

Agenda Including Addeds

Planning and Environment Committee

13th Meeting of the Planning and Environment Committee

September 20, 2021, 4:00 PM

2021 Virtual Meeting - during the COVID-19 Emergency

City Hall is temporarily closed to the public for in-person attendance at Standing Committees and Council meetings.

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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6.2.	Personal Matters / Identifiable Individual	
	A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2022 Mayor's New Year's Honour List.	
6.3.	Litigation/Potential Litigation / Matters Before Administrative Tribunals / Solicitor-Client Privileged Advice	
	This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal("LPAT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.	
7.	Adjournment	

Advisory Committee on the Environment

Report

7th Meeting of the Advisory Committee on the Environment
September 1, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance PRESENT: M.T. Ross (Chair), N. Beauregard, M. Bloxam, J. Howell, K. May, M.D. Ross, J. Santarelli, D. Szoller, A. Tipping and B. Vogel and J. Bunn (Committee Clerk)

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

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

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Chair for the Remainder of the Current Term

That it BE NOTED that the Advisory Committee on the Environment elected M.T. Ross and J. Santarelli as Chair and Vice Chair, respectively, until the end of the current term.

2. Consent

2.1 5th and 6th Reports of the Advisory Committee on the Environment

That it BE NOTED that the 5th and 6th Reports of the Advisory Committee on the Environment, from the meetings held on June 2, 2021 and August 4, 2021, respectively, were received.

2.2 Municipal Council Resolution - 4th Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution, from its meeting held on June 15, 2021, with respect to the 4th Report of the Advisory Committee on the Environment, was received.

2.3 Municipal Council Resolution - 5th Report of the Advisory Committee on the Environment

That it BE NOTED that the Municipal Council resolution, from its meeting held on July 6, 2021, with respect to the 5th Report of the Advisory Committee on the Environment, was received.

2.4 Notice of Study Completion - Pottersburg Creek Sanitary Trunk Sewer

That it BE NOTED that the Notice of Study Completion, from A. Corpodean, Technologist II, with respect to the Pottersburg Creek Sanitary Trunk Sewer, was received.

2.5 Climate Emergency Action Plan (CEAP) - London Hydro Questions and Answers

That it BE NOTED that the communication, dated July 27, 2021, from T. Arnos, London Hydro, with respect to the Climate Emergency Action Plan (CEAP) and London Hydro Questions, was received.

2.6 2022 Mayor's New Year's Honour List - Call for Nominations

That it BE NOTED that the communication, dated July 9, 2021, from C. Saunders, City Clerk and B. Westlake-Power, Deputy City Clerk, with respect to the 2022 Mayor's New Year's Honour List Call for Nominations, was received.

3. Items for Discussion

None.

4. Confidential

4.1 Personal Matters / Identifiable Individual

The Advisory Committee on the Environment convened in closed session from 12:44 PM to 12:51 PM after having passed a motion to do so, with respect to a personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2022 Mayor's New Year's Honour List.

5. Adjournment

The meeting adjourned at 1:00 PM.

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: W-3 Lambeth Farms Inc. (York Developments)
3700 Colonel Talbot Road
Removal of Holding Provision h and h-100**

Meeting on: September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application of W-3 Lambeth Farms Inc. relating to the property located at 3700 Colonel Talbot Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of 3700 Colonel Talbot Road **FROM** Holding Residential Special Provision R1 (h*h-100*R1-3(23)), Holding Residential Special Provision R1 (h*h-84*h-100*R1-3(23)), Holding Residential Special Provision R1 (h*h-100*R1-4(36)), Holding Residential Special Provision R2 (h*h-100*R2-1(17)), Holding Residential Special Provision R4 (h*h-100*R4-6(12)), Holding Residential Special Provision R6 (h*h-100*R6-5(62)), Holding Residential Special Provision R8 (h*h-100*R8-4(49)), Holding Residential Special Provision R8 (h*h-100*R8-4(50)), Holding Residential Special Provision R8 (h*h-100*R8-4(51)), Holding Convenience Commercial Special Provision 6 (h*h-100*CC6(11)), Holding Convenience Commercial Special Provision 6 (h*h-100*CC6(12)), Holding Neighbourhood Facility Special Provision 1 (h*h-100*NF1(17)), and Open Space 1 (OS1) Zones **TO** Residential Special Provision R1 (R1-3(23)), Holding Residential Special Provision R1 (h-84*R1-3(23)), Residential Special Provision R1 (R1-4(36)), Residential Special Provision R2 (R2-1(17)), Residential Special Provision R4 (R4-6(12)), Residential Special Provision R6 (R6-5(62)), Residential Special Provision R8 (R8-4(49)), Residential Special Provision R8 (R8-4(50)), Residential Special Provision R8 (R8-4(51)), Convenience Commercial Special Provision 6 (CC6(11)), Convenience Commercial Special Provision 6 (CC6(12)), Neighbourhood Facility Special Provision 1 (NF1(17)), and Open Space 1 (OS1) 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 h and h-100 holding provisions so that the development of 258 single detached dwellings, three (3) commercial / residential mixed-use blocks and one (1) cluster / low-rise residential block can proceed in accordance with the approved zoning.

Rationale of Recommended Action

The conditions for removing the h and h-100 holding provisions have been met, as the required security has been submitted, the development agreement has been signed and adequate water servicing and appropriate access has been provided.

1. The removal of the h and h-100 holding provisions is in conformity with The London Plan and (1989) Official Plan and in compliance with the Zoning By-law.
2. Through the draft plan approval process, the required security has been submitted to the City of London and a development agreement has been executed. The “h” holding provision is no longer required.

3. Through the draft plan approval process, confirmation on how the site can be appropriately serviced by a looped watermain system has been satisfied and secondary emergency access in conjunction with the subdivision to the south has been provided. The “h-100” holding provision is no longer required.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

April 26, 2010 - Report to Planning Committee to present the draft Southwest Area Plan and associated background studies.

November 20, 2012 - Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (Southwest Secondary Plan).

September 23, 2019 - Report to Planning and Environment Committee to recommend approval of the draft plan of subdivision and associated official plan and zoning by-law amendments (39T-17503/OZ-8838).

April 26, 2021 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-17503 - Phase 1).

1.2 Planning History

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

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

The application for Official Plan Amendment, Zoning By-Law Amendment, and Draft Plan of Subdivision was accepted on October 23, 2017. After several modifications the applications were approved by Municipal Council on October 1, 2019. Special Provisions for Phase 1 of the W-3 Farms Subdivision were approved by Council on May 4, 2021.

1.3 Property Description

The subject lands are located in the southwest quadrant of the City and are included in the Southwest Area Plan. The lands are to the south of Pack Road, to the east of Colonel Talbot Road. The lands consist of Phase 1 of the W-3 Farms Subdivision which was draft approved on October 18, 2019 (39T-17503). Adjacent to the south is the Heathwoods Subdivision (39T-12503) which is draft approved for development by Colonel Talbot Developments Inc. (Auburn Developments).

The subject lands are proposed to be developed as 269 single detached dwelling, three (3) commercial / residential mixed use blocks, one (1) cluster / low-rise residential block, and park and walkway blocks. The subject lands are proposed to be serviced by two (2) new secondary collector/neighbourhood connector roads (Royal Magnolia Ave and Campbell Street North), and four (4) new local/neighbourhood streets (Heathwoods Avenue, Ayrshire Avenue, Big Leaf Trail and Petalpath Way).

Secondary public access and a looped watermain are proposed to be provided via an extension to Campbell Street North to the south of the subject lands.

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

- The London Plan Place Type – Neighbourhoods Place Type
- Southwest Area Plan – Medium Density Residential, Low Density Residential, Open Space and Environmental Review
- 1989 Official Plan Designation – Multi-Family Medium Density Residential, Low Density Residential, Open Space
- Existing Zoning – h*h-100* R1-3(23) / R1-4(36) / R2-1(17) / R4-6(12) / R6-5(62) / R8-4(49) / R8-4(50) / R8-4(51); h*h-84*h-100* R1-3(23); and OS1

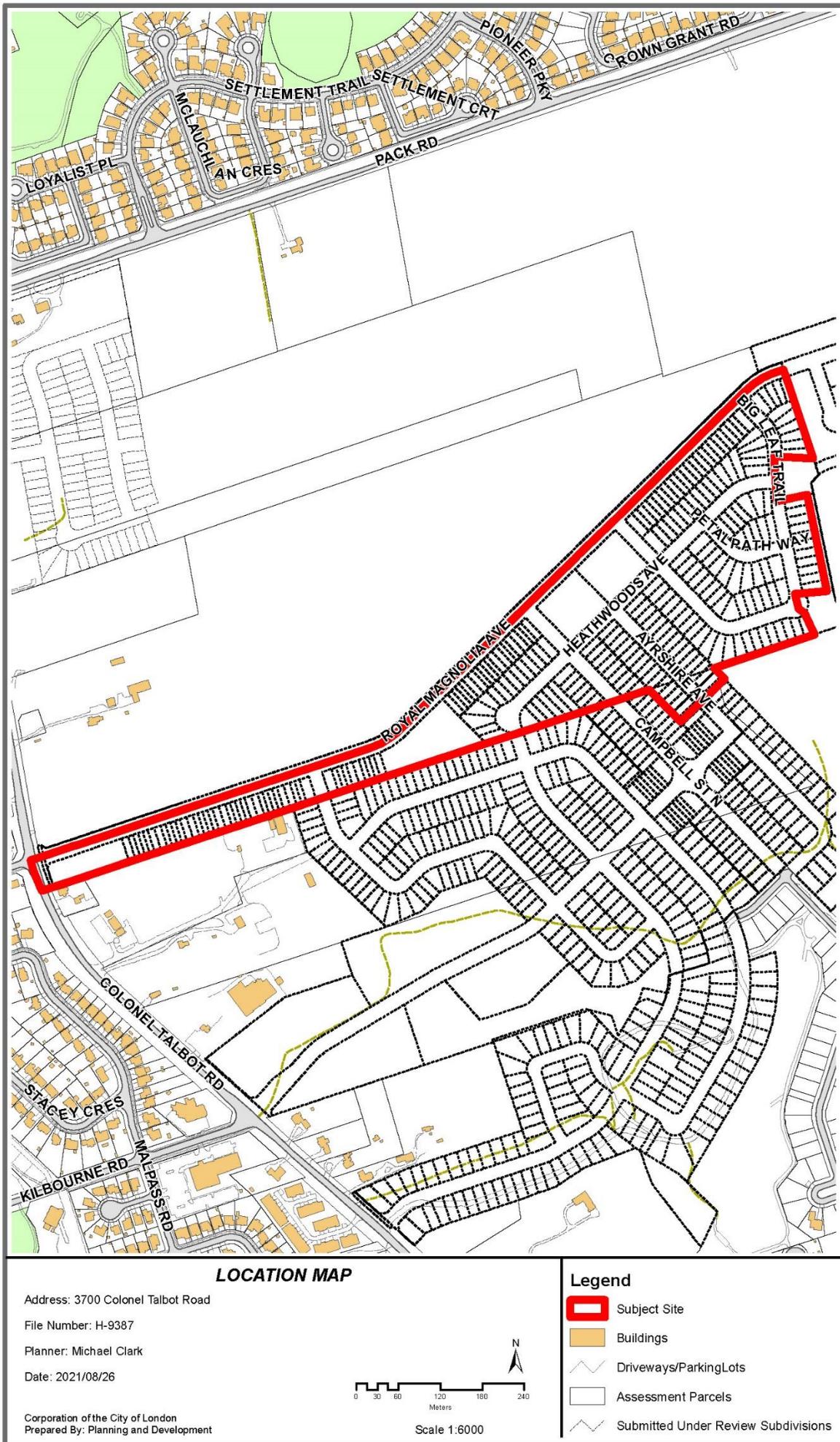
1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – approx. 64m on Colonel Talbot Rd. (Civic Boulevard), 21.5m on a future extension to Campbell Street North (Neighbourhood Collector), 20m on future Neighbourhood Streets to the south (Heathwoods Ave. and Ayrshire Ave.)
- Area – approx. 186,300 m² (18.63 ha)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – vacant, future residential
- East – vacant, open space, future residential
- South – vacant, future residential
- West – existing low density residential

1.7 Location Map



2.0 Discussion and Considerations

The applicant is requesting to remove the h, and h-100 holding provision from the subject lands. This h holding provision requires orderly development of lands and the adequate provision of municipal services. The h-100 holding provision requires that adequate water service and appropriate public access being provided be provided. The removal of the h, and h-100 holding provisions will allow for the development of 258 single detached dwellings, three (3) commercial/residential mixed use blocks, and one (1) cluster / low-rise residential block on the subject lands. Part Blocks for 11 future single detached dwellings are also included on the subject lands. Development will only be permitted once these blocks have been consolidated into developable lots and the h-84 holding provision has been satisfied.

2.1 Community Engagement (see more detail in Appendix B)

On August 19, 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 90 days to remove the holding provision(s).

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

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

Why is it Appropriate to remove the Holding Provisions?

h Holding Provision

The h holding provision states that:

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

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

The Applicant has provided the necessary securities to the City of London and the development agreement has been executed by both the applicant and the City of London. This satisfies the requirement for removal of the “h” holding provision.

h-100 Holding Provision

The “h-100” holding provision states that:

“h-100 Purpose: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.

Permitted Interim Uses: A maximum of 80 residential units.”

Development Engineering Staff have confirmed that adequate water servicing can be provided to the subject site through a looped watermain system through the subdivision to the south.

The primary access to the subject lands is proposed to be provided from Colonel Talbot Road at the western limit of the site. A secondary public access will be provided through the subdivision to the south. Development Engineering staff have confirm that they have no comments or objections to the application.

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

h-84 Holding Provision

The (h-84) holding provision states that:

Purpose: To ensure that there is a consistent lotting pattern in this area, the "h-84" symbol shall not be deleted until the part block has been consolidated with adjacent lands.

The part lots have not been consolidated at this time, and the conditions have not been met to satisfy the requirements for removal of the “h-84” holding provision. The applicant has not requested that the h-84 holding provision be removed at this time and has indicated that a future application to remove the holding provision will be submitted once the part lots have been consolidated.

