Development Services (Archeological) – November 13, 2020**

This e-mail is in response to a REVISED Notice of Planning Application for the above file/property that was circulated on September 28, 2020. Please be advised that the property at 6019 Hamlyn Street has been identified as having archaeological potential, and a Stage 1-2 Archaeological Assessment was completed in July 2018.

Conclusions of the report found that (4) sites require Stage 3 assessment.

> “...further Stage 3 site-specific archaeological assessment is recommended for the Grant site (AfHh-70), Location 2 (AfHh-923), Location 5 (AfHh-924) and Location 6 (AfHh-925).” (p i) [see attached mapping; this is confidential]


Further, the status of the Stage 3 archaeological assessments is currently unknown. If archaeological assessments have already been completed and received compliance letters from the Ministry, the compliance letters along with the assessment reports should be submitted for review to ensure they meet municipal requirements.

**Via Email - January 19, 2021**

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Based on what was attached, a **Stage 4 Archaeological Assessment is required at location #6**. [See attached maps; arrow notes location 6].

- *The Stage 4 mitigation of the 19th century component of Location 6 (AfHh-925).* (MHSTCI compliance letter, Jun 17, 2020)

**Via Email – February 11, 2021**

- An **Archaeological Assessment Stage 4 is required** for **Location 1 and Location 6**: mitigation of these sites during Stage 4 is through excavation.
- The applicant should consult with their archaeologist regarding **Location 2** and whether archaeological standards are being met without a Stage 3 Archaeological Assessment being completed. I understand that this area will not be disturbed by development, and is part of an open space/wetland, but I am unsure if this needs to be cleared as per recommendation in the archaeological assessment of the full property (Stage 1-2) that was complete.
- We will have to make sure that appropriate measures are implemented to protect **Location 5** because the site/artifacts are to remain in situ. A **Stage 4 mitigation of development impacts is required**. These mitigation measures should be applied in consult with the applicant’s archaeologist. The archaeologist should be consulted regarding any report that is required for Stage 4 that would document the mitigation measures and oversite (by archaeologist).

For our files/records, we still require the following Ministry compliance letters for the Stage 3 Archaeological Assessments:

- **Location 1-Grant Site (AfHh-70) – P438-0179-2019**
- **Location 5-(AfHh-924) – P438-0178-2019**

*The applicant is aware of the outstanding archeological matters on site and as a condition of draft approval will be required to submit all outstanding Archaeological Assessments prior to any work being undertaken.*

**Development Services (Ecology) – November 15, 2020**

I have reviewed the EIS and the addendum submitted with this application, I also reviewed the SWM plan for the site as they made a key change to the LID feature locations. While there are still some disagreements on how they responded to DS comments, overall I am satisfied with the outcome and commitments they indicated. The updated figures based on the comments also has been provided and are acceptable. I only have one new comment based on the proposal to move the LID features out of the backyards and into the buffer:

1) **DS has concerns with the proposed LID features located within the buffer. While on the surface this seems like an acceptable area and we are looking to incorporate these features in the future into the buffer as they are more easily accessed and supported than on private lands, however the SWM report and NRSI indicate that these will be maintained features (manicured) with mowing. This is not acceptable. These features are to be naturalized and maintained as such as they are located within the buffer. If putting these LID features in the buffer means that now a sizeable portion of the buffer must be manicured, this defeats one of the primary requirements of the buffer being naturalized. This effect is also cumulative if you are manicuring the LID feature, plus the pathway block can equal a sizeable portion of the buffer (as seen on Map 6 of the Addendum, PDF page # 20). If a requirement of these LID features is that they must be manicured which would prevent native seeding and planting to occur in these areas then we really need to consider red lining the draft plan to remove lots in the areas adjacent to the proposed LID locations (Map 6) to accommodate the LID features outside of the buffer.**

*The applicant has clarified that the features will be naturalized and not maintained within the buffer area. Staff is satisfied with their response.*

**Urban Design – November 16, 2020**
I have reviewed the Urban Design Brief and submitted Subdivision Plans for the above noted address and provide the following comments:

- A condition is requested for lots 1, 64, 65, and 93 to ensure that the Hamlyn Street facing elevations are designed as the fronts of the future homes with front doors, porches and windows facing Hamlyn Road and that fencing along the north property line is limited to a maximum of 50% of the length of the lot.

- A condition is requested that all corner lots (16, 40, 50, 78, 81, 88, and 104) and lots sharing a property line with a park or pathway block (15, 22, 23, and 49) will require the same level of detail and articulation of the side façade facing the public space, as the front façade. Fencing along these shared property lines is limited to a maximum of 50%.

- Provide zoning for all single family homes and street townhouses that implements SWAP policy 20.5.3.9 iii) e) in regards to eliminating garages projection beyond the main façade of the dwelling or the façade (front face) of any porch and that garages shall not occupy more than 50% of the lot frontage.

- The zoning for block 95 should also include a maximum setback along both the Wonderland Road and Hamlyn Street frontages in order to ensure the units are oriented to the street with rear amenity areas, parking and vehicular driveways located internal to the block. It is recommended that a maximum set back of 6m be implemented for the front and exterior side yard regulations.

- A holding provision is requested for blocks 94 and 95 to ensure street orientation and the implementation of the SWASP design policies.

The appropriate conditions of draft approval and zoning provisions have been included to address Urban Design Staff’s comments.

Development Services (Engineering) – February 3, 2021

Please find attached the recommended conditions for the draft plan relating to engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Wastewater and Drainage Engineering Division, the Water Engineering Division and the Stormwater Engineering Division.

Zoning By-law Amendment

Development Services and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. ‘h’ holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the City Engineer and the entering of a subdivision agreement.

2. ‘h-100’ holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the City Engineer.

3. A holding provision shall be implemented on R4-3 zone (street townhouse) until the City Engineer is satisfied with the servicing arrangements to provide adequate separation between services and avoid conflicts with City services.

A minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision.

Official Plan Amendment
Development Services and the above-noted engineering divisions advises an Official Plan Amendment be applied for to address the Primary Collector shown through these lands in both the Southwest Area Plan and Schedule ‘C’ of the Official Plan.

**Required Revisions to the Draft Plan**

Note: Revisions are required to the draft plan as follows:

- i) Should the buffer on Lots 1 to 5 and Lots 43 to 47 impact the lot sizes, the draft plan may need to be revised
- ii) Revise road widenings on Wonderland Road and Hamlyn Street, if necessary, to be in accordance with the London Plan widths.
- iii) Clearly delineate block limits
- iv) Remove reference to sidewalks on plan. Sidewalks locations to be determined by Condition __)
- v) Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary.

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

<table>
<thead>
<tr>
<th>Road Allowance</th>
<th>S/L Radius</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.0 m</td>
<td>9.0 m</td>
</tr>
</tbody>
</table>

**Additional Engineering Comments**

**Water Engineering**

**Final Proposal Report – Water Servicing Report**

A water servicing report was submitted as part of the subdivision Final Proposal Report. This report appears to indicate that, with the construction of the required external watermains, water servicing would generally be available for the Plan of Subdivision. The findings of this report notwithstanding, errors and omissions were identified and a detailed water servicing report is still required as a condition of Draft Plan Approval (as set-out below).

**External Watermains**

Presently there are no adequately sized watermains available to service the proposed Plan of Subdivision.

**Wonderland Road South**

As set-out in the 2019 Growth Management Implementation Strategy (GMIS) Final Schedule of Works the replacement of the 100mm diameter watermain on Wonderland Road South from Exeter Road to Dingman Drive is tentatively scheduled for 2024.

It is understood that the Owner has entered into negotiations with Development Finance to advance the timing for construction of this GMIS Wonderland Road South watermain extension, from Exeter Road to Hamlyn Street, to 2021.

**Hamlyn Street**

The 100mm diameter watermain on Hamlyn Street across the frontage of the Plan would also require replacement and upsizing to accommodate water servicing to the proposed subdivision. This replacement could not be undertaken until the GMIS Wonderland Road South watermain extension has been constructed. In accordance with the 2014 Water Servicing Development Charge Background Study the implementation year for the Hamlyn Street watermain is identified as being greater than 20 years out.

The Owner would be required to design and construct this external Hamlyn Street watermain to its ultimate size (400mm) across the frontage of their Plan of Subdivision.
to the satisfaction of the City Engineer, all at no cost to the City, subject to any claimable watermain works.

Transportation

Council recently approved the Complete Streets Design Manual. The Owner should use this manual to help inform the design of complete streets throughout the proposed subdivision. The Manual can be found at https://www.london.ca/residents/Roads-Transportation/Transportation-Planning/Pages/Complete-Streets.aspx

Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

The appropriate changes have been made to the draft plan of subdivision and holding provisions/zoning regulations have been recommended to address Development Engineering’s comments.
Appendix “E” – Policy Context

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

Provincial Policy Statement

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
   1.1.1
1.1.3 Settlement Areas
   1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.6
1.2 Coordination
1.4 Housing
   1.4.1
1.5 Public spaces, recreation, parks, trails and open space
   1.5.1
1.6.7 Transportation Systems
   1.6.7.4
2.0 Wise use and management of resources
2.1 Natural heritage
   2.1.1, 2.1.4, 2.1.5, 2.1.6, 2.1.8

London Plan
Our Strategy: 58_; 59_5; 59_7; 59_8; 60_; 61_2; 62_11
Our City: *71_Figure 1; *72_; 107_; 108_; 124_; 142_; 143-145_; *146_; 170_; 172_
City Building: *189-306; 307_; 313_; 331_; 332_; *346_; *348_; *349_; *357_; *370-
372_; *Table 6; .408_; 410_; 425_; *518_; 520_; 521_; 687_; 690_;
Place Type Policies: 761_; *916-922; *Table 10; 930_; *935_; *936_; *Table 11; *960_;
Our Tools: 1576_; *1577-1578_; 1610_; *1638-1647_
Maps: *Map 1; *Map 3, *Map 5

Southwest Area Secondary Plan:
20.5.1.2; 20.5.1.4; 20.5.2; 20.5.3; 20.5.4; 20.5.16;
Schedule 1, 2, 4, 8, 9

1989 Official Plan
Chapter 2 Planning Framework
Chapter 10 Policies for Specific Areas: 1176, 1200, and 1230 Hyde Park Road clxvii).
Chapter 11 Urban Design Principles
Chapter 15 Environmental Policies
Chapter 19 Implementation
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: Drewlo Holdings Inc.
1389 Commissioners Road East – Summerside Subdivision
Public Participation Meeting

Date: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Drewlo Holding Inc. relating to the lands located at 1389 Commissioners Road East within the Summerside Subdivision:

(a) the proposed by-law attached hereto as Appendix ‘A’ BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 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 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone TO a Residential R1 (R1-2) Zone and a Residential R1 (R1-3) Zone; FROM a Residential R1 Special Provision (R1-3(7)) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5( )) Zone; and FROM a Holding Residential R6 (h-1•R6-5) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5( )) Zone;

(b) the Approval Authority BE ADVISED of the issues, if any, raised at the public meeting with respect to the application for red-line revisions to Draft Plans of Subdivision by Drewlo Holding Inc. relating to the lands located at 1389 Commissioners Road East within the Summerside Subdivision; and,

(c) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed red-line revisions to the residential Draft Plans of Subdivision, SUBJECT TO the conditions contained in the attached Appendix “B” #39T-92020 / 39T-92020-D.

Executive Summary

Summary of Request

The request is to amend the zoning by-law and to approve red-line revisions to the remaining draft-approved phases within the Summerside Subdivision (Phases 10B and 15) consisting of minor adjustments to lot frontages for single detached dwelling lots, replacing cul-de-sac streets with ‘through street’ connections, and removing 15 single detached lots fronting the west side of the future extension of Evans Boulevard.

Purpose and the Effect of Recommended Action

The purpose and effect is to recommend that the Approval Authority for the City of London issue draft approval of the proposed red-line revisions, subject to conditions attached to this report; and that Municipal Council approve the recommended Zoning By-law amendment.
Rationale of Recommended Action

1. The proposed red-line revisions and zoning amendment is consistent with the Provincial Policy Statement (PPS), 2020, as it achieves objectives for efficient and resilient development and land use patterns. It represents development of low and medium density forms of housing, including single detached dwelling lots, townhouse and cluster forms of housing taking place within the City’s urban growth area and within previously draft-approved plans of subdivision. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and increases community connectivity by eliminating cul-de-sacs.

2. The proposed draft plan revisions and zoning conforms to the in-force polices 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 proposed draft plan revisions and zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation.

4. The recommended zoning amendment is considered appropriate to facilitate the proposed lot adjustments, permits an appropriate increase in density to the medium density blocks, and maintains compatibility with the form and character of existing residential development in the surrounding neighbourhood.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.
Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter
February 6, 2017 – Report to Planning and Environment Committee on a request by Drewlo Holdings Inc. for an extension of Draft Plan Approval re: Summerside Subdivision - Phase 10B (File No. 39T-92020-D).

2.0 Discussion and Considerations

2.1 Property Description
The subject site consists of relatively flat, vacant land that was previously cultivated farm fields.

2.2 Current Planning Information (see more detail in Appendix D)
- The London Plan Place Type – Neighbourhoods
- Zoning - Residential R1 Special Provision (R1-3(7)), Residential R1(R1-4), Residential R1 Special Provision (R1-4(10)), holding Residential R6 (h-1•R6-5), and holding Residential R6/Residential R8 (h-1•R6-5/R8-4)

2.3 Site Characteristics
- Current Land Use – vacant fields
- Frontage – approx. 91 metres (on Evans Boulevard)
- Depth – varies approx. 900 - 1100 metres
- Area – 51 hectares (126 acres)
- Shape – irregular

2.4 Surrounding Land Uses
- North – residential single detached and street townhouse dwellings, and retail commercial uses
- East – residential single detached dwellings
- South – lands for future low and medium density residential development
- West – limited access expressway and low density residential
2.6 Requested Red-line Revisions to Draft Plan of Subdivision - Summerside Phase 10B

2.7 Requested Red-line Revisions to Draft Plan of Subdivision - Summerside Phase 15
2.8 Planning History
The City of London initiated an area plan for the lands bounded by Commissioners Road East, Jackson Road, Bradley Avenue and Highbury Avenue South back in the late 1980’s. The plan for the community now known as Summerside was adopted as an Appendix to the Official Plan on September 18, 1990. (In August 1992, Matthews Group and Jackson Land Corp. submitted an application for draft plan of subdivision on 256 hectares (632 acres) representing the entire Summerside area (File No. 39T-92020). The Ministry of Municipal Affairs granted draft plan approval on September 28, 1993, and there was no lapse date on this approval. Several phases have been registered and a number of phases have gone through the planning approval process for revisions and zoning amendments since that time.

Revisions to Phase 10B of the Summerside subdivision (File No. 39T-92020-D) were approved in 2004, and subsequently a portion of the draft plan representing the northerly leg of Evans Boulevard was registered on August 5, 2005 as Plan 33M-529. Several extensions have been granted by the Approval Authority to draft approval over the years. This phase is at the top of the watershed for the westerly half of the Summerside area and it is recognized that this will be the last phase of the subdivision to be developed as servicing is extended northward from the existing southerly leg of Evans Boulevard.

2.9 Requested Amendment
Request for consideration of proposed red-line revisions affecting the remaining draft-approved phases within the Summerside Subdivision (Phases 10B and 15) consisting of minor adjustments to lot frontages for single detached dwelling lots, replacing cul-de-sac streets with ‘through street’ connections, and removing 15 single detached lots fronting the west side of the future extension of Evans Boulevard.

Request to amend to the zoning by-law to change the zoning from a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone to a Residential R1 (R1-2) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 9.0 metres; a Residential R1 (R1-3) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; and to change the zoning on the medium density blocks located on the west side of Evans Boulevard (Blocks 271 and 272 in Phase 10B; and Blocks 1333, 1334, 1335 & 1336 in Phase 15) from a Holding Residential R6 (h-1-R6-5) Zone to a Residential R6 Special Provision (R6-5( )) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse dwellings, and low-rise apartment buildings; with a special provision for a minimum density of 30 units per hectare and maximum density of 60 units per hectare. (Note: Block 270 in Phase 10B is not part of the requested zone change.)

2.10 Community Engagement (see more detail in Appendix C)
There were three e-mail responses received from the community. Comments/concerns received from the community are summarized as follows:
- One respondent requested for further information with respect to projected number of homes and if there will be any parks or green space.
- Another respondent commented that the these lands have been used as a dumping ground for yard waste and garbage, and there have been problems with water ponding. It has been an eyesore for many years and it will be good to see new streets and houses finally going up.
- Another expressed concerns about the proposed narrow lots, provision of adequate space for snow storage/removal, and parking between houses.

2.11 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2020
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,

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Sections 1.4.3(c)). There are polices for promoting 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(a)). New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities (Section 1.6.8.3). The development application has been reviewed for consistency with the Provincial Policy Statement.

The London Plan
With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, and duplex dwellings, and townhouses, as the main uses. 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 ‘E’.

(1989) Official Plan
These lands are designated Low Density Residential and Multi-family, Medium Density Residential on Schedule ‘A’ of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged up to a maximum density of 75 units per hectare. These areas may also be developed for single detached, semi-detached and duplex dwellings. This application has been reviewed with the applicable policies of the (1989) Official Plan. An excerpt from Land Use Schedule ‘A’ is found at Appendix E.

Z.-1 Zoning By-law
Within the current draft approved plans, a number of Residential R1 Zone variations have been applied to the single detached residential lots east of Evans Boulevard, and Residential R6 Zoning has been applied to the medium density residential blocks on the west side of Evans Boulevard, except for the most northerly block which is a compounded Residential R6/R8 Zoning. The specific zone variations are as follows:

Residential R1 Special Provision (R1-3(7))
Residential R1 (R1-4)
Residential R1 Special Provision (R1-4(10))
holding Residential R6 (h-1•R6-5)
holding Residential R6/Residential R8 (h-1•R6-5)/R8-4)

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. A zoning map excerpt from the Z.-1 Zoning by-law Schedule A is found at Appendix E.
3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Use

The proposed draft plan revisions maintain neighbourhood character and compatibility with the existing Summerside Subdivision. The neighbourhood context on the east side of Evans Boulevard will consist of low density residential single detached dwellings interfacing existing low density residential dwellings. The lot pattern and streetscape is generally consistent with the pattern of the existing neighbourhood, except that cul-de-sacs have now been eliminated and replaced with through street connections. The proposed dwellings are expected to be similar in character and features as the existing residential neighbourhood, and contain dwellings of a similar height and massing. There will be a transition in use, form and intensity from low to medium density residential development on the west side of Evans Boulevard as it was originally intended for the lands adjacent Highbury Avenue South. The only significant change is the removal of 15 lots on the west side of Evans Boulevard within Phase 10B. These former lots are intended to merge with the adjacent medium density blocks (Blocks 271 and 272) and will be rezoned to be consistent with the zoning for these blocks. Overall, the proposed revisions represents minor physical adjustments to the lot fabric and street network and does not change the uses proposed for the various lots and blocks within the draft plans of subdivision.

4.2 Intensity

Based on the number of lots and area for single detached residential dwellings, the proposed red-line revisions would result in a total of 509 dwelling lots which equates to an approximate density of 14 units per hectare. Lot sizes generally ranging in widths from 9.0 to 10.0 metres are proposed fronting along Evans Boulevard and Maguire Drive, and lot sizes ranging in width from 11.0 to 12.0 metres are proposed fronting along the interior streets. The proposed lot frontages are found to be generally in the range of lot frontages within the existing neighbourhood (9.0 - 12 metres).

Building heights on adjacent lands consist of 1 and 2 storey detached dwellings and attached street townhouses along Evans Boulevard immediately to the north, 1 and 2-storey single detached homes to the east, and existing and planned single detached homes to the south. The proposed single detached dwellings could be either 1 or 2 storey homes based on the permitted height regulation in the zoning by-law (9.0 metres max.). Overall, the proposed development is considered appropriate and compatible in terms of scale and intensity to adjacent residential development.

The medium density blocks along the west side of Evans Boulevard are intended for development of future townhouses with minimum density of 30 units per hectare and maximum density of 60 units per hectare. Each of these blocks are on average 2.0 hectares (5 ac.) in area and given their size the proposed density range is considered appropriate for development of medium density townhouses and/or cluster housing.

4.3 Form

By replacing the cul-de-sacs with through street connections the subdivision plan resembles more of a modified grid system with multiple connections to the existing street network resulting in ease of mobility and a neighbourhood that is more walkable, healthy, and connected. These two draft plan phases together represent the completion of Evans Boulevard which is an important connector street in the westerly portion of the Summerside Subdivision and provides an opportunity in the future to expand bus transit routing. In terms of use, form and intensity the proposed draft plan revisions are considered an improvement that maintains a good fit within the context of the existing
The development proponents have advanced their detailed design and engineering drawings to be consistent with the draft approved plans and standards for road allowances and street pavement widths which have been previously draft approved. For example, Evans Boulevard, Maguire Drive and Fairfield Road are shown on the draft plans at 21.5 metre road allowances whereas the new Street Classification Design standards in The London Plan (Table 6") would normally require a 23 metre wide road allowance for a Neighbourhood Connector. Staff have had ongoing discussions with the Developer regarding the new standards for road allowances, sidewalks and pavement widths. The bulk of the proposed revisions affect the original draft plan which was approved in the early 1990’s and for which there was no lapse date. Recognizing that the subdivision has been building out gradually over a long period of time and the challenges of retrofitting to the new standards, Staff has agreed to maintain standards consistent with the existing road network within Summerside subdivision, allow for sidewalks on both sides of street where logical connections exist or can be made, and incorporating traffic calming measures.

Minimum road allowance and pavement widths are specified in Draft Plan Condition No. 35. Evans Boulevard and Fairfield Road will have minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres. Maguire Drive shall have a minimum road pavement width of 8.0 metres with a minimum road allowance of 21.5 metres. Green Gables Road, Avonlea Trail, Springhill Avenue and Karenana Road shall have a minimum road pavement width of 8.0 metres with a minimum road allowance of 20 metres. Southport Crescent, Candice Road (renamed from Harmony Road as shown on Phase 15 Draft Plan) and Wiltshire Street shall have a minimum road pavement width of 7.0 metres with a minimum road allowance of 19 metres. The former cul-de-sac streets which will be replaced with through streets, Avonlea Court, Wiltshire Place and Harmony Place, shall have a minimum road pavement width of 6.0 metres with a minimum road allowance of 18 metres.

Sidewalks on both sides of the street will be provided on the main collector roads within the subdivision having sufficient right-of-way widths, on roads that provide connections with the existing street network having sidewalks on both sides, and sidewalk connections to pedestrian walkways. This includes Evans Boulevard, Maguire Drive, Fairfield Road, Green Gables Road, Avonea Trail, Springhill Avenue, Wiltshire Street and Karenana Road. Exceptions for sidewalks on one side of the street are recommended for streets that connect to street stubs with a sidewalk on one side in previously approved phases of the Summerside Subdivision, including Candice Road (renamed from Harmony Road as shown on Phase 15 Draft Plan) and Southport Crescent; and to streets where right-of-way widths will be too narrow to provide for sidewalks on both sides, including streets replacing the former cul-de-sac streets: Harmony Place, Wiltshire Place and Avonlea Court. (D.P. Conditions No. 36 and 37)

4.4 Technical Revisions

Development Services staff recommend that 0.3 metre (1 foot) reserves be applied along the entire frontage of Highbury Avenue South in order to restrict vehicular access, and that the following note be added to the face of the draft plan to ensure that the City’s road and intersection design standards are maintained:

- Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustment to the abutting lots, if necessary.
- Provide a minimum of 5.5 metres along the curb line between the projected property lines of irregular shaped lots around the bends on streets in this plan, if necessary.
- All streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standards:
The draft approved plan for Phase 10B includes a note on the plan for provision of a roundabout at the intersection of Evans Boulevard and Maguire Drive that was added a long time ago. As an alternative to a roundabout, staff have agreed to have the proponent’s professional engineer submit a conceptual design of the proposed traffic calming measures, including speed cushions, raised pedestrian crossings, parking bays, curb extensions and other traffic calming measures along the Neighbourhood Connector streets which has been included as a condition of draft plan approval (D.P. Condition No. 48).

4.5 Public Comments

- Number of new homes and will there be any parks and green space.

The area identified as Phase 10B is currently draft approved for 239 single detached dwelling lots. With the requested red-line revisions there would be 227 lots. The area identified as Phase 15 is draft approved for approximately 231 lots, and with the red-line revisions it would be 282 lots. Therefore, the total number of single detached dwellings proposed is 509.

<table>
<thead>
<tr>
<th>Number of Lots</th>
<th>Phase 10B</th>
<th>Phase 15</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently Draft-Approved:</td>
<td>239</td>
<td>231</td>
<td>470</td>
</tr>
<tr>
<td>Requested Red-line Revisions:</td>
<td>227</td>
<td>282</td>
<td>509</td>
</tr>
</tbody>
</table>

For the multi-family blocks it is difficult to make an accurate projection of the actual number of units that will be developed. However, the requested zoning by-law amendment is for a minimum density of 30 units per hectare and maximum density of 60 units per hectare. The eventual number of units at the time of development will be within that density range. Each of the blocks are on average 2.0 hectares (5 ac.) in area (Blocks 271 and 272 in Phase 10B; and Blocks 1333, 1334, 1335 & 1336 in Phase 15). There are no additional park/open space blocks within the current draft approved plans, or proposed as part of the requested red-line revisions. Neighbourhood parkland was previously provided as part of the overall Summerside Subdivision parkland dedication requirements.

- Narrowness of proposed lots, space for snow storage/removal, and on-street parking.

The proposed lot sizes generally range in widths from 9.0 to 10.0 metres fronting along Evans Boulevard and Maguire Drive, and from 11.0 to 12.0 metres fronting on the interior streets. The proposed lot adjustments are found to be generally consistent with the lot sizes in the existing neighbourhood. On-street parking will be provided and a parking plan will be required in conjunction with the engineering drawing review. Subdivision plans with lots that have less than 11 metres of frontage are required to provide a parking plan in order to ensure there will be sufficient and an evenly balanced distribution of on-street parking, and that there are no conflicts with driveways, utilities, and boulevard tree planting. The approved parking plan will form part of the accepted engineering design drawings and the Subdivision Agreement.
Conclusion

The recommended revisions to draft plan of subdivision and zoning amendments are appropriate and consistent with the Provincial Policy Statement, and conform to The London Plan and the (1989) Official Plan. The proposed draft plan revisions and zoning are also appropriate and compatible with the residential form and character of existing development in the adjacent neighbourhood. Therefore, staff are satisfied the proposal represents good planning and recommend approval.

Prepared by: Larry Mottram, 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.

CC: Matt Feldberg, Manager, Development Services (Subdivisions)
    Bruce Page, Manager, Development Planning
    Peter Kavcic, Manager, Development Planning

February 22, 2021
GK/PY/LM/Im

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Appendix A

Appendix “A”

Bill No. (number to be inserted by Clerk's Office)
(2021)

By-law No. Z.-1-21_____

A bylaw to amend By-law No. Z.-1 to rezone lands located at 1389 Commissioners Road East within the Summerside Subdivision.

WHEREAS Drewlo Holdings Inc. has applied to rezone lands located at 1389 Commissioners Road East within the Summerside Subdivision, 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 1389 Commissioners Road East within the Summerside Subdivision, as shown on the attached map, FROM a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone TO a Residential R1 (R1-2) Zone and a Residential R1 (R1-3) Zone; FROM a Residential R1 Special Provision (R1-3(7)) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5( )) Zone; and FROM a Holding Residential R6 (h-1•R6-5) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5( )) Zone.

2) Section Number 10.4 of the Residential R6 Zone is amended by adding the following special provision:

R6-5( )

a) Regulations:

i) Density (Maximum) 60 units per hectare

ii) Density (Minimum) 30 units per hectare
This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on March 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
**Appendix B**

APPENDIX 39T-92020 / 39T-92020-D
(Conditions to be included for draft plan approval)

THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-92020 / 39T-92020-D ARE AS FOLLOWS:

NO. CONDITIONS

1. This draft approval applies to the draft plan submitted by Matthews Group Limited and Z Group dated July 8, 1993, prepared by Archibald, Gray & McKay Ltd., certified by A.G. Irwin O.L.S., Drawing No. 22, and resubmitted by Drewlo Holdings Inc. as red-line revised, dated September 6, 2020, prepared by Callon Dietz (File No. 05-14877) which shows a total of 282 single detached dwelling lots, 4 medium density townhouse blocks, served by the extension of Evans Boulevard and 6 local streets (representing Summerside Phase 15 – File No. 39T-92020); and to the draft plan submitted by Jackson Land Corp. dated December 9, 2003, prepared by Urban Properties Services (London) Inc., certified by Terry P. Dietz, O.L.S., Drawing No. CAD.SS.PH10.dftpln, and resubmitted by Drewlo Holdings Inc. as red-line revised, dated July 1, 2020, prepared by Callon Dietz (File No. 05-14877) which shows a total of 227 single detached dwelling lots, 3 medium density residential blocks, and 2 walkway blocks, served by the extension of Evans Boulevard, Maguire Drive, and 3 local streets (representing Summerside Phase 10B – File No. 39T-92020-D).

2. This draft approval and these conditions replace the conditions of draft approval granted on June 12, 1997 for plan File No. 39T-92020, and the conditions of draft approval granted on February 16, 2017 for plan File No. 39T-92020-D, as it applies to the lands on the east of Highbury Avenue South and south of Commissioners Road East, legally described as Part of Lots 15 and 16, Concession 1 (Geographic Township of Westminster) in the City of London, as described in Condition No. 1.

3. This approval of the draft plan applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.

4. 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.

5. 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.

6. 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.

7. Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.

8. 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. In conjunction with the first submission engineering drawings, the Owner shall submit a lotting plan which complies with all City standards and zoning regulations all to the satisfaction of the City.

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

SEWERS & WATERMAINS

Sanitary:

14. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit a Sanitary Servicing Study to include the following design information:

i) Propose a suitable routing for the trunk 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 sanitary trunk sewer;

ii) Provide a sanitary drainage area plan, including the sanitary sewer routing and the external areas to be serviced to the satisfaction of the City Engineer;

iii) Provide clarification that the proposed changes in population, drainage area and the outlet is compatible with accepted record drawings and drainage area plans. The drainage area and population should be extended beyond just this phase limit and include a complete area and population that extends beyond the phase 13 and follows along Evans Boulevard sanitary sewer to beyond and east of Meadowgate Boulevard and impact of total population, sanitary area and ultimate flow in 375mm diameter sanitary sewer. Any upgrades, if required, are to be at no cost to the City;

iv) Provide an hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken, to meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407.

15. In accordance with City standards or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
i) Construct sanitary sewers to serve this plan and connect them to the existing municipal sewer system, namely, the 300 mm (10“) diameter sewer located on Evans Boulevard;

ii) Construct sanitary private drain connections on Southport Crescent in Plan 33M-756 (Summerside Phase 13A) to service the proposed lots in this plan;

iii) 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 Engineer. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the City Engineer.

Storm and Stormwater Management (SWM)

16. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a Storm/Drainage and a SWM Servicing Report of Confirmation to address the following:

i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be managed, all to the satisfaction of the City;

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

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

iv) Ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the City Engineer;

v) develop sediment and erosion control plan(s) that will identify all sediment and erosion control measures, responsibilities and inspecting/reporting requirements for the subject lands in accordance with City of London, the Ministry of the Environment, Conservation and Parks (MECP) standards and requirements, and current industry standards all to the specification and satisfaction of the City Engineer. The sediment and erosion control plan(s) shall confirm and identify all interim and long-term drainage measures as well as a monitoring program 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 the Erosion and Sediment Control Guideline for Urban Construction (TRCA, December 2019). The erosion and sediment control plan and monitoring program shall be developed with consideration for the sensitive downstream habitat and any recommendations associated to the habitat features. Prior to any work on the site, the Owner’s professional engineer shall submit these measures and is to have these measures established and approved all to the satisfaction of the City Engineer and UTRCA where applicable. Further, the Owner’s Professional Engineer must inspect and confirm that the required erosion and sediment control measures are maintained and operated as intended during all phases of construction;

vi) implement SWM soft measure Best Management Practices (BMP’s) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate
geotechnical conditions within this Plan and the approval of the City Engineer;

vii) ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply with the accepted Design Requirements for permanent Private Stormwater Systems;

viii) Designing the “third pipe” system to direct water flows to the wetlands.

17. 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 outlet this plan to the existing and assumed Regional Summerside SWM facility via internal storm sewer servicing through this plan of subdivision that shall be connected to the existing downstream municipal storm sewer system constructed as part of other phases of Summerside subdivision;
   ii) Construct storm private drain connections on Southport Crescent in Plan 33M-756 (Summerside Phase 13A) to service the proposed lots in this plan;
   iii) Implement all geotechnical recommendations with respect to erosion, maintenance and structural setbacks related to slope stability and ensure they are adequately addressed for the subject lands, to the satisfaction of the City and the Upper Thames River Conservation Authority;
   iv) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith.

18. In conjunction with the first submission of engineering drawings, the Owner shall have its professional consulting engineer design and construct the proposed third pipe system, storm/drainage and SWM servicing works for the subject lands, all to the satisfaction of the City Engineer and according to the requirements of the following:
   i) The SWM targets and criteria for the Dingman Creek Subwatershed Study Update (2005);
   ii) The Summerside District Stormwater and Stormwater Management Master Plan (updated 2004);
   iii) Final Stormwater Management Report for the Summerside Subdivision;
   iv) The Biological Evaluation of Summerside Wetland, London, Ontario (February 1991);
   vi) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
   vii) The City’s Drainage By-law and lot grading standards, policies, requirements and practices;
   viii) The Ministry of the Environment, Conservation and Parks (MECP) Low Impact Development (LID) Stormwater Management Guidance Manual; and
   ix) Applicable Acts, policies, guidelines, standards and requirements of all required approval agencies.
19. In conjunction with the first submission of engineering drawings, the Owner shall identify/construct all components of the required “third pipe” system for the subject site that would accommodate any upstream flows from the existing third pipe system and maintain the water balance in the existing wetland area located at the southwest corner of the Summerside lands, all to the satisfaction of the City Engineer.

20. The Owner shall maintain the water balance in the Summerside wetland by constructing a “third pipe” system to direct water flows to the wetland. Design and construction of the “third pipe” system shall be to the satisfaction of the City Engineer and the Ministry of Natural Resources.

21. Should this subdivision be completed before the downstream part of the “third pipe” system is constructed, the Owner shall direct stormwater to a stormwater management facility to the satisfaction of the City Engineer.

22. The Owner shall construct the proposed storm sewers serving this plan and connect them to an outlet tributary to both the South Thames and Dingman Creek via proposed and/or existing storm/drainage servicing work and the existing Summerside Stormwater management (SWM) Facility located within the Dingman Creek Subwatershed study area.

23. The Owner shall ensure that the storm outlet for the subject lands is via the existing Summerside SWM Facility, in which the majority of the storm flows from the facility outlet through the existing Summerside Tunnel System to the Thames River and a minority of the storm flows outlet to the Hampton Scott Drain to maintain the baseflow conditions of the drain.

24. In conjunction with the first submission of engineering drawings, the Owner shall ensure that the “third pipe” system for the subject site conveys drainage from rear yards within and exterior to these lands specified in the Summerside District Stormwater and Stormwater Management Master Plan (updated 2004) to the wetland area in the southwest portion of this plan.

25. In conjunction with the first submission of engineering drawings, the Owner’s professional engineer shall identify major and minor storm flow routes for the subject land and those flow routes shall be constructed and be operational all to the satisfaction of the City Engineer. In the event that revisions to the accepted minor and major storm flow routes are proposed, the Owner shall ensure a proper design update of the storm sewer and grading design compatible with any existing unassumed storm sewer outlets and road network, all to the specifications and satisfaction of the City Engineer and at no cost to the City.

26. In conjunction with the first submission of engineering drawings, the Owner shall have a professional engineer prepare a hydrogeological investigation and/or addendum/update to any existing hydrogeological investigation(s) based on the final subdivision design, to determine the potential short-term and long-term effects of the construction associated with the development on existing groundwater elevations and to assess the impact on the water balance of the subject plan, identifying all required mitigation measures, including Low Impact Development (LIDs) solutions to the satisfaction of the City Engineer. Elements of the hydrogeological investigation should include, but are not to be limited to, the following:

i) Evaluation of the hydrogeological regime, including specific aquifer properties, static groundwater levels, and groundwater flow direction;

ii) Evaluation of water quality characteristics and the potential interaction between shallow groundwater, surface water features, and nearby natural heritage features;

iii) Completion of a water balance and/or addendum/update to any existing water balance for the proposed development, revised to include the use of LIDs as appropriate;
iv) Completion of a water balance for any nearby natural heritage feature (i.e., all open space Blocks) to include the use of LIDs as appropriate;
v) Details related to proposed LID solutions, if applicable, including details related to the long-term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table;
vii) Confirmation that allowable inflow and infiltration levels have been met as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken, all to the satisfaction of the City Engineer;
viii) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;
viiii) Evaluation of construction related impacts and their potential effects on seasonal fluctuations of the groundwater table;
v) Completion of a water balance for any nearby natural heritage feature (i.e., all open space Blocks) to include the use of LIDs as appropriate;
vii) Details related to proposed LID solutions, if applicable, including details related to the long-term operations of the LID systems as it relates to seasonal fluctuations of the groundwater table;
vii) Confirmation that allowable inflow and infiltration levels have been met as identified by OPSS 410 and OPSS 407, include an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken, all to the satisfaction of the City Engineer;
viii) Evaluation of construction related impacts and their potential effects on the shallow groundwater system;
viiii) Evaluation of construction related impacts and their potential effects on seasonal fluctuations of the groundwater table;

27. In conjunction with the first submission of engineering drawings, the Owner’s professional engineer shall identify any remedial or other works as recommended in the accepted hydro-geological report and identify them on the engineering drawings, to the satisfaction of the City, at no cost to the City.

28. The subdivision to which this draft approval relate shall be 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.

Watermains

29. In conjunction with the first submission of engineering drawings the Owner shall have their consulting engineer prepare and submit a Water Servicing Report including the following design information, all to the satisfaction of the City Engineer:

i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
ii) Identify domestic and fire flows for the future development Blocks from the low-level (high-level) water distribution system;
iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
iv) Include modeling for two fire flow scenarios as follows:
   i) Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
   ii) Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed
hydrant to be constructed and determine the appropriate colour
hydrant markers (identifying hydrant rated capacity);

  v) Include a staging and phasing report as applicable which addresses the
requirement to maintain interim water quality;

  vi) Develop a looping strategy when development is proposed to proceed
beyond 80 units;

  vii) Identify any water servicing requirements necessary to provide water
servicing to external lands, incorporating existing area plans as applicable;

  viii) Identify any need for the construction of or improvement to external works
necessary to provide water servicing to this Plan of Subdivision;

  ix) Identify any required watermain oversizing and any cost sharing
agreements;

  x) Identify the effect of development on existing water infrastructure and
identify potential conflicts;

  xi) Include full-sized water distribution and area plan(s) which includes
identifying the location of valves & hydrants, the type and location of water
quality measures to be implemented (including automatic flushing device
settings and outlet), the fire hydrant rated capacity & marker colour, and
the design domestic and fire flow applied to development Blocks.

30. In accordance with City standards, or as otherwise required by the City Engineer,
the Owner shall complete the following for the provision of water service to this
draft Plan of Subdivision:

  i) Construct watermains to serve this Plan and connect them to the existing
municipal system, namely, the existing 200 mm (8") diameter watermain
on Meadowgate Boulevard, the existing 250 mm (10") diameter watermain
on Evans Boulevard, the exiting 200 mm diameter watermain on Springhill
Avenue, the existing 150 mm diameter watermain on Cardinal Road, the
existing 200 mm diameter watermain on Green Gables Road and the
existing 150 mm diameter watermain on Southport Crescent;

  ii) Deliver confirmation that the watermain system has been looped to the
satisfaction of the City Engineer when development is proposed to
proceed beyond 80 units;

  iii) The available fireflow and appropriate hydrant colour code (in accordance
with the City of London Design Criteria) are to be shown on engineering
drawings;

  iv) The fire hydrant colour code markers will be installed by the City of
London at the time of Conditional Approval;

  v) Extend the existing 150 mm diameter watermain on Southport Crescent
from Chelton Road east of this Plan and provide water services to service
the proposed lots in this plan, at no cost to the City.

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

32. In conjunction with the first submission of engineering drawings, the Owner shall
identify temporary automatic flushing devices and meters at all dead ends and/or
other locations as deemed necessary by the hydraulic modelling results to
ensure that water quality is maintained during build out of the subdivision. These
devices are to remain in place until there is sufficient occupancy use to maintain
water quality without their use. The location of the temporary automatic flushing
devices as well as their flow settings are to be shown on engineering
drawings. The Owner is responsible to meter and pay billed cost of the
discharged water from the time of their installation until their assumption. Any
incidental and/or ongoing maintenance of the automatic flushing devices is/are
the responsibility of the Owner.
33. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning perpendicular through their intersections and opposite each other thereby having these streets centred with each other, unless otherwise approved by the City Engineer.

34. In conjunction with the first submission of engineering drawings, the Owner shall have its consulting engineer provide the following, all to the specifications and satisfaction of the City Engineer:

i) provide a proposed layout plan of the internal road network including taper details for streets in this plan that change right-of-way widths with minimum 30 metre tapers for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, 6m straight tangents, etc., and include any associated adjustments to the abutting lots. The roads shall be equally tapered and aligned based on the road centrelines and it should be noted tapers are not to be within intersections.

ii) confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"

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

iv) shall provide a minimum of 5.5 metres along the curb line between the projected property lines of irregular shaped lots around the bends and/or around the cul-de-sacs on streets in this plan of subdivision.

v) shall ensure street light poles and luminaires, along the street being extended, match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the City of London.

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

vii) shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on an assumed street.

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

i) Evans Boulevard and Fairfield Road have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.

ii) Maguire Drive have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 21.5 metres.

iii) Green Gables Road, Avonlea Trail, Springhill Avenue and Karenana Road have a minimum road pavement width (excluding gutters) of 8.0 metres (26.2’) with a minimum road allowance of 20 metres.

iv) Southport Crescent, Candice Road and Wiltshire Street have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres.

v) Avonlea Court, Wiltshire Place and Harmony Place have a minimum road pavement width (excluding gutters) of 6.0 metres with a minimum road allowance of 18 metres.

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Sidewalks

36. In conjunction with the first submission of engineering drawings, the Owner shall identify a 1.5 metre sidewalk on both sides of the following streets:
   i) Evans Boulevard
   ii) Maguire Drive
   iii) Fairfield Road
   iv) Green Gables Road
   v) Avonlea Trail
   vi) Springhill Avenue
   vii) Wiltshire Street
   viii) Karenana Road

37. In conjunction with the first submission of engineering drawings, the Owner shall identify a 1.5 metre sidewalk on one side of the following streets:
   i) Candice Road – west boulevard
   ii) Southport Crescent – west boulevard
   iii) Harmony Place – west boulevard
   iv) Wiltshire Place
   v) Avonlea Court

38. In conjunction with the first submission of engineering drawings, the Owner shall design and construct a sidewalk connection on Southport Crescent, the entire length of Southport Crescent, external to this draft plan, in Plan 33M-756, all to the specifications and satisfaction of the City.

39. In conjunction with the first submission of engineering drawings, the Owner shall provide a 3.0 m walkway between Avonlea Trail and Evans Boulevard in accordance with City standards, at no cost to the City, in the vicinity of Lots 120 and 150, to the satisfaction of the City. The Owner shall provide a 3.0 m walkway within Block 273 from Springhill Avenue to connect with the existing walkway connection to Meadowgate Boulevard in Plan 33M-471 (Block 106).

40. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

Street Lights

41. In conjunction with the first submission of engineering drawings, the Owner shall identify street lighting on all streets and walkways in this plan to the satisfaction of the City.

Boundary Road Works

42. In conjunction with first submission of engineering drawings, the Owner shall provide a plan and profile and cross-section of Highbury Avenue adjacent to the plan of subdivision showing the existing and ultimate centreline of Highbury Avenue and how the grades tie in with the plan of subdivision.

43. In conjunction with the first submission of engineering drawings, the Owner shall have the common property line of Highbury Avenue South graded as per the accepted engineering drawings, to the satisfaction of the City Engineer, at no cost to the City.

44. In conjunction with the first submission of engineering drawings, the Owner shall identify minor boulevard improvements on Highbury Avenue South 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.
45. In conjunction with the first submission of engineering drawings, the Owner shall provide details on the reconstruction of Southport Crescent between Chelton Road and this Plan to accommodate servicing of lots in this Plan to the satisfaction of the City Engineer, at no cost to the City.

**Vehicular Access**

46. No vehicular access will be permitted to any Blocks from Highbury Avenue. All vehicular access is to be via the internal subdivision street, Evans Boulevard.

47. The Owner shall restrict access to all Blocks fronting Highbury Ave (Blocks 270, 271, 272, 1333, 1334, 1335, 1336), or any blocks in which could be accessed from said blocks by establishing blocks for 0.3 metre (1') reserves along the entire Highbury Ave frontages, to the satisfaction of the City.

**Traffic Calming**

48. In conjunction with the first submission of engineering drawings, the Owner shall have its professional engineer provide a conceptual design of the proposed traffic calming measures in this plan, including speed cushions, raised pedestrian crossings, parking bays, curb extensions and other measures, in the context of the road network established for the Jackson District Area Plan which identifies the traffic calming measures required along the secondary collector road network to discourage through traffic and excessive vehicle speeds, to the satisfaction of the City.

**Construction Access/Temporary/Second Access Roads**

49. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize access routes as designated by the City.

50. In conjunction with the first submission of engineering drawings, the Owner shall provide details of the removal the temporary turning circles on Evans Boulevard (north and south limits) and adjacent lands, in Plan 33M-529 and 33M-789 to the north and south of this Plan and complete the construction of Evans Boulevard in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owners of Plan 33M-529 and 33M-789 for the removal of the temporary turning circles and the construction of these sections of Evans Boulevard and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Evans Boulevard in Plan 33M-529 and 33M-789 is constructed as a fully serviced road by the Owners of Plan 33M-529 and 33M-789, then the Owner shall be relieved of this obligation.

**GENERAL CONDITIONS**

51. In conjunction with the first submission of engineering drawings, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
   i) servicing, grading and drainage of this subdivision;
   ii) road pavement structure;
   iii) dewatering;
   iv) foundation design;
v) removal of existing fill (including but not limited to organic and deleterious materials);
vi) the placement of new engineering fill;
vii) any necessary setbacks related to slope stability for lands within this plan
viii) identifying all required mitigation measures including Low Impact Development (LIDs) solutions;
ix) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback;
x) cutting/filling, erosion, maintenance and structural setbacks related to slope stability associated with the existing wetlands, all to the satisfaction of the City and the Upper Thames River Conservation Authority; and,
xi) any other requirements as needed by the City, all to the satisfaction of the City.

52. In conjunction with the first submission of engineering drawings, the Owner shall implement all geotechnical recommendations to the satisfaction of the City.

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

54. In conjunction with the first submission of engineering drawings, the Owner shall identify the removal of 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.

55. In conjunction with the first submission of engineering drawings, the Owner shall identify the decommissioning of any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.

56. In conjunction with the first submission of engineering drawings, the Owner shall identify any the existing accesses and services, located within this Plan, and provide details of any relocation and/or reconstruction to the satisfaction of the City, at no cost to the City. Any portion of existing services not used shall be abandoned and capped to the satisfaction of the City, all at no cost to the City.

57. In conjunction with the first submission of engineering drawings, the Owner shall identify locations of all existing infrastructure, ie. Water, septic, storm, hydro, driveways, etc. and their decommissioning or relocation, to the satisfaction of the City Engineer.

58. In conjunction with the first submission of engineering drawings, the Owner shall identify any existing earth stockpile, to the satisfaction of the City.

59. In conjunction with the first submission of engineering drawings, the Owner shall provide details of any adjustments required to connect to the existing works and services adjacent to this Plan to accommodate the proposed works and services in this plan (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria, all to the satisfaction of the City Engineer, at no cost to the City.

60. In conjunction with the first submission of engineering drawings, in order to develop this site, the Owner shall make arrangements with the adjacent property owners to regrade external lands, and provide permission for the adjacent
property owners, in conjunction with grading and servicing of this subdivision, to
the specifications of the City, at no cost to the City.

61. 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.

62. Once construction of any private services, i.e.: water storm or sanitary, to service
the lots and blocks in this plan is completed and any proposed re-lotting 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.

63. The Owner shall connect to all existing services and extend all services to the
limits of the draft plan of subdivision as per the accepted engineering drawings,
at no cost to the City, all to the specifications and satisfaction of the City
Engineer.

64. The Owner’s professional engineer shall provide full time 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.

65. Prior to the construction of works on existing City streets and/or unassumed
subdivisions, the Owner shall have its professional engineer notify new and
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 along with any remedial works prior to assumption, all in accordance
with Council policy for “Guidelines for Notification to Public for Major Construction
Projects”.

66. The Owner shall not commence construction or installations of any services (e.g.
clearing or servicing of land) involved with this Plan prior to obtaining all
necessary permits, approvals and/or certificates that need to be issued in
conjunction with the development of the subdivision, unless otherwise approved
by the City in writing (e.g. Ministry of the Environment, Conservation and Parks
Certificates, City/Ministry/Government permits: Permit of Approved Works, water
connection, water-taking, crown land, navigable waterways, approvals: Upper
Thames River Conservation Authority, Ministry of Natural Resources, Ministry of
the Environment, Conservation and Parks, City, etc.)

67. In conjunction with the first submission of engineering drawings, in the event the
Owner wishes to phase this plan of subdivision, the Owner shall submit a
phasing plan identifying all required temporary measures, and identify land
and/or easements required for the routing of services which are necessary to
service upstream lands outside this draft plan to the limit of the plan to be
provided at the time of registration of each phase, all to the specifications and
satisfaction of the City.

68. 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.

69. In conjunction with registration of the Plan, the Owner shall provide to the
appropriate authorities such easements and/or land dedications as may be
required for all municipal works and services associated with the development of
the subject lands, such as road, utility, drainage or stormwater management
(SWM) purposes, to the satisfaction of the City, at no cost to the City.

70. 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.
71. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.

72. 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 municipal or private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services and these services are operational, at no cost to the City.

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

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

74. In conjunction with the engineering drawings submission, the Owner shall have its geotechnical engineer identify if there is any evidence of methane gas within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any methane gas within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer, under the supervision of the geotechnical engineer, to the satisfaction of the City, at no cost to the City.

75. In conjunction with the engineering drawings submission, the Owner shall have its geotechnical engineer identify if there is any evidence of contamination within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any contamination within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer to remediate, remove and/or dispose of any contaminates under the supervision of the geotechnical engineer to the satisfaction of the City, at no cost to the City.
Appendix C – Public Engagement

Community Engagement

Public liaison: On December 17, 2020, Notice of Application was sent to 380 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 24, 2021. Planning Application signs were posted on site at three different locations. A Notice of Public Meeting was published in The Londoner on February 11, 2021.

Responses: 3 replies received

Nature of Liaison: To consider proposed red-line revisions affecting the remaining draft-approved phases within the Summerside Subdivision (Phases 10B and 15) consisting of minor adjustments to lot frontages for single detached dwelling lots, replacing cul-de-sac streets with ‘through street’ connections, and removing 15 single detached lots fronting the west side of the future extension of Evans Boulevard. Consideration of an amendment to the zoning by-law to change the zoning on the single detached dwelling lots from a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone to a Residential R1 (R1-2) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 9.0 metres, and to a Residential R1 (R1-3) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres; and, an amendment to change the zoning on the medium density blocks located on the west side of Evans Boulevard (Blocks 271 and 272 in Phase 10B; and Blocks 1333, 1334, 1335 & 1336 in Phase 15) from a Holding Residential R6 (h-1-R6-5) Zone to a Residential R6 Special Provision (R6-5( )) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse dwellings, and low-rise apartment buildings; with a special provision for a minimum density of 30 units per hectare and maximum density of 60 units per hectare. The City may also consider applying holding provisions in the zoning to ensure adequate provision of municipal services, that a subdivision agreement or development agreement is entered into, and to ensure completion of noise assessment reports and implementation of mitigation measures for development in proximity to transportation corridors.

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

- These lands have been used for dumping of yard waste and garbage, and have been an eyesore for several years. Also, there have been water ponding problems. It will be good to see new streets and houses going up finally.
- Concerns expressed about the narrow lots being proposed, and that lots this small don’t allow space for snow storage/removal and parking between houses.

Response to Notice of Application and Publication in “The Londoner”

<table>
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<tr>
<th>Telephone</th>
<th>Written</th>
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| None      | Don Campbell  
President, The Summerside Community Club |
|           | Harry Boutilier and Roderick Friars  
1487 Evans Boulevard |
|           | Matt S.  
Green Gables Road |
Good morning Larry,

Can you please provide me with more info on file 39T-92020/39T-92020-D/Z-9283? I have a poor photocopy of the notice and I went to the london.ca/planapps site and could not find it there. An electronic copy would be nice.

Correct me if I am wrong but this change sounds a lot like what was done with phase 13 back in 2016 (see attached).

Would you also be able to tell me what the projected number of homes there will be in Summerside broken down by type once all the development is done and how close we are to that now?

Will there be any parks or green space on the east side of the subdivision?

Thanks,

Don Campbell
President, The Summerside Community Club

Good morning,

Just emailing you regarding the notice of planning application we received in the mail on Dec 22/2020.

We are so happy to finally see they are going to start developing the land next to our property at 1487 Evans Blvd. We built this house in October 2011 and have lived next to this empty land that we were told would be developed by Fusion Homes. So it has been a long 9+ years of waiting!!

Unfortunately it has been an eyesore for several years because the property is not kept up very well by Drewlo Holdings Inc. and the neighbourhood uses it as a dumping ground for excess yard waste and even garbage. Also the water on this land is like a small pond and when it thaws it causes our adjacent land to be very wet and had a few close calls with sump pump over the years working tirelessly to pump the water back out. We have complained a few times over the years to the city and they fix things and then it just goes back to being a garbage dump. It’s so very sad, but this gives us hope for the future and the value of our home.

Anyway it will be so good to see new streets and houses going up finally. Any idea when all this development will actually start?

Thanks,

Harry Boutilier and Roderick Friars

Regarding the plan changes in Summerside. I'm very concerned about the very narrow lots they are suggesting.

I live on Green gables, and our lots are near the limit of how small they can be.

Going narrower is very problematic. Firstly the snow removal issues, there is literally nowhere for the snow to go.

The lots this small don't have space to park cars between houses. The condos at the North End have significant snow buildup problems.

Lets give our new neighbours a livable neighbourhood.

Thanks!
Agency/Departmental Comments:

1. Environmental and Engineering Services Department – February 4, 2021

   The Sewer Engineering Division has the following comments that will need to be addressed at the engineering drawing review stage:

   i) Clarification is required as there appears to be contradictory information within the report, specifically related to population numbers not matching or consistent with population numbers in the design sheet.

   ii) Actual population appear will be higher in comparison to the accepted design sheet from the previous phases of Summerside Subdivision.

   iii) Provide the difference between the previous assumed population vs the new proposed populations as it relates to the requested change in zoning and land use.

   iv) Provide a sketch or marked up plan that clearly shows areas in (Ha) and populations at each node (intersection) along Evans Blvd namely, Evans at Chelton including populations from north/south legs, and again at Evans at Meadowgate including populations from north/south legs and going east and clearly indicate the total population and area carried forward to at least MH SU188-SU189 or approximately 120 m east of the Meadowgate and Evans intersection. It is further recognized that sections of the 375mm diameter sewers along Evans Blvd were constructed flatter than design at @0.26% and .29% respectively and hence the request to clearly demonstrate the maximum populations and area.

   v) Provide the maximum population and reflect those numbers in the design sheet and sanitary area plan. It is also recognized the lands to south namely 800, 805 and 810 Chelton Rd (previously shopping centers) were rezoned and developed as more medium density residential.
Appendix D – 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, 2020

The land use planning 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,

The PPS contains policies regarding the importance of promoting efficient development and land use patterns, ensuring effective use of infrastructure and public service facilities, and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4).

There are several policies directed at promoting healthy, livable and safe communities, including the goal of promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (Section 1.1.1 (e)).

To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Section 1.4.3(c)).

There are policies for promoting 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(a)).

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities (Section 1.6.8.3).

The proposed red-line revisions and zoning amendment achieves objectives for efficient and resilient development and land use patterns. It represents development of low and medium density forms of housing, including single detached dwelling lots, townhouse and cluster forms of housing taking place within the City’s urban growth area and within previously draft-approved plans of subdivision. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and increases community connectivity by eliminating cul-de-sacs. The subdivision plan incorporates medium density residential blocks adjacent Highbury Ave South which provides for greater flexibility in site design and building orientation, and will incorporate landscaped berms to mitigate impacts from exposure to road noise and eliminate the need for noise walls.

The subject lands are designated and intended for low density residential and medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed. Based on our review,
the proposed red-line revisions and zoning by-law amendment are found to be consistent with the Provincial Policy Statement.

**The London Plan**

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

With respect to The London Plan, which has been adopted by Council but is not yet fully in force pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex, converted dwelling, townhouses, secondary suites, home occupations, group homes, triplexes and small-scale community facilities.

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

**Our Strategy**

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

4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.

5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.

7. Build quality public spaces and pedestrian environments that support walking.

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

6. Dependent upon context, require, promote, and encourage transit oriented development forms.

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

**Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone**

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.

3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.

**Key Direction #8 – Making wise planning decisions**

9. Ensure new development is a good fit within the context of an existing neighbourhood.
These strategic directions are generally reflected in the proposed revisions which also provide a few upgrades to the original subdivision design. The proposal maintains a mix of low and medium density housing types which exist within the Summerside Subdivision consisting mostly of single and semi-detached dwellings, townhouses, and low rise apartment buildings to take advantage of existing services and facilities. By replacing the cul-de-sacs with through street connections the subdivision plan is more oriented towards a modified grid system with multiple connections to the existing street network resulting in ease of mobility and a neighbourhood that is more walkable, healthy, and connected. These draft plan phases represent the completion of Evans Boulevard which is an important connector street in the westerly portion of the Summerside Subdivision and provides an opportunity to expand bus transit routes. In terms of use, form and intensity the proposed draft plan revisions are considered an improvement that maintains a good fit within the context of the existing neighbourhood.

City Building and Design Policies

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

213. * Street patterns will be easy and safe to navigate by walking and cycling and will be supportive of transit services.

The proposed revisions do not significantly alter the original planned street pattern. However, it will replace three cul-de-sacs with through streets and this affects Avonlea Court in Phase 10B, and Harmony Place and Wiltshire Place in Phase 15. There will continue to be multiple connections with the existing subdivision street network, and the planned alignment of Evans Boulevard which serves as the “spine” to the westerly portion of the neighbourhood does not change. The revised street configuration as well as two 3.0 metre wide walkway connections in Phase 10B will ensure active mobility by providing increased accessibility for walking and cycling, and also be supportive of transit services.

220. * Neighbourhoods should be designed with a diversity of lot patterns and sizes to support a range of housing choices, mix of uses and to accommodate a variety of ages and abilities.

The proposed lot adjustments will continue to maintain a diverse mix of lot patterns and sizes for construction of single detached homes. Generally, lot sizes ranging in widths from 9.0 to 10.0 metres are proposed fronting along Evans Boulevard and Maguire Drive, and lot frontages ranging from 11.0 to 12.0 metres are proposed on the interior streets. The interior lot pattern also results in much deeper lots with removal of the cul-de-sacs. Because of the overall mix of residential dwelling types currently permitted by the zoning, the subdivision plan maintains a range of housing choices to accommodate aging in place and individuals with special abilities.

222A. The proportion of building and street frontages used for garages and driveways should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes.

On-street parking will be provided and a parking plan will be required in conjunction with the engineering drawing review. Subdivision plans with lots that have less than 11 metres of frontage are required to provide a parking plan in order to ensure there will be sufficient supply and a balanced distribution of on-street parking, and that there are no conflicts with driveways, utilities, and boulevard tree planting. The approved parking plan will form part of the subdivision agreement. Sidewalks and street lighting for pedestrians will also be required in conjunction with engineering drawings to the specifications and satisfaction of the City (D.P. Conditions No. 13, 36, 37 and 41).

