

Agenda Including Addeds

Planning and Environment Committee

9th Meeting of the Planning and Environment Committee

May 31, 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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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Application by: Ironstone
234 Edgevalley Road
Removal of Holding Provisions

Meeting on: May 31, 2012

Recommendation

That on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Ironstone relating to the property located at 234 Edgevalley Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 15, 2021 to amend Zoning By-law Z.-1, in conformity with the Official Plan, to change the zoning of the lands **FROM** a Holding Residential R5/Residential R6 (h*R5-7/R6-5) Zone **TO** a Residential R5/Residential R6 (R5-7/R6-5) Zone to remove the "h" holding provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding ("h") symbol from Block 132 registered plan of subdivision (33M-757) to permit the development of cluster townhouses under the Residential R5/Residential R6 (R5-7/R6-5) Zone..

Rationale of Recommended Action

1. The conditions for removing the holding (h) provisions have been met and the recommended amendment will allow development of cluster townhouses in compliance with the Zoning By-law.
2. A Subdivision Agreement has been entered into and securities have been posted as required by City Policy and the Subdivision Agreement.
3. Performance security has been posted in accordance with City policy, and a Development Agreement has been executed by the applicant and the City.

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

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

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

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

1.2 Planning History

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

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

Since this time, several draft approval extensions have been granted by the Approval Authority and Council (August of 2015, January of 2017, and most recently, an emergency extension in July of 2018). Final Approval was granted on December 19, 2018 and the plan has been registered as 33M-757. Most recently, a removal of holding provision (H-8892) application was approved by Planning and Environment Committee and Municipal Council in January of 2019. The application to remove the holding provisions permitted the development of the single detached lots within the plan of subdivision.

1.3 Property Description

The subject property is located just south of the Thames River, east of Highbury Avenue North and on the south side of Edgevalley Road. The subject site is within a recently approved Plan of Subdivision known as the Edgevalley Subdivision (former file 39T-05505), which was registered on December 18, 2018 as 33M-757. The subject site is approximately 1.5ha in size.

1.4 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- Official Plan Designation – Multi Family, Medium Density Residential
- Existing Zoning - a Holding Residential R5/Residential R6 (h*R5-7/R6-5) Zone

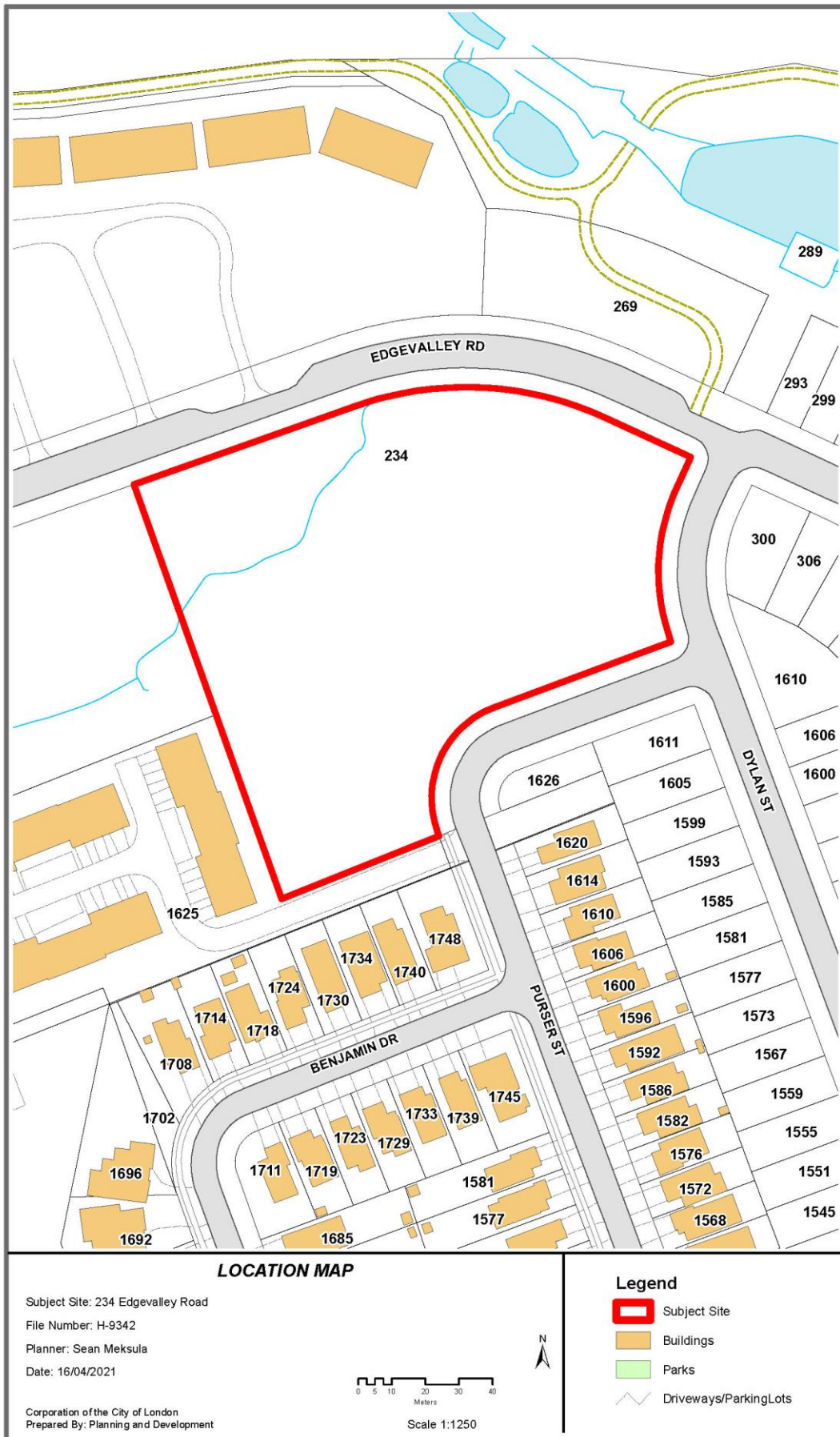
1.5 Site Characteristics

- Current Land Use – vacant
- Area – 1.5 ha (3.7 acres)
- Shape – irregular

1.6 Surrounding Land Uses

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

1.7 Location Map



2.0 Discussion and Considerations

The proposed application is to remove the “h” holding provision from the subject lands. The holding provision was included in the zone to ensure:

1. there is orderly development of land;
2. there are provisions for municipal services including water, sanitary and storm along with appropriate access; and
3. a development agreement is entered into to the satisfaction of the City.

The removal of the “h” holding provision will allow for the construction of the recently approved site plan for a cluster townhouse development comprised of 91 residential units.

2.1 Community Engagement (see more detail in Appendix B)

On April 29, 2021 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.

2.2 Policy Context (see more detail in Appendix C)

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

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

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

4.0 Key Issues and Considerations

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

h Holding Provision

The “h” holding provision states:

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

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

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

Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. Therefore, the required conditions have been met to remove the “h” holding provision. The removal of the holding provision is recommended to Council for approval.

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.
Deputy City Manager, Planning and Economic
Development

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

SM/sm

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\H-9342 - 234 Edgevalley Road (SM)\PEC\Draft - H-9342 Edgevalley Road (SM)_PEC.docx

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 234
Edgevalley Road.

WHEREAS Ironstone has applied to remove the holding provision from the zoning for the lands located at 234 Edgevalley Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 234 Edgevalley Road, as shown on the attached map, comprising part of Key Map No. 103 to remove the holding provisions so that the zoning of the lands as a Residential R5/Residential R6 (R5-7/R6-5) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

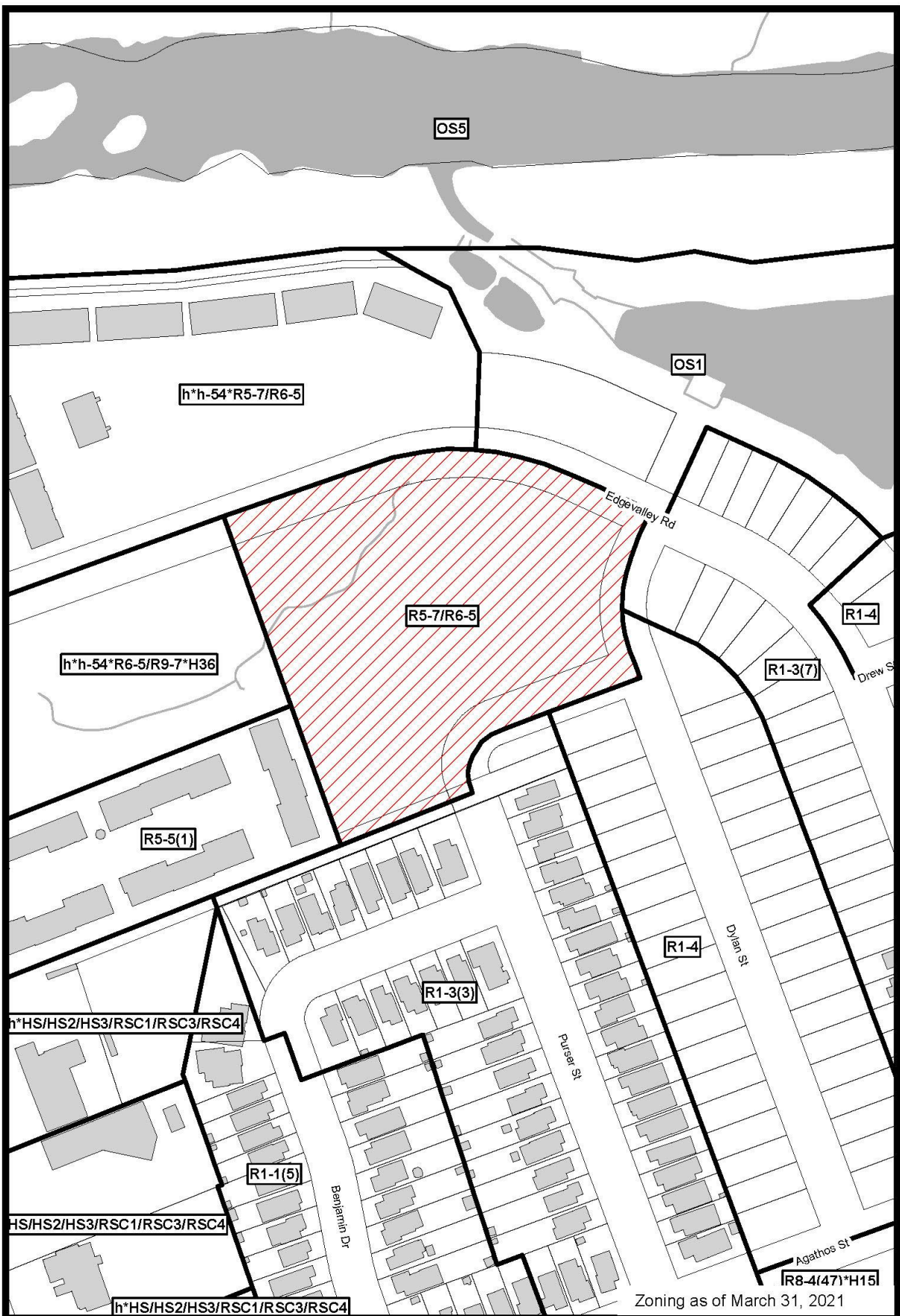
PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

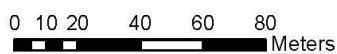
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: H-9342
 Planner: SM
 Date Prepared: 2021/04/16
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000



Appendix B – Public Engagement

Community Engagement

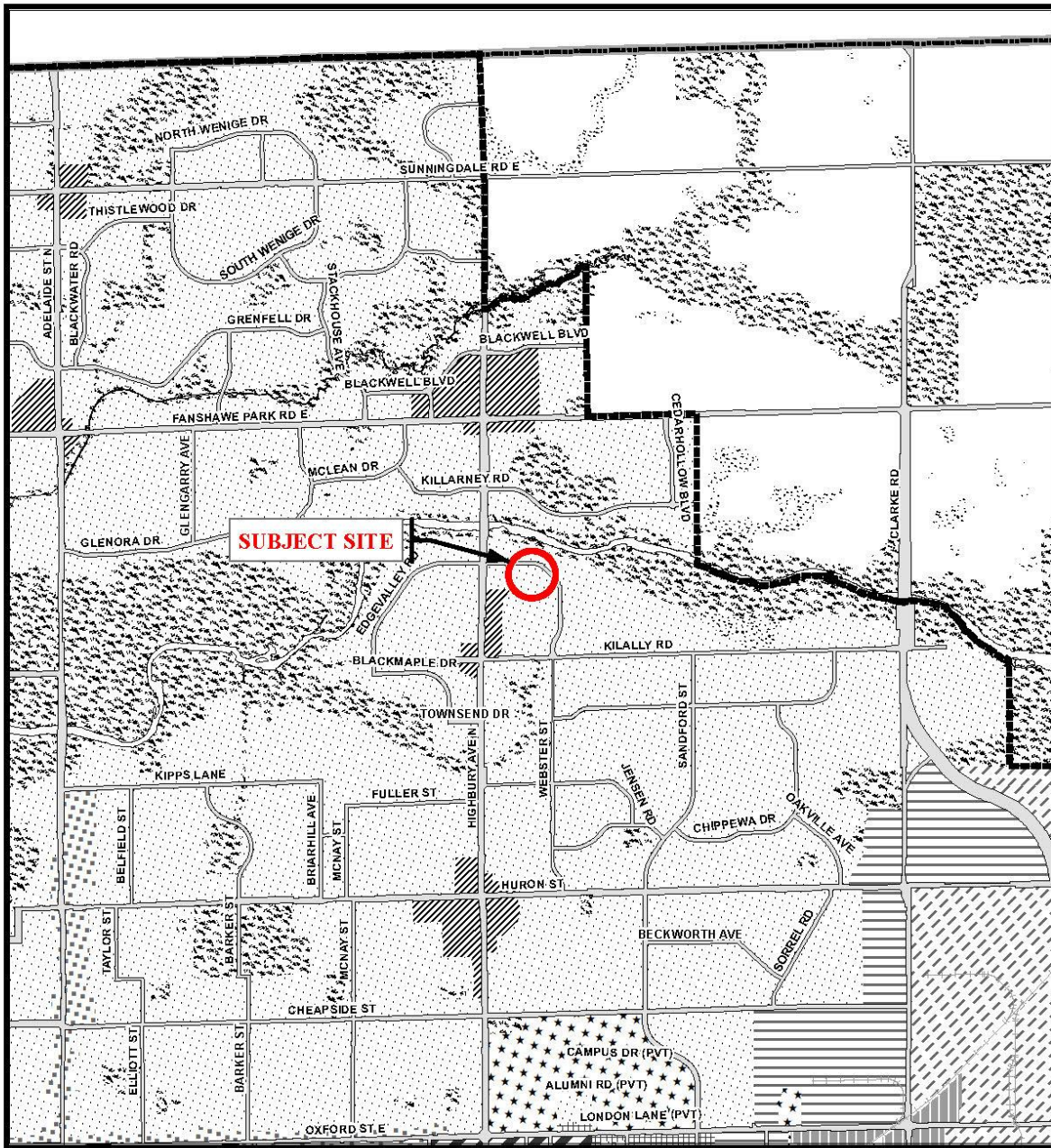
Public liaison: Notice of the application was published in the Londoner on April 29, 2021

0 replies were received

Nature of Liaison: City Council intends to consider removing the “h”, Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol permit further expansion of the existing church. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a development agreement has been entered into for the subject lands. Council will consider removing the holding provisions as it applies to these lands no earlier than May 31, 2021.

Appendix C – Relevant Background

London Plan Excerpt



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



File Number: H-9342

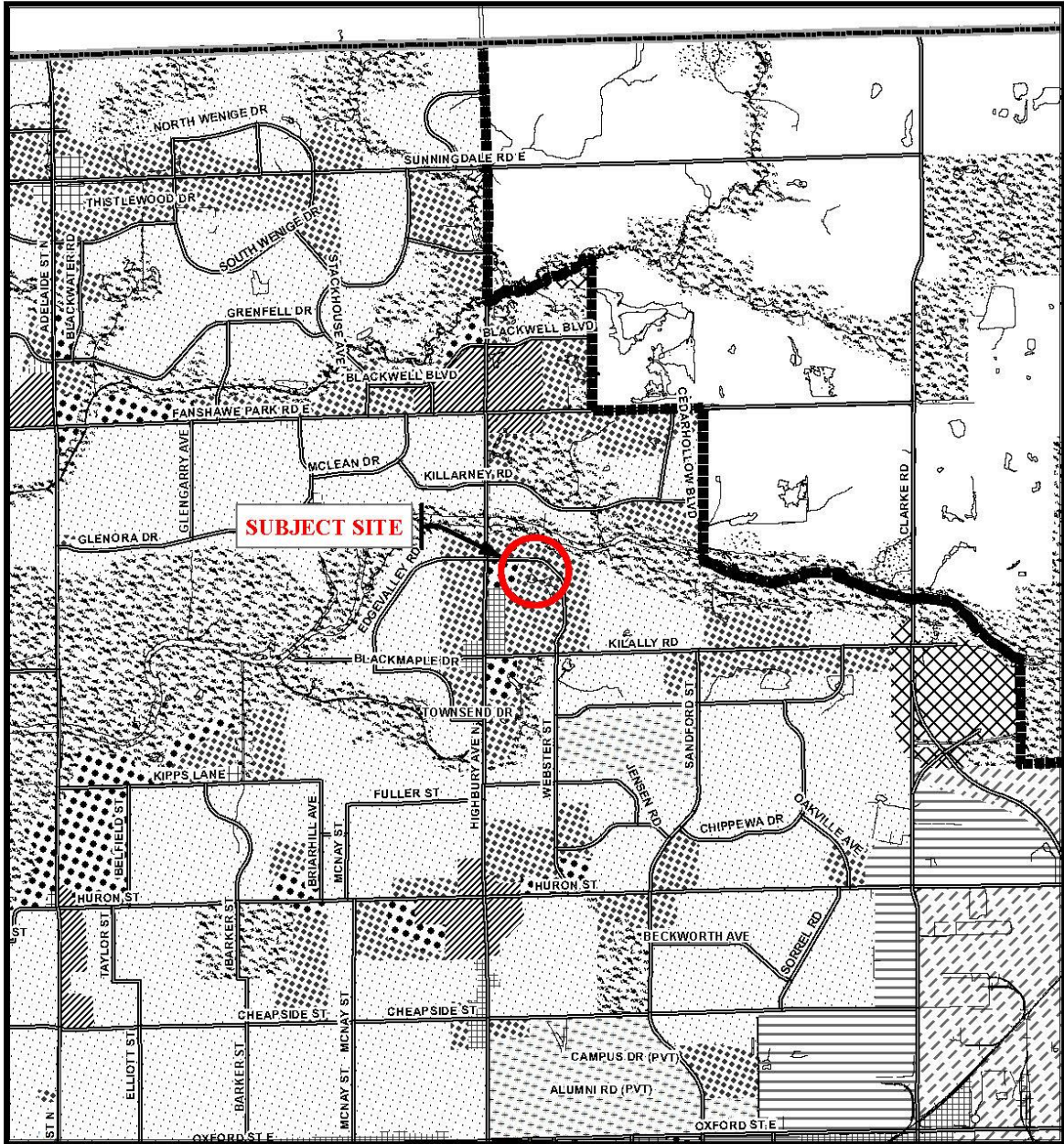
Planner: SM

Technician RC

Date: April 16, 2021

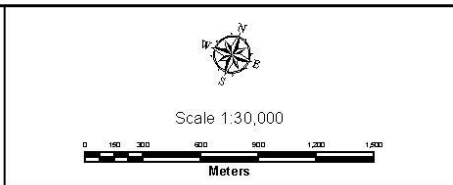
Project Location: E:\Planning\Projects\p_officialplan\work\consol00\excerpts_LondonPlan\mxd\H-9342-Map1-PlaceTypes.mxd

1989 Official Plan Excerpt



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

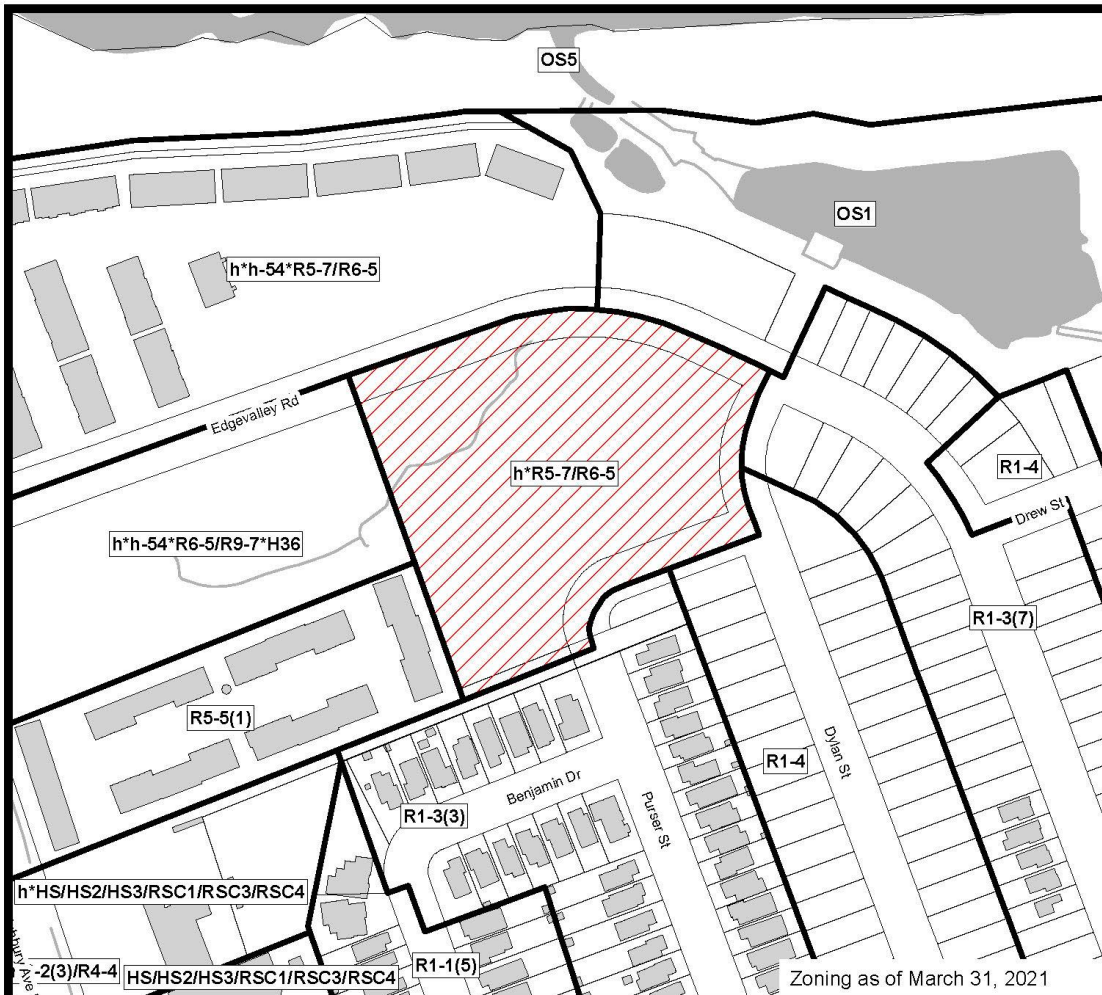
CITY OF LONDON
 Department of
Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9342
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2021/04/16

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_Bx14.mxd

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

H-9342

SM

MAP PREPARED:

2021/04/16

RC

1:2,500

0 12.5 25 50 75 100 Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

Subject: Application By: Southside Construction Management Limited
704 and 706 Boler Road
Boler Heights Subdivision - Special Provisions

Meeting on: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Southside Construction Management Limited for the subdivision of land over Concession 1, Part Lot 44, situated on the east side of Boler Road, north of Southdale Road West, municipally known as 704 and 706 Boler Road;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Southside Construction Management Limited for the Boler Heights Subdivision (39T-15503) attached as Appendix "A", **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix "B"; and,
- (c) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Executive Summary

Seeking approval of Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Southside Construction Management Limited for the Boler Heights Subdivision (39T-15503)

Linkage to the Corporate Strategic Plan

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

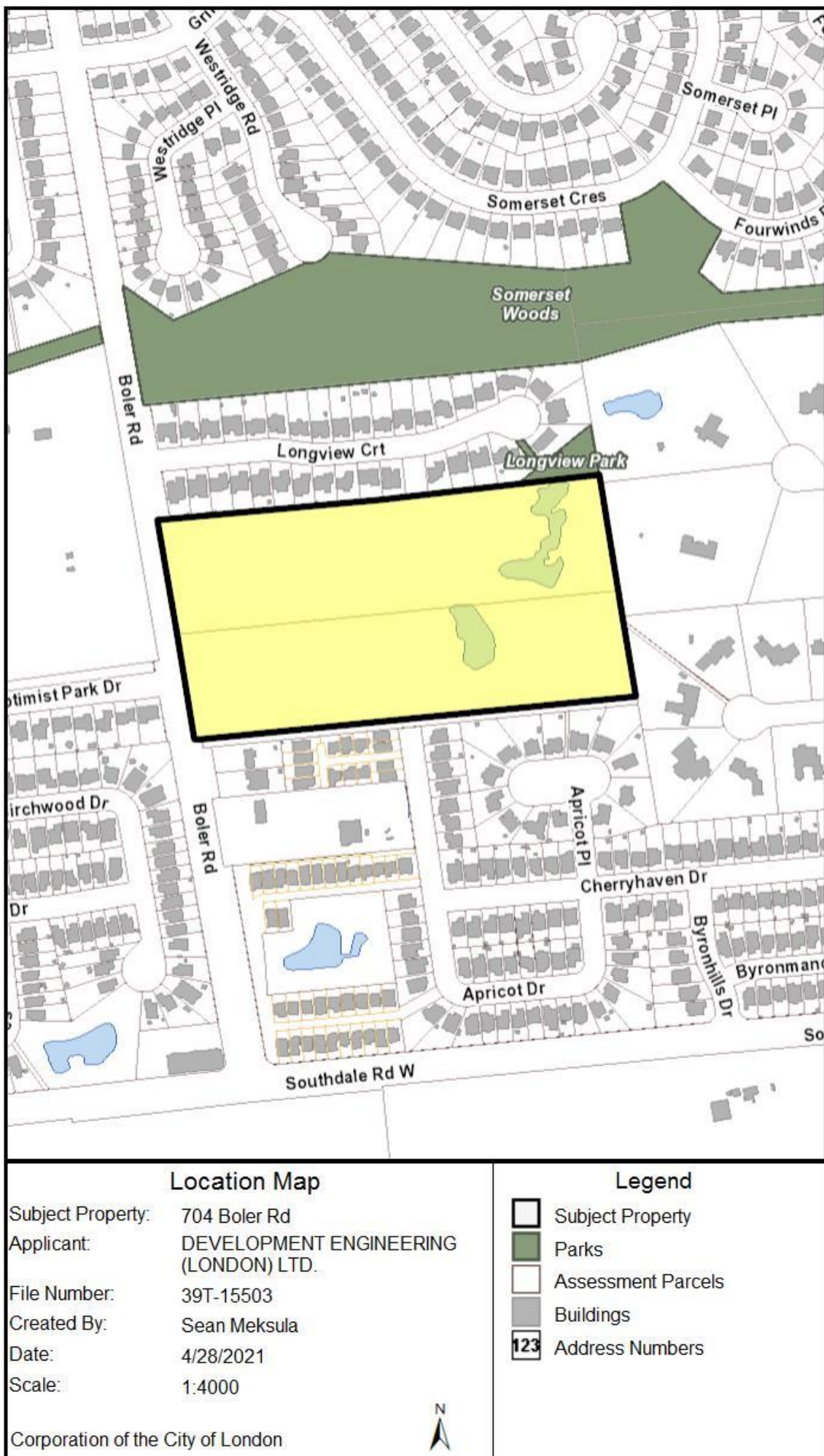
Analysis

1.0 Background Information

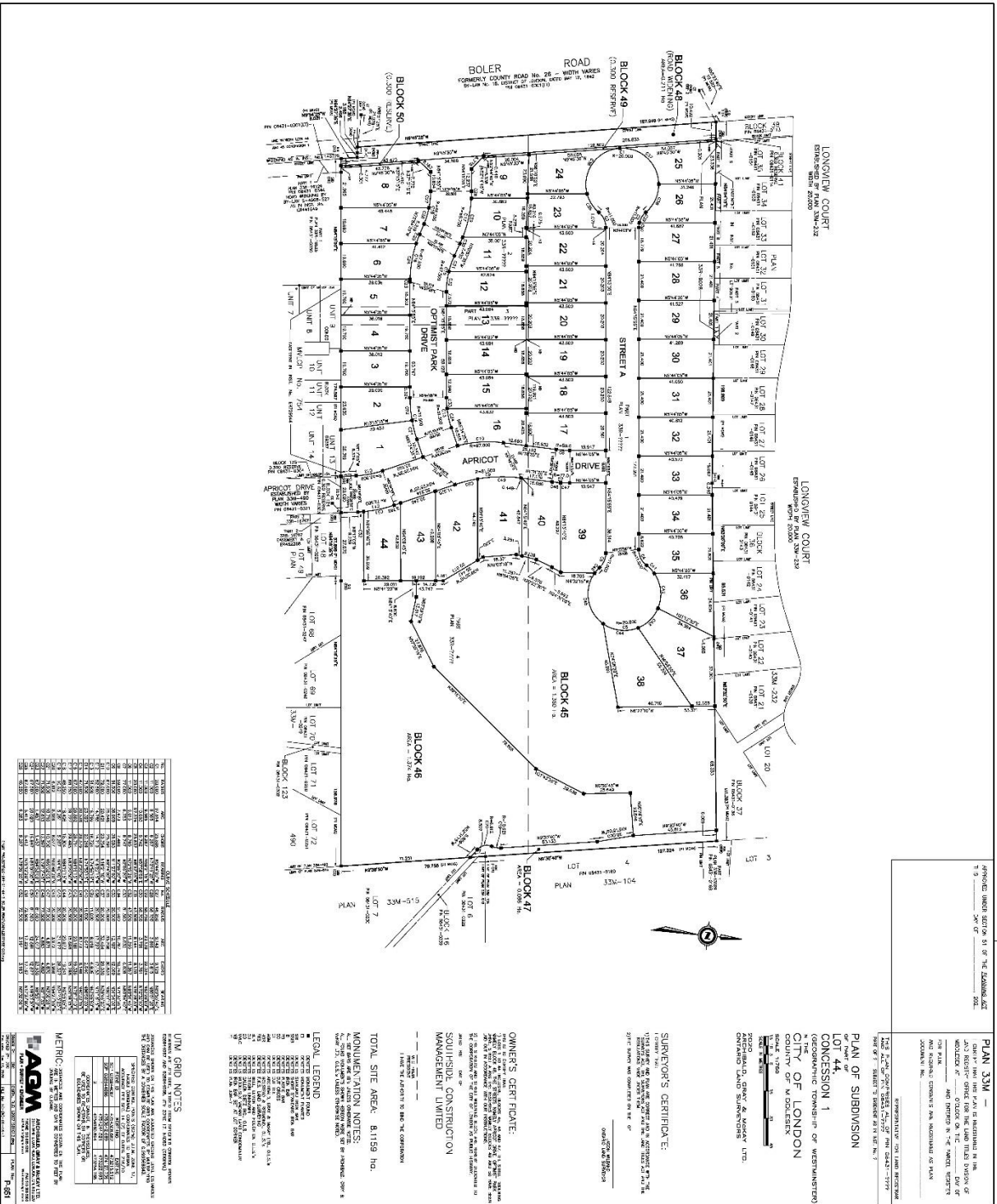
1.1 Property Description

The subject lands are located at 704 and 706 Boler Road. The overall subdivision (39T-15503) is comprised of 8.1159ha (20.05 acres) of land located on the east side of Boler Road, north of Southdale Road West. This development is comprised of forty-four (44) single detached lots, one (1) open space block, one (1) low density block and one (1) park block, all served by the extension of Optimist Park Drive, the extension of Apricot Drive, and one (1) new local street.

1.2 Location Map



1.3 Boler Heights Subdivision



2.0 Discussion and Considerations

2.1 Development Proposal

Boler Heights Subdivision will consist of forty-four (44) single detached lots (Lots 1 to 44), one (1) open space block (Block 45), one (1) low density block (Block 46) and one (1) park block (Block 47), all served by an extension of Apricot Drive, and one (1) new local street, Manhattan Drive .

The recommended special provisions for the proposed Subdivision Agreement are found at Appendix A of this report. The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

This report has been prepared in consultation with the City's Solicitors Office.

3.0 Financial Impact/Considerations

3.1 Financial Securities

Through the completion of the works associated with this application fees, development charges and taxes will be collected. Outside of the DC eligible items outlined in the attached Source of Financing (Appendix B), there are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

The key issues and considerations have been reviewed and addressed through the draft plan of subdivision approval process and subdivision agreement conditions.

Conclusion

Development Services Division staff are satisfied with the proposed special provisions for Boler Heights Subdivision, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager,
Planning and Economic Development

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 Engineer

May 21, 2021
GK/PY/SM/jar

Appendix A – Special Provisions

5. STANDARD OF WORK

Add the following new Special Provision:

1. The Owner shall provide minimum side yard setbacks as specified by the City for buildings which are adjacent to rear yard catch basin leads which are not covered by an easement on Lots in this Plan.

The Owner shall register against the title of Lots which incorporate rear yard catchbasins, which includes Lots 1, 2, 5, 6, 17, 18, 19, 20, 21, 23, 24, 25 and 26 in this Plan and all other affected Lots shown on the accepted plans and drawings, and shall include this information in the Agreement of Purchase and Sale or Lease for the transfer of each of the affected Lots, a covenant by the purchaser or transferee to observe and comply with the minimum building setbacks and associated underside of footing (U.S.F.) elevations, by not constructing any structure within the setback areas, and not disturbing the catchbasin and catchbasin lead located in the setback areas. This protects these catchbasins and catchbasin leads from damage or adverse effects during and after construction. The minimum building setbacks from these works and associated underside of footing (U.S.F.) elevations have been established as indicated on the subdivision lot grading plan, attached hereto as **Schedule "I"** and on the servicing drawings accepted by the City Engineer.

6. SOILS CERTIFICATE/GEOTECHNICAL

Add the following new Special Provisions:

2. The Owner shall have its professional engineer ensure that all geotechnical issues and required setbacks related to the slope stability associated with open watercourses that services an upstream catchment and Block 45 (Woodlot/Wetlands/Open Space OS5 Lands), are adequately addressed for the subject lands, all to the satisfaction of the City Engineer and The Upper Thames River Conservation Authority.

15. PROPOSED SCHOOL SITES

3.

Remove Subsection 15.3 to 15.8 as there are no school blocks in this Plan.

~~15.3 The Owner shall set aside an area or areas (being Block(s) _____) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~

~~15.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~

~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~

~~15.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been was waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~

~~15.7 The Owner agrees that the school blocks shall be:~~

- (a) ~~graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior~~

~~to the registration of the Plan; and~~

- (b) ~~top-soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the subdivision by the City.~~

~~15.8 Where the Owner has been required to improve the site by grading, top-soil and seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of its obligations under this Agreement.~~

24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

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

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

5. Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
- (i) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher for a total amount \$10,000 as identified on the accepted engineering drawings;
 - (ii) Removal of temporary works (eg. sediment basins, berms, etc.), an amount of \$10,000 as identified on the accepted engineering drawings;
6. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements to construct new services and make adjustments to the existing works and services on Apricot Drive in Plan 33M-490 and Boler Road, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted engineering drawings, all to the satisfaction of the City Engineer, at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent land owners as to what each parties Consulting Engineer will be required to be certified for the City for the purposes of assumption, all to the satisfaction of the City.

24.2 CLAIMS

7.

Remove Subsection 24.2 in its entirety as there are no claims in this Plan.

- ~~(a) Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from Development Charges as defined in the Development Charges By-law, and further, where such works are not oversized pipe works (sanitary, storm or water — the reimbursement of which is provided for in subsidy appendices in the Development Charges By-law), then the Owner shall submit through their Professional Engineer, a Work Plan for the proposed works to be approved by the City Engineer (or designate) and City Treasurer (or designate). The Owner acknowledges that:~~

- ~~i) no work subject to a Work Plan shall be reimbursable until both the City Engineer (or designate) and City Treasurer (or designate) have reviewed and approved the proposed Work Plan; and~~
 - ~~ii) in light of the funding source and the City's responsibility to administer Development Charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.~~
- ~~(b) Where the Owner undertakes construction of works as a capital cost incurred on behalf of the City in accordance with this Agreement, and which are eligible for a claim made against a Development Charge Reserve Fund or the Capital Works Budget, the Owner must conform with the Development Charges By-law and policies in effect at the time the claim is made including but not limited to, requirements for a Work Plan, tendering of construction works and completeness of claims.~~
- ~~(c) The Owner may, upon approval of this Agreement and completion of the works, make application to Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer (or designate) and the City Treasurer (or designate). Payment will be made pursuant to any policy established by Council to govern the administration of the said Development Charge Reserve Fund.~~

The anticipated reimbursements from the Development Charge Reserve Funds are:

- ~~(i) for the construction of _____, the estimated cost of which is \$_____;~~
- ~~(ii) for the construction of oversized sanitary sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$_____;~~
- ~~(iii) for the construction of oversized storm sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$_____;~~
- ~~(iv) for the construction of oversized watermains in conjunction with this Plan, subsidized at an estimated cost of which is \$_____;~~
- ~~(v) for the construction of left turn channelization on _____ at _____, the estimated cost of which is \$_____, as per the approved Work Plan;~~
- ~~(vi) for the engineering costs related to the construction of _____ the estimated cost of which is \$_____, as per the approved Work Plan;~~
- ~~(vii) for the installation of street lights on _____, from _____ to _____, the estimated cost of which is \$_____, as per the approved Work Plan;~~
- ~~(viii) for the installation of traffic signals at the intersection of _____ and _____, when deemed warranted by the City Engineer (or designate), the estimated cost of which is \$_____, as per the approved Work Plan;~~
- ~~(ix) for the construction of pavement widening on _____ at _____ consistent with the City's standard practice of paying claims where a Neighbourhood Connector is widened, the estimated cost of which is \$_____. The claim will be based on a pavement widening of _____ metres for a distance of _____ metres with a _____ metre taper. The costs of the gateway treatment over and above the claimable portion shall be at the Owner's expense, as per the approved Work Plan;~~
- ~~(x) for the construction of an eligible parks pathway in connection with this Plan, at an estimated cost of which is \$_____ as per the approved Work Plan;~~

The anticipated reimbursements from the Capital Works Budget are:

- ~~(i) for the construction of _____, the estimated cost of which is \$_____;~~
- ~~(ii) for the engineering costs related to the construction of _____, the estimated cost of which is \$_____.~~

Any funds spent by the Owner that exceed the approved Work Plan estimates shall be at the sole risk of the Owner pending sufficient capital funding included in the City Budget.

- ~~(d) The Owner shall review and seek approval from the City for any proposed use of construction contingency that relate to claimable works outlined in the Work Plan prior to authorizing work.~~
- ~~(e) The Owner shall ensure that the City is formally invited to all construction site/progress meetings related to the claimable works associated with this Plan, including but not limited to providing a minimum of two-week notice of meetings and copies of all agenda and minutes as appropriate, all to the satisfaction of the City.~~
- ~~(f) The Owner shall provide full-time supervision by its Professional Engineer for all claimable works to be constructed in accordance with current City policies. Upon completion of these claimable works, a Certificate of Completion of Works is to be supplied to the City, pursuant to the General Provisions and **Schedule 'G'** of this Agreement.~~
- ~~(g) Upon approval of an application for a claim to a Development Charge Reserve Fund, the City shall pay the approved claim in full to the Owner subject to the limits noted above and in accordance with the Council approved "Source of Financing" and the Development Charges By-law and policies in effect at the time the claim is made.~~

24.3 METHANE GAS

Add the following new Special Provision:

8. The Owner recognizes that this site has been confirmed as being in close proximity to a former landfill site or other possible methane gas producing areas. To this effect, the Owner shall have a professional engineer, experienced in the investigation and design of the ways and means of detecting and providing protection against methane or other gases which may be present on this site, investigate and report on the area to the City Engineer and the Chief Building Official prior to the issuance of a Certificate of Conditional Approval on this Plan.

Should the report indicate the presence of methane gas, then the Owner agrees to follow any recommendations contained in this report to ensure that the buildings constructed on this plan will be well protected from any methane gas or other deleterious effect which may occur as a result of the possible presence of organic materials or methane gas in this area. Should the engineer's recommendation require that certain works be undertaken by the Owner, then the Owner is to have the professional engineer design and inspect the works recommended and supply the City Engineer with a certificate upon their completion and prior to assumption of the subdivision by the City, stating the facilities recommended were installed and/or carried out in accordance with his recommendations. The report shall also include measures to control the migration of any methane gas to abutting lands outside this plan.

The Owner shall comply with all the recommendation of the engineer's report with respect to methane gas testing and for providing protection against any methane gas present on the site. Should a mechanical venting system or other facilities be recommended by the engineer to provide protection to any of the buildings within this plan, the system or facilities must be approved by the appropriate branch of the Ministry of the Environment. In the event that a mechanical venting system or other facility is required, the Owner shall register a covenant on the title of each affected lot and block, to the effect that the owners of the subject lots and blocks must have the required system or facilities designed, constructed and monitored as recommended by the Owner's professional engineer and approved by the City Engineer, and that the Owner must maintain the installed system or facilities in perpetuity, at no cost to the City. The Owner shall further undertake to include a condition in the deed of each lot which is not built on or sold prior to assumption of this Plan and is affected by the professional engineer's recommendation, to the effect that the lot is affected by the recommendations in the engineer's report with respect to methane or other gases, and that the requires works affecting the lot must be certified by a qualified professional engineer when construction of the required works is complete.

24.4 CONTAMINATION

Add the following new Special Provision:

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

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

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

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provisions:

10. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct and have operational temporary sediment and erosion control works on Lots 2, 3 and 44 and Block 46 as per the accepted engineering drawings, to the satisfaction of the City, at no cost to the City.
11. All temporary erosion and sediment control measures, including sediment basins, installed in conjunction with this Plan shall be decommissioned and/or removed when warranted or upon placement of Granular ‘B’ as per accepted engineering drawings, all to the satisfaction of the City Engineer and at no cost to the City.
12. The Owner shall hold Lots 2, 3, 44 and Block 46 out of development until the temporary sediment basin and associated works are decommissioned, to the satisfaction of the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

13. The Owner shall grade the portions of Lots 8, 9, 24 and 25 inclusive, which have a common property line with Boler Road, to blend with the ultimate profile of Boler Road, in accordance with the accepted engineering drawings and at no cost to the City.
14. The Owner shall register against the title of Lots 1, 2, 3, 4, 5, 6, 7, 8, 17, 18, 19, 20, 21, 22, 23, 24 and 25 and Block 46 in this Plan, and shall include in the Agreement of Purchase and Sale for the transfer of each of the said Lots, as an overland flow route is located on the said Lots, a covenant by the purchaser or transferee to observe and comply with the following:
 - i) The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Lots as shown on the accepted lot grading and servicing drawings for this subdivision.

The Owner further acknowledges that no landscaping, vehicular access, parking access, works or other features shall interfere with the above-noted overland flow route, grading or drainage.

15. The Owner shall maintain the existing overland flow route on Lots 1, 2, 3, 4, 5, 6, 7, 8, 17, 18, 19, 20, 21, 22, 23, 24 and 25 and Block 46 as per the accepted engineering drawings, to the satisfaction of the City Engineer.

16. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct works at the rear of Lots 17 to 24 as per the accepted engineering drawings, to the satisfaction of the City.
17. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct the overland flow route and associated works at the end of Princeton Terrace the cul-de-sac, as per the accepted engineering drawings, to the satisfaction of the City.
18. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall have its professional engineer provide shop drawings, certified by a structural engineer, of the proposed retaining walls, to the satisfaction of the City.
19. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
20. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall remove the existing retaining wall at the north limit of Apricot Drive in Plan 33M-490 to the south of this Plan and make all necessary arrangements to grade the adjacent lands outside the boundaries of this Plan to be compatible with the accepted grades in this Plan as per the accepted engineering drawings, to the satisfaction of the City, at no cost to the City. The Owner shall obtain permission to remove a portion of this retaining wall.
21. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a temporary diversion berm to direct the overland flow route to the temporary sediment basins during construction and shall be decommissioned and/or removed when warranted or after curb and base asphalt is complete, as per the accepted engineering drawings, to the satisfaction of the City Engineer.
22. The Owner shall removal all temporary works, including sediment basins, temporary berms, etc. once the ultimate servicing is constructed, to the satisfaction of the City.
23. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owner to the north and south to regrade a portion of the property abutting this Plan, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.
24. Prior to the issuance of any Certificate of Conditional Approval for Lots and Blocks in this Plan, the Owner shall construct the proposed retaining walls adjacent to the rear and/or side property lines of each of the said Lots/blocks as shown on the accepted engineering drawings and have its professional engineer certify that the said walls were constructed in accordance with the accepted engineering drawings, all to the satisfaction of the City.
25. The Owner shall register against the title of Lots and Blocks in this Plan and include in the Agreement of Purchase and Sale for the transfer of the said Lots and blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Lot and/or Block shall be responsible for the maintenance of the retaining walls in the future located on the said Lot and/or Block, at no cost to the City.
26. Prior to assumption, the Owner's professional engineer shall certify to the City, the retaining walls on Lots and Blocks in this Plan are in a state of good repair and functioning as intended, all to the satisfaction of the City.

24.8 STORM WATER MANAGEMENT

Add the following new Special Provisions:

27. The Owner shall ensure that all geotechnical issues and required setbacks related to the slope stability associated with open watercourses that services an upstream catchment and Woodlot/Open Space Lands, are adequately addressed and that adequate setbacks and buffers will be, allocated and maintained for the

subject lands, all in accordance with the MOE and City's requirements and to the satisfaction of the City Engineer and the UTRCA.

28. Prior to the issuance of any Certificate of Conditional Approval for this Plan, the Owner shall have low impact development (LID) features, if any, and water balance recommended mitigation measures, if any, installed and operational in this Plan in accordance with the accepted servicing drawings and the accepted Stormwater Management Report to the specifications and satisfaction of the City, at no cost to the City.
29. Prior to assumption, the Owner shall complete the following, at no cost to the City, all to the satisfaction of the City:
 - i) Operate, maintain, inspect, monitor and protect low impact development features, if any and water balance recommended mitigation measures, if any, including correcting any deficiencies as soon as they are detected, in accordance with the accepted maintenance and monitoring program; and,
 - ii) have its consulting Professional Engineer submit monitoring reports in accordance with the accepted maintenance and monitoring program.
30. Prior to assumption, the Owner shall operate, monitor and maintain the stormwater works associated with this Plan. The Owner shall ensure that any removal and disposal of sediment is to an approved site in accordance with the Ministry of the Environment and the Ministry of Natural Resources.
31. The Owner shall implement SWM 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.
32. All temporary storm works and servicing installed within the proposed Plan of Subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City, at no cost to the City.

24.9 SANITARY AND STORM SEWERS

33.

Remove Subsection 24.9 (b) and **replace** with the following:

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm sewer system being the 900 mm diameter storm sewer on Apricot Drive, which outlets to the unassumed Byron Hills 1 SWM Facility, in accordance with the accepted engineering drawings, to the satisfaction of the City.

34.

Remove Subsection 24.9 (j) and **replace** with the following:

- (j) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 200 mm diameter sanitary sewer on Apricot Drive, in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

35. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a storm sewer and all necessary appurtenances between Lots 41 and 42, and provide the necessary easement, as per the accepted engineering drawings, to the satisfaction of the City.
- 36. The Owner shall include in all agreements of purchase and sale and registered on the title of Lots 41 and 42 in this plan a warning clause advising the purchaser/transferee that these Lots have a storm sewer easement on these Lots as identified on the accepted engineering drawings.

24.10 WATER SERVICING

Add the following new Special Provisions:

37. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
- i) Construct watermains to serve this Plan and connect them to the existing high-level municipal system, namely the existing 300 mm diameter watermain on Boler Road and the 200mm diameter watermain on Apricot Drive;
 - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units; and,
 - iii) Have their consulting engineer prepare a Certificate of Completion of Works to confirm to the City that the watermain connection(s) to the 300 mm diameter watermain on Boler Road and the 200mm diameter watermain on Apricot Drive.
38. The available fire flows for development Blocks within this Plan of Subdivision have been established through the subdivision water servicing design study as follows:
- Block 46 @ 76 l/sec
- Future development of this Block shall be in keeping with the established fire flows in order to ensure adequate fire protection is available.
39. All development Blocks shall be serviced off the water distribution system internal to this Plan of Subdivision.
40. If the Owner requests the City to assume Princeton Terrace with the automatic flushing devices still in operation, all as shown on this Plan of Subdivision, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system on Princeton Terrace and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for a total amount of \$10,000 for which amount sufficient security is to be provided in accordance with **Condition 24.1 (___)**. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

24.11 ROADWORKS

41.

Remove Subsection 24.11 (p) as there are no traffic calming measures in this Plan.

~~(p) — Where traffic calming measures are required within this Plan:~~

- ~~(i) — The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.~~
- ~~(ii) — The Owner shall register against the title of all Lots and Blocks abutting the traffic calming circle(s) in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner that there may be some restrictions for driveway access due to diverter islands built on the road.~~
- ~~(iii) — Where a traffic calming circle is located, the Owner shall install the traffic calming circle as a traffic control device, including the diverter islands, or provide temporary measures, to the satisfaction of the City prior to the issuance of a Certificate of Conditional Approval for that section of road.~~

~~(iv) The Owner shall register against the title of all Lots and Blocks on (insert street names) in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including traffic calming circles, raised intersections, splitter islands and speeds cushions, to be installed as traffic control devices, to the satisfaction of the City Engineer.~~

42.

Remove Subsection 24.11 (q) and **replace** with the following:

(q) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Boler Road as per the accepted engineering drawings.

Add the following new Special Provisions:

43. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall repaint the turn lanes on Boler Road at Manhattan Drive as per the accepted engineering drawings, to the satisfaction of the City.

44. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct temporary street lighting at the intersection of Boler Road and Manhattan Drive as per the accepted engineering drawings, to the satisfaction of the City.

45. The Owner shall remove the temporary turning circle on Apricot Drive and adjacent lands, in Plan 33M-490 to the south of this Plan and complete the construction of Apricot Drive in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-490 for the removal of the temporary turning circle and the construction of this section of Apricot Drive 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 Apricot Drive in Plan 33M-490 is constructed as a fully serviced road by the Owner of Plan 33M-490, then the Owner shall be relieved of this obligation.

46. Barricades are to be maintained at south limit of Apricot Drive until the issuance of Conditional Approval or as otherwise directed by the City. At the time of Conditional Approval or as otherwise directed by the City, the Owner shall remove the barricades, to the specifications of the City, all at no cost to the City.

The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.

47. The Owner shall remove existing infrastructure, including but not limited to, CICBs, DICBs, curbs, hydro poles, etc. on Boler Road and relocate/restore/construct associated works as per the accepted engineering drawings, to the specifications and satisfaction of the City.

24.12 PLANNING

(a) Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City.

Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate that identifies that the Block has been rough graded as per the approved plan and receive City approval of rough grades prior to topsoil installation.

- (b) Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with City Standard S.P.O. 4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.

Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate to the City Plan that identifies that the fencing has been installed as per the approved plan.

- (c) The Owner shall not grade into any park or open space area. Where Lots abut lands zoned as open space, all grading of the developing Lots at the interface with the park or 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 park or open space zones shall be to the satisfaction of the City.
- (d) The owner shall ensure all open space blocks are sufficiently protected from sediment throughout the construction period. A double robust sediment barrier and other erosion control measures, as shown on the approved Engineering drawings, shall be installed and maintained along all identified block limits to the satisfaction of the City. The Owner's consulting engineer shall provide written certification of the barrier installation and monthly site inspection reports to the City during all development activity.
- (e) Within one (1) year of registration of this Plan, the Owner shall implement all the recommendations of the approved Environmental Impact Study and Addendum to the satisfaction of the City. The Owner shall provide written confirmation to the City as to when and how the recommendations were implemented including a monitoring program.
- (f) Within one (1) year of registration of this Plan, the Owner shall implement all the recommendations of the approved Restoration and Compensation Plan as detailed in the approved Engineering Plans, to the satisfaction of the City. The Owner shall provide written confirmation to the City as to when and how the recommendations were implemented including a monitoring program.
- (g) Within one (1) year of registration of this Plan, the Owner shall implement all the recommendations of the approved Tree Preservation Plan, to the satisfaction of the City.

SCHEDULE "C"

This is Schedule "C" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Southside Construction Management Limited to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Manhattan Drive shall have a minimum road pavement width (excluding gutters) of 7.5 metres with a minimum road allowance of 20.0 metres.
- Apricot Drive (south of Manhattan Drive) shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20.0 metres.
- Apricot Drive (north of Manhattan Drive) and Princeton Terrace shall have a minimum road pavement width (excluding gutters) of 6.5 metres with a minimum road allowance of 18 metres or as per the accepted engineering drawings
- Manhattan Drive, from Boler Road to 30 metres east of Boler Road shall have a minimum road pavement width (excluding gutters) of 10.0 metres with a minimum road allowance of 22.5 metres. The widened road on Boler Road shall be equally aligned from the centreline of the road and tapered back to the 7.5 metre road pavement width (excluding gutters) and 20.0 metre road allowance for this street, with 30 metre tapers on both street lines.

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of Manhattan Drive as per the accepted engineering drawings.

A 1.5 metre sidewalk shall be constructed on one side of the following street:

- (i) Apricot Drive – west boulevard

Pedestrian Walkways

There are no pedestrian walkways in this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Southside Construction Management Limited to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Block 49 and Block 50
Road Widening (Dedicated on face of plan):	Block 48
Walkways:	NIL
5% Parkland Dedication:	BLOCK 47 and 45
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:	NIL
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LANDS TO BE HELD IN TRUST BY THE CITY:

Temporary access:	NIL
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SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Southside Construct Management Limited to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

CASH PORTION:	\$ 364,702
BALANCE PORTION:	<u>\$2,066,644</u>
TOTAL SECURITY REQUIRED	
\$2,431,346	

The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

The Balance Portion shall be deposited with the City Treasurer prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the lots and blocks in this plan of subdivision.

The Owner shall supply the security to the City in accordance with the City's By-Law No. CPOL-13-114 and policy adopted by the City Council on April 4, 2017 and any amendments.

In accordance with Section 9 Initial Construction of Services and Building Permits, the City may limit the issuance of building permits until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the CONSTRUCTION ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and _____ to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

Multi-Purpose Easements:

- (a) Multi-purpose easements for servicing shall be deeded to the City in conjunction with this Plan, within this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) Between Lots 41 and 42 for storm servicing

Appendix B – Claims and Revenues

Estimated Costs and Revenues

Estimated DC Claim Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF - Nil.	\$0
Total	\$0
Estimated DC Revenues (January 1, 2021 to December 31, 2021 Rates)	Estimated Revenue
CSRF TOTAL	\$1,820,577

- 1 Estimated DC Claim Costs are for Owner led construction projects and do not include City led projects required to accommodate growth.
- 2 Estimated DC Revenues are calculated using current DC rates. The City employs a “citywide” approach to cost recovery for all eligible growth services, therefore the Estimated DC Claim Costs and Revenues in the table above are not directly comparable.
- 3 There are no anticipated claims associated with this development.

Approved by:

Date

Paul Yeoman
Director, Capital Assets and Projects

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Deputy City Manager
Planning and Economic Development

Subject: Application By: Landea North Developments Inc. and
Landea Developments Inc.
995 Fanshawe Park Road West
Creekview Subdivision Phase 4 - Special Provisions

Meeting on: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London, Landea North Developments Inc. and Landea Developments Inc. for the subdivision of land over, Part Lot 22, Concession 5 (Township of London), City of London, County of Middlesex situated on the north side of Bridgehaven Drive, south of Sunningdale Road West, west of Applerock Avenue municipally known as 1196 Sunningdale Road West;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London, Landea North Developments Inc. and Landea Developments Inc. for the Creekview Subdivision Phase 4 (39T-05512_4) attached as Appendix “A”, **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix “B”;
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Appendix “C”; and,
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Executive Summary

Seeking approval of Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London, Landea North Developments Inc. and Landea Developments Inc. for the Creekview Subdivision, Phase 4 (39T-05512_4)

Linkage to the Corporate Strategic Plan

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

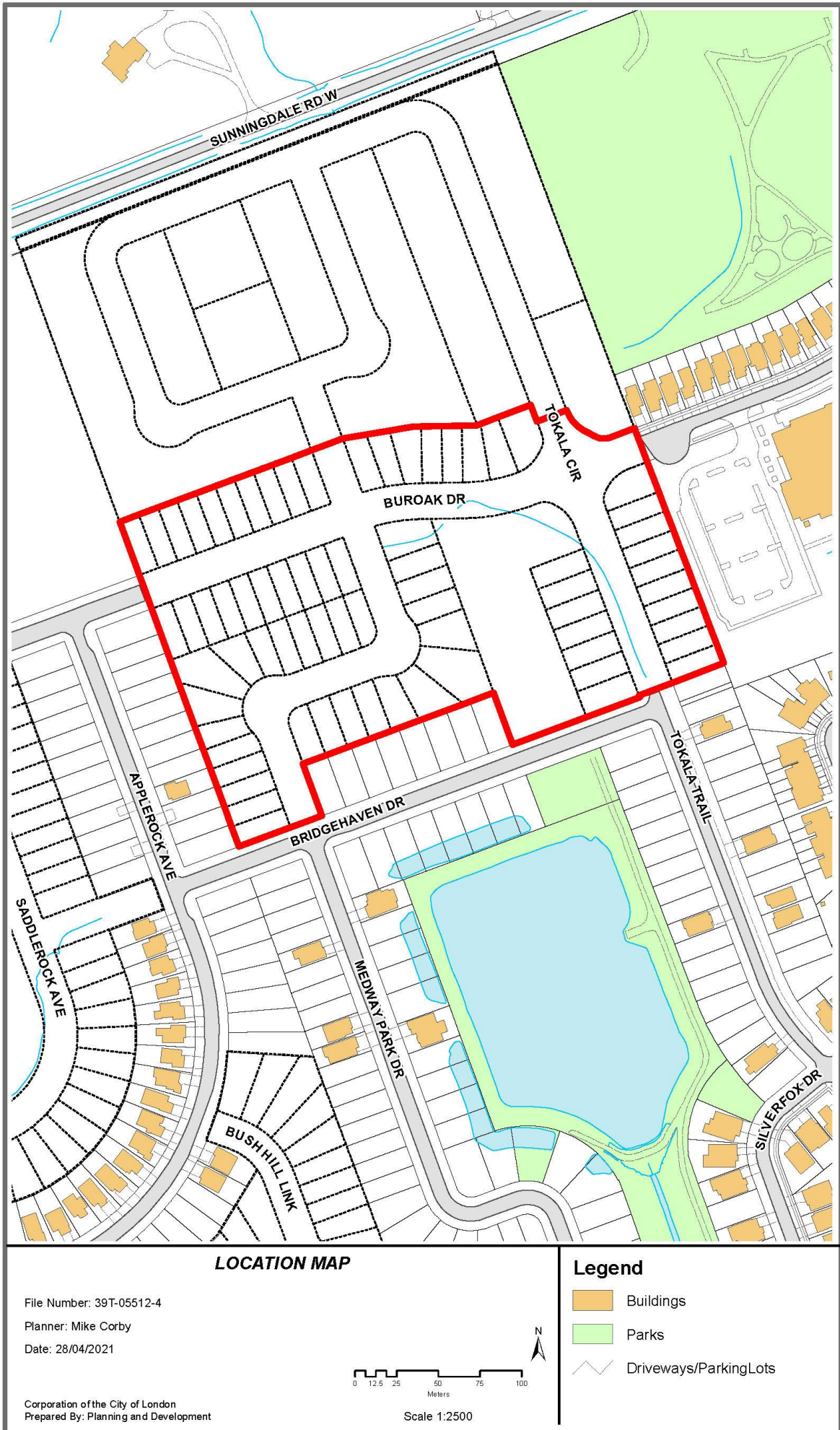
Analysis

1.0 Background Information

1.1 Property Description

The subject site is a 5.627 hectare parcel of land located along the north side of Bridgehaven Drive east of Applerock Avenue and runs along the future extension of Buroak Drive and Tokala Trail. The site has been previously cleared through previous phases of development with no trees or natural features existing.

1.2 Location Map



1.3 Creekview Subdivision Phase 4



2.0 Discussion and Considerations

2.1 Development Proposal

Creekview Subdivision Phase 4 of the plan of subdivision will consist of 72 single detached lots (Lots 1 to 72) and one (1) park block (Block 73), all served by the extensions of Buroak Drive, Medway Park Drive, Tokala Trail and a new local street (Tokala Circle).

The recommended special provisions for the proposed Phase 4 Subdivision Agreement are found at Appendix A of this report. The Development Services Division has reviewed these special provisions with the Owner who is in agreement with them.

This report has been prepared in consultation with the City's Solicitors Office.

3.0 Financial Impact/Considerations

3.1 Financial Securities

Through the completion of the works associated with this application fees, development charges and taxes will be collected. Outside of the DC eligible items outlined in the attached Source of Financing (Appendix C), there are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

The key issues and considerations have been reviewed and addressed through the draft plan of subdivision approval process and subdivision agreement conditions.

Conclusion

Development Services Division staff are satisfied with the proposed special provisions for the Creekview Subdivision, Phase 4, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

Prepared by: Mike Corby, MCIP, RPP
Senior Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Deputy City Manager
Planning and Economic Development

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 Engineer

May 21, 2021
GK/PY/MC/jar

Appendix A – Special Provisions

1.

15. PROPOSED SCHOOL SITES

Remove Subsections 15.3 to 15.8 as there are no school blocks in this Plan.

~~15.3 The Owner shall set aside an area or areas (being Block(s) _____) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~

~~15.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~

~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~

~~15.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~

~~15.7 The Owner agrees that the school blocks shall be:~~

- ~~(a) graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior to the registration of the Plan; and~~
- ~~(b) top-soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the subdivision by the City.~~

~~15.8 Where the Owner has been required to improve the site by grading, top-soil and seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of its obligations under this Agreement.~~

24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

2. The Owner shall submit revised engineering drawings should any Zoning application be submitted within this Plan of Subdivision for Lots in this Plan, all to the satisfaction of the City.
3. Prior to Final Approval, the Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this Plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.

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

The Owner shall include in all agreements of purchase and sale and registered on the title of all Lots/Blocks in this Plan a warning clause advising the purchaser/transferee that these Lots/Blocks are not to be developed until the existing services are removed, alternate services are installed if necessary to replace the existing private services and the existing easement is quit claimed to the satisfaction of the City.

4. The Owner shall comply with conditions set out in the existing reciprocal agreement (Agreement between Claybar Developments Inc., Foxhollow Developments Inc., Fox Hollow North Kent Developments Inc., Landea Developments Inc. and Landea North Developments Inc. dated November 30, 2009) between the adjacent property owner to the east to construct adequate municipal services, grading, drainage and accesses over the external lands to the east, if necessary, to develop this Plan, all to the satisfaction of the City Engineer, at no cost to the City.
5. Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the City Treasurer the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
 - (i) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher for a total amount of \$10,000

6.

24.2 CLAIMS

Remove Subsection 24.2 (c) and **replace** with the following:

- (c) The Owner may, upon approval of this Agreement and completion of the works, make application to Development Finance for payment of the sum alleged to be owing, and as confirmed by the City Engineer (or designate) and the City Treasurer (or designate). Payment will be made pursuant to any policy established by Council to govern the administration of the said Development Charge Reserve Fund.

The anticipated reimbursements from the Development Charge Reserve Funds are:

- (i) for the construction of oversized sanitary sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$ 23,414, excluding HST;
- (ii) for the construction of oversized storm sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$350,116, excluding HST;
- (iii) for the construction of oversized watermains in conjunction with this Plan, subsidized at an estimated cost of which is \$ 26,785, excluding HST;

24.6 EROSION AND SEDIMENT CONTROL

Add the following new Special Provisions:

7. All temporary erosion and sediment control measures installed in conjunction with this Plan shall be decommissioned and/or removed when warranted or upon placement of Granular 'B' as per accepted engineering drawings, all to the satisfaction of the City Engineer and at no cost to the City.

24.7 GRADING REQUIREMENTS

Add the following new Special Provisions:

8. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
9. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owner to the north and east to regrade a portion of the property abutting this Plan, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.
10. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall obtain permission to regrade the school property in Plan 33M-622 adjacent to this Plan.
11. The Owner shall regrade the landscaped area on the school property in Plan 33M-622 as per the accepted engineering drawings, all to the specifications and satisfaction of the City.

12. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct temporary diversion swales and external grading along the entire north limit of this Plan, as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
13. The Owner shall maintain the temporary diversion swales external to this Plan along the entire north limit of this Plan until lands to the north develop, to the satisfaction of the City, at no cost to the City.
14. The Owner shall remove all existing temporary works, including diversions swales, catchbasins, etc., when the ultimate servicing is constructed and operational, all to the satisfaction of the City, at no cost to the City.

24.8 STORM WATER MANAGEMENT

Add the following new Special Provisions:

15. The Owner shall accommodate the major stormwater overland flows within this Plan from upstream (external) lands in accordance with the approved design studies and accepted engineering drawings, and to the satisfaction of the City Engineer, at no cost to the City.
16. Prior to the issuance of any Certificate of Conditional Approval for this Plan, the Owner shall have low impact development (LID) features, if any, and any recommended water balance mitigation measures installed and operational in this Plan in accordance with the accepted servicing drawings and the accepted Stormwater Management Report to the specifications and satisfaction of the City, at no cost to the City.
17. Prior to assumption, the Owner shall complete the following, at no cost to the City, all to the satisfaction of the City:
 - i) Operate, maintain, inspect, monitor and protect low impact development features, if any, including correcting any deficiencies as soon as they are detected, in accordance with the accepted maintenance and monitoring program; and,
 - ii) have its consulting Professional Engineer submit monitoring reports in accordance with the accepted maintenance and monitoring program.
18. Prior to assumption, the Owner shall operate, monitor and maintain the stormwater works associated with this Plan. The Owner shall ensure that any removal and disposal of sediment is to an approved site in accordance with the Ministry of the Environment and the Ministry of Natural Resources.
19. The Owner shall implement SWM 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.

20.

24.9 SANITARY AND STORM SEWERS

Remove Subsection 24.9 (b) and **replace** with the following:

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Medway Creek Subwatershed, and connect them to the City's existing storm sewer system being the 825 mm diameter storm sewer on Bridgehaven Drive at Medway Park Drive and the existing 2100mm diameter storm sewer on Bridgehaven Drive at Tokala Trail in accordance with the accepted engineering drawings, to the satisfaction of the City.

21.

Remove Subsection 24.9 (j) and **replace** with the following:

- (j) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 200 mm diameter sanitary sewer on Bridgehaven Drive at Medway Park Drive and the existing 450 mm diameter sanitary sewer connecting at MH 363 on Bridgehaven Drive at Tokala Trail in accordance with the accepted engineering drawings, to the satisfaction of the City.

Add the following new Special Provisions:

22. The Owner shall connect all existing field tiles into the proposed storm sewer system as per the accepted engineering drawings, to the satisfaction of the City.
23. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a temporary storm sewer and Ditch inlet catchbasin (DICB) and all necessary appurtenances at the north limit of Tokala Trail as per the accepted engineering drawings, to the satisfaction of the City. The Owner shall remove these works when warranted or as required by the City, to the satisfaction of the City.
24. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a temporary DICB and storm sewer to connect to the existing tile at the north limit of Street 'C'/Medway Park Drive and all necessary works, as per the accepted engineering drawings, to the satisfaction of the City. The Owner shall remove these works when warranted or as required by the City, to the satisfaction of the City.
25. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall remove the existing storm sewer crossing Lots 21, 22, 26, 27 and 48 and Block 73 and any easements may be quit claimed, as per the accepted engineering drawings, to the satisfaction of the City.
26. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct a storm sewer and any necessary appurtenances on Block 73 connecting to Bridgehaven Drive, as per the accepted engineering drawings, to the satisfaction of the City.
27. The Owner shall remove any existing infrastructure not required, including but not limited to, CICBs, DICBs, curbs, etc. that are no longer required and relocate/restore/construct associated works as per the accepted engineering drawings, to the specifications and satisfaction of the City. Any existing easements may be quit claimed, all to the satisfaction of the City, at no cost to the City.
28. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements to construct new services and make adjustments to the existing works and services on Buroak Drive in Plan 33M-750 and Plan 33M-622, Bridgehaven Drive in Plan 33M-767 and Tokala Trail in Plan 33M-767, adjacent to this Plan to accommodate the proposed works and services on this street to accommodate the Lots in this Plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City Engineer, at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent land owners as to what each parties consulting engineer will be required to certify for the City, for the purposes of assumption, all to the satisfaction of the City.

24.10 WATER SERVICING

Add the following new Special Provisions:

29. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the City Engineer, the Owner shall complete the following for the provision of water service to this Draft Plan of Subdivision:
 - i) construct watermains to serve this Plan and connect them to the existing low-level/high-level municipal system, namely, the existing 300 mm diameter watermain on Buroak Drive, 300 mm diameter watermain on Bridgehaven Drive at Medway Park Drive and the 300 mm diameter on Bridgehaven Drive at Tokala Trail;
 - 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.

30. If the Owner requests the City to assume Tokala Trail with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the north, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system on Tokala Trail and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with **Condition 24.1 (___)**. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.
31. If the Owner requests the City to assume Medway Park Drive with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the north, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system on Medway Park Drive and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with **Condition 24.1 (___)**. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

32.

24.11 ROADWORKS

Remove Subsection 24.11 (p) and replace with the following:

- (p) Where traffic calming measures are required within this Plan:
- (i) The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.
 - (ii) The Owner shall register against the title of all Lots and Blocks abutting the roundabout in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner that there may be some restrictions for driveway access due to diverter islands built on the road.
 - (iii) Where a traffic calming circle is located, the Owner shall install the traffic calming circle as a traffic control device, including the diverter islands, or provide temporary measures, to the satisfaction of the City prior to the issuance of a Certificate of Conditional Approval for that section of road.
 - (iv) The Owner shall register against the title of all Lots and Blocks on Buroak Drive and Tokala Trail in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including roundabout and diverter islands, to be installed as traffic control devices, to the satisfaction of the City Engineer.

33.

Remove Subsection 24.11 (q) and **replace** with the following:

- (q) The Owner shall direct construction traffic associated with the construction of dwelling units in this Plan to access the site from Sunningdale Road West via Fair Oaks Boulevard to Buroak Drive, to the satisfaction of the City. All trades and construction vehicles shall park within this Plan of Subdivision.

Add the following new Special Provisions:

34. The Owner shall direct construction traffic associated with the installation of services in this Plan to access the site from the existing temporary access located on Sunningdale Road on lands to the north of this Plan, to the satisfaction of the City. All trades and construction vehicles shall park within this Plan of Subdivision.

35. The Owner shall remove the temporary turning circle on Buroak Drive and adjacent lands, in Plan 33M-622 to the east of this Plan and complete the construction of Buroak Drive in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-622 for the removal of the temporary turning circle and the construction of this section of Buroak Drive 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 Buroak Drive in Plan 33M-622 is constructed as a fully serviced road by the Owner of Plan 33M-622, then the Owner shall be relieved of this obligation.

36. Barricades are to be maintained at north limit of Tokala Trail and other locations as determined by the City, until assumption of this Plan of Subdivision or as otherwise directed by the City. At the time of assumption of this Plan or as otherwise directed by the City, the Owner shall remove the barricades, restore the boulevards and complete the construction of the roadworks, to the specifications of the City, all at no cost to the City.

The Owner shall advise all purchasers of land within this subdivision that any traffic to and from this subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.

37. Prior to the issuance of any Certificate of Conditional Approval, or as otherwise directed by the City Engineer, the Owner shall construct a roundabout, including diverter islands, at the intersection of Tokala Trail and Buroak Drive, including permanent signage and pavement markings, or provide alternative measures as determined by the City, to the satisfaction of the City Engineer, at no cost to the City.

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

24.xx PLANNING

39. The Owner shall ensure all Park and Open Space Blocks are sufficiently protected from sediment throughout the construction period. A robust sediment barrier and other erosion control measures, as shown on the approved Engineering drawings, shall be installed and maintained along all identified Block limits to the satisfaction of the City. The Owner's consulting engineer shall provide written certification of the barrier installation and monthly site inspection reports to the City during all development activity.

40. Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City.

Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate that identifies that the Block has been rough graded as per the approved plan and receive City approval of rough grades prior to topsoil installation.

41. Within one (1) year of registration of this Plan, the Owner shall prepare and deliver to all homeowners adjacent to lands zoned as Open Space, an education package which explains the stewardship of natural area, the value of existing tree cover, and the protection and utilization of the grading and drainage pattern on these Lots. The educational package shall be prepared to the satisfaction of the Director, Development and Compliance Division, to the satisfaction of the City.
42. Within one (1) year of registration of this Plan, the Owner shall prepare and deliver to all homeowners an education package which advises potential purchasers of the ongoing agricultural activities occurring in the vicinity. The educational package shall be prepared to the satisfaction of the Director, Development and Compliance Division, to the satisfaction of the City.
43. The Owner shall obtain all necessary permits from the UTRCA prior to the commencement of any soil disturbance within the regulated area under the jurisdiction of the UTRCA.
44. The Owner agrees to include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all Corner Lots (Lots 1, 15, 27, 37, 47, 48, 55, 62, 72) in this Plan, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard abutting the exterior side yard road frontage. Further, the Owner shall obtain approval of their proposed design from the City prior to any submission of an application for a building permit for Corner Lots with an exterior sideyard in this Plan.

SCHEDULE “C”

This is Schedule “C” to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Landea Developments Inc. to which it is attached and forms a part.

SPECIAL WORKS AND SERVICES

Roadways

- Buroak Drive and Tokala Trail shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres.
- Medway Park Drive shall have a minimum road pavement width (excluding gutters) of 8.0 metres with a minimum road allowance of 20.0 metres.

Sidewalks

A 1.5 metre sidewalk shall be constructed on both sides of the following:

- i) Buroak Drive
- ii) Tokala Trail

A 1.5 metre sidewalk shall be constructed on one side of the following:

- (i) Medway Park Drive – east and south boulevards

Pedestrian Walkways

There are no pedestrian walkways within this Plan.

SCHEDULE "D"

This is Schedule "D" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Landea Developments Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external lands as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all lands within this Plan to the City.

LANDS TO BE CONVEYED TO THE CITY OF LONDON:

0.3 metre (one foot) reserves:	Block 74 and Block 75
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	Block 73
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

LANDS TO BE SET ASIDE FOR SCHOOL SITE:

School Site:	NIL
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LANDS TO BE HELD IN TRUST BY THE CITY:

Temporary access:	NIL
-------------------	-----

SCHEDULE "E"

This is Schedule "E" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Landea Developments Inc. to which it is attached and forms a part.

The Owner shall supply the total value of security to the City is as follows:

CASH PORTION:	\$ 551,069
BALANCE PORTION:	<u>\$3,122,723</u>
TOTAL SECURITY REQUIRED	\$3,673,792

The Cash Portion shall be deposited with the City Treasurer prior to the execution of this agreement.

The Balance Portion shall be deposited with the City Treasurer prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the Lots and Blocks in this plan of subdivision.

The Owner shall supply the security to the City in accordance with the City's By-Law No. CPOL-13-114 and policy adopted by the City Council on April 4, 2017 and any amendments.

In accordance with Section 9 Initial Construction of Services and Building Permits, the City may limit the issuance of building permits until the security requirements have been satisfied.

The above-noted security includes a statutory holdback calculated in accordance with the Provincial legislation, namely the CONSTRUCTION ACT, R.S.O. 1990.

SCHEDULE "F"

This is Schedule "F" to the Subdivision Agreement dated this _____ day of _____, 2021, between The Corporation of the City of London and Landea Developments Inc. to which it is attached and forms a part.

Prior to the Approval Authority granting final approval of this Plan, the Owner shall transfer to the City, all external easements as prescribed herein. Furthermore, within thirty (30) days of registration of the Plan, the Owner shall further transfer all easements within this Plan to the City.

Multi-Purpose Easements:

- (a) Multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the City Engineer as follows:
 - (i) North limit of Medway Park Drive for temporary access, storm sewer and ditch inlet catchbasin and associated work as per accepted engineering drawings.
 - (ii) North limit of Tokala Trail for storm sewer and ditch inlet catchbasin and associated work as per the accepted engineering drawings.
 - (iii) Along the entire north limit of plan for temporary diversion swales and associated works as per the accepted engineering drawings.

Appendix B – Claims and Revenues

Estimated Costs and Revenues

Estimated DC Claim Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF	
- Storm sewer oversizing (DC19MS1001)	\$350,116
- Watermain oversizing (DC19WD1001)	\$26,785
- Sanitary Sewer oversizing..(DC19WW1001)	\$23,414
Total	\$400,315
Estimated DC Revenues (January 1, 2021 to December 31, 2021 Rates)	Estimated Revenue
CSRF TOTAL	\$2,459,376

- 1 Estimated DC Claim Costs are for Owner led construction projects and do not include City led projects required to accommodate growth.
- 2 Estimated DC Revenues are calculated using current DC rates. The City employs a "citywide" approach to cost recovery for all eligible growth services, therefore the Estimated DC Claim Costs and Revenues in the table above are not directly comparable.
- 3 The Oversizing Subsidy costs are based on estimates from the accepted engineering drawings and the current DC By-law. Final claim payments will be approved based on constructed quantities in conjunction with the DC By-law.

Approved by:

Date

Paul Yeoman
Director, Development Finance

Appendix C – Source of Finance

#21082
May 31, 2021
(39T-05512_4)

Chair and Members
Planning and Environment Committee

RE: Subdivision Special Provisions - Landea Creekview Phase 4
Landea Developments Inc. (Southside)
Capital Project ES514519-Wastewater Internal Oversizing (2522150)
Capital Project ES542919-Storm Sewer Internal Oversizing (2522148)
Capital Project EW381819- Watermain Internal Oversizing (2522149)

Finance Supports Report on the Sources of Financing:

Finance Supports confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of the Deputy City Manager, Planning and Economic Development and Chief Building Official, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
ES514519-Wastewater Internal Oversizing				
Engineering	200,000	0	0	200,000
Construction	866,453	29,106	23,826	813,521
Total ES514519	1,066,453	29,106	23,826	1,013,521
ES542919-Storm Sewer Internal Oversizing				
Engineering	200,000	0	0	200,000
Construction	7,577,079	1,742,424	356,278	5,478,377
Total ES542919	7,777,079	1,742,424	356,278	5,678,377
EW381819-Watermain Internal Oversizing				
Construction	268,619	0	27,256	241,363
Total Expenditures	\$9,112,151	\$1,771,530	\$407,360	\$6,933,261
Sources of Financing				
ES514519-Wastewater Internal Oversizing				
Drawdown from City Services - Wastewater Reserve Fund (Development Charges) (Note 1)	1,066,453	29,106	23,826	1,013,521
ES542919-Storm Sewer Internal Oversizing				
Drawdown from City Services - Stormwater Reserve Fund (Development Charges) (Note 1)	7,777,079	1,742,424	356,278	5,678,377
EW381819-Watermain Internal Oversizing				
Drawdown from City Services - Water Reserve Fund (Development Charges) (Note 1)	268,619	0	27,256	241,363
Total Financing	\$9,112,151	\$1,771,530	\$407,360	\$6,933,261
Financial Note				
	ES514519	ES542919	EW381819	Total
Contract Price	\$23,414	\$350,116	\$26,785	\$400,315
Add: HST @13%	3,044	45,515	3,482	52,041
Total Contract Price Including Taxes	26,458	395,631	30,267	452,356
Less: HST Rebate	-2,632	-39,353	-3,011	-44,996
Net Contract Price	\$23,826	\$356,278	\$27,256	\$407,360

Note 1: Development Charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Jason Davies
Manager of Financial Planning & Policy

lp

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic Development
Subject: Application By: Foxwood Developments (London) Inc
1600 Twilite Boulevard
Meeting on: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, based on the application by Foxwood Developments (London) Inc, relating to the property located at 1600 Twilite Boulevard, the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on June 15th, 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 Residential R1 (h*h-100*R1-4) and (h*h-100*R1-13) Zones **TO** a Residential R1 (R1-4) and (R1-13) Zones to remove the “h and h-100” holding provisions.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding (h and h-100) symbols to allow the development of 49 single family residential dwelling lots permitted under the Residential R1 (R1-4) and Residential R1 (R1-13) Zone.

Rationale of Recommended Action

1. The conditions for removing the holding (h & h-100) provisions have been met and the recommended amendment will allow for the development of 49 single family residential lots in compliance with the Zoning By-law.
2. A Subdivision Agreement has been entered into and securities have been posted as required by City Policy and the Subdivision Agreement.
3. Adequate water services and appropriate access through a looped watermain are available.
4. All issues have been resolved and the holding provisions are 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

This application for Draft Plan of Subdivision Approval was accepted on November 11, 2011. On January 23, 2013, the City of London Approval Authority granted draft approval for the plan of subdivision. Draft approval was appealed to the Ontario Municipal Board. On July 31, 2013, the Ontario Municipal Board issued a notice advising the City of London Approval Authority that the appeal was withdrawn by letter dated June 25, 2013. As per Section 51 (51) of the Planning Act, the original draft approval lapse date was June 26, 2016.

The applicant registered the 1st phase of this subdivision (Plan, 33M-685) consisting of 95 single detached lots, one (1) medium density residential block, and various reserve blocks served by 1 new street and the extension of Dyer Drive and Tokala Trail on October 6, 2015.

The second phase consisting of 110 single detached lots, 1 multi-family blocks and several 0.3m reserve blocks, all served by the extension of Tokala Trail and 4 new streets, namely Henrica Avenue, Frieda Way, John Kenny Drive and Jim Hebb Way was registered on October 18, 2018, as Plan 33M-752

The remaining draft plan of subdivision received a three (3) year extension on May 27, 2019. The third phase of this subdivision consists of one hundred and seventy-five (175) single detached lots, one (1) multi-family, medium density block, one (1) school block, two (2) blocks for road widening dedication, two (2) blocks for walkways and eleven (11) blocks for one-foot reserves. The proposed lots and blocks will be located on the extension of Twilite Boulevard, Buroak Trail and future streets of Capri Crescent, Jordan Boulevard and Wright Crescent.

This application is to remove the holding provisions from Foxwood Meadows Phase 3A of the development. Phase 3A consists of 49 single detached lots, all served by the extension of Tokala Drive and five new streets. On May 5, 2020 Council endorsed the special provisions and recommended that a subdivision agreement be entered into with the City of London. The Owner and the City have signed the subdivision agreement and securites have been posted. Final registration for the subdivison is iminient.

1.1 Property Description

The subject property is situated in the northwest quadrant of the City of London at the northeast corner of Hyde Park Road and Twilite Boulevard and forms part of the Fox Hollow Residential Neighbourhood. The site is approximately 6.5 ha (16.06ac) and is situated between Hyde Park Road to the west, existing single detached dwellings, and town houses (Phase 2) to the south and the Kent Subdivision east of Jordan Boulevard. Agricultural lands, rural residences and naturalized areas exist to the north of the site across Sunningdale Road West.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential and Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R1 (h*h-100*R1-4) and (h*h-100*R1-13) Zone

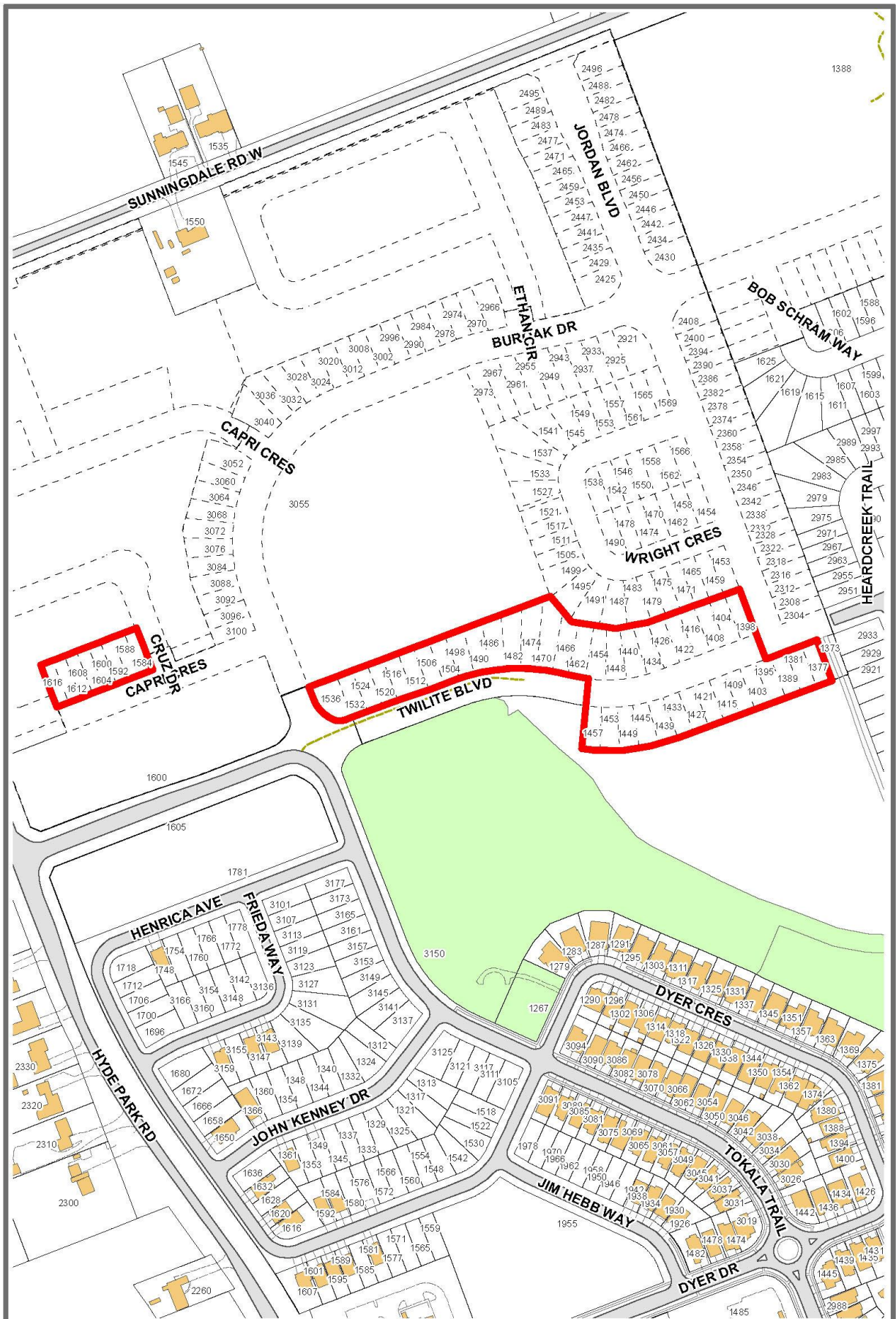
1.3 Site Characteristics

- Current Land Use – undeveloped
- Frontage – 342 metres
- Depth – irregular
- Area – 6.5 ha (16.06ac)
- Shape – irregular

1.4 Surrounding Land Uses

- North – Agricultural
- East – Future Residential/Commercial
- South – Open Space/Residential
- West – Low Density Residential

1.5 Location Map



LOCATION MAP

Subject Site: 1584-1616 Capri Cres. & 1373-1536 Twilite Blvd.




File Number: H-9345

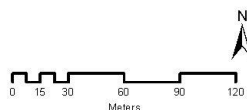
Planner: Sean Meksula

Date: 30/04/2021

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

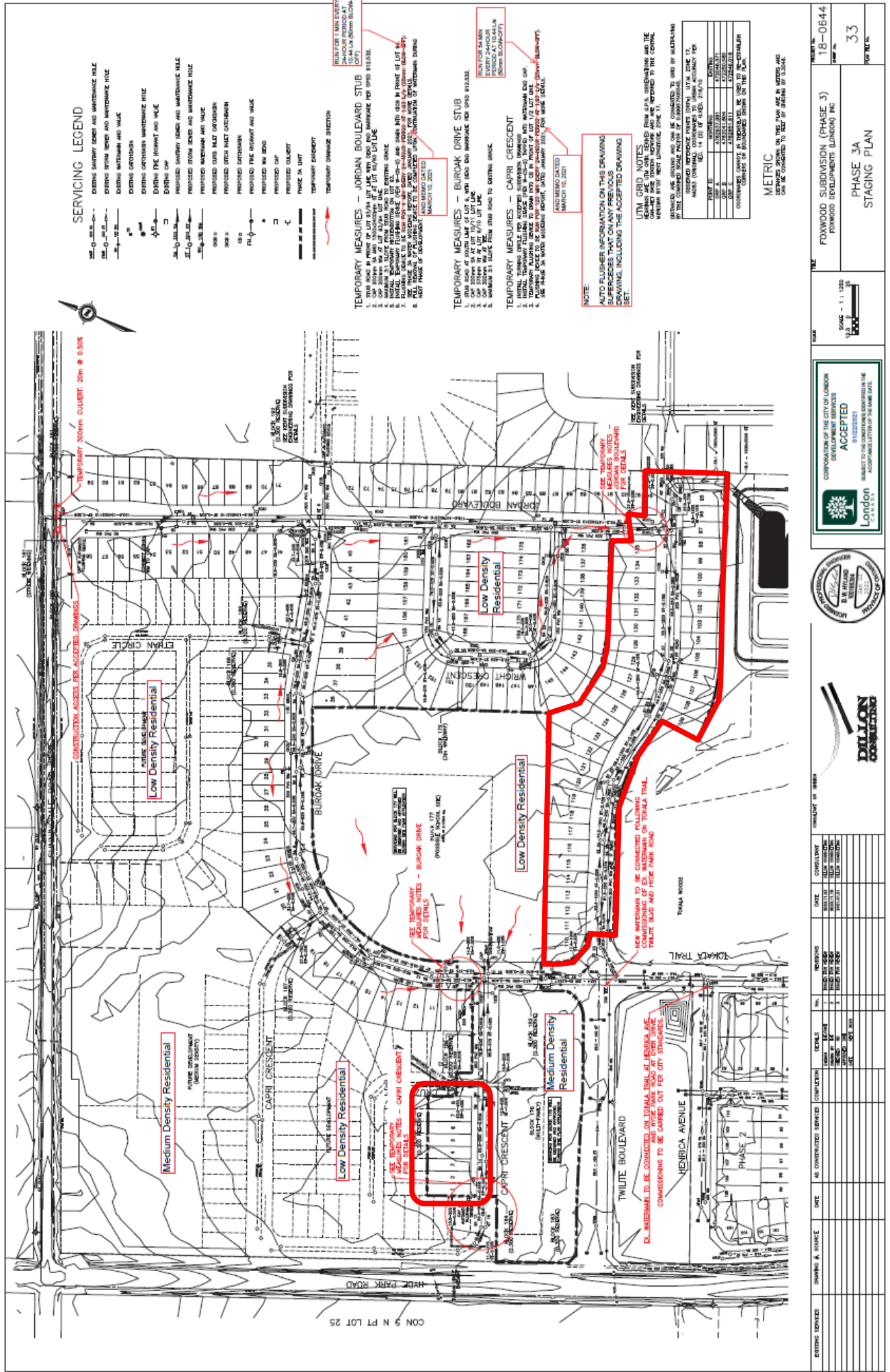
Legend

-  Buildings
-  Parks
-  Draft Approved Subdivisions
-  Driveways/Parking Lots



Scale 1:3250

1.6 39T-11503-Phase 3A - Removal of Holding



2.0 Discussion and Considerations

The applicant is requesting the removal of the “h and h-100” holding provisions from the Zone on the subject lands. The “h” holding provision requires that the securities be received, and a subdivision agreement be executed by the owner. The “h-100” requires 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.

The requested amendment will facilitate the development of 49 lots for single detached dwellings.

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?

The “h” holding provision states:

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

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

The “h-100” holding provision states:

“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

Development Engineering staff confirmed that adequate water servicing can be provided to the subject site through a looped watermain system and that at least two public access points are available. This satisfies the requirement for the removal of the “h-100” holding provision.

Conclusion

The Applicant has provided the necessary securities and has entered into a development agreement with the City. The applicant has also demonstrated that there are adequate water services through a looped watermain and appropriate access available. Therefore, the required conditions have been met to remove the “h and h-100” holding provisions. The removal of the holding provisions is recommended to Council for approval.

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.
Deputy City Manager, Planning and Economic 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)
cc: Michael Pease, Manager, Development Services (Site Plan)

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\H-9345 - 1600 Twilite Boulevard (SM)\PEC\DRAFT - 1600 Twilite Boulevard - H-9345 SM.docx

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 1600 Twilite Boulevard.

WHEREAS Foxwood Developments (London) Inc. has applied to remove the holding provisions from the zoning for the lands located at 1600 Twilite Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1600 Twilite Boulevard, as shown on the attached map, comprising part of Key Map No. 101 to remove the h and h-100 holding provisions so that the zoning of the lands as a Residential R1(R1-4) and (R1-13) Zones come into effect.
2. This By-law shall come into force and effect on the date of passage.

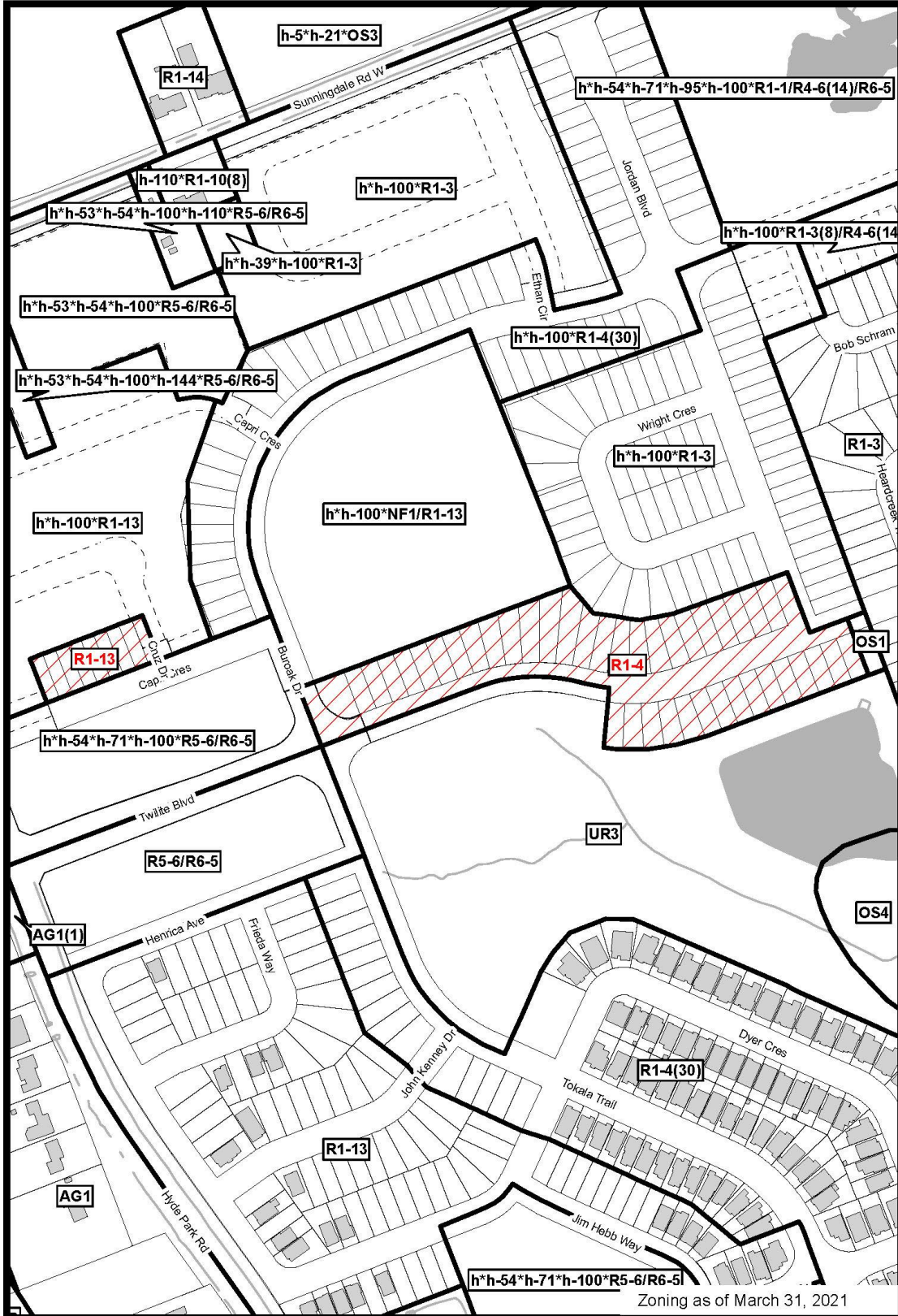
PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor


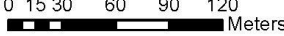

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

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



Zoning as of March 31, 2021

<p>File Number: H-9345 Planner: SM Date Prepared: 2021/04/30 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:3,250</p> <p>0 15 30 60 90 120 Meters </p> <p></p>
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Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the Londoner on May 6, 2021

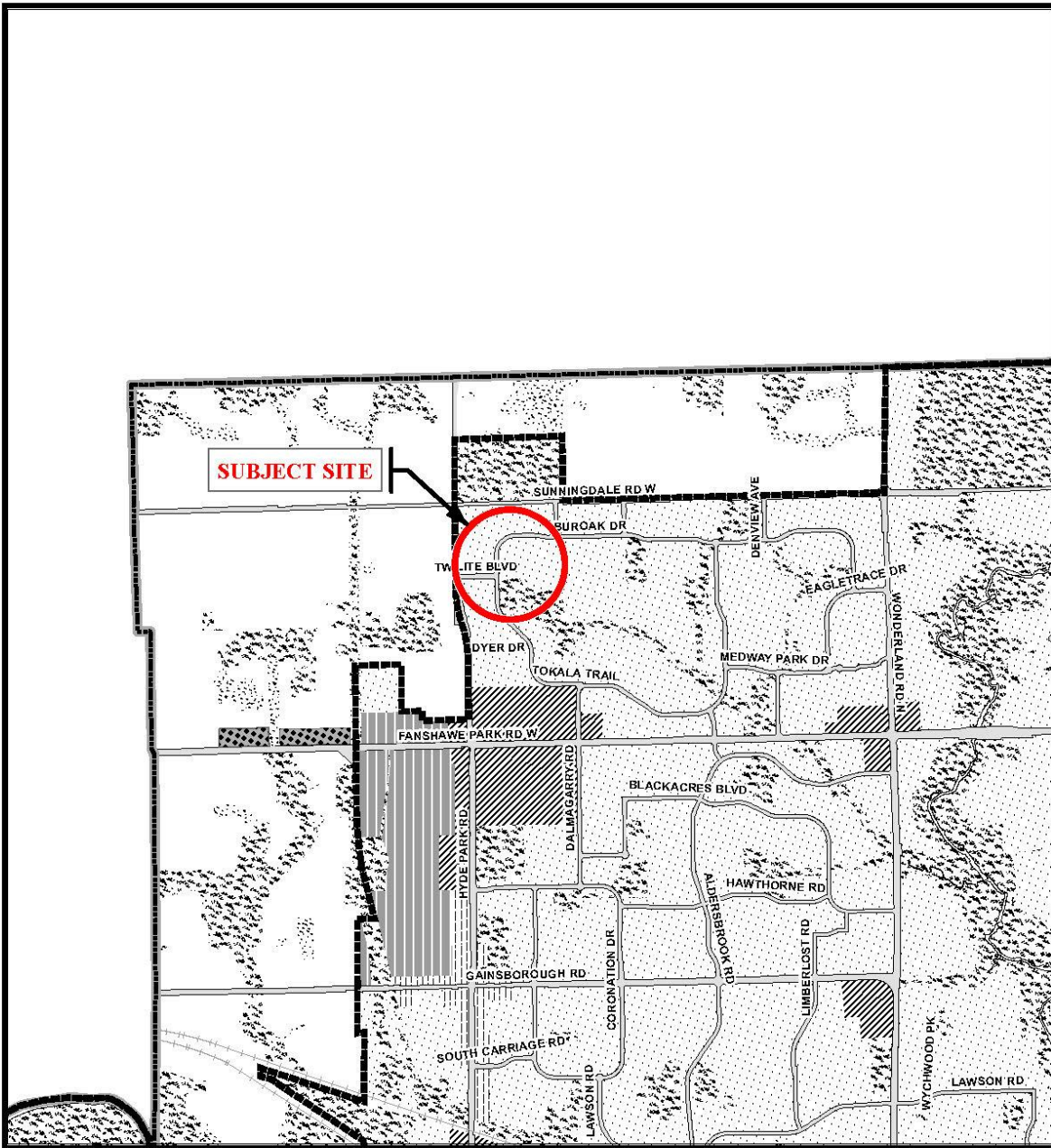
0 replies were received

Nature of Liaison:

City Council intends to consider removing the “h” and “h-100” Holding Provision’s from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol’s permitting the development of Foxwood Subdivision Phase 3A, Draft Plan of Subdivision which includes 49 lots for single detached dwellings. The purpose of the “h” provision is to ensure the orderly development of lands and the adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a development agreement has been entered into for the subject lands. The purpose of the “h-100” provision is 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. Council will consider removing the holding provisions as it applies to these lands no earlier than May 31, 2021. File: H-9345 Planner: S. Meksula (City Hall).

Appendix C – Relevant Background

London Plan Excerpt



Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

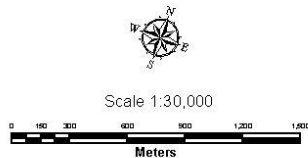
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON
Planning Services /
Development Services

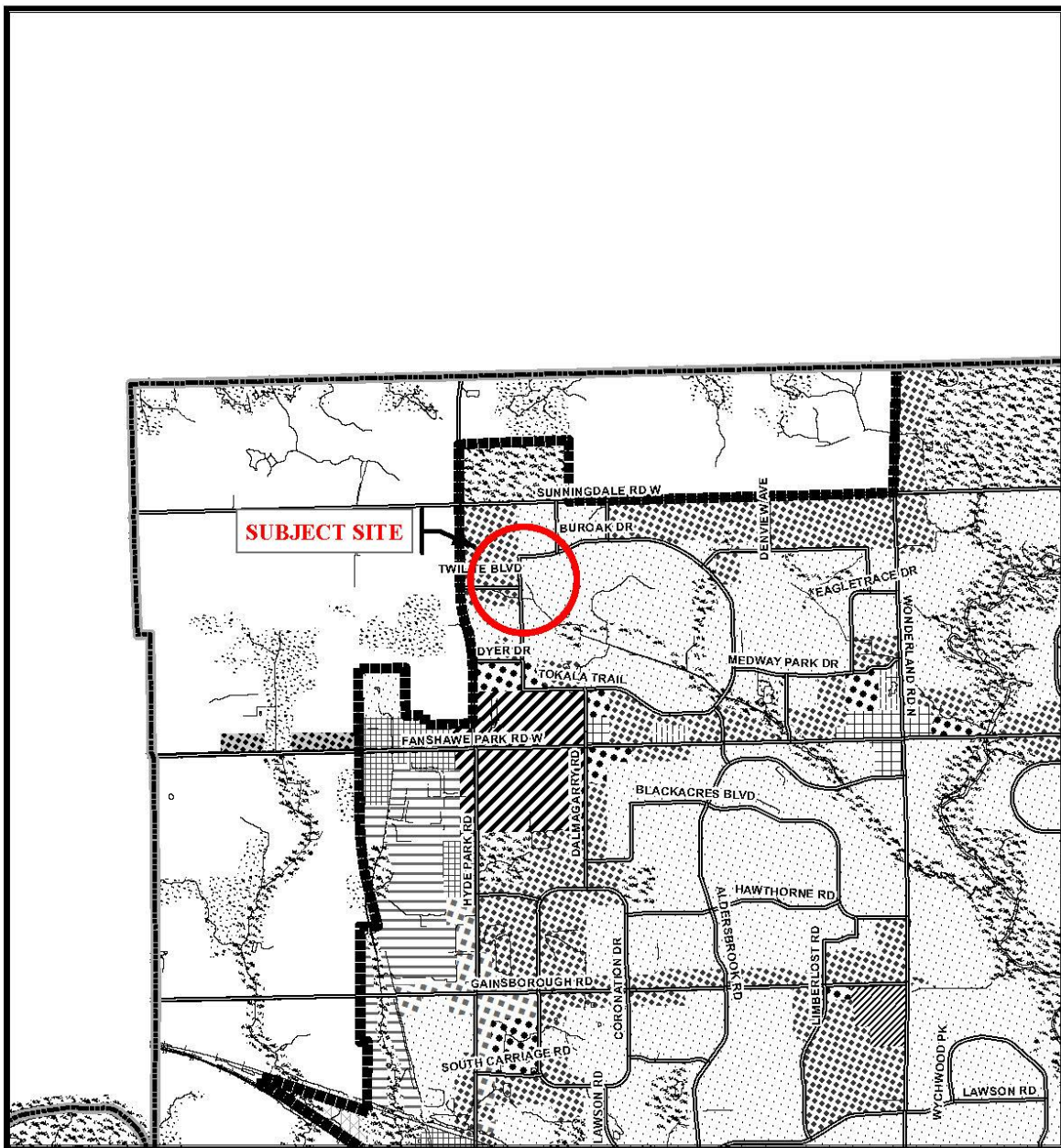
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



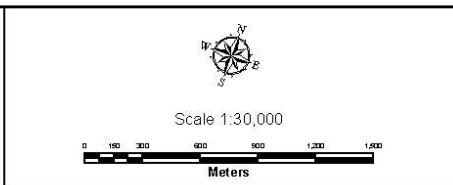
File Number: H-9345
Planner: SM
Technician: RC
Date: May 5, 2021

1989 Official Plan 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

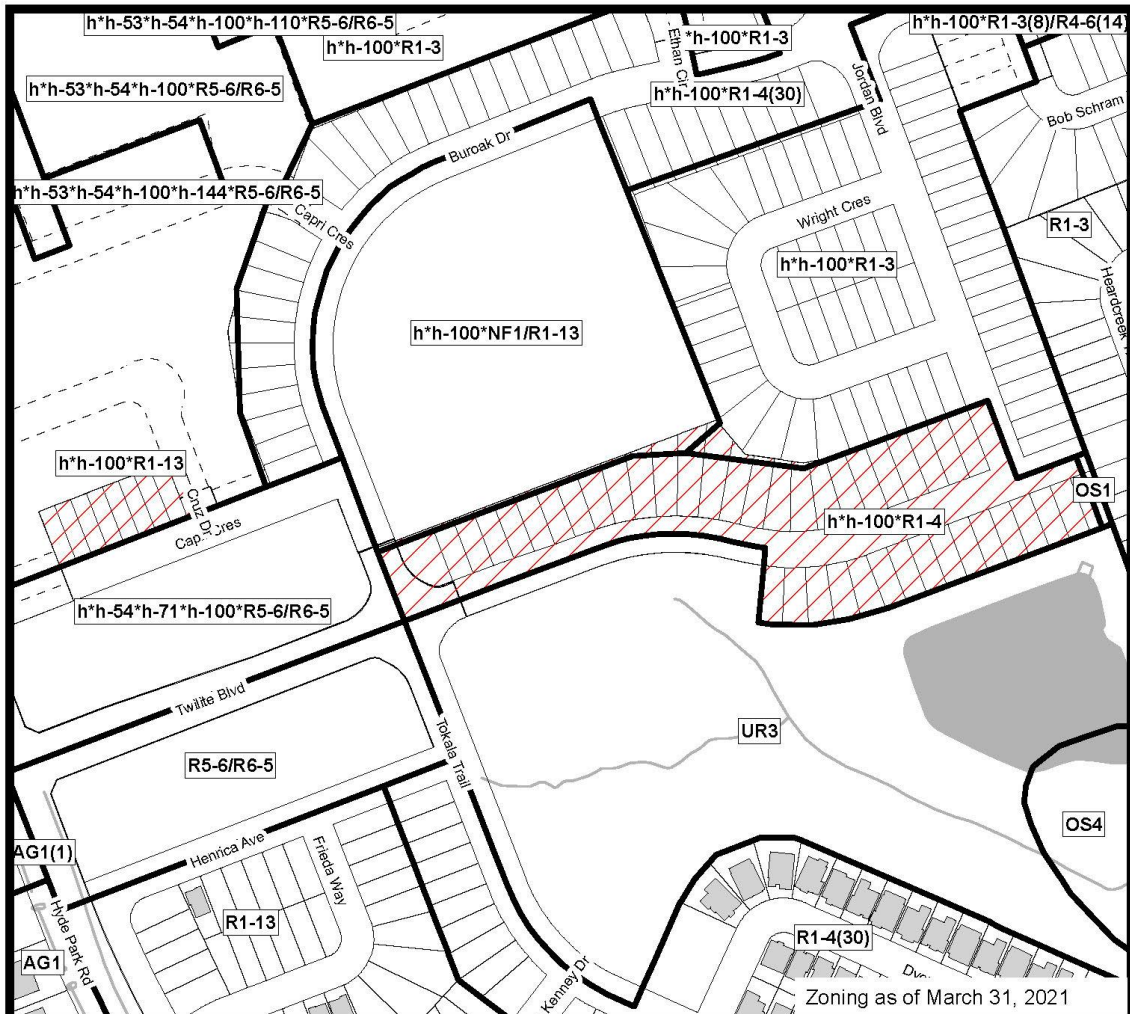
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: H-9345
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2021/04/30

PROJECT LOCATION: e:\planning\projects\p_officialplan\workcons\0100\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

H-9345

SM

MAP PREPARED:

2021/04/30

RC

1:3,250

0 15 30 60 90 120

Meters

Report to Planning & Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Building Division Monthly Report
March 2021

Date: May 31, 2021

Recommendation

That the report dated May 31, 2021 entitled “Building Division Monthly Report March 2021”, **BE RECEIVED** for information.

Executive Summary

The Building Division is responsible for the administration and enforcement of the *Ontario Building Code Act* and the *Ontario Building Code*. Related activities undertaken by the Building Division include the processing of building permit applications and inspections of associated construction work. The Building Division also issues sign and pool fence permits. The purpose of this report is to provide Municipal Council with information related to permit issuance and inspection activities for the month of March 2021.

Linkage to the Corporate Strategic Plan

Growing our Economy

- London is a leader in Ontario for attracting new jobs and investments.

Leading in Public Service

- The City of London is trusted, open, and accountable in service of our community.
 - Improve public accountability and transparency in decision making.

Analysis

1.0 Background Information

This report provides information on permit and associated inspection activities for the month of March 2021. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of March 2021”, as well as respective “Principle Permits Reports”.

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – March 2021

Permits Issued to the end of the month

As of March 2021, a total of 1,068 permits were issued, with a construction value of \$391.2 million, representing 788 new dwelling units. Compared to the same period in 2020, this represents a 37.6% increase in the number of building permits, with a 160.4%

increase in construction value and an 245.6% increase in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of March 2021, the number of building permits issued for the construction of single and semi-detached dwellings is 322, representing an 85.0% increase over the same period in 2020.

Number of Applications in Process

As of the end of March 2021, 1,136 applications are in process, representing approximately \$711 million in construction value and an additional 1,974 dwelling units compared with 687 applications, with a construction value of \$732 million and an additional 1,666 dwelling units in the same period in 2020.

Rate of Application Submission

Applications received in March 2021 averaged to 23 applications per business day, for a total of 529 applications. Of the applications submitted 99 were for the construction of single detached dwellings and 116 townhouse units.

Permits issued for the month

In March 2021, 466 permits were issued for 538 new dwelling units, totalling a construction value of \$230.5 million.

Inspections – Building

A total of 3,149 inspection requests were received with 3,619 inspections being conducted.

In addition, 24 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 3,149 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 635 inspection requests were received, with 827 inspections being conducted.

An additional 190 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 635 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,436 inspection requests were received with 1,841 inspections being conducted related to building permit activity.

An additional 4 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,436 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

Conclusion

The purpose of this report is to provide Municipal Council with information regarding the building permit issuance and building & plumbing inspection activities for the month of March 2021. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity” for the month of March 2021 as well as “Principle Permits Reports”.

Prepared by: Peter Kokkoros, P.Eng.
Deputy Chief Building Official
Development & Compliance Services
Building Division

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

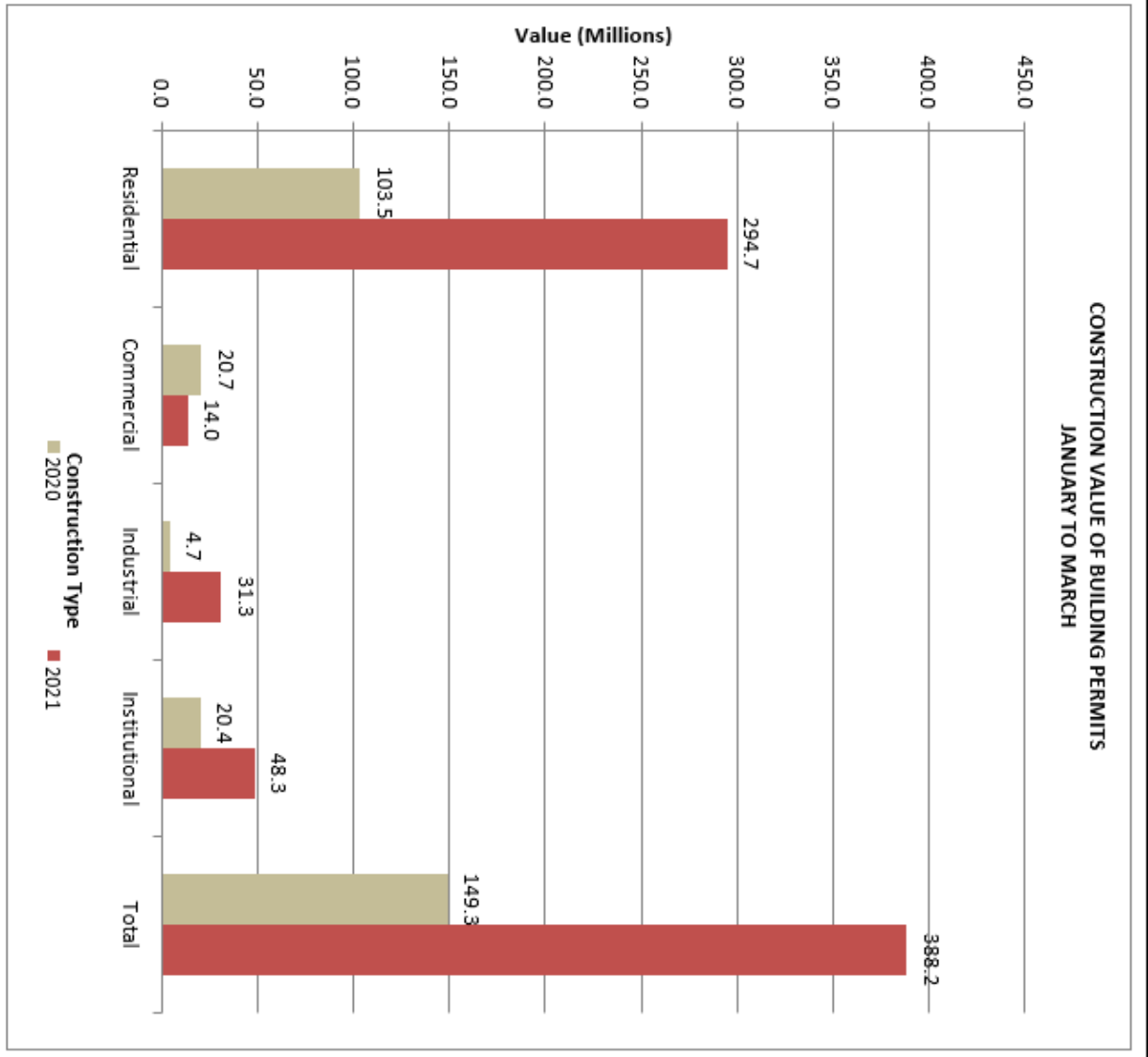
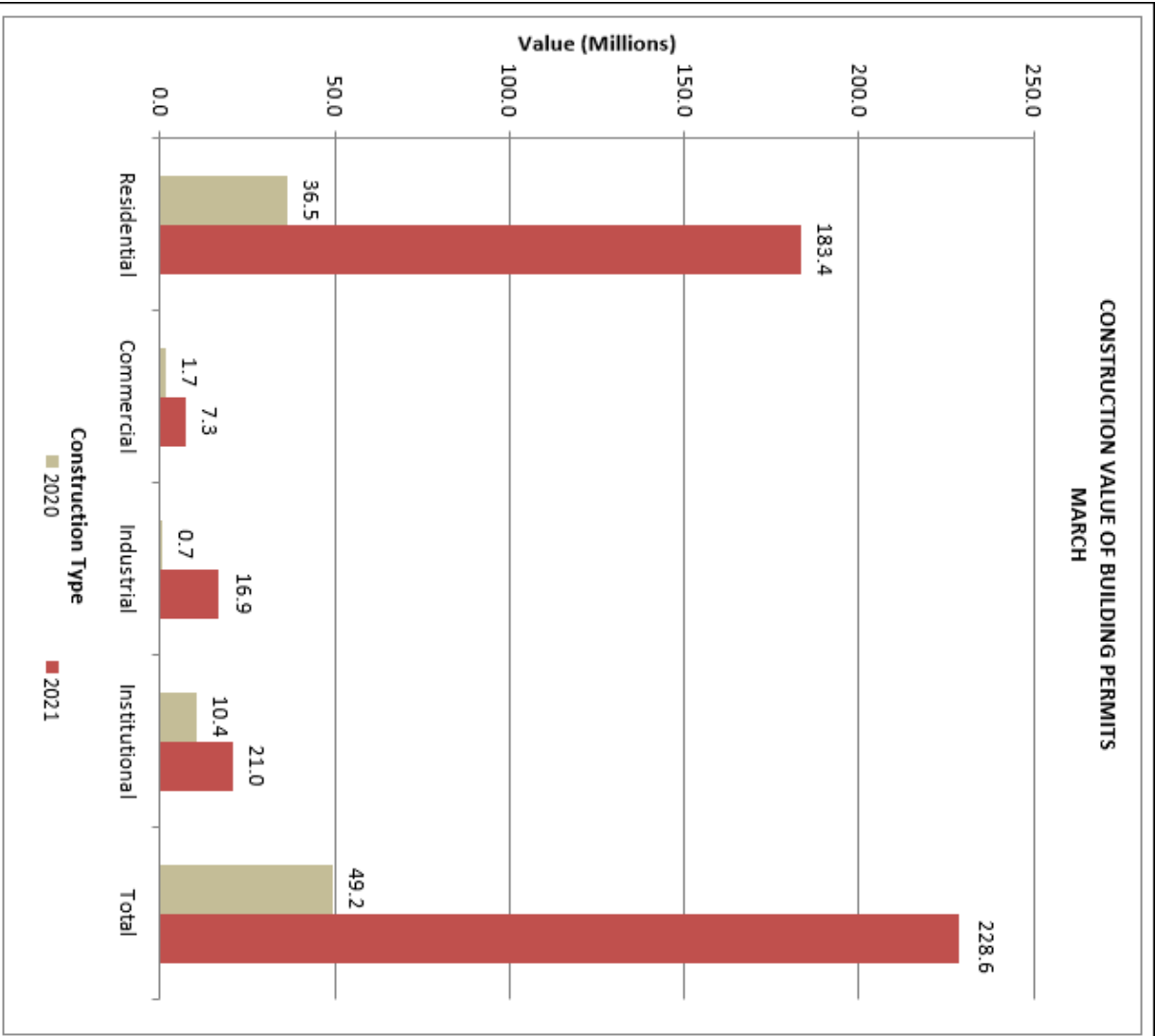
Recommended by: George Kotsifas, P.Eng.
Managing Director, Development & Compliance Services
& Chief Building Official

APPENDIX "A"

CITY OF LONDON
 SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF March 2021

CLASSIFICATION	March 2021			to the end of March 2021			March 2020			to the end of March 2020		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	136	60,759,800	136	321	142,327,500	320	62	26,209,680	62	173	75,460,800	173
SEMI DETACHED DWELLINGS	1	223,500	1	1	223,500	1	0	0	0	0	0	0
TOWNHOUSES	26	23,245,600	91	47	39,156,200	139	6	5,870,000	19	22	12,933,900	41
DUPLEX, TRIPLEX, QUAD, APT BLDG	4	90,010,000	295	4	90,010,000	295	0	0	0	0	0	0
RES-ALTER & ADDITIONS	159	9,179,161	15	372	22,988,721	33	91	4,397,533	6	287	15,099,008	14
COMMERCIAL -ERECT	8	2,217,000	0	9	3,193,500	0	0	0	0	1	940,000	0
COMMERCIAL - ADDITION	1	120,000	0	1	120,000	0	0	0	0	2	2,001,800	0
COMMERCIAL - OTHER	30	5,002,200	0	76	10,677,014	0	20	1,668,400	0	96	17,795,906	0
INDUSTRIAL - ERECT	1	1,597,500	0	3	15,792,500	0	1	436,700	0	2	3,436,700	0
INDUSTRIAL - ADDITION	1	280,000	0	1	280,000	0	0	0	0	1	118,800	0
INDUSTRIAL - OTHER	3	15,035,000	0	9	15,194,800	0	3	223,337	0	14	1,113,837	0
INSTITUTIONAL - ERECT	0	0	0	1	12,000,000	0	0	0	0	1	575,000	0
INSTITUTIONAL - ADDITION	1	200,000	0	3	1,963,386	0	0	0	0	1	2,000,000	0
INSTITUTIONAL - OTHER	8	20,798,850	0	20	34,305,950	0	17	10,419,200	0	36	17,831,200	0
AGRICULTURE	0	0	0	0	0	0	0	0	0	1	100,000	0
SWIMMING POOL FENCES	54	1,749,894	0	89	2,814,994	0	16	488,740	0	25	802,740	0
ADMINISTRATIVE	6	50,000	0	16	130,000	0	3	25,000	0	9	25,000	0
DEMOLITION	10	0	9	18	0	15	5	0	5	19	0	14
SIGNS/CANOPY - CITY PROPERTY	0	0	0	4	0	0	1	0	0	1	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	17	0	0	73	0	0	18	0	0	85	0	0
TOTALS	466	230,468,505	538	1,068	391,178,065	788	243	49,738,590	87	776	150,234,691	228

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



**City of London - Building Division
Principal Permits Issued from March 1, 2021 to March 31, 2021**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
1803299 ONTARIO INC.	1108 Dundas St	Alter Offices TENANT FIT UP FOR TIMMINS MARTELLE	0	500,000
CANADIAN COMMERCIAL (SHERWOOD FOREST) INC. CANADIAN COMMERCIAL (SHERWOOD FOREST) INC.	1225 Wonderland Rd N	Alter Restaurant Interior Alter for new Restaurant. Sprinkler System shop drawings to be submitted for review, showing the affected piping.	0	150,000
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	125 Sherwood Forest Sq	Alter Schools Secondary, High, Jr. High INTERIOR ALTERATIONS TO EXISTING LIBRARY AND OFFICES	0	1,077,000
Nathan Applebaum Holdings Ltd C/O A C W Properties Inc	1251 Huron St	Alter Retail Store UNITS 115A, B & C - INTERIOR ALTERATIONS FOR GROCERY STORE	0	450,500
CALLOWAY REIT (LONDON N) INC. CALLOWAY REIT (LONDON N) INC.	1300 Fanshawe Park Rd W 101	Alter Retail Store INTERIOR ALTERATIONS TO EXISTING RETAIL STORE, BATH DEPOT	0	120,000
North Park Community Church	1510 Fanshawe Park Rd E	Add Non-Residential Accessory Building CONSTRUCTION OF ANCILLARY BUILDING WITH WATER SERVICES AND SANITARY SERVICE	0	200,000
DREWLO HOLDINGS DREWLO HOLDINGS	1515 Agathos St	Erect-Apartment Building ERECT FOUR STOREY APARTMENT BUILDING Shell Permit Only –Provide sealed shop drawings for window steel gratings, balcony guards and handrails to the Building Division for review prior to work in these areas	39	30,000,000
HOMESTEAD LAND HOLDINGS LTD. HOMESTEAD LAND HOLDINGS LTD.	1560 Adelaide St N	Alter Apartment Building STRUCTURAL REPAIRS TO WING WALLS	0	140,000
LONDON CITY	1577 Wilton Grove Rd	Erect-Food Processing Plant ID - ERECT COOLING BARN FOR MAPLE LEAF FOODS INC	0	1,597,500
HOMESTEAD LAND HOLDINGS LTD. HOMESTEAD LAND HOLDINGS LTD.	1585 Ernest Ave	Alter Apartment Building RA - ALTERATION TO REPAIR EXTERIOR WALLS	0	190,000
1600 Hp Inc	1600 Hyde Park Rd	Erect-Apartment Building Erect 8 storey apartment building with commercial on main floor. Submit Sprinkler system shop drawings with calculation for review by City; and submit the name of the Integrated Testing Co-Ordinator for this project.	144	38,000,000
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	1650 Hastings Dr	Alter Schools Elementary, Kindergarten NEW WALL IN DAYCARE AREA + NEW VESTIBULE DOORS AND SCREEN. SHELL PERMIT ONLY: PROVIDE FIRE STOPPING DETAILS FOR REVIEW	0	150,000

City of London - Building Division
Principal Permits Issued from March 1, 2021 to March 31, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1654 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR, 3 BED, PARTIALLY FINISHED BASEMENT, NO DECK, W/ A/C, SB12 PERFORMANCE, PART 17, HRV AND DWHR REQUIRED	1	348,600
CF REALTY HLDG INC., FAIRVIEW CORP CF REALTY HLDG INC., C/O CADILLAC FAIRVIEW CORP	1680 Richmond St	Alter Restaurant INTERIOR ALTERS TO THAIFOON RESTAURANT - KITCHEN EQUIPMENT REPLACEMENT	0	138,000
The Ridge At Byron Inc	1710 Ironwood Rd 25	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 3 BEDROOMS, REAR COVERED DECK, NO A/C, SB-12 A5, UNIT 13 MWLCP 903 DPN 25, HRV & DWHR REQUIRED	1	572,000
KENMORE HOMES INC. KENMORE HOMES INC.	1750 Finley Cres A	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE CONDO BLOCK A, 4 UNITS, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, W/ DECK, W, A/C, SB-12 A1, HRV AND DWHR REQUIRED, DPNs 1752, 1756, 1760, 1764	4	1,275,600
KENMORE HOMES INC. KENMORE HOMES INC.	1790 Finley Cres	Erect-Street Townhouse - Condo ERECT NEW 6 UNIT TOWNHOUSE CONDO BLOCK 100, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, W/ DECK, W/ A/C, SB12 A1, DPNs 1784, 1788, 1792, 1796, 1800, 1804	6	954,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES (2584857 Ont Inc)	1820 Canvas Way 11	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, UNFINISHED BASEMENT, 3 BEDROOMS, NO DECK, A/C INCLUDED, SB-12 A1, UNIT 23 MWLCP 927 DPN 11, HRV & DWHR REQUIRED	1	302,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES (2584857 Ont Inc)	1820 Canvas Way 32	Erect-Street Townhouse - Condo ERECT SDD, 2 STOREY, 2 CAR GARAGE, 4 BEDROOMS, FINISHED BASEMENT, NO DECK, A/C INCLUDED, SB12-A1, HRV&DWHR REQUIRED	1	357,500
SIFTON PROPERTIES LIMITED SIFTON PROPERTIES LIMITED	1873 Sandy Somerville Lane	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 4 BEDROOMS, W/ DECK, A/C INCLUDED, SB-12 PERFORMANCE, PART 4, HRV & DWHR REQUIRED. SOILS REPORT REQUIRED.	1	479,500
OXFORD WEST GATEWAY INC. C/O YORK DEVELOPMENTS OXFORD WEST GATEWAY INC. C/O YORK DEVELOPMENTS	1876 Oxford St W	Erect-Retail Store Erect 6 Unit Retail Building - Shell Structure. Separate permit required for Tenant Finishes. This base building will require Portable Fire Extinguishers prior to final inspection. Shell Permit Only - Provide sealed shop for the awnings and retaining wall guards to the Building Division for review prior to work in these areas	0	1,112,000

City of London - Building Division

Principal Permits Issued from March 1, 2021 to March 31, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1965 Upperpoint Gate B	Erect-Townhouse - Condo ERECT 6 UNIT CONDO BLOCK B - DPN'S 1981, 1979, 1977, 1975, 1971 & 1969 Upperpoint Gate. Unfinished basements. SB-12 AS.	6	1,407,600
Womens Christian Association	2022 Kains Rd	Alter Nursing Homes Alter interior for existing Spa area renovations within the Long-Term Care Facility.	0	184,000
FOREST PARK (SHERWOOD GLEN) FOREST PARK (SHERWOOD GLEN)	203 Wydwood Pk 30	Erect-Townhouse - Cluster SDD ERECT SDD, 1 STOREY, 2 CAR GARAGE, 4 BEDROOMS, FINISHED BASEMENT, DECK INCLUDED, NO A/C, SB12-A5, HRV & DWHR REQUIRED.	1	372,000
J & E HARRIS HOLDING CORPORATION	220 St James St	Alter Funeral Home INTERIOR ALTER TO ADD NEW LIFT ELEVATOR FIRE STOPPING DETAILS MUST BE PROVIDED FOR REVIEW PRIOR TO INSTALLATION ON SITE	0	200,000
Rembrandt Developments (Fanshawe) Inc	2261 Linkway Blvd	Install-Townhouse - Condo Install site services.		1,200,000
TOWN & COUNTRY DEVELOPMENTS (2005) INC. TOWN & COUNTRY DEVELOPMENTS (2005) INC.	2373 Callingham Dr D	Erect-Street Townhouse - Rental ERECT NEW 4 UNIT TOWNHOUSE RENTAL CONDO, BLOCK D, UNITS 15-18, MUNICIPAL 2351, 2353, 2355, 2357	4	964,800
The Canada Life Assurance Company	255 Dufferin Ave	Alter Offices INTERIOR ALTERATIONS TO EXISTING OFFICE SPACE ON THE 3RD FLOOR	0	1,600,000
FOXHOLLOW KENT DEVELOPMENTS INC.	2650 Burroak Dr E	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK E, 5 UNITS	5	1,500,000
FOXHOLLOW KENT DEVELOPMENTS INC.	2650 Burroak Dr F	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK F, 6 UNITS	6	1,800,000
FOXHOLLOW KENT DEVELOPMENTS INC.	2650 Burroak Dr I	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK I, 3 UNITS	3	900,000
FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	281 William St	Alter Apartment Building Renovation of 5plex	0	300,000
	3 Cowan Cres	Alter Duplex ALTER - TO CREATE A NEW ADDITIONAL RESIDENTIAL UNIT IN THE BASEMENT *****ADDITIONAL RESIDENTIAL UNITS AS PER SEC 4.37 OF ZONING BY-LAW Z-1***** *****TOTAL OF 4 BEDROOMS FOR BOTH UNITS COMBINED*****	1	115,000
Rkj Storage Ltd	300 Marconi Gate D	Erect-Self-Service Storage (Mini Warehouse) Construct new pre-manufactured self service storage building without plumbing or mechanical servicing.	0	225,000

City of London - Building Division
Principal Permits Issued from March 1, 2021 to March 31, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Rkj Storage Ltd	300 Marconi Gate F	Erect-Self-Service Storage (Mini Warehouse) Construct new pre-manufactured self service storage building without plumbing or mechanical	0	195,000
Rkj Storage Ltd	300 Marconi Gate G	Erect-Self-Service Storage (Mini Warehouse) Construct new pre-manufactured self service storage building without plumbing or mechanical	0	127,500
Rkj Storage Ltd	300 Marconi Gate H	Erect-Self-Service Storage (Mini Warehouse) Construct new pre-manufactured self service storage building without plumbing or mechanical	0	142,500
2804902 Ontario Inc	307 Fanshawe Park Rd E	Install-Site Services INSTALL SITE SERVICES		250,000
GREG BROPHIEV PROSPERITY HOMES LIMITED	335 Kennington Way A	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE 4 UNIT CONDO BLOCK A, ADDRESSES 271, 273, 275, 277	4	1,272,000
7564465 CANADA INC 7564465 CANADA INC	34 Swiftsure Ct	Add Cold Storage Plants CONSTRUCTION OF A 52'X50' COMMERCIAL FREEZER ADDITION Shell Permit- Only Structural, Architectural and plumbing are approved-Provide Mechanical drawings to the Building Division for review prior to work in this area.	0	280,000
GOLFIELD LTD. GOLFIELD LTD.	3542 Emlykarr Lane	Install-Townhouse - Cluster SDD Install site services.		330,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	3740 Southbridge Ave A	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE BLOCK A, 6 UNIT, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, SB12 A1, HRV AND DWHR REQUIRED ADDRESSES 3766, 3762, 3758, 3754, 3750, 3746. SOILS REPORT REQUIRED.	6	1,202,400
SIFTON LIMITED SIFTON PROPERTIES LIMITED	3740 Southbridge Ave B	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE 4 UNIT CONDO BLOCK B, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A1, HRV AND DHWR REQUIRED, ADDRESSES 3742, 3738, 3734, 3730. SOILS REPORT REQUIRED.	4	806,400
SIFTON LIMITED SIFTON PROPERTIES LIMITED	3740 Southbridge Ave C	Erect-Street Townhouse - Condo ERECT NEW STREET TOWNHOUSE 6 UNIT CONDO BLOCK C, 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A1, HRV AND DWHR REQUIRED, ADDRESSES 3726, 3722, 3718, 3714, 3710, 3706. SOILS REPORT REQUIRED.	6	1,200,000

City of London - Building Division

Principal Permits Issued from March 1, 2021 to March 31, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
1640209 LIMITED - FOXWOOD LTD - FOXWOOD	3900 Savoy St	Install-Site Services INSTALL SITE SERVICES		1,500,000
OSK HOLDINGS INC.	394 Hazel Ave	Erect-Office Complex-Apartments/Office ERECT NEW 3 STOREY OFFICE BUILDING CONDITIONAL Shell Permit only –Provide sealed Misc. Metals for the stair and guards shop drawings; roof layout reviewed by the principal engineer to the Building Division for review prior to work in these areas	0	250,000
WASTELL DEVELOPMENTS INC. WASTELL DEVELOPMENTS INC.	435 Callaway Rd B	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK, BLDG B, 4 UNITS, UNITS 409, 405, 401, 397, 3 STOREY, 2 CAR GARAGE, 3 BEDROOMS, NO BASEMENT, NO DECK, NO A/C, SB-12 A-5, HRV & DWHR REQUIRED	4	442,400
WASTELL DEVELOPMENTS INC. WASTELL DEVELOPMENTS INC.	435 Callaway Rd J	Erect-Townhouse - Condo Townhouse Building - Erect new townhouse - Townhouse - Condo BLOCK J - 3 Bedroom, 2.5 Bathroom, A/C, 2 Car Garage, No Basement, DPN 74, 76, 78, 80, 82, 84	6	1,448,400
WASTELL DEVELOPMENTS INC. WASTELL DEVELOPMENTS INC.	435 Callaway Rd L	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK L - 6 UNITS DPN 71, 69, 67, 65, 63, 61,	6	1,448,800
Corion Properties Inc.	435 Callaway Rd N	Erect-Townhouse - Condo Townhouse Building - Erect new townhouse - Townhouse - Condo BLOCK N - 3 Bedroom, 2.5 Bathroom, A/C, Deck, 2 Car Garage, No Basement, DPN 49, 47, 45, 43	4	964,800
WASTELL DEVELOPMENTS INC. WASTELL DEVELOPMENTS INC.	435 Callaway Rd O	Erect-Townhouse - Condo Townhouse Building - Erect new townhouse - Townhouse - Condo BLOCK O - 3 Bedroom, 2.5 Bathroom, A/C, Deck, 2 Car Garage, No Basement, DPN 41, 39, 37, 35	4	964,800
RANDY VON HEYKING KINGWELL FINE HOMES LIMITED	449 Grey St	Erect-Four-Plex ERECT FOURPLEX	4	810,000
LHSC LHSC - LONDON HEALTH SCIENCES CENTRE	54 Riverview Ave	Alter Offices Alter interior for offices. R11/DC - Emergency Care Establishment.	0	740,000
DEREK LALL LHSC	550 Wellington Rd	Install-Hospitals TEMPORARY INSTALLATION OF BACKUP STEAM BOILERS AT TWO LOCATIONS AND PERMANENT INSTALLATION OF BACKUP CONDENSATE COOL DOWN SYSTEMS AT THREE LOCATIONS		300,000

City of London - Building Division

Principal Permits Issued from March 1, 2021 to March 31, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
LHSC - LONDON HEALTH SCIENCES CENTRE	550 Wellington Rd	Install-Hospitals TEMPORARY INSTALLATION OF BACKUP STEAM BOILERS AT TWO LOCATIONS AND PERMANENT INSTALLATION OF BACKUP CONDENSATE COOL DOWN SYSTEMS AT THREE LOCATIONS		300,000
DUNDEE 580 INDUSTRIAL AND 3001 PAGE INC	580 Industrial Rd	Alter Warehousing RENOVATING THE EXISTING WAREHOUSE Shell Permit - Provide structural design for the roof reinforcing if it is required to support the additional load OR a sealed letter from the structural engineer to confirm that existing roof joist are capable to support additional load without any additional reinforcement Provide sprinkler shop drawing and GRCC, integrated testing report and integrated testing coordinator.	0	15,000,000
A Millard George Funeral Home Limited	6 Ardaven Pl	Add Funeral Home Renovate existing building and add one storey addition to a building serving a Funeral Home. Change of use for SDD to CM.	0	120,000
2219008 Ontario Limited	6990 Clayton Walk	Install-Residential Accessory Building RT - Install Retaining Wall Soils Report Required.		135,000
ALL SOUFAN 2219008 ONTARIO LIMITED c/o YORK DEVELOPMENTS LONDON	6990 Clayton Walk 3	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR, 4 BED, FINISHED BASEMENT, w/ DECK, w/ A/C, SB12 A1, UNIT 2, HRV AND DWHR REQUIRED	1	340,000
ALL SOUFAN 2219008 ONTARIO LIMITED c/o YORK DEVELOPMENTS LONDON	6990 Clayton Walk 5	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR, 4 BED, FINISHED BASEMENT, w/ DECK, w/ A/C, SB12 A1, UNIT 3, HRV AND DWHR REQUIRED	1	386,000
PROVINCE OF ONTARIO INFRASTRUCTURE PROVINCE OF ONTARIO MINISTER OF INFRASTRUCTURE	711 Exeter Rd	Alter Jalis IS - Alteration to Create 10 New Officer Stations in Zone 5, Replace all existing Air Handling Units, all domestic hot water and hot water recirculation piping, replace existing MCC panels. Rplac / Retrofit existing cooling towers.	0	17,990,000
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	782 Waterloo St	Alter Schools Elementary, Kindergarten REPLACE AIR HANDLING UNITS AND CONTROLS + STRUCTURAL REINFORCEMENTS	0	1,095,850
785 Wonderland Road Inc C/o Mccor Management (East) In	785 Wonderland Rd S	Alter Daycare Centres ALTER INTERIOR FOR YMCA CHILDCARE, UNIT C5/C6/C7. Prior to full permit: Submit sprinkler drawing with piping indicated; no calculations are required as Hazard Class is not increased.	0	250,000
Homes Unlimited (London) Inc	99 Pond Mills Rd	Erect-Apartment Building Erect 12 storey apartment building, 110 units (76 one bedroom and 34 two bedroom), Affordable housing. Conditional Foundation with Site Services	108	21,200,000



City of London - Building Division
Principal Permits Issued from March 1, 2021 to March 31, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Partners Reit	995 Wellington Rd	Alter Restaurant CM - Interior alterations for Mary Brown's Chicken restaurant (Group E - 26 Seats). Submit product data for the Fryers being supplied; confirm that the fire suppression nozzles are approved.	0	180,000

Total Permits 65 Units 382 Value 160,554,450

** Includes all permits over \$100,000, except for single and semi-detached dwellings.*

Commercial building permits issued - subject to Development Charges under By-law C.P. -1535-144

OWNER
LONDON CITY
A Millard George Funeral Home Limited
Rki Storage Ltd
C/O YORK DEVELOPMENTS OXFORD WEST GATEWAY INC.
OXFORD WEST GATEWAY INC.
C/O YORK DEVELOPMENTS
Khanna & Patel Holdings Inc
O5K HOLDINGS INC.