Conclusion

It is appropriate to remove the “h” and “h-100” holding provisions from the subject lands at this time as full municipal services are available, the required security has been submitted, and the subdivision agreement has been executed by both the applicant and the City of London; water engineering confirmed that adequate water servicing can be provided to the subject site through a looped watermain system, a secondary public access will be provided through the lands to the south to the satisfaction of the Development Engineering staff.

Prepared by: Michael Clark, MA
Planner, Planning & Development

Reviewed by: Bruce Page, MCIP, RPP
Manager, Planning & Development

Recommended by: Gregg Barrett, RPP, PLE
Director, Development Planning

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

cc: Matt Feldberg, Manager, Development Planning (Subdivisions)
cc: Bruce Page, Manager, Development Planning (Subdivisions)
cc: Peter Kavcic, Manager, Development Planning (Subdivisions)

H-9387
M. Clark

cc: Michael Pease, Manager, Development Planning (Site Plan)

BP/mc

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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 provision from the zoning for lands located at 3700 Colonel Talbot Road.

WHEREAS W-3 Lambeth Farms Inc. have applied to remove the holding provision from the zoning for the lands located at 3700 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3700 Colonel Talbot Road, as shown on the attached map, to remove the h and h-100 holding provision so that the zoning of the lands as Residential Special Provision R1 (R1-3(23)), Holding Residential Special Provision R1 (h-84*R1-3(23)), Residential Special Provision R1 (R1-4(36)), Residential Special Provision R2 (R2-1(17)), Residential Special Provision R4 (R4-6(12)), Residential Special Provision R6 (R6-5(62)), Residential Special Provision R8 (R8-4(49)), Residential Special Provision R8 (R8-4(50)), Residential Special Provision R8 (R8-4(51)), Convenience Commercial Special Provision 6 (CC6(11)), Convenience Commercial Special Provision 6 (CC6(12)), Neighbourhood Facility Special Provision 1 (NF1(17)), and Open Space 1 (OS1) Zones comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on October 5, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

H-9387
M. Clark

First Reading - October 5, 2021
Second Reading - October 5, 2021
Third Reading - October 5, 2021

Appendix B – Public Engagement

Community Engagement

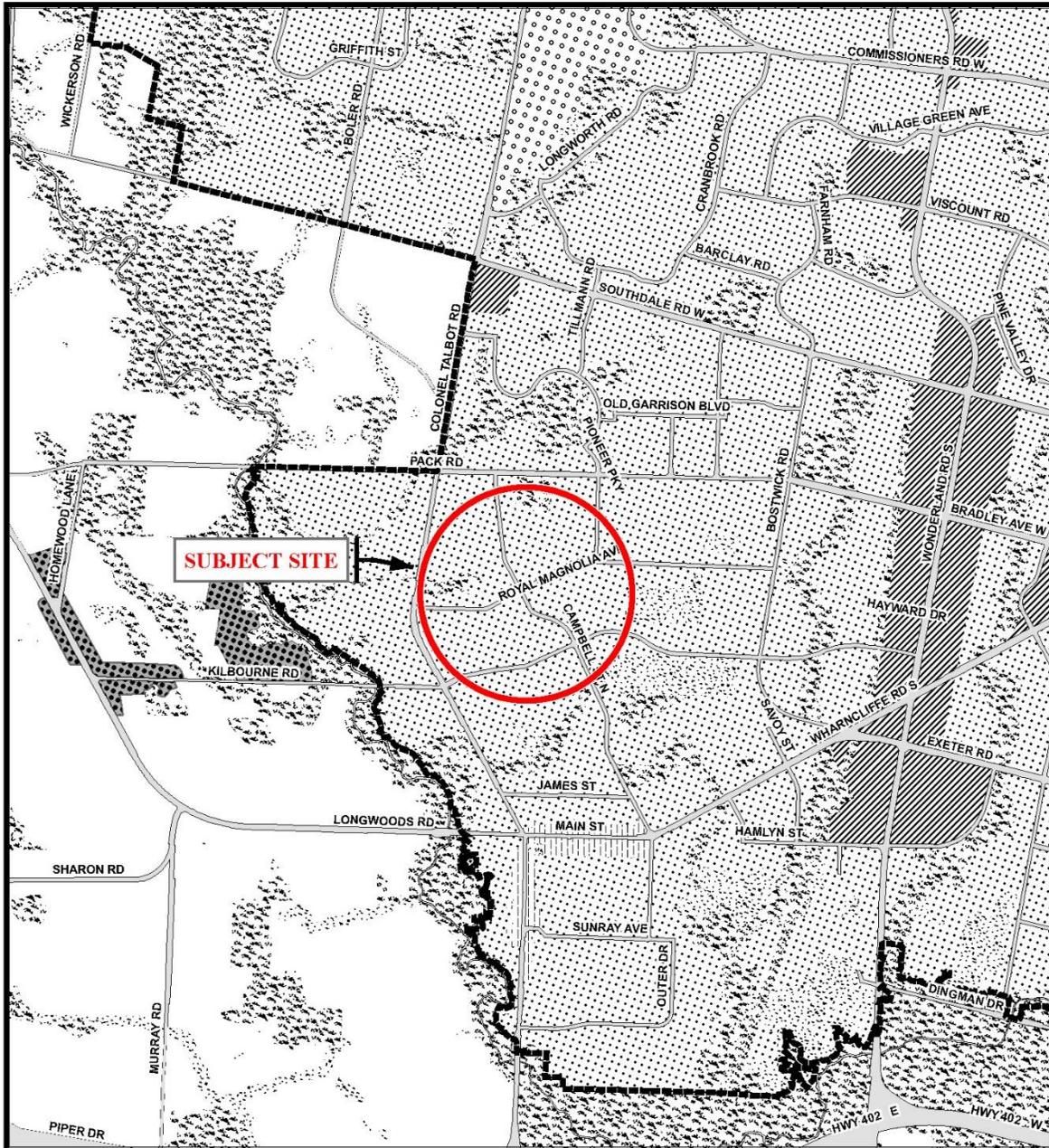
Public liaison: Notice of the application was published in the Londoner on August 19, 2021

0 replies were received

Nature of Liaison: City Council intends to consider removing the h and h-100 holding provisions from the lands which requires that the site is developed in an orderly manner and that there is an adequate provision of municipal services, including a looped watermain system and a second public access. Council will consider removing the holding provisions as it applies to these lands no earlier than September 20, 2021. File: H-9387
Planner: M.Clark ext.4586

Appendix C – Relevant Background

London Plan Excerpt



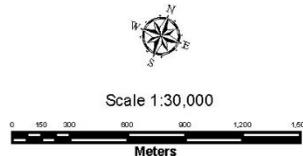
Legend

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

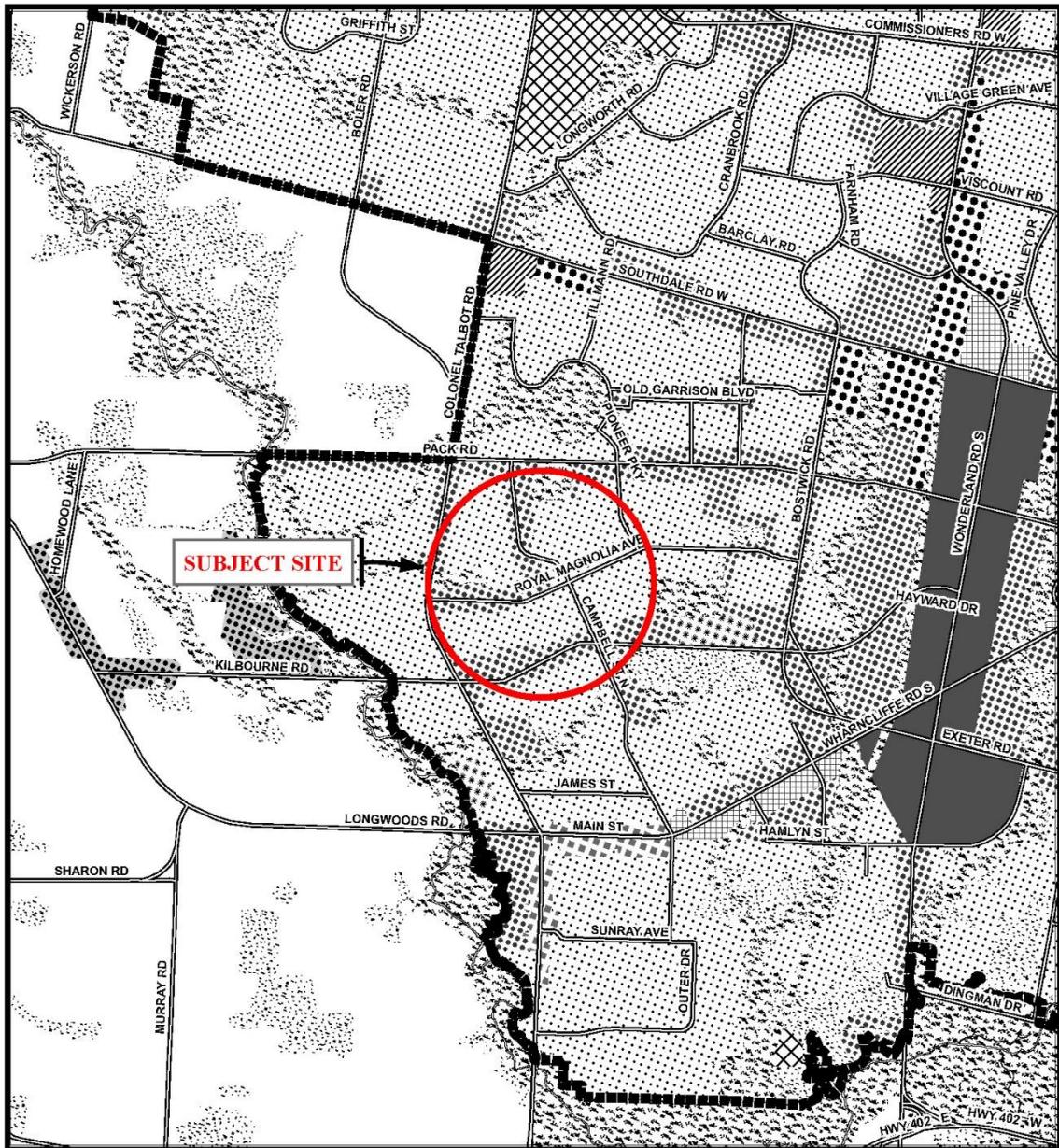
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

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



File Number: H-9387
Planner: MC
Technician: RC
Date: August 26, 2021

1989 Official Plan Excerpt



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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p style="text-align: center;"> Scale 1:30,000 Meters </p>	<p>FILE NUMBER: H-9387 PLANNER: MC TECHNICIAN: RC DATE: 2021/08/26</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Gregg Barrett, Director, Planning and Development
Subject: Demolition Request for the Anne Eadie Park Stage on the
Heritage Listed Property at 900 King Street
Public Participation Meeting
Date: September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the demolition request for the Anne Eadie Park Stage on the heritage listed property at 900 King Street, that:

- a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the Anne Eadie Park Stage on the property.

IT BEING NOTED that the property located at 900 King Street should remain on the Register of Cultural Heritage Resources as it is believed to be of cultural heritage value or interest.

Executive Summary

A demolition request was received for the heritage listed property at 900 King Street. The subject property, otherwise known as Queen's Park, is listed on the City of London's Register of Cultural Heritage Resources. When received, a demolition request for a building or structure on a heritage listed triggers a formal review process pursuant to the requirement of the *Ontario Heritage Act* and the Council Policy Manual. The property was previously evaluated through a Cultural Heritage Evaluation Report/Heritage Impact Assessment according to the criteria outlined in Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest. The property was identified as having cultural heritage value or interest, however, the Anne Eadie Park Stage was not identified as a heritage attribute of the property.

The demolition of the Anne Eadie Park Stage on the subject property would not result in adverse impacts to the cultural heritage value or interest of the property.

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 at 900 King Street (925 Dundas Street) is an irregularly shaped lot bound by King Street and Dundas Street to the north, Egerton Street to the east, Florence Street to the south, and Rectory Street and Ontario Street to the west. The property is known as the main location of the Western Fair District and also includes Queen's Park, a City-owned park.

1.2 Cultural Heritage Status

The property at 900 King Street is a heritage listed property. The property is considered to be of potential cultural heritage value or interest. 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 property at 900 King Street is an approximately 19-hectare property (approximately 47 acres) bound by Dundas Street and King Street to the north, Egerton Street to the east, Florence Street to the south, and Rectory and Ontario Street to the west. The property is known primarily as the main location of the Western Fair District. The property includes a collection of buildings related to the Western Fair including the Arts Building, the Confederation Building, the West Annex, the Progress Building, the Raceway and the Grandstand. The western portion of the property consists primarily of surface parking lots.

A portion of the north half the property consists of Queen's Park. The City-owned park is primarily used as a passive open space with large expanses of lawn and mature trees, including accesses roads and pathways accessed from Dundas Street and the parking lots that service the Western Fair District.

The Anne Eadie Park Stage is located in the southeast corner of Queen's Park, north of the Progress Building and west of the raceway. The structure is an open-air stage constructed of a steel frame, painted concrete block, and cast-in-place concrete with a shingled roof. The stage structure also contains storage facilities at the rear, and the stage proper has been added and expanded upon with pressure-treated lumber and decking.

1.4 Property History

The portion of the property that includes Queen's Park was originally a portion of the historic Salter's Grove. John Salter, a London-based surgeon, pharmacist and philanthropist, owned a large tract of forest east of London's city limits known as Salter's Grove. He reportedly permitted the usage of the grounds for members of the public for picnics and strolls. The grove was described as "part of the virgin forest and contained huge oak and pine trees, some six to eight feet in diameter, interspersed here and there by a majestic elm."¹

In the 1870s, the park was acquired by the City, following London East's annexation by the City of London. Through community and municipal efforts, the area was made into a public park and in 1879 it was officially opened as Queen's Park, to commemorate the 60th birthday of Queen Victoria. In March 1887, City Council voted in favour of selecting Queen's Park as the new location for the Western Fair and the construction of a new exhibition building.² September 1887 marked the first fair held in its current location. Since then, the property and Queen's Park has served as the main location of the Western Fair.