224. The paved portion of streets within neighbourhoods should be as narrow as possible, while meeting required design standards, to calm traffic and emphasize...
the priority of the pedestrian environment. Street rights-of-way should be of adequate size to accommodate all services within an efficient space and allow sufficient room for street tree planting and the long-term growth of mature trees.

225_ Curb extensions, narrow streets, and on-street parking may be used, among other techniques, for traffic calming.

The proponents have already advanced their detailed design and engineering drawings to be consistent with the draft approved plans and standards for road allowances and street pavement widths which have been previously draft approved. For example, Evans Boulevard, Maguire Drive and Fairfield Road are shown on the draft plans at 21.5 metre road allowances whereas the new Street Classification Design standards in The London Plan (Table 6*) would normally require a 23 metre wide road allowance for a Neighbourhood Connector. Staff have had ongoing discussions with the Developer regarding the new standards for road allowances, sidewalks and pavement widths. The bulk of the proposed revisions affect the original draft plan which was approved in the early 1990’s and for which there was no lapse date. Therefore, recognizing that the subdivision has been building out gradually over a long period of time and the challenges of retrofitting to the new standards, staff have agreed to maintain standards consistent with the existing road network within Summerside subdivision, allow for sidewalks on both sides of street where logical connections exist or can be made, and incorporating traffic calming measures.

Minimum road allowance and pavement widths are specified in Draft Plan Condition No. 35. Evans Boulevard and Fairfield Road will have minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres. Maguire Drive shall have a minimum road pavement width of 8.0 metres with a minimum road allowance of 21.5 metres. Green Gables Road, Avonlea Trail, Springhill Avenue and Karenana Road shall have a minimum road pavement width of 8.0 metres with a minimum road allowance of 20 metres. Southport Crescent, Candice Road and Wiltshire Street shall have a minimum road pavement width of 7.0 metres with a minimum road allowance of 19 metres. The former cul-de-sac streets which will be replaced with through streets, Avonlea Court, Wiltshire Place and Harmony Place, shall have a minimum road pavement width of 6.0 metres with a minimum road allowance of 18 metres. (D.P. Condition No. 35)

The proposed street right-of-way and pavement widths are considered appropriate and consistent with the design objectives in Policy 224 above. There will be sufficient space for sidewalks, utilities and services, and street tree planting. Street tree planting in boulevards is a standard condition of the subdivision agreement. Traffic calming measures including speed cushions, raised pedestrian crossings, parking bays, curb extensions and other measures will be reviewed in conjunction with the detailed engineering design. (D.P. Condition No. 48)

256_ Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings. Where a streetscape has not been built out, buildings should be sited with regard for the planned street wall or street line.

260_ Projecting garages will be discouraged.

The lot pattern along the east side of the extension of Evans Boulevard will continue to maintain and reinforce the street line of existing homes between the northerly and southerly legs. As well as building siting and orientation consistent with the prevailing streetscape will be required and implemented through the site plan review and approval process for the medium density blocks along the west side of Evans Boulevard. The building setback requirements are governed by the zoning by-law. Both the proposed R1-2 and R1-3 zones require a minimum front and exterior side yard depth of 4.5 metres to main building and 6.0 metres to the garage in order to prevent projecting garages from dominating the streetscape.
349. * To support walkability, sidewalks shall be located on both sides of all streets. An exception to this requirement may be considered in the following instances. In most of these instances a sidewalk will be required on one side of the street.

6. Road reconstruction projects, where the existing conditions such as mature trees, right-of-way widths, or infrastructure would impede sidewalks on both sides of the street.

Sidewalks on both sides of the street will be provided on the main collector roads within the subdivision having sufficient right-of-way widths, on roads that provide connections with the existing street network having sidewalks on both sides, and sidewalk connections to pedestrian walkways. This includes Evans Boulevard, Maguire Drive, Fairfield Road, Green Gables Road, Avonea Trail, Springhill Avenue, Wiltshire Street and Karenana Road. Exceptions for sidewalks on one side of the street are recommended for streets that connect to street stubs with a sidewalk on one side in previously approved phases of the Summerside Subdivision, including Candice Road and Southport Crescent; and to streets where right-of-way widths will be too narrow to provide for sidewalks on both sides, including streets replacing the former cul-de-sac streets: Harmony Place, Wiltshire Place and Avonlea Court. (D.P. Conditions No. 36 and 37)

357. Cycling routes and pedestrian pathways will provide linkages between open space areas, neighbourhoods, centres, corridors, employment areas and the public transit services and will enhance the convenience, safety and enjoyment of walking and cycling.

Neighbourhood pedestrian linkages are also provided by a 3.0 m pedestrian walkway between Avonlea Trail and Evans Boulevard which will be maintained at approximately the same location as previously planned, as well as a 3.0 m walkway on Springhill Avenue to connect with an existing walkway connection to Meadowgate Boulevard. (D.P. Conditions No. 39)

Place Type Policies

The subject lands are located within the Neighbourhoods Place Type permitting a range of uses such as single detached, semi-detached, duplex, and converted dwellings, townhouses, secondary suites, home occupations, group homes, triplexes and small-scale community facilities. The minimum and maximum permitted building heights are 1 to 2.5 storeys based on the street classification.

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.

916_4* Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.

As noted previously, the proposed draft plan revisions and zoning will contribute to the diversity of housing choices within the immediate neighbourhood allowing for affordability and aging in place. There already exists a variety of low to medium density residential housing forms within the adjacent community in the form of single detached and semi-detached homes, townhouse dwellings, street townhouses, and planned low-rise apartment buildings.

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 R6-5 zoning which is currently in place along the west side of Evans Boulevard and the recommended special zone provision for minimum and maximum density provides
for an appropriate level of intensity within the neighbourhood context, and is in keeping with the Place Types policies.

Our Tools

Evaluation Criteria for Planning and Development Applications

1578.5.* The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.

461_ Infrastructure studies may be identified and required to fulfill the complete application process for planning and development applications. The required content of the studies is provided in the Our Tools part of this Plan.

The proposed development will be required to connect to existing municipal sanitary and storm sewer outlets and water mains within the Summerside Subdivision. Conditions of draft approval will ensure that servicing reports are prepared and submitted in conjunction with the engineering drawing review to ensure that servicing capacity in the sewer and water systems are not exceeded, and to identify any required infrastructure upgrades.

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.

- There will be multiple access points to disperse vehicular traffic evenly and lessen the impact on the existing neighbourhood. Traffic calming measures will also be required along Evans Boulevard to calm traffic and slow vehicle speeds.
- On-site parking will be required as per the Zoning By-law minimum requirements based on dwelling type. An on-street parking plan will also be required in order to ensure there will be sufficient and evenly distributed on-street parking.
- The proposed residential uses are not expected to generate excessive noise and emissions. Construction access routes, installation of barricades to discourage cut-through traffic, and measures to mitigate dust, dirt, mud and debris on neighbourhood streets during construction will be identified through the accepted Engineering Drawings and Subdivision Agreement.
- There are no concerns with respect to lighting, garbage, visual and privacy impacts; or any issues with loss of views and tree cover.
- Shadowing is not expected to impact nearby properties as these draft plan phases are only intended for development low-rise buildings. A shadow impact study may be required at the time of Site Plan Approval to be submitted with building plans and elevation drawings.
- Archaeological assessments for the Summerside Subdivision plan were previously undertaken and a clearance letter from Ministry of Tourism, Culture and Recreation -
Heritage & Libraries Branch was issued in 2001.
- There are no concerns for natural heritage features 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 draft plan revisions maintain neighbourhood character and a reasonable level of compatibility with the existing Summerside Subdivision. The neighbourhood context on the east side of Evans Boulevard will consist of low density residential single detached dwellings interfacing existing low density residential dwellings. The lot pattern and streetscape is generally consistent with the pattern of the existing neighbourhood, except that cul-de-sacs have now been eliminated and replaced with through street connections. The proposed dwellings are expected to be similar in character and features as the existing residential neighbourhood, and contain dwellings of a similar height and massing. There will be a transition in use, form and intensity from low to medium density residential development on the west side of Evans Boulevard as originally intended for the lands adjacent Highbury Avenue South. The only significant change is the removal of 15 lots on the west side of Evans Boulevard within Phase 10B. The lands are intended to merge with the adjacent medium density blocks (Blocks 271 and 272) and will be rezoned accordingly to be consistent with the these blocks.

1768_ In the review of all planning and development applications, including the review of secondary plans, for residential development adjacent to Civic Boulevards, Urban Thoroughfares, Rural Thoroughfares, Rapid Transit Boulevards, Expressways and Provincial Highways will be subject to all of the following criteria, to ensure that residential development does not rear or side-lot onto the adjacent streets, as appropriate:

2. Place types that permit residential uses with a medium to high level of intensity will, wherever practical, be sited adjacent to these streets. This form of development provides for greater flexibility in building orientation thereby allowing front facing buildings with amenity space in the rear.

3. If there is no practical place type alternative, and sensitive place types must locate adjacent to these streets, then subdivision design measures will be encouraged to eliminate the need for noise walls. These subdivision design measures could include, but are not limited to neighbourhood design with window or lay-by streets or service streets; subdivisions with rear lanes; subdivisions on private service streets; or alternative measures that conform with the policies of this Plan.
The subdivision draft plan was previously approved with medium density residential blocks adjacent Highbury Ave South in order to provide for greater flexibility in site design and building orientation. Site development plans for the blocks may incorporate private window streets, front-facing dwellings units with private outdoor amenity areas in the rear, and other measures to mitigate impacts from exposure to road noise and eliminate the need for noise walls. A 2.0 to 2.5 metre high landscaped berm is also proposed adjacent Highbury Avenue. Noise Impact Assessment studies will be required for each individual development blocks at the time of Site Plan Approval.

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 lands are designated Low Density Residential east of the extension of Evans Boulevard, and Multi-family, Medium Density Residential west of Evans Boulevard, as shown on Schedule ‘A’ of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. The Multi-family, Medium Density Residential designation permits multiple attached dwellings, such as row houses or cluster houses; low rise apartment buildings; and small-scale nursing homes, rest homes, and homes for the aged. These areas may also be developed for single detached, semi-detached and duplex dwellings. Density will generally not be permitted to exceed 75 units per hectare and maximum building height is normally limited to four storeys. The proposed draft plan of subdivision, recommended zoning, and range of permitted uses, density and height are consistent with and conform to the 1989 Official Plan.

**Zoning By-law**

Zoning amendments are required in order to facilitate the proposed lot adjustments as shown on the revised draft plans. The request is to change the zoning on lands east of Evans Boulevard from a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone to a Residential R1 (R1-2) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 9.0 metres; a Residential R1 (R1-3) Zone to permit single detached dwellings on lots with a minimum lot area of 300 square metres and minimum lot frontage of 10 metres.

The R1-2 Zone would be applied to the lots fronting along Evans Boulevard and Maguire Drive to permit the proposed 9.0 to 10.0 metre wide lots, and the R1-3 Zone would be applied to the 11.0 to 12.0 metre lots proposed for the interior streets. A comparison of minimum lot area and frontage regulations indicates that the lot size standards are within a reasonably close range between the existing and proposed zones.

<table>
<thead>
<tr>
<th>Lot Area Minimum (m²)</th>
<th>R1-2</th>
<th>R1-3</th>
<th>R1-3(7)</th>
<th>R1-4</th>
<th>R1-4(10)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Frontage Minimum (m)</td>
<td>9.0</td>
<td>10.0</td>
<td>11.0</td>
<td>12.0</td>
<td>9.0</td>
</tr>
<tr>
<td>Landscaped Open Space Minimum</td>
<td>30%</td>
<td>35%</td>
<td>35%</td>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>Lot Coverage Maximum</td>
<td>45%</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
<td>40%</td>
</tr>
<tr>
<td>Rear Yard Depth Minimum (m)</td>
<td>4.5</td>
<td>6.0</td>
<td>6.0</td>
<td>6.0</td>
<td>6.0</td>
</tr>
</tbody>
</table>

In terms of the lot coverage, landscaped open space and rear yard setback regulations, the zone standards are also reasonably similar. Although the R1-2 zone standards permit a somewhat higher coverage and less rear yard depth, it should be noted that this zone will not be applied to lots which back on to already established single detached dwelling lots within the adjacent Summerside Subdivision in order to maintain...
consistent zone standards. Therefore, given the comparable lot sizes and dwelling types existing in the neighbourhood, the recommended zone and lot standards are considered appropriate and compatible with the surrounding area.

The other zoning request is to amend the zoning on the multi-family, medium density blocks located on the west side of Evans Boulevard (Blocks 271 and 272 in Phase 10B; and Blocks 1333, 1334, 1335 & 1336 in Phase 15) from a Holding Residential R6 (h-1•R6-5) Zone to a Residential R6 Special Provision (R6-5( )) Zone, with a special provision for a minimum density of 30 units per hectare and maximum density of 60 units per hectare, whereas the maximum density is currently 35 units per hectare. Each of these blocks are on average 2.0 hectares (5 ac.) in area so given their size the proposed density range is considered appropriate for development of medium density townhouses and cluster housing.

It is recommended that the holding (h-1) provision in the zoning be maintained. The purpose of the holding provision is to ensure that mitigating measures are undertaken in areas adjacent to transportation and utility corridors, an agreement shall be entered into, following consultation with relevant agencies, covering requirements for incorporating appropriate noise and/or vibration attenuation measures into the design of the development, prior to the removal of the “h-1” symbol.
Appendix E – Relevant Background

The London Plan Map Excerpt

![The London Plan Map Excerpt](image)

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

This is an excerpt from the Planning Division’s working consolidation of Map 1 – Place Types of the London Plan, with updated notations.

At the time of the printing of this map, the Rapid Transit EIA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to maintain consistent alignment with the EIA process. These Place Types will be modified to align with the results of the EIA 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 Division

Scale: 1:50,000

File Number: Z-3283
Planner: LM
Technician: RC
Date: February 3, 2021
COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR’S HOUSING
- R8 - MEDIUM DENSITY LOW RISE APARTS.
- R9 - MEDIUM TO HIGH DENSITY APARTS
- R10 - HIGH DENSITY APARTMENTS
- R11 - LOADING HOUSE
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- ESA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTESIAN 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
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- ESA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
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- OF - OFFICE

CITY OF LONDON
PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING
BY-LAW NO. Z.1
SCHEDULE A

FILE NO: Z-9283 LM
MAP PREPARED: 2021/02/05 RC

1:8,000

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS
Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: 100 Fullarton Street
Old Oak Properties Inc.

Date: Public Participation Meeting on March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of Old Oak Properties Inc. relating to the property located at 100 Fullarton Street:

(a) The proposed by-law attached hereto as Appendix “A” BE INTRODUCED at the Municipal Council meeting on March 23, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property BY AMENDING the Downtown Bonus (DA2*D350*B-38) Zone to permit the reconstruction of the Camden Terrace building facades (479-489 Talbot Street) to be constructed on the exterior wall instead of internal to the building.

(b) The request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property BY AMENDING the Downtown Bonus (DA2*D350*B-38) Zone to permit the demolition of the heritage designated features of the buildings at 93-95 Dufferin Avenue, BE REFUSED for the following reasons:

i) The requested amendment is not consistent with the policies of the Provincial Policy Statement, 2020 that encourage the conservation of significant built heritage resources.

ii) The requested amendment is not consistent with the Cultural Heritage policies of The London Plan that encourage the conservation and enhancement of cultural heritage resources in new development.

iii) The requested amendment is not consistent with the Cultural Heritage policies of the 1989 Official Plan which encourage the protection, enhancement, and utilization of structures considered to be of cultural heritage value.

Executive Summary

Summary of Request

The requested amendment would permit the demolition of a heritage designated building (93-95 Dufferin Avenue), and allow for the commemoration feature of Camden Terrace (479-489 Talbot Street) to be located on the exterior of the building.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommendation is to revise the original language in the bonus zone to no longer reference phases, as construction is now proposed in a single phase. These references will be replaced with the corresponding addresses. The recommendation is to allow for the Camden Terrace commemorative monument to be located on the exterior face of the building, and also to refuse the demolition of 93-95 Dufferin Avenue and the proposal to reconstruct the north and west facades as commemorative monuments.
Rationale of Recommended Action (regarding Camden Terrace (479-489 Talbot St)):

1. The recommended amendment is consistent with the PPS 2020.
2. The recommended amendment conforms to the 1989 Official Plan policies and policies of The London Plan.
3. The recommended amendment facilitates the original intent of the commemoration of Camden Terrace with improved heritage outcomes and the preservation of 93-95 Dufferin Avenue approved in the initial Bonus Zoning in return for increased height and density.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter
- February 18, 2014 - Zoning By-law Amendment Application (Z-8285)
- September 6, 2016 - Zoning By-law Amendment Application (Z-8617)

1.2 Property Description
The subject site is located along the west side of Talbot Street between Dufferin Avenue and Fullarton Street within London’s Downtown.

1.3 Current Planning Information (see more detail in Appendix D)
- The London Plan Place Type – Downtown
- Official Plan Designation – Downtown
- Existing Zoning – Downtown Bonus (DA2*D350*B-38) Zone

1.4 Site Characteristics
- Current Land Use – Vacant (under construction)
- Frontage – 28 metres
- Depth – 115 metres
- Total Lot Area – 0.6 ha
- Shape – Irregular

1.5 Surrounding Land Uses
- North – Residential
- East – Residential and Commercial
- South – Vacant (surface parking lot)
- West – Residential and Commercial

1.6 Intensification
- 652 units within the Primary Transit Area
2.0 Discussion and Considerations

2.1 Development Proposal
The approved development on the subject lands consists of a mixed-use apartment building with a 40 storey tower, a 29 storey tower, and a 9 storey podium with commercial uses at grade, and with 6 levels of internal structured parking.

2.2 Planning History

2013 Zoning By-law Amendment Application (Z-8285)
A previous application by Rygar Corporation Inc. pertained only to the lands at 100 Fullarton Street and 475 Talbot Street and did not include 93-95 Dufferin Avenue or 479-489 Talbot Street (Camden Terrace). A report was presented to Planning and Environment Committee on February 18, 2014 that recommended approval of a zoning by-law amendment to establish a bonus zone and allow for a 33 storey mixed-use apartment building with approximately 250 residential units. This application was approved by Council and the by-law came into force on February 25, 2014.

2016 Zoning By-law Amendment Application (Z-8617)
A subsequent application by Rygar Properties Inc. established the current zoning on the subject lands, comprising 100 Fullarton Street, 475-501 Talbot Street, and 93-95 Dufferin Avenue. A report was presented to Planning and Environment Committee on September 6, 2016 that recommended approval of a zoning by-law amendment to establish a new bonus zone for an increased height of up to 129 metres, and increased density of up to 1200 units per hectare, in return for a number of services, facilities, and matters. These include high quality design standards, public space improvements, underground parking, a monetary contribution to public art, and heritage commemoration. The regulations pertaining to heritage conservation of 93-95 Dufferin Ave., and commemoration of Camden Terrace are as follows:

3. Heritage Conservation (93-95 Dufferin Avenue) The significant attributes of the built heritage resource located at 93 and 95 Dufferin Avenue shall be conserved in the following manner:
   a. The designation of heritage attributes (generally associated with the northerly and westerly facades) of the original building under Part IV of the Ontario Heritage Act.
   b. The complete retention, in-situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Phase 3 of the proposed redevelopment.
   c. The incorporation of significant heritage attributes of the original building, including the northern and western facades in situ, into the overall design of Phase 3 of the new development as is depicted in attached Schedule "1" to the amending by-law.

4. Heritage Commemoration - Camden Terrace (479-489 Talbot Street)
   a. The documentation and appropriate storage of original materials including brick and exterior masonry work to retain their integrity.
   b. The construction of a commemorative monument which interprets a range of the significant heritage attributes of the Camden Terrace front facade in the manner documented in the January 4, 2016 "Heritage Overview Report" prepared by Stantec Consulting Ltd. and further described in the accompanying August 19, 2016 "Commemoration Overview" letter and shown in attached Schedule "1" to the amending by-law, and which generally includes the following features:
      i. Multi-structure residential row house proportions including six buildings enclosed within three sections, with each containing two terrace residences with mirrored facades;
      ii. With the individual row house sections containing the same proportion of bay windows, doors and upper-storey windows as the original structures.
iii. A uniformed setback from the public sidewalk.
iv. A uniformed eaves line.
v. The use of original building materials salvaged during the
demolition of Camden Terrace including stone lintels and original
yellow (London) brick.
vi. Other details such as pilasters, drip course, and cornice frieze, high
transforms above front entry doors, and half-elliptical lintels on
upper storeys.
c. The provision of plaques, interpretive signage and/or other
commemorative items which relate to the heritage attributes of the site
and includes the following subject matter: site history with an emphasis on
19th century character of the Talbot Street Corridor; the origins and
construction of Camden Terrace; and, details regarding the deconstruction
and reconstruction of the commemorative monument (façade replication).
d. The provision of clear glazing along the length of the Talbot Street building
façade which is east of the commemorative monument so as to maintain
public views to the monument in perpetuity.

Site Plan Approval Application (SPA17-035)

The Site Plan application was submitted by Rygar Properties Inc. on May 12, 2017, and
was put on hold due to inactivity until a new submission was made in June of 2019 after
Old Oak Properties purchased the site. Final approval was granted on September 11,
2020, and a building permit was issued shortly thereafter. The foundation is currently
under construction.

2.3 Requested Amendment

The requested amendment is comprised of two components, being the proposed
demolition of 93-95 Dufferin Ave., and the change to the commemoration of the
Camden Terrace façades by moving them from the interior to the exterior of the
building. The amendment would require a change to the approved bonus zone (B-38) in
the Zoning By-law Z.-1 by amending the respective regulations of the existing
Downtown Bonus (DA2*D350*B-38) Zone.

With respect to the demolition of 93-95 Dufferin Ave., the existing bonus zone requires
the northern and western facades to retain in situ. The applicant has provided a
structural engineer’s report (attached as Appendix ‘E’) which opines that the masonry
may not be structurally stable enough to withstand the partial demolition of the building
and construction as approved, and is instead proposing a commemoration strategy
whereby the northern and western facades would be dismantled and rebuilt, akin to the
approach taken with the Camden Terrace façades.

The applicant is also proposing to modify the approved bonus zone which requires the
Camden Terrace façade commemoration feature to be located internal to the building.
They are now proposed to be constructed as part of the functional exterior of the
building with operable doors to interior commercial spaces.

2.4 Community Engagement (see more detail in Appendix B)

On October 14, 2020, Notice of Application was sent to all property owners within 120
metres of the subject lands. Six (6) responses were received at the time this report was
prepared. Notice of Application was published in The Londoner on October 15, 2020.

2.5 Policy Context (see more detail in Appendix C)

The subject site is currently located in the Downtown designation. The London Plan also
identifies the subject site as being in the Downtown Place Type.

Provincial Policy Statement, 2020

The Provincial Policy Statement 2020 (PPS) provides policy direction on matters of
provincial interest related to land use and development. Section 1.1 Managing and
Directing Land Use to Achieve Efficient and Resilient Development and Land Use
Patterns of the PPS encourages long-term economic prosperity by maintaining and,
where possible, enhancing the viability of downtowns and main streets (1.7.1(d)), and
encouraging a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (1.7.1(e)). Section 2.0 Wise Use and Management of Resources of the PPS speaks to cultural heritage and requires that significant built heritage resources and significant cultural heritage landscapes shall be conserved (2.6.1).

The Ontario Heritage Act

Section 32 (1) of the Heritage Act allows for the owner of a designated property to submit an application to Municipal Council to repeal the by-law (or part thereof) designating the property. After consultation with the municipal heritage committee (the London Advisory Committee on Heritage), Council shall consider such an application within 90 days of the receipt of application and may either refuse the application or consent and give notice to repeal the designating by-law (32(2)).

Should Council not make a decision within that 90 days, the application will be deemed to be approved.

The 1989 Official Plan

The subject site is currently designated Downtown. The urban design objectives in the Downtown designation encourage a high standard of design (4.1.2.(i)) and allow flexibility for individual design creativity and innovation (4.1.2.(ii)). They do however also require that new development should be designed to provide for continuity and harmony in architectural style with adjacent uses that have a distinct or attractive visual identity, or are recognized as being of architectural or historic significance (4.1.2.(vi)). It also recognizes that Council, under the policies of Chapter 13, Heritage Resources Policies, may designate buildings of cultural value or interest and these buildings may be zoned to protect existing structures under the provisions of Chapter 13 and the regulations of Zoning By-law (4.1.6.(x)).

Chapter 13 – Heritage Resources Policies provide additional policies regarding properties, buildings, and structures of cultural heritage value or interest, and in conjunction with the Ontario Heritage Act, provide the necessary framework for the protection and enhancement of the City’s heritage resources. The policies in this section of the Plan are to achieve the protection of heritage resources which contribute to the identity and character of the City (13.1.(i)), encourage the protection, enhancement, restoration, maintenance, and utilization of buildings and structures within the city that are considered to be of cultural heritage value (13.1.(ii)), and encourage development to be sensitive to, and in harmony with the City’s heritage resources (13.1.(iii)).

Under the Ontario Heritage Act, Council is granted the authority to recognize and protect heritage properties, structures, buildings, and portions of buildings through designation. This ensures any future changes to a property are in keeping with its character (13.2.). The criteria for designation include a property or building’s architectural significance, historical significance, and contextual importance (13.2.2.). Where heritage buildings are designated under the Ontario Heritage Act, no alteration, removal, or demolition shall be undertaken which would adversely affect the reasons for designation, except in accordance with the Ontario Heritage Act. To ensure a greater degree of protection to designated heritage buildings and the features of a building or structure deemed to have particular heritage value, Council may enter into agreements with property owners (13.2.3.(i)).

The London Plan

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

The London Plan provides Key Directions (54_) to be considered in reviewing applications that provide direction and focus, which serve as a foundation to the policies of the Plan. Each direction encompasses a variety of strategies intended to guide planning and development over the twenty year planning horizon. Due to the nature of the proposed amendment, Direction #3: Celebrate and support London as a culturally rich, creative, and diverse city (57_), Direction #7: Build strong, healthy and attractive neighbourhoods for everyone (61_), and Direction #8: Make wise planning decisions (62_), are most applicable in this context, which present the following strategies:

(57_)

7. Protect our built and cultural heritage to promote our unique identity and develop links to arts and eco-tourism in the London region.
9. Revitalize London’s downtown, urban main streets, and their surrounding urban neighbourhoods to serve as the hubs of London’s cultural community.

(61_)

5. Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features.

(62_)

6. Ensure that all planning decisions and municipal projects conform with The London Plan and are consistent with the Provincial Policy Statement.
7. Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions.
8. Think “big picture” and long-term when making planning decisions – consider the implications of a short-term and/or site-specific planning decision within the context of this broader view.

The London Plan also provides clear direction for cultural heritage resources within the City Building Policies section. Policy 529_7 in the Culturally Rich and Diverse City subsection encourages the protection and celebration of the community’s cultural and natural heritage resources to allow current and future generations the opportunity to identify with and enjoy the cultural experiences and spaces the city has to offer.

The subsequent Cultural Heritage subsection provides addition direction in this regard, to conserve London’s cultural heritage resources so they can be passed on to our future generations (554_2), and to ensure new development is undertaken to enhance and be sensitive to cultural heritage resources (554_3). The general cultural heritage policies state that all efforts should be made to protect cultural heritage resources in the event of emergency or threat and other unanticipated situations or discoveries (564_).

Where an individual property is designated under Part IV of the Ontario Heritage Act, no alteration, removal, or demolition shall be undertaken that would adversely affect the reasons for designation, except in accordance with the Ontario Heritage Act (587__). Should City Council permit the demolition of a designated property, the City will ensure mitigation measures are undertaken, including a detailed documentation of the cultural heritage features to be lost, and may require the salvage of materials exhibiting cultural heritage value for the purpose of re-use or incorporation into the proposed development (591__).
3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

4.0 Key Issues and Considerations

Through the circulation process there were substantial concerns or issues raised by internal departments based on the proposal submitted, and there were seven (7) responses from the public regarding this application. The section below identifies key issues and considerations in detail.

4.1 Issue and Consideration # 1 – Form (93-95 Dufferin Avenue)

Through the 2016 amendment that established the bonus zone under which the development was approved, the designating by-law and bonus zone identified the northerly and westerly facades of the building as being of architectural and historical importance. Through the redevelopment of the subject site, the heritage building was to remain as a whole until such time as construction commenced. As part of the overall construction project, the northern and western facades were to be braced and remain in situ while the remaining portions of the heritage building were removed and the new building was constructed behind them, incorporating the two facades into the overall structure of the new building.

The applicant has provided a structural engineer’s report which has identified a high likelihood of failure.

During construction, the Owner retained a structural engineer to assess the structural value of the building who completed a report (attached herein as Appendix ‘E’) that states the masonry in the facades is in poor condition and the act of bracing the walls and demolishing the remainder of the building “is seen as a very expensive exercise with a high potential for failure”. The Owner has therefore prepared as-built drawings and a conservation strategy for dismantling the facades by removing each attribute individually for recording and storage, and re-constructing the facades in their entirety reusing these salvaged materials. The applicant also proposes to prepare an interpretation plan through the Site Plan Approval process, including two interpretive plaques.

The requested proposal to demolish the heritage designated features has triggered the requirement for a Heritage Demolition Permit, as well as a Zoning By-law Amendment to modify the regulations of the bonus zone.

During the 2016 rezoning, staff worked at length with the applicant to achieve a development that responded appropriately to its context within the downtown and comprising multiple properties with cultural heritage attributes. The result was a development proposal that both incorporated those heritage features and contributes positively to the skyline and streetscape of the downtown. The bonus zone permitted an increase in height to 129 metres and a density of up to 1200 units per hectare in return for quality building and site design, underground parking, a contribution to public art, the incorporation of the Camden Terrace facades, and the heritage designation of 93-95 Dufferin Avenue. The design of the building has since been approved through the Site Plan Approval process, and the bonus agreement recognizing the above matters has been registered on title. The policies regarding building design and contribution to the downtown are less pertinent to this aspect of the application since they are decided matters of Council. The use, intensity, and form of development previously approved as part of the current Bonus zoning remain largely unchanged. The proposed demolition of the heritage resource at 93-95 Dufferin Avenue is presently at issue.

Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement 2020 (PPS) provides policy direction on matters of provincial interest related to land use and development. Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns of the PPS encourages long-term economic prosperity by maintaining and,
where possible, enhancing the viability of downtowns and main streets (1.7.1(d)), and encouraging a sense of place by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (1.7.1(e)). Section 2.0 Wise Use and Management of Resources of the PPS speaks to cultural heritage and requires that significant built heritage resources and significant cultural heritage landscapes shall be conserved (2.6.1).

1989 Official Plan

The objectives of the 1989 Official Plan are clear in stating that where properties of cultural heritage value are threatened, the policies present in the Plan provide the framework for the protection and enhancement of heritage resources. These policies were analyzed in detail during the 2016 zoning by-law amendment that granted the development permissions for the subject property, and resulted in the designation of the northerly and westerly facades of 93-93 Dufferin Avenue based on the criteria outlined in the Ontario Heritage Act and articulated in policy 13.2.2., being of architectural, historical, and contextual significance. This designation under Part IV of the Heritage Act results in a prohibition from alteration, removal, and demolition that would adversely affect these reasons (heritage attributes) for designation.

However, the Heritage Act does grant the property owner the ability to submit an application to Municipal Council for the repeal of the designating by-law and allow for the demolition of a designated structure. Neither the Act nor the 1989 Official Plan contain criteria for the evaluation of such an application. However, the evaluation criteria for the designation of a heritage resource is available as a contextual foundation for the intent of the policies in the Ontario Heritage Act and the 1989 Official Plan.

These criteria – being the architectural, historical, and contextual significance of a property or structure, do not include an exception for structural deficiency. The structural capacity of a building is not a consideration when evaluating whether a structure should be designated, and is therefore not deemed to be a compelling factor in the repeal of a designating by-law. The introduction to Chapter 13: Heritage Resources Policies acknowledges that properties of cultural heritage value may be threatened by neglect, obsolescence, redevelopment, and the lack of financial means necessary for protection or rehabilitation, and further states that the policies therein provide the necessary framework for their protection and enhancement.

As such, the proposal for the demolition of designated heritage features identified in the approved bonus zone and provided in part, in return for additional building height and density, is not compliant with the policies of the 1989 Official Plan.

The London Plan

The London Plan was not in force during the original 2016 zoning by-law amendment and its policies were not considered. However, The London Plan provides relevant direction on this new application, especially regarding cultural heritage.

Key Direction #7 requires the protection and enhancement of cultural heritage resources, which is further expanded upon in the policies of the Cultural Heritage section of the Plan. The proposal to demolish the designated features of 93-95 Dufferin Avenue does not conform to these policies nor their intent to conserve and enhance this heritage resource (554_2, 554_3).

This section of the Plan impresses the importance of conservation and states that all efforts should be made to protect cultural heritage resources in the event of unanticipated situations or discoveries (564__). The documentation provided by the applicant constitutes an unanticipated discovery, in that the structural stability of the building masonry was not assessed during the time of the initial rezoning nor when it was designated. However, the structural integrity of a building or structure does not factor into the reasons for designation and has no bearing on the architectural and historical importance of the designated features. The report by the owner’s engineer
refers to the proposal for bracing the walls as an expensive exercise with a high probability of failure – such an exercise would constitute “all efforts” as required by policy 564_.

Key Direction #8 provides additional guidance when considering planning applications, requiring conformity with the PPS and official plan, and considering the broader implications of planning decisions in a long-term context. Granting permission to not follow through on one of the items required through the bonus zone for which additional height and density was granted may establish a precedent in the downtown, not only with respect to how bonus zones are implemented, but also regarding the treatment of heritage designated properties throughout the city. Demolishing heritage designated attributes on the basis that they exhibit issues with structural integrity would establish the foundation for additional applications to be brought forward in kind, and allow for financial matters to determine the outcome of designation processes when they are not considered as part of the designation criteria under the Ontario Heritage Act. This permission would contravene policies 554_, 564_, and 567_, which (as noted above) all require the conservation of cultural heritage resources, as well as policy 587_, which also states that no alteration, removal, or demolition shall be undertaken that would adversely affect the reasons for designation, except in accordance with the Ontario Heritage Act.

Despite the applicant’s proposal to reconstruct the façades, this would still require the repeal of the designating by-law and would constitute a commemoration, not conservation, as is required by the policies identified previously. Similar to the reconstruction of the Camden Terrace facades (479-489 Talbot Street), the request to demolish and reconstruct the facades at 93-95 Dufferin Avenue would result in it no longer being considered a cultural heritage resource by nature of its removal from the City’s Inventory of Heritage Resources. The only mechanism for requiring the commemoration of both Camden Terrace and 93-95 Dufferin Avenue is the bonus zone that was established after a lengthy review and consideration process, which determined that 93-95 Dufferin Avenue was of cultural heritage significance. The designation of the Dufferin Avenue building and the commemoration of the Talbot Street facades were, together, considered in return for the increased height and density permissions. As such, this application does not conform to the policies and intent of The London Plan.

4.2 Issue and Consideration # 2 – Form (Camden Terrace Commemoration)

The second component to this Zoning By-law Amendment is the alteration to the commemoration of Camden Terrace. As noted above, the facades are no longer protected by the cultural heritage policies of The London Plan or the 1989 Official Plan, but the commemoration is regulated under the Zoning By-law as per the approved bonus zone:

3. Heritage Commemoration - Camden Terrace (479-489 Talbot Street)
   a. The documentation and appropriate storage of original materials including brick and exterior masonry work to retain their integrity.
   b. The construction of a commemorative monument which interprets a range of the significant heritage attributes of the Camden Terrace front facade in the manner documented in the January 4, 2016 “Heritage Overview Report” prepared by Stantec Consulting Ltd. and further described in the accompanying August 19, 2016 “Commemoration Overview” letter and shown in attached Schedule “1” to the amending by-law, and which generally includes the following features:
      i. Multi-structure residential row house proportions including six buildings enclosed within three sections, with each containing two terrace residences with mirrored facades;
      ii. With the individual row house sections containing the same proportion of bay windows, doors and upper-storey windows as the original structures.
      iii. A uniformed setback from the public sidewalk.
      iv. A uniformed eaves line.
v. The use of original building materials salvaged during the demolition of Camden Terrace including stone lintels and original yellow (London) brick.

vi. Other details such as pilasters, drip course, and cornice frieze, high transforms above front entry doors, and half-elliptical lintels on upper storeys.

c. The provision of plaques, interpretive signage and/or other commemorative items which relate to the heritage attributes of the site and includes the following subject matter: site history with an emphasis on 19th century character of the Talbot Street Corridor; the origins and construction of Camden Terrace; and, details regarding the deconstruction and reconstruction of the commemorative monument (façade replication).

d. The provision of clear glazing along the length of the Talbot Street building façade which is east of the commemorative monument so as to maintain public views to the monument in perpetuity.

At the time of the 2016 rezoning that established the bonus zone, the interior portion of the building fronting Talbot Street was intended to be an open lobby in association with the residential component of the building.

Through the Site Plan process, this internal space was rearranged with respect to the location of elevators, internal parking, and the space was proposed to be used for commercial purposes instead of a lobby. To ensure consistency with the bonus zone and to respect the original character of the facades, they were proposed as three pairs - with four grouped south of the main entrance and two to the north, constructed against the wall separating the commercial spaces from the internal parking structure. This was generally consistent with the original locations of the buildings as the four units to the south were constructed with stoops and front stairs given the natural slope of Talbot Street from the high point at Dufferin Avenue, down to Fullarton Street. It is noted that the roofs and dormered windows were not included in this reconstruction proposal due to the height of the interior space.

The bonus agreement entered into between the City and the owner contained provisions to implement regulation 3.(d) of the bonus zone requiring the facades to continue to be visible to the public. This included restrictions on items such as structures, signage, and furniture to ensure visibility from the public right of way is maintained in a substantial and meaningful way.

In order to maintain public views to the facades the applicant is now proposing to locate them on the exterior of the main building. The initial application included renders showing 8 townhouses where the original building only contained 6. Through detailed
design review and coordination with the applicant, the proposal has been amended to include only the original 6 facades.

Through the shift to the exterior wall of the building, the applicant is now also proposing the replication of the roof line and dormered windows. The proportions have shifted to accommodate four of the six facades north of the entrance, and two to the south to maintain the couplets. As the doors are now intended to be operable and open into the interior commercial units, the original stoops are not being replicated to ensure barrier-free access to the units – this has resulted in the doors being located at grade, and due to the slope of Talbot Street, locating four facades to the north results in a lesser change to the door locations.

Policy 591 of The London Plan states that where a property listed on the Register is to be demolished, the City may require the salvage of materials exhibiting cultural heritage value for the purpose of re-use or incorporation into the proposed development. The 1989 Official Plan also permits the City to enter into agreements with property owners to protect features of a building with heritage value. There are, however, no policies in either plan that specifically address the proposed change to a heritage commemoration as required by a bonus zone.

The recommended amendment is consistent with the intent and purpose of the approved bonus zone in that it maintains public views to the facades, maintains the significant heritage attributes including the rowhouse proportions, mirrored facades, cornices, eaves, and lintels, and further contributes to the context of the facades by including the roof and windows on the upper storey. While the stoops and door locations are no longer a true recreation, the design is deemed to be an appropriate and minor deviation that conforms to the policies of The London Plan, the 1989 Official Plan, and the Zoning By-law.

4.3 Issue and Consideration # 3 – Use and Intensity

1989 Official Plan and The London Plan

Both the 1989 Official Plan and The London Plan contain policies regarding the use of land in the Downtown designation and Downtown Place Type, respectively, for mixed-use apartment buildings. The proposed use and intensity were approved during the 2016 rezoning and the applicant is not requesting an amendment to these matters. As such, the development as proposed is of an appropriate use and intensity.

Conclusion

The requested amendment to amend the Downtown Bonus (DA2*D350*B-38) Zone to permit the demolition of the designated heritage buildings at 93-95 Dufferin Avenue does not conform to the policies of the PPS 2020, nor with the City of London 1989 Official Plan or The London Plan.
However, the requested amendment to allow for the Camden Terrace facades to be constructed on the exterior wall of the building is consistent with the PPS 2020, the City of London 1989 Official Plan and The London Plan in that it continues to implement the intent and purpose of the original provisions of the Downtown Bonus (DA2*D350*B38) Zone.

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.

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

February 22, 2021
MS\mt
WHEREAS Old Pak Properties Inc. have applied to rezone and area of land located at 100 Fullarton Street as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Section Number 4.3 of the General Provisions Bonus Zones is amended by replacing the existing provisions with the following:

B-(38) 100 Fullarton Street

This bonus zone is intended to facilitate a development design which includes three new mixed-use apartment buildings ranging from 39m to 129m in height, with a maximum density of 1200 units per hectare across the overall site. The proposed development consists of three building portions, including: Building A (addressed at 495 Talbot Street), a 39m building with 92 residential units and 610m² of commercial space, Building B (addressed as 110 Fullarton Street), a 128.85m building with 349 residential units and 660m² of commercial space, and Building C (addressed as 99 Dufferin Avenue), a 101.5m building with 262 residential units and 660m² of commercial space. The proposed development shall be implemented through one or more agreements in return for the provision of the following services, facilities, and matters:

1. A building design which, with minor variations at the discretion of the Managing Director, Planning and City Planner, is consistent with the Site Plan and Illustrations attached as Schedule “1” to the amending by-law (variations may include, but are not limited to, the reduction of above-grade structured parking in lieu of additional underground parking and/or the reduction of the total number of parking spaces and variations in the proposed unit types).

2. High Design Standards

Specifically, the building design referred to in Clause 1 above, and shown in the various illustrations contained in attached Schedule "1" of the amending by-law, is being bonused for the following features which serve to support the City’s objectives of promoting a high standard of design for buildings constructed in prominent locations such as the Downtown, as outlined in Chapter 11 of the Official Plan and the Downtown Design Guidelines:

Overall Design Features
a. A modern architectural design that utilizes vision glass and spandrel glass (window-wall) as the primary form of cladding, contains a low proportion of exposed concrete, and uses clear glass balcony barriers, all of which serve to mitigate the overall visual building mass and provide a light and refined appearance in the city skyline.
Podium Design

a. Incorporates architectural details that create a prominent and distinctive base including ceramic panels skirting the face of the second and third floor terraces.
b. A ground floor ceiling height that is appropriate for a range of commercial uses, with the façade comprised primarily of floor-to-ceiling vision glazing for views into and out of the building contributing to an animated streetscape.
c. Separate and direct exterior entrances to commercial uses on the ground floor to animate the pedestrian realm from the city sidewalk.
d. Permanent architecturally integrated canopies above the first floor to architecturally differentiate the building base and provide overhead protection from natural elements.

Tower Design

a. Point tower forms with floor-plates no greater than 1,000m².
b. Clad primarily in vision glass and spandrel glass (window-wall) panels.
c. Includes horizontal projecting balconies and vertical precast end panels to create articulation and variation in the massing of the facades.

Building Caps

a. A visually interesting building top and distinguishable cap of a design quality that will contribute positively to London’s skyline.
b. The use of building step-backs and variation in massing to define the building cap with mechanical elements completely concealed within the overall architectural design of the top of the buildings.

3. Heritage Conservation (93-95 Dufferin Avenue)

The significant attributes of the built heritage resource located at 93 and 95 Dufferin Avenue shall be conserved in the following manner:
a. The designation of heritage attributes (generally associated with the northerly and westerly facades) of the original building under Part IV of the Ontario Heritage Act.
b. The complete retention, in-situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Building C of the proposed redevelopment.
c. The incorporation of significant heritage attributes of the original building, including the northern and western facades in situ, into the overall design of Phase 3 of the new development as is depicted in attached Schedule “1” to the amending by-law.

4. Heritage Commemoration - Camden Terrace (479-489 Talbot Street)

a. The documentation and appropriate storage of original materials including brick and exterior masonry work to retain their integrity.
b. The construction of a commemorative monument which interprets a range of the significant heritage attributes of the Camden Terrace front facade in the manner documented in the January 4, 2016 “Heritage Overview Report” prepared by Stantec Consulting Ltd. and further described in the accompanying August 19, 2016 “Commemoration Overview” letter and shown in attached Schedule “1” to the amending by-law, and which generally includes the following features:
   i. Multi-structure residential row house proportions including six buildings enclosed within three sections, with each containing two terrace residences with mirrored facades;
   ii. With the individual row house sections containing the same proportion of bay windows, doors, and upper-storey windows as the original structures.
iii. A uniformed setback from the public sidewalk.
iv. A uniformed eaves line.
v. The use of original building materials salvaged during the demolition of Camden Terrace including stone lintels and original yellow (London) brick.
vi. Other details such as pilasters, drip course, and cornice frieze, high transforms above front entry doors, and half-elliptical lintels on upper storeys.

c. The provision of plaques, interpretive signage and/or other commemorative items which relate to the heritage attributes of the site and includes the following subject matter: site history with an emphasis on 19th century character of the Talbot Street Corridor; the origins and construction of Camden Terrace; and, details regarding the deconstruction and reconstruction of the commemorative monument (facade replication).
d. The provision for the commemorative monument to be constructed on the exterior wall of the building facing Talbot Street so as to maintain public views to the monument in perpetuity.

5. Urban Plaza/Forecourt
   a. The provision of a publicly accessible urban plaza/forecourt along the Talbot Street frontage which is generally located in the vicinity of the primary entrance to the Talbot Street building (Phase 1), east of the commemorative monument as shown in attached Schedule "1" to the amending by-law.
   b. The provision of two-storey vision glass panels along portions of the Talbot Street building facade that front the urban plaza/forecourt to maintain views to active ground floor uses and the commemorative monument.

6. Parking Strategy
   a. A minimum of 4 levels of underground parking.
   b. Any necessary above grade structured parking is to be located to rear of the proposed building(s) and screened from the street by commercial and/or residential uses.

7. Site Landscaping/Public Realm

Landscaping used to enhance the appearance of building setback and yard areas by:

   a. A continuous row of planting along the western lot line of the property currently known as 93 Dufferin Avenue.
   b. Raised concrete planters along Talbot Street and Dufferin Avenue and Fullarton Street, to define the interface of the subject site and the public right of way and to function as informal seating, as approved by the City through the site plan process.
   c. Shade trees in the raised concrete planters.
   d. The incorporation of non-asphalt materials and paving patterns into pedestrian sidewalks and pathways adjacent to the proposed buildings as approved by the City through the site plan process.

8. Public Art Contribution
   a. The contribution of funding for public art in the amount of $250,000 to be provided during the site plan approval process.
   b. Such public art will be established through a process that is consistent with the City’s public art policy as applicable, to the satisfaction of the Manager of Culture and The City Planner, and ensuring input from the developer.

The following special regulations apply within the bonus zone:
   a) Regulations:
      i. Density: 1200 units per hectare (Max.)
      ii. Height: 129 metres (Max.)
iii. Setback for Residential 0 metres Component of Buildings: (Min.)

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.


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
Schedule “1”

East Elevation (Talbot Street)
West Elevation
North and South Elevations
Cross Sections
Appendix B – Public Engagement

Community Engagement

Public liaison: On October 14, 2020, Notice of Application was sent to all property owners within 120 metres of the subject site and those who previously made public comment during the 2016 rezoning. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on October 15, 2021.

Six (6) replies were received

Nature of Liaison: The purpose and effect of this zoning change is to amend the existing Bonus Zone to allow for alternative heritage commemoration measures for 93-95 Dufferin Avenue and Camden Terrace (479-489 Talbot Street). Possible change to Zoning By-law Z:-1 FROM a Downtown Bonus (DA2*D350*B-38) Zone TO a Downtown Bonus (DA2*D350*B- (__) Zone. The amendment would permit the demolition and reconstruction of the façade of 93-95 Dufferin Avenue rather than retention in situ; and, the reconstruction of the Camden terrace façade on the exterior of the building on Talbot Street instead of internal to the building.

Responses: A summary of the various comments received include concern for the demolition of the heritage designated features of 93-95 Dufferin Avenue, and a number of comments expressing concern regarding parking and site design matters for the overall development.

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

<table>
<thead>
<tr>
<th>Written</th>
<th>Address</th>
</tr>
</thead>
</table>
| Architectural Conservancy of Ontario | AnnaMaria Valastro  
To: Kelley McKeating, President  
1017 Western Road  
London ON |
| | 1 - 133 John Street  
London ON |
| DLN Group Inc. | Niels and Wendy Petersen  
To: David L. Nuttall  
703-500 Talbot Street  
London ON |
| | 1601 – 505 Talbot Street  
London ON |
| Pam and Ron Casey | Tyrrel de Langley  
To:  
2405 – 505 Talbot Street  
London ON |
| | 601 Talbot Street  
London ON |
November 4, 2020

Meg Sundercock – msundercock@london.ca
Site Development Planner
Development Services
City of London

Re: File 2-9250 – 100 Fullarton Street

Dear Ms. Sundercock:

On behalf of the London Region branch of Architectural Conservancy Ontario (ACO London), I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

Background

As you know, the double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

The extensive heritage attributes of 93-95 Dufferin Street are summarized as follows in the designation by-law:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- Buff brick;
- Demonstration of the Italianate style in 93 Dufferin Avenue: shallow hipped roof; paired wooden eave brackets; balanced proportions of street-face façade in three bays in the upper and lower storey; window and door openings, including robust lugsills and lintels with a gentle peak; wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim; a flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, itself supported on square columns set on masonry plinths; brickwork detailing on street-facing and westerly facades including quoining, a plain frieze, and string course; window
openings with robust lupsills and capped with vertical-laid brick flat-arches on original building westerly façade;

- Double storey bay window, acting as a bridge between 93 and 95 Dufferin Avenue;
- Demonstration of the Classical Revival style in 95 Dufferin Avenue: temple front façade and peaked roof form; round window with laurel wreath surround, set in gable pediment with scalloped siding and wood dentilled trim; oval window with keystone frame; paired wooden eave brackets; brickwork detailing, including quoining, a plain frieze, and stringcourse; window sills and lintels with a gentle peak; blocks above entry doorway

City Council's decision to permit the demolition of Camden Terrance at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act—despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council's eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.

Our Concerns

Our concerns can be summarized as follows:

- In our opinion, approval of the requested by-law amendment as it pertains to 93-95 Dufferin Street would be contrary to Section 1.7.1(e) of the 2020 Provincial Policy Statement (PPS) which states that "Long-term economic prosperity should be supported by ... conserving features that help define character, including built heritage resources and cultural heritage landscapes".

- Approval as it pertains to 93-95 Dufferin Street would also be contrary, in our opinion, to Sections 2.6.1 and 2.6.3 of the PPS which state that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved" and that "Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved".

- There are examples, in Toronto, Montreal, and elsewhere, of heritage buildings being conserved in their entirety within large-scale new developments. Our opinion is that conservation of at least the northern and western façades of 93-95 Dufferin Street, in situ (as required by the bonus by-law), would enhance the proposed development and should be viewed by the property-owner as an opportunity for design excellence rather than an inconvenience.

- Bonusing was negotiated by the city as a trade-off in return for certain commitments by the then-owner of this property when permission was granted to demolish Camden Terrance and when site plan approval was granted.
The bonusing was granted subject to conditions set out by the city, and commitments made by the property-owner, which included the "complete retention, in situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Phase 3 of the proposed redevelopment" and the "incorporation of significant heritage attributes of the original building, including the northern and western facades, in situ, into the overall design of Phase 3 of the new development" and -- with respect to the former Camden Terrace -- "construction of a commemorative monument" which essentially required the reconstruction of the original façade using the original building materials that were salvaged during its demolition. The commemorative monument was to be placed inside the east lobby of the new building with "clear glazing along the length of the Talbot Street building façade which is east of the commemorative monument so as to maintain public views to the monument in perpetuity".

If the current property-owner no longer wishes to abide by the agreed-on conditions, then it would be appropriate in our opinion for the city to rescind the bonusing that was previously granted and also to rescind any approvals that were conditional on the agreed-on commitments being met.

With respect to the Camden Terrace commemoration, it may be reasonable to permit the property-owner to place the commemorative monument on the exterior of the east side of the building facing Talbot Street. This accommodation should be subject to all of the criteria set out in Sections 4b and 4c of the relevant bonus zone by-law (B-38). This should include a requirement that the commemorative monument retain the proportions of the original building which included six (not eight) terrace residences.

Finally, we would observe that certain documents referred to in the bonus zone by-law are not easily accessible to the public. These include Schedule 1 to the amending by-law, the January 4, 2016 "Heritage Overview Report" prepared by Stantec Consulting Ltd., and an August 19, 2016 "Commemoration Overview" letter. In conjunction with this request for public input, it would have been helpful for these documents to have been made available to interested parties. In addition, the October 14, 2020 public notice regarding this planning application does not appear to have been posted to the city Web site. For ease of sharing such documents and for general transparency, our opinion is that such notices should be posted to the city Web site.

We appreciate your taking our comments into consideration. If you have any questions regarding our submission, please contact me.

Sincerely,

Kelley McKeating
President, Architectural Conservancy Ontario – London Region

Copy: Arielle Kayabaga, Councillor for Ward 13 | akayabaga@london.ca
Kyle Gonyou, Heritage Planner | kgonyou@london.ca
Sundercock, Meg

From:
Sent: Tuesday, November 3, 2020 4:23 PM
Subject: [EXTERNAL] heritage alert: Camden Terrace yet again !!!
Importance: High

Please circulate widely

Hello

It like a recurring nightmare and frustrated by a Mayor that is a developers' dream.

Old Oak Properties which purchased the lands where Camden Terrace once stood now wants to demolish the only building that was designated heritage on the site - 93-95 Dufferin Ave.

They have an entire city block to build and can't figure out how to incorporate one heritage building. What's worse is they are required to retain the original bricks of Camden Terrace to be used in rebuilding the Camden Terrace façade. Those bricks were never reclaimed because these developers know that city hall and council are 'jelly' when it comes to standing up for heritage in this city and upholding the principles of the London Plan. Thousands of Londoners participated in the forming of the London Plan and it was all for nothing.

The London Plan clearly states:

554 - 3. Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.

562_ Strategies will be developed to promote the adaptive re-use or repurposing of existing built heritage assets to support green building design to reduce demand on natural resources.

563_ In conformity with the Urban Regeneration policies in the Our City part of this Plan, initiatives will be taken to support the adaptive re-use of cultural heritage resources to facilitate economic revitalization of neighbourhoods and business areas.

565_ New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.

Stick to the Plan and stop making a mockery of public engagement.

If you oppose the demolition of 93-95 Dufferin Ave, please speak up and send your comments directly to council at Imorris@london.ca. Heritage preservation has become one of the biggest issues in London today, so remind council that heritage matters and not just the profits of developers and city hall.

Here is my reply:
Dear Members of Council.

Re: the demolition request of 93-95 Dufferin St.

NO, NO and Again NO

Simple as that.

Please speak up today.

AnnaMaria Valastro

Special Note: This information is NOT available online so members of the public unless they received a paper notice, there is no avenue to review electronically.
Sundercock, Meg

From: DAVE NUTTALL
Sent: Monday, October 19, 2020 7:53 PM
To: Sundercock, Meg
Cc: [EXTERNAL] 100 Fullerton Street

File: Z-9250

Have received the latest zoning amendment app. by Zelinka Priamo Ltd. in regard to the current development underway fronting Talbot Street and ask the following,

1) have alway thought the proposed facade of Camden Terrace should have been on the exterior of the building and not the interior so pleased to see this change made.

2) Giving there is plenty of room fronting Talbot Street for this modification why has there been almost next to nothing planned for landscaping in front of the new facade. 500 Talbot across the street has plenty of landscaping and so do the two buildings just north of Dufferin St. east side of Talbot owned by Old Oaks Dev.

Considering the original proposed facade for Camden Terrace was planned to be inside the building there should now be plenty of room on the exterior to include more landscaping. What is shown in the building renderings is just a waste of money and space as nothing will grow and someday any natural planted tree will be replaced by steel trees now outlined in the core area.

500 Talbot spends a considerable amount of money and time to maintain it’s natural features so why can’t this new development reciprocate with their own natural features.

There appears to be plenty of room from the building setback to the property line leaving more than enough room for an oversized public walkway. If this style of development continues along Talbot Street someday there will be nothing but pavement and concrete in an area the City is attempting to promote residential occupancy.

Plenty of people now walk this area including many with Dogs and I’m sure natural features in lieu of concrete would be far better received by everyone living in the area. This is not downtown Dundas Street and should receive better forms of development for long term residential uses.

Thank you for your attention to this matter.

DNL GROUP INC.
703-500 Talbot Street
London, Ontario N6A 2S3

David L. Nuttall
Sundercock, Meg

From:  
Sent: Wednesday, October 21, 2020 11:20 AM  
To: Sundercock, Meg; Kayabaga, Arielle  
Subject: [EXTERNAL] Application. 100 Fullerton Street.

We are owners / residents of a unit at the Azure at 505 Talbot Street and moved from Niagara to here January 2019. We love living in the inner city and all the close amenities we can enjoy while living here but the traffic and congestion seem to be getting worse with time. The growth of high rise accommodations with the new 100 Fullerton and the soon to be started even higher complex on Ridout (the old Molson complex) will further aggravate this situation. It is not just traffic but these complexes do not provide visitor parking and any public parking in the area is very limited. During morning and afternoon rush hours Talbot Street is already congested from Dundas to Oxford with employees of the larger commercial building is the area and others using the street as an alternate cross city thoroughfare.

Also with likely further congestion with the planned downtown loop and accompanying area upgrades what is the city looking at doing to resolve the very likely traffic and parking problems? Hopefully somebody is looking at the big picture with all this development that is underway.

We are fully in favour of the many improvements planned for the area and the quality and appearance of the new structures planned but are very concerned with the problem outlined above.

Respectfully,

Niels & Wendy Petersen  

Unit 1601 - 505 Talbot Str. (The Azure)
Dear Meg and Arielle:

We are writing regarding File: Z-9250 Property – 100 Fullarton Street

My husband and I currently reside at 505 Talbot Street – The Azure. We have questions and concerns about the development that is located south of where we live.

We have received by mail the Zoning By-law Amendment for the property and have issues with reading the site concept. We have also researched on the City of London development projects and are not able to find this particular document on the website. Is it possible for you – Meg – to send a digital copy of the site concept?

One concern with the proposal lay with the visibility on the street. Currently at the Azure we do not have a spot for contractors to park their vehicles and if they do park in our drop off area in front of the building then visibility comes into play for pedestrians and cars alike on Talbot Street and it’s difficult to see leaving our parking garage which faces Talbot. We hope that this will not be repeated with the new development.

Currently what is the vision of Old Oak as it pertains to both Talbot and Dufferin Streets? We can anticipate traffic issues and pedestrians’ issues with cars and deliverers and contractors parked in front of the building.

Pam and Ron Casey
The Azure – Unit #2405
505 Talbot Street London ON

The time to act is NOW! We all need to reduce our carbon footprint by 50%
Dear Ms. Sundercock,

As a resident of North Talbot residents association I have received numerous emails from our association requesting my voice be added to oppose this demolition request. No doubt you will have received many of these from my neighbours. In this particular instance I in-fact support the demolition of these properties to allow the developer to fully develop the site and maximize the opportunity for rejuvenation of downtown. It is these investments that will truly bring residents back to the core and reignite the vibrancy that a city's downtown requires to thrive.

An example is the Azure development. I recollect considerable opposition from the Association, yet this has brought a significant influx of residents who live and shop downtown, and provides a charming cafe on the ground floor that has been very busy with long-term residents, students, and even police and fire crews in regular attendance. It’s an example of how strategic development by developers can be of benefit to London and in particular to its downtown.

Best regards,

Dr. Tyrel de Langley
601 Talbot Street
London
Agency/Departmental Comments

Upper Thames River Conservation Authority

The subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required. The UTRCA has no objections to this application.