Commercial Permits regardless of construction value

Environmental and Ecological Planning Advisory Committee

Report

4th Meeting of the Environmental and Ecological Planning Advisory Committee
May 20, 2021

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

Attendance PRESENT: S. Levin (Chair), I. Arturo, L. Banks, A. Boyer, P. Ferguson, S. Hall, S. Heuchan, J. Khan, B. Krichker, K. Moser, B. Samuels, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Committee Clerk)

ABSENT: E. Arellano, A. Bilson Darko, A. Cleaver, S. Esan, L. Grieves, I. Mohamed and S. Sivakumar

ALSO PRESENT: G. Barrett, K. Edwards, J. MacKay, B. Page, S. Pratt, C. Saunders and E. Williamson

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 clause 4.4 having to do with the Advisory Committee Review, by indicating that his employer is mentioned in one of the Appendices.

2. Scheduled Items

2.1 Arva to Huron Water Transmission Main Environmental Assessment

That a Working Group BE ESTABLISHED consisting of S. Levin (lead), S. Hall, S. Heuchen and K. Moser, with respect to the Arva to Huron Water Transmission Main Environmental Assessment; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a presentation from J. Walker, AECOM Canada Ltd. and the associated Environmental Impact Study.

3. Consent

3.1 3rd Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 3rd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on April 15, 2021, was received.

3.2 Municipal Council Resolution – 3rd Report of the Environmental and Ecological Planning Advisory

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on May 4, 2021, with respect to the 3rd Report of the Environmental and Ecological Planning Advisory Committee, was received.

3.3 Municipal Council Resolution – Advisory Committee Appointments

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on May 4, 2021, with respect to Advisory Committee appointments, was received.

3.4 Public Meeting Notice – 435-451 Ridout Street North

That it BE NOTED that the Notice of Planning Application, dated May 12, 2021, from C. Maton, Senior Planner, with respect to the Public Meeting Notice for the properties located at 435-451 Ridout Street, was received.

3.5 Draft Kelly Stanton ESA Ecological Restoration Plan (ERP) Question Responses

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee reviewed and received the Civic Administration's comments relating to the Environmental and Ecological Planning Advisory Committee's questions on the draft Kelly Stanton Environmentally Significant Area Ecological Restoration Plan.

4. Items for Discussion

4.1 Notice of Planning Application – 1697 Highbury Avenue North (Revised)

That it BE NOTED that the Notice of Planning Application, dated May 5, 2021, from B. Debbert, Senior Planner, with respect to the revised Notice of Application for the property located at 1697 Highbury Avenue, was received.

4.2 Municipal Class Environmental Assessment – Victoria Street Pumping Station

That the communication dated May 7, 2021 from D. Wilhelm, Manager, Water/Wastewater, MTE, with respect to the Victoria Street Pumping Station Municipal Class Environmental Assessment, was received.

4.3 City Hall Reorganization

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee (EEPAC) received the attached presentation from G. Barrett, Director, Planning and Development and held a general discussion with respect to the City Hall reorganization and any potential impacts to the EEPAC.

4.4 Advisory Committee Review

That a Working Group BE ESTABLISHED consisting of S. Levin (lead), A. Boyer, S. Hall and B. Krichker, with respect to the Advisory Committee Review; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received the staff report dated May 18, 2021 with respect to these matters.

5. Adjournment

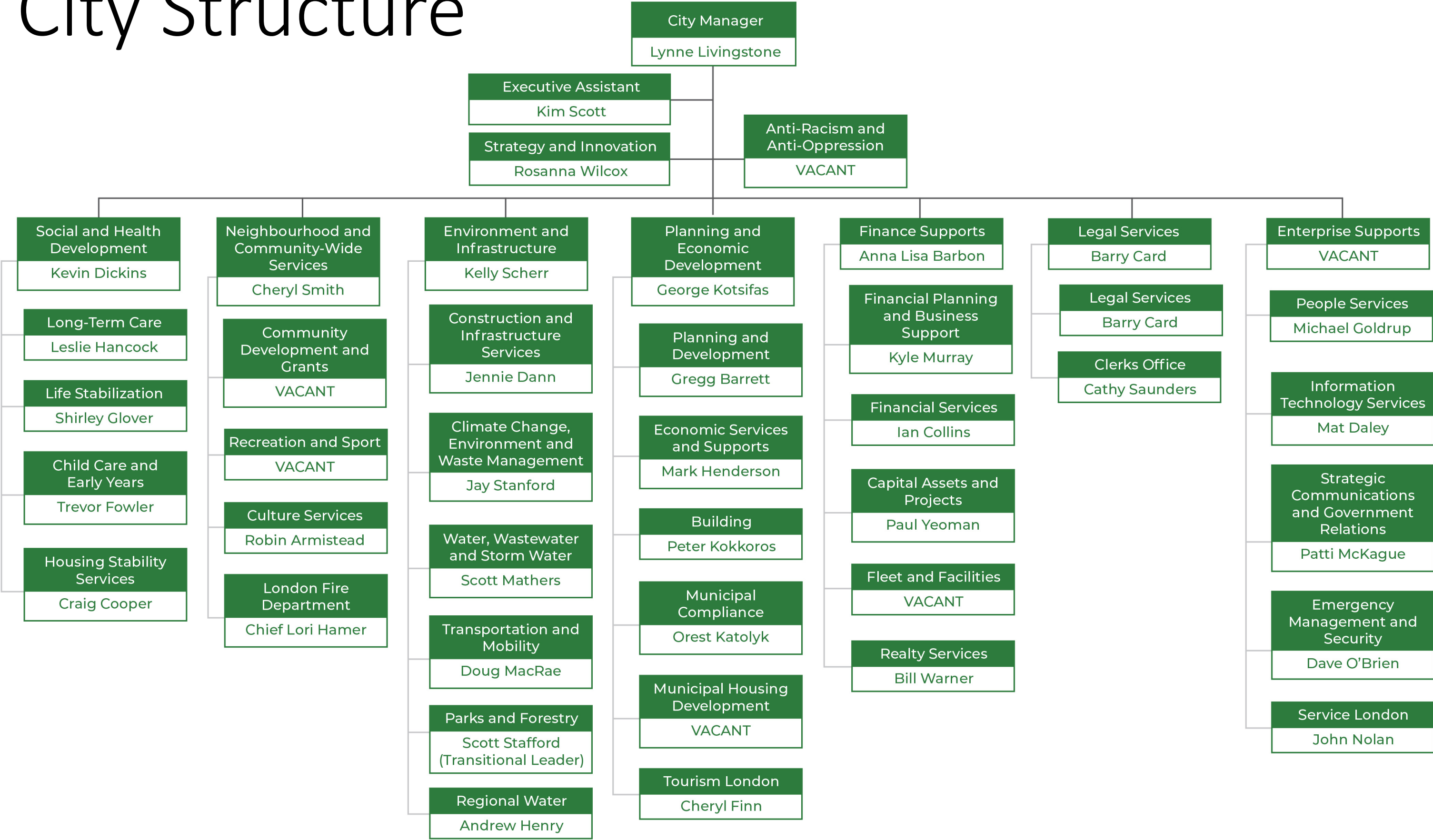
The meeting adjourned at 6:00 PM.

Planning & Development and Economic Services & Supports 2021 Restructure

EEPAC Presentation

May 20, 2021

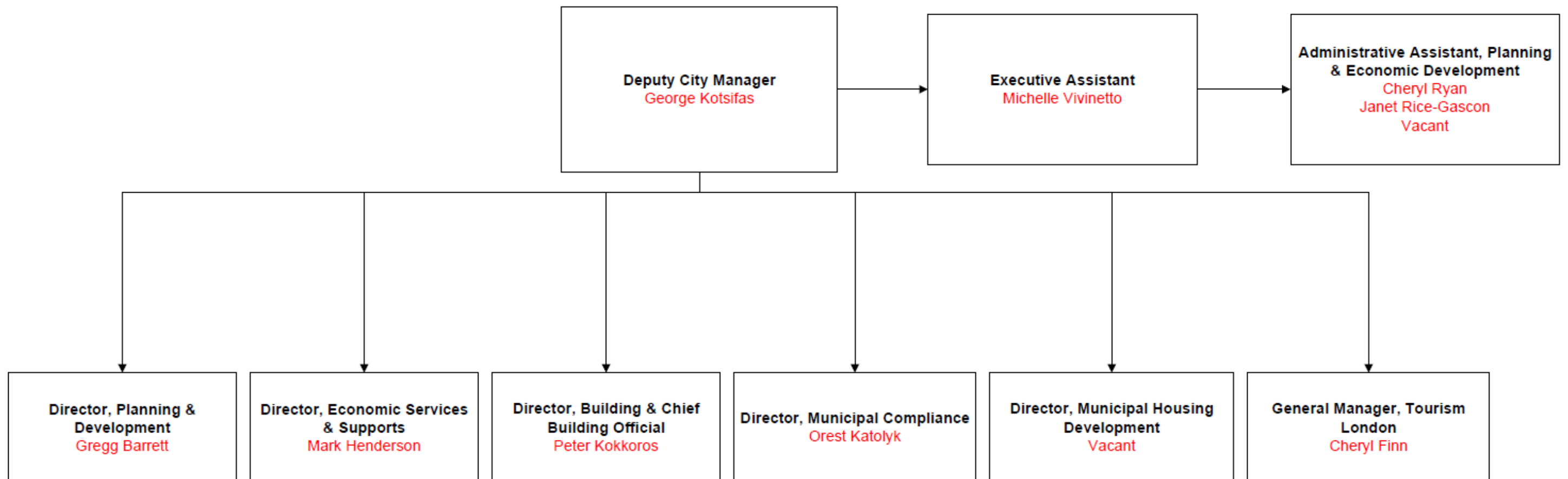
City Structure



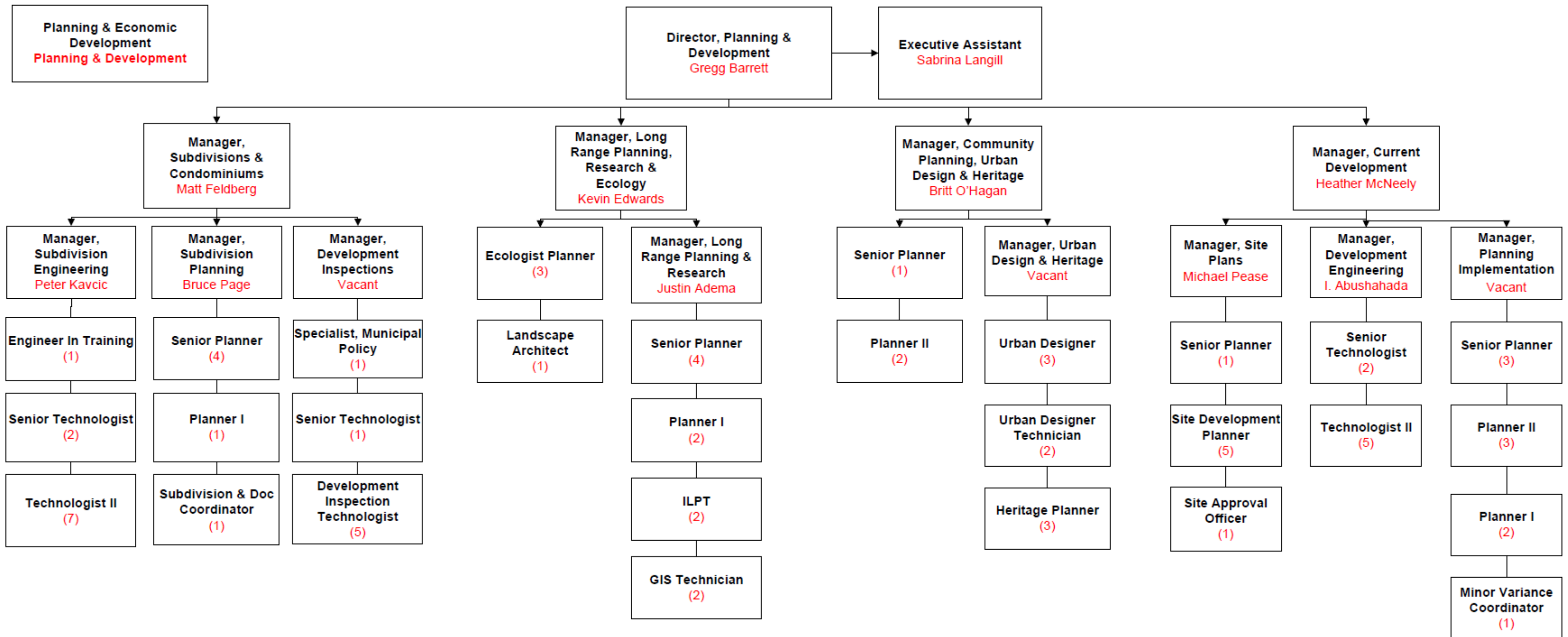
Planning & Economic Development Structure

Planning and Economic Development:

This new service area brings together the critical functions that help drive our growth – economically, physically and also in areas of key priorities like affordable housing. There are also points of accountability focused on our downtown within this service area.



Planning & Development Structure



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Application By: Incon Developments Ltd.
349 Southdale Road East
Zoning By-law Amendment (Z-9308)
Draft Plan of Vacant Land Condominium (39CD-21501)

Public Participation Meeting on: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Incon Developments Ltd. relating to the lands located at 349 Southdale Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on June 15, 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 R3 (R3-3) Zone **TO** a Residential R6 (R6-5) Zone to permit cluster housing in the form of townhouse dwelling units with a maximum density of 34 units per hectare; and,
- (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 Vacant Land Condominium relating to the property located at 349 Southdale Road East.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended actions is to amend the Zoning By-law to permit cluster housing in the form of townhouse dwelling units and maximum density of 34 units per hectare and, to report to the Approval Authority any issues or concerns raised at the public meeting with respect to an application for Draft Plan of Vacant Land Condominium consisting of twenty (20) townhouse dwelling units and a common element for access driveway and services.

Rationale of Recommended Action

1. The recommended Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are consistent with the Provincial Policy Statement.
2. The proposed infill housing development satisfies the residential intensification and relevant planning policies of The London Plan and the 1989 Official Plan.
3. The recommended zoning amendment is appropriate and conforms with The London Plan and the Official Plan.
4. The proposed development is compatible and in keeping with the character of the surrounding residential 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 12, 2003 – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

July 14, 2008 – Planning Committee – Application by City of London – Comprehensive Land Use Study – White Oak Road and Southdale Road East Area, Official Plan amendment is to encourage redevelopment of the block with a range of more intense residential development, subject to design guidelines (O-7507).

April 26, 2010 - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - provided a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

1.2 Planning History

In May 2002, an application was made by Skinner Associated Group for the property at 315 Southdale Road East at the southeast corner of Southdale Road and White Oak Road. The application request was to change the Official Plan designation of this vacant corner lot from Low Density Residential to Multi-Family, High Density Residential and to change the zoning from a single-family residential zone to a convenience commercial zone. The application was reviewed by Planning Staff and based on the size of the lot and the type of convenience commercial uses proposed, Staff recommended refusal of the application. During the application review process, other property owners within this area requested that the City consider the land use designation of their lands immediately south and east of the subject property. As a result, the application for 315 Southdale Road was referred back to Staff for a comprehensive review of the land use designations of the entire area.

At the request of area property owners, Staff undertook a review to determine the appropriateness of applying a Multi-Family, High Density Residential designation over the entire 2.8-hectare area. Based on Official Plan policies, it appeared that collectively the parcels within this quadrant met many of the location criteria for a MFHDR designation and were of sufficient size to accommodate a limited amount of high-density residential development with adequate room for buffering from adjacent uses.

During the public consultation process, Planning Staff received numerous responses from neighbourhood residents indicating that a MFHDR designation would not be appropriate adjacent to the existing low-density single-family neighbourhood to the east. Taking those concerns into consideration, Staff recommended that a transition in use from high density residential development at the intersection of White Oak Road and Southdale Road to a lower density form of development (medium density) would be appropriate. This approach would assist minimizing the perceived loss of privacy for those single detached dwellings on Josselyn Drive and limit the intensity of development on the site.

The report on the City-initiated review was presented at a public meeting of Planning Committee on April 28, 2003. Staff recommended that the immediate southeast corner of Southdale Road and White Oak Road should be designated MFHDR (approximately 1 hectare) and that the remaining lands (approximately 1.8 hectares) should be designated MFMDR to provide for an appropriate transition in scale and intensity. On May 5, 2003 Municipal Council met and referred the matter back to the General Manager of Planning & Development for further discussion with area residents and to report back to Planning Committee.

On February 16, 2004, Municipal Council resolved that no further action be taken with respect to the application initiated by the City of London to amend the Official Plan relating to these properties at the southeast corner of Southdale Road and White Oak Road.

In May, 2007, an application was made by King Street Holdings Ltd. to amend the Official Plan and Zoning By-laws for the properties at 333 and 337 Southdale Road East. The

Official Plan Amendment was to redesignate the subject lands from Low Density Residential to Multi-Family Medium Density Residential and amend the Zoning By-law from the Residential R3 (R3-3) Zone to a Residential R8 (R8-4) Zone to permit apartment buildings and stacked townhouses among other residential uses.

The application was reviewed by Planning Staff and was recommended for approval at the October 29th Planning Committee meeting. Specific recommendations included:

- a) An amendment to the Official Plan to change the land use designation from Low Density Residential (LDR) to Multi-Family Medium Density Residential (MFMDR)
- b) An amendment to the Z.-1 Zoning By-law from a Residential R3-3 Zone to a Holding Residential R8 (h-87*R8-4*D119) Zone to permit apartment buildings, handicapped persons apartment buildings, stacked townhouses, senior citizen apartment buildings, and continuum-of-care facilities up to a maximum density of 119 units per hectare (48 units/acre) and maximum height of 13 metres (42.7 ft), with the holding provision requiring the completion of a sanitary sewer capacity analysis study.

Furthermore, Staff added an “it being noted” clause regarding the applicant’s commitment to work with the City’s Site Plan staff and Urban Designer to address urban design concerns, including an aesthetically and architecturally pleasing built form and a pedestrian supportive environment along Southdale Road, through the site plan approval process.

The recommendations were passed by Municipal Council at its session November 5, 2007 with the addition of the following clause;

- c) the Civic Administration BE REQUESTED to conduct a comprehensive Official Plan review of the entire area from a broader planning perspective.

The Decision of Council was appealed to the Ontario Municipal Board (OMB) by neighbourhood residents who opposed the development based on the “inappropriateness of these applications proceeding in advance of a comprehensive plan, including final land use designation and zoning, for the entire southeast quadrant area of the Southdale Road / White Oak Road intersection that includes their own properties.” (OMB Memorandum of Oral Decision, April 9, 2008) Essentially, as the OMB describes, “The focus of the appellants was to protect their property interests from any prejudice that the proposal might cause related to additional future development in the quadrant”.

The Board found that “OPA 428 and the Zoning By-law are consistent with the PPS (Provincial Policy Statement), generally conform to the City OP (Official Plan)”, and “...are appropriate, represent good planning and are in the overall public interest of the community”. Therefore, the appeals were dismissed, OPA 428 was approved and By-law Z.-1-071674 is in effect to permit the development of the townhouse units.

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharnccliffe Road South, Southdale Road East, White Oaks Road and the future Bradley Avenue extension. The NLAP was created to respond to development demands in the area and re-designated the lands from “Urban Reserve – Community Growth”. At the time, the subject site was designated as “Restricted Service Commercial”.

The Southwest London Area Plan (SWAP) was initiated in 2009 and presented to Planning Committee on April 26, 2010. The Area Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (relating to the Secondary Plan). The plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014. The subject site appears to have been redesignated through the SWAP. The lands are currently designated Low Density Residential.

Site plan approval will be required for the proposed cluster townhouse development, which will run parallel with the Vacant Land Condominium application (39CD-21501) which was accepted on January 29, 2021.

1.3 Property Description

The property is located on the south side of Southdale Road East, east of White Oak Road, east Josselyn Drive and north of Devon Road. The lot is currently occupied by an older single detached, one storey dwelling, detached garage, and a large rear yard.

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

- Official Plan Designation – Low Density Residential (rear portion of parcel), Multi-Family Medium Density Residential (front portion of parcel)
- The London Plan Place Type – Neighbourhoods
- Zoning – Residential R3 (R3-3)

1.5 Site Characteristics

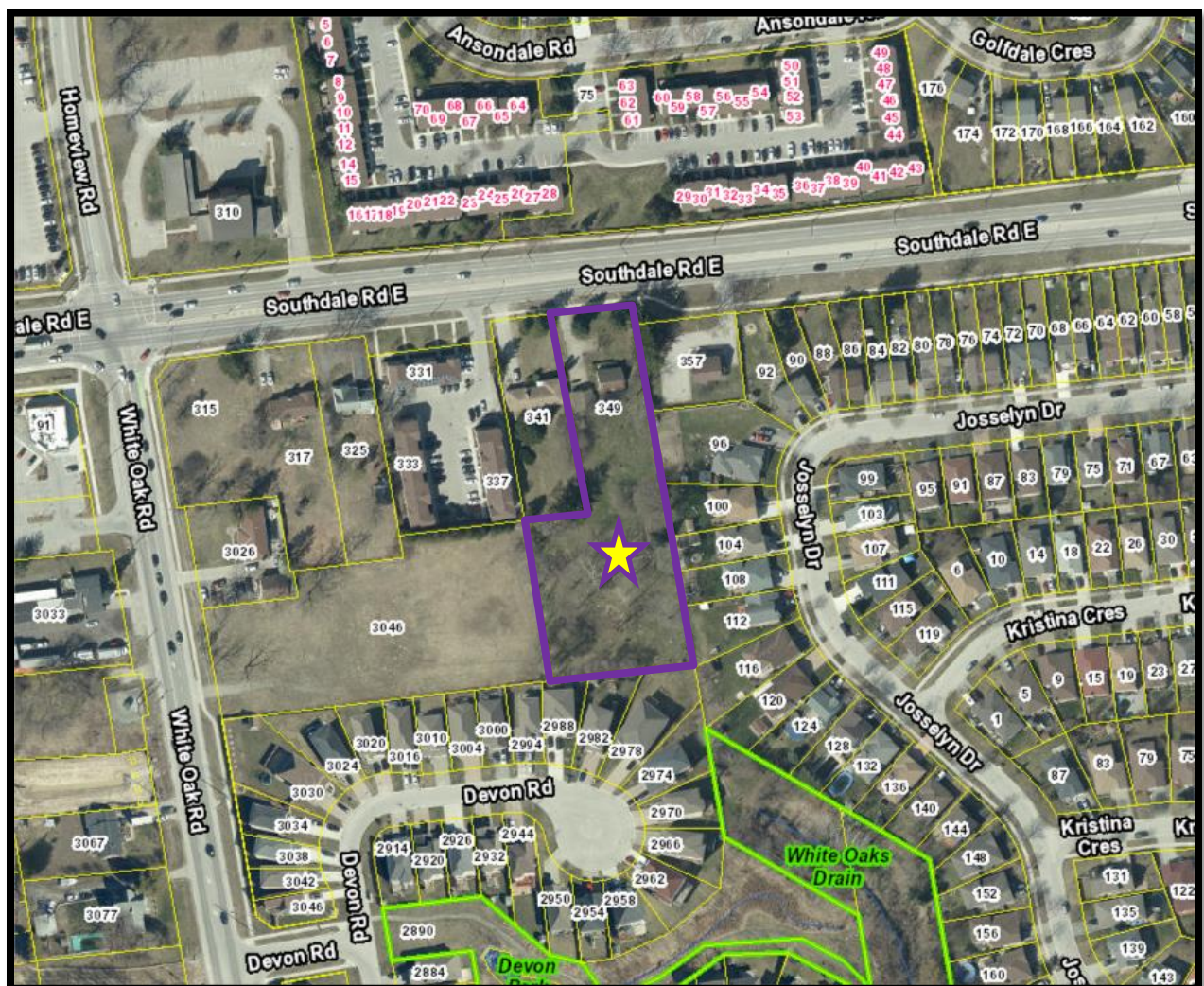
- Current Land Use – residential single detached dwelling
- Frontage – 31.8 metres
- Depth – approx. ~143 metres
- Area – approx. 6,233 square metres or 0.62 hectares total area
- Shape – flag shaped

1.6 Surrounding Land Uses

- North – cluster townhome dwellings
- East – residential single detached dwellings
- South – residential single detached dwellings
- West – residential single detached dwellings and vacant land

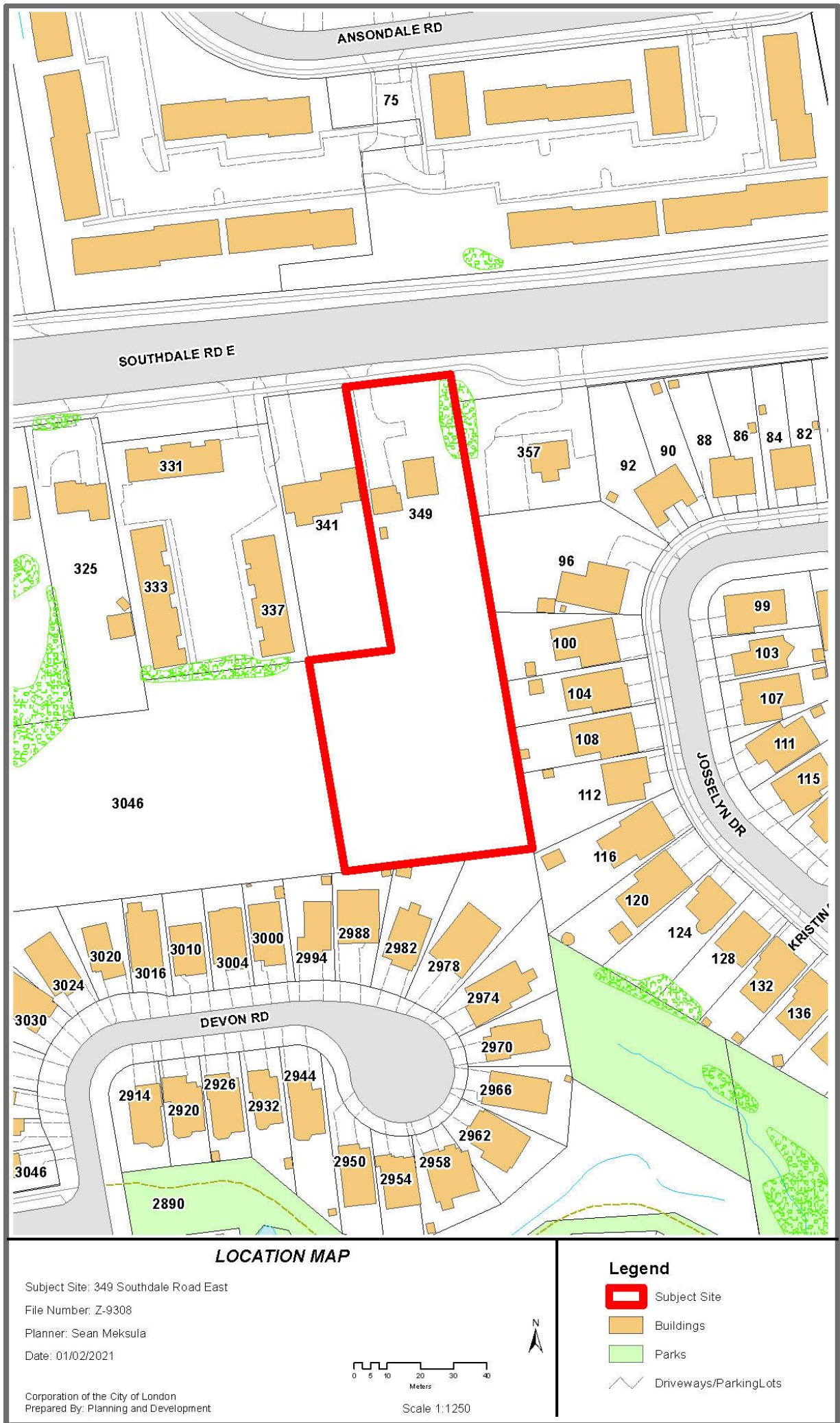
1.7 Intensification (20units)

- The 20-unit, cluster townhome development located outside of the Built-Area Boundary and Primary Transit Area



 349 Southdale Road East

1.8 Location Map

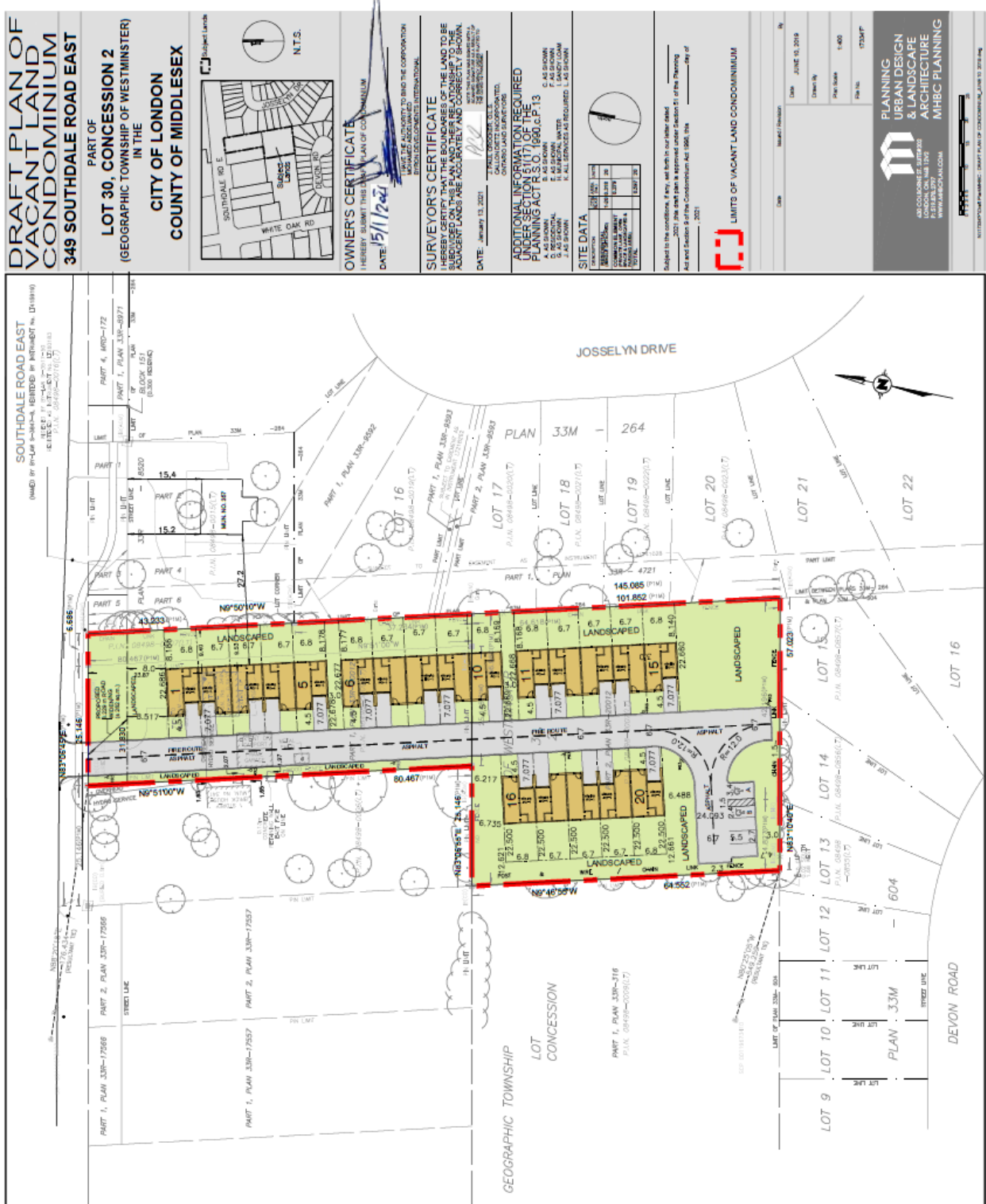


2.0 Discussion and Considerations

2.1 Development Proposal

The intent of the application request is to create twenty (20) Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings on the property along a private road with access to Southdale Road East. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation. The existing dwelling and detached garage are proposed to be demolished.

2.2 Proposed Draft Plan of Vacant Land Condominium



2.4 Images from the Applicant's Urban Design Brief Report For Lands at: 349 Southdale Road East by Incon Developments Ltd. for a 20 Unit Vacant Land Condominium Project – December 2020 (prepared by MHBC Planning)



Aerial view looking south towards site



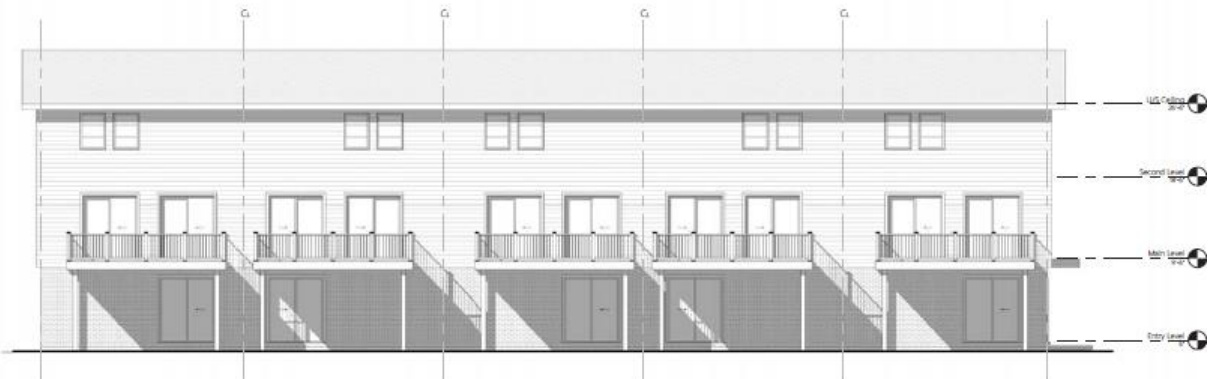
Massing model view of proposed private road from Southdale Road East showing the proposed residences.



Massing model view of front elevation east corner.

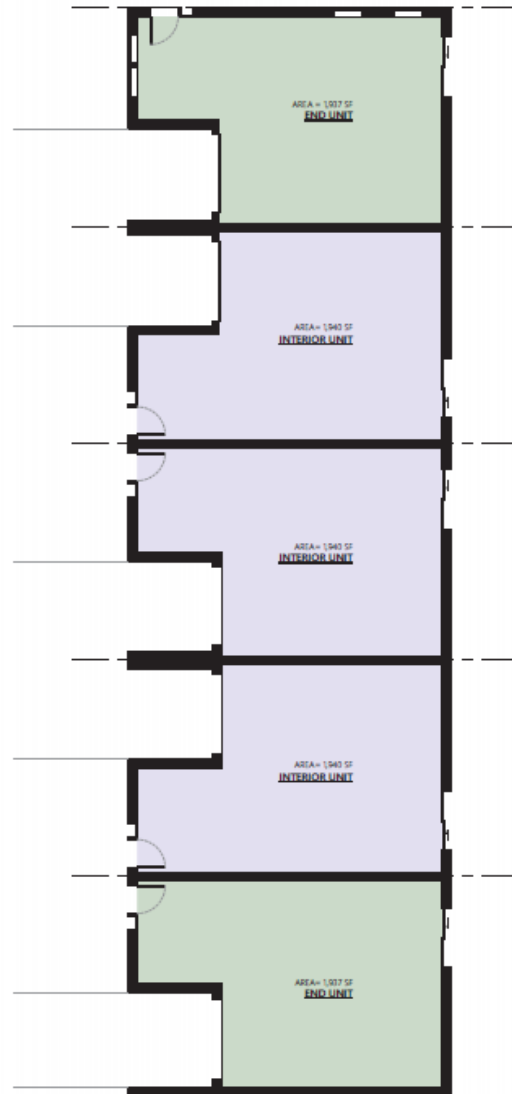
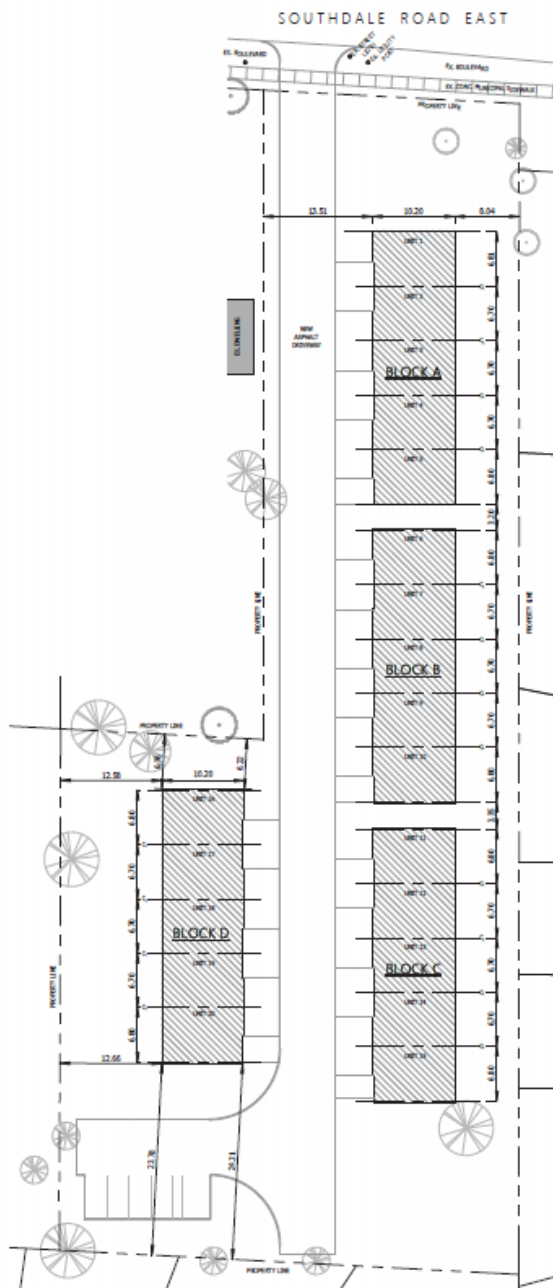


Block Front Elevation
1/8" = 1'-0"



Block Rear Elevation
1/8" = 1'-0"

Sample elevation showing architectural detail of the building façade block front and rear elevations.



Block Plan - Typical
1/8" = 1'-0"

Site plan on left showing the proposed townhouse block plan on the right.

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.

3.1 Requested Amendment

An amendment to change the zoning on a portion of the property proposed to be developed from a Residential R3 (R3-3) Zone to a Residential R6 (R6-5) Zone to permit cluster housing in the form of townhouse dwelling units with a maximum density of 34 units per hectare.

3.2 Community Engagement (see more detail in Appendix B)

The requested amendment was circulated to the public on February 25, 2021 and advertised in the Londoner on February 26, 2021. At the time of preparation of this report two (2) responses were received from the public in response to the Notice of Application and The Londoner Notice.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

3.4 Policy Context Summary (A more detailed policy analysis is provided in Appendix C)

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 3. Protecting Public Health and Safety. As this development proposal represents a form of residential infill of vacant or underutilized lands, the PPS contains strong policies to direct growth to settlement areas, encourage a diversity of densities and land uses within settlement areas, and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock, and availability and suitability of infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3).

The London Plan

The subject site is located within the Neighbourhoods Place Type in the London Plan. The London Plan, through the vision articulated in the Our City policies, places an emphasis on growing “inward and upward” to achieve a compact form of development, as well as encouraging and supporting growth within the existing built-up area of the city. The Neighbourhoods Place Type policies, with respect to Residential Intensification in Neighbourhoods, expands on that vision and specifically states that:

937_ Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. However, such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability.

The City Structure Plan also recognizes that residential intensification will play a large role in achieving our goals for growing “inward and upward”, and supports various forms of intensification, including infill development of vacant and underutilized lots, subject to the policies of the Plan. This includes consideration of the policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. The London Plan policies are intended to support infill and intensification, while ensuring that proposals are appropriate and a good fit within their receiving neighbourhoods.

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 land use designation permits single detached; semi-detached; and duplex dwellings. Multiple-

attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies, as the primary permitted uses up to a maximum density of 30 units per hectare. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses and infill development may exceed 30 units per hectare.

The Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities such as small-scale nursing homes, homes for the aged and rest homes. The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use. It will also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing. Medium density development will not exceed an approximate net density of 75 units per hectare

Where an area proposed for development comprises more than one residential designation, each part shall be subject to the density provision applicable to its designation.

The proposal to develop this parcel with twenty (20) Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings is permitted and will result in an overall density of 34 units per hectare which is within the density limits prescribed in the Low-Density Residential and Multi-Family Medium Density Residential policies.

The proposal also represents a form of residential infill of a vacant or underutilized site within an established neighbourhood which may be permitted in the Low-Density Residential and Multi-Family Medium Density Residential designations through an amendment to the Zoning By-law, subject to the Residential Intensification policies of the Official Plan. These policies require that a Statement of Neighbourhood Character and Compatibility be submitted by the proponent in accordance with Section 3.2.3 Residential Intensification and Section 3.7.3 Planning Impact Analysis.

The development will intensify an underutilized residential property within an established, mixed-use neighbourhood. The proposed townhouses will be integrated into the community in a manner that: is compatible with the existing development character of the neighbourhood and provides amenities for future residents; and supports existing transit service. These lands have convenient access to transit services, service/retail commercial uses, employment areas and community facilities.

An Urban Design Brief was prepared and submitted by MHBC Planning, including concept site plan, building floor plans and elevations, colour renderings, and model showing the proposed development within the context of the neighbourhood. A Tree Assessment Report also accompanied the formal application submission. The Official Plan policies have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood.

As further described in Appendix B – Policy Context, Staff are of the opinion that the condominium draft plan is generally consistent with the PPS, The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan

North Longwoods Area Plan

The lands are within the North Longwoods Area Plan (NLAP) which designated the majority of the lands Low Density Residential and Medium Density Residential, with the northern extent of the lands where Petty Road will connect to Southdale Road designated for commercial uses. The NLAP envisioned that a mix of housing types and densities would meet community demand and needs in housing type, tenure and affordability. The NLAP reinforced the City's Official Plan policies and direction that promoted compact

urban form and increased densities to maximize the use of land and investment in infrastructure and services.

Z.-1 Zoning By-law

The zoning of this property is Residential R3 (R3-3) Zone which permits various forms of housing including single detached, semi-detached, duplex, triplex, converted dwellings and fourplex dwellings. The applicant is proposing a Residential R6 (R6-5) Zone to permit cluster housing in the form of townhouse dwelling units with a maximum density of 34 units per hectare. The proposed form of cluster townhouse dwellings is consistent with existing uses and densities in the area and will not impact abutting uses.

Vacant Land Condominium Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. In order to ensure that this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Confirmation of addressing information and door point numbers;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- The maintenance of any stormwater servicing works including on-site works;
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements.

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – The site is too small and this proposal does not fit within the context of the established neighbourhood.

The Urban Design Brief describes the site layout and design in the context of the surrounding neighbourhood, including building orientation, setbacks, transition of building height, and architectural treatment. Massing models are provided in order to demonstrate how the proposal fits with the surrounding neighbourhood. The use, form and intensity of the proposed development is considered compatible and appropriate for the site in order to accommodate the buildings, driveways, parking, fencing, landscaping, outdoor amenity area, and buffering.

The Our Strategy, City Building and Design, Neighbourhood Place Type, and Our Tools policies in The London Plan, as well as the residential infill and intensification policies of the current Official Plan, have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives. This proposal represents a good fit within the neighbourhood in terms of the type and form of housing, tenure (owner-occupied), similar lot/unit frontages, and spatial separation between buildings. It is recognized that there are differences from existing development, such as the proposed 3-storey townhouse units, shallower rear yards, narrower street (a private road), and while there are some 3-storey townhouse dwellings to the west, 2-storey dwellings are more predominant in the neighbourhood. At the same time, the proposal represents a cluster of new built homes that contributes to diversity and the rich mix of housing in the neighbourhood.

4.2 Issue and Consideration # 2 – It will add to already heavy traffic volumes at peak times on Southdale Road East.

Low volumes of traffic are expected to be generated from this 20-unit infill development. Southdale Road East is classified as an Arterial road in the Official Plan (Civic Boulevard in The London Plan) carrying on average 24,000 vehicle trips a day. The City's Transportation Planning and Design Division have reviewed the proposed site concept plans and did not report any concerns. The access location and design will be reviewed again in more detail at the Site Plan Approval stage.

4.3 Issue and Consideration # 3 – It will impact resident's privacy, quiet enjoyment of their property, and property values.

Building front entrances, driveways, and garages are oriented internally to the site so that impact on privacy of adjacent properties is minimized. Perimeter fencing (1.8 metre high board-on-board fence) and landscape planting buffers will also be incorporated into the approved site plan and landscape plans to provide screening and privacy of adjacent rear yard amenity areas. The proposed 3-storey dwellings with pitched roof design are not expected to cast shadowing on adjacent properties or result in any significant loss of sunlight. The proposed residential infill development is not expected to adversely affect the residential stability of this area.

4.4 Issue and Consideration # 4 – Access from Southdale Road East

The access from Southdale Road East is a 6.7-metre-wide private driveway. Design standards for vehicular access to and from private site developments (including fire routes, parking, etc.) are specified in the City's Site Plan Design Manual. The proposed driveway width meets the City's site design standards. Typically, the maximum dead-end distance without an approved turnaround facility is 90 metres. The proposed driveway is approximately 130 metres in from the public street terminating at a "T" junction.

4.5 Issue and Consideration # 5 – Previous attempts have been made to have permission to build on this property.

As noted in the planning history section above, previous applications were brought forward for the development of these lands and the surrounding lands. Many things have progressed since that time, including provincial and municipal planning policies recognizing the importance of residential intensification. The Condominium Act was amended to introduce Vacant Land Condominiums, and zoning by-laws have changed. Similar small-scale infill housing projects have been developed in neighbourhoods in other parts of the City.

Conclusion

The recommended amendment to the Zoning By-law and application for Approval of Vacant Land Condominium are considered appropriate, are consistent with the Provincial Policy Statement, conform to The London Plan and the 1989 Official Plan. The proposal will permit a small residential infill development that is appropriate for the subject lands, and compatible with the surrounding land use pattern.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Planning and Development

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic Development

cc: Matt Feldberg, Manager, Planning and Development (Subdivisions & Condominiums)

cc: Heather McNeely, Manager, Planning and Development (Current Development)

cc: Bruce Page, Manager, Planning and Development (Subdivision Planning)

cc: Michael Pease, Manager, Planning and Development (Site Plans)

cc: Peter Kavcic, Manager, Planning and Development (Subdivision Engineering)

Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2021\39CD-21501 - 349 Southdale Road East (SM)\Draft Approval\39CD-21501 Southdale Rd E- Zoning By-law Amendment.docx

Appendix A

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 349
Southdale Road East.

WHEREAS Incon Developments Ltd. has applied to rezone an area of land located at 349 Southdale Road East, 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 349 Southdale Road East, as shown on the attached map, comprising part of Key Map No. 111, from a Residential R3 (R3-3) Zone to a Residential R6 (R6-5) Zone.
- 2) This by-law shall come into force and effect on the day it is passed.

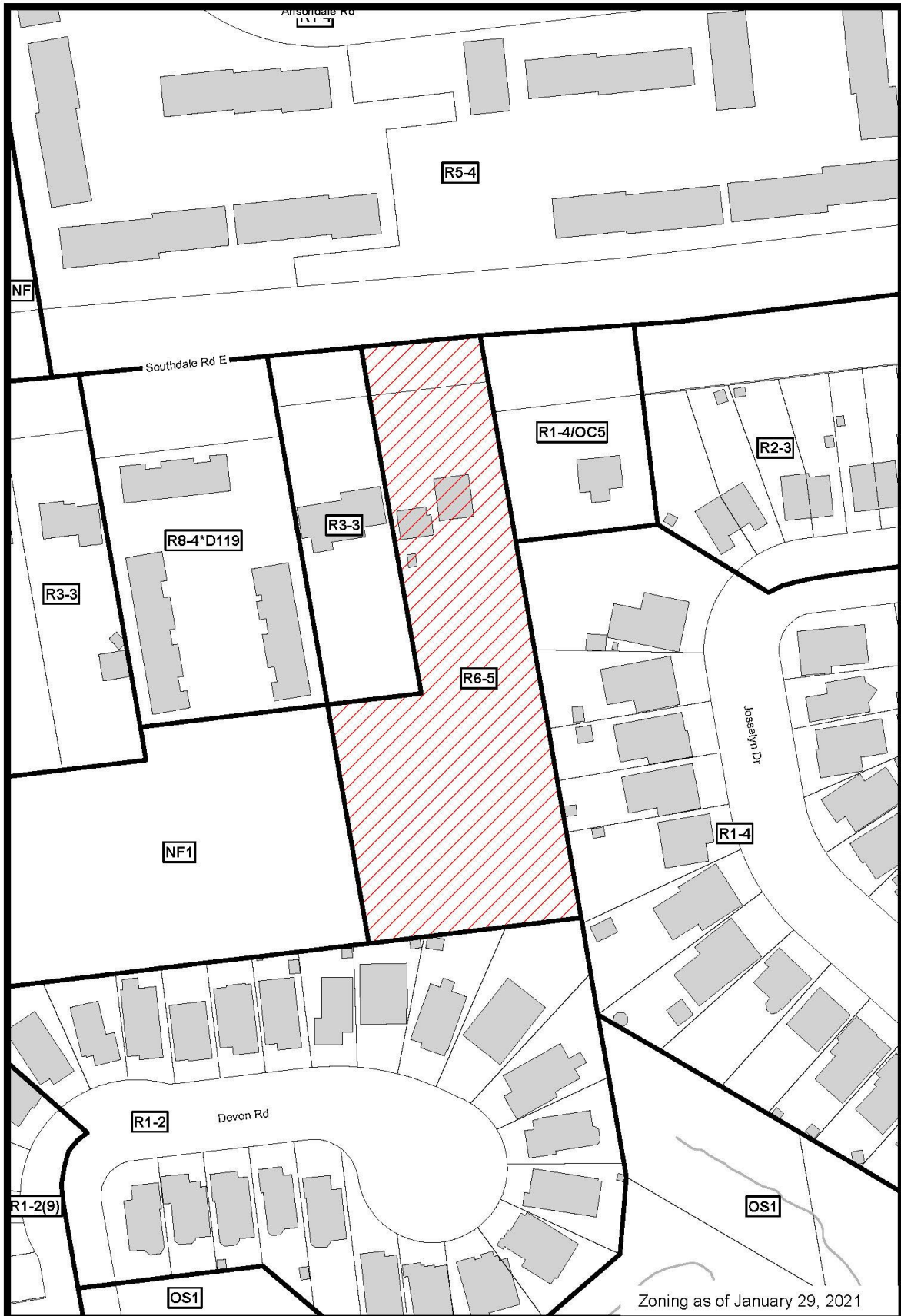
PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

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



File Number: Z-9308

Planner: SM

Date Prepared: 2021/02/03

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE



1:1,250

0 5 10 20 30 40
Meters



Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On February 24, 2021, Notice of Application was sent to 159 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 25, 2021. A “Planning Application” sign was also posted on the site.

Responses: No responses were received

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 20 residential units with a private access driveway, private internal services and a common element to be registered as one Condominium Corporation. Consideration of a possible amendment to the Zoning By-law to change the zoning from a Residential R3 (R3-3) Zone to a Residential R6 (R6-5) Zone to permit single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, townhouse dwellings, stacked townhouse dwellings, apartment buildings, and fourplex dwellings.

Responses to Notice of Application and Publication in “The Londoner”

No responses were received.

Agency/Departmental Comments:

Stormwater Engineering Division (SWED)

1. There are no available storm sewers to service this site and as such an alternative storm drainage/SWM strategy is required. The applicant shall investigate the use of low impact development solutions to deal with the 2 -100 year storm event and shall comply with the approved City Standard Design Requirements for Permanent Private Stormwater System (PPS). Please include in the required storm drainage/SWM servicing report a statement that addresses the implementation of LIDs for this plan.
2. The applicant shall also provide the following as part of the complete submission package in support of the proposed storm drainage and SWM design:
 - a. Hydrogeological investigation and analysis as described in the current City of London Design Standards ([Section 6 – Stormwater Management](#)) including identifying all necessary component to support proposed LID solutions, and completion of complete water balance analysis for the Site.
 - b. Geotechnical investigation including detailed soil characteristics and appropriate geotechnical recommendations.
3. The SWM design shall include onsite storage up to the 100 year storm event and a statement shall be provided in the report to identify the safe conveyance of the 250 year storm event across and from this site. The SWM design shall also identify any existing grade differential between the back of the site and Southdale Road East and provide functional grading design to eliminate any potential adverse impact to neighboring properties to the south east and west.
4. Further to item #3, the report shall include a statement that the proposed storm drainage and SWM system will be in compliance with Tributary ‘F’ in the 2005 Dingman Creek Subwatershed Study Update and current City of London Design Standards.
5. The IPR mentions the use of increased topsoil thickness as an LID measure. A draft amended soil specification has been developed for inclusion in the City’s design standards. Please contact the SWED division for more information.

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:

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, duplex, triplex, and townhouse dwellings, and small-scale community facilities. The proposed infill development in the form of cluster townhouse dwellings falls within this Place Type. Southdale Road East is identified on Map 3 – Street Classifications as a Civic Boulevard.

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 of Vacant Land Condominium and Zoning By-law Amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 - Build a Mixed-Use Compact City

- 5. 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.*

Key Direction #8 Making Wise Planning Decisions

- 9. Ensure new development is a good fit within the context of an existing neighbourhood.*

This proposal represents a small-scale infill development which contributes to broader strategic objectives of building a mixed-use compact City of London. The proposed development is not identical; however, it is compatible with the scale and the form of housing in the surrounding area, and a good fit within the context of the existing neighbourhood.

City Building and Design Policies

199_ All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood’s character and demonstrate how the proposal has been designed to fit within that context. The Our Tools chapter and the Residential Intensification policies in the Neighbourhoods Place Type chapter of this Plan provide further guidance for such proposals.

Based on our review of the applicant’s Neighbourhood Character Statement and Compatibility Report, and supporting documents, this proposal represents a small-scale infill development which satisfies the City Building and Design, Our Tools and Residential Intensification policies of the London Plan.

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

916_ In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:

- 1. A strong neighbourhood character, sense of place and identity.*
- 2. Attractive streetscapes, buildings, and public spaces.*
- 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.*
- 4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*

5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.
6. Easy access to daily goods and services within walking distance.
7. Employment opportunities close to where we live.
8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

This proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identity, diversity of housing choices and affordability, safe and convenient alternatives for mobility, and close proximity to employment and recreational opportunities.

948_ The creation of rear-lot development (flag-shaped lots) will be discouraged in the Neighbourhoods Place Type unless the intensification policies in this Plan are met and the following urban design considerations are addressed:

1. *Access to the new property will be wide enough to provide:*
 - a. *Separate pedestrian/vehicular access.*
 - b. *Sufficient space beside the driveways for landscaping and fencing to buffer the adjacent properties.*
 - c. *Adequate space at the street curb for garbage and blue box pickup.*
 - d. *Snow storage for the clearing of these driveways.*
2. *In laying out a rear-lot development project, care should be taken to avoid creating front to back relationships between existing and proposed dwelling units. To support a reasonable level of privacy and compatibility, the front doors of the new units should avoid facing onto the rear yards of existing homes.*
3. *Where existing dwellings fronting onto the street are not incorporated into the infill project, adequate land should be retained in the rear yard of these dwellings to provide:*
 - a. *Appropriate outdoor amenity space.*
 - b. *Adequate separation distance between the existing dwellings and the habitable areas of the infill project.*
 - c. *Sufficient space for landscaping in the rear yards for visual separation if required.*
 - d. *Parking and vehicular access for the existing dwellings, so as not to introduce parking into the front yards of the existing dwellings.*

The rear-lot development policies are essentially the same in the current Official Plan, and are covered off in the next section of this report.

953-2. Compatibility and fit, from a form perspective, will be evaluated based on such matters as:

- a. *Site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, building location, and parking.*
- b. *Building and main entrance orientation.*
- c. *Building line and setback from the street.*
- d. *Character and features of the neighbourhood.*
- e. *Height transitions with adjacent development.*
- f. *Massing appropriate to the scale of the surrounding neighbourhood.*

953-3 The intensity of the proposed development will be appropriate for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area, adequate buffering and setbacks, and garbage storage areas.

The applicant has provided a Urban Design Brief which describes the site layout and design in the context of the surrounding neighbourhood, including building orientation, setbacks from the street, and transition of building height. Massing models were provided to demonstrate how the proposal fits with the scale of the surrounding neighbourhood. The intensity of the proposed development is considered appropriate for the site in order

to accommodate driveways, adequate parking, landscaped open space, outdoor amenity areas, buffering and setbacks.

Our Tools

Evaluation Criteria for Planning and Development Applications

1578_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:

- a. Traffic and access management.*
 - b. Noise.*
 - c. Parking on streets or adjacent properties.*
 - d. Emissions generated by the use such as odour, dust, or other airborne emissions.*
 - e. Lighting.*
 - f. Garbage generated by the use.*
 - g. Loss of privacy.*
 - h. Shadowing.*
 - i. Visual impact.*
 - j. Loss of views.*
 - k. Loss of trees and canopy cover.*
 - l. Impact on cultural heritage resources.*
 - m. Impact on natural heritage features and areas.*
 - n. Impact on natural resources.*
- The above list is not exhaustive.*

- Southdale Road East is classified as a Civic Boulevard carrying on average 24,000 vehicle trips per day. The proposed development is not expected to contribute significantly to traffic volumes, and the site plan approval process will ensure safe vehicular access is achieved.
- All required parking will be provided on-site.
- The proposed development is not expected to generate excessive noise and emissions.
- On-site exterior lighting can be managed and mitigated so as not to overcast on adjacent properties.
- Individual units will have single garages which should be large enough for storage of domestic garbage.
- Perimeter fencing and landscape planting buffers will be incorporated for screening and privacy.
- The proposed 3-storey dwellings with pitched roof design is expected to result in minimal loss of sunlight or shadowing on adjacent properties.
- Architectural treatment (covered in the next section of this report) is of a more contemporary style than existing homes in the neighbourhood, but is not expected to be visually impacting.
- The topography is relatively flat so there will be no loss of natural view corridors or vistas.
- A Tree Preservation Assessment report was prepared by Natural Resource Solutions Inc. and submitted with the application. Although the site is devoid of any significant trees, the perimeter has some mature boundary trees that are to be retained as much as possible.
- There are no natural heritage features, and no concerns for cultural heritage or natural resources.

1578_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the place type.*
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.*

- c. *Neighbourhood character.*
- d. *Streetscape character.*
- e. *Street wall.*
- f. *Height.*
- g. *Density.*
- h. *Massing.*
- i. *Placement of building.*
- j. *Setback and step-back.*
- k. *Proposed architectural attributes such as windows, doors, and rooflines.*
- l. *Relationship to cultural heritage resources on the site and adjacent to it.*
- m. *Landscaping and trees.*
- n. *Coordination of access points and connections.*

The next section of this report draws from the applicant's Urban Design Brief and discusses the various components listed above, including neighbourhood and streetscape character, massing, building placement, setbacks, and architectural attributes. Based on our review of The London Plan policies, Staff would agree that this proposal represents a good fit within the neighbourhood because of the type and form of housing, tenure (owner-occupied), similar lot/unit frontages, and spatial separation between buildings. 3-storey townhouse units, shallower rear yards, narrower street (a private road), and while there are some 3-storey townhouse dwellings to the west, 2-storey dwellings are more predominant in the neighbourhood.

At the same time, this infill development represents a cluster of new built homes that contributes to diversity and the rich mix of housing in the neighbourhood.

Official Plan

These lands are designated "Low Density Residential and Multi-Family Medium Density Residential" on Schedule 'A' of the City's Official Plan. This land use designation permits single detached, semi-detached, and duplex dwellings as the primary permitted uses up to a maximum density of 30 units per hectare. The proposal to develop this parcel with 20 cluster townhouse units is permitted and will result in an overall density of 34 units per hectare which is within the density limits prescribed in the Low Density Residential and Multi-Family Medium Density Residential policies.

The proposal also represents a form of residential infill of a vacant or underutilized site within an established neighbourhood which may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the Residential Intensification policies of the Official Plan. These policies require that a Statement of Urban Design Brief be submitted by the proponent in accordance with Section 3.2.3 Residential Intensification and Section 3.7.3 Planning Impact Analysis.

An Urban Design Brief was prepared and submitted by Icon Developments Ltd. including concept site plan, building floor plans and elevations, colour renderings, and 3D massing model showing the proposed development within the context of the neighbourhood. A Tree Assessment Report and Servicing Brief also accompanied the formal application submission. The Official Plan policies have been reviewed and consideration given to how the proposal contributes to achieving those policy objectives, including the following specific policies:

3.7.3 (a) Neighbourhood Character Statement

Character & Image

- i) *description of the existing street character;*

The street character along Southdale Road East is generally described as a grid pattern that also incorporates a number of crescents and cul-de-sacs (Deveron Road, Josselyn Drive and Christine Crescent). The subject lands are located within an established, mixed-use neighbourhood that includes:

townhouses and single detached units north of the Site; single detached dwellings, mid-rise apartments and a shopping centre east of the Site; single detached units and light industrial uses south of the Site; and single detached units, townhouses, and a commercial node west of the Site. Adjacent to the Site, Southdale Road East incorporates four traffic lanes and a single left-turn lane.

ii) description of the project in the context of the neighbourhood;

The applicant's proposal is a twenty (20) unit cluster of three-storey, cluster townhouse condominium dwellings (vacant land condominium) located on the property. Access would be provided by a 6.7 metre wide access driveway providing ingress and egress from Southdale Road East approximately 130 metres in length. Surrounding the project would be a single detached homes which front onto Southdale Deveron Road and Josselyn Drive. Six residences on Josselyn Drive would have their rear yards backing on rear yards of the proposed dwelling units. Three residences would have their back yards backing onto landscaped area and visitor parking spaces. No front or rear yards would face into the front yards of adjacent dwelling lots. The existing home and garage will be demolished for the proposed Vacant Land Condominium.

iii) visual components;

Topographically the site is very flat with no natural view corridors or vistas.

iv) retention and role of natural environment.

There are no natural heritage features present. A Tree Preservation Report was prepared by Natural Resource Solutions Inc. and submitted with the application. Although the site is devoid of any significant trees, the perimeter has some mature boundary trees that are to be retained as much as possible. All recommendations within the plan are to be implemented as part of the site plan and the condominium plan.

Site Design

i) the location of buildings, as well as their orientation to the street edge and sidewalks;

The bulk of the building stock is made up of single detached dwellings throughout the neighbourhood. Most buildings are typically setback from the front lot line (and the boulevard containing street edge and public sidewalks) on average 6.0 to 8.0 metres. Side yards are in the average range of 1.2 to 3.0 metres, providing building separation on average of approximately 2.4 to 5.0 metres.

ii) the location of building entrances;

All buildings have front entrances with some having front porches and steps to the sidewalk or driveway, all oriented to the public streets.

iii) how the design relates to its site and greater surrounding area;

The proposed development represents a small cluster of cluster townhouses fronting a common private driveway. Each dwelling would have front door entrances and building face width similar to the adjacent cluster townhomes to the east and single-family homes in the surrounding area, as well as single-driveways and attached single-car garages for parking, and for domestic storage that would otherwise be located outside.

iv) views in to and out of the site – how does the building function as a view terminus – provide pedestrian perspectives (at-grade views) and important views;

Views into the site from Southdale Road East would be along the common driveway terminating at the front entrances of first of the five cluster townhouse buildings. Views out of the site to the east and west along the common driveway would be shielded by fencing and landscaping to protect the privacy of neighbouring property owners.

v) *vehicular and pedestrian circulation*

Vehicular and pedestrian movement on a 6.7 metre wide paved common driveway connection to Southdale Road East.

Servicing

i) *accessibility and connectivity of the site to the adjacent neighbourhood, community facilities and destinations, including consideration of the circulation for automobile, pedestrians, cyclists and persons with disabilities;*

The site will have full accessibility and connectivity to neighbourhood facilities, including schools, neighbourhood parks, and multi-purpose pathways all within close proximity for walking, biking or driving via Southdale Road East, White Oak Road, and the local street network.

ii) *access to transit;*

There is access to London Transit bus routes on both Southdale Road East and White Oak Road.

iii) *shared service locations, parking, ramps, drop-offs, service areas for garbage, loading, utilities, etc.*

Only the common access driveway, utilities and services are shared within the condominium common element.

3.7.3 (b) Compatibility Report

Built Form Elements:

- i) *how the building(s) addresses the street;*
- ii) *street wall and treatment of grade level;*
- iii) *roof top and cornice lines;*
- iv) *location of entrances and other openings;*
- v) *relationship of the building(s) to the street at intersections;*
- vi) *design for comfort and safety (i.e. privacy, lighting, sun and wind protection, etc.)*

The applicant's concept plans and renderings illustrate how buildings will address the private driveway similar to the building relationship to streets in the surrounding neighbourhood. At relatively level grades, the front of each building will be setback at 4.5 metres on an 6.7 and 6.8 metre wide lots, providing for a single-car driveway, lawn area, and front doors with covered front porches. Pitched roofs with dormers are proposed which are a common roof style for the area. The east-west orientation of buildings would enable front and rear yard exposure to sunlight.

Massing and Articulation:

- i) *the rhythm of at-grade openings;*
- ii) *setbacks;*
- iii) *transition to adjacent uses/buildings, and among buildings within the site;*
- iv) *transition of scale;*
- v) *street proportion / street sections (building to street ratio);*
- vi) *shadowing caused by mid-rise and tall buildings should be minimized and impacts on adjacent private amenity areas (natural light and privacy for*

example) should be minimized.

The applicant's Urban Design Brief indicates that the massing, orientation and articulation incorporated into the proposal is contemporary in character and designed to foster a human scale. The design is also intended to contribute positively to the Southdale Road East streetscape and to be compatible with, and sensitive to, the existing development context within the immediately surrounding area.

Building height and massing is designed to be compatible with surrounding development including medium density residential areas to the west and north, and low density residential forms to the east and south. The proposed building massing which has been broken up by a series of projections and recessions, varied rooflines as well as horizontal and vertical elements. Additionally, a significant level of visual articulation is achieved through the use of variations in materials, distinctive wall and roofline elements, and fenestrations. Further, enhanced design elements would be provided along the end wall facing Southdale Road East to enhance the streetscape at this location..

With respect to building scale and height, staff would agree with the compatibility report that transition with adjacent uses works fairly well for several reasons:

- the 3-storey buildings are adjacent very deep rear yards to the east and south, and the site is similar in elevation to the rear yards to the east and west;
- it includes minimum 8.2 metres rear yards on the east side, 13 metre rear yards on the west side, and around 25-30 metre landscaped area on south edges of the development, to adjacent neighbouring properties;
- it is inward looking upon itself such that overlooking is avoided (certainly for living areas, not for all upper bedroom windows necessarily);
- it would have building footprints that are not markedly different from that of the cluster townhouses to the west in the neighbourhood;
- it would not cast any significant shadows being only 3 storey buildings.

Architectural Treatment:

- i) style;*
- ii) details;*
- iii) materials;*
- iv) colours.*

The design incorporates contemporary building façades to provide visual interest at a pedestrian level through the use of quality materials. A variety of colour schemes would also be utilized to enhance the architectural treatment.

Section 3.2.3.5 Public Site Plan Review and Urban Design

(a) Sensitivity to existing private amenity spaces as they relate to the location of proposed building entrances, garbage receptacles, parking areas and other features that may impact the use and privacy of such spaces;

The site concept plans indicates sensitivity to existing private amenity space. Building front entrances, driveways, and garages sized to accommodate indoor storage of garbage receptacles are all oriented internally to the site so that impact on adjacent properties is minimized.

(b) The use of fencing, landscaping and planting buffers to mitigate impacts of the proposed development on existing properties; and,

Perimeter fencing and landscape planting buffers will be incorporated into the approved site plan and landscape plan.

(c) Consideration of the following Urban Design Principles:

(i). Residential Intensification projects shall use innovative and creative standards of design for buildings to be constructed or redeveloped;

There is expected to be a reasonable level of innovation and creative design as discussed in the compatibility assessment above. The architectural treatment of the buildings is intended to promote an attractive, modern design that complements the local development context. The Site Plan process will ensure that appropriate levels of design and innovation are included as part of this development project.

(ii). The form and design of residential intensification projects should complement and/or enhance any significant natural features that forms part of the site or are located adjacent to the site;

The site consists of maintained lawn and several mature trees around the property boundary. There are no significant natural heritage features.

(iii). New development should provide for a diversity of styles, continuity and harmony in architectural style with adjacent uses;

The applicant's site concept plans, building elevations and renderings demonstrate appropriate levels of diversity, continuity, and harmony of architectural style.

(iv). New development should include active frontages to the street that provide for the enhancement of the pedestrian environment;

The development proposal emphasizes active residential frontages to a common private driveway which will provide vehicular and pedestrian connection to the public street and sidewalk. Landscaping elements are planned for prominent locations throughout the Site, particularly along the Southdale Road East frontage to enhance this section of streetscape.

(v). The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets;

The proposed 3-storey dwellings with pitched roof design are expected to result in minimal loss of sunlight on adjacent properties and streets.

(vi). Buildings should be positioned to define usable and secure open space areas on the site and to afford a reasonable measure of privacy to individual dwelling units;

Building positioning has been laid to provide for a common open space area, as well as individual private outdoor amenity areas and a large common landscaped area at the south end of the property.

(vii). Parking and driveways should be located and designed to facilitate maneuverability on site and between adjacent sites, and to reduce traffic flow disruption to and from the property; and,

Vehicle maneuverability and traffic volumes from this small twenty unit infill development are not expected to create traffic flow disruption either internally or externally.

(viii). Projects should have regard for the neighbourhood organizing structure. Building and site designs should facilitate easy connections to and around the site to public transit and destinations.

The site layout includes an internal circulation system to support vehicular and pedestrian accessibility with access to Southdale Road East. The site facilitates easy access and connectivity to the greater neighbourhood, and to public transit on Southdale Road East and White Oak Road.

3.2.3.7 Supporting Infrastructure

- i) Off-street parking supply and buffering;*
- ii) Community facilities, with an emphasis on outdoor recreational space;*
- iii) Traffic impacts and Transportation infrastructure, including transit service;*
- iv) Municipal services.*

The site concept plan demonstrates that the minimum off-street parking requirements as set out in the zoning by-law can be met. Public outdoor recreational space is located within a 400-metre and 85- meter radius of the site (Earl Nichols Park and Arena and Paul Haggis Park - open space and multi-use trail corridor), and just to the east on Bradley Avenue is the South London Community Centre and swimming pool. As noted above, low volumes of traffic are expected to be generated from this small infill development. Southdale Road East is classified as a Arterial Road (Civic Boulevard in The London Plan) carrying on average 24,000 vehicle trips a day. Municipal water, sanitary and storm sewers are available at the front of the property on Southdale Road East.

Vacant Land Condominium Application

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- This proposal is consistent with the objectives and policies of The London Plan and the Official Plan.
- Sewer and water services will be provided in accordance with an approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster single detached housing. Building elevation plans will be reviewed as part of site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.
- The applicant must ensure that the proposed grading and drainage of this development does not adversely impact adjacent properties. All grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings to be included in an approved Site Plan and Development Agreement.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the Planning Act. In order to ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- Ensuring that the Condominium Declaration to be registered on title adequately

addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

Z.-1 Zoning By-law

The zoning is currently Residential R3 (R3-3) which permits single detached, semi-detached, duplex, triplexes converted and fourplex dwellings. The recommended zoning is a Residential R6 Special (R6-5) Zone. The recommended Zone permits cluster housing in the form of townhouse dwellings. The standard lot frontage requirement is 22 metres minimum; however, it is recognized that this is an irregularly shaped parcel, with a large lot area, with a lot frontage on a public road, and the 31.8 metres is sufficient to accommodate the standard 6.7-metre-wide private driveway.

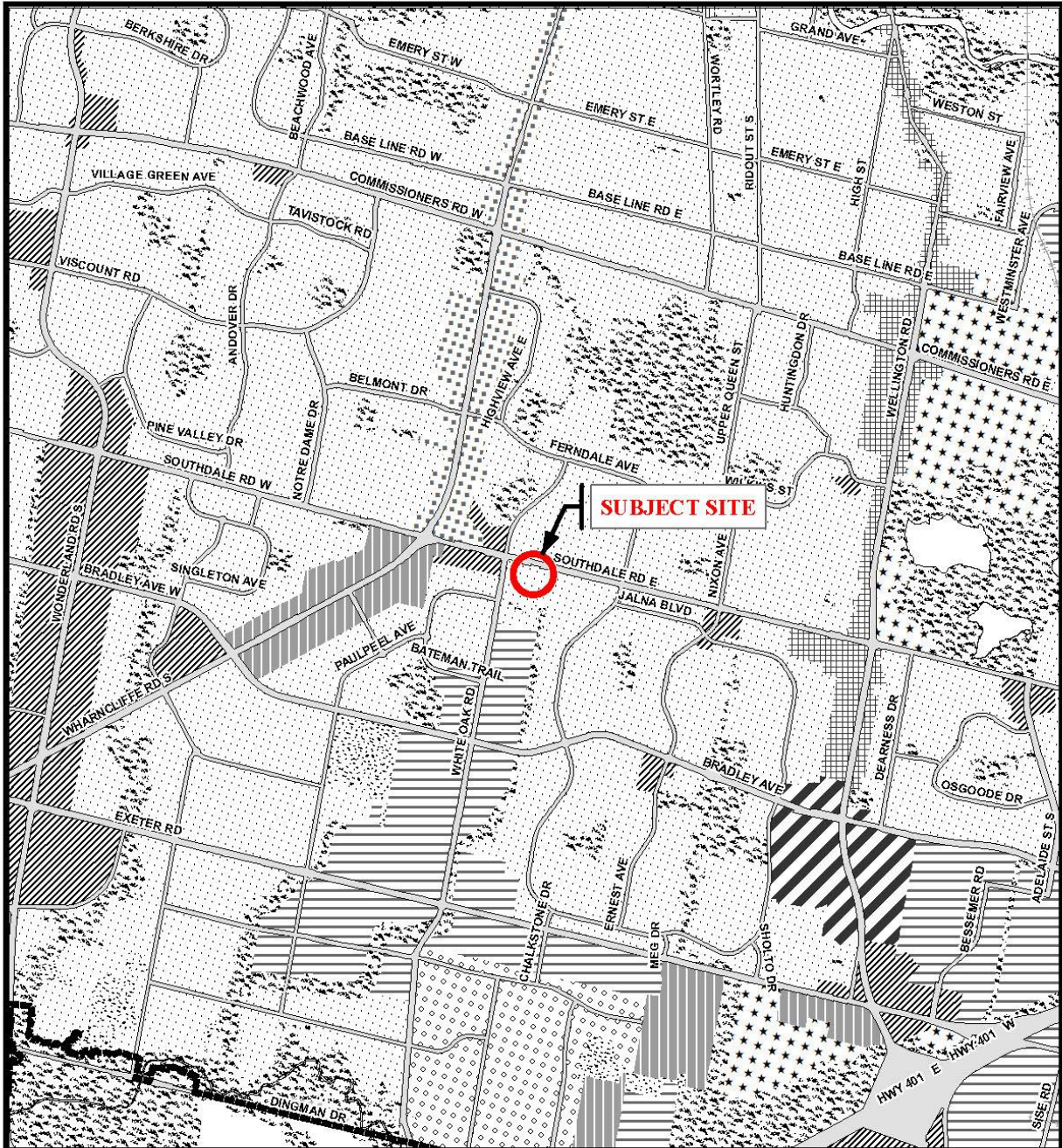
The increase in density from the R6-5 Zone standard of 30 units per hectare to 34 units per hectare represents a minor increase of 12% and is considered appropriate for an infill development such as this. The recommended zoning amendment is considered appropriate and conforms to the general intent of the 1989 Official Plan and The London Plan.

Provincial Policy Statement, 2020

As this proposal represents a form of residential infill of vacant or underutilized lands, it is supported by the PPS which contains strong policies to direct growth to settlement areas, encourage a diversity of densities and land uses within settlement areas, and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and availability and suitability of infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3). It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and maintains appropriate levels of public health and safety. There are no natural heritage features present and there are no concerns with respect to cultural heritage or archaeological resources (Section 2.1 and Section 2.6). As well, there are no natural hazards or known human-made hazards present on the subject site (Section 3.1 and Section 3.2). Therefore, the proposed Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are found to be consistent with the Provincial Policy Statement.

Appendix D – Relevant Background

London Plan Map Excerpt



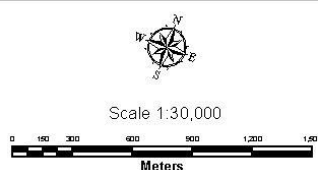
Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

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



File Number: Z-9308
Planner: SM
Technician: RC
Date: February 3, 2021

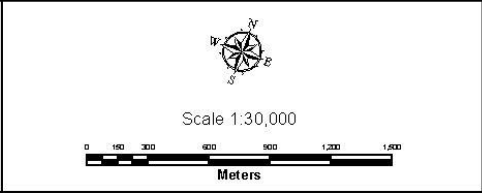
Official Plan Map Excerpt



Legend

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

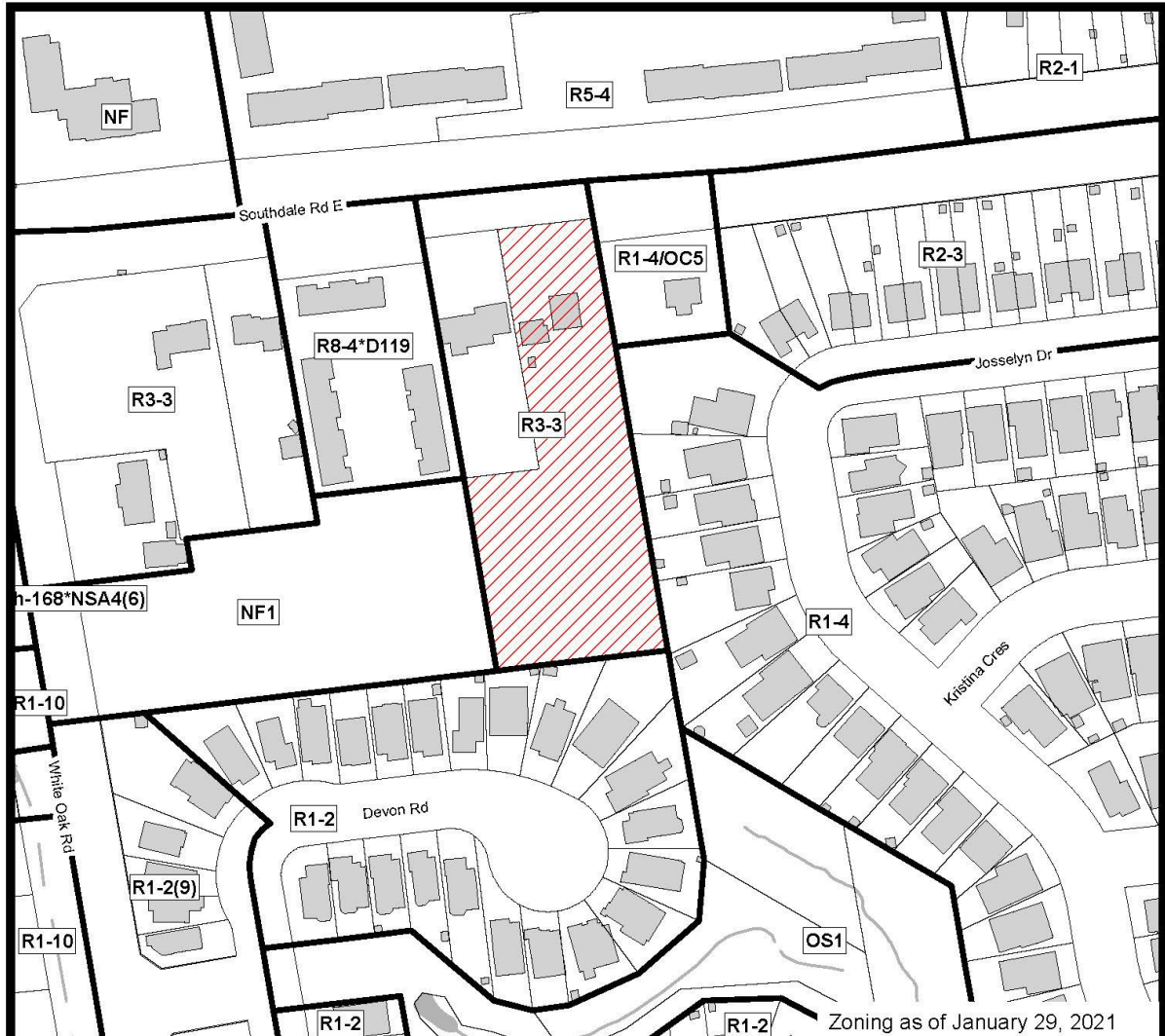
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9308
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 2021/02/03

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

Zoning By-law Map Excerpt



Zoning as of January 29, 2021



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
Z-9308 SM

MAP PREPARED:
2021/02/03 rc

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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.
Deputy City Manager, Planning and Economic Development

Subject: Connor Wilks c/o Thames Village Joint Venture Group
1752 - 1754 Hamilton Road
Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Connor Wilks c/o Thames Village Joint Venture Group relating to the lands located at 1752 – 1754 Hamilton Road, the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting to be held on June 15, 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 (R1-14) Zone **TO** a Holding Residential R1 (h•h-100•R1-3) Zone.

Executive Summary

Summary of Request

The request is for approval of a zone change from a Residential R1 (R1-14) Zone to a Residential R1 (R1-3) Zone to facilitate creation of four (4) single detached dwelling lots fronting future Oriole Drive.

Purpose and the Effect of Recommended Action

The purpose and effect is to recommend that Municipal Council approve the recommended zoning by-law amendment.

Rationale of Recommended Action

1. The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
2. The recommended zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The recommended zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation.
4. The zoning will permit single detached dwellings which are considered appropriate and compatible with existing and future land uses in the surrounding area, and consistent with the zoning that was applied to the adjacent draft-approved plan of subdivision.

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

June 18, 2018 – Report to Planning and Environment Committee – 1738, 1742, 1752 and 1756 Hamilton Road - Application for Approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments – Thames Village Joint Venture Corporation (File No. 39T-17502/OZ-8147).

2.0 Discussion and Considerations

2.1 Property Description

The subject site consists of a converted single detached dwelling with two units. The dwelling is setback from Hamilton Road approximately 45 to 50 metres with access provided by a U-shaped, gravel driveway. The topography is relatively flat and there are a number of mature evergreen and hardwood trees occupying the grounds in front of the dwelling.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Multi-family, Medium Density Residential
- Zoning – Residential R1 (R1-14)

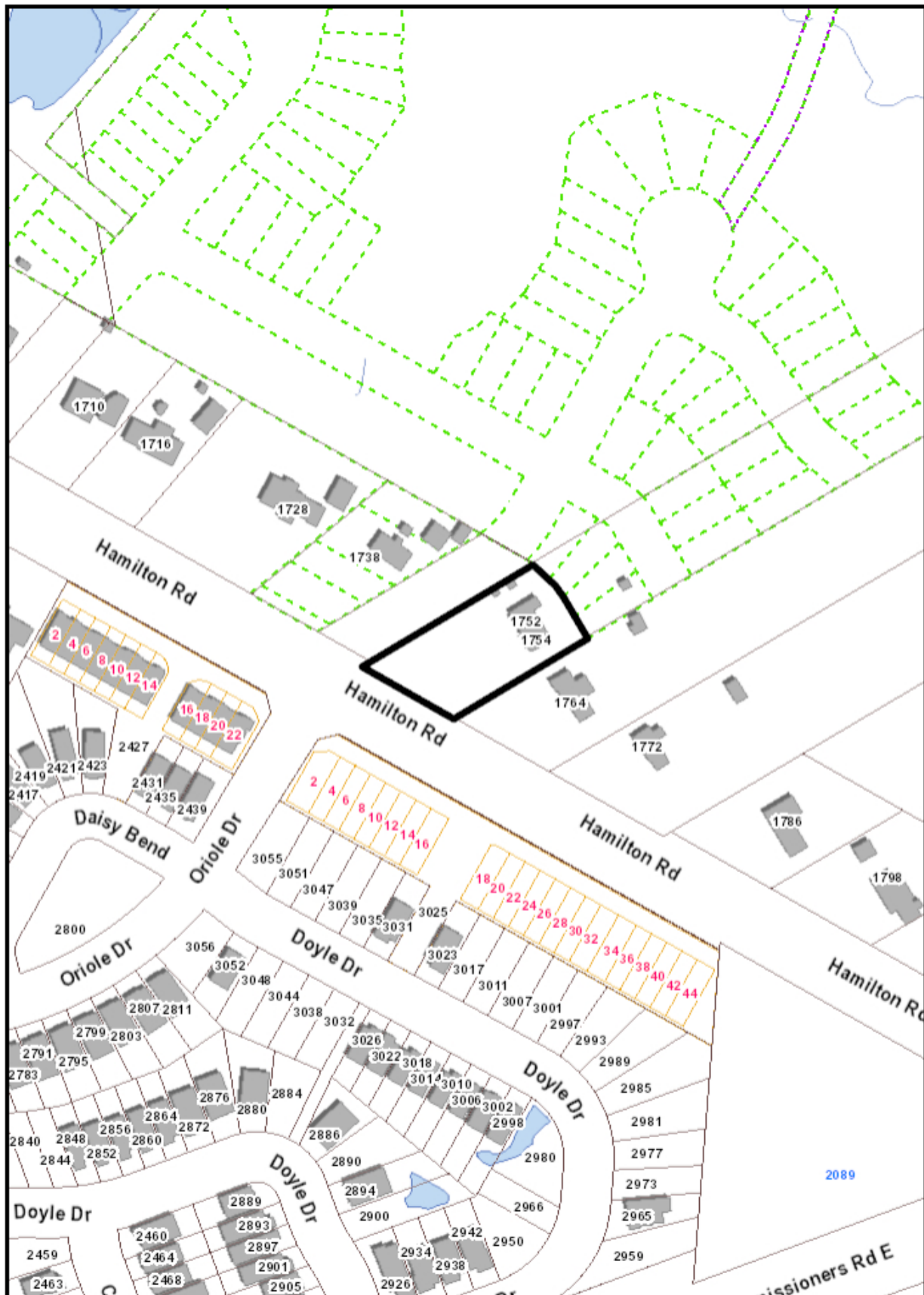
2.3 Site Characteristics

- Current Land Use – converted dwelling
- Frontage – approx. 42 metres
- Depth – approx. 79 metres
- Area – 0.26 hectares (2,600 sq.m.)
- Shape – irregular

2.4 Surrounding Land Uses

- North – vacant lands for future residential development
- East – residential single detached dwelling
- South – residential townhouse dwellings
- West – residential single detached dwelling






2.5 Location Map



Location Map

Subject Property: Zoning By-law Amendment
 Applicant: Thames Village Joint Venture
 File Number: Z-9314
 Created By: Larry Mottram
 Date: 3/18/2021
 Scale: 1:2000

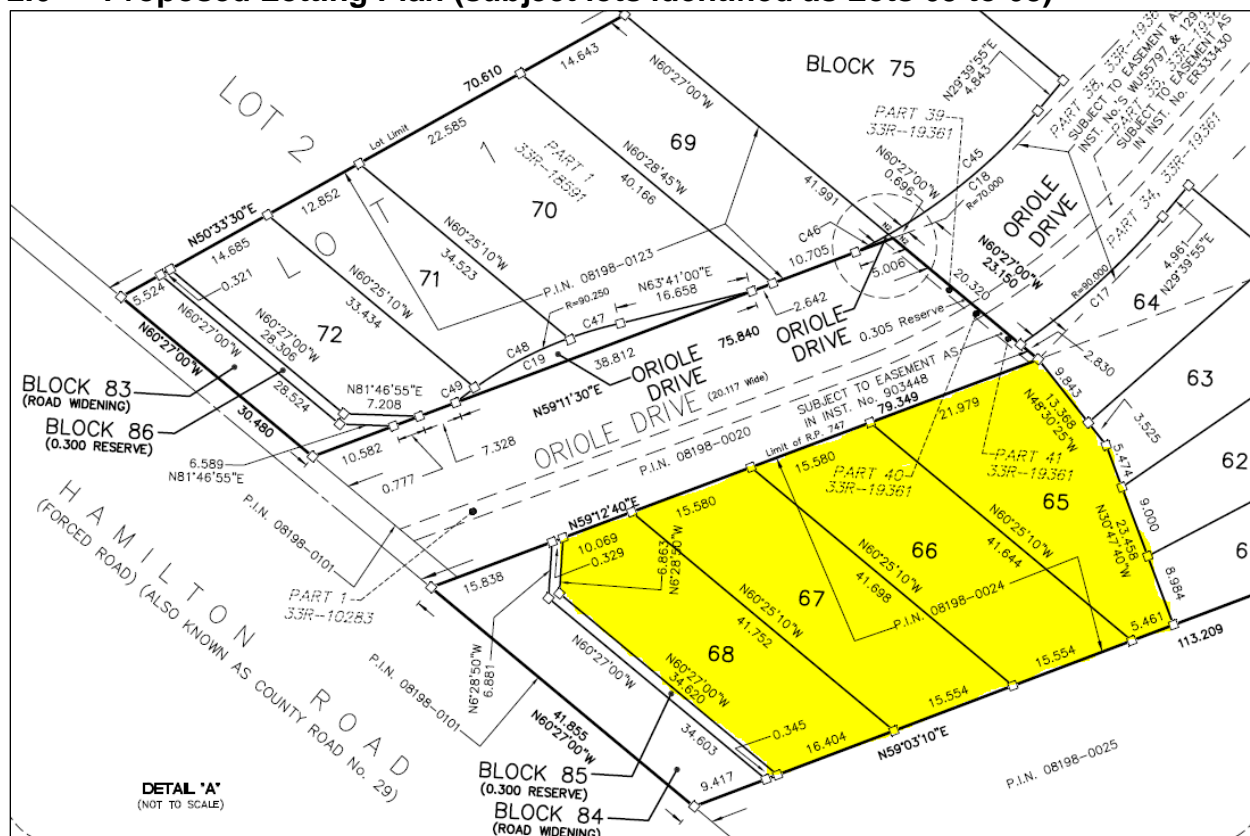
Legend

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

Corporation of the City of London



2.6 Proposed Lotting Plan (subject lots identified as Lots 65 to 68)



2.7 Planning History

On August 15, 2018, the City of London Approval Authority approved a draft plan of subdivision for lands located at 1738, 1742, 1752 and 1754 Hamilton Road submitted by Thames Village Joint Venture Corporation consisting of 69 single detached residential lots, 2 cluster housing blocks, 1 street townhouse block, 7 open space blocks, 1 road widening block, 2 reserve blocks, 2 temporary turning circles, and 3 local streets. Municipal Council advised the Approval Authority of its support for the draft plan of subdivision and approved amendments to the zoning by-law to permit the proposed uses at their meeting held June 26, 2018. The second submission of subdivision servicing drawings are currently being reviewed by the City. Special provisions for the Subdivision Agreement are expected to be brought forward shortly.

2.8 Requested Amendment

Request for consideration of an amendment to the zoning by-law to change the zoning from a Residential R1 (R1-14) Zone, which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres, to a Residential R1 (R1-3) Zone to permit single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres.

2.9 Community Engagement (see more detail in Appendix B)

There were six (6) e-mail responses and one (1) telephone call received from the community. Comments/concerns received from the community are summarized as follows:

- Concerns expressed by residents about demolishing the existing house, and building new houses that side onto Hamilton Road. It would be nice if the lot sizes of the new homes that are going to be built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.
- Concerns expressed about loss of trees as there is already a significant amount of trees being stripped off of the property.
- Concerns expressed about loss of privacy, fencing, noise, lighting, and damage to homes and septic systems caused by vibration from heavy machinery.

2.10 Policy Context (see more detail in Appendix C)

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,
3. Protecting Public Health and Safety.

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)). The policies promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)). 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, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses.

The Old Victoria Community Specific Policies provide further guidance for future development within the area bounded by Commissioners Road East, the Thames River, and the former Old Victoria Street road allowance. These policies recognize that opportunities exist along Hamilton Road for infill development. These lands shall enable, over the long term, intensification and infill development in conformity with the Neighbourhoods Place Type policies of this Plan. In addition, small-scale commercial and office-based uses may also be permitted.

The application has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

(1989) Official Plan

These lands are designated Multi-family, Medium Density Residential on Schedule ‘A’ of the 1989 Official Plan. 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 D.

As further described in Appendix C – Policy Context, Staff are of the opinion that the recommended zoning is generally consistent with the PPS, The London Plan, 1989 Official Plan.

Z.-1 Zoning By-law

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These

lands are currently zoned Residential R1 (R1-14). A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found at Appendix D.

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 recommended zoning will continue to permit single detached dwellings. Currently, the zoning is Residential R1 (R1-14) which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres. The zoning was applied to recognize the large lot pattern that was established years ago as a strip of rural residential dwellings fronting along Hamilton Road. The recommended Residential R1 (R1-3) Zone would permit single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres. The proposed lots range in size from approximately 15 metres to 22 metres lot frontage and 41 to 42 metres lot depth, meeting and exceeding the minimum lot size regulations of the zoning by-law. The recommended zoning and holding provisions are considered appropriate and generally consistent with the zoning that was approved for the adjacent draft plan of subdivision.

The applicant's intent is to consolidate the remnant parcel at 1752-1754 Hamilton Road as a single block within the plan of subdivision as it goes through the process of final approval and registration. At that point, an application can be considered by Municipal Council to pass a by-law exempting the block from the Part Lot Control provisions of the Planning Act to allow for creation of the four (4) single detached dwellings lots. The requested zoning amendment is intended to facilitate this process.

4.2 Intensity

The proposed lots are sufficient size and configuration to accommodate the development of single detached dwellings as noted above. Permitted building heights in accordance with Table 11* of The London Plan provide for a minimum 1 storey to maximum to 2.5 storeys in the Neighbourhood Place Type at this location at the intersection of a Neighbourhood Street and Civic Boulevard. The recommended zoning would permit homes of either 1 or 2 storeys in height similar to the height standard that is currently permitted (maximum 9.0 metres under the R1-3 Zone variation and maximum 12.0 metres under the R1-14 Zone variation).

4.3 Form

The section of Oriole Drive east of Hamilton Road was previously established as a public highway and it was recognized that this would be one of two public road access points to future development lands on the east side of Hamilton Road. However, Oriole Drive does not meet Hamilton Road at a 90 degree angle at this location, and adjustments needed to be made to the final design of Oriole Drive in order for the intersection to align properly. This required additional land from the property at 1738 Hamilton Road, on the north side of Oriole Drive, to be added to the road allowance.

During the process of working through the realignment with the applicant, City staff were prepared to accept the proposed lotting on the north side of Oriole Drive given that the existing house is located towards the back of the property and there is approximately 40 metres of front yard depth between the front façade of the house and Hamilton Road with sufficient room for two additional lots having frontage on Oriole Drive. Therefore, the conditions were conducive to allowing lots fronting onto Oriole Drive and side-lotting onto Hamilton Road. A Noise Impact Assessment report has been submitted

recommending the rear yard amenity areas for the lots adjacent Hamilton Road be protected from traffic noise impacts by approximately 2.2 metre high localized noise barriers.

4.4 Public Comments

- Concerns expressed by residents about demolishing the existing house, and building new houses that side onto Hamilton Road. It would be nice if the lot sizes of the new homes that are going to be built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.

The proposed zoning will permit single detached residential dwellings which is considered appropriate and compatible with existing and planned residential development, consistent with the planned vision of the Neighbourhood Place Type, and generally in keeping with the character of the neighbourhood. The proposed residential lots will mirror the lot pattern on the opposite side of future Oriole Drive which has now been draft-approved. The proposed lots will have frontage and access to a local street in order to minimize the number of access driveways to Hamilton Road. It is acknowledged that in terms of scale and orientation the proposed lots are somewhat different than that of the existing Hamilton Road streetscape. The properties along the east side of Hamilton Road originally developed as a strip of rural residential dwellings on large lots constructed years ago when this area was still part of the Town of Westminster.

- Concerns expressed about loss of trees as there is already a significant amount of trees being stripped off of the property.

As part of the detailed subdivision design, an Environmental Impact Study (EIS) and tree assessment and protection plan were prepared and submitted. Recommendations from the accepted reports will be incorporated into the subdivision engineering drawings to mitigate impacts on the features and protect the nearby Open Space lands. Tree protection fencing for the subject site has been incorporated into the engineering drawings in order to preserve existing trees along the Hamilton Road frontage within the future road allowance/road widening block and along the southerly property boundary. The applicant has entered into a Site Alteration Agreement with the City and preliminary site grading and removal of trees and vegetation has occurred.

- Concerns expressed about loss of privacy, fencing, noise, lighting, and damage to homes and septic systems caused by vibration from heavy machinery.

The adjacent resident to the south at 1764 Hamilton Road expressed concerns regarding potential privacy impacts from the proposed lots and exposure to four rear yards adjacent their property whereas currently there is one residential property. Privacy fencing along the property boundary line between residential properties is the responsibility of the affected property owners who would normally share the cost of installation and maintenance of the fence. Heavy vehicles and construction traffic are expected to access the site from Hamilton Road via Oriole Drive. It is the responsibility of the developer and their contractors to ensure the approved construction access routes as provided in the Subdivision Agreement are complied with.

Conclusion

The recommended zoning amendment is consistent with the Provincial Policy Statement, and conforms to The London Plan and (1989) Official Plan. The zoning will permit single detached dwelling lots that are considered appropriate and compatible with existing and future land uses in the surrounding area. 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.**
Deputy City Manager, Planning and Economic
Development

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

May 21, 2021
GK/PY/LM/lm

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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 1752-1754
Hamilton Road.

WHEREAS Connor Wilks c/o Thames Village Joint Venture Group has applied to rezone lands located at 1752-1754 Hamilton Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1752-1754 Hamilton Road, as shown on the attached map, FROM a Residential R1 (R1-14) Zone TO a Holding Residential R1 (h•h-100•R1-3) Zone.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

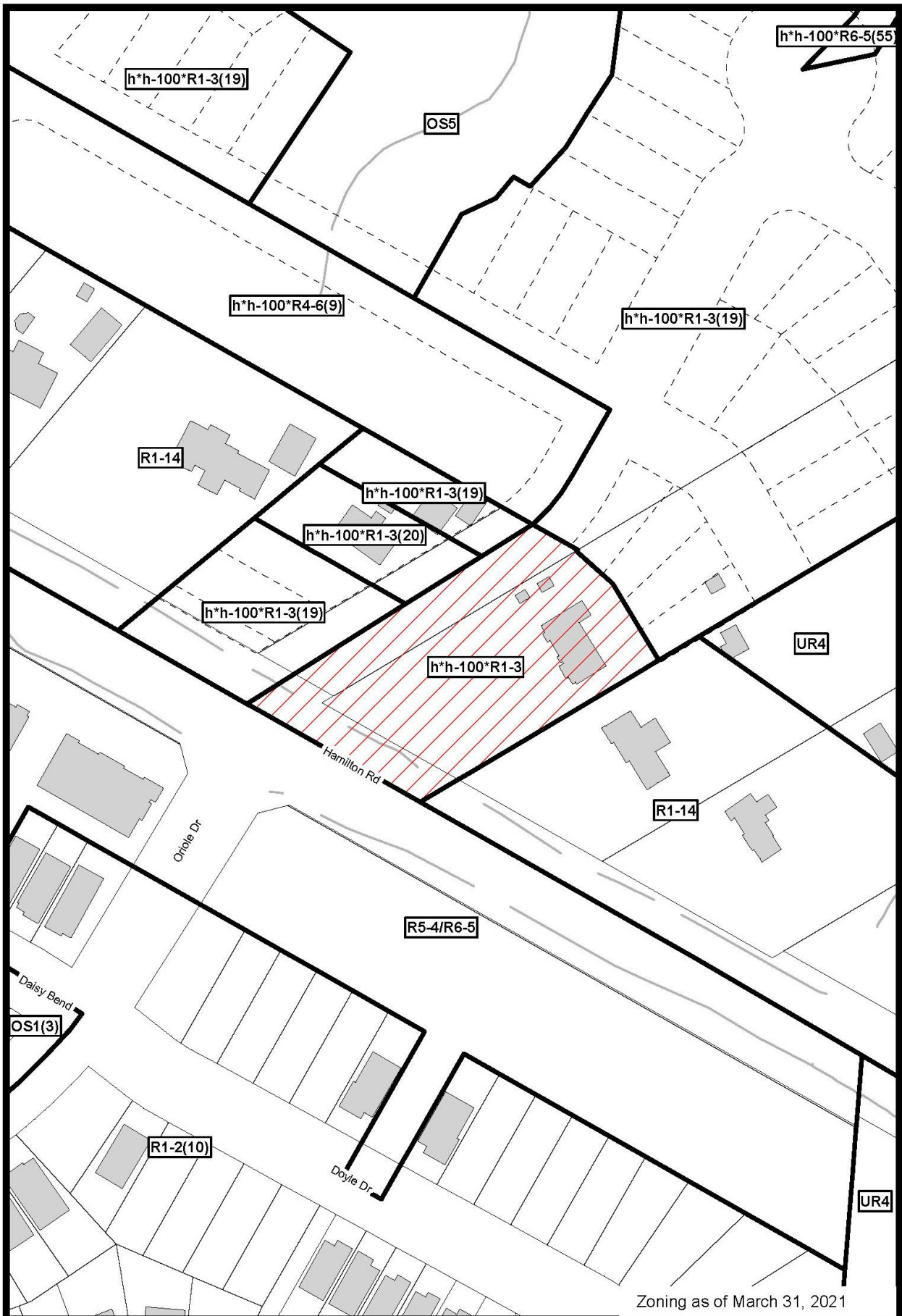
PASSED in Open Council on June 15, 2021

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021


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

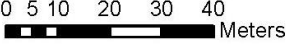


File Number: Z-9314
Planner: LM
Date Prepared: 2021/04/28
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250





Appendix B – Public Engagement

Community Engagement

Public liaison: On March 23, 2021, Notice of Application was sent to 43 property owners in the surrounding area. Notices were sent to 20 additional property owners on March 30, 2021 and April 16, 2021. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 25, 2021. A Notice of Public Meeting was published in *The Londoner* on May 13, 2021.

Responses: 7 replies received

Nature of Liaison: The purpose and effect of this application is to facilitate creation of four (4) single detached dwelling lots identified as Lots 65, 66, 67 & 68 fronting future Oriole Drive. Consideration of an amendment to the zoning by-law to change the zoning from a Residential R1 (R1-14) Zone, which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres, to a Residential R1 (R1-3) Zone to permit single detached dwellings on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres. The City may also consider applying holding provisions in the zoning to ensure adequate provision of municipal services, and 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 arterial roads

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

- Concerns expressed by residents about demolishing the existing house, and building new houses that side onto Hamilton Road. It would be nice if the lot sizes of the new homes that are going to be built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.
- Concerns expressed about loss of trees as there is already a significant amount of trees being stripped off of the property.
- Concerns expressed about loss of privacy, fencing, noise, lighting, and damage to homes and septic systems caused by vibration from heavy machinery.

Response to Notice of Application and Publication in “The Londoner”

<u>Telephone</u>	<u>Written</u>
Gary Simm 1764 Hamilton Rd	Navdeep Singh Deborah Dufresne Stephen Polcz 1685 Hamilton Road Douglas Glaholm 1772 Hamilton Road Mark Romanoff 1786 Hamilton Rd. William Buck 1814 Hamilton Rd. Gary Simm 1764 Hamilton Rd

Hi sir/madam,

This is Navdeep singh resident of Victoria on the flats subdivision in london

I have received notification of city by law, regarding rezoning of vacant land on oriole drive and Hamilton rd

I need to know the exact location of the vacant land.

secondly, where is the designated location of future public park for kids who resides in this area?

Please update regarding that land and public park lot

Regards

Navdeep

Good Morning Larry;

As per the above application, please be advised that the 2 residents of 1685 Hamilton Rd., are opposed to this application for the reasons below.

1. Demolishing the existing house changes the existing landscape of the roadway and the appearance of this area will be very unattractive, as all existing properties face Hamilton Road and these proposed dwellings do not. Most of the property owners on this area of the street have been here for a very long time, and this proposal will hinder their privacy.
2. We live in a Tree Protection Area and this Land Developer has already cut down the tree's at the front of the house before getting approval from the city for these 4 lots they want to create. Wild life have already been displaced because of tree cutting, and neighbours have been harassed by the developer's employees by constantly trespassing onto their properties.
3. The developer is proposing to do the very same thing on the property of 1738 Hamilton Road, by putting 4 lots on that property as well. These same issues will be occurring there as well.
4. This same developer has caused damage to our property at 1685 Hamilton Road, and has refused to accept responsibility or pay for the damages. We would hope that the city would take this under consideration, as the developer may do this to this existing properties near the above location. Since there have been problems in the past with this developer, we would hope that the city wouldn't let this happen to other property owners as well.

Thank you for taking our letter of opposition into advisement.

Best regards,
Deborah Dufresne
Stephen Polcz
1685 Hamilton Road
London, Ontario

Greetings.

I am contacting you today to express my disapproval to the proposed zoning by-law amendment z-9314 for the property located at 1752 Hamilton Road. I feel that the house at 1752 as well as 1738 Hamilton Road should remain as they are. Having houses built on these properties that do not face Hamilton Road would detract from the streetscape which has remained unchanged as the neighbourhood has grown. Having the sides of the houses face Hamilton Road would be out of character and detract from the remaining streetscape. On the other side of the river, the developer was able to put in Baxter St. and build his development behind the existing homes on Hamilton Road without demolishing any of them. Hopefully the same can be accomplished here. The lots across the road are very small, unlike the lots on this side of the road. It would be nice if the lot sizes of the new homes that are going to be

built near us could be of a similar size. This would maintain the character and continuity of our neighbourhood.

Living in a tree protection zone, we are required to obtain a permit to trim or remove trees from our properties. There were numerous mature hardwood and coniferous trees removed by the developer. It is unfortunate that a few of these trees could not have been saved.

Thank you for the opportunity to express my opinions.

Sincerely,
Douglas Glaholm,
1772 Hamilton Road,
London, On

In regards to the changing of the zoning for this property or any other property that are zoned R1-14 on the stretch between Whites Bridge and the corner of Commissioner Rd. and Hamilton Rd.

I would like to strongly reject to these changes that this application Z-9314 implies, and any other such applications.

The property in regards to Z-9314 application will change the zoning from R1-14 to R1-3 is a HUGE slap in the face to the rest of the people that have bought and paid for and abide by the R1-14 zoning.

Already it has been allowed across the street to have R? properties facing the road to R1-14 homes on the other side of the street.

This inconsistency of zonings has completely destroyed the street scape for this area seeing as a majority of the homes as I understand it are zoned R1-14.

Everything should have been left at R1-14 at the road and the subdivision built behind as the 1752 address should also be.

On top of this, there is already a massive amount of trees being stripped off of the property of 1752, and on the other side of the adjacent lane that resides beside it.

This is in a tree protection zone, what the H—I, it is as though the city has already given (whoever) the ok to do this zone change and tree destruction.

Also it is my understanding that the property that is south of 1752 has had the builder trying to move a property line that was established a long time ago into the builders favour, in total disregard to other property owners and there is a legal battle going on about it, which is pathetic that this home owner is forced into having to deal with this.

I understand that homes are definitely needed in London, but I would like to see this done in a manner that does not inconvenience the current property owners, the people that have strived and payed for the things that make this city a great place to live.

The amount of problems to the neighborhood that are being tallied up to the changing of this property are getting very high, let's make it stop please.

So I would like to strongly reject the application of this zoning change.

Would it be possible to let me know how this turns out.

Mark Romanoff
1786 Hamilton Rd.

Hello:

In regards to the proposed zoning change at 1752 Hamilton Rd. to allow for the creation of 4 building lots, I would like to make a few comments as to the notice that was sent to my address at 1814 Hamilton Rd.

I was under the impression that the home at 1752 Hamilton Rd. would not be demolished. That homes on Hamilton Rd. would not be demolished to suit future development.

The proposed homes side yard would face Hamilton Rd, and this will change the look and continuity of our street.

Already many trees have been taken out before approval of this demolition. Our neighborhood is not changing for the better.

On a personal level:

This has been a quiet street and rather scenic gem on the outskirts of London. (formerly Westminster Twsp.). since and during the time my family has lived here since the 1950's at 1814 Hamilton Rd

The home at 1752 Hamilton Rd. was actually built by my late sister and brother - in law. Audrey and Jim Collins in the late 1940's. I lived in that house while the home my parents were having built at 1814 Hamilton Rd. was being built So I do have a connection to it.

The home at 1752 Hamilton Rd. was the first to be built in that area. Both Jim Collins and my father were able to secure their loans thru the VLA. (Veterans Land Act). It would be a shame to see it taken down.

I would ask council that they vote against the demolition of this home for the purpose of creating 4 building lots. Thus leaving it as it has always been - a single residence home.

Please advise me of any future plans or decisions regarding this property.

Yours truly

William Buck - 1814 Hamilton Rd.

Good day. I live down the road on the same side as the above address. It's really upsetting to see all the trees being cut down right next to protected environmental area. It's also disturbing to have people racing around in the dirt loudly on that property. This is not race track area and many animals live here as well. The developments across the road as well have provided us with non stop garbage (plastics, insulation, styrofoam) blowing around from the construction sites. It is really annoying as it lands on our properties to clean up. We put up with a lot of construction and it seems they really don't care who else is affected in a residential area. We could also certainly use some no littering signs in the roadway as well and more enforcement for speeding and racing.

Thanks for your time.

Larry ,

1 last thing i wanted to add that i forgot in the earlier email.

This entire development at the front of 1752 & 1754 as per File Z-9314 and at that back of 1752-1754 **Devalues not only our property but those around it. And we do not want our property devalued.**

Thank You - Regards,

-Gary Simm

Hello,

I have sent these comments in separate email as well to some councillors including Mr. Hillier of Ward 14 as per the notice for review regarding the Circulated Notice FILE: Z-9314 requesting any comments Submitted by April 23rd 2021 regarding the Proposed Demolition of 1752 & 1754 Hamilton Rd - N6M-1G4 London - Ward 14 (formerly RR#8 Westminster Township) & creation of 4 single detached dwelling lots on that property. My comments also reflect the Demolition of 1738 Hamilton Rd and creation of 4 lots bordering future Oriole Dr as it relates to the Developer Applicant : Connor Wilks

c/o Thames Village Joint Venture Group (aka Tridon Group - Principal Tridon Management Don de Jong).

Back Story - Small History of Hamilton Rd - in Ward 14 :

1. My family has ties to London from over 100 years ago (of which we have affection for) and we reside at 1764 Hamilton Rd - London n6m1g4 (Formerly RR#8 Westminster Township) which is the adjacent lot to 1752 & 1754 (applicant) . My family were among the 3 original owners that moved from London to Westminster Township on Hamilton Rd at the Street Way of Hamilton Rd circa 1946 - approx. 75 years ago & my Family was raised at this dwelling & also later some of us at 1798 Hamilton Rd 3 doors down the street. To say we have ties to this neighbourhood & neighbours is an understatement. The neighbourhood here began with the creation of 1752 & 1754 Hamilton rd, 1764, 1772 Hamilton Rd all within mere weeks to months of each other , 1752 & 1754 Being the 1st lot sold. These 3 lots were severed & put aside after World War II and Sold through a program referred to as the Veterans Land Act (VLA) , and any soldier applying and approved could buy land & build their own home under guidelines. That is what happened here on Hamilton Rd. 1772 Glaholm original family remains, 1764 Simm original family remains, 1752 & 1754 was acquired circa 2017 by a Developer known as Tridon Group (aka Thames Village Joint Venture Group) from the properties 3rd owner who had been there approx. 55 years .
2. This has been a quiet rural neighbourhood with large private wooded single residential lots (mostly ranches) and a hidden gem that was annexed into London from Westminster Township in 1993. People from Dorchester and area affectionately have referred to it as " The Half Million Dollar & Million Dollar Mile & The Golden Mile " prior to recent years housing boom with prices skyrocketing. Some original families remain to this day. Neighbourhood filling in from the 40's -60's.
3. With the Annexation of Westminster Township by London in 1992 & and this area becoming part of London January 1st 1993 , everyone here knew some day that the farm field across the road might be developed down the way. **What we did not know is that homes-lots at the street way or roadway if you will , were able to be altered and re-zoned.** There is been a lot of Angry & Upset people who felt that they have been ignored and that the city doesn't care as we are in the east end since 2016-2017 and part of that problem has been lack Circulation of notices , as 120m/ 393 ft is 2-3 properties on this street. As i stated most are large lots, large frontage minimum 100ft /30m , some lots have more than this frontage. So my point that would be , often 70-90% of the street did not get notices when development started here. Much of it we've had to ask for , some get notices , some don't. Which led to a lot of resentment with neighbours regarding the Victoria on the Flats subdivision by Oriole Dr and the proposed Subdivision behind the streetway of Hamilton Rd on the wooded area backing to the thames river on what is now formerly "The Cline Lands " by Tridon Group. This area is heavily wooded and wildlife of all kinds are abundant...or were, until this area was approved to be built in. We are starting to the see animals migrate away. To much of the neighbourhood we were stunned this was allowed to occur here , as London had said in the past they wanted to something similar to Windemere road with large lots on both sides of the road , instead of what it is now. Much of us feel more of what we don't want is coming. I know this, because i was part of a large meeting that was held on our street in 2018 July 5th where 90% of the neighbourhood had shown up to and people were none to happy. One ladies comments had said the city and the developers are going to do what they want, they don't care about the east end, all they care about tax dollars, just give up. That was sad to hear, but frankly most of us have felt that is the reality we are faced with and have felt that way for some time.

Regarding File Z-9314 :

1. **My family is outright opposed to the demolition of 1752 & 1754 Hamilton Rd (the home next door) & 1738 Hamilton Rd and the creation of 4 lots each (totalling 8 as per letter) on the respective properties.**
2. As mentioned this was the 1st home at Hamilton rd streetway, demolishing sets a precedent that any home can be bought, re-zoned demo'd and pack lot sizes-homes in that don't fit the area at the whim of a developer looking to make money , not in the interest to those there. No one asked for it, no one wanted it, except the developer. If i were to buy up a few homes in The Blackburn Family, Mayor Ed Holder, Any of City Councils neighbourhood and try the same as what's being done here (assuming i was a developer) i am pretty sure that would be shot down before i could it off the ground. There 's difference between development needed & wanted and good and bad development.
3. It's demolition will alter the streetway, streetscape whatever verbiage you'd use to describe the look of the neighbourhood altering to a less desirable look and changing it from how it's been.
4. The lot at 1752 & 1754 is 137ft wide-frontage & 1157ft depth & is in a TREE PROECTION ZONE.
The (applicant) developer Tridon Group has already been approved to eventually build and sever off the back from the front part of the property (**which i will touch upon later**) and create a subdivision with turning circles etc. that border my families land at 1764. Apparently they had been given approval to remove trees, which could have been saved (a row of 20+ very full & mature pines "evergreens" and others)but what is more baffling.....the house at 1752 & 1754 has not been approved for demolition yet, and nor has it been approved to create 4 lots on yet..... SO WHY WERE THE MATURE TREE'S ON THE FRONT LAWN STRIPPED AND CUT along with the Row of Evergreens at the side yard? Who approved this & why?
People on the street have said they've been left with the conclusion that this is just going to get pushed through or they as we surmise it was perhaps done without permit. So if there was a permit for X NUMBER OF TREES.....HOW MANY GOT TAKEN OUT?
-1 neighbour i talked to said he tried to cut a branch off a tree that was in danger of falling on his garage roof & all of a sudden people from forestry department were giving him all sorts of grief as we are in a tree protection zone. And he remarked yet this developer basically clear cuts the land and they let him do that. The neighbour as much of us are disgusted. If the city circulated a letter to say are you in favour of this subdivision or and demolishing send us back in 1 month either a yes or a no and take it to a neighbourhood vote.....i guarantee it would be an overwhelming we don't want it.
5. The front of our property has been left unmanageable and unsightly due to the aprox 3ft road drop to accomedate the victroia on the flats , we and other neighbours were given no notice that this road would drop in fall to winter of 2017-2018. Our driveway closes to the applicant at 1752 & 1754 has been reduced in size as has the grass island and needs to be corrected, the applicant may only have 1 driveway when work continues if this is all approved and this needs to be restored as i don't know what recourse we would have once the lot alteration starts.
6. My family will lose privacy and incur costs we don't need to with the creation of these side lots , we would walk out and not have 1 neighbour but 4 immediately beside us & be looking into their backyards. What fence are you going to erect in a front yard that can block out a 2 story house.
7. We are not in favour of the direction the homes are facing and they should be a ranch if anything.
8. Much like the backyard part of the subdivision Tridon Group wants to do , have they any plans to do a show study into our yard, as of yet, we look at the nice shadow of the tree's in the afternoon both front & back yard now we are going to be stuck with the shadow of a 2 story house.