The Anne Eadie Park Stage was constructed in 1971, one of the later additions to the property. The open-air stage replaced an earlier "Silver Dome" stage that was built in the mid-1960s as a temporary stage for entertainment purposes. The new open-air stage was first opened to visitors to the Western Fair in September 1971. Since then, it has been used during events at various times throughout the year. Originally known as the park stage, the stage was renamed to the "Anne Eadie Park Stage" in 2006 to celebrate the career of Anne Eadie, the Community Development and Entertainment Manager for the Western Fair Association for 35 years. Known locally as the "Fair Godmother", Anne was, and continues to be known for her devotion to the fair industry and for her commitment to the annual Youth Talent Search Competition, resulting in the re-naming of the stage after years of dedication to youth talent development.³

¹ Edwin Seaborn, *The March of Medicine in Western Ontario*, p. 154.

² Nancy Tausky and Lynn DiStefano, *Victorian Architecture in London and Southwest Ontario: Symbols of Aspiration*, p. 331.

³ "Open-air stage replaces Silver Dome at Western Fair," *London Free Press*, September 3, 1971.

For further research and historical information related to the history of the Western Fair and the property at 900 King Street, please see the Cultural Heritage Evaluation Report/Heritage Impact Assessment linked in Appendix C.

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. Objections to a Notice of Intention to Designate are referred back to Municipal Council. Appeals to the passing of a by-law to designate a property pursuant to the *Ontario Heritage Act* are referred to the Ontario Land Tribunal (OLT).

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 Resources

Municipal Council may include properties on the Register of Cultural Heritage Resources that it “believes to be of cultural heritage value or interest.” These properties are not designated, but are considered to have potential cultural heritage value or interest.

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

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1. Demolition Request

Written notice of intention to demolish the Anne Eadie Park Stage at 900 King Street was submitted by the Western Fair Association on August 17, 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 Anne Eadie Park Stage expires on October 16, 2021.

4.3 Cultural Heritage Evaluation

4.3.1 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.

4.4 Evaluation

An evaluation of the property at 900 King Street was undertaken using the criteria outlined in O.Reg. 9/06 in a Cultural Heritage Evaluation Report/Heritage Impact Assessment (CHER/HIA) completed as a part of a proposed Official Plan Amendment and Zoning By-law Amendment in 2018. The evaluation found that the property met the

criteria of O.Reg. 9/06 for its design/physical value, historical/associative value, and contextual value. The CHER/HIA determined:

900 King Street has a rich history as a place of public enjoyment, both related to and preceding the relocation of the Western Fair to the site in 1887. The site has important associations with the Western Fair, several prominent London architecture firms, harness racing, and the local history of London East. The site contains a number of significant heritage buildings, including the Arts Building (built in 1912), and the Confederation Building (built in 1927). The evaluation determined that 900 King Street meets the criteria for Historical, Design, and Contextual values under the Ontario Heritage Act. The specific heritage values and related heritage attributes are outlined fully 7.0 Proposed Statement of Significance.

Although the property is identified as having met the criteria of O.Reg 9/06, and being of cultural heritage value, the Anne Eadie Park Stage was not identified as a heritage attribute of the property.

Staff have reviewed the CHER/HIA and the evaluation of the property using the criteria of O.Reg. 9/06. Staff concur with the findings of the evaluation that the property meets the criteria of O.Reg 9/06, but that the Anne Eadie Park Stage is not identified as a heritage attribute of the property.

4.5 Consultation

Pursuant to Council Policy for the demolition of buildings or structures on heritage listed properties, notification of the demolition request was sent to property owners within 120m of the subject property on September 1, 2021, as well as community groups including the Old East Village Community Association, 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 900 King Street found that the property met the criteria of O.Reg. 9/06, however, the Anne Eadie Park Stage was not identified as a heritage attribute. The proposed demolition of the stage structure is not anticipated to result in impacts to the cultural heritage value of the property. Municipal Council should consent to the demolition of the Anne Eadie Park Stage. The property at 900 King Street should remain on the Register of Cultural Heritage Resources as it is believed to be of cultural heritage value or interest.

Prepared by: Michael Greguol, CAHP Heritage Planner,
Submitted by: Britt O’Hagan, MCIP, RPP, Manager, Community
Planning, Urban Design, and Heritage
Recommended by: Gregg Barrett, AICP, Director, Planning and
Development

Appendices

Appendix A Property Location

Appendix B Images

Appendix C Common Bond Collective. 900 King Street CHER & HIA. Final August 2018.

Sources

Common Bond Collective. 900 King Street CHER & HIA. Final August 2018.

Corporation of the City of London. *Queen’s Park at Western Fair Master Plan*. 2009.

Corporation of the City of London. *Register of Cultural Heritage Resources*. 2019.

Corporation of the City of London. *2019-2023 Strategic Plan*.

Corporation of the City of London. *The London Plan*. 2019 (consolidated).

Grainger, Jennifer. *Vanished Villages of Middlesex*. 2002.

London Free Press Clippings (London Room, London Public Library).
Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation*. 2006.
Seaborn, Edwin. *The March of Medicine in Western Ontario*. Toronto: The Ryerson Press, 1944.
Tausky, Nancy Z. and Lynne DiStefano. *Victorian Architecture in London and Southwestern Ontario: Symbols of Aspiration*. Toronto: University of Toronto Press, 1986.

Appendix A – Property Location

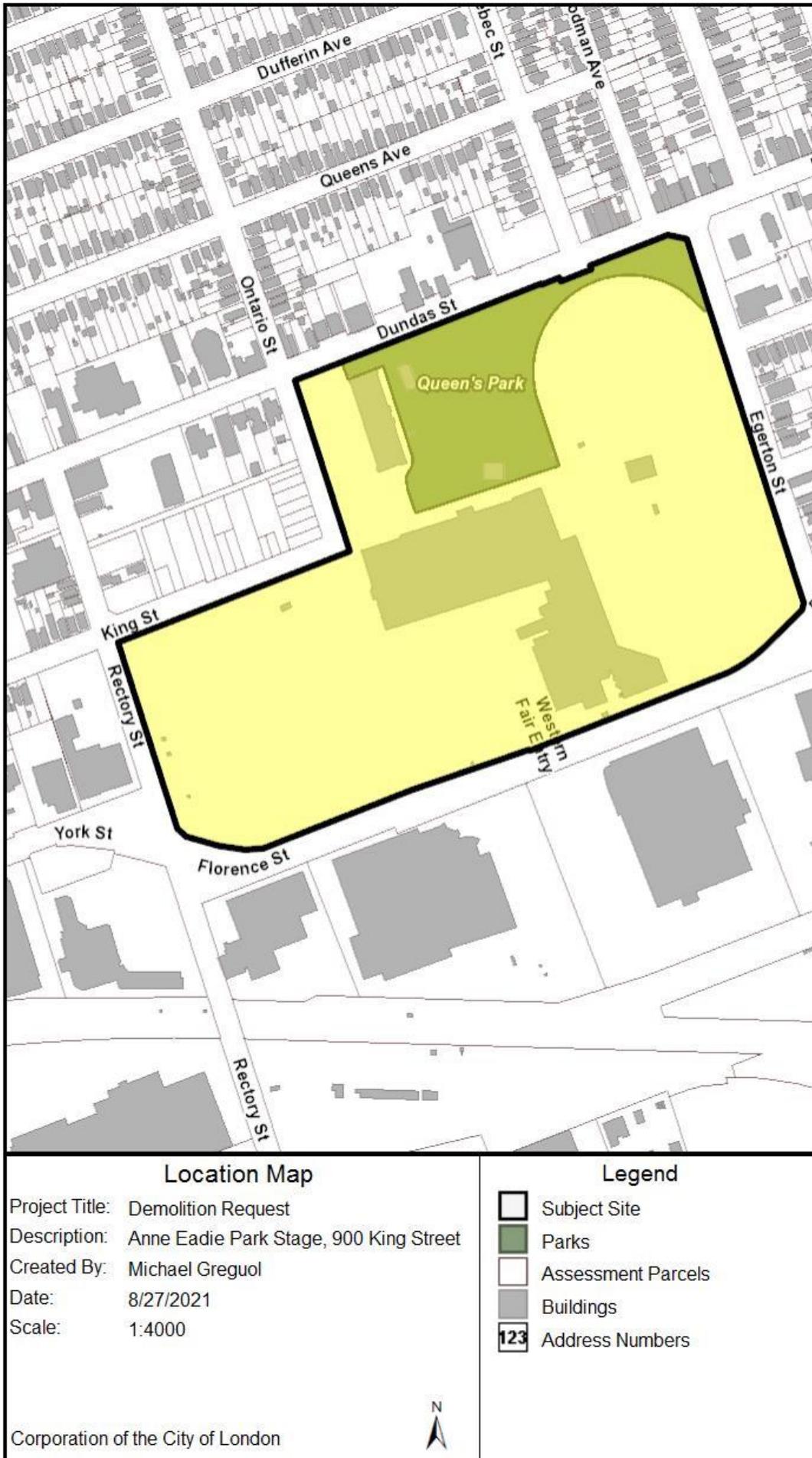


Figure 1: Property Location Map for the property at 900 King Street. The Anne Eadie Park Stage is identified by the square in the south end of Queen's Park.

Appendix B – Images



Image 1: Photograph showing the construction of the park stage at Queen's Park, as shown in the London Free Press, September 3, 1971.



Image 2: Photograph showing the Anne Eadie Park Stage, 2021.



Image 3: Photograph showing the Anne Eadie Park Stage, 2021.



Image 4: Photograph showing the access to the south side of the Anne Eadie Park Stage, 2021.



Image 5: Photograph showing the north side of the Anne Eadie Park Stage, 2021. Note, the Progress Building south of the stage is visible at right.



Image 6: Photograph showing the rear (east) side of the Anne Eadie Park Stage.

Appendix C – Cultural Heritage Evaluation Report/Heritage Impact Assessment

900 King Street (see Item 3.9 on the LACH Agenda for its meeting on September 12, 2018: <https://pub-london.escribemeetings.com/Meeting.aspx?Id=a4e25b23-55e7-41cc-bb33-da1748cadf07&Agenda=Merged&lang=English>)

Report to Planning Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Mary Dann
1154 Sunningdale Road East
Public Participation Meeting

Date: September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning & Development, with respect to the application of Mary Dann relating to the property located at 1154 Sunningdale Road East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting October 5, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (1989), **BY AMENDING** the Urban Reserve Special Provision (UR1(1)) Zone to add an additional permitted use

Executive Summary

Summary of Request

The owner has requested to rezone the subject site to permit the conversion of the existing single detached dwelling to a three unit converted dwelling.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the conversion of the existing single detached dwelling to a three unit converted dwelling.

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;
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 Multi-Family, Medium Density Residential designation;
4. The recommended amendment facilitates intensification of a site within the Built-Area Boundary.

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

Z-7852: March 7, 2011 – Report to Built and Natural Environment Committee: request for a Zoning By-law Amendment at 1154 Sunningdale Road East.

Z-8805: November 6, 2017 – Report to Planning and Environment Committee: request for a Zoning By-law Amendment at 1140 and 1154 Sunningdale Road East.

1.2 Planning History

The site at 1154 Sunningdale Road East has been used as a single detached dwelling since its initial construction circa 1916. The property was part of a larger farm parcel that was severed in 1992. The larger portion was purchased by Monarch Construction, and subsequently Sifton Properties, and was developed as part of the Forest Hill Subdivision (39T-99515). The surrounding lands to the north, east and west of the subject site have developed through various phases of the Forest Hill Subdivision, including lands to the northwest which developed as phase 1 plan (33M451) registered in 2002, lands to the northeast which developed as phase 2 (plan 33M484) registered in 2004, and lands to the north which developed as phase 3 (plan 33M540) registered in 2006.

In 2011, the subject site was rezoned to recognize the existing single detached dwelling. In 2017, the subject site was rezoned with the adjacent property at 1140 Sunningdale Road East to: facilitate the severance of 12 proposed single detached dwelling lots off of Waterwheel Road from 1140 & 1154 Sunningdale Road East; facilitate the redevelopment of the existing convenience commercial uses at 1140 Sunningdale Road East; retain the existing dwelling at 1154 Sunningdale Road East; and recognize the conveyance of land from 1154 Sunningdale Road East to 1140 Sunningdale Road East.

Together with 1140 Sunningdale Road East, the subject site has undergone several consent applications for conveyances and lot creations including:

2002: B.058/02: A portion of 1140 Sunningdale Road East was severed and conveyed north to facilitate the development of the westerly dwelling lots along Waterwheel Place.

2009: B.016/09: A portion of 1154 Sunningdale Road East was severed and conveyed to the east for future detached dwelling lots and retain the existing dwelling lot.

2010: B.070/10: 1154 Sunningdale Road East - request to sever 1,866m² and convey to an existing parcel on Pleasantview Drive and retain 7,400m² for future residential development.

2011: B.001/11: 1154 Sunningdale Road East request to sever 6 lots - lot 1 (569m²), lot 2 (385m²), lot 3 (385m²), lot 4 (403m²), lot 5 (385m²) and lot 6 (560m²) for future single detached residential development.

2017: B.034/17: 1140 Sunningdale Road East – request to sever 6 lots from the north of the parcel for new single detached dwelling lots along Waterwheel Road

2017: B.035/17: 1154 Sunningdale Road East – request to sever 6 lots from the north of the parcel for new single detached dwellings lots along Waterwheel Road, and convey 770m² to 1140 Sunningdale Road East

2019: B.022/19: 1140 Sunningdale Road East - request to sever six (6) lots with lot areas of approximately 430m² from 1140 Sunningdale Road East for the purpose of future residential uses and to retain approximately 3750m² for the purpose of future commercial uses.

2019: B.023/19: 1154 Sunningdale Road East – request to sever six (6) lots with lot areas of approximately 430m² for the purpose of future residential uses and to convey approximately 770m² to 1140 Sunningdale Road East for the purpose of future commercial uses from 1154 Sunningdale Road East and to retain approximately 4270m² for an existing residential use.

2021: B.009/21 (Active): 1140 Sunningdale Road East – request to sever approximately 234.4m² (Part 7) to be consolidated with Part 8, resulting in a residential lot of approximately 428.9m², and retain approximately 3,321m² for future commercial uses.