London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.
Appendix C – Policy Context

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

**Provincial Policy Statement**

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
   1.7 Long-Term Economic Prosperity
      1.7.1 e

2.0 Wise Use and Management of Resources
   2.6 Cultural Heritage and Archaeology
      2.6.1
      2.6.3

**1989 Official Plan**

Properties of Cultural Heritage Value or Interest
13.1.(i)(ii)(iii) Objectives
13.2 Built Heritage
13.2.1. Inventory of Cultural Heritage Value or Interest
13.2.2. Criteria for Designation
13.2.3. Alteration, Removal or Demolition

**The London Plan**

Our Strategy
55. Direction #1 Plan for a strategically prosperous City of London
57. Direction #3 Celebrate and support London as a culturally rich, creative, and diverse city
61. Direction #7 Build Strong, healthy and attractive neighbourhoods for everyone
62. Direction #8 Make wise planning decisions

Culturally Rich and Diverse City
529.(7) What Are We Trying to Achieve?

Cultural Heritage
554. What Are We Trying to Achieve
General Cultural Heritage Policies
564. Sustainability Design
566. - 569. Individual Heritage Properties
583. - 591.

Downtown Place Type
Specific Policies for the Downtown Place Type
805B.
Appendix D – Relevant Background

Additional Maps
February 28, 2020

Old Oak Properties  
200 – 150 Dufferin Avenue  
London, ON N6A 5N6

Attn: Mr. Ryan Peel  
Chief Construction Office

Re: 100 Fullarton Street  
Heritage Façade at 93-95 Dufferin Avenue  
Our File No. 19169, 19170

Dear Sir,

We are in receipt of Exp Services Inc. report dated February 12, 2020 on the “Structural Integrity” of building façade which is to be saved and integrated to the new development.

The following is a summary of Exp observations:

1. Exterior masonry is significantly weather with substantial mortar loss.
2. Prior sandblasting will cause rapid deterioration of brick.
3. The foundation of both sides of perimeter bricks is of “brick and rubble” in advance state of deterioration.

In a view of above findings, we will strongly recommend to dismantle the old deteriorated façade and replace it with “new masonry” matching the original architectural appearance.

Trust that above is of use.

Yours very truly,

JABLONSKY, AST AND PARTNERS  
CONSULTING ENGINEERS

P.F. Ast, P. Eng.

cc: S. Vitiello  
A. Heilbrunn

400 - 3 Concorde Gate  
Toronto, ON M3C 3N7  
Telephone (416) 447-7485  
Fax (416) 447-7771  
www.astint.on.ca  
Email jap@astint.on.ca
February 12, 2020

Ryan Peel,
Chief Construction Officer,
Old Oak Properties,
200-150 Dufferin Avenue,
London, Ontario
N6A 5N6

Building Masonry Assessment
93-95 Dufferin Avenue,
London, Ontario

Introduction
This letter summarizes the results of an assessment of the structure at 93-95 Dufferin Avenue. The purpose of the assessment was to evaluate the structural integrity of the portion of the building to be retained for historical purposes. It is proposed to demolish the structure and retain the exterior facades for incorporation into the new development. This essentially consists of retaining the exterior structural brick walls on the north and west sides of the building.

The assessment consisted of an examination of the building by a structural engineer familiar with preservation of heritage buildings, and included a test cut through the exterior brick wall. The assessment was undertaken on February 10, 2020.

Observations

EXTERIOR

The building is in excess of 150 years old. An original structure comprises the northwest section of the building. Two subsequent additions of different construction comprise the east and southeast sections of the building. In general, the original portion is of more robust construction than the additions.

The exterior masonry is significantly weathered with substantial mortar loss. There are areas where the original masonry has been replaced with different brick and mortar. The repaired areas do not match the original construction. It is suspected that parts of
the building were sandblasted in the past to improve the exterior appearance. Sandblasting clay brick removes the original exterior fused face of the brick which exposes the softer interior of the unit and contributes to accelerated weathering. In addition, modern mortar is usually much harder than the old soft lime mortars used in the nineteenth century and can cause accelerated deterioration of the older brick through differential seasonal movement of the original and repaired areas of the wall.

INTERIOR

The original building has a brick foundation. The brick was found to be very soft and could be crumbled with hand pressure. In general, clay brick is known to perform poorly below grade and is subject to deterioration from moisture and freeze/thaw cycles. Over time, the brick weakens from weathering and will eventually crumble. The north foundation wall at the addition has masonry on rubble foundation as well as benchd brick. There are areas of missing mortar and cracked or crumbling brick. There are areas of previous repairs which can contribute to accelerated deterioration as discussed previously.

TEST CUT

A section of brick was removed from the east wall near the front of the building. In this area, the wall has two wythes of brick. The exterior brick was found to be very soft during the cutting process. The mortar bond between the bricks was poor and there was essentially no mortar bond between the brick wythes. The two layers of brick are joined by header bricks in every sixth course, generally spaced two bricks apart. Over time, the two wythes move differently as the inner layer is subject to relatively consistent moisture and temperature, while the outer layer is subjected to much greater temperature and moisture variation. The differential movement of the two layers of brick weakens the bond between the walls and can break the header bricks, the effect being more pronounced higher up the wall. Walls with three wythes such as the original part of the building, would have the same issue.

Discussion

The building in its current condition shows signs of aging and deterioration. The existing masonry walls are deteriorated due to age and exposure, as well as original construction techniques and workmanship. The exterior facade has also been altered through repairs. Due to the existing conditions of the foundations and the walls above extensive restoration and structural bracing would be needed if the walls were expected to remain in place during the planned construction at the site. Due to the condition of the brick coupled with the noted poor mortar to brick bond, attempts to brace the wall are likely to cause additional damage to the wall.
If the wall was successfully braced, and subsequently a major restoration was performed you would still be left with a wall comprised of deteriorated elements that would require ongoing restorative maintenance.

The prospect of successfully bracing these walls is seen as a very expensive exercise with a high potential for failure. A more durable and sustainable solution would be to scan and catalogue the existing structure and to systematically dismantle it for reconstruction. This would result in a structurally sound exterior that can be reconstructed to match the original building reutilizing the best of the original elements, or new architecturally matching materials. The reconstructed walls would be constructed on a proper foundation. The rebuilt structure would aesthetically match the original structure and be more stable and durable into the future.

Conclusion

We trust this meets your current requirements. Should you have any questions regarding this report, please feel free to contact this office.

Yours truly,

EXP Services Inc.

Barry Webster, P.Eng.
Senior Project Engineer

Andrew Holford, P.Eng.
Discipline Manager, Building Science
Building Assessment
93-95 Dufferin Ave., London, ON
LON-00017412.8S
February 13, 2020

Interior Face of Masonry Wall
Test Cut showing Mortar between Wythes
Exterior View of East Wall and Test Cut
Test Cut showing Interior Brick Wythe
Proposed Amendment

• The reconstruction of the Camden terrace façade on the exterior of the building on Talbot Street instead of internal to the building

• The demolition and reconstruction of the façade of 93-95 Dufferin Avenue rather than retention in situ
• Z-8617 – September 6, 2016
  • Approved the existing Downtown Bonus (DA2*D350*B-38) Zone
  • Permitted the deconstruction of Camden Terrace
  • Designated west and north facades of 93-95 Dufferin Ave.

• SPA17-035 – Site Plan Approved September 11, 2020
Approved Site Plan

Camden Terrace

93-95 Dufferin Ave.
Camden Terrace Façades

Approved East Façade:

Proposed East Façade:
93-95 Dufferin Avenue

Approved North Façade:
From: Heather Guizzetti  
Sent: Saturday, February 20, 2021 7:28 PM  
To: PEC <pec@london.ca>; +psquire@london.ca; +shillier@london.ca; +ahopkins@london.ca; +slehman@london.ca; +slewis@london.ca; +mayor@london.ca  
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

As a Londoner passionate about our City's treasured built-heritage, I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.

Thank you for your consideration on this important issue
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

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Jane Graydon
518 Central Ave.
London, ON N6B 2G1
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

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The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.

Shelley Kopp | Ph.D. Candidate
Department of Visual Arts
Western University
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

Dear PEC Committee Members,

As a Londoner passionate about our City’s treasured built-heritage, I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace). The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there. City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.

Thank you,

Brenda McQuaid

Board Member, ACO; Past President, Heritage London Foundation
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

World class cities that are vibrant and interesting for residents and tourists alike manage to retain their architectural heritage as well as embracing the best of new designs and architectural ideas. We feel that citizens are more rooted in their city when it acknowledges all its stages of built heritage. Unfortunately we in London have not had a strong record of supporting our heritage buildings, and we request that you uphold the original terms of your decision re 100 Fullerton St.

As Londoners passionate about our City's treasured built-heritage, we are writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

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Respectfully,
Marion and Barrie Evans
332 St. George St.
London, ON
N6A 3B2
By forwarding this email to you, I am supporting the preservation of the valued heritage and historic property at 93 - 95 Dufferin Street.

As a Londoner passionate about our City's treasured built-heritage, I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

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From: Sharon Lunau  
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

As a Londoner passionate about our City's treasured built-heritage, I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London's first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

City Council's decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council's eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.

It is vitally important to the existence of London's built heritage that Council uphold the original terms of the demolition of Camden Terrace. As an experienced developer, it seems unlikely that Old Oak did not do a thorough investigation of the terms reached by Rygar and the city before a final deal was made between the two companies. Reneging on the previous Council's decision sets a dangerous precedent for property owners to continue the heinous practice of demolition by neglect. Wait long enough and you will find supporters for your deliberate inaction.

Perhaps London City Council could look to cities who have embraced their built heritage. The NBA Milwaukee Bucks wear cream coloured uniforms bearing the name Cream City. This is not a reference to the beer and dairy products for which Wisconsin is known. It is a statement of pride in the cream coloured brick buildings that were built a century or more ago from bricks produced from the local clay in Milwaukee’s brickyards. In London, our buff brick buildings of the same vintage were also produced in local brickyards from local clay deposits. In fact, it is often referred to as London Brick. London calls itself the Forest City and efforts are being made to stop the destruction of our trees after years of neglect. It is time for the Buff Brick City to receive attention before more of that heritage is destroyed.

Please consider the possibility of London's past, present and future buildings coexisting harmoniously.

Respectfully  
Sharon Lunau  
1096 Kingston Avenue  
N6H 4C8
As a Londoner passionate about our City's treasured built-heritage, I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace). The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there. City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street. I prefer my taxes and your energy be spent to save historic structures rather than to the destruction of our built heritage. Please remember that places in Europe that have visitors and quality of life for its citizens have kept their historic buildings. Please keep our history, albeit a shorter one than our European ancestors. Do not allow demolition, it is short-sighted and benefits the capitalist not the great good of our community.

Sincerely,
Janet Wombwell
174 Guildford Cres. London, ON N6J 3Y6
From: Cheryl Jennings  
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

As a Londoner passionate about our City’s treasured built-heritage, I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

The double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

Dear members of Planning and Environment Committee and Mr. Bierbaum

I am writing to express my deep concerns regarding the requested zoning by-law amendments for the 100 Fullarton Street high-rise project.

As we all know this project has had a long and complex path. When completed, the new building will be an outstanding landmark in downtown London, increasing the population in our urban core. In addition the inclusion of 110 affordable housing units is a laudable and significant step towards resolving the housing crisis in our city.

The elegant and historic Camden Terrace townhouses which once stood on this site could have been protected and heritage-designated by the City Council of the day. Unfortunately that option was not chosen, and the opportunity to restore and adaptively re-use it as the centrepiece feature in the new Centro high-rise as unanimously recommended by the City’s own Urban Design Peer Review Panel was lost.

I implore you and all involved parties to set aside ongoing efforts to resurrect the corpse of Camden Terrace once and for all. Let that graceful 19th century ghost Rest in Peace with dignity, rather than try to re-animate it in some unseemly ‘urban taxidermy’ commemoration that will always be a diminished and artificial pastiche. The indecorous example of the nearby Harriston building on Ridout Street, with its re-created ‘sticky-note’ row house facade, is a very unfortunate case we can all learn from.

Let this exciting new urban landmark showcase its own contemporary design merits. The history and memory of Camden Terrace would be much better served by a cultural heritage sign like those in Victoria Park, Richmond Row, and other locales across downtown. Another creative design option could be to have silhouette features of Camden Terrace etched into the ground-floor glazing fronting Talbot Street. Plaques and/or other story-telling elements could be embedded into the sidewalk facing the new Centro high-rise are other possibilities. I urge you to not succumb to the costly, difficult, and deeply unpopular trend of façadism that pleases no one and is already aging poorly.

As for the disturbing zoning amendment request to allow the demolition and reconstruction of the façade of 93-95 Dufferin Avenue rather than retention in situ, I fully support the strong concerns expressed by ACO London president Kelley McKeating in her letter of February 18. The very significant value of that well-maintained heritage-designated architectural asset is known to the City and Council. The house can and should be protected.

The precarious state of heritage conservation in our historic city continues to be fragile while our many undervalued core surface parking lots continue to survive. Given that the City has declared a Climate Emergency, maintaining and repurposing existing buildings is an important way to encourage sustainable development along with building multi-unit housing on surface lots in our downtown core that reduce demand for parking.

I trust you will do the right thing that will reflect well on our city, and make our children proud of its standing and evolving history.

Sincerely,

Sandra Miller
Former Board member, ACO London
Mayor’s List Honouree for Heritage, 2017
Member, Congress for the New Urbanism and Urban League of London
Subject: [EXTERNAL] Camden Terrace

Why is it that our civic leaders are so intent on destroying the heritage and character – i.e. the actual reason why people want to live in London, in favour of individual greed in the form of substandard developments? Why is that in every agreement made, the City is the first to step away from its promises in support of these so call ‘developers’? This is just further evidence of our failed civic leadership who once again have abdicated their authority to greed. How sad!

Ben Benedict
From: Marie Rooks  
Subject: [EXTERNAL] Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street  

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Report to Planning and Environment Committee

To: Chair and Members
   Planning and Environment Committee

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

Subject: Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties

Date: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Old Oak Properties relating to the property located at 93-95 Dufferin Avenue:

(a) The request to demolish the buildings on the heritage designated property at 93-95 Dufferin Avenue, BE REFUSED for the following reasons:
   i) Demolition runs contrary to the PPS-2020 and is inconsistent with policies of The London Plan.
   ii) The property continues to demonstrate significant cultural heritage value.
   iii) The condition of the building does not sufficiently warrant the demolition of this heritage designated property.
   iv) Demolition will contribute to the continual loss of significant heritage buildings designed by Samuel Peters.
   v) Demolition does not support previous commitments and confirm public expectations through an approved bonus zone that conserved the properties at 93-95 Dufferin Avenue.

(b) The Chief Building Official BE ADVISED of Municipal Council's intention in this matter.

Executive Summary

Summary of Request

93-95 Dufferin Avenue is a heritage property, designated pursuant to Part IV of the Ontario Heritage Act. The property owner has requested consent of Municipal Council to demolish the buildings on the property in accordance with Section 34(1) of the Ontario Heritage Act.

Purpose and the Effect of Recommended Action

The purpose of the recommended action is to refuse the demolition request. The effect of the recommended action is to uphold the heritage designating by-law (By-law No. L.S.P.-3469-18) and retain the buildings on the property at 93-95 Dufferin Avenue for integration into the new, mixed-use development, as previously approved by Council (By-law No.Z.1-162518).

Rationale of Recommended Action

The request for demolition of 93-95 Dufferin Avenue is recommended for refusal for the following reasons:

- Demolition of heritage designated properties is contrary to provincial direction (PPS-2020) and inconsistent with policies of The London Plan.
- The property continues to demonstrate significant cultural heritage value.
- The condition of the building does not sufficiently warrant the demolition of this heritage designated property; aging and deterioration of masonry and mortar has
not resulted in the loss of heritage integrity of the buildings as a whole form, or the integrity of individual heritage attributes.

- Demolition of 93-95 Dufferin Avenue will contribute to the continual loss of significant heritage buildings designed by Samuel Peters.
- Demolition does not support previous commitments and confirm public expectations through an approved bonus zone that conserved the properties at 93-95 Dufferin Avenue.

**Linkage to the Corporate Strategic Plan**

Refusal of the requested demolition of 93-95 Dufferin Avenue contributes to implementing the City’s 2019-2023 Strategic Plan through ‘Strengthening Our Community’, by continuing to conserve London’s heritage properties and archaeological resources. (p11)

**Analysis**

1.0 Background Information

1.1 Previous Reports Related to this Matter


September 6, 2016 — Report to Planning & Environment Committee – 100 Fullarton Street, 475-501 Talbot Street & 93-95 Dufferin Avenue PPM (Z-8617).

July 17, 2017—Report to Planning & Environment Committee – Request for Designation, Heritage Listed Property at 93-95 Dufferin Avenue.

1.2 Property Location

93-95 Dufferin Avenue is located on the south side of Dufferin Avenue (formerly Maple Street/Hitchcock Street), between Talbot and Ridout Streets in London, Ontario (Appendix A). It is part of a larger property that also includes 100 Fullarton Street and 475-501 Talbot Street (Camden Terrace) This property was consolidated to facilitate a commercial-residential point tower development type with a 9-storey podium and two towers of 29 and 38 storeys. Presently, 93-95 Dufferin Avenue is vacant (operating with commercial uses up until 2019), and the remaining property is now partially under construction.

The property is bordered to the south and east by the Downtown Heritage Conservation District. It is also located within an area – colloquially known as ‘North Talbot’ – which is associated with very early urban development in London. North Talbot has been identified in *Heritage Places 2.0* as a potential, future heritage conservation district, and is currently being inventoried as a precursor to a heritage study required for district designation.

1.3 Cultural Heritage Status

The double house at 93-95 Dufferin Avenue was primarily constructed in two phases but maintains cohesion across its two parts. The first, 93 Dufferin Avenue, was constructed circa 1864, as the home of Samuel Peters, and 95 Dufferin Avenue was added in 1894 (Appendix B). The cultural heritage value of 93-95 Dufferin Avenue has long been recognized and celebrated by Londoners. The property has been a feature of the 1988 and 2010 Architectural Conservancy of Ontario – London Region Geranium Walk heritage educational tours.

93-95 Dufferin Avenue was designated in 2017 under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3469-18; the designation was part of a bonus zone outlined in zoning by-law amendment By-law No.Z.1-162518.
1.4 Description

93-95 Dufferin Avenue is believed to have been designed by London architect, surveyor and engineer — Samuel Peters (1822-1882). He was a notable Londoner for his contributions to the early development of the City particularly through his role as Town, then City Engineer, and for significant City landmarks attributed to his design.

This property consists of a semi-detached residential structure, constructed from buff brick, with a wide, single-leave primary entryway. A gradual stylistic evolution is evident across the façade from 93 to 95 Dufferin Avenue; from the Italianate style — depicted in 93 Dufferin’s shallow hipped roof, supported by paired brackets, and the balanced architectural proportions in the three bays of the street-facing façade — to the Classical Revival style of 95 Dufferin expressed as a ‘temple front’ form an oval window in the gable pediment on the main façade, and laurel wreath detail. 93-95 Dufferin Avenue contributes to the history of the Talbot North area which quickly became London’s first suburban area outside of the City-proper. The form and style of 93-95 Dufferin Avenue reflects the social status afforded to individuals who chose to settle in the Talbot North area.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

2.1.1 Provincial Policy Statement

Heritage conservation is a matter of provincial interest (Section 2.d, Planning Act). The Provincial Policy Statement (PPS-2020) 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.” (Section 2.6.1)

‘Significant’ is defined in the PPS-2020 as, “[r]esources that have been determined to have cultural heritage value or interest.” Further, “[p]rocesses and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.” (p51)

Additionally, ‘conserved’ means, “[t]he 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. To ‘conserve’ 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.” (pp41-42)

2.1.2 Ontario Heritage Act

Revisions to the Ontario Heritage Act strengthened its protection of Ontario’s cultural heritage resources. While the pre-2005 Ontario Heritage Act could only delay the demolition of a building located on a heritage designated property for 180 days, revisions to the Ontario Heritage Act in 2005 enabled municipalities to refuse demolition requests of buildings located on heritage designated properties.

Section 34 of the Ontario Heritage Act (OHA) directs that no owner of a property individually designated under Section 29 (i.e. Part IV) is permitted to demolish a building on the property unless a permit is obtained from the municipality to do so.

In requests for demolition of a building located on a heritage designated property, the Ontario Heritage Act (Section 34(2)) enables municipalities to give the applicant:

a) the permit applied for;
b) notice that the council is refusing the application for the permit; or
c) the permit applied for, with terms and conditions attached.

Municipal Council must respond within 90-days after receipt of a demolition request. Consultation with the municipality’s municipal heritage committee (the London Advisory Committee on Heritage) is required. Non-decision within 90-days, the refusal, or terms
and conditions on the approval of a demolition request may be appealed to the Local Planning Appeals Tribunal (LPAT). (Section 34 (4))

2.1.3 The London Plan

The Cultural Heritage chapter of The London Plan recognizes that cultural heritage resources define the City’s unique identity and contribute to its continuing prosperity. The London Plan states that, “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.” Importantly, “our heritage resources are assets that cannot be easily replicated, and they provide a unique living environment and quality of life. Further, “by conserving them for future generations, and incorporating, adapting, and managing them, London’s cultural heritage resources define London’s legacy and its future.” (552_

The cultural heritage policies of The London Plan are to:

1. Promote, celebrate, and raise awareness and appreciation of London’s cultural heritage resources.
2. Conserve London’s cultural heritage resources so they can be passed onto our future generations.
3. Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources. Generally, the policies of The London Plan support the conservation and retention of significant cultural heritage resources.” (554_

The policies of The London Plan support the conservation, maintenance, retention, and protection of London’s cultural heritage resources […] and Council approval for a demolition application is required as pursuant to the Ontario Heritage Act (Policy 590_).

The conservation of whole buildings in-situ is encouraged, while the reasons for designation and identified attributes of the property shall not be adversely affected.

- Policy 566_: Relocation of cultural heritage resources is discouraged. All options for on-site retention must be exhausted before relocation may be considered.
- Policy 568_: Conservation of whole buildings on properties identified on the Register is encouraged and the retention of facades alone is discouraged. The portion of a cultural heritage resource to be conserved should reflect its significant attributes including its mass and volume.
- Policy 587_: Where a property of cultural heritage value or interest is designated under Part IV of the Ontario Heritage Act, no alteration, removal or demolition shall be undertaken that would adversely affect the reasons for designation except in accordance with the Ontario Heritage Act.

Where demolition or irrevocable damage has occurred, documentation may be required as well as interpretive techniques are encouraged where appropriate.

- Policy 567_: In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a cultural heritage resource is found necessary, as determined by City Council, archival documentation may be required to be undertaken by the proponent and made available for archival purposes.
- Policy 569_: Where, through the process established in the Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources section of this chapter and in accordance with the Ontario Heritage Act, it is determined that a building may be removed, the retention of architectural or landscape features and the use of other interpretive techniques will be encouraged where appropriate.
- Policy 591_: Where a heritage designated property or a property listed on the Register 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 value for the purpose of re-use or incorporation into the proposed development.
2.1.4 Designating By-Law – 93-95 Dufferin Avenue (No. L.S.P.-3469-18)

93-95 Dufferin Avenue was designated in 2017 under Part IV of the Ontario Heritage Act by By-law No. L.S.P.-3469-18. The by-law outlines the cultural heritage value or interest of the property and reasons for its designation (Appendix C). 93-95 Dufferin Avenue is of cultural heritage value or interest because of its physical or design values, historical or associative values, and its contextual values. Heritage attributes which support and contribute to the cultural heritage value or interest of 93-95 Dufferin Avenue include (Appendix D):

- form and scale of a significant portion of the double house, including the northerly and westerly facades
- buff brick
- demonstration of the Italianate style in 93 Dufferin Avenue
- double storey bay window
- demonstration of the Classical Revival style in 95 Dufferin Avenue

2.2 Current Zoning By-Law Amendment (Z-9250)

2.2.1 Planning History

In 2016, By-law No.Z.1-1625-18 was approved to allow the rezoning of a consolidated property – including 100 Fullarton Street, 475-501 Talbot Street & 93-95 Dufferin Avenue – for the development of a mixed-use building. Stipulations of a bonus zone outlined in Sections 3 and 4 of the by-law included the conservation of 93-95 Dufferin Avenue and the commemoration of 479-489 Talbot Street (Camden Terrace). Demolition of Camden Terrace at 475-501 Talbot Street was predicated on these sections of the bonus zone agreement. These agreements were a form of public compensation in return for certain commitments by the then-owner of this property when permission was granted to demolish Camden Terrace and when site plan approval was granted.

This demolition request is one component of a current zoning by-law amendment (Z-9250) which seeks to revise Sections 3 and 4 of the By-law No.Z.1-162518; revisions to Section 3 specifically impact 93-95 Dufferin Avenue by allowing demolition and reconstruction of the façade of 93-95 Dufferin Avenue rather than retention in-situ.

The 2016 by-law specified the designation and conservation of 93-95 Dufferin Avenue:

“Heritage conservation through designation under Part IV of the Ontario Heritage Act, and the retention and incorporation of a significant portion of the listed heritage property at 93-95 Dufferin Avenue into Phase 3 of the proposed development, including the incorporation of the existing northerly and westerly facades into the development design.” (Municipal Council Meeting, September 13, 2016, 14.a)i; PEC Meeting, September 6, 2016, (a)ii).

The proposed demolition request is required to support the proposed Zoning By-law Amendment which seeks to revise designation and conservation of 93-95 Dufferin Avenue to what is being termed ‘commemoration’, through the re-use of salvaged materials (from the existing buildings) in the construction of new facades in their place.

2.2.2 Demolition Request

A request to demolish the existing building at 93-95 Dufferin Avenue was submitted by Zelinka Priamo Ltd. on behalf of the current property owner. The request was formally received by heritage planning staff on January 11, 2021, when a heritage impact assessment (dated Jan 11, 2021) was submitted to the City as a supporting report for the demolition request. Under the Ontario Heritage Act (Section 34), Municipal Council must pass a decision on the demolition request within 90-days of formal receipt of the request, or the request is deemed consented. The statutory deadline for decision is April 11, 2021. In accordance with Section 34(2) of the Ontario Heritage Act, the London Advisory Committee on Heritage (LACH) is being consulted at is meeting on February 10, 2021, and it is anticipated that LACH will have a recommendation available to present at the March 1, 2021 meeting of the Planning & Environment Committee. A
decision by Municipal Council is expected at the March 23, 2021 meeting. The 90-day statutory time frame for council decision will have been satisfied.

2.2.3 Consultation

Pursuant to Council Policy for demolition on heritage designated properties, notification of the demolition request will be sent to 310 residents and property owners within 120m of the subject property, as well as community stakeholders including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League. Notice will also be published in The Londoner on February 11, 2021. It is a policy and practice of Municipal Council that the demolition of heritage designated properties shall be considered at a public participation meeting before the Planning and Environment Committee. This item will be heard at the March 1, 2020 PPM of the Planning and Environment Committee.

2.2.3.1 Stewardship Sub-Committee (London Advisory Committee on Heritage)

At its meeting on January 27, 2021, the Stewardship Sub-Committee of the LACH, recommended that the demolition request for the double house on the heritage designated property at 93-95 Dufferin Avenue be refused for the following reasons:

a) Retaining the double house in-situ is important to conserving its cultural heritage value.

b) The property is significant because of its physical and design values, historical and associative values, and its contextual values.

c) The property was designated pursuant to Part IV of the Ontario Heritage Act to protect its cultural heritage value and heritage attributes.

d) The property continues to retain its cultural heritage value and heritage attributes, despite any repair or maintenance required.

e) Other significant cultural heritage resources have been successfully incorporated into developments, without requiring demolition and facsimile replication, like the Armouries (325 Dundas Street) or the limestone façade of Kingmill’s (130 Dundas Street).

2.2.3.2 Architectural Conservancy of Ontario – London Region Branch

A letter on behalf of the London Region branch of Architectural Conservancy Ontario (ACO London), was received in November 2020 by the site development planner. The letter expressed opposition to the requested zoning by-law amendment (Z-9250) for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace). Reasons cited for opposition – specifically of the demolition of 93-95 Dufferin Avenue – refer to sections of the PPS-2020 which this decision would run contrary to: 1) supporting economic prosperity by conserving features that help define character, including built heritage resources; 2) conservation of significant built heritage resources and heritage attributes; and, 3) the protection of heritage properties/attributes when development occurs on or adjacent to protected properties (1.7.1(e), 2.6.1 and 2.6.3). Further, conservation of at least the northern and western façades of 93-95 Dufferin Street, in situ (as required by the bonus by-law), is stressed in the letter as enhancing the proposed development and an opportunity for design excellence rather than an inconvenience. Finally, the letter stressed that bonusing was negotiated by the city as a trade-off in return for certain commitments by the then-owner of this property when permission was granted to demolish Camden Terrace and when site plan approval was granted.

2.2.4 Heritage Impact Assessment

A heritage impact assessment (HIA prepared by Zelinka Priamo, dated January 11, 2021) was submitted to the City as a supporting report for the demolition request and as per policies of The London Plan (586.) [Appendix E]. The primary purpose of this HIA was to provide a rationale for the demolition request, assess the impacts of the proposed demolition on the heritage designated property, and to make recommendations to mitigate any adverse impacts that may arise.
The primary reason for the demolition request by the applicant is that the buildings on
the property at 93-95 Dufferin Avenue show signs of aging and deterioration. Economic
reasons related to construction costs and maintenance and long-term sustainability
have also been mentioned. A Building Masonry Assessment completed in February
2020 by EXP Services Inc., concluded “the proposed method of retention has high
potential for failure” due to “weathering and mortar loss and prior sandblasting of
the exterior masonry and deterioration of the perimeter bricks of the foundation.” Based
on these observations, Jablonsky, AST and Partners (consulting engineers) recommended
to “dismantle the old, deteriorated façade and relace it with ‘new masonry’ matching
the original architectural appearance.” Based on the results of the Building Masonry
Assessment, the HIA concluded that demolition of the double house was the safest
alternative.

Impacts were identified in the HIA which include destruction of the heritage resource in
its entirety and potential loss of significant heritage attributes or features, and alteration
that is not sympathetic, or is incompatible, with the historic fabric and appearance. The
HIA included a commemorative plan prepared by Stantec (July 2020) which proposed
mitigative measures to address the above-mentioned impacts. What is being termed a
‘commemorative monument’ is being proposed, which uses salvaged material such as
exterior brick, masonry work and heritage features (i.e. brackets, cornices) in the
construction of new facades at the location of 93-95 Dufferin Avenue. The intention
would be that the monument would reflect a range of significant heritage attributes of
the double house including its form, scale, and style of the northerly and westerly
facades. Further, an interpretation plan is also proposed (as part of the commemoration
plan) so that the new facades at 93-95 Dufferin Avenue can be better understood by the
public This may include a series of interpretive plaques.

Finally, the HIA notes that further details are required regarding the commemoration
strategy as well as the documentation, monitoring, salvage and reassembling of original
heritage components (pre-, during and post-demolition). Without having certainty that
the demolition application will be approved, conclusions of the HIA recommended that
these items be deferred pending the outcome of the application, and be made a
condition of the demolition request.

### 3.0 Financial Impact/Considerations

None.

### 4.0 Key Issues and Considerations

The demolition of heritage designated properties runs contrary to the very efforts put
into conserving these resources. This is particularly true regarding 93-95 Dufferin
Avenue which represents a highly significant heritage resource with an extensive list of
heritage values and attributes identified. The are several considerations that lend
support for the continued retention and conservation of this resource.

Firstly, demolition of 93-95 Dufferin Avenue is contrary to the provincial direction set by
the PPS-2020 in Sections 2.6.1 and 2.6.3 that “[s]ignificant built heritage resources and
significant cultural heritage landscapes shall be conserved” and that “[…] heritage
attributes of the protected heritage property will be conserved”. The significance of the
buildings at 93-95 Dufferin Avenue is confirmed by its very designation in 2017.
Demolition is also inconsistent with policies of The London Plan that support the
conservation and retention of significant cultural heritage resources” (554_). Most
notably, “[w]here a property of cultural heritage value or interest is designated under
Part IV of the Ontario Heritage Act, no alteration, removal or demolition shall be
undertaken that would adversely affect the reasons for designation except in
accordance with the Ontario Heritage Act” (587_).

Secondly, the property continues to demonstrate significant cultural heritage value.
Although the buildings show signs of aging and deterioration – evident in weathering
and mortar loss and deterioration of the perimeter bricks of the foundation – this has not
compromised the heritage value and integrity of the overall building form and scale of
the double house, and rhythm and patterning of the north façade and west elevation.
Many of the original built elements listed in the designating by-law – that reflect the Italianate and Classical styling of the buildings – remain in visibly sound condition. [Appendix B].

Further, condition of a building is not sufficient to warrant the demolition of a heritage designated property, particularly when repairs to masonry and mortar are common.

“A property may be in an altered or deteriorated condition, but this may not be affecting its cultural heritage value or interest.” (OMC, Heritage property evaluation, p13)

The deterioration identified in the Building Masonry Assessment does not represent wholesale structural failure, nor does it compromise the reasons for designation. The recommendation for dismantling and rebuilding new facades utilizing salvaged material, was the opinion of an engineer and may not have taken into consideration the heritage significance of the building. There are many examples in Toronto and Montreal where heritage buildings are conserved in-situ, in their entirety, within large-scale, new developments. Although the retention of facades alone is not encouraged in The London Plan (Section 568_), examples here in London – such as the integration of the original limestone facade of Kingsmill’s (130 Dundas St) with new development – have been successful in marrying the old with the new. Drawings circulated in advance of gaining heritage alteration permit approval for retention of the very buildings at 93-95 Dufferin Avenue, have already indicated the likelihood to be able to reinforce and retain the north and west facades in a similar fashion.

Demolition of 93-95 Dufferin Avenue will also contribute to the continual loss of significant heritage buildings designed by Samuel Peters. The Biographical Index of Architects in Canada 1800-1850 notes Peters as an “early and important architect in western Ontario, credited with nearly 100 designs for commercial, residential, ecclesiastical and institutional building throughout London and southwestern Ontario.” The designating By-law (No. L.S.P.-3469-18) for 93-95 Dufferin Avenue contains an extensive description of his historical significance:

Samuel Peters was a Surveyor, Architect, and Engineer. He was appointed as Town Engineer in 1852, became the first City Engineer in 1855. Samuel Peter is responsible for surveying the first City of London map in 1855. He is a noted architect in London having designed several prominent buildings, including Grosvenor Lodge (1853), first Covent Garden Market building (1853-1854, now demolished), and the Edge Block (1875, southeast corner of Richmond Street and Dundas Street). He oversaw the construction of the city sewer system, surveyed and designed the Mount Pleasant Cemetery, and other undertakings in the rapidly growing City of London. Samuel Peters and his family lived at 93 Dufferin Avenue from its construction in 1868 until immediately prior to his death in 1882. Samuel Peters decision to settle in Talbot North reflects the status he had achieved in London.

Over half of Samuel Peters' known works were completed in London, with now nearly three-quarters of designated buildings in London – attributed to Samuel Peters – having been demolished (Gonyou w/Huten, Working list).

Finally, demolition does not support previous commitments and confirm public expectations secured through an approved bonus zone that conserved the properties at 93-95 Dufferin Avenue (By-law No.Z.1-1625-18). Bonusing was granted subject to conditions set out by the City, and commitments made by the then property-owner; these included the “complete retention, in situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Phase 3 of the proposed redevelopment” and the “incorporation of significant heritage attributes of the original building, including the northern and western facades, in situ, into the overall design of Phase 3 of the new development.” (2016, Sept 6, Report to PEC). With demolition of 93-95 Dufferin Avenue, there is potential for a loss of confidence by the public in the planning process, and in the City’s commitment to conservation of its heritage resources.

**Conclusion**

Our cultural heritage resources are non-renewable. Once demolished, they are gone forever. Decisions to approve demolition are irreversible. It is recommended by staff that
the request to demolish the buildings at 93-95 Dufferin Avenue be refused based on the reasons previously outlined.

- Demolition of heritage designated properties is contrary to provincial direction (PPS-2020) and inconsistent with policies of The London Plan.
- The property continues to demonstrate significant cultural heritage value.
- The condition of the building does not sufficiently warrant the demolition of this heritage designated property; aging and deterioration of masonry and mortar has not resulted in the loss of heritage integrity of the buildings as a whole form, or the integrity individual heritage attributes.
- Demolition of 93-95 Dufferin Avenue will contribute to the continual loss of significant heritage buildings designed by Samuel Peters.
- Demolition does not support previous commitments and confirm public expectations through an approved bonus zone that conserved the properties at 93-95 Dufferin Avenue.

Moving forward, it important to consider what could be lost with the possible demolition of 93-95 Dufferin Avenue, but more importantly, what could be gained with its retention. There is great potential to create a unique development by integrating the existing northern and western façades of 93-95 Dufferin Avenue, in situ, that would enhance the proposed development; this should be viewed as an opportunity for design excellence.

Based on the above, the request to demolish 93-95 Dufferin Avenue should be refused.

Prepared by:  Laura E. Dent, M.Arch PhD MCIP RPP
Heritage 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

February 19, 2021

Appendices

Appendix A  Maps
Appendix B  Images
Appendix C  Heritage Designating By-law (93-95 Dufferin Avenue)
Appendix D  Reasons for Designation – Heritage Attributes
Appendix E  Heritage Impact Assessment (Zelinka Priamo and Stantec, 2021)

Sources


City of London. By-law No. L.S.P. -3469-18. A by-law to designate 93-95 Dufferin Avenue to be of cultural heritage value or interest. London, ON: Author.

City of London. By-law No. Z.1-1625-18. A by-law to amend By-law No. Z.-1 to rezone an area of land located at 100 Fullarton Street, 475-501 Talbot Street & 93-95 Dufferin Avenue.

Corporation of the City of London. n.d. Property files: 93-95 Dufferin Avenue.


Zelinka Priamo Ltd. and Stantec (2021, January 11). *Heritage impact assessment, demolition request – 93-95 Dufferin Avenue (100 Fullarton Street).* Old Oak Properties.
Figure 1: Location Map identifying the subject property at 93-95 Dufferin Avenue
Appendix B – Images

Image 1: Façade of 93-95 Dufferin Avenue, facing north (photo, K. Gonyou)

Image 2: Side elevation of 93 Dufferin Avenue, facing west (photo, Gonyou)
Image 3: Landscape plan with 93-95 Dufferin Avenue interface with new development highlighted (SPA17-035 submission, April 28, 2020)

Image 4: Conceptual rendering of interface between 93-95 Dufferin Avenue and new development (Z-8617 zoning by-law amendment drawings from Heritage Overview Report, January 4, 2016)
Appendix C – Designating By-law for 93-95 Dufferin Avenue
Appendix D – Reasons for Designation — Heritage Attributes

Figure 2: North Façade, 93-95 Dufferin Avenue
Figure 3: North Façade Details, 95 Dufferin Avenue
Figure 4: West Façade, 93 Dufferin Avenue
Appendix E – Heritage Impact Assessment

Zelinka Priamo Ltd. and Stantec (2011, January 11). *Heritage impact assessment, demolition request – 93-95 Dufferin Avenue (100 Fullarton Street)*. Old Oak Properties.
Bill No. 19
2018

By-law No. L.S.P.-3469-18

A by-law to designate 93-95 Dufferin Avenue to be of cultural heritage value or interest.

WHEREAS pursuant to the Ontario Heritage Act, R.S.O. 1990, c. 0.18, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural heritage value or interest;

AND WHEREAS notice of intention to so designate the property known as 93-95 Dufferin Avenue has been duly published and served and no notice of objection to such designation has been received;

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

1. The real property at 93-95 Dufferin Avenue, more particularly described in Schedule “A” attached hereto, is designated as being of cultural heritage value or interest for the reasons set out in Schedule “B” attached hereto.

2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule “A” hereto in the proper Land Registry Office.

3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published once in a newspaper of general circulation in The City of London, to the satisfaction of the City Clerk, and to enter the description of the aforesaid property, the name and address of its registered owner, and designation statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property in the Register of all properties designated under the Ontario Heritage Act.

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

PASSED in Open Council on December 12, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – December 12, 2017
Second Reading – December 12, 2017
Third Reading – December 12, 2017
SCHEDULE “A”
To By-law No. L.S.P.- 3469-18

Legal Description
1STLY: PT LTS 3 & 4 S DUFFERIN AV FORMERLY S MAPLE ST PLAN 61(W), PT 1 33R3977;
2NDLY: PT LT 4 S DUFFERIN AV FORMERLY S MAPLE ST PLAN 61(W), PT 1 33R7012;
EXCEPT PT 1 33R7443; TM 766407; LT 4 33R7012; EXCEPT 594716, 662276, 646116; S/T 832209;
766407, 646116, 802592, 485019 & 662276; PT LTS 4 & 5 S DUFFERIN ST FORMERLY S MAPLE ST PLAN 61(W) AS IN 646116; LT 4 33R7012; EXCEPT PT LTS 4 & 5 S DUFFERIN ST FORMERLY S MAPLE ST PLAN 61(W); PT 1 33R2843; T/JW 802592; PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST PLAN 61(W) AS IN 832209; T/W 646116; PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST PLAN 61(W), PT 1 33R7443; TM 766407;
EXCEPT PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST PLAN 61(W) AS IN 832209; T/W 646116; PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST PLAN 61(W), PT 1 33R2843; T/JW 802592; PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST PLAN 61(W); PT 1 33R7443; AS IN 832209; T/W 832209; “DESCRIPTION IN 832209 MAY NOT BE ACCEPTABLE IN FUTURE RE: LOCATION OF TM ROW”; PT LTS 4 & 5 S FULLARTON ST PLAN 61(W) AS IN 662276 PT LTS 4 & 5 S FULLARTON ST PLAN 61(W) AS IN EC13526; EXCEPT PT 1 33R5367; S/T 662276 & 485019; PT LT 3 SOUTH SIDE OF DUFFERIN AVE., PLAN 61(W) DESIGNATED AS PT 7 PL 33R-15874, (DESCRIPTION AMENDED TO ADD PLAN 61(W) 2015/01/26 - PKF); CITY OF LONDON

SCHEDULE “B”
To By-law No. L.S.P.- 3469-18

Roll Number
93-95 Dufferin Avenue: 010030049000000

Description of Property
93-95 Dufferin Avenue is located on the south side of Dufferin Avenue (formerly Maple Street/Hitchcock Street) between Talbot Street and Ridout Street in London, Ontario. The double house located on the property was primarily constructed in two phases, but maintains cohesion across its two parts. The first, 93 Dufferin Avenue, was constructed circa 1864, as the home of Samuel Peters. 95 Dufferin Avenue, was constructed circa 1864, as the home of Samuel Peters. 95 Dufferin Avenue was added in 1894.

Statement of Cultural Heritage Value or Interest
93-95 Dufferin Avenue is of cultural heritage value or interest because of its physical or design values, historical or associative values, and its contextual values.

Physical/Design Values
The physical or design value of 93-95 Dufferin Avenue is derived from the particular stylistic evolution seen across its façade.

Believed to have been designed by Samuel Peters of S. Peters and Sons in circa 1864, 93 Dufferin Avenue demonstrates the Italianate style in its shallow hipped roof, paired eave brackets, and balanced horizontal proportions, as well as robust lugsills and lintels with a gentle peak. Brickwork detailing, including quoining, the plain frieze, and stringcourse, complement the appearance. The wide, single leaf entry door in the east bay of the lower storey features a rounded arch fan light articulated by wooden fluted pilasters and trim detail. A flat roof porch supported by square columns on plinths covers the doorway. A double-storey bay window is located between 93 and 95 Dufferin Avenue, acting as a bridge between the two units.

Added in 1894, 95 Dufferin Avenue replicates many of the architectural details of 93 Dufferin Avenue however it takes a stronger Classical Revival influence, particularly in its temple front form. Additional Classical Revival elements include the oval window with a robust architrave, keystone and blocks located above the entry doorway, as well as the round window set in the pediment that is surrounded by a laurel wreath. Brickwork detailing, window sills and lintels with a gentle peak, as well as paired brackets are maintained from 93 Dufferin Avenue.

Historical/Associative Values
93-95 Dufferin Avenue has several significant historical associations. Firstly, it is believed to have been designed by London architect/surveyor/engineer Samuel Peters (1822-1882). Samuel Peters was a Surveyor, Architect, and Engineer. He was appointed as Town Engineer in 1852, and became the first City Engineer in 1855. Samuel Peter is responsible for surveying the first City of London map in 1855. He is a noted architect in London having designed several prominent buildings, including Grosvenor Lodge (1853), first Covent Garden Market building (1853-1854, now demolished), and the Edge Block (1875, southeast corner of Richmond Street and Dundas Street). He oversaw the construction of the city sewer system, surveyed and designed the Mount Pleasant Cemetery, and other undertakings in the rapidly growing City of London. Samuel Peters
and his family lived at 93 Dufferin Avenue from its construction in 1868 until immediately prior to his death in 1882. Samuel Peters decision to settle in Talbot North reflects the status he had achieved in London.

Secondly, Colonel John Walker (1832-1889) lived at 93 Dufferin Avenue, then known as "Shirra." Colonel Walker was a Scottish-born industrialist and London's Liberal Member of Parliament in the Canadian House of Commons in 1874. He was also a Vice-President of Canadian Pacific Railway, a director of the Mutual Oil Refining Company, and the Middlesex County Registrar. Mrs Laura (Hespler) Walker, his wife, was the wealthy heiress of Jacob Hespler of Waterloo County. Mrs Laura Walker purchased 93 Dufferin Avenue in 1881 and sold it in 1891.

Contextual Values
The historical and contextual values of 93-95 Dufferin Avenue are rooted in its location in London and the Londoners who chose to live there. 93-95 Dufferin Avenue contributes to the history of the Talbot North area. Residential and industrial uses were mixed throughout the area north of the City of London proper until the mid-1860s when the area began to transition to a primarily residential area. It quickly became London's first suburb. Many of the buildings that date from this period of early suburban development are constructed of the characteristic London buff brick, including 93-95 Dufferin Avenue. The form and style of 93-95 Dufferin Avenue reflect the social status afforded to individuals who chose to settle in this area in the later-half of the nineteenth century.

Heritage Attributes
Heritage attributes which support and contribute to the cultural heritage value or interest of 93-95 Dufferin Avenue include:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- Buff brick;
- Demonstration of the Italianate style in 93 Dufferin Avenue: shallow hipped roof; paired wooden eave brackets; balanced proportions of street-face façade in three bays in the upper and lower storey; window and door openings, including robust lugsills and lintels with a gentle peak; wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim; a flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, itself supported on square columns set on masonry plinths; brickwork detailing on street-facing and westerly façades including quoining, a plain frieze, and stringcourse; window openings with robust lugsills and capped with vertical-laid brick flat-arches on original building westerly façade;
- Double storey bay window, acting as a bridge between 93 and 95 Dufferin Avenue;
- Demonstration of the Classical Revival style in 95 Dufferin Avenue: temple front façade and peaked roof form; round window with laurel wreath surround, set in gable pediment with scalloped siding and wood dentilled trim; oval window with keystone frame; paired wooden eave brackets; brickwork detailing, including quoining, a plain frieze, and stringcourse; window sills and lintels with a gentle peak; blocks above entry doorway; and
- Historical associations with Samuel Peters, Colonel John Walker and Mrs. Laura (Hespler) Walker.
Heritage Impact Assessment
Demolition Request

93 – 95 Dufferin Avenue (100 Fullarton Street)
Old Oak Properties

January 11, 2021
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2 Site Plan and Elevations

CURRICULUM VITAE
1 Heather Garrett, Zelinka Priamo Ltd.
SECTION 1 - INTRODUCTION

1.1 Purpose of Heritage Impact Assessment

The lands located at 100 Fullarton Street are designated under part IV of the Ontario Heritage Act and are adjacent to the Downtown Heritage Conservation District.

A Heritage Impact Assessment is required for the proposed demolition request.

SECTION 2 – SUBJECT LANDS

2.1 Subject Lands

The lands that are the subject of the proposed applications (the “subject lands”) are located on the west side of Talbot Street between Dufferin Avenue and Fullarton Street in London.

The subject lands are currently vacant and partially under construction except for the 19th century double house (Figure 1).
The subject lands were subject to a Zoning By-law Amendment in 2016 to allow for the development of a mixed-use building which included the conservation of 93-95 Dufferin Avenue and the commemoration of 479-489 Talbot Street (Camden Terrace).

The property was designated under Part IV of the Ontario Heritage Act on December 12, 2017 for the double house located at the former 93-95 Dufferin Avenue address (Figure 2). A copy of the designating By-law is in Appendix 1.

The Heritage Places 2.0: A Description of Potential Heritage Conservation Areas in the City of London also identifies the subject lands within a potential heritage conservation district.

The “North Talbot” area includes properties on Talbot Street between Fullarton Street and Oxford Street. Richmond Street is the east boundary, and the Thames River is the west.

A district plan study has not been completed for this area and it is unknown when one will be completed.

2.2 Proposed Demolition Request

The proposed demolition request is required to support the proposed Zoning By-law Amendment that is seeking to amend Sections 3 of By-law No.Z.1-162518 as it relates to the conservation of 93-95 Dufferin Avenue.

The proposed amendment to Section 3 of the By-law is seeking to change Heritage Conservation of 93-95 Dufferin Avenue to Heritage Commemoration of 93-95 Dufferin Avenue.
It is understood the retention and incorporation of the northern and western facades of 93-95 Dufferin Avenue was a response to the demolition of Camden Terrace. The problem that has arisen is that the previous owner and the City committed to a concept that may not be achievable.

When the property was re-zoned in 2016 the proposed concept of the partial retention of the structure at 93-95 Dufferin Avenue was proposed without the benefit of a detailed investigation of structural and exterior features including masonry. Such analysis was completed to inform the heritage conservation efforts and it has become clear that there are a number of factors which pose serious obstacles to the intended effective partial retention, and its long-term sustainability.

A Building Masonry Assessment completed in February 2020 by EXP Services Inc., concludes “the proposed method of retention has high potential for failure”.

Due to aging and deterioration of the existing masonry walls, attempts to brace the walls are likely to cause additional damage and if it were successful, the wall would be comprised with deteriorated material leading to long term sustainability concerns.

Please see Appendix 2 for the full report.

Based on the results of the Building Masonry Assessment it has been determined the demolition of the double house is the safest alternative. Mitigative measures are proposed in the form of a commemorative monument and the salvage of material such as exterior brick and masonry work. The monument would interpret a range of the significant heritage attributes of the double house including its form, scale, and style of the northerly and westerly facades.

SECTION 3 – POLICY REVIEW

3.1 Provincial Policy Statement 2020 (PPS)

The Provincial Policy Statement (PPS) issued under the authority of Section 3 of the Planning Act “provides policy direction on matters of provincial interest related to land use planning” in order to ensure efficient, cost-efficient development and the protection of resources. All planning applications are required to be consistent with these policies.

Policies in the 2020 PPS relevant to the subject lands are as follows:

“Significant built heritage resources and significant cultural heritage landscape shall be conserved”. Section 2.6.1.

“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.” Section 2.6.3.
3.2 The London Plan

The new City of London Official Plan (The London Plan) has been adopted by Council but is subject to several appeals at the Local Planning Appeal Tribunal (LPAT). Notwithstanding, consideration must be given to the following Cultural Heritage policies:

565 “New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.” (Under Appeal)

586 “The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved. (In Effect)

3.3 City of London 1989 Official Plan

Since Policy 565 of the London Plan is subject to an appeal at LPAT and is not in-force, Section 13 of the existing in force Official Plan applies.

Section 13 provides policies regarding the cultural heritage value of properties in London.

The following policy in the Section 13 applies:

Section 13.2.3. – Alteration, Removal or Demolition

“Where heritage buildings are designated under the Ontario Heritage Act, no alteration, removal or demolition shall be undertaken which would adversely affect the reason(s) for designation except in accordance with the Ontario Heritage Act.”

3.4 Ontario Heritage Tool Kit

The Ontario Ministry of Tourism, Culture and Sport developed the Ontario Heritage Tool Kit as a guide to help understand the heritage conservation process in Ontario.

The tool kit provides guidelines for the preparation of heritage studies, such as Heritage Impact Assessments and provides a list of possible negative impacts on a cultural heritage resource. These include, but are not limited to, the following impacts:

1. Destruction of any, part of any, significant heritage attributes or features;
2. Alteration that is not sympathetic, or is incompatible with the historic fabric and appearance;
3. Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;
4. Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
5. Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
6. A change in land use where the change in use negates the property’s cultural heritage value; and
7. Land disturbances, such as change in grade that alters soils and drainage patterns that adversely affect cultural heritage resources.

SECTION 4 – POLICY ANALYSIS

4.1 Provincial Policy Statement 2020 (PPS)

The proposed zoning by-law amendment is not consistent with Section 2.6.1 of the 2020 Provincial Policy Statement.

The proposed ZBL Amendment is not considered conservation as all the cultural heritage value and interest of 93-95 Dufferin Avenue will not be retained in in-situ. Due to the current condition of the double house, the proposed method of incorporating the northern and western facades in-situ into the new building has high potential for failure.

Mitigative measures will be made to salvage some heritage attributes, including the bricks and lintels to be used in a commemorative monument which will interpret the form, scale and style of the double house facades.

As per Section 2.6.6, the adjacent properties located in the Downtown Heritage Conservation District will not be adversely affected as there is no proposed change to the façade on the Fullarton Streetscape. The adjacent lands policy was evaluated and considered during previous application processes.

4.2 The London Plan

The adjacent properties located in the Downtown Heritage Conservation District will not be adversely affected as they are along the Fullarton streetscape and are opposite to where the façade changes are being proposed.

There are no other heritage designated properties or listed properties adjacent to the subject lands.

4.3 City of London 1989 Official Plan

The proposed Zoning By-law amendment would require the complete removal of the double house and would adversely affect the reasons for designation.

Mitigative measures are proposed through commemoration including, a monument which will interpret the form, scale and style of the double house facades.
4.4 Ontario Heritage Tool Kit

An impact assessment as outlined in the Ontario Heritage Tool Kit, Info sheet #5 Heritage Impact Assessments and Conservation Plans (2006) is provided as follows:

<table>
<thead>
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<tbody>
<tr>
<td>Destruction of any, or part of any, significant heritage attributes or features.</td>
<td>Anticipated – the proposed ZBA is proposing commemoration which will result in the removal of all heritage attributes associated with heritage resource.</td>
</tr>
<tr>
<td>Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance.</td>
<td>Anticipated – alteration will require the complete removal of all heritage attributes.</td>
</tr>
<tr>
<td>Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden.</td>
<td>Not applicable – no natural features or plantings were identified in the designating By-law.</td>
</tr>
<tr>
<td>Isolation of a heritage attribute from its surrounding environment, context, or a significant relationship.</td>
<td>Not anticipated – all heritage attributes will be removed, and no contextual value or significant relationships were identified in the designating By-law.</td>
</tr>
<tr>
<td>Direct or indirect obstruction of significant views or vistas within, from, or built and natural features.</td>
<td>Not anticipated – no significant views or vistas were identified within the designating By-law.</td>
</tr>
<tr>
<td>A change in land use where the change in use negates the property’s cultural heritage value.</td>
<td>Not applicable – there is no proposed change in land-use.</td>
</tr>
<tr>
<td>Land disturbances such as change in grade that alters soils and drainage patterns that adversely affect cultural heritage resources.</td>
<td>Not applicable – complete removal will involve extensive ground disturbance; however, there has already been land disturbances.</td>
</tr>
</tbody>
</table>

SECTION 5 – MITIGATION

5.1 Proposed Mitigation

Given the results of the Building Masonry Assessment and the numerous physical and economic challenges, it has been concluded that partial retention of 93-95 Dufferin Avenue is not achievable in the context of the current zoning.

In general, the recommended commemoration strategy involves the construction of a commemorative monument which will be reflective of the heritage elements of the double house. The commemoration could also involve the provision of plaques and/or interpretive signage dealing with the history of double house, its historical associations, and an explanation of the purpose of new monument.

A commemoration strategy approach has been prepared by Stantec Consulting Ltd that outlines possible means of commemorating the cultural heritage value and interest of 93-95 Dufferin Avenue (Appendix 3).
The commemoration strategy approach is proposed to be reflected in the site-specific zoning like how the commemoration of Camden Terrace was done. The following is a rough draft of the proposed wording:

“The construction of a commemorative monument which interprets a range of the significant heritage attributes of 93-95 Dufferin Avenue northern and western facades in the manner documented in the designation By-law and as described in the accompanying “Commemorative Plan for 93-95 Dufferin Avenue” prepared by Stantec Consulting Ltd., July 21, 2020 which generally includes the following attributes:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- The use of original building materials salvaged during the demolition of 93-95 Dufferin Avenue including original yellow (London) brick.
- Other details such as quoining, a plain frieze, and stringcourse; window openings with robust lugsills and capped with vertical-laid brick flat-arches to be incorporated.

The provision of plaques, interpretive signage and/or other commemorative items which relates to the heritage attribute of the site and includes the following subject matter: site history with an emphasis on 19th century character of the Talbot Street Corridor, the origins and construction of 93-95 Dufferin Avenue.”

It is understood methods for dismantling, monitoring, documenting, and reassembling is required but without having certainty that the application will be approved, we request that this item be deferred pending the outcome of the application.

It is requested a detailed Commemoration Strategy be made a condition of the demolition request.

5.2 Documentation and Salvage

In order to mitigate the loss of the heritage attributes identified, it is recommended that documentation and salvage take place for 93-95 Dufferin Avenue. The document should be completed by a heritage professional in good standing with Canadian Association of Heritage Professionals.

It is recommended that the salvage should be completed by a reputable salvage company and completed in consultation with the heritage professional retained to undertake the documentation.

The salvaged material is to be stored at Ferrel Brick and Stone in London.
APPENDIX 1
Bill No.
2018

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

A by-law to designate 93-95 Dufferin Avenue to be of cultural heritage value or interest.

WHEREAS pursuant to the Ontario Heritage Act, R.S.O. 1990, c. 0.18, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural heritage value or interest;

AND WHEREAS notice of intention to so designate the property known as 93-95 Dufferin Avenue has been duly published and served and no notice of objection to such designation has been received;

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

1. The real property at 93-95 Dufferin Avenue, more particularly described in Schedule “A” attached hereto, is designated as being of cultural heritage value or interest for the reasons set out in Schedule “B” attached hereto.

2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule “A” hereto in the proper Land Registry Office.

3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published once in a newspaper of general circulation in The City of London, to the satisfaction of the City Clerk, and to enter the description of the aforesaid property, the name and address of its registered owner, and designation statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property in the Register of all properties designated under the Ontario Heritage Act.

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

PASSED in Open Council on December 12, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – December 12, 2017
Second Reading – December 12, 2017
Third Reading – December 12, 2017
Legal Description

1STLY: PT LTS 3 & 4 S DUFFERIN AV FORMERLY S MAPLE ST PLAN 61(W), PT 1 33R3977; 2NDLY: PT LT 4 S DUFFERIN AV FORMERLY S MAPLE ST PLAN 61(W), PT 1 33R7012; EXCEPT PT 1 33R7443; T/W 766407, 832209, 802592, 485019, 662276 & 646116; S/T 832209, 766407, 646116, 802592, 485019 & 662276; PT LTS 4 & 5 S DUFFERIN ST FORMERLY S MAPLE ST PLAN 61(W) AS IN 646116; T/W 646116; PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST PLAN 61(W), PT 1 33R7443; T/W 802592; PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST PLAN 61(W) AS IN 485019; T/W 485019 IF ANY; PT LTS 4 & 5 S DUFFERIN ST FORMERLY MAPLE ST & PT LTS 4 & 5 N FULLARTON ST PLAN 61(W), PT 1 33R3567; T/W 662276 IF ANY; PT LTS 4 & 5 N FULLARTON ST PLAN 61(W) AS IN 683997; PT LTS 4 & 5 N FULLARTON ST PLAN 61(W) & PT LT 4 S DUFFERIN AV FORMERLY MAPLE ST PLAN 61(W), PT 1 33R7443 & AS IN 832209; T/W 832209; DESCRIPTION IN 832209 MAY NOT BE ACCEPTABLE IN FUTURE RE: LOCATION OF T/W ROW; PT LTS 4 & 5 N FULLARTON ST PLAN 61(W) AS IN EC13526; EXCEPT PT 1 33R3567; S/T 662276 & 485019; PT LT 3 SOUTH SIDE OF DUFFERIN AVE., PLAN 61(W) DESIGNATED AS PT 7 PL 33R-15874, (DESCRIPTION AMENDED TO ADD PLAN 61(W) 2015/01/26 - PKF); CITY OF LONDON

Description of Property

93-95 Dufferin Avenue is located on the south side of Dufferin Avenue (formerly Maple Street/Hitchcock Street) between Talbot Street and Ridout Street in London, Ontario. The double house located on the property was primarily constructed in two phases, but maintains cohesion across its two parts. The first, 93 Dufferin Avenue, was constructed circa 1864, as the home of Samuel Peters. 95 Dufferin Avenue was added in 1894.