9. Our house will end up with vibration damage from this project, the Sifton project has already rocked our house & all the ones on this street from way across the road, what's it going to be like 10 feet off the property line. We have septic system with many original clay components, vibration close by will render that a broken tile-pipe.....i don't know if you've looked into the cost of septic repair or the cost to hook up to the city sewer(which by the way we pay for and do not have the service) but it isn't cheap.
10. Our neighbour at 1728 Hamilton rd - the Martinez family will end up with the same challenges as us if 1738 Hamilton rd comes down or if it stays & the city allows building in front & behind it.
11. In my opinion the fact that not enough notices went out regarding the back part of this subdivision at 1752 & 1754 & in my opinion led to not enough support against it, as i've heard many people say they didn't get it & didn't want that. And now our 3+acre lot, once this subdivision front & back of the parcel is createdwill have no privacy, will have major vibration issues, lighting issues from street lights, and battles over fences because of this developer FRONT AND BACK of the property. So we are opposed as much of this neighbourhood is to the front changing at the road way & what's going to happen with the back of the property. It never should have been allowed. But knowing the rules and the game goes along way i guess....#11 all my opinion and not meant as slander to the applicant or their company or their principle.
12. We do not want condos if that is their intention, single family ranch is the least horrendous scenario, but turned the other way so the front door would face the road way. That or put in a berm on their side and a row of blue spruces so we don't have to deal with it. But this applicant's proposal should be shut down immediately, many other neighbours have said they agree and intend to let the city know....at least 8-10 that i heard of.
13. Drainage: we already have concerns over drainage, fencing, privacy, lighting, sound-noise with the rear portion of the subdivision and the same would go with the proposal in this notice for the front.
14. Tridon's website: look at what they propose for natural vista's etc woodlots etc in phase 2how do they intend to do all that when they are cutting down so many trees.
15. This sort of development in general is what should be seen as something to avoid and not to champion. So many people here have said depending how it gets they may up and move, why should anyone have to move from their neighbourhood because someone who isn't concerned with good development comes in and butchers their neighbourhood. People don't have the time and knowledge and money to fight a developer and most of us have been saying it seems as though the city is for the developers and not for the people who are the tax base, in dealing with the previous council when Mr. Zeiffman held ward 14, it was soul crushing to see how little input mine and neighbours mattered regarding development in our own neighbourhood. What's the point in getting involved in the community if you have no say in the neighbourhood you've lived and paid taxes in for years.....and when the street is in majority agreement....just 1 developer pushes their plan to max out homes & lots for max profit. I do realize council cares about people in its ward, but the system of how developers enter a neighbourhood and are able to come in and run over everyone so to speak and just take out wooded lots needs to change. And frankly the city should set a precedent going forward here. I will explain further on later.

My family bought here for privacy, large lot and to live beside 1 neighbour (each side), as did everyone on this street. We didn't buy in here and set up a life to just let it change at the whim of someone who is out to make money.....what sense does it make to change specifically homes at the road way....you are left with a mess. I have addressed my concerns at a prior time, to development services & some city staff who agree damage may be done through vibration because of infilling when the rear part of 1752 & 1754 Hamilton rd starts building once absolute title matter is settled between us and they are very much the same concerns with the front application that is being proposed.

People that used to live in this neighbourhood have often commented "way to mess up a great neighbourhood" when they have seen whats going on here. Ultimately i and my family are asking asking Council to reject this application Z-9314.

But before you rush to judgment yay or nay, i would ask council into what is going in this neighbourhood closer and spend some time on this and even re-circulate a notice to address concerns out here, as they are many and they do not start & stop with this applicants plan just here..... there are other problems in this neighbourhood we want addressed, many people have just given up and are fed up + add in a pandemic.

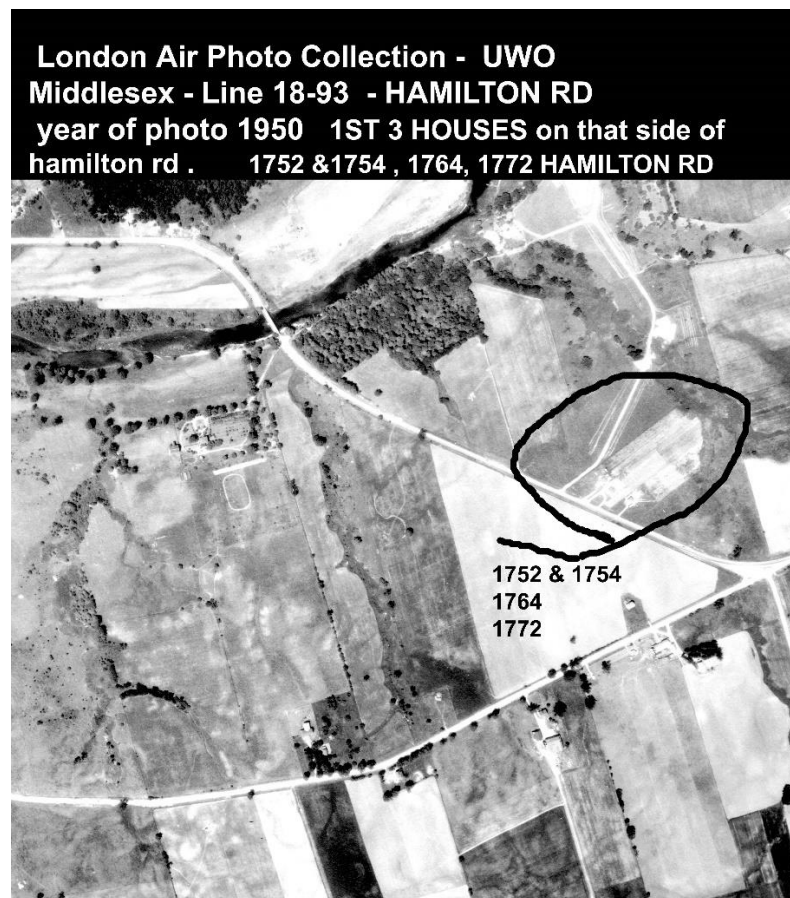
Please See attached pictures for reference to the street of hamilton rd.

Thank You,

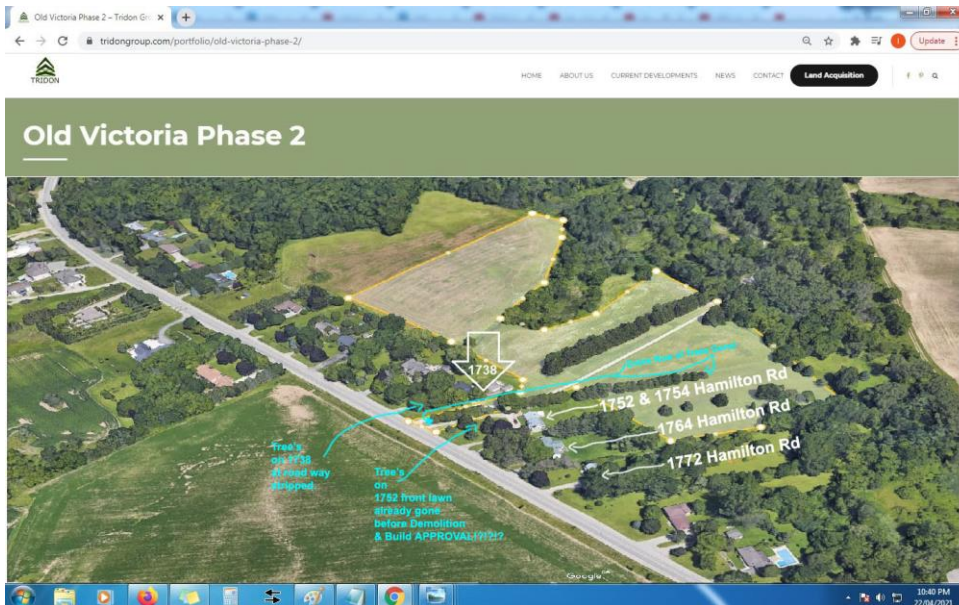
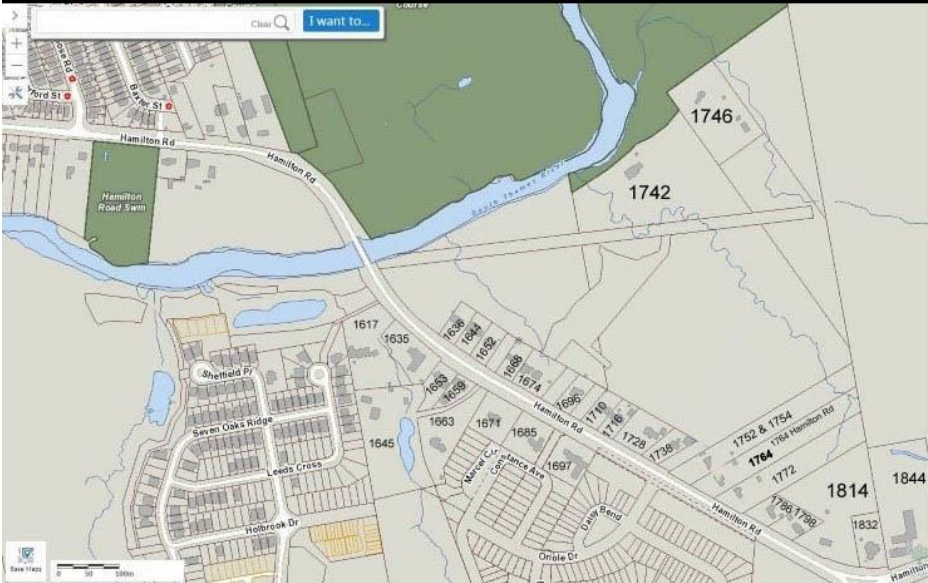
-Gary Simm

Sent on April 23rd 2021 @ 5:59pm est

Gary Simm
1764 Hamilton Rd - London Ontario - n6m1g4 - ward 14



Hamilton Rd - Street Map



Welcome to our Old Victoria information page: **Oh look at that , once again Advertising the back of my families property at 1764 as though Tridon owns it and will be part of their Phase 2 , to make it appear bigger. Even after our lawyer told them to stop advertising our property. Tridon changed it , but now reverted & are back to advertising our land.**

- 68 lot single family detached residential development
- 22 unit freehold townhouse residential development block
- Subdivision design will incorporate natural features of provincially significant wetlands, woodlots, ravines and the Thames River corridor
- Tridon's goal is to design and create a family-oriented passive recreational development providing scenic vistas and views of the natural topography for the entire community

**<<< HIGHLIGHTED IN THE ORANGE BOX
How do they plan on doing all that...
.....when they've cut out over 20 trees????
And that is a conservative estimate !!!**

A

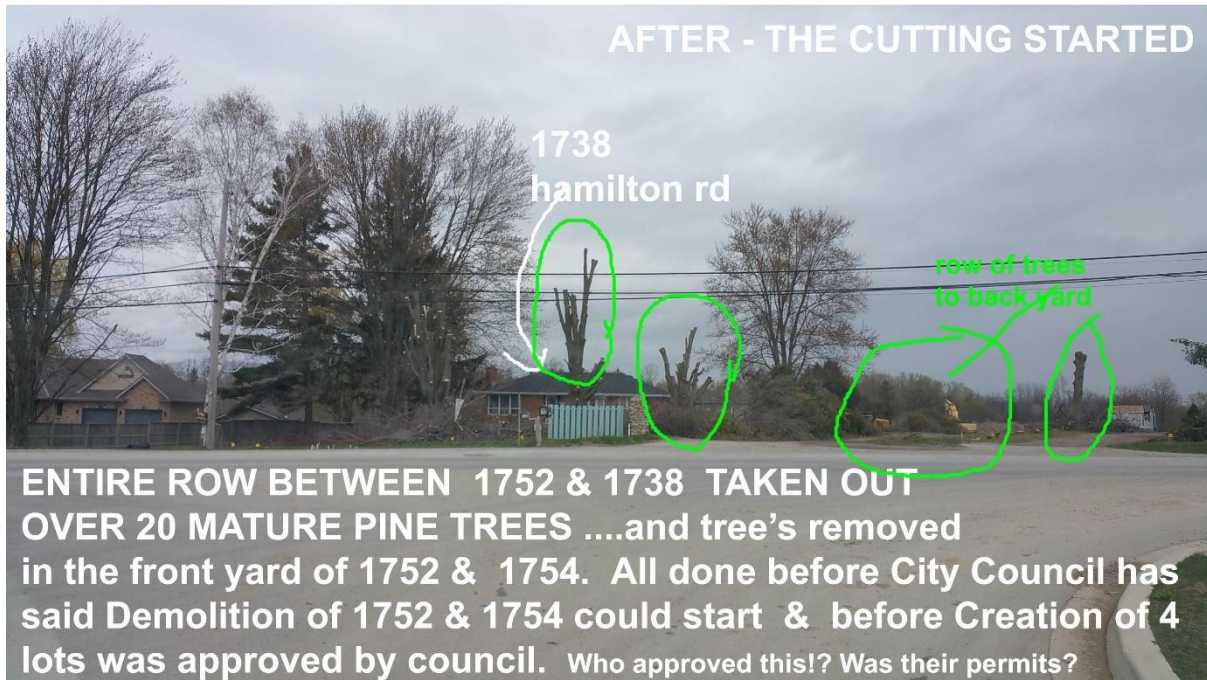


BEFORE - TREE REMOVAL

What the front looked like long Before the Tree Cutting Started March 25th 2021.



AFTER - TREE'S WERE CUT DOWN. how many permits? how many trees cut?



Did the city give permits for Trees removed in front yard? If so why?



Agency/Departmental Comments: No significant comments/responses received.

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 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,
3. Protecting Public Health and Safety.

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)). These policies promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)).

The subject lands are designated and intended for infilling of medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. It represents development taking place within the City's urban growth area and within an area for which a previous area plan has been prepared to guide future development. Development will utilize full municipal services which are available including a recently constructed stormwater management facility. London Transit bus routes are expected to be extended in the future to service the growing population in this area as it continues to build out.

The proposed lots are part of a larger subdivision development that will include the extension of the Thames Valley Pathway multi-use trail system to promote cycling and pedestrian movement and provide opportunities for active transportation. Natural heritage features were identified and evaluated as part of the subdivision planning process, and will be protected and preserved as Open Space. Provincial concerns for archaeological resource assessment and cultural heritage have also been addressed. Based on our review, the proposed zoning by-law amendment is 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 and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses.

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 amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

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

- 2. Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”.*
- 4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*

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.*
- 8. Promote, strengthen, and grow the existing commuter and recreational cycling network and promote cycling destinations within London.*

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.*

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 permit single detached residential dwellings which are compatible with existing and future residential development, consistent with the planned vision of the Neighbourhood Place Type, and generally in keeping with the character of the neighbourhood. The proposed residential lots will mirror the lot pattern on the opposite side of future Oriole Drive which has been draft-approved. The proposed lots will have frontage and access to a local street in order to minimize the number of access driveways to Hamilton Road. It is acknowledged that the proposed lot sizes and orientation are different than that of the existing Hamilton Road streetscape. The properties along the east side of Hamilton Road originally developed as a strip of rural residential dwellings on large lots constructed years ago when this area was still part of the Town of Westminster.

*213_ * Street patterns will be easy and safe to navigate by walking and cycling and will be supportive of transit services.*

The street pattern is supportive of transit service, provides convenient access to Hamilton Road and a potential future transit route. The detailed engineering design includes provision for sidewalks on both sides of Oriole Drive connecting to the intersection with Hamilton Road.

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

The section of Oriole Drive east of Hamilton Road was previously established as a public highway and it was always assumed that this would be one of two public road access points to future development on lands to the east. However, Oriole Drive does not meet Hamilton Road at a 90 degree angle at this location, and adjustments needed to be made to the final design of Oriole Drive in order for the intersection to align properly. This required additional land from the property at 1738 Hamilton Road, on the north side of Oriole Drive, to be added to the road allowance. During the process of working through the realignment with the applicant, City staff were agreeable to the proposed lotting on the north side of Oriole Drive given that the existing house is located towards the back of the property and there is approximately 40 metres of front yard depth between the front façade of the house and Hamilton Road with sufficient room for two additional lots having frontage on Oriole Drive. Therefore, given these circumstances side-lotting adjacent Hamilton Road was considered appropriate.

348_ Active mobility features will be incorporated into the design of new neighbourhoods and, where possible, enhanced in existing neighbourhoods to ensure connections to the street and transit system.

A portion of the Thames Valley Pathway multi-use trail is planned to be incorporated within the subdivision draft plan, and will be accessed at the easterly end of future Oriole Drive. It will be a key component of a much larger active mobility network of walking and cycling routes throughout the City.

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 Street. The range of primary permitted uses include single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses. The proposed development of four (4) single detached dwellings (expected to be 1 or 2 storeys in height) conforms with the use, intensity and form policies of the Neighbourhoods Place Type. One of the policy objectives is that neighbourhoods be designed to protect the Natural Heritage System, adding to neighbourhood health, identity and sense of place. As part of the detailed subdivision design, an Environmental Impact Study (EIS) and tree assessment and protection plan were prepared and submitted. Recommendations will be incorporated into the accepted engineering drawings to mitigate impacts on the features and protect the nearby Open Space lands. Tree protection fencing for the subject site has been incorporated into the engineering drawings in order to preserve existing trees along the Hamilton Road frontage within the future road allowance/road widening block and along the southerly property boundary.

Old Victoria Community - Specific Policies

1000_ The following policies apply to lands generally located between Commissioners Road East to the south, the Thames River to the north and the former Old Victoria Road street allowance to the east.

Infill Hamilton Road

1010_ Opportunities exist along Hamilton Road for infill development. These lands shall enable, over the long term, intensification and infill development in conformity with the Neighbourhoods Place Type policies of this Plan. In addition, small-scale commercial and office-based uses may also be permitted. Comprehensive planned development proposals will be encouraged to allow for coordinated joint access, connected rear lanes and parking areas, and street-oriented building patterns.

The subject lands represent an opportunity for residential intensification in the form of single detached dwellings in keeping with the long term vision of the Old Victoria Community policies for infill development along the Hamilton Road corridor.

Our Tools

1694_ In accordance with the Planning Act, City Council may pass by-laws to exempt all, or parts of, registered plans of subdivision from part-lot control. Such exemption will eliminate the need for further subdivisions or consents to convey portions of lots within the registered plan of subdivision. Exemption from part-lot control will not be supported for the creation of a private street which serves freehold lots.

The Owner's intent is to consolidate the remnant parcel at 1752-1754 Hamilton Road as a single block within the plan of subdivision as it goes through the process of final approval and registration. At that point, an application can be considered by Municipal Council to pass a by-law exempting the block from the Part Lot Control provisions of the Planning Act to allow for creation of the four (4) single detached dwellings lots. The requested zoning amendment is intended to facilitate this process.

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 Multi-family, Medium Density Residential, as shown on Schedule 'A' of the 1989 Official Plan. 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 recommended zoning to permit single detached dwellings is consistent with and conforms to the 1989 Official Plan.

Zoning By-law

The following provides a synopsis of the recommended zoning, permitted uses, regulations, and holding provisions to be applied to the subject lands. Reference should be made to the zoning amendment map found in Appendix A of this report.

It is recommended that the zoning be amended from a Residential R1 (R1-14) Zone which permits single detached dwellings on lots having a minimum lot area of 2000 square metres and minimum lot frontage of 30 metres to a Holding Residential R1 (h•h-100•R1-3) Zone to permit single detached dwelling on lots having a minimum lot area of 300 square metres and minimum lot frontage 10 metres. The proposed lots range in lot frontage from approximately 15 metres to 22 metres with lot depths ranging from 41 to 42 metres, and therefore exceed the minimum lot size regulations of the zoning by-law. The recommended zoning and holding provisions are considered appropriate and generally consistent with the zoning that was approved for the adjacent draft plan of subdivision.

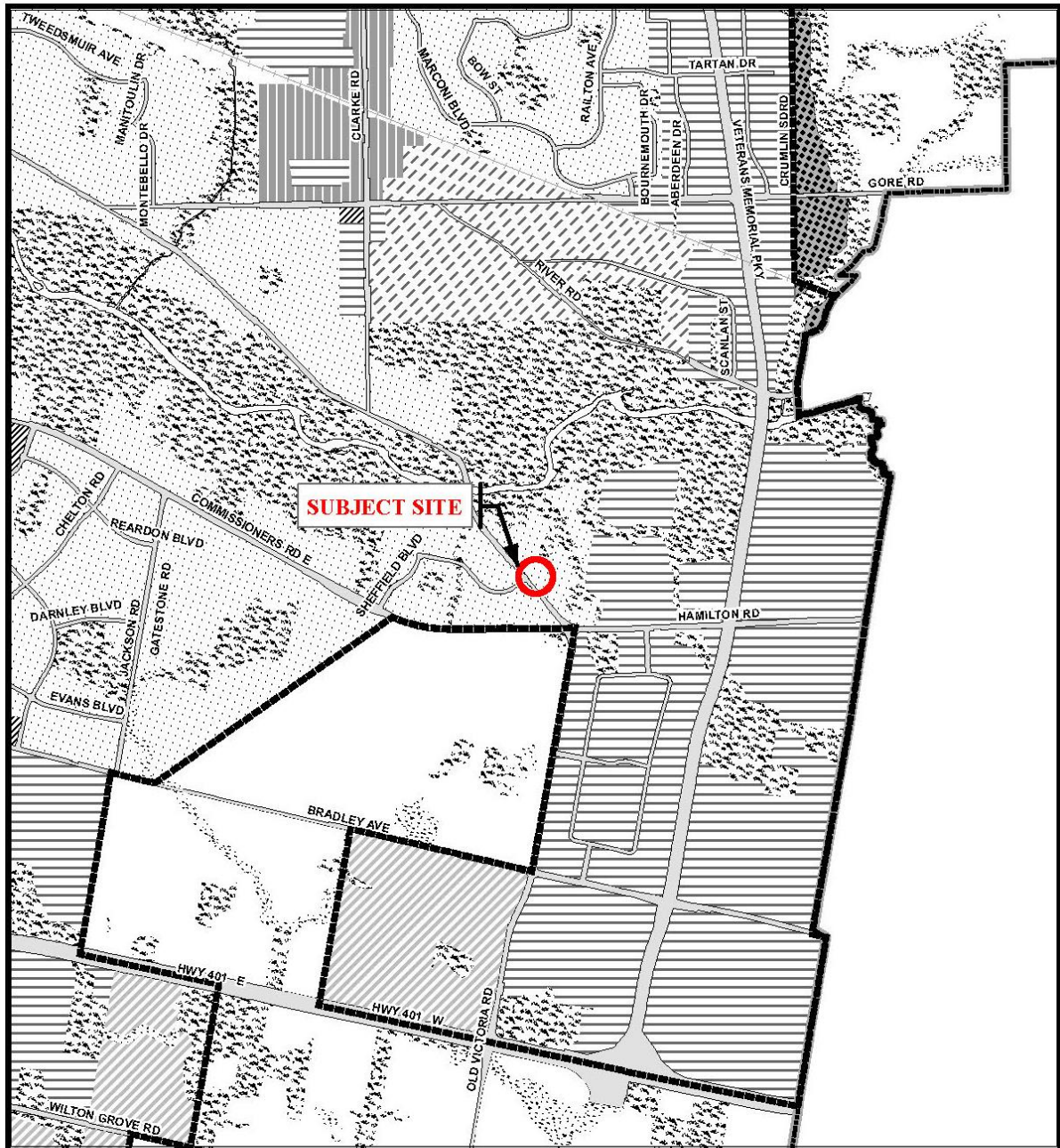
Holding Provisions:

It is recommended that the standard holding (h) provision be applied in conjunction with the proposed residential lots and blocks. The “h” provision is applied in almost all subdivision approvals for the purpose of ensuring adequate provision of municipal services, that the required security has been provided, and that conditions of approval of draft plan of subdivision ensure that a subdivision agreement or development agreement is entered into.

A holding provision (h-100) is also recommended in order 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.

Appendix D – Relevant Background

The London Plan Map Excerpt



Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

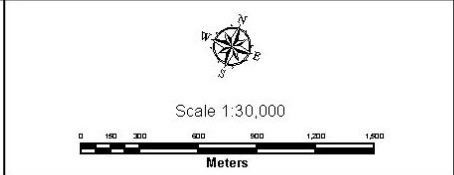
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON
 Planning Services /
 Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-9314

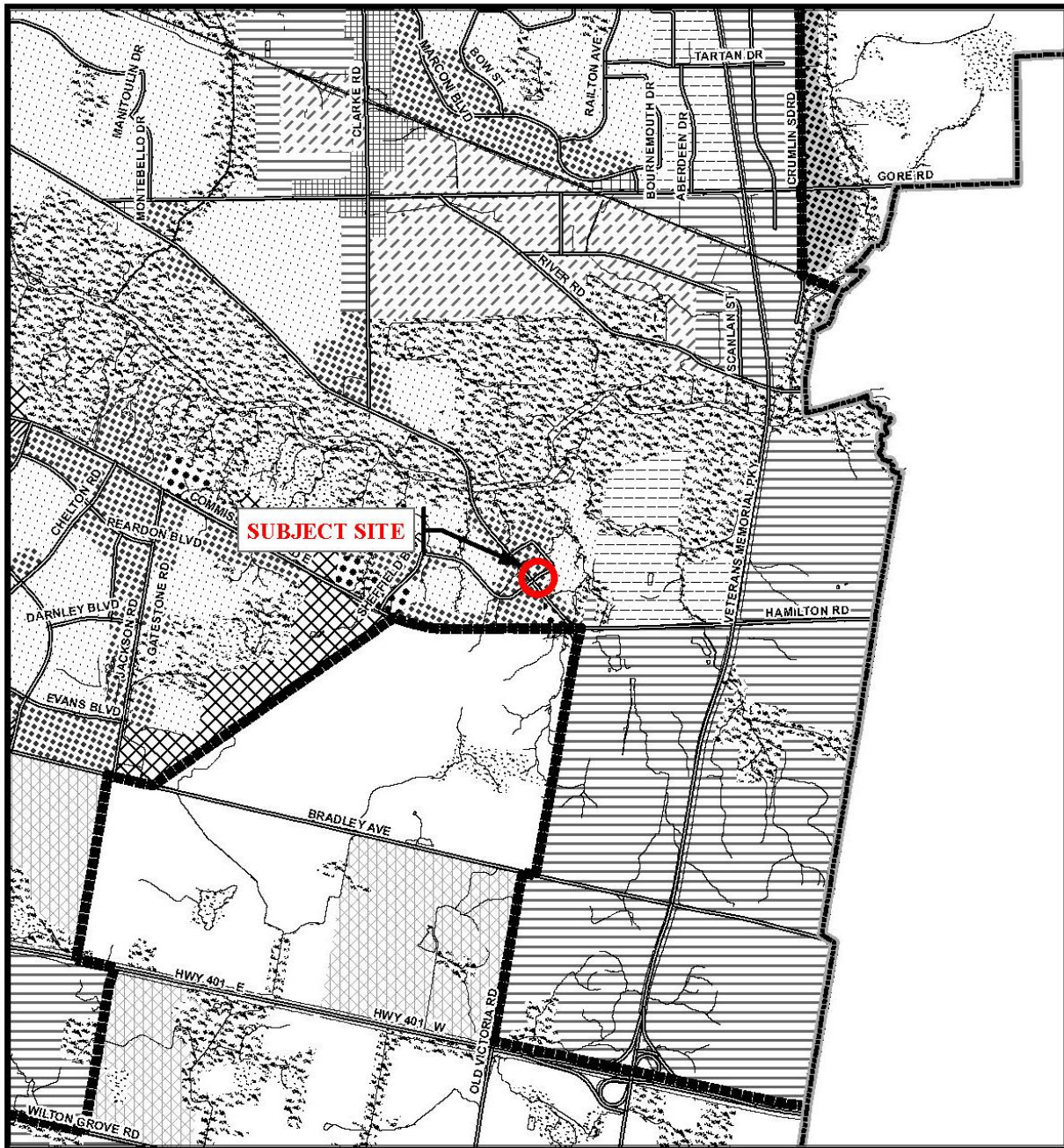
Planner: LM

Technician: RC

Date: April 28, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxdslZ-9314-Map1-PlaceTypes.mxd

1989 Official Plan Map Excerpt



Legend

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

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -

PREPARED BY: Graphics and Information Services

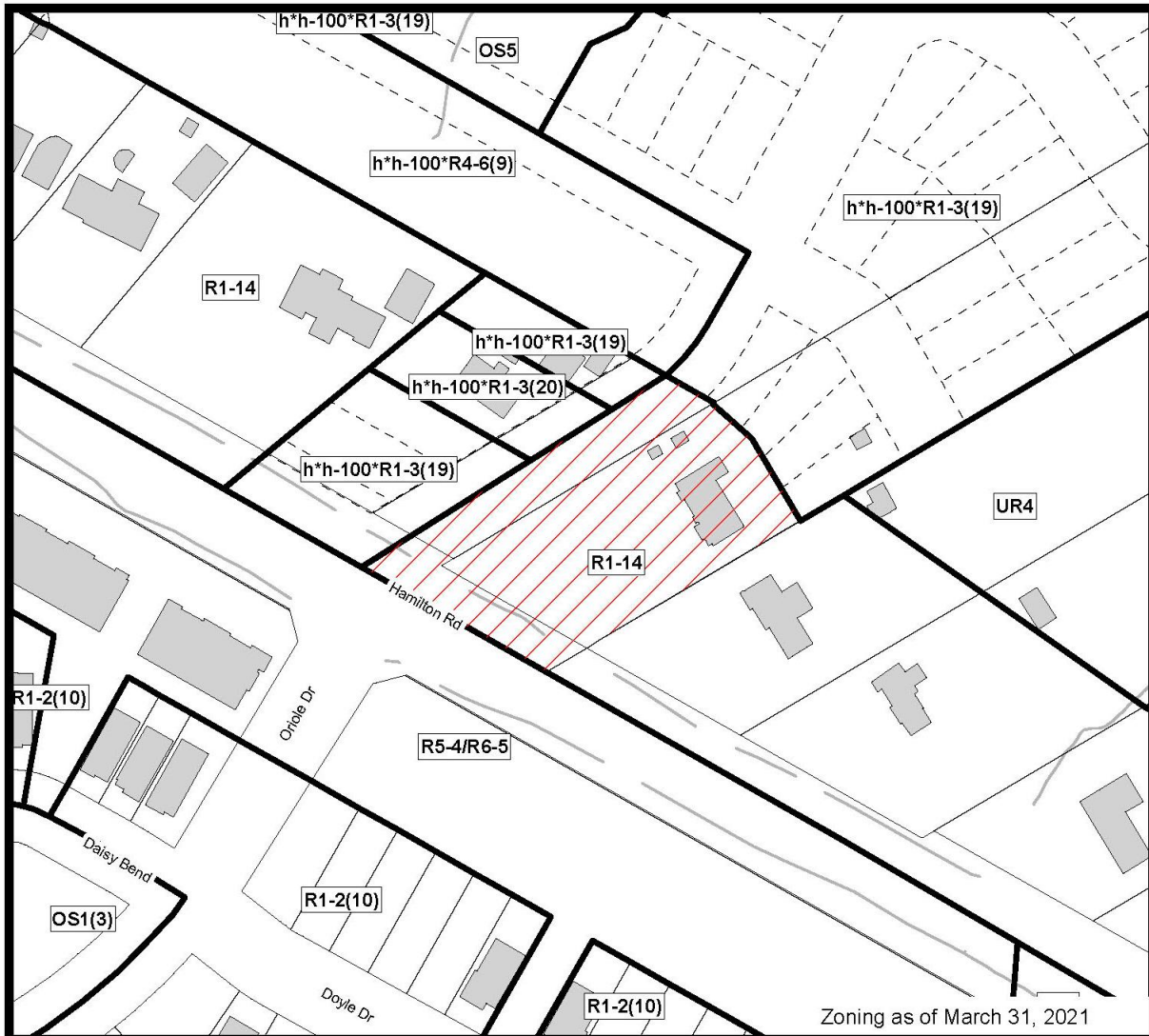


Scale 1:30,000



FILE NUMBER: Z-9314
 PLANNER: LM
 TECHNICIAN: RC
 DATE: 2021/04/28

Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON
PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:
Z-9314 LM

MAP PREPARED:
2021/04/28 RC

1:1,500
0 5 10 20 30 40 Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Gregg Barrett, Director, City Planning and City Planner
Subject: Request to Remove Properties from the *Register of Cultural Heritage Resources*
Public Participation Meeting on: Monday May 31, 2021

Recommendation

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, that the following properties **BE REMOVED** from the Register of Cultural Heritage Resources:

- a) 1033-1037 Dundas Street
- b) 1 Kennon Place
- c) 19 Raywood Avenue
- d) 32 Wellington Road
- e) 34 Wellington Road
- f) 90 Wellington Road
- g) 98 Wellington Road
- h) 118 Wellington Road
- i) 120 Wellington Road
- j) 122 Wellington Road
- k) 126 Wellington Road
- l) 134 Wellington Road
- m) 136 Wellington Road
- n) 138 Wellington Road
- o) 140 Wellington Road
- p) 142 Wellington Road
- q) 166 Wellington Road
- r) 220 Wellington Road
- s) 247 Wellington Road
- t) 249 Wellington Road
- u) 251 Wellington Road
- v) 253-255 Wellington Road
- w) 261 Wellington Road
- x) 263 Wellington Road
- y) 265 Wellington Road
- z) 267 Wellington Road
- aa) 269 Wellington Road
- bb) 271 Wellington Road
- cc) 273 Wellington Road
- dd) 275 Wellington Road
- ee) 285 Wellington Road
- ff) 287 Wellington Road
- gg) 289 Wellington Road
- hh) 297 Wellington Road
- ii) 301 Wellington Road
- jj) 327 Wellington Road
- kk) 331 Wellington Road
- ll) 333 Wellington Road
- mm) 72 Wellington Street
- nn) 44 Wharnccliffe Road North

Executive Summary

During the Transit Project Assessment Process (TPAP) for Rapid Transit, potential cultural heritage resources were identified in the Cultural Heritage Screening Report

(CHSR). The LACH recommended that Municipal Council add the subject properties to the Register of Cultural Heritage Resources.

Since then, the subject properties have been evaluated using the criteria of Ontario Regulation 9/06, which has determined that the subject properties do not meet the criteria for designation pursuant to the *Ontario Heritage Act*. The subject properties should be removed from the Register of Cultural Heritage Resources.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan area of focus:

- Strengthening Our Community:
 - Continue to conserve London’s heritage properties and archaeological resources

Analysis

1.0 Background Information

1.1 Property Location

There are 40 properties that are the subject of this report (Appendix A-B).

1.2 Cultural Heritage Status

The subject properties are heritage listed properties pursuant to Section 27(1.2) of the *Ontario Heritage Act*.

With the recommendation of the London Advisory Committee on Heritage (LACH), Municipal Council added 347 potential cultural heritage resources identified by the Cultural Heritage Screening Report (CHSR) to the Register of Cultural Heritage Resources at its meeting on March 26, 2017. The CHSR was prepared as part of the background studies for the Transit Project Assessment Process (TPAP) for Rapid Transit.

1.3 Rapid Transit and Cultural Heritage

During and since TPAP, cultural heritage evaluations have been completed for impacted properties along the Rapid Transit corridors. Some evaluations have found that properties have met the criteria for designation, and further cultural heritage assessment (e.g. property-specific Heritage Impact Assessment) is required. Other evaluations have found that properties have not met the criteria for designation, and no further cultural heritage assessment is required.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies of the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, and *The London Plan* and the *Official Plan (1989, as amended)*.

2.1.1 Provincial Policy Statement

Section 2.6.1 of the *Provincial Policy Statement (2020)* directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

“Significant” is defined in the *Provincial Policy Statement (2020)* as, regarding cultural heritage and archaeology, “resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.”

“Conserved” is defined in the *Provincial Policy Statement (2020)*, “means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their

cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.”

2.1.2 Ontario Heritage Act

The *Ontario Heritage Act* enables municipalities to protect properties that are of cultural heritage value or interest.

Section 27 of the *Ontario Heritage Act* requires that a Register kept by the clerk shall list all properties that have been designated under the *Ontario Heritage Act*. Section 27(1.2) of the *Ontario Heritage Act* also enables Municipal Council to add properties that have not been designated, but that Municipal Council “believes to be of cultural heritage value or interest” on the Register. Listing a property on the Register is an important action to “flag” the potential cultural heritage value or interest of properties during decision making processes.

As consultation with the LACH is required to add a property to the Register, consultation with the LACH is required before a property may be removed from the Register by Municipal Council.

2.1.3 Ontario Regulation 9/06

The criteria of Ontario Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are:

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

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet any of the criteria, the property should be removed from the Register.

2.1.4 Register of Cultural Heritage Resources

Municipal Council may include properties on the Register of Cultural Heritage Resources that it “believes to be of cultural heritage value or interest,” pursuant to Section 27(1.2) of the *Ontario Heritage Act*. These properties are not designated but are considered to be of potential cultural heritage value or interest.

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed properties.

2.1.5 The London Plan

The Cultural Heritage chapter of *The London Plan* recognizes that our cultural heritage resources define our City’s unique identity and contribute to its continuing prosperity. It notes, “The quality and diversity of these resources are important in distinguishing

London from other cities and make London a place that is more attractive for people to visit, live or invest in.” Policies 572_ and 573_ of *The London Plan* enable the designation of individual properties under Part IV of the *Ontario Heritage Act*, as well as the criteria by which individual properties will be evaluated.

2.3 Consultation

During and following the TPAP, the LACH was consulted on number of cultural heritage matters arising from the project including cultural heritage evaluations completed where direct impacts where possible. The meetings at which the LACH was consulted on the CHERs is noted in Appendix C. The LACH was consulted at its meeting on May 12, 2021.

Pursuant to the Council Policy Manual, notification of the request to remove the subject properties from the Register of Cultural Heritage Resources has been sent to 630 property owners within 120m of the subject properties on May 11, 2021, as well as community groups including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League. Notice was published in *The Londoner* on May 13, 2021.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Do the Subject Properties Meet the Criteria for Designation?

Each of the 40 subject properties were individually evaluated in their respective CHER that was undertaken either during or following the TPAP for Rapid Transit (see Appendix C).

The CHER evaluated each of the subject properties using the criteria of Ontario Regulation 9/06 (see Section 2.1.3 of this report for the criteria). The Heritage Planner had the opportunity to review and comment on the CHERs; the Heritage Planner concurs with the evaluations presented in the CHERs.

The evaluations for the subject properties found that each property did not meet the criteria of Ontario Regulation 9/06 for designation pursuant to the *Ontario Heritage Act*.

As the subject properties have not met the criteria for designation, the subject properties should be removed from the Register of Cultural Heritage Resources.

4.2 What Properties Will Require Further Cultural Heritage Assessment?

While the subject properties have not met the criteria for designation pursuant to the *Ontario Heritage Act*, other properties were evaluated and found to demonstrate cultural heritage value or interest. These cultural heritage resources are identified in the Cultural Heritage Screening Report (CHSR) and included in the “Commitments to Future Work” in Section 7 of the Environmental Project Report (EPR) for the London Bus Rapid Transit Assessment Process. By Rapid Transit corridor, these properties include:

Downtown Loop

- Downtown Heritage Conservation District
- West Woodfield Heritage Conservation District

East London Link

- 869-871 Dundas Street
- 1156 Dundas Street
- 850 Highbury Avenue North
- 100 Kellogg Lane
- 900 King Street

Wellington Gateway

- 129-131 Wellington Street
- 16 Wellington Road
- 26 Wellington Road
- 28 Wellington Road
- 30 Wellington Road
- 174 Wellington Road
- 243 Wellington Road, 49-55 Foxbar Road

Heritage Impact Assessment (HIA) will be completed for cultural heritage resources during the Detailed Design phase of each Rapid Transit segment. The HIA will provide recommendations to ensure that significant cultural heritage resources are conserved and that adverse impacts are mitigated.

Conclusion

Cultural heritage matters are an important consideration through any process of change. Potential cultural heritage resources were identified, inventoried, and flagged for further work and evaluation during and following the TPAP for Rapid Transit. As the project has progressed, properties have been evaluated to determine if they demonstrate sufficient cultural heritage value or interest to warrant designation pursuant to the *Ontario Heritage Act* and if any further cultural heritage studies are required.

Each of the 40 subject properties were evaluated using the criteria of Ontario Regulation 9/06. The conclusion of those evaluations found that the subject properties did not meet the criteria for designation. Therefore, the subject properties should be removed from the Register of Cultural Heritage Resources.

Prepared by: Kyle Gonyou, CAHP
Heritage Planner, City Planning

Submitted and Recommended by: Gregg Barrett, AICP
Director, City Planning and City Planner

C: Bryan Baar, Manager II, Realty Services
Jennie Dann, Director, Major Projects
Orest Katolyk, Chief Municipal Law Enforcement Officer

Appendices

Appendix A Properties Location
Appendix B Images
Appendix C Links to Cultural Heritage Evaluation Reports

Appendix A – Subject Properties Location

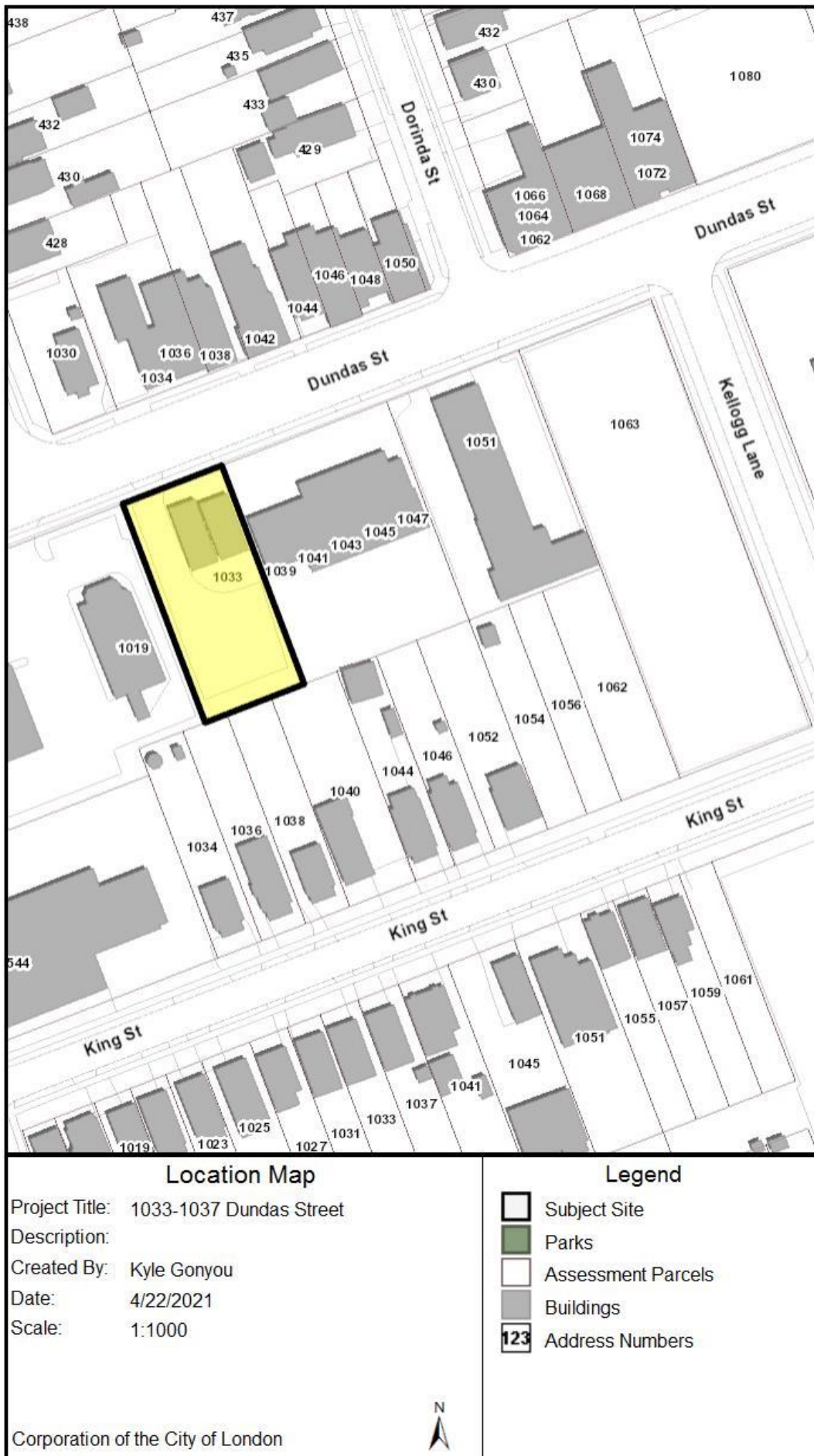


Figure 1: Location map of the subject property at 1033-1037 Dundas Street.



Figure 2: Location of subject properties along Wellington Road, including Kenon Place.



Figure 3: Location of subject properties along Wellington Road, including Raywood Avenue.



Figure 4: Location of subject properties along Wellington Road.



Figure 5: Location of the subject property at 72 Wellington Street.

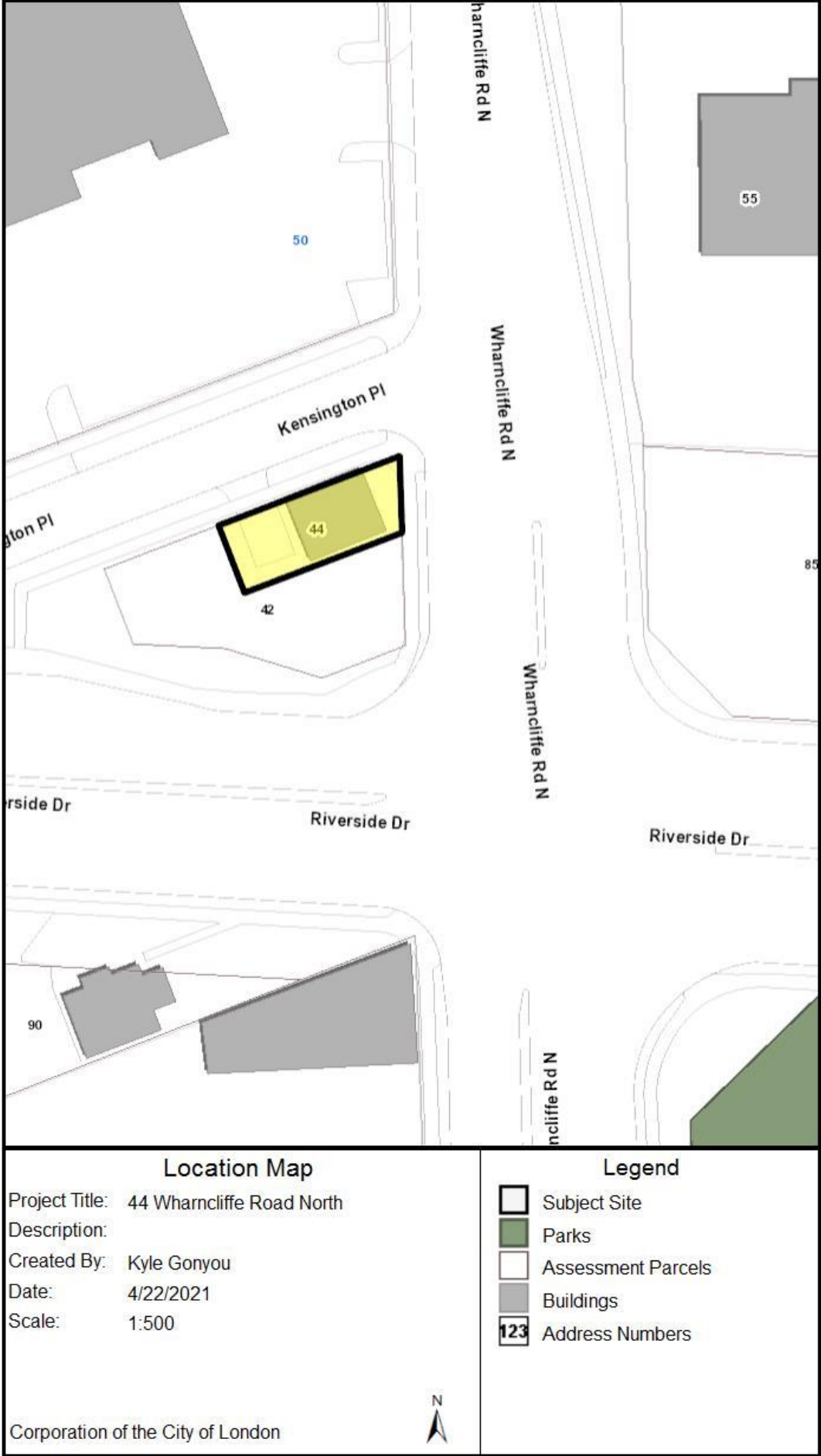


Figure 6: Location of the subject property at 44 Wharcliffe Road North.

Appendix B – Images



Image 1: Subject property at 1033-1037 Dundas Street.



Image 2: Subject property at 1 Kennon Place.



Image 3: Subject property at 19 Raywood Avenue.



Image 4: Subject property at 32 Wellington Road.



Image 5: Subject property at 34 Wellington Road.



Image 6: Subject property at 90 Wellington Road.



Image 7: Subject property at 98 Wellington Road.



Image 8: Subject property at 118 Wellington Road.



Image 9: Subject property at 120 Wellington Road.



Image 10: Subject property at 120 Wellington Road.



Image 11: Subject property at 126 Wellington Road.



Image 12: Subject property at 134 Wellington Road.



Image 13: Subject property at 136 Wellington Road.



Image 14: Subject property at 138 Wellington Road.



Image 15: Subject property at 140 Wellington Road.



Image 16: Subject property at 142 Wellington Road.



Image 17: Subject property at 166 Wellington Road.



Image 18: Subject property at 220 Wellington Road.



Image 19: Subject property at 247 Wellington Road.



Image 20: Subject property at 249 Wellington Road.



Image 21: Subject property at 251 Wellington Road.



Image 22: Subject property at 253-255 Wellington Road.



Image 23: Subject property at 261 Wellington Road.



Image 24: Subject property at 263 Wellington Road.



Image 25: Subject property at 265 Wellington Road.



Image 26: Subject property at 267 Wellington Road.



Image 27: Subject property at 269 Wellington Road.



Image 28: Subject property at 271 Wellington Road.



Image 29: Subject property at 273 Wellington Road.



Image 30: Subject property at 275 Wellington Road.



Image 31: Subject property at 285 Wellington Road.



Image 32: Subject property at 287 Wellington Road.



Image 33: Subject property at 289 Wellington Road.



Image 34: Subject property at 297 Wellington Road.



Image 35: Subject property at 301 Wellington Road.



Image 36: Subject property at 327 Wellington Road.



Image 37: Subject property at 331 Wellington Road.



Image 38: Subject property at 333 Wellington Road.



Image 39: Subject property at 72 Wellington Street.



Image 40: Subject property at 44 Wharncliffe Road North.

Appendix C – Links to Cultural Heritage Evaluation Reports

- 1033-1037 Dundas Street** (see Item 2.5.b on the LACH Agenda for its meeting on February 12, 2020: <https://pub-london.escribemeetings.com/Meeting.aspx?Id=00ce0c90-0d8b-44b2-8ba8-1a597e4d45ef&Agenda=Agenda&lang=English>)
- 1 Kennon Place** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 19 Raywood Avenue** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 32 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 34 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 90 Wellington Road** (see Item 2.3.a on the LACH Agenda for its meeting on December 11, 2019: <https://pub-london.escribemeetings.com/Meeting.aspx?Id=2cc746df-9931-4ec0-aad1-74dce8ed2c79&Agenda=Agenda&lang=English>)
- 98 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 118 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 120 Wellington Road** (see Item 2.3.c on the LACH Agenda for its meeting on December 11, 2019: <https://pub-london.escribemeetings.com/Meeting.aspx?Id=2cc746df-9931-4ec0-aad1-74dce8ed2c79&Agenda=Agenda&lang=English>)
- 122 Wellington Road** (see Item 5.1.5 on the LACH Agenda for its meeting on December 12, 2018: <https://pub-london.escribemeetings.com/meeting.aspx?Id=3f6f099c-d4cf-4d84-a79e-514da97b85e9&Agenda=Merged&lang=English>)
- 126 Wellington Road** (see Item 5.1.6 on the LACH Agenda for its meeting on December 12, 2018: <https://pub-london.escribemeetings.com/meeting.aspx?Id=3f6f099c-d4cf-4d84-a79e-514da97b85e9&Agenda=Merged&lang=English>)
- 134 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 136 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 138 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 140 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 142 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 166 Wellington Road** (see Item 2.1.6 on the LACH Agenda for its meeting on February 13, 2019: <https://pub-london.escribemeetings.com/meeting.aspx?Id=e2513031-ed04-4bd3-8964-fd001613cc23&Agenda=Merged&lang=English>)
- 220 Wellington Road** (see Item 5.1.7 on the LACH Agenda for its meeting on December 12, 2018: <https://pub-london.escribemeetings.com/meeting.aspx?Id=3f6f099c-d4cf-4d84-a79e-514da97b85e9&Agenda=Merged&lang=English>)

November 13, 2019: <https://pub-london.escribemeetings.com/Meeting.aspx?Id=c4d824c9-20eb-4ee9-bdca-ab46d6316ad0&Agenda=Merged&lang=English>)

72 Wellington Street (see Item 2.5.a on the LACH Agenda for its meeting on February 12, 2020: <https://pub-london.escribemeetings.com/Meeting.aspx?Id=00ce0c90-0d8b-44b2-8ba8-1a597e4d45ef&Agenda=Agenda&lang=English>)

44 Wharnclyffe Road North (see Item 5.1.3 on the LACH Agenda for its meeting on December 12, 2018: <https://pub-london.escribemeetings.com/meeting.aspx?Id=3f6f099c-d4cf-4d84-a79e-514da97b85e9&Agenda=Merged&lang=English>)

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development
Subject: 2445727 Ontario Inc. (Phil Pattyn)
16 Wethered Street
Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2445727 Ontario Inc. (Phil Pattyn) relating to the property located at 16 Wethered Street:

- (a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R1 (R1-6) Zone **TO** a Residential R5-4 Special Provision (R5-4(_)) Zone, **BE REFUSED** for the following reasons:
- i) The Provincial Policy Statement, 2020 (PPS) directs opportunity for intensification through identification and promotion. In the Near Campus Neighbourhoods, Council has identified and promoted intensification, and is very specific in directing these proposals to nodes and corridors as outlined in the London Plan. The proposed redevelopment is not within these areas and is not appropriate.
 - ii) a rezoning to permit the requested redevelopment does not conform to the in-force policies of the 1989 Official Plan;
 - iii) a rezoning to permit the requested redevelopment does not conform to the in-force policies of The London Plan;
 - iv) a rezoning to permit the requested redevelopment within close proximity to Fanshawe College within the Near Campus Neighbourhood area with the proposed intensity and form is not appropriate and is not good planning;
 - v) the proposed redevelopment should be directed to the specific areas for intensification as outlined in the Near Campus Neighbourhood Policies;
 - vi) the proposed redevelopment is not appropriate and does not ensure that the character and compatibility with the surrounding neighbourhood is maintained; and
 - vii) the subject site does not have any special attributes or is not unique within the context of the area to warrant the proposed redevelopment with the form and intensity.

Executive Summary

Summary of Request

The applicant proposes to redevelop the subject site for a two-storey, 8-unit townhouse building.

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning from a Residential R1 (R1-6) Zone to a Residential R5 Special Provision (R5-4()) Zone. The requested special provision is to permit a reduced front yard setback from 6.0m to 5.0m.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended refusal is to maintain the existing Residential R1 (R1-6) Zone on the property. This zone permits single detached dwellings.

Rationale of Recommended Action

1. The Provincial Policy Statement, 2020 (PPS) directs opportunity for intensification through identification and promotion. In the Near Campus Neighbourhoods, Council has identified and promoted intensification, and is very specific in directing these proposals to nodes and corridors as outlined in the London Plan. The proposed redevelopment is not within these areas and is not appropriate;
2. The proposed rezoning to permit the requested redevelopment does not conform to the in-force policies of the 1989 Official Plan;
3. The proposed rezoning to permit the requested redevelopment does not conform to the in-force policies of The London Plan;
4. The proposed rezoning to permit the requested redevelopment within close proximity to Fanshawe College within the Near Campus Neighbourhood area with the proposed intensity and form is not appropriate and is not good planning;
5. The proposed redevelopment should be directed to the specific areas for intensification as outlined in the Near Campus Neighbourhood Policies;
6. The proposed redevelopment is not appropriate and does not ensure that the character and compatibility with the surrounding neighbourhood is maintained; and
7. The subject site does not have any special attributes or is not unique within the context of the area to warrant the proposed redevelopment with the form and intensity.

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

After decades of planning policies that *reacted* to land use matters and applied policies throughout pockets of Near-Campus Neighbourhoods in isolation to issues occurring elsewhere, Council directed Staff to undertake a comprehensive planning approach that *proactively* addressed residential intensification opportunities. This resulted in an initiative called, “Closing the Gap: New Partnerships for Great Neighbourhoods Surrounding our University and Colleges.” This initiative was presented to the Planning Committee in February, 2007 and highlighted the gaps between the vision for the Near-Campus Neighbourhoods and the state of affairs at that time. In November 2008, the results of these consultations were presented to the Planning Committee in the form of the Great Near-Campus Neighbourhoods Strategy and Implementation Plan, both of which were approved to address Near-Campus planning issues. The Great Near-Campus Neighbourhoods Strategy has been in effect since 2008, with Official Plan policies and Zoning regulations being in effect as of 2012.

In 2016 a review of the NCN was undertaken to determine whether the strategy is having the desired effect and whether any changes are required to close the gaps between the vision and current conditions in the Great Near-Campus Neighbourhoods. As a result of that review the NCN boundary was redrawn and minor clarifications were made in the existing policies.

1.2 Property Description

The subject site consists of one property located on the east side of Wethered Street, north of Oxford street East. The subject site is approximately 0.2 hectares in size with a lot frontage of approximately 30m and yard depth of approximately 66m. Currently a single detached dwelling exists on the subject site.



Figure 1 -View of the subject site from Wethered Street

The site is within an older low density residential neighbourhood. The adjacent land uses include a mix of one and two storey single detached dwellings on large lots.

The broader surrounding neighbourhood to the north, west and east of the subject property is characterized by a low-rise, low-density residential. To the south, the low density residential continues, with the exception of a commercial plaza further east at the intersection of Oxford Street East and Oakeside Street.

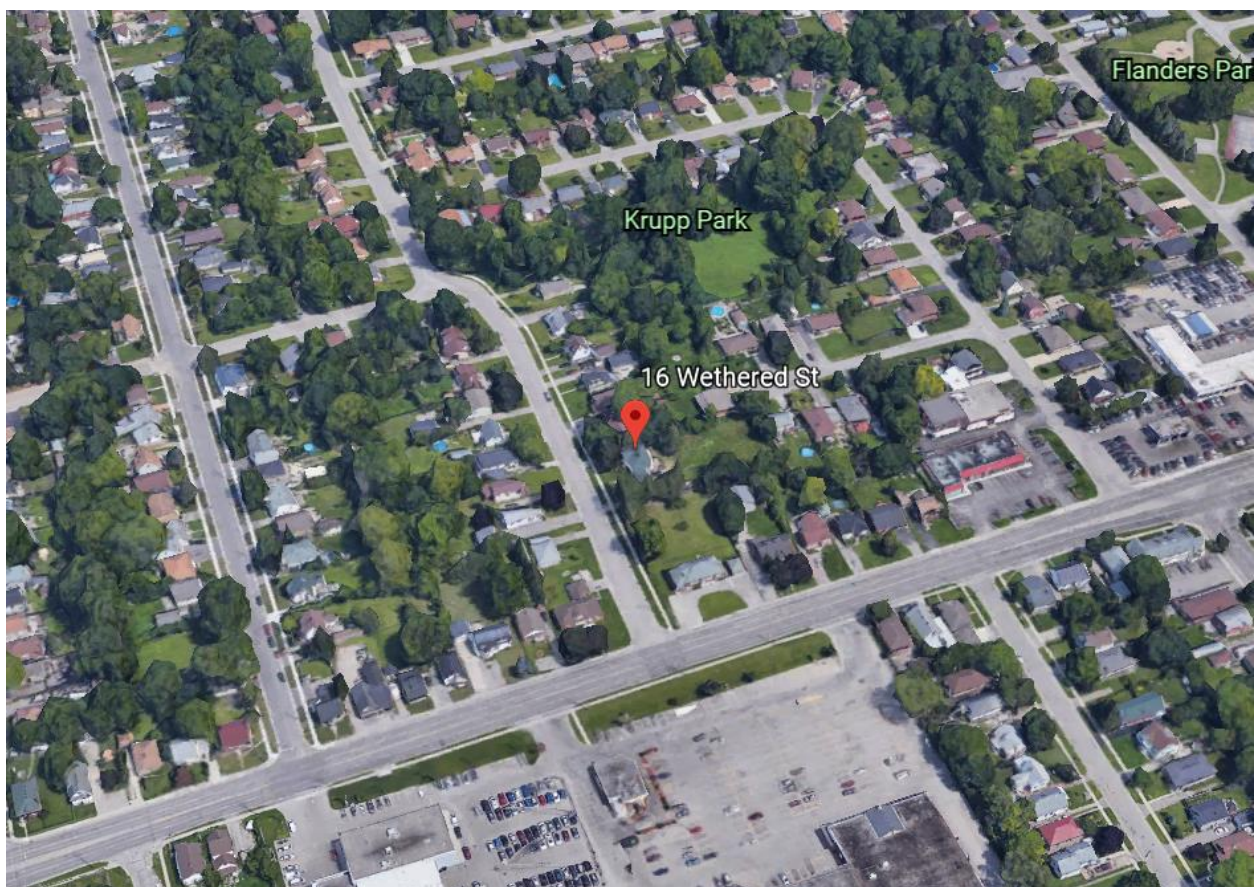


Figure 2 - Google Earth image of the broader neighbourhood

1.3 Current Planning Information (see more detail in Appendix C)

- Official Plan Designation – Low Density
- The London Plan Place Type – Neighbourhoods Place Type
- Within the Near Campus Neighbourhood Area

- Existing Zoning – Residential R1 (R1-6) Zone

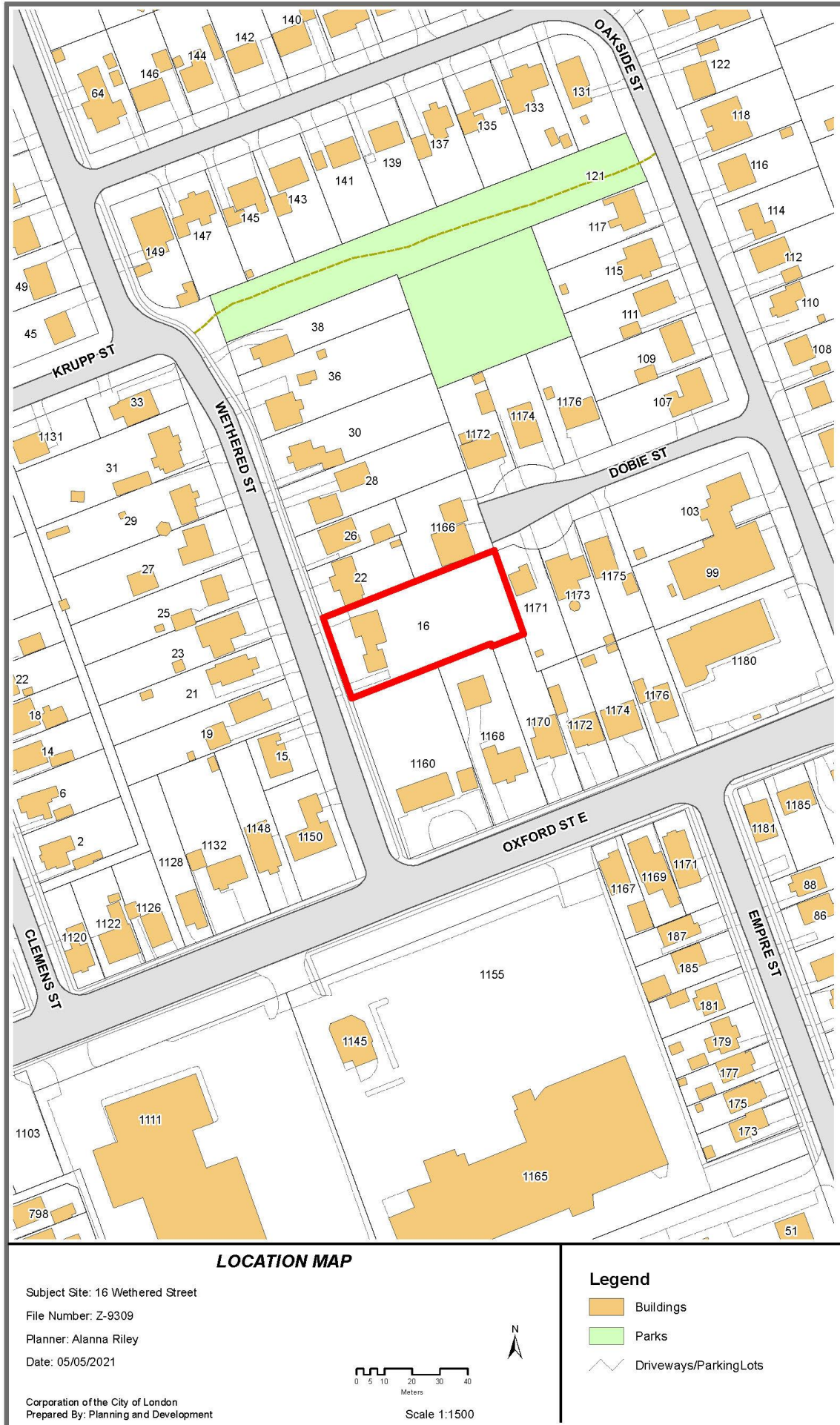
1.4 Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 30 metres
- Depth – 66 metres
- Area – 0.2 ha.
- Shape – rectangular

1.5 Surrounding Land Uses

- North – low density residential
- East – low density residential
- South – low density residential, commercial
- West – low density residential

1.6 Location Map



1.7 Intensification (8 units)

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

2.0 Discussion and Considerations

2.1 Development Proposal

The requested amendment is to redevelop the subject site for a two-storey, 8-unit townhouse building with a reduced front yard setback. The building is proposed to be side-lotted, with the front yards and rear yards interfaced with the side and rear yards of the abutting north and east properties. Access is proposed to be a two-way driveway leading to each unit's driveway and garage. Each unit is proposed to be approximately 130 m². The total residential density is 40 units per hectare.

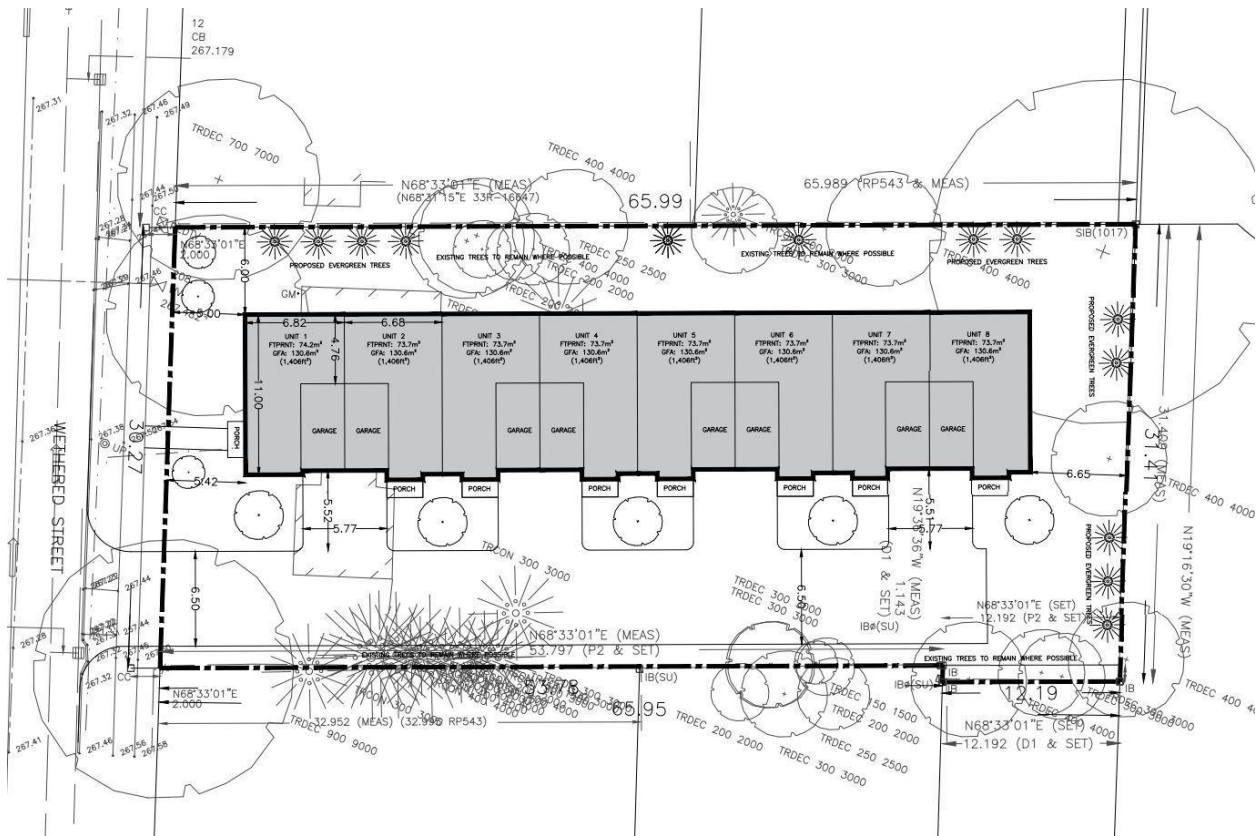


Figure 3 – Site Concept



Figure 4 – Building Rendering



Figure 5 - Front view from Wethered Street looking northeast



Figure 6 - Front view from Wethered Street looking southeast

2.2 Community Engagement (see more detail in Appendix A)

Members of the public were given an opportunity to provide comments on this application in response to the notice of application given on February 10, 2021. Written and verbal replies were received from fifteen individuals.

The public's concerns generally included:

- Intensity
 - Traffic volume and safety issues
 - Noise issues resulting from an increased amount of traffic and number of people
 - On-street parking
- Form
 - Ignores the single-family home characteristics of the neighbourhood
- Student Housing
 - The proposal will contribute to a pre-existing imbalance of student to non-student population in the neighbourhood

- Neighbourhood is underpopulated in the summer which isolates long-term residents, creates social problems such as squatters, criminal activity, and hurts local businesses
 - Purpose-designed student housing is not diverting students from single family homes as some students prefer the lack of behavioural regulation of this form of housing
- Loss of property value

2.3 Policy Context (see more detail in Appendix B)

The subject site is located in the Low Density Residential designation in the 1989 Official Plan. The site is located in the Neighbourhoods Place Type in The London Plan. Note that certain London Plan maps and policies are under appeal before the Local Planning Appeal Tribunal (LPAT).

Provincial Policy Statement

The *Provincial Policy Statement, 2020* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation.

In accordance with section 3 of the Planning Act, all planning decisions shall be consistent with the Provincial Policy Statement (PPS).

The Provincial Policy Statement 2020 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns” of the PPS encourages healthy, livable, and safe communities over the long-term. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of residential land uses, as well as employment, institutional, recreation and open space land uses (s. 1.1.1.b).

The PPS encourages areas inside the urban growth boundary (i.e. “settlement areas” per s. 1.1.3 Settlement Areas) to be the main focus of growth and development, including opportunities for intensification and redevelopment. Appropriate land use patterns within urban growth boundaries are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public services facilities and are also transit-supportive (s.1.1.3.2).

Municipalities are required to identify and promote opportunities for intensification and redevelopment, taking into consideration an area’s existing building stock (s. 1.1.3.3), accommodating a significant supply and range of housing options, including various housing types, densities, and a variety of affordable and market-based housing arrangements (s. 1.1.3.3), promoting development standards which facilitate intensification, redevelopment and compact form (s. 1.1.3.4).

The PPS also encourages the range and mix of affordable and market-based housing to be built at densities that meet projected needs, by establishing targets for affordable housing (s. 1.4.3.a). Planning authorities are also required to permit and facilitate all housing options and all types of residential intensification.

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

The London Plan is organized into nine parts. The “Our Strategy” part of the Plan establishes eight key directions that serve as the foundation for the policies and place types of the Plan (London Plan, s. 54). Under each key direction a number of planning strategies are identified. Relevant Key Directions are outlined below:

The London Plan provides direction to plan strategically for a prosperous city:

- Creating a strong civic image by...creating and sustaining great neighbourhoods...(s. 55_, Direction 1.3); and
- Revitalize our urban neighbourhoods and business areas (s. 55_, Direction 1.4).

The London Plan provides direction to build a mixed-use compact city by:

- Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods (s. 59_, Key Direction 5.3);
- Plan for infill and intensification of various types and forms to take advantage of existing services and facilitate and to reduce our need to grow outward (s. 59_, Key Direction 5.4); and
- Manage outward growth through the use of an Urban Growth Boundary and by supporting infill and intensification in meaningful ways (Key Direction 5.8).

The London Plan provides direction to place a new emphasis on creating attractive mobility choices by:

- Link land use and transportation plans to ensure they are integrated and mutually supportive (s. 60_, Key Direction 6.4); and
- Dependent on context, require, promote, and encourage transit-oriented development forms (s. 60_, Key Direction 6.6).

The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Designing 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 (s. 61_ Key Direction 7.2).

The London Plan provides direction to make wise planning decisions by:

- Ensure that all planning decisions and municipal projects conform with the London Plan and are consistent with the Provincial Policy Statement (s. 62_, Key Direction 8.1); and
- Ensure new development is a good fit within the context of an existing neighbourhood (s. 62_, Key Direction 8.9).

The London Plan also includes a City Structure Plan that identifies the framework for growth and change over the planning horizon which establishes a clear hierarchy for development intensity inside the Urban Growth Boundary. It places a high level of importance on growing “inward and upward” (Policy 79_), while directing the most intensive forms of development to the Downtown, Transit Villages and at station locations along the Rapid Transit Corridors (Policy 86_*). Intensification is to occur in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit (Policy 83_*).

Within this City Structure, the subject site is located within the urban area (within Urban Growth Boundary and Built Area).

The subject site is located in the Neighbourhoods Place Type on *Map 1 – Place Types in The London Plan. The London Plan envisions neighbourhoods as vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Key elements include a strong neighbourhood character, sense of place and identity; attractive streetscapes and buildings; a diversity of housing choices; well-connected neighbourhoods; lots of safe, comfortable, convenient and attractive alternatives for mobility; easy access to daily goods and services within walking distance; employment opportunities close to where we live; and parks, pathways and recreational opportunities that strengthen community identity and serve as connectors and gathering places (Policy 916_*).

The standard range of permitted uses and heights in the Neighbourhoods Place Type is tied to the road network, allowing broader ranges of uses and taller buildings at the intersections of higher-order roads. As the site is located on a Neighbourhood Street, the lowest-order road classification in the City, permitted uses include single detached, semi-detached, duplex and converted dwellings, townhouses, secondary suites, home occupations and group homes, with a maximum height of 2.5 storeys (Policy 920_*, Tables 10* and 11*, Map 1 – Place Types* and Map 3 – Street Classifications*).

The Neighbourhoods Place Type contains specific policies for intensification, stressing its importance to achieving the vision and key directions of The London Plan and identifies a variety of forms of intensification including redevelopment – the removal of existing buildings in favour of one or more new buildings that house a greater number of dwelling units than what currently exists (Policy 939_*). Such intensification must be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality and sustainability (Policy 937_*). It is an important strategy of the Plan to support all forms of intensification, while ensuring that they are appropriately located and fit well within their neighbourhood (Policy 940_*). Policy 953_* of the Plan states that the City Design policies of the Plan will apply to all intensification proposals, along with additional urban design considerations for residential infill. These specific criteria will be reviewed in the analysis of this report.

The site is also located within the Near-Campus Neighbourhoods Specific Area Policy which provides a policy context for development in neighbourhoods that are in proximity to Western University and Fanshawe College (Policy 962_*). Near-Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents (Policy 964_*). Planning goals and review criteria for use, intensity and form are detailed which will be discussed in the analysis of this report.

1989 Official Plan

The City of London Official Plan outlines Council's objectives and provides policies regarding the short- and long-term physical development of the municipality. Comprehensively, the policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan relate primarily to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The Official Plan's Vision statement is an expression of City Council's intent for the long term planning and management of land use and growth in the City of London.

Furthermore, urban design objectives and guidelines are to be applied to assist in the protection and enhancement of neighbourhood and streetscape character, and provide for the blending of infill and redevelopment projects with their surroundings (Sections 2.2.1.v) and vi).

Planning principles that are further reflected in the objectives and policies of the Official Plan promote compatibility among land uses in terms of scale, intensity of use and related impacts; support the maintenance and enhancement of built heritage resources; encourage a compact urban form while directing redevelopment and intensification

activities to locations where existing land uses are not adversely affected; and promote site and building design which is sensitive to the scale and character of surrounding uses (Section 2.3.1.ii, iii), v), vi), vii) and viii).

The subject site is within the Low Density Residential designation which primarily permits low-rise and low density housing forms. The Low Density Residential designation permits single detached, semi-detached and duplex dwellings as the main uses. Multi-attached dwellings at densities similar to the area are permitted where appropriate. Low density development will not exceed an approximate net density of 30 units per hectare. Residential Intensification may also be permitted in the Low Density Residential designation Through intensification, a density of up to 75 units per hectare may be permitted. (Section 3.2.1, 3.3.2,3.2.3).

Residential Intensification proposals in the Low Density Residential designation are subject to a Neighbourhood Character Statement, a Statement of Compatibility and Public Site Plan Review and the site review criteria contained in Sections 3.2.3.5 and 19.9.2 of the Plan. (Sections 3.2.3.3, 3.2.3.4, 3.2.3.5)

The site is located within the Near-Campus Neighbourhoods Specific Area Policy which provides a policy context for development in neighbourhoods that are in proximity to Western University and Fanshawe College (Policy 962_*). Near-Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents (Policy 964_*). Planning goals and application review criteria for use, intensity and form are detailed which will be discussed in the analysis section of this report.

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Use

Provincial Policy Statement

The PPS 2020 states that “*Healthy, liveable and safe communities are sustained by... 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), employment (including industrial and commercial),...and other uses to meet long-term needs*” (1.1.1.b). It “...directs growth and development to settlement areas and encourages their regeneration.” (Policy 1.1.3.1). Also, it states that “*Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment*” (Policy 1.1.3.2 b)). Further the PPS directs planning authorities “...to identify appropriate locations and promote opportunities for transit-supportive development, accommodation a significant supply and range of housing options through intensification and redevelopment where this can be accommodated...” (Policy 1.1.3.3)

Council’s goal to achieve intensification through redevelopment is promoted through intensification policies in the 1989 Official Plan and London Plan as envisioned by the PPS. Furthermore, the Near Campus Neighbourhood policies in The London Place and the 1989 Official Plan provide additional evaluative framework for all planning applications within NCN. These policies promote opportunities for intensification through encouraging appropriate intensification that support the vision for these policies while discouraging inappropriate forms of intensification to protect the stability of established neighbourhoods. The NCN policies in both the 1989 Official Plan and The London Plan direct residential intensification to nodes and corridors and away from the interior of the low density residential neighbourhoods. Also, other low density areas of the NCN areas have been planned to support intensification through R2, and R3 zoning. Since Council has identified the areas where intensification will be supported, our policies are consistent with the PPS. The subject site is an older established

neighbourhood, designated and zoned low density residential to recognize the existing single detached dwelling and is not identified as an area for intensification in the proposed form of redevelopment in the Near Campus Neighbourhoods.

The London Plan

The London Plan encourages intensification where appropriately located and provided in a way that is sensitive to and a good fit within existing neighbourhoods (Policy 83_, 937_, and 953_1). The subject lands are located within the Neighbourhoods Place Type with frontage on a Neighbourhood Street, normally permitting a range of residential uses from single detached dwellings up to townhouse dwellings (*Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 1-storey and a maximum height 2.5-storeys is contemplated in the Neighbourhoods Place Type where a property has frontage on a Neighbourhood Street (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type).

Within the Neighbourhoods Place Type along a Neighbourhood Street, this may be a development that through the intensification policies could be appropriate. However, as noted, this site lies within a Near Campus Neighbourhood area and these intensification policies apply to protect the many areas that have already absorbed significant amounts of residential intensification. Therefore, in the NCN policies this type of intensification for redevelopment is directed to place types that are intended to allow for mid-rise and high-rise residential development which include the Transit Village, Rapid Transit Corridor, Urban Corridor, and Shopping Area Place Types. These policies promote intensification in these nodes and corridors, and discourage development proposals like this in the interior of the neighbourhoods. The proposed redevelopment is not appropriate and does not meet the policies in the London Plan for NCN for intensification.

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (Section 3.1.1 ii)). The subject lands are within the Low Density Residential designation which is applied to lands that are primarily developed or planned for low-rise, low density housing forms (Section 3.2.). Where appropriate, the designation permits some multiple-attached dwellings, such as row houses or cluster houses, subject to the policies of the 1989 Official Plan (Section 3.2.1.). Residential Intensification may be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the Residential Intensification policies and the Planning Impact Analysis policies (Section 3.2.3.), and will be considered in a range up to 75 units per hectare (Section 3.2.3.2.). Infill housing may be in the form of single detached dwellings, semi-detached dwellings, attached dwellings, cluster housing and low rise apartments (Section 3.2.3.2.). Notwithstanding the above, proposals for residential intensification within Near Campus Neighbourhood areas are subject to the area-specific policies applied to these areas to evaluate their appropriateness.

Near-Campus Neighbourhoods Policies

The planning and urban design goals set out in the Near Campus Neighbourhood (NCN) policies in The London Place (Policy 365_) and the 1989 Official Plan (Section 3.5.19.4.) are intended to serve as an additional evaluative framework for all planning applications within NCN. They include:

- Planning for residential intensification in a proactive, coordinated, and comprehensive fashion;
- Identifying strategic locations where residential intensification is appropriate within NCNs and which use strong transit connections to link these opportunities to campuses;
- Avoiding incremental changes in use, density, and intensity that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods;

- Encouraging a balanced mix of residential structure types at appropriate locations while preserving stable residential areas;
- Encouraging residential intensification in mid-rise and high-rise forms of development;
- Directing residential intensification to significant transportation nodes and corridors and away from interior neighbourhoods;
- Utilizing zoning to allow for residential intensification which is appropriate in form, size, scale, mass, density, and intensity;
- Ensuring that residential intensification projects incorporate urban design qualities that enhance streetscapes and contribute to the character of the neighbourhood while respecting the residential amenity of nearby properties.

Within the NCN, Residential Intensification may be permitted within low density residential neighbourhoods subject to the criteria listed under Policy 968_ in The London Plan and Section 3.5.19.10 in the 1989 Official Plan, including that:

- the development provides for adequate amenity area;
- mitigation measures are incorporated which ensure surrounding residential land uses are not negatively impacted;
- the proposal does not represent a site-specific amendment for a lot that is not unique within its context and does not have any special attributes;
- the proposal is appropriate in size and scale and does not represent over-intensification of the site; and
- the proposal establishes a positive and appropriate example for similar locations in the NCN areas.

Policy 969_ further discourages forms of intensification within NCNs that:

- are inconsistent with uses and intensity shown in Tables 10 to 12 of The London Plan;
- are within neighbourhoods that have already absorbed significant amounts of residential intensification and/or residential intensity;
- are located on inadequately sized lots that do not reasonably accommodate the use, intensity or form of the proposed use;
- contain built forms that are not consistent in scale and character with the neighbourhood;
- continue an ad-hoc and incremental trend towards residential intensification within a given street, block or neighbourhood.

Similar to the London Plan, applications for residential intensification are evaluated against the applicable policies in the 1989 Official Plan. In other areas of the City, these policies would apply and the redevelopment may be supported. However, because this site is in the Near Campus Neighbourhood area, the NCN policies in the 1989 Official Plan apply which identify and promote specific areas for opportunities for intensification. Outlined in these policies the goals encourage appropriate intensification to create balanced neighbourhoods that preserve stable low density residential neighbourhoods. Also, the policies provide the opportunity for intensification in areas located along arterial roads in the Multi-Family Medium and High Density Residential designations. The types and locations of intensification are identified in the policies and any proposal that may undermine the long-term stability and established vision for Near-Campus Neighbourhoods is discouraged. This ensures the stability of the interior of low density areas with the NCN are protected from ad hoc intensification and the character of these areas is maintained.

The proposal for redevelopment deviates from the NCN policies that provide for a more sensitive approach to intensification. The proposed redevelopment is not an appropriate form of residential intensification within the NCN being located within the interior of an existing low density neighbourhood. This proposal does not meet the policies of the 1989 Official Plan policies and does not represent good planning.

4.2 Intensity and Form

Provincial Policy Statement

The PPS states that *land use patterns within settlement areas are to provide for appropriate densities and opportunities for intensification and redevelopment (1.1.3.2)*. Also, the PPS 2020 requires municipalities to *identify appropriate locations and promote redevelopment, taking into account existing building stock (s.1.1.3.3), is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4), and speaks to creating a system of nodes and corridors to direct intensification which are transit supportive (s. 1.8.1)*.

The City of London has identified appropriate locations and promoted opportunities for intensification and redevelopment through Official Plan policies that establish a hierarchy within the Urban Growth Boundary for residential intensification, and redevelopment where it can be accommodated. Appropriate development standards to facilitate intensification, redevelopment and compact form include consideration for the potential impacts of scale and intensity within existing neighbourhoods. The proposed redevelopment represents an intensification and form of redevelopment that does not support the policies outlined in the Near Campus Neighbourhood which in turn do not support the province's goal for appropriate compact, higher density form, and long-term economic property that encourages a sense of place by promoting a well-designed built form within the existing NCN. This proposal is not consistent with the PPS.

The London Plan

The City Structure Plan provides a framework for London's growth and change over the next 20 years. It informs the other policies of the Plan by illustrating the desired future shape of our city within 5 frameworks including the growth framework. One of the elements of the growth framework includes the policies for the Urban Growth Boundary and intensification within this area. The London Plan places an emphasis on growing "inward and upward" to achieve a compact form of development. (Policy 79_). Residential intensification will play a large role in achieving the City's goals for growing "inward and upward" and take many forms, including redevelopment, at a higher than existing density, on developed lands. (Policy 80_). Intensification will be permitted only in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit (Policy 83_*). The intensity of development must be appropriate to the neighbourhood context as it relates to height, massing, setbacks etc. (Policy 953_2), as well as appropriate for the size of the lot, and accommodate such things as adequate parking in appropriate locations, landscaped open space, outdoor residential amenity area etc. (Policy 953_3). More detailed policy direction for appropriate forms of intensification is contained in the City Building and relevant Place Type chapters of the Plan, along with the policies in the Our Tools part of the Plan (Policy 83_*). The London Plan controls how intense lands can develop through specific criteria and a height framework, however, it does not limit densities of development by Place Type. The subject site is located within the Neighbourhoods Place Type fronting onto a Neighbourhood Street, the land use classification that normally provides for the lowest intensity of residential development. As mentioned, The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (*Policy 83_, *Policy 937_, *Policy 939_ 2. and 5., and *Policy 953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (Policy 84_).

Low-rise, low density residential uses in the form of single detached dwellings built in the 1950's-60's are the dominant forms of development in the surrounding neighbourhood. The existing lot fabric in the surrounding area can also be characterized as relatively large lots with significant lot depths. Based on the policies mentioned above with emphasis on the Our Tools policies that direct decision makers to evaluate a development proposal against the existing context as well as the future context envisioned by policy, and a review of the Evaluation Criteria for Planning and Development Applications, the site is not conducive to this level of intensification and form. This proposal, although conforms to the height policy in the London Plan, introduces a new form of a development within the existing context which does not have

any special attributes or is not unique within the context of the area to warrant the proposed redevelopment with the form and intensity. The requested redevelopment is not an inappropriate level of intensification within the Neighbourhoods Place Type, and Near Campus Neighbourhoods.

1989 Official Plan

The 1989 Official Plan directs this type of low-density residential development to areas with densities similar to the area where appropriate. As mentioned, Residential Intensification may also be permitted in the Low Density Residential designation through an amendment to the Zoning By-law, subject to the Residential Intensification and a Planning Impact Analysis. This analysis is to be used to evaluate the appropriateness of a proposed change in land use and is located in Appendix B. Through intensification, a density of up to 75 units per hectare may be permitted. (Section 3.2.1, 3.3.2,3.2.3).

The surrounding neighbourhood can be characterized by low-rise, low density residential uses in the form of single detached dwellings, which are located on relatively large lots with significant depth and mature vegetation. The subject lands are approximately 0.2 ha in size with a lot frontage of 33m and lot depth of 67m, the lands south the of subject lands front onto Oxford Street East, a major transit route along Oxford Street which connects directly to Fanshawe College with bus stops in close proximity. Also, Fanshawe College is approximately a 15-minute walking distance from these properties.

That being said, the proposed redevelopment located within the Near Campus Neighbourhood is not appropriate. With the subject site being located within clear boundaries of a low density residential neighbourhood in the Near Campus Neighbourhood area, surrounded by single detached dwellings, it is clear that the intent of the subject site is as such, to develop within the R1-6 Zone applied to the site.



Figure 8 - Proposed redevelopment within the context of the neighbourhood

The proposed redevelopment would introduce undesirable changes in the character and amenity of the streetscapes and neighbourhood. Also, as mentioned, the proposal does not represent an amendment for the subject site that is unique within its context and does not have any special attributes which would warrant a site-specific amendment. The proposed intensity and form will adversely impact the surrounding low density residential neighbourhood and streetscape along Wethered Street. Additionally, the

redevelopment for the proposed two-storey, 8 unit townhouse building represents an over-intensification of the site. Many areas have already absorbed significant amounts of intensification for student housing. It is important to ensure that any proposed developments do not undermine the visions of the NCN and that the policies of the NCN be adhered to which direct a type of proposal like this away from stable low density residential neighbourhoods and encourage intensification in medium and high density forms.

Furthermore, the proposed site concept does not demonstrate compatibility with the character of the area. Residential intensification projects shall use innovative and creative urban design techniques to ensure that the character and compatibility with the surrounding neighbourhood is maintained. Based on the above analysis, the proposed redevelopment would not provide an improvement to the visual characteristic of the of the area, particularly the streetscape. The proposal is not appropriate and does not ensure that the character of the surrounding area would be maintained. Also, the policies do not identify lands that are intended for a transition between any future development along Oxford Street East to the surrounding low density residential neighbourhood. Any future applications along Oxford Street East will be analyzed on a site-specific basis. The proposed redevelopment would not serve as a positive development within this area of the NCN.

A rezoning to permit the requested redevelopment within close proximity to Fanshawe College within the Near Campus Neighbourhood area with the proposed intensity and form is not appropriate and is not good planning. The proposed redevelopment should be directed to the specific areas for intensification as outlined in the Near Campus Neighbourhood Policies.

4.3 Zoning By-law

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal. For this application, the criteria has been reviewed and the proposal is not appropriate for the subject site.

Also, it is important to note staff's concern that an ad-hoc Zoning By-law amendment on the subject site could set precedence for the approval of increased intensity on other lands in low rise, low density areas. Since other properties fronting onto Wethered Street have the same lot characteristics as the subject site, an amendment could establish a benchmark and create a level of expectation upon which other requests for amendments may be based, making it difficult to refuse an application which is not in keeping with the intent of the Near Campus Neighbourhood policies, the Residential R1 (R1-6) Zone, and the locations Council has specifically identified where intensity will be directed.

Given the proposed intensity and form within the Low Density Residential designation and that there is nothing unique about the subject site, the proposed redevelopment is not appropriate and does not conform to the 1989 Official Plan and The London Plan policies.

5.0 Conclusion

The Provincial Policy Statement, 2020 (PPS) directs opportunity for intensification through identification and promotion. In the Near Campus Neighbourhoods, Council has identified and promoted intensification, and is very specific in directing these proposals to nodes and corridors as outlined in the London Plan. The proposed redevelopment is not within these areas and is not appropriate

The recommended amendment does not conform to The London Plan policies that do not contemplate this form of Residential Intensification in the Neighbourhoods Place Type on Neighbourhood Streets within the Near Campus Neighbourhood Area. The recommended amendment does not conform to the 1989 Official Plan that do not contemplate ad hoc Residential Intensification in the Low Density Residential designation in the form of multiple-attached dwellings as it is not appropriate or good planning.

The requested amendment is not consistent with the Residential Intensification policies of The London Plan and the 1989 Official Plan which direct intensification to ensure that character and compatibility with the surrounding neighbourhood is maintained and provides appropriate development standards to regulate the form of Residential intensification and assist in minimizing or mitigating potential adverse impacts for adjacent land uses.

The requested amendment is not consistent with the Near-Campus Neighbourhoods policies in The London Plan and the 1989 Official Plan which encourage intensification in medium and high density forms and discourage continued intensification in low density forms of housing. As indicated in the report, the subject lands are not unique within its context and a site-specific amendment for Residential Intensification at this location is not reasonable, and does not serve as a positive and appropriate example within the NCN areas.

Prepared by: Alanna Riley, MCIP, RPP
Senior Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A – Public Engagement

Community Engagement

Public liaison: On February 10, 2021, Notice of Application was sent to surrounding property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 10, 2021. A “Planning Application” sign was also posted on the site.

Replies from 15 individuals were received

Nature of Liaison:

Requested Zoning By-law Amendment

To change the zoning from a Residential R1 (R1-6) Zone to a Residential R5 Special Provision (R5-4(_)) Zone. Changes to the currently permitted land uses and development regulations are summarized below The Zoning By-law is available at london.ca.

Current Zoning

Zone: Residential R1 (R1-6) Zone

Permitted Uses: a single detached dwelling

Special Provision(s): n/a

Residential Density: minimum lot frontage – 15.0 metres; minimum lot area – 450 sq. metres

Height: 10.5 metres

Requested Zoning

Zone: Residential R5 Special Provision (R5-4(_)) Zone

Permitted Uses: Cluster townhouse dwellings and cluster stacked townhouse dwellings

Special Provision(s): minimum front yard depth of 5.0 metres in place of 6.0 metres

Residential Density: 40 units per hectare

Height: 12.0 metres

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

Concern for:

The public’s concerns generally included:

- Intensity
 - Traffic volume and safety issues
 - Noise issues resulting from an increased amount of traffic and number of people
 - On-street parking, garbage
 - Privacy and overlook
- Form
 - Ignores the single-family home characteristics of the neighbourhood
 - Decay of the neighbourhood
 - Encroachment into the neighbourhood
- Student Housing
 - The proposal will contribute to a pre-existing imbalance of student to non-student population in the neighbourhood
 - Neighbourhood is underpopulated in the summer which isolates long-term residents, creates social problems such as squatters, criminal activity, and hurts local businesses
 - Purpose-designed student housing is not diverting students from single family homes as some students prefer the lack of behavioural regulation of this form of housing
- Loss of property value

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

I am inquiring about File: Z-9309 - 16 Wethered St and the proposed zoning change.

Would you please provide details about the builder? When this is proposed to start and when a hearing will be for this proposal?

I had called on Friday and left a voicemail regarding this file and am expecting to hear back from you early this week. I recognize Monday is a holiday, but I had called first thing on Friday morning.

Thanks so much,

Marjorie Leyland

I am hoping to acquire further information on the current planning application at 16 Wethered Street, with the hope that the implications and concerns therein can be considered when reviewing the application. My family and I reside at 1171 Dobie Street, immediately east of the property under review. Below is a list of our questions at this time.

1. Will the proposed units be freehold townhouses? Having individual ownership is an important factor in ensuring the occupants of the units have the pride of place needed to retain integrity in the property, but as well, the neighbourhood as a whole.
2. Will garbage be collected at the curb of each individual unit, or in communal dumpsters? Once again, having individual ownership in combination with individual garbage collection will encourage individual accountability and eliminate the issues of sights, sounds, and smells associated with communal waste storage bins and/or dumpsters.
3. The site plan included in the notice does not indicate fencing. However, the rendering illustrated that which appears to be a standard 6' tall privacy fence. A full fence wrapping the entire property will be important to maintain privacy, as well as reduce the likelihood of people cutting through the back of the property to reach Dobie Street.

I am looking forward to hearing back from you with any information and insight that you can provide.

All the best,

Enrique Banuelos

Hello my names Roberto Voivoda. 1166 Dobie street. I have multiple concerns about 16 wethered street rezoning and the notice of planning. As I live right next door to the proposed new zoning and build, we feel that it will make an unsafe area for my family and kids. First is a lengthy build period, interrupting my family's day to day life, kids learning, study time and safe outdoor play in our yard. Also electric outages, water stoppage, sewer, and other unforeseen events. Not to mention the dust, garbage, noise, smells, workers being able to look into our home, and backyard playing area for my kids. As they deserve there safe space on our property to play and grow up. Next is the proposed build itself, being 2 story's there will be 8 units with visibility from window directly into our home, and safe place backyard where we enjoy our time with our kids. As my wife has anxiety issues, logged issue at my daughter's school of a stalker in the area. There are concerns of noise, cleanliness, "privacy violations", and being a townhouse complex encroaching on small family homes. Also this is complex there will be a garbage dumpster according to law, as the proposed building images show and the land images there would only be a few area to place the garbage area, towards our home front yard corner or the neighbour's back yard, bringing in pests, animals, people and more. Also considering there are many family's of young

kids, and elderly in this area, we worry of students aswell, improper behavior, loud noises late at night, garbage, trespassing on properties for short cuts across lawns and damages to properties.

Our largest concerns is my kids and wife well being and safety. We feel this proposal will be non beneficial to the area, not just in safety of the people living here, Canadian privacy issues and our rights, our children's safety and health, and property values as this area has been zoned for a long time as single family homes and dwelling. We ask that this proposal be stopped and unable to continue. Also that the land be rezone to its original status for single family residence.

We humbly ask to be kept up to date on all decisions on this proposal.

Sincerely,

ROBERTO VOIVODA

I am writing to advise that I am against the zoning change to 16 Wethered Street, to permit the building of an 8-unit, 2- storey townhouse.

I live on Bucke Street, which is very close to the proposed building site. Over the past 30 years of living here, I have seen an ever increasing decay in the neighbourhood, due primarily to the presence of rental units. Of the thirty odd residential buildings on Bucke Street, I estimate that currently at least ten of them are rented to students and other individuals. Currently, on my right, two houses away, the residence is rented; the two houses on my left are both rented and the house behind me is rented.

We do not need an 8 unit townhouse in the area. I am afraid this will just further speed up the decay of the area.

I believe the area should be single family residences, lived in by families that care about the area and take care of their properties.

The City is also negligent in looking after the area. We were to get new sewers and our street redone five or six years ago. This has now been put on hold. All of the streets around us have been upgraded, but our street is the same as it was back in 1960.

I do not want a rental townhouse building in my area. Once one is built, I am afraid others will follow.

Thanks and regards, Derwin Lamont

I talked to a few home owner, and they all oppose the change to the zoning, like me, i will also talk to the Ward Councillor Jesse Helmer. **WE DO NOT NEED MORE CONGESTION IN TRAFFIC, AND GARBAGE ON THE STREET. GIVE THE ENVIRONMENT PRIORITY.** Please register my letter against the BY-Law Amendmente change.
Domenico Piovoso

We are concerned about the proposed amendment for 16 Wethered Street. The proposed zoning change to an eight-unit, two-storey townhouse is what we and many of our neighbours are opposed to. We live in a pleasant neighbourhood and have a wonderful community. One of the concerns is adding all these houses will cause many extra vehicles to be parked on the nearby streets. Our desire is to keep and maintain the desirability and quiet community we have here in Mervin Heights.

Please do not change the zoning for 16 Wethered Street. Please do not let them build and overcrowd our neighbourhood.

Thank you,

Rik and Christina Kool

Our neighbourhood does not need a two story walkup, please do not rezone, we have enough unruly students living in the area already affecting property values.
Jim Hilliard

The lack of visitor parking in the proposed application will result in additional people parking on the street south of 16 Wethered.

I would like more visible "no parking" signage on the east side of Wethered just south of 16 Wethered St. The existing signage is not sufficient and there are often vehicles parked in the "no parking" area. The increased number residences and visitors of the new residents increases the likelihood of parking in the "no parking" area.

Zach

I do not wish to see a change in the current Zoning bylaw (Residential R1 (R1-6)). I also realize that the lot size of 16 Wethered St. is large but as the neighbourhood is all single family homes, a 8 unit two storey townhome would not fit the area profile. I would not object to two or perhaps three single family dwellings on that lot. There are many homes in our neighbourhood with fairly large lot sizes, so I would not want to set a precedent with the approval of this project.

Thank-You
Paul Rooks

I have received and entirely examined the Notice of Planning Application (File: Z-9309) pertaining to the address: 16 Wethered Street.

I also would like to introduce myself as Jordan Hough, owner of 99 Oakside Street for the past seven plus years as of now. I am quite enthused in receiving this notice as our property at 99 Oakside went through a similar, though, not as ambitious project in the respective neighbourhood. I have been elated these past few years to see many planning applications and the complete process of infill within and around our neighbourhood.

I would like to be included throughout this process inclusive of any committee meetings etc. The best way to contact myself would be through e-mail: jordan@jocarpentry.ca

Thank you for your time,

Jordan

I saw the sign went up at this address to say they want to turn it into a 8 unit apartment.

I would object to this proposal as all the homes in this area are single family homes and does not fit with the rest of the neighborhood. Also with 8 units there will be an increased traffic flow to this area too, which is not good for the area as this way is the main way to a major road. Also this is a school bus route and having more traffic along this route will impact that as well. Lastly with the increased number of people on such a small property will result in more street parking and more people on the road.

I would approve a single family home like all the properties in this area. Anything other than that will affect the lively hood of all people in the area.

Thanks,
Wayne

I am writing you this morning as we only found out this morning of this plan of zone change. I am very disappointed that you think this is not a decision that everyone on the street should have been notified of.

My husband and I would like to express that we do not agree with these changes and will be notifying the rest of our neighbours, as many will have the same views.

I hope a decision has not already been finalized and if so that it was NOT approved.

Thank you for taking the time to read this and to pass along to all who need to read.

Hello all,

I, Roberto Voivoda, and my wife Moo Ching Chang, are writing this email again, opposing 16 Wethered Street zoning amendment to allow an eight-unit, two-storey townhouse complex from being built.

It took us a lot of effort, tens of failed housing bidding wars, more than 3 years to finally get a house, a quieter environment for our very young kids to live and grow in due to the rapidly climbing housing market in London since 2016 when our first baby was born. We have moved to 1166 Dobie Street (which is right beside the proposed rezoning house) since August 01, 2020, less than a year, only 6 months, and we have received the letter from London City about the notice of planning application, we were very sad to see the news because we knew if there is eight-unit, two storey townhouse being built right next to our house, our backyard, us and our kids' safety and privacy will be fading away.

Firstly, we are very concerned about our kids (boy - 2 years old and girl - 4 years old) safety and privacy. According to the plan, the eight-units will have visibility from first and second storey windows directly into our home, our daughter's room, son's room, our kitchen and adjacent rooms and our backyard. We won't feel comfortable or safe to let our kids play in our backyard.

Secondly, thirdly and ongoing concerns are repeatedly from our 1st complaint email.

We humbly ask this eight-unit, two-storey townhouse proposal of 16 Wethered Street be stopped, and remain its original status for single family residence.

Thank you.

Sincerely,

ROBERTO VOIVODA

Agency/Departmental Comments

Urban Design Peer Review Panel (March 17, 2021)

The Panel recommends that significant further exploration of design alternatives and site design modifications occur. The submitted materials fail to address a range of key urban design considerations against which the proposed development should be evaluated. It is difficult to discern, based on the limitations of the submitted materials, how the unique context of this site has informed the proposed development with regard to issues such as access points, front yard setback, building depth, and building orientation.

Recommendations:

The panel recommends further consideration of the following elements of the site and building design by the Applicant and City Staff:

Zoning Approach:

- The Applicant's materials and presentation emphasized a desire toward "limiting" exceptions to the proposed Residential (R5-4) base zone.
- It is unclear if the proposed R5 zone variation and the applicable zone standards were created to apply in this context. Infill zoning, as per the current City of London Official Plan (3.2.3) and The London Plan requires a site-specific approach which considers the unique context of each site. The Panel cautions that the R5-4 zone regulations predate both of these guiding policy frameworks and may not be appropriate as an evaluative tool for new townhouse development on this site. Best-practices from municipalities in Ontario where similar forms of infill are allowed "as-of-right" contain contextually based regulations to ensure fit across many situations. London's Neighbourhood Infill Zoning Regulations – Rear Yard Setback:

- The application materials do not address the City's regulations for Low-Rise Residential Development in the Primary Transit Area (Section 4.23) which were introduced in 2017 to manage and direct infill development in London's established neighbourhoods.
- Notably, the proposed form of development extends the entirety of the depth of this lot, well-beyond the 60% threshold codified through the city's infill zoning rules.
- The City and Applicant should clarify the extent to which these regulations should inform the proposed zoning by-law amendment. Failure to address/speak to the intent and applicability of those infill zoning rules would establish a strong precedent for future deep lot infill.
- A compelling rationale should be required by the City for an Applicant to extend beyond the 60% lot depth - or the City should seek to clarify the applicability of this regulation for future UDPRP review.

Front Yard Setback

- New development on this site should respect the existing street-wall that is established by existing dwellings to the north.
- In this regard, the proposed building extends beyond the established front yard setback and the rear yard of the westerly dwelling unit extends well into the front yard of the adjacent single detached dwelling creating an awkward spatial relationship.

Building Orientation

- The proposed street-facing door and "porch" feature is poorly executed and will ultimately undermine the established character of Wethered Street in this location.
- It is recommended that, at least, two of the proposed units be reoriented to face Wethered Street. Architectural and landscape design should serve to reinforce these units as true, street-facing units.
- The style, massing, articulation and detailing should be carefully considered and composed such that the development complements and integrates with the existing building forms to the north.

North Setback

- Further consideration and analysis should be undertaken for opportunities to create greater spatial separation between the proposed building and the adjacent

rear yard to the north. Consider shifting the building south and further integrating parking into garages to enable this.

Overlook Mitigation

- The architectural design should consider and implement architectural features including enhanced window projections, step-backs and sills that focus views outward and not downward into adjacent rear yards.
- This UDPRP review is based on City planning and urban design policy/regulations, the submitted brief, and the noted presentation. It is intended to inform the ongoing planning and design process. It is unclear how the site context has informed the design outcome with respect to front yard setbacks and building orientation. The materials do not have regard for the 60% lot depth maximum established in section 4.23 of the Zoning By-law. Significant further review is recommended to ensure an appropriate design outcome on this site and to establish clarity around interpretation of Section 4.23, anticipating that various similar infill proposals that will be submitted to the City in the future.

Responses to the Urban Design Peer Review Panel

Comment:

Zoning Approach:

- The Applicant's materials and presentation emphasized a desire toward "limiting" exceptions to the proposed Residential (R5-4) base zone.
- It is unclear if the proposed R5 zone variation and the applicable zone standards were created to apply in this context. Infill zoning, as per the current City of London Official Plan (3.2.3) and The London Plan requires a site-specific approach which considers the unique context of each site. The Panel cautions that the R5-4 zone regulations predate both of these guiding policy frameworks and may not be appropriate as an evaluative tool for new townhouse development on this site. Best-practices from municipalities in Ontario where similar forms of infill are allowed "as-of-right" contain contextually based regulations to ensure fit across many situations.

Applicant Response:

The R5 zone and its variations have recently been applied to a number of similar infill projects with similar building orientations. The R5 zone regulations are indeed intended to be a standard implementing zone for this type of intensification in appropriate locations. The intent to limit special regulations speaks to applying appropriate and established standards for infill projects. There is no "as-of-right" zone or zoning regulations to permit the vast majority of redevelopment proposals in the City of London. The current Zoning By-Law Amendment application allows for ample review of the specific proposal.

Comment:

London's Neighbourhood Infill Zoning Regulations – Rear Yard Setback:

- The application materials do not address the City's regulations for Low-Rise Residential Development in the Primary Transit Area (Section 4.23) which were introduced in 2017 to manage and direct infill development in London's established neighbourhoods. Notably, the proposed form of development extends the entirety of the depth of this lot, well-beyond the 60% threshold codified through the city's infill zoning rules.
- The City and Applicant should clarify the extent to which these regulations should inform the proposed zoning by-law amendment. Failure to address/speak to the intent and applicability of those infill zoning rules would establish a strong precedent for future deep lot infill.
- A compelling rationale should be required by the City for an Applicant to extend beyond the 60% lot depth - or the City should seek to clarify the applicability of this regulation for future UDPRP review.

Applicant Response:

Section 4.23 only applies to the R1, R2, and R3 zones and therefore does not apply to the proposed R5 zone. Section 4.23 is not regarded as an evaluation tool for the proposed ZBA, rather we look to the Official Plan for guiding policies regarding appropriate lot coverage and depth. The comment regarding “the 60% threshold codified through the City’s infill zoning rules” is misinformed as, again, the section in question does not apply to the proposed R5 zone. As we have maintained in our submission materials, the proposed zone is intended to be reflective of an area of transition between the future 4-6 storey redevelopment opportunities to the south and the existing residential neighbourhood to the north.

Comment:

Front Yard Setback

- New development on this site should respect the existing street-wall that is established by existing dwellings to the north.
- In this regard, the proposed building extends beyond the established front yard setback and the rear yard of the westerly dwelling unit extends well into the front yard of the adjacent single detached dwelling creating an awkward spatial relationship

Applicant Response:

There is no street wall established to the south of the subject lands; the proposed townhouse building would be the first building north of Oxford Street fronting onto the east side of Wethered Street. The building extends marginally in front of the dwelling to the north. There are opportunities to move the building back if this is a significant concern.

Comment:

Building Orientation

- The proposed street-facing door and “porch” feature is poorly executed and will ultimately undermine the established character of Wethered Street in this location.
- It is recommended that, at least, two of the proposed units be reoriented to face Wethered Street. Architectural and landscape design should serve to reinforce these units as true, street-facing units.

The style, massing, articulation, and detailing should be carefully considered and composed such that the development complements and integrates with the existing building forms to the north

Applicant Response:

A revised front elevation will be provided, emphasizing the west (street-facing) elevation.

Comment:

North Setback

Further consideration and analysis should be undertaken for opportunities to create greater spatial separation between the proposed building and the adjacent rear yard to the north. Consider shifting the building south and further integrating parking into garages to enable this

Applicant Response:

The proposed 6.0m northerly setback is consistent with established standards for this type of intensification project. There is no opportunity to increase this setback without reducing the depth of the building or width of the driveway. There is no additional opportunity to integrate parking into the building as doing so would reduce the number of parking spaces per unit down to 1, which would not comply with the

parking requirements in the zoning by-law.

Comment:

Overlook Mitigation

The architectural design should consider and implement architectural features including enhanced window projections, step-backs and sills that focus views outward and not downward into adjacent rear yards

Applicant Response:

The proposed two-storey building is consistent with the range of building heights in the area. Opportunities for visual screening are available, including landscaping with columnar trees. We are in receipt of comments from the landowner to the north indicating a preference for the rear of the units to face north, rather than south. The mitigation measures suggested by panel members would provide a costly and poorly functioning second storey. Such step backs may be appropriate for a taller building, but are not appropriate for a two-storey townhouse.

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

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 b)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 59_2., 4., and 5. Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_5. Our Strategy, Key Directions, Direction # 7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 66_ Our City, Planning for Growth and Change

Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification

*Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 256_City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 259_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

*Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

*Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

*Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

*Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

Official Plan (1989)

General Objectives for All Residential Designations

3.1.1 ii)

3.2.3.2 – Residential Intensification, Density and Form

3.2.3.4 – Compatibility of Proposed Residential Intensification Development

Low Density Residential Designation

3.3 - Preamble

3.3.1 - Permitted Uses

3.3.2 - Scale of Development

3.3.3 - Residential Intensification

3.7 - Planning Impact Analysis

3.7.2 – Scope of Planning Impact Analysis

3.7.3 - Required Information

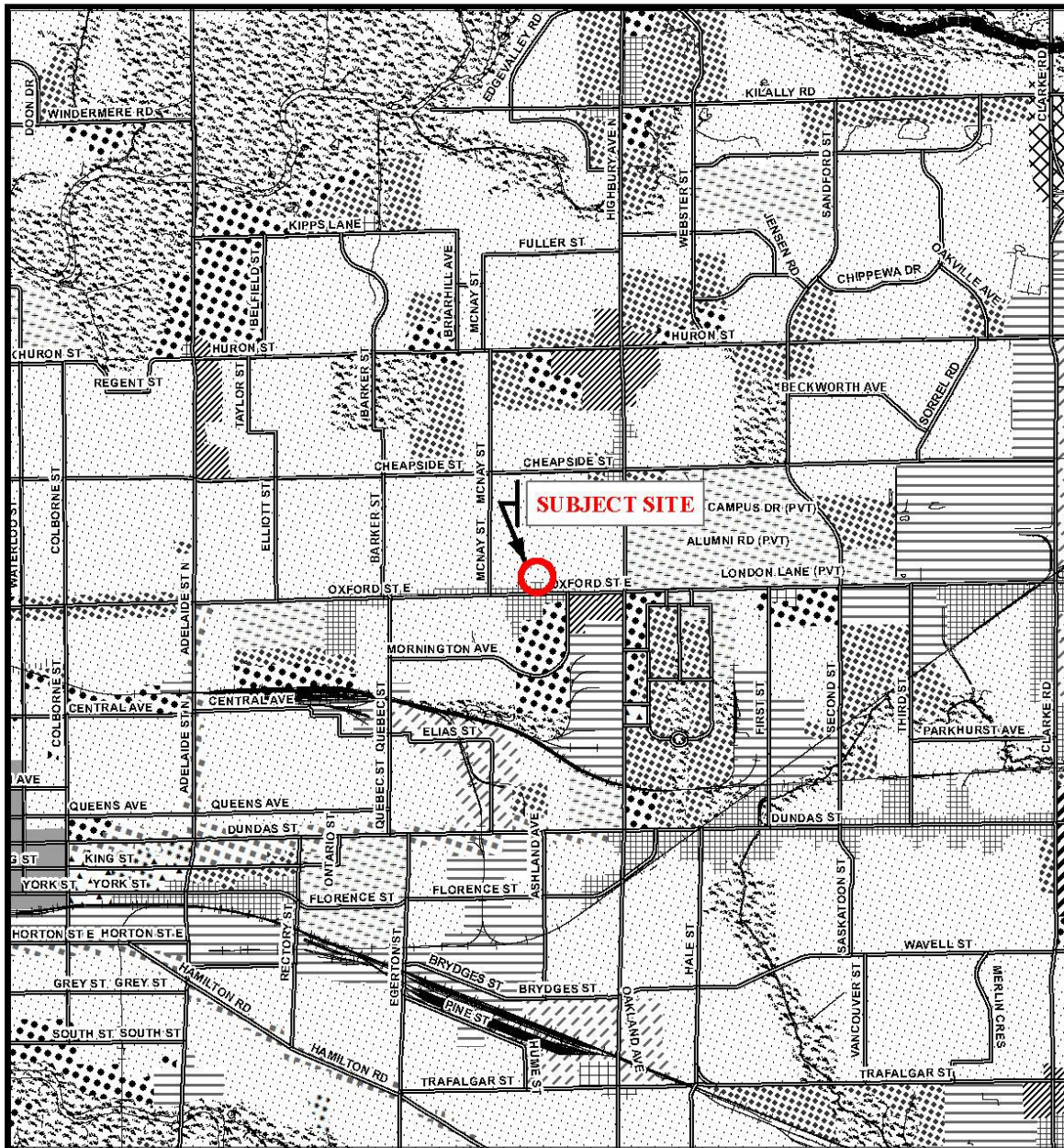
3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The subject site consists of a rectangular shaped parcel currently occupied by a single detached dwelling. This site is located within the interior of a low density residential neighbourhood comprised mainly of single detached dwellings to the north, west and east and a converted dwelling to the south. The single detached dwellings which front onto Wethered Street are setback from 6 to 8 metres, have landscaped front yards with driveways leading to garages, along both sides of the streetscape. Many mature trees are also located along the streetscape with a public sidewalk on the east side of Wethered Street. The proposed two-storey, 8 unit townhouse would introduce a new form of housing in the area. Along with this new form, the proposed building has the rear units interfacing with the side and rear yards of the abutting properties. As a result, this does not demonstrate a redevelopment that would be compatible with the character of the area and is not recommended as it would lead to undesirable changes in the character and amenity of the streetscape and surrounding area.
The size and shape of the parcel of land on which a proposal is to be located, and	The subject lands are of sufficient size to support the proposed development,

<p>the ability of the site to accommodate the intensity of the proposed use;</p>	<p>including sufficient setbacks, parking, outdoor amenity space, and pedestrian circulation. However, a front yard setback reduction has been requested as part of the redevelopment. Also, as mentioned the building is proposed to be side lotted onto Wethered Street, with the rear yards of each unit setback 6.0m interfacing with the interior side yard and rear yard of the property to the north. A driveway is proposed along the north interior sideyard of the subject site interfacing with the dwelling to the south.</p>
<p>The supply of vacant land in the area which is already designated and/or zoned for the proposed use;</p>	<p>The abutting lands to the north, south, east and west are residential uses. The lands to the south are zoned Residential and permit some intensification through conversion or redevelopment. At the intersection of Oxford Street and Highbury Ave., on the south east corner is expected to experience new residential development through the London Psychiatric Hospital Secondary Plan.</p>
<p>The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;</p>	<p>The subject site is located close to many small neighbourhood parks including Krupp Park, Mornington Park, Flanders Park, and Huron Heights Park. Also Sir John A Macdonald Elementary school is a few blocks to the north . Access to transit is less than a block away on Oxford Street east with direct access to Fanshawe College to the east, downtown to the west along with connections to many community and recreational facilities.</p>
<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>The proposed development is not proposing any affordable housing.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The scale/height of the proposed two-storey, 8 unit townhouse development could create impacts on the two adjacent properties to the north and south as the front yard and rear yard would interface onto these two properties interior and rear side yards. Impacts on these adjacent properties could include overlook and privacy, light penetration, noise and exhaust fumes from cars entering the development.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>Within the development area, landscaping and screening opportunities through vegetation would be considered at the Site Plan Approval stage.</p>

<p>The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Vehicular access is proposed to be located on the south side of the subject lands. Transportation Planning and Design was circulated on the planning application and development proposal. The driveway location and design can further be addressed at the site plan approval stage.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>At the site plan stage, attention should be paid to: reconfiguring the site plan to include a row of street oriented townhouses with garages located in the rear in order to establish a street edge that is oriented to the street and provides for an active edge along the Wethered Street frontage, and also provides for a side yard interface between the proposed townhouses and the existing single detached dwellings to the north.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>The subject lands are not located within proximity of a Natural Heritage System.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>The site does not contain any constraints posed by the environment.</p>
<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is not consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law will be considered through any future application for Site Plan Approval.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Tree planting, building massing treatments and fencing are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>No impacts on the transportation system, including transit, are anticipated as a result of the requested zoning.</p>

Appendix C – Relevant Background

Additional Maps 1989 Official Plan Schedule A – Land Use

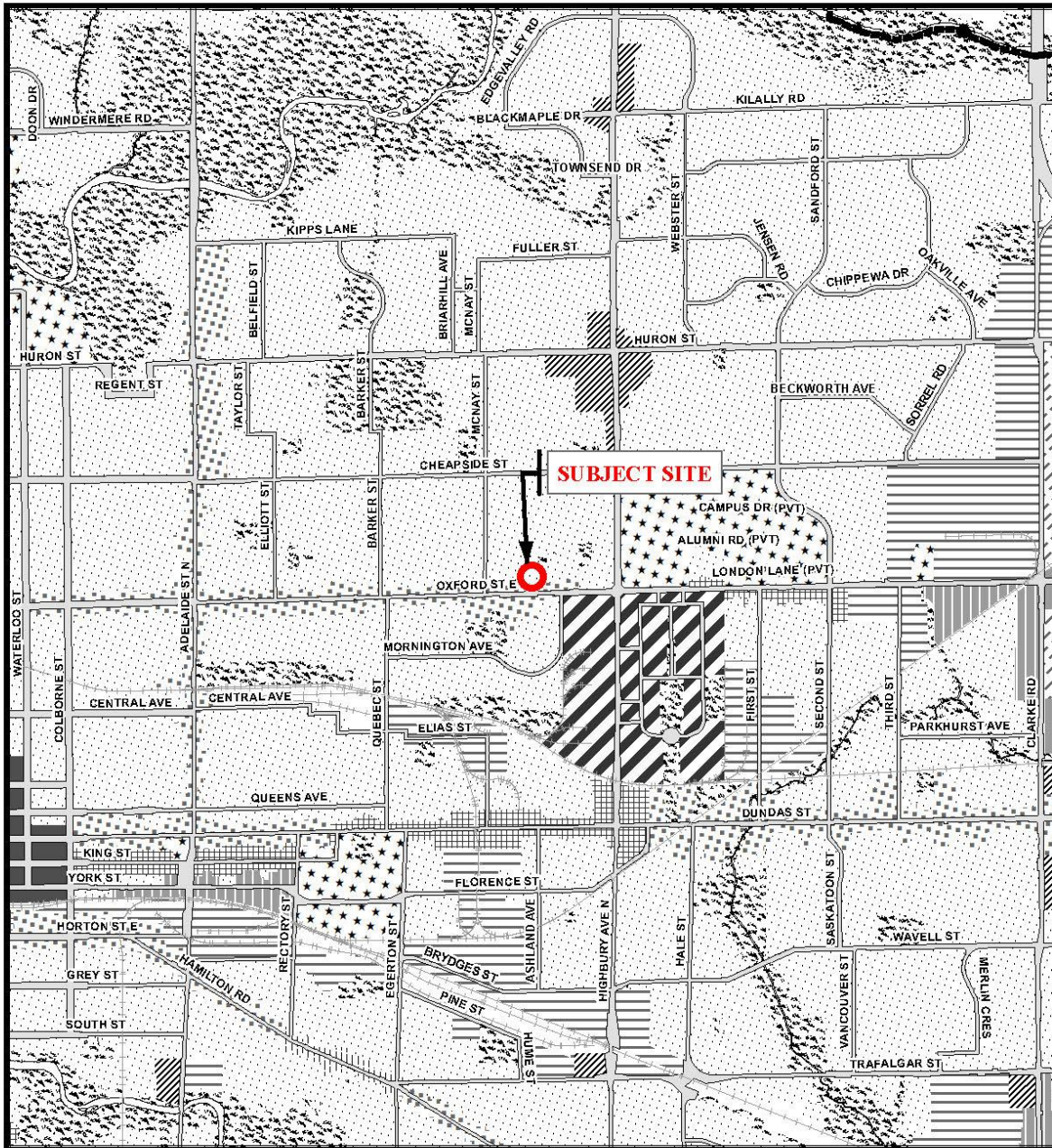


Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented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




















<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	 <p>Scale 1:30,000</p> <p>0 150 300 450 600 750 900 1,200 1,500</p> <p>Meters</p>	<p>FILE NUMBER: Z-9309</p> <p>PLANNER: AR</p> <p>TECHNICIAN: RC</p> <p>DATE: 2021/05/05</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\cons\ol00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

The London Plan Map 1 – Place Types



Legend

 Downtown	 Future Community Growth	 Environmental Review
 Transit Village	 Heavy Industrial	 Farmland
 Shopping Area	 Light Industrial	 Rural Neighbourhood
 Rapid Transit Corridor	 Future Industrial Growth	 Waste Management Resource Recovery Area
 Urban Corridor	 Commercial Industrial	 Urban Growth Boundary
 Main Street	 Institutional	
 Neighbourhood	 Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

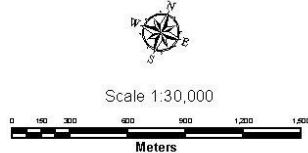
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-9309

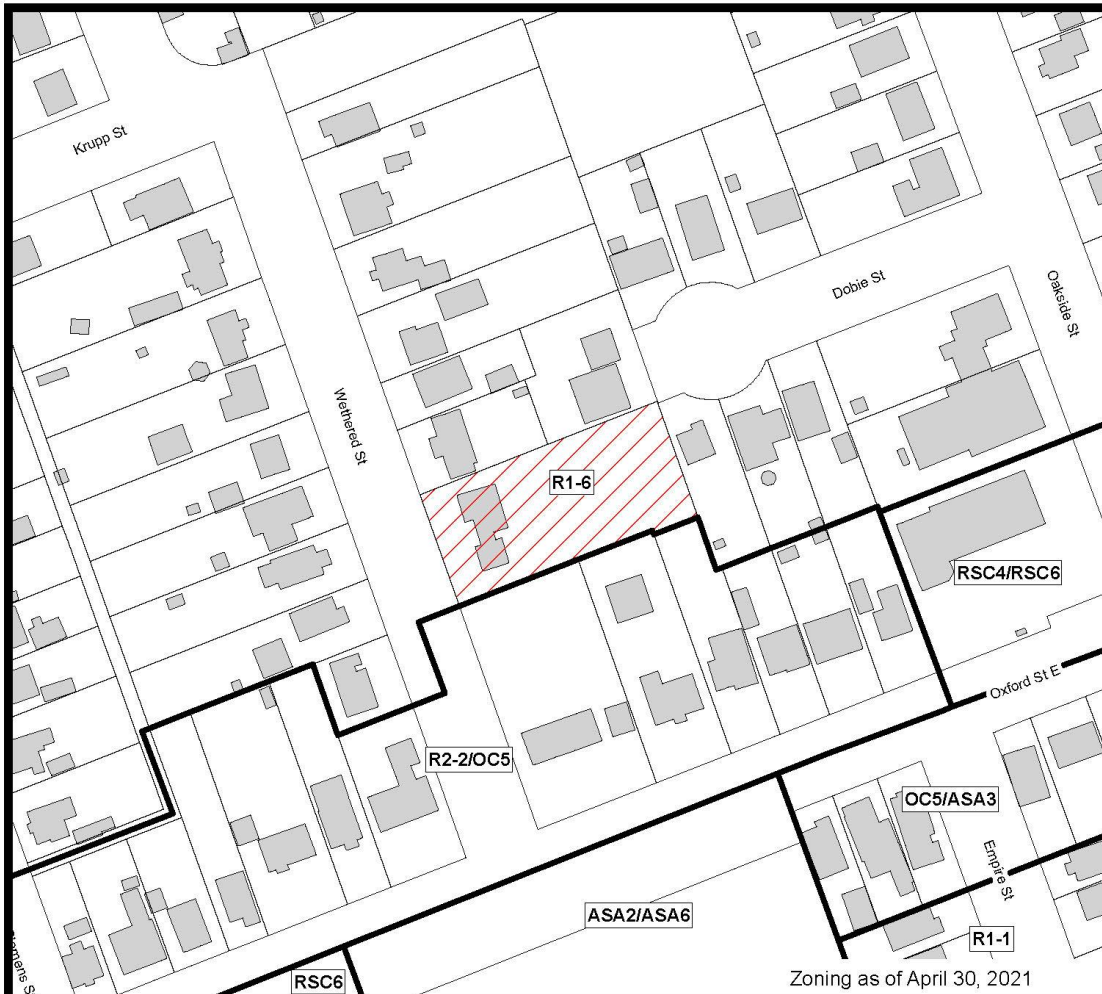
Planner: AR

Technician: RC

Date: May 5, 2021

Project Location: E:\Planning\Projects\p_officialplan\work\consolid\00\excerpts_LondonPlan\mxdslZ-9309-Map1-PlaceTypes.mxd

Zoning By-law Z-1



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:
Z-9309 AR

MAP PREPARED:
2021/05/05 RC

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Meters



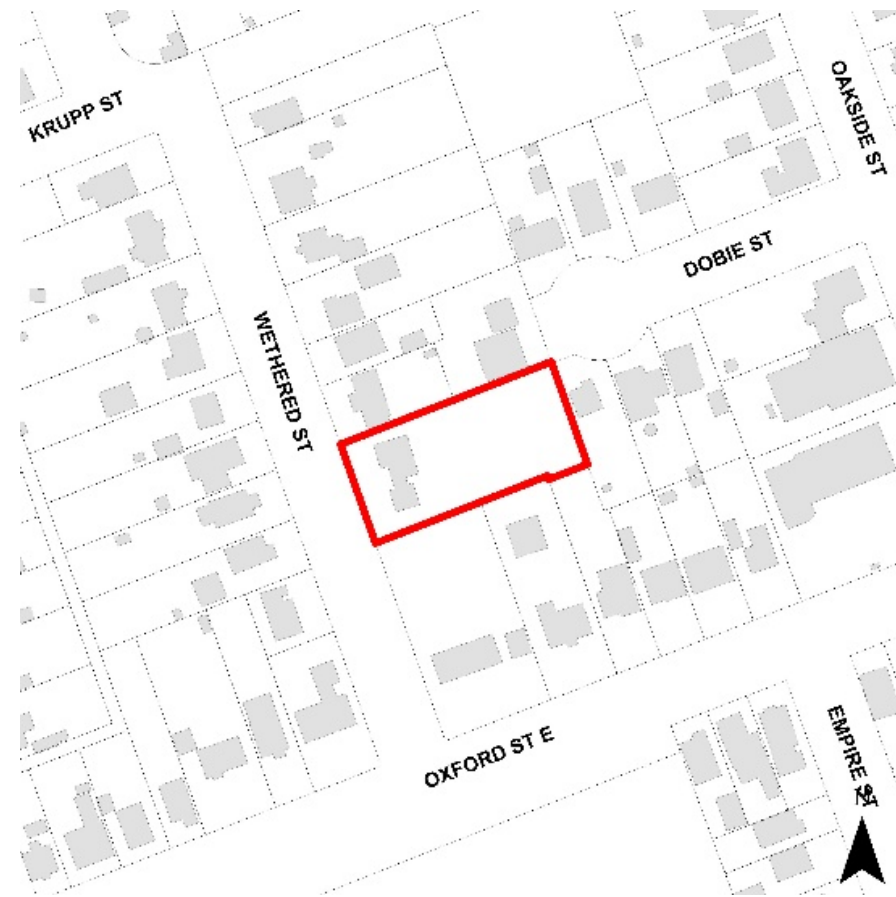
London
CANADA

Z-9309: 16 Wethered Street



City of London
May 31, 2021

Subject Site





Property at a Glance

The London Plan

- Neighbourhood

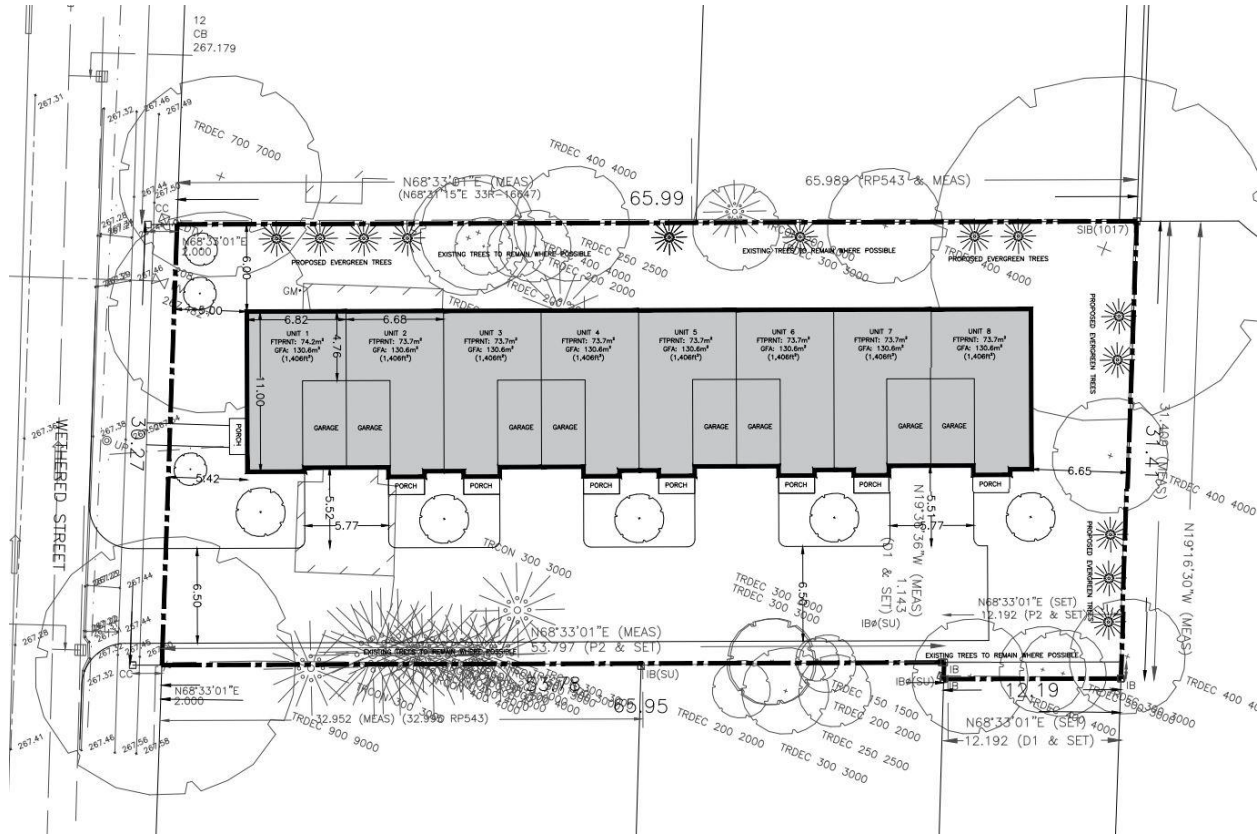
1989 Official Plan

- Low Density Residential

Zoning By-law Z.-1

- Residential R1 (R1-6)

Proposed Development



Site Concept

Proposed Development



Proposed redevelopment within the context of the neighbourhood

Proposed Development



Front view from Wethered Street looking northeast

Proposed Development



Front view from Wethered Street looking southeast

Provincial Policy Statement

- Intensification through redevelopment is promoted through intensification policies in the 1989 Official Plan and London Plan as envisioned by the PPS
- The Near Campus Neighbourhood policies in The London Place and the 1989 Official Plan provide additional evaluative framework for all planning applications within NCN
- The NCN policies in both the 1989 Official Plan and The London Plan direct residential intensification to nodes and corridors and away from the interior of the low density residential neighbourhoods
- The subject site is an older established neighbourhood, designated and zoned low density residential to recognize the existing single detached dwelling and is not identified as an area for intensification in the proposed form of redevelopment in the Near Campus Neighbourhoods.