1.3 Property Description

The subject site is located on the north side of Sunningdale Road East, between Adelaide Street North and Highbury Avenue North. The subject site has an area of approximately 0.43 hectares and frontages of 20.3 metres along Pleasantview Drive and 86.9 metres along Sunningdale Road East. The subject lands are surrounded by low density residential dwellings from a relatively new subdivision known as Forest Hill that developed around the site.



Figure 1: Existing single detached dwelling at 1154 Sunningdale Road East

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

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Urban Reserve Special Provision (UR1(1)) Zone

1.5 Site Characteristics

- Current Land Use – Single Detached Dwelling
- Frontage – 20.3 metres (66.6 feet)
- Depth – 86.9 metres (285.1 feet)
- Area – 0.43 hectares (2.47 acres)
- Shape – Irregular

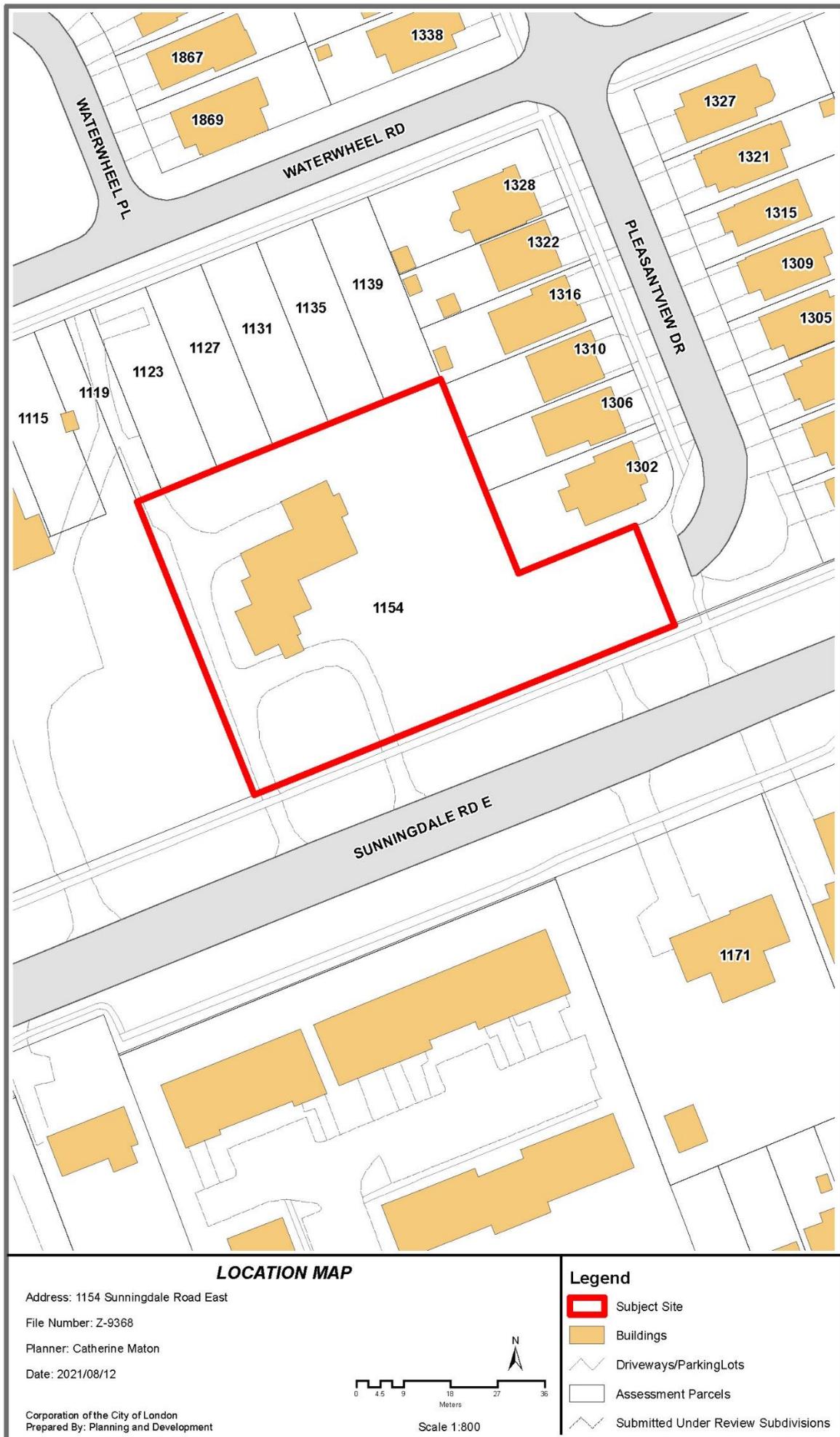
1.6 Surrounding Land Uses

- North – Undeveloped
- East – Single Detached Dwellings
- South – Single Detached Dwellings and Townhouses
- West – Commercial

1.7 Intensification

- The two new proposed residential units represents intensification within the Built-Area Boundary.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The owner is proposing to convert the existing single detached dwelling to a three unit converted dwelling. No additions or exterior alterations to the building are proposed; all modifications would be interior to the building. Six new parking spaces are proposed at the rear of the site. Access would be maintained from the existing U-shaped driveway off Sunningdale Road East. The site concept plan submitted with the application is contained in Figure 2, showing the location of the existing building and proposed parking spaces.

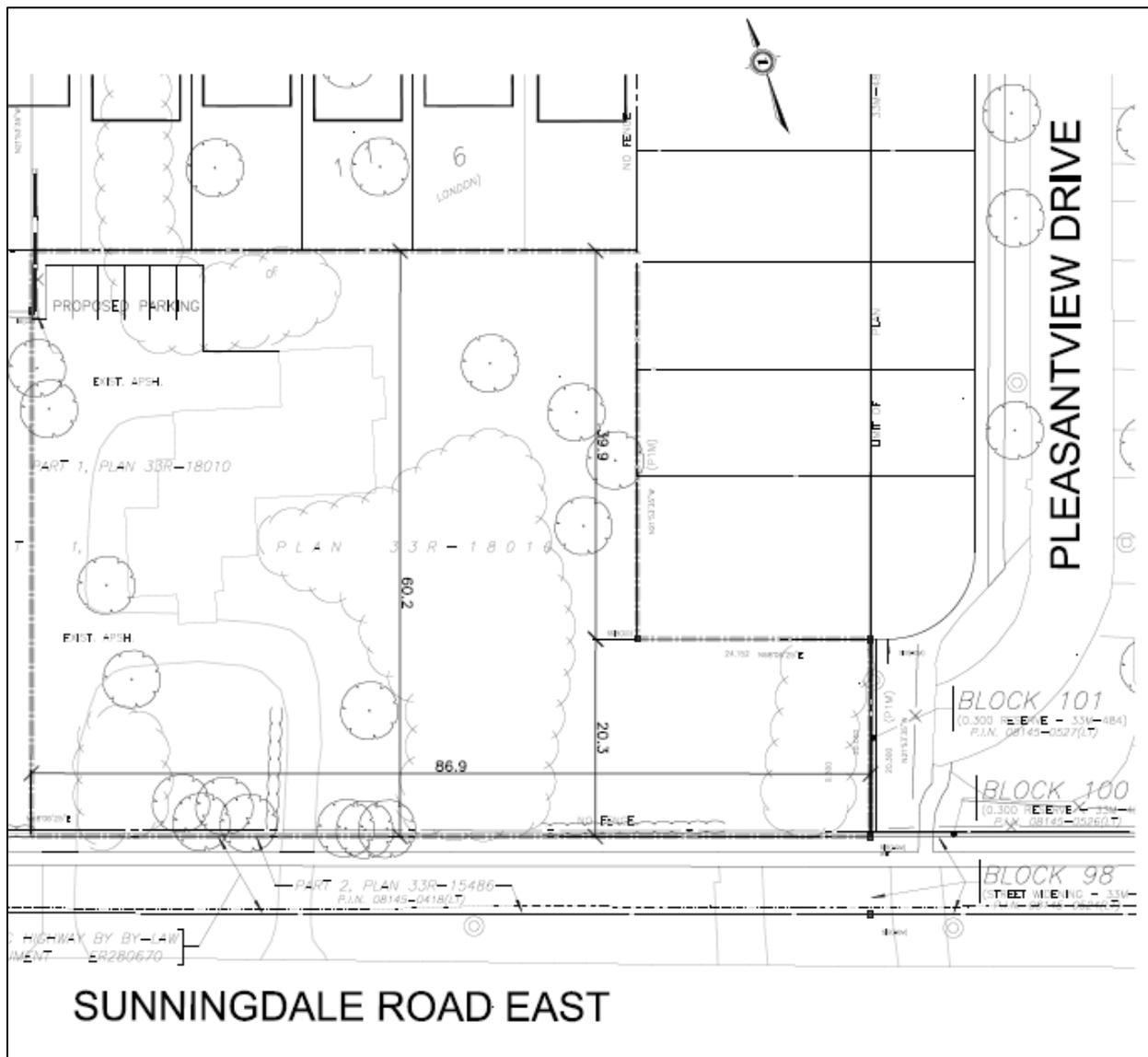


Figure 2: Site concept plan

2.2 Requested Amendment

The owner has requested to rezone the subject lands to permit a converted dwelling with a maximum of three (3) dwelling units as an additional permitted use. The existing range of permitted uses and special provisions would continue to apply to the site. No new special provisions are proposed.

2.3 Community Engagement (see more detail in Appendix B)

One written response requesting to receive future public notices pertaining to the application was received. No phone calls were received. No concerns were raised.

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). 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 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 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:

- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Direction 10).

The site is in the Neighbourhoods Place Type on a Civic Boulevard, 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, including converted dwellings (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The maximum permitted height is 4 storeys or 6 storeys with bonus zoning (*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

1989 Official Plan

The subject site is designated Multi-Family, Medium Density Residential in accordance with Schedule ‘A’ of the 1989 Official Plan. The Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential (3.3). A Planning Impact Assessment is contained in Appendix C, measuring the fit and compatibility of the proposed intensification of the existing single detached dwelling.

Stoney Creek Community Plan

The Stoney Creek Community Plan (SCCP) area is generally bounded by Fanshawe Park Road to the south, Adelaide Road North to the west, the northern city limits and

Highbury Avenue to the east. The community planning for this area occurred as two parts for lands south of Sunningdale Road East in 1998, and lands to the north in 1999. The Stoney Creek Community Plan North was prepared to support community planning through the subdivision process.

At the time of the preparation of the SCCP, the lands north of Sunningdale Road East consisted of large parcels that were greenfield, vacant and undeveloped. The focus of the community plan was providing direction for the future development of the large vacant tracts of land. The subject lands were identified as the “Gough” lands, and the community plan suggested there may be heritage value associated with the lands to be investigated further for possible listing or designation. There was no further direction contemplated for the future development of the subject site within the SCCP.

3.0 Financial Impact/Considerations

None.

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 recommended amendment facilitates the development of an underutilized site within a settlement area. The proposed converted dwelling contributes to a mix of housing types and provides 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 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 conversion of the existing single detached dwelling to a three unit converted dwelling would contribute to a mix of housing types, providing more intrinsically affordable housing options.

The subject site is in the Neighbourhoods Place Type of The London Plan fronting on a Civic Boulevard. 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 low-rise residential uses, including converted dwellings.

1989 Official Plan

The Multi-Family, Medium Density Residential designation contemplates 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 (3.3). Permitted uses include a range of medium density residential uses, including converted dwellings (3.3.1).

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)).

As the site is currently developed with an existing single detached dwelling, the proposal represents a form of intensification through the conversion of existing building stock.

The London Plan

*Table 11 - Range of Permitted Heights in the Neighbourhoods Place Type, provides the range of permitted heights based on street classification (*935_1). At this location, *Table 11 requires a minimum building height of 2 storeys and permits a maximum building height of 4 storeys, or 6 storeys with a bonus zone. The existing building is 2.5 storeys; no changes to the intensity are proposed to facilitate the proposed conversion.

1989 Official Plan

Development in the Multi-Family, Medium Density Residential designation is intended to have a maximum height of 4-storeys and a maximum density of 75 units per hectare (3.3.3 i) and ii)). As the subject site has a significant lot area, the proposed three unit converted dwelling yields a density of 7 units per hectare.

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 intensification of the subject lands and existing building would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the intensification of the subject lands would contribute to achieving more compact forms of growth while utilizing existing building stock. The proposed converted dwelling represents a more intense form of development than the existing single detached dwelling that currently occupies the site. No exterior alterations are proposed to the building design or built form.

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).

Residential intensification is fundamentally important to achieve the vision and key directions of The London Plan. Intensification within existing neighbourhoods will be encouraged to help realize our vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods (937_). Residential intensification means the development of a property, site, or area at a higher residential density than currently exists. Intensification adds one or more residential units to a site, or creates one or more additional lots from an existing lot (938_).

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_).

The existing form has achieved a measure of compatibility with the surrounding neighbourhood, which has developed around it over time, and is not proposed to change. The proposed six parking spaces are located at the rear of the site adjacent to the undeveloped lots on Waterwheel Road. Fencing to screen these parking spaces may be considered at the time of development of these undeveloped lots, however it should be noted that Site Plan Approval is not required for the proposed converted dwelling or these parking spaces.

1989 Official Plan

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development (3.3.3). The proposal represents residential intensification, as defined in Section 3.2.3.1 the 1989 Official Plan, which includes the conversion or expansion of existing residential buildings to create new residential units or accommodation. The proposal is further considered redevelopment of an underutilized site, as redevelopment means the creation of new units or lots on previously developed land and underutilized sites are defined as those sites that can reasonably accommodate more residential development than what currently exists on the site within the context of the surrounding established residential neighbourhood (3.2.3.1).