Statement of Cultural Heritage Value or Interest

93-95 Dufferin Avenue is of cultural heritage value or interest because of its physical or design values, historical or associative values, and its contextual values.

Physical/Design Values

The physical or design value of 93-95 Dufferin Avenue is derived from the particular stylistic evolution seen across its façade. Believed to have been designed by Samuel Peters of S. Peters and Sons in circa 1864, 93 Dufferin Avenue demonstrates the Italianate style in its shallow hipped roof, paired eave brackets, and balanced horizontal proportions, as well as robust lugsills and lintels with a gentle peak. Brickwork detailing, including quoining, the plain frieze, and stringcourse, complement the appearance. The wide, single leaf entry door in the east bay of the lower storey features a rounded arch fan light articulated by wooden fluted pilasters and trim detail. A flat roof porch supported by square columns on plinths covers the doorway. A double-storey bay window is located between 93 and 95 Dufferin Avenue, acting as a bridge between the two units.

Added in 1894, 95 Dufferin Avenue replicates many of the architectural details of 93 Dufferin Avenue however it takes a stronger Classical Revival influence, particularly in its temple front form. Additional Classical Revival elements include the oval window with a robust architrave, keystone and blocks located above the entrance doorway, as well as the round window set in the pediment that is surrounded by a laurel wreath. Brickwork detailing, window sills and lintels with a gentle peak, as well as paired brackets are maintained from 93 Dufferin Avenue.

Historical/Associative Values

93-95 Dufferin Avenue has several significant historical associations. Firstly, it is believed to have been designed by London architect/surveyor/engineer Samuel Peters (1822-1882). Samuel Peters was a Surveyor, Architect, and Engineer. He was appointed as Town Engineer in 1852, and became the first City Engineer in 1855. Samuel Peter is responsible for surveying the first City of London map in 1855. He is a noted architect in London having designed several prominent buildings, including Grosvenor Lodge (1853), first Covent Garden Market building (1853-1854, now demolished), and the Edge Block (1875, southeast corner of Richmond Street and Dundas Street). He oversaw the construction of the city sewer system, surveyed and designed the Mount Pleasant Cemetery, and other undertakings in the rapidly growing City of London. Samuel Peters
and his family lived at 93 Dufferin Avenue from its construction in 1868 until immediately prior to his death in 1882. Samuel Peters' decision to settle in Talbot North reflects the status he had achieved in London.

Secondly, Colonel John Walker (1832-1889) lived at 93 Dufferin Avenue, then known as "Shirra." Colonel Walker was a Scottish-born industrialist and London's Liberal Member of Parliament in the Canadian House of Commons in 1874. He was also a Vice-President of Canadian Pacific Railway, a director of the Mutual Oil Refining Company, and the Middlesex County Registrar. Mrs Laura (Hespler) Walker, his wife, was the wealthy heiress of Jacob Hespler of Waterloo County. Mrs Laura Walker purchased 93 Dufferin Avenue in 1881 and sold it in 1891.

**Contextual Values**
The historical and contextual values of 93-95 Dufferin Avenue are rooted in its location in London and the Londoners who chose to live there. 93-95 Dufferin Avenue contributes to the history of the Talbot North area. Residential and industrial uses were mixed throughout the area north of the City of London proper until the mid-1860s when the area began to transition to a primarily residential area. It quickly became London's first suburb. Many of the buildings that date from this period of early suburban development are constructed of the characteristic London buff brick, including 93-95 Dufferin Avenue. The form and style of 93-95 Dufferin Avenue reflect the social status afforded to individuals who chose to settle in this area in the later-half of the nineteenth century.

**Heritage Attributes**
Heritage attributes which support and contribute to the cultural heritage value or interest of 93-95 Dufferin Avenue include:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- Buff brick;
- Demonstration of the Italianate style in 93 Dufferin Avenue: shallow hipped roof; paired wooden eave brackets; balanced proportions of street-face façade in three bays in the upper and lower storey; window and door openings, including robust lugsills and lintels with a gentle peak; wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim; a flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, itself supported on square columns set on masonry plinths; brickwork detailing on street-facing and westerly facades including quoining, a plain frieze, and stringcourse; window openings with robust lugsills and capped with vertical-laid brick flat-arches on original building westerly façade;
- Double storey bay window, acting as a bridge between 93 and 95 Dufferin Avenue;
- Demonstration of the Classical Revival style in 95 Dufferin Avenue: temple front façade and peaked roof form; round window with laurel wreath surround, set in gable pediment with scalloped siding and wood dentilled trim; oval window with keystone frame; paired wooden eave brackets; brickwork detailing, including quoining, a plain frieze, and stringcourse; window sills and lintels with a gentle peak; blocks above entry doorway; and
- Historical associations with Samuel Peters, Colonel John Walker and Mrs. Laura (Hespler) Walker.
APPENDIX 2
February 28, 2020

Old Oak Properties
200 – 150 Dufferin Avenue
London, ON N6A 5N6

Attn: Mr. Ryan Peel
Chief Construction Office

Re: 100 Fullarton Street
Heritage Façade at 93-95 Dufferin Avenue
Our File No. 19169, 19170

Dear Sir,

We are in receipt of Exp Services Inc. report dated February 12, 2020 on the “Structural Integrity” of building façade which is to be saved and integrated to the new development.

The following is a summary of Exp observations:

1. Exterior masonry is significantly weather with substantial mortar loss.
2. Prior sandblasting will cause rapid deterioration of brick.
3. The foundation of both sides of perimeter bricks is of “brick and rubble” in advance state of deterioration.

In a view of above findings, we will strongly recommend to dismantle the old deteriorated façade and replace it with “new masonry” matching the original architectural appearance.

Trusting that above is of use.

Yours very truly,

JABLONSKY, AST AND PARTNERS
CONSULTING ENGINEERS

[Signature]

P.F. Ast, P. Eng.
cc: S. Vitiello
    A. Heilbrunn
February 12, 2020

Ryan Peel,
Chief Construction Officer,
Old Oak Properties,
200-150 Dufferin Avenue,
London, Ontario
N6A 5N6

Building Masonry Assessment
93-95 Dufferin Avenue,
London, Ontario

Introduction
This letter summarizes the results of an assessment of the structure at 93-95 Dufferin Avenue. The purpose of the assessment was to evaluate the structural integrity of the portion of the building to be retained for historical purposes. It is proposed to demolish the structure and retain the exterior facades for incorporation into the new development. This essentially consists of retaining the exterior structural brick walls on the north and west sides of the building.

The assessment consisted of an examination of the building by a structural engineer familiar with preservation of heritage buildings, and included a test cut through the exterior brick wall. The assessment was undertaken on February 10, 2020.

Observations

EXTERIOR

The building is in excess of 150 years old. An original structure comprises the northwest section of the building. Two subsequent additions of different construction comprise the east and southeast sections of the building. In general, the original portion is of more robust construction than the additions.

The exterior masonry is significantly weathered with substantial mortar loss. There are areas where the original masonry has been replaced with different brick and mortar. The repaired areas do not match the original construction. It is suspected that parts of
the building were sandblasted in the past to improve the exterior appearance. Sandblasting clay brick removes the original exterior fused face of the brick which exposes the softer interior of the unit and contributes to accelerated weathering. In addition, modern mortar is usually much harder than the old soft lime mortars used in the nineteenth century and can cause accelerated deterioration of the older brick through differential seasonal movement of the original and repaired areas of the wall.

INTERIOR

The original building has a brick foundation. The brick was found to be very soft and could be crumbled with hand pressure. In general, clay brick is known to perform poorly below grade and is subject to deterioration from moisture and freeze/thaw cycles. Over time, the brick weakens from weathering and will eventually crumble. The north foundation wall at the addition has masonry on rubble foundation as well as benched brick. There are areas of missing mortar and cracked or crumbling brick. There are areas of previous repairs which can contribute to accelerated deterioration as discussed previously.

TEST CUT

A section of brick was removed from the east wall near the front of the building. In this area, the wall has two wythes of brick. The exterior brick was found to be very soft during the cutting process. The mortar bond between the bricks was poor and there was essentially no mortar bond between the brick wythes. The two layers of brick are joined by header bricks in every sixth course, generally spaced two bricks apart. Over time, the two wythes move differently as the inner layer is subject to relatively consistent moisture and temperature, while the outer layer is subjected to much greater temperature and moisture variation. The differential movement of the two layers of brick weakens the bond between the walls and can break the header bricks, the effect being more pronounced higher up the wall. Walls with three wythes such as the original part of the building, would have the same issue.

Discussion

The building in its current condition shows signs of aging and deterioration. The existing masonry walls are deteriorated due to age and exposure, as well as original construction techniques and workmanship. The exterior facade has also been altered through repairs. Due to the existing conditions of the foundations and the walls above extensive restoration and structural bracing would be needed if the walls were expected to remain in place during the planned construction at the site. Due to the condition of the brick coupled with the noted poor mortar to brick bond, attempts to brace the wall are likely to cause additional damage to the wall.
If the wall was successfully braced, and subsequently a major restoration was performed you would still be left with a wall comprised of deteriorated elements that would require ongoing restorative maintenance.

The prospect of successfully bracing these walls is seen as a very expensive exercise with a high potential for failure. A more durable and sustainable solution would be to scan and catalogue the existing structure and to systematically dismantle it for reconstruction. This would result in a structurally sound exterior that can be reconstructed to match the original building reutilizing the best of the original elements, or new architecturally matching materials. The reconstructed walls would be constructed on a proper foundation. The rebuilt structure would aesthetically match the original structure and be more stable and durable into the future.

Conclusion

We trust this meets your current requirements. Should you have any questions regarding this report, please feel free to contact this office.

Yours truly,

EXP Services Inc.

Barry Webster, P.Eng.
Senior Project Engineer

Andrew Holford, P.Eng.
Discipline Manager, Building Science
Building Assessment
93-95 Dufferin Ave., London, ON
LON-00017412-BS
February 13, 2020

Interior Face of Masonry Wall

Test Cut showing Mortar between Wythes

Exterior View of East Wall and Test Cut

Test Cut showing Interior Brick Wythe
APPENDIX 3
INTRODUCTION

Old Oak Properties Inc. (the Proponent) is preparing a zoning bylaw amendment (ZBA) for the property at 100 Fullarton Street. The development plan proposes a high density residential complex with frontage on Talbot and Fullarton Streets and Dufferin Avenue. The design includes a 40 storey tower and 31 storey tower connected by an 11 storey hyphen along Talbot Street. At the Talbot Street and Fullarton Street frontages, there will be two to three storey podiums.

The application includes the properties at 93-95 Dufferin Avenue, which were designated under Part IV of the Ontario Heritage Act in December 2017. Initial plans for development of a high-rise tower at 100 Fullarton included the retention of the north and west façades of 93-95 Dufferin Avenue. In the current ZBA, the Proponent is proposing demolition of the buildings based on the results of a structural assessment recently completed. As a result, the City of London (the City) has required the preparation of a Commemoration Plan to address the recommended commemorative and interpretive strategies for the properties at 93-95 Dufferin Avenue. The preparation of this Commemoration Plan follows a similar plan prepared in 2016 for 479-489 Talbot Street, known as “Camden Terrace”, which also forms part of the 100 Fullarton development application.

The property at 93-95 Dufferin Avenue was designated for its Cultural Heritage Value or Interest (CHVI) because of its stylistic evolution featuring both Italianate and Classical Revival architectural styles. It is believed to have been designed by noted London architect Samuel Peter, who was responsible for surveying the first London map in 1855. The property is also associated with local industrialist, Member of Parliament, and Vice President of Canadian Pacific Railway, Colonel John Walker, who lived at 93 Dufferin Avenue between 1881 and 1889. The property’s contextual value relates to its historical presence in the Talbot Street area that was once one of London’s first suburbs and reflected the social status of the area inhabitants in the later half of the 19th century.

The heritage attributes of 93-95 Dufferin Avenue described in the Designating By-law are as follows:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- Buff brick;
- Demonstration of the Italianate style in 93 Dufferin Avenue: shallow hipped roof; paired wooden eave brackets; balanced proportions of street-face façade in three bays in the upper and lower storey; window and door openings, including robust lugsills and lintels with a gentle peak; wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim; a flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, itself supported on square columns set on masonry plinths; brickwork detailing on street-facing and westerly facades including quoining, a plain frieze, and stringcourse; window openings with robust lugsills and capped with vertical-laid brick flat-arches on original building westerly façade;
- Double storey bay window, acting as a bridge between 93 and 95 Dufferin Avenue;
Demonstration of the Classical Revival style in 95 Dufferin Avenue: temple front façade and peaked roof form; round window with laurel wreath surround, set in gable pediment with scalloped siding and wood dentilled trim; oval window with keystone frame; paired wooden eave brackets; brickwork detailing, including quoining, a plain frieze, and stringcourse; window sills and lintels with a gentle peak; blocks above entry doorway; and

Historical associations with Samuel Peters, Colonel John Walker and Mrs. Laura (Hespler) Walker.

(City of London 2017)

COMMEMORATION STRATEGY APPROACH

When considering an appropriate level of commemoration for a heritage resource, it is important to base the decision-making process on both the CHVI identified and community interest in the resource. Given this, the level of commemoration completed is highly variable, and undertaking some form of commemoration often allows for community involvement and the creation of a record of activities. It facilitates a link between the heritage resource and the new development through interpreting the history of the site in a modern context.

Possible means of commemorating a heritage resource include, but are not limited to:

- Interpretative signage including, but not limited to, plaques, posters, and various forms of creative installations
- Public art project including historical elements
- Incorporation into development design including, but not limited to, the building footprint created on lobby floor, permanent or rotating exhibits, and naming aspects of the development after families associated with the original buildings
- Lecture, book, or historical research series
- Salvaged material reuse or exhibition

Due to community interest and its subsequent designation, original plans called for the retention of 93-95 Dufferin Avenue. Given the results of the structural assessment, the Proponent is proposing instead to commemorate 93-95 Dufferin Avenue in the built form through demolition and reconstruction of the north and west façades of the building as a monument. Demolition will consist of a controlled demolition in which materials from the building will be salvaged in order to retain or represent many of the heritage attributes in the reconstructed monument in a different context. This allows for the structure to be commemorated for the public. While commemoration should be distinguished from conservation in a heritage context, the former does offer a series of opportunities to emphasize the significance of the built form and juxtapose it against a modern backdrop.

LOCATION

The location of reconstructed façades is proposed to be in the same location of the existing building, with frontage on Dufferin Avenue.
MATERIALS TO BE REUSED

It is anticipated that the reconstructed façades will be constructed entirely with materials reused from the original structures with the exception of the roof. The bricks will be salvaged during demolition and stored offsite until such a time that reconstruction begins, as described in the Heritage Impact Assessment completed by Zelinka Priamo. The lintels, sills, and decorative elements will be salvaged as well and are anticipated to be in a condition conducive for inclusion in the façades. The roofing materials will not be salvaged, as partial rooflines will be reconstructed with new materials in order to connect it to the building podium.

As depicted in the attached drawings, salvaged materials will be reused in the reconstruction of the façades. These materials are anticipated to include:

93 Dufferin Avenue

- Buff brick
- Paired wooden eave brackets
- Lugsills and lintels with a gentle peak
- Wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim
- Flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, square columns set on masonry plinths
- Plain frieze

95 Dufferin Avenue

- Buff Brick
- Round window with laurel wreath surround
- Scalloped siding and wood dentilled trim from gable pediment
- Oval window with keystone frame
- Paired wooden eave brackets
- Windowsills and lintels with a gentle peak
- Blocks above entry doorway

Following demolition of the building, storage of the materials is to follow the recommendations of the HIA.

INTERPRETATION

In order for the reconstructed monument of 93-95 Dufferin Avenue to be understood by the public, including residents of the proposed new development and the public at large, an interpretation plan will be developed prior to site plan approval. It is anticipated that this will include, at minimum, two interpretive plaques. The Proponent, in consultation with Stantec and Richmond Architects, will work with City staff to develop an interpretation approach that can be integrated into the proposed design in a sensitive and historically minded way. Locations for the plaques will be determined as part of the site plan process but must, at a minimum, be visible to and accessible by residents and interested members of the general public. This may include locations outside of the reconstructed monument, in a nearby atrium or common space, or in landscaped areas outside of the building within close proximity to the monument.
For 93-95 Dufferin Avenue, the subject matter of these plaques is anticipated to include:

- The origins and construction of 93-95 Dufferin Avenue
- Deconstruction and reconstruction of the commemorative monument
- The “Talbot Area” (this plaque was recommended for the Camden Terrace Commemoration Plan, but has been included in this Commemoration Plan as well for reference).

The following examples are samples of text that may be considered for future interpretive plaques at the 93-95 Dufferin Avenue monument. Sample plaque text has been drawn from the 2017 designating by-law for the property. Any plaque text should be subject to discussion and agreement with City Heritage Planning Staff.

**SAMPLE TEXT FOR COMMEMORATIVE SIGN 1: SITE HISTORY**

The building façade located here was once part of a 19th century dwelling known as “Shirrah” (93-95 Dufferin Avenue). The double house was constructed in two phases but maintained cohesion across its two parts. The first, 93 Dufferin Avenue was constructed circa 1864 as the home of Samuel Peters. The second, 95 Dufferin Avenue was added in 1894. Both phases were constructed of the characteristic London buff brick and reflect the social status afforded to individuals who chose to settle in London’s first suburb, the Talbot North Area, in the later-half of the nineteenth century. Two of the significant inhabitants of this property include Samuel Peters, the surveyor, architect, and engineer, and Colonel John Walkers, a Member of Parliament in the 1874, and his wife Laura (Heslper) Walker.

Samuel Peters, the architect of 93-95 Dufferin Avenue and original property owner of the nearby “Camden Terrace”, was a noted local architect having designed or contributed to such buildings as Grosvenor Lodge, the first Covent Garden Market, the 1854 City Hall, Hellmuth Ladies College, and numerous banks, hotels, churches, and private residences.

**SAMPLE TEXT FOR COMMEMORATIVE SIGN 2: DEMOLITION AND RECONSTRUCTION**

The monument you see before you is a reconstruction of buildings that were designed in a once popular, if increasingly rare, building styles known as Italianate architecture and Classical Revival Architecture that dated back to the mid to late 19th century. The physical features of these buildings, including their London buff brick construction, and decorative elements such as brackets, dentils, round windows, and brickwork reflected the affluence of the property owners and the context of the Talbot Area suburb.

In 2020, the residences, in use as office space at the time, were removed as part of the development you see before you. During demolition, bricks, and architectural details were salvaged and stored for use in this monument. The façade was reconstructed in 20##, as a monument to the architecture of the previous building. It is a reconstruction of the Dufferin Avenue façade using the bricks, lintels, sills, brackets, round and oval windows salvaged from the original structure.

Sample text for a plaque outlining the history and character of the “Talbot area” has been proposed in a Commemoration Plan for the former “Camden Terrace” buildings that are also to be reconstructed and integrated into the proposed development. It is provided below for reference.
SAMPLE TEXT FOR COMMEMORATIVE SIGN 3: TALBOT STREET CHARACTER

This property is located within an area known historically as the “Talbot Area”. At the time of the original district town survey in 1826, the Talbot Area was situated just west of the town boundaries formed by Wellington Street to the east, Queens Avenue and Carling Street to the north, and the Thames River to the south and the west. John Kent, originally from Staffordshire, England, purchased the Talbot Area lands as part of a 200 acre plot in 1824, the year after he arrived in Canada.

As London developed, wealthy merchants sought the opportunity to acquire land for development purposes outside of the town survey limits. Subdivision of the Kent farm began as early as 1830. Subdivision of Kent’s land continued throughout the 19th century as London grew and developed into the centre of administrative, commercial, manufacturing, and social activities for Middlesex County. As the core area expanded, more land was needed for businesses and residences.

By the 1880s and 1890s, the Talbot Area was well developed with large and expensive residences along the eastern bank of the Thames River on Ridout Street North, an industrial area along Ann Street, and a business area that developed along Richmond Street. The variety of land uses throughout the Talbot area contributed to the mixed-use nature of the downtown core during this era where residential, industrial, and commercial activity were located within close proximity to one another.

Photographic Portrait of John Kent (by John Cooper), date unknown.

CLOSING

We trust this letter meets your current requirements. Please do not hesitate to contact us should you require further information or have additional questions about any facet of this letter.

Regards,

STANTEC CONSULTING LTD.

Meaghan Rivard, MA, CAHP
Senior Heritage Consultant
Fax: (519) 645-6575
Cell: (226) 268-9025
Meaghan.Rivard@Stantec.com

Colin Varley, MA, RPA
Senior Associate
Fax: (613) 722-2799
Cell: (613) 738-6087
Brian.Blackwell@stantec.com

Attachment: SPA17-035_100 Fullarton St Site Plan 2020.07.07.pdf
CURRICULUM VITAE
HEATHER GARRETT, Dipl. Urban Design, B.A., CPT

PROFESSIONAL ASSOCIATIONS

Member, Canadian Association of Certified Planning Technicians (CACPT)

EDUCATION

Bachelor of Arts, Urban Planning, University of Windsor, 2000;

PROFESSIONAL EXPERIENCE

September 2003 to Present: - Zelinka Priamo Ltd. London, Ontario – Senior/Heritage Planner
May 2000 to September 2003 - Prince and Associates Ltd., Kingsville, Ontario – Assistant Planner

SELECT PROJECT EXPERIENCE

Municipal Planning
Consulting Planner for the Township of Pelee
- reporting to the office of the Chief Administrative Officer (CAO) with duties including: responding to inquiries from the public; providing advice and opinion on a range of planning topics to the CAO’s Office; providing pre-consultation opinion on planning applications; preparing planning reports with recommendations on applications predominantly for consents, for amendments to the Zoning By-law, for applications to the Committee of Adjustment and for site plans; preparing By-laws; attending Council meetings and make presentations as required.

Preparation of new Official Plan and new Zoning By-law for the Township of Pelee
- preparation of documentation in support of the Official Plan and the Zoning By-law; attend public consultation meetings and respond to questions from Council, staff and the public; negotiate with the Ministry of Municipal Affairs and Housing and other Ministries in preparing modifications to the Official Plan and concurrent amendments to the Zoning By-law.

Community Master Plans & Urban Design Guidelines

Town of Amherstburg Urban Design Guidelines

Land Use Planner for Commercial Development

Loblaws Properties Limited Seasonal Garden Centre program for Ontario – Obtain municipal approvals for approximately 300 sites across Ontario;
Cara Operations Limited – Due Diligence Reports for various properties across British Columbia, Alberta, and Ontario.

Development Planning

Provide consulting services and prepare planning applications for private sector clients for:
- Official Plan Amendments
- Zoning By-Law Amendments
- Minor Variance
- Site Plan Approval
- Land Use Planning Analyses

**Appeals to the Ontario Municipal Board (OMB)**

Expert Witness – Minor Variance Application, 297 Eramosa Road, City of Guelph
Expert Witness – Conditions of Minor Variance Application, 487 Queens Street South, Town of Caledon

**Appeals to the Ontario Municipal Board – Heritage (OMB)**

Researcher – Non-designated property on Registry – 265 St. David Street, Town of Stratford;
Researcher – Heritage Conservation District – City of Windsor.

**Appeal(s) to Ontario Superior Court of Justice**

Preparation of Affidavit to Ontario Superior Court of Justice – 769 Borden Avenue, City of Peterborough

**Heritage Impact Statements (HIS)**

Heritage Impact Statement – Redevelopment Part IV Property
- 13305 Coleraine Drive, Town of Caledon;
- 1040 Waterloo Street (St. Peter's Seminary), City of London;
- 1656 Hyde Park Road, City of London.

Heritage Impact Statement – Removal of a Heritage Attribute - Part IV Property
- 2722 County Road 42 (Saint Joachim Church) Town of Lakeshore.

Heritage Impact Statement – Redevelopment Part V Property
- 764/754 Waterloo Street, City of London;
- 195 Dundas Street, City of London.

Heritage Impact Statement – Adjacent to Part IV Property
- 809 Dundas Street, City of London.

Heritage Impact Statement – Adjacent to Heritage Conservation District;
- 515 Richmond Street, City of London.

Heritage Impact Statement – Non-designated property on Local Register and/or adjacent to non-designated properties on Local Register
- 651 Talbot Street, City of London;
- 83 Sandwich Street, Town of Amherstburg;
- 653 Talbot Street, City of London;
- 147 Wellington Street, City of London;
- 100 Kellogg Lane, City of London;
- 3270 Colonel Talbot Road, City of London;
- 1018 Gainsborough Road, City of London.

Heritage Impact Statement – Alteration to non-designated property on Local Register
- 493 Springbank Drive (Woodland Cemetery), City of London;
- 1635 & 1629 Bradley Avenue, City of London;
- 1076 Gainsborough Road, City of London;
- 462-472 Springbank Drive, City of London;
- 124 St. James Street, City of London.
Cultural Heritage Evaluation Report (CHERs)

- 875 St. David Street, Fergus.

Due Diligence Reports - Heritage

Due Diligence Report – Redevelopment Opportunities – Part IV Property:
- 1180 Western Road, City of London;
- 83 Rolph Street, Town of Tillsonburg;
- 497 Richmond Street West, City of Toronto;
- Boblo Island, Town of Amherstburg.

Due Diligence Report - Redevelopment Opportunities – Part V Property, 723 Lorne Avenue, City of London:
- 272 Queen Street West, City of Toronto.

Due Diligence Report - Redevelopment Opportunities – Non-designated property on Local Register:
- 20 Balaclava Street, City of St. Thomas;
- 43 Myrtle Street, City of St. Thomas;
- 4402 Colonel Talbot Road, City of London;
- 255 Delacourt Road, City of London.

Other Heritage Consulting Services

Supervised the review of heritage status of LCBO properties and adjacent properties – LCBO, Ontario.

Monitor the Transit Project Assessment Process (London Bus Rapid Transit) for impact on cultural heritage resources – Various Clients.

Advisor – Development of former London Psychiatric Hospital Lands, City of London.

Advisor – Redevelopment of Part V Property - 556 Wellington Street, City of London.

PROFESSIONAL DEVELOPMENT

Workshop, Walking Tour Stratford Heritage Conservation District, Ontario Professional Planners Institute (OPPI), October 2016;

Lecture, International Archeology Day, City of London, Archaeology Master Plan presentation, October, 2016;

Workshop, Walking Tour Downtown Detroit, Michigan, Ontario Professional Planners Institute (OPPI), November 2014;

Workshop, Heritage Conservation District, Old East Industrial Area, City of London, October, 2014;

Workshop, Heritage Conservation, Archaeology and Land Use Planning, Ministry of Tourism, Culture and Sport, November 2012;

Workshop, Provincial Policy Review, Ministry of Municipal Affairs and Housing, October 2012;

Certificate, Heritage Conservation District Workshop, The Heritage Resources Centre, University of Waterloo, March 2012;

Urban Design Charrette, Woodstock’s Hospital Site, Ontario Professional Planners Institute, Woodstock, September 2009;

Conference, Preserving Our Past, Canadian Association of Certified Planning Technicians, October 2009;
Course Work, Statement of Significant Heritage Writing Workshop, Province of Ontario, 2007;

Course Work, Past Perfect: The Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2006;


**COMMITTEES AND VOLUNTEER WORK**

London Area Planning Consultants (LAPC) - Member - January 2011 to Present;

London Advisory Committee on Heritage (LACH) - Committee Member - October 2012 to May 2019.

- Vice Chair – December 2015 – December 2016,
- Education sub-committee – Past Chair,
- Planning and Policy sub-committee – Past Chair,
- Archaeology sub-committee – Past member.

Archaeology Master Plan Steering Committee, City of London - Committee Member - 2016 and 2017;

Municipality of Chatham-Kent Municipal Heritage Committee - Committee Member – 2005 to 2007;

Amherstburg Architectural Conservation Advisory Committee - Committee Member - 2000 to 2003;

Amherstburg Revitalization Committee (A.R.C.), Amherstburg Chamber of Commerce - Member - 2000 to 2003;

Mayor’s Task Force, Redevelopment of Olde East London, Ontario - Member – 1999;

Subject: [EXTERNAL] 93-95 Dufferin Ave

Most of the "developments" allowed by the city attack the most charming houses in the neighborhood, sometimes the real gems, keeping intact the rental units and sometimes semi-slum rental homes. I wonder if anybody is at the helm here?

I agree with North Talbot association that:

**93-95 Dufferin Ave is facing a demolition request** by its present owner, Old Oak Properties. Old Oak purchased the partially initiated development (100 Fullarton St) from Rygar Properties in 2019. As a part of that purchase, they agreed to heritage retention terms already established by City Council, whereby 93-95 Dufferin Ave would be retained in situ, offsetting the significant loss of the Camden Terrace row-houses.

This area of town is the limit of my dog walks as It is not safe to go further downtown. This area has been partly sacrificed as an eyesore with its vast parking lots emptying in the evening and overnight, turning into a security risk. Its charming heritage homes have to be maintained. Some modern single-family homes should also be added along the streets with some green spaces over underground parkings and moderate stores and offices occupancy. The city should be busy developing a desirable mixed living space with some green area instead of building more cheap vertical housing, parkings and offices.

Instead of letting a couple of real estate go wild and disrespect the city and the downtown dwellers, London should design this area of town with an effort to maintaining its historical gems and creating new architectural landmarks. So far, destroying 19th-century structures to replace with dull or colorful junk of metal falling even as it is built is not the best inspiration to vitalize a city.

Servanne Woodward,
583 Ridout st N
London
February 21, 2021

Members of Planning & Environment Committee:  
Phil Squire (Chair) – psquire@london.ca  
Steven Hillier – shillier@london.ca  
Anna Hopkins – ahopkins@london.ca  
Steve Lehman – slehman@london.ca  
Shawn Lewis – slewis@london.ca  
Mayor Ed Holder – mayor@london.ca

Re: Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

Dear Councillors and Mayor Holder:

I write in opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street. This unusual double house is a combination of the Italianate (93 Dufferin) and Classical Revival (95 Dufferin) styles and is believed to have been designed by Samuel Peters, London’s first City Engineer. Peters himself lived at 93 Dufferin Street from approximately 1868 to 1882. Later, Colonel John Walker, Member of Parliament and Middlesex County Registrar, lived there.

You may recall that City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street was contentious, coming only after significant debate. The requirement for the developer to carefully dismantle the façade and reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to grant the demolition and the proposed redevelopment of the property now known as 100 Fullarton.

My understanding is that the city granted permission to the former owner, Rygar, to demolish Camden Terrace on condition that a significant portion of 93-95 Dufferin, or at least its façade, would be retained and incorporated into the new development. In my opinion, this condition should also apply to the new land owner, Old Oak Properties.

The conservation of 93-95 Dufferin Street would enhance Old Oak’s proposed development and should be viewed by them as an opportunity for creative design rather than a nuisance to be flattened. Heritage buildings have often been conserved as an asset to new developments, an excellent example being our very own London Armouries, now part of the Delta London Armouries Hotel.

The February 10, 2021 LACH meeting agenda package includes a February 12, 2020 letter prepared by Barry Webster and Andrew Holford of EXP Services. This letter forms the basis for Old Oak’s request to raze and “rebuild” the façade of 93-95 Dufferin. The Webster & Holford letter states that the building was examined by a "structural engineer familiar with preservation of heritage buildings". However, that structural engineer is not named. Who was this person? How sure can we be that the preservation of the entire double house is not feasible? I suggest the city should hire its own engineer to conduct another inspection of the property and provide a second opinion. To a layperson such as myself, the building does not seem to be in poor condition from the exterior. Surely it could be saved in its entirety and incorporated into the new development?

Sincerely,

Jennifer Grainger  
956 Colborne Street, London, N6A 4A6

Copies: Arielle Kayabaga, Councillor for Ward 13 (akayabaga@london.ca)  
Cathy Saunders, City Clerk - csaunder@london.ca  
Heather Lysynski, PEC Committee Secretary - pec@london.ca
Subject: [EXTERNAL] ACO London support

As a lifelong citizen of London and a proud volunteer at Eldon House, I am happy to support ACO London’s opposition to the demolition application of 93-95 Dufferin Ave. I am saddened by the city’s submissive behavior in the past when dealing with developers. For years, developers have been allowed to chip away at not only significant structures, but at our history as well.

As our city’s representatives, I ask that you don’t sell us out to businesses void of any commitment to honour London’s past, present and future.

Marie Rooks
10 Blue Ridge Place
Subject: [EXTERNAL] Heritage buildings

I'm writing you today to state my opposition to the proposal by Old Oak that they receive permission to demolish the historic buildings on Dufferin.

They were allowed to destroy Camden Terrace on the proviso that they maintain 93-95 Dufferin. To allow them to renge on that agreement is truly a travesty and an insult to all Londoners who value history and our city's built heritage.

John Fooks
706-520 Talbot Street
LONDON ON N6A6K4
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: The Heathwoods Subdivision
3924 Colonel Talbot Road
Application for Zoning By-law Amendment
Request for Revisions to Draft Plan of Subdivision

Public Participation Meeting on: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Auburn Developments Ltd. to portions of the lands located at 3924 Colonel Talbot Road:

(a) the proposed by-law attached hereto as Appendix ‘A’ BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM a Holding Open Space Special Provision (h*OS5(9)) Zone TO an Open Space Special Provision (OS5(9)) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Open Space (h*OS1) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO an Open Space (OS1/OS3) Zone; FROM a Holding Residential R1 (h*R1-13) Zone TO a Holding Residential R1 (h*R1-3) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(3)/R5-3(R6-5)/R7*H15*D30) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(3)/R5-3(R6-5)/R7*H18*D30) Zone; FROM a Residential R1/R6 Special Provision (R1-3(7)/R6-5) Zone TO a Residential R1 Special Provision (R1-3(7)) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6 Special Provision (h*R4-6(3)/R5-3(R6-5) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(3)) Zone; FROM a Holding Residential R1/R6 (h*R1-3/R6-5) Zone TO a Holding Residential R1/R4/R6 Special Provision Zone; FROM a Holding Residential R1/R6 (h*R1-3/R4-6(3)/R6-5) Zone; FROM a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(3)) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(3)) Zone; FROM a Holding Residential R1/R4 (h*R1-13/R4-6) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(3)) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h*54*R5-3/R6-5/7*H15*D30*OF) Zone TO a Holding Residential R4/R5/R6 Special Provision (R4-6(3)/R5-3/R6-5) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h*54*R5-3/R6-5/7*H15*D30*OF) Zone TO a Holding Residential R4/R5/R6 Special Provision (h*h*54*R5-3/R6-5/7*H15*D30*OF) Zone; FROM a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h*54*R4-6(3)/R5-3/R6-5/7*H24*D100*OF8()) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h*54*R5-3/R6-5/7*H15*D30*OF) Zone TO a Holding Residential R1 (R1-16) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h*54*R4-6(3)/R5-3/R6-5/7*H24*D100*OF8()) Zone; FROM a Holding Residential R1/R6 (h*h*54*R1-3/R6-5) Zone TO a Holding Residential R1/R4/R6 Special Provision (h*h*54*R1-3/R4-6(3)/R6-5) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-13/R4-6(3)) Zone; FROM a Residential R1 (R1-5) Zone TO a Residential R1 (R1-4) Zone; Special provisions
for the proposed R4-6(\_) zone would include an exterior side yard setback to a collector road of 4.5m where rear lots abut and 3.5m front and exterior side yard adjacent to a roundabout.

(b) Municipal Council **SUPPORTS** the proposed red-line revisions to the draft-approved plan of subdivision as submitted by Auburn Developments Ltd., prepared by Archibald, Gray & McKay Engineering Ltd. (Project No: 161403241 dated May 15, 2020), which shows property realignment of single family residential Blocks 3, 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23, 28, 31 and 32, Medium Density Residential Blocks 38-41 and Block 43, Medium Density Residential Block 44, Park Blocks 46, 48 and 49 **SUBJECT TO** the conditions contained in the attached Appendix 'A-2'; and,

(c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the proposed red-line revisions to the draft plan of subdivision for Heathwoods Subdivision, as submitted by Auburn Developments Ltd.

**Executive Summary**

**Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended actions is to consider a request for multiple Zoning By-law amendments and red-line revisions to portions of the draft-approved plan of subdivision 39T-12503. The red-line amendments will permit the reconfiguration of the parkland/wetland feature, regularize the development blocks as well as establish a second wetland feature to provide enhanced habitat for wildlife in the area. The zoning amendments will provide additional residential uses on portions of the site in the form of single detached, street townhouse and cluster townhouse dwellings.

**Rationale of Recommended Action**

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

2. The proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited the policies of the Neighbourhoods Place Type.


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

**Linkage to the Corporate Strategic Plan**

Building a Sustainable City - London’s growth and development is well planned and sustainable over the long term.
1.0 Background Information

1.1 Previous Reports Related to this Matter

May 7, 2013 – Report to Planning and Environment Committee to establish a Municipal Council position in response to appeals from Colonel Talbot Developments Inc. on the neglect by Council to make a decision on Official Plan and Zoning By-law amendment applications; and failure of the Approval Authority to make a decision on an application for subdivision approval.

November 26, 2013 – Report to Planning and Environment Committee to provide an update on the status of discussions that have taken place with the applicant since May. The report also addressed the need for an updated Municipal Council position on the appeals from Colonel Talbot Developments Inc. relating to applications for draft plan of subdivision, Official Plan amendment and Zoning By-law amendment.

May 13, 2014 – Report to Planning and Environment Committee to provide an update on the Ontario Municipal Board Decision relating to the appeal by Colonel Talbot Developments Inc. regarding a proposed residential plan of subdivision, Official Plan and Zoning By-law amendments on the properties located at 3924 and 4138 Colonel Talbot Road.

1.2 Planning History

The subject lands include several adjacent properties comprising a total area of 64.77 hectares located east of Colonel Talbot Road and north of Lambeth Walk. The original application from Colonel Talbot Developments Inc. (39T-12503 & OZ-8052), was accepted on May 2, 2013, and proposed an Official Plan and Zoning By-law Amendments together with a Draft Plan of Subdivision.

The proposed Plan of Subdivision included forty-nine (49) blocks for single detached residential lots, seven (7) blocks of medium density residential development, one (1) block for stormwater management and three (3) park blocks, served by eighteen (18) new internal roads and an extension of South Routledge Road.

A revised Draft Plan of Subdivision application was received from Colonel Talbot Developments Inc. on December 13, 2012. The revised plan consisted of fifty-five (55) blocks for single detached lots, five (5) blocks for low density residential development, one (1) block for stormwater management and three (3) park blocks served by seventeen (17) new internal roads and an extension of South Routledge Road. The supporting Official Plan and Zoning By-law Amendments reflected the proposed subdivision.

The revised application included an updated Servicing Report, conceptual SWM Report and Transportation Impact Study, as well as an updated Environmental Impact Study (EIS). The revised application reflected changes in response to the circulation of the Southwest Area Plan. Notice of the revised application was circulated to municipal review agencies and members of the public in January of 2013.

An appeal to the Ontario Municipal Board was submitted by the applicant’s solicitor on January 28, 2013 noting the following reasons for the appeals:

1. the neglect of the Council of the Corporation of the City of London to make a decision with respect to a Zoning By-law Amendment application;

2. the neglect of the Council of the Corporation of the City of London to make a decision with respect to an Official Plan Amendment application; and
S. Meksula

3. the failure of the Approval Authority to make a decision pursuant to Section 51(31) of the Planning Act within 180 days after submission of the application for subdivision approval.

A report was presented to a Public Participation meeting of Planning and Environment Committee on May 7, 2013, recommending a position to be taken by Municipal Council in response to the appeals. The resolution adopted by Municipal Council at its session held on May 14, 2013, included direction requesting Administration to continue discussions with the applicant. On November 26, 2013 a report to Planning and Environment Committee was submitted, providing an update on the status of discussions that have taken place with the applicant since May of this year. The report also addressed the need for an updated Municipal Council position on the appeals from Colonel Talbot Developments Inc. relating to applications for draft plan of subdivision, Official Plan Amendment and Zoning By-law Amendment.

In January, 2014 the Ontario Municipal Board heard the appeal by Colonel Talbot Developments Inc. The Board agreed to a settlement reached between the parties which included conditions of draft approval.

Phase 1 of the subdivision was registered on May 30, 2019 as 33M-762. It consists of 132 single detached lots, two (2) medium density blocks, three (3) park blocks and one (1) 0.3 m reserve block, all served by the extension of Barkervilla Street and Campbell Street North and the addition of 5 new local streets (namely Tripp Drive, Sugarmaple Crossing, Winterberry Drive, Winterberry Place and Ayrshire Avenue).

Through discussions, the City and Auburn have agreed to a number of minor red-line revision to the draft plan, related to additional parkland and lotting pattern. As noted in the OMB decision, the City may, with the consent of the Applicant, make minor modifications to the draft plan and/or the draft conditions provided they are consistent with the intent of the Board’s substantive approval for the purposes of clearing conditions of draft approval and administering final approval.

The OMB issued a decision with a revised draft plan and conditions on April 25, 2018. These revised conditions were used for final approval clearance.

1.3 Property Description

The subject lands are located in the southwest quadrant of the City and are included in the Lambeth Planning Area. The overall subdivision (39T-12503) is comprised of 64.7 hectares of land located east of Colonel Talbot Road and North of Lambeth Walk. The applicant has requested amendments to multiple portions of the draft approved subdivision including single family residential Blocks 3, 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23, 28, 31 and 32; medium density residential Blocks 38-41 and Block 43, and 44; and Park Blocks 46, 48 and 49. These locations have been highlighted on the location map in Section 2.1 (see below).

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

- The London Plan Place Type – “Neighbourhoods”
- Official Plan Designation – “Low Density Residential” and “Multi-Family, Medium Density Residential”
- Existing Zoning – Holding Residential R1 (h*R1-3) Zone; Holding Residential R1 (R1-13) Zone; Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone; Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone; Residential R1/R6 Special Provision (R1-3(R6-5) Zone; Holding Residential R1/R6 (h*R1-3/R6-5) Zone; Holding Residential R1/R4 (h*R1-13/R4-6) Zone; Holding Residential R5/R6/R7/Office (h*54*R5-3/R6-5/H15*D30*OF) Zone; a Residential R1 (R1-16) Zone; a Holding Residential R1/R6 (h*54*R1-3/R6-5) Zone; a Residential R1 (R1-5) Zone; Holding Open Space (h*OS1) Zone, Holding Open Space (h*OS1) Zone, Holding Open Space Special Provision (h*OS5(9)) Zone; Holding Open Space (OS1) Zone.
1.5 Site Characteristics
- Current Land Use – vacant/undeveloped
- Frontage – n/a
- Depth – n/a
- Area – n/a
- Shape – n/a

1.6 Surrounding Land Uses
- North – Environmental Review/ Residential
- East – Agricultural
- South – Residential
- West – Residential

1.7 Location Map
2.0 Discussion and Considerations

2.1 Current Draft-Approved Plan
2.2 Proposed Red-Line Revisions to Draft-Approved Plan
2.3 Proposed Revised Draft-Approved Plan
2.4 Proposed Zoning Amendments
2.5 Proposed Townhouse

3.0 Financial Impact/Consideration

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

3.1 Applicant's Requested Amendment

The applicant is requesting a red-line amendment which will require minor adjustments to the existing lot lines for blocks 3, 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23, 28, 31 and 32, medium density residential block 38-41 and blocks 43-44 of the redlined draft plan as well as the minor adjustment of Park Blocks 46, 48 and 49.

The zoning amendments will provide additional residential uses on portions of the site in the form of single detached, street townhouse and cluster townhouse dwellings. The applicant is seeking to add the R1-1, R4-6(*), R5-3(*), R6-5(*) and OS5(____) zones.

3.3 Community Engagement (see more detail in Appendix B)

Through the public circulation process three (3) comments were received about the proposed red-line revisions and zoning by-law amendment. The comments included the following issues: (1) potential increase in traffic caused by the wider range of permitted uses and potential increase in density, (2) future widening of Colonel Talbot Road, (3) impact from car headlights on condominium units at 4067 Colonel Talbot Road, (4) impact of construction pond / overflow drainage on existing abutting neighbourhood, (5) the need to have multiple phase development in multiple areas of the city, and (6) the name change, from Kilbourne Road to Hayward Drive.

The specific concern related to traffic flow was in relation to the potential increase in traffic coming from Heathwoods Avenue and Hayward Drive at Colonel Talbot Road. The identified condominium at 4067 Colonel Talbot Road is located on the west side of Colonel Road.

The comments received by Staff are attached to Appendix "B".
Provincial Policy Statement, 2020

1. Building Strong Healthy Communities:

The PPS provides direction for land use planning that focuses growth within settlement areas, and encourages an efficient use of land, resources, and public investment in infrastructure. To support this, the PPS defines a number of policies to promote strong, liveable, healthy and resilient communities which are sustained by accommodating an appropriate affordable and market-based range and mix of residential types, employment and institutional uses to meet long-term needs. These policies are set out in Section 1.0, and seek to promote cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development and appropriate land use patterns within settlement areas shall be established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and is transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (1.1.3.6).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

2. Wise Use and Management of Resources:

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends upon the conservation and protection of our natural heritage and agricultural resources. Section 2.0 of the PPS establishes a number of policies that serve to protect sensitive natural features and water resources. Section 2.1 Natural Heritage 2.1.1. “Natural features and areas shall be protected for the long term”; Section 2.1.8: “Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions”

3. Protecting Public Health and Safety:

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. Accordingly, Section 3.0 of the PPS states a number of policies designed to direct development away from natural and human-made hazards where there is an unacceptable risk (1) to public health or safety or (2) of property damage. The recommended vacant land condominium does not pose any public health and safety concerns, and there are no known human-made hazards.

In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.
The London Plan

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

The London Plan includes criteria for evaluating plans of subdivision through policy *1688 that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type in which the proposed subdivision is located
5. Our Tools
6. Relevant Secondary Plans and Specific Policies

Neighbourhood Place Type

The subject site is located in an Neighbourhood Plane Type which permits a range of primary and secondary uses that may be allowed based on the street classification the property fronts (*921_ Permitted Uses). The subject sites have frontage on a Civic Boulevard, Neighbourhood Connectors and Neighbourhood Streets. The range of permitted uses include single detached, semi-detached dwellings up to stacked townhouses and low-rise apartments (*Table 10). Heights permissions range from 1 to 4-storeys and up to 6-storeys through bonus zoning. Higher heights are directed to higher order roads like Civic Boulevards (*Table 11). Appropriate zoning will be applied to ensure an intensity of development that is compatible within to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space (Intensity, *935_). All planning and development applications will conform to the City Design policies of this Plan (Form, *936_).

1989 Official Plan

Low Density Residential

The Low Density Residential designation is intended to accommodate low-rise, low density housing forms which includes single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster housing may also be permitted subject to the policies of this Plan (3.2.1. Permitted Uses). Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. The development of low density residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-law. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses, and shall result in net densities that range to an approximate upper limit of 30 units per hectare (12 units per acre) (3.2.2. Scale of Development).

Multi-Family, Medium Density Residential

The Multi-Family, Medium Density Residential designation is intended to accommodate multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single-detached, semi-detached and duplex dwellings (3.3.1. Permitted Uses). Development within the designation shall have a low-rise form and a
site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood and generally do not exceed four storeys. Medium density developments generally will not exceed an approximate net density of 75 units per hectare (30 units per acre) (3.3.3. Scale of Development).

Southwest Area Secondary Plan

Both The London Plan and the 1989 Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556 & 1558*). The subject site is within the North Longwoods Residential Neighbourhood, and within the Low Density Residential (LDR) designation. 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. From an urban design perspective, Policy 20.5.3.9. iii) d) requires special consideration for design of corner lots to take advantage of their visibility. This will be incorporated at site plan. Policy 20.5.3.9. iii) e) seeks to limit garages so that they are not the dominant feature in the streetscape. As part of the special provisions in the zoning, attached garages shall not project beyond the façade of the dwelling or the façade (front face) of any porch, or contain garage doors that occupy more than 50% of the frontage of a lot.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Policy Review

Provincial Policy Statement, 2020 (PPS)

The proposed zoning amendments and red-line revisions are in keeping with the PPS as they will provide additional housing types and alternative densities in the area. The amendments will help ensure future development is able to meet current and future housing market demands. The proposed zones provide for forms of development that are generally more affordable than large lots for single detached dwellings. The existing draft approved and registered portion of the subdivision provide public parks and open spaces, schools, and community facilities to support the existing and future development in the area. The recommended zoning and red-line revisions will maintain an efficient and cost effective development and land use pattern, and will not cause environmental or public health and safety concerns.

The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6). The subject lands are located within the City’s Urban Growth Boundary and adjacent existing built-up areas, lands currently being developed or lands designated and zoned for future development. The subject lands have access to existing and future municipal services in the area which were previously planned for through the subdivision review process.

Based on our review, Development Services staff are satisfied that the recommended red-line revised plan and zoning by-law amendments are found to be consistent with the Provincial Policy Statement.

4.2 Issue and Consideration # 2 – What is the purpose of the recommended zoning amendments and red-line revisions to the draft plan of subdivision?

The proposed red-line revisions will maintain the existing street patterns established through the draft plan approval process and make minor adjustments to the lot lines for blocks 3, 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23, 28, 31 and 32, medium density...
residential blocks 38-41 and blocks 43-44 of the redlined draft plan as well as the minor adjustment of Park Blocks 46, 48 and 49. The draft approved roundabout at Campbell Street North and Hayward Drive which includes blocks 38-41 has been red-lined to facilitate options for housing types and occupancy throughout the plan. These few amended lots are in keeping with the surrounding land uses and will have minimal impacts on original draft plan. The minor addition of new lots will not result in an increase in traffic above that previously planned. The increase can be accommodated within the approved level of servicing in the area.

The applicant is proposing to create a new park block west of Block 547 and convert Park Block 547 into a Medium Density Residential Block. To accommodate this change, the applicant is proposing to relocate a large portion of the wetland from Block 547 to Campbell Woods and Block 134 of Registered Plan 33M-762 (see figure below). Through the application review process, staff and the applicant discussed various options for the wetland relocation. Staff are satisfied with the concept proposed in the January 4, 2021 letter from Stantec. This concept will provide for enhanced and sustainable habitat for amphibians. As part of the draft plan conditions, the applicant is to complete and submit a wetland relocation plan as part of focused design studies.

The proposed adjustments to the open space/park blocks also enhances pedestrian connectivity and experience within the parkland system. The hedge row of trees along the south side of Block 45 may be protected.

Proposed relocation of wetlands

As part of the red-line review process 4 additional conditions have been added. The conditions are identified below and are included in Appendix A-2 identified in bold and italics.

110. The Owner shall have its consulting engineering update the necessary engineering drawings to reflect the red-line revisions to the draft plan of subdivision, to the satisfaction of the City.

111. In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per SW-7.0 to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.
112. As part of the Focused Detailed Design Studies, the applicant shall submit a wetland relocation plan for Block 547 consistent with the January 4, 2021 Stantec Consulting Conceptual Wetland Relocation letter, to the City’s satisfaction. The contents and requirements of the relocation plan shall be scoped with the City of London prior to the initiation of the study with the approved recommendations implemented within the engineering drawing review.

113. In accordance with the above approved Wetland Relocation Plan, the wetland in Block 547 will be partially located in Park Block 48, Campbell Woods and Block 134 of 33M-762 as illustrated in the January 4, 2021 Stantec Consulting Conceptual Wetland Relocation letter. The wetland shall be re-constructed in accordance with the approved Relocation Plan prior to the development of Block 547.

4.3 Amendments to the Zoning By-law

As per the SWAP (20.5.16.5), any applications for amendment to the City of London Zoning By-law shall be subject to the policies of the Secondary Plan and applicable policies of the City of London Official Plan. Consideration of other land uses through a Zoning By-law amendment shall be subject to a Planning Impact Analysis as described in the applicable designation of the Official Plan. Further to this, the London Plan requires amendments to consider the Use, Intensity and Form for any new development.

The applicant is requesting a Residential R4 Special Provision Zone (R4-6(*)) zone over multiple properties. The requested special provision is for a reduced exterior side yard setback of 4.5m where 6m is required and a reduced front and exterior side yard setback of 3.5m when abutting a cul-de-sac. These special provisions appear to be minor in nature and in some cases similar to or greater than the existing permissions on the subject sites and will not result in any land use conflicts in the area.

Staff is also recommending the R4-6 zone with a minimum lot frontage of 6.7 metres where 5.5 metres is identified. This requirement is based on the narrow lot servicing requirements of SW-7.0. The special provision ensures appropriate services can be provided to the townhouse units in the future and will also help control the level of intensity for the proposed use.

The proposed zoning amendments are as follows:

1) Holding Residential Special Provision (h*R1-3*R4-6(*))6-5) Zone.

Figure 1 - Proposed Zoning Change
• Use:
  o The proposed R4-6(*) zone permits street townhouse dwellings which
    would be permitted within the existing Low Density Residential designation
    and Neighbourhood Place type.
  o The addition of R4-6 zone provides the site with additional flexibility in terms
    of the residential uses and intensity, where the previous R1-4 zone only
    permitted single detached dwellings.
  o The proposed use is in keeping with the permitted uses on the site and
    would have no new impacts on the abutting lands.

• Intensity:
  o The current zoning permits a maximum density of 75 uph which is in
    keeping with the maximum densities permitted within the Multi-Family
    Medium Density Residential designation.
  o The proposed street townhouse uses are not specifically regulated by
    density within the proposed zones. The zoning regulations associated with
    them ensure future development of these uses are at an intensity
    appropriate to the policies of the Multi-Family Medium Density Residential
    designation.
  o The London Plan does not restrict uses by any specific density. Instead, it
    encourages compatibility within the neighbourhood by limiting building
    heights and applying specific zoning regulations appropriate to the
    neighbourhood context. The proposed zones maintain similar regulations
    to the existing zones and uses in the area and the potential level of intensity
    will remain compatible with the surrounding area.

• Form:
  o The proposed form of and street townhouses are in keeping with the
    existing and future developments in the area and will have no adverse
    impacts on the surrounding area.
  o The proposed forms of development are in keeping with the Low Density
    Residential Policies and Neighbourhood Place Type policies.

• Planning Impact Analysis:
  o Overall, the proposed zones will be compatible with future lands uses. The
    proposed block and zone boundary are of a sufficient size and shape to
    accommodate the proposed uses.
2) Holding Residential Special Provision ((h*R1-1/R4-6(*)) Zone.

Figure 2 – Proposed Zoning Change

- **Use:**
  - The proposed R1-1 zone would permit standalone single detached dwellings. The existing R6-5 also permits single detached dwellings but requires it to be through a cluster form of development.
  - The proposed R4-6(*) zone permits street townhouse dwellings which would be permitted within the existing Low Density Residential designation and Neighbourhood Place type.
  - The addition of the R1-1 and R4-6 zones provide the site with additional flexibility in terms of the residential uses and intensity, where the previous R5-3 and R6-5 zone only permits cluster forms of residential development on the block.
  - The proposed additional uses are in keeping with the permitted uses on the site and would have no new impacts on the abutting lands.

- **Intensity:**
  - The existing zone on the site permits a maximum density of 35 uph which is in keeping with the maximum densities permitted within the Low Density Residential designation.
  - The proposed single detached dwelling and street townhouse uses are not specifically regulated by density within the proposed zones. The zoning regulations associated with them ensure future development of these uses are at an intensity appropriate to the policies of the Low Density Residential designation.
  - The London Plan does not restrict uses by any specific density. Instead, it encourages compatibility within the neighbourhood by limiting building heights and applying specific zoning regulations appropriate to the neighbourhood context. The proposed zones maintain similar regulations to the existing zones and uses in the area and the potential level of intensity will remain compatible with the surrounding area.
Form:
- The proposed form of single detached dwellings and street townhouses are in keeping with the existing and future developments in the area and will have no adverse impacts on the surrounding area.
- The proposed forms of development are in keeping with the Low Density Residential Policies and Neighbourhood Place Type policies.

Planning Impact Analysis:
- Overall, the proposed zones will be compatible with future lands uses. The proposed block and Zone boundary are of a sufficient size and shape to accommodate the proposed uses.

3) Holding Residential Special Provision ((h*R4-6(*)/*R5-3(*))/R6-5(*)) Zone

Figure 3 – Proposed Zoning Change

Use:
- The proposed R5-6(*) zone permits cluster townhouse and stacked townhouse dwellings and is the same as the zone on the abutting lands to the south of the site.
- The proposed R6-5(*) zone permits single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, apartment building and fourplex dwellings, and is the same as the zone on the abutting lands to the south of the site.
- The proposed R4-6(*) zone permits street townhouse dwellings which would be permitted within the existing Low Density Residential designation and Neighbourhood Place type.
- Both the Neighbourhood Place Type and Multi-Family Medium Density Residential designation permit the proposed cluster townhouse dwellings however, stacked townhouse dwellings are not contemplated within the Neighbourhood Place Type.
- The additional uses would result in no new impacts on the abutting lands.
• Intensity:
  o The R4 Zone provides for and regulates medium density residential development in the form of street townhouses. The current zoning permits a maximum density of 75 uph which is in keeping with the maximum densities permitted within the Multi-Family Medium Density Residential designation.
  o The proposed street townhouse uses are not specifically regulated by density within the proposed zones. The zoning regulations associated with them ensure future development of these uses are at an intensity appropriate to the policies of the Multi-Family Medium Density Residential designation.
  o The R5-6 permits a density of up to 50uph. Although this type of density is higher than the current permissions on site the R5-6 zone has been developed on the lands to the south and the subject site is an ideal location for higher densities as it is essentially at the intersection of two Civic Boulevards with easy access to both Hayward Avenue and Campbell Street North.
  o The proposed R6-5 zone provides a low density form of development that would have no new additional impacts in the area and is in keeping with the current intensity of the abutting lands.
  o The Neighbourhood Place Type encourages these types of intensities at locations such as this and based on the surrounding land uses and existing services in the area, would have no additional impacts.
  o The area identified was proposed to have single detached lots on these blocks. Based on the existing zoning the proposed cluster and stacked townhouse units could be developed. This difference will not have any additional impacts on the planned level of traffic and servicing for the area.

• Form:
  o The London Plan permits heights of 2 and 2.5 storeys when a Neighbourhood Place type fronts a Neighbourhood Connector.
  o The R5-6 zone has a height limit of 12m in order to facilitate the development of stacked townhouses.
  o The proposed R6-5 has a height limit of 12 metres and would have no additional impacts on the abutting lands.
  o Given the proposed zoning for the lands is the same as the lands to the south and west this type of development may occur on these blocks. The proposed 2 and 2.5 storey townhouses will ensure compatibility with abutting land uses.

• Planning Impact Analysis:
  o Overall, the proposed zones will be compatible with future lands uses. The proposed blocks and zone boundary are of a sufficient size and shape to accommodate the proposed uses.

4.4 Public Concerns

Traffic:

The rezoning application proposed minor amendments and permitted uses to a number blocks within the Heath Subdivision. The zoning regulations now being sought are similar to the existing permissions throughout the subdivision and will result in a minimal increase in potential density and traffic. The levels of traffic planned through the Draft Plan of Subdivision will be maintained and no additional traffic impacts will occur. There is an upgrade planned in the next few years Colonel Talbot Road

Other concerns:

Additional concerns were raised about the potential of construction dust, material and overland flow during the construction of the subdivision. Staff had additional discussions
with those members of the public and provided further clarification about contacting Development & Compliance Services in regards to these issues and concerns. Those members of the public were satisfied with this approach had no additional concerns.

**Conclusion**

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

**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

cc: Matt Feldberg, Manager, Development Services (Subdivisions)  
cc: Bruce Page, Manager, Development Services (Subdivisions)  
cc: Peter Kavcic, Manager, Development Services (Subdivisions)  

GK/PY/sm
Appendix A

Appendix “A-1”

Bill No. (number to be inserted by Clerk’s Office)
2021

By-law No. Z.-1-21______

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3924 Colonel Talbot Road.