The London Plan/1989 Official Plan

Use

The London Plan

- The London Plan encourages intensification where appropriately located and provided in a way that is sensitive to and a good fit within existing neighbourhoods (Policy 83_, 937_, and 953_1).
- Within the Neighbourhoods Place Type along a Neighbourhood Street, this may be a development that through the intensification policies could be appropriate. However, as noted, this site lies within a Near Campus Neighbourhood area and these intensification policies apply to protect the many areas that have already absorbed significant amounts of residential intensification.
- The proposed redevelopment is not appropriate and does not meet the policies in the London Plan for NCN for intensification.



The London Plan/1989 Official Plan

Use

1989 Official Plan

- The subject lands are within the Low Density Residential designation which is applied to lands that are primarily developed or planned for low-rise, low density housing forms (Section 3.2.). Where appropriate, the designation permits some multiple-attached dwellings
- Proposals for residential intensification within Near Campus Neighbourhood areas are subject to the area-specific policies applied to these areas to evaluate their appropriateness.
- Near-Campus Neighbourhoods Policies
- The planning and urban design goals set out in the Near Campus Neighbourhood (NCN) policies in The London Place (Policy 365_) and the 1989 Official Plan (Section 3.5.19.4.) are intended to serve as an additional evaluative framework for all planning applications within NCN.
- Within the NCN, Residential Intensification may be permitted within low density residential neighbourhoods subject to the criteria listed under Policy 968_ in The London Plan and Section 3.5.19.10 in the 1989 Official Plan



The London Plan/1989 Official Plan

Use

- Policy 969_ further discourages forms of intensification within NCN with criteria
- Similar to the London Plan, applications for residential intensification are evaluated against the applicable policies in the 1989 Official Plan. In other areas of the City, these policies would apply and the redevelopment may be supported. However, because this site is in the Near Campus Neighbourhood area, the NCN policies in the 1989 Official Plan apply which identify and promote specific areas for opportunities for intensification.
- these policies the goals encourage appropriate intensification to create balanced neighbourhoods that preserve stable low density residential neighbourhoods.
- The proposal for redevelopment deviates from the NCN policies that provide for a more sensitive approach to intensification. The proposed redevelopment is not an appropriate form of residential intensification within the NCN being located within the interior of an existing low density neighbourhood. This proposal does not meet the policies of the 1989 Official Plan policies and does not represent good planning.



The London Plan/1989 Official Plan

Intensity and Form

The London Plan

- The subject site is located within the Neighbourhoods Place Type fronting onto a Neighbourhood Street, the land use classification that normally provides for the lowest intensity of residential development. As mentioned, The London Plan contemplates intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods
- Low-rise, low density residential uses in the form of single detached dwellings built in the 1950's-60's are the dominant forms of development in the surrounding neighbourhood. The existing lot fabric in the surrounding area can also be characterized as relatively large lots with significant lot depths
- This proposal, although conforms to the height policy in the London Plan, introduces a new form of a development within the existing context which does not have any special attributes or is not unique within the context of the area to warrant the proposed redevelopment with the form and intensity. The requested redevelopment is not an inappropriate level of intensification within the Neighbourhoods Place Type, and Near Campus Neighbourhoods.



The London Plan/1989 Official Plan

Intensity and Form

1989 Official Plan

- The surrounding neighbourhood can be characterized by low-rise, low density residential uses in the form of single detached dwellings, which are located on relatively large lots with significant depth and mature vegetation
- That being said, the proposed redevelopment located within the Near Campus Neighbourhood is not appropriate. With the subject site being located within clear boundaries of a low density residential neighbourhood in the Near Campus Neighbourhood area, surrounded by single detached dwellings, it is clear that the intent of the subject site is as such, to develop within the R1-6 Zone applied to the site.
- The proposed redevelopment would introduce undesirable changes in the character and amenity of the streetscapes and neighbourhood. Also, as mentioned, the proposal does not represent an amendment for the subject site that is unique within its context and does not have any special attributes which would warrant a site-specific amendment. The proposed intensity and form will adversely impact the surrounding low density residential neighbourhood and streetscape along Wethered Street.

Recommendation

Recommendation for Refusal

1. The Provincial Policy Statement, 2020 (PPS) directs opportunity for intensification through identification and promotion. In the Near Campus Neighbourhoods, Council has identified and promoted intensification, and is very specific in directing these proposals to nodes and corridors as outlined in the London Plan. The proposed redevelopment is not within these areas and is not appropriate;
2. The proposed rezoning to permit the requested redevelopment does not conform to the in-force policies of the 1989 Official Plan;
3. The proposed rezoning to permit the requested redevelopment does not conform to the in-force policies of The London Plan;
4. The proposed rezoning to permit the requested redevelopment within close proximity to Fanshawe College within the Near Campus Neighbourhood area with the proposed intensity and form is not appropriate and is not good planning;
5. The proposed redevelopment should be directed to the specific areas for intensification as outlined in the Near Campus Neighbourhood Policies;
6. The proposed redevelopment is not appropriate and does not ensure that the character and compatibility with the surrounding neighbourhood is maintained; and
7. The subject site does not have any special attributes or is not unique within the context of the area to warrant the proposed redevelopment with the form and intensity.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: George Kotsifas, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: Demolition Request for Garage on Heritage Designated
Property at 325 Victoria Street by D. Lee and E. Van den Steen
Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the request to demolish the garage on the heritage designated property at 325 Victoria Street **BE PERMITTED**, and the Chief Building Official **BE ADVISED** of Municipal Council's intention in this matter.

Executive Summary

Summary of Request

325 Victoria Street 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 garage 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 allow the demolition of the garage. The effect of the recommended action will allow the construction of a new garage in an alternative location on the property and a proposal for a new rear addition.

Rationale of Recommended Action

The garage at 325 Victoria Street is not recognized in the designating by-law as a heritage attribute.

Linkage to the Corporate Strategic Plan

Approval of the requested demolition of the garage at 325 Victoria Street enables the continual adaptation of the property which 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.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

March 25, 2021 — Report to Committee of Adjustment PPM – 325 Victoria Street (A.014/21).

1.2 Property Location

325 Victoria Street is located on the south side of Victoria Street between Waterloo Street and Renwick Avenue in London, Ontario [Appendix A]. Located on the property is a primary residence along with a detached garage positioned towards the rear at the eastern side of the residence at the end of a relatively narrow driveway. Staff undertook a site visit of the property on April 22, 2021.

1.3 Cultural Heritage Status

325 Victoria Street was designated in 1992 (July 6, 1992) under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3147-192 [Appendix C].

1.4 Description

The existing primary residence located at 325 Victoria Street dates from 1930 and is a 2 ½- storey, stucco-clad and brick building [Appendix B]. The building is an example of period revival styles being used in the first half of the twentieth century – and in this instance, reflecting the Tudor Revival style suggesting medieval precedents, using twentieth-century materials. Key features include half timbering, steeply pitched gables on the street facing façade, and the use of small decorative wood purlins at the eaves and end gables. The entranceway is highly detailed with four wood piers and beam which give the entrance an appropriately heavy appearance. Decorative herringbone brickwork is found over the front entrance. There is a 1-storey contemporary addition that extends across the rear of the building. The detached (one-car) garage on the property appears to be original and also reflects Tudor Revival styling details in the use of brick and stucco-cladding and half timbering detailing. A small canopy appears to have been added over the door opening. There is some deterioration of wood sills and wall joists noted.

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

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_).

Further, the reasons for designation and identified attributes of a heritage designated property shall not be adversely affected.

Finally, 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*. (Policy 587)

2.1.4 Designating By-Law – 325 Victoria Street (No. L.S.P.-3147-192)

325 Victoria Street was designated in 1992 under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3147-192. The by-law describes the cultural heritage value or interest of the property and reasons for its designation as follows [Appendix C]:

"325 Victoria Street is an example of period revival styles of the first half of the twentieth century. This is an example of Tudor revival built in the 1930s in North London, though here the variant is larger and more complicated than most of the tract housing built at the time. The most prominent features are the application of half-timbering, steeply pitched gable roofs, groupings of narrow windows and herringbone brickwork over the front entrance; these are allusions to medieval precedents, using twentieth century materials. Four wood piers and a beam give the front entrance an appropriately heavy appearance. The windows are the original six over six panes with wood storms. Small decorative wood purlins enliven the eaves and the end gables. A small terrace can be seen along the front facade. The original roof material has been replaced."

The detached garage on the property is not mentioned as a heritage attributed in the designating by-law.

2.2 Planning History

The request to demolish the existing garage is a component of a proposal for a new, rear (south) 1-storey addition with attached garage (to the west of the new addition). The existing driveway is also to be relocated from the existing location on the east side of the property, to the west side of the property. The existing, one-floor addition at the rear (south of the property) will be removed.

A recent minor variance application (A.014-21) was submitted and approved (March 25, 2021) to allow for a decrease in the number of parking spaces, and an increase in the Gross Floor Area (GFA) and Floor Area Ratio (FAR). Heritage Alteration Permit (HAP)

approval will be required prior to the issuance of a building permit for the addition (w/relocated garage). The proponent has already consulted with the Development Services Heritage Planner regarding the HAP application and process.

2.2.1 Demolition Request

A request to demolish the existing garage on the property at 325 Victoria Street was submitted by the current property owners and was formally received by heritage planning staff on April 6, 2021. 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 July 5, 2021. In accordance with Section 34(2) of the *Ontario Heritage Act*, the London Advisory Committee on Heritage (LACH) is being consulted at its meeting on May 12, 2021, and it is anticipated that LACH will have a recommendation available to present at the May 31, 2021 meeting of the Planning & Environment Committee. A decision by Municipal Council is expected at the June 15, 2021 meeting. The 90-day statutory time frame for council decision will have been satisfied.

2.2.2 Consultation

Pursuant to Council Policy for demolition on heritage designated properties, notification of the demolition request will be sent to 88 property owners within 120m of 325 Victoria Street, 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 May 13, 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 May 31, 2021 PPM of the Planning and Environment Committee.

2.2.2.1 London Advisory Committee on Heritage (LACH)

At its meeting on May 12, 2021, the London Advisory Committee on Heritage (LACH) supported DS-heritage planning staff's recommendation that the demolition of the detached garage on the property at 325 Victoria Street be permitted.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

The PPS directs that significant built heritage resources be conserved (Section 2.6.1). Further, the London Plan states that attributes of a heritage designated property shall not be adversely affected through alteration, removal or demolition (Policy 587). The detached garage on the property at 325 Victoria Street is not mentioned or identified as a heritage attribute in the designating by-law (L.S.P.-3147-192), and therefore does not contribute to the cultural heritage value or interest of the property. Its demolition will not adversely affect the cultural heritage value or interest of the property.

Conclusion

The detached garage at 325 Victoria Street is not identified as a heritage attribute in the designating by-law (L.S.P.-3147-192) and as such its demolition will not adversely affect the property's cultural heritage value or interest and reasons for its designation. It is recommended by staff that the request to demolish the detached garage at 325 Victoria Street be allowed to proceed.

Prepared by: Laura E. Dent, M.Arch PhD MCIP RPP
Heritage Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P.Eng.
Deputy City Manager, Planning and Economic
Development

May 21, 2021
LED/

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Appendices

Appendix A Maps
Appendix B Images
Appendix C Heritage Designating By-law (325 Victoria Street)

Sources

City of London. By-law No. L.S.P. -3147-192. A by-law to designate 325 Victoria Street to be of cultural heritage value or interest. London, ON: Author.

City of London. (2020, December 8). *Register of cultural heritage resources*. London, ON: Author.

Corporation of the City of London. n.d. Property files: 325 Victoria Street.

Corporation of the City of London. (2016, consolidated 2019, Nov 13). *The London plan*. London, ON: Author.

Ontario Heritage Act, (2019, c. 9, Sched. 11). Retrieved from e-Laws website
<https://www.ontario.ca/laws/statute/90o18>

Ministry of Municipal Affairs and Housing. (2020). *Provincial policy statement, 2020*. Ontario: Queen's Printer for Ontario.

Appendix A – Subject Property



Figure 1: Location Map identifying the property at 325 Victoria Street

Appendix B – Images



Image 1: Façade of residence at 325 Victoria Street, north elevation (April 22, 2021)



Image 2: Front-side view of detached garage, north-west elevations (April 22, 2021)



Image 3: Side view of detached garage, west elevation (April 22, 2021)



Image 4: Rear view of residence and detached garage, south elevations (April 22, 2021)



Image 5: Interior view of detached garage showing degradation of wood sill and wall studs (April 22, 2021)

Appendix C – Designating By-law for 325 Victoria Street

Bill No. 279
1992

By-law No. L.S.P.-3147-192

A by-law to designate 325 Victoria Street to be of architectural value.

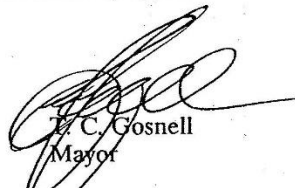
WHEREAS pursuant to The Ontario Heritage Act, R.S.O. 1990, c. 0.18, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of historic or architectural value or interest;

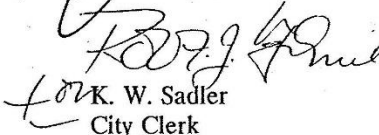
AND WHEREAS notice of intention to so designate the property known as has been duly published and served and no notice of objection to such designation has been received;

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

1. There is designated as being of architectural value or interest, the real property at 325 Victoria Street, more particularly described in Schedule "A" hereto, for the reasons set out in Schedule "B" 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 Foundation and to cause notice of this by-law to be published in the London Free Press, and to enter the description of the aforesaid property, the name and address of its registered owner, and short reasons for its designation in the Register of all properties designated under The Ontario Heritage Act, R.S.O. 1990.
4. This by-law comes into force on the day it is passed.

PASSED in Open Council on July 6, 1992.


W. C. Gosnell
Mayor


K. W. Sadler
City Clerk

First reading - July 6, 1992
Second reading - July 6, 1992
Third reading - July 6, 1992

SCHEDULE "A"

To By-law No. L.S.P.-3147-192

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of London, in the County of Middlesex, and being composed of parts of Lots Numbers 29 and 30 on the East side of Renwick Avenue according to Registered Plan 245 which may be more particularly described as follows:

COMMENCING at the Northeast angle of said Lot Number 30;

THENCE Southerly along the Easterly limit of said Lots Numbers 30 and 29 One Hundred and Thirty-One Feet six inches more or less to a point distant Sixty-eight Feet Northerly from the Southeasterly angle of Lot Number 28 according to Registered Plan Number 245;

THENCE Westerly parallel to the Northerly limit of said Lot Number 28 Seventy-five feet;

THENCE Northerly parallel to the Easterly limit of said Lots Numbers 29 and 30 One Hundred and Thirty-one feet six inches to the Northerly limit of Lot Number 30;

THENCE Easterly along the Northerly limit of Lot number 30, Seventy-five feet to the place of beginning.

SCHEDULE "B"

To By-law No. L.S.P.-3147-192

325 Victoria Street is an example of period revival styles of the first half of the twentieth century. This is an example of tudor revival built in the 1930s in North London, though here the variant is larger and more complicated than most of the tract housing built at the time. The most prominent features are the application of half-timbering, steeply pitched gable roofs, groupings of narrow windows and herringbone brickwork over the front entrance; these are allusions to medieval precedents, using twentieth century materials. Four wood piers and a beam give the front entrance an appropriately heavy appearance. The windows are the original six over six panes with wood storms. Small decorative wood purlins enliven the eaves and the end gables. A small terrace can be seen along the front facade. The original roof material has been replaced.

From: cathy egerton
Sent: Monday, May 24, 2021 11:05 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] 325 Victoria Street

To whom it may concern

I support the request of the owners' of 325 Victoria St. to remove the existing garage. The garage at 325 Victoria St. is not an important nor noticeable part of the neighbourhood. I think renovation plans for 325 Victoria St. (including the removal of the existing garage) will enhance the streetscape of the neighbourhood.

It is very obvious when you go by the property there is a need for this renovation. It is important to keep the our homes in good condition. I appreciate their enthusiasm to want to preserve this home.

Catherine Egerton
315 Victoria street

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic Development

Subject: 135 Villagewalk Boulevard
2560334 Ontario Limited c/o York Developments
Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2560334 Ontario Limited relating to the property located at 135 Villagewalk Blvd:

- (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 2 commercial pads in the southeast corner of the subject lands and associated accesses; 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 commercial building pad for a total of 2369 sq. m. of commercial floor space at the corner of Richmond Street and Sunningdale Road. The site is to be developed with municipal services, and access from Villagewalk Boulevard, Sunningdale Road East and Richmond Street. 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 generally conforms to the policies of the Shopping Area Place Type and all other applicable policies of The London Plan.
3. The proposed Site Plan generally conforms to the policies of the Community Commercial Node designation, applicable through the Official Plan (1989).
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 are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- November 20, 2006 - Report to Planning Committee – Sunningdale North Area Plan – Report recommending the amendment and adoption of the Sunningdale North Area Plan as a guideline document under Section 19.2.2 of the Official Plan.
- June 17, 2008 - Report to the Planning Committee – Northwest Corner of Richmond Street and Sunningdale Road (39T-04513/Z-6842) - Report recommending approval of a draft plan of subdivision and Zoning By-law amendment for the future development of lands located on the west side of Richmond Street, north side of Sunningdale Road.

1.2 Property Description

The subject lands are located at the northwest corner of Richmond Street and Sunningdale Road, bounded by Villagewalk Boulevard as it curves east to the north. The subject lands are 5.9 hectares in size and currently free of buildings or structures. The lands slope to the north towards the creek (tributary to Medway creek) on the opposite side of Villagewalk Blvd. The site contains a single bank of trees midway along the Richmond Street frontage. Adjacent properties are largely undeveloped; however, a park, townhouse and office development exist across Villagewalk Blvd to the west and on the opposite corner of the Richmond and Sunningdale intersection is a large lot single-detached subdivision (Uplands).

Through this application the portion of the subject lands under review is limited to the southeast corner of the site and required accesses to that portion.

1.3 Current Planning Information (See Appendix ‘C’)

- The London Plan Place Type – Shopping Area
- Official Plan (1989) Designation – Community Commercial Node
- Existing Zoning – Business District Commercial (h-5 *h-99*BDC(25))

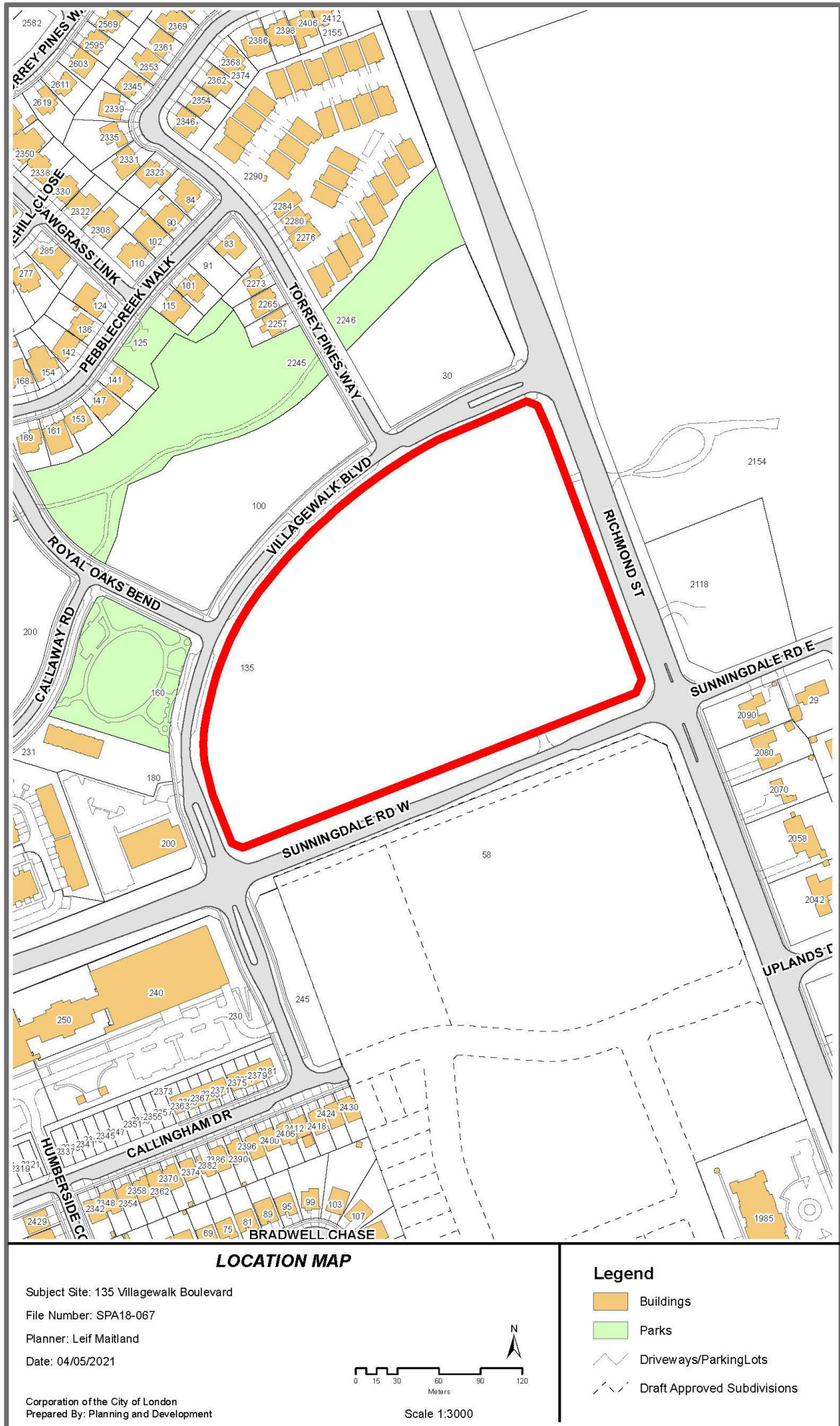
1.4 Site Characteristics

- Current Land Use – vacant
- Frontage – 223 m
- Depth – 317m
- Area – 5.9 ha (59,365 m²)
- Shape – Irregular

1.5 Surrounding Land Uses

- North – Vacant – Zoned for apartment buildings
- East – Vacant – Zoned Urban Reserve and for a 123 unit apartment building
- South – Vacant – Zoned for shopping are and townhouses
- West – City park, townhouses and vacant zoned for office and townhousing.

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The development for consideration is 2369 sq. m. of commercial space in the southeast corner of the property at 135 Villagewalk Boulevard. The complete site is 5.9 ha; however, the entirety of the site is not subject to review through this proposal. The site plan (provided in appendix A) shows the entirety of the site depicted through hatching, and the portion currently under review (unhatched).

The portion of the subject lands currently under review consists of two commercial pads, containing a total of fourteen commercial units. The buildings are oriented north south with parking provided in between the buildings. Pedestrian access from the exterior of the development is provide through the middle of the buildings via a walkway connecting to the Sunningdale access to the west and Richmond Street to the east.

Vehicular and pedestrian access is proposed from Richmond, Sunningdale and Villagewalk Blvd. The Villagewalk Blvd access includes both vehicular and pedestrian paths of travel as well as landscaping and is to be the east-west spine of the final development (when the portion of the site beyond that currently under review is developed). The southern access to Sunningdale is full access providing for left and right turns out for vehicles and includes the standard pedestrian paths of travel.

Parking is provided in excess of the minimum requirements 125 vehicular parking spaces (in excess of the 119 required), 6 barrier-free (in excess of the 5 required) and 55 short-term bicycle spaces (in excess of the 9 required) are provided. A significant portion of the bicycle parking is included along the east-west spine in anticipation of the future development; however, a sufficient number of spaces are provided adjacent to the proposed building to meet the requirements of the Site Plan Control By-law for the development subject to this review. The Upper Richmond Village Urban Design Guidelines pair with the Site Plan Control By-law to require planted islands to break-up the parking expanse and these are provided in the proposed development.

The proposed elevations show entrances on three of four-sides for both buildings. Materials identified on the proposed elevations include slate coloured brick, white granada stone, grey stucco and cinderblock. The financial institution at the southeast corner has requested distinct architectural elements and these can be seen in the elevations provided.

Detailed plans of the development are contained in Appendix 'A' of this report.

2.2 Planning History

The subject property was established through a plan of subdivision, file no. 39T-04513. The subject lands at 135 Villagewalk Boulevard were re-zoned from Urban Reserve to Business District Commercial through the plan of subdivision process.

The Upper Richmond Village Urban Design Guidelines were prepared in October 2006 to provide guidance for the main street form of Villagewalk Boulevard. These guidelines apply to the entire property in addition to other lands in the Sunningdale North Area.

The zoning of the subject lands came into effect on June 23, 2008, and the subdivision was draft approved on July 4, 2008. The site specific zone, BDC(25), contains special provisions relating to uses, setback and use sizes.

The Sunningdale North Area Plan was adopted in November 2008 which identified the area as a mixed-use area accommodated through the BDC zone in place, which allows for residential uses in combination with commercial and office uses.

Site Plan Control Application

On May 18, 2017, Development Services received a request for site plan consultation for the subject lands. On June 19, 2018, the subject application of this report, being a Site Plan Control Application (file no. SPA18-067) for the subject lands was received by the City of London. Conditional approval was issued on July 12, 2018

2.3 Community Engagement (see more detail in Appendix B)

On May 13, 2021 Notice of Application and Public meeting was sent to 267 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 13, 2021. No replies received prior to completion of this report.

2.4 Policy Context

The Official Plan (1989)

Within the Official Plan (1989) the site is designated Community Commercial Node although additional policies are provided for the specific site. The Official Plan (1989) Commercial Policies for the site speak specifically to the Sunningdale North Area Plan, stating: "The scale and form of development within this Community Commercial node will not be guided by policies within the Community Commercial Node designation."

Sunningdale North Area Plan

The policies of the Sunningdale North Area Plan provide significant detail on the phases of the site not subject to the application under review. Relating specifically to the development is the need for strong high-quality pedestrian linkages through the node. High quality landscaping and architectural distinct elements are also encouraged through the plan, as it notes the gateway location of the site. Applicable policies of the Sunningdale North Area Plan are implemented through the proposed development, demonstrating conformity with the Official Plan, 1989.

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 Shopping Area Place Type of The London Plan, and is surrounded by a Main Street (Villagewalk Blvd) a Civic Boulevard (Sunningdale Road) and an Urban Thoroughfare (Richmond Street).

The subject property is subject to the Sunningdale North Policies (899*-900*). Policy 900 is relevant guiding that:

Retail uses will not exceed 16,000m² and individual office uses will be 5,000m² or less and will not exceed 10,000m² in total floor space for the entire land area within the Shopping Area Place Type and the adjacent Main Street Place Type.

More general policies of the Shopping Area Place Type direct that Shopping Areas are nodal (achieved by locating all neighbourhood commercial on this single site), pedestrian oriented (supported by the spine included in phase 1 and for the future development), and able to accommodate phased changes in intensity including potential residential (demonstrated through the phased approach taken and the site layout). Taking the above into consideration, the development is considered to be in conformity with The London Plan.

Z.-1 Zoning By-law

The current zone applicable to the site is a holding Business District Commercial (h-5*h-99*BDC(25)) Zone. The broad range of permitted uses includes: Apartment buildings, with any or all of the other permitted uses on the first floor; Assembly halls; Bake shops; Clinics; Commercial parking structures/and or lots; Commercial recreation establishments; Convenience service establishments; Day care centres; Duplicating shops; Financial institutions; Institutions; Medical/dental offices; Offices; Patient testing centre laboratories; Personal service establishments; Private clubs; Restaurants; Retail stores; Service and repair establishments; Studios; Supermarkets; Taverns; Video rental establishments; Brewing on premises establishments; Cinemas; Commercial Schools; Private Schools; Animal Hospitals; Dry Cleaning and laundry depots; Emergency care establishments; Laboratories; Libraries; Animal Clinic; Post Office; Dwelling units restricted to the second floor or above with any or all of the other permitted uses on the ground floor; Police Stations; Hotels; Places of Worship; Community Centres; Funeral homes; and, Fire halls.

Special Provision regulations include:

- i) Lot Frontage (m) Minimum 8.0 metres*
- ii) Exterior Side, Interior Side, Rear Yard & Front Yard Depth (m) Minimum 0.0 metres*
- iii) Yard Depth Abutting Primary Collector Road (m) Maximum 3.0 metres*
- iv) Setback of Residential Use from Imperial Oil Pipeline Easement 20.0 metres from centreline or pipeline*
- v) Gross Floor Area (m²)*
 - All Retail Uses Maximum 16,000 m²*
 - All Offices Uses 10,000 m²*
 - One (1) Primary Retail or Services Use 5,500 m²*
 - All Other Individual Uses 2,000 m²*
 - 50% of all Commercial Floor Space beyond the primary retail Use and office uses to be located Within buildings with a maximum Gross floor of 750 sq. m.*
 - 50% of all commercial floor space Beyond the primary retail use and office uses to be located on the mainstreet corridor*
 - Minimum of 500 sq. m. of retail and service uses to front on the village commons*
 - Total lot coverage of all retail, office and Institutional buildings not to exceed 30%*
 - All retail and office uses front primary collector roads and the village commons to be a minimum of 2 storeys in height.*

The current proposal meets the requirements of the zoning by-law, noting that the Primary Collector referenced in the special provisions is Villagewalk Boulevard and the development proposed does not include or preclude development along that frontage.

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 mix of commercial uses proposed is in keeping with the policy and regulations for the site. Special provisions within the Zoning By-law limit the size of potential uses and the proposal does not exceed the sizes specified.

4.2 Intensity

The Site Plan application is specific to the southeast portion of the site and features one-storey commercial buildings on either side of a parking field. This intensity of commercial use is in keeping with the applicable regulations and policy and does not preclude the remainder of the site being built out as a main-street of business district commercial area as planned for through the Area Plan and Official Plan processes.

4.3 Form

All buildings proposed are one-storey in height. The architecturally unique building is situated at the corner of Sunningdale and Richmond with its design reflective of the anticipated client. Entries are provided on both side of the building to activate the streets and entry from Sunningdale.

4.4 Landscaping

The site plan proposal includes a landscape plan that includes significant screening landscaping and tree plantings. At third submission review only one species replacement was noted as a requirement prior to acceptance.

4.5 Garbage and Recycling

The current arrangement for garbage includes deepwell storage within the Sunningdale frontage. The applicant has been requested to provide this at another location in keeping with the Site Plan Control By-law.

4.6 Parking

Automobile parking is provided in the form of 125 at grade spaces for vehicle and 55 short-term spaces for bicycles. Six barrier-free parking spaces are provided in excess of the minimum five 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 vehicular parking is provided between the buildings and screened with planted landscaping islands in keeping with the Site Plan Control By-law and the Upper Richmond Village Urban Design Guidelines.

4.7 Site Circulation

Pedestrian and vehicular circulation is guided in part by the Upper Richmond Village Urban Design Guidelines. These guidelines direct the development to include contiguous high-quality pedestrian access alongside vehicular access with shading landscaping. Connection should be made to the main street and pedestrian priority is to be demonstrated through the design treatments chosen. The proposal does this and the inclusion of a spine connection the current portion of the site under development to the main street is a central part of achieving the guideline direction.

4.8 Urban Design Peer Review Panel Comments

The entire subject site was presented to the Urban Design Peer Review Panel April 18, 2018. Although the majority of comments provided related to the portion of the site not currently under review a number of comments did apply (full memo is provided in appendix D, with applicable comments italicized for reference). Relevant comments include direction for active frontages along Sunningdale and Richmond which are being achieved through the design refinements made since the initial presentation. Parking on site has also been screened, in particular, the Sunningdale landscaping provided is in double that of the minimum standard with two banks of plantings proposed. An architecturally distinct element including spire is provided at Richmond Street and Sunningdale to address the intersection although the panel had requested greater massing to achieve this. Additional comments about pedestrian infrastructure have been improved through design refinements, while the current proposal does not preclude the remaining comments from being addressed on the remainder of the property.

4.9 Site Plan Comments

Site plan control comments were provided on a third submission to the applicant April 13, 2021. A fourth submission was provided May 14, 2021 and the plans contained within this report were part of this fourth submission. As the fourth submission is under review as of the completion of this report the following reflect comments provided at third submission. The comments request that the applicant generally address the following:

1. Coordinating construction of sidewalks along Villagewalk Boulevard, Richmond Street, and Sunningdale Road West.
2. Zoning refinements to the area under development only.
3. Site design matters such as meeting standard internal sidewalk widths, and integrating garbage into the architectural and site design of the development.
4. Minor landscaping changes.
5. Revised phasing plans to address engineering matters such as erosion control, interim site grading and servicing, and site access.

Conclusion

The proposed Site Plan has regard to The London Plan, and is in conformity with the City of London Official Plan, 1989 and the applicable policies of the Sunningdale North Area Plan. The application as proposed, complies with the regulations of the Zoning By-law. The phased approach does not preclude the remainder of the site being developed in accordance with the applicable policies and regulations. 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.

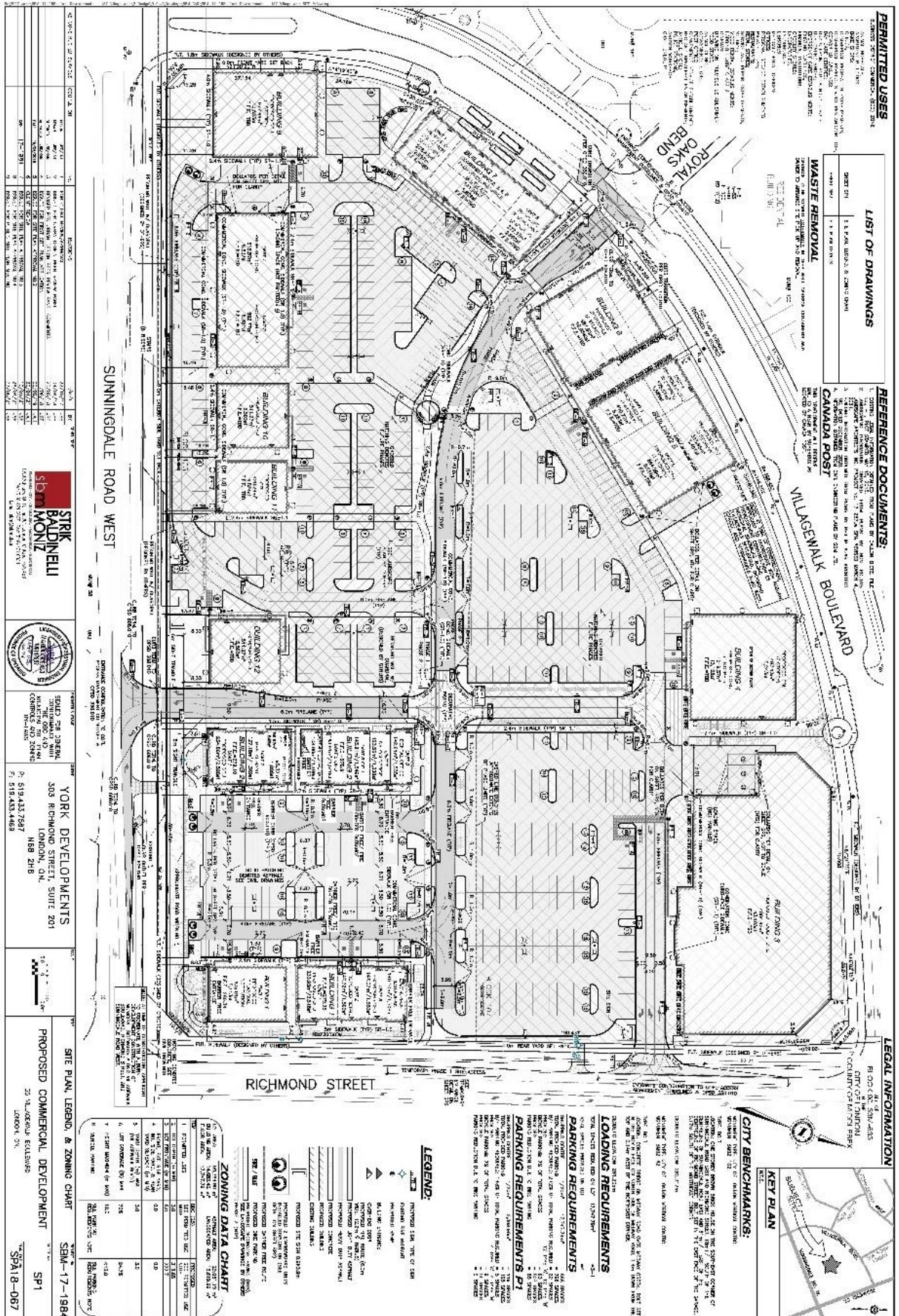
Prepared by: Leif Maitland, Site Development Planner

Recommended by: Paul Yeoman, RPP, PLE, Director, Development Services

Submitted by: George Kotsifas, P.ENG, Deputy City Manager, Planning and Economic Development

Appendix A - Plans

Site Plan



PERMITTED USERS

LIST OF DRAWINGS

REFERENCE DOCUMENTS:

LEGAL INFORMATION

KEY PLAN

CITY BENCHMARKS:

LOADING REQUIREMENTS

PARKING REQUIREMENTS

PARKING REQUIREMENTS P1

LEGEND:

ZONING DATA CHART

PROPOSED COMMERCIAL DEVELOPMENT

SP1

SP18-067

YORK DEVELOPMENTS
303 RICHMOND STREET SUITE 201
LONDON, ON
P: 519.433.7297
F: 519.433.4468

STARK BATHWELL
1001 AVENUE RD. #100
LONDON, ON
P: 519.833.8888

SEALING CONTRACTORS
303 RICHMOND STREET SUITE 201
LONDON, ON
P: 519.433.7297
F: 519.433.4468

SUNNINGDALE ROAD WEST

RICHMOND STREET

WILSEBANK BOULEVARD

ROYAL OAKS BEND

CANADA POST

LEGAL INFORMATION

KEY PLAN

CITY BENCHMARKS:

LOADING REQUIREMENTS

PARKING REQUIREMENTS

PARKING REQUIREMENTS P1

LEGEND:

ZONING DATA CHART

Appendix B – Public Engagement

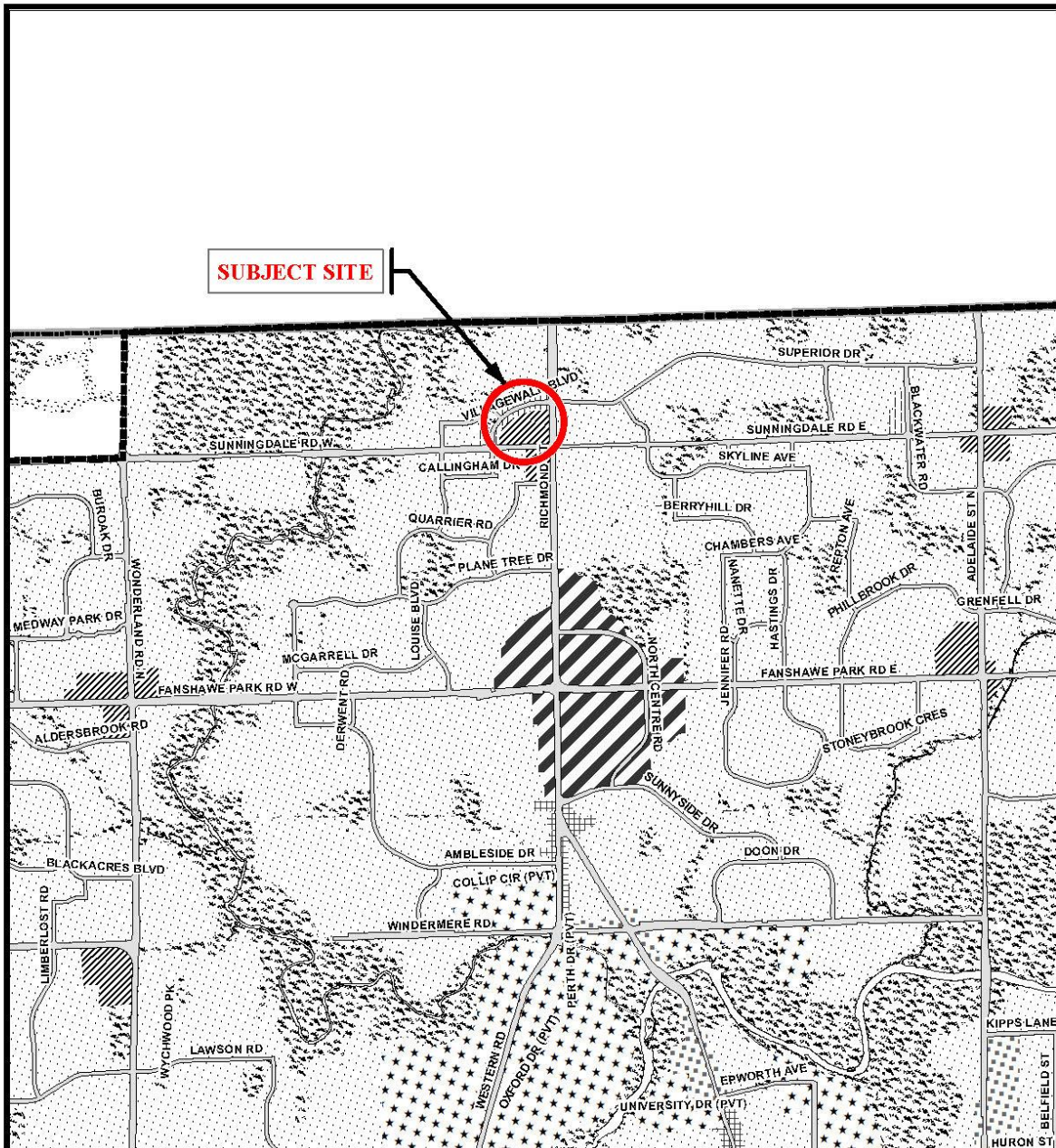
Public liaison: On May 13, 2021 Notice of Application and Public meeting was sent to 267 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 13, 2021.

No replies received.

Nature of Liaison: 135 Villagewalk Blvd – SPA18-067 – Consideration of a site plan to permit two commercial pads in the southeast corner of the subject property in addition to access with the remainder of the site to subject to a future application. The zoning includes 2 holding provisions: to require a public site plan meeting before the Planning and Environment Committee; and, to ensure that new development is designed and approved consistent with the policies of the Sunningdale North Area Plan and the “Upper Richmond Village-Urban Design Guidelines”. File: SPA18-067 Planner: L. Maitland lmaitlan@london.ca (ext.1517) (City hall)

Appendix C – The London Plan, Official Plan Map and Zoning excerpts

The London Plan



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

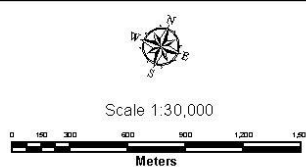
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



File Number: SPA18-067

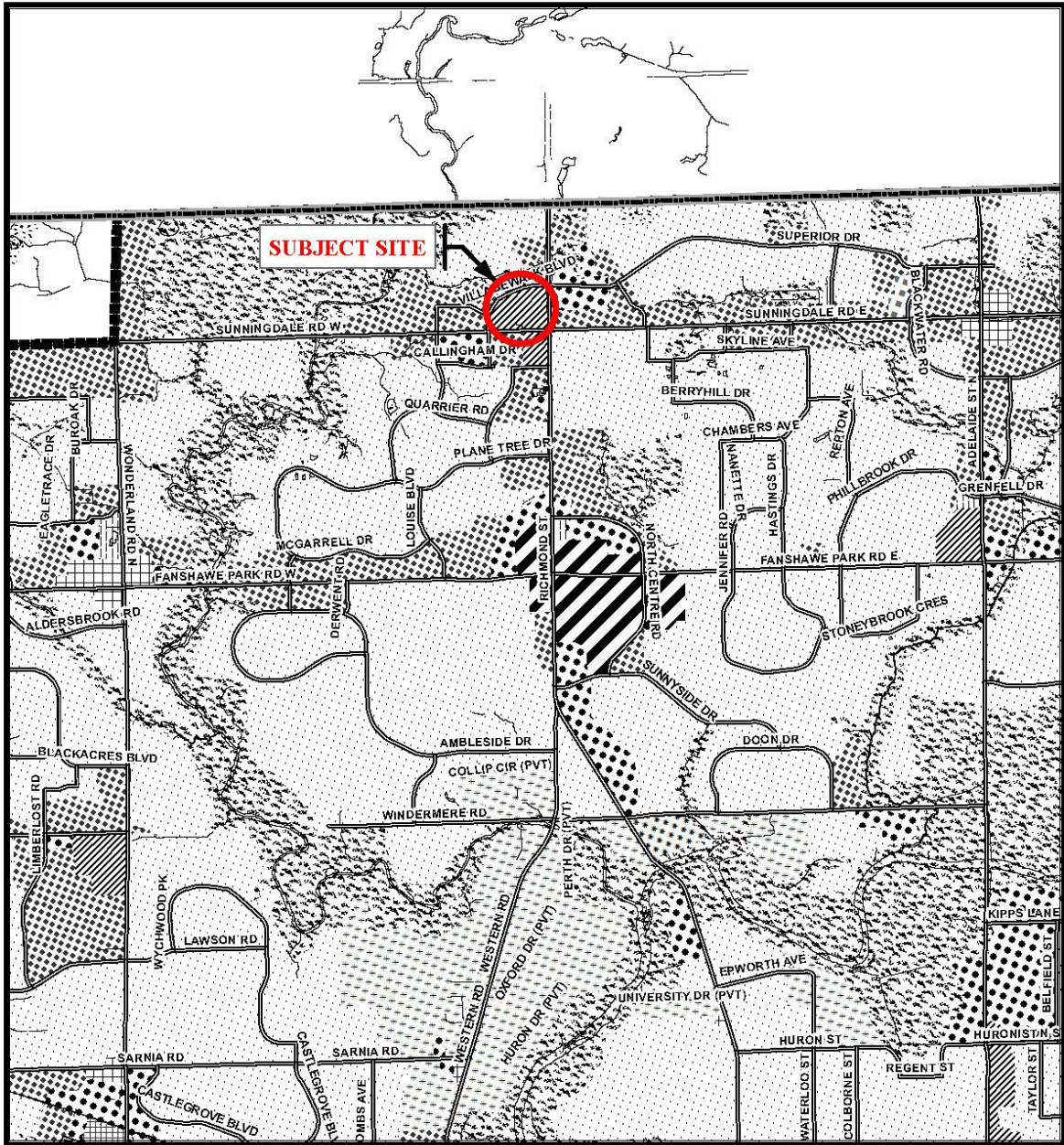
Planner: LM

Technician: RC

Date: May 4, 2021

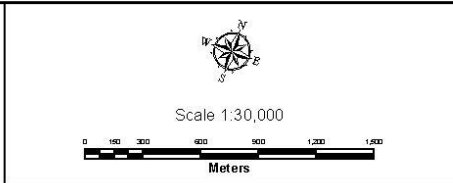
Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\SPA18-067-Map1-PlaceTypes.mxd

Official Plan, 1989 Excerpt



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

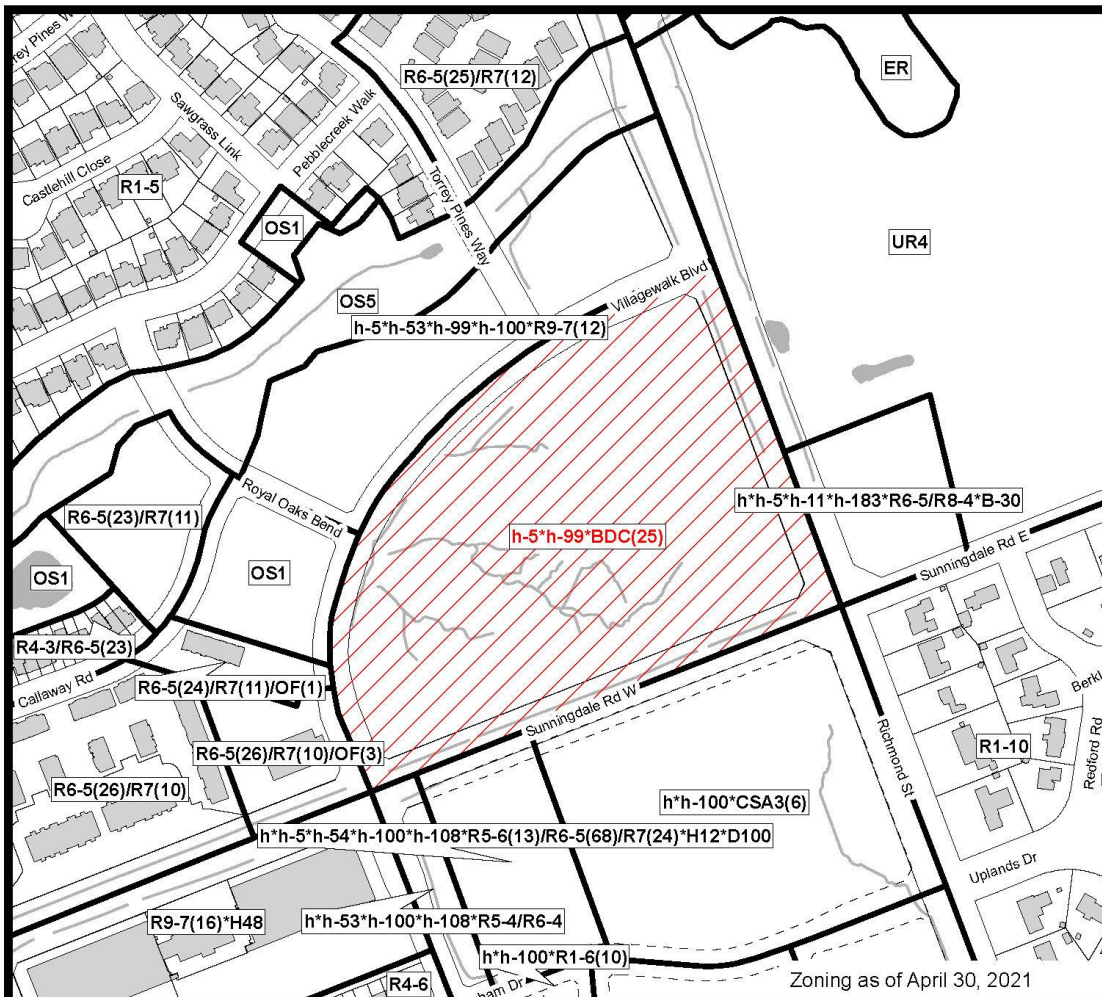
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: SPA18-067
 PLANNER: LM
 TECHNICIAN: RC
 DATE: 2021/05/06

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_bx14.mxd

Zoning Excerpt



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

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

SPA18-067

LM

MAP PREPARED:

2021/05/04

RC

1:4,000

0 20 40 80 120 160
Meters

Appendix D – Urban Design Peer Review Panel Memo and Response

UDPRP Memo

(Italics added by staff to highlight those comments relating specifically to the portion of the site currently under review.)

To: Proponents

- Philip Agar, Architect, Philip Agar Architect
- Carlos Ramirez, Project Manager, York Developments
- Barry Murphy, Landscape Architect, Ron Koudys Landscape Architects

City of London Personnel

- Jerzy Smolarek, Urban Designer
- Amanda Lockwood, Site Development Planner

From: Urban Design Peer Review Panel (UDPRP)

- Steven Cooper – Matter Architectural Studio Inc., Architect (absent)
- Jordan Kemp – Bousfields Inc., Urban Designer (absent)
- John Nicholson – Nicholson Sheffield Architects Inc., Architect
- Janine Oosterveld – City of Kitchener, Urban Designer
- Heather Price – GSP Group, Urban Designer
- McMichael Ruth – architects Tillmann Ruth Robinson, Architect

RE: Site Plan Consultation: 135 Villagewalk Boulevard

Presentation & Review, April 18, 2018

The Panel provides the following feedback on the submission to be addressed through the continued design development of the site plan:

- The Panel is of the opinion that the design does not support the main street vision for Villagewalk Boulevard per the Upper Richmond Design Guidelines and the Main Street Place Type policies of the London Plan as detailed in the comments below.
- The intent of the design vision for Villagewalk Boulevard is for buildings to be street-oriented with a main street feel. While the Panel acknowledges the siting of the buildings along Villagewalk, the design vision for Villagewalk is not satisfied by placement alone. The intent is to provide active building frontage with front-facing facades, including pedestrian-oriented building entrances and transparent glazing. Therefore, buildings along this frontage should be redesigned to include a significant amount of vision glass, doors, patios, and a street-facing retail orientation. The street design with on-street parking supports the execution of this design intent.
- Buildings along Villagewalk Boulevard should have a 2-storey design as required by the zoning bylaw.
- The Panel supports the 4-storey office building massing and placement at the entrance to Villagewalk Boulevard from Sunningdale Road to frame the intersection and create the streetwall entry into the neighbourhood. Consideration should be given to relating the architectural language of this building to those being proposed around the site and adjacent to it.
- The Panel has significant concerns with the placement and design of Building 1 with blank walls facing both Richmond Street and Villagewalk Boulevard. The building design and placement should address the significance of this location as a gateway through prominent architectural features, transparent glazing, and other design elements.
- *Buildings should have active frontage along Sunningdale Road and Richmond Street. Parking should not be located between the building and street. Where parking is not screened by buildings, substantial landscaping should be incorporated.*

- *Greater massing should be placed at the corner of Richmond Street and Sunningdale Road to address this major intersection.*
- Architecturally, the project would benefit from being considered as a campus that includes design elements that relate among all buildings. The design as presented appears disparate among buildings/building types.
- *More information about landscape design is requested with a resubmission to the Panel, particularly as it relates to pedestrian areas and features.*
- *The north/south pedestrian connection should be redesigned to consider the pedestrian experience. It should not lead pedestrians between the major loading areas on site. The terminus views should also be considered in the layout.*
- Consideration should be given to the design of loading to potentially consolidate between street-facing buildings and internal buildings.
- *Encourage only providing minimum parking to allow more flexibility on site to redesign and support pedestrians and active transportation.*

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. The Panel has significant concerns with the proposed site plan concept and is of the opinion that it is not in keeping with the policy framework and design guidelines for this area. The Panel recommends that the site plan be redesigned based on the comments above and resubmitted for UDPRP review prior to formal site plan submission.

Sincerely on behalf of the UDPRP,

Janine Oosterveld, MCIP RPP (UDPRP Chair)

UDPRP Applicant Response

(The following selection is the portion of the applicant's response to those comments italicized above.)

6. Buildings should have active frontage along Sunningdale Road West and Richmond Street. Parking should not be located between the building and street. Where parking is not screened by buildings, substantial landscaping should be incorporated.

Not incorporated. Current Imperial Oil easement is a major constraint for site development. Landscaping requirements are being met with the current design and it is not feasible to replace parking stalls with landscaping. This would render the development unfeasible.

Nevertheless, the applicant has implemented the following strategies to allow for an enhanced street front configuration:

- Patios are incorporated facing Sunningdale Road West at Buildings 11, 12 and 14.
- Low landscape walls are shown at the edge of the property to buffer parking areas.
- Stone piers have been incorporated to mark all pedestrian connections.
- Enhanced landscaping has been provided.

7. Greater massing should be placed at the corner of Richmond Street and Sunningdale Road to address this major intersection.

Not incorporated. Site plan design provides adequate massing at intersection and incorporates landscaping enhancements to accentuate the corner element.

9. More information about landscape design is requested with a resubmission to the Panel, particularly as it relates to pedestrian areas and features.

Landscape detailed design is provided with this application.

10. The north/south pedestrian connection should be redesigned to consider the pedestrian experience. It should not lead pedestrians between the major loading areas on site. The terminus views should also be considered in the layout.

Refer to revised design. Landscape design has been revised to minimize the impact of loading areas (if any).

12. Encourage only providing minimum parking to allow more flexibility on site to redesign and support pedestrians and active transportation.

The applicant believes that the design of the proposed development supports pedestrian circulation throughout the site. Terminus points as well as destination points have been created throughout the site.

From: Stewart Lebert
Sent: Wednesday, May 26, 2021 7:48 PM
To: PEC <pec@london.ca>; Development Services
<DevelopmentServices@london.ca>; Cassidy, Maureen
<mcassidy@london.ca>; ppmclerks <ppmclerks@london.ca>; Squire, Phil
<psquire@london.ca>
Cc: Maly Bun
Subject: [EXTERNAL] Upper Richmond Village Plaza

Hello all,

I'm writing this evening to provide my feedback on the proposed land, designated for commercial use in the Upper Richmond Village area at Sunningdale and Richmond. While I'm a fairly new comer to the area, the originally proposed use for the land being a village/neighbourhood shopping center was actually a selling feature for us moving in. We moved from Hyde Park and Gainsborough that in itself is exactly what is being proposed now at this corner. All this big box retail doesn't create community. We have the big box stores down the street at Calamity Corners and Masonville mall and having small retailers in this area would be a real bonus to this area of town. I envision going and shopping at a butcher, bakery and a farmers market grocery store - supporting local not having another big box store with more parking space then the store itself. It could feel intimate and provide a space for our neighbourhood to "hang out" at a local cafe or restaurant. I've seen the original drawings and concepts for the space and would like to see council and the committee make a recommendation to not support more big box retail in already a very congested retail area. The idea of calling this section of town 'Village' and then go against that and provide more big box retail seems contradictory.

Sincerely,

Stewart L.

Redford Rd, Uplands resident

From: Arthur Thompson

Sent: Wednesday, May 26, 2021 5:15 PM

To: PEC <pec@london.ca>; Squire, Phil <psquire@london.ca>; Lewis, Shawn <slewis@london.ca>; City of London, Mayor <mayor@london.ca>; Lehman, Steve <slehman@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Hillier, Steven <shillier@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Development Services <DevelopmentServices@london.ca>; ppmclerks <ppmclerks@london.ca>

Subject: [EXTERNAL] 135 Villagewalk Boulevard

Dear Members of the Planning and Environment Committee, please include this letter on the meeting agenda and update me on any further changes to this application:

I am glad to see that the shopping area at Upper Richmond Village is finally being completed. We moved into the area in 2005, and for as long as I can remember, 135 Villagewalk Boulevard has been nothing but a field with an ever-changing array of advertisements encouraging would-be residents to “Shop, Live, Play” at Upper Richmond Village. Now, 15 years since the Sunningdale North Area Plan, it seems that the area is on its way to completion. Unfortunately, I do not believe that this proposal by York developments is true to the initial idea put forward by the original owners, Auburn Developments.

Looking at the original website for Upper Richmond Village (by Auburn Developments - it can be found at http://www.terracorp.ca/upperichmondvillage.com/index.php?option=com_content&view=article&id=11&Itemid=8), it is easy to get an idea of the spirit or feeling that the designers had in mind when they planned this community. The website says, “Imagine a place where you can stroll along the creek behind your house, where the homes are not dominated by garages but **heritage facades**; where you can go to work, get a hair cut, or buy a new dress all on the same street and not leave your neighbourhood; where you can walk your children to get an ice cream or a movie, or retreat to a central park for a picnic or to play ball; where you can meet friends for dinner at your favourite restaurant or pub and interact with others on **vibrant streets** at all times of the day; a place where you can stay even when you get older.” It sounds lovely, and I know that I am not the only one who was excited about the development, as many of our neighbours and friends talked about the new “**village**.” Auburn goes on to say that their aim is, “**to promote a heritage feeling in the community**... The homes will be positioned closer to the street and garages will be minimized. The designs of the front elevations will be varied to add visual effect.” Another website (<http://domusdev.com/rentals/upper-richmond-village/>) encourages residents to, “Sit at a sidewalk terrace, meet friends for dinner, take the kids to the movies, or simply stroll the vibrant streets of the Village’s commercial district while exploring the many **main-street shops**.” A final website (<https://www.stantec.com/en/projects/canada-projects/u/upper-richmond-village-project>) states, “Upper Richmond Village is a development focused on creating a **sense of community** integrating mixed land uses and a variety of urban style living. Boasting distinctive **architecture steeped in the history of Old North** London... The development is further enhanced by the introduction of **community gateways**, with highlighted crosswalks, plantings, and landscape markers.”

From these descriptions, some things stand out. The developers wanted to “**promote a heritage feeling in the community**,” have small, independent, boutique shops, not big box stores, have shops that are primarily pedestrian oriented (“**Main Street shops**”), have a community that was walkable with store fronts facing Villagewalk Boulevard (this is why on-street parking cut-outs are currently provided on Villagewalk Boulevard), and create a shopping area that used **classical/traditional architecture** to create a **Village** feeling. The photos provided by Auburn Developments provide an excellent idea of what the goal for the neighbourhood was.

The following photos were taken from Auburn Development’s original website for the development:





These photos confirm that the original intention for this community was to have boutique shops that used a variety of materials, textures, colours, and traditional architecture to create a “village” feel. The proposal for the development brought forward by the current owners of the site, York developments, do not live up to this original plan. Their proposal recommends massive ‘big-box’ stores as apposed to

“Main Street shops.” Their buildings will not use a variety of colours as Auburn’s original mock-up photos show, but lots of grey, white and silver, including “slate coloured brick, Granada stone, grey stucco, and cinderblock.” Their buildings do not include traditional, heritage architecture, but are grey and modern. York’s proposal images from their website confirm this, as is shown below.

This image was taken from York Development’s Website:



The buildings in York’s proposal look like they could be in any big box shopping plaza, anywhere. There is nothing special, heritage-inspired, or village-feeling about them. I realize that modern design, with lots of grey stucco, neutral colours, hard edges, and minimalist interiors are popular in today’s market, but they will not age well. What was considered ‘modern’ in the 1970s is now seen as ugly, and the same will be true for today’s ‘modern’ buildings.

Thank you for listening to my concerns,

Arthur Mustard-Thompson

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Gregg Barrett, Director, City Planning and City Planner
Subject: Demolition Request for Heritage Listed Property at 126 Price Street
Public Participation Meeting
Date: May 31, 2021

Recommendation

That, on the recommendations of the Director, City Planning and City Planner, with the advice of the Heritage Planner, with respect to the demolition request for the existing dwelling on the heritage listed property at 126 Price Street, that:

- a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the dwelling on the property; and,
- b) The property at 126 Price Street **BE REMOVED** from the Register of Cultural Heritage Resources.

Executive Summary

A demolition request was received for the heritage listed property at 126 Price Street. The subject property is listed on the City of London's Register of Cultural Heritage Resources. When a demolition request is received for a building or structure on a heritage listed property, a formal review process is triggered pursuant to the requirements of the Ontario Heritage Act and the Council Policy Manual. The property was evaluated and determined that the property at 126 Price Street did not meet the criteria outlined in Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest, and therefore does not have significant cultural heritage value or interest.

The demolition of the dwelling on the subject property would not result in adverse impacts to cultural heritage value or interest.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan areas of focus:

- Strengthening Our Community:
 - Continuing to conserve London's heritage properties and archaeological resources.

Analysis

1.0 Background Information

1.1 Property Location

The property located at 126 Price Street is located on the east side of Price South, south of Hamilton Road (Appendix A). The property is located in the former London Township, annexed by the City of London in 1912.

1.2 Cultural Heritage Status

The property at 126 Price Street is a heritage listed property. The property is considered to be of potential cultural heritage value. The listing of the property on the Register of Cultural Heritage Resources came into force and effect on March 26, 2007.

1.3 Description

The dwelling located on the property at 126 Price Street is a one-storey frame cottage, previously clad in buff brick with an asphalt shingle roof, estimated to have been constructed c.1876 (Appendix B). The front façade of the dwelling faces west and consists of the side gable portion of the dwelling with a symmetrical three bays. The doorway is located in the centre, flanked by windows on either side. The window openings are still in place, however, the window units and trim have all been removed. The doorway is sheltered by a projecting covered front porch including a central gable roof, supported by rusticated concrete block plinths and wood posts. The top rails and spindles of the porch are constructed of wood. Based on style and materials, the porch was likely added to the dwelling in the early 20th century. The dwelling was previously clad in buff brick and included brick voussoirs over the windows, however, the brick cladding was recently removed revealing the wood tongue and groove siding that was likely the original exterior cladding.

The north and south facades consist of the end gables and projecting eaves of the roof, faced with wood fascia. The north façade included a central window. The south façade included an enclosed addition that appeared to function as an alternative entry or mudroom. This shed-style addition has been removed and the wood siding reveals an opening for a former window or door.

The dwelling also includes a rear single storey rear addition with a gable roof. The addition is demonstrated on the 1912 Revised 1915 Fire Insurance Plan, and based on the wood siding was likely constructed shortly after the construction of the main dwelling. A second two-storey addition was also constructed in the late 20th century at the rear of the dwelling. The two-storey addition was demolished in 2021.

1.4 Property History

1.4.1 Early Euro-Canadian History

126 Price Street is located on what was historically known as Lot 10, Concession B in the Broken Front in London Township. The first complete London Township survey was undertaken beginning in 1810, by Deputy Provincial Surveyor Mahlon Burwell. The Burwell survey extends north from the Thames River and focussed on the first six concessions laying out the grid of lots and concessions. The survey was interrupted by the outbreak of War in 1812, however, by 1819 Crown patents were being given to settlers (Lutman and Hives, 53-54).

The Crown grant for Lot 9, Concession B in London Township was granted to Simon Butler in 1826. It is unclear where Butler settled, however, by 1840 he and his wife sold 200 acres to William Geary. Shortly thereafter, Geary sold 100 acres to Samuel H. Park in 1843.^a The lot was purchased, sold, and subdivided various times throughout the mid-19th century. The land transactions include familiar names such as George Goodhue and Benjamin Cronyn, the latter noted by John Lutman as one of several wealthy Londoners, London Township farmers, and non-resident speculators who purchased and subdivided lots outside of London. Lots in London East and beyond were typically smaller (as a result of subdivision) and often were not yet built upon making them good candidates for land speculation. The names and subsequent land transactions for Lot 10, Concession B demonstrate this claim (Lutman and Hives, 58).

Historic mapping (*Sketch of Part of the London Township, 1850; Tremaine's Map of the County of Middlesex, 1862; Illustrated Historical Atlas of the County of Middlesex, 1878*) depicts gradual development extending eastwards from London to London East, however, the mapping shows the historic Lot 10, Concession B as undeveloped, and not substantially subdivided until the 1870s. In 1871, Edward W. Harris – presumably Edward William Harris of Eldon House – was deeded 28 acres of Lot 10, Concession B. Two year later in 1873, a plan to subdivide and register lots within Edward Harris' land

^a The historic Lot 10, Concession B in the Broken Front in London Township is approximately 100 acres. The early land transactions include remarks that indicate that Lot 10 was combined with Lot 9, Concession B in early transactions to total 200 acres. A note on the Land Registry records, evidently added in 1878, clarifies that the lots were examined together, but were later corrected.

holding was prepared, including the lot on which 126 Price Street would be built (See Section 1.4.2).

Hamilton Road is an early historic road that linked London Township and the former Westminster Township. The road may have been an extension of an older Indigenous trail. In the 1840s the road was improved under the direction of Hamilton Hartley Kilally, Commissioner of Public Works (Baker and Neary 2003, 52-53).

Building on the industrial growth and gradual residential development extending eastwards, London East was annexed by the City of London in 1874 to Adelaide Street, and then again to Egerton Street in 1885. With the continued industrial growth by the various oil refineries and manufacturing facilities, the areas north and south of Hamilton Road continued to be developed for residential purposes, while Hamilton Road emergence as a commercial area. London East was further annexed in 1912 to Highbury Avenue including the suburbs of Ealing and Pottersburg (Lutman and Hives, 66-72). As a residential suburb, Ealing is described generally as including the areas south of Trafalgar Street, west of Highbury Avenue and north of the Thames River. Its post office first opened in 1880 at the corner of Trafalgar Road and Hamilton Road (Grainger, 295).

1.4.2 126 Price Street

A “Plan of Part of Lot 10 in Concession B, Township of London Laid out into Building Lots” was prepared by Samuel Peters in 1875 for Edward W. Harris, Esq. The Plan was registered as Plan 315 in the Registry Office for the County of Middlesex on September 13, 1873.

126 Price Street is located on Part of Lots 3 and 4 on the East Side of Price Street on Plan 315. Lot 3 remained in its entirety until it was later subdivided again in 1921 and subsequent parcels were registered as part lots. Based on a review of Land Registry Records for Lot 3 East of Price Street, Plan 315, City and County Directory records, and Census Records it is likely that the existing dwelling on the property at 126 Price Street was constructed in 1876 for Edwin Mason. Identified as a labourer in the 1881 Census, Mason and his wife Hannah lived on Price Street with their five children. The Census data suggests that the Masons immigrated from England to Canada after the birth of their second child (Edwin, born in 1873 in England) and before the birth of their third child (Alfred, born in 1874 in Ontario).

By 1883, Edwin Mason sold the lot to Humphrey Gwalchmai. Gwalchmai is identified in the 1901 Census as immigrating to Canada from Wales in 1882 along with his wife, Mary Gwalchmai, just one year prior to purchasing the property. He is noted as a 55-year-old miller. It is unclear whether he resided at 126 Price Street. He is identified in the 1893 City and County Directory as residing within Ealing, however, from 1896-1897 and onwards he is noted as residing at a property he owned on Lot 8, Concession B in London Township, two concessions west. At this time he still retained ownership of 126 Price Street, and by 1893 Charles Davies^b is listed as residing at the Price Street address. Further, Gwalchmai later sold the property to Charles Davies in 1904 after Davies had been living in the dwelling for over 10 years. Presumably, Davies was renting the dwelling from Gwalchmai prior to owning it. The relationship between Gwalchmai and Davies is not clearly defined in the historical record, yet curiously, in 1907 when Gwalchmai remarried Davies is identified on the Marriage Record as the Witness.^c

Charles Davies owned and resided at 126 Price Street for a considerable amount of time. As noted above, Davies was originally residing in the dwelling, and was identified

^b Historical includes the spelling as Davies and Davis. The most commonly found throughout documents related to this property owner is “Davies”. Therefore, Davies is used throughout this report.

^c Curiously, the “Place of Marriage” identified on the marriage record states “Price Street”. Consistent with ownership history presented within this report, Humphrey Gwalchmai’s “Residence when Married” is identified as London Township, and the Charles Davies as one of the witness is identified as “Davis, Charles, Price St. London Tp.” It is unclear whether the wedding took place on the subject property or elsewhere on Price Street.

as a tenant in the 1893 City and County Directory. In 1904, he purchased the property from Gwalchmai and resided there until he passed away in 1954. The 1911 Census indicates that Charles Davies was born in 1862, and immigrated to Canada from England in 1884. At the time he is noted as a widower, with six children ranging in age from 21 to 12. One of his sons, born in 1900 was named Humphrey, again suggesting a potential relationship or friendship with Humphrey Gwalchmai, his landlord at the time. Davies remarried in 1915, marrying Florence Pook, also a widow. Davies worked the majority of his life as a “car inspector” for the Grand Trunk Railway (GTR), later the Canadian National Railway (CNR). Charles passed away in 1954, and Mrs. F. Davies (Florence Pook), is identified in the 1955 City Directory at 126 Price Street but later that year the property was sold.

The property was sold various times throughout the remainder of the 20th century. In 1955, the Estate of Charles Davies sold the property to Ronald and Janice O’Neill. Ronald O’Neill was a carpenter, and together him and his wife lived at 126 Price Street until they sold the property to Norman and Annie McFernan in 1962. The McFernans do not appear to have ever lived in the dwelling and sold it again in 1963 to Alfred J and Dorothea R. Priest, who owned and lived at the property until 1969.

In 1969, the property was purchased by Siegfred and Elfriede Woldenburg. Siegfred was a carpenter for Hunt Windows, later the Robert Hunt Corporation. The Woldenburgs sold the property in 1986 to C. Cheyne. It was sold again in 1988 to J. and A. Ball, and again in 2002 to W. and C. May.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies in the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, *The London Plan* and the *Official Plan (1989 as amended)*.

2.1.1 Provincial Policy Statement

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (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” (Policy 2.6.1, *Provincial Policy Statement 2020*).

“Significant” is defined in the *Provincial Policy Statement (2020)* as, “resources that have been determined to have cultural heritage value or interest.” Further, “processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.”

Additionally, “conserved” means, “the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained.”

2.1.2 Ontario Heritage Act

Section 27 of the *Ontario Heritage Act* requires that a register kept by the clerk shall list all properties that have been designated under the *Ontario Heritage Act*. Section 27(1.2) of the *Ontario Heritage Act* also enables Municipal Council to add properties that have not been designated, but that Municipal Council “believes to be of cultural heritage value or interest” on the Register.

The only cultural heritage protection afforded to heritage listed properties is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the London Advisory Committee on Heritage (LACH) is consulted, and a public participation meeting is held at the Planning & Environment Committee.

Section 29 of the *Ontario Heritage Act* enables municipalities to designate properties to be of cultural heritage value or interest. Section 29 of the *Ontario Heritage Act* also

establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Appeals to the Notice of Intent to Designate a property pursuant to Section 29 of the *Ontario Heritage Act* are referred to the Conservation Review Board (CRB), however the final decision rests with Municipal Council until changes to the *Ontario Heritage Act* arising from Bill 108 come into force and effect.

2.1.3 The London Plan/Official Plan

The Cultural Heritage chapter of *The London Plan* recognizes that our cultural heritage resources define our City's unique identity and contribute to its continuing prosperity. It notes, "The quality and diversity of these resources are important in distinguishing London from other cities and make London a place that is more attractive for people to visit, live or invest in." Policies 572_ and 573_ of *The London Plan* enable the designation of individual properties under Part IV of the *Ontario Heritage Act*, as well as the criteria by which individual properties will be evaluated.

Policies 575_ and 576_ of *The London Plan* also enable City Council to designate areas of the City under Part V of the *Ontario Heritage Act* as Heritage Conservation Districts. These policies include a set of criteria in the evaluation of an area. *Heritage Places 2.0* is a guideline document as a part of the Cultural Heritage Guidelines. The document describes potential heritage conservation districts and assigns a priority to these districts for consideration as heritage conservation districts.

2.1.4 Register of Cultural Heritage Resource

Municipal Council may include properties on the Register of Cultural Heritage Resources that it "believes to be of cultural heritage value or interest." These properties are not designated, but are considered to have potential cultural heritage value or interest.

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed properties. The subject property is included on the Register of Cultural Heritage Resources.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1. Demolition Request

Written notice of intent to demolish the dwelling at 126 Price Street was submitted by the applicant, on behalf of the property owner on April 26, 2021.

Municipal Council must respond to a notice of intention to demolish a building or structure on a heritage listed property within 60 days, or the request is deemed consented. During this 60-day period, the London Advisory Committee on Heritage (LACH) is consulted and, pursuant to Council Policy, a public participation meeting is held at the Planning and Environment Committee (PEC).

The 60-day period for the demolition request for the property at 126 Price Street expires on June 25, 2021.

4.2 Cultural Heritage Evaluation

4.2.1.1 Criteria for Determining Cultural Heritage Value or Interest

The criteria of *Ontario Heritage Act* Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are:

1. Physical or design value:
 - i. Is a rare, unique, representative or early example of a style, type, expression, material or construction method;

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

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet the criteria for designation, the demolition request should be granted and the property removed from the Register of Cultural Heritage Resources.

The evaluation of the property using the criteria of *Ontario Heritage Act* Regulation 9/06 can be found below.

4.2.1.2 Evaluation

The property at 126 Price Street was evaluated using the criteria of O.Reg. 9/06 (see Section 4.2.1.1 above). A summary of the evaluation is included below.

Cultural Heritage Value	Criteria	Evaluation
The property has design value or physical value because it,	Is a rare, unique, representative or early example of a style type, expression, material, or construction method	The dwelling located on the property at 126 Price Street consists of a one storey wood frame cottage, clad with wood tongue and groove siding. Alterations to the dwelling include the removal of its buff brick cladding, and windows. The dwelling is vernacular in style and is common form and massing in London. The property is not a rare, unique, representative, or early example of a style, type, or expression, material, or construction method.
	Displays a high degree of craftsmanship or artistic merit	The dwelling on the property at 126 Price Street is vernacular in style and form and does not contain a concentration of embellishments or details that demonstrate craftsmanship or artistic merit. The property does not display a high degree or craftsmanship or artistic merit.
	Demonstrates a high degree of technical or scientific achievement	The dwelling on the property at 126 Price Street is a one-storey cottage, a common residential dwelling characteristic of its vintage. It does not demonstrate a high degree or technical or scientific achievement.
The property has historical value or associative value because it,	Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	The dwelling on the property at 126 Price Street was constructed c.1876 for Edwin Mason, a labourer. Since its construction the property has been sold various times including to Humphrey Gwalchmai (1883), Charles Davies (1904), Ronald and Janice O'Neill (1955), Alfred and Dorothea Priest (1962) and Siegfred and Elfreide Woldenburg (1969) as well as numerous late-20 th century transactions. The historical research

		completed for this evaluation determined that the property does not have direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.
	Yields, or has the potential to yield information that contributes to an understanding of a community or culture	The property does not appear to yield, or, have the potential to yield information that contributes to an understanding of a community or culture.
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	Review of the historical records suggest that the dwelling at 126 Price Street was constructed for Edwin Mason c.1876, however no evidence was found related to the architect, builder, or designer of the dwelling. The property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
The property has contextual value because it,	Is important in defining, maintaining, or supporting the character of an area	The property is located on the east side of Price Street, south of Hamilton Road. Although the property includes one of the earliest dwellings on the street, the property is not particularly important in defining, maintaining, or supporting the character of Price Street, Hamilton Road or the area.
	Is physically, functionally, visually, or historically linked to its surroundings	The property is located on the east side of Price Street south of Hamilton Road. As a one storey cottage, the dwelling on the property is one of several one storey dwellings in various styles on Price Street, and is one of the several dwellings on Price Street and the neighbouring streets that range in age, style, type, and form. The property is not physically, functionally, visually or historically linked to its surroundings.
	Is a landmark	The property at 126 Price Street is not considered to be a landmark.

4.3 Comparative Analysis

A comparative analysis was undertaken from the prospective of cultural heritage resources within London and with other one storey cottages, in London of a similar age (Appendix D).

The comparative analysis supported the evaluation that the property does not meet the criteria for of O.Reg. 9/06 and is therefore does not merit designation pursuant to the *Ontario Heritage Act*.

4.4 Integrity

Integrity is not a measure of originality, but a measure of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value of the property. Likewise, physical condition of a cultural heritage resource is not a measure of its cultural heritage value or interest. Cultural heritage resources can be found in a deteriorated state, but may still maintain all or part of their cultural heritage value or interest.

The dwelling at 126 Price Street has undergone alterations including the demolition of the rear two storey addition, removal of all exterior windows, trim, and casings, and

most notably the removal of the exterior brick cladding. Although these have taken place, the form, scale, and massing of the dwelling and its physical remains are still legible in the surviving building.

4.5 Consultation

Pursuant to the Council Policy for the demolition of heritage listed properties, notification of the demolition request was sent to property owners within 120m of the subject property on May 12, 2021, as well as community groups including the Architectural Conservancy Ontario – London Region Branch, London & Middlesex Historical Society, and the Urban League of London. Notice was also published in *The Londoner*.

Conclusion

The evaluation of the property at 126 Price Street found that the property did not meet the criteria of O.Reg. 9/06 and therefore does not merit designation under the *Ontario Heritage Act*. Municipal Council should consent to the demolition of the existing dwelling.

Prepared by: Michael Greguol, CAHP, Heritage Planner
Submitted and Recommended by: Gregg Barrett, AICP, Director, City Planning and City Planner

Appendix A Property Location

Appendix B Images

Appendix C Historical Documentation and Research Materials

Appendix D Comparative Analysis

Sources

Baker, M. and H. Bates Neary. *London Street Names*. 2003.
Census Records. 1881-1921
Corporation of the City of London. *Register of Cultural Heritage Resources*. 2019.
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Goad's Fire Insurance Plans.
Grainger, Jennifer. *Vanished Villages of Middlesex*. 2002.
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Lutman, John H. and Christopher L. Hives. *The North and the East*. 1982.
Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation*. 2006.
Ontario Heritage Act. 2019, c.9, Sched. 11. Retrieved from <https://www.ontario.ca/laws/statute/90o18>.
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Smith, W.H. *Smith's Canadian Gazetteer*. 1846.
Tremaine's Map of the County of Middlesex, Canada West. 1862.

Appendix A – Property Location



Figure 1: Location of the subject property at 126 Price Street.

Appendix B – Images



Image 1: Image showing the dwelling located at 126 Price Street, 2009 (Google Street).



Image 2: Image showing the dwelling located at 126 Price Street, 2012 (Google Street).

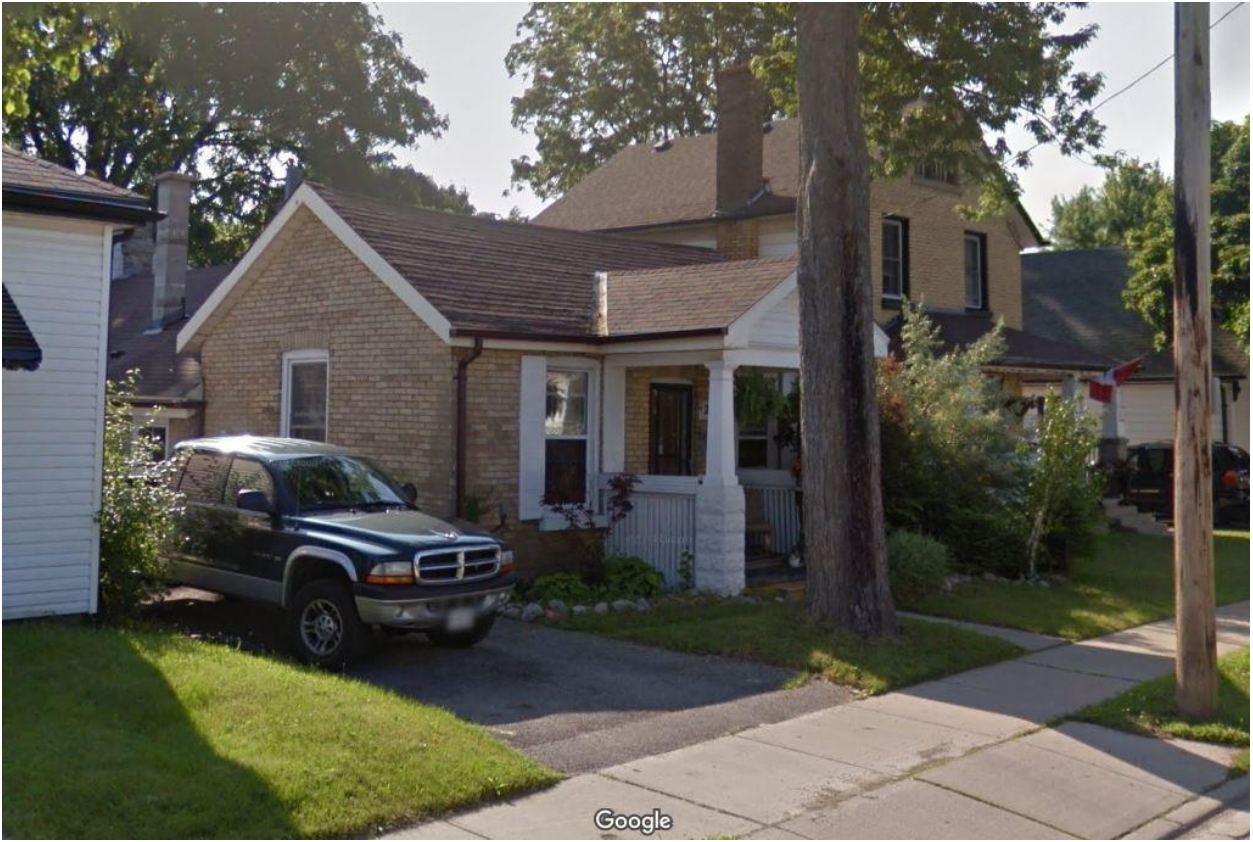


Image 3: Image showing the dwelling located on the subject property at 126 Price Street, 2014 (Google Street).



Image 4: Photograph of the west (front) facade of the dwelling located at 126 Price Street, 2021.



Image 5: Photograph looking northeast showing the subject property within its context on Price Street, 2021.



Image 6: Photograph looking southeast showing the subject property within its context on Price Street, 2021.



Image 7: Photograph showing the west (front) facade and north facade of the dwelling. The rear addition is visible, 2021.



Image 8: Photograph showing the west (front) facade and the south facade of the dwelling. The rear addition is visible, 2021.



Image 9: Detail of the front porch material including rusticated concrete block, wood deck flooring, and wood rail and spindles, 2021.



Image 10: Detail of window opening on the west (front) facade, showing details of tongue and groove siding, 2021.



Image 11: Photograph looking east showing the intersection of the main dwelling (right) and the rear addition (left), 2021.



Image 12: Photograph looking east from the rear of the lot showing the back of the rear addition and footprint of the previously demolished two-storey addition, 2021.

Appendix C – Historical Documentation and Research



Image 13: Sketch of Part of London Township, 1850. The intersection on the left side of the image depicts Egerton running north to its intersection with Trafalgar Street (running east-west), and Hamilton Road, running diagonally across this image. The lot lines for Lot 10, Concession B are not shown, however the area south of and north of Hamilton Road is noted as “Oak Plains”.



Image 14: Tremaine’s Map of the County of Middlesex, showing Hamilton Road running diagonally across this image. Lots 10, Concession B is noted as “Divided into Small Lots” consistent with the land transaction records.

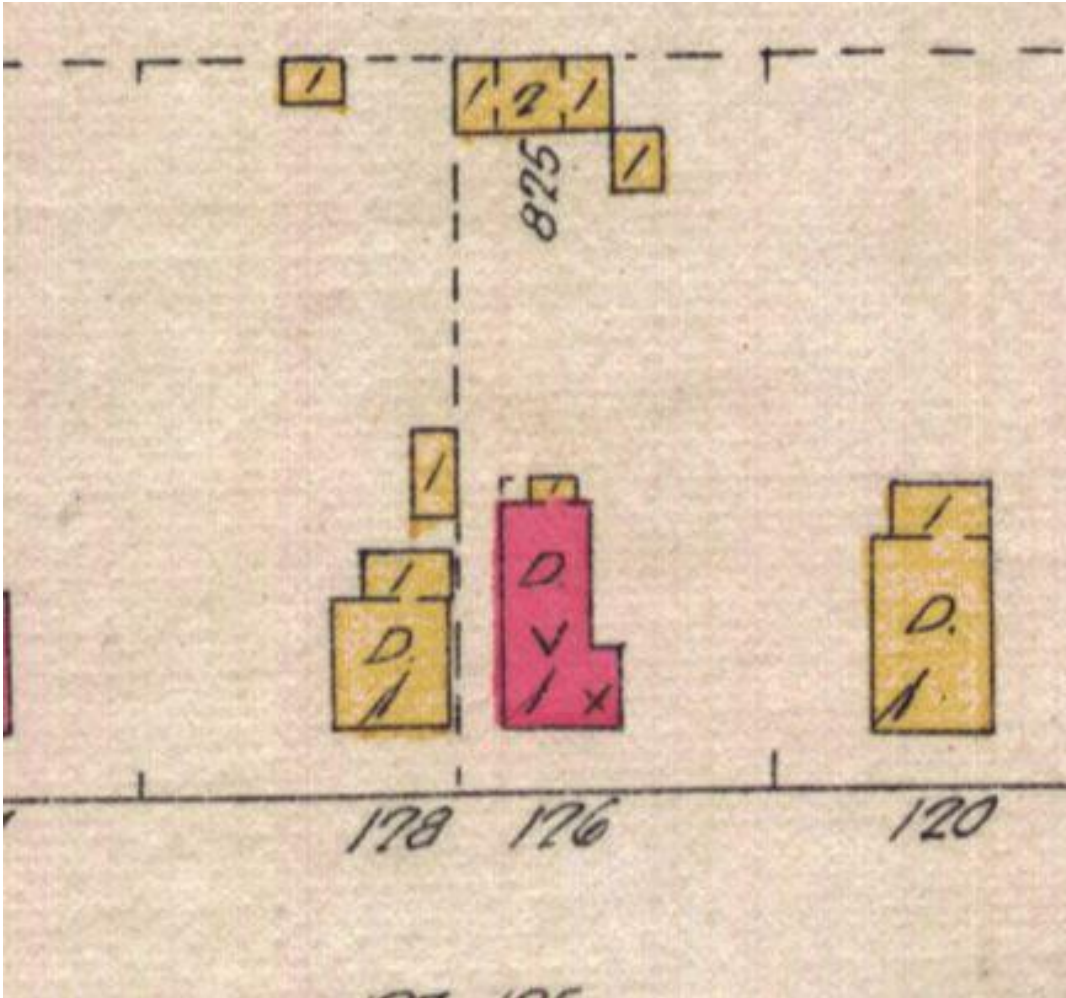


Image 15: 1912 Revised 1915 Fire Insurance Plan showing the footprint of 126 Price Street.

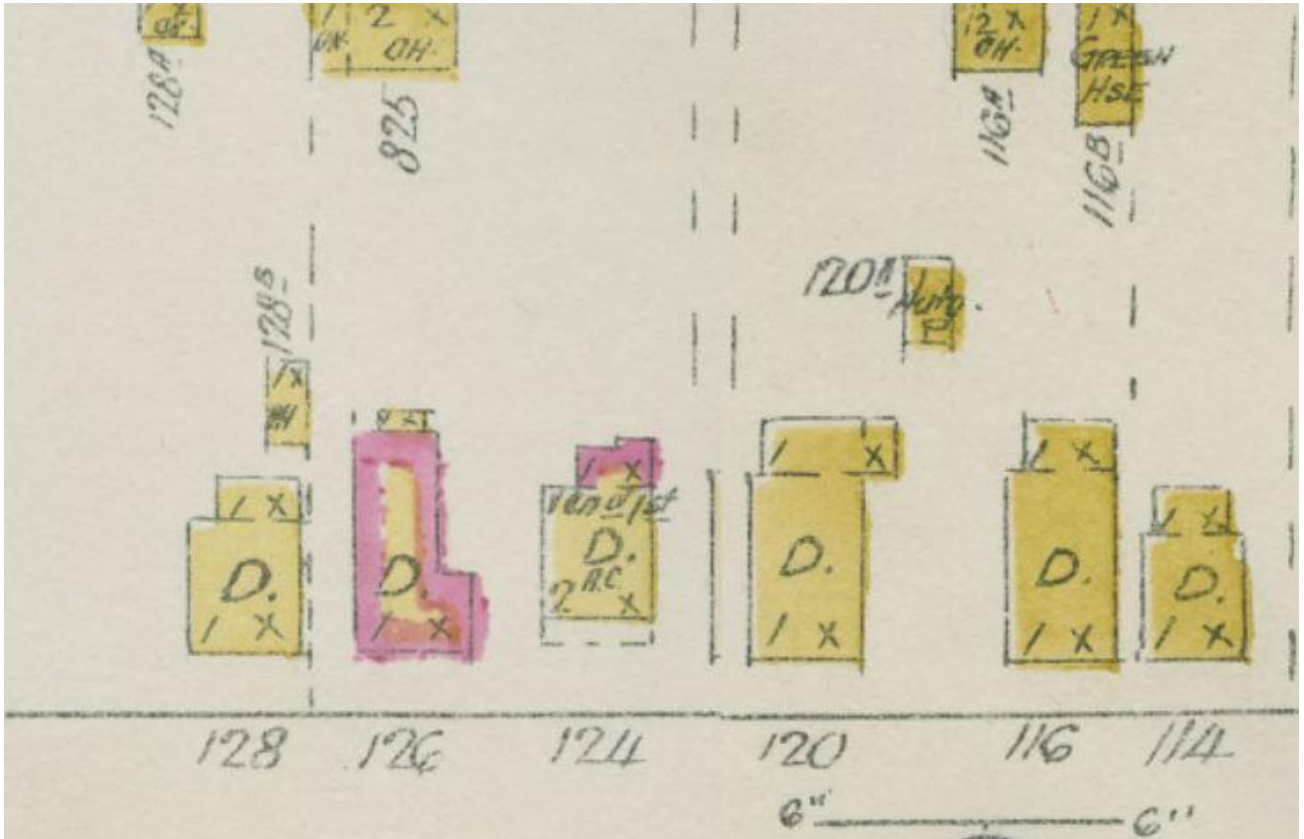


Image 16: 1912 Revised 1922 Fire Insurance Plan showing the footprint of 126 Price Street. Note, at this time the footprint remains the same, but the material has been corrected to demonstrate that the dwelling is frame, clad with exterior brick.



Image 17: Plan of Part of Lot No 10, in Concession B Township of London, Laid out into Building Lots for Edward Harris, by S. Peters, 1875. The subject property is located on Part 3 and Part of Lot 4 on the east side of Price Street.

Appendix D – Comparative Analysis

A comparative analysis was undertaken from the perspective of cultural heritage resources within London and with other one storey cottages, in London of a similar age. The one storey cottage form is common in London. A search of the Register of Cultural Heritage Resources returns over 500 properties that are identified as a cottage. A further refinement of the search results sought similar properties in age, form, and material, and location. L

The following properties were identified as comparison properties, some are photographed below:

- 18 Agryle Street (1876) – Blackfriars/Petersville Heritage Conservation District;
- 68 Albion Street (1879) – Blackfriars/Petersville Heritage Conservation District;
- 805 Richmond Street (1876) – Part IV designated;
- 601 Talbot Street (1876) – listed;
- 2 Oxford Street West (1875) – Blackfriars/Petersville;
- 155 Briscoe Street East (1885) – listed;
- 421 Pall Mall Street (c.1893) – listed;
- 128 Price Street (c.1870) – listed;
- 760 Trafalgar Street (c.1855) – listed;
- 890 Trafalgar Street (1890) – listed;
- 127 Price Street (c.1879);
- 59 Hydro Street (c.18700 – listed;
- 122 Egerton Street (c.1870) – listed;
- 88 Egerton Street (1914) – Part IV designated;
- 68 Bruce Street (1880) – Part IV designated and Wortley Village-Old South Heritage Conservation District;
- 16 Horn Street (c1870) – listed;
- 128 Langarth Street East (c.1873) – listed;

When compared with to other one storey cottages, with side gables, clad with brick or wood siding the dwelling at 126 Price Street does not display a high degree of craftsmanship nor does it appear to be a rare, unique, representative or an early example of a style, type, expression, material, or construction method. Fine examples of these details can be found on heritage listed and heritage designated properties in London.



Image 18: Photograph showing the dwelling located at 2 Oxford Street West, included within the Blackfriars/Petersville Heritage Conservation District (Google Street).

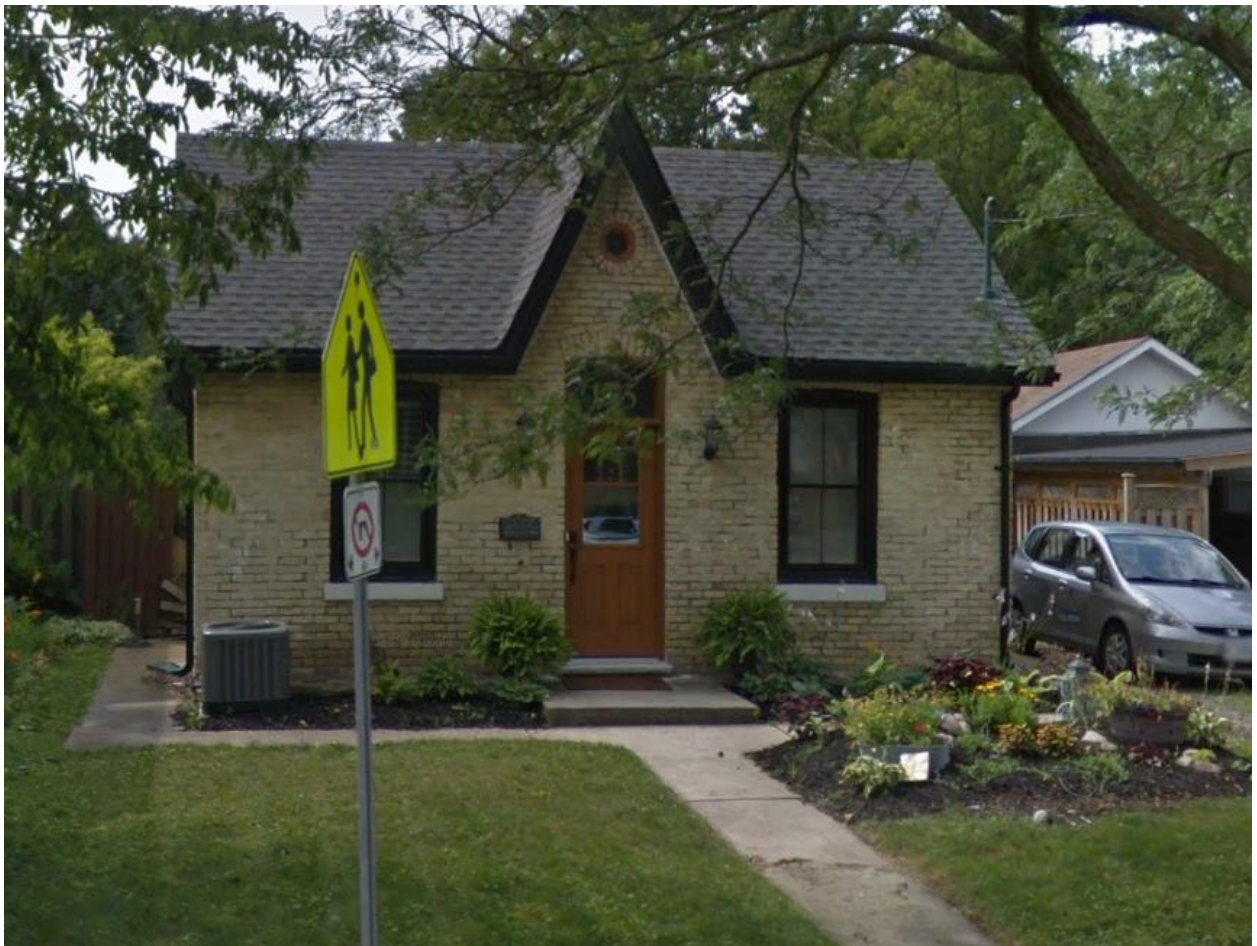


Image 19: Photograph showing the dwelling located at 155 Briscoe Street East, a heritage listed property (Google Street).



Image 20: Photograph showing the dwelling located at 421 Pall Mall Street, a heritage listed property.



Image 21: Photograph showing the dwelling at 760 Trafalgar Street, a heritage listed property (Google Street).



Image 22: Photograph showing the dwelling at 890 Trafalgar Street, a heritage listed property.



Image 23: Photograph showing the dwelling located at 88 Egerton Street, designated under Part IV of the Ontario Heritage Act (Google Street).

From: Christine F
Sent: Saturday, May 22, 2021 9:41 PM
To: Greguol, Michael <mgreguol@london.ca>; Cindy Davis
Subject: [EXTERNAL] 126 Price Street Demolition

This is for May 31st committee meeting

I live at 145 Price street, in a home that used to be a funeral home, also on price street there was also a post office. Myself William Rohrer and Christine Scott did contact the realtor woman that owned the house before Levy, she was to let Christine know what she was going to do with the house after she got the new furnace in there was damage done from a flood that was in the house. She never did get in touch, after we learned that she had sold it the levy, we were still interested in the house at 126 Price street just the way it was no drywall, insulation, it was just a shell. We wanted to purchase the house and try to restore it to original beautiful home it was. Christine owns a home at 97 Smith street which is a marked heritage home. We love the history in the area, we were going to sell both homes and make 126 our retirement home. Within 2 weeks of him purchasing he was asking us to pay 100 thousand over the price he paid, and that was still nothing done in home. The tree in front of this address is also a heritage tree. We feel he got too deep with renovations, who takes original yellow bricks off a home.

Our vote is No for demolition.

We will be attaching another paper with signatures for a No vote a lot of people on Price did not receive the request for demolition from Michael Greguol so I have been going door to door to receive signatures for a NO vote.

**Thank you
William Rohrer
Christine Scott**

- sent e-mail May 22nd,
to Michael Greguol.



London
CANADA

May 12, 2021

RE: REQUEST FOR DEMOLITION – 126 Price Street

NOTICE OF PUBLIC PARTICIPATION MEETING – May 31, 2021

A request was received on April 26, 2021 from the property owner of 126 Price Street for the demolition of the dwelling on this heritage listed property. In accordance with Section 27(3) of the *Ontario Heritage Act*, Municipal Council has 60 days thereafter to make a decision on the demolition request. It also must consult with the London Advisory Committee on Heritage (LACH).

It is a policy and practice of Municipal Council that the proposed demolition of a building or structure on a heritage listed property shall be considered at a public participation meeting before the Planning and Environment Committee (PEC). As an area property owner, this letter is to advise that the Planning and Environment Committee will consider this request at its meeting on May 31, 2021, on the third floor, City Hall, 300 Dufferin Avenue (northeast corner of Wellington Street and Dufferin Avenue) at a time after 5:00 PM.

You may wish to speak to this matter. Anyone wishing to speak at a public participation meeting can so do virtually, using Zoom online or by phone. Pre-registration is required (see attached). Comments may be submitted to the agenda through the Committee Secretary (pec@london.ca). Your Ward Councillor, Michael van Holst has been advised of this matter.

Accessibility - The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at planning@london.ca or 519-661-4980 by May 21, 2021 to request any of these services.

Yours truly,

Michael Greguol
Heritage Planner
519-661-CITY (2489) ext. 5843
mgreguol@london.ca

126 Price Street
Meeting May 31, 2021
- Demolition of Dwelling

- I live at 145 Price Street, in a home that used to be a funeral home, on Price Street there was also the post office. myself William Rohrer and Christine Scott did contact the Relator woman that owned the home before Levy, she was to let ~~us~~ ^{Christine} know what she was going to do with the home after furnace and asbestos was removed. Never did then we learned Levy had purchased it, we were interested in it just the way it was no insulation it was just a shell. We wanted to purchase it and restore to original. As this is a heritage area. Christine owns a home at 97 Smith Street which is marked heritage. Instead of giving us a price 80 thousand \$ over what he had just bought 2 weeks

prier. felt he was being very greedy. The tree in front of 126 Price Street is a heritage tree, I feel he got in to deep with renovations who takes original bricks off home. So we vote NO for Demolition.

Just so you know NOT Even half the people on price street did not receive the Request for Demolition.

Thank-you
William Rohrer
148 Price Street

Demolition for 126 Price Street
WE ARE A NO

We ARE NO

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Habitat for Humanity Heartland Ontario Inc.
1697 Highbury Avenue North
Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Habitat for Humanity Heartland Ontario Inc. relating to the property located at 1697 Highbury Avenue North:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 15, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Residential R5/Residential R6 (R5-2/R6-4) Zone and an Open Space (OS5) Zone, **TO** a Residential R5 Special Provision (R5-7(_)) Zone and an Open Space (OS5) Zone;
- (b) **IT BEING NOTED** that the following site plan matters were raised during the application review process:
 - i) orientation of the easterly stacked townhouse building to Highbury Avenue North;
 - ii) visual access for the southerly end units to the open space area and the Thames River interface be enhanced by providing increased number of windows and/or balconies;
 - iii) naturalization of the Open Space lands on the site; and,
 - iv) the potential conveyance of all or part of the Open Space lands to the City.

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to permit the development of a 20 unit stacked townhouse development, with a three-storey building located adjacent to Highbury Avenue North, and a two-storey building located toward the rear of the property.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit a 20 unit stacked townhouse development, with a three-storey building located adjacent to Highbury Avenue North, and two-storey building located toward the rear of the property. The following special provisions would facilitate the proposed development: a minimum front yard depth of 1.0 metre, a maximum front yard depth of 6.0 metres, a south interior side yard depth of 1.5 metres, a rear yard depth of 5.5 metres, and a third stacked townhouse unit on the units adjacent and oriented to Highbury Avenue North whereas the definition of "Stacked Townhouse" permits stacking up to 2 units high. The recommended action will also provide additional protection to the ecological features

and functions associated with the Thames River, and ensure development remains outside of hazard lands associated with steep slopes.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation and Environmental Policies;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development.

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

None.

1.2 Property Description

The subject site is located on the west side of Highbury Avenue North, to the immediate north of the North Branch of the Thames River. The site has a frontage of 95.3 metres and a total area of 0.54 hectares, approximately one-third of which is located within an area identified as having environmentally significant features and functions and/or associated with the steep slopes and erosion allowance adjacent to the watercourse. The subject site is developed with one single detached dwelling. The two-thirds of the site proposed for development is relatively flat in topography.

Highbury Avenue North is an arterial road with an average annual daily traffic volume of 27,500 vehicles per day. Traffic lights are planned for installation at the intersection of Highbury Avenue North and Edgevalley Road, approximately 300 metres south of the subject property, in 2022.

A Union Gas pipeline is located within the west side of the Highbury Avenue North road allowance. Union Gas has confirmed no setback from the pipeline within the private lands is required.

Multi-use pathway access to the nearby Thames Valley Corridor has been constructed on the north and south sides of the river east of Highbury Avenue North, and on the south side of the river west of Highbury Avenue. Pending possible future acquisition of the required lands from the subject property to complete the north part of the planned multi-use pathway west of Highbury Avenue North, public access is available to the north side of the river via an easement in the City’s favour over 155 Killarney Road. The easement is directly adjacent to the north and west property boundaries of the subject property.



Figure 1: 1697 Highbury Avenue North (view of house from Highbury Avenue North)



Figure 2: 1697 Highbury Avenue North (view from Highbury Avenue bridge)

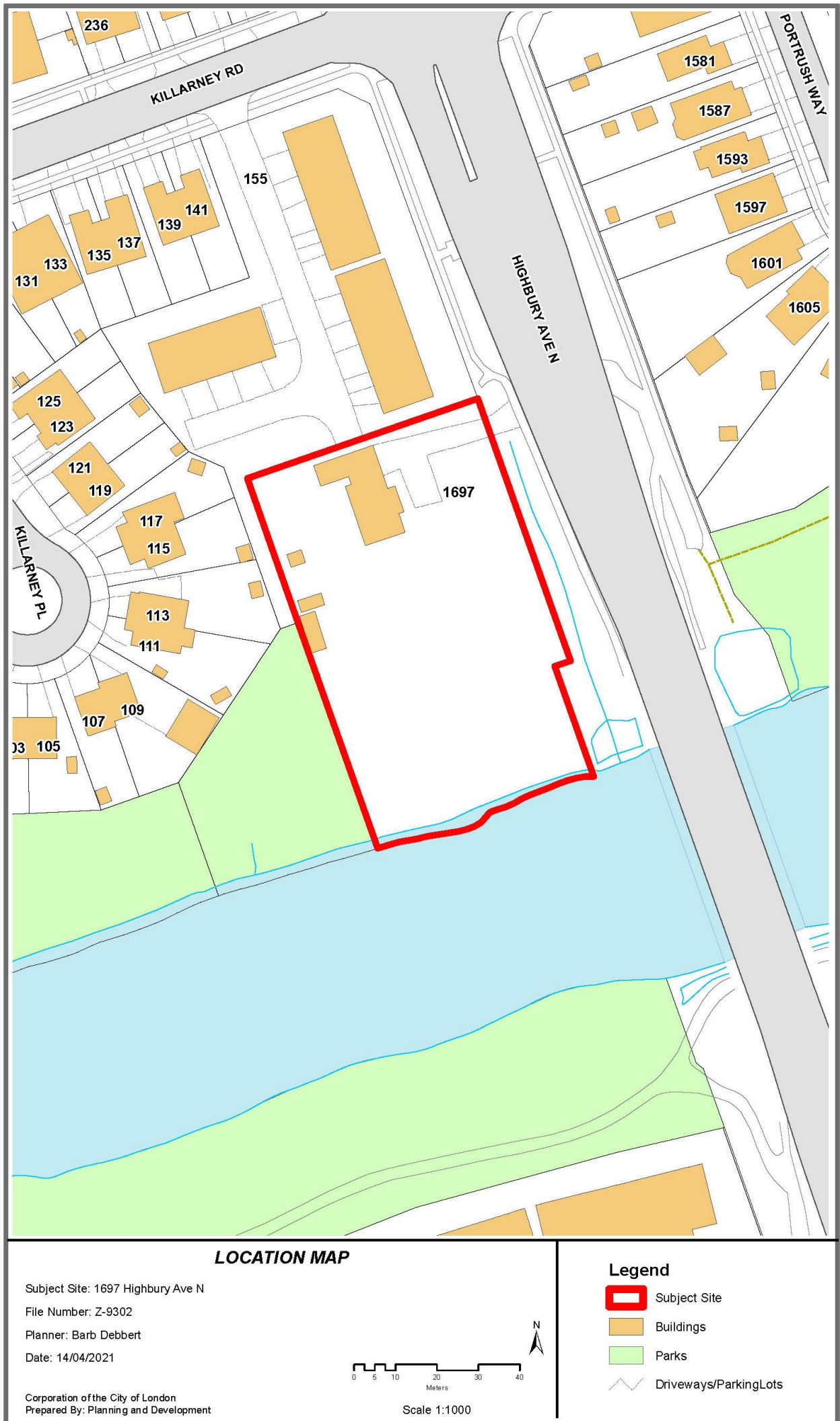
1.3 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Low Density Residential and Open Space
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R5/Residential R6 (R5-2/R6-4) and Open Space (OS5)

1.4 Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 95.3 metres
- Depth – 58.8 metres
- Area – 0.54 hectares
- Shape – Rectangular

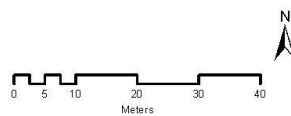
1.5 Location Map



LOCATION MAP

Subject Site: 1697 Highbury Ave N
 File Number: Z-9302
 Planner: Barb Debbert
 Date: 14/04/2021

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



Scale 1:1000

Legend

-  Subject Site
-  Buildings
-  Parks
-  Driveways/ParkingLots

1.6 Surrounding Land Uses

- North – Residential (townhouses)
- East – Residential, Open Space (single detached dwellings, Highbury Wetland, Kilally Woods Open Space, Thames Valley Parkway on north and south sides of Thames River, east of Highbury Avenue North)
- South – Open Space, Residential (Kilally Meadows Environmentally Significant Area, Thames River, Thames Valley Parkway on south side of Thames River, townhouses and single detached dwellings)
- West – Residential (single and semi-detached dwellings, informal trail access to north side of Thames River via private lands)

1.7 Intensification

The proposed 20 residential units represent intensification within the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Original Development Proposal (January 2021)

In January 2021, the City accepted a complete application that proposed a 23 unit townhouse development consisting of a three-storey, 15 unit stacked townhouse building (5 units wide, 3 units high) parallel to the rear property line, and a two-storey, 8 unit stacked townhouse building (4 units wide, 2 units high) located adjacent to Highbury Avenue North as depicted in Figure 3. The effective density was 54 units per hectare. The driveway entrance was proposed to be located close to the north property line. Parking was proposed in a surface parking lot located between the two buildings and toward the south part of the site. Front and side renderings of the proposed stacked townhouse buildings are contained in Figures 4 and 5.

2.2 Revised Development Proposal (April 2021)

In April 2020, the applicant requested a revision to the application in response to concerns raised by City staff and the public, and slight design modifications to address technical site design requirements. The revised proposal is for a 20 unit townhouse development consisting of a two-storey, 8 unit stacked townhouse building (4 units wide, 2 units high) parallel to the rear property line, and a three-storey, 12 unit stacked townhouse building (4 units wide, 3 units high) located adjacent to Highbury Avenue North as depicted in Figure 6. Parking is proposed in a surface parking lot located between the two buildings and toward the south part of the site with an additional 4 parking spaces north of the rear building.

2.3 Original Requested Amendment (January 2021)

The applicant originally requested to change the zoning on the subject site from a Residential R5/Residential R6 (R5-2/R6-4) Zone, which permits cluster townhouses and cluster stacked townhouses with a maximum density of 30 units per hectare and a maximum height of 12.0 metres, and single, semi-detached and duplex dwellings with a maximum density of 20 units per hectare and a maximum height of 10.5 metres, to a Residential R5 Special Provision (R5-7(_)) Zone. The R5-7 Zone permits cluster townhouses and cluster stacked townhouses with a maximum density of 60 units per hectare and a maximum height of 12.0 metres. Special provisions were requested for:

- a reduced maximum density of 54 units per hectare in place of 60 units per hectare;
- a reduced maximum front yard depth of 2.9 metres in place of 8.0 metres; and,
- to permit a third stacked unit on the rear units whereas stacked townhouses are defined in the Zoning By-law as being two units high.

The area requested to be rezoned included all of the lands (0.43ha) within the area currently zoned Residential R5/Residential R6 (R5-2/R6-4) Zone, resulting in an effective density of 54 units per hectare.

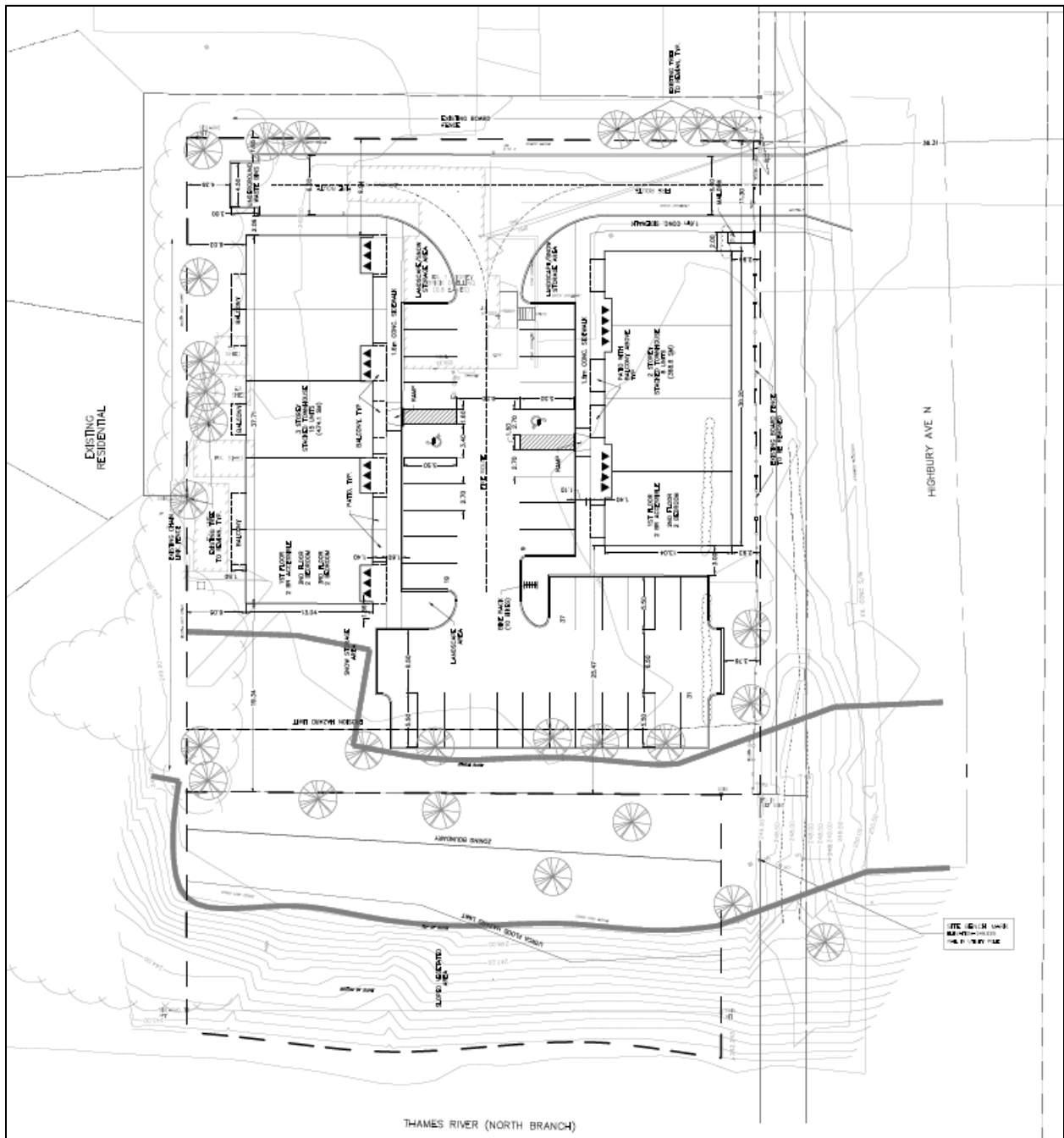


Figure 3: Original site concept plan (January 2021)



Figure 4: Original rendering – front view



Figure 5: Original rendering – side view

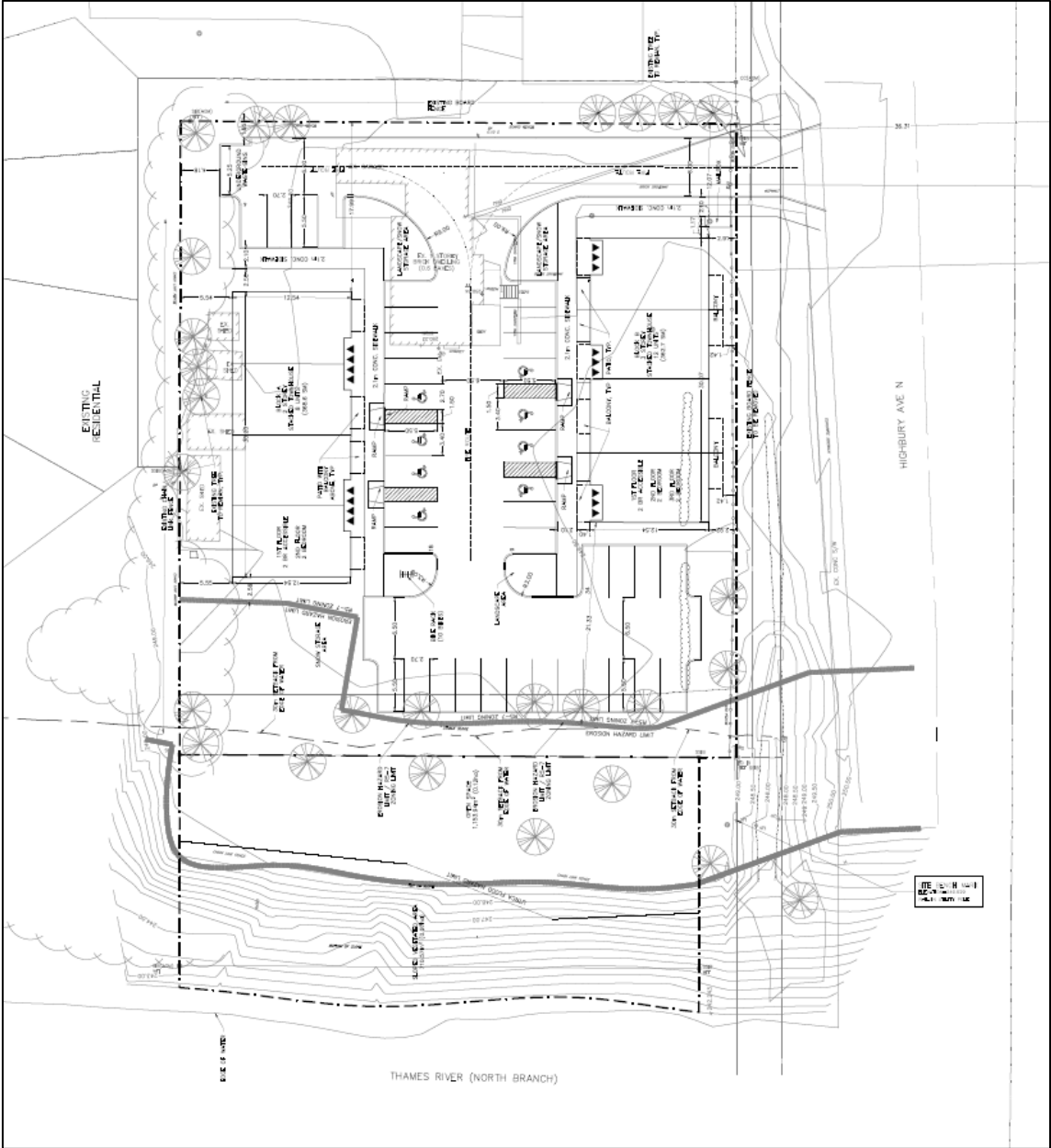


Figure 6: Revised Site concept plan

2.4 Revised Requested Amendment (April 2021)

In April 2021, the applicant requested a revision to the application in response to concerns raised by City staff and the public, to address minor adjustments in the design, and to recognise more precise interpretation of existing zoning regulations. Of note is the request to move the Open Space (OS5) zone line northerly to follow the maximum of the erosion allowance and the minimum 30m setback from the high water mark within significant valleylands, whichever is greater. Since a zone line is a lot line for Zoning By-law interpretation, the cumulative impact of the reduced number of units, and the decreased development area resulted in an effective density calculation of 58 units per hectare. The relocation of the zone line also affected the required south interior side yard depth. The recommended special provisions are as follows:

- a minimum front yard depth of 1.0 metres in place of 0.0 metres (revised as 40 metre road right-of-way does not require a minimum yard depth)
- a maximum front yard depth of 6.0 metres (new)
- a reduced rear yard depth of 5.5 metres in place of 6.0 metres (new)
- a reduced south interior side yard depth of 1.5 metres in place of 6.0 metres (new)
- Definition of “STACKED TOWNHOUSE” permits units to be stacked three (3) units high only for those units located immediately adjacent to Highbury Avenue (revised).

2.5 Community Engagement (see more detail in Appendix B)

Twelve written responses were received, which will be addressed later in this report. One respondent supported the application. The primary concerns were related to:

- Over-intensification
- Lighting, privacy, noise
- Traffic impacts
- Parking
- Environmental impacts
- Impacts on private trail usage

2.6 Policy Context (see more detail in Appendix C)

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. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant valleylands. Development and site alteration shall not be permitted on adjacent lands to these natural heritage features and areas 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. (2.1 Natural Heritage – 2.1.1, 2.1.5, and 2.1.8).

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_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to become one of the greenest cities in Canada by:

- Protecting and enhancing our Thames Valley corridor and its ecosystem
- Strengthen our urban forest by monitoring its condition, planting more, protecting more, and better maintaining trees and woodlands.
- Continually expand, improve, and connect our parks resources. (Key Direction #4, Directions 3, 9 and 10)

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 2, 4 and 5).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features.
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Directions 5 and 10).

Lastly, The London Plan provides direction to make wise planning decisions by:

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The site is in the Neighbourhoods Place Type on an Urban Thoroughfare, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include a range of low rise residential uses, such as townhouses, stacked townhouses, triplexes, fourplexes, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 2 storeys, and the maximum permitted height is 4 storeys, with the potential to bonus up to six storeys. (*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The Green Framework policies of the City Structure Plan within The London Plan highlights the Thames Valley Corridor and its tributaries as a feature that has played a major role in the human settlement and development of London and Southwestern Ontario. It is considered London’s most important natural, cultural, recreational and aesthetic resource. Recognizing the importance of the Thames Valley Corridor, a number of actions are identified, including:

- Protect, enhance, and restore the natural and cultural heritage of the Thames Valley Corridor in all the planning we do.

- Develop a continuous multi-use pathway network connecting parks and natural areas along the Thames Valley Corridor as the outdoor recreational spine of the City.
- As appropriate, acquire lands along the Thames Valley Corridor to support ecological, cultural, and/or recreational objectives of the Plan. (121 – 123)

The site is identified as being within an Environmentally Significant Area and Significant Valleylands on *Map 5 – Natural Heritage, and within the Riverine Erosion Hazard Line for Confined Systems, the Regulatory Floodline, Highly Vulnerable Aquifers and the UTRCA Regulation limit on *Map 6 – Hazards and Natural Resources of The London Plan.

1989 Official Plan

The subject site is designated Low Density Residential in accordance with Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single detached, semi-detached and duplex dwellings. Residential Intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments, subject to specific criteria (3.2).

The site is identified as being within the Big-picture Meta-cores/Meta-corridors policy area of the 1989 Official Plan and is affected by the Significant Corridor, Maximum Hazard Line and Kilally Meadows ESA on Schedule B-1, and the Riverine Erosion Hazard Line for Confined Systems, Regulatory Floodline, and the Upper Thames River Conservation Authority regulated area on Schedule B-2 of the 1989 Official Plan. The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. The City will require that an environmental impact study be completed to its satisfaction, and in accordance with provincial policy, in consultation with the relevant public agencies prior to the approval of an Official Plan amendment, Zoning By-Law amendment, subdivision application, consent application or site plan application, where development is proposed entirely or partially within the distances adjacent to Natural Heritage System components set out in Table 15-1. (15.5.1)

3.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS encourages 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 to meet long-term needs (1.1.1b)). The PPS also promotes 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 (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within

settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The London Plan

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes 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. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the proposed two-to-three storey, 20 unit stacked townhouse development would contribute to a mix of housing types, providing more intrinsically affordable housing options. This particular development is intended for affordable housing by Habitat for Humanity.