A Planning Impact Analysis is to be used to evaluate applications for an Official Plan amendment and/or zone change, to determine the appropriateness of a proposed change in land use and to identify ways of reducing any adverse impacts on surrounding uses (3.7.1). See Appendix C of this report for a complete Planning Impact Analysis addressing matters of both intensity and form. Staff is satisfied the intensity and form meets the criteria of the Planning Impact Analysis.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan and the 1989 Official Plan. The recommended amendment will facilitate the redevelopment of an existing building on an underutilized site through the conversion of a single detached dwelling to a three

unit converted dwelling.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner

Reviewed by: Michael Tomazincic, MCIP, RPP
Acting Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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 1154
Sunningdale Road East

WHEREAS Mary Dann has applied to rezone an area of land located at 1154 Sunningdale 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) Section Number 49.3 of the Urban Reserve (UR1) Zone is amended by deleting and replacing the following subsection:

UR1(1) 1154 Sunningdale Road East

a) Additional Permitted Use

- i) Converted dwelling (maximum 3 dwelling units)

b) Regulations

- i) For the purpose of this by-law, the un-opened, un-assumed road allowance dedication of the future extension of Pleasantview Drive shall be considered to be part of the property, and to be used for the calculation of lot area, lot depth, lot frontage, front yard depth, lot coverage, landscaped open space, parking area, parking spaces, drive aisles, and density; until such time as the road allowance dedication is assumed by the Municipality.

ii) Lot Frontage (minimum) 20m (65.6ft)

iii) Lot Area (minimum) 0.42ha (1.03ac)

iv) Rear Yard Depth (minimum) 9m (29.5ft)

v) Interior Side Yard (west) (minimum) 9m (29.5ft)

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 October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

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



File Number: Z-9368
 Planner: CM
 Date Prepared: 2021/08/12
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters



Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On June 16, 2021, Notice of Application was sent to 157 property owners and 27 tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 17, 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 conversion of the existing building to a three (3) unit converted dwelling. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve Special Provision (UR1(1)) Zone **TO** an Urban Reserve Special Provision (UR1(_)) Zone to permit a converted dwelling with a maximum of three (3) dwelling units as an additional permitted use. The existing range of permitted uses and special provisions would continue to apply to the site.

Responses: One written response requesting to receive future public notices pertaining to the application was received. No concerns were raised.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
	Farhad Noory & Asif Sheikh

Agency/Departmental Comments

June 16, 2021: Parks Planning and Design

Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

July 8, 2021: Engineering

Engineering has no further comments for the re-zoning application.

July 9, 2021: London Hydro

This site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16weeks. Contact the Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

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 b)

1.1.1 e)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.1

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 54_ Our Strategy, Key Directions

Policy 59_2, 4, 5, and 8 Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_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

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

Policy 916_3 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 – Use, Intensity and Form, Intensity

Policy 937_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods

Policy 939_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification

Policy 953_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification in Neighbourhoods, Additional Urban Design Considerations for Residential Intensification

Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications

*Map 1

Map 3

Official Plan (1989)

General Objectives for All Residential Designations

3.1.1 ii)

3.2.3 – Residential Intensification

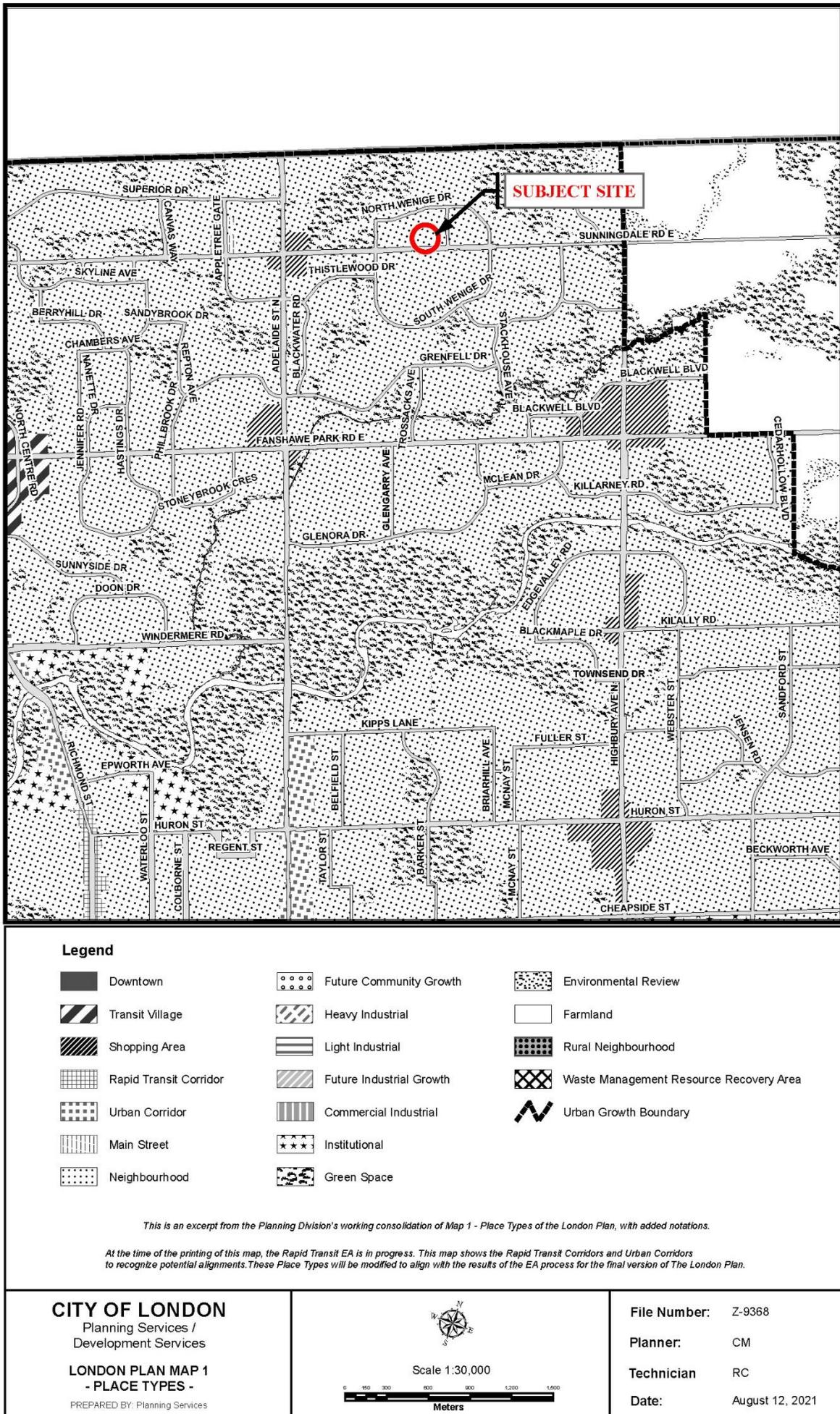
- 3.3 – Preamble
- 3.3.1 – Permitted Uses
- 3.3.2 – Location
- 3.3.3 – Scale of Development
- 3.7 - Planning Impact Analysis
- 3.7.1 – Purpose
- 3.7.2 – Scope of Planning Impact Analysis

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 types 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 guest parking, emergency services and open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is a limited amount of vacant land in the area designated and/or zoned for the proposed use that is not already planned for redevelopment. The subject site is not vacant and the proposal would utilize existing building stock for redevelopment and residential intensification.
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 is located in proximity to Mother Theresa Catholic Secondary School and the Stoney Creek Community Centre. The site is located along the #19 bus route which has stops at Mother Theresa Catholic Secondary School and across Sunningdale Road East at Gough Avenue. The site contains adequate open space and is in proximity to a community centre and other City-owned parkland, including Stephens Farm Park.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	The proposed converted dwelling use contributes to a mix of housing types, providing more intrinsically affordable housing options.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the building is not proposed to change, therefore no impacts on surrounding land uses are anticipated. The building has existed since its construction circa 1916 and has demonstrated a measure of compatibility with the uses that have developed around it.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	The proposed development provides for adequate space on site for landscaping and screening.

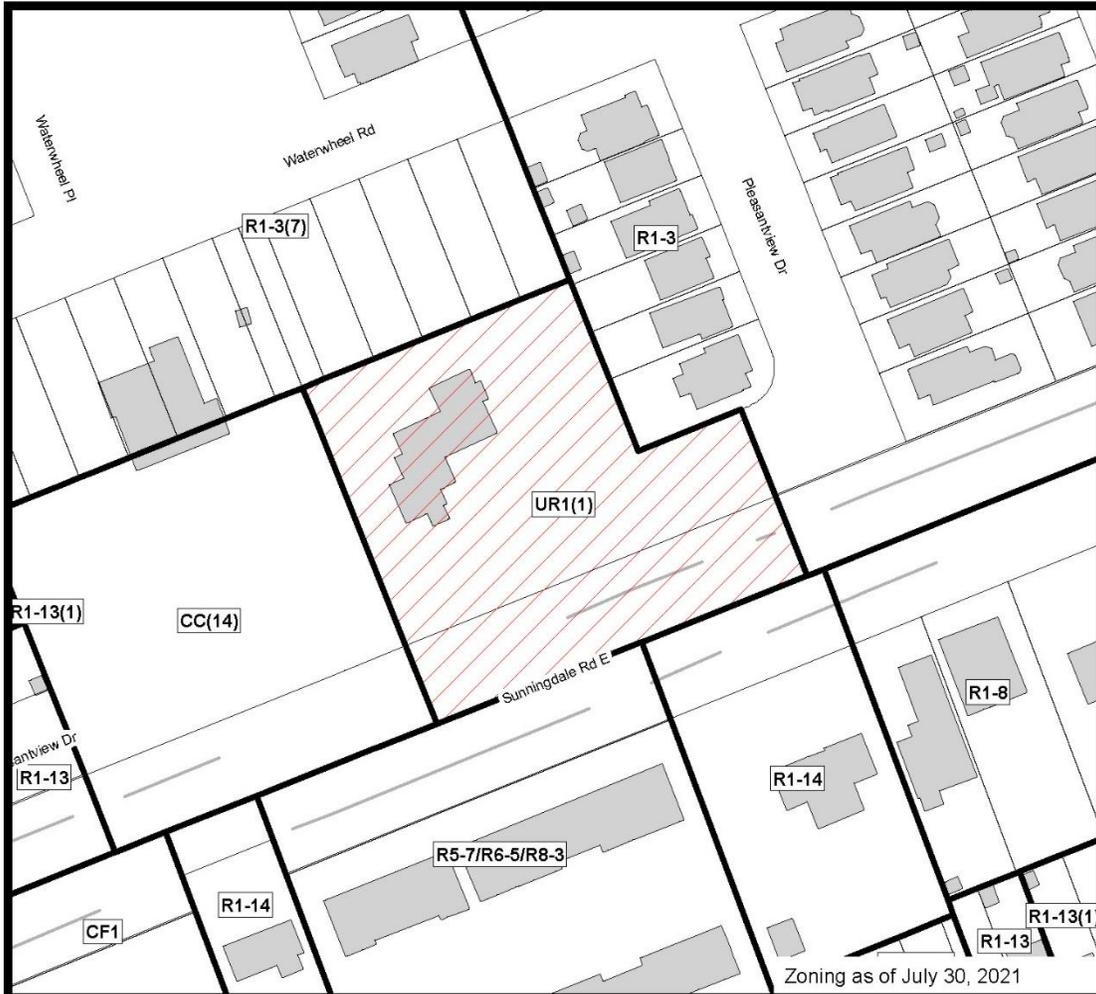
<p>The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;</p>	<p>The vehicular access is not proposed to change and would continue to be provided from the U-shaped driveway off of Sunningdale Road East.</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>No changes to the exterior design of the building are proposed.</p>
<p>The potential impact of the development on surrounding natural features and heritage resources;</p>	<p>No natural heritage features are present that will be affected by the proposal.</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 is not constrained by any landfill sites, sewage treatment plants, methane gas, contaminated soils, or noise and/or ground borne vibration.</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. Site Plan Approval is not required for a converted dwelling where no enlargements greater than 10% of the gross floor area are proposed. The site is of adequate size to support the proposed redevelopment. No new special provisions are proposed aside from the additional permitted use.</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>No adverse impacts are anticipated as no additions or alterations to the existing building are proposed.</p>
<p>Impacts of the proposed change on the transportation system, including transit</p>	<p>The residential intensification of the subject lands will have no impact on the transportation system.</p>

Appendix D – Relevant Background

Additional Maps



Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxd\Z-9368-Map1-PlaceTypes.mxd



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**



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

FILE NO:

Z-9368

CM

MAP PREPARED:

2021/08/12

RC

1:1,250

0 5 10 20 30 40

Meters

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: McCOR Management Inc.
755-785 Wonderland Road South (Westmount Mall)

Date: Public Participation Meeting
September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of McCOR Management Inc, relating to the property located at 755-785 Wonderland Road South (Westmount Mall):

- (a) the request to amend Zoning By-law No. Z.-1 to change the existing Regional Shopping Area Special Provision (RSA2(2)) zoning of the subject property to add business service establishment as an additional permitted use, **BE REFUSED** for the following reasons:
- i) The requested zoning is not in conformity with the policies of the 1989 Official Plan and the London Plan with regard to the maximum permitted amount of office space allowed in suburban locations and its potential impacts on the Downtown office market.
 - ii) The requested zoning increases large floorplate, employment-based office space outside of the Downtown above the maximums which is contrary to the City's planning framework and does not represent good planning.
 - iii) The requested zoning is not consistent with the 2020 Provincial Policy Statement.

Executive Summary

Summary of Request

The applicant has requested a zoning by-law amendment to add business service establishment as an additional permitted use to allow for a future call centre.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the zoning by-law amendment request.

Rationale of Recommended Action

1. The recommendation is consistent with the Provincial Policy Statement, 2020 with regard to Section 1,7.1, which includes "*Long-term economic prosperity should be supported by: ... d) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;*".
2. The requested use does not conform to the in-force policies of The London Plan including, but not limited to, the Downtown and Shopping Area Place Type policies.
3. The requested use does not conform to the in-force policies of the 1989 Official Plan, including but not limited to, the Downtown, Office and Community Commercial Node designation policies.
4. Increasing large floorplate, employment-based office space outside of the Downtown above the maximums is contrary to the City's planning framework and does not represent good planning.

Linkage to the Corporate Strategic Plan

The application involves the consideration of two Strategic Areas of Focus in Council's Strategic Plan (2019-2023);

1. Building a Sustainable City; and,
2. Growing Our Economy.

Analysis

1.0 Background Information

1.1 Property Description

The property is located on the west side of Wonderland Road South between Village Green Avenue and Viscount Road in southwest London. There is an existing 2 storey, indoor mall with retail, offices and some vacant space. The mall was built in the 1980's and added to and modified multiple times since then. In addition, there is a freestanding theatre complex and four separate commercial pads along Wonderland Road on the subject property.