WHEREAS Auburn Developments Ltd. has applied to rezone an area of land located at 3924 Colonel Talbot 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 portions of the lands located at 3924 Colonel Talbot Road, as shown on the attached map comprising part of Key Map No. A.110, Holding Open Space Special Provision (h*OS5(9)) Zone to an Open Space Special Provision (OS5(_)) Zone; from a Holding Residential R1 (h*R1-3) Zone to a Holding Open Space (h*OS1) Zone; from a Holding Residential R1 (h*R1-3) Zone to an Open Space (OS1/OS3) Zone; from a Holding Residential R1 (h*R1-13) Zone to a Holding Residential R1 (h*R1-3) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3(7)/R6-5(_)/R7*H15*D30) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3/R6-5/R7*H18*D30) Zone; from a Residential R1/R6 Special Provision (R1-3(7)/R6-5) Zone to a Residential R1 Special Provision (R1-3(7) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R4/R5/R6 Special Provision (h*R4-6(_)/R5-3/R6-5) Zone; from a Holding Residential R1 (h*R1-3) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R1/R6 (h*R1-3/R6-5) Zone to a Holding Residential R1/R4/R6 Special Provision (h*R1-3/R4-6(_)) Zone; from a Holding Residential R1/R6 (h*R1-3/R6-5) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R1/R4 (h*R1-13/R4-6) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H18*D30) Zone; from a Residential R5/R6 Special Provision (R1-3(7)/R6-5) Zone to a Residential R5 Special Provision (R1-3(7) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R4/R5/R6 Special Provision (h*R4-6(_)/R5-3/R6-5) Zone; from a Holding Residential R1 (h*R1-3) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R1/R6 (h*R1-3/R6-5) Zone to a Holding Residential R1/R4 Special Provision (h*R1-3/R4-6(_)) Zone; from a Residential R1 (h*R1-5) Zone to a Residential R1 (R1-4) Zone;
2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provisions:

) R4-6(*)

a) Regulations:

i) Lot Frontage 6.7m (22ft)

ii) Exterior Side Yard Depth 4.5m (14.7ft) for local and collector streets (minimum)

iii) Front and Exterior Side Yard Setback 3.5m (11.5ft) adjacent to a roundabout

3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:

) R5-3(*)

a) Regulations:

i) Front Yard Setback, 3 metres Main Dwellings (Minimum): (9.8 feet)

ii) Front Yard Depth 5.5 metres for Garages (18.0 feet) (Minimum)

iii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R5-3(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS5 Zone.

4) Section Number 10.4 of the Residential R6 Zone is amended by adding the following Special Provision:

) R6-5(*)

a) Regulations:

i) Front Yard Setback, 3 metres Main Dwellings (Minimum): (9.8 feet)

ii) Front Yard Depth 5.5 metres for Garages (18.0 feet) (Minimum):

iii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R6-5(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS5 Zone.
4) Section Number 36.3 of the Open Space OS5 Zone is amended by adding the following Special Provision:

OS5(*)

a) Regulations:

Notwithstanding Section 3.9(2), the area of the lands so zoned shall be included with the Residential-zoned lands in the lot or block of which they form a part for the purpose of calculating lot area, density, lot coverage and landscaped open space.

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.


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

File Number: Z-9240
Planner: SM
Date Prepared: 2021/02/15
Technician: RC
By-Law No: Z.-1-

Subject Site

Appendix “A-2”
THE CORPORATION OF THE CITY OF LONDON’S CONDITIONS AND
AMENDMENTS TO FINAL APPROVAL FOR THE REGISTRATION OF THIS
SUBDIVISION, FILE NUMBER 39T-12508, ARE AS FOLLOWS:

<table>
<thead>
<tr>
<th>NO.</th>
<th>CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>This draft approval applies to the revised draft plan, submitted by Auburn Developments Inc., prepared by Stantec Consulting Limited, certified by Jeremy Matthews, O.L.S. May 19, 2020, File No. 39T-12503, project no. 161403241, drawing no. 1, which shows a total of thirty-seven (37) single family residential blocks, six (6) medium density residential blocks, four (4) medium density residential blocks, two (2) medium density/office blocks, four (4) park blocks, one (1) woodlot/park block, one (1) walkway block, one (1) SWM facility block, two (2) road widening blocks and nine (9) 0.3 m reserves, all served by one (1) east west primary collector road (Hayward Avenue) and one (1) north south secondary collector road (Campbell Street North) and six (6) local streets. 531 single detached dwellings, five (5) low density residential part blocks, two (2) medium density residential/office blocks, four (4) medium density residential blocks, four (4) walkway blocks, five (5) park blocks, one (1) woodlot/park block, one (1) SWM facility block, two (2) road widening blocks and nine (9) 0.3 m reserves, all served by one (1) east west primary collector road (Kilbourne Road) and one (1) north south secondary collector road (Campbell Street North) and ten (10) local streets.</td>
</tr>
<tr>
<td>2.</td>
<td>This approval of the draft plan applies for five 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.</td>
</tr>
<tr>
<td>3.</td>
<td>The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.</td>
</tr>
<tr>
<td>4.</td>
<td>The Owner shall request prior to the submission of Design Studies that the streets shall be named to the satisfaction of the City.</td>
</tr>
<tr>
<td>5.</td>
<td>The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.</td>
</tr>
<tr>
<td>6.</td>
<td>Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.</td>
</tr>
<tr>
<td>7.</td>
<td>Prior to final approval, appropriate zoning designations shall be in effect for this proposed subdivision.</td>
</tr>
<tr>
<td>8.</td>
<td>The Owner shall in agreement satisfy all the requirements, financial and otherwise, of the City of London, including, but not limited to, surfacing of roads, installation and maintenance of services, drainage and grading, tree planting and tree preservation in order to implement the conditions of this draft approval.</td>
</tr>
<tr>
<td>9.</td>
<td>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 specifications and satisfaction of the City.</td>
</tr>
<tr>
<td>10.</td>
<td>The subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.</td>
</tr>
</tbody>
</table>
11. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications (e.g. 0.3m reserves) 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 purposes, to the satisfaction of the City, at no cost to the City.

12. The subdivision agreement between the Owner and the City of London may contain phasing arrangements satisfactory to the City.

13. The Owner shall implement the requirements of the City of London concerning sedimentation and erosion control measures during all phases of construction. The Owner’s consulting engineer shall have these requirements established and approved by the City prior to any work on the site. Prior to the commencement of any grading or alteration on site, the Owner shall enter into a site alteration agreement and post the required security.

14. The Owner shall not commence construction or install any services (e.g. Clearing of servicing of Land) involved with this plan prior to entering into a site alteration agreement or subdivision agreement and 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. MOE certificates; City/Ministry/Agency permits: Approved Works, water connection, water-taking, navigable waterways; approvals: UTRCA, MNR, MOE, City; etc.)

15. In conjunction with the Design Studies submission, the Owner shall have its professional engineer provide any recommended Environmental Assessment under the Municipal Class Environmental Assessment requirements for the provision of any services related to this plan or a written recommendation that an Environmental Assessment is not required. No construction involving installation of services requiring an Environmental Assessment shall be undertaken prior to fulfilling the obligations and requirements of the Province of Ontario’s Environmental Assessment Act. In conjunction with the submission of engineering drawings, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Municipal Class Environmental Assessment requirements for the provision of any services, related to this Plan. All Municipal Class Environmental Assessments must be completed prior to submission of engineering drawings.

16. The Owner’s professional engineer shall provide inspection services during construction for all work to be assumed by the City, and have its professional engineer supply the City with a certificate of compliance upon completion in accordance with the plans approved by the City.

17. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan including required engineering drawings. Any deviation to the City’s standards, guidelines or requirements shall be completed to the satisfaction of the City.

18. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.

19. For the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of City. The Owner acknowledges that, in the event that a submission
S. Meksula

does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.

20. Prior to final approval for the registration of the subdivision, the Approval Authority is to be advised in writing by the City that all financial obligations/encumbrances on the said lands have been paid in full including property taxes and local improvement charges.

21. Prior to the submission of engineering drawings, the Owner shall have its professional engineer certify that sufficient sewage treatment and conveyance capacity is available to service the subdivision, to the satisfaction of the City.

22. Prior to submission of engineering drawings for each phase of the subdivision to be registered, a lotting plan with any required walkways shall be submitted to Development Approvals that conforms to: the applicable zoning, red line revisions and conditions of draft approval. In the event that relotting of the plan is undertaken, the Owner shall relocate and construct services to standard location, all to the specifications and satisfaction of the City.

Planning

23. The Owner shall make a cash-in-lieu payment for street trees required in this plan.

24. As part of the Design Studies submission, the Owner shall confirm that the municipal infrastructure works required to service development in this plan are adequately planned and financed in accordance with provisions in the 2014 Development Charges By-law Update and the Growth Management Implementation Strategy approved by Council, to the satisfaction of the Director of Development Finance.

25. In conjunction with the Design Studies submission, a Parking Study shall be prepared for areas Zoned R1-13 and R1-3, to demonstrate how on-street parking will be accommodated for the proposed lotting pattern, in accordance with the requirements of the Small Lot Study and to the satisfaction of the City. The approved parking plan shall be implemented through provisions in the subdivision agreement.

26. Phasing of this plan will be designed to ensure that adequate access and emergency access is provided and a second access will be required to serve more than 80 lots, to the satisfaction of the City.

Servicing

27. 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:

   a. Construct sanitary sewers to serve this Plan and connect them to the future municipal sewer system at such time as a municipal sanitary outlet is available to serve these lands. The expected outlet is a new trunk sewer to the existing Wonderland Pumping Station but this is subject to the completion of the Southwest Area Sanitary Servicing Master Plan. The timing and funding of the works required to serve this plan will be in accordance with the 2014 Development Charge Study;

   b. Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the specifications of the City Engineer. Arrangements be made to extend the trunk sewer to Colonel Talbot Road to service upstream external lands; and

   c. 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 Engineer. The local sanitary sewer will be at the sole
cost of the Owner. Any exception will require the approval of the City
Engineer.

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

a. Provide a sanitary drainage area plan, including the sanitary sewer routing
and the external areas to be serviced to the satisfaction of the City Engineer;

b. Provide a hydrogeological report which includes an analysis of the water
table level of the lands within the subdivision with respect to the depth of
the local sanitary sewers and an evaluation of additional measures, if any,
which need to be undertaken in order to meet allowable inflow and
infiltration levels as identified by OPSS 410 and OPSS 407.

29. In order to prevent any inflow and infiltration from being introduced to the sanitary
sewer system, the Owner shall undertake the following:

a. Throughout the duration of construction within this draft plan of subdivision,
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 Engineer, at no cost to
the City;

b. Not allow any weeping tile connections into the sanitary sewers within this
Plan;

c. Permit 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 sewers;

d. Have its consulting engineer confirm that the sanitary sewers meet
allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and

e. Implement any additional measures recommended through the Design
Studies stage.

30. Prior to the registration of any portion 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 its right 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.

**Watermains**

31. The Owner shall construct private water services to the existing municipal watermains
on Campbell Street to service the Lots and Blocks in the plan, all to the satisfaction of
the City Engineer and at no cost to the City.

32. The Owner shall, in conjunction with the submission of engineering drawings, have its
professional engineer provide confirmation that the watermains are adequate to
service the Lots and Blocks in this plan (e.g. Capacity requirements, effect on existing
water infrastructure, hydraulics, water quality etc.), all to the satisfaction of the City.
33. In conjunction with the Design Studies submission, the Owner shall have its consulting engineer prepare and submit the following water servicing design information, all to the satisfaction of the City Engineer:

a. A water servicing report which addresses the following:
   i. Identify external water servicing requirements;
   ii. Confirm capacity requirements are met;
   iii. Identify need to the construction of external works;
   iv. Identify the effect of development on existing water infrastructure – identify potential conflicts;
   v. Water system area plan(s);
   vi. Water network analysis/hydraulic calculations for subdivision report;
   vii. Phasing report;
   viii. Oversizing of watermain, if necessary and any cost sharing agreements.
   ix. Water quality; and
   x. Identify location of valves and hydrants.

b. Design calculations which demonstrate there is adequate water turnover to address water quality requirements for the watermain system or recommend the use of the following:
   i. Valving to shut off future connections which will not be used in the near term; and/or
   ii. Automatic flushing devices to maintain water quality, with it being noted that the water flushed by the device is to be measured (by a water meter in a meter pit) and the cost of water charged to the Owner; and/or
   iii. Make suitable arrangements with Water Operations for the maintenance of the system in the interim.

c. 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.

Stormwater Management

34. The Owner shall have its consultant engineer submit the required storm/drainage and Stormwater Management (SWM) servicing works design for the subject lands including the required design studies and engineering drawings upon the Municipal Class EA for the storm/drainage and SWM servicing works has been completed and accepted by approval agencies and the public.

35. The Owner shall acknowledge that location of the proposed SWM facility will be confirmed by a Municipal Class EA that will incorporate Environmental Impact Study (EIS) and Functional/Detailed Design for this facility that is intended to service the drainage area that will include the external drainage lands and may incorporate the modifications/realignment(s) to the existing tributaries/watercourses and enclosure in the conduit system is considered the Schedule ‘B’ activity and the City will be required to complete its Municipal Class EA, this EA study cost is intended to be included in the 2014 Draft DC cost assessment of this SWM Facility. It should be noted that the design and construction of this facility is subject to the schedule established by 2014 DC and the Council approvals of any updates.

36. The Owner shall have its consultant engineer shall submit the required storm/drainage and SWM servicing works design that will be in compliance with the Municipal Class EA and Functional detailed design for the proposed municipal SWM Facility and storm/drainage conveyance systems within this plan and adjacent lands in accordance with the Dingman Creek Subwatershed Study Update and the accepted Municipal Class EA for these works, all to the satisfaction of the City Engineer.
37. The Owner shall implement all recommended applicable mitigation and compensation measures in accordance with the accepted Class EA study for the subject lands.

38. The Owner shall acknowledge that proposed storm/drainage and SWM outlet for the subject lands is a tributary/Anguish Municipal Drain of Dingman Creek.

39. The Owner shall agree that the proposed storm/drainage and SWM outlet for the subject lands is the Dingman Creek tributary/Anguish Municipal Drain therefore prior to discharge to the system the designation of the Anguish Municipal Drain under the Drainage Act must be revoked and thereby designated under the Ontario Water Resources Act.

40. The Owner shall be required to undertake the Geotechnical evaluation that will include the slope stability analyses and to confirm the development limits, as well the Hydrogeological evaluation for the subject lands will be required that will include, but not be limited to, a water balance analysis.

41. The Owner shall have its consulting professional engineer provide the functional and detailed design and subsequently construct proposed storm/drainage and SWM servicing works for the subject lands, all to the satisfaction and specification of the City Engineer and according to the requirements of the following:

   a. The SWM criteria and environmental targets for the Dingman Creek Subwatershed Study Updates;
   b. the Municipal Class EA for the storm/drainage and SWM servicing works being completed and accepted by approval agencies and the public;
   c. The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
   d. The City's Waste Discharge and Drainage By-Laws, lot grading standards, policies, requirements and practices;
   e. The Ministry of the Environment SWM Practices Planning and Design Manual; and;
   f. Applicable Acts, Policies, Guidelines, Standards and Requirements of all relevant SWM agencies.

42. The Owner shall have its professional engineer ensure that all geotechnical issues and required setbacks related to the slope stability associated with the open watercourses that are adequately addressed for the subject lands, all to the satisfaction of the City Engineer and The Upper Thames River Conservation Authority.

43. The Owner shall ensure that the Erosion and Sediment Control Plan (ESCP) be executed in accordance with the City Engineer’s approval procedure and criteria and due to the close proximity of the open watercourse. In the event of failure to properly implement and maintain the required ESCP, an ESCP security will be used to undertake all necessary clean-up work for the subject lands, all to the satisfaction of the City Engineer.

44. The Owner shall prior to issuing a Certification of Conditional Approval for lots and blocks in this plan or as otherwise approved by the City Engineer, the required storm/drainage and SWM related works to serve the plan to be registered must be constructed and operational in accordance with the approved design criteria, all to the satisfaction of the City Engineer.

45. Prior to issuing a Certification of Conditional Approval, the Owner’s professional engineer shall identify major and minor storm flow routes for the subject land and
46. The Owner shall agree to promote the implementation of SWM soft measure Best Management Practices (BMP’s) within the plan, where possible, to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and the approval of the City Engineer.

47. Except as permitted by approved drawings, the Owner shall ensure that any increased and accelerated stormwater runoff from this subdivision shall not cause damage to downstream lands, properties or structures beyond the limits of this subdivision and notwithstanding anything to the contrary of any requirements of the city or any approval given by the City Engineer, the indemnity provided shall apply to 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.

48. The Owner shall agree to provide all adequate easements, if required, at no cost to the City, in relation to stormwater/drainage and SWM servicing works of the subject lands, all to the satisfaction of the City Engineer.

49. The Owner shall obtain storm outlet(s) permit(s) or any other permits and approvals from areas the Upper Thames River Conservation Authority (UTRCA) that will be associated with the proposed development or servicing in the regulated areas, all to the satisfaction of the City engineer.

Transportation

50. The Owner shall submit an updated Transportation Impact Assessment as part of design studies in accordance with our Transportation Impact Assessment Guideline to the satisfaction of the City Engineer. The Owner’s traffic engineer shall meet with staff to discuss the scope and requirements of this study prior to undertaking the study.

51. The Owner shall implement all recommendations outlined in the approved traffic impact assessment to the satisfaction of the City Engineer.

52. The Owner shall provide a road widening dedication on Colonel Talbot Road measured 18 m from the centre line of the road allowance.

53. The Owner shall restrict access to Colonel Talbot Road by establishing a Block for a 0.3 metre (1 foot) reserve along the entire Colonel Talbot Road frontage.

54. The Owner shall align Street ‘A’ perpendicular to and opposite Kilbourne Road to the satisfaction of the City Engineer.

55. The Owner shall classify and construct Street ‘A’ to primary collector road standards with a maximum width of 2 through lanes and right-of-way width of 21.5 metres to the satisfaction of the City Engineer.

56. The Owner shall classify and construct Street ‘E’/Street “I” to secondary collector road standards and align the street with Campbell Street to the satisfaction of the City Engineer.

57. The Owner shall construct turn lanes on Colonel Talbot Road at Street ‘A’ and at Street ‘K’ with sufficient storage and taper to accommodate traffic anticipated by the full build-out of the subdivision and all lands that will have access to Street ‘A’ and Street ‘K’ at Colonel Talbot Road to the satisfaction of the City Engineer. The Owner shall construct turn lanes as per the requirements of the approved Transportation Impact Assessment as a condition of the Certificate of Conditional Approval.
58. The Owner shall verify the adequacy of the decision sight distance on Colonel Talbot Road at Street ‘A’ and at Street ‘K’. If the sight lines are not adequate, these accesses are to be relocated and/or road work undertaken to establish adequate decision sight distance.

59. The Owner shall construct a boulevard gateway treatment on Street ‘A’ at the intersection of Colonel Talbot Road with a right-of-way width the lesser of 28.0 metres or the appropriate width determined through the approved Transportation Impact Assessment for a minimum length of 45.0 metres tapered back over a distance of 30.0 metres to the primary collector road width of 21.5 metres. If the traffic impact assessment indicates a longer left turn lane is required the plan shall be red lined amended to provide a longer left turn lane as indicated in the approved traffic impact assessment.

60. The Owner shall construct a boulevard gateway treatment on Street ‘K’ at the intersection of Colonel Talbot Road with a right-of-way width as determined through the Transportation Impact Assessment for a minimum length of 45.0 metres tapered back over a distance of 30.0 metres to the local road width of 20.0 m. If the traffic impact assessment indicates a longer left turn lane is required the plan shall be red lined amended to provide a longer left turn lane as indicated in the traffic impact assessment.

61. The Owner shall construct roundabouts at the intersection of Street ‘A’ and Street ‘E’/’I’. The roundabout will be constructed in accordance with the Design Specifications & Requirements Manual and to the satisfaction of the City Engineer. The roundabout, including splitter islands or approved alternatives, will be constructed as a condition of the Certificate of Conditional Approval.

62. The Owner shall construct traffic calming measures along the primary collector Street ‘A’, including parking bays, a raised intersection with Street ‘L’/’B’ to the satisfaction of the City Engineer.

63. The Owner shall construct traffic calming measures along the secondary collector Street ‘I’, including parking bays and a raised intersection with Street ‘O’ and/or other measures to the satisfaction of the City Engineer.

64. The Owner shall construct traffic calming measures along Street ‘K’, including a raised intersection with Street ‘J’/’M’ and/or other measures to the satisfaction of the City Engineer.

65. The Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City Engineer for any construction activity that will occur on existing arterial roadways needed to provide services for this plan of subdivision. The Owner's contractor(s) shall undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted and become a requirement of the subdivision servicing drawings process for this plan of subdivision.

66. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Colonel Talbot Road and Street ‘K’ or other routes as designated by the City. South Routledge Road can be utilized as an emergency secondary access if required.

67. In conjunction with the submission of engineering drawings, the Owner shall have its professional engineer provide confirmation that all streets in this plan have centerline radii which conforms to the City of London Standard “Minimum Centreline Radii of Curvature of Roads in Subdivisions.”

68. The Owner shall install street lighting on all streets in this plan to the satisfaction of the City Engineer, at no cost to the City.
69. The Owner shall construct a 1.5 metre (5') sidewalk(s) as required by the City within 1.0 metre of the outer limit of any road allowance to the satisfaction of the City Engineer, at no cost to the City.

70. In conjunction with the 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, servicing, grading and drainage of this subdivision, road pavement structure, dewatering and any other requirements as needed by the City.

**Wells**

71. 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 aquifer from any development activity.

72. In conjunction with the Design Studies submission, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant to determine the effects of the construction associated with this subdivision on the existing ground water elevations and springs, water wells 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, to the satisfaction of the City Engineer. 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.

73. The Owner shall implement all hydrogeological measures outlined in the accepted report to the satisfaction of the City. Prior to the issuance of any Certificate of Conditional Approval, any remedial or other works as recommended in the above accepted hydro geological report shall be implemented by the Owner, to the satisfaction of the City Engineer, at no cost to the City.

**Parks & Open Space**

74. The Owner shall satisfy the parkland requirements for this subdivision through required dedications and/or cash-in-lieu, in accordance with the provisions of By-law CP-9 and to the satisfaction of the Manager of Environmental & Parks Planning.

75. Prior to submission of Design Studies, an Environmental Assessment shall be prepared by the City for the proposed creation or maintenance of any infrastructure proposed within the Natural Heritage System and an EIS shall be completed for any alternative location identified within the Natural Heritage System to assess potential impacts, identify mitigation measures and determine appropriate compensation mitigation in accordance with relevant legislation and Official Plan policies.

76. The recommendations of the approved Environmental Assessment and associated EIS shall be implemented to the satisfaction of the City through appropriate zoning requirements, engineering drawings, and as required in clauses in the subdivision agreement(s).

77. The Owner shall, within two years of registration of any phase of development, prepare and deliver to the all homeowners adjacent to any open space, an education package which explains the stewardship of the natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern of these lots. The educational package shall be prepared to the satisfaction of the City.
78. The Owner shall, as part of the design studies, have a qualified consultant prepare a
detailed Tree Preservation Plan to the satisfaction of the City. Where lot grading
conflicts arise in the subdivision, the grading as recommended in the detailed Tree
Preservation Plan shall be implemented and where possible to the satisfaction of the
City Engineer and Manager of Environmental & Parks Planning.

79. The Owner shall fence the boundary between lots or blocks adjacent to open space
areas conveyed to the City with a 1.5m high chain link fencing without gates in
accordance with SPO4.8 or approved alternate measures acceptable to the Manager
of Environmental & Parks Planning. Fencing shall be completed, to the satisfaction of
the City, within one year of the registration of the plan which contains the open space
block. This condition does not apply to any block which contains a SWM facility.

80. The subdivision agreement shall contain a clause which permits a homeowner to
construct a fence entirely on their property where the lot/block abuts a SWM facility
block provided the fencing is chain link and in accordance with SPO4.8 standards.

81. The Owner shall not grade into any open space area without City approval. Where
Lots or Blocks abut an open space area, all grading of the developing Lots or Blocks
at the interface with the open space areas are to match grades to maintain existing
slopes, topography and vegetation. In instances where this is not practical or
desirable, any grading into the open space shall be to the satisfaction of the Manager
of Environmental & Parks Planning and City Engineer.

82. The subdivision plan to be registered shall incorporate pedestrian and bicycle multi-
use pathway corridors pursuant to Section 51(25)(b) of the Planning Act, in
accordance with the approved Bicycle Master Plan to the satisfaction of the Manager
of Environmental & Parks Planning and at no cost to the City. Any land that is required
beyond a 5 metre corridor width will be credited toward the parkland dedication
requirement for this plan.

83. In conjunction with the Design Studies submission, the Owner shall identify, to the
satisfaction of the Manager of Environmental & Parks Planning, the multi-use pathway
system that connects east-west through the proposed park blocks without impacting
existing vegetation.

84. The subdivision plan to be registered shall incorporate Block 64 to the north, to
“square-off” Lambeth Optimist Park, with a minimum frontage of 30 metres
the satisfaction of the Manager of Environmental & Parks Planning. This will be credited toward the parkland dedication
requirement for this plan.

Agencies

85. The Owner shall provide the grading drawings to the UTRCA with sufficient lead time
for review and comment prior to the final submission of engineering drawings to the
City for approval and make necessary Permit applications to the UTRCA at that time.

86. The Owner shall provide for the installation of community mail boxes in the
subdivision, in consultation with Canada Post and to the satisfaction of the Approval
Authority.

87. In conjunction with the Design Studies submission, the Owner shall identify London
Transit Stop locations, in consultation with London Transit and to the satisfaction of the
Approval Authority. Pads for the approved transit stop locations shall be identified
on the servicing drawings and installed at no cost to the City.

88. Prior to grading and soil disturbance, the Owner shall confirm that the Ministry of
Culture has been consulted and that there are no archaeological concerns with the
plan of subdivision to be registered.
89. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage must be completed and operational, all to the specification and satisfaction of the City.

90. Prior to final approval, the Owner shall make arrangements with the affected property Owner(s) for the construction of any portions of services situated on private lands outside this plan, and shall provide satisfactory easements over the sewers as necessary, all to the specification and satisfaction of the City.

91. 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.

92. 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.

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

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

95. No weeping tile connections will be permitted into the sanitary sewers within this plan.

96. 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 immediately, and if required by the City, the Owner shall, at its 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. 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 shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the City 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 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.

97. The Owner shall have the common property line of Colonel Talbot Road 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 centerline line grades on Colonel Talbot Road are the future centerline of road grades as determined by the Owner’s professional engineer and accepted by the City. From these, the Owner’s professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road.

98. 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 services from this subdivision into any unassumed services.
99. Prior to connection made to an unassumed service, the following will apply:

a. The unassumed services must be completed and Conditionally Accepted by the City; and,

b. The Owner shall complete a video inspection on all affected unassumed sewers to the satisfaction of the City.

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

a. Commence upon completion of the Owner’s service work connections to the existing unassumed services; and

b. Continue until the time of assumption of the affected services by the City.

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

102. The Owner shall construct all municipal services for the subject lands at the sole expense of the Owner. The details of the services required will be established by the City Engineer after particulars of engineering design are provided by the Owner, in accordance with the policies and standards of the City prevailing at the time the Subdivision Agreement is approved by City Council.

103. The Owner shall agree to include in the subdivision agreement minimum side yard setbacks as specified by the City for building(s) which are adjacent to rear yard catch basin leads which are not covered by an easement on lots in this plan.

104. 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 “Guidelines for Notification to Public for Major Construction Projects”.

105. The Owner shall comply with the City’s tree planting policy with respect to provisions of trees for this subdivision.

106. The Owner shall decommission and remove any abandoned infrastructure and restore all affected areas, at no cost to the City, including but not limited to cutting the water service and capping it at the watermain, private irrigation systems, electrical systems, private pathways, temporary retaining walls etc. all to the specifications and satisfaction of the City.

107. 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.

108. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the development has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements or any approval given by the City, the Owner shall
indemnify the City against any damage or accelerated stormwater runoff from this subdivision.

109. As a condition of approving infrastructure projects within the Natural Heritage System, the City may require specific mitigation and the Owner shall be required to implement reasonable compensatory mitigation measures that an area identified in the accepted environmental impact study to address impacts to natural features and functions caused by the construction or maintenance of the infrastructure.

110. The Owner shall have its consulting engineering update the necessary engineering drawings to reflect the red-line revisions to the draft plan of subdivision, to the satisfaction of the City.

111. In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per SW-7.0 to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.

112. As part of the Focused Detailed Design Studies, the applicant shall submit a wetland relocation plan for Block 547 consistent with the January 4, 2021 Stantec Consulting Conceptual Wetland Relocation letter, to the City’s satisfaction. The contents and requirements of the relocation plan shall be scoped with the City of London prior to the initiation of the study with the approved recommendations implemented within the engineering drawing review.

113. In accordance with the above approved Wetland Relocation Plan, the wetland in Block 547 will be partially located in Park Block Park Block 48, Campbell Woods and Block 134 of 33M-762 as illustrated in the January 4, 2021 Stantec Consulting Conceptual Wetland Relocation letter. The wetland shall be re-constructed in accordance with the approved Relocation Plan prior to the development of Block 547.

Appendix B – Public Engagement

Community Engagement

Public liaison: On July 29, 2020 and December 2, 2020 Notice of Application and Revised Notice of Application was sent to 213 property owners in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on July 30, 2020 and December 3, 2020.

Responses: 3 written reply received.

Nature of Liaison: Possible change to Zoning By-law Z - FROM a Holding Open Space Special Provision (h*OS5(9)) Zone TO an Open Space Special Provision (OS5(_)) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Open Space (h*OS1) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO an Open Space (OS1/OS3) Zone; FROM a Holding Residential R1 (h*R1-13) Zone TO a Holding Residential R1 (h*R1-3) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3(_)/R6-5(_)/R7*H15*D30) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3/R6-5/R7*H18*D30) Zone; FROM a Residential R1/R6 Special Provision (R1-3/7/R6-5) Zone TO a Residential R1 Special Provision (R1-3/7) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3/R6-5/R7*H15*D30) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R1/R6 (h*R1-3/R6-5) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R1/R4 (h*R1-13/R4-6) Zone TO a Holding Residential R1/R4 Special
Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/7*H15*D30*OF) Zone TO a Holding Residential R4/R5/R6 Special Provision (R4-6(_)/R5-3/R6-5) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/R7*H15*D30*OF) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h-54*R4-6(_)/R5-3/R6-5/7*H24*D100*OF8(_)) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/R7*H15*D30*OF) Zone TO a Holding Open Space (OS1) Zone; FROM a Residential R1 (R1-16) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h-54*R4-6(_)/R5-3/R6-5/7*H24*D100*OF8(_)) Zone; FROM a Holding Residential R1/R6 (h*h-54*R1-3/R6-5) Zone TO a Holding Residential R1/R4/R6 Special Provision (h*h-54*R1-3/R4-6(_)/R6-5) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-3/R4-6(_)) Zone; FROM a Residential R1 (R1-5) Zone TO a Residential R1 (R1-4) Zone; Special provisions for the proposed R4-6(_)_ zone would include an exterior side yard setback to a collector of 4.5m where rear lots abut and 3.5m front and exterior side yard adjacent to a roundabout.

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

The rezoning application proposed minor amendments and permitted uses to a number blocks within the Heath Subdivision. The zoning regulations now being sought are similar to the existing permissions throughout the subdivision and will result in a minimal increase in potential density and traffic. The levels of traffic planned through the Draft Plan of Subdivision will be maintained and no additional traffic impacts will occur. There is an upgrade planned in the next few years Colonel Talbot Road

Other concerns:

Additional concerns were raised about the potential of construction dust, material and overland flow during the construction of the subdivision. Staff had additional discussions with those members of the public and provided further clarification about contacting Development & Compliance Services in regards to these issues and concerns. Those members of the public were satisfied with this approach had no additional concerns.

From: Jeff Franklin
Sent: Thursday, September 10, 2020 5:17 AM
To: Hopkins, Anna <ahopkins@london.ca>
Subject: [EXTERNAL] Topics discussed

Hi Councillor Hopkins

Anna
Thanks again for your time on Wednesday September 9
Here are the discussion points to follow up on that we talked about yesterday

Item 2

Location around the pond / overflow drainage site around the new development north of Lambeth public school

New houses completed and vacant lots continue to flood down and pour over the walk way / trails around the pond on the pavement
At this time of year it is continues to be sites are wet and water covered and the drainage issue fall back to the home owners and the developer

This is a safety factor now for slips trips and falls and could relate to a major injury to the public. Also as we enter cooler season these locations will freeze and be black ice and also could result in major personal injury the city would be dealing with if these drainage issues are not dealt with

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Item 3

Zoning and growth into the city
I understand development and grow is happening and will continue to happen. I feel there is no need to have multiple phase development in multiple areas of the city unfinished and then you allow builders to come to the city and start deploy excavation and earth moving for new buildings. There needs to be accountability to have engaged development completed and not have open lots not built before you then open a contract to start elsewhere.

Please and thanks a follow up to the above items would be kindly appreciated in the next three to four weeks.

Have a nice day

Jeff Franklin

Counselor A. HOPKINS
City of London
16 September 2020


I am writing to address concerns with the application for development at the above noted location. I am not opposed to the development but the concern deals with the extension of Kilbourne Rd., E from Colonel Talbot Rd.

The concern is dealing with traffic congestion and control for the intersection of Colonel Talbot Rd and Kilbourne Rd and also the change of name of Kilbourne Rd according to the proposal submitted by Auburn Developments.

The development in the southwest quadrant of the City of London was eventually coming and it is now our turn in this area and increased traffic flow on our area roads; let us get it right before the additional traffic comes.

The issue is making sure that the current residents and future residents are looked after, after the development is started & completed and doing the proper work once than doing it again after further traffic studies are completed.

It is known that Kilbourne Rd will eventually connect from Longwoods Rd in the west to Wonderland Rd in the east to the southside of the Lowes Stores as part of York Developments. Kilbourne Rd now where it intersects with Wonderland Rd bears the sign Kilbourne Rd as established by the City of London.

Kilbourne’s roads traffic volume will increase once the road continues east from Colonel Talbot to Bostwick and Wonderlands Rd’s allowing those entering the City of London from the west and heading to the commercial properties along Wonderland Rd causing increased traffic volume at the intersection of Colonel Talbot and Kilbourne Rd.

At the present time during certain times of day it is hard for those who live in the area to make a left-hand turn onto Colonel Talbot Rd from Kilbourne Rd to go north on Colonel Talbot Rds. There is additional development occurring along Kilbourne Rd at the present time which will add to the traffic from the three existing subdivisions along with traffic coming into the City of London.
Now would be the time to plan to deal with those issues now and into the future as the development is planned and started east of Colonel Talbot Rd and the extension of Kilbourne Rds.

I understand there has not been a traffic study conducted on Colonel Talbot Roads for many years but you would think with development coming you would plan for the future at the time of construction, not trying to fix it once the developments are completed. I understand there are lights going in to assist with pedestrian/bike traffic using the intersection of Colonel Talbot and Pack Rds. I am assuming the same thing will occur at the Kilbourne and Colonel Talbot Rd intersect as the bike paths are continued into the new subdivisions to the east of Colonel Talbot Rds.

I also understand there are Provincial Standards that need to be met before there is a requirement by the City of London to install 4 way stop, traffic signals or traffic circles. I travel and work in other Ontario Cities who are going through growth spurts outside the GTA and they are planning their arterial roads first to meet the demand of the future development and that is all I am asking for here.

Plan for the future, save now without paying again 10 years down the road.

The second issue is the change of Kilbourne Rd from Kilbourne Rd to Hayward Ave as per the proposal put forth by Auburn Developments. Why is this being requested by the developer? Is this something that has been asked or by the City of London? Kilbourne Rd has been a name used in this area for many years and has been adopted by the City of London upon annexation of the Town of Westminster 01 Jan 1994. The City of London continues to adopt the use of the name of Kilbourne Rd., upon their approval of the development of the commercial property on Wonderland Rd by Yorke Developments and eastern portion of Kilbourne Rd has been started and signed by the City of London as Kilbourne Rd. Why would we now change the name to Hayward Ave at the request of a developer who is commencing work in the area post 2021 pending approval by the City of London. It is also documented in the Bostwick Rd Municipal Class Environment Assessment Report dated 14 Jun 2017 it speaks of the Kilbourne Rd extension meeting with Bostwick Rd and shows it continuing eastbound to Wonderland Rd nothing indicating a name change to Hayward Ave.

Thank you for listening to my concerns on these two issues.

If you would like to discuss the issue in person with social distancing or through a Zoom type platform please let me know.

Thank you again.

Jeff GRAY
4228 Masterson Cir., London Ontario

September 18, 2020

Councillor Anna Hopkins, City of London
Sent via Email: ahopkins@london.ca

Re: File: Z-9240 Applicant: Auburn Developments - 3924 Colonel Talbot Road, London, Ontario

Dear Councillor Hopkins;

I support the application; however, I have two concerns;
A. Current and future traffic congestion;
B. The proposed name change, from Kilbourne Road to Hayward Avenue.
A. Current and future traffic congestion:
This area of London (Lambeth) is undergoing significant residential and commercial development. At certain times of the day it is extremely challenging to make a left-hand turn onto Colonel Talbot Road from Kilbourne Road in order to proceed North. With residential development occurring along both Colonel Talbot Road and Kilbourne Road, this will add to the traffic congestion. Kilbourne Road will eventually connect from Longwoods Road to Wonderland Road as per signage near the Lowe’s store on Wonderland Road. As such, traffic volume on Kilbourne Road will increase, causing additional volume at the intersection of Colonel Talbot Road and Kilbourne Road, which will exacerbate the challenges turning North.

I believe now is the best time to plan in order to ensure the safety of current and future residents in the area as well as those traveling along Colonel Talbot Road. Would it be possible to conduct a traffic study? A study may yield that traffic lights should be installed. Installation while development is underway would be cost effective, as opposed to doing so once development is complete.

The proposed name change, from Kilbourne Road to Hayward Avenue.
As per the proposal, the plans indicate that, going west to east, Kilbourne Road would change to Hayward Avenue, then back to Kilbourne Road as it approaches Wonderland Road. This seems confusing to me. Do we know why is this being requested by the developer?

Thank you for listening to my concerns on these two issues, Councillor Hopkins.

Yours truly,

Michael P. Shannon
4092 Masterson Circle, London, Ontario N6P 1T3

Agency/Departmental Comments:

London Hydro – July 30, 2020

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Upper Thames River Conservation Authority – August 14, 2020

As indicated, the subject lands are regulated by the UTRCA and we recognize that the purpose of the rezoning application is to red-line a draft approved plan of subdivision. We have no objections to this application but request that the Conservation Authority be included in upcoming discussion regarding the wetland matters in order to ensure that all of the Section 28 permit requirements can be addressed.
Development Engineering – September 25, 2020

Please see below for recommended engineering conditions in relation to the rezoning application and the red-lined draft plan of subdivision as it relates to engineering matters for the above-noted application. These conditions represent the consolidated comments of Development Services, the Transportation and Planning Division, the Sewer Engineering Division, the Water Engineering Division and the Stormwater Engineering Division.

Zoning By-law Amendment

Development Services and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed red-lined draft plan of subdivision subject to the following:

1. A holding provision shall be implemented on R4-6 zone (street townhouse) until the City Engineer is satisfied with the servicing arrangements to provide adequate separation between services and avoid conflicts with City services.

   A minimum lot frontage of 6.7 metres as per SW-7.0 will be required to accommodate street townhouses within this draft plan of subdivision.

Please add the following draft plan conditions to the current Council approved conditions for 39T-12503:

1. The Owner shall have its consulting engineering update the necessary engineering drawings to reflect the red-line revisions to the draft plan of subdivision, to the satisfaction of the City.

2. In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per SW-7.0 to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

Development Planning – February 4, 2021

1. As part of the Focused Detailed Design Studies, the applicant shall submit a wetland relocation plan for Block 547 consistent with the January 4, 2021 Stantec Consulting Conceptual Wetland Relocation letter, to the City’s satisfaction. The contents and requirements of the relocation plan shall be scoped with the City of London prior to the initiation of the study with the approved recommendations implemented within the engineering drawing review.

2. In accordance with the above approved Wetland Relocation Plan, the wetland in Block 547 will be partially located in Park Block <*>New Park Block*>, Campbell Woods and Block 134 of 33M-762 as illustrated in the January 4, 2021 Stantec Consulting Conceptual Wetland Relocation letter. The wetland shall be reconstructed in accordance with the approved Relocation Plan prior to the development of Block 547.
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, 2020

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,

- Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
- 1.1.3.2
- 1.1.3.6
- 1.4 Housing
- 2.0, 2.1.1, 2.1.8, 2.1.4, 2.1.5, 2.1.6
- 3.0

In accordance with section 3 of the Planning Act, all planning decisions ‘shall be consistent with’ the PPS

The London Plan

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

59_, 61_, 62_, 172_, *921_, *935_, *936_, *937_, *1688

Our Strategy

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

2. Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.
4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.
5. Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.

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

1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.
7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.
2. Design complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services.

3. Implement "placemaking" by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.

City Building and Design Policies

197. The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.*

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

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

The street configuration represents a grid pattern that includes a street facing townhouses along Moon Street and Kleingburg Drive, with multiple direct connections to the existing neighbourhood to the west and south as well as the future development to the north.

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

The street network in this subdivision plan does a reasonably effective job at maintaining a north-south orientation and exposure to passive solar energy for the majority of lots and street townhouse blocks which front along Moon Street and Kleingburg Drive. The street network will be required to incorporate sidewalks and sidewalk links, which helps to promote active mobility in the neighbourhood.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type in The London Plan, and are situated at the intersection of a Neighbourhood Connector. The range of primary permitted uses include single detached, semi-detached, duplex, triplex, townhouses, stacked townhouses, low-rise apartments, secondary suites, home occupations, group homes, and small-scale community facilities. Secondary permitted uses include mixed-use buildings. The proposed development of street townhouses and cluster townhouses are, anticipated to be a minimum 2 and 2.5 storeys in height conforms with the use, intensity and form policies of the Neighbourhoods Place Type.

1989 Official Plan

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

Z.-1 Zoning By-law

Site Plan Control Area By-law
Appendix D – Relevant Background

London Plan Map Excerpt
Official Plan Map Excerpt

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
- Enterprise

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

FILE NUMBER: Z-9240
PLANNER: SM
TECHNICIAN: RC
DATE: 2021/02/09

PROJECT LOCATION: EsriMapProject_OpPlanWorks/Projects/Excerpt/Location/Whole/EXCEPTحلم_9240_8k_H.png

467
COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

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CITY OF LONDON
PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING
BY-LAW NO. Z-1
SCHEDULE A

FILE NO:
Z-9240
SM

MAP PREPARED:
2021/02/09
RC

1:7,500

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

468
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: 403 Thompson Road
          File OZ-9290
          Housing Development Corporation, London (HDC)

Date: Public Participation Meeting on March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Housing Development Corporation, London (HDC) relating to the property located at 403 Thompson Road:

(a) the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on March 23, 2021 to amend The London Plan to create a specific policy area which permits low-rise apartment building up to 4-storeys within the Neighbourhoods Place Type on the subject lands located at 403 Thompson Road;

(b) the proposed by-law attached hereto as Appendix "B" BE INTRODUCED at the Municipal Council meeting on March 23, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property FROM a Neighbourhood Shopping Area (NSA1) Zone TO a Residential R9 Special Provision (R9-7(●)H14) Zone;

(c) The Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
   i) Provision of increased amenity space to support reduced unit sizing; and,
   ii) Provision of perimeter trees along the south and southeast limits of the site to provide screening.

Executive Summary

Summary of Request

The request is for approval of a proposed development that comprises a 44-unit, four-storey apartment building, 13 metres in height.

Purpose and the Effect of Recommended Action

The recommended by-law would apply a specific policy area under The London Plan and a Residential R9 (R9-7) Zone to the site. Special provisions to the requested Zone would include reduced vehicular parking, reduced front yard set back, acknowledgement of the existing width of the lot frontage and a reduction in the required minimum unit size to support specialized housing.

Rationale of Recommended Action

1. The proposed amendments are consistent with the PPS, 2020, which provides affordable housing through an infill development;
2. The proposed amendments conform to the policies of The London Plan and implements the Key Directions of the Plan; and,
3. The proposed Zoning By-law amendment conforms to the policies of The London Plan upon approval of the recommended amendment.

**Linkage to the Corporate Strategic Plan**

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

**Analysis**

1.0 **Background Information**

1.1 **Previous Reports Related to this Matter**

This application is the first application on record for this site.

1.2 **Property Description**

The subject site is located on the south side of Thompson Road at the bend where Thompson turns north to become Egerton Road that continues east towards Adelaide Street South, and approximately 50m east of King Edward Avenue. The site is currently undeveloped with no buildings, structures or paving on the site. A handful of trees line the edge of the site; however, the balance of the property is currently grassed. The site is within the larger neighbourhood of Glen Cairn, which is characterized by a mix of low, medium and high-density residential uses and built forms.

1.3 **Current Planning Information (see more detail in Appendix D)**

- Official Plan Designation – Neighbourhood Shopping Area
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Neighbourhood Shopping Area (NSA1) Zone

1.4 **Site Characteristics**

- Current Land Use – undeveloped
- Frontage – 27.8m
- Depth – 60.5m
- Area – 2,883 square metres
- Shape – pentagonal

1.5 **Surrounding Land Uses**

- North – Low-rise apartment buildings
- East – Townhouse complex and the associated access driveway and easement, the Thompson Ravine park.
- South – Vacant commercial
- West – Convenience commercial

1.6 **Intensification**

- 44-units within the Primary Transit Area

1.7 **Additional Details**

- Archaeological clearance has been confirmed through this application process.
2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development is a 44-unit, four-storey apartment building, 13 metres in height. The proposed density is 153 units per hectare (uph) based on a 0.288 hectare lot area. The proposed units are bachelor dwelling units with a minimum 27.0 square metres in floor area. Amenity space will be provided in a barrier-free accessible common-use area. Additional spaces on the ground floor level, include a laundry room and an amenity space for tenant services and related supports, and the building office. The Conceptual Site Plan shows the built form to be oriented to, centered on, and drawn towards the Thompson Road frontage to help frame and activate the street and increase the setback from the existing development to the east. The ground floor will
have an approximate footprint of 576.6 m², which is slightly larger than the floor plate of upper floors. The building total gross floor area (GFA) proposed is approximately 2060 m².

The Conceptual Site Plan shows an outdoor amenity area that exceeds minimum standards and is significant enough in size for the applicant to avail of the density bonus provision provided in Section 13.3 of the Z.-1 Zoning By-law. This area includes a front yard covered entrance, a common outdoor amenity space in the rear and interior side yards, a tenant-based community garden, an outdoor picnic shelter and an outdoor recreation area to complement the apartment building. Mature trees along the west and east property lines are proposed to be retained, where possible, for screening and buffering between the Subject Site and abutting commercial and townhouse development. Landscaping is proposed to be used strategically throughout the Subject Site to enhance the existing green infrastructure, screen spatial site elements from the public realm, and maintain privacy to 409 Thompson Road.

The existing vehicular and pedestrian access from Thompson Road to the adjacent property at 409 Thompson Road will be used to provide for shared access to the development. This access is established through an easement in favour of 403, 409 and 415 Thompson Road. The location of 14 parking spaces, including two barrier-free accessible spaces, is located adjacent to the building. The access driveway and turning radii provide for service vehicles and emergency vehicle access. The parking area located near the southerly portion of the site is proposed to be screened from the street view by the building and mature trees. Pedestrian access from the building and the lot is provided via sidewalks out to Thompson Road. A sheltered and secured bicycle parking structure is provided for a minimum of 19 bicycle parking stalls outside of the main building and another 14 bicycle parking stalls provided in a secured bicycle parking room internal to the building.
Conceptual Site Plan - provided by applicant.
2.2 Requested Amendment – Zoning

The requested amendment is to change the zoning from a Neighbourhood Shopping Area (NSA1) Zone to a Residential R9 Special Provision (R9-7(7)EH14) Zone. This change would have the effect of changing the permitted uses from a variety of commercial uses (Bake shops, Catalogue stores, Clinics, Convenience service establishments, Day care centres, Duplicating shops, Financial institutions, Food stores, Libraries, Medical/dental offices, Offices, Personal service establishments, Restaurants, Retail stores, Service and repair establishments, Studios, Video rental establishments, Brewing on Premises Establishment) to a limited range of multi-family residential uses (Apartment buildings, Lodging house class 2, Senior citizens apartment buildings, Handicapped persons apartment buildings, and, Continuum-of-care facilities). The application would also increase the permitted height to 14.0 metres from the 8.0 metre permitted under the existing commercial zone.

Special provisions to the R9-7 Zone to permit the specific development are proposed. These include a lot frontage of 27 metres where 30 metres would otherwise be required; 14 vehicular parking spaces where 55 would otherwise be required; a 3.0 metres front yard depth where 8.0 metres would otherwise be required; and, a minimum dwelling unit size of 27 square metres whereas 37 square metres would otherwise be required by Section 4.6 of the Z-1 Zoning By-law.

The residential density for the site would be limited to 150 units per hectare under the R9-7 Zone; however, Section 13.3 of the Z-1 Zoning By-law provides a density bonus provision that would allow applicants to exceed the 150 u.p.h. cap where significant additional landscaped area is provided as part of the development.

2.3 Requested Amendment – The London Plan

An amendment to The London Plan is required at this location to permit the low-rise apartment building use at a height of 4-storeys. Under the Neighbourhoods Place Type policies, the development form would be limited to triplexes or townhomes as a form and a maximum of 2.5 storeys in height.

The specific requested amendment is as follows:

1. For the property at 403 Thompson Road an affordable four-storey, 44-unit apartment building may be permitted.

2. Map 7 – Specific Policy Areas shall be amended by adding the property at 403 Thompson Road.

The appropriate implementation mechanism would be to add a specific policy to the Neighbourhood Place Type would and amend Map 7 of The London Plan to permit a low-rise apartment building up to 4-storeys at this location.

2.4 Community Engagement (see more detail in Appendix B)

Seventeen unique respondents provided a response to the Notice of application along with one petition. The majority of the responses received were in opposition to the proposed development.

Concerns raised include: parking, shared access, children playing, unit size, height and potential overlook, number of units, and affordability.

2.5 Policy Context

Provincial Policy Statement (2020)

Redevelopment through infill and intensification, specifically, affordable housing, is a stated aim of the Provincial Policy Statement (2020). Policies that guide the review of this development include:
1.1.1 Healthy, liveable and safe communities are sustained by:
b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons)

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
b) 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;

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
b) permitting and facilitating:
1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities;
2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

Taken together these policies provide strong support for infill development including affordable housing options in a variety of forms.

The London Plan

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

The London Plan is guided by Key Directions that set the framework for the Plan and guide the creation and review of the subsequent policies. Key Direction 1.13 indicates that the City, through its planning, is committed to “invest in, and promote, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners.” This context undergirds the remainder of the policies within the plan.

On housing, the Plan provides policy in terms of what elements should be included in development intended to meet affordable goals. Policy 513 speaks to developments similar to the one under consideration through the application.

513_ Residential developments that offer innovative design features, construction techniques, or tenure arrangements, which broaden the range of available housing alternatives, will be encouraged.

This policy indicates that when considering affordable housing arrangements context should not be interpreted simply as a matching of existing housing forms in neighbourhoods and that new arrangements should be expected.

The policy context also includes those policies that speak more specifically to the siting of development and relationships of scale and form within a neighbourhood context. The range of uses and intensities for residential development within the Neighbourhoods Place Type are guided by Table 10 and 11*, with the interpretation thereof guided by policy 919.
2. The range of uses that may be permitted on a property, and the intensity of development that may be allowed, will be directly related to the classification of street onto which the property has frontage...

3. In conformity with Tables 10 to 12 properties fronting onto major streets may allow for a broader range of uses and more intense forms of development than those fronting onto minor streets.

4. In conformity with Tables 10 to 12 if a property is located at the intersection of two streets, the range of permitted uses may broaden further and the intensity of development that is permitted may increase.

This context setting policy, directs that intensity and development scale should increase with high order streets and intersections. A direct review of specific policies and their application to the proposal is provided in section 4.0 below.

2.6 Housing Stability Action Plan 2019-2024

Council adopted the Housing Stability Action Plan 2019-2024 early in 2020. The Plan identifies a minimum 3,000 new affordable housing units are needed in London to meet current and potential future needs. Based on most available data, the current vacancy rate in the rental market is 3.2% meaning there is virtually no available rental housing stock that is affordable.

More than 300 additional affordable rental housing units are needed each year to close the gap. In the City of London, 14% of Londoners are in Core Housing Need and the City is ranked fourth nationally for individuals and families living within Core Housing Need.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

4.0 Key Issues and Considerations

4.1 Use

The first consideration is whether a low-rise apartment building is an appropriate use for the subject site given its location.

The Provincial Policy Statement directs growth and development to settlement areas. Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2.b). The PPS directs that planning authorities consider the housing needs of all residents including those in need of affordable housing units (Policy 1.4.3.b). The Provincial Policy statement is broadly supportive of the use at its location within the City.

The London Plan provides guidance on locating residential uses within the Neighbourhoods Place Type. The Vision for the Place Type includes (916) “a diversity of housing choices allowing for affordability,” which establishes the objective of providing the full range of housing types within neighbourhoods. The approach is further detailed in 918 where the implementing approach includes:

2. Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms.

3. Affordable housing will be planned for, and integrated into, all neighbourhoods.

4. Housing forms will be encouraged that support the development of residential facilities that meet the housing needs of persons requiring
special care.

Under these policies the expectation is that low-rise apartment building are to be expected within neighbourhoods, including affordable housing projects.

Within the Neighbourhoods Place Type guidance is provided with regards to the situating of residential types relative to the street classification. 403 Thompson Road, as it is located on a Neighbourhood Connector, under the base policy would permit triplexes and small-scale community facilities in addition to townhouse and two-unit forms that are permitted throughout the Neighbourhoods Place Type. A property located at the intersection of two Neighbourhood Connectors would be permitted mixed-use buildings, fourplexes, stacked townhouses and low-rise apartment buildings. In the case of 403 Thompson Road, the abutting property at 397 Thompson Road allows for this range of uses at this time under the current policy.

As the policy applies specifically to properties at intersections, 403 Thompson Road would be able to avail of low-rise development policy permissions, as of right, if the property were merged with the adjacent property at 397 Thompson Road. As such it is appropriate that the same range of uses be permitted on the subject site at 403 Thompson Road as it remains the final undeveloped portion for development at the southeast corner of King Edward Ave and Thompson Road.

A specific policy area within the Neighbourhoods Place Type is recommended to allow for the Low-rise apartment use on the subject property subject to the Zoning regulations and Site Plan considerations discussed below.

4.2 Intensity

Intensity is guided by policies on height and through the associated zoning regulation with regards to density. The proposal is relatively unique in its comparatively high unit count for the building size while also maintaining a significant proportion of landscape open space. The requested zone is a Residential R9-7 Zone that would permit a residential density of up to 150 units per hectare while also requiring a regulatory limit on height to ensure neighbourhood compatibility. It is noted the R9-7 Zone currently applies to the property at 415 Thompson Road, which would share access with 403 Thompson should it develop. The requested Zone is also similar to the R8-4 Zone across Thompson Road from the site given that the R8-4 Zone permits up to 75 units per hectare and a height of 13.0 metres. Given this context, the R9-7 Zone is appropriate; however, efforts should be taken with the implementing Zone to ensure impacts on the R5-4 Zone to the southeast of the site are prevented and/or mitigated.

The Residential R9-7 Zone is recommended for the site to provide for a low-rise apartment building on the subject lands. It is also requested that through the site plan process the Site Plan Approval Authority consider providing necessary communal amenity space to support the density achieved through the specialized housing approach.

4.3 Form

The London Plan provides guidance on compatibility and fit with regards to form through policy 953. The applicant has provided a concept for review (Site Concept Plan provided above) which allows for some analysis of the anticipated form and its relationship to the neighbourhood.

The site layout provided shows the building situated forward on the site, towards Thompson Road, with the primary entrance also oriented to the street. Notwithstanding the requested 44-unit count, the proposed development shows a form that is compact, but also provides a significant landscaped area in the western interior and rear yards for residents use, and landscaped screening. The forward location of the building allows for the increased landscaped screening in the rear yard in addition to mitigating positionally concerns around overlook.
Reduced parking and front yard setbacks which support the form proposed are discussed in more detail below.

The requested and recommended Residential R9-7 Zone requires the height be established specifically through the rezoning process. Table 11 of The London Plan limits the height to 4 storeys; however, a metric measure is required. The property at 415 Thompson with which 403 Thompson Road shares an access easement is currently zoned to permit a height of 32 metres. The property at 415 Thompson is sloped and abuts a ravine. The property is also closer to two high-rise developments at 80 King Edward Ave and 470 Scenic Drive. As such, the 32 metre height would be too great for 403 Thompson given its relative position topographically and its relationship to other established residential development in the neighbourhood. As a starting point to establish a regulation on height the applicant has requested a maximum height of 14 metres. This height in keeping with the existing and permitted heights of surrounding land uses and zones, specifically the 13 metres is permitted in the R8-4 Zone across the street. The proposal seeks 4-storeys in height which is both achievable within the requested 14 metres and recommended zone, and is in keeping with the neighbouring properties, being only one storey taller than the predominant 3-storey form in the area.

The Residential R9-7*H-14 Zone is recommended for the site to provide for a low-rise apartment building of no more than 14.0 metres in height. Through the site plan process the Site Plan Approval Authority is requested to consider vegetated landscape screening between the development and existing residential developments.

4.4 Parking

The applicant has requested a parking reduction to 0.3 spaces per unit from the 1.25 spaces per unit that would be required under the un-modified by-law. This would allow for the provision of 14 parking spaces rather than 55 spaces. The applicant provided a parking study completed by F. R. Berry & Associates to support this regulation. F. R. Berry & Associates note that given the specific users: “vehicle ownership is not likely to be a priority for prospective tenants.” The report goes on to note that in other similar examples 0.24 spaces per unit has been recorded as the parking take-up rate, and 0.3 exceeds that requirement. The report concludes that the proposed parking: “is consistent with standards and experience for similar uses.”

A parking ratio of 0.3 spaces per unit is recommended as a special provision.

4.5 Lot Frontage

The applicant has requested a lot frontage of 27 metres whereas 30 meters is the required minimum of the unmodified R9-7 Zone. The 27 metre measure reflects the frontage for the property once road-widening is taken through the site plan development review process.

The purpose of a minimum frontage is to ensure all necessary access elements including vehicular, accessible pedestrian and cycling are able to be provided on site. The proposal included a concept plan (provided above) that shows all elements can be accommodated within the existing frontage. The proposal would not interfere with the access at 409 Thompson Road, which relies on 12 metres of frontage to support the existing 31 units. The shared access is supported by an easement for the use of both 403 and 415 Thompson Road.

A frontage of 27 metres is not substantively different from 30 metres, the frontage can accommodate all required access elements; therefore, the minor reduction to the lot frontage is recommended as a special provision.

4.6 Unit Size Reduction

A unit size reduction that would permit bachelor units of 27 square metres is requested, whereas bachelor units are required to be a minimum of 37 square metres without special provision.
The requested reduction in unit size is to implement a specialized housing approach, detailed in the proposal, in keeping with best practices in affordable housing. A key element of the reduced unit size is a complimentary increase in communal space within the building and amenities to support the residents. Increased amenity space both internal and external to the building is a feature of the development proposal.

A special provision to allow for bachelor units of 27 square metres is recommended given that it supports the implementation of a specialized housing approach. Through the site plan process the Site Plan Approval Authority is requested to consider an increased communal amenity space for the residents of the development.

4.7 Front Yard Depth

The applicant has requested a front yard depth of 3.0 metres whereas 7.0 metres would be required without special provision.

The decreased setback is in keeping with contemporary policy and thinking applied to the siting of buildings closer to the street for improved presence on the streetscape. Specific to the proposal under review, locating the building forward allows for increased programmable space to the rear of the building and to prevent the development from seeking further reductions in parking. The siting of the building towards the front of the site and landscape screening will serve to address privacy concerns raised by the neighbours located at 409 Thompson Road.