The subject site is in the Neighbourhoods Place Type of The London Plan fronting on an Urban Thoroughfare. Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921_). At this location, Table 10 would permit a range of a range of low rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (3.1.1 ii). The subject property is designated Low Density Residential in the 1989 Official Plan. This designation contemplates primarily single detached, semi-detached and duplex dwellings. Residential Intensification may be permitted up to 75 units per hectare in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments. Zoning provisions for residential intensification projects will ensure that infill housing projects recognize the scale and character of adjacent land uses and reflect the character of the area, and address the Planning Impact Analysis policies in Section 3.7 of the Plan (3.2.1. and 3.2.3.2.).

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended townhouse development will contribute to the existing range and mix of housing types in the area, which consists of one and two-storey single detached, semi-detached, and townhouse development in the immediate vicinity, with higher intensity townhouses and apartments under construction or planned on the east side of Highbury Avenue to the south. The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed two-to-three storey, 20-unit stacked townhouse dwellings will provide choice and diversity in housing options for both current and future residents. No new roads or infrastructure are required to service the site, making efficient use of land and existing services. The property has suitable access to open space, transit, community facilities and shopping areas as further detailed in the Planning Impact Analysis in Appendix C of this report. While the recommended townhouse development has a different intensity and built form than existing surrounding development, the analysis of intensity and form below demonstrates that stacked townhouses can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant

supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The London Plan

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (*83_, *937_, *939_ 2. and 5., and *953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on an Urban Thoroughfare (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (*953_3.).

1989 Official Plan

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. While residential densities are generally limited to 30 units per hectare, the Plan also provides for residential intensification through the development of vacant and/or underutilized lots within previously developed areas. (3.2.1. and 3.2.3.). Such residential intensification is permitted in the form of single detached and semi-detached dwellings, attached dwellings, cluster housing and low-rise apartments in a range up to 75 units per hectare (3.2.3.2.). Zoning By-law provisions will ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of the area.

Analysis:

The subject lands have frontage on an Urban Thoroughfare (Highbury Avenue North) which is a higher-order street, to which higher-intensity uses are directed. The subject property is of a size and configuration capable of accommodating a more intensive redevelopment of an underutilized site within a settlement area. As the site is currently developed with one single detached dwelling, the proposed development represents a form of intensification through infill redevelopment. Consistent with the PPS, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. As the site is currently developed with a single detached dwelling, the proposed development represents a form of intensification through infill redevelopment. The increased intensity of development on the site will make use of existing transit services, nearby passive recreation opportunities, and public service opportunities. The subject lands are sited in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment.

The proposed revised 3-storey, 20-unit stacked townhouse development yields a density of 58 units per hectare, well within the maximum density of 75 units per hectare that can be considered under the 1989 Official Plan policies. In addition, the proposed 2 – 3 storey height is less than the maximum, without bonusing, supported by The London Plan policies. As such, staff is satisfied the proposed intensity and scale of development is in conformity with the City's Official Plans.

The available developable area on the site is significantly constrained by the stable slope setback associated with the Thames River. The intensity of development within the remaining developable area is suitable for the site. It is noted that the only special provisions related to the relationship of the proposed development to neighbouring developed properties is a reduction from a 6.0 metre rear yard depth to 5.5 metres. This reduced yard depth is sufficiently compensated by the intervening pathway lands associated with 155 Killarney Road.

The impact of addition of traffic volume from a 20 unit development on a higher-order road that currently experiences high traffic volumes is negligible and is not an impediment to the proposed development. Furthermore, the City's Transportation Division is satisfied that the location of the driveway as far north on the property as possible provides for suitable spacing for safety and sightlines.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and the City's Official Plans.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing "inward and upward" to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953_ 2.a. to f.). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

1989 Official Plan

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. Infill projects are subject to the preparation of a Neighbourhood Character Statement assessing the physical environment of the neighbourhood, composed of its lots, buildings, streetscapes, topography, street patterns and natural environment (3.2.3.3.). They are also subject to a Statement of Compatibility to demonstrate that the proposed project is sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood (3.2.3.4.). Applications for residential intensification are also to be evaluated on the basis of Section 3.7 – Planning Impact Analysis (3.3.3ii)). Appendix C of this report includes a complete Planning Impact Analysis addressing matters of both intensity and form.

Analysis:

Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended intensification of the subject property would optimize the use of

land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed stacked townhouses represent a more compact form of development than the single detached dwelling that currently occupies the site.

The massing of the proposed buildings is consistent with urban design goals, locating the taller building close to Highbury Avenue North and the shorter building to the rear of the property. The placement of the building close to the street encourages a street-oriented design with ground floor entrances facing Highbury Avenue North. Detailed building design including rhythm, materials, fenestration, and balconies will be considered at the site plan stage, helping to create a comfortable, human-scaled streetscape. Urban Design staff specifically identified that visual access for the southerly end units to the open space area and the Thames River interface be enhanced by providing increased number of windows and/or balconies.

The parking areas are located primarily behind the front building and away from the street, while adequate space can be provided between the parking area that is exposed to Highbury Avenue to provide for appropriate screening of the parking from the street.

The proposed development as a whole is of a similar height to the surrounding residential units to the west and north. The revised building massing and placement also mitigate compatibility concerns, including neighbourhood concerns regarding loss of privacy. The proposed buildings are located adequate distances from the developed portions 155 Killarney Road and 111 through 117 Killarney Place to mitigate potential loss of privacy. The driveway has been positioned toward the north property line, creating a separation from the side and south-facing, two-storey townhouse units on adjacent lands at 155 Killarney Road. In addition to the recommended reduced 5.5 metre rear yard, the intervening pathway over 155 Killarney Road provides additional separation from the semi-detached dwellings to the west. Furthermore, the revised proposal that places the stacking of two units to the rear of the property rather than the original requested stacking of three units in this location, further address privacy concerns for these dwellings. Sufficient space is available to provide for appropriate vegetative screening along the north and west property boundaries adjacent to existing development.

A specific neighbourhood concern was the potential for increased usage of the northerly access to the Thames Valley Corridor via 155 Killarney Road and behind the homes on Killarney Place. The City has an interest in acquiring the hazard lands on this property, which would facilitate the eventual completion of the formal Thames Valley Corridor connection across the subject property, decreasing demand for access to the Corridor across private lands from the broader community. The applicant's consultant has also indicated there are no plans to provide direct access from the proposed development to the current pathway system.

4.4 Issue and Consideration #4: Ecological Systems, Slope Protection, and Tree Preservation

Provincial Policy Statement, 2020 (PPS)

The PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant valleylands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1 Natural Heritage – 2.1.5). The PPS also directs development away from areas of natural hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards. Development shall generally be directed ... to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards (3.1 – Natural Hazards – 3.1.1).

The London Plan

The property is affected by the Environmentally Significant Area and Significant Valleylands on Map 5 – Natural Heritage, the Riverine Erosion Hazard Line for Confined Systems, the Regulatory Floodline, Highly Vulnerable Aquifers and the UTRCA Regulation limit on Map 6 – Hazards and Natural Resources of The London Plan.

The Environmental Policies of this Plan require the submission of environmental impact studies to determine whether, or the extent to which, development may be permitted in areas within, or adjacent to, specific components of the Natural Heritage System. Development or site alteration on lands adjacent to features of the Natural Heritage System shall not be permitted 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 (1433_).

The corridor width of Significant Valleylands is to be determined and delineated on the basis of the following criteria:

- The valleyland width shall be sufficient to accommodate the natural features and ecological functions that contribute to its significance including water resource functions such as flood plain and erosion hazards, riparian buffers for natural features, ecological functions and water quality and quantity.
- The minimum width of significant valleylands will be generally comprised of 30 metres on each side of the watercourse measured from the high water mark, consistent with the Natural Heritage Reference Manual. The ultimate width of a corridor will be established on a case-by-case basis to address the impacts of the adjacent development and the sensitivity of the features and functions through the application of the Guidelines for Determining Setbacks and Ecological Buffers, as part of an environmental impact study and/or subject lands status report approved by the City.
- The valleyland width will be sufficient to support and provide corridor functions (1350_).

The London Plan directs development away from lands that are subject to riverine erosion hazards. In areas of new development, the use of hazard avoidance, vegetative plantings and other non-structural solutions are the preferred method of addressing riverine erosion hazards (1488). Ultimately, all natural hazard lands are regulated by and within the jurisdiction of the respective conservation authority, requiring permits pursuant to Section 28 of the Conservation Authorities Act.

1989 Official Plan

The property is immediately adjacent to the North Thames River and is affected by the Significant Corridor, the Maximum Hazard Line and the Kilally Meadows Environmentally Significant Area on Schedule B-1, and the Riverine Erosion Hazard Line for Confined Systems, the Regulatory Floodline, and the Upper Thames River Conservation Authority regulated area on Schedule B-2 of the 1989 Official Plan.

The 1989 Official Plan contains similar policies to The London Plan with respect to the protection of Significant Valleylands and their related features and functions, as well as controlling development within hazard lands.

Thames River Valley Corridor Plan (TRVCP)

The Thames River Valley Corridor Plan also applies to these lands. The preferred minimum corridor width in the TRVCP is 100 meters. While recognizing this may not be achievable on private lands that are slated for development, it is possible to change and influence new development to be more compatible with the natural heritage objectives for the Thames Valley Corridor, and to support the increasing public and City interest in “green”, sustainable, environmentally sound design.

Analysis:

The applicant completed a Scoped EIS Letter Report (MTE Consultants, January 18, 2021) based on the maintenance of a 30 metre setback from the edge of the Thames River, addressing tree inventory and protection, species at risk screening, bat habitat, and goals and objectives for the naturalization of the south part of the site. The accepted recommendations include a 30 metre development setback from the river's edge, and the possible addition of two bat maternity roost boxes as part of the naturalization plan to be implemented through the site plan approval process.

The recommendations of the Tree Preservation Report (MTE Consultants, October 19, 2020) provided as an appendix to the EIS Letter Report include the retention of 20 trees and the removal of 61 trees. Those trees to be removed are non-native, non-specimen trees; invasive or undesirable species; unhealthy, dead or severely cut back trees; and ten trees not otherwise identified for removal that are within the grading envelope of the subject site. It also recommends a naturalization plan which would entail the planting of 32 native tree species and seeding with native plant species within the open space area. The Tree Preservation Report and all of its recommendations will be refined and implemented through the site plan approval process. In addition, landscaped buffers within the development lands will be incorporated through a landscape plan at site plan. City staff are satisfied that the 30 metre setback and recommendations of the EIS Letter Report appropriately address the impacts of the proposed development and protect and enhance the features and functions associated with the Thames Valley Corridor.

The south part of the site is characterized by steep slopes associated with the Thames River. The applicant submitted technical studies (Geotechnical Investigation Report – MTE consultants, October 24, 2019, and Preliminary Slope Assessment, MTE Consultants, Revised February 24, 2021) to determine and map the limit of the stable top of slope and the 6.0 metre setback allowance from the top of slope within which development will not be permitted. The flood hazard, and the required minimum 30 metre setback from the high water mark discussed above lie within the identified erosion hazard area. As a result, the development limit is determined wholly by the erosion hazard line including the 6.0 metre setback allowance, represented by the northerly dark grey line on Figure 6.

In keeping with Official Plan policies, the City should pursue the acquisition of the open space lands with a view to protecting, enhancing and restoring the natural and cultural heritage of the Thames Valley Corridor, including for the completion of a critical component of the multi-use pathway network along the north side of the Corridor. Acquisition may be considered in accordance with the City's Parkland Conveyance and Levy By-law – CP-9.

The lands identified for protection are consistent with the PPS, conform to the 1989 Official Plan, The London Plan and satisfy the intent of Thames River Valley Corridor Plan in the context of this site.

4.5 Issue and Consideration #5: Zoning

The hazard lands identified earlier in this report are to be zoned Open Space (OS5), necessitating a shift in the existing zone line between open space and development lands further north on the property. This shift is reflected in the revised site concept shown in Figure 6. Since the zone line is treated as a property line for zoning interpretation purposes, the site statistics were updated, resulting in an increased proposed density of 58 units per hectare although the number of units proposed has actually decreased to 20. An additional impact of the zone line shift is a request for a south interior side yard depth of 1.5 metres.

The requested amendment also seeks a special provision to permit a minimum front yard depth of 1.0 metres, whereas there is no required front yard depth adjacent to a road with a minimum width of 40.0 metres, as is the case with Highbury Avenue North. The recommended minimum front yard depth is intended to ensure that building features such as swinging doors do not open into the road right-of-way. The

recommended maximum front yard depth of 6.0 metres, where a maximum is not required by the standard R5-7 Zone, reflects current urban design standards in The London Plan, which encourage buildings to be positioned with minimal setbacks to public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (*259_). The combination of minimum and maximum front yard depths is conducive to achieving a street-oriented and transit-oriented building design.

The required rear yard depth is intended to provide adequate separation between the proposed development and adjacent buildings, while also providing access to the rear yard. The rear yard abuts an undeveloped portion of 155 Killarney Road that is too narrow to develop but currently provides access to the Thames Valley Corridor to the south. Staff is satisfied that the reduced minimum rear yard depth of 5.5 metres where 6.0 metres would normally be required, will provide adequate separation between development on the subject property and the existing semi-detached dwellings to the west.

The current definition of stacked townhouses permits units to be stacked two units high and does not reflect the proposed three unit high stacking requested for the building adjacent to Highbury Avenue North. Staff is satisfied that the stacked townhouse form for this development is appropriate, and that the allowance to stack three units high at the front of the property is compatible with surrounding development and furthers design goals adjacent to major arterial roads.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation and the Environmental Policies. The recommended amendment will facilitate the development of an underutilized site with a land use, intensity, and form that is appropriate for the site.

Prepared by: Barb Debbert
Senior Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A

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 1697 Highbury Avenue North.

WHEREAS Habitat for Humanity Heartland Ontario Inc. has applied to rezone an area of land located at 1697 Highbury Avenue North, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1697 Highbury Avenue North, as shown on the attached map comprising part of Key Map No. A103, from a Residential R5/Residential R6 (R5-2/R6-4) Zone and an Open Space (OS5) Zone, **TO** a Residential R5 Special Provision (R5-7()) Zone and an Open Space (OS5) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:
 -) R5-7() 1697 Highbury Avenue North
 - a) Regulations
 - i) Front Yard Depth (Minimum) 1.0 metres (3.28 feet)
 - ii) Front Yard Depth (Maximum) 6.0 metres (19.7 feet)
 - iii) South Interior Yard Depth (Minimum) 1.5 metres (4.9 feet)
 - iv) Rear Yard Depth (Minimum) 5.5 metres (18.04 feet)
 - v) The definition of "STACKED TOWNHOUSE" permits units to be stacked three (3) units high, for only those units located immediately adjacent and oriented to Highbury Avenue North.

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.

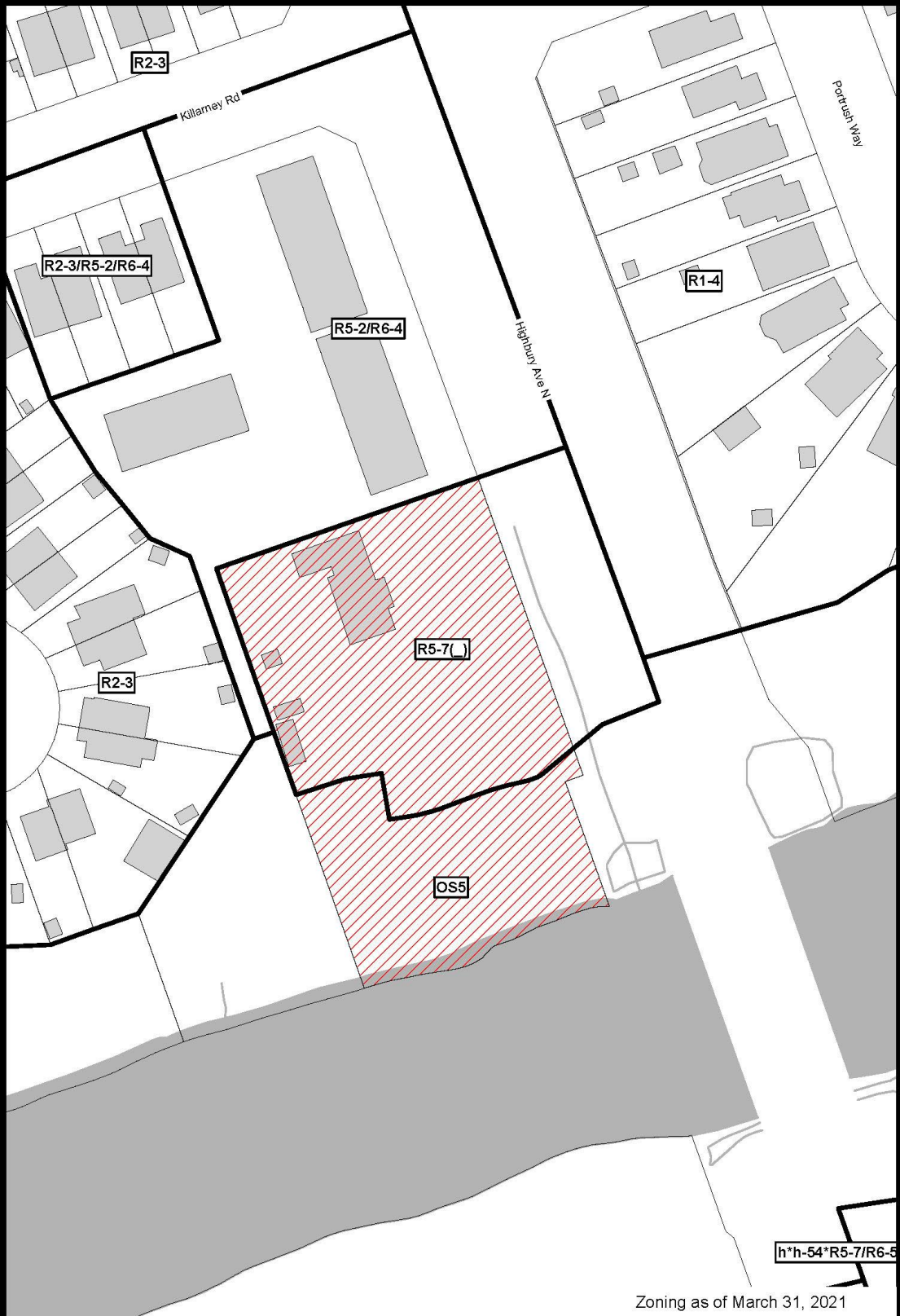
PASSED in Open Council on June 15, 2021.


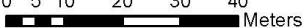

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

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



<p>File Number: Z-9302 Planner: BD Date Prepared: 2021/04/13 Technician: RC By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:1,000</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

Appendix B – Public Engagement

Community Engagement

Notice of Application (January 28, 2021):

On January 28, 2021, Notice of Application was sent to 142 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 28, 2021. A “Planning Application” sign was also posted on the site.

12 replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of two new, townhouse buildings: (1) a 2-storey, stacked townhouse building located close to the street; and (2) a 3-storey stacked townhouse building on a portion of the lands. Possible change to Zoning By-law Z.-1 from a Residential R5 (R5-2) and Residential R6 (R6-4) Zone to a Residential R5 Special Provision (R5-7(_)) Zone with special provision including a maximum density of 54 units per hectare, a minimum front yard setback of 2.9m, and a third stacked unit on the rear units whereas in the definition of stacked townhouses indicates they are only two units high.

Notice of Revised Application (May 5, 2021):

On May 5, 2021, Notice of Revised Application was sent to 142 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 6, 2021.

Nature of Liaison: The purpose and effect of this zoning change is to permit two new stacked townhouse buildings with a total of 20 units (58 units per hectare (uph)): (1) a 3-storey, stacked townhouse building with 12 units located close to the street; and (2) a 2-storey stacked townhouse building with 8 units located toward the rear of the property. Possible change to Zoning By-law Z.-1 **FROM** a Residential R5/Residential R6 (R5-2/R6-4) Zone and an Open Space (OS5) Zone **TO** a Residential R5 Special Provision (R5-7(_)) Zone and an Open Space (OS5) Zone. Special provisions for the Residential R5 Special Provision (R5-7(_)) Zone include a minimum front yard depth of 1.0m, a maximum front yard depth of 6.0m, a south interior side yard depth of 1.5m, a rear yard depth of 5.5m, and a third stacked townhouse unit on the units immediately adjacent to Highbury Avenue North whereas the definition of “Stacked Townhouse” permits stacking up to 2 units high. Key changes to the development proposal since the original Notice of Application published on January 28, 2021 include increasing the amount of land in the Open Space (OS5) Zone; decreasing the number of units from 23 to 20; and relocating the three unit tall, stacked townhouse to the front of the property.

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

Concern for:

Over Intensification:

Concern that too many units are being proposed for the site in relation to the intensity of surrounding development. Note: The original Notice of Application may have led to the perception 54 units were proposed when 23 were proposed.

Concern about the cumulative social impact (increased crime rate) of existing, ongoing and planned residential intensification along Highbury Avenue in the vicinity of the subject property.

Traffic

Concern about the cumulative impact on the transportation system for volume and safety of existing, ongoing and planned residential intensification along Highbury Avenue in the vicinity of the subject property.

Lighting/Privacy/Noise

Concern that lights from buildings and cars, overlook from windows and balconies, and increase noise from multiple dwelling units will negatively impact the enjoyment of neighbouring properties.

Parking

Concern that insufficient parking is being provided for the site.

Concern that construction workers/volunteers will park on neighbouring streets during the construction process.

Environment

Concerns about impacts on natural habitat.

Private Trail Usage

Concern that the development of the subject property will result in increased use of the trail accessed from the townhouse development to the north.

Preference for the trailhead to be relocated south of the subject property.

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

Telephone	Written
	Alan Martin 21-99 Edgevalley Road London ON N5Y 5N1
	Barb Biernaski 18 – 99 Edgevalley Road London ON N5Y 5N1
	Barbara VanGorp 15 – 155 Killarney Road London ON N5X 3X8
	Brian Bell and Michelle Bliss 133 Killarney Road London ON N5X 3X8
	Paul and Erin Dixon 1593 Potrush Way London ON N5X 0C1
	Jennifer Allan 41 Benson Crescent London ON N5X
	John Maddox 42 – 99 Edgevalley Road London ON N5Y 5N1
	John Wallace 11 – 155 Killarney Road London ON N5X 3X8
	Lorie VanValkengoed 38 – 99 Edgevalley Road London ON N5Y 5N1
	Mike Ruebsam 1605 Portrush Way London ON N5X 0C1
	Peggy Kelly 113 Killarney Place London ON N5X 2B5
	Terri McNair 111 Killarney Place London ON N5X 2B5

From: a martin
Date: March 1, 2021 at 6:53:44 AM EST: "Riley, Alanna" <ariley@london.ca>
Subject: [EXTERNAL] File: Z-9302 - Habitat for Humanity Heartland Ontario Inc.

Hello Alanna,

Great idea, love the cause!. My only comment would be, I would like to see the dirt foot path pass south of the complex instead of north of the property.

Cheers,

Alan

Alan Martin
21 - 99 Edgevalley Rd.
London

From: Barb Biernaski
Sent: Wednesday, February 03, 2021 4:18 PM
To: Riley, Alanna <ariley@London.ca>
Cc: (redacted)
Subject: [EXTERNAL] Response to request for zoning change-1697 Highbury Ave N.
Importance: High

File Z-9302

Alanna,

Just received information on this proposed zoning change to add in 2 new townhouse buildings at 1697 Highbury Ave N. This area abuts north branch of Thames River & fronts onto Highbury Ave. N. on the west side of Highbury.

Clearly this will further increase traffic & density on Highbury Ave N. This parcel is very close to current development on the east side of Highbury at corner of Edgevalley Rd. & Highbury Rd.

Traffic lights are desperately needed at this corner due to very high volume of traffic here; Board Members & owners in my local condo neighbourhood at 99 Edgevalley Rd. have been in contact with Alexei Chkouro, Traffic & Transportation Program Manager, Roadway Lighting & Traffic Control Division-City of London numerous times over the past 12 months about criticality of getting traffic signals installed. The last communication we received from her was to promise that this installation would start this year & finish in 2022. (see attached email)

Addition of more units that would be part of this zoning change would funnel even more traffic onto Highbury N. within 1 block of corner of Edgevalley Rd. & Highbury N.

It is important that this is taken into account prior to approving this change & should definitely escalate scheduled install of traffic lights at Edgevalley/Highbury.

Hopefully this information will be taken into account before there is fatal accident at this corner.

Regards,

Barb Biernaski

(Attachment to Barb Biernaski email)

From: Chkouro, Alexei <achkouro@London.ca>
Sent: Tuesday, December 01, 2020 5:25 PM
To: Barb Biernaski
Cc: Salih, Mo Mohamed <msalih@london.ca>
Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hi Barb, through internal discussion the date for new signal installation at Edgevalley Rd and Highbury Ave N was moved to 2022. The design and contract preparation will take place next year followed by construction during Spring/Summer of 2022.

Regards,

Alexei Chkouro, C.E.T. LET

Traffic & Transportation Program Manager

Roadway Lighting & Traffic Control Division

City of London

From: Barb Biernaski

Sent: December 1, 2020 5:13 PM

To: (redacted); Chkouro, Alexei <achkouro@London.ca>; Salih, Mo Mohamed <msalih@london.ca>

Subject: [EXTERNAL] Re: Traffic lights needed at Highbury/Edgevalley Rd intersection

Alexei, Mo

As a resident living near this intersection, I too am appalled by the lack of action by the City of London on this matter.

Can you please explain what parameters were used in this decision to delay installation of traffic lights to 2023? Clearly, recently increased volume of traffic was not used as a factor as both (redacted) & I have pointed out in previous emails. This has been caused mainly due to the fact that a large housing development of more than 200-300 units has just been added on the east side of Highbury & Edgevalley.

As another Director of our Condo Board, I have been asked by many residents on a regular basis when traffic lights are being installed as they fear increased traffic accidents at this intersection. It is a very high priority to taxpayers that live in this area.

What needs to be done to reconsider this decision & escalate install of lights here sooner than 2023?

Regards

Barb Biernaski

From: (redacted)

Sent: Tuesday, December 1, 2020, 1:58 p.m.

To: Chkouro, Alexei

Subject: Re: Traffic lights needed at Highbury/Edgevalley Rd intersection

Alexei,

I was shocked beyond belief to receive your email that the light at Highbury & Edgevalley would not be considered before the year 2023. Obviously, no one has taken the time to survey the area and see how busy it is at **all** times of the day. If we have to wait for another 3 years, there will be no turning left on to Highbury without a light now, and when people move in to the new development, the traffic will increase tremendously.

I hope it doesn't take a terrible accident for the city to rethink their timing.

I urge you to reconsider this item as a priority. Thank you for your attention to this matter.

(redacted)

From: [Chkouro, Alexei](#)

Sent: Thursday, November 26, 2020 2:41 PM

To: [Salih, Mo Mohamed](#) ; [Maguire, Shane](#)

CC: [Rafuna, Liridona](#)

Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hi Cllr. Salih, the installation of the traffic signal at Highbury Ave @ Edgevalley Rd is tentatively scheduled for 2023. I've included (redacted) in this e-mail.

Regards,

Alexei Chkouro, C.E.T. LET

Senior Transportation Technologist

Roadway Lighting & Traffic Control Division

City of London

From: Chkouro, Alexei

Sent: July 24, 2020 1:31 PM

To: Salih, Mo Mohamed <msalih@london.ca>; Maguire, Shane <smaguire@london.ca>

Cc: Rafuna, Liridona <lrafuna@london.ca>

Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

I will update CRM and include (redacted) in response once study is completed. Thanks.

Alexei Chkouro, C.E.T. LET

Senior Transportation Technologist

Roadway Lighting & Traffic Control Division

City of London

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed

Sent: Thursday, July 23, 2020 8:12 AM

To: Chkouro, Alexei <achkouro@London.ca>; Maguire, Shane <SMAGUIRE@London.ca>

Cc: Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lrafuna@london.ca>

Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hello Alexei and/or Shane:

With permission provided by the resident we would like to share with you the contact information of the Condo President (Condo Corp #694) who is reporting to have been at the below meeting that received the below information from staff a few years ago.

(redacted)

(Redacted) would appreciate being included on the reply from Staff when available.

Thank you,

On behalf of Councillor Mo Mohamed Salih

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed

Sent: Wednesday, July 22, 2020 10:54 AM

To: Chkouro, Alexei <achkouro@London.ca>; Maguire, Shane <SMAGUIRE@London.ca>

Cc: Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lrafuna@london.ca>

Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hello Shane & Alexei:

Councillor Salih has received the below concerns and claims from area residents in regards to this ongoing request.

"I know you have received emails regarding the traffic lights needed at the above location.

I have lived in my condo since 1996 and have seen the traffic escalate over the years, especially during the last few years. Now that the building has commenced across the street on the east side of Highbury Ave., there are many times during the day when it is impossible to turn left on to Highbury and it is only going to get worse as the buildings become occupied.

Several years ago, there was a meeting at City Hall to discuss the increase of traffic on Highbury and I was one of several owners who attended that meeting to lobby for lights at that time. We were told that our area was on the short list for a

traffic light. Obviously, that short list has not decreased in the number of years we have been waiting.

We were also told that it was a builder obligation to install the light. We know that the electrical work has been installed. Cannot the City push for the lights to be activated now. If you saw how many large trucks go in and out of that building site, you would understand the stress it is putting on our condo complex as well as all the homes on Edgevalley and the surrounding streets.

Please take our circumstances into consideration and see if something can be done sooner rather than later. Your attention to this matter will be appreciated.”

As per the above the residents are reporting that the electrical work has been installed at this intersection and have been informed that this was the builder's responsibility to install?

We understand that the study has been postponed and may take place in the Fall, although not confirmed. However, the residents are reporting that they were informed about being on a short list for a traffic light in their area, followed by a meeting with Staff a few years ago. Therefore, any confirmed information that you are able to provide to Councillor Salih in regards to this matter, would be greatly appreciated. Staff's assistance with this request is appreciated.

Thank you,

On behalf of Councillor Mo Mohamed Salih

Liridona Rafuna

Administrative Assistant II

Elected Officials, Councillors' Office

City of London

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed

Sent: Monday, July 20, 2020 2:37 PM

To: Chkouro, Alexei <achkouro@London.ca>

Cc: Maguire, Shane <SMAGUIRE@London.ca>; Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lrafuna@london.ca>

Subject: RE: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hello Alexei:

Thank you for the prompt response and update on this matter.

As Councillor Salih continues to receive more concerns about this intersection, we trust that Staff will be able to provide a response/update of the results when available. The Councillor looks forward to that information.

Thank you,

On behalf of Councillor Mo Mohamed Salih

Liridona Rafuna

Administrative Assistant II

Elected Officials, Councillors' Office

City of London

From: Chkouro, Alexei

Sent: Monday, July 20, 2020 2:21 PM

To: Rafuna, Liridona <lrafuna@london.ca>

Cc: Maguire, Shane <SMAGUIRE@London.ca>

Subject: FW: Traffic lights needed at Highbury/Edgevalley Rd intersection

Hi Liridona, please see attached correspondence with your office regarding Highbury Ave @ Edgevalley Rd. Unfortunately due situation with Covid we weren't able to proceed with spring traffic count program and we are not certain if fall count program will be possible. We will respond to your office as soon as traffic study is completed.

Regards,

Alexei Chkouro, C.E.T. LET

Senior Transportation Technologist
Roadway Lighting & Traffic Control Division
City of London

From: Jogie, Suresh
Sent: Monday, July 20, 2020 9:47 AM
To: Chkouro, Alexei <achkouro@London.ca>
Cc: Maguire, Shane <SMAGUIRE@London.ca>
Subject: FW: Traffic lights needed at Highbury/Edgevalley Rd intersection

Alexei,

Would you be able to respond to this?

Thanks

Suresh Jogie, C.E.T.

Traffic Signal and Street Light Technologist
Roadway Lighting & Traffic Control
City of London.

From: Rafuna, Liridona **On Behalf Of** Salih, Mo Mohamed
Sent: Monday, July 20, 2020 9:06 AM
To: Maguire, Shane <SMAGUIRE@London.ca>; Jogie, Suresh <sjogie@London.ca>
Cc: Salih, Mo Mohamed <msalih@london.ca>; Rafuna, Liridona <lirafuna@london.ca>
Subject: FW: Traffic lights needed at Highbury/Edgevalley Rd intersection

Good Morning Shane & Suresh:

We are hoping that you may be able to assist and/or advise with the following request below RE traffic lights at Highbury/Edgevalley Rd intersection, as more development is being finalized.

Could you please advise if there may be any future plans to address the below concerns, and if this request is possible? - any information/updates that you are able to provide to Councillor Salih, which we can then share back with the resident, would be greatly appreciated.

"I am a concerned resident living in mature condo community at the NW corner of Edgevalley/Highbury. Traffic volume in this intersection was already extremely high, making it almost impossible to make safe left hand turns from Edgevalley onto Highbury.

Recent housing development that is being built now on NE side of Edgevalley/Highbury has already drastically increased traffic at this intersection. Traffic volume will only escalate further as development continues here and new owners start to move into area.

Clearly, traffic lights are needed at this intersection very soon. Also speed limits in this area need to be decreased from 70 kph to 60kph.

Are you aware of any actions that are planned to resolve these issues? Hopefully, traffic lights can be installed before lives are lost here."

Thank you kindly,

On behalf of Councillor Mo Mohamed Salih

Liridona Rafuna

Administrative Assistant II
Elected Officials, Councillors' Office
City of London

Sent: Saturday, July 18, 2020 9:19 PM

To: Salih, Mo Mohamed <msalih@london.ca>

Subject: [EXTERNAL] Traffic lights needed at Highbury/Edgevalley Rd intersection

I am a concerned resident living in mature condo community at the NW corner of Edgevalley/Highbury. Traffic volume in this intersection was already extremely high, making it almost impossible to make safe left hand turns from Edgevalley onto Highbury.

Recent housing development that is being built now on NE side of Edgevalley/Highbury has already drastically increased traffic at this intersection. Traffic volume will only escalate further as development continues here and new owners start to move into area.

Clearly, traffic lights are needed at this intersection very soon. Also speed limits in this area need to be decreased from 70 kph to 60kph.

Are you aware of any actions that are planned to resolve these issues? Hopefully, traffic lights can be installed before lives are lost here.

Looking forward to your response; i have been very impressed with your attitude & past actions as our City Councillor.

From: Barbara VanGorp

Date: February 23, 2021 at 1:46:02 PM EST

To: "Riley, Alanna" <ariley@london.ca>

Subject: [EXTERNAL] File Z-9302

Dear Ms. Riley

I am writing to express my strong opposition to the proposed building/rezoning at 1697 Highbury Ave. I live in the condos adjacent to the property. As surrounding neighbours and on behalf of our community, we are very concerned that the development proposed will be detrimental to the area. It will cause traffic and safety issues, destroy local wildlife habitat, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Highbury is a very busy highway and having an entrance to this new development between the intersection of Killarney and Highbury and the bridge, would be very dangerous, especially between morning and evening rush hours.

As neighbours, this will affect lighting, privacy and noise levels, and property values are likely to go down if this development goes ahead. It is shocking to hear the density of this proposed development which includes two stacked townhouse buildings. This is very unrealistic for this size of property.

I urge you to disapprove the proposed rezoning, and from recent discussions with my neighbours, I know my opinions are shared by many.

Thank you for your attention to this matter.

Barb Van Gorp
15 – 155 Killarney Rd.
London, Ont.
N5X 3X8

From: Brian Bell

Sent: Thursday, February 04, 2021 10:08 AM

To: Riley, Alanna <ariley@London.ca>

Subject: [EXTERNAL] Planning Application File # Z-9302

Good morning Alanna,

We received a Notice of Planning Application for 1697 Highbury Ave North and am wondering if its possible to get a more concise Site Concept drawing? The PDF in the Notice of Application on your website does not provide clarity in the Zoning Review box in the lower right hand corner when enlarged.

Thank you,

Brian Bell and Michelle Bliss
133 Killarney Road
London

From: Paul and Erin Dixon
Date: February 25, 2021 at 10:27:52 PM EST
To: "Riley, Alanna" <ariley@london.ca>
Cc: "Cassidy, Maureen" <mcassidy@london.ca>, "Salih, Mo Mohamed" <msalih@london.ca>
Subject: [EXTERNAL] Zoning By-Law Amendment 1697 Highbury Ave North

Hi Alanna,

Hope you are well.

I am writing to you in regards to the Zoning By-law Amendment at 1697 Highbury Avenue North that I received.

I have some concerns to bring forward in regards to this zoning amendment.

I am concerned about the environmental impact and how it will affect the riverbank and the greenspace along the river, including the trail behind the houses. I am also concerned with the elevated traffic due to the higher density dwellings. Will there be a median installed to only allow the residents of these dwellings to head south on Highbury? This increased population will cause havoc at an already busy intersection causing more unnecessary accidents.

The entrance to the property is limited due to the presence of the guard rail and single driveway and will be disruptive to the traffic flow along Highbury. The bike path and sidewalk are well used by both pedestrians and cyclists, including students walking and cycling from Killally to Northridge Public School. Safety is of utmost importance.

With it being a Habitat for Humanity build, the number of volunteers working at the property will increase congestion in the area as well. Where will all the construction crew and volunteers be parking? The street parking in Northridge is limited and I hope that my street in Cedar Hollow is not going to become a parking lot for these vehicles.

Based on this, I feel there are more cons than pros in regards to increasing the density of the property and would like to see it remain as a lower density two storey housing as originally proposed.

Please don't hesitate to contact me should you require any further information.

Sincerely,

Erin Dixon
1593 Portrush Way
London, ON N5X 0C1

From: Jennifer
Sent: Sunday, February 21, 2021 10:10 AM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Zoning By-Law Amendment: File: Z-9302

Dear Ms.Riley,

I am writing in regard to the Notice of Planning Application for 1697 Highbury Ave North. While I view Habitat for Humanity as a valuable organization in our community, I have some strong concerns related to their proposal for this property.

I have lived on Benson Crescent for more than 30 years and I enjoy walking the trail daily which winds out around this property onto Highbury. In current years, this stretch of the road has become increasingly congested and I have personally had some close calls with the cars as I attempt to cross at the intersection with my dog. As the many

new townhomes on the eastern side of Highbury become completed and inhabited, this situation is only going to worsen. I feel that the current proposal by Habitat for up to 54 units here is far too many. There could potentially be well over 150 people with vehicles trying to manoeuvre this busy stretch daily.

The Site Concept map which was included in the notice is of such poor quality and so small that it is very difficult to determine the exact plans. In my opinion, this property would suit perhaps two dozen stacked units, without any being 3 stories.

I most definitely do not wish to see this current proposal from Habitat for Humanity going forward. Please add my name to any future notifications regarding this site.

Thank you

Jennifer Allan
41 Benson Crescent
London N5X 2B1

From: maddoxjo maddoxjo
Sent: Friday, February 5, 2021 7:42 PM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Zoning Amendment-File: Z-9302

Alanna Riley: I am a resident property owner directly south of the proposed development (south side of river) on the west side of Highbury Ave. I would hope that given recent developments in this area that caution be exercised with respect to traffic flow on Highbury Ave.

We have recently witnessed considerable growth and development on the East side - south of the river. Area residents have repeatedly raised concerns with respect to traffic lights at Edgevalley & Highbury only to be re-assured that this will happen perhaps in 2022. The planning work has apparently been completed. The 2022 installation is unacceptable given the volume and increases that will be seen very shortly with the further development.

The Zoning amendment is not my greatest concern but rather the apparent disregard for the on going increase in traffic on Highbury Ave. and the safety of the residents in the area. I trust that the approval process will have regard for the safety and well being of all area residents regarding the traffic situation. The area residents are entitled to safe access on and off of Highbury and this should be acted on before 2022 and before there are any serious incidents in this intersection.

I respectfully request you address this matter in conjunction with your review process to insure a resolution to the traffic lights during the up coming construction season. This problem will only escalate with the on-going development on the East side of Highbury.

Please feel free to share this concern with ward Councilor M. Salih. Thank-you in advance for assistance in resolving this matter.

Respectfully

John Maddox

John Wallace
155 Killarney Road, Unit 11

Feb 14, 2021

It is with dismay and concern that I have received this zoning by-law amendment for 1697 Highbury Ave. N. High density housing on said property is a disaster waiting to happen. The property is situated at a precarious and dangerous position practically astride the Highbury Thames bridge. The entrance to this property is extremely narrow adjacent to the curve and guardrail entrance to the bridge.

As we all know Highbury's four lanes are extremely busy and approach the criteria of a four lane expressway with speeds that are poorly controlled. The access to this property is situated at the bridge as mentioned, as well as a left turning lane and a

light. This also raises issues of noise and air pollution which are well established human health issues. Occupants need not be exposed to such dangerous conditions. A previous owner with whom I was acquainted was exasperated with his property and the afore mentioned conditions when Highbury was widened to four lanes.

I want to repeat this property sits at a dangerous juncture with the bridge. All bridges have aspects of danger associated with them and I do want my observations noted.

Such a proposal does impact our property at 155 Killarney Road and raises a considerable number of unanswered questions. Snow, rain and grade alteration could impact our property in a very costly manner for our Condo Owners. Fencing and access being just a few considerations.

In this time of pandemic our residents have been very co-operative citizens by allowing localsto access our private property and reach the Thames nearby walking trail. We do this as responsible citizens to help fellow walkers to remain active. Alterations to 1697 may bring that to an abrupt halt which will frustrate many.

This property had one home on it and is now being considered for 54 units which seems like excessive density.

It is a beautiful piece of property and when I consider it could be used to enjoy the natural aspects of the Thames River and all nature provides it seems a shame to be lost to high denser housing such as is planned. Hopefully this application can be reconsidered to address these concerns.

Thanks

John Wallace
155 Killarney Road #11
London Ontario N5X 3X8

From: Lorie VanValkengoed
Date: February 6, 2021 at 4:16:24 PM EST
To: "Riley, Alanna" <ariley@london.ca>, mcassidyr@london.ca
Subject: [EXTERNAL] Notice of Planning Application
Reply-To: Lorie VanValkengoed

1697 Highbury Ave North, File: Z-9302

One main concern of the above project is access to Highbury from the side streets with no lights., especially when there is a need to go across Highbury while heading North or South This is a difficult maneuver on the best days. There are many days (even with covid) depending on traffic flow that it is a 10 – 15 minute wait, due to pedestrians and vehicular traffic that one can attempt a turn. So, adding a large number of people will only add to the vehicle and foot traffic.

There are days when as a resort, that you turn in the opposite direction which one wants to travel, to gain access to a light or a driveway, to turn around. In this area the speed limit is 70 we believe, though wonderful for traffic flow it impedes on the ability to turn onto Highbury Ave. As a joke we have discussed with the neighbours that "even if they had a ramp to turn safely into; then merge into traffic. We ask you to please consider the safety of the drivers and pedestrians and consider a stop light, or some other way to stop traffic to allow side street traffic to enter the flow of traffic.

A second concern is if this will effect property values. Using google all we could find was one thread. This thread was people who were either home owners through the program or neighbours "that had issues that this will effect their home prices". Almost every google search produced information provided ONLY through HFH. So unfortunately, we could find no information to support or deny that claim.

Regards;

Bob & Lorie VanValkengoed
99 Edgevalley Road
London,ON

From: RUEBSAM
Sent: Tuesday, February 2, 2021 9:29 AM
To: Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Z-9302

Hi Maureen

I received in the mail yesterday a Notice of Planning Application of Maximum Density 54 units town home complex across the street from me.

The area to be used was once a single dwelling in this more prestigious area and I think that Planning should break this down to a pack (3) of single homes rather than MAXIMUM DENSITY.

Across the road from this location stands what looks like army barracks of town homes, Tons of them. This area has enough affordable housing with the 400 units of town homes on top of the residential single family homes that are being crammed into this area by Drewlo Holdings. The cake topper is the three 12 story apartment buildings also slated across the street. MAXIMUM DENSITY!

This is too much for this flowering area. As a home owner that bought into this subdivision that was above average once, now we are rashed with daily auto break ins, home invasions, two attempts of child abduction that are documented by London Police, Fires, Accidents due to drunk Driving, and graffiti and tons of other damage brought on by your CITY PLANNERS stating that basically Bum's and degenerates deserve to live anywhere in London.

In typical City of London ways you build high end homes to attract then infest with low income max. Density garbage all with out posting developers intent ahead of construction. Your point is if you want to live in a certain area go to the city to see what is planned for this area, - Who does that? We drive in we look, we like we buy. If a Developer wants to build an apartment building it should be posted 4 years before they plan to build. I mean posted on a huge sign outside of said property

The city planners ok weather or not to plan in this (a) area but don't go as far to see what developments already exist. Just because you have 400 town homes there already doesn't mean you need to build another 400. Your creating slums. I always tell my kids A little is a lot. Now I find I have to tell you the same A little (High end) a little (MED Density) and a little (Max Density) is good but when maximum density out ways the other density's stop, just stop.

Enough is enough, we (residents of Ceader hollow) have more than our fill of affordable housing in this area. Stop this application as our neighbourhood may or may not have your vote next term.

From: Peggy Kelly
Date: February 8, 2021 at 4:37:56 PM EST
To: "Riley, Alanna" <ariley@london.ca>
Subject: [EXTERNAL] 1697 Highbury Ave North File Z-9302
Reply-To: Peggy Kelly

Ms. Riley

I have a number of concerns regarding 1697 Highbury Ave North File Z-9302.

1. High Density for size of property - there are only 14 Condos adjacent and 22 semi-detached home on Killarney Place- 54 units on a small parcel of land seems too high.
2. 3 units high - too high - will cause lost of privacy
3. There is a conceptual rendering of one side of units but what does the other side look like. What does 3 unit high look like? Will there be balconies over looking my property?
4. Will there be a privacy fence put up, currently chain link.
5. Exterior Lighting –
6. Noise level from 54 units - increase potential for noise.

7. 54 units but appears to be only 38 parking spots. - where will visitors park.
8. Site Concept - how close is building to fence/ property line?
9. Trees on property - how many will taken down?
10. Access to trail - will there be a gate unto the trail? Or will it be from Highbury and current access?

I have concerns as my home backs onto this property. Going from only one home to 54 seems excessive. I don't wish to have 54 home looking into my backyard. During the summer there will be no privacy at all. I don't need the expense of putting up a privacy fence. Noise could be an issue if everyone in complex has their music turned up at the same time. There is already too much light from street lights from Highbury at night what will there be if there is exterior lighting and again 54 units with their lights on at night is too much. If not enough parking for visitors, will the over flow be our street?

Development Services

To Whom It May Concern:

Re file Z-9302

The zoning amendment should not be permitted to allow third story stacked and increased density to 1697 Highbury Ave North.

- 3 story units and increased density seems excessive and outside the neighbourhood integrity
- excessive light pollution into private yards and windows which the condos back onto from cars and outdoor lighting
- excessive vehicular traffic
- loss of sight lines
- environmental impact to adjacent conservation land
- how much conservation land is required to complete project?
- loss of privacy and way of life for myself and my neighbours especially with third level condo
- loss of trees
- I have lived with green space and privacy behind me for almost 30 years
- I purchased my home under current zoning and density restrictions with understanding what could and could not be built behind my home
- this will affect my property value and saleability

Terri McNair
111 Killarney Place
London, on
N5X 2B5

From: Sue Size <sue@thorneproperty.com>
Sent: Friday, May 14, 2021 9:31 AM
To: Debbert, Barb <bdebbert@London.ca>
Cc: 'Paul Baxter' <paul@thorneproperty.com>; 'Connie Venturin' <connie@thorneproperty.com>
Subject: [EXTERNAL] rezoning meeting for May 31, 2021 re: 1697 Highbury Avenue

Dear Deb,

We are writing with respect to the rezoning meeting scheduled for May 31, 2021.

The owners of the 14 units located at MCC 291, 155 Killarney Road, will be affected by any decision to develop this property.

The condo corporation would expect the City to move the community access Nature Trail that now runs through the condo property to a position adjacent to the south side of 1697 Highbury. The Board of Directors did have correspondence from the City previously indicating that would be part of any future development of the property.

The entrance would sit at a critical point close to the bridge on a very busy stretch of Highbury Avenue. There is concern about the safety of introducing the traffic required to service the proposed number of units at this location. The area is well used by pedestrians and their safety would need to be taken into account.

For any development, the owners would want to know what attention would be given to the fence between the properties to meet noise, lighting and privacy considerations?

We expect individuals will also communicate on their own with concerns regarding density, safety and impact on the current community and wildlife in the area of 1697 Highbury Avenue.

Thank you for considering these concerns.

Susan Size, BA (Hons), ACCI, FCCI, CMOC
Condominium Manager
Thorne Property Management Ltd.

May 12, 2021

Re; Zoning Application

File Z-9302

Please find enclosed photos explaining the precarious entrance to the Highbury Property proposal .

At 1697 Highbury Av. North , London

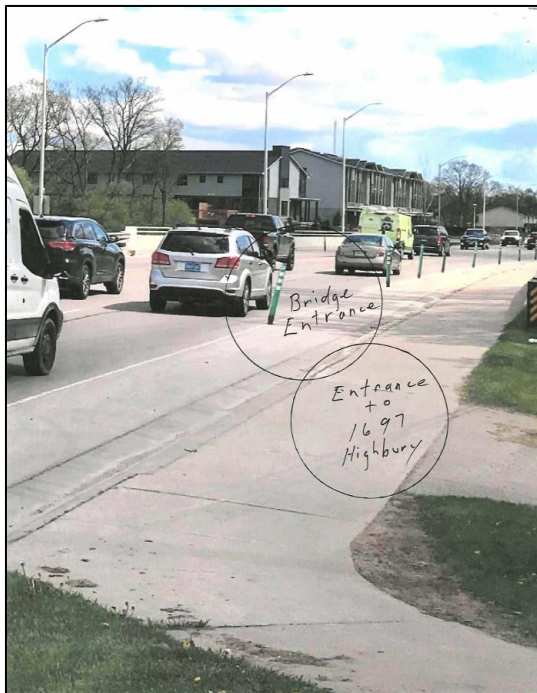
Manu Thanks

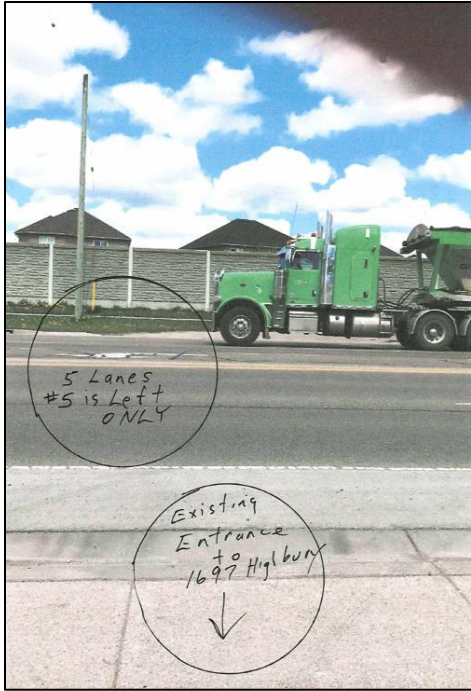
John Wallace

155 Killarney Rd.#11

London Ontario

N5X3X8





Departmental and Agency Comments

Urban Design (April 6, 2021)

Urban Design staff reviewed the submitted site development concept and elevations for the zoning by-law amendment at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws and guidelines.

- Locate the taller built form along Highbury Avenue N, with the lower form adjacent to the single-family residential lots, as was previously shown at the pre-consultation stage.
- Screen the parking exposed to Highbury Avenue N with enhanced landscaping.
- The following building design matters should be considered ahead of the submission of building elevations for site plan approval:
 - Orient the units located along Highbury Avenue N to the street by including the individual unit entrances at grade and other architectural

design elements that would typically be found on a front elevation, such as size and number of windows, materials, articulation, porches, etc.

- Provide visual access for end units facing Open space and Thames River interface by providing increased number of windows and/or balconies.
- Include a common walkway along the easterly property line that connects individual walkways from unit entrances and leads to the internal walkway on site along the driveway that connects to the City Sidewalk.

Site Plan (February 11, 2021)

- This [fencing along the west property boundary] is something that can be further discussed through the SPA process once a TPP has been submitted and reviewed. It's a trade off between saving the existing trees and adding a board-on-board fence. The Site Plan notes an existing chain-link fence option however, given the site specific nature, we can explore this further through site plan.
- On the concept site plan submitted, for accessibility reasons, the sidewalks are to be 2.1m wide to accommodate for any overhangs. This may or may not impact parking spaces or drive-aisle widths.

Ecology (March 31, 2021)

- The letter EIS has been updated to now accurately show the 30m Significant Valleyland minimum width line on the Naturalization Plan (N1).
- The Site Plan has to clearly identify the 30m line or the 17m Slope setback line (Figure 1 from the revised Slope Assessment letter) as the new OS5 line (whichever is greater).
- The Naturalization Plan within the Letter EIS is well done, however please update to include the following species changes:
 - a. Remove (3) Grey Dogwood and replace with (3) Nannyberry
 - b. Remove (1) Red Maple and replace with (2) Allegheny Serviceberry
 - c. Remove (1) American Beech and replace with (1) Black Cherry
 - d. Remove (1) White Spruce and replace with 1 Red Maple
- The Landscape Plan provided does not reflect the Naturalization Plan in the letter EIS, this figure needs to be updated to reflect the approved Naturalization Plan and any additional comments from the City's Landscape Architect for the manicured areas outside of the OS5 zone.

Tree Preservation (Landscape Architect) (March 30, 2021)

- On September 11, 2019 a total of 81 trees were reviewed by MTE Consultants for a Tree Preservation Report dated October 19, 2020. Thirteen trees within the subject land will be retained.
- All trees with the north and northwest area of subject lands are proposed for removal. Many of these trees were noted in decline and the remainder are growing within the building grading envelop. The removal of these trees within the subject lands is acceptable. However boundary trees in this area cannot be removed without consent from condo, see boundary tree note below.
- No rare or endangered tree species were observed on the subject lands.
- A number of boundary trees with shared ownership with Condo at 155 Killarney Road [#4,67,68,55,78,79, 52] or with City of London [80,81, 12, 13,14] are proposed for removal. Consent must be obtained from co-owners. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. Every tree whose trunk is growing on the boundary between adjoining lands is the common property of the owners of the adjoining lands. The legal definition of a tree trunk is everything from the root-collar (at the base) to where the first branch appears.
- The landscape plan should provide augmented planting along the shared property line with 155 Killarney Road to compensate for the number of trees being removed from the site. A combined dbh of 2,173cm is proposed for removal. Consider a combination of white cedar hedging and deciduous shade trees.

Parks Planning & Design (February 1, 2021)

- The Parks Planning & Design Section have reviewed the re-zoning by-law amendment for 1697 Highbury Avenue North. The City/PP&D Section have tried (unsuccessfully) in the past to acquire the Thames Valley Corridor portion of these lands. While we are not apposed to the intent of the rezoning application, we are questioning where the southern limit for the updated R5 zoning would be. Official Plan policies would require the maximum setback from edge of river along the Thames Corridor (30-meters minimum, per OP). Development within this proximity to the Thames Corridor would also trigger an EIS to ensure all natural heritage features are identified and protected.
- Can DS please make sure that City ecologists are reviewing this file? The Parks Planning & Design Section would like to work with this future applicant to maximize park land dedication (per Bylaw CP-9) for a pathway/trail corridor in the south portion of their lands and would entertain additional land acquisitions in order to secure ownership of the broader Thames Valley Corridor and any identified natural heritage features.

Parks Planning & Design (May 10, 2021)

- The City requires parkland dedication in the form of land (calculated at 5% of the total site area or 1ha per 300 residential units, whichever is greater) and as defined in By-law CP-9.
- The proposed development suggests approximately 0.35 ha of medium density 0.19 ha of open space. The proposed development area reflects a parkland dedication of 0.09 ha of table land (calculated at 1ha per 300 units). To satisfy parkland dedication the PP&D Section will want to acquire all open space lands located south of the development limit (1:16 open space rates) and a small triangle of tableland in the s/e corner adjacent to Highbury Avenue. These lands form part of the Thames Valley Corridor and are a priority for acquisition. These parkland dedications can be refined further during future site plan application processes.
- Staff are willing to meet with the applicant prior to future site plan submissions to discuss the above comments.

Upper Thames River Conservation Authority (April 8, 2021)

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water Act*.

PROPOSAL

The applicant is proposing to construct stacked townhouse dwellings which requires an amendment to the Zoning By-law, with special provisions relating to density, front yard setback and the definition of stacked townhouse. The lands are being re-zoned from Residential R5 (R5-2) and Residential R6 (R6-4) to Residential R5 Special Provision (R5-7(_)) and Open Space OS4.

CONSERVATION AUTHORITIES ACT

The UTRCA has the provincially delegated responsibility for the natural hazard policies of the PPS, as established under the "Provincial One Window Planning System for Natural Hazards" Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNR) and the Ministry of Municipal Affairs and Housing. This means that the Conservation Authority represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards and ensures that the proposal is consistent with the PPS.

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development proposals meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents as well as the policies in the UTRCA's Environmental Planning Policy Manual. (2006) Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and our policies as set out in our Environmental Planning Policy Manual. This approach ensures that the principle of development is established through the *Planning Act* approval process and that subsequently, the necessary approvals can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

Section 28 Regulations - Ontario Regulation 157/06

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 the Thames River; and,
- A riverine erosion hazard associated with the Thames River.

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/>

NATURAL HAZARDS

As indicated, the UTRCA represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards. The PPS directs new development to locate and avoid natural hazards. In Ontario, prevention is the preferred approach for managing hazards in order to reduce or minimize the risk to life and property. This is achieved through land use planning and the Conservation Authority's regulations with respect to site alteration and development activities.

The UTRCA's natural hazard policies are consistent with the PPS and those which are applicable to the subject lands include:

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 through lot creation which is consistent with the PPS.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach and uses that may be allowed in the flood plain subject to satisfying the UTRCA's Section 28 permit requirements.

3.2.2 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

DRINKING WATER SOURCE PROTECTION: Clean Water Act

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

COMMENTS AND REQUIREMENTS

As indicated, the subject lands are regulated by the UTRCA. A summary of our comments/requirements on the proposal are as follows:

1. The UTRCA has received the Revised Slope Stability Assessment, dated February 24, 2021. The revised report now includes the cross section and updated plan view of the required slope features.
 - a) Upon comparison of the cross section versus the plan view, there appears to be discrepancies between the location of the 6 metre erosion access allowance location.
Please ensure
 - b) Please include labelled contours on the plan view drawing to assist in future review and comparison with cross section (and other drawings).
 - c) Please refer to Comment 4 b) and include additional information/recommendations as it relates to tree removal.

2. The Stormwater Management Brief, dated June 24, 2020, depicts surface flows being directed off-site to the west and includes “flow spreader and erosion protection to be provided at outlet”.
 - a) Please provide further details through the site plan process to ensure no negative impacts on the adjacent property owners or slope as a result of this proposal.
 - b) A cross section of this outlet and protection measures will be required.

The Slope Stability Assessment states that “all drainage should be directed away from the top of the slope”. Please ensure the Stormwater Brief/Plans aligns with this recommendation.

1. The Scoped Environmental Impact Study, dated January 18, 2021, is brief in nature as a 30 metre setback is proposed from the Thames River. The letter references a naturalization plan for the setback area and valleylands. The UTRCA is supportive of ensuring the overall habitat of this area is improved.
2. The Tree Preservation Report, dated October 19, 2020, identifies a number of trees to be removed due to invasive species or poor conditions.
 - a) According to TP1, some of these trees are located on or adjacent to the riverine erosion hazard. Please include a drawing which identifies some of the key slope features in relation to the tree removal.
 - b) The Slope Stability Assessment does not speak to or consider tree removal within this area. Please provide additional information and recommendations on tree removal and naturalization. Will stumps be maintained on the slope feature?
 - c) Drawing N1 depicts the naturalization plan for a portion of the natural area, assumed to be on top of the existing slope. Similar to comment a), please include identification of key slope features as it relates to the naturalization plan.
3. The Landscape Plan included in the application submission, not dated, does not align with the revised proposal in terms of setbacks and plantings. Please update accordingly for the Site Plan Application.
4. A Section 28 permit application will be required prior to undertaking site alteration or new development on these lands. The permit application requirements will be conveyed in further detail through the Site Plan process.

The UTRCA requirements for Site Plan Application are subject to change pending further consultation and revisions to the proposed development concept and technical reports.

RECOMMENDATION

As indicated, the subject lands are regulated by the UTRCA and a Section 28 permit application will be required prior to establishing new development and undertaking any site alteration works, including tree removal within the regulated area. Requirements for a Section 28 permit application will be conveyed through the site plan process.

The UTRCA has no objections to this Zoning By-law Amendment application. Please ensure the hazard lands are appropriately zoned for Open Space.

Thank you for the opportunity to comment.

Heritage (March 1, 2021)

- There are currently no heritage planning or archaeological issues related to this property. Archaeological concerns once associated with this property can be considered addressed at this location.

Engineering (February 26, 2021)

- Engineering has reviewed the above noted application and has no comments related to the re-zoning.

- Further comments regarding the engineering design will be provided at the site plan application stage. The expectation is that all engineering reports/studies be updated to reflect the final site design presented at site plan.

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

Noise Report:

- The noise report recommends upgraded building components and the installation of central air. This report should be updated at the time of site plan if any changes to the site design occur.

Transportation:

- Detailed comments regarding access design and location will be made through the site plan process.

Water:

- Water is available via the existing 400 mm CI water main on Highbury Avenue North.

Wastewater:

- The sanitary sewer available for the stacked townhouse subject lands is the 750 mm trunk sanitary sewer on the east side of Highbury Avenue North. The land is presently zoned R5-2 & R6-4 which allows a density of 30 units per hectare. The subject lands have a density of 66 units per hectare.
- Proposed is 28 residential units on 0.43 hectares. The 750 mm trunk sanitary sewer has capacity for the proposed development.
- City Plan 18405R1 shows an existing sanitary p.d.c. from the subject lands to the 750 mm trunk sanitary sewer. The Applicant's Engineer is to field verify and certify this p.d.c. for size, location and condition. The Applicant's Engineer is to connect the townhouse complex to the 750 mm trunk sanitary sewer using City Standards, all to the satisfaction of the City Engineer.
- The southern portion of the subject lands is within the Upper Thames River Conservation Authority regulation limit.

Stormwater:

- The following general SWM issues/requirements are to be considered/addressed by the applicant's consultant engineer when preparing the storm servicing strategy for this land during the development application stage.

Specific comment for this site

- There is no municipal storm sewer on this portion of Highbury Avenue North to service this site. The applicant is to provide information and rationale on how the site is proposed to be serviced.
- Since the site is located within the UTRCA regulated area and UTRCA is currently updating floodlines, please ensure the applicant engages as early as possible with UTRCA to confirm the limit of developable area within the site.
- A portion of the site is within a Union Gas Pipeline setback and therefore the applicant shall contact Union Gas Ltd. for any required permits/approvals.
- The site also contains a significantly large vegetation patch that may need to be evaluated. Please confirm with Park Planning (Natural Heritage and/or Urban Forestry) if any restriction should be in place for this development.
- For the proposed 43 parking spaces, the applicant shall be required to have a consulting Professional Engineer addressing the water quality to the standards of the Ministry of the Environment, Conservation and Parks (MECP) and to the satisfaction of the City Engineer. Applicable options could include, but not be

limited to the use of oil/grit separators, catchbasin hoods, bioswales, etc. along with the required inspection/sampling maintenance hole.

- Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution and rationale about the following points:
 - Description of relevant site features, including topography and surface water drainage, regional overburden geology, regional hydrogeology, and proximity to nearby natural heritage features (e.g., stream, ponds, wetlands, woodlots, etc.).
 - Advancement of boreholes at the site, including the installation of a minimum of one monitoring well.
 - Infiltration measurements from areas within the Site using standards infiltration/percolation testing methods (e.g., Guelph Permeameter Test, Double-ring infiltrometer test, etc.).
 - Description of the measured relevant site hydrogeological information, including aquifer properties (e.g., hydraulic conductivity) and static groundwater levels.
 - Establishing seasonal fluctuations in water levels, including capturing a representative seasonal high elevation. Note that the use of borehole and/or test pit observations to establish both static water levels and potential seasonal fluctuations is not standard practice.
- Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Central Thames Subwatershed

- The subject lands are located in the Central Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Transportation Supplementary Comments (March 25, 2021)

- This development will generate typically 15 trips in the am peak hours to a street that is operating between 25,000 – 30,000 trips per day. There is a left turn taper that I am sure would be utilized allowing for safe passage of other North bound cars. The taper is about 3.0m wide where cars would be stopping to make the left, there is potential to have the storage and taper of the left turn lane extended South enough to accommodate a few vehicles as to not impede Northbound traffic on Highbury. The site will have little impact to Highbury Ave.

- The access location is as far North as possible, and is located in the same place as the existing access. This bridge makes little difference in relation to an access, it is not an on-off ramp but simply a through-way. Spacing is appropriate, and sightlines are suitable.
- As you mentioned Alexei provided feedback in relation to Edge Valley which is to be signalized, and the overall nature of Highbury is changing through this corridor as more residential builds out the speeds have been and may be adjusted again in the future.

London Hydro (January 29, 2021)

- 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.

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, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a), b), c, d, e,

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.5 – Public Spaces, recreation, parks, trails and open space

1.5.1 b), c)

Section 1.7 – Long Term Economic Prosperity

Section 2.1 – Natural Heritage

2.1.1

2.1.2

2.1.3

2.1.5

2.1.8

Section 2.2 – Water

Section 3.1 – Natural Hazards

3.1.1 b)

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 54_ Our Strategy, Key Directions

Policy 58_ 3., 9. and 10. Our Strategy, Key Directions, Direction #4 Become one of the greenest Cities in Canada

Policy 59_ 4. and 5. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London

Policy 61_5, 10 Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

Policy 66_ Our City, Planning for Growth and Change

Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 118_ Our City, Natural Heritage, Hazards, and Natural Resources

Policy 121_ - Policy 123_ The Thames Valley Corridor

*Policy 193_ City Design, What are we trying to achieve?

Policies 229_, City Design, Streetscapes

Policies *258_, *259_, 268_, City Design, Site Layout

Policies *277_, *278_, *279_, City Design, Parking

Policy *284_, *291_, *295_, City Design, Buildings

Policy 388_ , Forest City, Why is the Forest City Important to Our Future?

Policy *391_, Forest City, Urban Forest Strategy
Policies *399_, 400_, *401_ – Forest City, Strategic Approach
Table 10 Range of Permitted Uses in Neighbourhoods Place Type
*Table 11 Range of Permitted Heights in Neighbourhoods Place Type
Policy 916_3., 8. Place Type Policies, Urban Place Types, Neighbourhoods, Our Vision for the Neighbourhoods Place Type
918_ Place Type Policies, Urban Place Types, Neighbourhoods, How Will We Realize Our Vision?
Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form
921_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses
*935_1 Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Intensity
936_ 4., Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods - Form
Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods
Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification
Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification
Policies 1309_, Natural Heritage, How are We Going To Achieve This?
Policies *1316_- *1318_, *1319_, *1322_, Natural Heritage, Components of the Natural Heritage System
Policies 1325_ - 1328_, Natural Heritage, Habitat of Endangered Species and Threatened Species
Policies *1344_, *1346_, *1350_, Natural Heritage, Significant Valleylands and Valleylands
Policies 1367_ Natural Heritage, Environmentally Significant Areas
Policies 1391_, 1393_, Natural Heritage, Development and Site Alteration
Policies 1417_, 1418_ Natural Heritage, How Will We Protect the Natural Heritage System? Management, Restoration and Rehabilitation Priorities
Policy 1423_, Natural Heritage, How Will We Protect the Natural Heritage System? Environmental Management Guidelines
Policies 1425_, 1430_, Natural Heritage, How Will We Protect the Natural Heritage System? Subject Land Status Reports
*Table 13 – Areas Requiring Environmental Study
Policies 1431_, 1436_, Natural Heritage, How Will We Protect the Natural Heritage System? Environmental Impact Studies
Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications
Policies 1766_ , 1768_, 1770_, Our Tools, Noise, Vibration and Safety

Official Plan (1989)

- 3. Residential Land Use Designation
 - General Objectives for All Residential Designations
 - 3.1.1 ii)
 - 3.1.2 – Low Density Residential Objectives
 - 3.2 Low Density Residential Designation
 - 3.2.1 – Permitted Uses
 - 3.2.2 – Scale of Development
 - 3.2.3 – Residential Intensification
 - 3.2.3.2 – Density and Form
 - 3.2.3.3 – Neighbourhood Character Statement

3.2.3.4 – Compatibility of Proposed Residential Intensification Development

3.7 - Planning Impact Analysis

3.7.2 – Scope of Planning Impact Analysis

3.7.3 – Required Information

11 – Urban Design Principles

11.1.1 i), ii), iii), xi), xiii), xiv), xv), xviii)

15. Environmental Policies

15.1.1 Natural Heritage Objectives

15.1.2 Natural Hazard Objectives

15.3 Natural Heritage Areas Designated as Open Space

15.3.1 Lands Included

15.3.2 Permitted Uses

15.3.6 Ecological Buffers

15.3.7 Management and Rehabilitation Priorities

15.4.1 Environmentally Significant Areas

15.4.6 i) and ii) Corridors – Significant River, Stream and Ravine Corridors

15.4.7 Wildlife Habitat

15.5.1 Purpose of Environmental Studies

15.7 Erosion and Wetland Hazards

19 Implementation

19.9.5 Noise, Vibration and Safety

19.9.5 i) Noise Attenuation

19.9.6 Additional Noise Attenuation Policies for Residential Land Uses Adjacent to Arterial Roads

3.7 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan, similar to other uses in the area, and contributes to a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site concept achieves an intensity that allows for other on-site functions such as visitor and accessible parking, emergency services and open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	Lands on Edgevalley Road east of its intersection with Highbury Avenue North are currently being developed or zoned for townhouse and stacked townhouse uses. This is a developing area of the City that is expected to experience new development and infill on underutilized lots.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site includes and is immediately adjacent to the Thames Valley Corridor within which a multi-use pathway system has been completed with two access points on the east side of Highbury Avenue and one access point on the south side of the Highbury Avenue bridge. Indirect access to the Corridor is also available to the Corridor system via a public easement from Highbury Avenue

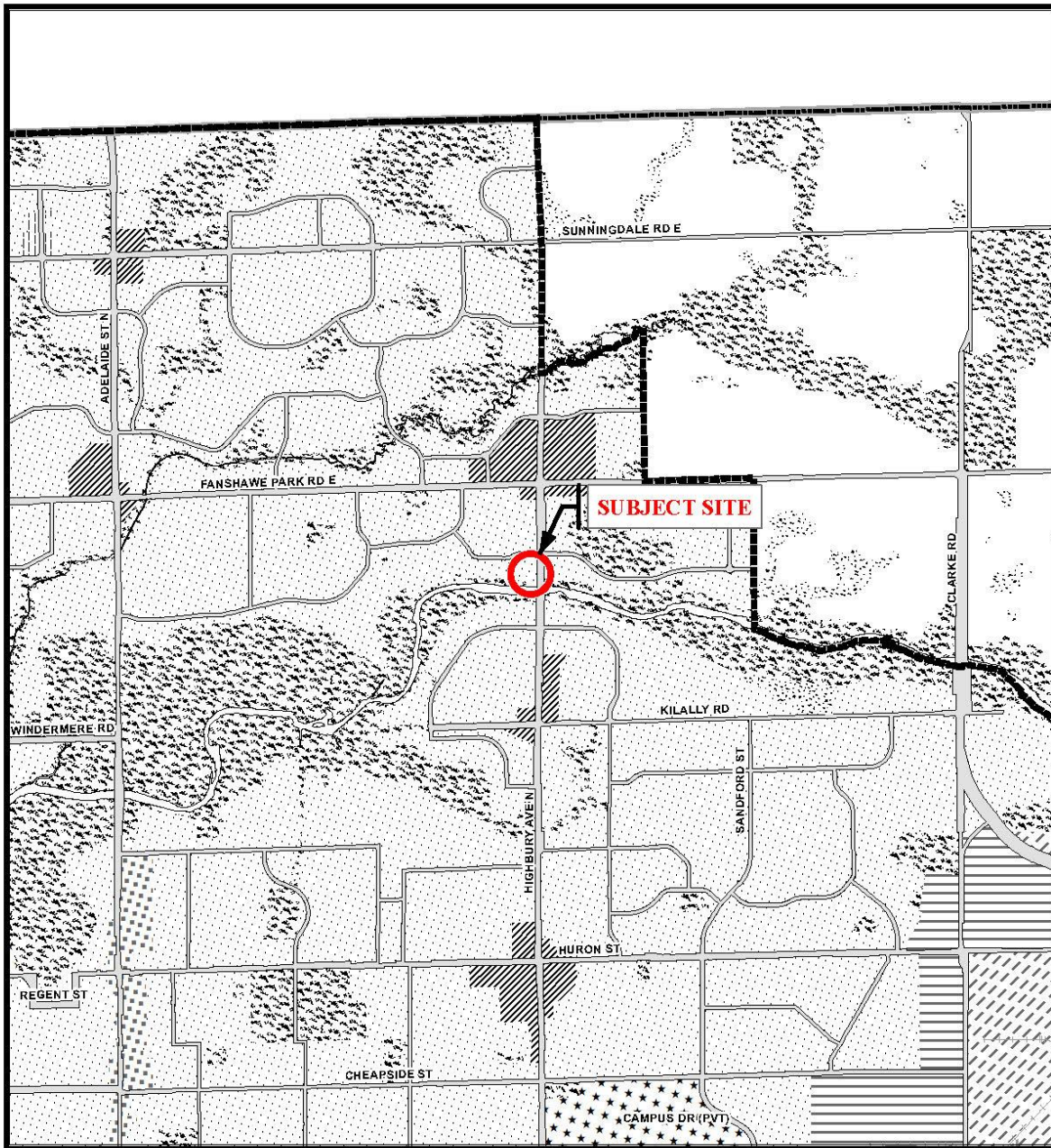
	<p>North via 155 Killarney Road. Bus route #25 provides access to the commercial centres at the intersections of Fanshawe Park Road with Adelaide Street North and Richmond Street. Cedar Hollow Public School and Children’s Centre is located east of Highbury Avenue North, and the North Ridge Pool, St. Marks Catholic School and North Ridge Public school are located west of Highbury Avenue North.</p>
<p>The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;</p>	<p>The proposed development is in an area in need of affordable housing units and provides for a mix of housing types. While the development is not eligible for bonus provisions to enforce the provision of affordable housing, Habitat for Humanity’s funding for this project may include a combination of their own mortgage financing program, the federal CMHC Co-Investment program, and the Housing Development Corporation.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The scale/height of the proposed 2 – 3 storey townhouse development is mitigated to the west by the proposed rear yard setback in combination with the intervening land at 155 Killarney Road which is also used as public access to the Thames Valley Corridor via an easement in favour of the City. The combined distance of the rear stacked townhouse unit from adjacent lots to the west is approximately 10 metres. The buildings have been sited with a minimum 12.07 metre north interior side yard setback, allowing for adequate separation between the proposed building and neighbouring townhouses. Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth, appropriate space for landscape screening, and photometric analysis/mitigation at the site plan approval stage. It is also expected that the stacked townhouse to the rear will be limited to 2 storeys in height.</p>
<p>The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;</p>	<p>The slope of this property will remain vegetated and forms part of the vista of the Thames River from the Highbury Avenue bridge. Within the development area, landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage.</p>
<p>The location of vehicular access points and their compliance with the City’s road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and</p>	<p>Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage. Highbury Avenue North is an arterial road which serves high volumes of intra-urban</p>

<p>on surrounding properties;</p>	<p>traffic at moderate speeds, and has controlled or limited property access.</p> <p>The access location is as far north as possible, and is located in the same place as the existing access. This bridge makes little difference in relation to an access, it is not an on-off ramp but simply a through-way. Spacing is appropriate, and sightlines are suitable.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;</p>	<p>The applicant is commended for incorporating the following into the design of the site and buildings: locating the taller built form along Highbury Avenue North, with the lower form adjacent to low density development to the west. At the site plan stage, additional attention should be paid to: orienting the units located along Highbury Avenue North to the street by including the individual unit entrances at grade and other architectural design elements that would typically be found on a front elevation; and providing visual access for end units facing the open space and Thames River interface by providing increased number of windows and/or balconies; and including a common walkway along the easterly property line that connects individual walkways from unit entrances and leads to the internal walkway on site along the driveway that connects to the City sidewalk.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>Approximately 1/3 of the site will be located in the Open Space (OS5) Zone to protect the ecological features and functions within the significant valleyland and the Kilally Meadows Environmentally Significant Area. Within this area, dead and some non-native species will be removed, and a naturalization plan including replanting with native tree species will be implemented through site plan requirements.</p> <p>No cultural heritage features are present that will be affected by the proposed development.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>Lands that encompass the Riverine Erosion Hazard Line for Confined Systems and the Regulatory Floodline will be located within the Open Space (OS5) Zone and protected from development.</p> <p>A Union Gas easement lies within the west side of the Highbury Avenue North road allowance. Union Gas has indicated that due to the type of pipeline, no setbacks from the pipeline are required.</p>

<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law have been considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage can be achieved through the site plan approval process.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Tree planting and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.</p>

Appendix D – Relevant Background

The London Plan



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

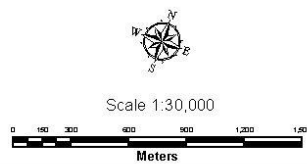
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

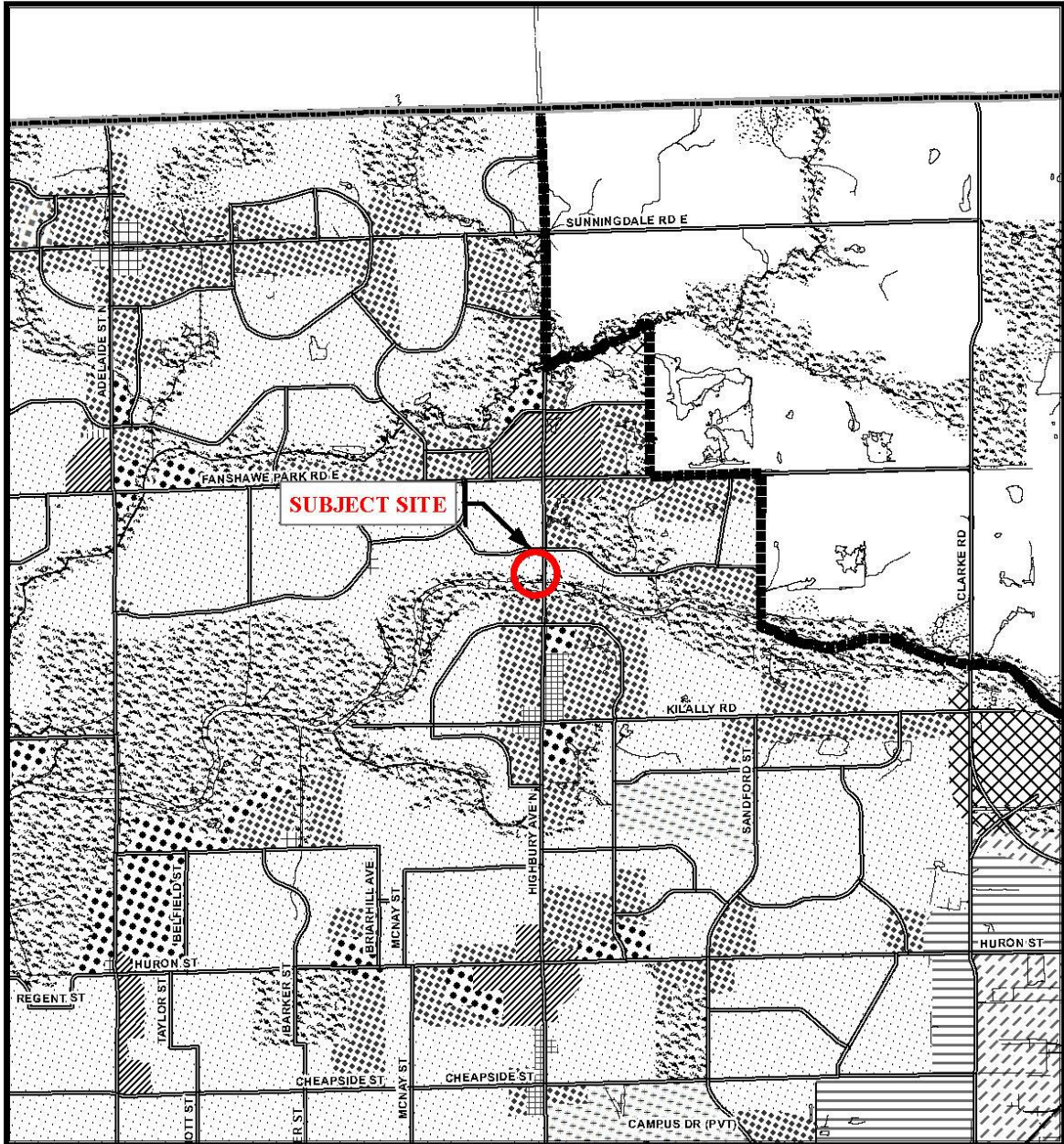
PREPARED BY: Planning Services



File Number: Z-9302
Planner: BD
Technician: RC
Date: April 14, 2021

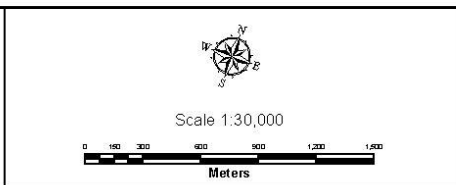
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1989 Official Plan – Schedule A – Land Use



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

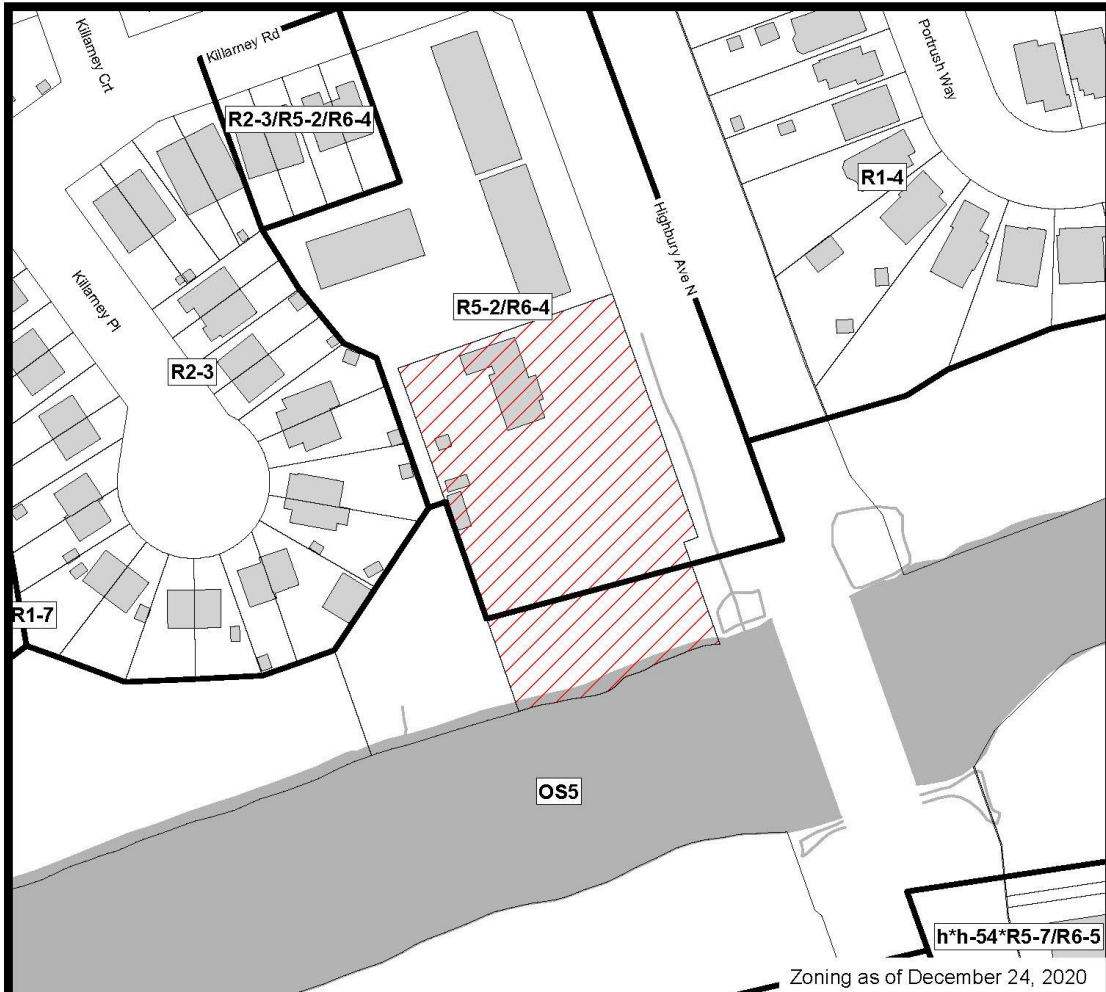
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9302
 PLANNER: BD
 TECHNICIAN: RC
 DATE: 2021/04/14

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

Zoning By-law Z-1 – Zoning Excerpt



Zoning as of December 24, 2020



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | AG - AGRICULTURAL |
| AC - ARTERIAL COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| CC - CONVENIENCE COMMERCIAL | RT - RAIL TRANSPORTATION |
| SS - AUTOMOBILE SERVICE STATION | |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9302

BD

MAP PREPARED:

2021/04/14

RC

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Meters



Z-9302: 1697 Highbury Avenue North



Planning and Environment Committee
May 31, 2021

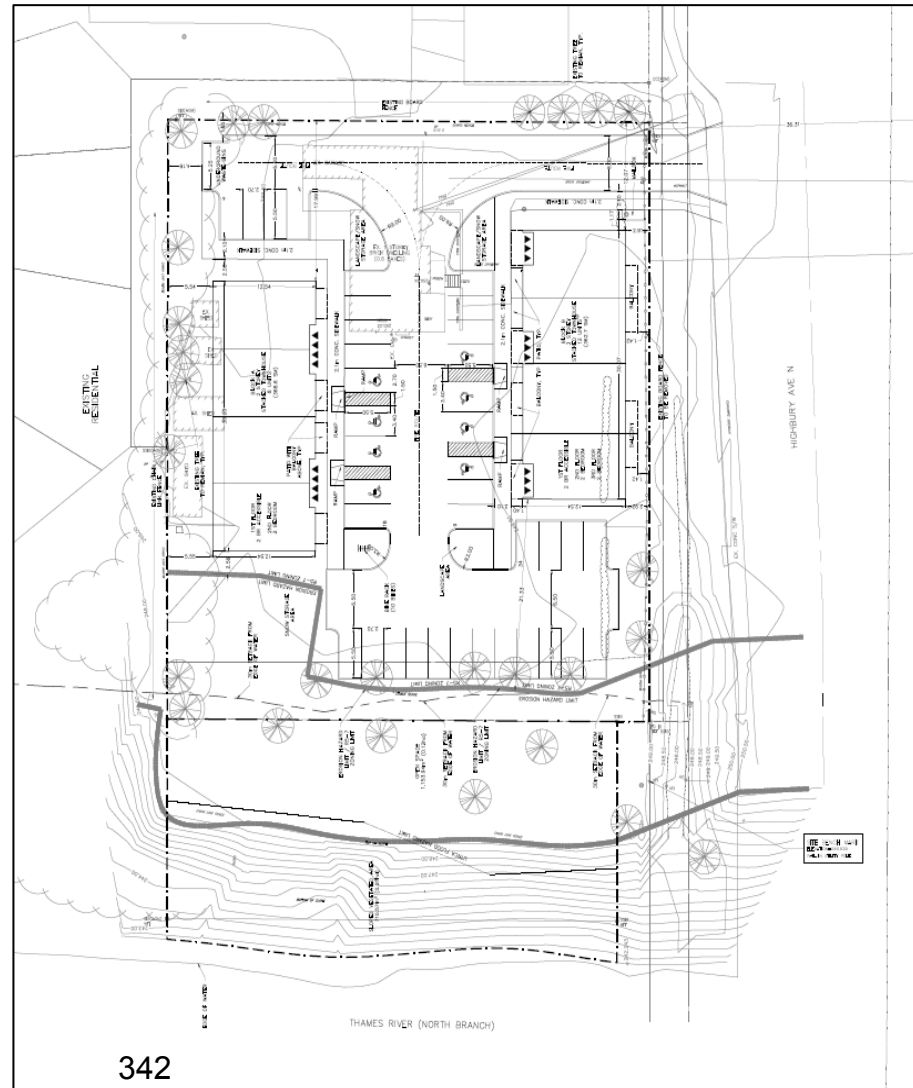


Site Location and Context



Conceptual Site Plan

- two stacked townhouse buildings
- 2 storeys, 8 units at rear
- 3 storeys, 12 units along Highbury Avenue North
- 20 units in total (58uph)



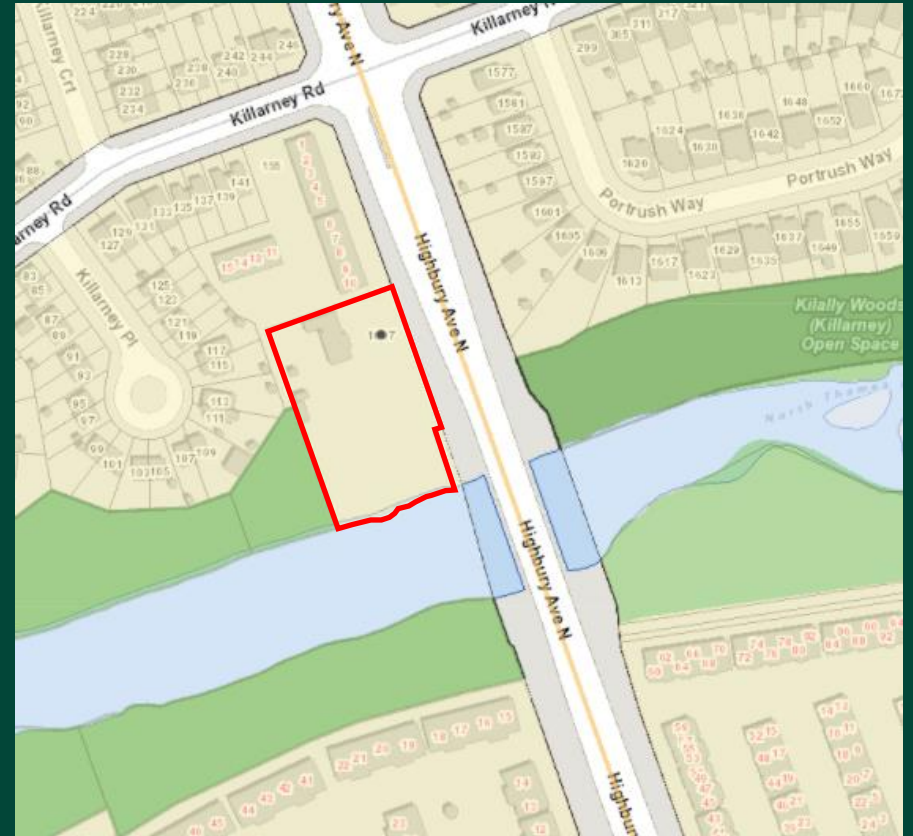


London
CANADA

Policy Snapshot

The London Plan

- Neighbourhoods Place Type fronting an Urban Thoroughfare
- Permits low rise residential uses including stacked townhouses
- Minimum height of 2-storeys and maximum height of 4-storeys; 6-storeys can be achieved through Type 2 bonusing



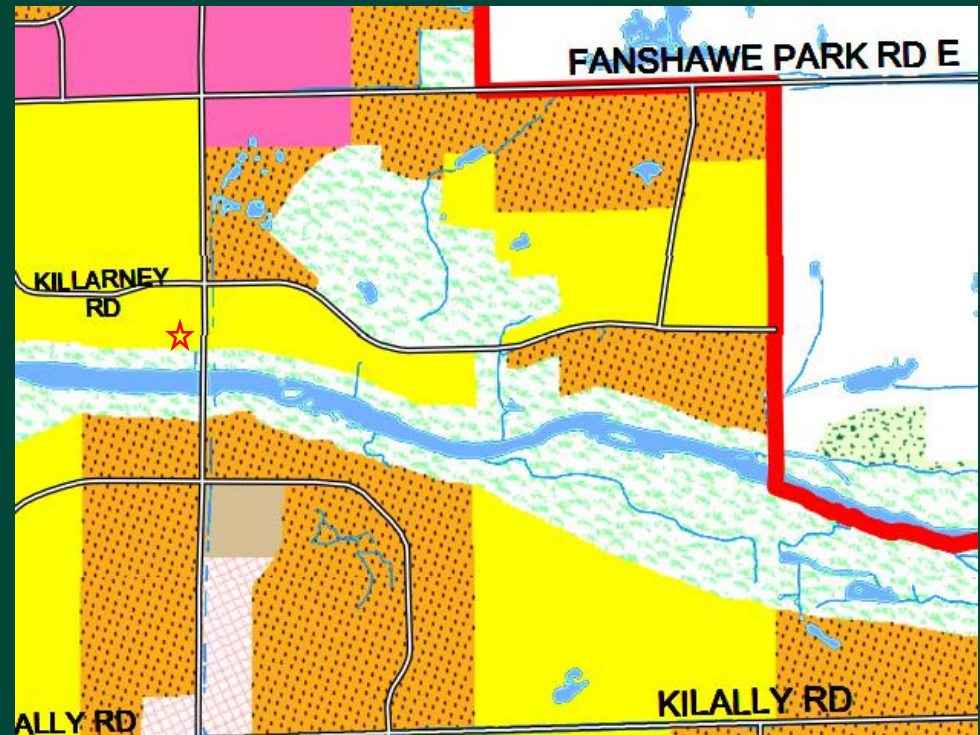


London
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Policy Snapshot

1989 Official Plan

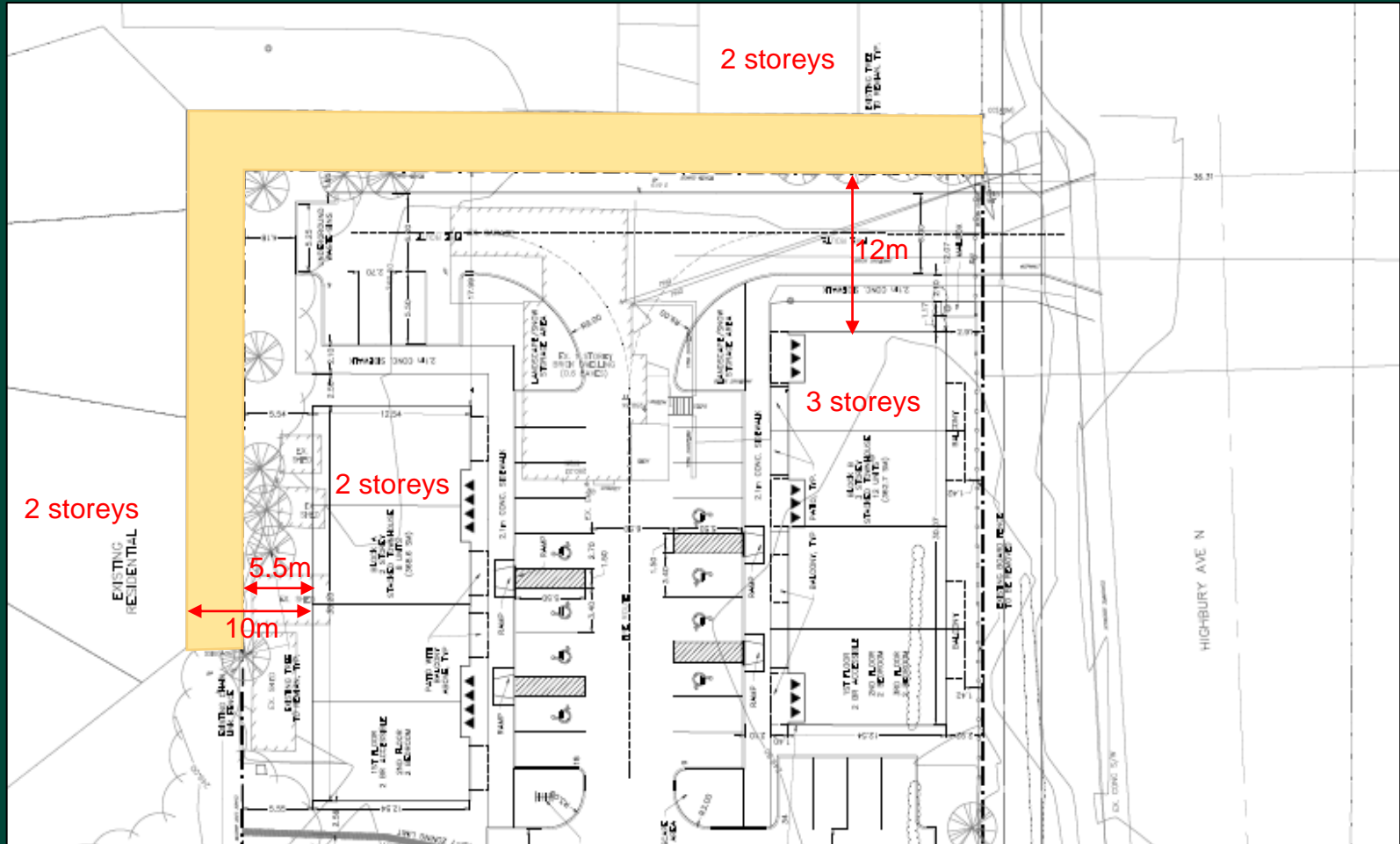
- Low Density Residential and Open Space designations
- Permits residential intensification in multiple forms including attached dwellings and cluster housing
- Generally developments will not exceed 75 uph





London
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Height & Development Setbacks





London
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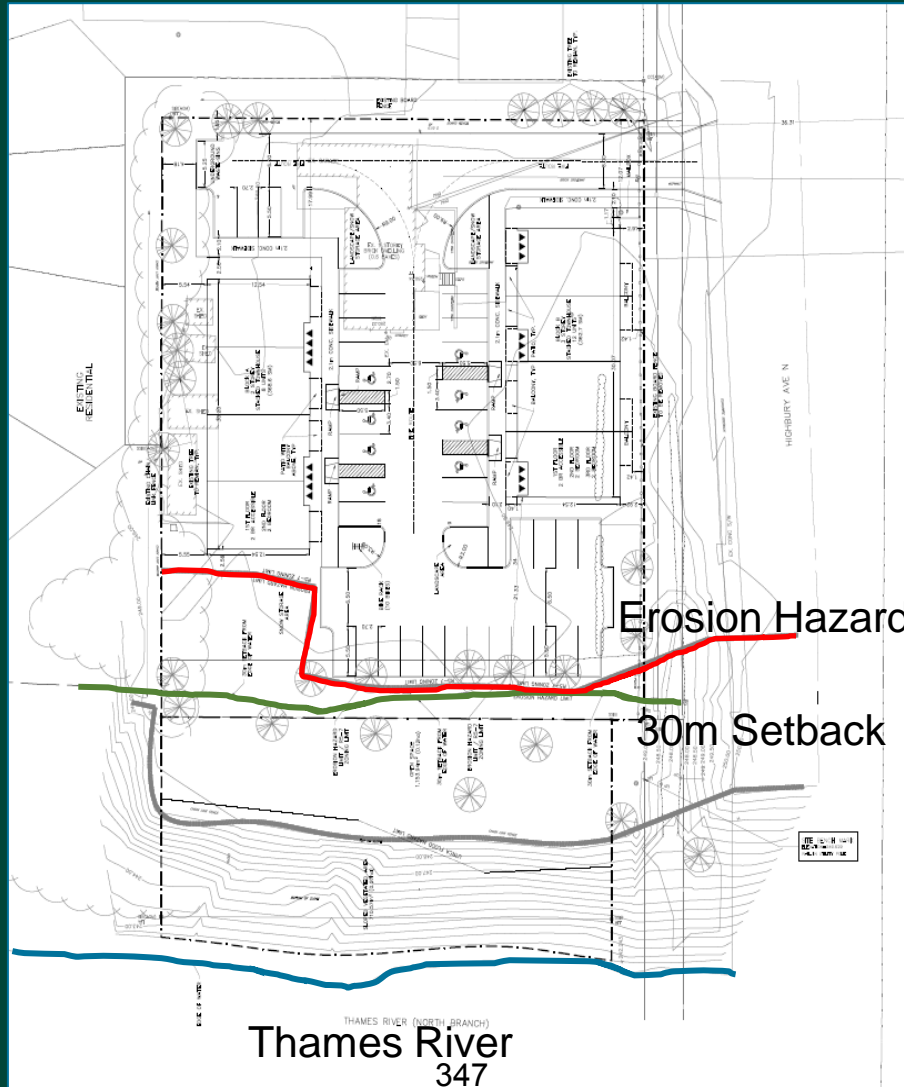
Traffic Considerations





London
CANADA

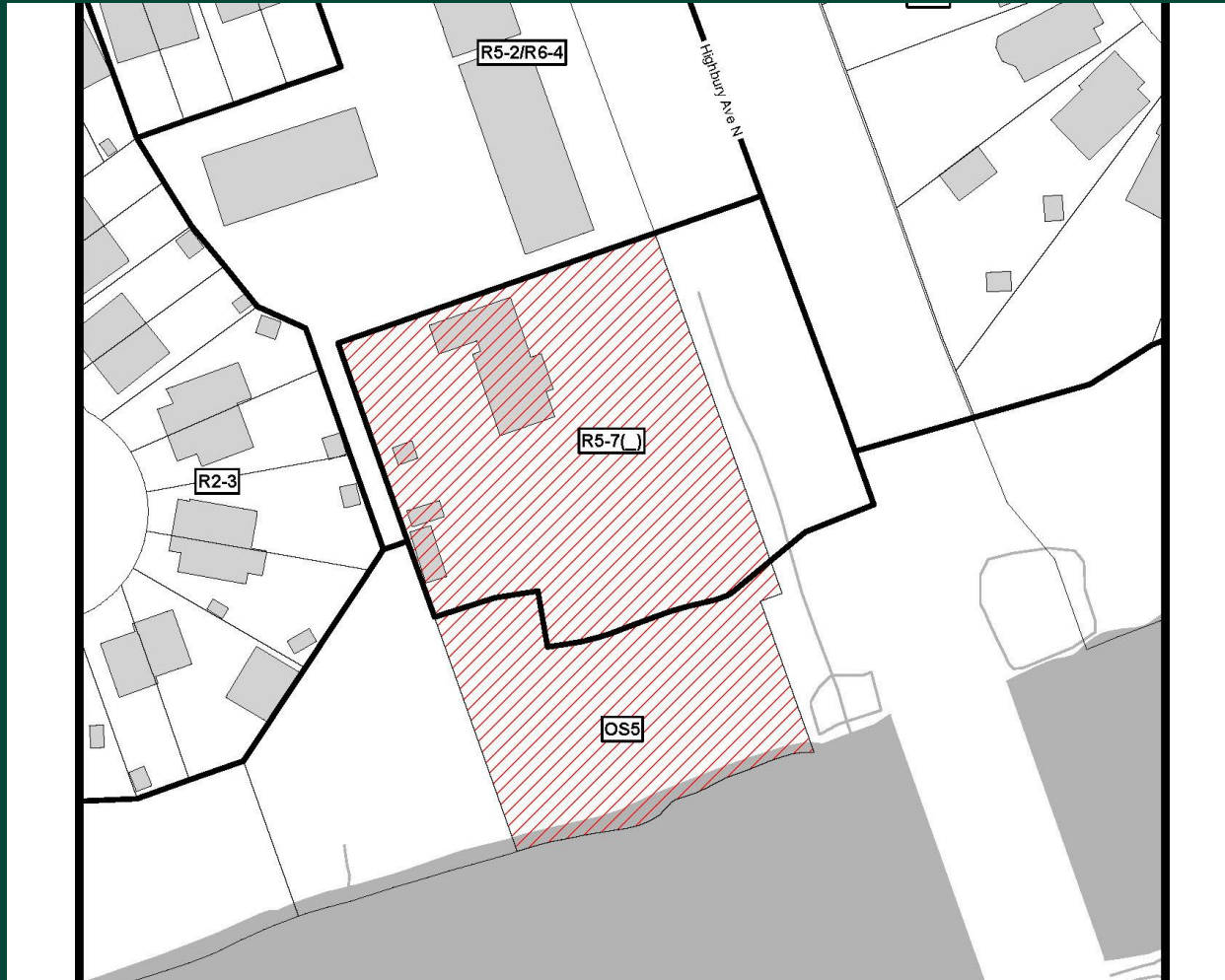
Ecology & Hazards





London
CANADA

Recommendation



Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: 1630 HP Inc.
1634 – 1656 Hyde Park Road, 1480 North Routledge Park and
Part of 1069 Gainsborough Road
Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 1630 HP Inc. relating to the property located at 1634 – 1656 Hyde Park Road, 1480 North Routledge Park and Part of 1069 Gainsborough Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 15, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Business District Commercial (BDC) Zone and a Business District Commercial Special Provision (BDC(39)) Zone **TO** a Business District Commercial Special Provision Bonus (BDC*B-_) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed-use apartment building, with a maximum height of 8-storeys or 29 metres and a maximum density of 169 units per hectare, in general conformity with the Site Plan, Renderings and Elevations attached as Schedule "1" to the amending by-law, and provides for the following:

- 1) Exceptional Building Design
 - i) providing an 'L'-shaped mixed-use building that is generally in keeping with the vision of the current Official Plan as well as The London Plan by providing for continuous street walls along the Hyde Park Road and North Routledge Park frontages;
 - ii) providing a 7-storey massing along Hyde Park Road that includes a significant step-back above the second storey and 8-storey massing along North Routledge Park;
 - iii) providing for appropriate scale/ rhythm/ materials/ fenestration;
 - iv) incorporating all parking in the rear yard and underground, away from the adjacent street frontages;
 - v) providing ground floor commercial space with transparent glazing and principal entrances facing the Hyde Park Road frontage creating an active edge;
 - vi) providing ground floor residential units with individual entrances and patio spaces along the North Routledge Park frontage;
 - vii) providing a rooftop patio;
 - viii) providing a parking lot layout that accommodates appropriate driveway alignments across North Routledge Park; and
 - ix) relocating the existing heritage structure and providing a glass link between the heritage structure and the new building along the North Routledge Park frontage, and a recessed courtyard immediately south of the heritage structure.
- 2) Provision of Affordable Housing
 - A total of five (5) one-bedroom units will be provided for affordable housing. Subject to the concurrence of the City, some

or all of these five (5) one-bedroom units may be allocated from the adjacent development owned and/or managed by the Proponent, noting the bonus zone requirement and encumbrance would remain specific to the Subject Lands;

- Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

3) Relocation, conservation, and adaptive re-use of the existing heritage designated structure at 1656 Hyde Park Road:

- The owner shall enter into a Heritage Easement Agreement with the City of London.

(b) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the recommended zoning implements the site concept submitted with the application.

Executive Summary

The applicant proposes the demolition of the existing commercial plaza and the construction of an eight storey mixed-use apartment building which steps down to 7 storeys along the Hyde Park Road frontage and is massed along the frontages of Hyde Park Road and North Routledge Park. The proposal includes 144 residential dwelling units and 1,279.9 square metres of commercial/retail space. The applicant also proposes to relocate the existing heritage building approximately 3.3 metres to the east and 4.2 metres to the south and connect the existing building to the new development with a glass link. An outdoor courtyard area to the south of the relocated building is proposed. The heritage building is proposed to be repurposed as part of the retail space for the development. The overall mixed-use density is 169 units per hectare.

The applicant requested an amendment to Zoning By-law Z.-1 to change the zoning from a Business District Commercial (BDC) Zone and a Holding Business District Commercial Special Provision (h-18*BDC(39)), to a Business District Commercial Special Provision Bonus (BDC(_)*B-_) Zone. Special provisions and/or Bonus Zoning were requested for a maximum building height of 29 metres; a maximum mixed-use density of 169 units per hectare; a maximum front yard depth of 10.1 metres in place of 3.0 metres located within the courtyard abutting the heritage building; dwelling units on the entire first floor along North Routledge Park; a parking rate of 1 space per 20 square metres for all commercial uses, including patios; and a parking rate of 1 space per residential unit.

The applicant requested the use of Bonus provisions to allow the increase in density whereas the applicable policies of the 1989 Official Plan allow a maximum density of 150 units per hectare. The proposed facilities, services and matters to support Bonus Zoning include building design, affordable housing and the conservation of structures identified as being of cultural heritage value or interest.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of the subject lands for an 8-storey mixed-use apartment building with 144 residential units and 1,279.9 square metres of retail/commercial space. The development is to incorporate the designated heritage structure at 1656 Hyde Park Road and bonus provisions will provide for:

- urban design features;
- affordable housing providing for five (5) one-bedroom units, at rents not exceeding 80% average market rent for a period of 50 years, subject to a Tenant Placement Agreement (TPA) with the City of London and all secured through an agreement registered on title.
- heritage conservation through the use of a Heritage Easement Agreement to be registered on title.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Main Street Place Type policies;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation;
4. The subject lands represent an appropriate location for mixed-use residential intensification, within the Hyde Park Village Core and the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood;
5. The recommended amendment secures units for affordable housing through the bonus zone; and
6. The recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development.

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

None.

1.2 Property Description

The subject lands are comprised of several contiguous properties on the west side of Hyde Park Road, generally taking up the north half of the block between Gainsborough Road and North Routledge Park to a depth of approximately 100 metres. The lands are currently occupied by a two-storey brick building built in the vernacular Italianate farmhouse style circa 1880 located at 1656 Hyde Park Road (Figure 1), and a

commercial plaza at 1634 Hyde Park Road (Figure 2). The heritage property was designated as being of cultural heritage value or interest under the Ontario Heritage Act in 2016. The lands located south of the subject properties at the intersection of Hyde Park Road and Gainsborough Road were rezoned for a similar development on March 2, 2020 (Z.-1-202838) and are described as Phase 1. The current application, described as Phase 2, includes a portion of those lands previously rezoned, as a result of the refinement of future property boundaries between Phases 1 and 2.

Hyde Park Road is classified as an Arterial Road and carry a traffic volume of 27,500 and 10,500 vehicles per day respectively. Pedestrian sidewalks are provided along both sides of Hyde Park and along the south side of North Routledge Park. Bike lanes are also provided on both sides of Hyde Park Road.



Figure 1: Designated Heritage Structure at 1656 Hyde Park Road (view from Hyde Park Road)



Figure 2: Existing Commercial Plaza at 1634 Hyde Park Road

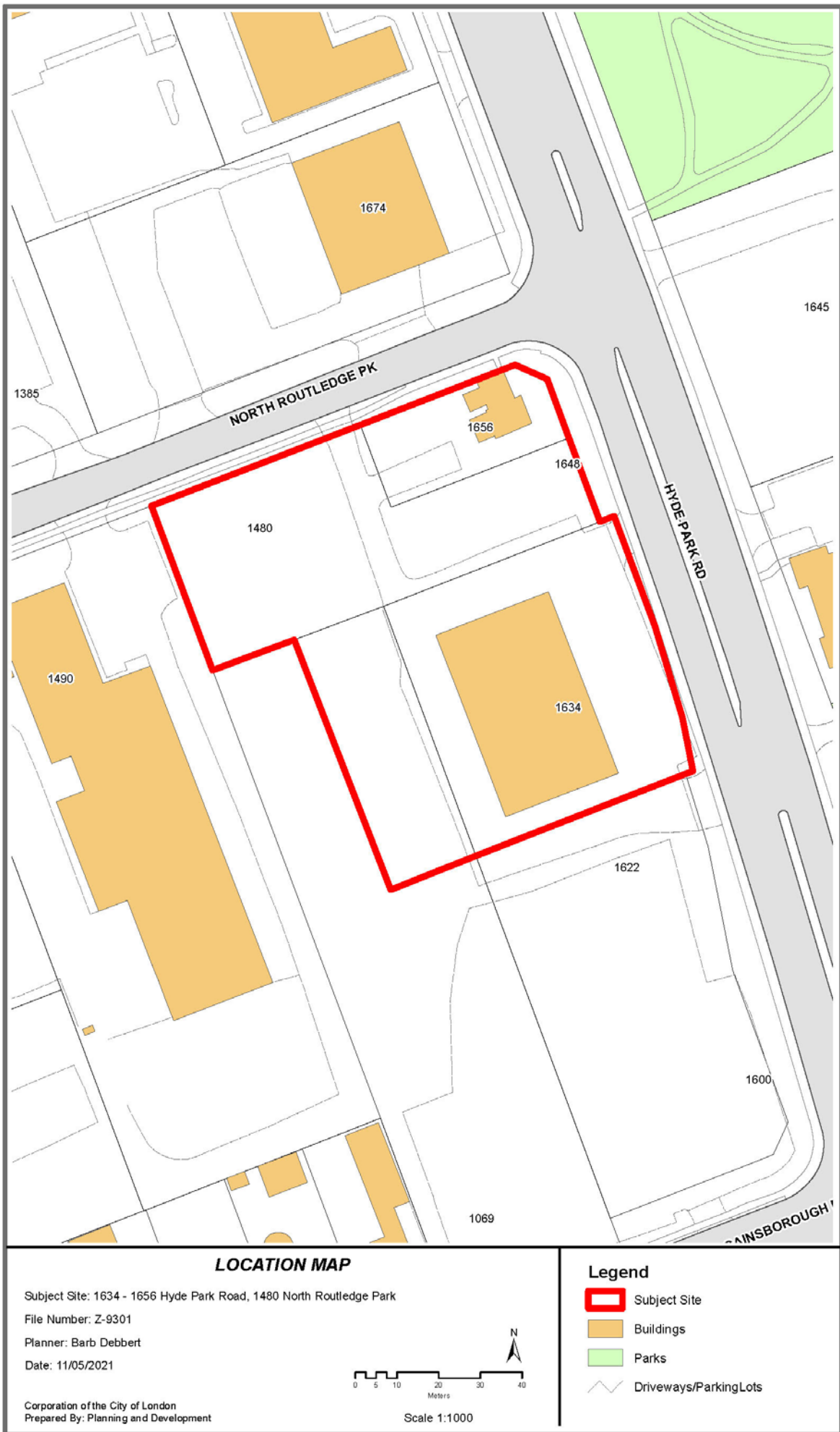
1.3 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Main Street Commercial Corridor
- The London Plan Place Type – Main Street
- Existing Zoning – Business District Commercial (BDC) and Business District Commercial Special Provision Bonus (BDC(39)*B-_)

1.4 Site Characteristics

- Current Land Use – Routledge Farmhouse, commercial plaza
- Frontage (on North Routledge Park) – 93.5 metres
- Depth – approx. 105 metres
- Area – 0.93 hectares
- Shape – Irregular

1.5 Location Map



1.6 Surrounding Land Uses

- North – commercial/light industrial
- East – Hyde Park Village Green, Hyde Park North Stormwater Management Facility, medium and low density residential
- South – Future Phase 1 – 8 storey apartment building with some commercial in the main floor, commercial, low density residential
- West – commercial/light industrial

1.7 Intensification

The proposed 144 residential units represent intensification inside the Built-Area Boundary and outside of the Primary Transit Area.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant proposes the demolition of the existing commercial plaza and the construction of one new building which steps down from 8 storeys to 7 storeys along Hyde Park Road and is massed along the frontages of Hyde Park Road and North Routledge Park as shown in Figure 4. The proposal includes 144 residential dwelling units and 1,279.9 square metres of commercial/retail space. The applicant proposes to relocate the existing heritage building approximately 3.3 metres to the east and 4.2 metres to the south and connect the existing building to the new development with a glass link. An outdoor courtyard area to the south of the relocated building is proposed. The heritage building is proposed to be repurposed as part of the retail space for the development. The overall mixed-use density is 169 units per hectare.

The proposal includes 114 on-site surface parking spaces situated behind the buildings to serve commercial and residential uses, plus an additional 94 parking spaces in an underground parking garage. Ingress and egress to the site are provided to Hyde Park Road, and North Routledge Park, the latter situated to line up with the future driveway for planned development on the north side of North Routledge Park at 1674 Hyde Park Road. On-street parking is proposed on both North Routledge Park and Hyde Park Road. A rendering of the proposed development is contained in Figure 3.



Figure 3: Building rendering viewed from the intersection of Hyde Park Road and North Routledge Park

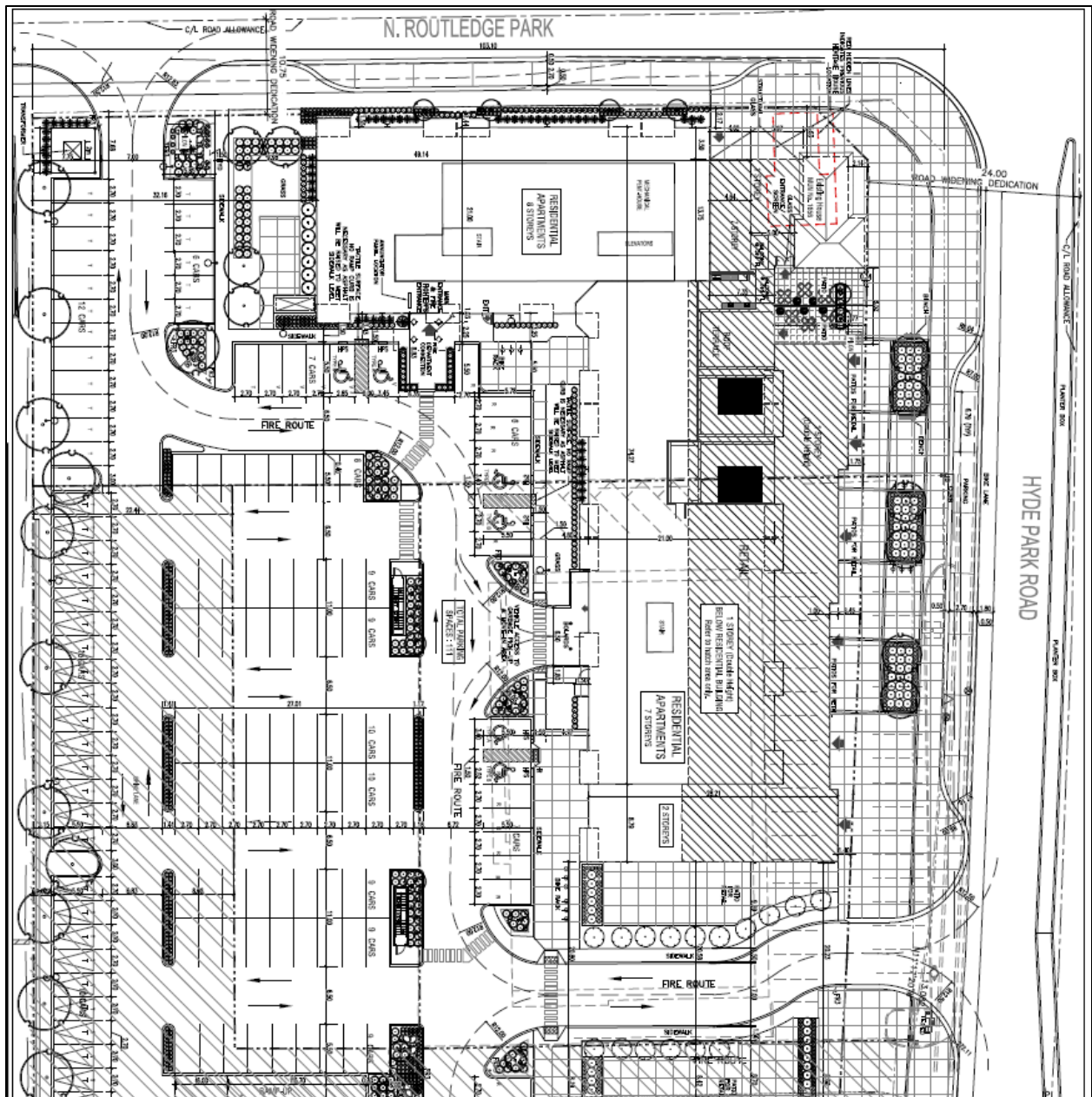


Figure 4: Site Concept

2.2 Requested Amendment

The applicant has requested an amendment to Zoning By-law Z.-1 to change the zoning from a Business District Commercial (BDC) Zone and a Holding Business District Commercial Special Provision (h-18*BDC(39)), to a Business District Commercial Special Provision Bonus (BDC(_)*B-_) Zone. Special provisions and/or Bonus Zoning were requested for a maximum building height of 29 metres, a maximum mixed-use density of 169 units per hectare; a maximum front yard depth of 10.1 metres in place of 3.0 metres located within the courtyard abutting the heritage building; dwelling units on the entire first floor along North Routledge Park; a parking rate of 1 space per 20 square metres for all commercial uses, including patios; and a parking rate of 1 space per residential unit.

The applicant requested the use of Bonus provisions to allow the increase in density whereas the applicable policies of the 1989 Official Plan allow a maximum density of 150 units per hectare. The proposed facilities, services and matters to support Bonus Zoning include building design, affordable housing and the preservation of structures identified as being of cultural heritage value or interest.

2.3 Community Engagement (see more detail in Appendix B)

No responses were received from members of the public.

2.4 Policy Context (see more detail in Appendix C)

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 PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential (including affordable housing and housing for older persons), employment and institutional uses to meet long-term needs (1.1.1b.). It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3) to be the main focus of growth and their vitality and regeneration shall be promoted. Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with surrounding infrastructure, public service facilities and are also transit supportive (1.1.3.2).

The policies of the PPS also direct planning authorities to identify appropriate locations and promote opportunities for residential intensification (1.1.3.3) while promoting appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4) and promote active transportation limiting the need for a vehicle to carry out daily activities (1.6.7.4).

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected market-based and affordable housing needs of current and future residents. 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 toward locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (1.4.3).

In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

The London Plan

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

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to plan strategically for a prosperous city by:

- Creating a strong civic image by...creating and sustaining great neighbourhoods...
- Revitalizing our urban neighbourhoods and business areas (Key Direction #1, Directions 3 and 4).

The London Plan provides direction to celebrate and support London as a culturally rich, creative and diverse city by:

- protecting our built and cultural heritage to promote our unique identity and develop links to arts and eco-tourism in the London region;
- revitalizing London's downtown urban main streets, and their surrounding urban neighbourhoods to serve as the hubs of London's cultural community (Key Direction #3, Directions 7 and 9).

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing and revitalizing our downtown, main streets, and urban neighbourhoods;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward;
- Mixing stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity (Key Direction #5, Directions 2, 3, 4 and 6).

The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features
- Integrating affordable housing forms of housing in all neighbourhoods (Key Direction #7, Directions 5 and 10).

The subject site is located in the Main Street Place Type on *Map 1 – Place Types in The London Plan. The London Plan envisions the regeneration of historic Main Streets throughout our city. The important cultural heritage resources of these streets are to be conserved, while allowing for sensitive repurposing, intensification and infill. These streets will contribute significantly to our image and identity as a city and will support the regeneration and continued vitality of the neighbourhoods that surround them.

1989 Official Plan

The 1989 Official Plan contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS. The subject lands are designated Main Street Commercial Corridor in the 1989 Official Plan.

The Main Street Commercial Corridor (MSCC) designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. These corridors are intended to provide for the redevelopment of vacant, underutilized or dilapidated properties for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development while maintaining a similar setback and character to the existing uses (4.4.1.1).

The main permitted uses in the Main Street Commercial Corridors (4.4.1.4.) include a wide range of commercial, office, institutional and residential uses created through the development of mixed-use buildings.

Specific policies for the Hyde Park Community Planning Area state the long term intent is to foster and encourage the development of a pedestrian/street oriented commercial area for Hyde Park and indicate new development should be designed and approved consistent with the design guidelines in the Hyde Park Community Plan (Sections 3.5.12 and 4.4.1.13.4).

Hyde Park Community Plan and Urban Design Guidelines (2001)

The subject lands are at the centre of the Hyde Park Village, designated as Business District within the Hyde Park Community Plan. The Community Plan supports the transformation of the existing mix of auto-oriented and pedestrian-oriented commercial uses in the Hyde Park hamlet to a commercial “village” with the creation of a pedestrian scale commercial focal point. The Urban Design Guidelines identify the hamlet of Hyde Park as a high activity area that will feature streetscaping and building orientation to create a pedestrian friendly, mixed-use area where people can live, work and shop. (Section 2.0). Buildings at prominent corners should be designed with consideration to massing, height, architectural detailing and landscaping to take advantage of the prominent location, and should be designed with side elevations detailing similar to the front elevation. Consideration should be given to the amount of glazing on the side elevation and providing side entrances. (Section 4.0) The Business District designation encourages the location of buildings close to the street with parking located at the side or rear. Building design should allow flexibility in the ground floor space to provide for conversion from the initial uses such as residential, to retail, service and offices uses in the long term. (Section 6.0)

3.0 Financial Impact/Considerations

This application is eligible for financial incentives under the Heritage Community Improvement Program.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS encourages 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 to meet long-term needs (1.1.1b)). The PPS also promotes 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 (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development and their vitality and regeneration shall be promoted (1.1.3). Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The London Plan

The subject site is within the Main Street Place Type which allows for a broad range of residential, retail, service and office uses. Mixed-use buildings are encouraged, as is the location of retail and service uses at grade, with residential and non-service office uses directed to the rear of buildings and to upper floors (908_).

1989 Official Plan

The Main Street Commercial Corridor designation permits a wide range of retail/commercial uses along with residential uses created through the conversion of existing buildings, or through the development of mixed-use buildings where residential uses are permitted above the first floor (Section 4.4.1.4).

Analysis:

Consistent with the PPS, and conforming to the intent of the 1989 Official Plan and The London Plan, the recommended mixed-use apartment building will provide for the development of an underutilized site with a land use that is currently permitted and compatible with the surrounding lands, at an intensity and height that is suitable for its location within the core of the Hyde Park Village. Moderately intensive development at this location is also considered appropriate as the mixed-use residential/commercial building will take advantage of the surrounding resources, infrastructure and public service facilities, and will be transit-supportive. The PPS also promotes the provision of an appropriate mix of affordable and market-based residential types, which is achieved by the provision of affordable housing units that form part of the bonus zone. The proposed 8-storey mixed-use building contributes to a mix of housing types and provides choice and diversity in housing options for both current and future residents.

The requested amendment is intended to establish heights and densities for the development of this site but the requested range of uses remains the same as those permitted by the existing zoning. With respect to land use, the City is being asked to consider permission for the residential units adjacent to North Routledge Park to extend to the ground floor.

It is preferred that the commercial units proposed adjacent to Hyde Park Road wrap the corner of the building and continue along the North Routledge Park frontage to encourage activation of the streetscape. The applicant anticipates more intensive residential occupancy of the area in the future may generate a greater market for local commercial uses. In the interim period, it is appropriate to allow flexibility for an alternative street-oriented use. In order to maintain the appearance of a commercial façade on North Routledge Park, residential units fronting the street are designed with a similar architectural treatment as the commercial units fronting Hyde Park Road, and are equipped with front doors facing the street, facilitating their conversion to commercial space in the future. A similar approach was taken for Phase 1 of the proposed development, and the priority should be placed on establishing commercial uses along Gainsborough Road within Phase 1 as it will enhance the main intersection of the Hyde Park Village.

The proposed development will help set a positive tone and encourage additional investment within the main street areas of the Hyde Park Community while maintaining an appropriate land use pattern within a settlement area.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The London Plan

Although The London Plan does not limit densities as part of the policy framework it does include criteria for the development of more intensive land uses. The Main Street Place Type ensures that buildings are designed to fit in scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment. Buildings will be a minimum of either two storeys or eight metres in height and will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted. Individual buildings will not contain any more than 2,000m² of office space (910_).

While the proposed 8 storey mixed-use apartment building does not conform to the maximum height limitations, with bonusing, of The London Plan, *Map 1 – Place Types designating these lands in the Main Street Commercial Corridor is currently under appeal and not in force and effect. Accordingly, these policies are informative but are not determinative and cannot be relied on for the review of the requested amendment as the policy framework for this site is in a period of transition between the 1989 Official Plan and The London Plan.

Despite The London Plan policies not being in force and effect, the proposed development is considered to implement the planned vision of the Main Street Place Type, helping establish an appropriate form and scale of development while complementing the character of the area.