Traffic volumes on Wonderland are between 34-35,500 vehicles per day and Viscount Road between 6,500-8,500 vehicles per day.

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

- The London Plan Place Type – Shopping Area
- 1989 Official Plan – Community Commercial Node
- Existing Zoning – Regional Shopping Area Special Provision (RSA2(2)) Zone which adds commercial and private schools to the general list of permitted uses.

1.3 Site Characteristics

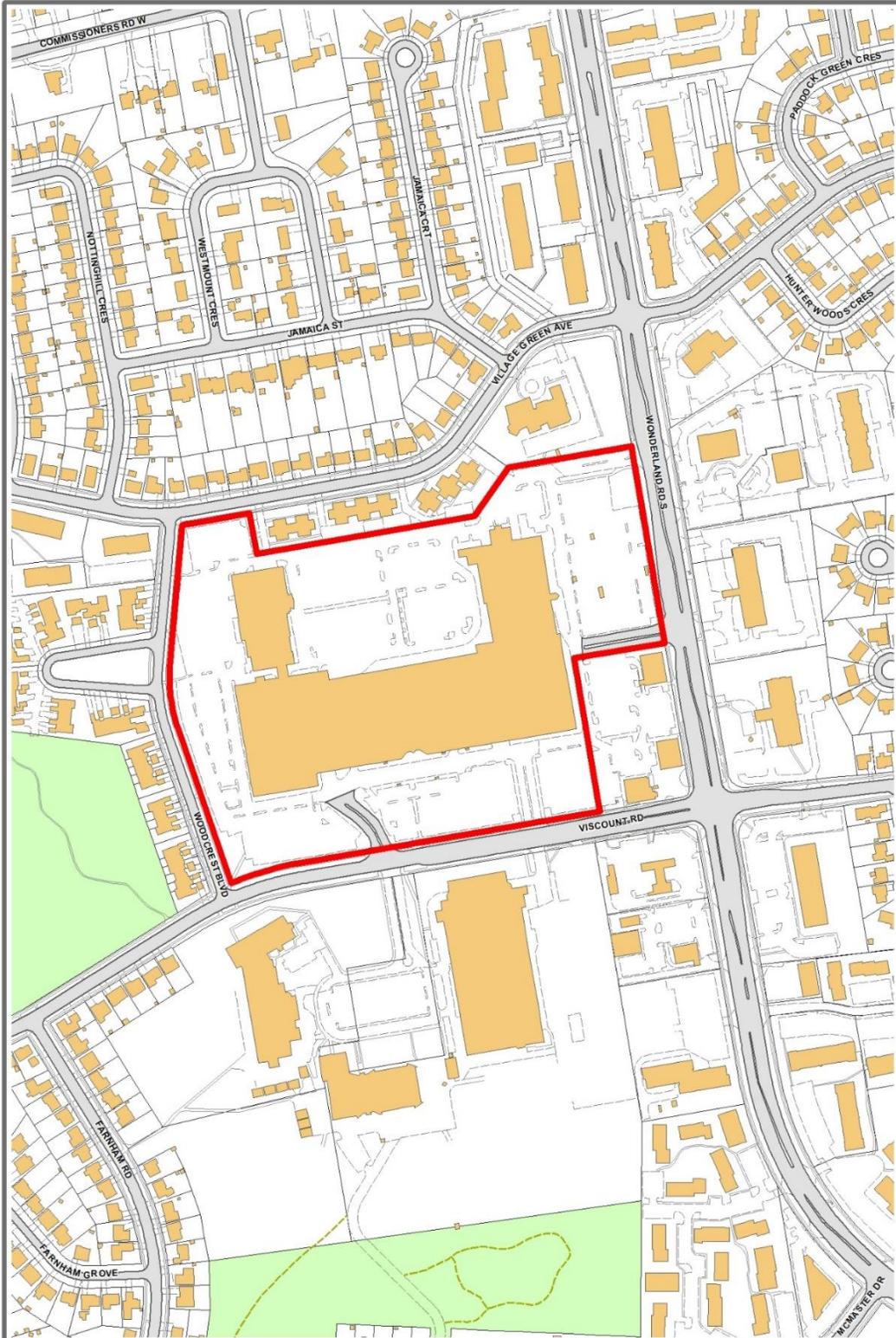
- Frontage – 176.4m
- Depth – 620m
- Area – 11.34 ha
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – Church, residential uses
- East – number of high-density residential apartment buildings
- South – high school, public school
- West – single family residential neighbourhood

1.5 Existing Situation

The indoor mall, excluding the movie theatres and commercial pads, is approximately 49,373 m² (531,464 sq.ft) GFA (Gross Floor Area) and 41,847m² (450,448 sq.ft) GLFA (Gross Leasable Floor Area) in size. This indoor shopping mall has experienced a number of vacancies over time as the retail market has changed and former retail tenants have relocated to other commercial areas nearby. The existing ground floor of the mall is occupied by some retail uses and the City of London Social Services satellite office. The second floor is entirely comprised of offices (medical/dental, professional, service etc.) but there are still a number of vacancies on both floors. Approximately 37% of the mall is currently vacant.



LOCATION MAP

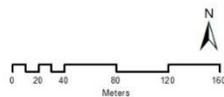
Address: 755-785 Wonderland Rd S

File Number: Z-9356

Planner: Chuck Parker

Date: 2021/07/20

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



Scale 1:4000

Legend

-  Subject Site
-  Buildings
-  Driveways/Parking Lots
-  Assessment Parcels

Second Floor Photos



Based on information provided by the applicant/agent (see existing Floor Plans in Appendix C) and permitted use interpretations provided by the Zoning Division, the table below summarizes the existing gross leasable floor area (GLFA) in the mall.

Existing Westmount Mall Floorspace Summary (GLFA in m²)

Floor	Retail	Offices	Medical /Dental Offices	Public Uses	Financial Institutions	Other Uses	Vacant	TOTAL
First	10,000	0	62	1,529	0	2,906	7,398	21,895
Second	0	4,325	4,732	1,486	704	735	7,968	19,952
TOTAL	10,000	4,325	4,794	3,015	704	3,641	15,366 (36.7%)	41,847

Note – The Regional Shopping Area (RSA) Zone regulates on the basis of gross leasable floor area (GLFA) whereas the Community Shopping Area (CSA) and Neighbourhood Shopping Area (NSA) in Zoning by-law Z-1 regulate on the basis of gross floor area (GFA) because of the amount of extra non-leasable space normally included in regional shopping malls.

2.0 Discussion of Issues and Considerations

2.1 The Requested Zoning By-law Amendment

The applicant’s agent had requested a zoning by-law amendment to add a business service establishment as an additional permitted use to the existing zone to allow a proposed call centre. The agent had early discussions with the City’s Zoning Division who had indicated that typically, in suburban locations, a call centre is defined as a business service establishment. That initial call centre inquirer has now decided not to proceed; however, the owner still wants to proceed with the zoning by-law amendment to add that use for future marketing purposes.

2.2 The Issue

The issue is that there is an existing indoor shopping mall which has experienced significant vacancies over the years and there are policies in the Provincial Policy Statement, 1989 Official Plan and London Plan which support the re-use and

rehabilitation of existing uses and buildings instead of building new. Encouraging the tenanting of this structure, connected to existing infrastructure, is desirable from an economic and sustainability standpoint for the City and the owner.

However, both the 1989 Official Plan and London Plan; in addition to other supporting documents such as the Downtown Plan, Downtown CIP and Core Area Action Plan; has included policies since the early 1990s which have placed limits on the amount of office space permitted in suburban locations. These policies are intended to protect the Downtown office market, which is a key component of the City's Downtown and important to the larger downtown regeneration goals. These limits on office floor area are intended to direct large floorplate, employment-based office uses to the Downtown instead of suburban locations.

The City Zoning By-law makes a distinction between various types of offices in the zoning by-law (see below) to provide more flexibility in where they are allowed or the types or regulations that apply. For example some office uses, such as medical/dental offices, have higher parking standards and require larger lots. In past years, there have been instances where landowners/applicants have requested zoning for certain types of office uses in the Zoning By-law that were not subject to the office space cap in the Zoning By-law, with the result being that office floor area was able to be built that exceeded the cap of the Official Plan.

2.3 The Difference between the term "Office" in Policy vs. "Office" in the Zoning By-law

The term "office" in the 1989 Official Plan and the London Plan refers to all types of "offices" whereas the Zoning By-law differentiates different types of office by permitted location, degree of activity on the site, parking requirement etc. For example, in policy, policies 877 and 878 of the London Plan use the term "offices" which encompasses all types of offices. The London Plan's glossary of terms defines general office uses as "a broad category of offices, including professional, service, medical and other sub-categories of office use." In contrast, Zoning By-law Z-1 identifies various types of office uses as indicated below;

"OFFICE" means a building, or part thereof, containing one or more offices including professional or service offices and all other forms of offices except medical/dental offices.

"OFFICE, MEDICAL/DENTAL" means an office or offices in which the practice of the professions of medicine, psychiatry, dentistry or optometry is carried on or in which the treatment by osteopathy or chiropractic is carried out but does not include a CLINIC, METHADONE."

"OFFICE, BUSINESS" means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out and includes a service office, but does not include medical/dental offices, professional offices, support offices, financial or general offices, unless specified as permitted within this definition.

"OFFICE, CHARITABLE ORGANIZATION" means a building or part thereof in which the administrative functions of a registered charitable organization are carried out as the primary function, including but not limited to such uses as design, printing, assembly and distribution of information materials related to the use, customer service and data processing related to the use, warehousing/storage of supplies related to the use, and training and conference facilities and public education programs related to the use. (Z.-1-081810).

"OFFICE, PROFESSIONAL" means a building or part thereof in which a legal or other personal professional service is performed or consultation given, includes the offices of a lawyer, a planner, an architect, a surveyor, an engineer or a chartered accountant, but does not include a personal service establishment, a medical/dental office, a clinic, an

animal hospital, a body-rub parlour or any adult entertainment parlour as defined in the Municipal Act, as amended.(Z.-1-93173 and Z.-1-94236).

"OFFICE, SERVICE" means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency, or a real estate agency.

It is important to note that offices in policy includes medical-dental offices whereas the zoning by-law separates the two largely because of the latter's higher parking requirements. In the zoning by-law "office" includes business, professional, service and charitable organization offices.

This distinction can create issues with zoning interpretations. Zoning Division staff provide interpretations on the phone, by mail and at the counter based on the information provided by the applicant/agent based on a literal reading of the zoning by-law language. No assessment of Official Plan policies is included as part of the zoning interpretation process. Official Plan policies are usually reviewed by staff before an application is submitted to determine whether an Official Plan amendment is required. In this instance, based on the 1989 Official Plan and London Plan policies an Official Plan Amendment should have been required to permit the both the existing and requested amount of office space.

2.4 Defining a Call Centre as an Office

Part of the issue related to this application is that a call centre has been interpreted to fall within the Zoning definition for a "Business Service Establishment." in the past. That definition includes:

"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair

However, the broad use categories that are contemplated in the London Plan for the shopping area place type include "retail, service, office, entertainment, recreational, educational, institutional, and residential" (policy 877_1). When considering the operation of a call centre it functions as an employment use where workers arrive for their shifts but there is little or no physical interaction with the public or clients. In this way it is not similar to typical commercial or service uses that cater to local clientele, but it is similar to a typical office and should therefore be considered as a type of office use. Furthermore, a call centre offers similar support for downtown business as other office types so should be subject to the same policy requirements. Finally, there are no special requirements to operate a call centre that cannot be met in a downtown environment so in policy a call centre should be treated the same as any other type of office use.

2.5 The Office Space Cap in Suburban Locations

The intent of the original 1989 Official Plan office space cap and implementing Zoning By-law Z-1 regulations office cap was to allow office **buildings** up to 5,000m², it didn't matter whether they contained offices, medical dental offices or secondary uses. The goal was to limit large floorplate, employment-based office uses in suburban locations to protect the Downtown office market. Those maximums were arrived at through the preparation of a comprehensive office study prepared by the City in 1994-95. The suburban office template used as a maximum was the existing office building at Richmond Street and North Centre Road which is 5,000m² in size.

The London Plan policies have lowered that maximum to 2,000m² for Shopping Area Place Types. This maximum was arrived at through an Office Policy Study prepared by Hemson Consulting Ltd in April 2016 as part of the London Plan process (more specific discussion included in Section 3.3.1)

As a result of these policies the City of London currently has about 75% of our office space Downtown, only Regina is higher at 88%. That City of London figure is down slightly from a high of over 90% 10 years ago. Over the years, discussions and inquiries from other Canadian municipalities (eg. Halifax, Hamilton, Calgary, Kitchener) have also indicated a desire to review their existing policies to establish suburban office space maximums.

2.6 Other Previous Similar Applications

Since 1993, when Zoning By-law Z-1 came into force, there have been two applications requesting increases in office floorspace in shopping malls, one in an existing mall and one in a proposed development.

In 2011 an application for Pond Mills Square at 1200 Commissioners Road West (OZ-7894/Pond Mills Square Realty Inc.) requested a total of 6,600m² of office space (42% of total GFA) in place of the normal 15% of GFA permitted in a Community Commercial Node. Council amended the Zoning By-law to allow a maximum of 5,000m² of office space.

In 2014 applications were submitted for the corner of Oxford Street West and Westdel Bourne (1080 Westdel Bourne) (OZ-8410/Sifton Properties Ltd.), and in 2016 OPA No. 632 was passed which permitted up to 9,500m² of office space in a new shopping centre, in mixed use buildings and/or freestanding office buildings on the property. In 2015 Sifton Properties received approval for a 3 storey, 6,488m² office building with ground floor secondary uses. It included 3,770m² of office uses.

2.7 Downtown Office Vacancy Rates

The 2019 State of the Downtown Report indicated that at the end of 2019 the overall office vacancy rate was 18.4%, 13.6% in Class A office space and 16.3% and 48.6% in Class B and C office space (older buildings), respectively, in Downtown. A “healthy” vacancy rate is 5-8%. (Office Policy Study, Hemson, April 2016, pg.21) As a comparison, the overall City Office vacancy rate is 16.9% which indicates the suburban office vacancy rate was lower. The 2021 State of the Downtown Report won't be available until early 2022 and will also outline the impact of COVID-19 on the Downtown office market.