A front yard depth of 3.0 metres is recommended as a special provision.

4.8 Site Plan Considerations

Site Plan considerations include such things as landscaping, parking location, lighting, garbage and recycling. The proposed recommendation includes requests to the Site Plan Approval Authority on screening landscaping to prevent concerns raised around potential overlook. This screening would also mitigate lighting beyond the minimum requirements. An additional recommendation to the Site Plan Approval Authority has been provided to encourage the communal amenity elements necessary to support the reduced unit size. Additional considerations for Site Plan matters can be addressed in this manner.

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

Significant Provincial and Municipal policy support the provision of affordable housing throughout the City. The location of low-rise apartment buildings at this location on a higher order street is appropriate given the local and policy context. The Zoning proposed includes special provisions to limit the height of the development, situate the building towards the street and reduce the amount of parking. The special provisions together allow for increased landscaping and screening to mitigate the impacts on neighbours, and implement the specialized housing approach proposed by the applicant.

Prepared by: Leif Maitland, Site Development Planner, Development Services
Recommended by: Paul Yeoman, RPP, PLE, Director, Development Services
Submitted by: George Kotsifas, P.ENG, 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 Pease, MCIP, RPP, Manager, Development Planning
Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. C.P.-1284-

A by-law to amend The London Plan for the City of London, 2016 relating to 403 Thompson 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. The Amendment shall come into effect in accordance with subsection 17(27) of the Planning Act, R.S.O. 1990, c. P.13.


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is: The purpose of this Amendment is to add a policy to the Specific Policies for the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit a low-rise apartment building within the Neighbourhoods Place Type having a maximum height of 4-storeys.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 403 Thompson Road in the City of London.

C. BASIS OF THE AMENDMENT

1. This Amendment conforms to the policies of the Provincial Policy Statement, 2020.

2. The Amendment implements the Key Directions of The London Plan.

3. The Amendment is in keeping with the policy framework as set out in The London Plan.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

1. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London is amended by adding the following:

   ( ) In the Neighbourhoods Type at 403 Thompson Road a low-rise apartment building up to 4-storeys may be permitted.

2. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for those lands located at 403 Thompson Road in the City of London, as indicated on “Schedule 1” attached hereto.
Appendix "B"

Bill No. (number to be inserted by Clerk’s Office)
2021

By-law No. Z.-1-21

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 403 Thompson Road.

WHEREAS The Housing Development Corporation, London (HDC) has applied to rezone an area of land located at 403 Thompson 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 London 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 403 Thompson Road, from a Neighbourhood Shopping Area (NSA1) Zone to a Residential R9 Special Provision (R9-7(_●H14)) Zone.

2) Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:

   _)  (R9-7(_)  403 Thompson Road
   a)  Regulation[s]
       i)  Frontage (min)  27.0m
       ii) Front yard depth (min)  3.0m
       iii) Parking (min)  0.3 spaces per unit
       iv) Dwelling unit size (min)  Notwithstanding 4.6 of this by-law the minimum required size for a bachelor dwelling unit shall be 27.0 square meters.

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

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

PASSED in Open Council on March 23, 2021
Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
Appendix B – Public Engagement

Community Engagement

Public liaison: On January 21, 2021 Notice of Application was sent to 227 property owners and residents in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on January 21, 2021. A “Planning Application” sign was also posted on the site.

Seventeen unique respondents and one petition were received

Nature of Liaison: 403 Thompson Road – The purpose and effect of this Official Plan and Zoning By-law is to permit a 14.0 metre (4-storey) apartment building with 44 apartments, 33 bicycle and 14 vehicular parking spaces. Possible amendment to The London Plan to include permission for a low-rise apartment form at this location. Possible change to Zoning By-law Z-1 FROM a Neighbourhood Shopping Area (NSA1) Zone TO a Residential R9 Special Provision (R9-7(●)H14) Zone to permit a 44-unit low rise apartment 14.0 metres in height. Special provisions requested to permit include: a lot frontage of 27 metres where 30 metres would otherwise be required; 14 vehicular parking spaces where 55 would otherwise be required; a 3.0 metres front yard depth where 8.0 metres would otherwise be required; and, a minimum dwelling unit size of 27 square metres whereas 37 square metres would otherwise be required.

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

Concern for:

Parking:

The residents of 409 Thompson who responded indicated concern that the parking ratio is insufficient for the proposed use and would result in overflow parking in their complex.

Access:

Four of the residents of 409 Thompson who responded directly, as well as those signing the petition, indicated they did not wish to share the access they currently use with the potential future development at 403 Thompson Road. Some respondents doubted that the requirement for a joint use and maintenance agreement would be implemented. The petition provided requests that the access be fenced off to prevent its use by 403 Thompson in contravention of the legal agreements in place.

Access via the shared easement between 403 Thompson, 409 Thompson and 415 Thompson has been legally established through an easement which both 403 and 415 Thompson may avail of when they develop. An easement of this type requires a Joint Use and Maintenance agreement which would delineate responsibilities and costs for the use and maintenance of the access.

Children Playing:

Three respondents indicated concern with potential children of residents at 403 Thompson Road playing at 409 Thompson Road. One of the respondent indicated they would support programed amenity space at 403 Thompson to allow children to play at that location.

Unit Size:

Two respondents indicated they felt the size of the units proposed was a concern for the future residents for whom the proposed size would provide insufficient quality of housing.

Height and Potential Overlook:

Some respondents suggested height of the proposed building (proposed 13m, maximum 14m) could create potential overlook issues for their units. One respondent noted the proposed height reduced the floorplate for the building which allows for
greater potential setbacks and that a taller development should be considered to add potentially more affordable units.

Number of Units

Two respondents indicated the number of units appeared to great for the given location, one of these respondents suggest a 34 units maximum (relative to the 44 units proposed). One respondent suggested, given City goals, that more units should be included if possible on the site.

Affordability:

Three respondents and the text of the petition provided responses indicating they were opposed specifically to the affordable nature of the proposal. One respondent indicated there was a need for affordable housing in the area given the homeless encampments in the vicinity. Referenced by most opposing commenters was an imagined decrease in potential profits on their properties.

Sightlines:

The neighbour to the west of the property suggested minimal screening and trimming of existing plants along the western (shared) property boundary. This would increase visibility and security for the neighbour but could provide for reduced privacy for future residents of 403 Thompson Road.

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

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<td>George and Debra Drakes</td>
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Written Responses Received:

My concerns are:

1. Low income development causing devaluation of our properties. Our units appraise at $340-$350k, most units updated, and lovingly maintained.

2. Objection to shared access to our private driveway. I have lived here 25 years and our condo corporation fees have maintained, and ploughed this area for that duration.

3. Proposed complex has 44 units, only 14 vehicle parking spaces. We have 30 units each with 1 and 1/2 parking spots. Parking is tight. Visitors to 403 and residents, will be entering near our visitors area. We cannot entertain such a possible overflow. We have endured many changes in the area. We have pride in ownership. The proposed complex needs more parking spaces and its own entrance. That entrance can be accessed beside or behind the laundromat.

4. We are surrounded on the north side of Thompson Road with multi lower income apartments. Why would the city not try to keep the original rezoning to arrange a facility, such as a library, to maintain a degree of integrity such as 409 Thompson Rd. We are mostly owners of our units, taxpayers and citizens who wish to keep pride of ownership intact. Please, please, look at this situation, and help find a workable solution to this dilemma.

Sincerely

Jean Gillespie
Vice president and resident (25 years) Middlesex condo corporation 193

We own and live at Unit 9, 409 Thompson Rd. We moved here over 20 years ago because it was 30 units, next to a ravine and the now 403 lot. We are surrounded by low affordable apartments on Scenic King Edward, Thompson Rd. We against a Zone change. Building a four storey walk up backing on our property will affect our outdoor privacy, make us more accessible to more theft, people cutting through to go to Scenic Drive, more drug paraphernalia than is found now. The plan shows 403 drive entrance off of 409 driveway -- the 409 is the Condo entrance and we are now responsible for paving, snow removal, sidewalks

-- we don't want shared driveway. It will also lower our property value. Again we are against this walkup. It actually gives us anxiety as seniors owning in a low income area and the city should buy out all units and make it affordable housing. We are not bias we live, listen, and watch to know and learn to keep safe and we don't want at our age (70) to feel more anxious.
ATTN: LEIF MAITLAND

RE: PROPOSED BUILDING AT 403 THOMPSON ROAD

Thank you for discussing this matter with me by phone on January 25. Now that I have received my letter from the city I have further concerns.

- I notice that the access to this proposed building is to be directly off our driveway at 409 Thompson Road. We discussed my concerns about there not being enough parking for this new building; whereas there are 55 parking spots required for 44 units and they are applying for permission to have only 14 spots. My concern is not only that they will park in our private lot but that it will be easily accessible for them to do so because of their driveway and parking lot being so close to ours. I believe that they should change the plans for the driveway and put up a privacy fence along the side of our driveway. I feel that would alleviate that problem. For us to police our parking lot would be difficult and it would be unfair for others to take the few visitors parking spots that we have.

I was reading the Planning Justification Report which states that, “Landscaping will be used strategically throughout the Subject Site to enhance the existing green infrastructure, screen spatial site elements from the public realm, and will maintain privacy to 409 Thompson Road. I feel that with the position of their driveway and the height of their building, we will not have the privacy alluded to here.

- Having that driveway where they are planning would also make it easier for children to come and play in our complex. We now have about a dozen children that play outside on a regular basis. We do not have a playground but the children have been taught where they can and cannot play. It would be very unsafe for other children to be coming over here to play and ride bikes in our parking lot and we do not want the added responsibility of watching and protecting more children.

- There are a fair number of seniors who live in our complex and the prices for re-sale have been going up in the last several years. I feel that having an affordable housing unit right beside us will lower the value of our homes, just at the time when many of us will need the extra money, that the sale of our homes will bring to pay, for retirement homes.

In my opinion, the application for re-zoning and special provisions should be denied.

Karen Morin
19-409 Thompson Road

Hello,

I like many residents of 409 Thompson Rd have concerns about this application that is being put forward for 403. In the end just what it will mean for us as property owners?

I’m concerned/amazed at the number of provisions being proposed to accommodate this building. Why do we have by-laws if one can just ask to make these provisions and it happens?

ie - from commercial to residential
- yard depth of 8m to 3m significant, really - 5m
- parking from 55 spaces to 14, once again very significant
- mostly the unit size in itself from 37 sq.m to 27 sq.m. I was told in conversation “well that’s what I lived in while in university", which I’m sure was quite fine at the
time and maybe even laughed about today. There is likely a few of us at one time or another that have done this knowing it was a stepping stone. But there is a big difference between temporary and permanent!

Really, let’s give these residents some dignity.

If anything there should be provisions made to this proposal. Maybe instead of 44 units to 34 or less units with the proper number of parking spaces available to them.

Please clarify these statements, what is
  - lodging house class 2
  - continuum of care facilities

Thank you for listening to my concerns,

Mary Ann Linker

Mr Maitland,

I am a homeowner at 429 Scenic Drive in Glen Cairn Woods. I am disappointed that I was not presented with the opportunity to weigh in on a city proposal to add an apartment building to our already over populated neighbourhood. I am sure you are familiar with the proposal but I would like to go on record so will proceed with a short outline. My understanding is the City of London is soon to make a decision regarding the construction of a 4 storey apartment building at 403 Thompson Road. It is the Official Plan and Zoning Amendments File #OZ-9290 with the applicant being the Housing Development Corporation (HDC) and this will be affordable housing.

I have done some research (source at end of email) into different aspects of Glen Cairn Woods. Are you aware that the population density of our neighbourhood is 154% higher than the City of London? Certainly NOT an area that needs another apartment building. As a matter of fact in our (Scenic Drive) immediate neighbourhood there are currently (by my count) 30 apartment buildings. They are predominately 3 floor walk ups including a halfway house but there are also 4 high rises. As well we are home to multiple condos and townhomes with a portion of these also providing affordable housing. In my opinion to squeeze nearly 17,000 Londoners into one neighbourhood our size gives rise for concern on many fronts. Statistics show that Glen Cairn crime rates are 23% higher than the London average. Insurance is also affected by crime rates and for that we ALL pay. I had a personal experience with my parents insurance company "Aviva" very recently. Their car had been parked in our driveway due to a family illness.. They had already received their insurance premium for a Feb 1 renewal, however once the insurance company was informed their car was now parked at our address on Scenic Drive the premium went up by 17%. This speaks volumes regarding the safety of our subdivision.

It doesn't end there. Glen Cairn has been given a failing grade in employment, schools and crime. To show some positivity on our report card - amenities scored an A+ (simple geography), housing was given an A- (no surprise, you need buildings in which to house 16,866 residents) and cost of living coming in with a B+ which makes perfect sense when several areas of Glen Cairn provide affordable housing.

To really add a cherry to the top of all of these statistics are our real estate prices. Glen Cairn real estate prices are 32% lower than the London average, to know that your home value is so much lower than homes a few minutes away is heartbreaking.

Currently they are building 250 houses in the Deveron Crescent extension in Pond Mills/Glen Cairn and now we are threatened with a proposal for another apartment building. Honestly enough is enough!!! I have no statistics to back up my final exasperating result of further building in Glen Cairn - the traffic. Scenic Drive is a popular "cut across" street with no sidewalks or streetlights. Many of us constantly
watching in shock at the rate of speed and the number of cars that choose to cut across our beautiful calm street.

I am officially voicing a strong objection to the proposed apartment building at 403 Thompson Road, Official Plan and Zoning Amendments File #OZ-9290, applicant HDC. The reasons are outlined above, but to summarize we have a densely populated neighbourhood with higher than average crime, higher insurance costs and lower home values along with increased traffic volume and no visible improvement to our infrastructure. It is simply time to say NO! No to more development in Glen Cairn Woods.

Please check all of my statistics on line at "Glen Cairn, London, Ontario AreaVibes".

I would appreciate verification that you have received my email. I will call if I do not hear from you.

Respectfully,

Tracy Cragg

Dear Mr. Maitlan,

My husband and I are homeowners at 418 Scenic Dr in Glen Cairn Woods, I struggled with voicing my opinion on File #OZ-9290 - 403 Thompson Rd., proposed apartment building.

After reading our neighbours letter to you I felt she captured everyones feeling that live on this street.(attached)

A number of our homes, cars and property have been vandalized and adding more "affordable" housing to this already over populated area is asking for us to endure more problems.

The city keeps adding to this over populated area but neglects to fix the pot holed ridden roads, I am sure the city counselors roads are in great shape and I pay almost 4,000.00 a year in taxes.

We have the old river bed behind us, and people camping in the bush that the city is supposed cut and clear but nothing every get done, my husband clears behind our house so that we can see who is trespassing on our property, as well as a number of us have added security systems and outdoor cameras, and you want to add more "AFFORDABLE HOUSE".

Just because we are "EAST OF ADELAIDE" does not mean we have to be the slum of the city.

Yours Truly,

George and Debra Drakes

RE: FILE#OZ-9290 {403 THOMPSON ROAD, LONDON, ON, N5Z 3T1}

Dear Mr. Maitland,

We are the property owners of 397 Thompson Road, London, ON, N5Z 4K8.

We are pleased and in support of this application proposal {FILE#OZ-9290} because of the following reasons:

1) The vacant land attracts homeless people sleeping there in tents especially during warmer weather.

2) The vacant land is always being used as a public garbage dump site.

We would like to request to implement changes in the proposal to remove the trees/fencing that are of concern to us:
3) As per the renderings, trees dividing adjacent properties would block the view of our property. The oncoming traffic from the direction of Pond Mills/Egerton travelling towards Thompson Road would be obstructed.

4) Tree branches and debris falling from the trees are causing scratches to customers’ vehicles.

5) Tree sap falling from the trees are causing damage to the customer’s vehicle paint.

6) Tree branches, leaves and debris from the trees increases our landscaping costs in maintaining a clean property.

7) A fence between the properties may create a feeling of confinement and reduces visibility of our property.

The removal of the trees and absence of fencing may provide a clean and open concept, environment.

We would like to request to consider in building a residential apartment higher than the proposed 4-storey rendering. The reason is because there is a high demand and a low supply of affordable housing. More number of people living in a concentrated area is economically better as full total perimeter of land multiplied by height can be fully utilized.

Vertical expansion can accommodate more residential space per square meter of ground floor than single storey buildings which occupy more land. The overall cost of land, preliminaries, foundations and roofing is much lower for high rise buildings when compared to single storey horizontal units of the same magnitude.

We are in the understanding that more land is required when building higher than the proposed 4-storey apartment. In our opinion, the property behind us located at 150 King Edward Avenue, London, Ontario could be a viable option. A section of that land could be utilized in conjunction with 403 Thompson Road, London, Ontario. Moreover, the balance of the remaining plot may have potential to further increase residential intensification.

Yours sincerely,

Michael Nam
2533772 Ontario Inc.

Hello,

As a resident of Glen Cairn I would like to formally object the proposed building of yet ANOTHER apartment/affordable housing complex. Our area is already rife with this mix of housing and there are plenty of areas in the city with viable land to build. The residents here are trying hard to make our neighborhood better and building this does not do that. These buildings are not taken care of by the city and only lower our proper values. Spread the load across the city for these building programs. I don’t see you building in Byron or Masonville such a housing complex?! We’ve had enough, put it somewhere else.

Amanda Land

Mr. Maitland
Although I recognize the need for this project and hope that a suitable site is found for its completion, I believe that this property is not a good choice for another apartment building.

The extensive research done by my neighbors, the Comries and Ms. Craig makes a strong case against a project with this level of occupancy at this time, when a new development is already under construction.

I agree with their objections and wish to vote against this proposal at this location.

493
Dear Mr. Maitland,

My husband and I live at 444 Scenic Drive in Glen Cairn Woods. We own our home. We have lived here since 2003. I want to write you to express my concern about the amount of building that is happening and being proposed in our area, especially the apartment building proposed at 403 Thompson Road. The bit of green we still have is quickly disappearing. It is displacing wildlife at an alarming rate.

As well, our neighbourhood is already densely populated compared with the rest of the city. Please reconsider the building of this apartment. There are enough apartment buildings here.

Respectfully,
Christine Aben

Mr. Maitland,

As homeowners in Glen Cairn Woods, we are concerned regarding the proposed erection of 403 Thompson Road. As cited in the letters from Tracy Cragg and Christine Comrie, our population density is 2.5% higher than the average, our crime rate, our insurance rates are much higher than the average in London. Our property is worth 32.9% less than other London areas, schools are rated below average and the list goes on. This all is a direct result of having such density of housing, many of which are considered low income (see Christine Comrie information).

We also have a 250 home subdivision under construction in the Deveron Crescent extension. This will create more traffic on Scenic Drive which is already a cut through for vehicles. We have no sidewalks or streetlights and the roadway is our sidewalk. We have mothers with small children, seniors pushing walkers, and at least 3 people who are in wheelchairs using the road. We have many cars exceeding the speed limit as they cut through with no regard to the pedestrians. Many of us have had close calls with vehicles on Scenic Drive. The addition of another apartment building in our back yards is not going to improve the situation.

At what point is it considered that an area has contributed enough to “affordable housing”. We feel as residents we have done our part. We are tired of Southeast London and East London constantly losing the battle to locate this form of housing just because those in higher income neighbourhoods don’t want them in their backyards. We deserve the same treatment and respect as other areas of the city. Help us to beautify and revitalize our area.

Let it be known that we are in complete agreement with all information provided by letters from Tracy Cragg and Christine Comrie.

Please accept our formal votes AGAINST the development at 403 Thompson Rd, known as Official Planning and Zone Amendments (File OZ-9290).

Please reply to this email to confirm receipt. Thank you.

Sincerely,
Dale and Dell-Anne Wilson
431 Scenic Drive

Regards, Ivan Dafoe

Ivan Dafoe
441 Scenic Drive
Mr. Maitland

Re: 403 Thompson Rd. (Affordable Housing)

Official Planning and Zone Amendments (File OZ-9290)
Applicant: Housing Development Corporation (HDC)

As homeowners within Glen Cairn Woods we are concerned with the proposed erection of yet another apartment building (403 Thompson Rd) within our overpopulated subdivision and the lack of notification of same. According to the footnote below, the population density of Glen Cairn Woods is nearly 17,000; 2.5 times higher than the average for the City of London. 4.1% of the entire city.

Our understanding is that this application was originally planned at a location west of Wellington Road but that the area homeowners were opposed, despite the fact that they are not subject to “affordable housing” within their neighbourhood. Glen Cairn Woods and joined areas are subject to the following numerous low-income addresses:

27 3-storey walk up buildings (multi-unit)
- 100 – 116 King Edward Ave (directly across from proposed building/including 1 half way house)
- 84 – 96 Glencairn Park
- 16–172 King Edward Ave (almost directly behind proposed building)
- 400-404 Scenic Drive (directly behind proposed building)
- 320-324 Thompson Rd.

3  Co-op Complexes (multi-unit)
- 14 Spiritwood Court (Country Spirit Co-op)
- 24 Spiritwood Court (Tanglewood Orchard Co-op)
- 99 Kimberley Ave

100 Affordable &/or London Housing Units
- 1 – 34 Barberry Court
- 35 – 48 Ivy Court
- 49 – 81 Vinewood Court
- 82 – 100 Primrose Court

In addition, we are home to 1 highrise rise rental building (located beside the propose site); 1 additional highrise rental building; 1 highrise condominium building; 1 townhouse condominium site as well as numerous semi-detached buildings and duplexes.

Added to the current population of nearly 17,000 there is a 250-home subdivision under construction in the Deveron Crescent extension at the corner of Pondmills Rd. and proposed building in the empty lots close by on the west side of Pondmills Rd. (houses already demolished).

The unfortunate effect of having such density of housing, many of which are considered low-income, is a higher-than-average crime rate. Statistics reflect that Glen Cairn Woods crime rate is 23% higher than the London average. In relation to the National Average the total crime rate is 58% higher, broken down as 58% higher for violent crimes and 50% higher for property crimes1. We can personally attest to numerous property crimes on our street alone. These crime rates affect the following:

1 Higher home and auto insurance rates for which we all pay
2 Lower property values (-32.9%)1 – affects London tax base
3 Below average Livability Score1 (63)
4 Neighbourhood ranked 119 in London1
5 Lower school scores: 41 versus London average of 561 (reflection of low-income housing)
The overall population density creates high traffic volumes on streets not designed to handle it. Many of our streets do not have sidewalks and some like Scenic Drive do not have streetlights. Increasing the area population will exasperate this issue and amplify accident rates, as many residents use side streets as cut throughs. On Scenic Drive alone there has been 1 fatality and at least 4 other auto accidents. This area of Thompson Rd. is not designed for additional traffic. It is situated approximately 100 meters from an intersection on a curve with only a small left hand turn lane designed to handle the 32 townhomes currently in that location. This brings forth further traffic concerns.

At what point is it considered that an area has contributed enough to “affordable housing”. We feel strongly that the residents of Glen Cairn Woods have already done their part. We are tired of Southeast London and East London constantly losing the battle to locate this form of housing just because those in higher income neighbourhoods cry the blues. We as London residents deserve the same treatment as residents of subdivisions in the West & North with available transit routes. Please allow us the opportunity to revitalize our area rather than increasing the already stated problems.

Please accept our formal votes AGAINST the development at 403 Thompson Rd. known as Official Planning and Zone Amendments (File OZ-9290).

Please reply to this email to confirm receipt. Thank you.

Sincerely
William & Christine Comrie

I disapprove the proposal to build apartment building at 403 Thompson Road. We are overpopulated with apartment buildings and low cost housing in this area. I do not want it built.

Karen Broadhurst
417 Scenic Dr.

Subject: File OZ-9290 Plan and zoning by-law Amendments
Re: 403 Thompson Road

Mr. Leif Maitland

It is disappointing to learn an affordable housing apartment is being proposed in our Glen Cairn Woods neighbourhood.

I’ve been a Glen Cairn homeowner for over 45 years. I’ve seen first hand, the impact high density, low income has on this community.

I have to ask the City of London “Why they feel Glen Cairn is the right neighbourhood to build yet another affordable housing apartment?”

It’s a fact Glen Cairn:
- Population density is 154% higher then the rest of the City of London
- Crime rate is 23% higher than the London average.
- Employment rate & schools are getting failed grades.
- Real estate is 32% lower than the London average.
- has over 130 low income addresses clustered in 3 storey walk-up buildings, co-op complexes, affordable or London Housing units.

Again I ask ‘Why in Glen Cairn?’

Where is the diversification?
Diversity is an important factor in planning London communities today. Why is it important to have diversity in other communities Eg: Oakridge Acres, Masonville, Warbler Woods, but not in Glen Cairn?

Seems Glen Cairn just keeps getting the same old! The Glen Cairn community deserves to be respected like other areas. Spread these affordable developments into other communities Eg: Byron, Worley Village, where they presently have no affordable housing.

I am officially voicing my objection to the Official Plan & Zoning by-law amendments File: OZ-9290.

Thank you

Bev Kari
436 Scenic Drive

An additional petition was received and has been included on the committee agenda as a separate document.
Agency/Departmental Comments

London Hydro: Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory.

Archaeology – L. Dent: This memo is to confirm that I have reviewed the following and find the report’s (analysis, conclusions, and recommendations) to be sufficient to fulfill the archaeological assessment requirements for the application (OZ-9290):


Please be advised that heritage planning staff recognizes the conclusion of the report that states that, “[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such no further archaeological assessment of the property is recommended. (p2)

An Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated Nov 2, 2020 (MHSTCI Project Information Form Number P344-0454-2020, MHSTCI File Number 0013206).

Archaeological conditions can be considered satisfied for this application.

Appendix C – Policy Context

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

The Provincial Policy Statement, 2020
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

The London Plan
55
913
916
918
919
953
Table 10
Table 11
1578

Housing Stability Action Plan 2019-2024
Appendix D – Relevant Background

Additional Maps

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

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

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

CITY OF LONDON
Planning Services / Development Services

LONDON PLAN MAP 1 - PLACE TYPES -
MRMC/PLAN/Public Planning Services

Scale 1:30,000

File Number: OZ-0290
Planner: LM
Technician: RC
Date: January 22, 2021

Project Location: E:\Planning\Projects\official\work\consolidated\London\Plan\Map\OZ-0290\Map 1-Place Types.mxd
403 Thompson Road
OZ-9290

March 1, 2021
Planning and Environment Committee
London Plan  

Zoning
Requested Amendments

• Official plan amendment to permit a low-rise apartment building.

• Zoning By-law to provide 4-storey, 44-unit apartment building with:
  • 14 parking spaces (min)
  • 27sq.m. bachelor units (min)
  • 27.0m frontage
  • 3.0m front yard (min)
403 THOMPSON ROAD
CONCEPTUAL SITE PLAN
- MEDIUM DENSITY MULTI-RESIDENTIAL (R9-7), 4-STOREYS, 44-UNITS
- 150 UNITS PER HECTARE (uph)
Community Concerns

• 17 Comments received
• Concerns included:
  • Parking reduction
  • The use of the legally established shared access
  • Children playing
  • Unit size reduction
  • Height and potential overlook
  • Number of units
  • Opposition to affordable housing in the area
Recommendation

• Approve Official Plan Amendment to permit low-rise apartment building on site

• Approve Re-Zoning to Residential R9 (R9-7(\_)*H14) Zone with special provisions.

• Request Site Plan Approval Authority consider screening measures and secure additional amenity space.
(a) the proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 23, 2021 to amend The London Plan to create a specific policy area which permits low-rise apartment building up to 4-storeys within the Neighbourhoods Place Type on the subject lands located at 403 Thompson Road;

(b) the proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 23, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area (NSA1) Zone **TO** a Residential R9 Special Provision (R9-7(_●H14) Zone;

(c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:

   i) Provision of increased amenity space to support reduced unit sizing; and,

   ii) Provision of perimeter trees along the south and southeast limits of the site to provide screening.
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: 345 Sylvan Street
File OZ-9297
Housing Development Corporation, London (HDC)

Date: Public Participation Meeting on: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application Housing Development Corporation, London (HDC) relating to the property located at 345 Sylvan Street:

(a) the proposed by-law attached hereto as Appendix “A” BE INTRODUCED at the Municipal Council meeting on March 23, 2021 to amend The London Plan to create a specific policy area that permits low-rise apartment building up to 3-storeys within the Neighbourhoods Place Type on the subject lands located at 345 Sylvan Street;

(b) the proposed by-law attached hereto as Appendix “B” BE INTRODUCED at the Municipal Council meeting on March 23, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property FROM Community Facility (CF5) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone;

(c) The Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:

   i) Screening to be achieved through the maintenance of existing perimeter trees throughout the development process, and with replacement, as needed.

Executive Summary

Summary of Request

The request is for approval of a proposed development of a 42-unit, three-storey apartment building, 10 metres in height.

Purpose and the Effect of Recommended Action

The recommended by-law would apply a specific policy area under The London Plan and Residential R8 (R8-4) Zone to the site. Special provisions would include reduced vehicular parking; acknowledgement of the existing width of the lot frontage; permission for a front yard accessory structure; and a reduction in the required minimum unit size for one-bedroom units.

Rationale of Recommended Action

1. The proposed amendments are consistent with the PPS, 2020, which provides affordable housing through an infill development;
2. The proposed amendments conform to the policies of The London Plan and implements the Key Directions of the Plan; and,
3. The proposed Zoning By-law amendment conforms to the policies of The London Plan upon approval of the recommended amendment.
Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter
This is the first Planning Act application for the subject site since the adoption of the Z.-
1 Zoning By-law.

1.2 Property Description
The subject site is located at the terminus of Sylvan Street in the interior of the
residential neighbourhood. The property is 0.57 hectares in size, approximately 63
metres deep and 85 metres across. The property is an irregular rectangle with the
western property limit jogging to reflect historic lot patterns. The existing two-storey
building is in the process of demolition with notice provided to that effect on February 1,
2021. The property is ringed with deciduous trees along its perimeter.

1.3 Current Planning Information (see more detail in Appendix D)
- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Community Facility (CF5) Zone

1.4 Site Characteristics
- Current Land Use – undeveloped
- Frontage – 20 metres
- Depth – 63 metres
- Area – 0.567 hectares
- Shape – Irregular rectangle

1.5 Surrounding Land Uses
- North – low-rise apartment building
- East – single detached house
- South – single and semi-detached houses
- West – fourplex and single-detached houses

1.6 Intensification (identify proposed number of units)
- The proposal would provide 42 dwelling units within the Primary Transit Area.

1.7 Additional Information
- An Archaeological Assessment has been provided to support this application
  and archaeological conditions are cleared (refer to Appendix C)
- A Heritage Impact Assessment has been accepted to support this application
  (refer to Appendix C)
1.8 Location Map
2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development is a 42-unit, three-storey apartment building, 10 metres in height. The proposed density is 75 units per hectare (uph) based on a 0.567 hectare lot area. The proposed units are one-bedroom apartment units with a minimum 41 square metres in floor area. The building location is proposed toward the rear of the lot with the two wings of the building extending parallel to the north and west property limits. The proposed apartment building amenities include common-use multi-purpose amenity space with direct access to outdoor amenity areas; two building office spaces; two accessible laundry rooms; and, a hydraulic lift elevator.

The vehicular existing entrance from Sylvan Street will be maintained for use of the new development. A paratransit access layby at the entrance with a loading pad is proposed. The development relies on 22 vehicular parking spaces including three accessible spaces located close to the entrance in accordance with the requirements of the Site Plan Control By-law. Bicycle parking is proposed to be located in a dedicated room within the building for 22 spaces and a minimum of 10 bicycle parking spaces is proposed in an outdoor sheltered and secured accessory structure.

The proposal includes a landscaped outdoor amenity area, which comprises approximately 65% of the lot area. The landscaped areas will provide opportunities for passive and active recreation for the residents including a community picnic shelter, tenant-use community garden, outdoor seating area, and two active recreation playing areas. Existing mature trees are proposed for retention, located around the perimeter of the property, and provides a visual screen in addition to existing and proposed privacy fencing.

Site Concept Plan:

2.2 Requested Amendment – The London Plan

An amendment to The London Plan is required at this location to permit the low-rise apartment building use at a height of 3-storeys. Under the Neighbourhoods Place Type policies, the development form would be limited to townhomes as a form and a maximum of 2.5 storeys in height.

The specific requested amendment is as follows:
1. For the property at 345 Sylvan Street a three-storey, 42-unit affordable rental apartment building may be permitted.

2. Map 7 – Specific Policy Areas shall be amended by adding the property at 345 Sylvan Street.

The appropriate implementation mechanism would be to add a specific policy to the Neighbourhood Place Type and amend Map 7 of The London Plan to permit a low-rise apartment building up to 3-storeys at this location.

2.3 Requested Amendment – Zoning

The possible amendment to the Z.-1 Zoning By-law is for a Residential R8 Special Provision (R8-4(._)) Zone. This Zone would permit a variety of multi-family housing types to a maximum density of 75 units per hectare, specifically: Apartment buildings; Handicapped person’s apartment buildings; Lodging house class 2; Stacked townhousing; Senior citizen apartment buildings; Emergency care establishments; and, Continuum-of-care facilities. The proposal relies on a number of special provisions. A lot frontage of 20 metres (where 30 metres would otherwise be required) is requested to account for the existing property frontage. A parking reduction for 22 vehicular parking spaces where 53 would otherwise be required (at a rate of 0.5 per unit rather than 1.25). A special provision to allow an accessory structure in the front yard (for bicycle parking storage) which would otherwise not be permitted subject to 4.1.4 of the Zoning By-law. Finally a minimum unit size of 41 square metres for one-bedroom units is requested whereas 47 square metres would otherwise be required.

2.4 Community Engagement (see more detail in Appendix B)

One comment was received to the completion of this report. The community member indicated they were generally opposed to the project but would support screening and other mitigative measures if it approved. They indicated concerns related to parking overflow given the reduction in vehicular parking proposed and encouraged efforts to address bicycle theft in the area.

2.5 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (2020)

Redevelopment through infill and intensification, specifically, affordable housing, is a stated aim of the Provincial Policy Statement (2020). Policies that guide the review of this development include:

1.1.1 Healthy, liveable and safe communities are sustained by:
   b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons)

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
   b) 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;

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
   b) permitting and facilitating:
      1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities;
2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

Taken together these policies provide strong support for infill development which could promote and support affordable housing options in a variety of forms.

The London Plan

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

The London Plan is guided by Key Directions that set the framework for the Plan and guide the creation and review of the subsequent policies. Key Direction 1.13 indicates that the City, through its planning, is committed to "invest in, and promote, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners." This context undergirds the remainder of the policies within the plan.

On housing, the Plan provides policy in terms of what elements should be included in development intended to meet affordable goals. Policy 513 speaks to developments similar to the one under consideration through the application.

513. Residential developments that offer innovative design features, construction techniques, or tenure arrangements, which broaden the range of available housing alternatives, will be encouraged.

This policy indicates that when considering affordable housing arrangements context should not be interpreted simply as a matching of existing housing forms in neighbourhoods and that new arrangements should be expected.

The policy context also includes those policies that speak more specifically to the siting of development and relationships of scale and form within a neighbourhood context. The range of uses and intensities for residential development within the Neighbourhoods Place Type are guided by Table 10 and 11*, with the interpretation thereof guided by policy 919.

2. The range of uses that may be permitted on a property, and the intensity of development that may be allowed, will be directly related to the classification of street onto which the property has frontage…
3. In conformity with Tables 10 to 12 properties fronting onto major streets may allow for a broader range of uses and more intense forms of development than those fronting onto minor streets.
4. In conformity with Tables 10 to 12 if a property is located at the intersection of two streets, the range of permitted uses may broaden further and the intensity of development that is permitted may increase.

This context setting policy, directs that intensity and development scale should increase with high order streets and intersections. A direct review of specific policies and their application to the proposal is provided in section 4.0 below.

2.6 Housing Stability Action Plan 2019-2024

Council adopted the Housing Stability Action Plan 2019-2024 early in 2020. The Plan identifies a minimum 3,000 new affordable housing units are needed in London to meet current and potential future needs. Based on most recent data, the current vacancy rate in the rental market is 3.2% meaning there is little available rental housing stock that is affordable.
More than 300 additional affordable rental housing units are needed each year to close the gap. In the City of London, 14% of Londoners are in Core Housing Need and the City is ranked fourth nationally for individuals and families living within Core Housing Need.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

4.0 Key Issues and Considerations

4.1 Use

The first consideration is whether a low-rise apartment building is an appropriate use for the subject site given its location.

The Provincial Policy Statement directs growth and development to settlement areas. Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2.b). The PPS directs that planning authorities consider the housing needs of all residents including those in need of affordable housing units (Policy 1.4.3.b). The Provincial Policy statement is broadly supportive of the use at its location within the City.

The London Plan provides guidance on locating residential uses within the Neighbourhoods Place Type. The Vision for the Place Type includes (916) “a diversity of housing choices allowing for affordability,” which establishes the objective of providing the full range of housing types within neighbourhoods. The approach is further detailed in 918 where the implementing approach includes:

2. Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms.

3. Affordable housing will be planned for, and integrated into, all neighbourhoods.

4. Housing forms will be encouraged that support the development of residential facilities that meet the housing needs of persons requiring special care.

Under these policies the expectation is that low-rise apartment building are to be expected within neighbourhoods, including affordable housing projects.

Within the Neighbourhoods Place Type guidance is provided with regards to situating residential types of development relative to the street classification. 345 Sylvan Street would be permitted townhouse and two-unit forms permitted as the base permission throughout the Neighbourhoods Place Type. This policy presumes an existing development pattern made up predominantly of single-detached homes where multi-unit forms represent a new form and increase in units use relative to their neighbours. In the immediate vicinity of 345 Sylvan this would not be the case. 345 Sylvan Street shares borders of a fourplex to the west, a semi-detached to the south and a 3-storey apartment building to the north. In this context a 3-storey apartment is not out of place in the neighbourhood and its impact would be mitigable.

A specific policy area within the Neighbourhoods Place Type is recommended to allow for the Low-rise apartment use on the subject property subject to the Zoning regulations and Site Plan considerations discussed below.

4.2 Intensity

Intensity is guided by policies on height and through the associated zoning regulation with regards to density. The proposal is relatively standard in terms of infill development at 75 units per hectare, as proposed.
The requested zone is a Residential R8-4 Zone that would permit a residential density of up to 75 units per hectare while also permitting the low-rise apartment use. A Residential R8-3 Zone which permits up to 65 units per hectare is permitted and developed at 601 Percy Street to the rear of the subject site. Within the 120 metre standard notification radius of the subject site three other low-rise apartment buildings (in addition to 601 Percy Street) were circulated. The building at 635 Base Line Road East is 2.5 storeys tall, with the two buildings at 309 and 311 Wellington Court being 5-storey each. The neighbourhood has demonstrated that low-rise apartment building, similar to the type proposed, can be accommodated within the neighbourhood and the proposal would not be a unique use within the context and character of the existing residential neighbourhood.

The Residential R8-4 Zone is recommended for the site to provide for a low-rise apartment building on the subject lands.

4.3 Form

The London Plan provides guidance on compatibility and fit with regards to form through policy 953. The applicant has provided a concept for review (Site Concept Plan provided above) which allows for some analysis of the anticipated form and its relationship to the neighbourhood.

The site layout proposed locates the proposed building toward the rear of the site locating it adjacent the existing apartment building neighbour so that neither building (both being 3-storeys) would overlook the other. The access arrangement proposed is the same as the existing use and maintains the historical arrangement for the street. Landscaping to be provided includes the retention of significant existing trees that would screen the proposal providing privacy for both residents and neighbours. The Building’s entrance is oriented directly to Sylvan and uses the existing access to reduce new impacts on the neighbourhood.

The applicant has requested a Residential R8-4 Zone to implement the form and intensity proposed. This zone provides greater density than the Residential R8-3 Zone applied at neighbouring 610 Percy St and 309-311 Wellington Court whilst maintaining the same height regulation of 13.0 metres. It should be noted that the proposal is 10 metres in height and 3-storey, which is the same as its neighbour at 610 Percy St and two-storeys less than the two buildings at 309-311 Wellington Court. Given the proposal for a reduced unit size, the additional 10 u.p.h. density (75 u.p.h. for R8-4 compared to 65 u.p.h. for R8-3) can be accommodated in reduced massing limiting the apparent scale of the development and keeping it in character with existing development in the area.

The Residential R8-4 Zone is recommended for the site to provide for a low-rise apartment building of no more than 13.0 metres in height. Through the site plan process the Site Plan Approval Authority is requested to consider vegetated landscape screening be maintained and/or provided between the development and existing residential developments.

4.3 Dwelling Unit Size

The applicant has requested a dwelling unit size of 41 square metres for one-bedroom units within the building whereas 47 square metres would be required under the Zoning by-law without special provision. Section 4.6.2 c) of the By-law regulates minimum dwelling size requiring that: “any other dwelling unit [apart from single-detached and converted dwellings is] 37 square metres (398 square feet) for a bachelor dwelling unit plus an additional 10.0 square metres (108 square feet) for each bedroom. This regulation requires a minimum of 47 square metres for a one-bedroom unit and 57 square metres for a two-bedroom unit.

The targeted household for a one-bedroom and bachelor units is single or couples whereas the additional privacy afforded by a second bedroom indicates a unit targeted
at family or room-mate arrangements. As both one-bedroom and bachelor forms target single or two-person households the distinction between the two is one of layout. Whereas with multi-bedroom households, and units targeted to them, additional space is an understandable requirement to account for the extra space and walls. Therefore the distinction between bachelor and one-bedroom is not the same as other increases in bedroom count when determining unit size and anticipated occupancy. The requested special provision for one-bedroom units is greater than the minimum size required by regulation of 37 square metres for bachelor units and in keeping with unit size standards for the anticipated number of occupants. This size is in accordance with relevant Ontario Building Code requirements.

A special provision to permit to one-bedroom units of 41 square metres is recommended to support the development as proposed given the similarity of unit type between one-bedroom and bachelor units.

4.5 Parking

The applicant has requested a parking reduction to 0.5 spaces per unit from the 1.25 spaces per unit that would be required under the un-modified by-law. This would allow for the provision of 22 parking spaces rather than 53 spaces. The applicant provided a parking study completed by F. R. Berry & Associates to support this regulation. F. R. Berry & Associates note that given the specific users: “vehicle ownership is not likely to be a priority for prospective tenants.” The report goes on to note that in other similar examples 0.24 spaces per unit has been recorded as the parking take-up rate, and 0.5 doubles that requirement. The report concludes that the proposed parking: “is consistent with standards and experience for similar uses.”

A parking ratio of 0.5 spaces per unit is recommended as a special provision.

4.6 Location of Accessory Structures

The applicant has provided a concept plan for review that includes an accessory structure for bicycle parking in the front yard and requested a special provision to permit accessory structures within the front yard.

The Zoning By-law in Section 4.1 regulates the size and location of accessory structures. The regulation requires that within residential zones, accessory structures are located in rear or interior side yards. The concept plan for this proposal at 345 Sylvan Street relies on structured bicycle parking in the front yard and a building situated towards the back of the lot. Locating a bicycle parking structure is in keeping with the Site Plan Control By-law which encourages site designs where bicycle parking is provided in locations with high visibility to prevent theft. The prevention of bicycle theft is a concern that has been echoed in public comments received. Site design refinements that would locate bicycle parking outside of the front yard would result in less secure bicycle parking and relatively discourage bicycle usage in contravention of The London Plan policies to encourage active transportation (Policy 313).

A special provision is recommended to allow an accessory structure in the front yard for bicycle parking given the anticipated position of the building and requirement for structured bicycle parking to meet the Zoning By-law requirements. So as to prevent superfluous and unnecessary accessory structure detracting from the public realm the special provision, as recommended, specifies that only accessory structure to be used for bicycle parking should be permitted in the front yard.

4.7 Lot Frontage

The applicant has requested a lot frontage of 20 metres whereas 30 metres would be required by the Zone without special provision. The property is located at the terminus of Sylvan Street where the maximum achievable frontage is the 20 metres existing for the site and requested as the amendment. A concept plan provided by the applicant
and reviewed through this application shows the existing frontage can accommodate that access and servicing requirements of the site.

Given the development can function with the existing 20 metres frontage it is recommended that a special provision to permit a lot frontage of 20 metres is included to permit development with the existing lot configuration.

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

4.8 Site Plan Considerations

Site Plan considerations include such things as landscaping, parking location, lighting, garbage and recycling. The proposed recommendation includes direction to the Site Plan Approval Authority on screening landscaping. Additional considerations for Site Plan matters can be addressed in this matter.

Conclusion

Significant Provincial and Municipal policy support the provision of affordable housing throughout the City. The location of low-rise apartment building within a neighbourhood accustomed to the use. The Zoning proposed includes special provisions to account for the existing frontage, permit an accessory structure for bicycle parking in the front yard; and reduce the amount of vehicular parking. The special provisions together allow for increased landscaping and screening to mitigate the impacts on neighbours, and provides for affordable housing in an appropriate form and location as proposed by the applicant.

Prepared by: Leif Maitland, Site Development Planner, Development Services
Recommended by: Paul Yeoman, RPP, PLE, Director, Development Services
Submitted by: George Kotsifas, P.ENG, 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 Pease, MCIP, RPP, Manager, Development Planning
Appendix A

Bill No. (number to be inserted by Clerk’s Office)
2021

By-law No. C.P.-1284-
A by-law to amend The London Plan for the City of London, 2016 relating to
relating to 345 Sylvan Street.

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

1. Amendment No. (to be inserted by Clerk’s Office) to The London Plan for
the City of London Planning Area – 2016, as contained in the text attached
hereto and forming part of this by-law, is adopted.

2. The Amendment shall come into effect in accordance with subsection


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
AMENDMENT NO. to the
THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is: The purpose of this Amendment is to add a policy to the Specific Policies for the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit a low-rise apartment building within the Neighbourhoods Place Type having a maximum height of 3-storeys.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 345 Sylvan Street in the City of London.

C. BASIS OF THE AMENDMENT

1. This Amendment conforms to the policies of the Provincial Policy Statement, 2020.

2. The Amendment implements the Key Directions of The London Plan

3. The Amendment is in keeping with the policy framework as set out in The London Plan

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

1. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London is amended by adding the following:

   ( ) In the Neighbourhoods Type at 345 Sylvan Street a low-rise apartment building up to 3-storeys may be permitted.

2. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for those lands located at 345 Sylvan Street in the City of London, as indicated on “Schedule 1” attached hereto.
Appendix "B"

Bill No. (number to be inserted by Clerk’s Office)
2021

By-law No. Z.-1-21

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 345 Sylvan Street:

WHEREAS Housing Development Corporation, London (HDC) applied to rezone an area of land located at 345 Sylvan Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk’s Office) this rezoning will conform to the Official Plan;

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

1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 345 Sylvan Street, as shown on the attached map, from Community Facility (CF5) Zone to a Residential R8 Special Provision (R8-4(_)) Zone.

2) Section Number 12.3 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

<table>
<thead>
<tr>
<th>R8-4(_)</th>
<th>345 Sylvan Street</th>
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<tbody>
<tr>
<td>a)</td>
<td>Regulation(s)</td>
</tr>
<tr>
<td>i)</td>
<td>Frontage (min)</td>
</tr>
<tr>
<td>ii)</td>
<td>Parking (min)</td>
</tr>
<tr>
<td>iii)</td>
<td>Dwelling unit size (min)</td>
</tr>
<tr>
<td>iv)</td>
<td>Accessory Structures</td>
</tr>
</tbody>
</table>

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

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

PASSED in Open Council on March 23, 2021
Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

File Number: OZ-0287
Planner: LM
Date Prepared: 2021/01/22
Technician: rc
By-Law No: Z.-1.

Zoning as of December 24, 2020

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

Subject Site

DecodedArea
Appendix B – Public Engagement

Community Engagement

Public Liaison: On January 21, 2021, Notice of Application was sent to 299 residents and property owners in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on January 21, 2021. A “Planning Application” sign was also posted on the site.

2 replies were received

Nature of Liaison: 345 Sylvan Street – The purpose and effect of this Official Plan and Zoning By-law is to permit a 10.0m (3-storey) apartment building with 42 apartments, 32 bicycle and 22 vehicular parking spaces. Possible amendment to The London Plan to include permission for a low-rise apartment form at this location. Possible change to Zoning By-law Z-1 FROM a Community Facility (CF5) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone to permit a 42-unit low rise apartment up to 13.0m in height. Special provisions requested to permit include: a lot frontage of 20m where 30m would otherwise be required; 22 vehicular parking spaces where 53 would otherwise be required; an accessory structure in the front yard (for bicycle parking) which would otherwise not be permitted; and, a minimum unit size of 41 square metres whereas 47 square metres would otherwise be required for one-bedroom units. File: OZ-9297
Planner: L. Maitland.

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

Concern for:
- Overflow parking affecting the usability of Sylvan Street and access for residents of Sylvan Street.
- Efforts to control bicycle theft through site design given a history of bicycle theft in the area.
- Opposition to the development, noting that efforts should be made to mitigate through screening and other design measures should it be approved.

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

<table>
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<tr>
<th>Telephone</th>
<th>Written</th>
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<tbody>
<tr>
<td>Robert Wilkie</td>
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<tr>
<td>347B Sylvan Street</td>
<td></td>
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</table>
Agency/Departmental Comments

London Hydro: Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory.

Heritage – L. Dent: This memo is to confirm that I have reviewed the following and find the report’s (analysis, conclusions and recommendations) to be sufficient to fulfill the heritage impact assessment requirements for (OZ-9297):


Key approaches to the proposed development that support the cultural heritage value or interest (CHVI) of 286 High Street include: 1) the adjacent heritage property at 286 High Street will be untouched; 2) current views between the subject property and the heritage property are largely obstructed by vegetation; and, 3) the development will involve landscaping throughout the subject property to facilitate ongoing privacy between the property and the surrounding area. (p23)

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: “[t]he proposed development at 345 Sylvan Street will not cause a negative impact to any heritage attributes or features of the adjacent recognized heritage property. No mitigation measures have been recommended.” (p3)

Based on the review of the HIA, heritage staff is satisfied that there will be no adverse impacts to the adjacent LISTED property at 286 High Street as a result of development at 345 Sylvan Street. It has been sufficiently demonstrated that significant heritage attributes will be conserved, and the HIA can be accepted to meet heritage requirements for (OZ-9297).

Archaeology – L. Dent: This memo is to confirm that I have reviewed the following and find the report’s (analysis, conclusions, and recommendations) to be sufficient to fulfill the archaeological assessment requirements for the application (OZ-9297):


Please be advised that heritage planning staff recognizes the conclusion of the report that states that “[t]he Stage 2 assessment did not result in the documentation of archaeological resources. As such, the subject property should be considered free of archaeological concern and no further assessment work is recommended.” (p 22)

An Ontario Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated Dec 14, 2020 (MHSTCI Project Information Form Number P1048-0012-2020, MHSTCI File Number 0013440).

Archaeological conditions can be considered satisfied for this application.

Appendix C – Policy Context

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

The Provincial Policy Statement, 2020
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
The London Plan
55
513
916
918
919
953
Table 10
Table 11
1578

Housing Stability Action Plan 2019-2024
Appendix D – Relevant Background

Additional Maps

Legend
- Downtown
- Transit Village
- Shopping Area
- Rapid Transit Corridor
- Urban Corridor
- Main Street
- Neighbourhood
- Future Community Growth
- Heavy Industrial
- Light Industrial
- Future Industrial Growth
- Commercial Industrial
- Institutional
- Green Space

This is an excerpt from the Planning Division's ongoing 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 Study is in progress. The map abuts the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. New Place Types will be modelled 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 –
Scale 1:30,000
File Number: OZ-2207
Planner: LM
Technician: RC
Date: January 22, 2021

Project Location: City of London Planning Project/Design Information/Maps/Metadata/OZ-2207-Map 1-Place Types.mxd
Additional Reports

December 15, 2020 - Community and Protective Services Committee: 345 Sylvan Street and Stabilization Space Update


November 26, 2019 – Council: Property Acquisition – 345 Sylvan Street

Requested Amendments

• Official plan amendment to permit a low-rise apartment building.

• Zoning By-law to provide 3-storey, 42-unit apartment building with:
  • 21 parking spaces (min)
  • 41 sq.m. one-bedroom units (min)
  • 20.0m frontage
  • Front yard accessory structure (bicycle parking)
Community Concerns

• One response

• Overflow parking
• Bicycle theft
• Screening measures and protection of existing trees.
Recommendation

• Approve Official Plan Amendment to permit low-rise apartment building on site
• Approve Re-Zoning to Residential R8 Special Provision (R8-4(____)) Zone with special provisions.
• Request Site Plan Approval Authority preserve existing trees to maintain screening.
(a) the proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 23, 2021 to amend The London Plan to create a specific policy area that permits low-rise apartment building up to 3-storeys within the Neighbourhoods Place Type on the subject lands located at 345 Sylvan Street;

(b) the proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 23, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** Community Facility (CF5) Zone **TO** a Residential R8 Special Provision (R8-4(_)) Zone;

(c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:

i) Screening to be achieved through the maintenance of existing perimeter trees throughout the development process, and with replacement, as needed.
Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Gregg Barrett
Director, City Planning and City Planner

Subject: Core Area Community Improvement Plan (O-9257)
Core Area Community Improvement Plan Financial Incentive Program Guidelines

Public Participation Meeting: March 1, 2021

Recommendation

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application by The Corporation of the City of London relating to the Core Area Community Improvement Plan:

a) the proposed by-law attached as Appendix “A” being “A by-law to designate the Core Area Community Improvement Project Area”, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;

b) subject to the approval of a) above, the proposed by-law attached as Appendix “B” being “A by-law to amend The London Plan for the City of London, 2016, relating to Map 8 in Appendix 1 (Maps) and the Core Area Community Improvement Project Area”, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;

c) subject to the approval of a) above, the proposed by-law attached as Appendix “C” being “A by-law to adopt the Core Area Community Improvement Plan”, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;

d) subject to the approval of a) above, the proposed by-law attached as Appendix “D” being “A by-law to establish financial incentives for the Core Area Community Improvement Area”, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021; and,

e) the proposed by-law attached as Appendix “E” being “A by-law to amend C.P.-1467-175, as amended, being “A By-law to establish financial incentives for the Downtown Community Improvement Project Areas”, by deleting in its entirety, Schedule 3 – The Boulevard Café Grant Guidelines”, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;

it being noted that funding has been approved through the 2020-2023 Multi-Year Budget for the proposed Core Area Safety Audit Grant Program and Core Area Boulevard Café Grant Program, and that funding is available in the Community Improvement Plan Grant Reserve Fund to implement the proposed Core Area Sign Grant Program.

Executive Summary

The Core Area Community Improvement Plan (CIP) sets the vision for improvement in the core area, establishes the direction toward achieving that vision, identifies key actions, and provides the framework for financial incentive programs. The Core Area CIP is required to implement the actions items identified in the Core Area Action Plan pertaining to grant programs providing financial assistance to property owners to implement the Core Area Safety Audit recommendations and to offset various fees related to boulevard cafés, signs, and encroachments.

The draft Core Area CIP was prepared and presented at the October 19, 2020 meeting of the Planning and Environment Committee. This draft was later presented to the
public at two community information meetings held on December 9, 2020. The Core Area CIP was revised based on the feedback provided by the Municipal Council, the public, the Civic Administration, and the Ministry of Municipal Affairs and Housing.

The purpose of this report is to recommend: (1) designation of the Core Area Community Improvement Project Area; (2) amendments to Map 8 (Community Improvement Project Areas) of The London Plan to identify the Core Area Community Improvement Project Area; (3) adoption of the Core Area Community Improvement Plan; (4) adoption of three financial incentive programs within the Core Area Community Improvement Project Area; and (5) discontinuation of the Boulevard Café Grant Program within the Downtown Community Improvement Areas.

The Core Area CIP meets the test for community improvement, as defined in the Planning Act. Furthermore, the adoption of the Core Area CIP and the proposed amendment to The London Plan is consistent with the Provincial Policy Statement, 2020 and is supported by policies of The London Plan.

**Linkage to the Corporate Strategic Plan**

The Municipal Council’s 2019-2023 Strategic Plan identifies “Growing our Economy” as a strategic area of focus. Revitalizing London's downtown and urban areas; increasing access to supports for entrepreneurs and small businesses, and community economic development; and supporting entrepreneurs, start-up, and scale-up companies are strategies within this strategic area.

The Core Area CIP sets the vision for improvement in the core area, establishes the direction toward achieving that vision, identifies key actions, and provides the framework for financial incentive programs, all with the goal of assisting in the revitalization of the core area. The Core Area CIP is required to provide financial assistance to property owners to implement the Core Area Safety Audit recommendations, as well as to offset various fees for boulevard cafés, signs, and encroachments within the core area.

**Climate Emergency**

On April 23, 2019, the Municipal Council declared a Climate Emergency. The Core Area CIP supports the City’s commitment to reducing and mitigating climate change by providing tools that will encourage the revitalization of the downtown and surrounding urban areas. It will support more intense and efficient use of existing urban lands and infrastructure and the regeneration of existing neighbourhoods and will align with transportation planning to support public transit and active transportation options.

**Analysis**

**1.0 Background Information**

**1.1 Previous Reports Related to this Matter**

The following reports provide relevant background information related to this matter:

- October 28, 2019 Strategic Priorities and Policy Committee – Core Area Action Plan
- June 22, 2020 Planning and Environment Committee – City of London Boulevard Café Grant Program
- July 14, 2020 Strategic Priorities and Policy Committee – Core Area Action Plan – 2020 Progress Update
- October 19, 2020 Planning and Environment Committee – Core Area Community Improvement Plan
1.2 Core Area Action Plan
In response to increasing concerns received regarding the state of the core area, and acknowledgement that there has previously been extensive public and private investment in the downtown and surrounding areas, the City of London initiated a study to identify the gaps that were potentially hindering the future success of the core area. The Core Area Action Plan was the result of this study, which identified approximately 70 initiatives that were intended to address these gaps. In November 2019, the Municipal Council received this plan.

The Civic Administration was directed to begin implementing the action items identified in the Core Area Action Plan that could be addressed through existing budgets, and to submit business cases for action items requiring additional investment through the 2020-2023 Multi-Year Budget process. Funding for many of these action items has been approved through the 2020-2023 Multi-Year Budget process, including funding for several action items identified as requiring a community improvement plan to facilitate their implementation.

1.3 Purpose of the Core Area Community Improvement Plan
Pursuant to the provisions of section 28 of the Planning Act, a community improvement plan allows a municipality to, among other things, provide grants and loans to property owners that would otherwise be unavailable. The Core Area CIP will therefore facilitate the implementation of the following action items identified by Core Area Action Plan:

- Item #54: Provide grants to implement safety audit recommendations on privately-owned property through Core Area Community Improvement Plan
- Item #62: Eliminate encroachment fees for patios, signage and awnings in the Core Area through Core Area Community Improvement Plan
- Item #63: Eliminate application fees for encroachments, signage and patios in the Core Area through Core Area Community Improvement Plan
- Item #64: Eliminate fees for use of on-street parking spaces for temporary restaurant patios through Core Area Community Improvement Plan

It is important to note that the Core Area CIP is an enabling document, which means the Municipal Council is under no obligation to activate and implement any of the incentive programs.

1.4 Existing Boulevard Café Grant Program in the Downtown
In June 2020, the Civic Administration brought forward the Boulevard Café Grant Program for the Downtown Community Improvement Project Areas as an interim measure until a similar program could be established through the Core Area Community Improvement Plan to assist with the economic recovery of the downtown as a result of the COVID-19 pandemic. At its meeting held on June 29, 2020, the Municipal Council resolved:

That, on the recommendation of the Director, Planning and City Planner, the following actions be taken with respect to implementing program guidelines for a Boulevard Café Grant Program:

(a) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend By-law C.P.-1467-175, as amended, being a by-law to establish financial incentives for the Downtown Community Improvement Project Areas, to adopt the Boulevard Café Grant Program as Schedule 3; and,

(b) the Civic Administration BE DIRECTED to supplement the Core Area Action Plan funding approved through the 2020-2023 Multi-Year Budget with the Small Scale Downtown Projects Fund, approved through the 2015-2019 Multi-Year Budget to support the Boulevard Café Grant
Program and other small-scale projects that assist with the economic recovery of the downtown as a result of the COVID-19 pandemic; it being noted that this initial Grant Program is being adopted under the existing Downtown Community Improvement Plan until such a time as a Core Area Community Improvement Plan is developed and approved, which would extend this Program to the entire Core Area as identified in the Core Area Action Plan.