1989 Official Plan

The scale of development (Section 4.4.1.7.) is also important in the Main Street Commercial Corridor when redeveloping or infilling commercial uses. The corridor aims to maintain a setback and orientation that is consistent with adjacent uses. Residential densities within the corridor should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations. Excluding provisions for bonusing, net residential densities within the Multi-family, High Density Residential designation will normally be 150 units per hectare (100 units per acre) when located outside of the Downtown and Central London (Section 3.4.3.). Density Bonusing to increase the density otherwise permitted in return for the provision of certain public facilities, amenities or design features may be considered. As-of-right bonus provisions up to 25% of the density otherwise permitted are predetermined in certain zones of the Zoning By-law. Otherwise, Bonusing on individual sites may exceed 25% of the density otherwise permitted, where Council approves site specific bonus regulations in the Zoning By-law. In these instances, the owner of the subject land shall enter into an agreement with the City, to be registered against the title to the land. (3.4.3 iv). Specific heights are not established by the Official Plan policies, but policies addressing large sites outside of the Downtown and Central London area provide some guidance by indicating high-rise structures shall be oriented, where possible, closest to activity nodes and points of high accessibility with building heights decreasing as the distance from an activity node increases (Section 3.4.3).

Analysis:

The subject lands are a continuation and completion of the proposed 8-storey mixed-use building to be located at the intersection of Hyde Park and Gainsborough Roads. The currently underutilized lands also have access to full municipal services, and are a part of the central node for the Hyde Park Village which is identified through Official Plan policy as an area for mixed-use development and residential intensification. The site is located near a variety of service-oriented businesses and the Hyde Park Village Green, and has access to bus routes. The property lies within a broader area characterized by a mix of various housing forms ranging from single detached dwellings to low and high-rise apartment buildings. When consolidated, the subject lands for Phase 2 are of a size to accommodate more intensive redevelopment on underutilized lands and provide a built form that responds to the surrounding existing and planned context. The proposed density will efficiently use land, resources, and the surrounding infrastructure and public services facilities where they exist or will be developed.

With respect to the 1989 Official Plan, the applicant has applied for a mixed-use density of 169 unit per hectare which exceeds the maximum of 150 units per hectare contemplated by policy. The proposed 144 residential units are considered appropriate on the subject site and within the surrounding area. The proposed 8 storey building has been designed in a manner which will fit within the existing and planned scale and character of the surrounding streetscape. This includes the planned reduction in height for the future development at 1674 Hyde Park Road with a maximum height of 6 storeys farther away from the main activity node.

The applicant has proposed a number of public facilities, amenities, and design features in return for the requested height and density, in conformity with Chapter 19.4.4 of the 1989 Official Plan. These features are addressed in greater detail in Section 4.4 of this report. Staff is satisfied that the proposed features are commensurate for the proposed increase in density.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and the in-force policies of the City's Official Plans.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020 (PPS)

The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets, and by encouraging a sense of place by promoting a well-designed built form (1.7.1(c & d)).

The London Plan

All planning and development applications will conform to the City Design policies of The London Plan. The Main Street Place Type ensures that new developments are well-designed and integrated with the character and design of the associated Main Street. Buildings should be located at or along the front property line in order to create a street wall that sets the context for a comfortable pedestrian environment. Developments should place a priority on the pedestrian experience and public realm (911_).

1989 Official Plan

The objectives of the Main Street Commercial Corridors are to ensure that when implementing its broad range of permitted uses the scale is compatible with adjacent developments. The policies aim to maintain a setback that is consistent with adjacent uses while maintaining the character of the existing uses. (Sections 4.4.1.1 and 4.4.1.7). In order to ensure these objectives of scale, compatibility and character are achieved, the MSCC has specific Urban Design Objectives (Section 4.4.1.2) to help develop these corridors appropriately. These policies encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics. They seek to provide for and enhance the pedestrian nature of the Main Street Commercial Corridor, provide high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting while supporting public transit. Main Street Commercial Corridors shall be developed and maintained in accordance with the urban design guidelines in Chapter 11, the Commercial Urban Design Guidelines and specific policy areas (Section 4.4.1.9).

Analysis:

The proposed development is able to integrate with the existing less intensive development in the Main Street Commercial Corridor designation, while setting a positive tone for development within the Hyde Park Village as future development/redevelopment occurs. The proposed building is located close to Hyde Park Road creating a strong street wall and setting the context for a comfortable pedestrian environment.

Above the two-storey commercial massing along Hyde Park Road, the residential component of the proposed development steps back, delineating the human scale component of two-storey commercial massing along the street. Unique window and door treatments and a range of materials, textures and colours provide for variety and interest along the street frontage and for differentiation between the commercial and residential uses. A step-back above the seventh storey along Hyde Park Road further reduces visual impact from the street.

Vegetated planters and street trees will be provided along the Hyde Park Road frontage adjacent to the bicycle lane, and a softer urban treatment of grass, shrubs, street trees and raised planters will be provided along North Routledge Park, in a manner that will place a priority on the pedestrian experience and provide a safe and comfortable space while creating a new urban character along the street. Additional opportunities for outdoor spaces are provided through a rooftop patio, and a recessed courtyard to the immediate south of the relocated heritage building. Surface parking will be located to the rear of the building limiting visual impacts of the parking lot on Hyde Park Road. Consistent with the PPS, and conforming to the 1989 Official Plan and The London Plan, the recommended intensification of the subject lands will optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands will contribute to achieving more compact forms of growth.

The Urban Design Peer Review Panel reviewed a previous development proposal which originally included all of the lands on the west side of Hyde Park Road between Gainsborough Road and North Routledge Park. For what later became Phase 1 (Z-9067) of this development, the applicant made significant revisions to the proposal, which were detailed and explained in the planning report. The submission for Phase 2 currently under review also responds to the UDPRP comments originally provided. Both the Urban Design Peer Review Panel and Staff originally expressed concerns about the proposed height and preferred a true mixed-use approach where the residential component was more closely integrated with the commercial buildings and brought to the front of the property to create a stronger street wall and built presence on the street. The use of step-backs at various elevations was supported in order to provide interest and break up the massing of the buildings. The Panel commended the original intent to retain and integrate the existing heritage building at the corner of Hyde Park Road and North Routledge Park, but did note that a lighter or more tenuous connection may assist with blending the old and new construction.

The application submitted for Phase 2 satisfactorily addresses the original UDPRP and Staff comments from Phase 1. The proposed building with step-backs above the commercial component and from the seventh to eights storeys establishes the desired setback from the main street corridor and North Routledge Park for future development. The development will provide an active and continuous street wall along both street frontages and will create an appropriate scale and rhythm through the use of step-backs, a variety of materials and fenestration. The proposal will create a form of development at an appropriate scale and remain compatible with the surrounding streetscape by incorporating all parking in the rear yard, away from the street frontages and providing ground floor commercial space with transparent glazing and principal entrances facing the street to create an active edge. The applicant's detailed response to the original UDPRP comments is provided in Appendix E of this report.

Urban Design staff commend the applicant for incorporating the following into the design of the site and buildings: an 'L'-shaped mixed-use building that is generally in-keeping with the vision of the current Official Plan as well as The London Plan by providing for continuous street walls along the Hyde Park Road and North Routledge Park frontages, a 7-storey massing along Hyde Park Road that includes a step-back above the second storey and 8-story massing along North Routledge Park; providing for appropriate scale/ rhythm/ materials/ fenestration; incorporating all of parking in the rear yard, away from the adjacent street frontages; providing ground floor commercial space with transparent glazing and principal entrances facing the Hyde Park Road creating an

active edge; and providing ground floor residential units with individual entrances and patio spaces along the North Routledge Park frontage.

The applicant's rationale for splitting Phase 1 from Phase 2 was to allow more time to address very specific concerns identified by the UDPRP, Urban Design staff and the Heritage Planner regarding the treatment of the heritage structure in relation to the proposed new building. In general, the original proposed building height, massing and detailed design did not provide for sufficient differentiation of the heritage structure from the new development. Prior to submitting the Phase 2 application, the applicant worked with City staff to develop and provide for a more appropriate design solution. Heritage matters are addressed in more detail in Section 4.5 of this report.

4.4 Issue and Consideration #4: Bonusing

The London Plan

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (*1650_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy *1652_. A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below:

**1652_1: Exceptional site and building design:*

- Building design and site layout incorporate architectural themes and design elements that creates a strong street wall, sets the context for a comfortable pedestrian environment, and strengthens the image of the Hyde Park Village core, while integrating well with existing less intensive development on Hyde Park Road and showcasing the existing heritage structure on the site.

**1652_2: Cultural heritage resources designation and conservation:*

- New mid-rise mixed-use building designed/positioned in a manner that is sensitive to the existing designated heritage building on the site.
- Measures to be put in place for the safe and appropriate rehabilitation and slight relocation of the heritage building in accordance with applicable heritage conservation legislation/guidelines and pursuant to a Heritage Alternation Permit. Such measures include entering into a Heritage Easement agreement with the City and registering it on title.
- The future re-purposing of the rehabilitated heritage building for commercial uses.

**1652_12: Affordable housing:*

- The applicant worked with the Housing Development Corporation (HDC) London through the application process for the provision of affordable housing. The HDC has recommended the following:
 - A total of five (5) one-bedroom units, some or all of which may be allocated from the Phase 1 development, will be provided for affordable housing;
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability set at 50 years from the point of initial occupancy.
 - The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
 - These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

Staff is satisfied the proposed facilities, services, and matters outlined above are commensurate to the requested increase in intensity.

1989 Official Plan

Under the provisions of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3. iv)). Chapter 19.4.4. ii) of the 1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning. The applicant's bonus proposal meets the objective of providing affordable housing.

Through discussions with the HDC, the applicant has agreed to provide five (5) affordable units for the purpose of affordable housing. Rents would not exceed 80% AMR for a period of 50 years from initial point of occupancy.

Staff is satisfied the proposed public facilities, amenities, and design features is commensurate for the requested increase in height and density.

4.5 Issue and Consideration #5: Cultural Heritage

In June 2016, 1656 Hyde Park Road was designated under Part IV of the Ontario Heritage Act. The property is associated with the Routledge family who are significant to the history and development of Hyde Park. The building located at 1656 Hyde Park Road is colloquially known as the Routledge Farmhouse (c1880), and is a two-storey brick building built in the vernacular, Italianate, farmhouse style.

As part of the complete application, the applicant submitted the following documents to support the form of the proposed development in relation to the heritage structure, as well as the slight relocation of the structure as part of the rehabilitation activities:

- Heritage Impact Assessment (a+LiNK Inc., revised January 27, 2021)
- Building Condition Assessment (a+LiNK Inc., revised January 27, 2021)
- Conservation Plan (a+LiNK Inc., revised January 27, 2021)
- Associated drawings depicting proposal (17|21 Architects, various dates)
 - Elevations
 - Ground Floor Plans
 - Renderings
 - Sections
 - Site Plan

The below graphics illustrate the proposed relocation of the house, and the proposed treatment to link the existing structure to the new mixed-use building.

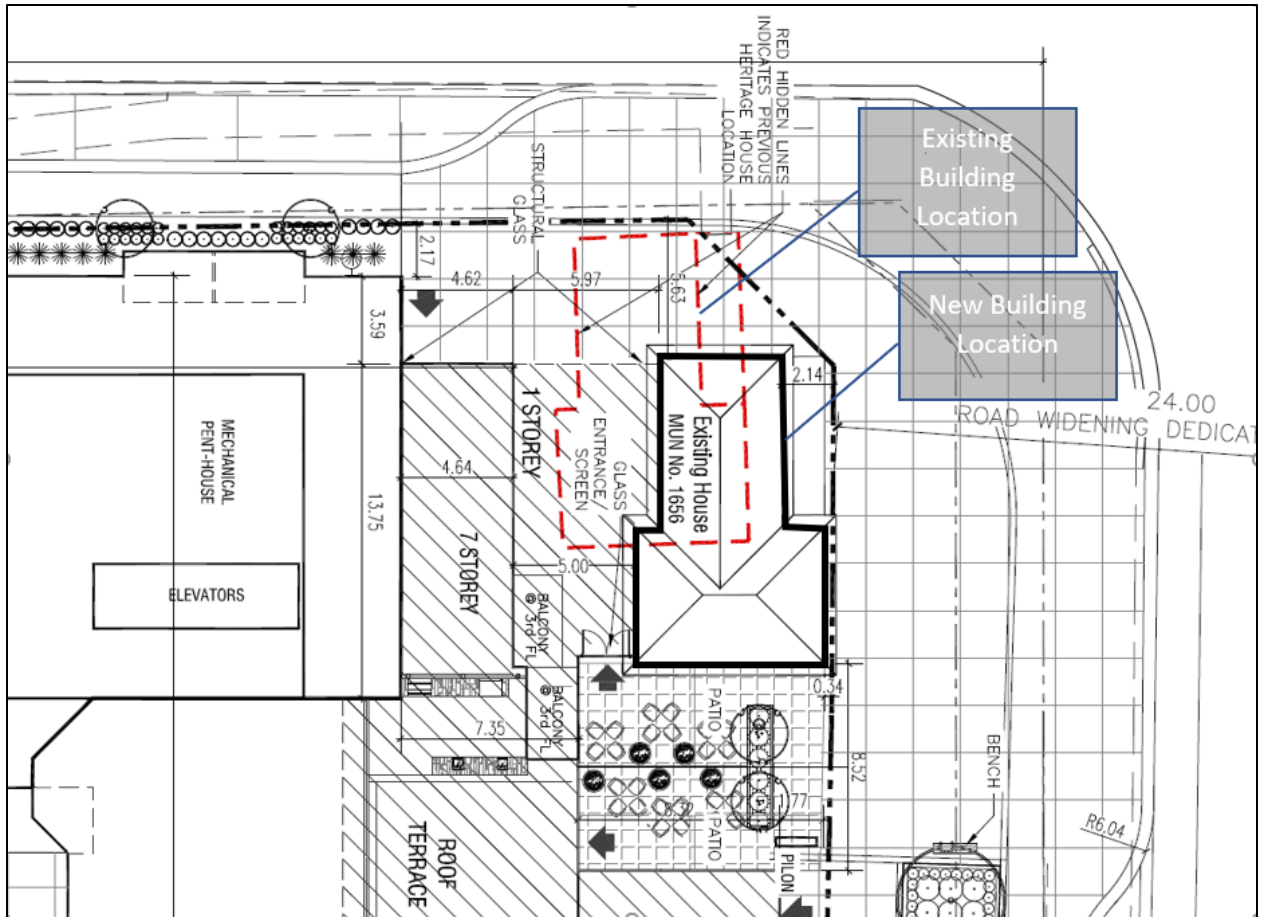


Figure 5: Relocation of Existing Heritage Structure (Site Plan Extract)



Figure 6: View from North Routhledge Park of Linkage Between Heritage Structure and New Building

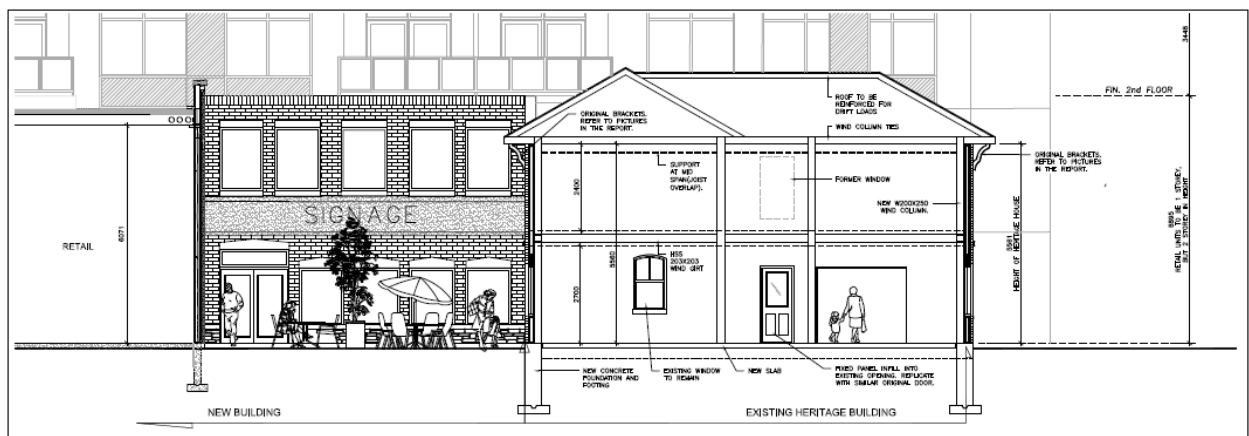


Figure 7: View from Hyde Park Road of Courtyard Area Separating Heritage Structure from New Building

These materials were reviewed in detail by City Heritage Planning staff. The London Advisory Committee on Heritage (LACH) did not provide comments on the application. Full comments from Heritage staff are included in Appendix B.

Provincial Policy Statement, 2020

The PPS provides direction to conserve significant built heritage resources (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 (2.6.3).

The London Plan

The City Building policies of The London Plan direct planning and development to: promote, celebrate, and raise awareness and appreciation of London's cultural heritage resources; conserve London's cultural heritage resources so they can be passed on to our future generations; and ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources (554_1 to 3). Conservation of whole buildings on properties identified on the Register is encouraged and the retention of façades alone is discouraged (568_).

The Main Street Place Type of The London Plan provides direction to protect and conserve the significant cultural heritage resources of our historic Main Streets (907_2).

1989 Official Plan

The design objectives of the Main Street Commercial Corridor designation include maintaining the cultural heritage value or interest of heritage buildings (4.4.1.2 viii).

Chapter 13 of the 1989 Official Plan provides a policy framework for properties of cultural heritage value or interest. The objectives include: protect in accordance with Provincial policy those heritage resources which contribute to the identity and character of the City; encourage the protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community; encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City's heritage resources; and increase public awareness and appreciation of the City's heritage resources, and encourage participation by the public, corporations, and other levels of government in the protection, restoration, and utilization of these resources.

Analysis:

The designated property currently includes those lands located at 1656 Hyde Park Road. The bulk of the proposed development site is considered adjacent lands, although the designation may be expanded to take in all of the Phase 2 lands in the future in conjunction with the planned consolidation of the properties under one ownership.

During the review of planning file Z-9067 which originally proposed the rezoning of all of the lands on the east side of Hyde Park Road between Gainsborough Road and North Routledge Park, Heritage staff expressed significant concerns regarding the close proximity of the proposed 12 storey structure to the heritage structure and the lack of an appropriate linking structure. As a result, the applicant divided the development into two phases to allow more time to work with City staff to arrive at a satisfactory solution.

The resultant plan includes the relocation of the existing heritage structure coupled with a shorter eight-storey building with stepping-back features, linked by an enclosing glass structure along the North Routledge Park frontage and separated from commercial space fronting Hyde Park Road by an outdoor courtyard.

The Heritage Impact Assessment directly addresses impacts and mitigative measures. The primary mitigating measure identified in the HIA is the retention and the adaptive

re-use of the farmhouse heritage building which is intended to become a key feature of the new development. Further, the primary impact identified is the incompatibility of scale and massing of the new development due to its close proximity to the heritage building. This has been addressed through the proposed relocation of the heritage building to provide an intermediary physical link at a more comparable scale. The movement of the building also allows for the rehabilitation of the existing foundation which is in need of repair to ensure structural stability into the future.

Further approaches to the design of the new development also mitigate its massing and scale when compared to the heritage building through the rhythm of podium styles along the commercial level that respond to height, massing and roofline of the heritage building. The use of step-backs, and a courtyard to the south as well as a glass addition (i.e. 'link') to the west (to separate and make distinctive the heritage building at the corner) also are design devices used to mitigate scale. Additional impacts to the heritage building relate directly to the logistics of relocating the building (such as the need to remove and protect heritage features) prior to moving, impacts to the rear elevation due to the glass linking element, and impacts to the interior of the building in order to open up the floor plan for commercial uses.

The Building Condition Assessment (BCA) outlines a guiding approach of conservation and rehabilitation for the adaptive reuse of the heritage building on the subject property. The Conservation Plan further expands on the specific heritage items identified in the BCA requiring preservation, restoration, and replacement as part of the new development proposed for the property. The Conservation Plan (CP) determines preferred methods for intervention and provides goals and conservation measures.

The Building Condition Assessment contains recommendations for further investigative work closer to the time work commences on the building.

The applicant has agreed to enter into a Heritage Easement Agreement with the City of London as part of the recommended bonus zone. In combination with the required Heritage Alteration Permit, this will ensure adherence to the impact mitigation approaches outlined in the HIA and further clarified by the Building Condition Assessment and Conservation Plan for the short and long-term protection and conservation of the heritage resources on the property.

4.5 Issue and Consideration #6: Zoning

The recommended zoning is appropriate to implement the proposed development, allowing for the existing range of uses while providing special zoning provisions to implement the recommended development.

A number of technical matters resulted in changes to the zoning requested by the applicant, but do not have an impact on the development proposal circulated to commenting departments, agencies and the public:

- The removal of the Holding (h-18) Zone is not required as it was removed by City Council on November 10, 2020 (File H-9256);
- The requested special provision to allow a maximum front yard depth of 10.1 metres from Hyde Park Road to accommodate the courtyard is not required because North Routledge Park is the front lot line. The courtyard remains a requirement of the recommended bonus zone to achieve design goals;
- A new special provision is recommended to establish a maximum front yard depth of 6.0 metres from North Routledge Park to accommodate the heritage structure which is to be relocated. While it will be very close to the required daylight triangle at the intersection, the bulk of the building is proposed to be located approximately 5.63 metres from the North Routledge Park road allowance;

- All of the requested and required zoning special provisions are accommodated in the recommended Bonus Zone as they apply to this specific development proposal. As a result, no special provisions are recommended for the Business District Commercial (BDC) Zone.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Main Street Place Type. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation. The recommended amendment will facilitate the development of an underutilized site with a land use, intensity, and form that is appropriate for the site.

Prepared by: Barb Debbert
Senior Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A

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 1634 – 1656 Hyde Park Road, 1480 North Routledge Park and Part of 1069 Gainsborough Road.

WHEREAS 1630 HP Inc. has applied to rezone an area of land located at 1634 – 1656 Hyde Park Road, 1480 North Routledge Park and Part of 1069 Gainsborough Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1634 – 1656 Hyde Park Road, 1480 North Routledge Park and Part of 1069 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A101, from a Business District Commercial (BDC) Zone and a Business District Commercial Special Provision (BDC(39)) Zone **TO** a Business District Commercial Special Provision Bonus (BDC*B-_) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:
 - 4.3) B-_____ 1634 – 1656 Hyde Park Road, 1480 North Routledge Park and Part of 1069 Gainsborough Road

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed-use apartment building, with a maximum height of 8-storeys or 29 metres and a maximum density of 169 units per hectare, in general conformity with the Site Plan, Renderings, Elevations and Cross Sections attached as Schedule “1” to the amending by-law, and provides for the following:

- a) Exceptional Building Design
 - i) providing an “L”-shaped mixed-use building that is generally in keeping with the vision of the current Official Plan as well as the London Plan by providing for continuous street walls along the Hyde Park Road and North Routledge Park frontages;
 - ii) providing a 7-storey massing along Hyde Park Road that includes a significant step-back above the second storey and 8-story massing along North Routledge Park;
 - iii) providing for appropriate scale/ rhythm/ materials/ fenestration;
 - iv) incorporating all of parking in the rear yard and underground, away from the adjacent street frontages;
 - v) providing ground floor commercial space with transparent glazing and principal entrances facing the Hyde Park Road creating an active edge;
 - vi) providing ground floor residential units with individual entrances and patio spaces along the North Routledge Park frontage;

- vii) providing a rooftop patio;
 - viii) providing a parking lot layout that accommodates appropriate driveway alignments across North Routledge Park; and
 - ix) relocating the existing heritage structure and providing a glass link between the heritage structure and the new building along the North Routledge Park frontage and a recessed courtyard immediately south of the heritage structure.
- b) Provision of Affordable Housing
- i) A total of five (5) one-bedroom units will be provided for affordable housing. Subject to the concurrence of the City, some or all of these five (5) one-bedroom units may be allocated from the adjacent development owned and/or managed by the Proponent, noting the bonus zone requirement and encumbrance would remain specific to the Subject Lands;
 - ii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - iii) The duration of affordability set at 50 years from the point of initial occupancy;
 - iv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
 - v) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.
- c) Relocation, conservation, and adaptive re-use of the existing heritage designated structure at 1656 Hyde Park Road:
- i) The owner shall enter into a Heritage Easement Agreement with the City of London.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

- a) Additional Permitted Use:
- i) Apartment buildings, including dwelling units in the front portion of the ground floor adjacent to North Routledge Park
- b) Regulations
- | | | |
|------|---|------------------------------|
| i) | Density
(Maximum) | 169 units per hectare |
| ii) | Building Height
(Maximum) | 29 metres (95.1 feet) |
| iii) | Front Yard Depth from
North Routledge Park
to relocated heritage structure
(Maximum) | 6.0 metres (19.69 feet) |
| iv) | Parking – All commercial
uses (Minimum) | 1 space per 20m ² |
| v) | Parking – All residential
uses (Minimum) | 1 space per unit |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

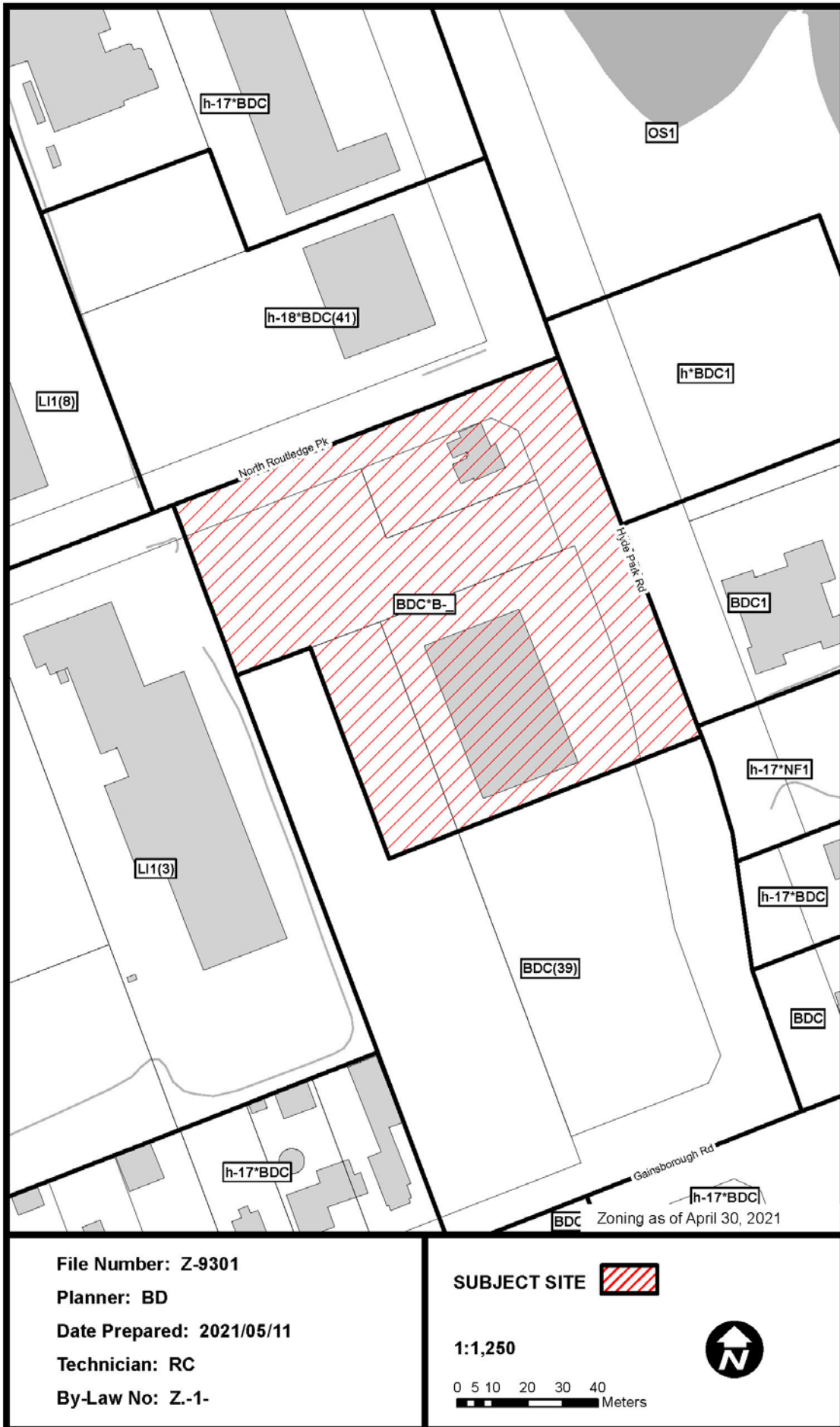
PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

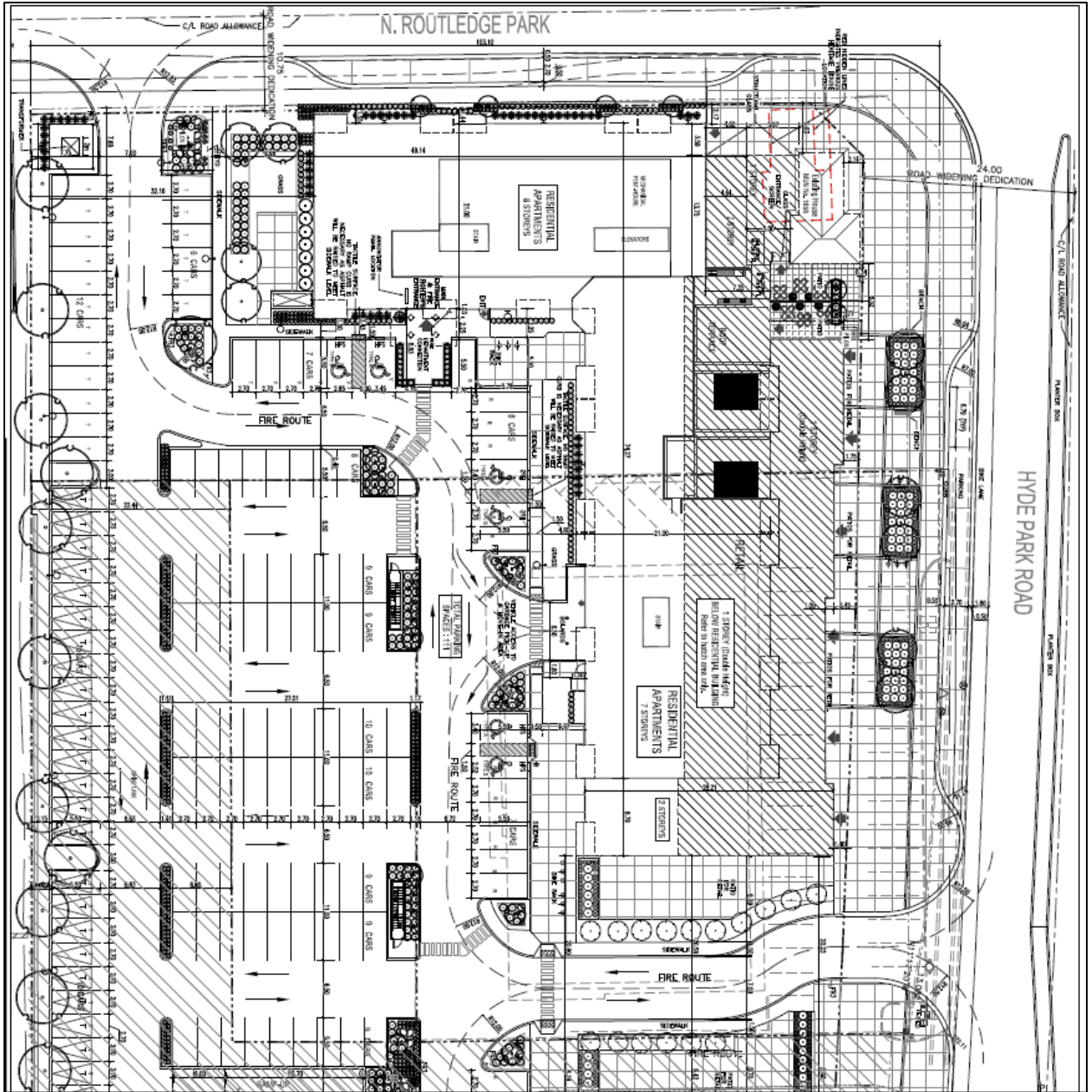
First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

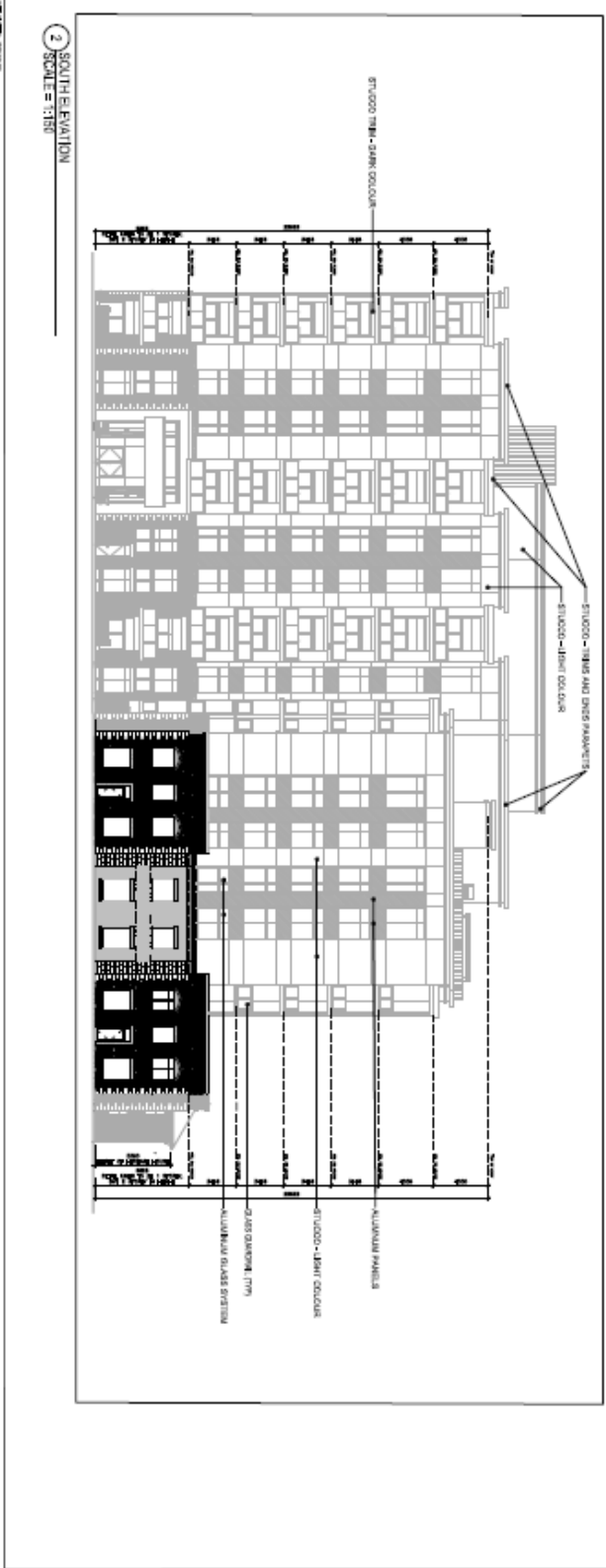
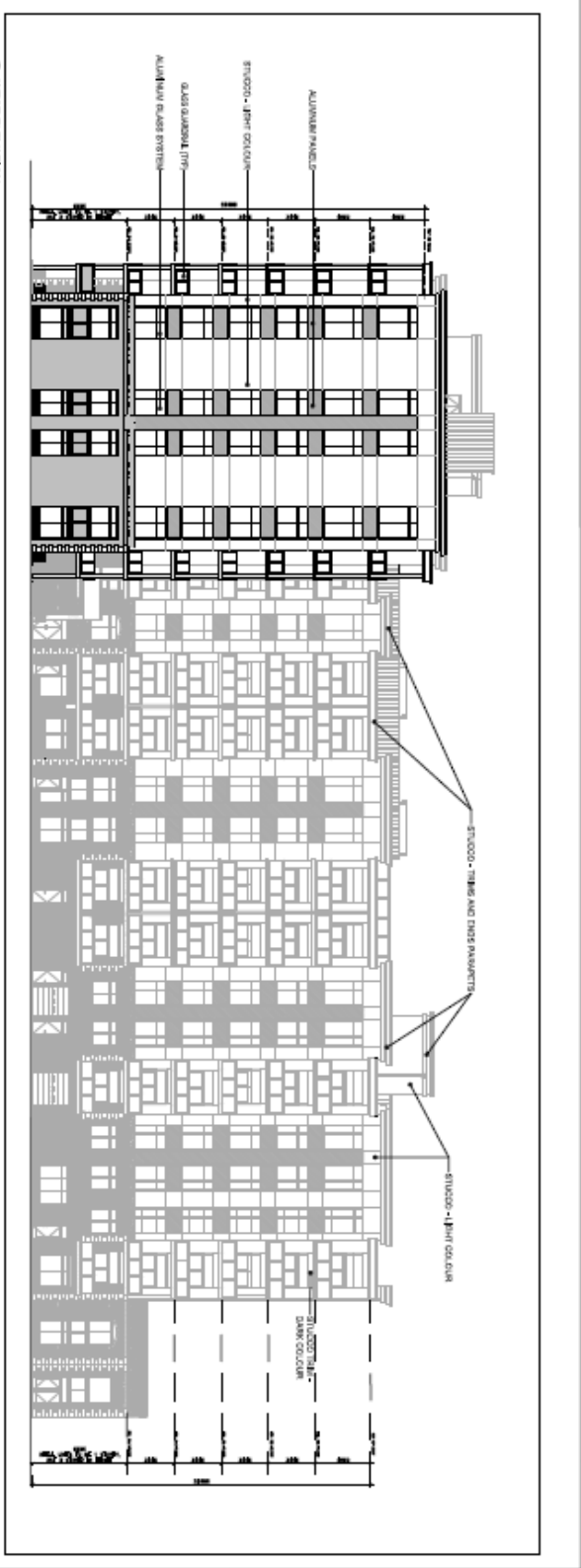
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

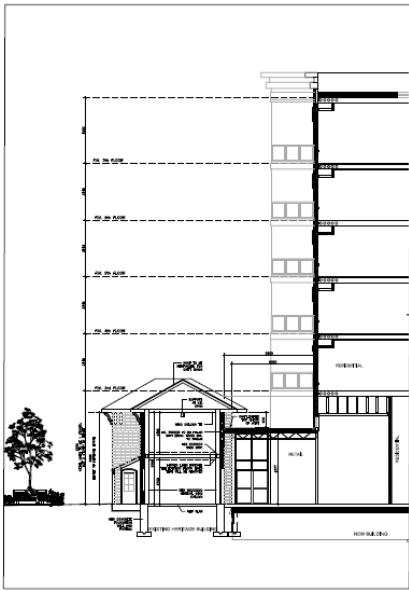


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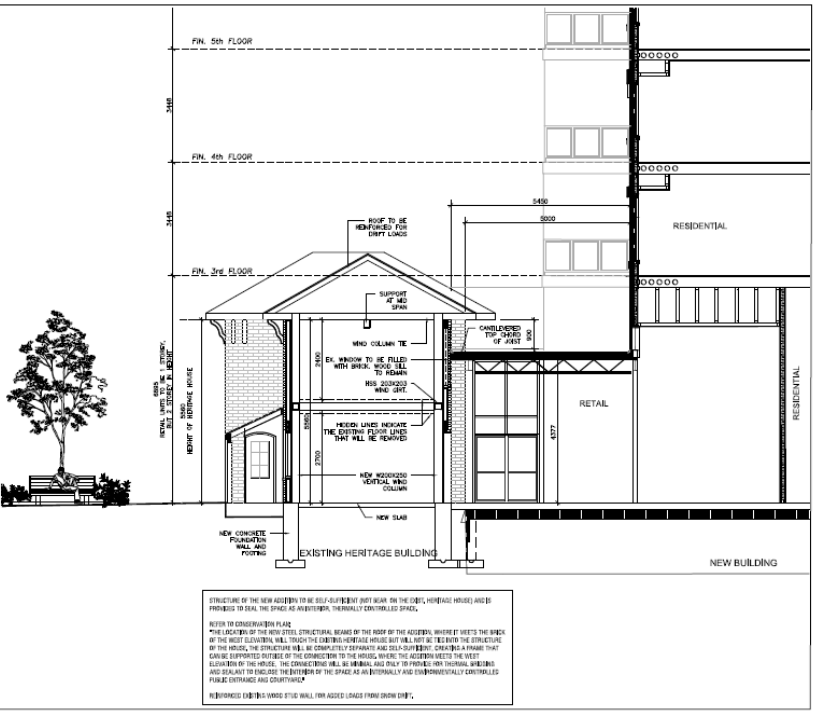
Schedule "1"







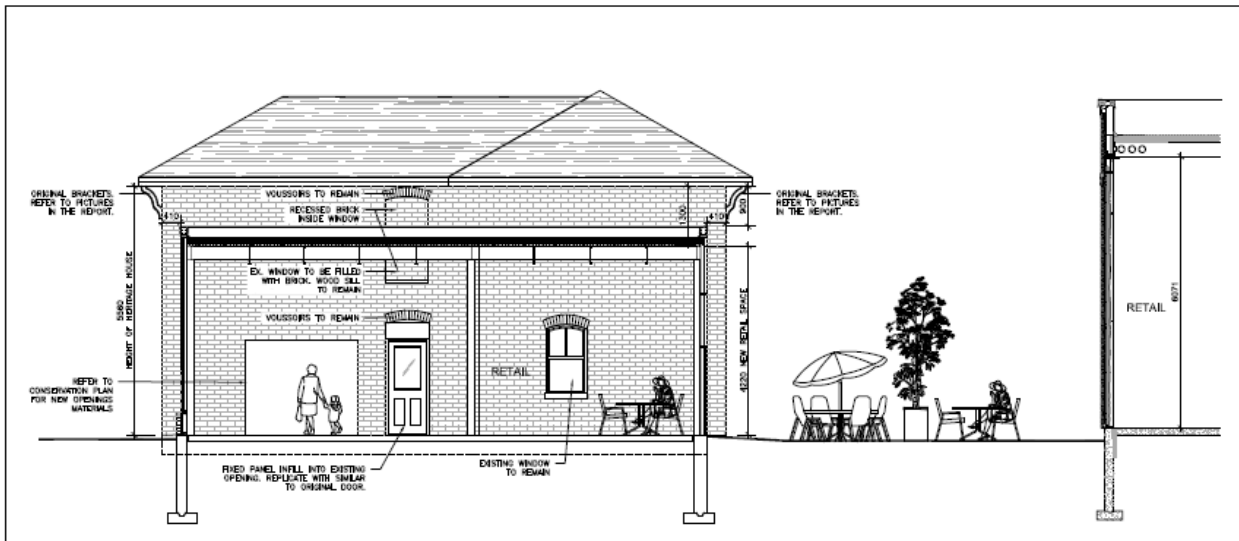
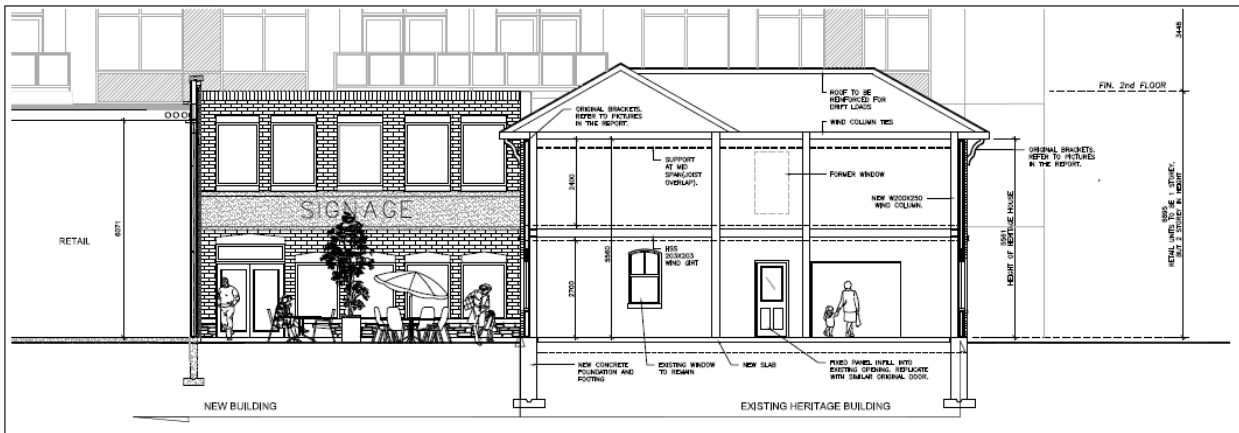
1 SECTION-1
SCALE = 1:100



2 ENLARGED SECTION-1
SCALE = 1:50



1 SECTION -2
SCALE = 1:100



Appendix B – Public Engagement

Community Engagement

Notice of Application:

On January 27, 2021, Notice of Application was sent to 46 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 28, 2021. A “Planning Application” sign was also posted on the site.

No replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of one eight storey mixed-use apartment building with 144 residential dwelling units and 1,279.3m² of commercial space in the main floor of the apartment building along Hyde Park Road. The proposal includes the retention, slight relocation and integration of the designated heritage structure located at 1656 Hyde Park Road into the proposed development. Possible change to Zoning By-law Z.-1 from a Business District Commercial (BDC) Zone and Holding Business District Commercial Special Provision (h-18*BDC(39)) Zone to a Business District Commercial Special Provision/Bonus (BDC(_)*B-_) Zone to permit a broad range of commercial, service, office, and recreational uses and apartment buildings, which are all currently permitted. Special Provisions and/or Bonus Zoning are requested to permit: a maximum building height of 29m; a mixed-use density of 169uph (144 residential units and 1,279.3m² of commercial floor area); a maximum front yard depth of 10.1m in place of 3.0m located within the courtyard abutting the heritage building; dwelling units on the entire first floor along North Routledge Park; a parking rate of 1 space per 20m² for all commercial uses, including patios; and a parking rate of 1 space per residential unit. The proposed facilities, services and matters to support Bonus Zoning include building design, affordable housing and the preservation of structures identified as being of cultural heritage value or interest.

Departmental and Agency Comments

Urban Design (March 18, 2021)

Urban Design staff reviewed the submitted site development concept and elevations for the zoning by-law amendment at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and guidance provided by the Urban Design Peer Review Panel (UDPRP);

- The applicant is commended for incorporating the following into the design; an ‘L’-shaped mixed-use building that is generally in-keeping with the vision of the current Official Plan as well as the London Plan by providing for continuous street walls along the Hyde Park Road and North Routledge Park frontages, a 7-storey massing along Hyde Park Road that includes a step-back above the second storey and 8-story massing along North Routledge Park; Providing for appropriate scale/ rhythm/ materials/ fenestration; Incorporating all of parking in the rear yard, away from the adjacent street frontages; providing ground floor commercial space with transparent glazing and principal entrances facing the Hyde Park Road creating an active edge; and providing ground floor residential units with individual entrances and patio spaces along the North Routledge Park frontage.
- Urban design staff are in support of the approach presented in the application to move the heritage building. Moving the building will allow for a more appropriate transition to occur between the heritage structure and the proposed building.

Heritage (April 21, 2021)

DS-heritage planning staff has reviewed the following heritage related documents for the Zoning By-law Application (Z-9301) for the above noted addresses:

- Heritage Impact Assessment. a+LiNK Inc. (Jan 27, 2021rev)
- Building Condition Assessment. a+LiNK Inc. (Jan 27, 2021rev)
- Conservation Plan. a+LiNK Inc. (Jan 27, 2021rev);
- Associated drawings depicting proposal. 17|21 Architects. (various dates)
 - Elevations (Dec 8, 2020)
 - Ground Floor Plans (Dec 17, 2020)
 - Renderings (n.d.)
 - Sections (Dec 17, 2020)
 - Site Plan (Jan 18, 2021)

Comments that follow are consistent with the *PPS-2020*, the *Ontario Heritage Act* and the *1989-Official Plan/The London Plan*, and reference to the Designating By-law L.S.P.-3455-204 for 1656 Hyde Park Road.

1. Overview

The subject lands consist of four contiguous parcels – of approximately 0.93ha (2.3ac) – located on the southwest corner of the Hyde Park Road and North Routledge Park intersection. The subject lands are currently occupied by one, multi-unit commercial building (1634 Hyde Park Road) and a 2-storey, heritage designated, office building (formerly a single detached dwelling) at 1656 Hyde Park Road. The remainder of the subject lands are vacant and used as a gravel surface parking area. (Planning and Design Report, 2021 p2)

In June 2016, 1656 Hyde Park Road was designated under Part IV of the *Ontario Heritage Act*. The property is associated within the Routledge family who are significant to the history and development of Hyde Park. The building located at 1656 Hyde Park Road is colloquially known as the Routledge Farmhouse (c1880), and is a two-storey, brick building built in the vernacular, Italianate, farmhouse style.

Heritage attributes which support and contribute to the cultural heritage value or interest of this property include:

- Historical associations with the Routledge family, the founding family of Hyde Park, particularly Thomas Routledge and Robert Routledge;
- Form, scale, massing, and plan of the two storey, buff brick building located on the property;
- Demonstration of the vernacular Italianate farmhouse style;
- Shallow, hipped roof with deep eaves, wood soffit, and paired brackets with relief scrollwork and pendant finials;
- Porch with chamfered wooden posts with capitals, fret work in the spandrels of the porch;
- Two-over-two wooden windows in segmental arched voids on the façade with brick voussoirs;
- Wooden louvered shutters with hardware flanking the windows; and,
- Wooden door and wooden screen door on the south entry off the porch.

The application (Z-9301) is for a zoning by-law amendment (with a bonus zone) to permit a 7/8-stored, “L-shaped” mixed-use building, with commercial units located at-grade along Hyde Park. New development will integrate the heritage building which will

be converted to commercial space. The heritage building is to be relocated to the southeast and south, approximately 3.3m and 4.2m, respectively, creating a larger physical distance between the heritage building and the proposed development. The relocation of the heritage building creates space for an outdoor courtyard and retains the integrity of the heritage building. A large glass 'link' will connect the heritage building and the proposed development. (Planning and Design Report, 2021 p11)

As part of complete application requirements for a zoning bylaw application, several heritage-related documents were prepared (as previously noted). The primary purpose of the required documents are to: 1) to assess the impacts of the proposed development on the cultural heritage value and attributes of 1656 Hyde Park Rd, and to make recommendations to mitigate any adverse impact that may arise (**Heritage Impact Assessment**); 2) assess the current condition of the heritage building and ensure its conservation in context of the proposed development (**Building Condition Assessment**); and 3) to set out a strategy for the management and conservation of the heritage values, attributes and integrity of heritage building and its site (**Conservation Plan**). Heritage staff's comments are organized around these requirements.

3. Heritage Staff Review – Comments

3.1 Heritage Impact Assessment

Development Services heritage planning staff has reviewed the Heritage Impact Assessment (HIA) and appreciates the completeness and thoroughness with which the HIA has been prepared, as well as the analysis undertaken that directly addresses impacts and mitigative measures. The primary mitigating measure identified in the HIA is the retention and the adaptive re-use of the farmhouse heritage building which is intended to become a key feature of the new development. Further, the primary impact identified is the incompatibility of scale and massing of the new development due to its close proximity to the heritage building. This has been addressed through the proposed relocation of the heritage building to provide an intermediary physical link at a more comparable scale. The movement of the building also allows for the rehabilitation of the existing foundation which is in need of repair to ensure structural stability into the future. The HIA states that “[g]iven the need for new foundations and raising of the floor to grade to mirror the new development and accommodate accessibility, relocating the building can be done as part of this structural stabilizing process.” (p1)

Further approaches to the design of the new development also mitigate its massing and scale when compared to the heritage building through the rhythm of podium styles along the commercial level that respond to height, massing and roofline of the heritage building. The use of step-backs, and a courtyard to the south as well as a glass addition (i.e. 'link') to the west (to separate and make distinctive the heritage building at the corner) also are design devices used to mitigate scale. Additional impacts to the heritage building relate directly to the logistics of relocating the building (such as the need to remove and protect heritage features) prior to moving, impacts to the west, rear elevation due to the glass linking element, and impacts to the interior of the building in order to open up the floor plan for commercial uses.

Staff particularly notes and supports direction provided in the following sections of the Heritage Impact Assessment (HIA): Relocation of the Designated Heritage Building (p13-17) – noting that a complete plan for the implementation of the relocation and rehabilitation of the existing heritage property will be further outlined in the Conservation Plan; Outdoor Landscaping and Placemaking (p18); Cultural Heritage of Hyde Park Village (p18); Materials, Form, Massing and Rhythm (p19); and treatment of heritage resources through the proposed relocation (p22)

3.2 Building Condition Assessment + Conservation Plan

The Building Condition Assessment (BCA) outlines a guiding approach of conservation and rehabilitation for the adaptive reuse of the heritage building on the subject property. “Every effort should be made to restore items considered of heritage value, and if restoration is not an option due to safety or severe degradation, replacement with exact

replicas, in-situ with like-for-like in design, materials and finishes should be pursued.” (p2) The Conservation Plan further expands on the specific heritage items identified in the BCA requiring preservation, restoration, and replacement as part of the new development proposed for the property. The Conservation Plan (CP) determines preferred methods for intervention and provides goals and conservation measures.

DS-heritage staff supports the following from the Building Condition Assessment and Conservation Plan that recommend that:

- structural systems within the building including exterior wall system and roof require a more complete assessment;
- reinforcing of the exterior walls, brick ties and a new wall system may be required to address structural integrity, bracing and moisture/thermal issues;
- foundation work is necessary to prevent sag and restore structural integrity to the building;
- replacement of the foundation and jacking up the first floor;
- a designated substance inspection should be carried out on the building promptly;
- short, medium and long term conservation measures be considered relating to documentation of heritage attributes, removal, demolition and salvage (re: addition, west deck and pergola, front porch), stabilization, preparation for relocation, foundation alterations, relocation, mothballing (if necessary); monitoring, preservation and restoration work, alteration for adaptive re-use (i.e. new addition/glass ‘link’; and,
- conservation programs should be considered for exterior wood shutters, exterior brick and mortar repointing, window and door restoration and perhaps other wood details such as brackets.

DS-heritage staff recognizes specific reference to the structural assessment by (VanBoxmeer & Stranges, Structural Engineers – Jan 21, 2021) which outlines structural requirements, strategy and processes needed to support the relocation of the heritage building and removal of an interior floor. The assessment concludes that the structural renovations and project will be somewhat complicated, but that the project is ‘viable for success.’

4. Summary and Recommendations Moving Forward

- Heritage staff is generally supportive of the overall design approach proposed for the new development on the subject property as it relates to the heritage building.
- Heritage staff supports the approaches to mitigation of impacts including those generally outlined in the Heritage Impact Assessment (HIA) with additional clarification provided in the Building Condition Assessment and Conservation Plan. Adherence to these recommendations will ensure that heritage resources on the subject property will be conserved.
- DS-heritage staff recommends that the City consider operationalizing recommendations in these assessments and conservation plan by entering into a heritage easement agreement with the property owner.
- DS-heritage staff recommends that the property owner provide the City with a security in the form of a Letter of Credit, in order to secure the Owner’s heritage-related obligations. The amount of the Letter of Credit should be based on 100% of the cost estimate to relocate and adapt the heritage building on the property.
- The property owner, in consult with subject area experts, should prepare mitigation strategies in the event of structural failure or loss/damage of significant heritage features during relocation. The City is encouraged to pursue measures to remedy uncertainties associated with the potential loss of the heritage

resource on the subject property, and secure assurances within a holding provision, bonus zone agreement, and/or heritage easement agreement.

- Removal/dismantling of any noted heritage attribute on the heritage building – pre, during or post-relocation – should be overseen by a heritage consultant.
- Further assessment of structural systems within the heritage building (including the exterior wall system and roof) are recommended in the Building Condition Assessment and should be completed prior to the relocation of the heritage building.
- Heritage staff recommends that detailed impacts to the heritage building on the subject property related to vibration and other construction practices be documented and assessed by a qualified structural professional, and mitigation recommendations identified prior to commencement of excavation on the site, as well as a strategy for dealing with unanticipated impacts as a result of vibration during construction. A vibration monitoring program should be established during construction which may include a preconstruction vibration assessment of the heritage building to identify a benchmark for impacts, and post-construction, to identify whether impacts have occurred; or if a 50 metre buffer area around the cultural heritage resource is not feasible given the construction requirements and site constraints, prepare vibration studies by a qualified engineer to determine the maximum acceptable vibration levels, or peak particle velocity (PPV) levels and the appropriate buffer distance between project activities and the cultural heritage resource.
- The glass ‘link’, courtyard and relocation of the house, as proposed for this development, are a necessary component of the new development for DS-heritage staff support of the ZBA.
- DS-heritage staff recommends precise documentation of the heritage building on the property prior to relocation, so that damaged features can be recast if necessary; digital documentation should be considered.
- The Building Condition Assessment and Conservation Plan should be considered for adoption as a guiding document for the development project.
- As per Section 33(1) of the *Ontario Heritage Act (OHA)*, heritage permit approval (HAP) will be required for alterations to 1656 Hyde Park Rd. (i.e. for any work that is likely to impact reasons for designation). Consultation with the London Advisory Committee on Heritage is required prior to Municipal Council decision. Heritage alteration permit approval should occur concurrently with site plan approval and is required prior to issuance of a Building Permit. A maximum 90-day statutory review and decision period for the HAP should be anticipated.

Housing Development Corporation (March 18, 2021)

Background:

Housing Development Corporation, London (HDC) was engaged to work with 1630 HP Inc. (the “Proponent”) and provide a fair recommendation to the Director, City of London Development Services in response to the Zoning By-law Amendment application (City of London Planning File: Z-9301) proposal for height and density “bonusing” in exchange for the provision of affordable housing. The application proposes an 8-storey, mixed-use building containing 144 residential units and 1,168 m² of gross commercial floor area and includes the relocation and integration of an on-site heritage building.

This letter reflects the recommendation of HDC and is provided with the general concurrence of the Proponent.

RECOMMENDATION:

It is the recommendation of the HDC that the following elements constitute the affordable housing bonus zone:

1. **A total of five (5) one-bedroom units be dedicated to affordable rental housing in exchange for the granting of increased height and density.** Subject to the concurrence of the City, some or all of these five (5) one-bedroom units may be allocated from the adjacent development owned and/or managed by the Proponent, noting the bonus zone requirement and encumbrance would remain specific to the Subject Lands;
2. **“Affordability” for the purpose of an agreement be defined as rent not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) where:**
 - i. AMR is defined at the one-bedroom rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;
 - ii. the identified units will be mixed throughout and not otherwise identifiable within the building; and
 - iii. Rents for the affordable rental housing units shall only be increased to the allowable maximum, once per 12-month period in accordance to the *Residential Tenancy Act* or any successor legislation but not to exceed 80% of the CMHC AMR.
3. **The duration of the affordability period be set at 50 years** calculated from initial occupancy of each unit and for each month thereafter that the unit is occupied. At the conclusion of the agreement period, any sitting tenants within associated affordable unit shall retain security of tenure and rental rates until the end of their tenancy. The rights of tenancy and affordability in the dedicated units shall not be allowed to be assigned or sublet during or after the agreement.
4. **The Proponent be required to enter a Tenant Placement Agreement (TPA) with the City of London.** This action aligns bonus units with priority populations vetted and referred to the Proponent or their agent by the City. The owner retains final tenant selection in accordance with the *Residential Tenancy Act*, subject to the established eligibility and compliance requirements.
5. **These conditions be secured through an agreement registered on title with associated compliance requirements and remedies.** This recommendation ensures the retained value of each affordable rental housing unit within the Bonus Zone for the 50-year affordability period. Compliance will be monitored in a similar fashion as is conducted with other agreements and shall include conditions related to default and remedy.

The Proponent’s application proactively aligned their bonus interests to the City’s affordable housing priorities and the associated discussions establishing the above recommendation were achieved with their concurrence.

Rationale for Affordable Housing Bonus:

Guiding Policy: The London Plan recognizes housing affordability as one of the City’s principal planning challenges. It states that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability. The Plan identifies bonusing as a planning tool in support of the provision of affordable rental housing within planning and development proposals.

Location and Application Considerations: The Subject Lands are on located on the west side of Hyde Park Rd immediately south of North Routledge Park and adjacent to lands immediately north of North Routledge owned by the Proponent and advancing to provide a mixed-use apartment building. The Lands are embedded “in the heart” of Hyde Park which is a pedestrian-oriented, commercial business district characterized by a broad mix residential and commercial land uses and a variety of built forms. The lands are located on a major transit corridor and proximate to employment centres at Hyde Park Road and Fanshawe Park Road (to the north) and Hyde Park Road and Oxford

Street East (to the south). The Proponent's specific site plans were fully considered within this review.

Alignment to Need: The locational attributes of the site align with factors used by HDC to advance affordable rental housing. The recommendations align with housing needs and priorities defined within the *Housing Stability for All Plan* and CMHC analytics related to housing stock, affordability rates, vacancy rates, rental rates, incomes, and other market conditions.

Conclusion:

The *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentage of households in "Core Housing Need" in major urban centres (CMHC, July 2018).

This recommendation recognizes Council's expressed interest to seek "...options for implementing and coordinating [planning] tools to be most effective..." to "...promote the development of affordable housing in London" (4.4/12/PEC, July 25, 2018).

HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions

Parks Planning (February 1, 2021)

No comments. Please note that parkland dedication in the form of cash-in-lieu pursuant to By-law C.P. -9 will be required at the time of site plan application.

Upper Thames River Conservation Authority (March 9, 2021)

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the Planning Act as per our Conservation Authority Board approved policies contained in Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006). Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the Thames Sydenham Source Protection Plan under the Clean Water Act.

Conservation Authorities Act

The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

Drinking Water Source Protection: Clean Water Act

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are not** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

Recommendation

As indicated, 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.

Transportation Engineering (April 22, 2021)

Ensure that the TIA was updated to reflect Transportations comments below:

- The trip generation used should be calculated using the fitted curve equation from the ITE manual (the same calculation being used for the multi family trip generation)
- Update the TIA recognising traffic signals are being constructed on Hyde Park road at South Carriage (operational fall 2019)
- Remedial measure for Hyde Park and North Routledge should not include the installation of un-warranted signals, furthermore the spacing from the signals at Hyde Park and Gainsborough would need to comply with the City's Access Management Guidelines (minimum spacing of 300m between signals)
- Remedial Measure for Site driveways (site driveway 4) recommends a southbound left turn lane for 1674, 1700 with the property being located on the west side of Hyde Park Road what operational improvements would this turn lane provide?

Zoning Comments:

- Road widening dedication of 24.0m from centre line required along Hyde Park Road
- Road widening dedication of 10.75m from centre line required along North Routledge Park
- Revised 6.0m x 6.0m daylight triangle required
- A revised TIA may be required addressing the above noted comments
- Detailed comments regarding access location and design will be made through the site plan process

Note regarding on street parking:

- The City is supportive of the on-street parking approach from the proposed entrance to North Routledge.
- With respect to on-street parking on Hyde Park Road, there may be a history for this site where we discussed allowing parking on one street but not the other. In regard to Hyde Park the "on street" parking (layby) is considered temporary until a time that the City creates a dedicated right turn lane to Gainsborough which is anticipated in the future. This could be in 5 to 10 years. We do anticipate this at some point. In the meantime we were not looking to allow any parking, and although it is reflected in the Complete Streets Manual to allow for on-street parking for a Main Street designation, long term we are trying to avoid having parking bays that cross cycle lanes along arterial roads
- External works drawings would be required but those could/would be co-ordinated through the Site Plan Approval process.

Water Engineering (May 3, 2021)

- No comments or concerns

Stormwater Engineering (May 3, 2021)

- No comments or concerns

Sanitary Engineering (May 3, 2021)

- No comments or concerns

London Hydro (January 29, 2021)

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 clearance 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 objections to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Union Gas (May 12, 2021)

Thank you for your correspondence with regard to the proposed Site Plan Application. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed Site Plan.

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

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

Confirmation of the location of our natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.

We trust the foregoing is satisfactory.

Barbara M.J. Baranow
Analyst Land Support

Enbridge Gas Inc.
50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect.

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, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a), b), e)

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.6.7 Transportation Systems

1.6.7.4

Section 1.7 – Long Term Economic Prosperity

1.7.1 b), d), e),

Section 2.6 – Cultural Heritage and Archaeology

2.6.1

2.6.3

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 54_ Our Strategy, Key Directions

Policy 55_ 3., 4. Our Strategy, Key Directions, Direction #1 - Plan Strategically for a Prosperous City

Policy 57_ 7., 9. Direction #3 - Celebrate and support London as a culturally rich, creative, and diverse city

Policy 59_ 2., 3., 4., 6. Our Strategy, Key Directions, Direction #5 – Build a Mixed-use Compact City of London

Policy 61_ 5, 10 Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

Policy 66_ Our City, Planning for Growth and Change

Policy 79_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 83_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 84_ Our City, City Structure Plan, The Growth Framework, Intensification

Policy 131_ Our City, City Structure Plan, Main Streets

*Policy 193_ City Design, What are we trying to achieve?

*Policy 200_ City Design, Character

Policies *255_, 256_, *257_, *259_, *261_, 264_, 268_, 269_ City Design, Site Layout

Policies *272_, *275_, *277_, *278_, *279_, *281_ City Design, Parking

Policy *284_, *286_, *289_, *290_, *291_, *292_, *295_, *301_, *303_, *305_ City Design, Buildings

Policies 551_, 552_, - Cultural Heritage – What is Cultural Heritage?

Policy 554_ - What are We Trying To Achieve?

Policies 557_, 558_, 564_, *565_, 566_, 567_, 568_, 570_ General Cultural Heritage Policies

Policies 583_ , 586_ , 587_ - Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources
 Policies 905_ , 906_ Place Type Policies, Urban Place Types, Main Street, Our Vision for the Main Street Place Type
 907_ Place Type Policies, Urban Place Types, Main Streets, How Will We Realize Our Vision?
 908_ Place Type Policies, Urban Place Types, Main Street – Permitted Uses
 910_ Place Type Policies, Urban Place Types, Main Street - Intensity
 911_ Place Type Policies, Urban Place Types, Main Street - Form
 Policy 913_ Place Type Policies, Urban Place Types, Main Street – Planning and Development Applications
 Policies 1638_ - 1654_ Our Tools, Bonus Zoning
 Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications

Official Plan (1989)

3.4. Multi-Family, High Density Residential
 3.4.3. Scale of Development
 3.5. Policies for Specific Residential Areas
 3.5.12 – Hyde Park Community Planning Area
 4.4.1 Main Street Commercial Corridor
 4.4.1.3. Function
 4.4.1.1. Planning Objectives
 4.4.1.2. Urban Design Objectives
 4.4.1.4. Permitted Uses
 4.4.1.7. Scale of Development
 4.4.1.9. Urban Design
 4.4.1.13.4. Hyde Park Specific Policy
 4.5 Planning Impact Analysis
 11 – Urban Design Principles
 11.1.1 iii), iv), v), vi), xi), xiii), xvii), xviii)
 13. Properties of Cultural Heritage Value or Interest
 13.1. Objectives
 13.2.3. Alteration, Removal or Demolition
 19.4.4. Bonus Zoning

Hyde Park Community and Urban Design Guidelines

2.0 – Urban Form
 4.0 – Building Design
 6.0 – Hyde Park Hamlet

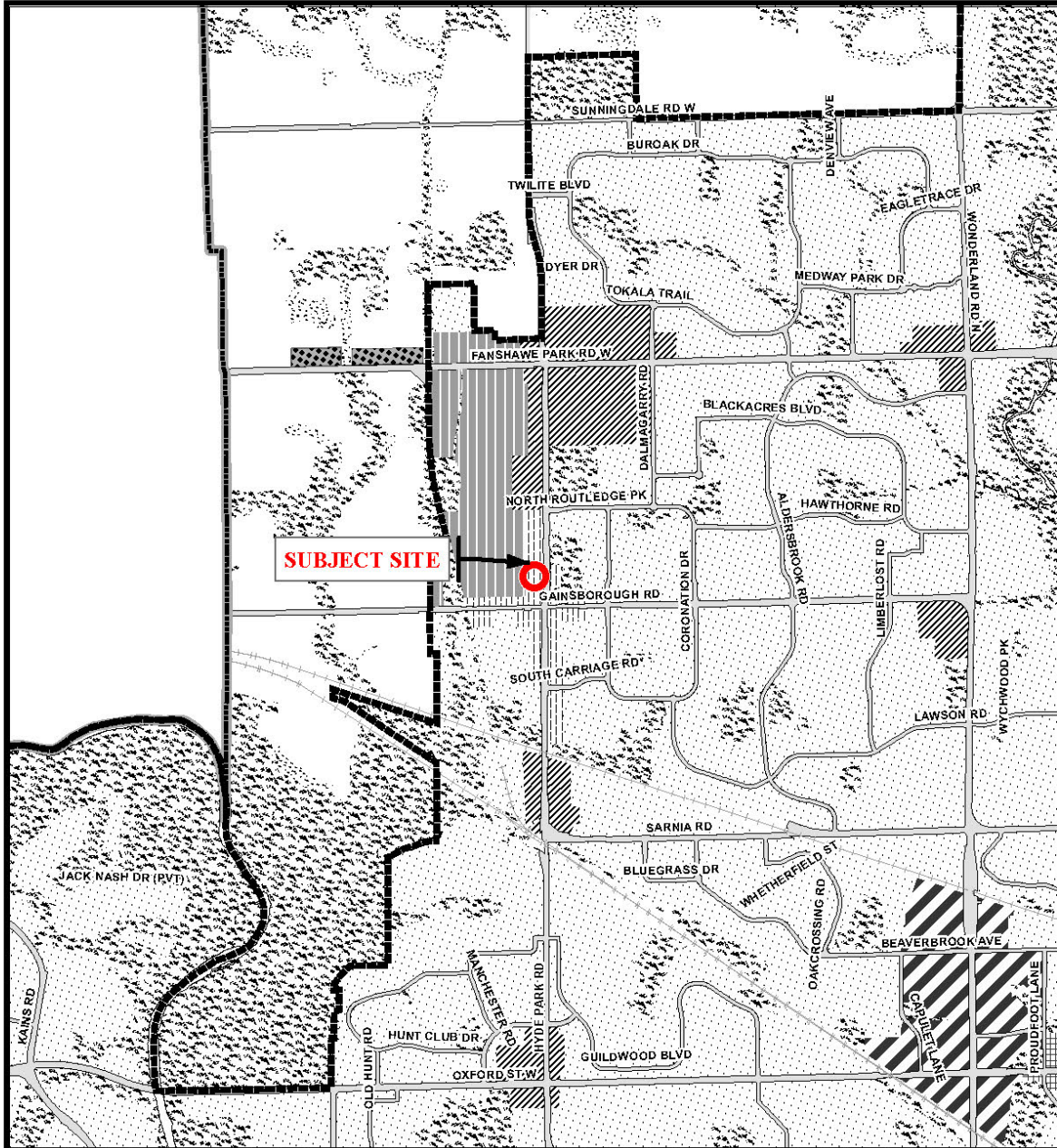
4.5 Planning Impact Analysis	
Criteria	Response
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan and is compatible with surrounding existing and proposed development within the Hyde Park Village.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses;	The site concept achieves an intensity that allows for other on-site functions such as visitor and accessible parking, emergency services and open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	Lands south of the proposed development are zoned for the proposed use. The current proposal represents the

	<p>anticipated north half of a continuous apartment complex between Gainsborough Road and North Routledge Park.</p>
<p>The potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City Streets, pedestrian and vehicular safety, and on surrounding properties;</p>	<p>The Transportation Division has expressed no concerns about the impacts of the additional traffic generated by this use. More detailed traffic comments will be provided at the site plan stage.</p>
<p>The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;</p>	<p>The proposed 8-storey mixed-use apartment building is located close to both Hyde Park Road and North Routledge Park, compliant with the Urban Design goals of both the 1989 Official Plan and The London Plan. Located between lands already planned for future mid-rise buildings to the south and north, this proposal is of an appropriate height. There are no anticipated negative impacts of building height, location or spacing on surrounding industrial and commercial land uses.</p>
<p>The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>Transportation Planning and Design was circulated on the planning application and development proposal and is satisfied that driveway location and design can be addressed at the site plan approval stage, in association with an updated Transportation Impact Assessment. The viability of on-street parking proposed on Hyde Park Road will be further considered during site plan approval.</p>
<p>The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area and its conformity with the City's commercial urban design guidelines;</p>	<p>The applicant is commended for incorporating the following into the design; an 'L'-shaped mixed-use building that is generally in-keeping with the vision of the current Official Plan as well as the London Plan by providing for continuous street walls along the Hyde Park Road and North Routledge Park frontages, a 7-storey massing along Hyde Park Road that includes a step-back above the second storey and 8-story massing along North Routledge Park; Providing for appropriate scale/ rhythm/ materials/ fenestration; Incorporating all of parking in the rear yard, away from the adjacent street frontages; providing ground floor commercial space with transparent glazing and principal entrances facing the Hyde Park Road creating an active edge; and providing ground floor residential units with individual entrances and patio spaces along the North Routledge Park frontage.</p>

	<p>Urban design staff are in support of the approach presented in the application to move the heritage building. Moving the building will allow for a more appropriate transition to occur between the heritage structure and the proposed building.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>An appropriate arrangement to maintain the distinctiveness of the existing heritage structure from the proposed new building includes slightly relocating the existing heritage structure, providing a glass link between the existing and new buildings along North Routledge Park, and a courtyard to the south the heritage structure. The proposed massing, which includes a significant step-back along Hyde Park Road above the 2nd storey, and another step-back above the 7th storey also reduce the impact of building massing around the heritage structure.</p> <p>No natural heritage features are present that will be affected by the proposed development.</p>
<p>Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;</p>	<p>There are no environmental constraints.</p>
<p>Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;</p>	<p>The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law have been considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage can be achieved through the site plan approval process.</p>
<p>Compliance with the Ministry of the Environment noise guidelines;</p>	<p>A noise study will be required at the site plan stage to ensure appropriate measures are put in place to mitigate road noise from Hyde Park Road.</p>
<p>Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;</p>	<p>Landscaping and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will provide a more transit-supportive form of development.</p>

Appendix D – Relevant Background

The London Plan



Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

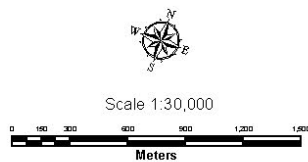
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON
Planning Services /
Development Services

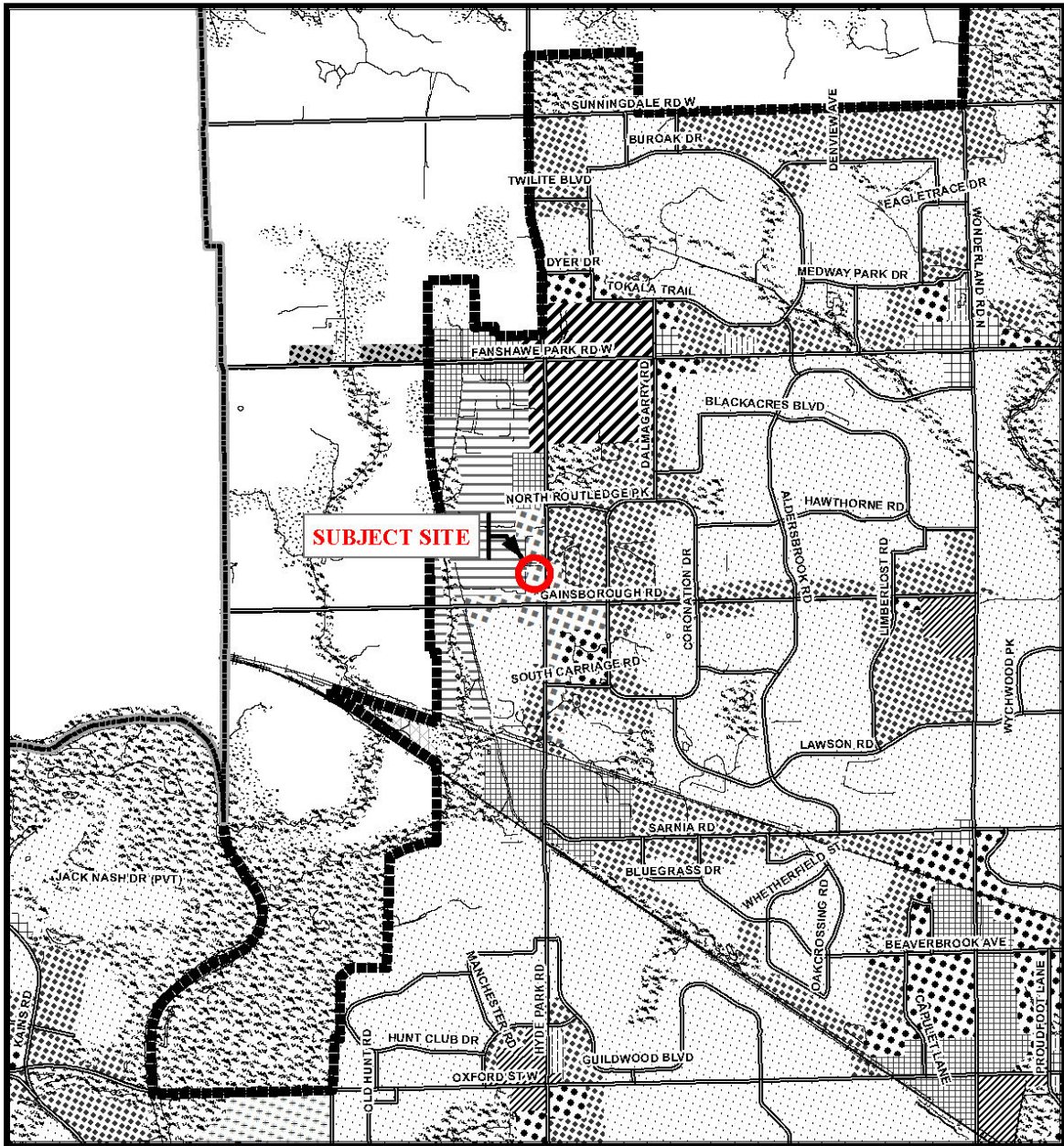
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



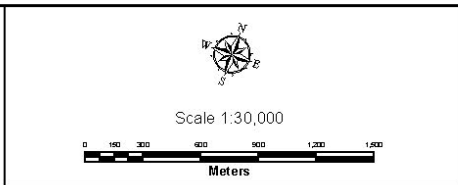
File Number: Z-9301
Planner: BD
Technician: RC
Date: May 11, 2021

1989 Official Plan – Schedule A – Land Use



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

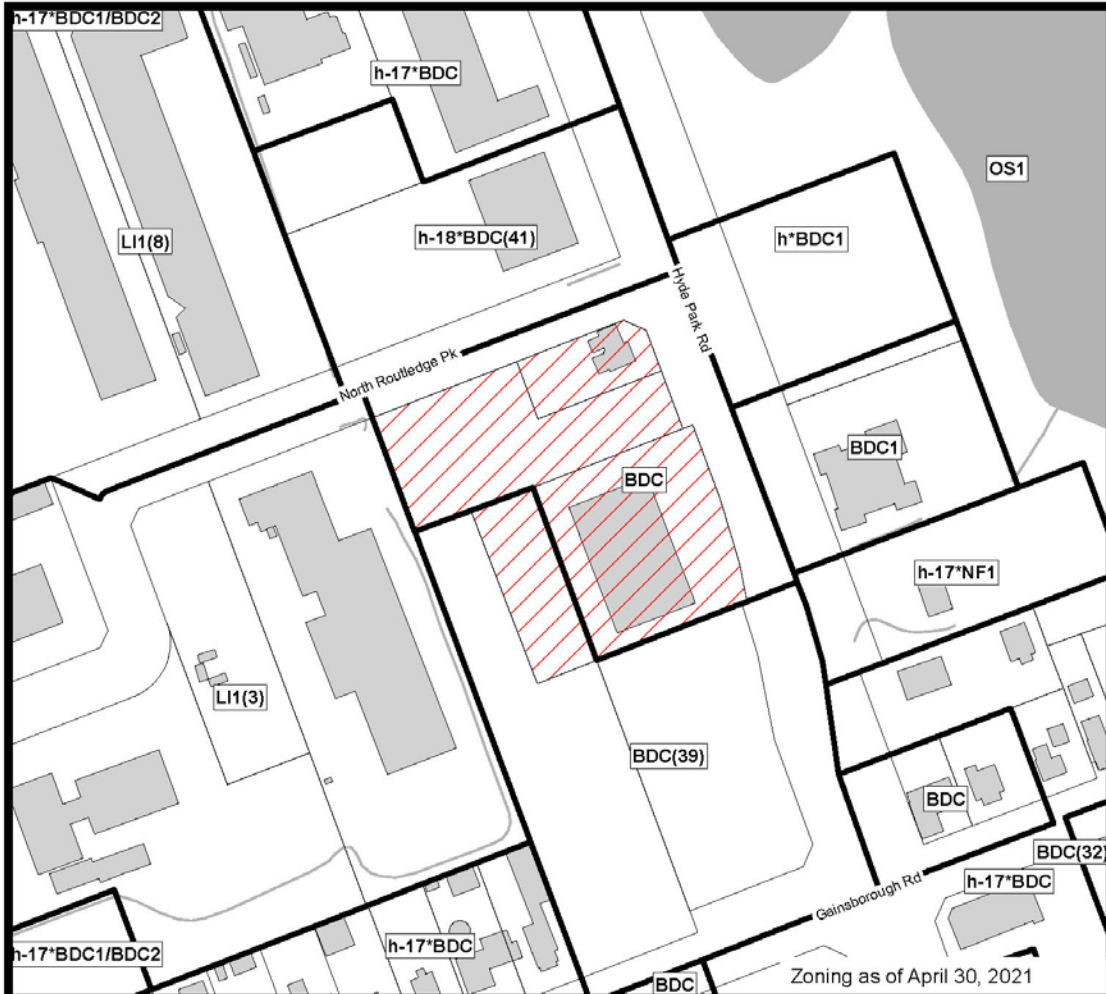
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9301
 PLANNER: BD
 TECHNICIAN: RC
 DATE: 2021/05/11

PROJECT LOCATION: e:\planning\projects\p_officialplan\workcons\010\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| DA - DOWNTOWN AREA | LI - LIGHT INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | GI - GENERAL INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| NSA - NEIGHBOURHOOD SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | UR - URBAN RESERVE |
| AC - ARTERIAL COMMERCIAL | |
| HS - HIGHWAY SERVICE COMMERCIAL | AG - AGRICULTURAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION | TGS - TEMPORARY GARDEN SUITE |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9301 BD

MAP PREPARED:

2021/05/11 RC

1:2,000

0 10 20 40 60 80 Meters

Appendix E – Applicant’s Reply to UDPRP Comments

Comment:
The Panel has concerns about the size and scale of the tower components of the project based on the surrounding density and existing context of the area.
Applicant Response:
Similarly to the previous application at 1600/1622 Hyde Park Road and 1069 Gainsborough Road, the height of the building is 7/8 storeys in height and has been determined to be appropriate for the subject lands. Elevations and renderings have been provided to illustrate the height and terracing of the building. The 7/8-storey height continues to appropriately reflect the planned vision of the Main Street Commercial Corridor and enhance the character of Hyde Park Village. The 7/8-storey height is significantly lower than the existing 14-storey apartment building at 1030 Coronation Drive, the existing 12-storey apartment building at 300 South Carriage Road (both approximately 450m southeast), and the recently approved 12-storey apartment building at 1018 Gainsborough Road.
Comment:
Consideration should be given to explore removing units from the towers and placing them above the Hyde Park Road commercial units. This would assist in creating a true mixed use experience and help to activate the streetscape.
Applicant Response:
Acknowledged. We have explored this option and have provided residential units above the retail units along Hyde Park Road. The residential component steps-back from the retail component, allowing the human-scale retail elements stand-out along the street. Together, this creates a true mixed use experience and helps activate the streetscape.
Comment:
The current design, with main entrances off the interior roadway of the site plan appear unresolved. Further refinement of this aspect of the project should be considered.
Applicant Response:
The main entrances off the interior roadway have been enhanced with the use of landscaping and clearly defined pedestrian pathways. The configuration and location of the drive aisle, and parking area, have provided for a larger, functional entrance to the building. These enhancements are illustrated on the Site Plan.
Comment:
The Panel expressed concern over the lack of designated amenity/outdoor space for those who would reside in this development. Consideration for vegetated rooftop patios should be given to help with this item.
Applicant Response:
The building now includes a vegetated rooftop terrace for the common enjoyment of residents. This is additional to the common outdoor amenity space provided at-grade, to the rear of the building. These new rooftop terraces are illustrated on the Site Plan.
Comment:
The pedestrian experience along Hyde Park Road appears to have a high level of detail and thought. However, the experience along Gainsborough seems to be lost due to the hard transition in programming at the corner of Hyde Park Road. Consideration should be given to add additional commercial programming at the ground level as opposed to residential to continue the successful look and feel of the Hyde Park Road elevation.

Applicant Response:
This comment is not applicable to this application as the lands do not have frontage along Gainsborough Road.
Comment:
The Panel commends the applicant for retention and integration of the existing heritage building at the corner of Hyde Park Road and North Routledge Park. However, the Panel did note that a lighter (or more tenuous) connection may assist with blending the old and new construction.
Applicant Response:
An appropriate mix of materials has been proposed, consistent with the recommendations in the submitted Heritage Impact Assessment, Building Condition Assessment, and Conservation plan. The new and old is appropriately connected and the heritage structure remains to be a prominent feature at the intersection.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Farhi Holdings Corporation
435-451 Ridout Street North
Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Farhi Holdings Corporation relating to the property located at 435-451 Ridout Street North:

- (a) Consistent with Policy 19.1.1. of the Official Plan for the City of London (1989), the subject lands, representing a portion of 435-451 Ridout Street North **BE INTERPRETED** to be located within the Downtown Area designation;
- (b) Consistent with Policy 43_1 of The London Plan, the subject lands, representing a portion of 435-451 Ridout Street North, **BE INTERPRETED** to be located within the Downtown Place Type;
- (c) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 15, 2021 to amend The London Plan by **ADDING** a new policy the Specific Policies for the Downtown Place Type and by **ADDING** the subject lands to Map 7 – Specific Policies Areas – of The London Plan;

IT BEING NOTED THAT The London Plan amendments will come into full force and effect concurrently with Map 7 of the London Plan.

- (d) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 15, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (2016) as amended in part (c) above, to change the zoning of a portion of the subject property **FROM** a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone **TO** a Holding Downtown Area Special Provision Bonus (h-3*h-55*h-_*DA2(3)*D350*B-_) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate a high quality mixed-use office/residential apartment building, with a maximum height of 40-storeys (125 metres), and a maximum density of 500 units per hectare, in general conformity with the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- 1) Exceptional Building Design
 - i) Retention in situ of the heritage buildings along the Ridout Street frontage;
 - ii) Materials on the podium of the building that are in-keeping with the surrounding heritage buildings;
 - iii) A slender point tower design;
 - iv) The tower portion of the building located to the south of the podium to increase the spatial separation between the tower and the Eldon House property;
 - v) Interesting architectural design features on the tower that will enhance the downtown skyline and break up the building mass;

- vi) Terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses;
 - vii) Connections between Ridout Street North and Queens Avenue to Harris Park that provide new entrance opportunities to further connect the Downtown with the Park.
- 2) Provision of four (4) levels of underground parking, of which a minimum of 100 parking spaces will be publicly accessible;
- 3) Provision of Affordable Housing
The provision of affordable housing shall consist of:
- A minimum of twelve (12) residential units or five percent (5%) of the total residential unit count (rounded to the nearest unit), whichever is greater;
 - The mix of affordable one- and two-bedroom units will be based on the same proportion of one- and two-bedroom units as within the final approved plan. Subject to availability and with the concurrence of the City, some or all of these units may be secured through existing vacancies in developments owned and/or managed by the proponent or associated corporate entity;
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability shall be set at 50 years from the point of initial occupancy;
 - The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations.
- 4) Conservation, retention, and adaptive re-use of the existing heritage designated buildings at 435, 441, and 451 Ridout Street North
- The owner shall enter into a Heritage Easement Agreement with the City of London.
- 5) Construction of a Leadership in Energy and Environmental Design (LEED) certified building.
- (e) **IT BEING NOTED** that the following site plan matters were raised during the public participation process:
- i) Design the parking and drop-off areas between the building and the adjacent streets (Ridout Street North and Queens Avenue) as a shared plaza space, using pavers or patterned concrete to:
 - i. tie into the design of the terraces
 - ii. reduce the amount of asphalt
 - iii. provide a welcoming entrance to the development
 - iv. provide for a stronger connection between the stairs leading to Harris Park and the City sidewalks along the streets;
 - ii) Design the westerly stairway as a more naturalized landscape solution to soften the experience and avoid blank brick walls. This stairwell should provide for a grand entrance feature between the development and the Park.
 - iii) Final location and design of all vehicular accesses on-site, including service access;
 - iv) Final location, design, and landscaping of publicly accessible spaces, including terraces, staircases, and walkways;
 - v) The final building design is to incorporate bird-friendly design features;
 - vi) The applicant is to work with the City of London with regards to compensation restoration to create a wetland and other natural features (ie forest), either on-site or within Harris Park;
 - vii) The final building design is to include a fully enclosed mechanical penthouse, clad in materials complementary to the building, to screen rooftop mechanical equipment and contribute positively to the skyline.

- (f) Pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the changes in building height and setback to the residential component of the building are minor in nature and the illustrations circulated in the Notice of Application and Notice of Public Meeting accurately depict the development as proposed.

Executive Summary

Summary of Request

The applicant has requested to amend The London Plan and Zoning By-law Z.-1. The requested amendment to The London Plan would add a Specific Policy to the Downtown Place Type to permit a mixed-use building with a maximum intensity of 40-storeys with Type 2 Bonus Zoning.

The requested Zoning By-law Amendment would change the zoning on a portion of the subject lands from a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone to a Holding Downtown Area Special Provision Bonus (h-3*h-55*h-_*DA2(3)*D350*B-_) Zone to facilitate the development of a 40-storey mixed-use building containing 280 residential units and 6,308 square metres of commercial/office gross floor area, in addition to the 1,627 square metres of commercial/office gross floor area in the existing heritage buildings. A total of 372 parking spaces are proposed, integrated in four-storeys of underground parking and at-grade surface parking areas. A site-specific bonus zone would permit the proposed development in return for: exceptional building design; provision of affordable housing; green building design; heritage conservation; and public parking.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to add a Specific Policy Area to The London Plan and to rezone a portion of the subject lands to facilitate the development of a 40-storey mixed-use building containing 280 residential units and 6,308 square metres of new office/commercial gross floor area. The recommended action would add a site-specific bonus zone to permit the proposed development, as well as holding provisions requiring additional reports and studies at a future Site Plan Approval stage.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment, as well as enhancing the vitality and viability of downtowns and mainstreets;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Downtown Place Type and Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Downtown Area designation;
4. The recommended amendment conforms to Our Move Forward: London's Downtown Plan, by providing for a landmark development on an underutilized site;
5. The recommended amendment secures units for affordable housing through the bonus zone; and
6. The recommended amendment facilitates the development of an underutilized site at an important location in the Built Area Boundary and Primary Transit Area

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

September 30, 1996 – Report to Planning Committee: Z-5268 – 435-451 Ridout Street North

1.2 Planning History

In 1996, a portion of the site was rezoned from a Restricted Office (RO) Zone to its current Downtown Area Special Provision (DA2(3)*D350) Zone, permitting a broad range of uses restricted to the existing building, height as existing on the date of the passing of the by-law, and a density of 350 units per hectare. A Downtown Area (DA1) Zone was initially requested, along with a building height of 15 metres. Staff recommended refusal of this request, citing that the DA2 Zone was more appropriate given the site's location on the periphery of Downtown.

As the site is nearly entirely regulated by the Upper Thames River Conservation Authority (UTRCA), the applicant has consulted with the UTRCA since 2010 to establish a development proposal for these lands that align or closely align with UTRCA policy. The owner submitted three (3) applications to the UTRCA Hearings Committee for review and approval. Of those applications, the third and final submission, #67/18, was approved with terms and conditions for a future Section 28 permit application and additional supporting documentation.

1.3 Property Description

The subject site is located in the Central London Planning District on the northwest corner of Queens Avenue and Ridout Street North. The site backs onto the Thames River and is located northeast of the Forks of the Thames. The site has a total area of approximately 1.4 hectares, with approximately 0.73 hectares zoned for development. The site has frontages on Ridout Street North and Queens Avenue. The subject site is currently developed with three heritage buildings currently used for office/commercial uses. The existing buildings are individually designated under Part IV of the Ontario Heritage Act and are part of the Downtown Heritage Conservation District, designated under Part V of the Ontario Heritage Act. The existing buildings are proposed to be retained and repurposed, with the exception of a later addition to the building addressed as 451 Ridout Street North. The site is also located to the south of Eldon House, the oldest residence in the City of London.

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

- Official Plan Designation – Downtown Area and Open Space
- The London Plan Place Type – Downtown Place Type and Green Space Place Type
- Existing Zoning – Heritage/Regional Facility (HER/RF) Zone, Downtown Area Special Provision (DA2(3)*D350) Zone, and Open Space (OS4) Zone

1.5 Site Characteristics

- Current Land Use – Office
- Frontage – 73 metres (239.5 feet)
- Depth – 103 metres (337.9 feet)
- Area – 1.4 hectares (3.5 acres)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Eldon House and Harris Park
- East – Surface commercial parking lot

- South – Museum London
- West – Thames Valley Parkway and Thames River

1.7 Intensification

- The proposed 280 residential units represents intensification within the Built-Area Boundary and Primary Transit Area



Figure 1: Existing buildings at 435 and 441 Ridout Street North



Figure 2: Existing building at 451 Ridout Street North

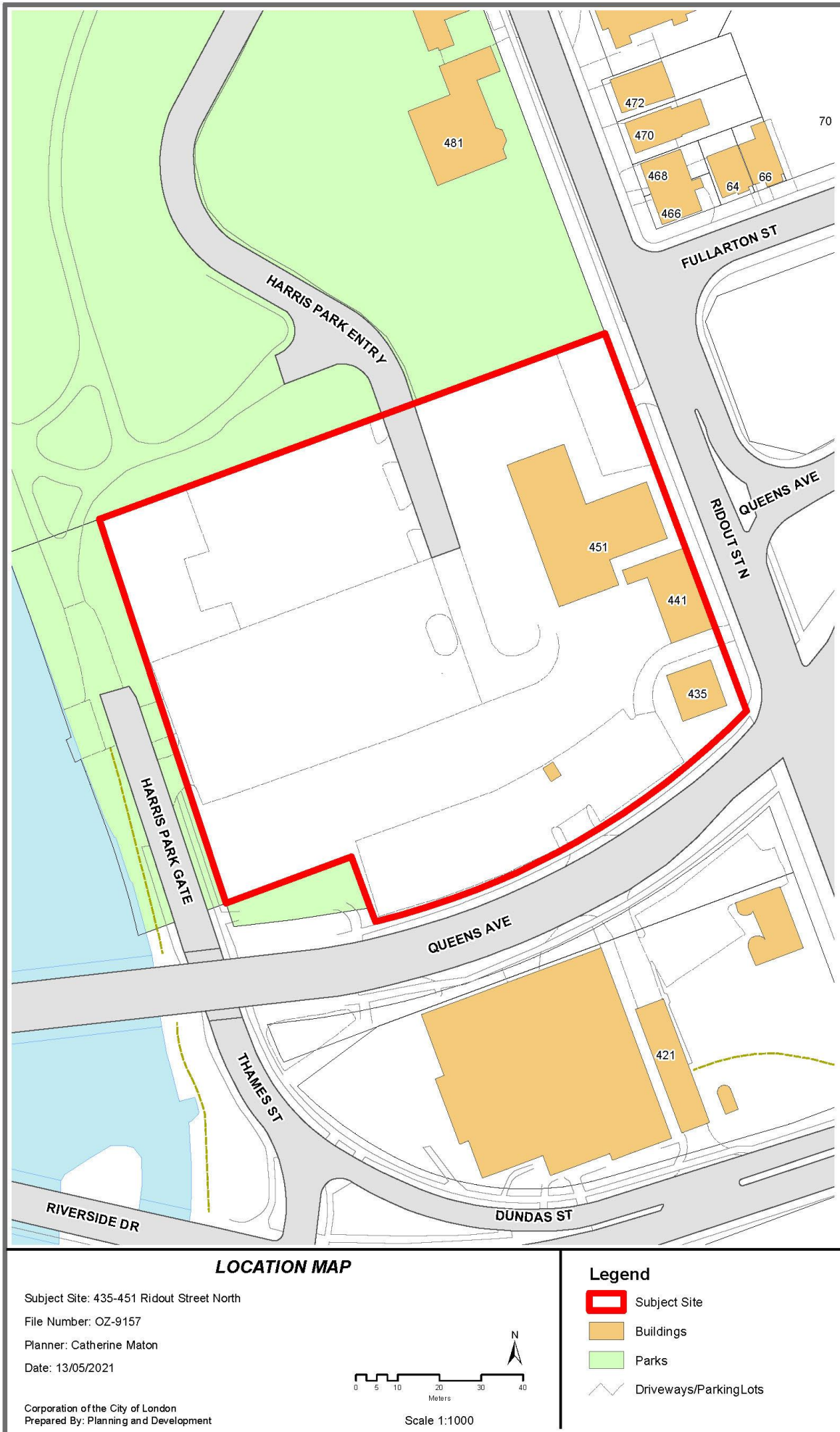


Figure 3: Existing parking along Queens Avenue frontage



Figure 4: Existing building at 451 Ridout Street (view from lower parking area)

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to develop the site with a new 40-storey mixed-use apartment building containing 280 residential units, 6,308 square metres of commercial/office space, and a total of 372 parking spaces, of which 315 spaces would be located underground. The existing heritage buildings are proposed to be retained and will continue to be used for office and commercial purposes. The proposed development proposal is depicted in Figures 5 and 6 below. The applicant is also proposing to dedicate approximately 0.49 hectares of land to the City to be integrated into Harris Park and improve public connections to the Thames River. Various publicly accessible connections to the river and Harris Park are proposed through the proposed development, including stairways adjacent to the north and west facades of the building.



Figure 5: Site concept plan



Figure 6: Renderings of proposed development (top left: westerly view from Queens Avenue; bottom left: easterly view from the Thames River; right: southwest aerial view of tower and base)

2.2 Requested Amendment

The applicant has requested to amend The London Plan by adding a Specific Policy to the Downtown Place Type to permit a mixed-use building with a maximum intensity of 40-storeys with Type 2 Bonus Zoning. The applicant has further requested to change the zoning on a portion of the subject lands from a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone to a Downtown Area Special Provision Bonus (DA2(3)*D350*B-_) Zone.

2.3 Community Engagement (see more detail in Appendix B)

Eleven (11) written responses were received from members of the public, which will be addressed later in this report. The primary concerns were related to the proposed height and density.

2.4 Policy Context (see more detail in Appendix C)

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. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority 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 that must be considered to help the City effectively achieve its vision (54_). These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to plan strategically for a prosperous city by:

- Planning for and promoting strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities.
- Creating a strong civic image by improving the downtown, creating and sustaining great neighbourhoods, and offering quality recreational opportunities.
- Revitalizing our urban neighbourhoods and business areas.
- Investing in, and promoting, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners. (Key Direction #1, Directions 1, 2, 4, and 13).

The London Plan provides direction to celebrate and support London as a culturally rich, creative, and diverse city by:

- Protecting our built and cultural heritage to promote our unique identity and develop links to arts and eco-tourism in the London region.
- Revitalizing London’s downtown, urban main streets, and their surrounding urban neighbourhoods to serve as the hubs of London’s cultural community.

- Developing affordable housing that attracts a diverse population to the city. (Key Direction #3, Directions 7, 9, and 11).

The London Plan provides direction to become one of the greenest cities in Canada by:

- Protecting and enhancing our Thames Valley corridor and its ecosystem.
- Protecting and enhancing the health of our Natural Heritage System.
- Managing growth in ways that support green and active forms of mobility.
- Continually expanding, improving, and connecting our parks resources. (Key Direction #4, Directions 3, 4, 5, and 10)

The London Plan provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development to strategic locations - along rapid transit corridors and within the Primary Transit Area.
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing, and revitalizing our downtown, main streets, and urban neighbourhoods.
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.
- Ensuring a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 3, 4, and 5).

The London Plan provides direction for a new emphasis on creating attractive mobility choices by:

- Linking land use and transportation plans to ensure they are integrated and mutually supportive.
- Focusing intense, mixed-use development to centres that will support and be served by rapid transit integrated with walking and cycling.
- Dependent upon context, requiring, promoting, and encouraging transit-oriented development forms. (Key Direction #6, Directions 4, 5, and 6).

Lastly, The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features. (Key Direction #7, Direction 5).

The site is in the Downtown and Green Space Place Types, as identified on Map 1 – Place Types. A portion of the site proposed for development is within the Green Space Place Type. Policy 43_1 of The London Plan states that the boundaries between place types, as shown on Map 1, are not intended to be rigid except where they coincide with physical features (such as streets, railways, rivers or streams). The exact determination of boundaries that do not coincide with physical features will be interpreted by City Council and Council may permit minor departures from such boundaries, through interpretation, if it is of the opinion that the intent of the Plan is maintained and that the departure is advisable and reasonable.

As there are no streets, railways, rivers, or streams between the Downtown and Green Space Place Types, it is recommended that Council interpret a larger portion of the site to be in the Downtown Place Type. The interpretation would follow the existing DA2(3)*D350 Zone boundary, which would not be expanded through the recommended Zoning By-law Amendment aside from adding a small portion currently zoned a Heritage/Regional Facilities (HER/RF) Zone at the north of site adjacent to the Eldon House property.

The Downtown serves as the highest-order mixed-use centre, connected to the transit villages through rapid transit corridors and will also be connected to our recreational network, at the confluence of the two branches of the Thames River (798_). Large-scale

office developments, greater than 5,000 square metres, are to be directed to the Downtown to prevent the deterioration of the important Downtown office market (799_14).

1989 Official Plan

The site is designated Downtown Area and Open Space in accordance with Schedule 'A' of the 1989 Official Plan. A portion of the site proposed for development is within the Open Space designation. Similar to The London Plan, Chapter 19 of the Official Plan states that the boundaries between land use designations as shown on Schedule 'A' - the Land Use Map, are not intended to be rigid, except where they coincide with physical features such as streets, railways, rivers or streams (19.1.1i). Policy 19.1.1i) further states that the exact determination of boundaries that do not coincide with physical features will be the responsibility of Council and that Council may permit minor departures from such boundaries if it is of the opinion that the general intent of the Plan is maintained and that the departure is advisable and reasonable.

As there are no physical boundaries, as described in policy 19.1.1i), between the Downtown and Open Space designations, it is recommended that Council interpret a larger portion of the site to be designated Downtown. The interpretation would follow the existing DA2(3)*D350 Zone boundary, which would not be expanded through the recommended Zoning By-law Amendment aside from adding a small portion currently zoned a Heritage/Regional Facilities (HER/RF) Zone at the north of site adjacent to the Eldon House property..

The Downtown designation permits a broad range of uses and is intended to accommodate the greatest height and density of retail, service, office and residential development permitted within the City of London (4.1.7).

Our Move Forward: London's Downtown Plan

Our Move Forward: London's Downtown Plan (the Downtown Plan) serves as a guideline document adopted under Chapter 19 of the 1989 Official Plan. The Downtown Plan identifies specific sites in the downtown that are opportunity sites for redevelopment and sites that are currently underutilized. The subject site is identified as an underutilized site on Map 5: Priority Sites for Redevelopment.

Downtown Heritage Conservation District Plan

The Downtown London Heritage Conservation District Plan is intended to assist in the protection and conservation of the unique heritage attributes and character of London's Downtown. Its purpose is to establish a framework by which the heritage attributes of the Downtown can be protected, managed and enhanced as this area continues to evolve and change over time.

Thames Valley Corridor Plan

The site is located within the Thames Valley Corridor, northeast of the Forks of the Thames. The Thames Valley Corridor Plan serves as a guideline document to inform the Official Plan and other regulatory documents in the management of the valley lands. The values and principles articulated in the Thames Valley Corridor Plan should be considered in the review and approval of all development and redevelopment that may occur within the Thames Valley Corridor.

Key strategies of the Thames Valley Corridor Plan for Urban Nodes include: challenge new development to create a positive relationship with the Thames River; promote design excellence and innovation through building and site design to create legacy buildings; promote visual and physical access to the Thames River; form and design of new development shall complement and protect significant natural features; and apply sustainable green technologies to building and site design.

3.0 Financial Impact/Considerations

This application is eligible for financial incentives under the Heritage Community Improvement Program and Downtown Community Improvement Program.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; accommodate an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and 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 (1.1.1).

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

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 permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment; promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations (1.4.3).

Policy 1.6.7.4 of the PPS further encourages land use patterns, densities and a mix of uses that reduce the length and number of vehicle trips and support current and future use of transit and active transportation. Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposal provides for a mix of residential and commercial uses which are suitable and encouraged in the downtown. The PPS also promotes the provision of an appropriate mix of affordable and market-based residential types, which is achieved by the provision of affordable housing units that form part of the bonus zone. The proposed 40-storey mixed-use building contributes to a mix of housing types and provides choice and diversity in housing options for both current and future residents.

The London Plan

The Downtown is the highest-order mixed-use activity centre in the city (800_). A broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses are contemplated in the Downtown Place Type (800_1). Mixed-use buildings are encouraged, and along commercial-

oriented streetscapes, retail and service uses will be encouraged at grade with residential and non-service office uses directed to the rear of buildings and the upper floors (800_2 and 800_3). New surface accessory parking lots should not be permitted (800_4).

The proposed development provides for a mixed-use building with office/commercial uses at grade and residential above. While The London Plan discourages new accessory surface parking lots in the Downtown Place Type, the surface parking proposed as part of this development already exists on site servicing the existing buildings. These existing surface parking areas would be refined and reconfigured to integrate into the proposed development. Urban Design staff encourage these parking and drop-off areas between the proposed building and the adjacent streets (Ridout Street North and Queens Avenue) to be constructed as a shared-space plaza, using pavers or patterned concrete to reduce the amount of asphalt.

1989 Official Plan

Section 4.1.6 of the Downtown designation states “Council shall support the continued development of the Downtown as a multi-functional regional centre containing a broad range of retail; service; office; institutional; entertainment; cultural; high density residential; transportation; recreational; and open space uses.” The proposed office/commercial and high-density residential uses are contemplated in accordance with policy 4.1.6. Residential units may be created through new development or through the conversion of vacant or under-utilized space in existing buildings; office uses and government facilities may locate anywhere within the Downtown. Both office and residential development within the Downtown Shopping Area shall provide for retail or service-office uses at street level (4.1.6iii) and 4.1.6iv)).

The proposed mixed-use building provides for commercial/office uses at grade and high-density residential above. A portion of the ground floor includes active uses, such as a lobby, serving the residential units above. The balance of the ground floor would be occupied by office/commercial uses.

Our Move Forward: London’s Downtown Plan

Within the downtown there are many underutilized sites and opportunities for redevelopment. Of these underutilized sites, there are opportunity sites where new development could bridge streetwall gaps and/or link activity generators. These strategic locations are priority sites for redevelopment. The subject site is identified as an underutilized site in the Downtown Plan, in accordance with Map 5 – Priority Sites for Redevelopment (Figure 7).

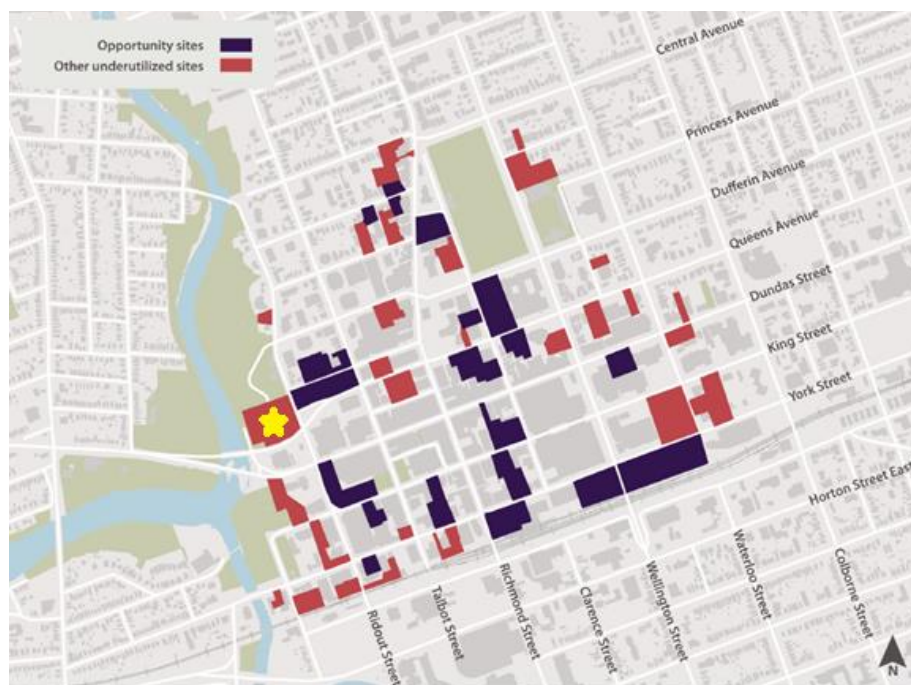


Figure 7: Map 5 – Priority sites for redevelopment (Our Move Forward: London’s Downtown Plan)

The proposed development is adjacent to the Forks of the Thames which is a transformational project identified in the Plan, and the proposed development is consistent with the following strategic directions and planning policies in the Plan:

Strategic Direction 2: Reconnect with the Thames River

- Enhance portions of the Forks of the Thames to introduce an urban riverscape edged with restaurants, retail, recreational and residential opportunities designed to acknowledge the natural and cultural heritage significance of the river (2.2).
- Enhance views of the Thames River from Ridout Street to establish a visual connection to the river (2.4).

Strategic Direction 4: Green our downtown

- Promote green infrastructure and construction techniques and materials during the construction and renovation of buildings (4.6).

Strategic Direction 5: Build a great neighbourhood

- Continue to support the development of a larger residential community in the downtown to foster a local trade market to offer a diverse array of neighbourhood 'daily needs' commercial enterprises (5.1).
- Create a distinct urban neighbourhood that builds upon and conserves downtown's cultural heritage values (5.5).

The proposed development includes publicly accessible pedestrian accesses to the river, as well as opportunity for a pedestrian look-out to the river. These accesses and river look-out would be further refined at a future Site Plan Approval stage. The applicant has also agreed to dedicate approximately 0.49 hectares of land to the City to be integrated into Harris Park and improve pedestrian connections to the Thames River. Various pedestrian connections are proposed throughout the site, including stairways adjacent to the north and west building facades, as well as a possible pedestrian lookout to the River. These public spaces would be formalized through a future Site Plan Approval stage, as would the detailed design of these spaces. The applicant intends to construct the building to meet LEED standards.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3).

Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed, is promoted by the PPS (1.4.3d)).

The site is well-located to support higher intensities which will benefit from proximity to existing services and transit. The recommended amendment facilitates the redevelopment of an underutilized site currently developed with three low-rise commercial buildings. The proposed development supports the Province's goal to achieve a more compact, high density mixed-use form of development, consistent with the PPS.

The London Plan

The Downtown will permit the tallest buildings and the highest densities in the city (802_). Buildings within the Downtown Place Type will be a minimum of either three (3) storeys or nine (9) metres in height and will not exceed 20-storeys. Type 2 Bonus Zoning beyond this limit, up to 35 storeys, may be permitted in conformity with the Our Tools policies in The London Plan (802_1). Tall buildings will be permitted only where they achieve a high level of design excellence in conformity with the City Design policies (802_2). Large-scale office developments, greater than 5,000 square metres, are directed to the Downtown Place Type to prevent the deterioration of the important Downtown office market while still allowing for a reasonable supply of office uses outside of the Downtown (799_14).

The applicant has requested to add a Specific Policy to the Downtown Place Type to permit a mixed-use building with a maximum intensity of 40-storeys with Type 2 Bonus Zoning. The development proposal provides 6,308 square metres of office/commercial gross floor area, in addition to the 1,627 square metres of office/commercial space in the existing heritage buildings, in conformity with the policies of the Downtown Place Type and overall goal to direct large-scale office uses to the downtown.

The applicant has presented a number of facilities, services, and matters for the proposed bonus zone, commensurate for the requested increased intensity in conformity with The London Plan criteria for Type 2 Bonus Zoning. These facilities, services, and matters are addressed in Section 4.4 of this report. Staff is satisfied that the proposed facilities, services, and matters are commensurate for the proposed increased intensity.

1989 Official Plan

Development in the Downtown may be permitted up to a maximum floor area ratio of 10:1 for commercial uses and will normally not exceed 350 units per hectare for residential uses (4.1.7i)). Increases in density may be permitted without an Official Plan amendment, provided the proposal satisfies density bonusing provisions of Section 3.4.3.iv) and 19.4.4, conforms to the Site Plan Control By-law and addresses standards in the Downtown Design Guidelines. The proposed 280 residential units, 6,308 square metres of new office/commercial gross floor area, and existing 1,627 square metres of office/commercial gross floor area in the existing heritage buildings equates to a mixed-use density of 493 units per hectare. As such, the applicant has requested a bonus zone to permit a maximum density of 500 units per hectare and a maximum building height of 130 metres.

The applicant has proposed a number of public facilities, amenities, and design features in return for the requested height and density, in conformity with Chapter 19.4.4 of the 1989 Official Plan. These features are addressed in greater detail in Section 4.4 of this report. Staff is satisfied that the proposed features are commensurate for the proposed increase in height and density.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

Consistent with the PPS, the recommended amendment would facilitate optimal use of land and infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed development would become an important landmark and represents an attractive and appropriate built form at a highly prominent location in the downtown along the Thames River.

The London Plan

All planning and development applications must conform with the City Design policies of The London Plan, and have regard for Our Move Forward: London's Downtown Plan and the Downtown Design Manual (803_1). Building design that represents individual creativity and innovation will be encouraged to create landmarks, develop a distinctive character, and contribute to the city's image (803_4).

High and mid-rise buildings should be designed to express three defined components: a base, middle, and top (289_). High-rise buildings should be designed to minimize massing, shadowing, visual impact, and the obstruction of views from the street, public spaces, and neighbouring properties. To achieve these objectives, high rise buildings should take the form of slender towers and should not be designed with long axis where they create an overwhelming building mass (293_).

Base

High-rise buildings will incorporate a podium at the building base, or other design solutions to reduce the apparent height and mass of the building on the pedestrian environment, allow sunlight to penetrate into the right-of-way, and reduce wind impacts (929_). The base should establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, forecourts, patios, awnings, lighting, and the use of materials that reinforce a human scale (289_1).

The base of the tower has been designed with a 4-storey podium positioned behind the existing heritage building at 451 Ridout Street North. While its positioning results in a larger setback from the Ridout Street North frontage, it assists in showcasing the prominence of the heritage buildings on site and enables them to be incorporated into the base itself. The UDPRP supports the scale and positioning of the podium relative to the existing heritage structures as well as the positioning of the tower component to the south which respects Eldon House and terminates the vista along Queens Avenue.

The base has been designed with materials that are in-keeping with the surrounding heritage buildings, including yellow brick façade treatments and substantial glazing, displaying creativity and uniqueness in the details while complementing the surroundings. At the rear of the site, the base is integrated into the bank and provides pedestrian connections to Harris Park and the Thames River. The base includes a rooftop amenity area on the north side, adjacent to Eldon House, allowing for spatial separation between the tower and Eldon House. The east and west elevations of the building base are provided in Figures 8 and 9.



Figure 8: Tower base (westerly view)



Figure 9: Tower base (easterly view from the Thames River)

The principal entrance to the building is provided along the Ridout Street North frontage. Urban Design staff recommend that the design of the proposed parking and drop-off areas between the building and the adjacent streets be further refined as a shared plaza space, using pavers or patterned concrete rather than asphalt. This would assist in providing a welcoming entrance to the development, enhancing the overall design of the podium.

Middle

The middle should be visually cohesive with, but distinct from, the base and top (289_2). The middle of the building is the portion of the building above the podium-base and consists of the residential tower. The proposed tower floorplate is measured at approximately 860 square metres, constituting a slender point tower. The positioning of the tower on the site will enable it to exist without imposing on the pedestrian experience and existing heritage buildings along Ridout Street and offers spatial separation between Eldon House. Details included in the design of the tower include balconies serving as private amenity spaces for residential units, which are defined by different colours and broken up along the façade to provide visual interest. Architectural design features enhance the downtown skyline and break up the building mass.



Figure 10: Southwest aerial view

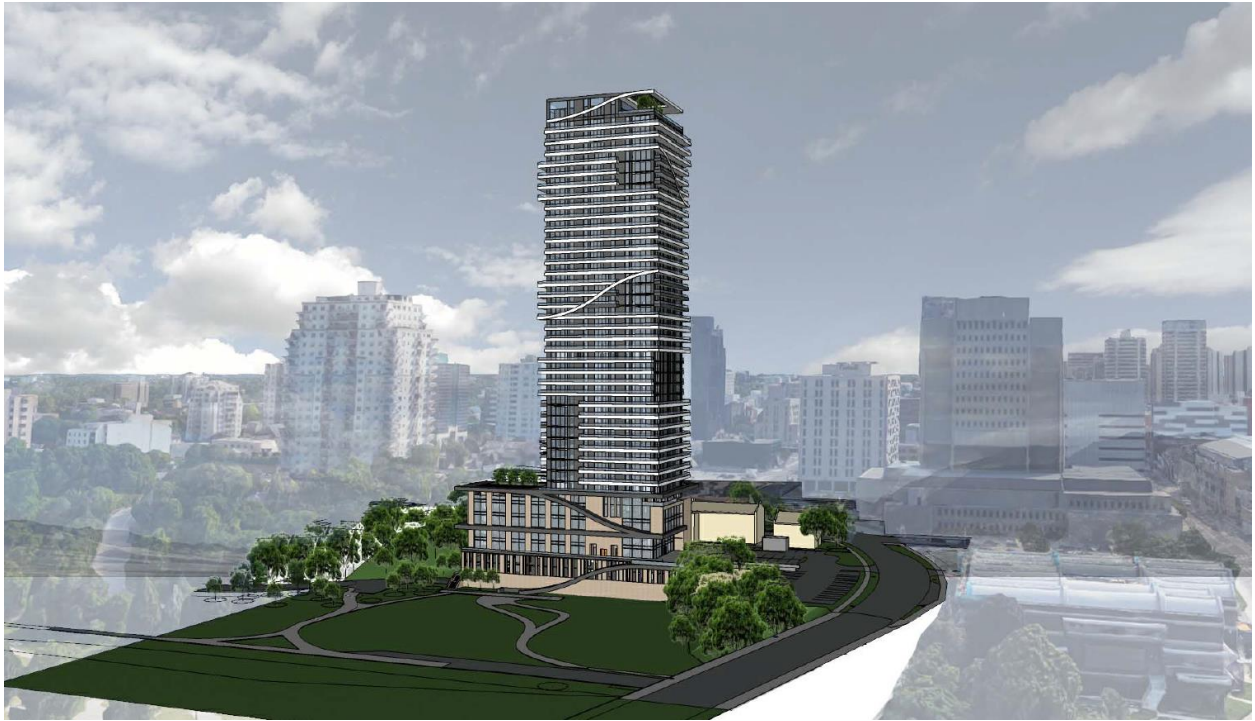


Figure 11: Easterly view

Top

The top should provide a finishing treatment, such as roof or a cornice treatment, to hide and integrate mechanical penthouses into the overall building design (289_3). As the subject lands are located at a prominent gateway to the Downtown and in proximity to the Forks of the Thames, the treatment of the building top will be highly visible and should contribute positively to the City's skyline.

Consistent with the tall building design direction in Section 2.3 of the Downtown Design Manual, the building design includes a sculpted roof form that contributes positively to an interesting and attractive skyline and create a distinguishable built landmark. The top of the building includes an integrated rooftop amenity area with a fin-like overhang. It is recommended to the Site Plan Approval Authority that through future design refinements, any roof-top mechanical equipment be enclosed in a mechanical penthouse to ensure it is appropriately integrated into the design.

Urban Design staff and the Urban Design Peer Review Panel (UDPRP) commend the applicant for incorporating the following into the design of the site and buildings: retention in situ of the heritage buildings along the Ridout Street North frontage; material on the podium of the building that are in-keeping with the surrounding heritage buildings; a slender point tower design; locating the tower portion of the building to the south of the podium to increase the spatial separation between the tower and the Eldon House property; interesting architectural design features on the tower that will enhance the downtown skyline and break up the building mass; terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses; connections between Ridout Street North and Queens Avenue to Harris Park that provide new entrance opportunities to further connect the Downtown with the park.

The proposed development would be a landmark building at a prominent location in the Downtown. As shown in Figure 12, the proposed development provides a terminus vista from Queens Avenue with an attractive, slender tower and a base that complements the existing heritage buildings.



Figure 12: Westerly view of the proposed development from Queens Avenue

The London Plan directs the planning and design undertaken Downtown to place a priority on the pedestrian experience through site layout, building location, and a design that reinforces pedestrian comfort and safety (803_2). The evaluation of height and built form will consider access to sunlight by adjacent properties, wind impacts, view corridors, visual impacts on the Thames Valley Corridor, and potential impacts on public spaces and heritage properties located in close proximity to proposed development (802_3). The design and positioning of new buildings in the Downtown will not negatively impact pedestrian comfort by introducing inappropriate wind turbulence and velocity within the public realm. A wind assessment will be required for all buildings of 6 storeys or more, with the intent of mitigating wind impacts on the pedestrian and other ground level environments (803_4).

An h-3 holding provision is recommended to ensure a Wind Study is provided and implemented at a future Site Plan Approval stage. It is noted that some design considerations to assist in mitigating wind impacts have already been incorporated into the design, such as the use of a podium and the inclusion of balconies on the building façades. The importance of addressing wind impacts is paramount due to the presence of on-site heritage buildings and the site's proximity to Eldon House.

h-3 Purpose: To ensure that development over 30.0 metres (98.4 feet) in the DA1 Zone or over 15.0 metres (49.2 feet) in the DA2 Zone will not have an adverse impact on pedestrian level wind conditions in the Downtown Area of the City of London, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h-3" symbol.

Permitted Interim Uses:

- i) For lands zoned DA1 for any building or use less than 30.0 metres in height: any use permitted by the DA1 zone;*
- ii) For lands zoned DA2 for any building or use less than 15.0 metres in height: any use permitted by the DA2 zone.*

As part of the complete application, a Shadow Study was provided to measure potential shadow impacts on adjacent properties. The slender design of the proposed tower assists in mitigating these impacts by reducing building mass and overall casting of

shadows. Images from the Shadow Study demonstrating impacts at various times of day and year are contained in Appendix H.

1989 Official Plan

The Urban Design considerations for the Downtown encourage projects in the Downtown to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11 (4.1.7.ii). It is intended that Downtown development should enhance the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses (4.1.7.ii).

The design and positioning of new buildings in the Downtown shall have regard for the potential impact that the development may have on ground level wind conditions on adjacent streets and open space areas (4.1.7.iii). New development should not alter existing wind conditions to the extent that it creates or aggravates conditions of wind turbulence and velocity which hamper pedestrian movement, or which discourage the use of open space areas (4.1.7.iii). City Council, as part of its review of major development proposals in the Downtown, may require the developer to undertake a street level wind impact statement for the project (4.1.7.iii)(a). An h-3 holding provision is recommended to ensure a Wind Study is submitted and implemented at a future Site Plan Approval stage.

4.4 Issue and Consideration #4: Bonusing

The London Plan

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (*1650_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy *1652_. A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below:

**1652_1: Exceptional site and building design:*

- Building design and site layout incorporate contemporary architectural themes and design elements to establish a prominent, intensive high-rise design that is compatible with adjacent heritage buildings and local development context.
- Provision of a structured parking facility to reduce surface parking on-site.

**1652_2: Cultural heritage resources designation and conservation:*

- High-rise tower designed/positioned in a manner that is sensitive to existing heritage buildings on-site and the adjacent Eldon House historic site.
- Tower layout is intended to effectively integrate with 451 Ridout Street and preserve unobstructed view of 435, 441 and 451 Ridout Street North from the street frontage (and to promote a landmark vista at the western terminus of Queen Street).
- Existing heritage buildings to be renovated in accordance with applicable heritage preservation legislation/guidelines and pursuant to a Heritage Alteration Permit.
- The renovated heritage buildings are proposed to include common indoor amenity space for community group meetings, local artwork displays and other publicly-oriented activities.

**1652_8: Sustainable forms of development in pursuit of the Green and Healthy City policies:*

- Development would be designed and built with consideration for suitable sustainability techniques, materials and systems.
- Landscape plans for common outdoor amenity areas to incorporate sustainable design elements, including hard landscape components and drought resistant landscaping to reduce water consumption.

- The building would be designed and constructed to meet Leadership in Energy and Environmental Design (LEED) certification.

**1652_12: Affordable housing:*

- The applicant worked with the Housing Development Corporation (HDC) London through the application process on provision of affordable housing. The HDC has recommended the following:
 - A minimum of twelve (12) residential units or five percent (5%) of the total residential unit count (rounded to the nearest unit), whichever is greater, would be provided for affordable housing.
 - The mix of affordable one- and two-bedroom units would be based on the same proportion of one- and two-bedroom units as within the final approved plan. Subject to availability and with the concurrence of the City, some or all of these units may be secured through existing vacancies in developments owned and/or managed by the proponent or associated corporate entity.
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy.
 - The duration of affordability set at 50 years from the point of initial occupancy.
 - The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations.

**1652_14: Car parking, car sharing and bicycle sharing facilities all accessible to the general public:*

- A total of 372 vehicle stalls would be accommodated on-site, with a minimum of 100 spaces made publicly accessible to help offset existing office parking demand in the Downtown.

Staff is satisfied the proposed facilities, services, and matters outlined above are commensurate to the requested increase in intensity.

1989 Official Plan

Under the provisions of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3.iv)). Chapter 19.4.4ii) of the 1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning. The following objectives are included in the applicant's bonus proposal: affordable housing; underground parking; and innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit.

Through discussions with the HDC, the applicant has agreed to provide twelve (12) affordable units or 5% of the total number of units, whichever is greater, for the purpose of affordable housing. Rents would not exceed 80% AMR for a period of 50 years from initial point of occupancy.

The proposed development includes a four (4) storey underground parking facility, in which the majority of on-site parking will be provided. A total of 372 parking spaces are proposed, of which 100 spaces would be made publicly accessible to offset parking demands in the Downtown. In addition to providing parking options for residents, employees, and visitors of the Downtown, it also offsets the demand for surface commercial parking. This is consistent with the recommendations of the Downtown Parking Strategy and ultimately encourages long-term redevelopment of surface commercial parking lots in the Downtown.

Lastly, the applicant has committed to a green building design which would be constructed to meet LEED standards.

Staff is satisfied the proposed public facilities, amenities, and design features is commensurate for the requested increase in height and density.

4.5 Issue and Consideration #5: Cultural Heritage

4.5.1 Heritage Designations

The subject site is individually designated under Part IV of the Ontario Heritage Act and is located in the Downtown Heritage Conservation District, designated under Part V of the Ontario Heritage Act. All three (3) buildings have historic and landmark significance and are recognized as some of the City's oldest and most historically significant, dating back to as early as c1836. 435 Ridout Street North dates from c1836 and is in the Georgian style; it is the earliest commercial building in the City of London (Bank of Upper Canada). 441 Ridout Street North dates from c1847 and is in the Georgian style. 451 Ridout Street North dates from c1855, is in an eclectic style, and is referred to as the Anderson House. The subject lands are known collectively as "The Ridout Street Complex." The Complex is listed as a National Historic Site of Canada (NHSC) which formally recognizes Canada's most important historic places.

As part of the complete application, the applicant submitted a Heritage Impact Assessment (HIA) which was reviewed by the London Advisory Committee on Heritage (LACH) and City Heritage Planning staff. Full comments from LACH and Heritage staff are included in Appendix C. Comments from the Eldon House Board of Trustees are also included in Appendix C. The applicant's response to the LACH Working Group's comments is included in Appendix G.

Provincial Policy Statement, 2020

The PPS provides direction to conserve significant built heritage resources (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 (2.6.3).

The London Plan

The City Building policies of The London Plan directs planning and development to: promote, celebrate, and raise awareness and appreciation of London's cultural heritage resources; conserve London's cultural heritage resources so they can be passed on to our future generations; and ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources (554_1 to 3). Conservation of whole buildings on properties identified on the Register is encouraged and the retention of façades alone is discouraged (568_).

The Downtown Place Type of The London Plan provides direction for new development to be designed to provide for continuity and harmony in architectural style with adjacent uses that are of architectural or historical significance (803_3).

1989 Official Plan

The Downtown contains many of the City's original buildings and some of the most architecturally important structures in our community. Policies for preservation are balanced against policies which promote growth and development in the Downtown. The Official Plan supports a blending of these two approaches to the Downtown by encouraging property owners to incorporate buildings and features of cultural heritage value into new development projects (4.1).

Chapter 13 of the 1989 Official Plan provides a policy framework for properties of cultural heritage value or interest. The objectives include: protect in accordance with Provincial policy those heritage resources which contribute to the identity and character of the City; encourage the protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community; encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City's heritage resources; and increase public awareness and appreciation of the City's heritage resources, and encourage participation by the public, corporations, and other

levels of government in the protection, restoration, and utilization of these resources.