2.8 The Impact of Suburban Office Space on Downtown

The City's total office inventory can be viewed as a very “large pie” which grows very slowly in response to economic conditions. The movement of offices from the Downtown to the suburbs isn't new growth, it simply changes the distribution. Examples include Sifton Properties moved their head offices from Queens Avenue to their River Bend development and the Federal passport offices moving from York Street to Cherryhill Village Mall. Movements such as these, in addition to new suburban office development, have resulted in a 5% decrease in the Downtown share of the office market over the last 5 years, from 80% (2014) to 75% (2019) (2019 City of London State of the Downtown Report)

2.9 The Importance of Downtown

The London Plan emphasizes inward and upward growth to create a compact, mixed - use city. It highlights the Downtown as the focus for residential intensification, commerce, employment, and economic growth. The importance of downtowns to a city's economy is increasingly being recognized in Canada and throughout North America. In 2013, the Canadian Urban Institute (CUI), in partnership with the International Downtown Association, released The Value of Investing in Canadian Downtowns – the first large-scale attempt to measure, benchmark, and assess the impact of municipal and private investment across 17 Canadian downtowns. London was one of those City's included.

The City of London State of the Downtown reports build on this study and allow us to assess the collective impact of strategic policies, programs, and investments by the municipality, the private-sector, and the non-profit sector. It is important to continue to invest in the downtowns of our cities for many reasons, and key strengths and value can be summarized in five main areas:

Downtowns are leading economic drivers for cities. Although downtowns are usually small in area compared to the remainder of the city, they are typically the locations of the most employment opportunities (and often most diverse employment opportunities), head offices, concentrations of office space. Downtowns contribute a greater percentage of tax revenue per area than other parts of a city. In 2019, London's downtown, comprising 0.2% of the city's land area, contributed 5.5% of the total municipal taxes. In addition, almost 40,000 people were employed in jobs in the downtown, 19% of all jobs in the city. In addition, a number of other Downtown businesses (eg. Retail, personal service) rely on the office market, residential and entertainment uses to support their business.

Downtowns are inclusive. Downtowns are concentrations of civic and institutional buildings, and provide accessible public space, transportation, opportunities, and services for everyone. Downtowns are the "centreplace" or "gathering area" for a community.

Downtowns are vibrant. The concentration of both public and private destinations, activities and spaces are a draw for people who live, work, and visit a city. Downtowns are cultural and entertainment hubs and supporting this aspect of downtown has both economic and cultural benefits. Supporting London's downtown destinations, venues and independent businesses has been, and will need to continue to be, a key focus moving into the future.

Downtowns have cultural significance. Downtowns represent the essence of a city and are still the first place we take visitors – they are areas that distinguish a city from somewhere else. They are a visual representation of the health and well-being of a community, and a reflection of local culture. Most built heritage and prominent public spaces in a city are often in and surrounding downtown, creating a unique sense of place and vibrant public realm, both of which attract people and investment.

Downtowns can be models of sustainability and resiliency. Downtowns are compact, interconnected, dense, diverse, and predominantly mixed use in form. They are surrounded by established neighbourhoods, connected to transportation hubs and tend to provide infrastructure prioritizing pedestrians and cyclists. As they are already serviced by infrastructure and have received investment over the past decades, they are economically and geographically efficient places for growth and redevelopment. They can be models for sustainable development and innovation, providing opportunities for new modes of transportation, and the (re)use of existing infrastructure and buildings. Downtowns are unique, complex, interconnected systems in which many people, businesses, and organizations play key roles in its growth and change over time. Supporting a healthy and vibrant downtown is a long-term and ongoing process, requiring unique approaches, continued commitment, partnerships, resources, innovation and passion.

The Downtown office market is the key component of all of these key strengths and values.

3.0 Policy and Zoning Review

3.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be "*consistent with*" the policies of the PPS. The PPS encourages healthy, livable and safe communities which are sustained by

accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (1.1).

Section 1.7.1 (Long-term economic prosperity) is perhaps the most important policy related to this application because it provides the direction for all other relevant policies related to protection and enhancement of the Downtown. It states;

d) *maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*

Other related policies include;

Section 1.1.1 a) *promotes efficient development and land use patterns which sustain financial well-being of the Province and municipalities over the long term.* The health of the Downtown office market is a key contributor to the “health” of the City of London.

Section 1.1.1b) *Accommodating an appropriate affordable and market-based range and mix of [...] employment (including industrial and commercial) [...] to meet long-term needs* addresses the importance of commercial employment to the City and Province.

Section 1.1.3.1 *Settlement areas shall be the focus of growth and development* addresses the need for internal development (reuse, rehabilitation) instead of expanding and building new. The re-use of Westmount Mall for non-offices uses is a preference to new development.

Section 1.1.3.2 *Land use patterns within a settlement area shall be based on densities and a mix of land uses which:*

- a) *Efficiently use land and resources;*
- e) *Support active transportation;*
- f) *Are transit-supportive, where transit is planned, exists or may be developed.*

Similar to the previous policy, the City encourages the re-use of existing buildings but not for large scale, employment office-based uses. The existing shopping mall has and will continue to be transit supportive. The London Transit Commission maintains a satellite bus stop on site to provide easy access to the mall.

Section 1.3.1 *Planning authorities shall promote economic development and competitiveness by:*

- a) *Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs.*
- b) *Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.*
- c) *Facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment.*
- d) *Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4.*

These policies address the importance of the location of employment uses and the vitality they create. There are opportunities for suburban office employment but at a lower density and scale than the Downtown. With regard to office space, the Downtown is intended to be the primary employment area for office uses. The definition of “Employment Areas” in the PPS (Section 6.0) recognizes offices as an employment use.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

1.3.2.1 *Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs addresses the need to protect the Downtown office employment area.*

1.3.2.2 *At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the employment area. In the 1989 Official Plan, and recently in the London Plan, Council made a conscious decision to identify the Downtown as a major office employment area while still allowing smaller scale office employment uses in suburban locations.*

In summary, the PPS recognizes the importance of protecting Downtowns and supporting the importance of office uses as vital employment areas and the vitality they create. It also provides support for a distribution of employment uses, at various scales, across the City at locations which are transit supportive.

3.2 City of London Strategic Plan, 2019 – 2023.

The 2019 – 2023 Strategic Plan for the City of London (“Strategic Plan”) identifies City Council’s Vision, Mission, Values and Strategic Areas of Focus for 2019 – 2023. Below are the relevant results and strategies;

Building a Sustainable City

Direct Growth and intensification to strategic locations/Revitalize London’s Downtown and urban areas.

Growing Our Economy

Increase public and private investment in strategic locations/Revitalize London’s Downtown and Urban Areas

Increase access to supports for entrepreneurs and small businesses and community economic development/Revitalize London’s Downtown and urban areas

All of these are relevant to the subject application. Any increase of office space permitted outside of the Downtown core is contrary to, and contradicts, the City’s Strategic Plan. The last two expected results support the continued investment in Downtown.

3.3 The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted June 23, 2016, approved by the Ministry on December 28, 2016 with modifications, and the majority of which is in force and effect). The following policies are relevant to this application;

DOWNTOWN/OUR VISION FOR THE DOWNTOWN PLACE TYPE

795_ *Our Downtown will be the hub of our economy’s business community, containing the city’s largest office buildings and a complex blend of professional and business service functions.... This policy establishes the Downtown as the primary location for the largest office buildings.*

HOW WILL WE REALIZE OUR VISION?

799_ *We will realize our vision for Downtown by implementing the following in all the planning we do and the public works we undertake, we will:*

14. Direct large-scale office developments, greater than 5,000m², to the Downtown to prevent the deterioration of the important Downtown office market while still allowing for a reasonable supply of office uses outside of the Downtown.

15. Locate major government buildings, hotels, convention centres, and large entertainment and cultural facilities in the Downtown.

These policies direct major large-scale and government office buildings to the Downtown.

SHOPPING AREA/ROLE WITHIN THE CITY STRUCTURE

873_ *The Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Main Street and Neighbourhoods Place Types all support varying amounts of retail, office, and service uses. Outside of these Place Types, the Shopping Area is the primary Place Type that will allow for commercial uses.*

This policy establishes the hierarchy of Place Types for office uses.

874_ *Shopping Areas are to service their immediate neighbourhoods, and provide a walkable focal point that creates a neighbourhood identity. In some cases, these centres may be very large and serve a much broader population, and may not be directly tied to an individual neighbourhood or community.*

This shopping area serves the surrounding area by including uses which serve that community.

HOW WILL WE REALIZE OUR VISION?

876_ 4. *Encourage the repurposing, reformatting, infill and intensification of existing centres to take advantage of existing services, use land more efficiently, and reduce the need for outward expansion.*

Westmount Mall may be repurposed with non-office type uses as a means to re-use existing buildings instead of building new. There are also opportunities to infill the site with a range of uses that do not include increasing the office uses.

PERMITTED USES

877_ *The following uses may be permitted within the Shopping Area Place Type:*

1. A broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses may be permitted within the Shopping Area Place Type.

This policy identifies that the term “office” is inclusive of all types of office.

INTENSITY

878_ *The following intensity policies apply within the Shopping Area Place Type:*

6. Total aggregate office uses will not exceed 2,000m² within a Shopping Area Place Type.

This policy establishes the upper limit for office uses in a Community Shopping Area.

Currently, Westmount Mall has approximately 9,119m² (GFA) of office space, exceeding the maximum fourfold. The zoning by-law amendment request would add additional office-type uses.

1113_13 *ensuring that the Downtown office market is not undermined by permitting office buildings outside of the core area.*

The proposed zoning by-law amendment has numerous negative impacts on the office space situated in the Downtown area and fails to comply with the policies set out in The London Plan. Any increase in office space at the subject property should not be permitted until such time as it can be clearly demonstrated that the proposed increase will not adversely impact on the viability of the Downtown office market.

3.3.1 The Hemson Office Policy Study (April 2016)

A study was initiated by the City to review and confirm the approach that was applied for the London Plan office policies. A consultant was hired and part of their review included an assessment of the 1989 Official Plan office space cap of 5,000m² (office designations) and 2,000m² (commercial and industrial areas) and the 10% cap on office space in shopping malls. They also assessed the proposed draft policies in the Second Draft of the London Plan. Some of the findings of the report included;

- *The office market remains a key component of the Downtown, contributing to city image, improving the viability of transit investments, and creating economic spinoff to the surrounding neighbourhood through increasing expenditure by office employees over the years.*
- *London's office market experienced slow growth since the early 1990s, yet managed to maintain a very high proportion of its total office supply (79%) in the Downtown area. This ratio is significantly higher than most other comparable cities.*
- *London's office market remains competitive with other Canadian cities of a similar size based on average asking lease rates (\$12.41 per square foot), with a city-wide vacancy rate (14.5%) slightly higher than the national average (11.8%).*
- *Current market conditions in London favour suburban office development, with Class B and Class C office space in the suburbs collecting higher average lease rates, and featuring lower vacancy rates than comparable space located Downtown. There is currently over half a million square feet of Class B and Class C office space available in the Downtown, though this space is struggling to attract tenants.*
- *The development of new office space in the Downtown is comparably more complex and costly than developing in a suburban location. Given the comparatively low rates for Downtown space at this time, it is not cost effective for developers to construct new office stock in the area unless average rents improve or a user specifically requiring new Downtown space emerges.*
- *Changes in employment across London in recent years have shown a growth in industries which typically rely on office space. Continued growth in these industries suggest an increased demand for office space in line with existing forecasts for office space in the city.*
- *Despite some challenges such as traffic and higher parking costs compared to suburban alternatives, Downtown remains an attractive location for office uses given its central location, relatively affordable rental rates, high concentration of amenities, and accessibility. Emerging opportunities including planned rapid transit improvements and increased live-work balance made possible by residential growth in the area will further increase the appeal of the Downtown.*
- *London's scale-based office management policies are some of the most prescriptive methods for managing office development amongst cities of similar*

size and economic character. Only the City of Regina has more restrictive policies, using a similar scale-based model with even lower thresholds (Regina classifies large scale office starting at 4,000 m² GFA). In the same regard, both Regina and London have been the most successful examples of retaining office development in their downtown areas (88% and 79%, respectively).

- *London's existing scale-based policies have been largely successful at achieving the policy goals of their official plan, directing large-scale office growth to the Downtown, while supporting appropriate growth in the suburban market. The changes proposed in The London Plan will continue this trend, while allowing a degree of increased flexibility for medium-scale office development in transit-oriented nodes and corridors.*

Other important findings of the report include;

- Recognized the important role the office market plays in maintaining a healthy and vibrant Downtown; and,
- Based on the amount of office space in Downtown, the size of office space for each employee and amount of average spending /year of each employee, the Downtown receives \$150M/year in spending from office employees;

Some of the report recommendations included;

- *While London's policies appear to offer a reasonable balance of flexibility and supply management, some challenges remain. The City may wish to consider lowering the threshold of its scale-based model to reduce the risk of major Downtown office users relocating to suburban locations. A reduction in the definition of large-scale office starting at 4,000m² instead of 5,000m² could be implemented with minimal disruption to small- and medium- scale offices based on historic development patterns. Alternatively, the City could implement a market share target policy to prohibit the rezoning or development of new office space which would result in the Downtown's share of the office supply dropping below a target rate.*
- *Raising the current thresholds of the scale based is not recommended as it would make it much easier for major firms to relocate away from the Downtown, undermining the goals of the Official Plan. However, the City should be prepared to consider exceptional cases through official plan amendments should a new major office employer, who is unable to locate in the Downtown, seek to enter the London market.*
- *In order to encourage the competitiveness of the Downtown, London may also consider supporting initiatives designed to address current challenges. These include revising parking standards to lower costs for downtown developers, partnering with developers to provide off-site structured parking nearby, or encouraging new major office development through financial incentives such as a Tax Increment Equivalency Grant.*

The recommendations of the report were considered in the development of the final London Plan policies which were Council approved June 23, 2016 and approved by the Province on December 28, 2016. The office cap and related policies are in force in the London Plan.

Some of the other recommendations of the report regarding parking standards, Downtown parking garages and financial incentives are being considered through other City of London Downtown revitalization efforts.