(2.2/9/PEC)

As this report introduces the Core Area Boulevard Café Grant Program for the Core Area Community Improvement Project Area, the existing Boulevard Café Grant Program for the Downtown Community Improvement Project Areas (attached as Appendix “F” to this report) should be discontinued, should Municipal Council proceed with the adoption of the Core Area CIP and its associated financial incentive programs.

1.5 Nature of the Application

The Corporation of the City of London has requested an Official Plan amendment to implement a community improvement plan to establish a long-term vision for improvement in the core area. The request includes:

- The designation of the Core Area Community Improvement Project Area;
- Amendments to Map 8 (Community Improvement Project Areas) of The London Plan to identify the Core Area Community Improvement Project Area;
- Adoption of the Core Area Community Improvement Plan; and,
- Adoption of three financial incentive programs within the Core Area Community Improvement Project Area, noting that funding has been approved through the 2020-2023 Multi-Year Budget as well as the Community Improvement Plan Grant Reserve Fund.

All of the above is pursuant to the provisions of Section 28 of the Planning Act and the Community Improvement Plan section of the Our Tools part of The London Plan.

In addition to the above, The Corporation of the City of London is also recommending the discontinuation of the Boulevard Café Grant Program within the Downtown Community Improvement Project Areas.

2.0 Core Area Community Improvement Plan

2.1 Core Area Community Improvement Project Area

Ontario’s Planning Act defines a community improvement project area as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

The Core Area Action Plan generally defined the core area as the Thames River to the west, properties fronting Queens Avenue to the north, Woodman Avenue to the east, and properties fronting King Street to the south; it also includes all properties fronting Richmond Street from Fullarton Street to Oxford Street East and properties fronting York Street from the Thames River to Waterloo Street. As the action items identified in the Core Area Action Plan corresponded to this boundary, it is understood that the funding received for the action items does as well. Therefore, the Core Area Action Plan core area boundary was used as the basis for the Core Area Community Improvement Project Area illustrated in the attached Appendix “A” – Schedule 1. It should be noted that slight adjustments were necessary as the community improvement project area required a parcel-based boundary.
It is also important to note that the Core Area Community Improvement Project Area overlaps with the community improvement project areas as defined by the *Downtown Community Improvement Plan* and the *Old East Village Community Improvement Plan*.

### 2.2 Core Area Financial Incentive Programs

To implement the action items of the *Core Area Action Plan*, the Core Area CIP proposes three new incentive programs, which include: (1) the Core Area Safety Audit Grant Program; (2) the Core Area Boulevard Café Grant Program; and, (3) the Core Area Sign Grant Program.

The Core Area Safety Audit Grant Program will assist property owners in implementing Core Area Safety Audit recommendations necessary to improve safety within the Core Area. The Core Area Safety Audit will be led by Corporate Security and Emergency Management staff and undertaken by a consultant with relevant expertise. The Request for Proposal (RFP) to retain this consultant will be issued in the first quarter of 2021. Through this Grant Program, the City may provide grants of up to 50 percent of the total cost of the property modifications undertaken to implement the safety improvements, up to a maximum of $10,000 per property.

The Core Area Boulevard Café Grant Program will offset administrative and licence fees related to the operation of a boulevard café, including fees associated with the temporary use of the municipal sidewalk and/or on-street parking space related to a boulevard café. The City may provide grants equal to the administrative and licence fees. The intent of this grant program is to offset these fees for the applicant while providing a mechanism to cover the City’s lost revenue.

The Core Area Sign Grant Program will offset administrative and licence fees related to sign permits, including the encroachment of signs on a City street or road allowance. The intent of this grant program is to offset these fees for the applicant while providing a mechanism to cover the City’s lost revenue.

These financial incentive programs will be continuously monitored and evaluated through qualitative and quantitative measures that will determine their success.

### 2.3 Core Area Action Items

*Core Area Action Plan* action items that are within the purview of what can be addressed by a community improvement plan were included in the Core Area CIP. No new action items were identified through the process of creating this CIP. These action items include:

- Undertake a safety audit of the Core Area to identify physical improvements that can be undertaken on both public and private space to improve safety and security.
- Implement safety audit recommendations on publicly-owned property.
- Make available financial incentives to implement safety audit recommendations on privately-owned property.
- Secure a storefront to establish a multifunctional space to house relevant City staff, Foot Patrol Officers, and public restrooms as well as provide convenient storage for moveable furniture and equipment.
- Create an infrastructure art and beautification program to identify opportunities for necessary infrastructure to be visually enhanced through the application of artwork.
- Regenerate London and Middlesex Housing Corporation (LMHC) housing stock.
- Explore opportunities for new public washrooms.
- Make available financial incentives to offset administrative and licence fees related to the operation of a boulevard café.
- Make available financial incentives to offset administrative and licence fees related to sign permits and associated encroachment fees.
- Discourage the perpetual extension of temporary surface parking lots.
2.4 Community Engagement (see Appendix G)

Notice of Application was sent to 3,900 property owners in the Core Area on September 21, 2020 and published in the Public Notices and Bidding Opportunities section of The Londoner on October 1, 2020. The notice advised of the possible Official Plan amendment to implement the Community Improvement Plan to establish a long-term vision for improvement in the Core Area. Possible amendment to The London Plan Map 8 – Community Improvement Plan Areas to add the Core Area community improvement project area. Possible passing of a by-law to designate the Core Area as a community improvement project area, possible adoption of the Core Area Community Improvement Plan, and possible adoption of Core Area Community Improvement Plan Financial Incentive Guidelines, all pursuant to the provisions of section 28 of the Planning Act and the Community Improvement Plan section of the Our Tools part of The London Plan.

In response to the Notice of Application, the Civic Administration was contacted by approximately 17 individuals; the majority of which were seeking clarification on the application.

Following the presentation of the draft Core Area CIP at the October 19, 2020 Planning and Environment Committee meeting, the draft Core Area CIP was posted on the Get Involved project website for public review and comment.

One individual submitted comments for consideration after reviewing the draft plan, which in summary included:

- Opposition for waiving fees for Temporary Sound Permits;
- Suggestions that there should be increased on-site management of City-owned buildings with affordable units;
- Concern that the “Core Area Profile” is not an accurate reflection of the demographics of the area;
- Support for the majority of the actions identified in the Core Area Action Plan; and,
- Concern with the rate of residential growth in the Core Area causing increased traffic, low water pressure, and power outages. (See the attached Appendix “G” for details).

Notice of the Community Information Meeting was published in the Public Notices and Bidding Opportunities section of The Londoner on November 26, 2020. The Notice advised that the City of London will be holding two virtual community information meetings on the draft Core Area CIP on December 9, 2020. This Notice was also advertised through the City’s social media channels and distributed by Downtown London and the Old East Village Business Improvement Area. Additionally, the Notice was emailed directly to 16 individuals who contacted the City previously regarding this application and provided their email addresses for project updates.

On December 9, 2020, the Civic Administration held two virtual Community Information Meetings. As both meetings provided the same information, the intent of holding two separate meetings was to allow flexibility and improve access to those wishing to attend. Approximately 31 individuals attended these meetings. See the attached Appendix “G” for a summary of the questions received during these meetings. A video of the presentation, including slides and audio, the presentation transcript, and a summary of the questions and answers were posted on the Get Involved project website for those unable to attend either meeting.

Following the Community Information Meeting, comments were received from one organization, which in summary included:

- General support for the Core Area CIP;
- Consideration to expand the four key issues identified in the draft plan to include: affordable housing, cleanliness, employment, and food accessibility;
- Consideration for adjusting targets due to COVID-19;
- Support for the financial incentive programs, and the suggestion to move up funding to a closer date; and,
• Support for new public washrooms and a request to expedite this action. (See the attached Appendix “G” for details).

The Civic Administration also met with staff from the Ministry of Municipal Affairs and Housing (MMAH) on January 8, 2021 and January 28, 2021. Feedback from the MMAH focused on the financial incentive programs; in particular, ensuring that there is clarity around eligible improvement through the Core Area Safety Audit Grant Program.

2.5 Updates to the Draft Core Area Community Improvement Plan

The draft Core Area CIP was released for public review and comment in October 2020. Feedback has been received from the public, the Municipal Council, the Civic Administration, and the MMAH, which informed the revisions made. Minor editorial changes were made throughout the document to correct spelling or grammar or to improve clarity. The more substantive changes that have been made since the draft Core Area CIP was released are described below.

Financial Incentive Programs

The draft Core Area CIP proposed two financial incentive programs. Through discussions with the Civic Administration staff regarding the detailed operational aspects of these financial incentive programs, it was identified that it would be more practical for administrative purposes, as well as clearer for future applicants, to separate the program functions into three financial incentive programs. In essence, the “Core Area Fee Program” which was proposed in the draft Core Area CIP, was divided into the “Core Area Boulevard Café Grant Program” and the “Core Area Sign Grant Program.”

The financial incentive program descriptions were also refined for clarity. In particular, the Core Area Safety Audit Grant Program description was updated to ensure it was explicit that only property- and building-related improvements would be eligible for grants through this program. This change was made in response to feedback received from MMAH. Also of note is the removal of the reference to waiving the Temporary Sound Permit fees for outdoor patios under the Core Area Boulevard Café Grant Program. This was removed from the program for administrative and budgetary reasons and support for removing this fee was also received through public feedback during the consultation process.

Community Feedback Section

The draft Core Area CIP contained the detailed summary of feedback collected during the Core Area Action Plan process; however, this has been since been removed. The proposed Core Area CIP instead contains a more concise summary of the feedback, as the detailed feedback will be available for reference in the Core Area Action Plan. This change was made in response to feedback received from the Municipal Council.

Action Item Target Dates

In the draft Core Area CIP, the action item target dates were intended to represent the completion of an action item. The target dates have been updated to instead reflect the general timing of when implementation of the action item is intended to begin. This change was made in response to public feedback received.

2.6 Policy Context (see Appendix H)

The London Plan (Official Plan)

The London Plan contains policies to guide the short-term and long-term physical development of all lands within the boundary of the municipality. Policy 1726 of The London Plan states that:

Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve
the vision, key directions and policies in The London Plan. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.

Direction #1 instructs us to create a strong civic image by improving the downtown, creating and sustaining great neighbourhoods (policy 55.3), and to revitalize our urban neighbourhoods and business areas (policy 55.4). Direction #3 instructs us to revitalize London’s downtown, urban main streets, and their surrounding urban neighbourhoods to serve as the hubs of London’s cultural community (policy 57.9). Direction #5 tells us to sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods (policy 59.3). The vision, objectives and financial incentive programs of the Core Area CIP seek to assist in the revitalization of the core urban area of the city, support businesses, and enhance the cultural community of London.

The London Plan amendment and designation of a community improvement project area for the Core Area is in conformity with the policy framework of the London Plan.

Provincial Policy Statement, 2020
The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land. Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act; therefore, all Community Improvement Plans must be consistent with the PPS.

The vision for land use planning as established by the PPS is that the long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy (Part IV).

Policy 1.1.1 of the PPS provides direction for municipalities to provide healthy, liveable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (policy 1.1.1 a). The intent of the Core Area CIP is to support the downtown and surrounding urban neighbourhoods to ensure their economic health through three financial incentive programs that will support local businesses, as a vital segment of the London’s economy is represented in the core area. The core area also presents many opportunities for infill and intensification. The Core Area CIP seeks to encourage the redevelopment of underutilized land currently used as surface parking lots through Action Item 10, which seeks to discourage the perpetual extension of temporary surface parking lots.

Policy 1.7.1 of the PPS provides direction for municipalities to support long-term economic prosperity by “promoting opportunities for economic development and community investment-readiness” (policy 1.7.1 a) and by “maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets” (policy 1.7.1 d). The vision, objectives and financial incentive programs of the Core Area CIP seek to improve the economic prosperity and vitality of the core urban area of London.

The London Plan amendment and designation of a community improvement project area for the Core Area is consistent with the policy framework of the Provincial Policy Statement, 2020.

The Planning Act
Section 28 of the Planning Act gives municipalities the ability to designate the whole or any part of the municipality as a community improvement project area, such that the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.
Section 28 of the *Planning Act* also gives municipalities the ability to adopt a community improvement plan, which allows a municipality to take actions such as:

- Identify changes needed to land use planning policy, zoning, other by-laws and practices;
- Acquire, rehabilitate, and dispose of land;
- Provide grants and loans to property owners that would otherwise be unavailable; and,
- Direct investments made to infrastructure and public space.

Many of the above actions are not otherwise permitted by municipalities unless they have approved a community improvement plan.

**Municipal Act, 2001**

The *Municipal Act, 2001* prohibits municipalities from providing assistance directly or indirectly to any manufacturing business or other industrial or commercial enterprise through the granting of bonuses (section 106(1)).

Section 106(2) states that the municipality shall not grant assistance by:

- Giving or lending any property of the municipality, including money;
- Guaranteeing borrowing;
- Leasing or selling any municipal property at below fair market value; or,
- Giving a total or partial exemption from any levy, charge, or fee.

However, section 106(3) of the *Municipal Act, 2001* provides an exception to the granting of bonuses. Municipalities can exercise powers under subsection 28(6), (7) or (7.2) of the *Planning Act* or under Section 365.1 of the *Municipal Act, 2001*. Section 28 of the *Planning Act* allows municipalities to prepare and adopt Community Improvement Plans if they have the appropriate provisions in their Official Plans.

### 3.0 Financial Impact/Considerations

#### 3.1 Core Area Financial Incentive Programs

Funding for the Core Area Safety Audit Grant Program and the Core Area Boulevard Café Grant Program was approved by Municipal Council through the 2020-2023 Multi-Year Budget process.

An annual budget of $100,000 from 2021 to 2023 to support the Core Area Safety Audit Grant Program was approved with the Multi-Year Budget – Business Case #7b – Initiative #54.

An annual budget of $30,000 from 2020 to 2023 to support the Core Area Boulevard Café Grant Program was approved with the Multi-Year Budget – Business Case #7a – Initiative #62. It should be noted that the funding allocated for 2020 for this program was reallocated, as per the July 14, 2020 Strategic Priorities and Policy Committee report “Core Area Action Plan – 2020 Progress Update”.

The Core Area Sign Grant Program will result in lost revenue of approximately $30,000 in 2021, and $100,000 each year after. Because this program has been established as a community improvement plan, the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer confirms the lost revenue can be funded by the Community Improvement Plan Grant Reserve Fund (the “Fund”) and that the Fund has sufficient balances to support these costs. Any long-term impacts will be considered through the 2024-2027 Multi-Year Budget process.

**Conclusion**

This report recommends designation of the Core Area Community Improvement Project Area and related amendments to *The London Plan* mapping. Additionally, this report recommends adoption of the Core Area Community Improvement Plan (CIP) and adoption of three financial incentive programs within the Core Area Community Improvement Project Area.
The Core Area CIP meets the test for community improvement, as defined in the Planning Act. Furthermore, the adoption of the Core Area CIP and the amendment to The London Plan is consistent with the Provincial Policy Statement, 2020 and is supported by policies of The London Plan.

This report also recommends the discontinuation of the Boulevard Café Grant Program within the Downtown Community Improvement Areas, as the Core Area Café Grant Program is now ready for implementation.

Consultation regarding the draft Core Area CIP took place in December 2020.

Prepared by: Kerri Killen, MCIP, RPP
Senior Planner, City Building and Design

Submitted by: Britt O’Hagan, MCIP, RPP
Manager, City Building and Design

Recommended by: Gregg Barrett, AICP
Director, City Planning and City Planner

cc. Anna Lisa Barbon, Managing Director, Corporate Services and City Treasurer,
Chief Financial Officer
Kyle Murray, Director, Financial Planning & Business Support
Bill No.(number to be inserted by Clerk's Office)
2021

By-law No. C.P. XXXX

A by-law to designate the Core Area Community Improvement Project Area.

WHEREAS by subsection 28(2) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area covered by an official plan as a community improvement project area;

AND WHEREAS The London Plan, 2016, the Official Plan for the City of London, contains provisions relating to community improvement within the city;

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

1. The Core Area Community Improvement Project Area, as contained in Schedule 1, attached hereto and forming part of this by-law, is designated.

2. This by-law shall come into effect in accordance with subsection 17(38) of the Planning Act, R.S.O. 1990, c. P. 13, as amended.


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
Schedule 1: Core Area Community Improvement Project Area
Appendix “B”

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. C.P. XXXX

A by-law to amend The London Plan for the City of London, 2016, relating to Map 8 in Appendix 1 (Maps) and the Core Area Community Improvement Project Area.

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

1. Amendment No. XX to The London Plan for the City of London Planning area – 2016, as contained in the text attached hereto as Schedule 1 and forming part of this by-law, is adopted.

2. The Amendment shall come into effect in accordance with subsection 17(27) of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

PASSED in Open Council on March 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
AMENDMENT NO.
to
THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add the Core Area Community Improvement Project Area to Map 8 – Community Improvement Project Areas in Appendix 1 (Maps) to The London Plan, pursuant to Council’s designation of the Core Area Community Improvement Project Area.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to all lands within the Core Area Community Improvement Project Area.

C. BASIS OF THE AMENDMENT

The City must designate a core area community improvement project area to adopt a community improvement plan pertaining to such matters.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

1. Map 8 – Community Improvement Project Area in Appendix 1 (Maps) to The London Plan for the City of London Planning Area is amended by adding the “Core Area Community Improvement Project Area” to the Map and Map Legend.
Schedule 1: Amendment to Map 8 to The London Plan
Bill No. (number to be inserted by Clerk’s Office)  
2021

By-law No. C.P. XXXX

A by-law to adopt the Core Area Community Improvement Plan.

WHEREAS subsection 28(4) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Core Area Community Improvement Project Area;

AND WHEREAS the Core Area Community Improvement Project Area is in conformity with The London Plan, 2016, the Official Plan for the City of London;

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

1. The Core Area Community Improvement Plan, attached hereto as Schedule 1, is hereby adopted as the Community Improvement Plan for the area defined therein;

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


Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – March 23, 2021  
Second Reading – March 23, 2021  
Third Reading – March 23, 2021
Schedule 1: Core Area Community Improvement Plan
Bill No. (number to be inserted by Clerk’s Office)
2021

By-law No. C.P. XXXX

A by-law to establish financial incentives for the Core Area Community Improvement Project Area.

WHEREAS by subsection 28(2) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS subsection 28(4) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS The London Plan, 2016, the Official Plan for the City of London, contains provisions relating to community improvement within the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Core Area Community Improvement Project Area;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the Core Area Community Improvement Plan;

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

1. The Core Area Community Improvement Project Area Financial Incentive Guidelines attached hereto as Schedule 1, as Schedule 2, and as Schedule 3 is hereby adopted;

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


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
Schedule 1: Core Area Community Improvement Plan – Core Area Safety Audit Grant Program Guidelines
Schedule 2: Core Area Community Improvement Plan – Core Area Boulevard Café Grant Program Guidelines
Schedule 3: Core Area Community Improvement Plan – Core Area Sign Grant Program Guidelines
Appendix “E”

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. C.P. XXXX

A by-law to amend C.P.-1467-175, as amended, being “A By-law to establish financial incentives for the Downtown Community Improvement Project Areas” by deleting in its entirety, Schedule 3 – The Boulevard Café Grant Guidelines.

WHEREAS by subsection 28(2) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS subsection 28(4) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS The London Plan, 2016, the Official Plan for the City of London, contains provisions relating to community improvement within the city;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Downtown Community Improvement Project Areas;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the Downtown Community Improvement Plan;

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

1. By-law C.P.-1467-175, as amended, is hereby amended by deleting in its entirety, Schedule 3 - The Boulevard Café Grant Guidelines;

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


Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021
Public Notice

Public liaison: Notice of Application was sent to 3,900 property owners in the Core Area on September 21, 2020 and published in the Public Notices and Bidding Opportunities section of The Londoner on October 1, 2020.

Seventeen replies were received.

Nature of Liaison: The purpose and effect of this Official Plan amendment is to implement the Community Improvement Plan to establish a long-term vision for improvement in the Core Area. Possible amendment to The London Plan Map 8 – Community Improvement Plan Areas to ADD the Core Area Community Improvement Project Area. Possible passing of a by-law to designate the Core Area as a community improvement project area, possible adoption of the Core Area Community Improvement Plan, and possible adoption of Core Area Community Improvement Plan Financial Incentive Guidelines, all pursuant to the provisions of Section 28 of the Planning Act and the Community Improvement Plan section of the Our Tools part of The London Plan.

Public liaison: Notice of the Community Information Meeting was published in the Public Notices and Bidding Opportunities section of The Londoner on November 26, 2020. This notice was also advertised through the City’s social media channels and distributed by Downtown London and the Old East Village Business Improvement Area. Additionally, the notice was emailed directly to 16 individuals who contacted the City previously regarding this application and provided their email addresses for project updates.

Nature of Liaison: The City of London will be holding two virtual community information meetings on the draft Core Area Community Improvement Plan. Both meetings will provide the same information. Please only attend one session. Each meeting will include a staff presentation of the draft Core Area Community Improvement Plan followed by an opportunity for questions and answers. You can find more information and download a copy of the draft Core Area Community Improvement Plan at getinvolved.london.ca/cacip.

Date: December 9, 2020
Time: 10am-11am and 6pm-7pm
Location: These are virtual meetings being held online through the Zoom platform.
Zoom can be accessed for free from any computer with an internet connection.
The links to both meetings will be available at getinvolved.london.ca/cacip. No pre-registration is required.

Thirty-one individuals attended the Community Information Meetings.

Community Information Meeting Questions and Answers Summary

Meeting 1: December 9, 2020, 10:00AM

1. Hi, thanks for this presentation. When do you estimate, if approved, these Programs will be implemented?

We plan to bring this to the Planning and Environment Committee in the first quarter of 2021 and hope to have the programs in place for patio season of 2021.

Budget is available at the beginning of 2021. As soon as the CIP is approved and the programs are in place, we can fund them.
2. Are grants available to all homeowners? Do they include the side streets from Richmond Row to the river?

In this particular area, the focus of the core area project area is along Richmond Row, so it does not include the side streets to the river. The programs are available to all property owners within the project area boundary. However, the grants proposed programs are mostly oriented to businesses.

3. Can you expand a little on the Safety Audit Program?

The Core Area Safety Audit has not been conducted yet. This will be done to identify what the needs are for public and private space to inform the Safety Audit Grant Program. The City’s Corporate Security Team is going to go out with a Request for Proposals (RFP) to hire a Consultant to undergo a comprehensive Safety Audit for the Core Area. As part of that, they will identify areas for improvement on both public and private property. The Safety Audit Grant would be available for private property owners to implement those improvements. It might include such things as security cameras and additional lighting for example.

4. Have any of these grants already been awarded, or are they dependent on approval of the new CIP policies?

The CIP must be in place before the programs can be awarded. No grants have been awarded.

5. Does the Safety Audit Program apply to residential properties as well? Particularly apartment towers. Businesses are asking now what they can expect next year (for planning purposes) relative to patios in particular. What can we tell them now about what to expect next year so they can hire staff, order furniture etc. and be ready to go in the new year?

The Safety Audit Grant Program is available to all property owners within the project area identified in the CIP. The safety audit will determine where and what improvements can be made within the project area.

We are aiming to have the Core Area Fees Program in place for patio season next year. This would mean that fees for outdoor patios and other associated fees would be waived for the patios that are on public property. Patios on private property are not covered by this program.

Outside of the scope of the CIP, the City is looking at other initiatives to change the regulations for patio size given the context of COVID-19 and social distancing. As many of you may know, we had the option of being a bit more flexible with the implementation of private and public patios this year because of COVID-19. The City is looking at the possibility of making this flexibility permanent through amendments to certain regulations.

6. There are Restaurants on our street, and we are also affected by security issues. Why is it only businesses who are being given grants?

If a property is located within the CIP Project Area, the owner can access these grants. While the programs are targeted to help businesses within the Core Area, they can be accesses by any property owner in the Project Area.

7. As an established centre for the Arts, TAP is doing its best to continue to provide opportunities for emerging artists etc. Can the grants be retroactive for improvements that have already been completed?

Grants are not retroactive. We do not know the nature of the TAP improvements, but because the CIP was not in place, we are not able to provide a retroactive grant for these improvements.
8. I am concerned about the emphasis on safety audits and adding "safety features" as opposed to tackling the central issue related to homelessness and social issues. Is your department working in tandem with initiatives to address the root problem as well?

The Core Area Action Plan and several other initiatives and programs are in place for this area that will help to address homelessness and social issues. The Coordinated Informed Response is one such program. These targeted initiatives are still moving forward. This CIP is a very scoped initiative that is looking at providing grants to assist primarily small businesses in the Core Area and is happening in tandem with the work being done in other departments.

9. What is the annual approved budgeted for this program for 2021 & 2022 and what are the approved increases in FTE staff to deliver this program by the City of London (was not answered earlier)

Funding has already been approved through the Multi-Year budget process: $100,000 per year for 3 years was approved for the Safety Audit Program and $30,000 per year for 4 years was approved to waive Core Area fees. There is no increase to the 2021 or 2022 budget with related to these items, as their budget was previously approved. There are no increases to FTE for administration of these programs.

10. Can you expand on the “boulevard café” that was mentioned? - Will it be in a specific area? Or will funding go towards creating “boulevard cafe like” patios? What is the funding target toward re: patios?

“Boulevard café” is the terminology the City uses for outdoor patios referencing patios that are located on a sidewalk or parking space (on public property). Businesses have to apply to establish a seasonal outdoor patio on the City’s sidewalk/parking space/public right-of-way. The City charges a fee for the use of that public space. This program will essentially waive those fees associated with using the public space as well as the associated application fees.

11. How can businesses be included in the Safety Audit? What is the area included? Can people apply to be part of it? [comment received through Chat function]

The Safety Audit will be conducted for the entire Core Area Project Area as shown on the map. The City’s Corporate Securities Team will be hiring a Consultant to conduct the safety audit of the entire area and that will determine where there are improvements that can be made on public or private property and the ones that are on private property are the ones that would be eligible for this grant.

12. How will you be measuring the success/impact of these programs?

The Core Area CIP does have several measures and they are outlined in the document. Also, we do take detailed inventory off all the incentive programs that have been applied for.

As part of incentives specifically, we measure number of grants issued and their value. There are a number of metrics in the CIP that we will be tracking over the period of the three years.

13. There are two maps. One shows all the streets to the river west of Richmond Row and the one you are showing only shows the back of malls and businesses within 120 meters of Richmond Street. What about the businesses and residences on your map (meant the businesses farther to the west)?

Unsure what other map is being referenced. The map shown indicates the boundary created for this project and this boundary has been consistent throughout the project. This boundary was based on the boundary established in the Core Area Action Plan. The Core Area Action Plan boundary did not include the streets to the river, west of Richmond Row. As such, the budget that has been allocated to the grant programs based what was presented to Council in the Core Area Action Plan was not intended for those properties west of Richmond Row.
14. What about Felini Koolini’s and Runt Club? Are they included in this area?

If there are specific properties that are on the border of the property that you feel should be included, we are happy to take that feedback. Felini Koolini’s and Runt Club are not included in this boundary currently.

15. Why not consider all the properties in the core (e.g. Ward 13)?

During the process of creating the Core Area Action Plan, we identified a specific boundary where the City and stakeholders wanted to focus resources. There are only so many resources to go around. This area was selected because it includes Old East Village, the downtown, Richmond Row, and the Midtown area. Considering the resources available, this area was targeted.

16. Request to consider that the neighbours surrounding the businesses are impacted and have safety issues related to and caused by bar patrons. Also we have a few social housing buildings. Request to consider this issue as part of the Safety Audit. This also impacts visitors not feeling safe.

The Safety Audit received funding from Council through the Multi-Year Budget based on the boundary that was established in the Core Area Action Plan. We can communicate to Corporate Security that there is a desire to expand the Safety Audit area and therefore the budget to conduct it; this will be subject to Council approval.

Meeting 2: December 9, 2020, 6:00PM

1. How does the city envision creating more residential accommodations (especially affordable space) in the core?

Addressing homeless and housing is part of the Core Area Action Plan (CAAP). Although not directly related to this project and these grant programs, there is a lot in the CAAP that discusses affordable housing, so there are other City initiatives underway to expand affordable housing with support.

Outlined in the CAAP, there is a headlease program recently developed which allows landlords to work with the City to provide affordable housing options. There are a number of other initiatives as well, including the Coordinated Informed Response Team, which is a multidisciplinary group that helps those in need. The CAAP addresses almost 70 different initiatives, including many that address homelessness and housing, is available on the getinvolved.london.ca/cacip project webpage. Through the Council approved Multi-Year Budget, a number of those housing initiatives also received funding. The City’s housing and social services area is actively pursuing those initiatives and looking at opportunities to get people housed.

2. What are the hoped-for outcomes of the program?

The aim of both programs is primarily to support small businesses in the Core Area by removing some of the financial barriers small businesses can face.

3. Has there been any revision of this plan since COVID hit? (clarification was provided that “this plan” referred to the Core Area Action Plan)?

As we address each CAAP Action Item, staff are taking the current situation and context into account. We are adapting each individual initiative as we look at its implementation and are taking into account how COVID has affected things.

In terms of the implementation for the CAAP in general, there has been understandably some delays in the implementation of projects and programs due to COVID, especially related to activating the street with bistro tables etc. Some of those initiatives’ budgets have been reduced because of those delays, but we are moving forward with all of the initiatives as that were approved with adjusted timelines.
4. You mentioned that one of the goals is developing more opportunities for arts and entertainment. Can you provide some examples that are planned or that the city would like to see?

Unrelated to the CIP, the City has adopted a Music, Entertainment & Culture District Strategy that better addresses increasing opportunities for arts and entertainment in the Core Area. Through that Strategy, we amended the Zoning By-law to allow for amplified music on outdoor patios. As it relates to this CIP specifically, there is now a charge associated with obtaining a Temporary Noise Permit to provide music on an outdoor patio; the grant proposed in this CIP would waive the fee associated with this permit in the Core Area.

There are also initiatives that received funding through the CAAP that relate to arts and entertainment. For example, “Invest in Dundas Place” addresses the programming and activation of Dundas Place and having partnerships through that. Several items also provide more activation in the Core Area in general – that might create opportunities to partner with other organizations or artists or musicians to provide entertainment.

5. I don’t know if I missed this in the presentation. Is there a finite dollar amount budgeted for this CIP?

The budget that Council has approved for each program is:

- $100,000 per year for 2021, 2022 and 2023 has been budgeted for the Safety Audit program for private property specifically.
- $30,000 per year for 2020, 2021, 2022 and 2023 has been budgeted for the elimination of encroachment fees for patios, signage, and awnings.

6. Could you review some of the questions or themes from the morning session?

Please see Meeting 1 questions and answers.

7. So, for patio cafes do they have to pay fees and then get refunded back via the program?

We want to make it as streamlined and simple for the businesses as possible, so we are looking at an administrative transfer of funds. Meaning the fees would essentially be waived upfront, as opposed to having a grant after the fact. However, we are still working out the details of how the program would operate administratively.

8. In Victoria BC staff recommended restoring the regular parking fees as a way to spur turnover and ensure that people can find places to park in an increasingly busy downtown. Have we studied who is using the parking? In Victoria they found it was downtown employees and residents of downtown not net new people to the downtown which potentially reduced availability of on street parking. Also availability could be more impactful than price. Is there a study that shows the benefits? What is the impact or increase in commerce we expect vs the revenues loss?

The City has in a couple instances studied downtown parking, and we have also received anecdotal commentary on who is using the parking. We do have a Downtown Parking Study that was done in 2017 that looked at all of the parking downtown and the levels of use in different areas, which is meant to inform future strategies in the downtown related to parking.

In the CAAP, there is an item that is funded for “experimenting with free parking” in the Core Area. The Back to Business 20 or the B2B20 promo code is part of this -- you can use the code through the Honk App to receive free parking. Staff will look at the data received through this initiative. There is ongoing study and analysis that we needs to be done, especially as things are changing with the downtown particularly due to COVID recently, to better understand parking needs.
9. Is it possible to have the province partner with the city to relocate the LCBO to the Rexall building on Richmond and Dundas to help increase foot traffic in the downtown core? I feel that this would fill a large void in the downtown core.

It probably gets very complex with different landlords and different provincial entities with locating LCBOs. There is likely a number of market analyses that go into those decisions as well. We have not had any of those conversations at this point, but I do agree that there are some key locations in the downtown that could use some more traffic-generating uses.

10. The city’s continued sprawl in all directions seems to work against the push to revitalize downtown. Do you see this or any other current trends as risks to the success of the CAAP or CIP?

The Core Area Action Plan, as well as a number of CIPs already established in our core area, is in part to try and counterbalance that push towards sprawl and ensure that our downtown is a viable neighbourhood where people want to live and work. The CIP and the CAAP and various initiatives are tools to try and help encourage that shift towards more urban intensification and more people living and shopping in the core area.

11. Have business owners been notified of the program and grants (in the area of the CIP)?

It is sometimes hard to reach out directly to businesses as they are often tenants of buildings. Property owners within this boundary of the CIP, as well as those within 120 meters of the boundary, were notified as part of the statutory requirements of the Planning Act. Once the programs and grants are in place, we do have different ways of notifying those business owners, particularly through the BIAs. We also have a postcard program that we have been using in other areas to promote the existing CIP programs. We will work to get the message out that this funding is available for businesses once the programs are in place.

12. After two years of Dundas construction, a year of Richmond construction, combined with COVID, have downtown businesses asked that the BRT construction be pushed back, and has that been considered?

City Planning is not the lead on the Bus Rapid Transit Project, so feedback such as this would not be directed to our office. However, I’m sure that there is some concern and frustration with construction among some business owners. It is important to note that much of the construction includes underground infrastructure upgrades that are necessary, as well as some surface treatment improvements.

In general, we are working to help mitigate as many of the challenges that business in the Core Area are dealing with, especially with COVID. The two grants programs will help reduce financial barriers for small businesses. We also have the Construction Dollar Program, which has been put in place in area that are undergoing construction. It allocates essentially gift certificates that are for the public to use at businesses in the areas under construction. That program is City-funded and is administered in partnership with the BIAs.
Public Comments Received

From: Heather Chapman  
Sent: Monday, November 30, 2020 4:04 PM  
To: Killen, Kerri <kkillen@london.ca>  
Cc: Kayabaga, Arielle <akayabaga@london.ca>  
Subject: [EXTERNAL] Re: Core Area Community Improvement Plan File O-9257 Sharing Questions and Concerns  
Importance: High

Hello Ms. Kerri Killen,

I am a permanent owner and resident of the core and I have the following questions and comments:

Questions:

1) The Boundary Map for the Notice of Planning Application File O-9257 Core Area Community Improvement Plan does not include the all the neighbourhoods west of Richmond Rowe to the Thames River. However the whole of these neighbourhoods all the way west to the Thames including Ridout Street is included in the map shown on Page 3 of the Draft Core Area Action Plan Oct 28, 2020 document. So my question is: Has the boundary of File O-9257 been extended to include the area of city streets West of Richmond Street all the way to the Thames River including Ridout St.?

2) Action # 32 Action Medium Term: Undertake Safety Blitz for Aggressive Driving in the Core. This does not mention or address the most predominant offenders who are Motorcyclists. Why are these type of motorists not mentioned? These individuals are street racing, extremely revving up engines for several minutes at a time, doing brake stands and stunts in parking lots. Most frightening to visitors is their accelerating to high unnecessary speed on Richmond Street and most dangerously on short one block side streets endangering residents with mobility and cognitive impairments. Large crowds of these motorcyclists are congregating on and using the Baptist Church Parking Lot on Angel Street as a base. Participants are not social distancing or masking. I have spoken to the Church Administration who cannot control them and many downtowners have reported them to By-Law Enforcement. But they persist, annoying business customers and residents and they are strongly perceived as not buying much of the goods and services while visiting in the downtown.

Comments:

1) Table 1: Core Area Fees. I am opposed to waiving the administration and application fees for a Temporary Sound Permits. Without this, anyone will think it is okay to have these events pop up without notice or consideration to the people who live here and are trying to enjoy their homes and sleep. These permit related events always result in the sound being too loud and not controlled by either the vendor or performer. And so the result is the City of London has to use tax payer dollars for London Police Services Officers and City By-Law Enforcement Officers to visit the offending business in answer to call complaints. As a tax payer and home owner I want these costs covered by the businesses and their contractors who create the complaint. It therefore is unreasonable to waive the fees for these events. The tax payer should not be the victim of the disturbance and the only payer.

2) Rejuvenating Social Housing Apartment Stocks. I applaud this. However, these units should go to the most deserving of the most in need. There should be more on site management of these city owned buildings. It is generally observed and acknowledged in the core community that these buildings and properties are very likely used by drug traffickers and that also some building residents are receptive to these parties with some facilitating access. Other building residents are afraid to report these activities for fear of retribution. So an on-site advocate needs to be added to live in staff. Also the surrounding community needs access to a LMHA contact number to report and help resolve disturbance issues and law violations by outside parties.
3) Core Profile Population by Age Percentage Chart: Existing residents are more realistically represented by a higher percentage of 30 something, middle aged and seniors who are accomplished working or retired professionals than you are reporting in your study/interview of 75 participants. We are not so age by number young. We have money to spend in nearby businesses and services. We volunteer, play sports, go to events, sponsor events and support charities. We own or rent property. Many of us are entrepreneurs. And we are looking to be part of a vital, safe, well serviced by diverse amenities, with protected green spaces city core that recognizes our contributions and includes us in their planning. In short, we want to be treated by the City Planning, Zoning and By-law Departments and Committees like we matter as much as younger core residents.

4) I welcome almost all of the Core Area Plan Actions. More police patrols, satellite stations for Police supervisors, more store fronts to facilitate Actions, more washrooms, more street maintenance, breakfast programs, more widespread support programs/facilities for disadvantaged persons to alleviate the dependence on the core area. We need more garbage bin receptacles and pick ups. Most are really good, well thought out Actions.

5) Go slow on high-rises. We need to have the infrastructure in the core before adding more living units. We will not help the core if we have too many cars and traffic gridlocking small downtown streets, low water pressure and power outages. We will be way behind what other cities are now doing in the way we plan on revitalizing the core if we go too fast. Let’s learn what they learned from their mistakes. For example: It is being proposed through application that existing affordable units in older houses and historical buildings be demolished to make way for high rises for wealthy temporary tenants. Does that make sense for us? Who do you think works in the core service industry? These service industry workers, 17%, (Core Profile) can’t work and live here for minimum wage if the affordable apartments are torn down and taken away. And, they can’t get here from farther away from the core if they have to move without a long public transit even if public goes where they then could afford rent. A shortage of affordable apartments creates higher unmanageable city rent rates. You create more homelessness in the short term when we are already struggling with it.

Thank you for the opportunity to provide input.

Heather D Chapman
3-152 Albert St. London
LIBRO SUPPORTS THE EFFORTS OF THE CITY OF LONDON TO IMPLEMENT THE LONDON CORE AREA IMPROVEMENT PLAN AND OFFERS CONSIDERATIONS FOR PLANNING TEAM.

Attention: London Planning Team,

Libro Credit Union (Libro) wishes to thank you and the city for engaging the public and core area around the London Core Area Community Improvement Plan (CIP). The following letter outlines our support, feedback and questions surrounding the CIP and its ability to be an effective tool to strengthen London’s downtown core. Libro believes that a progressive and vibrant core will ensure that the area is able to grow, support business and residents and offer a place for all Londoners and tourists alike to enjoy for years to come. We are by no means planning experts however, we have a vested interest in seeing the core area thrive, as a local business that supports the prosperity of our Owners and communities. The work that you and your colleagues will undertake in the coming years will be critical to ensuring the success of the plan and its targets. We offer constructive feedback and questions for you and your team to consider. If Libro can assist in anyway to support the plan or its principles, please do not hesitate to connect with us.

The plan does an excellent job in calling out the key considerations that need to be addressed in a simple and measured approach. We agree with the four main categories and would also suggest that your team continue to consider additional root issues beyond the four identified (homelessness and health, safety and security, supports for business and attracting more people). Additional root issues include:

- Affordable Housing and Rentals
- Cleanliness
- Employment
- Food Accessibility

Additionally, Libro was pleased to see simple and effective targets in place. This will help determine the ongoing success of the CIP. We ask if the city has considered whether the targets remain obtainable given the current pandemic environment? We feel this is an important conversation that should be had with stakeholder groups.

Possible questions to consider include:

- Are targets still relevant and achievable?
- Do we need to add new targets due to COVID?
- Should targets be adjusted?

There are numerous intersections between the feedback received, root issues and other underlying concerns related to the core that create significant challenges to solving each unique challenge. This will certainly not be an easy task for your team and the city to navigate. Coordination, communication and outcomes that touch upon all the main root issues will be critical to generating positive results. Sticking to the core challenges and ensuring each are addressed in every target and action will go a long way to ensuring success for the community.

We appreciated the CIP addressing the financial challenge and burdens faced by downtown businesses. Healthy businesses are crucial to the CIP being successful. Opportunity to start up, grow, expand and thrive must be prevalent in all actions or else we risk resistance and challenges to the plan. Without small business being involved and supported there will be no downtown core in the future for us to enjoy. We noted the incentives shared within the plan and are supportive of them. Any incentive-based
program must ensure all small business is included, be simple and effective in registering and ensure that funds or fee withdrawal occur on time and in an expedited manner where possible. COVID has presented more challenges to our small businesses within London than may have been first imagined with the CIP. The city should consider additional incentives and funds wherever possible to ensure that businesses can make it through this current pandemic, to rightfully enjoy the success that the CIP can bring. We would recommend continually connecting with core businesses to determine what their needs are from a financial standpoint and try to address them in a flexible manner.

In reviewing the listed action items, we have some suggestions to provide greater clarity and certainty for business and groups.

1. The current incentive for private safety audits does not commit guaranteed funds for businesses to take up the offer. Clarifying the funding agreement and grant with easy to understand eligibility criteria would be helpful. We hope that council will vote to make simple and effective eligibility requirements around this positive opportunity for core businesses.

2. As of now, implementing safety audit recommendations won’t transpire until 2023. This feels too far out. Safety and security are a core area of improvement and would be a great first step towards revitalizing the core. We would suggest that if there is a way to move up implementation of the safety audit reviews that it should be acted upon in 2021 (if possible).

3. Item 1.7 “Explore opportunities for new public washrooms” feels like a basic need for groups including shoppers, businesses and the most vulnerable. COVID has created challenges around customers using private washrooms. If there is an opportunity to expedite clean, safe and secure public washroom facilities it would support both business owners and the general public.

4. Item 1.8 “Make available financial incentives...” is designated for 2023. If there is an opportunity to support businesses earlier than that it might be helpful again given our current COVID climate and environment. We are not sure if council has considered this within current budget year or not, but it would be something to try and jumpstart quicker.

We hope that this feedback finds you and your team well. The CIP is an important plan for the success of not just London’s downtown core, but also London in general. Strong cores are essential to any successful world class city and Libro is supportive of the goals and vision of the CIP as it stands today. Libro will continue to support the core with events and sponsorships aimed at supporting business and the sustainability of the area, as well as working with the OEV and Downtown Business Improvement Associations. We offer our assistance if needed and wish your team success in its full launch and implementation.

Sincerely,
Shane Butcher
Regional Manager London – Elgin – Oxford
Appendix “H”

The London Plan

55_ Direction #1 Plan Strategically for a prosperous city:
   3. Create a strong civic image by improving the downtown, creating and sustaining great neighbourhoods, and offering quality recreational opportunities.
   4. Revitalize our urban neighbourhoods and business areas.

57_ Direction #3 Celebrate and support London as a culturally rich, creative, and diverse city:
   9. Revitalize London’s downtown, urban main streets, and their surrounding urban neighbourhoods to serve as the hubs of London’s cultural community.

59_ Direction #5 Build a mixed-use compact city:
   3. Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods.

1724_ In accordance with the provisions of the Planning Act, a by-law may be passed to identify areas designated for Community Improvement (a Community Improvement Project Area). These are shown on Map 8 - Community Improvement Project Areas. City Council may also adopt a community improvement plan for the area(s) designated for community improvement.

1725_ New community improvement project areas approved by City Council shall be added to Map 8 - Community Improvement Project Areas by an amendment to this Plan.

1726_ Community improvement plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in The London Plan. Council may also acquire, clear and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.

1727_ Community improvement is intended to meet the following objectives: 1. Maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings. 2. Maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services. 3. Encourage the coordination of municipal servicing expenditures with planning and development activity. 4. Stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity. 5. Maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms. 6. Encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources. 7. Encourage the eventual elimination and/or relocation of incompatible and conflicting land uses and where this is not possible, encourage physical improvements to minimize the incompatibility/conflict. 8. Promote the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses. 9. Foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts. 10. Upgrade social and recreational facilities and support the creation of affordable housing. 11. Support the implementation of measures that will assist in achieving sustainable development and sustainable living. 12. Improve environmental and social conditions. 13. Promote cultural and tourism development. 14. Facilitate and promote
community economic development. 15. Promote and improve long-term community
stability, safety and quality.

1728. To identify an area for community improvement, City Council shall consider the
following criteria: 1. Deficiencies in physical infrastructure including but not limited to the
sanitary sewer system, storm sewer system, and/ or watermain system, streets,
sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities. 2.
Deficiencies in recreational, social or community facilities including public open space,
municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public
social facilities. 3. Commercial, residential, industrial and mixed-use areas with poor
physical condition and/or poor visual quality of the built environment, including but not
limited to building façades, building condition, streetscapes, public amenity areas and
urban design. 4. Vacant lots and/or underutilized properties and buildings which have
potential for infill, redevelopment, expansion or development to better utilize the land
base. 5. Non-conforming, conflicting or incompatible land uses or activities that disrupt
or threaten to disrupt the predominant land use, function and/or viability of an area. 6. A
demonstrated interest in community improvement by the private firms within an area. 7.
Presence of potential or recognised cultural heritage resources. 8. Known or suspected
areas of environmental contamination. 9. Lack of or deficient affordable housing or mix
of housing opportunities. 10. Improvement to energy efficiency and/ or renewable
energy efficiency. 11. Traffic and/or parking problems or deficiencies. 12. Other
significant barriers to the repair, rehabilitation, redevelopment or development of
underutilized land and/ or buildings. 13. Other significant environmental, social or
community economic development reasons for community improvement.

Provincial Policy Statement, 2020
1.1.1 Healthy, liveable and safe communities are sustained by:
    a) promoting efficient development and land use patterns which sustain the
financial well-being of the Province and municipalities over the long term;

1.7.1 Long-term economic prosperity should be supported by:
    a) promoting opportunities for economic development and community
investment-readiness;
    d) maintaining and, where possible, enhancing the vitality and viability of
downtowns and mainstreets;
City of London

Core Area Community Improvement Plan

March 2020
Acknowledgments

This Community Improvement Plan was prepared by the City of London City Planning Division with assistance from numerous other City Divisions and community partners as well as all those who participated in the process and contributed throughout the preparation of this Plan.
Core Area Community Improvement Plan

1 Introduction
2 Community Improvement Plan Overview
5 The Study Area
6 Core Area Profile

9 Community Improvement Project Area
10 The Community Improvement Project Area

13 Vision & Goals
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19 Incentive Programs
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21 Core Area Financial Incentive Programs

25 Implementation
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Community Improvement Plan Overview

What is a Community Improvement Plan?
A Community Improvement Plan (CIP) is a strategy that guides redevelopment and improvements within a defined area of need. To achieve the strategy, CIPs allow a municipality to take actions such as:

- Identify changes needed to land use planning policy, zoning, other by-laws and practices;
- Acquire, rehabilitate, and dispose of land;
- Provide grants and loans to property owners that would otherwise be unavailable; and,
- Direct investments made to infrastructure and public space.
**Purpose of this Community Improvement Plan**

In response to increasing concerns received regarding the state of the core area, and acknowledging that there has previously been extensive public and private investment in the Downtown and surrounding areas, the City of London initiated a study to identify the gaps that were potentially hindering the success of the core area. The *Core Area Action Plan* was the result of this study, which identified a number of initiatives that were intended to fill in these gaps. In November 2019, Municipal Council received this plan and directed its implementation.

While there are existing Community Improvement Plans for both the Downtown and Old East Village, the *Core Area Action Plan* identified the need for a specialized Community Improvement Plan that addressed parts of the Downtown and Old East Village, but also bridged the gap between these two areas of the city. The City of London has prepared this community improvement plan for the Core Area, which is intended to result in its revitalization by:

- Establishing a vision and goals for the Core Area;
- Recording and prioritizing actions for how the Core Area will be improved; and,
- Proposing incentive programs that can be offered to stimulate private sector investment.
How This Plan Was Prepared

The Core Area Action Plan laid the groundwork for this Community Improvement Plan.

These main tasks were completed to provide a comprehensive foundation for the preparation of this CIP:

- Review of relevant Provincial and City policy documents;
- Review of existing City of London Community Improvement Plans and incentive programs;
- Analysis of the Core Area based on:
  - Secondary information (such as Statistics Canada data);
  - Visual audit and first-hand data collection;
  - Input received from City staff; and,
  - Information collected through individual interviews of those living, working, and doing business in the Core Area.
The Study Area

When a Community Improvement Plan (CIP) is being prepared, a Study Area is established to focus the project scope and establish the community which is being considered for potential “improvement” through various means identified under Section 28 of the Planning Act.

For this CIP, the study area is identified below in Figure 1, and can generally be defined by the Thames River to the west, properties fronting Queens Avenue to the north, Woodman Avenue to the east, and properties fronting King Street to the south; it also includes all properties fronting Richmond Street from Fullarton Street to Oxford Street East and properties fronting York Street from the Thames River to Waterloo Street.

Figure 1: Study Area

From the Study Area, a Community Improvement Project Area is then identified as the specific area requiring improvement. The Core Area Community Improvement Project Area is shown in Section 2 of this plan.
Core Area Profile

Purpose
The profile for the Core Area establishes baseline conditions and identifies characteristics which make this area of the city distinct within London. This comparison can provide insight into opportunities and challenges within the Core Area Community Improvement Project Area. Unless otherwise stated, the data presented was obtained by Environics Analytics and collected in 2020.
Population

The total household population of the Core Area is 8,446, which represents two percent of the total population of London. The daytime population of the Core Area, which accounts for those at home and at work, is 40,191. This represents approximately 10 percent of the total population of London.

The Core Area has a relatively young population, with 50 percent of the population 34 years of age and younger and a median age of 37. Of this population, 34 percent of residents are married or in a common-law relationship, which is significantly lower than that city-wide at 53 percent.

The Core Area population is 23 percent visible minorities, which is consistent with the visible minority representation city-wide. Approximately 17 percent of the Core Area population is composed of immigrants, while immigrants represent 23 percent city-wide.

Household Income

The average annual household income in the Core Area is approximately $67,323, which is significantly lower than the city-wide annual household income of $90,741. Approximately 41 percent of the households in the Core Area have an annual income of under $40,000. In comparison, only 28 percent of households city-wide have an annual household income of less than $40,000.

Education

A higher proportion of Core Area residents have a university degree than that of residents city-wide, at 38 percent and 28 percent, respectively.
Household Structure

There are 5,311 households in the Core Area, the majority of which are one-person households. While only 32 percent of households city-wide are one-person households, within the Core Area 59 percent of households are comprised of one person.

Within the Core Area, approximately 12 percent of households have children, whereas 38 percent of households city-wide are households with children at home.

Housing

There are 5,311 households in the Core Area, 91 percent of which reside in apartment-style buildings, including high-rise apartments, low-rise apartments and duplex dwellings. The remaining nine percent of households live in single-detached, semi-detached, and row houses.

Within the Core Area, 79 percent of households rent, while 22 percent own. In comparison, 40 percent of households rent and 60 percent own city-wide.

Employment

The Core Area has a 70 percent labour force participation rate, which is higher than the city-wide labour force participation rate of approximately 60 percent.

The top three employment sectors for Core Area residents include sales and service (17 percent), business finance administration (10 percent) and education/government-religion/social (nine percent).

Core Area residents are considerably less car dependent, with only 46 percent commuting by car (as a passenger or driver) in comparison to 81 percent city-wide.
Section 2

Community Improvement Project Area
The Community Improvement Project Area

Section 28 of the Planning Act defines a community improvement project area as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

The Core Area Community Improvement Project Area is illustrated in Figure 2. All community improvement activities described in this plan, including financial incentive programs, will only be undertaken within the area designated as the Core Area Community Improvement Project Area. The community improvement project area is designated by a by-law passed by Municipal Council, in accordance with Section 28 of the Planning Act.
Figure 2: Core Area Community Improvement Project Area
Section 3

Vision & Goals
Consultation

To gain an understanding of key issues and to identify the gaps that should be addressed by this Community Improvement Plan (CIP), community improvement needs in the Core Area Community Improvement Project Area have been determined using the following methods:

- First-hand observations made during site visits of the area;
- Research and analysis of legislation, policies, regulations and other sources of existing information applicable to the area;
- Consultation with the local community members and organizations; and,
- Consultation with staff in various City of London service areas.
Community Feedback

The feedback received through the consultation process identified four needs or gaps that require community improvement to facilitate the revitalization of the Core Area. These needs or gaps, consistent with the Core Area Action Plan, include:

- Help those struggling with homelessness and health issues.
- Create a safe and secure environment.
- Support businesses.
- Attract more people.

This feedback received during consultation with the community was used to form the vision and goals of this community improvement plan.
Vision

A vision for a community improvement plan (CIP) is a long-term strategic statement that identifies how the community wants to look, feel, and function. The establishment of a vision is a critical component of the CIP process because it provides the overarching long-term foundation for the improvements and incentive programs cited in the CIP. The following vision was created for the Core Area:

By 2030, the Core Area will solidify itself as the primary destination in the city for arts, culture, and entertainment, and be a welcoming urban neighbourhood that establishes a positive image of London.
Goals

A goal is a long-term and broad aim aligned to achieve a defined vision. Clearly defined goals allow people to see how actions relate to the community vision. The following goals have been established for the Core Area:

- Create a positive image that is representative of the city as a whole.
- Create a welcoming environment that is safe and secure for everyone.
- Offer compassionate care for those who need it.
- Improve accessibility by active and public transportation modes.
- Serve as a destination for locals and tourists.
- Expand opportunities for culture, arts, music and entertainment.
- Increase activity outside of office business hours.
- Remove barriers for small and local businesses.
- Attract and retain businesses, talent and investment.
- Create great streetscapes that are visually interesting, accessible and clean.
- Increase the residential population.
- Support local residents and build a sense of community.
Section 4

Incentive Programs
Purpose of Financial Incentives

Coupled with proposed action items identified in the Core Area Action Plan that can be undertaken by the public sector, the private sector needs to be engaged in community improvement to achieve this plan's goals. Financial incentives are established to help stimulate private investment in buildings and properties. In accordance with the Planning Act and the City’s Official Plan, the City may offer grants or loans to property owners to help cover eligible costs and further community improvement goals.
Core Area Financial Incentive Programs

Background
The Core Area CIP financial incentive programs represent a comprehensive ‘toolkit’ of programs designed to help address a number of the key gaps identified during the analysis and achieve the vision and goals of the CIP. The financial incentive programs are designed to encourage private sector investment within the Core Area Community Improvement Project Area.

The incentive programs contained in the CIP are referred to as a ‘toolkit’ because once activated, these programs can be used individually or together by an applicant. In addition to the incentive programs contained in this CIP, the City of London also provides city-wide incentive programs in the Brownfield, Heritage, and Affordable Housing Community Improvement Plans, which may be applicable to property owners within the Core Area Community Improvement Project Area. It should also be noted that the Downtown and Old East Village Community Improvement Project Areas, as identified in their corresponding CIPs, partially overlap with the Core Area Community Improvement Project Area. As such, financial incentive programs in the Downtown CIP and Old East Village CIP may also be applicable to property owners.

Among the various CIPs, there may be similar and overlapping incentives a property owner might choose to apply for related to a specific property. Each CIP provides specific program requirements for each financial incentive program.
Summary of Financial Incentive Programs

Table 1 summarizes basic program details for each of the incentive programs. The maximum grant/loan available for each program will be determined by City Council when it implements an incentive program and will be based on budget considerations at that time.

Eligibility criteria is available in the detailed program requirements in the Core Area CIP financial incentive implementation information package. An amendment to this plan is required to add a financial incentive program or alter its description. Changes to detailed program requirements may occur by Municipal Council resolution without an amendment to this plan.
<table>
<thead>
<tr>
<th>Program</th>
<th>Description</th>
<th>Program Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Core Area Safety Audit Grant Program</td>
<td>A program designed to assist property owners in implementing the Core Area Safety Audit recommendations that identify property modifications necessary to improve safety within the Core Area. The Core Area Safety Audit will be conducted to identify areas of concern and to recommend safety improvements to public and private space. The program will specify what type of improvements would qualify for assistance; however, only improvements that result in physical changes to a building or property may qualify. The City may provide grants of up to 50 percent of the total cost of the property modifications undertaken to implement the safety improvements, up to a maximum of $10,000 per property.</td>
<td>As directed by Municipal Council</td>
</tr>
<tr>
<td>Core Area Boulevard Café Grant Program</td>
<td>A program designed to offset administrative and licence fees related to the operation of a boulevard café, including fees associated with the temporary use of the City sidewalk and/or on-street parking space related to a boulevard café. The City may provide grants equal to the administrative and licence fees.</td>
<td>As directed by Municipal Council</td>
</tr>
<tr>
<td>Core Area Sign Grant Program</td>
<td>A program designed to offset administrative and licence fees related to sign permits, including the encroachment of signs on a City street or road allowance. The City may provide grants equal to the administrative and licence fees.</td>
<td>As directed by Municipal Council</td>
</tr>
</tbody>
</table>
Section 5

Implementation
Actions Items

Purpose
The intent of an action item is to identify a discrete implementable item that helps in achieving the vision and goals of this plan. Each action item has a corresponding lead, a target date for implementation, and funding information. This creates accountability and establishes expectations with respect to the implementation of the action items. However, the target dates identified are based on the current circumstances and may be subject to change due to unforeseen circumstances or direction provided by Municipal Council.

The ability to complete the actions listed in Table 3 is contingent on available resources and other projects and priorities that are underway or introduced by Municipal Council in the future.
Scope
Action items identified in a community improvement plan must be consistent with the definition of "community improvement" found in Section 28 of the Planning Act. The Core Area Action Plan contains approximately 70 action items; a number of these action items explicitly require a community improvement plan to facilitate their implementation. Therefore, action items identified in the Core Area Action Plan and consistent with this definition have been identified in this plan.

While common feedback from stakeholder engagement included the need to help those experiencing homelessness and health issues, initiatives related to addressing this are largely not within the purview of a community improvement plan and are not reflected in the Action Items Table. However, the Core Area Action Plan addresses this gap and provides sufficient direction to undertake initiatives related to helping those experiencing homelessness and health issues.

Action Items Table
Table 3: Action Items provides a description of the action item, the lead City department responsible for implementation, the target date for implementation and how funding has been allocated to support the implementation of the action item. The funding identified in Table 3 represents the initial funding source identified at the time this plan was prepared, and may change at the direction of Municipal Council at any time.