Downtown Heritage Conservation District Plan

One of the goals of the Downtown Heritage Conservation District Plan is to influence the renovation or construction of modern era buildings so that it is done with regard to the District and complementary to the character and streetscape (3.2.1). To achieve this, development should be distinguishable but also compatible with the heritage character of the Downtown Heritage Conservation District. An additional goal relevant to this application is to encourage the rehabilitation and restoration of heritage buildings that is sensitive and respectful to the historical significance of the structure (3.2.1).

Sections 6.1.4.1 and 6.1.5 of the Downtown Heritage Conservation District Plan directs that new construction shall ensure the conservation of character-defining elements of the buildings it neighbours. New construction is to be made both physically and visually compatible with the historic place while not trying to replicate it in the whole, and should be easily decipherable from its historic precedent while still complementing adjacent heritage buildings.

Further, sections 6.1.4. and 6.1.5 outline heritage guidelines for new and infill construction. Those most relevant to this application are as follows:

- Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns.
- New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the streetscape.
- Horizontal rhythm and visual transition between floors [should be] articulated in the façade design. String courses, changes in materials, and a shift in the proportion of glazing [should be used to] illustrate a change in use between the commercial first story and upper residential.
- New and renovated buildings must enhance the character of the street through the use of high-quality materials such as brick, stone and slate; stucco should be avoided as it is not a historically relevant material for the district.
- Detailing should add visual interest and texture.
- Up to 80% glazing is appropriate at-grade; second levels and above should approximate 50% glazing, with not more than 75% glazing, and no less than 25% glazing.
- The floor to ceiling height of the ground floor façade must be consistent with the predominant heights of buildings and respect the scale of adjacent buildings.
- New buildings should respect the significant design features and horizontal rhythm of adjacent buildings. Blank façades are not permitted facing main or side streets (excluding lanes), without exception.
- New and renovated buildings must be designed to be sympathetic to the district heritage attributes, through massing, rhythm of solids and voids, significant design features, and high-quality materials.
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line, with no side yard setbacks fronting the major streets of the HCD.
- Façades must be a minimum of 2 storeys and no more than the permitted maximum height of 18 metres. Above these heights, it is recommended that buildings be setback from the building line at setback of 2 metres for each two metres of height.
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line.
- New and renovated buildings must build the full extent of the property width fronting the HCD streets. However, double lots must maintain the visual rhythm of single lots by breaking up their façade in some manner.

Heritage staff have cited some concern regarding the close proximity of the proposed 40-storey development to the heritage buildings on the subject lands and the ability of any development of this scale to be compatible with 2-3 story mid-19th century brick buildings in the surrounding area. However, Heritage staff comments also recognize the

limitations of the subject lands and the prevailing high-rise environment that already exists in the downtown, as stated in the HIA.

As well, there have been efforts in the design approach to be sensitive to heritage scale and character through a developed podium (bringing the scale down at grade to that of the heritage buildings), the use of an architectural vocabulary that relies on a base, mid-section and cap supporting a pedestrian scale at the street level, and employing a sympathetic colour palette. Many of the guidelines contained in sections 6.1.4 and 6.1.5 of the Downtown Heritage Conservation District Plan have been incorporated into the design.

4.5.2 Potential Impacts on the Ridout Street Complex and Eldon House

At its meeting on February 12, 2020, LACH designated a Working Group to review and provide detailed comments in response to the HIA and proposed development. The comments from the Working Group cited several concerns with the HIA and overall scale and design of the proposed development, including the base, middle, and top. Staff wish to note that the LACH comments on building design conflict with those of the UDPRP, a panel of urban design and architecture professionals, whose comments support the scale and positioning of the podium relative to the existing heritage structures. The UDPRP also support the positioning of the tower to the south, stating that it respects Eldon House and terminates the vista along Queens Avenue. In addition, comments from City Urban Design staff commend the applicant for use of materials on the podium of the building that are in-keeping with the surrounding heritage buildings.

To balance some of the competing comments between the UDPRP and the LACH, as well as to mitigate impacts on the Ridout Street Complex and Eldon House, a holding provision is recommended to ensure necessary reports and studies are submitted and reviewed through the detailed design at Site Plan. The recommended holding provision is as follows:

h-__

Purpose: To ensure that development will not have negative impacts on cultural heritage resources on, and adjacent to the subject property, and to ensure the long term conservation of these resources, the following shall be prepared and accepted to the satisfaction of the City of London, prior to the removal of the “h-__” symbol:

- i) An Arborist Report – from a certified arborist and landscape architect – which will include a detailed assessment of existing vegetation on the Eldon House grounds, Harris Park and other adjacent properties, and make recommendations to protect significant vegetation and minimize potential impacts during preconstruction, construction and post-construction activities, as well as recommendations to minimize long term impacts (i.e. shadowing, micro-climate changes) due to development on the subject property;*
- ii) A Building Condition Assessment – from a licensed architect and professional structural engineer with experience with heritage buildings – which will include a comprehensive assessment of the current condition (including a structural evaluation) of cultural heritage resources on and adjacent to the subject property, along with identification of potential construction impacts and proposed mitigation measures;*
- iii) A Conservation Plan – from a qualified member of the Canadian Association of Heritage Professionals (CAHP) – which will include a strategy for the management and conservation of cultural heritage resources on the subject property along with a detailed plan related to their retention, restoration (exterior and interior attributes), future use and integration in the new development, as well plans for buffering and protection during construction; and*
- iv) A Vibration Study – from a professional engineer – to determine the levels of vibration that are acceptable to avoid negative impacts during*

construction, and establish benchmark levels, and include the development of an inspection, monitoring and implementation plan, along with proposed mitigation measures.

Permitted Interim Uses: All permitted uses within the existing buildings.

In addition to the holding provision described above, the applicant has agreed to enter into a Heritage Easement Agreement with the City of London as part of the recommended bonus zone. This will ensure long-term protection and conservation of the heritage resources on the property, as well as future implementation of any recommendations of the above noted reports and studies.

4.6 Issue and Consideration #6: Archaeology

The subject site is located within an area of archaeological potential, as identified by the City's Archaeological Management Plan (2017). A Stage 1-2 Archaeological Assessment (AECOM, December 2018) was completed and submitted as part of the complete application. The Archaeological Assessment did not result in the identification of any archaeological material or sites and recommended no further archaeological be required.

A clearance letter from the Ministry of Tourism, Culture, and Sport was also submitted with the application, confirming the Archaeological Assessment has been entered in the public register. As such, City Heritage Planning staff have confirmed archaeological conditions can be considered satisfied for this application.

4.7 Issue and Consideration #7: Natural Heritage and Floodplain

The PPS directs that natural features and areas shall be protected for the long term (2.1.1). The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features (2.1.2). As well, long-term economic prosperity should be supported by minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature (1.7.1k)).

A significant portion of the site is in the Green Space Place Type of The London Plan and designated Open Space in the 1989 Official Plan.. As part of the complete application, the applicant submitted an Environmental Impact Study (EIS) prepared by Natural Resource Solutions Inc. (July 2019). An addendum to the EIS was provided in April 2021 in response to comments from City Ecology staff.

Nearly the entire site is regulated by the UTRCA and portions of the existing development are located in the floodplain, including the rear portion of the building at 451 Ridout Street North and the lower parking area. The applicant has worked with the UTRCA since 2010 to establish a development proposal for these lands that aligns or closely aligns with UTRCA policy. The applicant submitted three (3) applications to the UTRCA Hearings Committee for review and approval. To accommodate the extent of the proposed development, a portion of the proposed building foundation and parking structure encroach into the floodplain. Through the application process with the UTRCA, it was determined that the concept presented in the third and final application (Application #67/18) had explored all feasible options for locations outside of the flood plain, which ultimately could not be accommodated due to setback requirements for the future Bus Rapid Transit route.

A preliminary flood modelling analysis was undertaken as a part of Application #67/18 to determine the approximate development impact on flood water displacement and storage. Mitigation strategies presented were determined to ensure a "net 0" impact on displacement and include: excavation of the new park space in the lower portion of the lands; remediation of the south bank; and understanding the overall connection to the Thames River flood storage system up and downstream. Application #67/18 was

ultimately approved by the Hearings Committee. On May 3, 2018, the UTRCA Hearings Committee resolved:

That the Upper Thames River Conservation Authority support the development concept submitted as Application #67/18 by Farhi Holdings Corporation. In supporting this application, the Hearings Committee requires the Applicant to proceed through all stages of planning approval under the direction and advice of the City of London, affording UTRCA staff full opportunity to provide input and comment on all aspects of the planning process, to ensure the development remains fully consistent with the design prepared and presented by architects Tillmann Ruth Robinson.

FURTHER, terms and conditions for approval pursuant to Section 28 of the Conservation Authorities Act shall include but not be limited to the following:

- 1. The development will be floodproofed to the Regulatory Flood elevation at a minimum, adding freeboard if feasible to account for UTRCA modelling updates and the impacts of climate change.*
- 2. Farhi Holdings Corporation will prepare site plans in consultation with the City of London and the UTRCA which will address floodplain cut and fill compensation requirements ensuring no net loss of flood plain storage resulting from the proposed development.*
- 3. Valley embankments around the development perimeter (southern and eastern boundaries) will be remediated in consultation with the City of London and UTRCA.*
- 4. Upon issuance of a Section 28 permit, work must be completed within a two-year period.*
- 5. Comprehensive sediment and erosion control plans and site drainage/grading plans must be prepared as part of site plan drawings submitted to the UTRCA for review and approval.*

AND FURTHER, if in the opinion of the UTRCA the development concept deviates from the submission made at this time, the UTRCA reserves the right to bring the proposal back to the Hearings Committee for further consideration.

UTRCA staff have confirmed the development concept proposed through this Official Plan and Zoning By-law Amendment is generally consistent with the concept considered through that application. Approval of a Section 28 permit from the UTRCA is required for the proposed development and would ensure the terms and conditions identified in the Hearings Committee's resolution are addressed.

As previously noted, approximately 0.49 hectares of land would be dedicated to the City of London and integrated into Harris Park. The applicant proposes to naturalize these lands as compensation for the proposed development. However, Parks Planning and Design staff have commented that while they are in agreement with partial removal of the parking area, they wish to retain some parking and return the balance of the lands to grass as parkland/event space. Parks Planning and Design staff have further advised that there are future plans to naturalize other areas within Harris Park as part of the upcoming master planning process. These matters are to be resolved through the review of a future Site Plan application, and the Site Plan Approval Authority is advised that the applicant is to work with the City of London with regards to compensation restoration to create wetland and other natural features (ie forest), either on-site or in Harris Park. Implementation of flood mitigation strategies, including possible excavation of the new park space in the lower portion of the lands, would also be addressed and formalized through the future Site Plan and Section 28 permit processes.

Lastly, both Ecology staff and EEPAC have identified the need for the tower to incorporate bird friendly design features to minimize bird strikes. As the City of London has been recently recognized by Nature Canada as a Bird Friendly City, it is recommended as a note to the Site Plan Approval Authority that features for bird friendly design be incorporated into the final building design.

4.8 Issue and Consideration #8: Transportation

The applicant has submitted a Transportation Impact Assessment (TIA) as part of the complete application (Paradigm Transportation Solutions Limited, April 2019). The TIA includes an analysis of existing traffic conditions, a description of the proposed development, traffic forecasts for the 2026 horizon year (estimated five years from full build-out), and transportation demand management options for the site. In response to City Transportation comments, an addendum to this report was provided in April 2021. City Transportation staff have reviewed the TIA and addendum and have requested further revisions to be made prior to Site Plan Approval. An h-55 holding provision is recommended to ensure these revisions are made and the TIA is accepted by City Transportation staff prior to Site Plan Approval:

h-55 Purpose: To ensure the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development. The "h-55 " symbol shall be deleted upon the acceptance of the traffic study by the City of London.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Downtown Place Type policies, and the in-force policies of the 1989 Official Plan, including but not limited to the Downtown designation and Downtown Shopping Area. The recommended amendment aligns with the strategic directions of Our Move Forward: London's Downtown Plan by providing for a landmark development at a prominent location in the Downtown.

The proposal facilitates the development of an underutilized site with an appropriate form of development at a prominent location. The recommended bonus zone ensures the building form and design fits within the surrounding area while providing a high quality design standard. The recommended bonus zone also provides for some flexibility for further refinements through the detailed design review at a future Site Plan Approval stage. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, location within the Downtown Shopping Area, and existing and future public transit facilities in the area.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A

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 435-
451 Ridout Street North

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 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 Downtown Place Type and add the subject lands to Map 7 – Specific Policy Areas – of the City of London to permit a maximum intensity of 40-storeys with a Type 2 Bonus Zone.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 435-451 Ridout Street North in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment would allow for the development of a landmark 40-storey mixed-use apartment building at a prominent location in the Downtown.

D. THE AMENDMENT

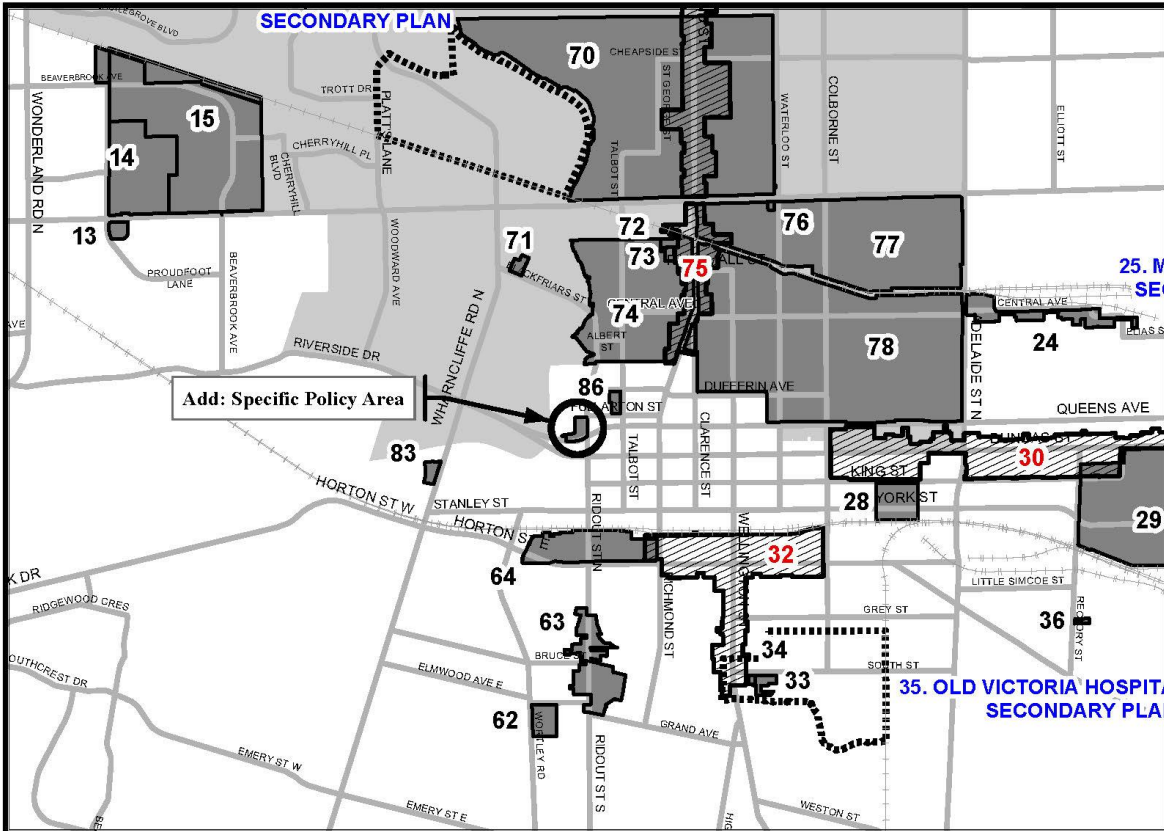
The London Plan for the City of London is hereby amended as follows:

1. Specific Policies for the Downtown Place Type of The London Plan for the City of London is amended by adding the following:

435-451 Ridout Street North

In the Downtown Place Type, a maximum intensity of 40-storeys, excluding a mechanical penthouse and measured from the Ridout Street North frontage, is permitted with a Type 2 Bonus.

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 a portion of the lands located at 435-451 Ridout Street North in the City of London, as indicated on “Schedule 1” attached hereto.

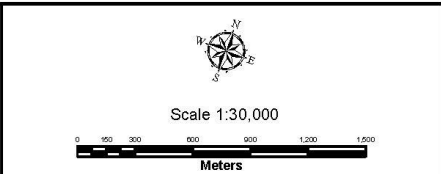


LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

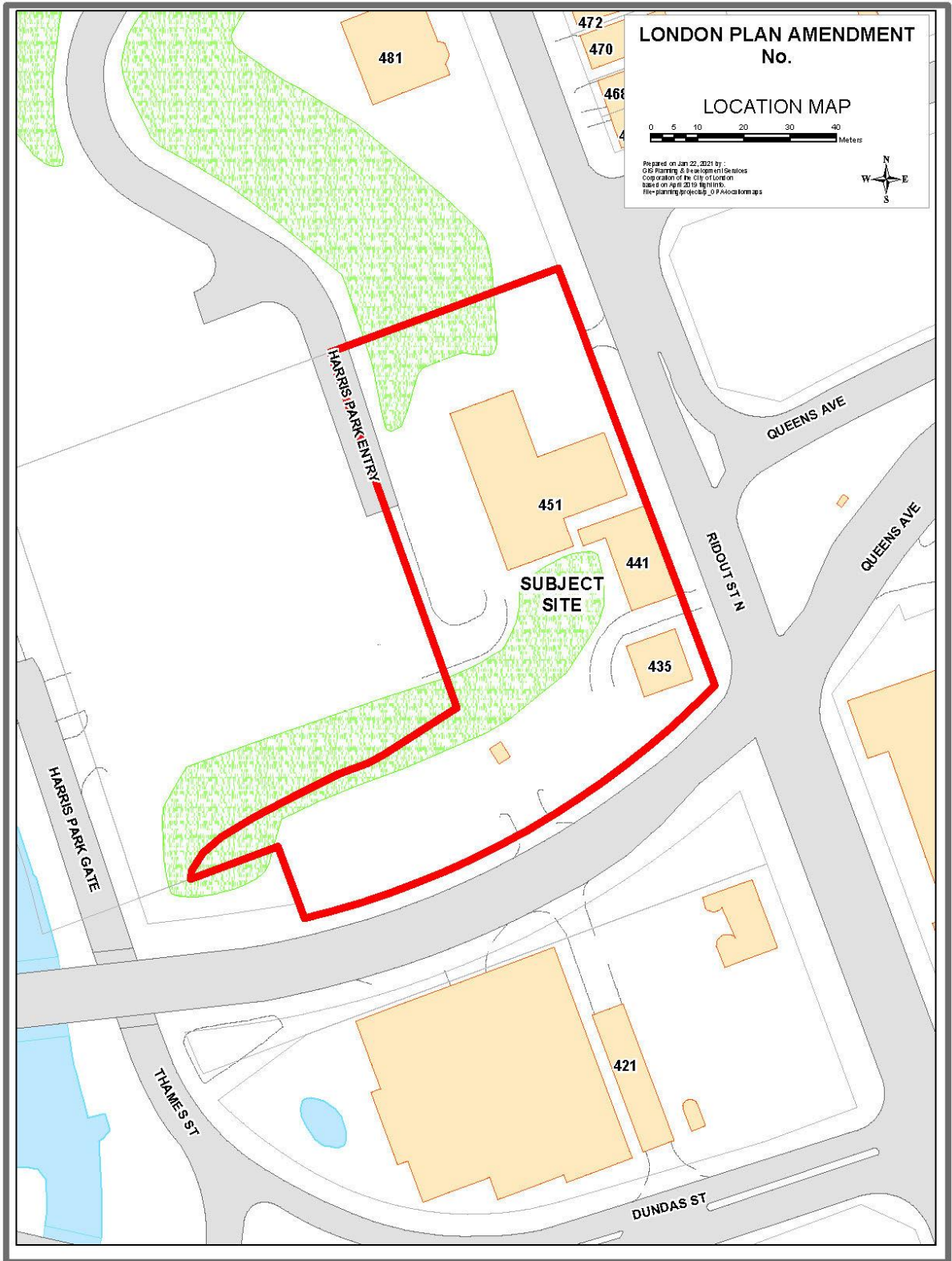
This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE #
TO
THE LONDON PLAN
AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: OZ-9157
PLANNER: CM
TECHNICIAN: RC
DATE: 5/13/2012



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 435-
451 Ridout Street North

WHEREAS Farhi Holdings Corporation has applied to rezone an area of land located at 435-451 Ridout Street North, 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 a portion of the lands located at 435-451 Ridout Street North, as shown on the attached map comprising part of Key Map No. A107, from a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone to a Holding Downtown Area Special Provision Bonus (h-3*h-55*h-_*DA2(3)*D350*B-_) Zone.
- 2) Section Number 3.8 2) of the Holding "h" Zone is amended by adding the following Holding Provision:

) h-__

Purpose: To ensure that development will not have negative impacts on cultural heritage resources on, and adjacent to the subject property, and to ensure the long term conservation of these resources, the following shall be prepared and accepted to the satisfaction of the City of London, prior to the removal of the "h-__" symbol:

- i) An Arborist Report – from a certified arborist and landscape architect – which will include a detailed assessment of existing vegetation on the Eldon House grounds, Harris Park and other adjacent properties, and make recommendations to protect significant vegetation and minimize potential impacts during preconstruction, construction and post-construction activities, as well as recommendations to minimize long term impacts (i.e. shadowing, micro-climate changes) due to development on the subject property;
- ii) A Building Condition Assessment – from a licensed architect and professional structural engineer with experience with heritage buildings – which will include a comprehensive assessment of the current condition (including a structural evaluation) of cultural heritage resources on and adjacent to the subject property, along with identification of potential construction impacts and proposed mitigation measures;
- iii) A Conservation Plan – from a qualified member of the Canadian Association of Heritage Professionals (CAHP) – which will include a strategy for the management and conservation of cultural heritage resources on the subject property along with a detailed plan related to their retention, restoration (exterior and interior attributes), future use and integration in the new development, as well plans for buffering and protection during construction; and

- iv) A Vibration Study – from a professional engineer – to determine the levels of vibration that are acceptable to avoid negative impacts during construction, and establish benchmark levels, and include the development of an inspection, monitoring and implementation plan, along with proposed mitigation measures.

Permitted Interim Uses: All permitted uses within the existing buildings.

- 3) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B- 435-451 Ridout Street North

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed-use apartment building, with a maximum height of 40-storeys or 130 metres, excluding a mechanical penthouse, and a maximum density of 500 units per hectare, in general conformity with the Site Plan and Elevations attached as Schedule “1” to the amending by-law, and provides for the following:

- 1) Exceptional Building Design
 - i) Retention in situ of the heritage buildings along the Ridout Street frontage;
 - ii) Materials on the podium of the building that are in-keeping with the surrounding heritage buildings;
 - iii) A slender point tower design;
 - iv) The tower portion of the building located to the south of the podium to increase the spatial separation between the tower and the Eldon House Property;
 - v) Interesting architectural design features on the tower that will enhance the downtown skyline and break up the building mass;
 - vi) Terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses;
 - vii) Connections between Ridout Street North and Queens Avenue to Harris Park that provide new entrance opportunities to further connect the Downtown with the Park.
- 2) Provision of four (4) levels of underground parking, of which a minimum of 100 parking spaces will be publicly accessible;
- 3) Provision of Affordable Housing
 - A minimum of twelve (12) residential units or five percent (5%) of the total residential unit count (rounded to the nearest unit), whichever is greater;
 - The mix of affordable one- and two-bedroom units will be based on the same proportion of one- and two-bedroom units as within the final approved plan. Subject to availability and with the concurrence of the City, some or all of these units may be secured through existing vacancies in developments owned and/or managed by the proponent or associated corporate entity;
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability shall be set at 50 years from the point of initial occupancy;
 - The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations.

- 4) Conservation, retention, and adaptive re-use of the existing heritage designated buildings at 435, 441, and 451 Ridout Street North
 - The owner shall enter into a Heritage Easement Agreement with the City of London.
- 5) Construction of a Leadership in Energy and Environmental Design (LEED) certified building.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a)	Regulations	
	i) Density (Maximum)	500 Units per Hectare
	ii) Building Height – Excluding Mechanical Penthouse (Maximum)	40 storeys or 130 metres, whichever is greater, to be measured at the Ridout Street North frontage
	iii) Setback to Residential Component (Minimum)	14.9 metres (48.88 feet)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

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

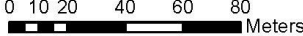



Zoning as of April 30, 2021

File Number: OZ-9157
 Planner: CM
 Date Prepared: 2021/05/13
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

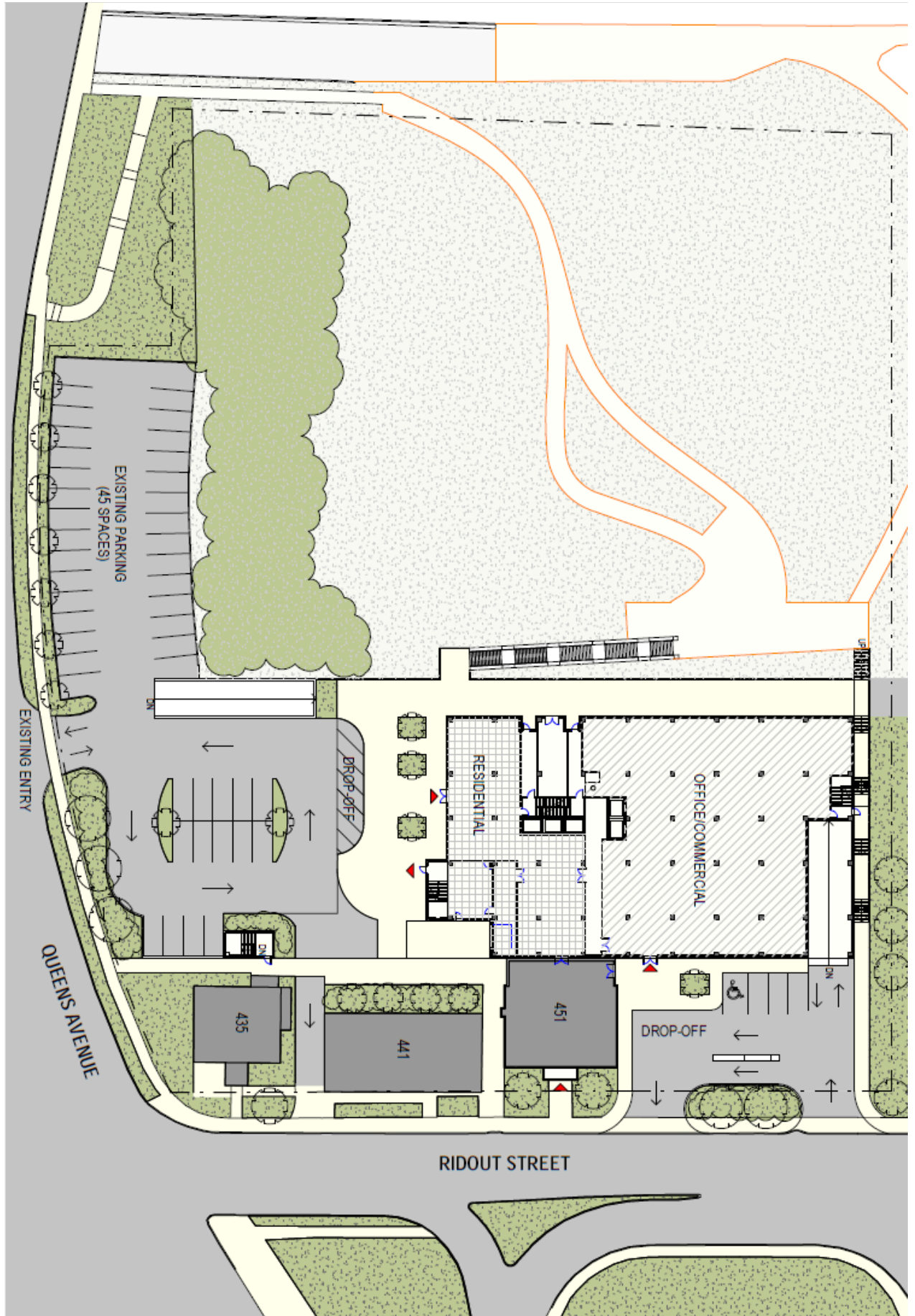
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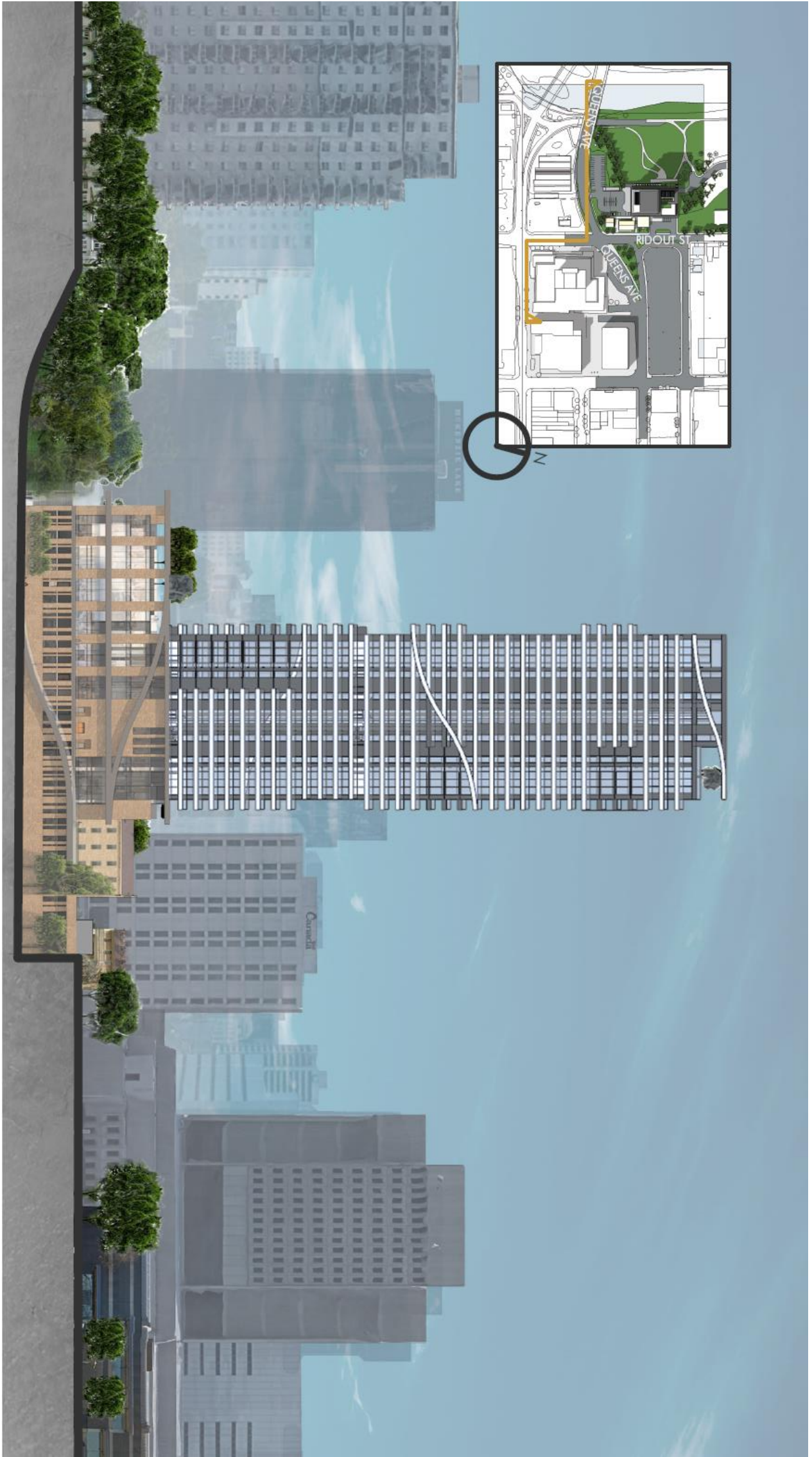
Schedule "1"











Appendix C – Public Engagement

Community Engagement

Public liaison: On December 18, 2019, Notice of Application was sent to 10 property owners and 224 tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 19, 2019. A “Planning Application” sign was also posted on the site. The applicant hosted a Community Information Meeting on November 18, 2020.

Ten (10) replies to the Notice of Application were received from eight (8) interested parties.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to facilitate the adaptive reuse of the existing heritage buildings and to incorporate a 40-storey mixed-use building with 451 Ridout Street North. Possible Official Plan Amendment to the 1989 Official Plan to **ADD** a Chapter 10 specific policy to permit a 40-storey mixed-use apartment building containing 280 residential units and 6,308 square metres of office/commercial space, in addition to 1,627 square metres of office/commercial space in the existing heritage buildings. Possible Official Plan Amendment to The London Plan to **ADD** a specific policy to the Downtown Place Type to permit a maximum of building height of 40-storeys. Possible change to Zoning By-law Z.-1 **FROM** a Downtown Area Special Provision (DA2(3)*D350) Zone, a Heritage/Regional Facility (HER/RF) Zone, and an Open Space (OS4) Zone **TO** a Downtown Area Special Provision (DA2(_)*D500*H125) Zone and an Open Space (OS4) Zone to permit the proposed mixed-use building. Density and height provisions would permit a maximum density of 500 units per hectare and a maximum building height of 125 metres. A special provision would permit a reduced setback for the residential component of the building of 17.9 metres, whereas 44.4 metres is required. Alternatively, a bonus zone may be requested to permit the proposed density, height, and setback in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638_ to 1655_ of The London Plan.

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

Concern for:

Concerns were raised regarding the proposed height and density of the building and its impact on the heritage buildings. Concerns were also raised regarding the environmental impact and flooding risks.

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

Telephone	Written
Sarah Mastroianni	Piper Kearney
Marvin Simner 191 Iroquois Avenue London, ON N6C 2K9	Andrew Campbell 1805-500 Ridout Street North London, ON N6A 0A2
Mary Frances Damaren 500 Ridout Street North London, ON N6A 0A2	Bevan Lindsay
	Peter Behr 472 Ridout Street North London, ON N6A 2P7

	Rick Konrad
	Jennifer Grainger Architectoral Conservancy of Ontario – London Region Branch Grosvener Lodge 1017 Western Road London, ON N6G 1G5
	Alex Farrell 2006-500 Ridout Street North London, ON N6A 0A2
	Eldon House Board of Directors c/o Mark Tovey and Tara Wittmann
	Sarah Mastroianni Blyth Education
	Marvin Simner 191 Iroquois Avenue London, ON N6C 2K9
	Ron Coristine

From: Piper Kearney
Sent: Thursday, December 19, 2019 7:54 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] Hi

Hi Catherine,

My name is Piper Kearney. I was looking at current Planning and development applications.

I have a concern with 435, 441 and 451 Ridout Street North a 40 story apartment building is being proposed by Farhi Holdgins Corporation.

I know Harris Park floods every year and part of the apartment building is in Harris park near the river.

There doesn't seem to be any flood protection in place to protect the building from spring flooding.

I hope my input is helpful.

Piper

Andrew Campbell
Suite 1805 – 500 Ridout St. N.
London ON N6A0A2

Dec. 29, 2019

Ms. Catherine Lowry
City of London – Development Services
300 Dufferin Ave., 6th floor
London ON., PO Box 5035 N6A4L9

Planning Application File: OZ-9157

Applicant: Farhi Holdings Corporation

Dear Ms. Lowry:

I am always an advocate for intelligent city development; but, this proposal appears to lack common sense. At least two reasons should lead to “**Rejecting**” this application. The map attached to your “request for comments” indicates the proposed development is close to the river, bridge, and Harriston park. This land is more of a park area for good reason. When Farhi Holdings Corporation bought the land overlooks the forks of the Thames, they either knew or ought to have known this flood plane is prized public park space for each person in the city.

Reason #1 to reject: it infringes on the public space/beauty

It is the responsibility of The City of London to develop the waterfront area for all to enjoy. This proposed development infringes on one of the city’s focal points, main attractions and part of its natural beauty. It compromises the enjoyment of the average citizen who pays taxes.

Reason #2 to reject #2: it’s a flood zone

Every year, the river floods. In Spring 2019, water rose to approximately 0.5m (2 feet) below the bridge. This makes ground unstable for any development like this. It will make it risky for tenants. If the building topples, it is a city safety issue. If there is underground parking, flood waters will envelop parked cars. No cost-effective engineering can alleviate this. Climate change means flooding will get worse. You don’t develop a flood plane this way; it’s parkland!

While either reason alone is enough to “kill” this proposal, the combo of these 2 reasons make it a ‘no-brainer’ to reject. It’s really simple: the proposal has critical flaws.

Yours truly

Andrew Campbell
B.Comm, CPA – CA

CC: Ward Councillor Arielle Kayabaga

From: Bevan Lindsay
Sent: Sunday, January 5, 2020 7:20 PM
To: Kayabaga, Arielle <akayabaga@london.ca>; City of London, Mayor <mayor@london.ca>; Lowery, Catherine <clowery@london.ca>
Cc: London Transit, Commission <ltc@Londontransit.ca>; London's Bus Rapid Transit Team <ldnbrt@london.ca>; Harriston Info <info@theharriston.com>; info@terracorp.ca
Subject: [EXTERNAL] 435-451 Ridout Street North

Staff, Mayor, Councillor:

Thank you for the information for this site. This is a bit of a ramble but these new developments affect life for all residents, and should be a source of city wide upgrades.

Traffic Flow

The immediate effect will be more construction traffic, in addition to the dump trucks, cement trucks, and obstructions to traffic flow such as on Talbot street between Dufferin and Fullarton today.

The Talbot street underpass at CPR needs redevelopment to ease traffic flow to and from Central London. Remove Tim Hortons at Oxford and Talbot, and Pursuit Health Mall to widen underpass so it is straighter, deeper, and pedestrian friendly. More students living in Central London, Ann and St.George plus Talbot at John, need safe access to Oxford Street.

Ridout at CNR will need an underpass.

City and Developers should work with Western and Fanshawe to study effects on wind and noise distribution. I already use earplugs to sleep.

The design is less derivative than others, but will this further deflect sounds from the current musical festivals in Harris Park. Lower decibel level from current 90 to 80, and have bylaw officers equipped with sound meters employed during concert hours, including practices. Empower these officers to order immediate reductions if db level is exceeded.

Access to parking in the new complex will be awkward because Thames Street, behind Museum London Floods annually.

Affordable Housing

The City of London should immediately enter into agreements with all current, announced, and future developments to rent 10% of apartments and condos available to house the working poor by paying a subsidized rent. This would distribute people to avoid "social housing" stigma and as the city would be a major renter keep rents lower. Should apply to commercial space during November to April.

Express buses should run on all major arteries, eg. Richmond, Riverside, York, Wharncliffe, Oxford.

As is being done with BRT (White Oaks Mall) parking garages should be located at major malls around London, Argyle, Masonville, Westmount, plus Hyde Park and Sunningdale, Sunningdale and Highbury, Arva, Byron, Lambeth. Pay to Park and ride free. Increase downtown parking rates by 10% per annum to encourage use of LTC and Brt.

Encourage malls to include Apartment development on parking lots.

Green Buildings.

All new developments must approach energy self sufficiency, solar panels, cylindrical wind turbines, trees, and green space.

Incentives provided to retrofit green space, solar and or wind turbines on existing flat roofs.

Roundabouts.

Dufferin and Ridout becomes a bottle neck already in the mornings and evenings. Most drivers obey STOP signs at this these times. to keep traffic moving all non major intersections in London should become roundabouts. A few deigns would be needed to provide utility access yo sewers. As many Londoners jaywalk, pedestrian crossings should be in the middle of the block, and protected by speed bumps

Green Space.

All remaining wood lots within the city limits should be protected from development.

No approvals for development of vacant surrounding fields should be approved until all vacant, and parking lots in downtown London, London East, vacant industrial buildings and lots are redeveloped for parkland, parking garages, and residential complexes. As well a third "sports temple" should be developed for spring, summer and fall sports to balance off the Budweiser Centre (basketball, hockey, entertainment) and Labatt Park (baseball).

Arterial Roads

Wellington-Dufferin-Richmond, Oxford Street, Fanshawe Park Road, York Steet, Horton/ Hamilton Road/ Florence, Hyde Park from Sunningdale to Oxford, Riverside, Springbank, Wonderland, Wharncliffe, Southdale, and Sunningdale Road, should be

declared arterial roads, with no left turns allowed except at traffic lights, and roundabouts. Yes divided by concrete barriers, until timber or concrete planting areas can be installed. Express and BRT routes on these roads.

The Forks

Unfortunately with the sale of County property to York Development the city has lost some control.

Two bridges, King Street walking Bridge, and Dundas Street bridge already exist. A second walking bridge should be installed from below HMCS Provost to the Blackburn Memorial (Press Freedom) memorial instead of the current crescent proposed walkway. Much more practical for walkers, e-bikes, and bike riders.

Reinforce existing by-laws, and Transportation act to get bicycles, e-bikes, powered wheel-chairs off sidewalks in London. Sidewalks are for pedestrians.

Bevan Lindsay
N6A 0A2

472 RIDOUT ST. N,
LONDON, ON N6A 2P7
TEL. (519) 438-4530
FAX (519) 679-6576
Berhlawfirm@gmail.com

PLEASE REFER TO: Peter M. Behr

January 9, 2020

clowery@london.ca
akayabaga@london.ca

RE: File 0Z1957

As owner of 472 Ridout Street North we are absolutely opposed to the application made. The reasons follow.

As I'm sure you are aware, there has been a major residential development just completed at the corner of Dufferin and Talbot which is within a city block of our property. There is a second major development presently taking place on the west side of Talbot Street between Dufferin and Fullarton. Again, this development is within a city block of our property. The net result has been a constant stream of heavy equipment and delays on Ridout and the accompanying streets. That difficulty will continue for at least two years until the last mentioned project is completed.

With the developments being built, the traffic tie ups have been a major concern for the past 1 year plus. Southbound traffic on Ridout Street is inordinately slow at all times but especially at rush hour when it backs up well beyond Dufferin Street. Likewise, northbound traffic on Talbot Street moves at a snail's pace at all times but especially so during rush hour.

The proposed development would substantially impact the horrible traffic pattern that has developed in this area of the City and this is especially so because I note that the proposed Farhi plan has next to no frontage for vehicles to pull off Ridout Street when making deliveries and/or delivering or picking up passengers.

Furthermore, I note that the bulk of the proposed plan is being built on a flood plain. The area in question floods in the spring on a yearly basis and I expect the City should have grave environmental concerns with respect to building on a flood plain.

There is ample residential accommodation in this area with the existing buildings and those that are presently approved to be built. Additionally, there is ample commercial

space in the downtown area which is vacant, most of which is owned by the applicant, Farhi Holdings. I don't believe the City needs yet another vacant Farhi building.

Yours truly,

Peter M. Behr

P.S. As I send this on January 13, 2020, the entire area for the proposed development is under water as a result of the Thames River flooding.

From: Rick Konrad
Sent: Wednesday, January 15, 2020 9:48 AM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] File: OZ-9157- Farhi Holdings

Dear Ms. Lowery

I am opposed to the proposed development of 435-451 Ridout Street.

I am a resident of 500 Ridout, just north of the proposed development.

Drawing from the City's Official Plan:

Section 4.1 of the 1989 Official Plan provides policy direction for development in the Downtown designation:

"It is intended that the Downtown will continue to be the major office employment centre and commercial district in the City, and that its major function as a location for new medium and high density residential environment will be strengthened over time. Limitations on the scale of development will be less restrictive in the Downtown and policies will allow for flexibility in the application of these limitations."

As a major owner of downtown London commercial and retail property, in my opinion, Farhi has failed miserably as a corporate citizen in respecting this plan, having merely accumulated real estate holdings and having failed to maintain them.

Rather than serving as a magnet for attracting major office employment and commercial development, Farhi's neglect of its responsibilities as a landlord has had the opposite effect in stigmatizing the downtown as a somewhat seedy almost squalid city centre.

I have spoken to three tenants of Farhi residential properties and all have expressed the same concerns about Farhi, a failure to provide adequate property maintenance. One of my contacts, a professor at Western had lived in a downtown apartment owned by Farhi and had accidentally spilled a gallon of paint on her carpet. She quit the apartment which was subsequently rented to two of her PhD candidates in subsequent tenancies. Though all had complained, no attempt was made by Farhi to replace this carpet.

I have attached a Windsor Star article link that outlines Farhi's record of broken promises and undeveloped dreams:

<https://windsorstar.com/feature/undeveloped-dreams>

In a London Free Press article, similar skepticism was raised:

<https://lfpres.com/2017/01/15/pressure-may-be-building-but-shmuel-farhi-isnt--yet/wcm/0c7cbe8b-4a50-3a01-0609-23e4ccc230da>

In fact, the article highlights Farhi's lack of residential building experience based on this quote from Windsor's mayor:

"Dilkins said the city's goal is to have a highrise residential tower built on Farhi's waterfront property downtown and a sports complex, with residential, created in east Windsor to support nearby commercial development. But Farhi would like to bring in a partner because residential development is not his forte, Dilkins said. "He does commercial."

London should choose its business partners carefully partially based on the track record of the developers, not just an economic decision based on roseate and perhaps unrealistic expectations. There is a track record of accumulating properties and failure to remediate or develop them. The property management "character" speaks for itself.

I hope that the City considers very carefully the sordid record of this "developer"- a term which barely applies to what we have seen downtown.

Sincerely,

Richard Konrad

Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge
1017 Western Road
London, ON N6G 1G5

January 20, 2020

Catherine Lowery, Planner II – clowery@london.ca

Dear Ms. Lowery:

Re: File OZ-9157 – Planning Application for 435-451 Ridout St. N., including 40-storey mixed-use building

On behalf of the London Region branch of Architectural Conservancy Ontario (ACO London), I am writing to you regarding the Notice of Planning Application by Farhi Holdings Corporation for 435-451 Ridout St. N. The purpose of this letter is to express our concern about the proposed development for the following reasons:

- This proposed tower and the one proposed by York Developments at 50 King Street are a "slippery slope," setting precedents for more towers to be built along the Thames downtown. When highrises crowd the waterfront, they detract from the ambiance of the river forks, Harris Park, walking path, and river view.
- Twenty per cent of the downtown core consists of surface parking lots, according to Planning Department. Developers should be encouraged to build on these available spaces, rather than on sites where there are already heritage buildings.
- This is a floodplain, as seen in the two downloaded photos attached. The overflowing Thames has been known to cover Harris Park and its adjacent parking lot. How will flooding impact a building perched on the park's edge?
- While design appeal is subjective, ACO believes the proposed highrise and its podium are not in keeping with the style of the current heritage buildings, a National Historic Site. The Ridout Restoration provides a capsule view of the appearance of mid-19th century Ontario cities. It cannot continue to do so with an unsympathetic contemporary development behind.
- Besides the Ridout Restoration, this part of Ridout Street contains: Eldon House, London's oldest house, open as a museum; Museum London, the city's best-known gallery; the Old Courthouse, the city's oldest building. Together, this streetscape constitutes the heart of London, of interest to tourists. A highrise development will overwhelm and diminish the other structures, making this area look less like London, Ontario and more like bland modernity everywhere.

Thank you for considering our comments.

Yours truly,

Jennifer Grainger

President

Architectural Conservancy Ontario – London Region

From: Alex Farrell

Sent: Wednesday, January 22, 2020 1:38 PM

To: Lowery, Catherine <clowery@london.ca>

Subject: [EXTERNAL] 435-451 Ridout Street North - Notice of Application concerns

Dear Catherine,

My name is Alex Farrell. I am writing with concern regarding the proposed Notice of Application for 435-451 Ridout Street N. I know your time is limited, but if I could summarize my concerns succinctly, please watch the following 14min video:

<https://www.youtube.com/watch?v=Hy4QjmKzF1c>

FYI, I moved to London, Ontario in July 2018 to get away from the downtown core of Toronto, where I had been living for almost 20 years. The construction of large towers by greedy developers has been non-stop for 20 years. This will continue for another 20 years. Unfortunately, Toronto has made a lot of city planning mistakes because of developers' air rights and building up (unlike its sister city Chicago).

I moved primarily to London to be close to family, and I chose where I am currently living at 500 Ridout St North in London (The Harriston apartment building) to be closer to downtown and to nature. This area of the city has a lot of historical and environmental significance, much like the area where I previously lived in Toronto, called St Lawrence Market. They are very very similar. I lived at 25 The Esplanade, and used to feel like a village, close to downtown. Now it's overrun with pedestrians, cars, buses, construction, and chaos.

<https://condos.ca/toronto/the-esplanade-25-the-esplanade>

1. London has the opportunity to do things differently where many North American cities have made mistakes. Beauty for a city is not subjective; it is scientific. As the video noted, there are six (6) fundamental principles to make an attractive city:

- i. Order
- ii. Visible Life
- iii. Compact
- iv. Orientation and Mystery
- v. Scale
- vi. Make it Local

2. Based on my background in Corporate Finance at various levels including real estate, it appears that Fahri Holdings owns a lot of real estate in London that is undeveloped. Why is Fahri not developing other locations in the city?

It may have its own reasons, but oftentimes when you don't develop a property to attract new tenants you are less concerned with day to day cash flow of rental income. If you don't need the cashflow from rental income (for your investment returns), then you would rely on capital gain speculation and hope that prices will rise due to changing demographics and supply and demand economics (buy low/ sell high). It's obvious that as more people move to Toronto, and as boomers get older, more people are moving west to London and this is driving up real estate prices. By only paying the bare minimum of repairs, maintenance, insurance and taxes, and not investing in new capital expenditures into existing properties (and making rent reasonable) the culture of the city and its citizens will suffer.

3. Why are they proposing to put a ridiculous 40 storey property on Bankers' Row? It will be unsightly and will ruin the integrity of one of the few remaining historical areas of London. The proposed applications should match the specific character of London's history (like Eldon House, London Museum, the Old Courthouse). The proposed development should be 5 storeys maximum.

4. London has many things going for it. I grew up in Halifax, NS and lived in Toronto for almost 20 years. I have travelled extensively. Halifax is compact and unique and has a population of almost 500k. Toronto is just like any other big city in the world. London reminds me of a cross between various parts of Los Angeles (villages, vast landscape

and beautiful sunsets and sunrises), Austin, Texas (historical, artistic and technological "keep Austin weird"), Boston (historical significance and Charles river), and Nashville (musical history).

Keep and make London unique.

Thank you very much for the opportunity to voice my concerns,
Alex

Potential Heritage Impacts to Eldon House by a proposed Farhi Holdings Corporation (FHC) Development at 435-451 Ridout Street North – File OZ-9157

This submission is made by the Eldon House Board of Directors at the request of the City of London.

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Introduction

Set in the heart of the city overlooking the historic Forks of the Thames, Eldon House is London's oldest residence. Situated on a scenic lot, the home was built for founding Londoners John Harris (1782–1850), Treasurer of the London District, and his wife Amelia Harris (1798–1882). The couple moved into the 'new' home with their large family in September 1834 and it remains virtually unchanged since the 19th century. With its original design, Eldon House shines as a fine example of Georgian architecture with Regency elements, such as a timber frame and lovely wrap-around verandah, and its gardens are considered among the most beautiful in the city. This charming house belonged to the Harris family for four generations, until the death of Milly Harris in 1959. Milly was the last Harris to reside in the home.



In 1960, the great-grandchildren of John and Amelia Harris donated Eldon House and its 11-acre property to the City of London. The property was subsequently divided to create Harris Park, as a public greenspace along the Thames River, while Eldon House and gardens opened as a heritage museum, housing the Harris family's furnishings and collections. Recognizing the historical importance of Eldon House, the City of London designated the property in 1977, under Section 29 of the *Ontario Heritage Act* (By-law 2329-578). The home's exterior, and portions of the interior, became protected by a registered Ontario Heritage Trust conservation easement in 1985.

Throughout several decades, Eldon House was managed under existing boards of the City. The first-ever Eldon House municipal service board was launched in January 2013 to specifically steward the heritage property, as a thriving community museum at 481 Ridout Street North. Now, as this London treasure rests immediately next to the proposed Farhi Holdings Corporation (FHC) development at 435–451 Ridout, our Board has been asked by the City to advise on all potential heritage impacts associated with this 40-storey development project.

As such, this submission is made by the Eldon House Board of Directors and its Curator Director. As stewards, we consider preservation of this historic gem to be our top priority. With that in mind, we are grateful for an opportunity to provide key information, as a direct neighbour, in order to inform decision-making about this significant development and its potential impacts on Eldon House, its grounds and the historic character of its immediate area.

To enhance clarity, we have aligned several potential impacts into four categories: 1) construction impacts; 2) long-term impacts; 3) heritage designation impacts; and 4) potential impacts on the wider area.

Although we were not able to provide the list of impacts requested by the City in time for inclusion in the Heritage Impact Assessment, we hope that we have been able to provide this material in a timely fashion in such a way that it will be included in the planning process and in the discussion of heritage impacts.

We remain open to discussion on ways to mitigate all potential impacts to Eldon House and to ensure the future viability of this heritage gem. Therefore, we are committed to maintaining meaningful dialogue with all stakeholders throughout the planning process for this future downtown development.

1. Construction Impacts

A. Structural Stability and Fire

Eldon House has fragile built elements that will react to any nearby seismic vibrations of construction.

These elements include, but not limited to, plaster cracking or spalling, sash window damage and artifact movement within the museum.



Areas of the house where structural damage could be worsened are illustrated by the existing weaknesses in wall plaster, with an underlying structural cause

It is already on record that noticeable artifact movement occurred due to vibrations caused by construction of The Harriston high-rise tower across the street from Eldon House.



Sample of ceramic artifacts subject to movement due to vibration

There is also concern that sparks from the FHC construction site will increase the fire risk to Eldon House and its grounds.

B. Environmental Particulate Pollution

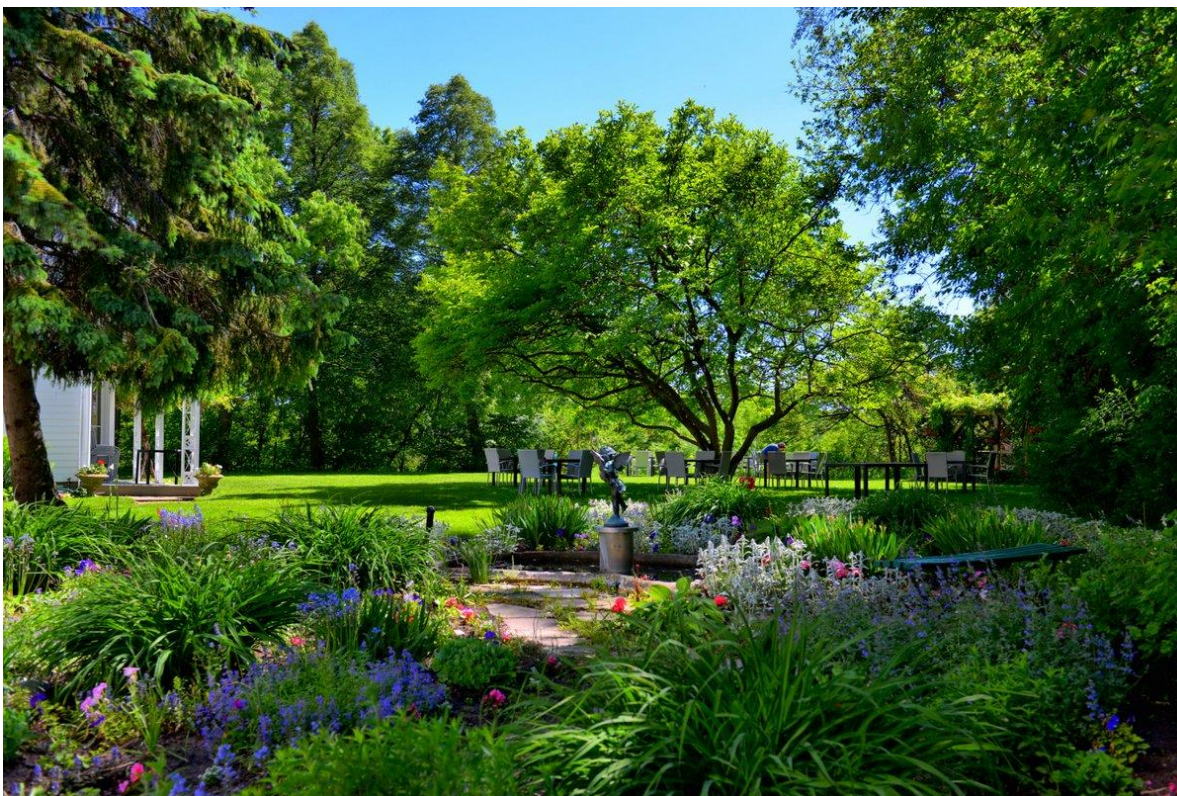
Due to the historic fabric of Eldon House, airborne dust and debris created during construction will find entrance into the heritage home's interior. Currently, the museum environment is carefully maintained and monitored by staff to protect and preserve its buildings and the Eldon House collection. However, current preservation protocols will be insufficient to combat particulate pollution entering the museum from the nearby development project.

Noise Impeding Museum Operations

There will be significant impact to outdoor enjoyment and use of the Eldon House gardens and grounds in our busy summer seasons during the proposed three years of construction on this estimated 40-storey tower. Construction noise will especially hurt our annual Summer Tea Program, which runs daily on the lawn of Eldon House throughout July and August.

This summer tradition is a key component of our museum's revenue budget and a major draw for Eldon House, as visitors flock to enjoy the serenity of our beautiful gardens.

However, with a wide array of construction noise consistently happening next door, we fear many of our patrons will be deterred from visiting Eldon House during this extensive time period.



The Eldon House gardens

D. Land Disturbance to Slope

The impact of construction on the slope leading from Eldon House on Ridout Street down to the flood plain below is of significant concern. One corner of Eldon House is only 10 feet from the start of the steep slope. Slope assessments and concerns about erosion have been the subject of regular testing by the City of London since 2010.

E. Loss of Revenue to Eldon House

Construction of the proposed 40-storey tower at 435–451 Ridout Street North is estimated to take in excess of three years. As the development's closest neighbour, the potential loss of mainstream revenue to Eldon House over this extended period of time could be catastrophic to the museum's financial stability. Outdoor special events,

including Eldon House's pivotal Summer Tea Program, are essential to the museum's funding model. As well, the museum relies on tour donations and year-round public programming events for revenue generation, but experience has shown that tourists and locals are unlikely to seek out these activities in their usual numbers amid a major construction zone.

F. Reduced Visitorship to Eldon House

i. Impact of reduced attendance on funding

In addition to the revenue generated by attendance, sustaining attendance numbers is also vital to meeting targets identified in the Strategic Plans of both the City of London and Eldon House. In fact, maintaining our visitor targets is needed to qualify for essential external funding, including a cornerstone Community Museum Operating Grant received annually from the Province (CMOG). As such, Eldon House would require extraordinary funding to remain viable during the three-year construction period.

ii. Road closure and parking impact

As well, roadway and sidewalk closures in the surrounding area, due to construction, will have an impact on accessibility to Eldon House by patrons. Located in the downtown core with no dedicated parking lot, Eldon House visitors rely on street parking spaces in the immediate area to access the museum when traveling by car. A potential reduction in available parking due to construction and road closures will further impact accessibility. Related sidewalk closures will also affect walk-in traffic from the community, in particular during key events like our Canada Day celebration and Doors Open weekend, which both generate high volumes of walk-in visitors in the downtown district. As visitorship is identified as a key strategic priority for Eldon House by the City of London, any reduction in attendance during the construction of the tower may also have long-term impact on future external funding.

iii. Lack of positive impact on visitorship

Also, based on past development experience, our Board wishes to dispel any potential suggestion that having more residents eventually living nearby to Eldon House will result in increased museum visitor numbers. Such an outcome was promised when The Harriston apartment was built across the street at 500 Ridout Street North. Since The Harriston was completed more than a decade ago, no positive impact on visitorship has come to pass.

Long-Term Impacts

As a result of the 2008 development of the adjacent high-rise apartment tower called The Harriston, it is important to note that Eldon House has since been living with several of its long-term impacts. Therefore, as The Harriston is only 23 storeys, and the new development is to be 40 storeys, it is anticipated the heritage museum will be even more significantly impacted by the following factors.

A. Altered Wind Patterns

The wind patterns in London's core have already been altered by growing high-rise construction in the Ridout Street area, causing stress on Eldon House, its carriage house, greenhouse and heritage trees. Trees on the Eldon House property are currently under stress and the increased loss of tree limbs in the last two years has caused damage to the exterior of the house museum.

As a further example of wind impact, in June 2018, a cigarette butt — fanned by high winds — caused a significant fire on the grounds of The Harriston, causing destruction of all gardens and irrigation at that location. The same could have just as easily happened at Eldon House.

Fire Risk

According to a Risk Assessment prepared in 2010 by the Canadian Conservation Institute of Canada, fire is the primary risk to Eldon House.

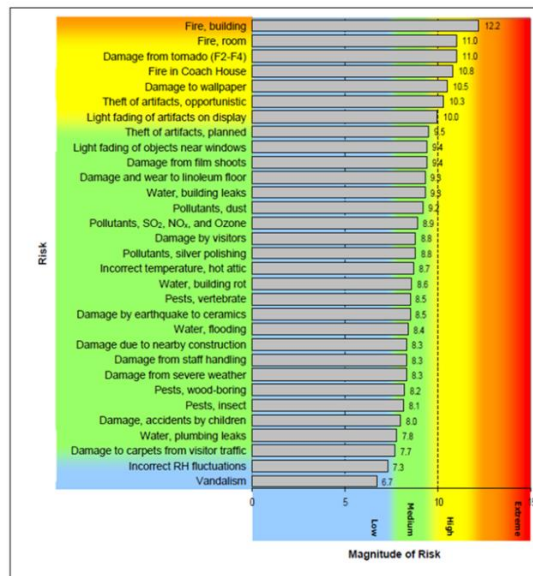


Figure 2. Preservation risks at Eldon House in order of decreasing magnitude of risk.

Its wooden frame and wood clad structure have well-seasoned wooden elements and its roof is covered in wooden shingles. Debris, such as cigarette butts from above (as evidenced by Eldon’s House’s tracking documentation), coupled with increased wind patterns caused by a corridor of high-rise buildings, are of significant concern to the museum.

C. Increased Shade

The vast impact of shade patterns on Eldon House property is of huge concern, both to the gardens and historic building. As evidenced since the erection of The Harriston apartment, increased shade has altered the appearance and planting of the gardens at Eldon House. Now, several species of plants that are not shade-tolerant will potentially be lost. Most significantly, heritage plants dating from the 19th century, which are part of the Eldon House catalogued collection, are at greatest risk.

Increased shade will also have an impact on the exterior maintenance of the buildings on the Eldon House site, as corresponding dampness will affect the wooden and painted finishes of built components. Increased shade will also impact the City’s future life cycle renewal plans for the site, as the frequency of repair and maintenance will inevitably increase.

D. Grounds and Gardens Impact

The grounds and gardens of the Eldon House site are a unique draw for visitors, community groups and horticultural organizations. Increased shade, caused by the introduction of a high-rise of the proposed magnitude, will dramatically impact the museum’s gardens and the site’s created ecosystem, including large numbers of birds and bees. As well, the development will further isolate Eldon House and its grounds from its surrounding environment.

E. Damage from Above

Again, since the adjacent development of The Harriston at 500 Ridout Street North in 2008, damage to Eldon House has regularly been incurred, due to projectiles originating from residential balconies above. Causing most damage are glass bottles through the greenhouse roof. When a new roof was installed on Eldon House in 2017, construction workers found a great deal of debris and shingle damage caused by objects either being dropped or thrown from above. Applying this same impact to the proposed building at 435-451 Ridout Street North, the greater height of 40 storeys will generate a significant force on falling objects, which is of concern to the preservation of the Eldon House garden and structures, along with the safety of its staff and visitors. In this context, the presence of balconies on the tower’s north side registers as a specific concern and a considerable hazard risk to the heritage site.

Heritage Designation Impacts

A. Heritage Impact Assessments and Conservation Plans

Furthering our concern for the protection of heritage, it is evident several cited impacts to Eldon House regarding the proposed FHC development align with key categories of impact previously outlined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries for other cultural heritage resources. Specific reference to five of these categories can be found on Page 3 of the Ministry's Heritage Impact Assessments and Conservation Plan on Info Sheet #5. Specific sections corresponding to each of these categories are listed in brackets below.

- i. Destruction of significant heritage attributes or features (1 A. B.; 2 A.B.C; 4 A. potential structural damage to Eldon House)
- ii. Isolation of heritage attributes from its surrounding environment (1 C. loss of Revenue/visitorship to EH during construction; 3 A. Eldon House Easement and Infringement landscape and contextual value; 4 B. historic character of immediate area)
- iii. Land disturbance such as change in grade that alters soils and drainage patterns (1 D. during construction)
- iv. Shadows created that alter the appearance of a heritage attribute change the viability of a natural feature or plantings, such as a garden (2 D.E. grounds and garden impact and shade)
- v. Direct or indirect obstruction of significant views or vistas (4 B.)

B. Heritage Easement and Listing Infringements

Eldon House is considered a significant heritage building by the province and municipality, and as such, conforms to several stipulations. In the Ontario Heritage Trust's Statement of Significance for Eldon House, two defining elements will be impacted, should construction of a neighbouring tower go forward. Specifically, they are: 1) a connection to the heritage district of Ridout Street, including Bankers' Row at 435–451 Ridout Street North and the historic Courthouse at 399 Ridout Street North, and 2) the landscape value connected to an unobstructed link with the Forks of the Thames River. The following are excerpts from the Ontario Heritage Trust's statement of significance:

Landscape Value

As Eldon House was constructed adhering to the picturesque movement and Regency style, it fosters a connection with the local surrounding landscape. The house is situated on a romantic setting, surrounded by a manicured lawn with trees, pathways and gardens. The house was originally situated on an 11 acre (4.45 hectare) scenic property, on the edge of a steep river bank overlooking the Thames River and lower floodplain area. The lower floodplain property which originally was a vegetable garden [for the family] is now Harris Park. A buff-brick carriage house, greenhouse and 1920s rock garden with pond and fountain are also situated in the landscape.

Contextual Value

Eldon House is situated in the oldest district of the City of London. Just to the south on Ridout Street North, Middlesex County Court House (1827) was constructed, with the help of John Harris and whose office was located in the building. Ridout Street North was the original roadway through London, and is now where some of the oldest historic buildings reside, including Banker's Row (1835-1864). Beginning in the 1850s and 1860s, numerous large residences were built north of Eldon House on Talbot Street and were occupied by London's business and political leaders.

Potential Impacts to the Wider Area

A. Structural Stability, Fire and Other Physical Risks

Structural damage from construction vibration, damage from falling objects and an increase in fire risk due to sparks are all concerns for Eldon House and the significant architectural resources in Bankers' Row (The Labatt Restoration). In addition to concerns for Eldon House, there is also risk of potential damage to the buildings of Bankers' Row, through demolition by neglect, both prior to and during construction. The

September 24th, 2018 fire in the southernmost building of Bankers' Row (435 Ridout Street) is a reminder that these heritage buildings are extremely vulnerable to fire.

B. Historic Character of the Immediate Area

As the architectural design of the tower project evolves due to various pressures, there is potential for heritage considerations to be forgotten or marginalized in the process (e.g., if the current plan of matching the colour and bond of the bricks on the Bankers' Row Buildings is set aside or any changes in design that would compromise the view of Bankers' Row from the north). Similarly, it would be important to avoid unsympathetic conservation measures to Bankers' Row (e.g., use of inappropriate replacement materials), or damage to the spolia (collection of architectural fragments) in the southwest corner of the current parking lot behind 435–451 Ridout Street North.

C. The Amenity of the Immediate Area

The location, massing and 40-storey height of the tower are all relevant factors impacting this heritage area. As well, the development's close proximity to Eldon House has great potential to nullify a sense of "being in a heritage garden," while on the museum's south lawn. The tower is expected to affect views from the Eldon House gardens, porch and windows, and impact the view of Eldon House from Harris Park and from other sides, including the sidewalk along Bankers' Row. Similarly, the tower will alter the historic vista looking up the hill from the Forks of the Thames. And, there will be a view of the underground parking drive from the south garden of Eldon House.

The development will also have an effect on the view of Eldon House from Harris Park, and from other sides, including the sidewalk in the area of Bankers' Row. There will similarly be an impact on the historic vista looking up the hill from the Forks of the Thames. Therefore, consideration for these viewsheds is worthwhile, especially retaining visibility of as much of Bankers' Row as possible from the south and west.

Meantime, this proposed FHC project cannot be considered in isolation. Any large-scale development proposals in the wider downtown district must also be considered in the context of the core's "high-rise building boom" (The London Free Press, July 5, 2019). To this end, the FHC project joins several other proposals that include, but are not limited to, these recent announcements: 1) York Developments' plans for the Middlesex-London Health Unit lands on King Street; 2) York Developments' three-tower proposal at St. George and Ann Streets; and 3) Old Oak Properties' plans, backed by the Federal Government, for a 40-storey development at Talbot and Fullarton. As well, the potential for another future development on the FHC parking lot surrounded by Fullarton, Ridout, Queens and Talbot should also be considered.

Summary

Against the backdrop of extensive heritage impacts outlined in our submission, we acknowledge that high-density development will continue to happen in downtown London and we do not seek to stop it. In fact, we support the principle of building up on existing sites, as outlined in the London Plan. However, we ask that this FHC proposal and any development in proximity to key downtown heritage properties proceed with genuine respect for the value of built heritage, in particular Eldon House and the Bankers' Row streetscape. As designated sites, these are priceless legacies we leave for future generations.

Meantime, as heritage stewards amid a modern and ever-changing city, our collective goal is for Eldon House and its lovely gardens to remain a place of beauty, tranquility and opportunity. Eldon House is indeed the hub of London's history launched at the Forks of the Thames and a key stakeholder in nearby development. As such, our Board and Staff appreciate being consulted and look forward to ongoing liaison regarding this pivotal matter, through the signatories below.

Signed and submitted by,

Mark Tovey, PhD, Eldon House Board Chair

Tara Wittmann, Eldon House
Curator Director

On behalf of the Eldon House Board of Directors

Joe O'Neil, Vice Chair
Manosij Majumdar, Treasurer
Theresa Regnier, Secretary
Maureen Spencer Golovchenko
Rebecca Griesmayer
Mike Donachie
Louanne Henderson

From: Sarah Mastroianni
Sent: Sunday, January 26, 2020 11:29 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] 435, 441 and 451 Ridout Street North

Hello Catherine,

I'm following up on my call to you on Friday morning, regarding the zoning and development application that encompasses 441 Ridout Street, where Blyth currently rents space.

If you could please add me to the list to receive updates on the progress and development of this application, I would greatly appreciate it.

Please let me know if you need anything further from me in order to do this.
Thank you,

SARAH MASTROIANNI
BLYTH EDUCATION

I am writing on behalf of the London and Middlesex Historical Society to express our concern over the proposed development of a 40-story residential tower near the corner of Ridout Street and Queens Avenue by Farhi Holdings Corporation. While the Society is extremely grateful for the care that has been taken in the proposal to preserve the three important heritage properties adjacent to the tower, as well as to address the needs of Eldon House, our concern is over the 40-story height of the tower, which is scheduled to appear next to another important heritage site, Harris Park.

On page 12 of the proposal developed by the Corporation, Harris Park is listed as a Designated Part V Downtown Conservation Heritage District. This designation was adopted by the Municipal Council in 2012 and fell under Part V of the Ontario Heritage Act in 2013 which means that Harris Park is considered to be as central to London's history and is as much of a heritage site as Victoria Park. Therefore we believe that Harris Park deserves the same degree of consideration as has been granted to Victoria Park. Although today both parks are used for a variety of purposes that benefit London's citizens throughout much of the year, city council recently drafted recommendations to limit the height of all future buildings to be erected adjacent to Victoria Park in order to maintain the ambience of this park. In keeping with these recommendations, we believe that similar thought needs to be given by the council to the height of the proposed residential tower which could also negatively impact the ambience of Harris Park. While we do not wish to discourage the Corporation from constructing a tower on this site, any means that can be enacted to reduce the height of this tower by 10 to 15 stories would be very much appreciated.

One way to achieve our goal would be to increase the current size of the footprint for the tower as given on the site plan submitted by the Corporation. As shown on the plan, immediately to the south of the tower there is a reasonable amount of land owned by Farhi which does not impinge upon designated flood plain territory. If the footprint is

enlarged in this direction, it should be possible to reduce the height by our requested amount without any loss in the number of apartments proposed by the Corporation.

Thank you for your consideration.

Sincerely

Marvin L. Simner
Board Member, London and Middlesex Historical Society
Chairman of the Publications Committee

From: Ron Coristine
Sent: Friday, May 14, 2021 1:06 PM
To: Kayabaga, Arielle <akayabaga@london.ca>
Subject: [EXTERNAL] 435-451 Ridout Zoning Amendment

Dear Arielle

The proposed building is partially on the floodplain. How is this building even a consideration? It's 2021 and we are into climate change. Is there any clear information on how flooding will be mitigated?

Thank-you for your attention.

Ron Coristine
500 Ridout St. N.
London

Agency/Departmental Comments

January 2, 2020: 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. Above-grade transformation is required. London Hydro may require a easement. **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 easement.

February 10, 2020: Engineering

Engineering comments are as follow:

General:

- Comments below are to be read in conjunction with comments provided as part of SPC process for above site, see attached.

Stormwater:

In addition to comments provided as part SPC process, the following comments apply to the site:

- The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- This site plan may be eligible to qualify for a Stormwater Rate Reduction (up to 50% reduction) as outlined in Section 6.5.2.1 of the Design Specifications and

Requirements manual. Interested applicants can request more information and an application form by emailing stormwater@london.ca.

- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- Additional SWM related comments will be provided upon future review of this site.

Sewers:

- The existing heritage buildings are currently connected to the local 200/250mm sanitary sewer on Ridout Street which outlets to the 790mm egg shaped sanitary sewer on Ridout Street. SED has no concerns from a dry weather capacity perspective.

Water

- Water Engineering have no objections to the Zoning By-Law Amendment application; previously provided water comments to the site through SPC19-108 remain applicable (see attached).

Transportation:

In addition to comments provided as part SPC process, an updated TIA is required to address the following comments:

- The TIA does not match the number of units being purposed in the OPA, & ZBA amendment (TIA uses 182 units, purposed is 280), unit count should match what is being sought
- Similar to above commercial floor area contained in the TIA for trip generation should match the proposed contained in the OPA, ZBA.
- Please provide the fitted curve equation used to calculate trip generation
- Trip distribution should be updated to recognise the conversion of Ridout Street to two way travel as per the RT EA
- A right in right out access located immediately north of the Queens Avenue and Ridout Street intersection is not supported as it falls within the functional area of the intersection this is to be removed and is consistent with comments previously provided as part of the TIA scoping, pre-zoning, and site plan consultation.
- The 2026 analysis should be revised recognising the two way conversion of Ridout street purposed in the RT EA (also identified as part of TIA scoping)
- A road widening of 0.692m is required to achieve 10.75m from the centerline. Please provide 33R plan of required dedication.

February 12, 2020: London Advisory Committee on Heritage (LACH)

C. Lowery, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research, assessment and conclusions of the Heritage Impact Assessment (HIA) associated with the proposed development at 435, 441 and 451 Ridout Street North as the HIA has not adequately addressed the following impacts to the adjacent and on-site heritage resources and attributes:

- the HIA is adequate as far as history of the subject lands is concerned, however, insufficient consideration has been given to the importance of the subject lands and adjacent properties to the earliest beginnings of European settlement of London;
- the HIA gives inconsiderate consideration to the importance of the on-site buildings being representatives of remaining Georgian architecture;

- the HIA gives insufficient consideration given to London's Downtown Heritage Conservation District Guidelines (DHCD) and further efforts should be made in reviewing the proposal with the Eldon House Board;
- the HIA gives insufficient consideration given to the impacts on surrounding neighbouring heritage resources (Forks of the Thames, Eldon House, Old Courthouse and Gaol); it being noted that the Historic Sites and Monuments Board of Canada (HSMBC) refers to impacts of the viewscape of the complex as a whole (which is highly visible from a distance) and the DHCD Guidelines state that the historic context, architecture, streets, landscapes and other physical and visual features are of great importance; it being further noted that the DHCD ranks the site as 'A' and 'H' which require the most stringent protection and new construction should 'respect history' and 'character-defining elements' should be conserved and it should be 'physically and visually compatible';
- the HIA gives insufficient consideration to views and vistas associated with proximity between the new building and the existing on-site buildings (no separation); it being noted that the 'heritage attributes' of the Ridout Street complex include its view and position and the HIA gives insufficient consideration to the visual barrier to and from the Thames River and Harris Park; it being further noted that views, vistas, viewscapes and viewsheds are recognized as important heritage considerations in the statements of the DHCD and HSMBC documents and the designating by-law;
- the HIA gives insufficient consideration to impacts of the proposed building height on both the on-site and adjacent heritage resources; it being noted that the proposed 40 storey height minimizes the historical importance of these buildings; it being further noted that the shadow study does not adequately address the effect on Eldon House, including its landscaped area, given that the development is directly to the south;
- the HIA gives insufficient consideration to the potential construction impacts to on-site and adjacent heritage resources; it being noted that, given the national importance of the subject lands, it is recommended that Building Condition Reports and Vibration Studies be undertaken early in the process to determine the feasibility of the development;
- the HIA gives insufficient consideration to the transition/connection between the tower and the on-site and adjacent heritage resources; it being noted that the LACH is concerned that the design of the 'base, middle and top' portions of the tower fail to break up the development proposal and have little impact on its incongruity;
- the LACH is of the opinion that the use of white horizontal stripes on the tower structure does not mitigate the height impacts and the 'curves' detract from the heritage characteristics of the on-site and adjacent heritage resources, also, the proposed building materials, with the exception of the buff brick, do not adequately emphasize differentiations with the on-site heritage resources (notably the extensive use of glass); and,
- the HIA gives insufficient consideration to how the existing on-site heritage buildings will be reused, restored and integrated as part of the development proposal;

it being noted that the Working Group Report appended to the 3rd Report of the London Advisory Committee on Heritage, with respect to the tower proposal at 435, 441 and 451 Ridout Street is included to provide further information;

LACH Working Group 435, 441, and 451 Ridout St – Tower Proposal

General Comments: The proposal fails to adequately reflect or consider the very high importance of this site to the history of London and its remaining heritage properties. This is London's 'stellar' site in an area that saw the earliest beginnings of London. Far more proper understanding and acknowledgement of this should have required, at the least, consultation among heritage groups, professionals and the people of London to change this very important site.

The existing buildings are not only of hugely significant importance to London's history, but are architecturally distinguished, comprising part of London's almost entirely lost 'Georgian architecture'. Surmounted (in views) by a glass tower, they would lose most of this distinction.

This proposal requires multiple zoning amendments regarding height and use which would alert the community to the incompatibility of this application. The education component is a current and historic use of the buildings. The height of construction on this site is zoned to the height of the existing buildings – this requires a variance to a height just over 10 times higher than an existing National Historic Site. How can this tower 'provide for continuity and harmony in architectural style with adjacent uses that are of architectural and historical significance'? The height totally overwhelms and impacts the 'heritage attributes' of these heritage properties.

The *Downtown Heritage Conservation District Guidelines (DHCD)* have also frequently been ignored.

Furthermore as this is a National Historic Site, so there should have been far more consultation with the *Historic Sites and Monuments Board (NHSM)* and their standards and guidelines.

The HIA statement is adequate as far as history is concerned, but there is little correspondence between this and the plans for the proposal itself which does not adequately cover the issues and frequently fails to answer the questions it asks. There are no proper renderings of how this proposal would fit within the historic surroundings and a lack of acknowledgement of the historic nature of the site. There should be a 'view study' including historic views or paintings of the Forks for instance. It lacks terms of reference and – in the absence of any Tall Buildings guidelines in London – does not have any proper oversight.

Constant iterations of the fact that the historic buildings will be conserved are misleading – they will be severely compromised by this adjacent development.

Specific Comments:

Context: This is one of the major issues: the site next to the place where London was founded at the Forks of the Thames. It is flanked by the historic properties of Eldon House and the Old Courthouse and Gaol – it is in the heart of a very important heritage environment, which it would compromise or destroy. The *NHSM* statement refers to the viewscape of the complex as a whole (which is highly visible from a distance). The municipal Designation documents state that the historic context, architecture, streets, landscapes and other physical and visual features are of great importance.

The *DHCD* ranks the site as 'A' and 'H' which require the most stringent protection. In *DHCD* new construction should 'respect history' and 'character-defining elements' should be conserved and it should be 'physically and visually compatible'. It is hard to see this development as visually compatible in any way. This is not in the Central Business District or the commercial heart of London where it might possibly fit, and it is highly visible from the Downtown and prominent on the cliff of the Thames River banks.

Site and siting: The proposed development is crammed up right behind the historic properties – presumably to get above the flood line. Even so, it is extremely close to this. This also means that the tower is far more visible and obtrusive to the views and vistas.

The 'heritage attributes' of the Ridout St complex include its view and position. This proposal would obliterate those.

The proposal constitutes a barrier to the river visually, physically and psychologically. It serves to isolate the Forks and Harris Park as public, community-wide amenities. It also impinges significantly on the views from the river and the Forks.

In the HIA construction related impacts have not yet been determined. Building Condition Reports and Vibration studies could have already been carried out as the proponent owns the buildings. There should have been a request to, and consultation with, the Eldon House board to facilitate necessary onsite analysis and this should have been shared with the City.

Mitigation measures reference a 40-m buffer between construction and properties but potential impacts need to be determined before the application proceeds.

It is noted that this proposal is sited above the existing flood line. However, climate change may continue to heighten this line. *UTRCA* should be consulted. The HIA also does not consider what threats to the heritage structures and grounds could occur as a result of any intrusion by new development into areas that have or might serve as a stormwater retention/detention area at this critical juncture of the Thames River. It may also impact waters upriver leading to flooding within Harris Park.

Size: The footprint is minimized because of the precarious site, but the height is maximized.

Height: The 40-storey tower is far too high – and would be the tallest building in London. This is not the right place for this. The historical importance of these buildings is minimized and trivialized by the structure, and reduced to a footnote. It is noted that views, vistas, viewscapes and viewsheds are recognized as important heritage considerations in the statements of the *DHCD* and *NHSM* and designation documents.

The ‘new’ and the ‘old’ are not joined or linked in this proposal and the heritage buildings appear only as an afterthought. There are no references in the proposal prepared as to how the existing structures could be restored, reused and incorporated into the overall site.

The shadow study does not adequately address the effect on Eldon House, given that the development is directly to the south and building is butted right up the garden wall. The grandeur of the estate is effected by its lawns, mature trees and ornamental vegetation and the views of visitors and customers of its teas on the lawn and verandah will be severely limited. The proposed development will not just shadow but overwhelm the estate and visitors will be greeted by a wall of glass and a looming modern 40-storey tower.

Before any development proceeds an Arborist Report should be conducted.

Massing/design: There is no transition between the tower and its surroundings. It forms no connections with, or address the heritage attributes of Eldon House in particular. The ‘base, middle and top’ portions of the design, designed to break it up conspicuously fail to do that and have little impact on its incongruity. The base or podium is faced with buff brick does not work in ‘joining up’ and instead overwhelms the heritage structures which should constitute the primary focus at this site.

Materials: The use of white horizontal stripes on the Tower structure does not mitigate, in any way, its height. The ‘curves’ are a poor attempt to add interest. There is no attempt, except for the buff brick,(which can be scarcely seen from the front) to reference the heritage of the existing structures.

The overwhelming use of glass is also not in any way consistent with, or compatible to, the heritage structures in front of it.

Mitigations: The differences in height cannot be mitigated in any way. The report admits there is ‘no one way to mitigate adverse impacts’.

LACH does not recommend the implementation of this proposal.

March 5, 2021: Ecology

- 1) Not enough detail has been provided to identify the total area removed for the development and recognition of their significance as these features are part of the Thames Valley Significant Valleyland, especially given the limited terrestrial habitat in the area.
- 2) Figure 5 does not show the exact area being converted to a restoration area, it was previously discussed to be the excess parking area west of the building, but no indication of this is presented. This needs to be properly identified.
- 3) If this entire area will form a restoration area (and integration with pathway system), this would provide a net benefit for the Significant Valleyland and compensation for the feature impacts. This should be better articulated and highlighted as this is a very positive outcome for this area.
- 4) More details for the recommendations are needed that are standard with any development. Please see previous NRSI reports that have standard recommendation lists that cover the need for restoration plans, tree preservation plans, invasive species management plan, water balance (if needed for features), erosion and sediment control recommendations, wildlife exclusion fencing, recommendations for pre-development actions, during construction, post construction etc.
- 5) Remove reference to the 1994 plant list as this is outdated, NRSI can provide a detailed restoration plan for the varied habitats that will form the restoration area using native pollinator friendly species etc.
- 6) The EIS does not identify bird strikes on this new building as an impact to local breeding populations and migrating populations that use this important corridor. A section is needed that identifies this, is included in the net effects table, and recommendation to incorporate bird friendly design according to accepted standards as part of the building design.
- 7) The environmental management and monitoring plan will need more detail and identify minimum requirements (at a high level, with a detailed plan required as the project progresses). The naturalization area will likely include habitat components that will need to be monitored as well.

March 18, 2021: Environmental and Ecological Planning Advisory Committee (EEPAC)

The 435-451 Ridout Street Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration;

General Comments: 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).

“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).

Recommendation 1: Support the Landscape plan described on p. 24 and the outlined process to identify species to plant and invasive species to remove. All applicable City, Provincial, and Federal regulations must be followed this is a Brownfield site. Ontario Records of Site Condition regulations for Brownfields are here: <https://www.ontario.ca/laws/regulation/040153>.

“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).

Specific Comment 1: The subject property is within floodplain lands considered for the “Back to the River” conceptual plan:

https://backtotheriver.ca/sites/default/files/DIL1501_Back-to-the-River_Final-Book_DIGITAL%20%281%29.pdf 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.

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*)).

“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.

Regarding the site concept (Map 5 – Development Plan):

Recommendation 7: All glass on the exterior of the building up to the 4th floor should either: a) comply with the Canadian Standards Association (CSA) 2019 Bird Friendly Building Design Standard using materials that will reduce the risk of bird-window collisions, or b) meet requirements to be laid out in London's Bird-Friendly Design Guidelines (to be finalized by Development Services in Q1 2021). Priority areas should be facades that face surrounding vegetation. In general, adding lines or dots or some form of pattern on the exterior surface of the glass should suffice.

Recommendation 8: Light pollution could be minimized, particularly on upper floors, by installing light timers and ensuring outdoor light fixtures are cut off (downward-directed).

March 18, 2021: Urban Design

Urban Design staff reviewed the submitted site plan and elevations for the zoning by-law amendment at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and Urban Design Peer Review Panel comments.

- The applicant is commended for incorporating the following into the design of the site and buildings: Retention in situ of the heritage buildings along the Ridout Street frontage; Material on the podium of the building that are in-keeping with the surrounding heritage buildings; a slender point tower design; Locating the tower portion of the building to the south of the podium to increase the spatial separation between the tower and the Eldon House Property; Interesting

architectural design features on the tower that will enhance the downtown skyline and break up the building mass; Terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses; Connections between Ridout Street and Queens Ave to Harris Park that provide new entrance opportunities to further connect the Downtown with the park;

- As this site is requesting a bonus zone, the following site related design issues should be resolved through the zoning process:
 - Design the parking and drop-off areas between the proposed building and the adjacent streets (both Ridout and Queens) as a shared space plaza, using pavers or patterned concrete to tie into the design of the terraces, reduce the amount of asphalt, providing a welcoming entrance to the development, and provide for a stronger connection between the proposed stairs (leading to Harris Park) and the City sidewalks along the streets.
 - Explore opportunities to design the proposed westerly stairway, leading from the west terrace down to Harris Park, as a more naturalized landscape solution to soften the experience and avoid blank brick walls taking into consideration different public uses of the stairs (walking, running, strollers, cycling, etc.) and how the stair design could support these uses to access the park. This stairwell should provide for a grand entrance feature between the proposed development and the Park.

Staff are willing to work with applicant to come up with suitable solutions to the above mentioned comments.

March 19, 2021: Heritage Planning

1. Overview + Proposed Development

The subject lands of this official plan/zoning by-law amendment application (OZ-9157) is a single consolidated property (subject lands) which includes addresses at 435, 441 and 451 Ridout Street N – in total measuring approximately 1.4 ha in area. The subject lands contains three existing heritage buildings (at 435, 441 and 451 Ridout St. N), as well as surface parking. The subject lands is located at the northwest corner of Queens Avenue and Ridout Street N, immediately east of the Thames River corridor and Harris Park, and adjacent to Eldon House and its grounds which are located to the north.

With its adjacency to the Thames River and Harris Park, the naturalized landscape is an important character defining feature of the area surrounding the subject lands. The intersection at the Thames River and Queen's Avenue corridor forms a gateway into the Downtown Core, while the Ridout Street Complex physically and visually links the Middlesex Courthouse and Gaol and Eldon House. The subject lands is also located adjacent to an area colloquially known as 'North Talbot' – which is associated with very early urban development in London.

The proposal is for a 40-storey, mixed-use development (comprising a slender tower and podium) with office/commercial space on lower floors and a total of 280 residential units on the upper floors; underground parking facilities and at grade parking along with outdoor amenity spaces are also included. The proposed development is located to the rear (west) of the existing heritage buildings at 435, 441 and 451 Ridout St. N; the proposal would maintain these 3 existing heritage buildings. The proposed development is physically connected and integrated with the existing heritage building at 451 Ridout St. N. The rear portion of this building – which currently encompasses a three-storey addition – would be removed and replaced with the proposed development. No modifications are proposed to the other heritage buildings addressed at 435 and 441 Ridout St. N (Planning Justification Report, MHBC, July 2019).

Farhi Holdings Corporation is proposing to amend the City's official plan and zoning by-law to support this development. As a requirement of the *Official Plan-1989* (13.2.3.1) and *The London Plan* (Policy 586), a Heritage Impact Assessment (HIA) was submitted by AECOM (November 2019) – on behalf of Farhi Holdings Corp. An archaeological assessment and an HIA were both conditions of a complete application for an official

plan and zoning by-law amendment. The primary purpose of the HIA is to assess the impacts of the proposed development on the cultural heritage value and attributes of buildings on the subject lands. Impacts on the adjacent significant heritage property – Eldon House at 481 Ridout Street N and Harris Park at 531 Ridout Street N – are also to be evaluated, as well as the impacts on the Downtown Heritage Conservation District, the surrounding character of North Talbot and the Thames River (Forks of the Thames). Evaluation of the proposal and its design and compliance with the City's heritage policies and guidelines is a goal of the HIA report. Recommendations to mitigate any adverse impacts that may arise are a critical outcome of the report.

2. Heritage Status and Adjacencies

The subject lands are located within the *Downtown London Heritage Conservation District* (HCD) and designated under Part V of the *Ontario Heritage Act* (L.S.P.-3419-124; June 27, 2013).

- All three (3) properties have historic and landmark significance and are recognized as some of the City's oldest and most historically significant, dating back to as early as c1836.

The subject lands is also individually designated under Part IV of the *Ontario Heritage Act* (L.S.P.-3330-152; registered July 5, 2001).

- 435 Ridout St. N dates from c1836 and is in the Georgian style; it is the earliest commercial building in the City of London (Bank of Upper Canada). All restored elements including portico and fanlight over entryway.
- 441 Ridout St. N dates from c1847 and is in the Georgian style. Referred to as the Labatt Restoration; all restored elements including door and carriageway.
- 451 Ridout St. N dates from c1855 and is in an eclectic style. Referred to as the Anderson House, the structure has been rebuilt and has been restored; interior elements are also part of reasons for designation.

Further, the subject lands are known collectively as *The Ridout Street Complex*. The Complex is listed as a National Historic Site of Canada (NHSC) which formally recognizes Canada's most important historic places. <https://www.pc.gc.ca/en/lhn-nhs>

- The Ridout Street Complex is (1) of (4) NHSC sites in London.
- The Complex “[c]ompris[es] three mid-19th-century residential and commercial buildings, the grouping is representative of the appearance of Ontario cities in that period and of London's early residential and commercial architecture.

The subject lands are also listed on the Canadian Register of Historic Places (CRHP); this list formally recognizes their heritage value by local, provincial, territorial and/or federal authorities. <https://www.pc.gc.ca/en/culture/rclp-crhp>

Finally, the subject lands is adjacent to Eldon House (c1834) and Harris Park at 481 and 531 Ridout Street N, and the Thames River, a heritage designated river. Harris Park is designated under Part V of the *Ontario Heritage Act* (OHA) and is part of the Downtown HCD, while Eldon House individually designated under Part IV of the OHA, and also located within the Downtown HCD.

3. Policies

Heritage resources are to be conserved and impacts evaluated as/per fundamental policies in the *PPS-2020*, the *Ontario Heritage Act*, the London *OP-1989* and *The London Plan*. The subject lands are designated both individually and as part of the Downtown HCD, and are as such, subject to policies under Part IV and Part V of the *Ontario Heritage Act*.

In 33(1) of the OHA, concern is directed to alterations to the property that are likely to affect the property's heritage attributes. The proposal indicates that no modifications are planned for 435 and 441-447, however, as designated buildings on the subject lands, an HIA should evaluate potential impacts to heritage attributes on these properties. 435 Ridout St. N is a 2-storey, Georgian style white brick building with a stone foundation. Additional attributes include parapet gables, an Adamesque doorway with side and upper fan lights, and classical porch. 441-447 Ridout St N consists of two, 3-storey,

Georgian style white brick structures with a central carriageway. Additional attributes include corbelled parapet walls, cornice with dentil work, and doors with transoms. 451 Ridout St. N is a 3-storey, Victorian Eclectic brick building with a stone foundation. Additional attributes include a Georgian arched front doorway with side lights and transom and mullioned windows on the third floor. Note that significant modifications are proposed to 451 Ridout St. N, with the removal of a sizable, contemporary rear addition leaving the west, rear wall of 451 Ridout St. N open, and necessitating restoration. Presently, it is unclear if new development directly abuts the existing heritage building (to provide a physical interior connection), or if the two remain completely separated.

In 41.2(1) of the *OHA*, focus is on consistency of alterations/new development with the objectives of heritage conservation district plans. More specific area-based policies and guidelines – part of the *Downtown Heritage Conservation District Plan (DWTN HCD Plan)* – contain both; 1) policies establishing intention, and 2) specific guidelines that provide direction how to achieve conservation of resources, attributes, and character.

One of the goals of the *Downtown Heritage Conservation District Plan* is to “influence the renovation or construction of modern era buildings so that it is done with regard to the District and complementary to the character and streetscape” (3.2.1). This supports policies in *The London Plan* including to “encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City’s heritage resources” (*The London Plan*, 554_3). To achieve this, development should be distinguishable but also compatible with the heritage character of the Downtown Heritage Conservation District. An additional goal relevant to this application is to “[e]ncourage the rehabilitation and restoration of heritage buildings that is sensitive and respectful to the historical significance of the structure.” (3.2.1)

Principles outlined in Section 3.1 of the *DWTN HCD Plan*, establish heritage fundamentals derived from *The Venice Charter* (1964). One of these heritage principles – particularly pertinent to this application – is the importance of preserving the traditional setting. A building is intimately connected to its site and to the neighboring landscape and buildings, requiring its neighbours to illustrate the original design intent. When buildings need to change there is a supportive setting that should be maintained (p3.8).

To support and implement goals and objectives of the *DWTN HCD Plan*, select policies most pertinent to this application include the following:

- “The design of new development, either as infilling or as additions to existing buildings, should complement the prevailing character of the area;” (*OP-1989*, 13.3.6 ii)
- “Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.” (*The London Plan*, 554_3)
- “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*.” (*The London Plan*, 587_)
- “Within heritage conservation districts established in conformity with [*The London Plan*], the following policies shall apply: 1. The character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district. 2. The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area.” (*The London Plan*, 594_)*
- “[N]ew construction shall ensure the conservation of character-defining elements of the buildings it will neighbour, and also the building being added to when considering additions. New work is to be made both physically and visually compatible with the historic place while not trying to replicate it in the whole. The new work should easily be decipherable from its historic precedent while still complementing adjacent heritage buildings.” (*DWTN HCD Plan*, 6.1.4.1 and 6.1.5)
- Create new additions or related new construction so that the essential form and integrity of an historic place will not be impaired [...].” (*DWTN HCD Plan*, 6.1.5)

More specifically, Sections 6.1.4. and 6.1.5 of the *DWTN HCD Plan* outline heritage guidelines for new and infill construction. Those most relevant to this application are as follows:¹

- Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns. (p6.39)
- New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the streetscape. (p6.39)
- Horizontal rhythm and visual transition between floors [should be] articulated in the façade design. String courses, changes in materials, and a shift in the proportion of glazing [should be used to] illustrate a change in use between the commercial first story and upper residential.
- New and renovated buildings must enhance the character of the street through the use of high-quality materials such as brick, stone and slate; stucco should be avoided as it is not a historically relevant material for the district. (p6.39)
- Detailing should add visual interest and texture. (p6.40)
- One-storey commercial faces must characterize new and renovated buildings. Storefronts that have a 2-level or greater presence on the street should be avoided. (p6.40)
- New buildings should respect the significant design features and horizontal rhythm of adjacent buildings. Blank façades are not permitted facing main or side streets (excluding lanes), without exception. (p6.40)
- New and renovated buildings must be designed to be sympathetic to the district heritage attributes, through massing, rhythm of solids and voids, significant design features, and high-quality materials. (p6.40)
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line, with no side yard setbacks fronting the major streets of the HCD. (p6.41)
- Façades must be a minimum of 2 storeys and no more than the permitted maximum height of 18 metres. Above these heights, it is recommended that buildings be setback from the building line at setback of 2 metres for each two metres of height. [...]” (p6.42)
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line. (p6.42)
- New and renovated buildings must build the full extent of the property width fronting the HCD streets. However, double lots must maintain the visual rhythm of single lots by breaking up their façade in some manner. (p6.42).
- Up to 80% glazing is appropriate at-grade; second levels and above should approximate 50% glazing, with not more than 75% glazing, and no less than 25% glazing. (p6.40)
- The floor to ceiling height of the ground floor façade must be consistent with the predominant heights of buildings and respect the scale of adjacent buildings. (p6.40)

Assessment of potential impacts to significant adjacent properties, areas or features, is also considered in a heritage impact assessment (HIA). With respect to this application, this includes Eldon House and Harris Park, the area of North Talbot, and the Thames River – Forks of the Thames.

The Eldon House property is located adjacent to the subject lands – directly to the north. The property consists of a two-and-a-half storey wood house constructed in 1834, with a pyramidal roof with a flat top, a coach house, a green house, and a landscaped garden. In addition to these general heritage attributes, conservation of the following attributes include: an enclosed wood veranda; enclosed brick chimneys; an estate setting emphasized by landscaping and landscape features; and, siting of the property on the southeast corner of Harris Park. Harris Park is a public park located adjacent to the subject lands – to the west and north – and intersected by the Thames Valley Parkway. The park is known for its mature trees on its east side, and a greensward on the west side to the river’s edge.

The North Talbot area has been prioritized for a potential, future HCD as a mid-Victorian neighbourhood. It is located adjacent to the subject lands – to the north and east,

spanning generally from Fullarton to Oxford Streets, and from Ridout North to Richmond Streets. Although not currently designated as an HCD, compatibility of the proposed development with the character of North Talbot should be a consideration. Policy (598_) of *The London Plan* recognizes the importance of evaluating impacts of development and conserving district attributes when development occurs adjacent to a heritage conservation district. The recently prepared *Cultural Heritage Inventory of North Talbot* (Oct 2020) notes the importance of this adjacency with 435-451 Ridout St N and Eldon House sharing many characteristics with the former and current built fabric of the North Talbot Study Area (p14).

Finally, the subject lands is adjacent to the Thames River and is positioned at the key Forks of the Thames. The Thames River has played a vital role in the City of London's history and is recognized as an important heritage river in southwestern Ontario. It is an integral part of the City's current and future vision and is an important cultural heritage resource. The Thames River and its Forks have been identified as strategic areas in the *One River Master Plan* (Jun 2019) and *London's Downtown Plan* (Feb 2015). The strategic direction most relevant to this application relates to 'reconnecting with the Thames'. Strategies include enhancing views and physical connections to the river, providing improved pedestrian access linkages and activating the river edge for public use and enjoyment. A development of this size and magnitude located at this juncture, will have an impact on this strategic direction.

4. Heritage Staff Comments – Heritage Impact Assessment (HIA)

The current heritage impact assessment (dated Nov 2019) was reviewed by staff and was determined to be sufficient to satisfy heritage requirements for a complete application for this official plan/zoning by law amendment request (OZ-9157). This HIA represents a significant update from one previously submitted (Dec 2018). Several heritage staff memos have already been prepared – dating from Jun 2017, Feb 2018, Aug 2019. These past memos reflected general comments around: opportunities for the proposed development to enhance and support the area in which it is situated; the compatibility and sensitivity of the proposed development within the surrounding area; how the character defining elements of buildings on and adjacent to the subject lands will be conserved; and, the nature of the interface of the proposed development with heritage buildings on the subject lands. Heritage staff comments that follow are a more detailed extension of ones previously provided with reference to contents of the heritage impact assessment (HIA) and applicable heritage policy, and with particular attention to how potential adverse impacts to heritage designated properties and resources on and adjacent to the subject lands as a result of the proposed development are to be mitigated as/per the HIA.

Heritage staff's comments are organized around these issue areas: 1) general compliance with of the proposed development with the Downtown Heritage Conservation District Plan (DWTN HCD Plan); 2) integration and interface of the proposed development with the existing heritage buildings at 435-451 Ridout St. N; 3) conservation of heritage resources and mitigation of development impacts; 4) potential impacts of the proposed development on Eldon House; and, 5) implications and potential impacts of the proposed development on strategic directions related to the Thames River (Forks at the Thames).

4.1 Compliance with Downtown Heritage Conservation District Plan

The HIA describes that the location of new development/tower on the subject lands is said to have been determined to minimize impacts on the site, and that positioning is intended to complement, and be sympathetic to, the character of these heritage buildings (p24, 27). Heritage staff has some concerns regarding the very close proximity of a 40-storey development to the heritage buildings on the subject lands and the ability of any development of this scale to be compatible with 2-3 story mid-19th century brick buildings in the surrounding area. However, heritage staff does recognize the stated limitations of the subject lands and the "prevailing high-rise environment that already exists in the downtown" (HIA, pp32-33). As well, there have been efforts in the design approach to be sensitive to heritage scale and character through a developed podium (bringing the scale down at grade to that of the heritage buildings), the use of an architectural vocabulary that relies on a base, mid-section and cap supporting a

pedestrian scale at the street level, and employing a sympathetic colour palette. Many of the guidelines in the *DWTN HCD Plan* – specific to new and infill construction have, to some extent, been incorporated in the proposed design (6.1.4, 6.1.5). Issues remain around compliance with the *DWTN HCD Plan* mainly at the policy level – around ensuring conservation of the heritage resources (and associated attributes) on, and adjacent to, the subject lands.

4.2 Integration of Heritage Resources with New Development

The HIA states that “it is understood that the buildings on the subject site will be integrated into the proposed project” (p36). At this point, the extent of integration consists primarily of retention of the buildings with construction of the new development at the rear and a developed podium feature. However, details are lacking regarding the extent of this podium, and the specificity of how this interface will be handled between the rear of 451 Ridout St. N and the new development. Design drawings indicate a direct, physical connection and even entrance doors at the rear of 451 Ridout St. N to the new development. The HIA so far as mentions that some transition will need to be planned, in order to facilitate the connection between the old and new structures”, but goes on to state that, “at this time, no alterations to the interior [...] of 451 Ridout are anticipated” (pp35-36). There is a lack of clarity of design intention and details of how the interface is to be handled; these details are critical to evaluating and mitigating potential impacts to 451 Ridout St. N.

If – when – and how – the heritage buildings on the subject lands will be integrated is completely unknown at this time. A key recommendation from the HIA is that: “[d]etails related to the exterior design, the streetscape character, and the future re-use of the heritage structures should be considered in depth as a part of the proposed project in order to mitigate impacts and conserve the cultural heritage value of the property” (p i). Addressing this integration and interface early on though, is critical to the conservation of the cultural heritage value of the property and buildings on the subject lands. Heritage staff will require more detailed information to demonstrate there will be no adverse impacts to heritage designated properties and resources on, and adjacent to, the subject lands as a result of the proposed development as well as how impacts are to be mitigated. The HIA already suggests that additional studies will be required (p49) including a(an):

- Condition Assessment Report(s) re: retention of structural integrity
- Vibration Study/Monitoring Program
- Construction Buffering and Protection Plan
- Conservation Plan
- Arborist Report

Findings and recommendations from the above studies may have implications on the design and buildability of the proposed development.

4.3 Conservation of Heritage Resources and Mitigation of Development

The proposed development retains the (3) existing heritage structures located on the property at 435, 441, and 451 Ridout Street N. This is a necessary and positive step towards conservation of cultural heritage resources on the subject lands, but it is only the initial step and only one aspect to achieving conservation. As/per the *Provincial Policy Statement (PPS-2020)*, the development proposal must demonstrate that significant heritage resources and attributes have been conserved (2.6.1). Specifically, ‘conserved’ means, “the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained.” Derived from the architect’s project description, the HIA outlines an approach for how conservation is being achieved for this proposal:

“The three heritage buildings will remain intact and preserved in their entirety in keeping with the heritage designations that protect them. The sitework at street level both along Ridout Street and Queens Avenue will be enhanced with hard and soft scape features that will complement the significance of these three historic gems. Very special attention and measures will be afforded during the construction to absolutely ensure that the integrity and all architectural features of

435, 441 and 451 Ridout St. N remain preserved in their found state. 435 Ridout St. N will have its windows re-instated (lost in a fire) in keeping with the architectural style and period of its original construction. When the early 1970's addition is removed from the west face of 451 Ridout St. N, it will be replaced with new construction that ensures that 451 Ridout St. N remains intact and fully historically correct on the interior" (p24).

Heritage staff supports this approach with additional clarification to establish that:

- alterations to the exteriors of the heritage buildings at 435 and 441 Ridout St. N are not anticipated as a part of this project; heritage attributes outlined in the designating by-laws will be conserved.
- alterations to the exterior of 451 Ridout St. N are anticipated due to the removal of the contemporary addition at the rear-west exterior wall, and the abutment of the new development to the original heritage building.
 - during restoration of the rear-west exterior wall of the building, heritage attributes outlined in the designating by-law will be conserved.
 - the rear-west exterior wall face will be replaced with new construction that ensures that 451 Ridout St. N heritage resources and attributes are conserved and that the interior remains intact and fully historically correct (p24).
 - demolition approval will likely be required for removal of the addition at the rear.
- any alterations to protected heritage elements as described in the designation by-law for 435, 441 and 451 Ridout St. N will require a heritage alteration permit (HAP).

Heritage staff supports the identification and mitigation of impacts noted in the HIA that recommend that:

"analysis of detailed impacts to the heritage buildings on the subject property and adjacent properties related to vibration and other construction practices [] be documented and assessed by a qualified structural professional, and mitigation recommendations identified prior to commencement of excavation on the site, as well as a strategy for dealing with unanticipated impacts as a result of vibration during construction" (p44).

Heritage supports these recommendations with additional clarifications to establish a:

- vibration monitoring program be established during construction which may include a preconstruction vibration assessment to identify a benchmark for impacts, and post-construction, to identify whether impacts have occurred; or if a 50 metre buffer area around the cultural heritage resource is not feasible given the construction requirements and site constraints, prepare vibration studies by a qualified engineer to determine the maximum acceptable vibration levels, or peak particle velocity (PPV) levels and the appropriate buffer distance between project activities and the cultural heritage resource.
- buffering/protection plan and protocols 40 metre buffer, or the maximum possible, between construction activities and structures identified as cultural heritage resources during the construction phase.

Of critical importance, heritage staff recommends that a detailed assessment of the current status of the general condition and structural state of buildings on the subject lands be conducted as soon as possible to establish the feasibility of the proposed construction activity, with particular attention to potential impacts of underground parking located adjacent to foundations of the heritage buildings. Subsequent assessments should follow during and post-construction to assess potential impacts to the heritage buildings which may be long lasting and require conservation measures.

4.4 Impacts + Mitigation – Eldon House and Harris Park

Potential indirect impacts to Eldon House and Harris Park are noted in several places in the HIA. These include diminished views of the sky from the south side of the house and park, increased shadowing, and potential impact on the health of mature and ornamental vegetation on the property (p12). Conclusions from the sun study as part of

the Planning Justification Report (July 2019) indicate negligible shadow impact on Eldon House building and gardens and Harris Park (p39) citing that shadows move through the site (pp39-41). Given the significance of Eldon House's landscape setting and garden as a noted heritage attribute in its designating by-law along with its relationship to Harris Park, heritage staff is recommending that a more fine-grain shadow study be prepared to better assess shadowing impacts and potential impacts on the micro-climate of the gardens at Eldon House. Impacts of wind on the micro-climate should also be considered. Consultation with an arborist should also be considered – recommended in the HIA – to determine the need to bolster future tree canopy with shade tolerant trees.

Eldon House and its grounds are within 50m of the subject lands and development may result in impacts related to vibration and construction activities. While impacts of vibration on heritage buildings are not well understood, studies have shown that impacts may be perceptible within buildings 40 metres from activity (when heavy traffic is present and construction involves heavy excavation and pouring foundations). This may result in vibrations that have potential to affect historic concrete and masonry foundations of the adjacent buildings (Ellis 1987). If left unaddressed, these could result in longer-term issues for the maintenance, continued use, and conservation of the buildings. These impacts could directly affect the structure and attributes of Eldon House and the health of mature vegetation on the property. The HIA specifically notes construction related impacts and suggests that:

“analysis of detailed impacts to the heritage buildings on the subject property and adjacent properties related to vibration and other construction practices [] be documented and assessed by a qualified structural professional, and mitigation recommendations identified prior to commencement of excavation on the site, as well as a strategy for dealing with unanticipated impacts as a result of vibration during construction” (p44).

Additionally:

“analysis of detailed impacts to significant mature vegetation on the subject property and adjacent properties resulting from construction practices should be documented and assessed by a qualified arborist, and mitigation recommendations identified prior to commencement of excavation on the site.” (p44)

Heritage supports these recommendations with additional clarifications to establish a:

- vibration monitoring program be established during construction which may include a preconstruction vibration assessment to identify a benchmark for impacts, and post-construction, to identify whether impacts have occurred; or if a 50 metre buffer area around the cultural heritage resource is not feasible given the construction requirements and site constraints, prepare vibration studies by a qualified engineer to determine the maximum acceptable vibration levels, or peak particle velocity (PPV) levels and the appropriate buffer distance between project activities and the cultural heritage resource.
- buffering/protection plan and protocols 40 metre buffer, or the maximum possible, between construction activities and structures identified as cultural heritage resources during the construction phase.

Finally, of critical importance, heritage staff recommends that a detailed assessment of the current status of the general condition and structural state of Eldon House be conducted with subsequent assessments to follow during and post-construction. This is to assess potential impacts to the building which may be long lasting and require conservation measures.

4.5 Thames River Strategic Directions

The HIA notes that the proposed development responds to several of the City's strategic directions related to the Thames River (Forks at the Thames) by supporting the Downtown Plan, Back to the River Initiative and the One River Environmental Assessment. This is primarily accomplished by providing direct public access to, and enjoyment of, the river through lookouts, terraces and new pathways that connect the street with the Thames River (p25). The architect's original project description proposes

a “public space located behind the 435 and 441 Ridout Street N buildings that would connect the street level with Harris Park, the Thames River, and the trail below the slope” (p24). However, several iterations of the development’s design have been prepared since, and it remains unclear in site/floor plan drawings at street level how much (if any) of this access-way is public as well how much is encroached upon by surface parking. There is the potential of isolating the River as a heritage resource from its surrounding environment, context and its significant relationship to the downtown district – reinforcing a perceived visual and physical barrier to the River. There is, however, an opportunity with this development to strengthen linkages from the downtown to the river’s edge by continuing to think of the Ridout Street edge as being permeable – wrapping around and weaving within and between the spaces of heritage buildings and the new development. Further enhancement of the design in this area is encouraged during Site Plan, to ensure public accessibility and to better define what is public and private.

5. Additional Comments Related to Application

Archaeological Potential and Assessments

Heritage staff has reviewed the following and find the report’s (analysis, conclusions and recommendations) to be sufficient to fulfill the archaeological assessment for complete application requirements (OZ-9157):

- AECOM. *Stage 1-2 Archaeological Assessment 435-451 Ridout Street North* [...] Middlesex County, now City of London, Ontario (PIF P131-0085-2018), December 7, 2018.

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been received. Archaeological conditions can be considered satisfied for this application. [See attached memo].

Rear demolition – 451 Ridout Street N

Removal of the rear portion at 451 Ridout St. N may be deemed ‘demolition’ and would require the completion of a demolition clearances form and Council approval – this process should occur prior to or during site plan approval. This point needs further discussion, with and interpretation by the Building Department.

Heritage Alteration Permit Approval (HAP)

As per Section 33(1) and 42(1) of the *Ontario Heritage Act (OHA)*, heritage permit approval will be required for alterations to 451 Ridout St. N. Consultation with The London Advisory Committee on Heritage is required prior to Municipal Council decision. Heritage alteration permit approval should occur concurrently with site plan approval and is required prior to issuance of a Building Permit.

6. Summary Comments

Based on heritage staff review of the heritage impact assessment submitted, it is certain that additional studies will be required to provide information in assisting the mitigation of potential adverse impacts to the heritage resources on and adjacent to the subject lands. Presently, what remains unclear is if heritage resources and attributes are, or even can be conserved, because not enough information is known about the existing condition mainly of the buildings on 435-451 Ridout Street N, and there is insufficient detail regarding design intentions to integrate and interface with these heritage resources on the subject site.

The City is encouraged to pursue measures to remedy these uncertainties and secure assurances within a holding provision, bonus zone agreement, and/or heritage easement agreement.

March 19, 2021: Heritage Planning (Archaeology)

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 for complete application requirements (OZ-9157):

- AECOM. *Stage 1-2 Archaeological Assessment 435-451 Ridout Street North* [...] Middlesex County, now City of London, Ontario (PIF P131-0085-2018), December 7, 2018.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that “[b]ased on the results of the Stage 1-2 archaeological assessment, no further archaeological work is required” (p i).

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been received, dated Mar 14, 2019 (MTCS Project Information Form Number P131-0085-2018, MTCS File Number 0009632).

Archaeological conditions can be considered satisfied for this application.

April 13, 2021: Parks Planning and Design

The Parks Planning & Design Section has reviewed the OP/Re-zoning application for 451 Ridout Street North and generally support the proposal to permit a 40-storey mixed-use building containing a combination of residential units and office/commercial space. We understand the multiple goals of the City and applicant to intensify these Downtown lands while protecting key heritage assets. The Site is also of key importance along the Thames Valley Corridor and for the City’s Parks System, in particular Harris Park. Floodplain lands on this site have been used at times to support major events in Harris Park, but more recently closed off to public use. We note that in 2016/17 the current landowner converted most of the lawn area to a gravel parking lot and was perhaps utilizing this as a “commercial” parking lot. We understand that this use is not permitted under the current zoning and that the UTRCA did not issue a permit for this activity.

We have recently been apprised of the May 3, 2018 UTRCA Board approval to permit an encroachment of the proposed building footprint into the floodplain. Conditions of the approval require that:

1. The development will be floodproofed to the Regulatory Flood elevation at a minimum, adding freeboard if feasible to account for UTRCA modelling updates and the impacts of climate change
2. Farhi Holdings Corporation will prepare site plans in consultation with the City of London and the UTRCA which will address floodplain cut and fill compensation requirements ensuring no net loss of flood plain storage resulting from the proposed development.
3. Valley embankments around the development perimeter (southern and eastern boundaries) will be remediated in consultation with the City of London and the UTRCA.
4. Upon issuance of a Section 28 permit, work must be completed within a two-year period.
5. Comprehensive sediment and erosion control plans and site drainage/grading plans must be prepared as part of site plan drawings submitted to the UTRCA for review and approval.

Parks & Recreation look forward to participation in how items 2 and 3 are resolved. We are initiating a park master planning process later this year to look at enhancements to Harris Park and anticipate including these floodplain lands into that plan. In securing this approval, the Applicant’s submission to the UTRCA notes that “approximately 40% of the lands would be dedicated to the City”, which is discussed below. Flood volume loss due to the building footprint is to be “compensated” for by the developer at their cost – ideally this happens in conjunction with future park improvements.

The applicant’s submission also stated that the removal of the floodplain parking lot and “naturalization” of the floodplain lands would occur. We are in agreement with partial removal of the parking area while retaining some for continued event use and accessible parking for park users and returning the lands to grass as parkland/event space. It is not suitable for these actively programmed parklands be naturalized. We do have plans to naturalize other areas within Harris Park as part of the upcoming master planning process. Removal of the existing fencing by the applicant should be included in

this discussion. The City has no interest in acquiring the steep southern slope as parkland.

Consistent with past comments, Parks & Recreation has the following comments and outstanding concerns with the proposed development:

Parkland dedication: Dedication has not been made previously for development on this site. To support this development and to help the City secure a critical piece of parkland in the Thames Valley Corridor, the Parks Planning & Design Section recommend the following:

Parkland dedication for the commercial area is 2% of the value of the property for the commercial portion of the site, as assessed on the day before the day of issuance of a building permit. An appraisal undertaken by an Accredited Appraiser (AACI) is to be submitted to Development Services for review and the value of payment is to be included as a condition of site plan approval.

Parkland dedication for residential portions of the development is calculated at 1/300 unit and results in 0.93 Ha of “developable” lands for parkland. On this site, all developable lands are proposed for intensification and the City’s main interest is receiving the flat floodplain lands for parks and event use – approximately 70x72m (0.50Ha). As such, and in lieu of developable lands, the City would accept dedication of the non-developable floodplain lands. Normally floodplain hazard lands are valued at the 1:27 rate as per the CP-9 By-law. Or at the 1:16 rate where recreational uses are possible. Given the importance of the lands to the City’s parkland system and future uses that support on-going event and cultural activities that support all of London and beyond, we recommend that a higher rate of dedication be applied. The lands cannot be considered at the 1:1 developable land rate, but in this case a 2:1 rate would be appropriate. This equates to 0.25Ha parkland dedication.

The outstanding parkland dedication of 0.68Ha would be received at the CP-9 cash-in-lieu rate of \$800/unit for 204 of 280 apartment units (1/300 x 0.68).

Service Access Driveway: The application continues to show utilization of the Harris Park driveway from Ridout Street to access the lower level of the parking garage. To the City’s knowledge there is no easement in favour of 451 Ridout Street to use this driveway.

Comments/concerns with this proposal have been raised at every step of this process since 2017, but to date, no discussions have occurred with Parks & Recreation, nor any technical details provided. Outstanding concerns are:

- For the larger events we have historically closed this driveway to permit safe pedestrian use and event-holder access. This has been up to 20 days per year. The driveway would not be available for use on those days. On all other days, the driveway is utilized by the public, primarily as a cycling route. We have concerns with permitting on-going vehicular access on this route.
- we have noted that there may be deficiencies in the capability of the driveway to structurally handle additional traffic / design issues with driveway radii / issues with winter maintenance – it is very steep. Upgrades to this driveway may be required by the applicant, if a use easement is approved.
- If approved, we anticipate a yearly fee and on-going maintenance costs to be covered by the applicant. As well as a life cycle rebuild cost of the driveway included in the easement / condominium by-laws.

Proposed public access and connecting to the River: We are impressed with the Applicant’s understanding of the City’s various goals and directives to reconnect Londoners to the river. In their presentation to the UTRCA, they have identified the following:

Support the Downtown Plan:

Strategic Direction 2: Reconnect with the Thames River.

- Engage the river with publicly accessible lookouts, terraces, and new pathways that connect the street with the river
- Bring people to the river by providing new places to live, work, and play overlooking the Thames

Support the Back to the River Initiative:

Understanding the importance of the Thames River for the City and its Future, this project aligns with the following Back to the River goal:

“Striving to enhance community quality of life, environmental and economic development, the goal is simple: give Londoners a place to work, to play and call home. Give Londoners a place that brings the entire community together” – Back to the River

Support the One River Environmental Assessment:

Understanding the importance of this EA and the Thames River, this project will improve the natural environment at this important junction of the River and draw more people there to enjoy it.

“The Thames River is both our inheritance and our living legacy. It is our collective responsibility to maintain and enhance its shared natural, cultural, recreational and aesthetic resource.” – One River EA

Support the Thames Valley Corridor Plan:

This project meets the following Objective as identified in the Thames Valley Corridor Plan:

“Determine and map compatible recreation uses. Identify suitable points of access, pathway and trail systems, lookout points and linkages to communities and Thames Valley Parkway.” – Thames Valley Corridor Plan

Connecting to Eldon House:

This project will improve the Eldon House experience by:

- Adding new landscape features to its front lawn as part of this development
- Draw people to this site and connect the southern side of the Eldon House property to a new path that links to the river-side circulation routes.

And they state that one of the main Site Planning goals is to “Connect the public space at street level to the Park and River”. We support all of these goals and the applicant’s plan to incorporate them into their plans. As such, further information is needed on how these will be accomplished and how public easements will be utilized to assure access through the private lands to the parkland and river front.

The applicant’s conceptual plans show landscape enhancements and walkway linkages on the floodplain lands which will help achieve the connectivity needs. These should be included in the Site Plan requirements. The final design of these features needs to be reviewed and approved by Parks Planning.

The proposed pedestrian access from Ridout down the slope into the park along the north edge of the development is a good idea. We’d like to work with the proponent and Eldon House to explore the best and safest way to do this. The City has been contemplating a lookout at this location, so ideally it is incorporated into this plan.

Bonussing: If bonusing provisions are being considered, there are several items that could be considered to support parkland development, beyond what is required above:

- enhancement to Eldon House grounds in keeping with the historic landscape and trail to the floodplain. Estimated value of \$200,000
- improvements to Harris Park. Value of this could be set at the “urban park” \$/ha in the Development Charges By-law for the 0.50ha parcel = \$450,000

Parks Planning staff would welcome the opportunity to meet with the applicant and Development Services to decide how best to resolve outstanding items and how we can work with the applicant to support this creative development proposal and satisfy our joint interests in making the site and new parklands a major asset in the City.

May 10, 2021: Upper Thames River Conservation Authority

Dear Ms. Maton:

**Re: Application to Amend the Official Plan and Zoning By-law
File No. OZ-9157
Applicant: Farhi Holdings Corporation
435, 441 and 451 Ridout Street North, London, ON**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water Act*.

PROPOSAL

The subject lands are approximately 1.4 ha in size and currently contain three (3) heritage buildings municipally known as 435, 441 and 451 Ridout Street North, an existing parking area off of Queens Avenue, and an existing parking area on the lower portion of the lands adjacent to Harris Park.

The current proposal includes:

- A new 40-storey mixed use building incorporating 6,308 m² of office/commercial space on floors one (1) through four (4) along with a maximum of 280 dwelling units on floors five (5) through forty (40);
- A new four-level underground parking area consisting of approximately 320 spaces;
- Two (2) pedestrian stair access points from the upper residential/commercial area to Harris Park;
- Retaining the existing parking area on Queens Avenue consisting of 45 spaces;
- Retaining the existing three (3) heritage buildings located along Ridout Street North; and,
- Removal of the lower parking area adjacent to Harris Park.

The following amendments are requested by the applicant:

- Official Plan Amendment to add a specific policy to Chapter 10 to permit 40-storey mixed-use building;
- London Plan Amendment to add a specific policy to the Downtown Place Type to permit a maximum building height of 40 storeys; and,
- A Zoning By-law Amendment to rezone the lands from Downtown Special Area Provision (DA2(#)*D350), Heritage/Regional Facility (HER/RF), and Open Space (OS4) to Downtown Area Special Provision (DA2(_)*D500*H125) and Open Space (OS4).

A bonus zone may be requested to permit the proposed density, height, and setback in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638 to 1655 of the London Plan.

The following documentation was received, as identified in the City's complete application requirements and through continued discussions with the applicants consulting team:

- Notice of Application provided by the City of London, dated December 2019;
- Planning Justification Report prepared by MHBC, dated July 2019;
- Site Concept Plan prepared by Tillman Ruth Robinson Architects, dated March 2019;
- Conceptual Elevation Drawings prepared by Tillman Ruth Robinson Architects, no date;
- Conceptual Renderings prepared by Tillman Ruth Robinson Architects, dated February 2019;
- Draft Geotechnical Engineering Report prepared by Englobe Corporation, dated April 5, 2017;
- Heritage Impact Assessment prepared by AECOM, dated November 2019;
- Sanitary Servicing Feasibility Study prepared by Strik Baldinelli Moniz, dated November 2018;
- Transportation Impact Assessment prepared by Paradigm Transportation Solutions Limited, dated April 2019;
- Response letter and Plan Overlay drawings from Tillman Ruth Robinson Architects, dated March 12, 2020; and,
- Scoped EIS Addendum prepared by NRSI Inc., dated April 2021.

At this stage in the planning process, a high-level review of all the aforementioned documents has been undertaken to aid in understanding the proposed amendment requests. Further detailed review and comments on some of these reports will be required through the Site Plan Application process.

BACKGROUND

UTRCA staff have had on-going consultations with the owner dating back to 2010. Since 2010, the owner has submitted three (3) applications to the UTRCA Hearings Committee for consideration of development on these lands. The following is a summary of those applications:

1. Application #122/14: Consultation on this file began in February 2013, focusing on the delineated flood and erosion hazards. The proposal included a new apartment building fronting on Queens Avenue with below grade parking that would extend into the lower lying area within Harris Park. This proposal also included the removal of the existing larger parking area located adjacent to Harris Park and retaining the existing three (3) heritage buildings along Ridout Street North. A large portion of the proposal extended into the riverine hazards adjacent to the Thames River.

This application went to the UTRCA's Hearings Committee on October 28, 2014 where the Committee resolved:

...that the proposal contravenes UTRCA policies regarding development within hazard lands and cannot support the concept plan as presented.

2. Application #70/15: This proposal relocated the apartment building to run parallel to and have access from Ridout Street North. This proposal also included the removal of the existing larger parking area within Harris Park and retaining the existing three (3) heritage buildings along Ridout Street North. The majority of this proposal was located inside the flood plain with a large setback from both Queens Avenue and Ridout Street North.

This application went to the UTRCA's Hearings Committee on June 9, 2015 where the Committee resolved:

...that the proposal contravenes UTRCA policies regarding development in the floodway and cannot support the concept plan as presented as it adversely affects the control of flooding.

3. Prior to the submission of a formal application to the Hearings Committee, a revised concept was submitted that had the proposed apartment building along Ridout Street North, almost completely located outside of the flood plain with an associated five (5) level parking structure located along Queens Avenue. The

lower parking area was to remain along with two (2) heritage buildings. One (1) of the heritage buildings was going to be incorporated into the design and lower level of the proposed building. Due to a proposed Bus Rapid Transit (BRT) plan undertaken by the City of London, an additional 3-metre setback along Queens Avenue eliminated the feasibility of this option.

Application #67/18: This proposal included a 40-storey building containing 169 residential units, 60 hotel rooms, street-level office/retail, and four (4) levels of below grade parking. Vehicular access to the site was proposed from Ridout Street North with an additional pedestrian access proposed along the west flank of the building to connect to Harris Park below. The three (3) heritage buildings would remain along with the existing surface parking area along Queens Avenue, however the lower parking area adjacent to Harris Park would be removed and naturalized. A portion of the building and a slightly larger portion of the parking structure were proposed to encroach into the flood plain.

An analysis was completed to determine the proposal's impact on flood water displacement from the Thames River. It was determined that approximately 943,824 US gallons/3,572,763 litres of water would be displaced under this revised proposal. Mitigation strategies were proposed that would result in "net 0" flood water displacement and net benefits for changes to increase flood storage for the surrounding flood plain area. Additionally, a number of other public benefits including reduced hardscape in the floodplain, elimination of risk to vehicles in the flood plain, new park space to extend Harris Park, opportunity to remove brownfield materials, renaturalization of river bank, etc.

This application went to the UTRCA's Hearings Committee on May 3, 2018 where the Committee resolved:

... that the Upper Thames River Conservation Authority support the development concept submitted as Application #67/18 by Farhi Holdings Corporation. In supporting this application, the Hearings Committee requires the Applicant to proceed through all stages of planning approval under the direction and advice of the City of London, affording UTRCA staff full opportunity to provide input and comment on all aspects of the planning process, to ensure the development remains fully consistent with the design prepared and presented by architects Tillmann Ruth Robinson.

FURTHER, terms and conditions for approval pursuant to Section 28 of the Conservation

Authorities Act shall include but not be limited to the following:

- 1. The development will be floodproofed to the Regulatory Flood elevation at a minimum, adding freeboard if feasible to account for UTRCA modelling updates and the impacts of climate change.*
- 2. Farhi Holdings Corporation will prepare site plans in consultation with the City of London and the UTRCA which will address floodplain cut and fill compensation requirements ensuring no net loss of flood plain storage resulting from the proposed development.*
- 3. Valley embankments around the development perimeter (southern and eastern boundaries) will be remediated in consultation with the City of London and UTRCA.*
- 4. Upon issuance of a Section 28 permit, work must be completed within a two-year period.*
- 5. Comprehensive sediment and erosion control plans and site drainage/grading plans must be prepared as part of site plan drawings submitted to the UTRCA for review and approval.*

AND FURTHER, if in the opinion of the UTRCA the development concept deviates from the submission made at this time, the UTRCA reserves the right to bring the proposal back to the Hearings Committee for further consideration.

As noted in the summary above, the concept that was approved at the UTRCA's Hearings Committee included hotel rooms in addition to the commercial and residential uses proposed. Despite the removal of the proposed hotel rooms in the current proposal, the design of the building has not changed footprint has not been altered and the decision made the Hearings Committee remains relevant to this proposal.

CONSERVATION AUTHORITIES ACT

The UTRCA has the provincially delegated responsibility for the natural hazard policies of the PPS, as established under the "Provincial One Window Planning System for Natural Hazards" Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNR) and the Ministry of Municipal Affairs and Housing. This means that the Conservation Authority represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards and ensures that the proposal is consistent with the PPS.

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development proposals meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents as well as the policies in the UTRCA's Environmental Planning Policy Manual. (2006) Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and our policies as set out in our Environmental Planning Policy Manual. This approach ensures that the principle of development is established through the *Planning Act* approval process and that subsequently, the necessary approvals can issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

Section 28 Regulations - Ontario Regulation 157/06

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 the Thames River; and,
- A riverine erosion hazard associate with the Thames River.

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/>

NATURAL HAZARDS

As indicated, the UTRCA represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards. The PPS directs new development to locate and avoid natural hazards. In Ontario, prevention is the preferred approach for managing hazards in order to reduce or minimize the risk to life and property. This is achieved through land use planning and the Conservation Authority's regulations with respect to site alteration and development activities.

The UTRCA's natural hazard policies are consistent with the PPS and those which are applicable to the subject lands include:

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 through lot creation which is consistent with the PPS.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach and uses that may be allowed in the flood plain subject to satisfying the UTRCA's Section 28 permit requirements.

Portions of the existing development are located within the flooding hazard on these lands, including the rear portion of the heritage building at 451 Ridout Street North and the lower parking area. As a result of this application, the lower parking area will be removed and naturalized, and the risk associated with this use will no longer exist. Subsequently, a portion of the proposed building foundation and parking structure will encroach into the flood plain to accommodate the extent of the proposed development. Through the application process with the UTRCA, it was determined that the concept presented in Application #67/18 explored all feasible options for locations outside of the flood plain but could not be accommodated due to an additional setback required for the proposed Bus Rapid Transit route.

Based on the proposals encroachment into the flood plain, a preliminary flood modelling analysis was undertaken as a part of Application #67/18 that went to the UTRCA's Hearings Committee to determine the approximate development impact on flood water displacement and storage. It was determined that 943,824 US gallons/3,572,763 litres would be displaced as a result of the proposed concept. The mitigation strategies presented were determined to ensure a "net 0" impact on displacement. Some mitigation strategies identified include excavation of the new park space in the lower portion of the lands, remediation of the south bank, and understanding the overall connection to the Thames River flood storage system up and downstream.

The UTRCA will require a full modelling analysis to be completed to ensure the "net 0" impact will be maintained and an overall benefit for flood storage along this reach of the Thames River is established as a result of the current proposal. This analysis will need to be reviewed and supported by UTRCA staff prior to the approval of any future *Planning Act* applications (such as Site Plan).

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

Discussions around the significance of the erosion hazard date back to 2013. At this time, preliminary geotechnical investigations deemed this feature as a slope constraint, and not a slope hazard as it was comprised largely of fill material. A slope constraint has the ability to be addressed through engineering design considerations, whereas a slope hazard is to be avoided with suitable setbacks.

A Draft Geotechnical Engineering Report was prepared by Englobe Corporation, dated April 2017. For the purpose of this application, the UTRCA has not undertaken a detailed review of this document. Prior to approval of any future *Planning Act* applications (such as Site Plan), UTRCA sign-off will be required on this document.

NATURAL HERITAGE

The UTRCA provides technical advice on natural heritage to ensure an integrated approach for the protection of the natural environment consistent with the PPS. The linkages and functions of water resource systems consisting of groundwater and surface water features, hydrologic functions and the natural heritage system are necessary to maintain the ecological and hydrological integrity of the watershed. The PPS also recognizes the watershed as the ecologically meaningful scale for integrated and long-term planning which provides the foundation for considering the cumulative impacts of development.

The UTRCA's natural heritage policies are consistent with the PPS and those which are applicable to the subject lands include:

3.3.4 Valleyland Policies

The Authority will strive to maintain all existing valleylands in their natural state by prohibiting and/or minimizing development and site alteration within these areas. New development and site alteration is not permitted in natural valleylands. Increased fragmentation of ownership, through lot creation, within natural valleylands is discouraged. Further, new development and site alteration is not permitted on adjacent lands to valleylands 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. The EIS/DAR must examine the impact on the valleyland feature which includes the impact of the proposed development on the site, but also consider the broader impact on corridor.

A Preliminary Environmental Impact Study and Scoped EIS Addendum were completed by Natural Resources Solutions Inc., dated July 2019 and April 2021 (respectively). For the purpose of this application, the UTRCA has not undertaken a detailed review of this document. Prior to approval of any future *Planning Act* applications (such as Site Plan), UTRCA sign-off will be required on this document.

3.3.6 Policies for the Habitat of Endangered Species, Threatened Species, Species of Special Concern & Locally Rare Species

The Authority does not permit development and site alteration in the habitat of endangered and threatened species. Furthermore development and site alteration is not permitted on lands which are adjacent (within 50 metres) of the habitat of endangered and threatened species unless an EIS has been completed. We are aware of species at risk to occur within the vicinity of the property.

DRINKING WATER SOURCE PROTECTION: Clean Water Act

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

COMMENTS & REQUIREMENTS

As indicated, the subject lands are regulated by the UTRCA. A summary of our comments/requirements on the proposal are as follows:

1. The Planning Justification Report provides a summary of the proposal in relation to various policy documents.
 - a) The report does not consider Section 3.1 of the PPS as it relates to Natural Hazards. A significant amount of background work and consultation has occurred with the applicant/consulting team to get the application to this point with consideration given to these policies. A summary of this work with applicability to these policies should have been included. However, there are other areas within the report that briefly speak to the floodplain and the Open Space zoning.
 - b) Overall, the proposal design was largely based off of requirements and permissions under the *Conservation Authorities Act* yet no detailed discussion has been included within this report. Section 2.1 of this report identifies the northwest portion of this site within the floodplain. In addition, the entirety of the lands are regulated by the UTRCA for the presence of floodplain and erosion concerns associated with the valleylands of the Thames River.
 - c) This report does not clearly identify the dedication of parkland to the City. Through the UTRCA Hearings Committee, the entirety of the lands within the floodplain (that will remain undeveloped) are to be conveyed to the City of London for parkland purposes. These lands will also form part of the regrading exercise to ensure floodplain storage volume will remain at a net zero.
2. The UTRCA requested confirmation that the Site Concept Plan aligned with that previously approved the Hearings Committee in May 2018. In response to this

request, Tillmann Ruth Robinson architects provided plan overlay drawings and a letter confirming minimal changes to the proposal with no further encroachment into the floodplain. The UTRCA is satisfied with this information for the purpose of this application.

3. A Final Geotechnical Assessment considering the naturalization and restoration of the slope constraint will be required through Site Plan.
4. The Scoped EIS and Addendum prepared by NRSI satisfy the UTRCA's requirements as it relates to the establishing zone boundaries on the subject lands. Further information will be required through Site Plan to address the various restoration and monitoring measures identified in the recommendations of this report.
5. The UTRCA has been undertaking revised modeling along the Thames River which identifies that the flood hazard elevation on these lands is 237.7 masl. Please ensure the zoning line appropriately captures the extent of the floodplain in relation to the proposed development.
 - a) The elevation shall be utilized to undertaken future studies by the applicant to ensure a net zero in flood storage volume will be maintained.
6. A significant amount of background work and negotiations have occurred between the applicant, City staff and UTRCA staff to get this application to a point satisfactory for Planning Act approvals. As noted throughout this letter, agreements were set to aid in securing these approvals and ensure this application could get to Site Plan with the understanding of future works required.

As part of these ongoing discussions and agreements, the applicant has agreed to remove the lower parking lot that is located within the floodplain and dedicate these lands to the City for parkland. Prior to dedication, these lands will be needed by the applicant to undertake grading works to ensure a net zero of floodplain storage volume. This agreement formed a critical part in the decision making on this application to ensure protection of people and property from the flooding hazard.

Parks Planning comments have been received and reviewed by the UTRCA. There are significant areas of concern within these comments as it pertains to the future use of these lower lands. Additional discussion will be required with Parks Planning staff and UTRCA staff regarding uses permitted within this area.

7. The Service Access Driveway through the Harris Park entry has been continually noted through application the UTRCA's Hearing Committee. Parks Planning staff have identified concerns over the use of this driveway. If further discussions are required to address this driveway and easements, the UTRCA would appreciate involvement given past and potentially future approvals.
8. A Section 28 permit application will be required prior to undertaking site alteration or new development on these lands. The permit application requirements will be conveyed in further detail through the Site Plan process ensuring the conditions of approval issued by the UTRCA Hearings Committee in May 2018 are achieved.

MUNICIPAL PLAN REVIEW FEES

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of *Planning Act* applications. For the review of the Official Plan and Zoning By-law Amendment applications, the applicant will be invoiced **\$1,500** under separate cover.

SUMMARY

The UTRCA has been working with the applicant and consulting team since 2010 to establish a development proposal for these lands that align or closely align with UTRCA

policy. The owner submitted three (3) applications to the UTRCA Hearings Committee for review and approval. Of those applications, the third and final submission, #67/18, was approved by the Committee with requirements laid out for a future Section 28 permit application and supporting documentation.

The Section 28 permit application will be required prior to establishing new development and undertaking any site alteration works. Requirements for the Section 28 permit application will be conveyed through the site plan process partially identified above.

Overall, the UTRCA is satisfied with the work undertaken by the applicant to date and looks forward to the opportunity to continue working through the final details of this project through the Site Plan and Section 28 permit application processes.

RECOMMENDATION

The UTRCA has no objections to these Official Plan and Zoning By-law Amendment applications. Please ensure the hazard lands are appropriately zoned for Open Space.

Thank you for the opportunity to comment.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY

Appendix D – Policy Context

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

Provincial Policy Statement, 2020

1.1, 1.1.1, 1.1.3, 1.1.3.2, 1.1.3.3, 1.4.3.4, 1.4.3, 1.4.3b),1.4.3d), 1.6.7.4, 1.7.1a), 1.7.1e),1.7.1k), 2.1.1, 2.1.2, 2.6.1, 2.6.3

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

54_1, 54_3, 54_4, 54_5, 54_6, 54_7, 289_, 289_1, 289_2, 289_3, 293_, 554_1, 554_2, 554_3, 568_, 729_, 798_, 799_14, 800_, 800_1, 800_2, 800_3, 800_4, 802_, 802_1, 802_2, 803_1, 803_2, 803_3, 803_4, *1650_, *1652_, *1652_1, *1652_2, *1652_8, *1652_12, *1652_14

Official Plan (1989)

3.3.3iv), 3.4.3iv), 4.1, 4.1.6, 4.1.6iii), 4.1.6iv), 4.1.7, 4.1.7i), 4.1.7ii), 4.1.7iii), 19.1.1i), 19.4.4, 19.4.4ii)

Our Move Forward: London's Downtown Plan

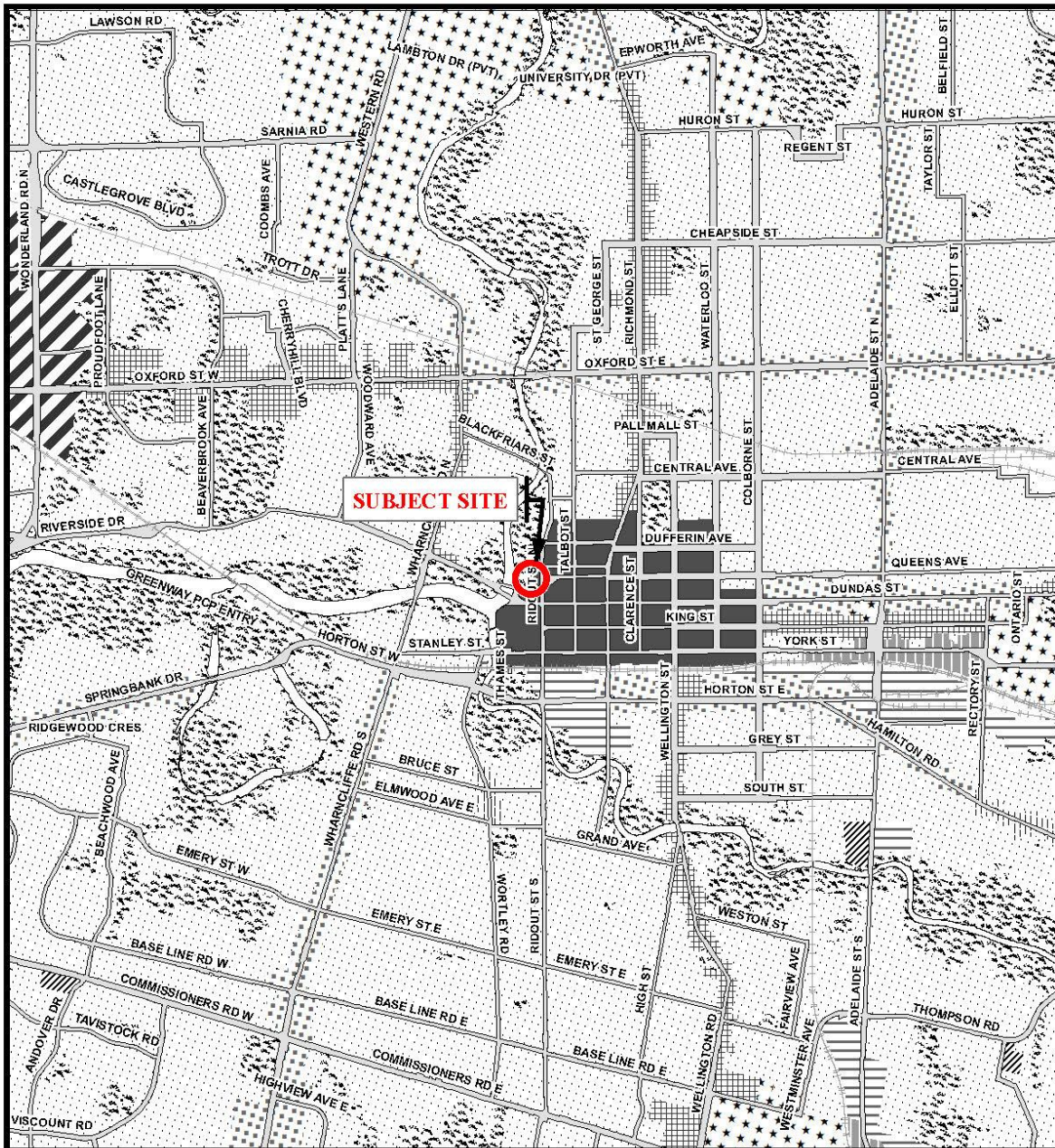
2.4, 4.6, 5.1, 5.5, Map 5

Downtown Heritage Conservation District Plan

3.2.1, 6.1.4.1, 6.1.5

Appendix E – Relevant Background

Additional Maps



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

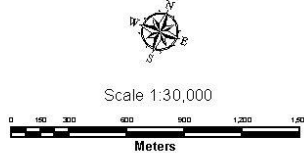
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



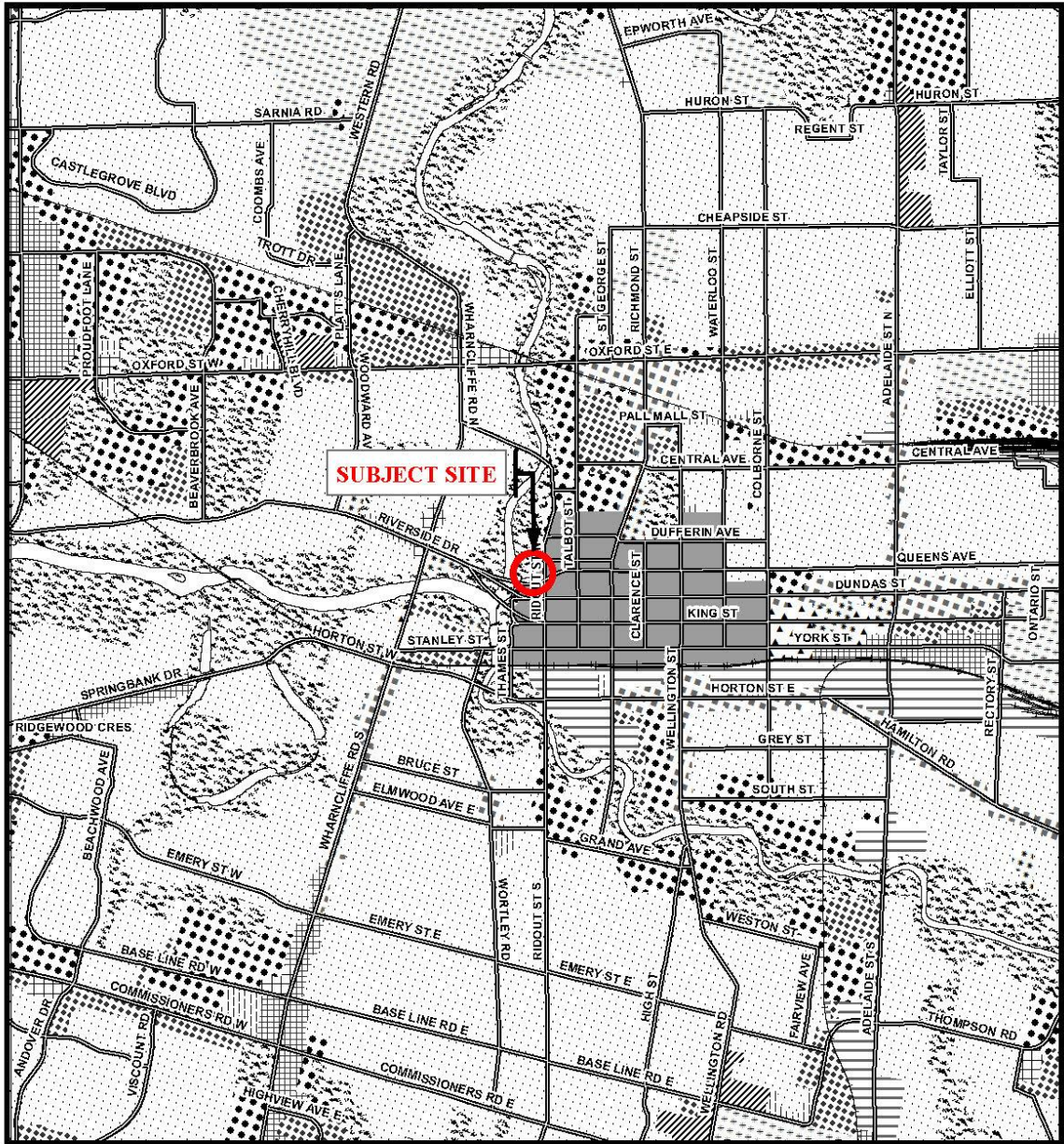
File Number: OZ-9157

Planner: CM

Technician RC

Date: May 13, 2021

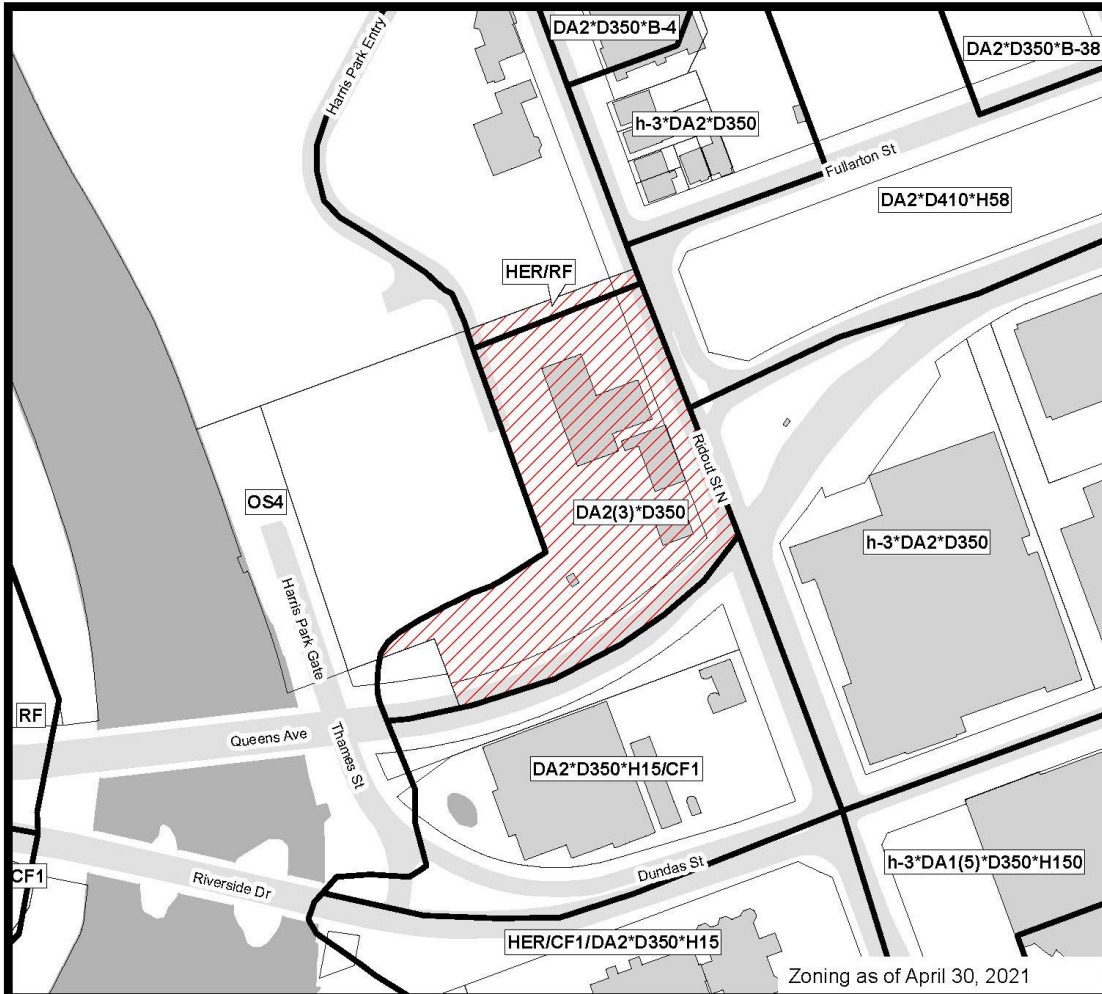
Project Location: E:\Planning\Projects\p_officialplan\work\consolid\00\excerpts_LondonPlan\mxd\OZ-9157-Map1-PlaceTypes.mxd



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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9157</p> <p>PLANNER: CM</p> <p>TECHNICIAN: RC</p> <p>DATE: 2021/05/13</p>
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PROJECT LOCATION : e:\planning\projects\lp_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_b&w_Bx14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9157

CM

MAP PREPARED:

2021/05/13

RC

1:2,000

0 10 20 40 60 80

Meters

Appendix F – Applicant Response to UDPRP Comments

Comment:

The applicant is commended for a thorough submission and thoughtful design response to the site. The panel supports the scale and positioning of the podium relative to the existing heritage structures as well as the positioning of the tower component to the south which respects Eldon House and terminates the vista along Queens Avenue.

Applicant Response:

Noted.

Comment:

The panel is supportive of City policy directing that high-rise buildings should be designed with slender towers that reduce shadow impact, minimize the obstruction of sky views, and are less imposing to neighbouring properties and public spaces. The proposed tower floor plate of approximately 860m² is a good application of the slender point tower being sought. The positioning of the tower on the site will enable it to exist without imposing on the pedestrian experience and existing heritage buildings along Ridout Street.

Applicant Response:

Noted.

Comment:

The panel recommends the applicant review the relationship of the building to the Eldon House property to the north through the following measures:

- 45-degree angular plane analysis to determine the most appropriate transition of scale and relationship between the two properties.
- The pedestrian experience of transitioning from Ridout Street along the proposed public pathway and down into the park, or vice versa, including the width and design of the stair, north elevation materials and fenestration, and integration with the landscape.

Applicant Response:

Both recommendations will be followed up on in consultation with Eldon House. Applicant also desires to create a most welcoming experience.

Comment:

The panel recommends the applicant review the Ridout Street frontage through the following measures:

- Increase the pedestrian focus in the forecourt including integration with the interstitial spaces between the existing heritage structures.
- Confirm if the existing landscaping along Ridout Street and vehicular access between 441 and 435 Ridout Street is required to remain. Develop a coherent landscape strategy that unifies the site circulation, surface materials and building structures.
- Review the transition and integration of 451 Ridout Street into the podium structure such as a material reveal to ensure the heritage building is visually isolated and whether the podium backdrop should contrast or blend with the existing brick veneer.
- If feasible, explore options for bringing a portion of the podium closer to the street in lieu of the proposed north drop-off and parking.
- Precedents mentioned for the above points include Canada's National Ballet School, Joseph L. Rotman School of Management Expansion, and Royal Conservatory TELUS Centre for Performance and Learning/Koerner Hall in Toronto.

Applicant Response:

Applicant agrees with the first 4 bullet points and through design development will demonstrate at the next submission stage (SPA), how these points have been acted upon.

We also agree with the precedents highlighted and would also add the Art Gallery of Ontario/The Grange as another excellent example.

Comment:

The panel recommends the applicant review the Queens Avenue frontage through the following measures:

- Consider the potential impacts of future development in the existing west parking lot along Queens Avenue.
- Consider the relationship of the site to Museum London to the south, including the potential for public art, community space, and potential use of 435 Ridout Street to address the intersection of Ridout Street and Queens Avenue.

Applicant Response:

The Applicant will consider and review these 2 recommendations and will develop in further detail for the SPA submission.

Comment:

The panel recommends the applicant review the relationship of the podium to Harris Park through the following measures:

- As a key attribute of the site, consider ways to develop a more naturalized landscape solution which integrates the two public access stairs with terracing/ramping/berming to soften the experience of traversing the grade difference and avoid a blank brick wall where risk of flooding is most severe. Review precedents for flood mitigation and building integration.
- Work with the City to develop an integrated solution where the site transitions into Harris Park and interfaces with the appropriated land.
- Consider different public uses of the stairs (walking, running, strollers, rollerblading, cycling, etc.) and how the stair design can support these uses and ease public access to the park. This should take into consideration all times of day and night to ensure the connections are safe and well-lit.

Applicant Response:

The Applicant agrees with the 3 bullet points and will demonstrate how they have been considered in the next stage of the submission process (SPA).

Appendix G – Applicant Response to LACH Comments



November 30, 2020

Response to notes prepared by LACH Working Group
435, 441 and 445 Ridout Street North (copy attached)

aTRR have responded to the comments in the order that they were presented in the LACH notes.

1.0 General Comments:

- .1 The scale of the development is the first indication of the high importance Farhi Developments has placed on the Ridout Street Complex. The preliminary planning and concept have integrated the existing three heritage buildings into the overall proposal. These buildings will be accurately restored and will be activated again as office, commercial and educational space.
- .2 While still early in the planning process, currently seeking a zoning change, we fully expect to engage with heritage groups and professionals during the site plan approval process.
- .3 We do not agree with the observation that the Georgian architecture will be lost and surmounted by a glass tower. While the design concept is in early stages, the use of brick, metal and glass is being used as a backdrop to emphasize the heritage buildings. We are open to investigating the use of these materials, their arrangement and colours to creating the appropriate response to the setting while also recognizing the functions of the spaces within the new structure.
- .4 There are numerous precedents done successfully across the country and around the world where tall buildings have been placed adjacent to smaller heritage buildings and sites.

There will likely always be a debate of what is “too tall” but the increase being sought in building height is in keeping with the City of London’s desire to increase density in the core as well as complementing the current development of high rises in the area.
- .5 We have not intentionally ignored any of the Downtown Heritage Conservation District Guidelines. We welcome your input on these specific guidelines you believe we have not addressed.
- .6 We are open to consulting with the Historic Sites and Monuments Board when we proceed to the next stage – Site Plan Approval. This has always been the intention and is part of the logical next step following the approval of zoning amendment.
- .7 As the development is still in the early stages of design, more renderings will be developed to provide clarity as to how the heritage buildings are being integrated into the overall development at the ground plane.
- .8 We are of the opinion that there is nothing misleading about retaining and restoring the 3 heritage buildings. They are being kept and the podium element of the new complex has been established to be deferential to the Ridout Street Complex.

2.0 Specific Comments

Context:

- .1 It is the intention of the design to enhance the existing view scapes while also creating new vantage points for viewing Harris Park and the Thames River from the west side of the development. The tower will mark the Ridout Street Complex from a much further distance signifying the importance of the site. At the pedestrian level the intention is to use compatible building materials, site furniture, lighting and landscape materials. We propose that the site will

be more inviting to the public than it has been in the recent past. With the introduction of two public stairways that link Ridout Street to Harris Park and the Thames River we are of the opinion that the site will see a major increase of use from the public, thus increasing the awareness of this important heritage site.

- .2 As noted earlier, the three heritage buildings are being kept and will be accurately restored. The new building will take material cues from the existing site and the ground plane will be enhanced around all of the heritage buildings in a manner that is both physically and visually compatible. This approach will demonstrate the unique character and beauty of this site.

Site and Siting:

- .3 The observation that the development is “crammed up right behind” does not recognize that the west face of 451 Ridout Street has an existing 1970’s addition built on it, that is going to be replaced. The flood plain issues have been addressed with the UTRCA and the flood plain exists well below 435, 441 and 451 Ridout Street Buildings. The tower will be visible and we make no other commentary to the contrary.
- .4 Through the use of the virtual reality model that we have created, we can demonstrate accurately that while some views would change, other views will remain the same or be enhanced.
- .5 We do not agree with the observation/opinion that the development would isolate the Forks and Harris Park. On the contrary, more public views and physical access points are being created. This and the dedication of a large portion of the property to Harris Park was seen as a very positive move by City staff.
- .6 The studies referred to (building condition, vibration study etc.), will of course be completed prior to any construction activity and are not required at this point in the development process. We have conducted two meetings to share our plans with the Eldon House Board of Directors and will continue to engage with Eldon House as the planning progresses. There is a serious effort being made by Farhi Developments to see Eldon House and its operations flourish both during and following construction.
- .7 As with any new construction projects and especially one such as this, where heritage structures are to be preserved, the mitigation measures will be developed by an expert consultant team who all have experience in successfully building adjacent, above and below heritage structures. These measures will form a part of the contract documentation with the constructor.
- .8 We have no comment as it relates to climate change as it is outside our area of expertise. Discussions with the UTRCA have been on-going for nearly 10 years with the preliminary acceptance of the UTRCA Board being granted on April 27, 2018, for this development. The UTRCA considered the hydrological impacts when flooding is present and determined that the measures being undertaken by Farhi Developments through flood proofing and cut and fill are acceptable.

Size:

- .9 The footprint was established to suit the parking garage requirement and had nothing to do with “the precarious site”. It should be noted that the UTRCA staff were supportive of this footprint as conceived as it will stabilize the remnant slope.

Height:

- .10 We are not certain why a 40-storey tower has been deemed "far too high". As this is more of a subjective comment, we do not have a response to offer.
- .11 The integration of the heritage buildings is one of the foremost considerations of the design and will of course need more development, but we can assure the reader that they are not "an after-thought". This is one of the most exciting elements of the project to be designed. We will be delighted to share the model and renderings with the City of London as the design progresses.
- As stated earlier in this response, the heritage buildings will be accurately restored and all three buildings will become active components of the overall development.
- .12 With the development of the virtual reality model we can demonstrate the shadowing effects in real time. This model has been shared with Eldon House Board Members. Our Landscape Architect is familiar with the gardens and is confident that the placement of the new structure will not adversely affect the south garden.
- Should the City of London require an arborist's report then Farhi Developments will have that report prepared at the Site Plan Application stage.

Massing / Design:

- .13 The massing and design intent was to establish a strong and respectful built form which celebrates the importance of this site. We were disappointed to receive so many negative comments from LACH. We remain open to input from LACH members on building material and colour selection as well as building form as the design progresses.

Materials:

- .14 Please refer to our response in '.13 Massing/Design' above.

Mitigations:

- .15 No comment.

architects Tillmann Ruth Robinson



Tom Tillmann
B.Arch, OAA, FRAIC, LEED AP
Principal
TT/arc

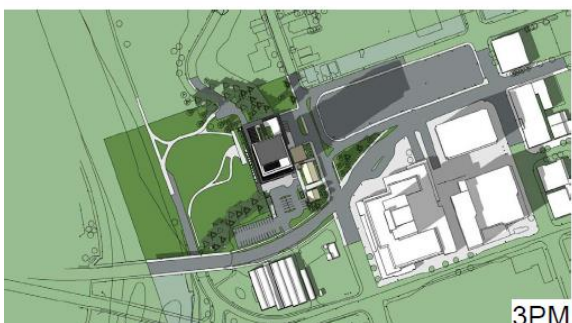
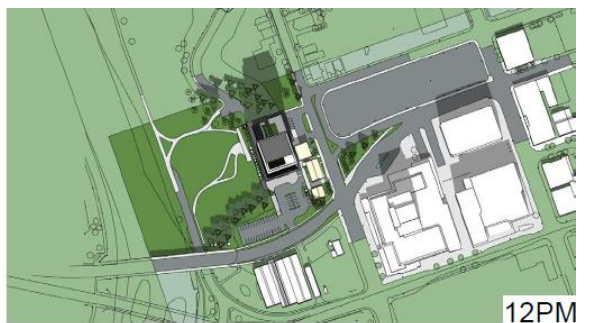
Appendix H – Shadow Study Images



March 21st



June 21st



September 2nd



December 21st



From: [Catherine Nasmith](#)
To: [PEC](#)
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application
Date: Thursday, May 20, 2021 10:10:51 AM

I have visited London often in my role as ACO President. I have long admired this square. The current proposal seems just plain greedy, and out of scale with the surroundings.

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Catherine Nasmith



Proud supporter of [ACO](#)

From: [Dougald McKillop](#)
To: [PEC](#)
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application
Date: Thursday, May 20, 2021 10:23:37 AM

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Thank you

DM

From: [Lacy, Robyn Sarah](#)
To: [PEC](#)
Subject: [EXTERNAL] Cultural Heritage Concerns - OZ-9157 435-451 Ridout St N ZBA Application
Date: Thursday, May 20, 2021 10:57:48 AM

Good afternoon,

My name is Robyn Lacy and I previously worked as a cultural heritage specialist and archaeologist in the City of London and surrounding areas for Golder Associates and TMHC.

The proposed development by Farhi behind the Ridout Street complex is not compatible with the heritage streetscape which comprises the complex, nor is it compatible with the immediate surrounding area. The property is one of London's only National Historic Sites, something which should be celebrated and protected, and definitely not impacted by such a large structure immediately behind them.

The streetscape in this area is part of the downtown heritage area and the proposed North Talbot Heritage Conservation District, which is directly adjacent to the Ridout Street complex. The inclusion of a 40-storey development is not sympathetic to the heritage districts, and will disrupt them in a number of ways, including:

- Shadow impact from a 40-storey development on known heritage structures, including the Eldon House, 466, 468, 470, and 472 Ridout Street North, 66 and 64 Fullarton Street, and the Brutalist Ontario Courthouse, as well as on Harris Park, also a heritage property; and,
- Vibration impact from the extended construction of a 40-storey development directly adjacent to three designated structures. Vibration monitoring would need to be happening during all stages on construction, and due to the age and heritage value of the structures, damage could definitely occur as a result of construction vibration.

I urge City Councillors to reject the Official Plan and zoning by-law amendment application for this development. If the proposed development was not as tall, and was more sympathetic to the surrounding heritage structures so as to be more compatible with the remaining heritage streetscape, it would fit the area better, and ensure preservation of the City's cultural heritage resources.

Thank you very much,
-Robyn Lacy

From: Kim Baker
To: [PEC](#)
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application
Date: Thursday, May 20, 2021 10:57:57 AM

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Kim Baker

From: Chris Ryan
To: [PEC](#)
Cc: [Turner, Stephen](#); [City of London, Mayor](#)
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application
Date: Thursday, May 20, 2021 6:15:02 PM

To whom it may concern,

I am concerned with the proposed development at 435-451 Ridout Street North. Such a large tower is inappropriate in this part of the City, next to a National Historic Site, and in close proximity to the Courthouse and Eldon House. It seems that little consideration was given to the historic nature of the site.

There are clearly more appropriate places for towers in the City, in particular, on many of the surface parking lots or vacant properties in the Downtown area. I believe we must resist developers proposing towers around such areas as the Forks and Victoria Park, while also encouraging them to develop in more suitable areas.

I understand that the Advisory Committee on Heritage and the Architectural Conservancy are against this proposal. I also urge you to reject it.

Sincerely,
Chris Ryan
London Ontario

Thoughts on the proposal at 435-451 Ridout Street

Construction Related Impacts not yet determined

The Heritage Impact Assessment does not provide substantive proof that the heritage designated structures on or adjacent to the subject property able to withstand the anticipated disturbance during construction including excavations, vibrations, foundations, etc. While the HIA states that these buildings will not be **permanently** damaged and/or at risk as a result of the nearby construction, the investigations have not actually been carried out to confirm that this will or will not be the case. In fact, Section 5.1 of the HIA states:

It is clear that additional studies will be required to assist in the mitigation of adverse impacts to the heritage buildings of the Ridout Complex. Through consultation with the City of London's Heritage Planner and Planning team a holding provision will be placed on the property to ensure the following studies are completed:

- *Building Conditions Assessment Report, assessment is required before and after construction and should be subject to a peer review.*
- *Vibration Study, to assist in determining the level of vibration that would be acceptable to avoid negative impacts during construction.*
- *Heritage Conservation Plan, this should address the heritage attributes in the interior of the buildings as well as exterior features.*
- *Arborist Report, to effectively determine the impacts on vegetation and assist with tree preservation or replacement.*
- *Implementation and Monitoring*

Building Condition Assessment Report and Vibration Study

The three heritage buildings are owned by the proponent and access should be available for a building condition review at this time. Eldon House is a public property and arrangements to meet with the Board to discuss the proposal had not yet happened at the time of the application. The HIA indicates that there will be no permanent damage to these buildings but as noted above there has been no detailed study to confirm that this would be the case. The Consultant recommended as follows:

- *Building Conditions Assessment Report, assessment is required before and after construction and should be subject to a peer review.*
- *Vibration Study, to assist in determining the level of vibration that would be acceptable to avoid negative impacts during construction.*

Both of these studies should be completed as the part of the application process with the cooperation of the Owner and the Eldon House board to facilitate any necessary on-site analysis and all information, including the peer review should be shared with the City.

Mitigation Measures

The Mitigation Measures in the HIA include two requirements:

- *Establish a 40 metre buffer, or the maximum possible, between construction activities and structures identified as cultural heritage resources during the construction phase for the properties located at:*
 - 435 Ridout Street North
 - 441 Ridout Street North
 - 451 Ridout Street North
 - 481 Ridout Street (Eldon House)
 - 468 Ridout Street North
 - 470 Ridout Street North
 - 472 Ridout Street North
 - 466 Ridout Street North

- *Monitor vibration on adjacent identified cultural heritage resources before and after the construction phase is completed.*

It is not clear how the 40 metre buffer was established BEFORE the detailed studies have been completed. This separation distance may not be achievable given the proximity of the proposal to the existing heritage structures. The determination of this buffer zone should await the detailed building condition review as well as the vibration study findings.

At a minimum, the applicant should be required to carry out the recommended studies and the HIA should be updated to include information about these investigations and the potential impacts on the heritage structures BEFORE the application proceeds further. Otherwise, whether (or not) there could be permanent impacts on the heritage structures both on the property and neighbouring Eldon House would remain unknown. Experience has shown in London and elsewhere that excavations immediately adjacent to heritage structures can be problematic and can endanger the heritage structures on or near excavations for new foundations. Establishing a 40m buffer to monitor during construction is not sufficient as by the time any adverse effects are identified at the time of excavation, it may be too late (or deemed financially unfeasible). There is a risk that the priority 1 protected heritage features at one or both National Historic Sites could be irrevocably damaged or demolished to accommodate this development proposal.

Heritage Conservation Plan

The proposal is focussed on the new development and does not really address the redevelopment of the subject property as a whole. Given that these heritage structures and the historic nature of the site are of the highest priority in the Heritage District Plan, shouldn't any redevelopment centre on these buildings as a key component of the overall plan rather than be left as an after-thought?

The approach seems to be obtain development approvals for the "new" now and figure out what to do with the "old" at some later date. The fate of these buildings relies upon a continued use into the future and the need to have a plan for these heritage structures is included in the HIA recommendations as follows:

Develop a plan, timeline and budget for the conservation and use of the Ridout Block Buildings at 435, 441 and 451 Ridout Street.

As recommended by the Consultant:

- *Heritage Conservation Plan, this should address the heritage attributes in the interior of the buildings as well as exterior features.*

With respect to integrating the old with the new, Consultant also recommended:

- *Continue to utilize high quality materials such as brick inspired by the Ridout Buildings and glazing as the primary materials of the proposed new building to achieve compatibility with the existing heritage context.*
- *Continue to utilize the podium and point tower massing as proposed which provides the optimal scale and mass for integration of this scale of building into the historic context*

The Heritage Conservation Plan together with any associated revisions to the proposal should be prepared as part of the application process so that the proposal can include how the existing structures will be restored, reused and incorporated into the overall site.

Flood Related Impacts

Section 2.2.3 in the HIA is remiss in its lack of historical references to flooding in the City of London. This is particularly important as the property lies just north of the Forks where the north branch is constrained by:

- berms on the west side of the Thames to protect Petersville/Blackfriars
- two bridges immediately downstream to the south (at Queen and Dundas/Riverside) and
- Blackfriars Bridge to upstream to the north

The City London declared a state of climate emergency and one of the most significant risks to the Forks of the Thames area of the city is flooding. Recent record rainfall is a reminder that a significant portion of the lower section of the property behind the existing buildings is located within the floodplain. The current mapping used for the OP designation and/or Zone boundaries might not adequately reflect climate change related changes in flood elevations and/or the increased frequency storm events. Has URTRA commented on this mapping?

What is known is that the lower level of the property, Harris Park and lands further to the north on the east side of the Thames currently provide a significant amount of flood storage for this section of the Thames River. While the Planning Justification Report and the current zone mapping indicate that the proposed development would be located outside of the floodplain, elsewhere it is noted that bank stabilization will be required in the northeast section in close proximity to Eldon House. Other reports

indicate that floodproofing will be required for the new structure below a certain elevation suggesting that this hazard presents a risk at the proposed building location.

The HIA does not appear to consider what threats to the heritage structures and grounds could occur as a result of any intrusion by new development into areas that have or might serve as a stormwater retention/detention area at this critical junction of the Thames River.

Has any recent modelling of the flood-related impacts occurred which take climate change into account? From a heritage perspective, will the construction of the proposed building within or in very close proximity to the currently mapped floodplain have the potential for detrimental impacts upstream within Harris Park due to higher floodwaters? If so, will these higher floodwaters cause and/or create the possibility of erosion along the steep bank that protects Eldon House?

Detrimental of Shading on Mature Vegetation including protected landscaping at Eldon House

The HIA notes that Eldon House is a National Historic Site and that:

Character defining elements that contribute to the heritage value include (amongst other things) the:
grandeur of the estate, emphasized by landscaping and landscape features which include an arbour and fencing

It is acknowledged by the Consultant that there will be negative impacts being:

View of the sky from the south side of the house, increased shadowing, potential impact on the health of mature and ornamental vegetation on the property

This is problematic given that Eldon House faces to the south toward the proposed development. Its mature and ornamental vegetation is an integral part of the setting for Eldon House.

What will the view be from veranda and upper windows at Eldon House which looks to the south? Will the scene be one of tranquil landscaped garden or will visitors be looking at a modern apartment block? Will the grounds still be suitable for afternoon teas intended to take guest back in time or will they instead feel watched from above, lessening the appeal of this experience? Will the scale of the proposed development not just overshadow but overwhelm the grandeur of the Eldon House estate within its current settling?

Similarly, the Consultant has also concluded that the City-owned Harris Park adjacent to Eldon House will also be negatively impacted as follows:

View of the sky from the south and east sides of the development, potential for increased shadowing and adverse impact on mature vegetation

The mature vegetation in question is along the steep bank which protects Eldon House from the floodplain below. It is essential for the longevity of this heritage site to protect this bank from erosion. Any shading which compromises the health of the vegetation along this steep embankment could potentially compound the threat of erosion. Furthermore, the dense vegetation along the bank helps to enclose the gardens and grounds at Eldon House, sheltering the site from the westerly winds and providing a buffer from modern day activities in the park below.

This is not just about the access to sunlight and the view. The historic setting and timeless atmosphere of Eldon House is the main draw for visitors. The serving of high tea and other socials on the grounds are an important means of generating revenue at this historic site.

The Consultant acknowledges that there will be negative impacts from shading on the mature vegetation in the vicinity of the development, notably along the steep bank between Harris Park and Eldon House as well as the protected landscaping within this estate. There has not yet been any consultation with the Eldon House Board regarding the potential impacts at this site and/or any of the items suggested in HIA as mitigation strategies.

As noted above, the HIA recommends that the following additional study is required:

- *Arborist Report, to effectively determine the impacts on vegetation and assist with tree preservation or replacement.*

Mitigation measures outlined in the HIA further recommends the following:

- *Retain the services of a qualified arborist to undertake a review of the shadow impact plan to determine the longterm health of the mature tree canopy on the Eldon House and adjacent Harris Park. If concerns are identified with the long term health of the tree canopy, retain the services of a landscape architect to identify a planting plan for shade tolerant species of trees to maintain the tree canopy in the long term.*

Before the application proceeds, it is important to obtain the Arborist Report. This report should determine what non-shade tolerant vegetation is expected to no longer thrive and/or survive on the property's north side as well as along the steep bank in Harris Park and/or within the Eldon House gardens? In particular, what species will be affected and in what number and/or size of specimens? Are any of these species at risk and/or rare and/or deemed significant by the City of London tree by-laws? Do any non-shade tolerant species at risk provide habitat for any at risk and/or rare species? Is the proposal to transition to shade tolerant plantings acceptable and/or achievable?

Removal of Educational Uses from Zoning

The proposed Zoning By-law Amendment removes the following as permitted uses:

“adult secondary schools; ancillary residential and/or hostels and accommodations, together with permitted uses in the RF Zone; commercial schools; community colleges; elementary schools; hospitals; private schools; recreational buildings; secondary schools; stadia; supervised residences; universities;”

No justification is provided in the Planning Justification Report (no mention at all in fact) for removing an educational institution in its various forms from the zoning. This proposed change removes both an historic and current land use from the subject property. There are many examples in London and elsewhere of a wide range of educational institutions in commercial-type buildings.

Why eliminate the present use of a private school at this location which dates back as early as 1887 based on the HIA and is a proven compatible land use with the heritage structures? Why restrict options for continuation of and/or similar future uses within the heritage structures and/or new buildings which are currently undetermined?

Removal of Height Restrictions and Bonussing

The current zoning limits the height of construction on the property to the height of the existing structures. Based on information provided, the tallest structure on the property is 3 storeys or an approximate 12m above grade at the street level. This means that any variance proposed on this property is not the suggested variance from 35 storeys (90m) to 40 storeys (123.9m) via implementation of the bonussing provisions in the London Plan but rather a variance from the current 12 metres.

In other words, a variance to a height approximately 10 times higher than currently allowed at this National Historic Site. No where is the rationale for a substantial increase from the current height limitation (12 m) addressed in the Planning Justification Report or how this monumental change in height ***“will provide for continuity and harmony in architectural style with adjacent uses that are of architectural or historical significance.”***

Rather the planning report centres on the rationale for bonussing. There appears to be an assumption that the height restriction of 90m permitted elsewhere in the downtown should be a starting point for the analysis at this property. Is this a false premise?

The recognition of the subject property as a National Historic site includes:

Viewscales on the complex as a whole from surrounding streets.

I am wondering whether there any heritage related studies dating back to the National Historic Site designation, heritage designation and/or construction of the existing addition in the 1970s which sets out the rationale for the height limit to what is now the current condition? ***Was this height restriction part and parcel of this recognition and included in the Zoning By-law to specifically protect the view of the designated structures in Ridout Street Complex and Eldon House? Has this been investigated?***

Conclusion

The HIA concludes that there will be potential direct and indirect impacts to the Ridout Street Complex and Eldon House and recommends:

In order to mitigate the potential direct and indirect impacts to identified cultural heritage value described within this report, the mitigation strategies described in this report should be considered in further project refinements and approaches. Details related to the exterior design, the streetscape character, and the future re-use of the heritage structures should be considered in depth as a part of the proposed project in order to mitigate impacts, and conserve the cultural heritage value of the property.

Upon further design refinement, this HIA should be updated in order to capture any design alterations or changes that have been made to the proposed site plan or tower design to reflect the heritage conservation efforts as a part of the proposed development. Continued consultation with City of London Heritage Planning staff is encouraged as a follow-up step in order to ensure that the significant heritage attributes and cultural heritage value of the property will be

conserved as a part of the proposed development. Due to the extensive cultural heritage value of this property, collaboration with Heritage Planning staff will ensure that the mitigation strategies will be appropriately identified and undertaken in order to preserve and enhance the heritage value of the site.

As noted above it is proposed in the HIA that these reports be deferred and that a Hold Zone be used to prohibit development until the detailed studies are completed. However, the City staff indicated that the Hold zone approach is not satisfactory.

It would seem premature to move forward in the application process BEFORE the studies have proven that there would be no permanent detrimental impacts on the designated heritage structures of the Ridout Street complex and Eldon House.

EJ Rath, Member of LACH

BY EMAIL cmaton@london.ca

May 20, 2021

City of London

ATTN: Catherine Maton, File Planner

RE: Public Meeting submission for 435-451 Ridout Street North (aka Ridout Street Complex)

Please see below and attached a written submission for the upcoming Public Meeting for the Ridout Street Complex on Monday, May 31, 2021. (File No. OZ-9157)

Let me begin by saying that these comments were prepared in my capacity as a member of the London Advisory Committee of Heritage. In 2020, I had the opportunity to review the Notice of Application together with supporting reports and materials, including the Heritage Impact Assessment prepared for the proposed redevelopment of this National Historic Site. Formal comments were submitted by LACH to the Planning & Environment Committee at the time of the HIA review in 2020. The Notice for the upcoming Public Meeting will not be received and reviewed by LACH until its June meeting.

Please note that the attached comments are submitted as a private citizen and do not represent the opinion of the Advisory Committee.

To set these comments in context, I do not oppose the redevelopment of the Ridout Street Complex or any other heritage property. Over time heritage buildings must be re-purposed. The Ridout Street Complex is a good example of how these structures have had many uses and many different occupancies during their lifetime. Rather than being viewed as under threat, let's reframe the conversation. Historical assets at the heart of our city like the Ridout Street Complex represent significant community assets and opportunities for their Owners. The goal must be to find a viable future use for these buildings so that they can continue to serve our community in a meaningful way rather than sit vacant, falling into decay.

I support the efforts to find a renewed purpose for these vacant heritage buildings.

The issue is not whether to redevelop the site but how this can be achieved without compromising the heritage structures – both onsite and at neighbouring properties. The Heritage Impact Assessment included a number of recommendations for further study. The outcomes of these more detailed reviews should be used to scope and shape the application into a more cohesive and compatible proposal that does not overshadow or overwhelm this unique Georgian streetscape.

I encourage the City and the Owner to continue to work together so that more detailed work can be completed to develop a reasonable and realistic redevelopment plan.

Thank you for the opportunity to make a public submission.

E.J. Rath, CMO



OZ-9157: 435-451 Ridout St N



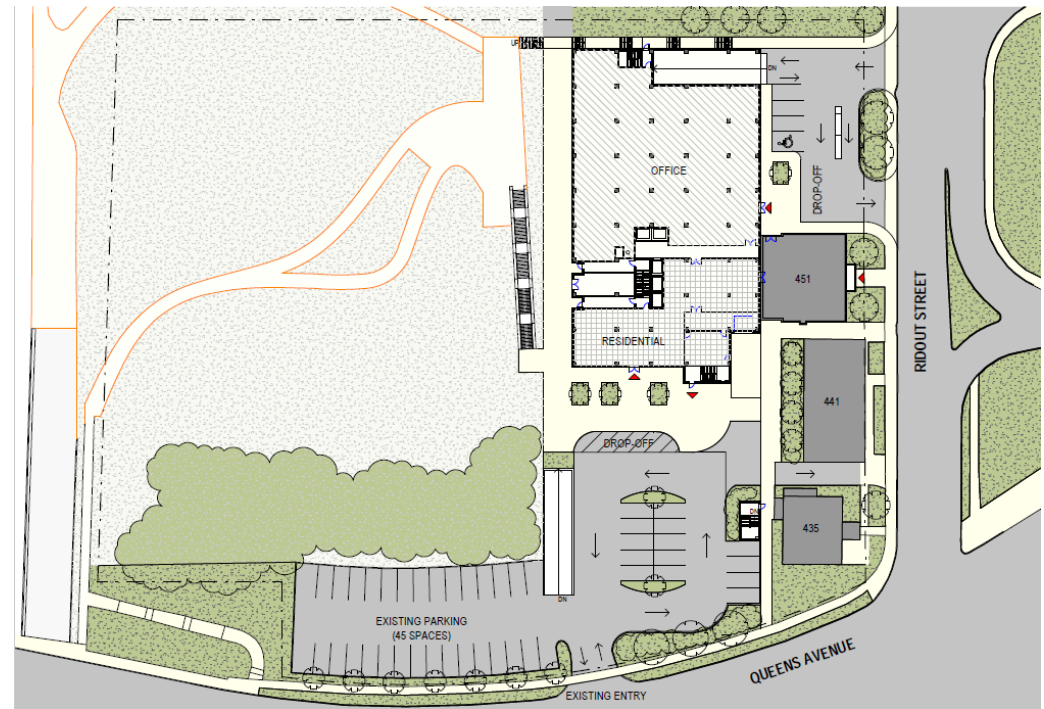
Farhi Holdings Corporation
May 31, 2021

Subject Site



Proposed Development

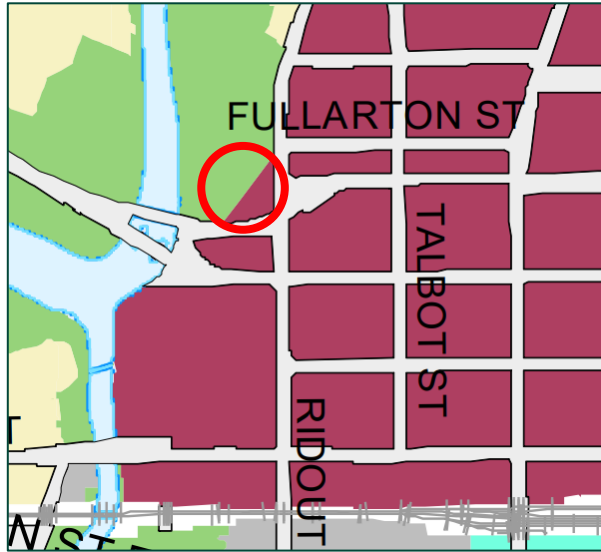
- Adaptive reuse of the existing heritage buildings containing 1,627 square metres of commercial/office gross floor area
- A 40-storey mixed-use building incorporated into 451 Ridout Street North, containing:
 - 280 residential units
 - 6,308 sq.m of commercial/office gross floor area
- A maximum density of 500 units per hectare
- A maximum building height of 130 metres
- A setback of 14.9 metres to the residential component of the building



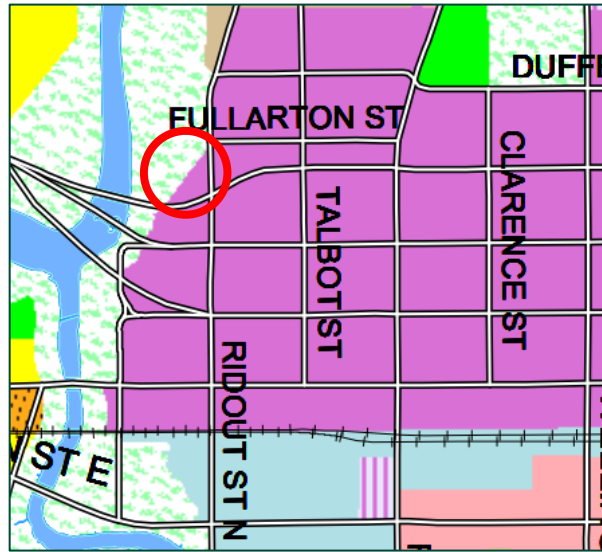
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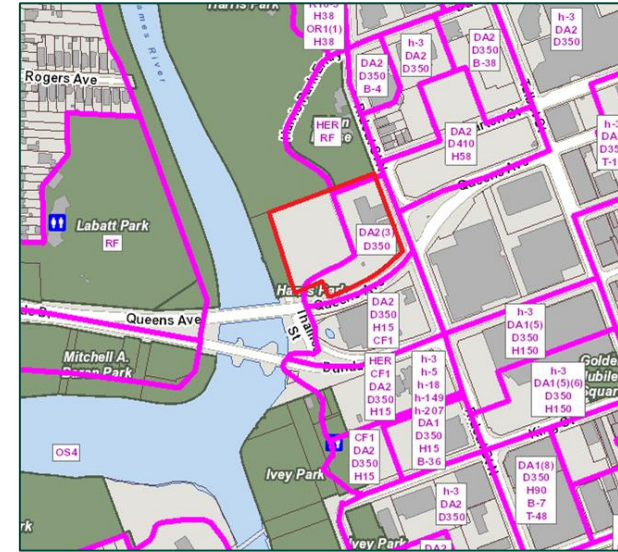
Policy Snapshot



Downtown and Green Space Place Types – The London Plan



Downtown Area and Open Space – 1989 Official Plan



*DA2(3)*D350, HER/RF, and OS4 Zone – Zoning By-law Z-1*



Use, Intensity, & Form

- The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities.
- The Downtown is the highest-order mixed-use activity centre in the city and will permit the tallest buildings and the highest densities in the city.
- The proposed development provides for a mixed-use building with office/commercial uses at grade and residential above, in conformity with the Downtown Place Type of The London Plan and the Downtown Area designation of the 1989 Official Plan.
- The London Plan contemplates a standard maximum height of 20-storeys, or 35-storeys with Type 2 Bonus Zoning. The applicant has requested an Official Plan Amendment to add a Specific Policy to the Downtown Place Type to permit a 40-storey building with Type 2 Bonus Zoning.
- The Downtown Area designation of the 1989 Official Plan contemplates a maximum density of 350 units per hectare. Increases beyond this limit may be considered through the use of a bonus zone.
- The building has been designed with a base, middle, and top in conformity with The London Plan, 1989 Official Plan, and Downtown Design Manual.
- The UDPRP supports the scale and positioning of the podium relative to the existing heritage structures as well as the positioning of the tower component to the south which respects Eldon House and terminates the vista along Queens Avenue.
- A Shadow Study was completed and submitted with the application.
- An h-3 holding provision is recommended to ensure a Wind Study is undertaken prior to Site Plan Approval and any recommendations to mitigate impacts are incorporated into the design.

Bonusing

- As the proposed development exceeds the maximum intensity and density contemplated in The London Plan and 1989 Official Plan, respectively, a Type 2 Bonus Zone is proposed.
- In return for the requested increase in height and density, the applicant has proposed:
 - Exceptional design;
 - Provision of affordable housing;
 - Green building design (LEED certification);
 - Provision of public parking; and,
 - Conservation and retention of the existing heritage buildings, including entering into a heritage easement agreement with the City of London.
- Staff is satisfied the proposed facilities, services, and matters are commensurate for the increase in height and density.

Cultural Heritage

- The site is individually designated under Part IV of the Ontario Heritage Act and is located in the Downtown Heritage Conservation District, designated under Part V of the Ontario Heritage Act.
- The buildings are known collectively as “The Ridout Street Complex” and listed as a National Historic Site of Canada (NHSC) which formally recognizes Canada’s most important historic places.
- Some concerns were expressed regarding the close proximity of the proposed 40-storey development to the heritage buildings on the subject lands. However, the limitations of the subject lands and the prevailing high-rise environment that already exists in the downtown were also recognized.
- It is further recognized that there have been efforts in the design approach to be sensitive to heritage scale and character through:
 - A developed podium (bringing the scale down at grade to that of the heritage buildings),
 - The use of an architectural vocabulary that relies on a base, mid-section and cap supporting a pedestrian scale at the street level; and,
 - Employing a sympathetic colour palette.
- Many of the guidelines contained in sections 6.1.4 and 6.1.5 of the Downtown Heritage Conservation District Plan have been incorporated into the design.
- LACH expressed significant concern with regards to the scale and design of the building, including the base, middle, and top. Concerns were also expressed by the Architectural Conservancy of Ontario.

Archaeology

- The site is identified as having archaeological potential.
- As part of the complete application, a Stage 1-2 Archaeological Assessment was submitted which recommended no further archaeological work is required.
- A clearance letter from the Ministry of Tourism, Culture, and Sport was also submitted with the application, confirming the Archaeological Assessment has been entered in the public register.
- City Heritage Planning staff have confirmed archaeological conditions can be considered satisfied for this application.



Natural Heritage and Floodplain

- Nearly the entire site is regulated by the UTRCA and a portion of the site is located in the floodplain.
- The applicant has worked with the UTRCA since 2010 to establish a development proposal for these lands that aligns or closely aligns with UTRCA policy.
- To accommodate the extent of the proposed development, a portion of the proposed building foundation and parking structure encroach into the floodplain.
- On May 3, 2018, the UTRCA Hearings Committee approved the development concept subject to a series of conditions.
- Approximately 0.49 hectares of land would be dedicated to the City of London and integrated into Harris Park.
- The applicant would be required to work with City staff and the UTRCA through a future Site Plan Application with regards to naturalization and compensation restoration.
- It is also recommended the applicant incorporate bird friendly design features into the final building design at a future Site Plan Approval stage.



Transportation

- A Transportation Impact Assessment (TIA) was submitted as part of the complete application.
- An addendum memo was subsequently submitted in response to Transportation staff's comments.
- Further revisions to the TIA are required prior to Site Plan Approval.
- An h-55 holding provision is recommended to ensure these revisions are made.

Recommendation



From: Catherine Littlejohn
Sent: Thursday, May 27, 2021 1:11 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From: Karen Kydd
Sent: Thursday, May 27, 2021 9:15 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] OZ-9157 - 435-451 Ridout Street North

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

> From: Ulla
> Sent: Thursday, May 27, 2021 12:57 PM
> To: PEC <pec@london.ca>
> Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application
>
> I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.
>
>
> Ulla Troughton

From:

Sent: Thursday, May 27, 2021 12:45 PM

To: PEC <pec@london.ca>

Cc: City of London, Mayor <mayor@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Hopkins, Anna <ahopkins@london.ca>

Subject: [EXTERNAL] OZ-9157 - 435-451 Ridout Street North

Dear PEC members and Staff,

As a long time Londoner, I understand the need for density in our City. But you cannot value density above our history and heritage. That cannot be lost to us after so much effort and funding has been spent to restore and keep the historic landscape of the Forks. I sat on three Millennial committees that designed and brought to fruition the riverfront park, 1 Dundas street, and other initiatives. It was a key value in 2000 and in 2021. The London Community Foundation also invested in bringing the river and the Forks into our daily lives. The City itself has enhanced all the trails and parks in that area. Why would you upend all the good work done over the last three decades for one badly placed building which violates our central cultural value? Why would PEC allow a priveleged group of occupants to enjoy the views of the Forks over the rest of the City which uses all of those downtown corridors?

There are many other locations open to the developer in the City for development. The company has options: converting a parking lot, converting a commercial building and parking lot to residences.

This City Council should not overturn the work of the past just to allow one building which will ruin our historic sense of place and our cultural roots. As my neighbour complained - you cannot make an area or building a heritage site one year, and then declare it is of no value later on. But that is what this proposed development does to Ridout Street "bankers row".

You have the ACO letter which details a large number of key problems with this site. Let me add another issue.

Your Transportation Assessment "allowed" the building IF a large percentage of the occupants did not own cars and need parking. It suggested spending our taxes to subsidize public transit. I am all for less cars and more transit. BUT, the intersection of Queens and Ridout will be an even faster more complex intersection once the 2026 BRT plan is in place. Those occupants and the ones at 100 Fullerton will put even more demand on that intersection that no amount of proposed turning lanes will solve. AND the traffic plan is clearly not friendly for pedestrians or cyclists. That area, now considered a "walkers paradise" will be choked off. Most of the bus routes from that area do NOT head downtown, they head west, southwest and northwest.

All this building will do is push off traffic issues into the conservation district north of the intersection, clog up Talbot, and complicate the supposed goal of creating more walking traffic into the down town core. It defeats the underlying value of the density plan.

Having a large building towering over our Thames is not the right move to take for this Council.

Sincerely

Brenda McQuaid

Past President, Heritage London Foundation

Past Chair, Children's Museum

Past Board Member, Bruce Trail Association

ACO Board Member

Heritage Awards Committee Member

Cc. Mayor Ed Holder,

cc. Councillor Arielle Kayabaga, Steven Hillier, Phil Squire, Josh Morgan, Anna Hopkins

Cc. C. Saunders, City Clerk

From: Genet Hodder
Sent: Thursday, May 27, 2021 8:40 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Ridout Restoration Buildings

Dear Mayor Holder and Members of the Planning and Environment Committee,

The restoration on Ridout Street of historic buildings that formed London's original financial district has been a multifold blessing. It demonstrated that a development can be adapted to contemporary needs without ignoring its historic base. It shone a spotlight on our city's historic heart--including the old courthouse, the Forks of the Thames, and Eldon House-- and energized a movement to put a halt to development at the expense of heritage.

During what was known as the Labatt Restoration because of the largesse and wisdom of the John Labatt company to restore and build its executive offices there, three original historic buildings were placed on new foundations, the old floor structures replaced by reinforced concrete, and the exterior bricks restored. A large functional four-story office building was built, dropping down the hill behind, but totally invisible from the street.

The magic is that the development did not call attention to itself but adapted to the landscape and honoured the underlying history. In what universe would anyone think that a 40 story building rising behind the existing buildings and next to the Thames River would be appropriate?

I encourage you as political leaders to honour our city's history and vote against this proposed development.

Genet Hodder

From: Marilyn Conklin
Sent: Thursday, May 27, 2021 12:38 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Signed Marilyn Conklin

From: Mary Young
Sent: Thursday, May 27, 2021 10:17 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From: Mary Ann Colihan
Sent: Thursday, May 27, 2021 9:17 AM
To: PEC <pec@london.ca>; Phil Squire <psquirelaw@gmail.com>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

To the Planning Committee,

Densification is an important urban consideration. But it has to be in smart places: those places that do not rob of us of our collective and historic views, or overshadow and threaten a neighbourhood in the making. There should be places, particularly along the Thames, that breathe and give space to nature, for all of us to enjoy.

This development proposal gives the public nothing and the developer everything. It will look ridiculous in context to the Ridout buildings, London's key National Historic Site, and the and the incomparable Harris home, our little White House, ghost and all. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, in the barely beating, but historic heart of our City. Downtown is currently on life support. And yes, we need residences downtown so people will live there. But development should include place making. And this area has never been subject to this level of density. So it will be lopsided. And we know better what that looks like here.

People want to live in places that protect open space and respect historic districts.

This proposed development is anything but sympathetic.

I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Kind regards,

Mary Ann Colihan

191 Sherwood Avenue
London, Ont.

From: Betsy Reilly
Sent: Thursday, May 27, 2021 10:54 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

Dear London City Councillors,

How often will London destroy its history and legacy, while overshadowing the green spaces we have come to value in the pandemic. It is far too big for the site and would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. Once again, it feels as if the city is catering to the for-profit developers. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Betsy Reilly

Richard Shroyer

574 Victoria Street

London, ON

N5Y 4B8

From: Sophie Skaith

Sent: Thursday, May 27, 2021 10:43 AM

To: Maton, Catherine <cmaton@london.ca>; Holder, Ed <edholder@london.ca>; PEC <pec@london.ca>;
Lehman, Steve <slehman@london.ca>

Subject: [EXTERNAL] Important - File: OZ-9157 435-451 Ridout St N ZBA Application

Please do not allow this development to go ahead in the most historically significant location in London. It would create an impenetrable wall looking up from the river and dwarf Eldon House.

The development needs to be consistent within existing guidelines with no exceptions.

Please reject this Official Plan and zoning by-law amendment.

We want to have a city that is focused on the human scale, that respects the surrounding natural and built environment, and is sustainable.

Sophie Skaith

From: Rogers

Sent: Thursday, May 27, 2021 9:49 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

I feels this is an offence to the heritage of London and puts the personal profits of one individual ahead of the retaining of the history of the city. We continue to destroy our past and instead of reinventing what we have to be useable today we chose to put up edifices that represent hollow shells where structures built with love and care were built. We are left with modern structures that do not represent the heart of London.

We must stop this travesty fro happening.

Stefan Andrejicka MD

From: Maureen Temme
Sent: Wednesday, May 26, 2021 10:52 PM
To: PEC <pec@london.ca>
Cc: info aco <info@acolondon.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

Councillors,

ACO London branch brought to my attention a proposal by S. Farhi for a 40 storey building to go behind the Ridout Street complex.

The Harris Park and contiguous area could certainly do with an upgrade, but this proposal is not any part of that.

I absolutely agree with the points ACO London makes against this development. In summary, the development is too large for the site, and will ruin the vista and streetscape.

It will make London a laughing stock in good city planning circles for its complete disregard for heritage and look. I doubt if there is much environmentally sustainable about a 40 storey building, and I doubt if any low income people would be able to make it into the place.

And won't a 40 storey building fall into the river the next time it floods to the same extent as some years ago when all the park benches and stuff floated down the river and ended up just at that site?

I am highly suspicious of anything Mr. Farhi wants to do. He seems to hold a huge number of heritage and other properties within London. For what ultimate purpose? Eventual blackmail of Council to get whatever he wants because he holds so much property? And how much of his property sits empty? How can any business person stay afloat without revenue?

Sincerely,

Maureen Temme

66 Palmer Street, London, N6H 1P7

From:

Sent: Thursday, May 27, 2021 8:24 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application. Sincerely, Mary Lake Collins

From: Heather Guizzetti

Sent: Wednesday, May 26, 2021 7:35 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From: Marie Rooks
Sent: Wednesday, May 26, 2021 9:10 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

As a lifelong resident of London and a volunteer at Eldon House, it saddens me to imagine any alteration to this historic gem of the city. The Court House has already been abandoned by the City...don't let this happen again...please. I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

39-250 North Centre Rd

London On N6G 5A4

Chair and Members of PEC

City of London

Dear Members of the PEC Committee:

OZ 9157 435-451 Ridout St North

I am writing today to express my dismay at this Official Plan and Zoning By-law Amendments for the above properties.

I am mainly concerned with the detriment to the historic properties – often named ‘Bankers’ Row’ - that will be in front of this huge, inappropriate, badly-sited and incongruous proposed development.

This, as you know, is the site of London’s first development as a city and these buildings, along with the adjacent, and almost adjacent, properties of the Old Courthouse and Gaol, and London’s oldest historic home at Eldon House, along with the Forks of the Thames itself, constitute the historic heart of London. The buildings of Bankers’ Row are not slated to demolished, but their setting, viewscape, and ambience will be diminished and trivialized by being totally overwhelmed by this modernistic 40-storey tower.

These buildings are protected by being Designated as part of the Downtown Heritage Conservation District and individually Designated (Part V and Part IV of the *Ontario Heritage Act* respectively) and are also a National Historic Site. All of these designating documents cite the importance of the historic context, architecture, streets, landscapes and other physical and visual features. The DHCD additionally ranks the site as ‘A’ and ‘H’ which requires the most stringent protection. New construction should ‘respect history’ and character-defining elements should be conserved and should be ‘physically and visually compatible’.

Thus the buildings may remain but the tower will still be a visual barrier. The height and mass of the overscaled development (the 40-storey tower would be the highest in London – is this really the right place for this?) will obstruct views and diminish any sense of an important historic streetscape. In the past these Bankers’ Row buildings have been the focus of conservation efforts and are of immense importance to the people of London as living, tangible and visual proofs of their history.

In addition much effort has been applied to connecting London’s Downtown to the river – to obliterate the view and connectedness in this overbearing way would be to deny Londoners their enjoyment of their own history.

This proposed development will abut directly onto the gardens at Eldon House, very definitely harming views, landscape and any sense of history or ‘special place’.

Because the site is so restricted as to footprint (being right up to the Flood Plain line – surely UTRCA have something to say about this?) it has to compensate by being much too high – completely taking over and ‘owning’ the view that should belong to all of us.

And I’m pretty sure this will not constitute ‘affordable housing’.

To sum up: *this is not the place for this!*

Thank you for your attention.

Maggie Whalley

From:

Sent: Wednesday, May 26, 2021 2:38 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] 435 – 451 Ridout Street Planning Application OZ-9157

Importance: High

Please place on the public agenda.

Re: [435 – 451 Ridout Street](#) Planning Application OZ-9157

Dear Members of the Planning and Environment Committee,

- No Bonus Zoning should be awarded when the London Plan clearly states that heritage preservation is policy. If it is policy to protect built heritage then that policy should be upheld as practice. Council solidified this idea when they rejected a demolition request by Old Oak Properties of [93-95 Dufferin Street](#) citing both policy in the London Plan and the Provincial Policy Statement as rationale for not approving the demolition. The Bonus Zone awarded to Old Oak Properties was given under the 1989 Official Plan.

If policy was the cited in one case, then why is policy not referenced in every case?

Bonus Zones should not be awarded for adhering to stated policies. The public loses opportunities for community benefits that would be harder to gain otherwise.

- This planning application is another Camden Terrace at 100 Fullerton Street because it dwarfs the National Historic Sites of Banker's Row. It goes even further – obviates those buildings in comparison to the proposed 40 story tower and parking garage. And that offends The London Plan which insists that new construction must be sensitive and complimentary to adjacent heritage buildings.
- The city does not take this section of the London Plan seriously. In every instance where a new tower is being proposed next to a heritage building, Council rarely discusses its impacts on the integrity of that heritage building. Whether it was the new tower on Hewitt St. next to the Unity Project House, 100 Fullerton Street on 93-95 Dufferin, the Azure Building against the Church on Talbot St. and now Banker's Row, the insensitivity of development on the integrity of these heritage buildings is not considered.

It is not enough - not to demolition heritage buildings. Heritage Buildings are unique and need to be showcased. Stand Alone. And new development must preserve and enhance their presence and vista.

- There should be no reduction in required setbacks because setbacks are important. They secure space from one building to the next and provide a sense of 'open air'

and privacy. Setbacks also provide space for much needed landscaping and *open private space for its residents*.

Stick to the Plan. If Council every time throws out elements of the London Plan when it is still fresh and current, then there is no point referencing it as a road map going forward. It becomes subject to the whims of current councillors.

- It is only to the developer's best interest to design a hotel that is attractive. It doesn't make sense that a new hotel would NOT be designed well both from the inside out. Therefore, they should not be awarded with a bonus zone for 'design' because they are not doing anything special or 'giving' something back to the community. It is in **their** best interest to design an attractive building.

The entire concept of bonus zones is lost and rarely does the community benefit. Instead, the community only gets more crowded and congested spaces with diminished green space.

- This site floods. It is a flood plain. It is also a flight path for migrating birds and even though twice Council has been presented with concerns regarding 'fatal light awareness' and its severe impact on migrating birds – Council has taken no action. This building is ill suited for this site.

There are parking lots across the downtown core where such developments would be better suited that are also owned by Farhi Development. It is being placed here for marketing purposes to exploit the Thames River and a National Heritage Site which are public assets not to be exploited by one property owner. (Please note – 'property rights' are not true rights because rights are equal across all people and property owners do not have greater rights than a person that does not own property).

The public matters.

- Even though this application impacts several **public assets** such as Harris Park, the Thames River and several National Historical Sites no notices were sent to area residents outside of the 120 meter radius rule except the Downtown Neighbourhood Association. Notices were sent to Museum London, the Court House, the RCMP Building and a couple of businesses and one highrise. The Downtown **DOES NOT** get the Londoner and hasn't for YEARS yet staff fail to recognize this problem even though it has been pointed out over and over again.

It can't be more rude to toss off area residents that care deeply about their neighbourhoods by simply hiding behind a 120 metre rule. That 'rule' is the least they can do. If the 'least' is your best, then we have a real problem here.

AnnaMaria Valastro

From: NorthTalbot

Sent: Wednesday, May 26, 2021 2:07 PM

To: PEC <pec@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Turner, Stephen <sturner@london.ca>; Helmer, Jesse <jhelmer@london.ca>; van Holst, Michael <mvanholst@london.ca>; City of London, Mayor <mayor@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Hillier, Steven <shillier@london.ca>; Lehman, Steve <slehman@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Lewis, Shawn <slewis@london.ca>; Squire, Phil <psquire@london.ca>; Peloza, Elizabeth <epeloza@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Kayabaga, Arielle <akayabaga@london.ca>

Subject: [EXTERNAL] please read - urgent - Banker's Row in peril

Importance: High

Please circulate widely.

City staff are recommending that a luxury hotel be built on the Thames River at the Forks behind the National Historic Sites of 'Banker's Row' at Ridout and Queens Ave..

This is terrible news but typical of the City's Planning Department that rarely considers the public's view on heritage preservation or public assets such as the Thames River. They just swoon at a glossy project. Your voice is urgently needed. Please, PLEASE send your comments to pec@london.ca asap. Below is a letter I wrote. Please use as needed.

See what is being proposed here: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=81163>

A second email will follow demonstrating concerns with the planning staff and their approach to heritage preservation.

Re: [435 – 451 Ridout Street](#) Planning Application OZ-9157

Dear Members of the Planning and Environment Committee,

- No Bonus Zoning should be awarded when the London Plan clearly states that heritage preservation is policy. If it is policy to protect built heritage then that policy should be upheld as practice. Council solidified this idea when they rejected a demolition request by Old Oak Properties of [93-95 Dufferin Street](#) citing both policy in the London Plan and the Provincial Policy Statement as rationale for not approving the demolition. The Bonus Zone awarded to Old Oak Properties was given under the 1989 Official Plan.

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garage. And that offends The London Plan which insists that new construction must be sensitive and complimentary to adjacent heritage buildings.

- The city does not take this section of the London Plan seriously. In every instance where a new tower is being proposed next to a heritage building, Council rarely discusses its impacts on the integrity of that heritage building. Whether it was the new tower on Hewitt St. next to the Unity Project House, 100 Fullerton Street on 93-95 Dufferin, the Azure Building against the Church on Talbot St. and now Banker's Row, the insensitivity of development on the integrity of these heritage buildings is not considered.

It is not enough - not to demolition heritage buildings. Heritage Buildings are unique and need to be showcased. Stand Alone. And new development must preserve and enhance their presence and vista.

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Stick to the Plan. If Council every time throws out elements of the London Plan when it is still fresh and current, then there is no point referencing it as a road map going forward. It becomes subject to the whims of current councillors.

- It is only to the developer's best interest to design a hotel that is attractive. It doesn't make sense that a new hotel would NOT be designed well both from the inside out. Therefore, they should not be awarded with a bonus zone for 'design' because they are not doing anything special or 'giving' something back to the community. It is in **their** best interest to design an attractive building.

The entire concept of bonus zones is lost and rarely does the community benefit. Instead, the community only gets more crowded and congested spaces with diminished green space.

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There are parking lots across the downtown core where such developments would be better suited that are also owned by Farhi Development. It is being placed here for marketing purposes to exploit the Thames River and a National Heritage Site which are public assets not to be exploited by one property owner. (Please note – 'property rights' are not true rights because rights are equal across all people and property owners do not have greater rights than a person that does not own property).

The public matters.

- Even though this application impacts several **public assets** such as Harris Park, the Thames River and several National Historical Sites no notices were sent to area residents outside of the 120 metre radius rule except the Downtown Neighbourhood Association. Notices were sent to Museum London, the Court House, the RCMP Building and a couple of businesses and one highrise. The Downtown **DOES NOT** get the Londoner and hasn't for YEARS yet staff fail to recognize this problem even though it has been pointed out over and over again.

It can't be more rude to toss off area residents that care deeply about their neighbourhoods by simply hiding behind a 120 metre rule. That 'rule' is the least they can do. If the 'least' is your best, then we have a real problem here.

AnnaMaria Valastro

From: Barbara Spratley
Sent: Thursday, May 27, 2021 1:39 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From:

Sent: Tuesday, May 25, 2021 9:51 PM

To: Maton, Catherine <cmaton@london.ca>

Cc: Kayabaga, Arielle <akayabaga@london.ca>

Subject: Re: [EXTERNAL] May 31/21 Meeting for proposed development at 435, 441, 451 Ridout St N

Good Evening Ms. Maton,

I have decided that I prefer to submit my comments in writing to the Committee and Council, rather than speaking at the public meeting. If I understand the procedure, then please consider this my approval for you to forward on my comments so that it can be included in the meeting.

I am grateful for your time, and if there is anything else I need to do to ensure my concerns about this development going ahead are provided to the meeting participants, please let me know.

For your convenience, here is a summary of my comments for the meeting (I added to the ones in my original email):

I live in the downtown area and am very concerned about the proposed 40 storey building to be built on top of the three heritage buildings on Ridout St N. As you know, there is already a 40 storey building being constructed at the corner of Talbot St and Fullarton St, and that is going to be monstrous but at least it is among other tall buildings in the vicinity, and not next to the park and river. I do not believe that this is a good location for a building of this size and height. It will overtake the entire skyline and although the developer says they would like to maintain the heritage buildings on Ridout St N, I do not see how that can be accomplished long term with an affordable housing highrise on top of it.

I sincerely hope that the City considers what this development will mean long term for the Londoners who count on Harris Park as one of the few places in the core to experience a quiet and clean space amongst the beauty of the trees, water, animals, etc. If this building is filled to capacity, then the number of people and vehicles/parking spaces can only disrupt everything that is special about the park.

**Thank you,
Sarah Shroyer**

From: Christine W
Sent: Tuesday, May 25, 2021 9:29 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Bankers Row

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UsResources**Join ACO**

Official Plan and Zoning Amendments for **435-451** **Ridout St. N**

Dear Planning and Environment Committee, London City Council.

Regarding the application for Official Plan and Zoning Bylaw amendments for [435-451 Ridout St. N., London](#), Architectural Conservancy Ontario urges you to uphold the City's own planning documents and turn down this request.

Because Bankers Row is a National Historic Site <https://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=12873> It is important to Ontario residents far beyond London's city limits, and indeed to all citizens of Canada. It deserves the full protection your City has promised it shall receive in your planning documents.

Your Downtown Heritage Conservation District Guidelines state that for sites marked "A" and "H", as this one is, **character-defining elements** should be conserved. The statement of significance posted on the National Historic Places cites the "**spatial relationship** of the individual buildings, close to one another and to the street" as one of the key character-defining elements. Another key character-defining element is the "**viewscales on the complex as a whole from surrounding streets**" -- viewscales which will be completely disrupted by the proposed development.

The City's planning documents are quite clear: the proposed development is not in keeping with the reasons for Bankers Row's designation as a National Historic Site. Nor is it compatible with the Downtown Heritage Conservation District Guidelines. For these reasons, ACO asks the Committee to refuse the property owner's current application.

Christine Woolner

London Ontario

May 25,



May 25, 2021

Planning & Environment Committee
City of London
300 Dufferin Avenue
London, Ontario N6A 4L9

Re: OZ-9157 - 435-451 Ridout Street North

Regarding the application for Official Plan and Zoning Bylaw amendments for 435-451 Ridout St. N., London, Architectural Conservancy Ontario urges you to uphold the City's own planning documents and turn down this request.

I write on behalf of ACO's Provincial Board because Bankers Row is a National Historic Site <https://www.historicplaces.ca/en/rep-reg/place-lieu.aspx?id=12873> It is important to Ontario residents far beyond London's city limits, and indeed to all citizens of Canada. It deserves the full protection your City has promised it shall receive in your planning documents.

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The City's planning documents are quite clear: the proposed development is not in keeping with the reasons for Bankers Row's designation as a National Historic Site. Nor is it compatible with the Downtown Heritage Conservation District Guidelines. For these reasons, ACO asks the Committee to refuse the property owner's current application.

Yours sincerely,

Kae Elgie
Chair, Board of Directors

401 Richmond Street West, Suite 206, Toronto, ON M5V 3A8
T 416.367.8075 TF 1.866.221.1420 F 416.367.8630 E info@acontario.ca

www.acontario.ca

The past. Our present. Your future.

From: Kelly Peckham

Sent: Tuesday, May 25, 2021 8:45 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Support for owner request to remove garage at 325 Victoria St. (Public Participation Meeting on May 31, 2021)

To whom it may concern,

I'm writing in support of the homeowners requesting to remove their existing garage at 325 Victoria Street in London.

While I'm firmly in support of maintaining the beauty and integrity of heritage homes in our lovely Old North, I don't believe this structure is an actual heritage property itself, and it in no way is a significant structure impacting the look of the home or neighbourhood. The renovation plans in place for 325 Victoria are beautiful and will do far more to enhance the beauty of that property and of the neighbourhood in general.

Many thanks,
Kelly Peckham



Kelly Peckham
Wide Eye Television Inc.

May 25, 2021

Catherine Maton – cmaton@london.ca

Dear Ms. Maton:

Re: File OZ-9157 – Planning Application for 435-451 Ridout St. N., including 40-storey mixed-use building

I am writing to you regarding the Notice of Planning Application by Farhi Holdings Corporation for 435-451 Ridout St. N. I hope the city will turn down this proposal for the following reasons:

- This proposed tower is a “slippery slope,” setting a precedent for more towers to be built along the Thames downtown. When highrises crowd the waterfront, they detract from the ambiance of the river forks, Harris Park, walking path, and river view.
- Twenty per cent of the downtown core consists of surface parking lots, according to Planning Department. Developers should build on these available spaces, rather than on sites where there are heritage buildings. I am aware that the city cannot *force* developers to build on these parking lots, but the use of parking lots use should be encouraged by the city.
- This area is often described as a floodplain. The overflowing Thames has been known to cover Harris Park and its adjacent parking lot. How will flooding impact a building perched on the park’s edge?
- While design appeal is subjective, I believe the proposed 40-storey highrise is not in keeping with the style of the current heritage buildings, a National Historic Site. The Ridout Restoration provides a capsule view of the appearance of mid-19th century Ontario cities. It cannot continue to do so with an unsympathetic contemporary development behind.
- Besides the Ridout Restoration, this part of Ridout Street contains: Eldon House, London’s oldest house, open as a museum; Museum London, the city’s best-known gallery; the Old Courthouse, the city’s oldest building. Together, this streetscape constitutes the heart of London, of interest to tourists. A highrise development will overwhelm and diminish the other structures, making this area look less like London, Ontario and more like the bland modernity found everywhere.

I urge the city to turn down the Farhi Landholdings proposal. Thank you for considering my comments.

Sincerely,

Jennifer Grainger

Copies: akayabaga@london.ca
pec@london.ca
jbunn@london.ca, Chair of LACH through Jerri Bunn, LACH Committee Secretary

From: jan devereux

Sent: Thursday, May 27, 2021 3:40 PM

To: PEC <pec@london.ca>; City of London, Mayor <mayor@london.ca>; psquires@london.ca; Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. I have often walked home from Museum London, where I was a tour guide, by Eldon House, enjoying the historic west side of the street.

The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Sincerely, Jan Devereux

926 Colborne St

London ON, N6A4A4

From: PHIL/JANET WOMBWELL

Sent: Friday, May 21, 2021 1:00 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Janet Wombwell 174 Guildford Cres. member of ACO Please retain London's heritage

From: Millie Romhanyi
Sent: Friday, May 21, 2021 7:19 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] OZ-9157 - 435-451 Ridout Street North

This is ridiculous. Money seems to buy permission to build in every inappropriate space. If London is trying to emulate Toronto then it is time for a rethink.

From: Sharon Saunders
Sent: Thursday, May 27, 2021 4:20 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From: Joyce C Garnett
Sent: Thursday, May 27, 2021 3:01 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

As a librarian, I appreciate the value of the historical record, including the contribution of architecture to our understanding of our heritage. I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Joyce C. Garnett
University Librarian Emeritus
Lecturer, Faculty of Information and Media Studies
Western University
London ON Canada

From: Susan Bentley

Sent: Wednesday, May 26, 2021 10:50 PM

To: Squire, Phil <psquire@london.ca>

Cc: Hillier, Steven <shillier@london.ca>; Lewis, Shawn <slewis@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Lehman, Steve <slehman@london.ca>; Kayabaga, Arielle <akayabaga@london.ca>; Saunders, Cathy <csaunder@london.ca>; City of London, Mayor <mayor@london.ca>

Subject: [EXTERNAL] Zoning applicatiion re 435- 451 Ridout St: File OZ-9157 –

To: The Chair and Members of the Planning and Environment Committee, of the City of London.

Dear Mr Squire, and Members of Planning Committee.

I am writing in regard to the above application to rezone the buildings at 435- 451 Ridout St.

Please kindly note my **strong objection** to the City allowing alterations to the zoning at this National Historic Site, which is also located in a Heritage Conservation District.

The **Architectural Conservancy Ontario** has sent you a letter which sets out their arguments for objection far more fully and far better than I could have done, so I will not add to your work load by repeating their excellent and well reasoned arguments.

Please know that I support everything they have said, including the fact that there are other far more sympathetic sites available for the greater density that we all agree the City badly needs.

Thank you all for your attention to this matter.

With best regards

Susan Bentley

(Former President: Heritage London Foundation, Current Chair: London Heritage Awards Committee)

Cc. Mayor Ed Holder,
cc. Councillor Arielle Kayabaga
Cc. C. Saunders, City Clerk

Mrs. S.E. Bentley
34, Mayfair Drive
London, ON N6A 2M6

From: Lore Brown
Sent: Thursday, May 27, 2021 3:44 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From: Bob Morrison

Sent: Thursday, May 27, 2021 3:53 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Sincerely,

Bob & Sandy Morrison

From: Ann Martin
Sent: Thursday, May 27, 2021 6:31 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

A Martin

From: Debra Rogers
Sent: Thursday, May 27, 2021 4:14 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

How sad it is that the only historic river property in downtown London will be destroyed by this project

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

I know though, that no matter how many Londoners object - city hall will opt for the taxes to be collected by development...

How pathetic.

Deb rogers

From: Susan Agranove
Sent: Thursday, May 27, 2021 5:59 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

London has been my home for 65 years. Historic and important buildings have been demolished, a few have been moved to Fanshawe Pioneer Village, others have been hidden within modern structures. This latest proposal should not be allowed to proceed.

I am concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

 **Susan Agranove,**
Home Owner in London since 1966

From: JOHN MANNESS

Sent: Thursday, May 27, 2021 5:29 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From: Nancy Bol
Sent: Thursday, May 27, 2021 6:28 PM
To: PEC <pec@london.ca>
Cc: Nancy Bol <victoriastreet@sympatico.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

From: Anne
Sent: Thursday, May 27, 2021 11:00 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

--

Anne Warren, Director of Operations
TheWeddingRing.ca | The Wedding Ring Magazine | The Ring's Wedding Expos
| KW Women's Expo

From: jackie farquhar
Sent: Thursday, May 27, 2021 6:35 PM
To: PEC <pec@london.ca>
Cc: Squire, Phil <psquire@london.ca>; owen, ken and murielle
Subject: [EXTERNAL] OZ-9157 435-451 Ridout St N ZBA Application

To: Members of Planning Committee City of London

I am aware of the above application to develop a 40 storey building overlooking Harris Park. I am distressed with this proposed large monolith which is completely incompatible with the river scape, Harris Park and the future development at our historic Forks.

Also if approved, this building WILL SET A SERIOUS PRECEDENT for the future development of London's most treasured historic site at the Forks of the Thames.

Please advise how/where/when the May 31st public meeting is being held and will public be allowed to speak at that meeting.

Please add my objection to the Planning Committee file on this matter.

Yours truly,

Jackie Farquhar,
383 St. George Street,
London, On. N6A 3A9

From: jhunten
Sent: Thursday, May 27, 2021 9:52 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Fwd: File: OZ-9157 435-451 Ridout St N ZBA Application

Planning Committee,

There are many important technical reasons to refuse this rezoning request and there is also a very important cultural reason.

The proposed highrise building will interrupt the views of the Forks of the Thames and the historic landscape, albeit small, stretching from the Old Courthouse and Jail to Eldon House.

Our historic district is indeed very small and we cherish it.

Janet Hunten

253 Huron Street

I would like this to be included with the Planning and Environment Committee agenda

From: Jean.Surry

Sent: Thursday, May 27, 2021 9:53 AM

To: PEC <pec@london.ca>; City of London, Mayor <mayor@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

To whom it may concern,

We urge City Councillors to reject this Official Plan and zoning by-law amendment application. There are other solutions available to increasing the needed density of downtown.

We are deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the precious and historic heart of our City.

The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic.

Please do not allow this to spoil our City.

Jean and David Surry

From: Helen Luckman
Sent: Thursday, May 27, 2021 6:43 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Brian and Helen Luckman

From:

Sent: Thursday, May 27, 2021 10:33 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Shmuel Farhi

Good Morning-

I recently became aware that Shmuel Farhi intends to build a massive 40-story dwelling immediately behind 435-451 Ridout Street North. Excuse me, but didn't Mr. Farhi many years ago purchase the former downtown Public Library on Queens Ave.? With the supposed intention of building an upscale high-rise on that location? Which would still accomplish what he says he is trying to do, i.e. re-energize the downtown by having more people live there? Should he not be held to the promise he made back then, rather than permit him to do what he now intends? While living in Mississauga, I saw developers turn it into a city with no character, no heart, no soul. Please don't let that happen to London!

Thank you.

Gino Nicodemo

From: Kathryn
Sent: Thursday, May 27, 2021 6:38 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

We are deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. We urge City Councillors to reject the Official Plan and zoning by-law amendment application.

✿ Please continue to preserve our splendid historical vista along the Thames. Just as a handsome frame complements the appearance of a valuable painting, London's Banker's Row appearance is enriched by a location near nature. More modern architecture and more vehicles will not add any positive aesthetic value to this important historical location.

Sincerely
Kathryn and Gordon Patton
20-50 Northumberland Rd
London ON N6H 5J2

From: Sharon Lunau
Sent: Thursday, May 27, 2021 8:55 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

After the generous donation of the Eldon House property by the Harris family and the efforts of the newly formed ACO London to save the Ridout Street Complex it seemed that London recognized the importance of this prime location to the citizens of London. When Museum London was built a decade later London took another giant step forward in recognizing the value of the historic heart of London. Only a few short years ago the excitement generated by the plans to create an enhanced riverfront which would be available to ALL Londoners captured the imagination of many.

And then London lost the opportunity to purchase the original Middlesex County Courthouse. The proposed high rise as part of the Ridout Street Complex would be another giant backward step for the Forks of the Thames.

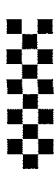
Please consider carefully when you decide on the future of London's historical heart.

Respectfully
Sharon Lunau
1096 Kingston Avenue
London N6H 4C8

From: Jean Spencer
Sent: Thursday, May 27, 2021 4:47 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Kind Regards,
Jean Spencer



Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge
1017 Western Road
London, ON N6G 1G5

May 25, 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: File OZ-9157 – Official Plan and Zoning By-law Amendments – 435-451 Ridout Street North

Dear Councillors and Mayor Holder:

On behalf of ACO London, I write to express our strong opposition to the proposed Official Plan and zoning by-law amendments which would permit a 40-storey building where current provisions do not permit a building that is higher than 2 or 3 storeys (the height of the existing building on the date of the passing of By-law Z.-1).

The property in question is a National Historic Site, one of only four in London. It is designated under both Parts IV and V of the Ontario Heritage Act and is part of the Downtown Heritage Conservation District. When these three buildings were threatened with demolition in the 1960s, a group of Londoners banded together to garner support for their preservation which led to the formation of the London Region branch of Architectural Conservancy Ontario (ACO) in 1966. Eventually, Labatt Brewery purchased the threatened buildings, restored them, and made the Ridout Street Complex their head office for 22 years (1970 to 1992), demonstrating how heritage buildings are easily adapted for many uses.

The proposed development would create a very large 40-storey-high wall, separating the Thames River from downtown. This is the opposite of what the city is intending to achieve through various initiatives that are contemplated for reconnecting the city and its residents to our roots at the river. The London Community Foundation, along with the city, has supported several Back to the River projects to improve access, recreational opportunities, and views at the Forks and to provide open spaces for the public's use. This proposed development violates all of the historical and cultural values of London as expressed through past publicly and privately funded projects. This application undoes the decades of work the city and its residents have put into preserving this unique and special space.

If this development is approved, then others are sure to follow. The result would be similar to what has happened in Toronto, where the downtown core is cut off from its waterfront even though separated by only a few hundred metres.

Official Plan Amendment Application

The Official Plan amendment application seeks to permit a building that is 20 storeys higher than the London Plan allows for downtown development (and 5 storeys more than would be allowed with maximum bonusing). It is unclear from the application which aspects of the proposal might merit bonusing – if bonusing were to be permitted under current provincial legislation. The heritage buildings in question have already been restored. They either are, or could be, in use.

Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge, 1017 Western Road, London ON N6G 1G5
Telephone: 519-645-0981 | Fax: 519-645-0981 | Web: www.acolondon.ca | E-mail: info@acolondon.ca

The past. Our present. Your future.





As a matter of policy, we do not believe that the city should entertain a proposal that is this far outside the bounds of what has been deemed desirable and acceptable by the planning experts who drafted the London Plan and the City Councillors who approved it.

It should also be noted that the property in question is not mapped as “high density” in the 1989 Official Plan.

Zoning By-law Amendment Application

The zoning amendment application seeks to permit a building that is 10 times (36 storeys) higher than current zoning allows. It requests density that is 140% greater than current zoning allows (500 units per hectare rather than 350).

According to the Public Meeting Notice, one purpose of the zoning amendment is to allow adaptive reuse of the existing heritage buildings. We would note that these buildings were extensively restored approximately 60 years ago and have been in continuous use since then. A zoning amendment is not required for this purpose.

Specific Comments Regarding the Applications

- We are in agreement with the comments and concerns expressed by LACH in their February 12, 2020 report (<https://pub-london.escrimetings.com/filestream.ashx?DocumentId=71450>). As far as we know, the November 2019 draft Heritage Impact Assessment report has not been updated to reflect LACH’s concerns and criticisms.
- Paragraph 802.5 of the London Plan provides for the Zoning By-law to include regulations to ensure that the “intensity of development is appropriate for individual sites”. Based on this, we believe that the current zoning for the property (no building taller than the current buildings) should be given considerable weight.
- The principles of the Downtown Heritage Conservation District Plan, in particular the following (from page 12 of the HCD plan), would not be adhered to if the application is approved. The proposed tower could not be construed to be a “supportive setting”:
 - **Preserve Traditional Setting** - A building is intimately connected to its site and to the neighbouring landscape and buildings. Land, gardens, outbuildings and fences form a setting that should be considered during plans for restoration or change. An individual building is perceived as part of a grouping and requires its neighbours to illustrate the original design intent. When buildings need to change there is a supportive setting that should be maintained.
- Paragraph 803.6 of the London Plan requires “continuity and harmony ... with adjacent uses that are of architectural or historical significance”. The sheer size of the contemplated development is such that harmony is not possible. We would note that the parcel of land to the west of Talbot Street, between Queens Avenue and Fullarton Street, would be an excellent location for this building. It could be situated on the east end of the block, respectfully distanced from Ridout Street. There could be a civic square at the west end of the block providing transition between the tower and the Ridout Street Complex, and a pedestrian-friendly gathering place for downtown residents, workers, and visitors.
- The proposed development is inconsistent with the Ontario Municipal Board’s 2015 decision in *CHC MPAR Church Holdings v. City of Toronto*. In that case, the proponent wished to construct a 32-storey building adjacent to a designated property. The OMB determined that respectful separation distance was critical to conserving the heritage attributes of the neighbouring designated and listed properties. The proposed development sits on the same parcel of land as 435-451 Ridout Street, and is immediately adjacent to Eldon House. These properties are designated under Parts IV and V of the Ontario Heritage Act. As mentioned earlier, the Ridout Street Complex is a National Historic Site. It was designated as such in 1966. We think that the LPAT would come to a similar conclusion in this matter, if asked.





- Approval of the application would be contrary, in our opinion, to Sections 2.6.1 and 2.6.3 of the Provincial Policy Statement 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”.
- The commercial space in both the heritage buildings and the 1970 addition all have, in the words of the Farhi Holdings Web site, “outstanding views over the Thames River and plenty of natural light”. If the amendments are granted and the development proceeds as proposed, then 4 storeys of relatively modern commercial space with “outstanding views” of the Thames River would be demolished and replaced with a 4-level above-grade parking garage. In addition, the views from 441 and 451 Ridout (and from 435 Ridout to a lesser extent) would be lost – something that is inconsistent with Paragraph 802.3 of the London Plan. The heritage buildings’ access to sunlight would also be adversely impacted.
- The Downtown Plan’s section on reconnecting to the river sets out objectives to:
 - “enhance views of the Thames River from Ridout Street” (2.4) – This could easily be accomplished today by means of some pruning of vegetation behind and beside the existing buildings. If the proposed tower is constructed, those opportunities would be lost.
 - “provide better pedestrian access to the river at Fullarton Street and Dufferin Avenue” (2.5) – This could be accomplished today by means of a staircase to the south and west of 435 Ridout and improvements to the access road north of Eldon House. The proposed tower would not do anything to facilitate such access over what is already possible.
- The April 5, 2017 draft Geotechnical Report appears to be based on a proposed 32-storey building located to the north of the location set out in the July 2019 Planning Justification Report. Is further analysis required to determine whether or not the tower is even feasible in its proposed location?
- Farhi Holdings has made many public statements regarding the shortage of downtown parking spaces and the challenges that this shortage has created in terms of the company being able to rent out its downtown commercial office space. The property in question currently has close to 200 parking spots (49 in the lot near the corner of Queens Avenue and Ridout Street, 12 in the lot south of Eldon House and north of 451 Ridout Street, and in the range of 120 to 150 adjacent to Harris Park – since the lines are faded and some of this parking lot is gravel, an exact count was difficult). The proposed development would include 372 parking spaces, a net increase of less than 200 spaces. Given the proposed density (280 residential units, possibly a 5-storey hotel, and additional commercial office space), it would seem that this proposal would exacerbate rather than alleviate any parking space shortage that may exist downtown.
- According to the minutes of a January 16, 2020 meeting of the Eldon House Board, a document regarding potential heritage impacts on Eldon House was being prepared and was to be submitted to the city. We are disappointed that this document is not publicly available. We hope that Councillors have been given a copy to consider as they review this application.
- If the amendments are approved, several of the character-defining elements of the streetscape (as identified by the Historic Sites and Monuments Board of Canada) would be lost. These include “the spatial relationship of the individual buildings, close to one another and to the street” and “views from the complex as a whole from surrounding streets”. The proposal would cause some of the defining elements of 451 Ridout Street in particular to be lost. Its “monumental rectangular three-storey massing under a flat roof with a slight pitch to the rear and four end chimneys” would disappear under the mass of the new tower. Since this is a National Historic Site, we are surprised that the Historic Sites and Monuments Board of Parks Canada was not consulted for input.





- In the publicly available documents, we were unable to find any discussion of traffic flow to and from this proposed development – either the residential or the hotel component. We believe that Councillors should have access to such analysis prior to making their decision on this application.
- The proposed development is immediately adjacent to a flood plain, and only a few feet above regular river water level. In the publicly available documents, we were unable to find any input from the Upper Thames River Conservation Authority regarding the application. As the impacts of climate change become more and more apparent, the boundaries of the flood plain may change. Would the city permit a 40-storey building on a flood plain? Would the city permit a 40-storey building on land that may become flood plain in the near future? We hope that the UTRCA will be consulted regarding their projections in this regard.
- The April 2019 Transportation Impact Assessment report is based on 203 residential units. Since the current proposal contemplates 280 units (an increase of 38%), we hope that a revised report will be made available to Councillors before a decision on the application is made. We would note that this report is a little confusing. It recommends (on page 10) that Ridout Street North (north of Queens Avenue) be converted from one-way southbound to two-ways (see also page 21). However, it is already a two-way street north of Queens Avenue.
- Some of the documents refer to 5 storeys of the proposed development being a hotel. The Transportation Impact Assessment report does not appear to consider how this use may impact traffic volume. The various documents also do not address how this might impact on parking requirements. While some tourists would travel to London by plane or train and use taxis or public transit to get to their hotel, others would travel by personal motor vehicle. The latter would expect to be able to park at or near their accommodation, and they might want to travel to other locations in or near London by personal motor vehicle one or more times per day during their visit. It is unfortunate that more detail regarding this was not provided to city staff or Councillors.

In closing, we strongly urge Councillors to deny this application. It is unfortunate that the property owner has invested considerable time and money into their application. However, the amendments being requested are inconsistent with both the letter and the spirit of the London Plan. Our city has only four National Historic Sites. It seems most reasonable that they be respected and retained in their current state. There are many other locations within the downtown core that would be suitable for this development proposal.

Sincerely,

Kelley McKeating
President, Architectural Conservancy Ontario – London Region

Copies: Cathy Saunders, City Clerk – csaunder@london.ca
Heather Lysynski, PEC Committee Secretary – pec@london.ca



From: Betsy Little
Sent: Friday, May 28, 2021 8:42 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

I have a specific interest in this proposal. As a direct descendent of one of the three original donors of Eldon House, I am aware of the assurances gratefully given by the Municipality at the time of the gift. The Municipality was faced with a decision when it determined that a planned river road was no longer a viable proposal and an extension of what is now Dufferin Avenue was demanded by Labatt's for its parking lot on the flats.

At that time, at a Public Meeting at which the Harris Family appeared and opposed that access, a comment was made that Labatt's would likely sue to enforce their rights to access to that lot. Obviously, the Family, having gifted the entirety of the development of Eldon House and Harris Park, would not. As Councillor Ed Blake said, it was, indeed, only a business decision which the Municipality had to make. Whose ox was to be gored?

It seems we have reached a repeat issue. Heritage or encroachment?

The Harris Family would not be happy with us proposal.

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Anthony Little

From: DEBORAH OATES

Date: May 27, 2021 at 7:58:31 PM EDT

To: pec@london.ca

Subject: File: OZ-9157 435-451 Ridout St N ZBA Application

This lovely afternoon, I walked along Ridout Street from Queens to Central and then up through Victoria Park - a route I specifically select for the quiet, tree lined piece of history it offers. I had been at Covent Garden Market and was heading to my home in Old North London.

I am not from London. I was born in Montreal. I have lived in Boston, Mass. and in parts of Vermont and have travelled in Europe - all places where beautiful buildings with stories and distinctive architecture speak to the people and culture of days past and to ideas that helped shape the present.

To be honest, until quite recently, I hadn't thought much about London's heritage or history. Despite living here for the better part of my adult life, working, paying taxes and generally contributing to the community, my time and concern for the city's future were set aside for the everyday concerns of getting on with living and forging my own path. Besides, I had often heard that London's lot was in the "pockets" of developers and so it seemed pointless to wonder otherwise.

But it was shortsighted, if not naive of me, not to realize what a gem this city is with its own unique place and face in southwestern Ontario. I take many bike rides through Old North and Old South, I walk many side streets and lane ways, and I drive west of the city on a daily basis. What I have observed is that so much farmland has been subsumed, so many "Farhi Holdings" signs loom above once active, happy hubs and far, far too much of the history of this area has been scrubbed by speculative developers.

To be clear, I am not against progress.

But boarding up, selling off and either substantially reducing or completely razing pieces of visual heritage is truly shortsighted on the part of London City Council. The proposal to radically alter the Ridout Street Complex will affect more than the future. It will change our history.

I am deeply concerned with the dominating nature of this development proposal. It would loom over and dwarf the Ridout Street Complex, one of London's few National Historic Sites. It would dominate the sightlines and public space associated with Harris Park and the Forks of the Thames, the historic heart of our City. The large addition built by John Labatt Limited as part of the original restoration was and is sympathetic to the historic streetscape. This proposed development is anything but sympathetic. I urge City Councillors to reject the Official Plan and zoning by-law amendment application.

Most sincerely,

Deborah Oates

From: C. en route
Sent: Thursday, May 27, 2021 6:33 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] File: OZ-9157 435-451 Ridout St N ZBA Application

Dear City Counsellors:

I heartily support the ACO's request that the Planning and Environment Committee of City Hall disallow Mr. Farhi's proposal to change existing zoning bylaws and « The London Plan » in order to build a high-rise development adjacent to our city's oldest buildings.

Let us preserve this National Site—not dismiss it.

Yours truly,
Cécile Mellamphy

London Advisory Committee on Heritage

Report

5th Meeting of the London Advisory Committee on Heritage

May 12, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

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

ALSO PRESENT: R. Armistead, G. Barrett, L. Dent, K. Gonyou, M. Greguol, L. Jones and M. Schulthess

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

1. Call to Order

1.1 Disclosures of Pecuniary Interest

L. Jones discloses a pecuniary interest in Item 3.3 of the 5th Report of the London Advisory Committee on Heritage, having to do with the 850 Highbury Avenue Working Group Report, by indicating that her employer is involved in this matter.

2. Consent

2.1 4th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 4th Report of the London Advisory Committee on Heritage, from its meeting held on April 14, 2021, was received.

2.2 Municipal Council Resolution - 3rd Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution, from its meeting held on April 13, 2021, with respect to the 3rd Report of the London Advisory Committee on Heritage, was received.

2.3 Municipal Council Resolution - Property Located at 101 Meadowlily Road South

That it BE NOTED that the Municipal Council resolution, from its meeting held on April 13, 2021, with respect to the property located at 101 Meadowlily Road South, was received.

2.4 Lorne Avenue Park Update

That it BE NOTED that the communication, from M. Guzy, Manager, Media Relations, with respect to an update on the Lorne Avenue Park, was received.

3. Sub-Committees and Working Groups

3.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, from its meeting held on April 28, 2021, was received.

3.2 Education Sub-Committee Report

That it BE NOTED that the Education Sub-Committee Report, from its meeting held on May 4, 2021, was received.

3.3 850 Highbury Avenue Working Group Report

That M. Corby, Senior Planner, BE ADVISED of the following comments from the London Advisory Committee on Heritage (LACH) with respect to the Notice of Application for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments and the Heritage Impact Assessment (HIA), dated January 2021, from Zelinka Priamo Ltd., with respect to the property located at 850 Highbury Avenue North, previously received by the LACH:

- sufficient information has not been received as part of the application in order to appropriately assess the impacts of the proposed applications on the significant heritage resources on this property; it being noted that:
 - the HIA should be prepared by a qualified heritage professional;
 - the HIA should include an assessment of impacts to identified heritage resources of the proposed development, among other content as identified in Info Sheet #5 provided by the Ministry of Heritage, Sport, Tourism and Culture Industries; it being noted that the HIA provided with the application does not speak to the impacts of the proposed development or proposed policy changes on the cultural heritage resources on the site;
- the LACH is supportive of maintaining the overall land use concept identified within the proposal, which is generally consistent with that in the London Psychiatric Hospital Secondary Plan (LPHSP); it being noted that this includes the proposed low density residential in the core area with concentration of higher densities along adjacent arterial roadways (the 'bowl' concept) and the revisions to the road and pedestrian networks, which appear to support the protection and enhancement of the cultural heritage resources;
- the LACH emphasizes the need to consider the built heritage resources as landmarks within the cultural heritage landscape, and that the assessment of impacts must address the cultural heritage landscape including views and vistas as described through the appropriate governing documents;
- the LACH acknowledges the differences or 'inconsistencies' between elements of the Heritage Conservation Easement, designating by-law L.S.P.-3321-208, and the LPHSP as identified within the HIA, but notes that these documents each have different forms and functions, and do not necessarily conflict (save for mapping discrepancies); it being noted that where these differences or 'inconsistencies' are identified, the more detailed description and assessment should apply;
- the LACH does not support many of the proposed changes to heritage policies within the LPHSP which serve to reduce protection of the heritage resources and introduce greater uncertainty; it being noted that sufficient rationale or justification for these revisions to heritage policies have not been provided within the Final Proposal Report or HIA (examples include but are not limited to:
 - LPHSP 20.4.1.4 – "Retain as much of the identified cultural and heritage resources of the area as possible feasible";
 - LPHSP 20.4.1.5.II.a) – "provide forand mixed-use buildings where possible";

- LPHSP 20.4.2.2 – “Development proposed through planning applications... will need not only to consider the significant heritage buildings, but also the unique cultural heritage landscape where possible”;
- LPHSP 20.4.3.5.2.III. d) “Built form adjacent to the Treed Allee within the Heritage Area shall should be encouraged to oriented towards the Allee in applicable locations”; and,
- LPHSP 20.4.4.10 - “shall” to “should”);
- the LACH requests clarification from City of London Heritage and Planning staff on the next steps with respect to this development application, including how the impacts to built heritage resources and the cultural heritage landscape will be assessed and addressed as the planning and design phases progress (for example, can/will an HIA be required for subsequent zoning bylaw amendment applications and/or site plan applications); it being noted that the LACH respectfully requests that these assessments be provided to LACH for review and comment;
- the LACH respectfully requests to be consulted early on any proposed changes to the designating bylaw or heritage conservation easement and would welcome a delegation from the proponent to present on heritage matters on the property; and,
- the LACH requests information from City Staff and/or the proponent on the current physical conditions of the heritage structures on the site.

4. Items for Discussion

4.1 Heritage Alteration Permit Application by P. Scott for the properties located at 40 and 42 Askin Street, By-law No. L.S.P.-2740-36 and Wortley Village-Old South Heritage Conservation District

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 the removal and replacement of the windows on the heritage designated property located at 40 and 42 Askin Street, By-law No. L.S.P.-2740-36 and Wortley Village-Old South Heritage Conservation District, BE REFUSED; it being noted that this Heritage Alteration Permit application is seeking retroactive approval for window replacements that were previously considered and refused by Municipal Council;

it being noted that the London Advisory Committee on Heritage (LACH) encourages the applicant to work with the Heritage Planner to address the concerns raised by the LACH at the meeting;

it being further noted that a verbal delegation from P. Scott, with respect to this matter, was received.

4.2 Demolition Request for Heritage Listed Property Located at 126 Price Street

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the demolition request for the existing dwelling on the heritage listed property located at 126 Price Street:

- a) the Chief Building Official BE ADVISED that the Municipal Council consents to the demolition of the dwelling on the property; and,
- b) the property at 126 Price Street BE REMOVED from the Register of Cultural Heritage Resources.

4.3 Request to Remove Properties from the Register of Cultural Heritage Resources

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the following properties BE REMOVED from the Register of Cultural Heritage Resources:

- 1033-1037 Dundas Street ;
- 1 Kennon Place;
- 19 Raywood Avenue;
- 32 Wellington Road;
- 34 Wellington Road;
- 90 Wellington Road;
- 98 Wellington Road;
- 118 Wellington Road;
- 120 Wellington Road;
- 122 Wellington Road;
- 126 Wellington Road;
- 134 Wellington Road;
- 136 Wellington Road;
- 138 Wellington Road;
- 140 Wellington Road;
- 142 Wellington Road;
- 166 Wellington Road;
- 220 Wellington Road;
- 247 Wellington Road;
- 249 Wellington Road;
- 251 Wellington Road;
- 253-255 Wellington Road;
- 261 Wellington Road;
- 263 Wellington Road;
- 265 Wellington Road;
- 267 Wellington Road;
- 269 Wellington Road;
- 271 Wellington Road;
- 273 Wellington Road;
- 275 Wellington Road;
- 285 Wellington Road;
- 287 Wellington Road;
- 289 Wellington Road;

- 297 Wellington Road;
- 301 Wellington Road;
- 327 Wellington Road;
- 331 Wellington Road;
- 333 Wellington Road;
- 72 Wellington Street; and,
- 44 Wharncliffe Road North.

4.4 Heritage Alteration Permit Application by K. St Lawrence for the Heritage Designated Property at 426 St. James Street

That, on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 33 of the Ontario Heritage Act seeking consent for alterations to the heritage designated property located at 426 St James Street BE GIVEN, subject to the following terms and conditions:

- the new railing be 24" in height above the porch floor to maintain the proportions of the porch;
- wood be used as the material for the alterations;
- all exposed wood be painted; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

4.5 Demolition Request for Garage on Heritage Designated property located at 325 Victoria Street by D. Lee and E. Van den Steen

That, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the request to demolish the garage on the heritage designated property located at 325 Victoria Street BE PERMITTED, and the Chief Building Official BE ADVISED of Municipal Council's intention in this matter; it being noted that the communication, dated May 10, 2021, from B. Jones and K. McKeating, as appended to the Added Agenda, and the verbal delegations from D. Lee, E. Van den Steen, B. Jones and K. McKeating, with respect to this matter, were received.

4.6 Nomination of Labatt Memorial Park as National Historic Site of Canada

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the potential designation of Labatt Memorial Park as a National Historic Site of Canada:

- a) the above noted initiative BE ENDORSED; and,
- b) the Civic Administration BE DIRECTED to undertake the application process with respect to this matter.

4.7 Request for Designation of the Polish Hall at 80 Ann Street

That the communication, from C. Couchie, as appended to the Agenda, with respect to a request for heritage designation for the Polish Hall located at 80 Ann Street, BE REFERRED to the Stewardship Sub-

Committee for review and a report back to a future meeting of the London Advisory Committee on Heritage.

4.8 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated May 12, 2021, from the Heritage Planners, was received.

5. Adjournment

The meeting adjourned at 7:20 PM.

Advisory Committee on the Environment

Report

4th Meeting of the Advisory Committee on the Environment
May 5, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: R. Sirois (Chair), N. Beauregard, M. Bloxam, J. Howell, K. May, M.D. Ross, M.T. Ross, J. Santarelli D. Szoller, A. Tipping and B. Vogel and J. Bunn (Committee Clerk)

ABSENT: R. Pate and A. Thompson

ALSO PRESENT: T. Arnos, M. Fabro, C. Parker, J. Stanford and B. Westlake-Power

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

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Introduction of the Circular Economy Club London Chapter

That it BE NOTED that the presentation, as appended to the agenda, from A. Hodura, Circular Economy Club, with respect to an Introduction to the Circular Economy Club and a verbal delegation from A. Hodura, were received.

2.2 Greener Homes London

That the following actions be taken with respect to Greener Homes London:

a) the presentation, as appended to the Added Agenda, from S. Franke, London Environmental Network, and a verbal delegation from S. Franke, with respect to the Greener Homes London program, BE RECEIVED;

b) a representative from London Hydro BE INVITED to a future meeting of the Advisory Committee on the Environment to speak with respect to:

- future infrastructure improvements to assist with climate change reductions;
- alternative energy sources for providing power to the city;
- fuel forecasting to support the Climate Energy Action Plan and net zero targets; and,
- demand side management strategy and on-bill financing for home energy retrofitting.

3. Consent

3.1 3rd Report of the Advisory Committee on the Environment

That it BE NOTED that the 3rd Report of the Advisory Committee on the Environment, from its meeting held on April 7, 2021, was received.

3.2 Municipal Council Resolution - 2nd Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution, from its meeting held on April 13, 2021, with respect to the 2nd Report of the Advisory Committee on the Environment, was received.

4. Sub-Committees and Working Groups

4.1 Building a Sustainable City Sub-Committee Report

That it BE NOTED that the Building a Sustainable City Sub-Committee Report, from its meeting held on April 3, 2021, was received.

5. Items for Discussion

5.1 Notice of Planning Application - Official Plan and Zoning By-law Amendments - Encouraging the Growing of Food in Urban Areas - City-Wide - RESUBMITTED

That the following actions be taken with respect to the Notice of Planning Application, dated March 31, 2021, from C. Parker, Senior Planner, with respect to Official Plan and Zoning By-law Amendments related to Encouraging the Growing of Food in Urban Areas – City-Wide:

- a) the Civic Administration BE ADVISED that the Advisory Committee on the Environment (ACE) supports the amendments made to date and the amendment that is currently under review; it being noted that the ACE has been involved with the urban agriculture process and development; and,
- b) the above-noted Notice BE RECEIVED.

5.2 Clean Air Alliance

That Jack Gibbons of the Ontario Clean Air Alliance BE INVITED to a future meeting of the Advisory Committee on the Environment to speak to the current campaign of the Clean Air Alliance.

6. Adjournment

The meeting adjourned at 2:02 PM.

DEFERRED MATTERS

**PLANNING AND ENVIRONMENT COMMITTEE
(AS OF MAY 5, 2021)**

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1	EEPAC Terms of Reference – Civic Admin to report allowing EEPAC to work with staff during the collaboration of reports, electronic distribution of files and to provide advice directly to PEC	May 12/15 (7/11/PEC)	Q4 2020	Saunders	Preparing initial report to PEC to seek Council direction. Part of the ongoing Advisory Committee review.
2	Dundas Place Management and Dundas Place Field House – City Planner to report back on results of monitoring all aspects of Dundas Place Management by mid-2019 in order to inform the development of the 2020-2023 Multi-Year Budget.	November 28/17 (17/22/PEC)	Q1 2021	Stafford/Yanchula	<p>May 18, 2021 SPPC Report from City Engineer summarizes Dundas Place Management and Dundas Place Field House. Through the implementation of the Core Area Action Plan funding for various aspects of Dundas Place Management was included in the approved 2020-2023 Multi-Year Budget.</p> <p>REMOVE FROM LIST</p>

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
3	Medway Valley Heritage Forest ESA – Refer back to Staff to report back after deleting the proposed Bridge A and Bridge D; further public consultation with respect to those portions of the CMP that effect changes to the eastern boundary of the ESA, including the use of public streets; further consultation with the ACCAC, the EEPAC, UTRCA and neighbouring First Nations governments and organizations with respect to improved trail access and conditions; actions be taken to discourage crossings of the creek at sites A, B, C, D and E, as identified in the CMP; hardscaped surfaces on the level 2 trails be limited to the greatest extent possible; ways to improve public consultation process for any ESA and CMP; and, amending the Trails Systems Guidelines to incorporate consultation with neighbouring First Nations, Governments and Organizations at the beginning of the process.	April 24/18 (3.2/7/PEC)	Q4 2021	Barrett	Currently addressing Council direction to engage with the community. The amended Conservation Master Plan will be presented to PEC in 2021. Anticipate completion Q4 2021.
4	Inclusionary Zoning for the delivery of affordable housing - the Civic Administration BE DIRECTED to report back to the Planning	August 28/18 (2.1/13/PEC)	Q3 2022	Barrett/Adema	Council approved Terms of Reference in January, 2021 for the Inclusionary Zoning review. The project schedule includes completion of an

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute.				assessment report by Q1 2022 and possible London Plan and Zoning By-law amendments by Q3 2022. The Consultant has been retained, and work is currently underway in accordance with the Terms of Reference.
5	Draft City-Wide Urban Design Guidelines – Civic Admin to report back at a future PPM of the PEC Civic Admin to review and report back on implications related to the <i>Municipal Conflict of Interest Act</i>	Oct 29/19 (2.1/18/PEC) Dec 10/19 (3.1/1/PEC)	Q2 2022	Barrett/O'Hagan	Staff are working to incorporate and address industry and stakeholder comments related to the draft Urban Design Guidelines. Expected for final approval in Q1 2022. The UDPRP Terms of Reference were revised based on conversations with the City Clerk. (please remove second matter from December 10 th)
6	183 and 197 Ann Street, clause 4.1 c) and d) of the 7 th Report of the LACH - Civic Administration to review the submission of an altered building design by the applicant	Nov 24/20 (4.1/18/PEC)	Q4 2021	Yeoman/Tomazincic	Report to be provided Q1 of 2021 An application for an altered building design has not yet been submitted by the applicant for Administration to review

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
7	That, the following actions be taken with respect to the phasing out of Ontario's gas fired power plants: b) the Civic Administration BE REQUESTED to review the proposed request from E. Wyatt, Ontario Clean Air Alliance, to determine how it aligns with the Climate Emergency Action Plan and to report back at a future Planning and Environment Committee meeting.	Dec 7/20 (4.1/19/PEC)		Barrett/Fabro	The Climate Emergency Action Plan will identify actions for Council advocacy to advance climate action at higher levels of government (expected delivery Q3 2021). The Province has recently responded to the Ontario Clear Air Alliance' petition and initiated a study of the implications of removing natural gas-fired power plants from Ontario's energy mix. As the Province has responded to the petition, this matter can be removed from the deferred matters list. REMOVE FROM LIST
8	Homeowner Education Package – 3 rd Report of EEPAC - part c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the	May 4/21 (3.1/7/PEC)	Q3 2022	Barrett/Feldberg	Through the EIS Monitoring Project, staff are assessing the efficacy and implementation of EIS recommendations across a number of now assumed developments. Following the completion of this project, a more detailed review of the recommendations made in the EIS and overall best practices will be reviewed.

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,				

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Trees and Forests Advisory Committee

Report

The 4th Meeting of the Trees and Forests Advisory Committee
May 26, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: A. Morrison (Chair), A. Cantell, M. Demand, A. Hames, J. Kogelheide, R. Mannella, P. Nicholson, S. Thapa and A. Valastro and H. Lysynski (Acting Committee Clerk).

ALSO PRESENT: A. Beaton, D. MacRae, M. Schulthess and J.A. Spence

The meeting was called to order at 12:18 PM; it being noted that the following Members were in remote attendance: A. Morrison, A. Cantell, M. Demand, A. Hames, J. Kogelheide, R. Mannella, P. Nicholson, S. Thapa and A. Valastro.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 3rd Report of the Trees and Forests Advisory Committee

That it BE NOTED that the 3rd Report of the Trees and Forests Advisory Committee from its meeting held on April 28, 2021, was received.

2.2 Municipal Council Resolution - current Advisory Committee appointments

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on May 4, 2021, with respect to current Advisory Committee appointments, was received.

3. Sub-Committees and Working Groups

3.1 Educational Initiatives and Outreach Sub-Committee

That the Educational Initiatives and Outreach Sub-Committee recommendations, appended to the Trees and Forests Advisory Committee (TFAC) Agenda, BE FORWARDED to the Civic Administration for consideration and to report back at a future meeting of the TFAC; it being noted that the TFAC reviewed and received the "May 2021: TFAC Educational Initiatives and Outreach Subcommittee: A Few Suggestions and Comments" on the City of London Website.

4. Items for Discussion

4.1 Review of Implementation Tasks - Urban Forest Strategy Implementation Plan - A. Cantell - RESUBMITTED

That the matter presented by A. Cantell, with respect to the Review of Implementation Tasks - Urban Forest Strategy Implementation Plan, BE DEFERRED to the next meeting of the Trees and Forests Advisory Committee.

4.2 City of London Tree Planting - Tree Varieties - A. Valastro - RESUBMITTED

That it BE NOTED that A-M. Valastro will provide photographs of the size and types of trees that have been planted in her neighbourhood to the next Trees and Forests Advisory Committee meeting.

4.3 Creating Ecosystems - J. Kogelheide - RESUBMITTED

That, the following actions be taken with respect to creating ecosystems in London:

a) a Working Group BE ESTABLISHED consisting of J. Kogelheide, A. Hames and A. Morrison, to review the creation of ecosystems in the City; and,

b) the Civic Administration BE REQUESTED to attend a future Trees and Forests Advisory Committee meeting to provide an update on the initiatives currently being undertaken;

it being noted that the Trees and Forests Advisory Committee reviewed and received a communication from J. Kogelheide with respect to this matter.

4.4 Tree Planting for Students - J. Kogelheide

That it BE NOTED that the communication from J. Kogelheide, with respect to tree planting for students was received.

4.5 Advisory Committee Review - Interim Report VI

That, the following actions be taken with respect to the Advisory Committee Review - Interim Report VI:

a) A. Cantell BE REQUESTED to prepare recommendations on the Advisory Committee Review - Interim Report VI and to report back at the next meeting of the Trees and Forests Advisory Committee meeting; and,

b) the Chair of the Trees and Forests Advisory Committee (TFAC) BE REQUESTED to attend a future Planning and Environment Committee meeting to provide an overview of the TFAC recommendations with respect to these matters;

it being noted that the TFAC reviewed and received staff report dated May 17, 2021, with respect to these matters.

4.6 Urban Forestry Communications Strategy - Update

That, the following actions be taken with respect to the Urban Forestry Communications Strategy:

a) Civic Administration BE REQUESTED to attend the next meeting of the Trees and Forests Advisory Committee to provide an update on the Urban Forestry Communications Strategy;

b) P. Nichoson BE INCLUDED on the existing Working Group; it being noted that the Working Group consists of A. Cantell and M. Demand; and,

c) the Urban Forestry Communications Strategy BE INCLUDED on the 2021 Trees and Forests Advisory Committee Work Plan.

5. Adjournment

The meeting adjourned at 2:17 PM.