Table 3: Action Items

<table>
<thead>
<tr>
<th>Action Item</th>
<th>Lead</th>
<th>Target Date</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Undertake a safety audit of the Core Area to identify physical improvements that can be undertaken on both public and private space to improve safety and security.</td>
<td>Corporate Security &amp; Emergency Management</td>
<td>2021</td>
</tr>
<tr>
<td>2</td>
<td>Implement safety audit recommendations on publicly-owned property.</td>
<td>Environmental &amp; Engineering Services; Parks &amp; Recreation</td>
<td>2023</td>
</tr>
<tr>
<td>3</td>
<td>Make available financial incentives to implement safety audit recommendations on privately-owned property.</td>
<td>City Planning</td>
<td>2021</td>
</tr>
<tr>
<td>Action Item</td>
<td>Lead</td>
<td>Target Date</td>
<td>Funding</td>
</tr>
<tr>
<td>-------------</td>
<td>------</td>
<td>-------------</td>
<td>---------</td>
</tr>
<tr>
<td>4</td>
<td>Secure a storefront to establish a multi-functional space to house relevant City staff, Foot Patrol Officers, and public restrooms as well as provide convenient storage for moveable furniture and equipment.</td>
<td>Parks &amp; Recreation</td>
<td>2021</td>
</tr>
<tr>
<td>5</td>
<td>Create an infrastructure art and beautification program to identify opportunities for necessary infrastructure to be visually enhanced through the application of artwork.</td>
<td>City Planning</td>
<td>2021</td>
</tr>
<tr>
<td>6</td>
<td>Rehabilitate London and Middlesex Community Housing (LMCH) housing stock.</td>
<td>Housing; LMCH</td>
<td>Ongoing</td>
</tr>
<tr>
<td>7</td>
<td>Explore opportunities for new public washrooms.</td>
<td>Parks &amp; Recreation</td>
<td>2023</td>
</tr>
<tr>
<td>8</td>
<td>Make available financial incentives to offset administrative and licence fees related to the operation of a boulevard café.</td>
<td>City Planning</td>
<td>2021</td>
</tr>
<tr>
<td>9</td>
<td>Make available financial incentives to offset administrative and licence fees related to sign permits and associated encroachment fees.</td>
<td>City Planning</td>
<td>2021</td>
</tr>
<tr>
<td>10</td>
<td>Discourage the perpetual extension of temporary surface parking lots.</td>
<td>Development Services</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
Section 6

Monitoring & Evaluation
Monitoring

Purpose
The monitoring program has several purposes:

• To identify how the vision and goals of the Core Area CIP have been achieved;
• To assess which actions and programs of the Core Area CIP have been completed and/or can be suspended or discontinued;
• To determine whether any amendments to the Core Area CIP are warranted;
• To identify funds dispersed through the financial incentive programs to determine which financial incentive programs are being most utilized and use this information to adjust the financial incentive programs, as required;
• To gather feedback from applicants of the financial incentive programs so that adjustments can be made to the financial incentive programs, as required; and,
• Identify the community and economic impact associated with projects taking advantage of the financial incentives programs.
Measures of Success

Community Improvement Plans are created to provide the opportunity to re-plan, redesign, redevelop, and rehabilitate areas of the city. The success of the Core Area Community Improvement Plan is based on the identified improvements being undertaken that can help address a recognized need or gap and can be measured based on the four-year summary report as described further below. The following table provides target success measures for this CIP.

### Table 4: Success Measures

<table>
<thead>
<tr>
<th>Indicator of Success</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Residential growth is strong for a protracted period</td>
<td>Number of residential units constructed within a consecutive four-year period exceeds the previous four-year period</td>
</tr>
<tr>
<td>2 Commercial vacancies are low and storefronts are well occupied</td>
<td>Maximum five percent vacancy rate on ground-level commercial spaces</td>
</tr>
<tr>
<td>3 Pedestrian activity is present throughout the day and on weekends</td>
<td>Minimum hourly pedestrian counts on commercial corridors</td>
</tr>
<tr>
<td>4 Safety and security is actively being improved</td>
<td>A minimum number of the recommendations of the Safety Audit are implemented on both public and private property</td>
</tr>
<tr>
<td>5 Public infrastructure is visually enhanced</td>
<td>Number of art installations and beautification projects within a consecutive four-year period exceeds the previous four-year period</td>
</tr>
<tr>
<td>6 Surface parking lots are being redeveloped</td>
<td>The surface area occupied by surface parking lots within a consecutive four-year period is less than the previous four-year period</td>
</tr>
<tr>
<td>7 Sidewalk is active with seasonal boulevard cafés</td>
<td>Number of boulevard café permits within a consecutive four-year period exceeds the previous four-year period</td>
</tr>
</tbody>
</table>
Baseline Conditions

For the indicators identified above, baseline conditions have been identified at the outset of the CIP implementation, so that variables may be compared from year-to-year, beginning with implementation of the CIP. The following provides a list of the baseline conditions for the Core Area Community Improvement Project Area that were established during the preparation of this CIP and from which future information can be compared.

- In 2020, the total number of residential units was 5,311.
- In the second quarter of 2020, the office vacancy rate was 18.6 percent.
- In 2020, the Core Area Safety Audit had not yet been undertaken.
- In 2020, the total area of land covered by surface parking lots was 40.3 hectares.
- In 2020, the total number of approved boulevard café permits was 36.
Financial Incentive Monitoring Database and Program

This section provides a list of variables that should be monitored on individual projects which avail of the incentive programs contained within this plan. Further to these quantitative, economic-based measures, the monitoring should include qualitative measures that characterize social and community benefits. This could include the impact of public realm improvement projects on existing businesses and community pride.

Regular qualitative observations should be undertaken and documented by City Staff of the individual and cumulative impact of both public and private CIP projects on the Community Improvement Project Area. This could include collaboration with and/or comments received from business owners, property owners, and residents. These qualitative measures should be regularly monitored and reported to Municipal Council along with the quantitative measures below.

As part of the Monitoring Program, City staff has developed a database upon which to monitor the number, types, and return on investment of financial incentive programs. Information obtained through the Monitoring Database can be used to allow for periodic adjustments to the financial incentive programs to make them more relevant and to provide regular reports to Municipal Council on the amount of private sector investment being leveraged by the municipal financial incentive programs and the economic benefits associated with these private sector projects.

As financial incentive applications are received and processed, City staff will enter information from applications into the Monitoring Database. For the financial incentive programs available in the Core Area Community Improvement Project Area, the following information will be collected.

### Core Area Safety Audit Grant Program
- Number of Applications (approved and denied);
- Approved value of the grant;
- Total value of project;
- Type of improvement (i.e. lighting, improved sight lines); and,
- Total grant amount.

### Core Area Boulevard Café Grant Program
- Number of Applications (approved and denied);
- Type of fee(s) approved for grant (administrative and licence fees);
- Approved value of the grant; and,
- Total grant amount.

### Core Area Sign Grant Program
- Number of Applications (approved and denied);
- Type of fee(s) approved for grant (administrative and licence fees);
- Approved value of the grant; and,
- Total grant amount.
Evaluation

Four-Year CIP Evaluation

Based on the information obtained by City staff, a summary report will be prepared to evaluate the Core Area Community Improvement Plan and its individual programs, based on the changes to the baseline conditions established previously, and based generally on the uptake of the programs and any new challenges that have emerged. The report will cover a four-year period. Based on experience administering other CIPs in London, this time span is long enough to:

- Accumulate sufficient information on the uptake and monitoring of CIP financial incentive programs;
- Start, execute, and assess impacts of most individual capital projects and community actions;
- Incorporate into staff work programs; and
- Complement the four-year municipal budget cycle.

The report will recommend any amendments that might be needed to the CIP, and adjustments to financial incentive programs and/or eligibility criteria. It will
also provide recommendations about the budget of the financial incentive programs based on their performance.

At least three types of outcomes can be expected based on the four-year summary report, including amendments to the plan, adjustments to the financial incentive programs, and/or adjustments to funding.

**Amendments to the Plan**
Changes to any content of this plan, including the vision and goals, boundaries of the Community Improvement Project Area, additions, deletions, or clarifications to the Actions Items or to the financial incentive programs will require an amendment to this plan; amendments must follow the process described in the *Planning Act*. Consequential amendments may also be required to the City’s Official Plan and/or Zoning By-law.

**Adjustments to the Financial Incentive Programs**
Changes to the terms, conditions and processes described in the financial incentive programs may been done without amending this plan and will be subject to approval by Municipal Council.

**Adjustments to Funding**
Municipal Council has the authority to approve funding for financial incentive programs specified in London’s CIPs, and may approve budgets necessary to carry out other CIP actions. Budgets supporting the implementation of the Core Area CIP will be based on a comprehensive review undertaken by City staff with the assistance of the Financial Incentive Monitoring Database and Program described in this section. Funding will be timed to occur as part of multi-year budget requests, or any requested amendments made in consultation with the City Treasurer to approved four-year budgets.
Schedule 1

Core Area Community Improvement Plan – Core Area Safety Audit Grant
Program Guidelines

*Effective April 12, 2021*

This program guideline package provides details on the Core Area Safety Audit Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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1. How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Safety Audit Grant Program.

The initials PO indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) is responsible for completing that task or action. CL indicates that a City of London staff member is responsible for that task.

PO – The Core Area Safety Audit Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to make the property modifications to improve safety as identified by the Core Area Safety Audit in the Core Area Community Improvement Project Area (Map 1).

2. Map 1 – Core Area Community Improvement Project Area
3. Definitions

**Applicant** – The person who applies for the Core Area Safety Audit Grant Program.

**CL** – City of London member of staff.

**Complete Application** – Includes a completed application form for the Core Area Safety Audit Grant Program, and includes the following information:

- Name and address of the property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner);
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- Complete drawings indicating the property modifications to be undertaken;
- Itemized list of specific property modifications;
- Two (2) comparable quotations by qualified contractors showing cost estimates for the proposed works which are required to be included in the incentive application. In general, the lower of the two estimates will be taken as the cost of the eligible works. Cost estimates should be consistent with the estimate noted on the accompanying Building Permit (if required);
- A cover letter that summarizes the property modifications to be completed and summarizes the provided quotations;
- A signed copy of the Addendum including the Hold Harmless Agreement, General Liability Insurance, and Contractor qualifications;
- A letter from the property owner authorizing that the Applicant is permitted to make modifications to the building (if required);
- A copy of the Building Permit (if required);
- A copy of the Heritage Alteration Permit (if required);
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

**PO** – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

4. Purpose

In support of the **Core Area Action Plan**, the Core Area Safety Audit Program is intended to reduce the financial burden on business owners who want to make modifications to private property that improve safety as identified by the Core Area Safety Audit. This program grants up to 50 percent of the total cost of the property modifications that improve safety, up to a maximum of $10,000 per property.

Safety improvements can make for a more welcoming space and create a more vibrant urban environment.

5. Funding

- Funding for this program is subject to annual budget approval by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand...
of the grant program, grants will only be issued while funding is available in the order that they are received.

6. Eligible Works

Eligible works that will be granted through the Core Area Safety Audit Grant Program include costs associated with the modification or installation of the following safety improvements, where identified by the Core Area Safety Audit:

- Exterior lighting;
- Storefront gates;
- Landscaping;
- Exterior security cameras;
- Other physical property improvements as identified by the Safety Audit at the discretion of the City Planner (or designates).

If the property is located within a Heritage Conservation District and the work to implement the safety improvement requires a Heritage Alteration Permit, eligible fees will only be granted through the Core Area Safety Audit Program if a Heritage Alteration Permit is granted. The following fees and work are not eligible to be granted through this program:

- Any fees related to obtaining a City of London Business Licence;
- Any materials required for an application or licence;
- Non-property related safety improvements, such as hiring of security guards;
- Insurance fees; and,
- Other fees and work at the discretion of the City Planner (or designates).

7. Eligibility Criteria

To be eligible for the Core Area Safety Audit Grant Program, the PO must meet all conditions detailed in this program description.

Property Owner Consideration

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

- The property must be located within the Core Area Community Improvement Project Area as defined in the Core Area Community Improvement Area By-law (see Map 1);
- There are not any City of London Building Division orders or deficiencies relating to the subject property at the time the grant is issued;
- The works applied for under the Core Area Safety Audit Program shall not include any costs for which grants or loans have been applied for and approved under any other City of London Community Improvement Plan financial incentive program.
- Each property is eligible to avail simultaneously of multiple incentive programs provided through the other City of London Community Improvement Plans, where eligible.

Building Considerations

- Separate applications must be submitted for each discrete building (as defined) on a single property;
- The property must contain an existing building (occupied or unoccupied);
- Where the entirety of a multi-unit building, which contains separate units, are all under the same ownership, (or with condominium status) it will be considered as one building for the purpose of this grant program;
- Where a building is within a contiguous group of buildings, a discrete building will be interpreted as any structure which is separated from other structures by a solid party wall and a distinct municipal address;
- Each discrete building on each property is eligible for the Core Area Safety Audit Program.

8. General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Core Area Safety Audit Program application form, with any amendments as approved by the City of London.

The granting of fees does not imply that processes for permits are invalid or unnecessary.
9. Grant Amount

A portion of the costs of the property modification undertaken to improve safety as identified by the Core Area Safety Audit will be paid back to the applicant in the form of a one-time grant to cover the lesser of:

- 50 percent of the eligible property modification costs; or,
- $10,000.

10. Grant Distribution

The City will provide the applicant with one cheque in the full amount of the approved grant after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the grant, (2) City staff has reviewed the completed works to ensure they have been completed as approved, and (3) the Grant Agreement has been signed.

The City will not provide partial grant amounts or progress payments.

11. Grant Agreement

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

12. Transferable Grants

If a participating property is sold, in whole or in part, before the grant period elapses, the applicant and/or the subsequent landowner is not entitled to outstanding grant payments (on either the portion sold or retained by the applicant). The City may, entirely at its own discretion, enter into a new agreement with any subsequent owners of the property to receive outstanding grant payments under this program.

13. Application Process

Expression of Interest

PO – It is suggested to contact City of London staff prior to making an application to the Safety Audit Grant Program.

Consultation Phase

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

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

Service London staff are also available to help with clarifying/applying for applicable permits.

**Concept Phase**

**PO** – A Complete Application (see Definitions) for the grant program is submitted to the City of London and/or Downtown London staff and/or Old East Village Business Improvement Area staff.

**PO** – Prior to property modifications beginning, applicants must contact City Planning to complete the application process.

**CL** – City of London City Planning staff will review the application for completeness and inform the applicant in writing that either, more information is required, or the application is accepted. If accepted, the City will provide a Commitment Letter which outlines the approved works, related costs, and monetary commitment that the City is making to the project.

**PO** – Any subsequent changes to the project will require review and approval by the City.

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

**Property Modification Phase**

**PO** – Having obtained all necessary approvals and/or permits and receiving a Commitment Letter from the City for approved works the applicant may start to undertake eligible property modifications.

**Confirmation Phase**

**PO** – The applicant will notify the City in writing (via letter or email) once the project is complete and the costs respecting those works are paid. Confirmation that related building permits are closed, if applicable, is also required so that the City may begin drafting an agreement.

**CL** – Before setting up any agreement, City Planning staff must ensure the property modifications, as described in the Commitment Letter, are completed and other criteria, as set out in the program guidelines, have been met. This includes:

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

**Agreement Phase**

**CL** – Once the eligible works are verified, City Planning staff will draft the grant agreement and provide a draft copy of the grant agreement to the applicant for review.
PO/CL – After the applicant has approved the grant agreement, City Planning staff will prepare two hard copies of the agreement to be signed.

CL – When all the documentation is ready, City Planning staff will contact the applicant to arrange for a meeting to sign the documents. One original signed copy is kept by the applicant and one is retained by the City.

14. Grant Approval

Once all eligibility criteria and conditions are met, and if funds are available in the supporting Reserve Fund, the Director, City Planning and City Planner (or designates) will approve the grant application. Approval by means of a letter to the applicant will represent a commitment by the City of London.

As a condition of approval, new applicants shall be required to enter into a Grant Agreement with the City.

15. Additional Rehabilitation and Demolition

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

16. Inspection of Complete Works

City staff will review the completed works to ensure they have been completed as approved.

17. Grant Application Refusal and Appeal

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

18. Relationship to other Financial Incentive Programs

Applicants may also qualify for financial assistance under the City of London’s other financial incentives programs. Applicants are advised to check with City Planning.

19. Monitoring & Discontinuation

As part of the program administration, City Planning, Realty Services, and Licencing and Municipal Law Enforcement will monitor the Core Area Community Improvement Plan financial incentive programs. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, the Core Area Community Improvement Plan, and the Core Area Action Plan.

The City may discontinue the Core Area Safety Audit Grant Program at any time.

The program’s success in implementing the Core Area Community Improvement Plan’s goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.
20. Program Monitoring Data

The following information will be collected and serve as data to monitor the Core Area Safety Audit Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Core Area Safety Audit recommendations implemented;
- Number of properties that implemented Core Area Safety Audit recommendations;
- Total costs of the property modifications, and,
- Total grant amount.

21. Activity Monitoring Reports

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

- Number of Core Area Safety Audit recommendations implemented;
- Number of properties that implemented Core Area Safety Audit recommendations;
- Total cost of the property modifications; and,
- Total grant amount.
Schedule 2

Core Area Community Improvement Plan – Core Area Boulevard Café Grant Program Guidelines

*Effective April 12, 2021*

This program guideline package provides details on the Core Area Boulevard Café Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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1. How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Boulevard Café Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

**PO** – The Core Area Boulevard Café Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to install boulevard cafés in the Core Area Community Improvement Project Area (Map 1).

2. Map 1 – Core Area Community Improvement Project Area
3. Definitions

Applicant – The person who applies for a new or already has an existing valid Boulevard Café Permit application, and as a result, will simultaneously apply for the Core Area Boulevard Café Grant Program.

Boulevard café – used interchangeable with sidewalk patio or boulevard patio, means an area set aside out of doors, covered or uncovered, for the use of patrons as a licensed restaurant in connection with, and in addition to, the operation of an adjacent restaurant and is located on the City right-of-way.

Complete application – Includes a completed application form for the Boulevard Café Permit application, and includes the following information:
- Name and address of the business owner;
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- A statement of fees from Realty Services indicating the total fees that apply to a new or existing boulevard café;
- Acknowledgement of the receipt of boulevard café fees grant funding and authorization to the City of London to transfer the amount of the grant to the appropriate City of London accounts; and,
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Sidewalk patio – See Boulevard café.

4. Purpose

In support of the Core Area Action Plan, the Core Area Boulevard Café Grant Program is intended to reduce the financial burden on business owners who operate sidewalk patios. This grant program eliminates the administrative and licence fees related to the operation of a patio on the public right-of-way.

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

5. Funding

- Funding for this program is subject to annual budget approval by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand of the grant program, grants will only be issued while funding is available in the order that they are received.

6. Eligible Fees

Eligible fees that will be granted through the Core Area Boulevard Café Grant Program include the administrative fee for new or renewed applications related to a Boulevard Café Permit licence agreement.
7. Eligibility Criteria

To be eligible for the Core Area Boulevard Café Grant Program, the applicant must:

- Apply for a Boulevard Café Permit and be located within the Core Area Community Improvement Project Area as outlined in Map 1; or,
- Have an existing Boulevard Café Permit with licence agreement and be located within the Core Area Community Improvement Project Area as outlined in Map 1.

8. General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Boulevard Café Permit Application form with any amendments as approved by the City of London through the Sidewalk Patios Standards and Application Process.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

The Core Area Boulevard Café Grant Program replaces the amount of Boulevard Café Permit fees an applicant would be required to pay in the absence of the grant program. Under no circumstances shall an applicant have their Boulevard Café Permit fees payable waived by this program and also receive grant funding related to Boulevard Café Permit fees disbursed by the City of London to the applicant.

9. Grant Amount

For a new Boulevard Café Permit application, the grant amount will be calculated by Realty Services when processing the application and/or processing the annual fee of an executed licence agreement.

The grant amount will equal the administrative and licence fees for all eligible Boulevard Café Permits in the Core Area Community Improvement Project Area.

10. Grant Distribution

The applicant will receive no funding from the City of London.

The applicant will not be charged any fees for a new Boulevard Café Permit application or the annual fee of an executed licence agreement for a boulevard café.

For fees related to the Boulevard Café Permit, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the administrative fees and licence fees related to a Boulevard Café Permit.
Café Permit and then providing the applicant with a 100% grant to rebate the monies collected.

Grant recipients may be required to provide written authorization for the City to deposit the amount of the grant into the appropriate City of London account.

11. Grant Agreement

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

12. Application Process

1) For a new boulevard café, the applicant is required to complete a Boulevard Café Permit application form. The application must be submitted to Realty Services for review. This review will follow the already developed Sidewalk Patio Standards and Application Process. Realty Services staff will determine the applicable administrative and licence fees to be granted.

2) For an executed licence agreement for a boulevard café the applicant is required to abide by the terms of the agreement. No application is required. Realty Services staff will determine the applicable annual licence agreement fees to be granted.

To be eligible for the Core Area Boulevard Café Grant Program, the applicant may be required to submit a complete application (see Definitions), which will be collected at the time of applying for 1) above. If the applicant already has an executed licence agreement for a boulevard café as outlined in 2) above, no further application to the Core Area Boulevard Café Grant Program is required.

For a new Boulevard Café Permit or an executed licence agreement for a boulevard café, the applicant’s Boulevard Café Permit application fee and the annual licence agreement fee will not be invoiced to the applicant. Instead, an internal transfer of funding will occur (see Grant Distribution).

13. Grant Approval

As a condition of approval, applicants may be required to enter into a Grant Agreement with the City of London.

14. Incentive Application Refusal and Appeal

If the Boulevard Café Permit application is refused, the administrative fee will not be collected retroactively by the City of London.

Application fees will not be collected. No internal transfer of funds will occur.

15. Relationship to other Financial Incentive Programs

Applicants may also qualify for financial assistance under the City of London’s other financial incentives programs. Applicants are advised to check with City Planning.

16. Monitoring & Discontinuation

As part of the program administration, City Planning and Realty Services will monitor the Core Area Boulevard Café Grant Program. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be
included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, the Core Area Community Improvement Plan, and the Core Area Action Plan.

The City may discontinue the Core Area Boulevard Café Grant Program at any time.

The program’s success in implementing the Core Area Community Improvement Plan’s goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

17. Program Monitoring Data

The following information will be collected and serve as data to monitor the Core Area Boulevard Café Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Boulevard Café Permit applications (approved and denied);
- Number of executed licence agreements for boulevard cafés; and,
- Total grant amount.

18. Activity Monitoring Reports

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

- Number of Boulevard Café Permit Applications processed;
- Number of executed licence agreements for boulevard cafés; and,
- Total grant amount.
Schedule 3

Core Area Community Improvement Plan – Core Area Sign Grant Program Guidelines

*Effective April 12, 2021*

This program guideline package provides details on the Core Area Sign Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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1. How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Sign Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

**PO** – The Core Area Sign Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to install signage in the Core Area Community Improvement Project Area (Map 1).

2. Map 1 – Core Area Community Improvement Project Area
3. Definitions

Applicant – The person who applies for a new Sign Permit, which may or may not include an Encroachment Agreement, or already has an executed Encroachment Agreement for a sign, and as a result, will simultaneously apply for the Core Area Sign Grant Program.

Complete Application – Includes a completed application form for the Sign Permit application, and includes the following information:
- Name and address of the business owner;
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- A statement of fees from the Building Division indicating the total fees that apply to a Sign Permit, which may include fees for an associated Encroachment Agreement application;
- Acknowledgement of the receipt of Sign Permit application fee, grant funding and authorization to the City of London to transfer the amount of the grant to the appropriate City of London accounts; and,
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

Encroachment Agreement – Means a binding agreement between the City and the property owner, prepared by the City, granting authorization for a property owner to erect and maintain an encroachment on a City street or road allowance.

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Sign – Includes an advertising device or notice; and any visual medium, including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter, other than itself for identification, information or advertising purposes. (Refer to The City of London’s Sign By-law for further information)

4. Purpose

In support of the Core Area Action Plan, the Core Area Sign Grant Program is intended to reduce the financial burden on business and/or property owners who install new signs and/or require Encroachment Agreements for signs. This grant program eliminates the Sign Permit application fee, the Encroachment Agreement application fee for signs, and the annual encroachment licence fee for signs.

Older areas of the city, particularly the downtown and surrounding areas, have an established built form which has buildings situated on or very close to the property lines. As a result of the building location in relation to the property line, signs often encroach onto City property. By providing opportunities to reduce fees related to signs within the Core Area, the City can encourage the use of existing infrastructure and help to revitalize older areas of the city.

5. Funding

- Funding under this program will cease on December 31, 2023, unless extended by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand
of the grant program, grants will only be issued while funding is available in the order that they are received.

6. Eligible Fees

Eligible fees that will be granted through the Core Area Sign Grant Program include:

- Sign Permit application fee;
- Encroachment Agreement application fee for signs; and,
- Annual encroachment licence fee for signs.

The following fees and work are not eligible to be granted through the Core Area Sign Grant Program:

- Any fees related to obtaining a City of London Business Licence;
- Any materials required for the application, licence, or permit;
- Any fees associated with the encroachment of features not defined as a “sign”;
- Any fees related to a Minor Variance for a sign;
- Cost of construction and materials;
- Insurance costs related to signage and encroachments; and,
- Other fees and work at the discretion of the City Planner (or designates).

7. Eligibility Criteria

To be eligible for the Core Area Sign Grant Program, the applicant must:

- Apply for a new Sign Permit and be located within the Core Area Community Improvement Project Area as outlined in Map 1; or,
- Have an existing Encroachment Agreement for a sign and be located within the Core Area Community Improvement Project Area as outlined in Map 1.

8. General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Sign Permit application form with any amendments as approved by the City of London.

If applied for and approved, all works completed must comply with the Encroachment Agreement and its required documentation.

The granting of fees does not imply that processes for permits are invalid or unnecessary.
The Core Area Sign Grant Program replaces the amount of Sign Permit application fees, and associated Encroachment Agreement application fees if required, an applicant would be required to pay in the absence of the grant program. Under no circumstances shall an applicant have their Sign Permit application fee and related Encroachment Agreement application fee payable waived by this program and also receive grant funding related to Sign Permit application fees and associated Encroachment Agreement application fees disbursed by the City of London to the applicant.

The Core Area Sign Grant Program also replaces the amount of the annual encroachment licence fee for a sign an applicant would be required to pay in absence of the grant program. Under no circumstances shall an applicant have their annual encroachment licence fee for a sign waived by this program and also receive grant funding related to the annual encroachment licence fee for a sign disbursed by the City of London to the applicant.

9. Grant Amount

For a new Sign Permit application, including an associated Encroachment Agreement application if required, the grant amount will be calculated by the Building Division when processing the application.

For the annual encroachment licence fee for signs, the grant amount will be calculated by the Building Division when processing the annual licence fee of an executed Encroachment Agreement for a sign.

The grant amount will equal the Sign Permit application fee, and associated Encroachment Agreement application if required, as well as annual encroachment licence fee, for all eligible signs in the Core Area Community Improvement Project Area.

10. Grant Distribution

The applicant will receive no funding from the City of London.

The applicant will not be charged any fees for a new Sign Permit application, including an associated Encroachment Agreement application if required.

The applicant will not be charged any annual licence fees for an executed Encroachment Agreement.

For fees related to a Sign Permit application, including an associated Encroachment Agreement application if required, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the application fees related to a Sign Permit application and then providing the applicant with a 100% grant to rebate the monies collected.

For fees related to an executed Encroachment Agreement for a sign, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the application annual encroachment licence fees and then providing the applicant with a 100% grant to rebate the monies collected.

Grant recipients may be required to provide written authorization for the City to deposit the amount of the grant into the appropriate City of London account.

11. Grant Agreement

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.
12. Application Process

1) For a new sign, the applicant is required to complete a Sign Permit application form. If an Encroachment Agreement is required for the new sign, this is identified through the Sign Permit application process. The application must be submitted to the Building Division for review. Building Division Zoning staff will determine the applicable fees to be granted.

2) For an executed Encroachment Agreement for a sign, the applicant is required to abide by the terms of the Encroachment Agreement. No application is required. Building Division Zoning staff will determine the applicable annual encroachment license fees to be granted.

To be eligible for the Core Area Sign Grant Program, the applicant may be required to submit a complete application (see Definitions), which will be collected at the time of applying for 1) above. If the applicant already has an executed Encroachment Agreement for a sign as outlined in 2) above, no further application to the Core Area Sign Grant Program is required.

For a new Sign Permit application, which may include an associated Encroachment Agreement application, or for an executed Encroachment Agreement, the applicant's Sign Permit application fee, Encroachment Agreement application fee, and the annual encroachment licence fee will not be invoiced to the applicant. Instead, an internal transfer of funding will occur (see Grant Distribution).

13. Grant Approval

As a condition of approval, applicants may be required to enter into a Grant Agreement with the City of London.

14. Incentive Application Refusal and Appeal

If the Sign Permit application is refused, the application fee will not be collected retroactively by the City of London.

Application fees will not be collected. No internal transfer of funds will occur.

15. Relationship to other Financial Incentive Programs

Applicants may also qualify for financial assistance under the City of London’s other financial incentives programs. Applicants are advised to check with City Planning.

16. Monitoring & Discontinuation

As part of the program administration, City Planning and the Building Division will monitor the Core Area Sign Grant Program. In receiving and processing applications, staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, the Core Area Community Improvement Plan, and the Core Area Action Plan.

The City may discontinue the Core Area Sign Grant Program at any time.

The program’s success in implementing the Core Area Community Improvement Plan’s goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.
17. Program Monitoring Data

The following information will be collected and serve as data to monitor the Core Area Sign Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Sign Permit applications (approved and denied);
- Number of Encroachment Agreement applications associated with Sign Permit applications (approved and denied);
- Number of executed Encroachment Agreements for signs; and,
- Total grant amount.

18. Activity Monitoring Reports

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

- Number of Sign Permit applications processed;
- Number of Encroachment Agreement applications associated with Sign Permit applications processed;
- Number of executed Encroachment Agreements for signs; and,
- Total grant amount.
This program guideline package provides details on the new Boulevard Café Grant Program provided by the City of London (“City”) through the Downtown Community Improvement Plan (CIP).

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How to Read this Document

This document helps to identify what the responsibility of each stakeholder is in the Boulevard Café Grant Program. The initials PO indicate the property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner) is responsible for completing that task or action. Schedule 1 and 2 (not attached) contains additional details on other Downtown CIP financial incentives.

PO – The Boulevard Café Grant Program is available to business owners who are eligible to install boulevard cafés and patios in the Downtown Community Improvement Project Areas including Richmond Row (Map 1).

Map 1 – Downtown Community Improvement Project Areas
1. Definitions

Applicant – The person who applies for a new or already has an existing valid Boulevard Café Permit Application or a Temporary Sound Permit for Amplified Sound on an Outdoor Patio Application, and as a result, will simultaneously apply for the Boulevard Café Grant Program.

Boulevard café – used interchangeable with sidewalk patio or boulevard patio, means an area set aside out of doors, covered or uncovered, for the use of patrons as a licensed restaurant in connection with, and in addition to, the operation of an adjacent restaurant and is located on the City right-of-way.

Complete Application – Includes a completed application form for the Boulevard Café Permit Application and a Temporary Sound Permit for Amplified Sound on an Outdoor Patio Application (if needed), and includes the following information:

- Name and address of the business owner;
- Confirmation that the address is within the Downtown Community Improvement Project Areas;
- A statement of fees from Realty Services indicating the total fees that apply to a new or existing boulevard café or patio;
- A statement of fees from Licencing and Municipal Law Enforcement indicating the total fees that apply to a temporary sound permit for the subject boulevard café;
- Acknowledgement of the receipt of patio fees grant funding and authorization to the City of London to transfer the amount of the grant to the applicable City accounts
- Any or other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Sidewalk patio – See Boulevard café.

2. Purpose

In support of the Core Area Action Plan, the Boulevard Café Grant Program is intended to reduce the financial burden on business owners who operate sidewalk patios. This grant program eliminates the administrative and licence fees related to the operation of a patio on the public right-of-way and eliminates the application and permit fees for a temporary sound permit if amplified music on an outdoor patio is requested.

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

3. Funding

- Total funding available through the Core Area Action Plan budget for patio and signage fees is $30,000 per year for the 2020-2023 Multi-Year Budget;
- Funding under this program will cease on December 31, 2021, unless extended by the City of London or the Boulevard Café Grant Program is superseded by a similar program under the Core Area Community Improvement Plan;
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through the Downtown Small Scale Project budget or another source of financing as determined by the Director, Planning and City Planner (or designates). In the event that these additional sources of funding do not meet the demand of the grant program, grants will only be issued while funding is available in the order that they are received.
4. Eligible Fees

Eligible fees that will be granted through the Boulevard Café Grant Program include:

- The administrative fee for new or renewed applications and the annual licence fee related to a Boulevard Café Permit licence agreement.
- The application and permit fees for a Temporary Sound Permit for Amplified Sound on an Outdoor Patio when associated with a boulevard café.

The following fees and work are not eligible to be granted through this program:

- Any fees related to obtaining a City of London Business Licence;
- AGCO Liquor Licence applications and fees;
- Any materials required for the application, licence, or Temporary Sound Permit. For example, costs related to completing a patio drawing showing location, size, and materials;
- Cost of construction and materials;
- Temporary Sound Permits for outdoor patios on private property and not considered boulevard cafés.

5. Eligibility Criteria

To be eligible for the Boulevard Café Grant Program, the business owner must apply for a Boulevard Café Permit Application or have a valid Boulevard Café Permit with licence agreement and be located within the Downtown Community Improvement Project Areas (including Richmond Row) as outlined in Map 1.

If needed, the business owner can also apply for a Temporary Sound Permit for Amplified Sound on an Outdoor Patio and have those fees granted.

6. General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive programs shall conform to provincial laws and City guidelines, by-laws, policies, procedures and standards.

All works completed must comply with the description of the works as provided in the Boulevard Café Permit Application form with any amendments as approved by the City of London through the Sidewalk Patios Standards and Application Process.

If applied for and approved, all works completed must comply with the temporary noise permit and its required documentation.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

The Boulevard Café Grant Program replaces the amount of patio fees an applicant would be required to pay in the absence of the grant program. Under no circumstances shall an applicant have their patio fees payable waived by this program and also receive grant funding related to patio fees disbursed by the City of London to the applicant.
7. Grant Amount

For a new Boulevard Café Permit Application, the grant amount will be calculated by Realty Services when processing the application and/or processing the annual fee of an executed licence agreement.

For a new Temporary Sound Permit for Amplified Sound on an Outdoor Patio Application, the grant amount will be calculated by Licensing and Municipal Law Enforcement when processing the application.

The grant amount will equal the administrative and licence fees for all eligible Boulevard Café Permits, as well as the application and permit fees for all eligible Temporary Sound Permit for Amplified Sound on an Outdoor Patio applications in the Downtown Community Improvement Project Areas.

8. Grant Distribution

The applicant will receive no funding from the City of London.

The applicant will not be charged any fees for a new Boulevard Café Permit Application or the annual fee of an executed licence agreement.

The applicant will not be charged any fees for a Temporary Sound Permit for Amplified Sound on an Outdoor Patio.

For patio fees related to the Boulevard Café Permit, the value of the calculated grant will be transferred directly to the Realty Operations account. This direct transfer is instead of staff collecting the administrative fees and licence fees related to a Boulevard Café Permit and then providing the applicant with a 100% grant to rebate the monies collected.

For the patio fees related to a Temporary Sound Permit for Amplified Sound on an Outdoor Patio, the value of the calculated grant will be transferred directly to a general Licensing account. This direct transfer is instead of staff collecting the application and permit fees related to a Temporary Sound Permit for Amplified Sound on an Outdoor Patio and then providing the applicant with a 100% grant to rebate the monies collected.

Grant recipients will be required to provide written authorization for the City to deposit the amount of the grant into the appropriate City account.

9. Grant Security

The grant is payable upon the completion of a new Boulevard Café Permit Application or the annual invoice of an executed licence agreement as outlined in Sections 7 and 8.

If applied for and approved, the grant is also payable upon completion of a Temporary Sound Permit for Amplified Sound on an Outdoor Patio as outlined in Sections 7 and 8.

10. Grant Agreement

Participating business owners are required to enter into a Grant Agreement with the City.


Not applicable.

12. Transferable Grant

Not applicable.
13. Application Process

1) For a new boulevard café or sidewalk patio, the applicant is required to complete a Boulevard Café Permit Application form. The application must be submitted to Realty Services for review. This review will follow the already developed Sidewalk Patio Standards and Application Process. Realty Services staff will determine the applicable administrative and licence fees to be granted.

2) If the applicant also requires a Temporary Sound Permit for Amplified Sound on an Outdoor Patio on the City boulevard, the applicant is required to complete the Amplified Sound Permit application form. The application must be submitted to Licencing and Municipal Law Enforcement for review. This review will follow the already developed review process for temporary sound permits. Licencing and Municipal Law Enforcement staff will determine the applicable fees to be granted.

To be eligible for the Boulevard Café Grant Program, the applicant will be required to submit a complete application as defined in Section 1. Complete application information will be collected at the time of applying for 13 1) and/or 13 2) above.

An Agreement is executed between the City and the business owner outlining the terms and conditions of the approved grant. This Agreement is executed at the time of applying for 13 1) and/or 13 2).

For an existing patio licence agreement, the applicant’s licence fee will not be invoiced to the applicant. Instead, an internal transfer of funding will occur as per Section 8.

Realty Services will compile a list of and acknowledge that all existing patio licence agreements were not invoiced.

14. Grant Approval

As a condition of approval, new applicants shall be required to enter into a Grant Agreement with the City.

15. Additional Rehabilitation and Demolition

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

16. Inspection of Completed Works

Not applicable.

17. Incentive Application Refusal and Appeal

If the Boulevard Café Permit Application is refused, the administrative fee will not be collected retroactively by the City of London.

If the Temporary Sound Permit for Amplified Sound on an Outdoor Patio Application is refused, the application fee will not be collected retroactively by the City of London.

Administration/application fees will not be collected. No internal transfer of funds will occur.

18. Relationship to other Financial Incentive Programs

Property owners may also qualify for financial assistance under the City of London’s other financial incentives programs. Applicants are advised to check with City Planning.
PO – Applicants are advised to check with Downtown London about its proprietary programs which complement the City’s financial incentive programs.

19. Monitoring & Discontinuation

As part of the program administration, City Planning, Realty Services, and Licencing and Municipal Law Enforcement will monitor the Boulevard Café Grant Program. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, and the Downtown Community Improvement Plan.

The City may discontinue the Boulevard Café Grant Program at any time.

The program’s success in implementing the Downtown Community Improvement Plan’s goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

20. Program Monitoring Data

The following information will be collected and serve as data to monitor the Boulevard Café Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the CIP have been met:

- Number of Boulevard Café Permit Applications (approved and denied);
- Number of Temporary Sound Permit Applications for Amplified Patio Sound for Boulevard Cafés (approved and denied);
- Total grant amount.

21. Activity Monitoring Reports

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

- Number of Boulevard Café Permit Applications processed;
- Number of Temporary Sound Permit Applications for Amplified Patio Sound for Boulevard Cafés approved and denied);
- Total grant amount.
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: 122 Base Line Road West
File SPA 21-005
Housing Development Corporation, London (HDC)
Date: Public Participation Meeting on: March 1, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Housing Development Corporation, London (HDC) relating to the property located at 122 Base Line Road West:

(a) The Planning & Environment Committee REPORT TO the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 61-unit apartment building; and

(b) Council ADVISE the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

Executive Summary

Summary of Request

The development for consideration is a four-storey, 61-unit apartment building on the north side of Base Line Road West. The site is to be developed with municipal services, and access from Base Line Road West. The development proposal is subject to a public site plan meeting in accordance with the holding (h-5) zone regulations set out in the Zoning By-law.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommendation is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for the Site Plan Approval.

Rationale of Recommended Action

1. The proposed Site Plan is consistent with the Provincial Policy Statement, which directs development to designated growth areas and that development be adjacent to existing development.

2. The proposed Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan.

3. The proposed Site Plan is in conformity with the policies of the Multi-Family Medium Density Residential designation of the Official Plan (1989) and will implement an appropriate form of residential intensification for the site.

4. The proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law.

5. The proposed Site Plan meets the requirements of the Site Plan Control By-law.
Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

OZ-9200 – 122 Base Line Road West (PEC) September 21, 2020

1.2 Property Description
The subject lands are located on the north side of Base Line Road West 650 metres west of Wharncliffe Road South. The subject lands are 0.615 hectares in size and currently free of buildings or structures. The lands slope to the north with a historic watercourse evident along the easterly property limit. The site is partially treed, primarily the eastern portion. The property is abutted by residential development with townhouses to the west, apartment buildings and single-detached dwellings the south and east, and 2 single detached houses, including one with a horse barn to the north.

1.3 Current Planning Information (See Appendix C)
• The London Plan Place Type – Neighbourhoods Place Type
• Existing Zoning – Residential R8, Bonus Zone (h-5 *R8-3*B-69)

1.4 Site Characteristics
• Current Land Use – undeveloped
• Frontage – 66.1 m
• Depth – approximately 90 m
• Area – 0.615 ha (6151 m²)
• Shape – Rectangular

1.5 Surrounding Land Uses
• North – Single-detached houses, horse barn, townhousing
• East – Apartment buildings (11-storeys, 11-storeys, 4-storeys and 10-storeys in height)
• South – Apartment buildings (9 and 11-storeys in height), two single-detached dwellings
• West – Townhousing and semi-detached dwellings

1.6 Intensification
• The proposed apartment building is not located within the Primary Transit Area and constitutes infill development.
2.0 Discussion and Considerations

2.1 Development Proposal

The development for consideration is a four-storey, 61-unit apartment building on the north side of Base Line Road West, located between Wharncliffe Road South and Beechwood Avenue. Access to the proposed development is provided from Base Line Road West on the west side of the site. Given the position, the street functions as the fire route to the southern primary entrance. All 61 vehicular parking spaces are provided in the rear and interior side yard and are screened from the street by the building, or a combination of landscaping and signage. Five barrier-free parking stalls are provided (2 greater than the minimum requirement) and are located closest to the entrances they are nearest.

![Front of building view showing main entrance, provided by applicant.](image)

The building is L-shaped with building relatively centred on the site frontage. The building is situated to allow for driveway and pedestrian access on the west side (15.0 metres westerly interior side yard) and 6.9 metres from the east side to allow for ecological and stormwater features in the easterly side yard. The front yard is 7.0 metres in depth to allow for access features, landscaping and meet zoning requirements. The rear yard of 27.5 metres is nearly double the 15.0 metre required and allows for amenity space while implementing the design principles set out through the bonus zone.
An outdoor amenity area is provided to the rear of the proposed building to the east of the parking lot in the northeast portion of the site. The building is ringed with planting beds and site itself includes perimeter tree planting along the west and northern property lines in accordance with Site Plan Control By-law standards. The east side and northeast corner feature additional plantings and tree retention recognizing and protecting the ecological and stormwater function of this portion of the site which is lower than the remainder of the property.

Materials identified on the proposed elevations include red brick, and cinderblock.

Detailed plans of the development are contained in Appendix A of this report.

2.2 Planning History

122 Base Line Road West has been vacant since the mid-1980s. A single detached dwelling was demolished in 1982.

In 2010, an application to rezone the property to permit a low-rise apartment building was received by the City. The rezoning to Residential R8-3 Zone was approved by City Council on July 25, 2011.

Official Plan and Zoning By-law Amendment Application (OZ-9200)

In April of 2020, staff received an Official Plan and Zoning By-law amendment application (OZ-9200) for the subject lands. The requested amendment to the Zoning By-law was to change the zone from a Residential R8-3 Zone to a Residential R8 Special Provision Bonus (R8-3( )*B- ) Zone. The requested change would permit a range of apartment building types, stacked townhouses, lodging house class 2, emergency care establishments and continuum-of-care facilities. The request included a bonus zone which would apply additional provisions and regulation in exchange for additional density (100 units per hectare as opposed to the 65 units per hectare permitted under the base R8-3 Zone). The Official Plan amendment which accompanied the Zoning By-law amendment added a Specific Policy Area to The London Plan to permit an apartment building of up to 4-storeys on the subject lands.

The planning report to support the rezoning of the subject lands went before the Planning and Environment Committee of September 21, 2020 and was passed by Municipal Council on September 29, 2020.
The Bonus Zone (B-69) applied facilitates the development of a low-rise apartment building with a maximum height of 4-storeys, 61 dwelling units and density of 100 units per hectare. The Bonus zone provides regulations that require affordable housing and design principles to be met. The full text of the Bonus Zone appears below.

B-69 122 Base Line Road West

The Bonus Zone shall be implemented through a development agreement to facilitate the development of a low-rise apartment building with a maximum height of 4-storeys, 61 dwelling units and density of 100 units per hectare and provides:

i) Affordable Housing

The provision of a minimum 30% of each unit type (i.e. type by number of bedrooms) set aside at affordable rent of approximately 70% of Average Market Rent. Affordable rental units will be established by an agreement entered into with the Corporation of the City of London, which will secure those units for a minimum twenty (20) year term.

ii) Design Principles

Implementation of a site development concept, to be implemented through a future development agreement, which substantially achieves design principles that include:

1. Building footprint and spatial orientation that: serves to activate the street, is pedestrian in scale; and, establishes safe, direct and barrier-free accessible pedestrian connections throughout the Site and from the Site to the public realm;

2. A principle building entrance that further serves to activate the streetscape and reinforce the "front facing" built form;

3. A building footprint that mitigates impacts, noting an enhanced rear yard setback and enhanced interior side yard setback are identified in the Bonus Zone;

4. A parking area that provides for safe, direct and barrier-free accessible pedestrian connections; is suitably sized to accommodate projected demand; and, is strategically located to minimize impacts on the public realm;

5. An outdoor amenity area that is sufficiently-sized and strategically located to provide for privacy and additional buffering opportunities and plantings, and also serves to mitigate overland flows and other potential stormwater management (SWM) impacts; and

6. Maintain, to the greatest extent possible, on-site green infrastructure in a manner consistent with the findings of the preliminary Tree Preservation Plan.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations

   iii) Density (maximum) 100 units per hectare
   iv) Parking (minimum) 61 Parking Spaces
   v) Bicycle Parking (minimum) 15 Parking Spaces
   vi) Rear Yard Depth (minimum) 15.0 metres
vii) Interior Side Yard Depth (minimum) 3.0 metres for building walls containing no windows to habitable rooms or 8.0 metres minimum for building walls with windows to habitable rooms.

Site Plan Control Application

On January 27, 2021, the subject application of this report, being a Site Plan Control Application (file no. SPA21-005) for a 4-storey, 61-unit apartment building, was received by the City of London. Conditional approval was issued on February 9, 2021.

As part of a complete application staff requested adjustments to the proposed parking arrangements and specification of a designated garbage put-out location, snow storage location and fire-route signage. Requirements for an Environmental Impact Statement including review requirements of the UTRCA were scoped prior to the application.

2.3 Community Engagement (see more detail in Appendix B)
As of the writing of this report, no responses have been received following the notice issues February 4, 2021

2.4 Policy Context
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. London Plan policies under appeal included in this report for informative purposes indicating the intent of City Council, are not determinative for the purposes of this planning application.

The subject site is located within the Neighbourhoods Place Type of The London Plan on a Neighbourhood Connector (Base Line Road West).

The Our Strategy section of The London Plan establishes key directions to guide planning and development in our neighbourhoods. The developer's proposal seeks to achieve key directions by promoting and developing affordable housing options to attract diverse populations to the city; and developing housing options within close proximity to employment lands. Additionally, the proposal seeks to build a mixed-use compact city by providing a development that achieves a compact, contiguous pattern of growth by developing inward and upward; and intensifying development within the Urban Growth Boundary to protect valuable agricultural lands.

Beyond the key directives, the Neighbourhoods Place Type seeks to create a strong neighbourhood character, sense of place and identity; creative attractive streetscapes, buildings, and public spaces; provide a diversity of housing choices including those designed specifically to be affordable; encourage well-connected neighbourhoods; provide opportunities for close employment lands; and locate close to parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering spaces. The applicant’s proposal achieves the above by providing a high level of design detail that directly faces the street, providing an affordable housing option in an established neighbourhood and increases density in close proximity to employment lands.

Taking the above into consideration, the development is considered to be in conformity with The London Plan.

Z.-1 Zoning By-law

The subject lands are zoned Residential R8 (h-5*R8-4*B-69). For the purpose of this development, the R8 zone permits the proposed apartment building with a maximum
height of 13.0 metres. Setback, coverage, parking, density and area regulations of the By-law are also being met. The site is subject to the regulation of a bonus zone – B-69 – which was applied to the site through OZ-9200 in September 2020. The full text of the applicable bonus zone appears above. The proposed development meets the requirements of the Z.-1 Zoning By-law.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

4.0 Key Issues and Considerations for Site Plan Approval

4.1 Use

The use is contemplated in The London Plan and was recently reviewed and approved through OZ-9200. The Neighbourhoods Place Type strives for attractive streetscapes, buildings, and public spaces, to create strong neighbourhood character with a sense of identity, diversity in housing choices allowing for affordability and giving people opportunity to remain in neighbourhoods as they age, safe, comfortable convenient and attractive alternatives for mobility, and parks, pathways, and recreational opportunities that strengthen the community and serve as connectors and gathering spaces (Policy 916__). The Site Plan Control application proposes a 61-unit apartment building, which is located on a Neighbourhood Connector in a neighbourhood with a number of similar uses.

4.2 Intensity

The Site Plan Control application proposes a 61-unit (100 units per hectare) apartment building, which is within the maximum permitted within the zoning for the lands (100 units per hectare (B-69)). The intensity complies with the Zoning By-law which regulates density for the site.

4.3 Form

Under the Neighbourhoods Place Type within The London Plan, new residential development should provide for frontage onto streets, and create both vibrant and recreational spaces (Policy 919_ and *920_). Direct pedestrian access into the building and connection to City sidewalk are provided to address the policies of The London Plan. Additionally, Policy *259_ states that building should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment, which is achieved in the proposed building location.

Design Principles have also been outlined through the Bonus Zone applicable to 122 Base Line Road West. The balance of the principles has been incorporated into the design approach with the building elevations acceptable to Urban Design staff following an interim revision. The outstanding element of the bonus zone relates to green infrastructure and is being addressed through the Landscape design and EIS review discussed further below.

4.4 Landscaping

The site plan proposal included a tree preservation plan, landscape plan, and environmental impact statement that have been reviewed as part of the application. The tree preservation, in keeping with the design principles set out in the bonus zone seeks to maintain a significant number of the existing trees on site. As part of the landscaping plan for the development, the applicant is proposing 45 trees to be planted. Of the existing 39 trees on site 22 are being removed. The landscaping for the site also includes a programmed amenity space in the enhanced rear yard. The landscaping for the site meets the requirements of the Site Plan Control By-law.
4.5 Privacy and Fencing

Fencing for the site is provided along the westerly and northerly (rear) property lines under the proposed site plan. The existing fence is a 1.8 metre high wooden board privacy fence along the western property line which is to be maintained. A new wooden board privacy fence 1.8 metres in height is proposed along the rear property line. For the easterly property line given the ecological features in place a fence is not proposed; however, denser flora and additional setbacks as proposed should achieve the desire privacy. The fencing proposed is in keeping with the Site Plan Control By-law, prior to Site Plan Control approval.

4.6 Garbage and Recycling

In accordance with Site Plan Control By-law, the applicant is to provide an internal garbage and recycling storage room as the primary storage area. An external separate staging area is required and is to be provided in a subsequent Site Plan submission.

4.7 Parking

Automobile parking is provided in the form of 61 at grade spaces for vehicle and 16 spaces internal to the building for bicycles. Barrier free spaces are provided below grade. The above grade parking spaces are located internal to the building. Five barrier-free parking spaces are provided in excess of the minimum 3 required by the Zoning By-law. The barrier-free spaces are the spaces located closest to the building in keeping with the Site Plan Control By-law. All parking is provided a minimum of 1.5 metres from the property limits to allow for landscaping and fencing.

4.8 Lighting

The applicant submitted a photometric plan (lighting plan) as part of the first submission. The plans provided show no light trespass on abutting properties. The fixture details provided are in accordance with the Site Plan Control By-law standards on up-lighting.

4.9 Ecological Impact

The applicant submitted an Ecological Impact Statement to support their application. Both the City and the UTRCA provided comments on the submitted EIS and found the EIS at first submission contained unresolved issues. Recommendations for the future development to ensure Ecological goals have been provided and are included in 4.11 below.

4.10 Stormwater Management

The applicant submitted reports and plans to support a stormwater approach that responds to the site context, which includes a historic stream channel. UTRCA and City Engineering staff have reviewed the design and have approved the overall stormwater approach and have only minor detailed design comments remaining to be addressed prior to final approval. No significant concerns remain.

4.11 Site Plan Comments

Site plan control comments were provided to the applicant February 9, 2021. The comments provided to the applicant include:

1. The h-5 requires a public site plan meeting before the Planning and Environment Committee, which is the subject of this report and scheduled public meeting. A separate holding provision application has been received to formally remove the h-5 after the public meeting is complete.
2. The site is subject to UTRCA approval; therefore, a Section 28 Permit will be required before final approval can be issued.
3. EIS to be finalized to address outstanding matters.
4. The Site is subject to a Bonus Zone that requires an agreement to guarantee the provision of affordable housing.
5. Details to support the approach for the bicycle parking room and bicycle parking spaces are required, garbage and recycling designated pick-up location, improvements to access for the barrier-free parking spaces, updates to the photometric plans, updates to the Landscape Plan.
6. Erosion Sediment Control is required to be addressed that include calculations confirming the proposed sediment basin is sized adequately to contain anticipated flows from the 100-year storm event.

Conclusion

The proposed Site Plan is consistent with the Provincial Policy Statement, 2020 has regard to The London Plan, and is in conformity with the City of London Official Plan, 1989. The application has been reviewed in accordance with the applicable Bonus Zone of the Z.1 Zoning By-law, and, as proposed, complies with the regulations of the Zoning By-law. The proposed Site Plan and elevations will result in development that will not conflict with the character of the area, and is in compliance with the Site Plan Control By-law.

Prepared by: Leif Maitland, Site Development Planner, Development Services
Recommended by: Paul Yeoman, RPP, PLE, Director, Development Services
Submitted by: George Kotsifas, P.ENG, 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 Pease, MCIP, RPP, Manager, Development Planning
Appendix A - Plans

Site Plan
Appendix B – Public Engagement

Public liaison: On February 4, 2021 Notice of Application and Public meeting was sent to 394 property owners in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on February 4 and February 11, 2021.

0 replies were received

Nature of Liaison: 122 Base Line Road West – SPA21-005 – Consideration of a site plan to permit an apartment building 4-storeys in height with 61 dwelling units. Development to include 61 vehicular and 16 bicycle parking spaces. The site is subject to a Bonus Zone (B-69) which requires provision of affordable housing and design principles to be implemented through the Site Plan process. The zoning on this site includes the h-5 holding provision which requires a public site plan meeting before the Planning and Environment Committee.

File: SPA21-005 Site Development Planner: Name lmaitlan@london.ca (ext.1517) (City hall)
London Advisory Committee on Heritage
Report
The 2nd Meeting of the London Advisory Committee on Heritage
February 10, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

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

The meeting was called to order at 5:31 PM; it being noted that the following Members were in remote attendance: S. Bergman, M. Bloxam, J. Dent, D. Dudek, T. Jenkins, S. Jory, J. Manness, E. Rath, M. Rice, K. Waud and M. Whalley

1. Call to Order
1.1 Disclosures of Pecuniary Interest
L. Jones discloses a pecuniary interest in Item 2.1 of the 2nd Report of the London Advisory Committee on Heritage, having to do with a Demolition Request for the Heritage Designated Property located at 93-95 Dufferin Avenue by Old Oak Properties, by indicating that her employer was involved in a commemoration plan for the property.

2. Scheduled Items
2.1 Demolition Request for Heritage Designated Property located at 93-95 Dufferin Avenue by Old Oak Properties
That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Old Oak Properties relating to the property located at 93-95 Dufferin Avenue:

a) the request to demolish the buildings on the heritage designated property at 93-95 Dufferin Avenue, BE REFUSED for the following reasons:
   i) the demolition runs contrary to the PPS-2020 and is inconsistent with policies of The London Plan;
   ii) the property continues to demonstrate significant cultural heritage value;
   iii) the condition of the building does not sufficiently warrant the demolition of this heritage designated property;
   iv) the demolition will contribute to the continual loss of significant heritage buildings designed by Samuel Peters; and,
   v) the demolition does not support previous commitments and confirm public expectations through an approved bonus zone that conserved the properties at 93-95 Dufferin Avenue;

b) the Chief Building Official BE ADVISED of Municipal Council’s intention in this matter;

it being noted that a communication, dated November 4, 2020, from K. McKeating, Architectural Conservancy Ontario – London Region, and a verbal delegation from G. Priamo and H. Garrett, Zelinka Priamo Ltd., with respect to this matter, were received.
3. Consent

3.1 1st Report of the London Advisory Committee on Heritage

That it BE NOTED that the 1st Report of the London Advisory Committee on Heritage, from its meeting held on December 9, 2020, was received.


That it BE NOTED that the Municipal Council resolution, from its meeting held on January 12, 2021, with respect to the 1st Report of the London Advisory Committee on Heritage, was received.

3.3 Notice of Planning Application - Zoning By-law Amendment - 1634-1656 Hyde Park Road and Other Properties

That it BE NOTED that the Notice of Planning Application, dated January 27, 2021, from B. Debbert, Senior Planner, with respect to a Zoning By-law Amendment for the properties located at 1634-1656 Hyde Park Road and other properties, was received.

3.4 Wharncliffe Road South Improvements - 100 Stanley Street Update

That it BE NOTED that the staff report, dated February 10, 2021, from the Director, Roads and Transportation, with respect to an update on the Wharncliffe Road South Improvements - 100 Stanley Street, was received; it being noted that the London Advisory Committee on Heritage is satisfied with how this project is progressing.

3.5 2020 Heritage Planning Program

That it BE NOTED that the Memo, dated February 3, 2021, from the Heritage Planners, with respect to the 2020 Heritage Planning Program, was received.

3.6 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated February 10, 2021, from the Heritage Planners, 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 January 27, 2021, was received.

5. Items for Discussion

5.1 Heritage Alteration Permit Application for the property located at 330 St. James Street, Bishop Hellmuth Heritage Conservation District, by Philip Brown

That, on the recommendation of the 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 completed to the heritage designated property located at 330 St James Street, in the Bishop Hellmuth Heritage Conservation District, BE REFUSED;

it being noted that the alterations completed without Heritage Alteration Permit approval are contrary to the policies and guidelines of the Bishop Hellmuth Heritage Conservation District Plan and fail to conserve the heritage attributes of this heritage designated property;

it being further noted that a verbal delegation from P. Brown, with respect to this matter, was received.

5.2 Heritage Alteration Permit Application for the property located at 179 Dundas Street, Downtown Heritage Conservation District, by 2162538 Ontario Inc.

That, on the recommendation of the 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 heritage designated property located at 179 Dundas Street, in the Downtown Heritage Conservation District, BE APPROVED with the following terms and conditions:

• the storefront, including sign band, be reclad with smooth fiber cement board with a painted finish, as shown in the drawings included as Appendix C, as appended to the agenda; and,
• the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

5.3 Request for Heritage Designation - 1424 Clarke Road - R. Boyd

That the communication from R. Boyd, as appended to the agenda, with respect to a request for Heritage Designation for the property located at 1424 Clarke Road, BE REFERRED to the Stewardship Sub-Committee for review and a report back to the London Advisory Committee on Heritage.

5.4 Service Area Work Plan for 2021

That it BE NOTED that a verbal presentation from G. Barrett, Director, City Planning and City Planner, with respect to the Service Area Work Plan for 2021, was received.

5.5 Respectful Workplace Policy

That it BE NOTED that the Respectful Workplace Policy document, as appended to the agenda, was received.

5.6 LACH Terms of Reference

That it BE NOTED that the London Advisory Committee on Heritage (LACH) held a general discussion with respect to the LACH Terms of Reference document, as appended to the agenda.

5.7 Advisory Committee Review

That it BE NOTED that a verbal delegation from M. Schulthess, Deputy City Clerk, with respect to the ongoing Advisory Committee Review, was received.
6. **Deferred Matters/Additional Business**

6.1 Revised Notice of Planning Application - Draft Plan of Vacant Land Condominium, Official Plan and Zoning By-law Amendments - 101 Meadowlily Road South

That a Working Group BE CREATED to review the Revised Notice of Planning Application, dated December 17, 2020, from M. Corby, Senior Planner, with respect to a Draft Plan of Vacant Land Condominium, Official Plan and Zoning By-law Amendments for the property located at 101 Meadowlily Road and the Heritage Impact Assessment, dated December 13, 2019, from Thor Dingman, with respect to the above-noted property and report back to the London Advisory Committee on Heritage; it being noted the members of the Working Group are E. Rath, M. Whalley, J. Manness, M. Bloxam and S. Bergman.

7. **Adjournment**

The meeting adjourned at 7:44 PM.