3.3.2 The Importance of Re-using Existing Facilities and Infrastructure

Policy 876_4. *Encourage the repurposing, reformatting, infill and intensification of existing centres to take advantage of existing services, use land more efficiently, and*

reduce the need for outward expansion.

This policy identifies a preference for re-using existing buildings and facilities instead of building new; however, other policies of the London Plan regarding protection of the Downtown office market are more important in regard to this application.

3.4 1989 Official Plan

The relevant Sections include;

4.1. DOWNTOWN DESIGNATION

The Downtown is the primary multi-functional activity centre serving the City of London and the surrounding area, comprising much of southwestern Ontario. It contains regionally significant office, retail, service, government recreational, entertainment and cultural facilities and is distinguished from other areas in the City by its concentration of employment and its intensive, multi-functional land use pattern. It is intended that the Downtown will continue to be the major office employment centre and commercial district in the City, ... 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.

This policy establishes the Downtown at the top of the commercial hierarchy and recognizes the downtown as the centre of office employment in the City.

4.1.1. PLANNING OBJECTIVES

- i) *Promote the continued development of the Downtown as the primary business, administrative, institutional, entertainment and cultural centre for the City of London and as a regional centre for Southwestern Ontario.*
- ii) *Concentrate the development of major office buildings, and government buildings, having City-wide or regional significance, within the Downtown.*

As above, this directs major office and government buildings to the Downtown.

4.3 COMMERCIAL NODES

The development of lands designated as Commercial Node is primarily intended to meet a variety of retail and service needs ranging from frequent, convenience-oriented and neighbourhood-based shopping activities to the provision of specialized goods and services that draw customers from a broad trade area. While these areas are conveniently located to satisfy many of the shopping needs of the areas they serve, they are not intended to accommodate the wide range of functions or the intensive scale of non-retail development permitted in the Downtown, nor will they rival the Downtown's role as the primary business, administrative, institutional, entertainment and cultural area in the City.

This policy indicates that Community Commercial Nodes are not intended to include larger scale or as broad a range of uses as higher order commercial centres such as Downtown.

Enclosed Regional, New Format Regional, Community and Neighbourhood Commercial Nodes shall be developed primarily for retail and service commercial uses, and, to a lesser extent, small scale offices that are suited to a location with an integrated form of development that encourages multi-purpose shopping trips. Specific ranges of uses for the commercial nodes will be determined on the basis of their size, location and proximity to sensitive land uses. These uses will be identified in the Zoning By-law.

This policy indicates that only smaller-scale office uses are permitted in this designation.

Permitted Uses - Policy 4.3.7.3 *Permitted uses include all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies; convenience commercial uses; personal services;*

restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service-oriented office uses such as real estate, insurance and travel agencies; community facilities, such as libraries or day care centres; professional and medical/dental offices; and commercial and private schools. Within Community Commercial Nodes, office uses and places of entertainment will be permitted in limited amounts. Zoning on individual sites or areas may be for less than the full range of permitted uses.

The policy indicates only service-type offices, professional and medical-dental offices are permitted subject to scale criteria.

Westmount Mall is currently designated a Community Commercial Node. Originally in the 1989 Official Plan it was designated a Regional Commercial Node. Over time, as other commercial areas grew up in close proximity tenants left and the shopping mall began to lose its regional function. In 2006 the City undertook a 5 year Official Plan Review and hired a consultant to review the commercial component of the City and suggest any Official Plan changes after 15 years in place. One of the recommendations was that Westmount Mall should change from a Regional Commercial Node to a Community Commercial Node to recognize the loss of its regional function. Since 2006 it has been designated as a Community Commercial Node, a designation which is intended to serve the surrounding community. The Regional Shopping Area (RSA) Zone never changed, left in place to recognize the size of the existing mall.

5.OFFICE LAND USE DESIGNATIONS

The policies for the Office Land Use Designations are applicable in that they describes the framework for permitting offices in suburban locations, particularly with regard to freestanding office buildings. Other commercial designations also permit office uses but at a more limited scale. Policies with in the Office Land Use designation include:

5.1.1. GENERAL OBJECTIVES FOR ALL OFFICE DESIGNATIONS

i) Provide for choice in the location and cost of office space while maintaining the Downtown as the primary office employment area in the City.

5.2.4. SCALE OF DEVELOPMENT

... The Zoning By-law will control the scale of development through building height, lot coverage, floor area, and setback regulations. For the purpose of this Plan, office development of less than 2,000 square metres (21,529 sq.ft.) gross floor area will normally be considered “small scale”, and office development between 2,000 square metres (21,529 sq.ft.) and 5,000 square metres (53,921 sq.ft.) gross floor area will normally be considered “medium scale”.

This policy defines small, medium and large-scale offices.

3.5 London Downtown Plan- “Our Move Forward

The relevant Sections include;

Downtown London plays an important role in the life of Londoners. It is the cultural heart and the original neighbourhood of our city. The downtown is, and has historically been, a critical employment centre and economic engine. ..

A successful downtown is key for retaining and attracting business investment in London. A strong downtown tells the world that London is vibrant, interesting, exciting and enriching. It signals to investors that London is a captivating choice when attracting and retaining a high-quality labour force. It exudes the kind of success that breeds investment confidence

The Downtown as a Place to Do Business -The downtown has continually maintained

its status as the office employment centre of London, with over 80 percent of the city-wide office space and 303 jobs per hectare. Much of this success can be linked to strong City policies supporting the downtown in this role since the early 1990's.

6.0 Create the buzz

6.1 Maintain and enhance the downtown as the major focus for employment and economic activity within the city and the region.

6.2 Maintain the downtown as the primary and preferred location for office buildings exceeding 5,000 square metres.

6.3 Encourage federal, provincial and municipal governments to maintain and expand their downtown office facilities

These statements, directions and policies reinforce policies contained in the 1989 Official Plan (in force at the time the Downtown Plan was adopted) and is consistent with most office policies contained in the London Plan.

3.6 Downtown London Community Improvement Plan (the “Downtown CIP”).

The Downtown CIP provides the context for a coordinated municipal effort to improve the physical, economic and social climates of the Downtown. The goals of the Downtown CIP are to stimulate private investment and property maintenance and renewal in the Downtown. One of the stated goals of the Downtown CIP is “*to promote the continued development of the Downtown as the primary business, office, cultural and administrative centre for the City, and as a regional centre for Southwestern Ontario.*”

One of the Downtown CIP initiatives is to limit the amount of office space outside of the Downtown Area.

The requested zoning by-law amendment does not support the Downtown CIP, as it inappropriately increases the office space outside of the Downtown Area and will exacerbate vacancy rates in the Downtown Core.

3.7 Core Area Action Plan

The Core Area includes Downtown, Richmond Row and Old East Village and encompasses most of the London Downtown and Old East Village Business Improvement Areas (“BIA”). The Core Area Action Plan has been developed by the City to address the complex challenges relating to the London’s core; developing several initiatives focused on improvement homeless prevention, enhancing safety and security, ensuring there is space for the economy to grow, and creating a positive space to attract visitors. The Core Area Action Plan specifically identifies the persistence of high vacancies in many office buildings as a concern.

The requested zoning by-law amendment fails to meet the objectives of the City’s Core Area Action Plan and will exacerbate the persistence of high vacancies in the Downtown Area.

3.8 Zoning By-law Z-1

The Regional Shopping Area (RSA) Zone specifies that in the RSA Zone, the maximum total gross leasable floor area (the “GLFA”) for office uses is 10% of the total GLFA of a shopping centre. Based on the size of 41,847m², 4,184m² of office/medical offices would be permitted by the zoning by-law.

Based on floor plans provided by the applicant/agent showing leased and unleased space the building has approximately 9,100m² GLFA of office /medical office space, over double the amount permitted.

It has been interpreted by the City’s Zoning Division that some of the uses are

separately defined and are not considered “offices” and would not be included under the office space cap. These include financial institutions (Hollis Wealth Management) and public uses (MPAC, City of London Social Services satellite offices). According to zoning, the requested call centre would be a “business service establishment” and would also not be part of the office cap. The definitions of these other uses include;

"FINANCIAL INSTITUTION" means an establishment which provides money management services directly to the public, including a bank, trust company, credit union, securities dealer, finance companies and stock brokers, but not including the internal offices or administrative offices which shall be considered to be offices for the purposes of this By-Law.

It is important to point out that the definition excludes internal offices or administrative offices of the business from the definition. These are considered offices which contain employees. The client and public service desk area is not included under the office cap.

"PUBLIC USE", when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public. Public agencies comprise: (O.M.B. File #R 910387 - Appeal #9006-2 June 4, 1993)

a) the Government of Canada, the Government of Ontario, or a municipal corporation;

b) any ministry, department, commission, authority, board or agency established by the Government of Canada or the Government of Ontario; or

c) any public utility. (Z.-1-051390)

Both the MPAC office and the City of London Social Service satellite office have been interpreted by the Zoning Division to be “public uses”. The latter has a client service component whereby employees deal with clients at the office so there is a service component of its function. The City purposely made a decision a number of years ago to move some of the social services from their former concentration Downtown (the main office is still Downtown) to be closer to clients and provide better public service.

MPAC has a small service desk but generally includes employees who take inquiries by telephone. They were formerly located in Treasure Island Plaza south of the 401 on Wellington Road South. Official Plan policies encourage federal, provincial and municipal governments to maintain and expand their Downtown office facilities.

"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair

The applicants request is for a business service establishment use to be added to the existing zoning to allow a proposed call centre. The nature of a call centre is generally characterized as an office-type environment containing employees at desks answering phone calls. Generally, there is no walk-in traffic for those customers or clients requiring service. A call-centre is generally considered an employment- based business.

The definition of business service establishment implies a smaller-scale use which serves business and involves some form of walk-in interaction. It includes “advertising and mailing” as functions but does not include solicitation and/or telephone customer service as functions. While a call centre has been interpreted to fall within the business service establishment use, that is largely due to it being a unique form of office that may not fall neatly into any existing office definition.

In addition, other uses that fall within the Business Service Establishment definition would not be consistent with the Community Commercial Node designation or the Shopping Area Place Type. For example, it is not appropriate to include “small equipment rental, leasing and repair” in an indoor shopping mall environment. The only

zone which has “business service establishment” as a permitted use is the Light Industrial (LI) Zone which is generally applied in low-impact industrial areas, not in commercial areas.

Downtown currently has a number of call centres within its boundaries. “Business service establishments” are not a permitted use in the Downtown (DA) Zone, so those uses would be permitted by the Zoning By-law as offices.

4.0 Options for Re-use of the Existing Shopping Mall

As indicated above in the Analysis, the Provincial Policy Statement and the London Plan both contain policies which encourage the re-use of existing buildings and areas within the Urban Growth boundary or Primary Transit Area instead of building new. Planning staff support the re-use of this existing building. There is a range of other uses that would be permitted but due to the policies that support the downtown office market, office uses should not be expanded on this site.

One recent trend in London has been proposals for introduced high density residential apartment buildings into former shopping centre locations. Masonville Mall, London Mall (southeast corner of Oxford Street West and Wonderland Road) and the Hylands Centre (northwest corner of Fanshawe and Richmond) have all submitted proposals for high density residential apartments in former parking lots and/or vacant commercial space. The introduction of these residents within walking distance of the commercial it is hoped will create a demand for new retail and personal service uses in the remainder of the commercial centre. This trend has been occurring in Toronto over the last few years and south of the border in the U.S.

Another option is a possible reformatting of the mall. Both Oakridge Mall and Argyle Mall have been reformatted to a more street friendly, transit oriented form of development. Although, Westmount mall is a 2 storey indoor mall, unlike the others, it could be an option for future use.

The proposal will result in an expansion of the already large office presence in Westmount Mall is not recommended giving the analysis above.

Conclusion

The London Plan and 1989 Official Plan both included policies to limit the amount of suburban office space to protect the important Downtown office market. Suburban offices are permitted that have a service function but at a smaller scale than those located in the Downtown. The policies in the latter have been in place since the early 1990's and have been responsible for the protection of 75% Downtown share of the City of London office market.

The applicant's request for the addition of a business service establishment to allow a call centre is inappropriate given the amount of office space already in the mall and does not comply with the PPS (2020), the London Plan, 1989 Official Plan, Council's Strategic Plan, the Downtown London Plan and other Downtown documents such as the Community Improvement Plan and the Core Area Action Plan.

The City also has policies which encourage the reuse of existing buildings instead of building new and encourages the applicant to focus on non-office uses to occupy vacant space in Westmount Mall.

Prepared by: W.J. Charles Parker, M.A.
Senior Planner, Long Range Planning and Research

Reviewed by: Justin Adema MCIP, RPP
Manager, Long Range Planning and Research

Recommended by: Gregg Barrett, AICP
Director, Planning and Development, Planning and Economic Development

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

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Appendix A – Public Engagement

Public liaison: On May 27, 2021 an individual public notice was sent to 116 property owners notifying them of this application. Londoner notice was provided on May 27, 2021 in the Londoner. The application was also posted on the City website www.london.ca

Two replies were received, one, a question by telephone and the other a letter from Siskinds representing Farhi Holdings Corporation dated June 29, 2021 (attached).

The telephone caller only wanted to know if new development was being proposed.

Nature of Liaison:

Zoning amendment to 1) add business service establishment as a permitted use to permit call centres, customer service field offices or other businesses which operate on a fee or contract basis such as advertising, mailing, building maintenance, employment services and protective services or 2) increase the maximum cap for office space in the zone. Possible change to Zoning By-law Z.-1 **FROM** a Regional Shopping Area Special Provision (RSA2(2)) Zone **TO** another Regional Shopping Area Special Provision (RSA2(_)) Zone to add business service establishment as an additional permitted use or increase the maximum cap for office space in the zone.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
E & T. Slivinski	Paula Lombardi Siskinds Rep. Farhi Holdings Corp. 680 Waterloo Street London

Agency/Departmental Comments

June 4, 2021 Development Services – Engineering

No comments

London Hydro – May 18, 2021 -London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

680 Waterloo Street, London, ON N6A 3V8



EMAIL paula.lombardi@siskinds.com

FILE NO. 858158

Delivered By Email: cparker@london.ca

June 29, 2021

Chuck Parker
City of London
Planning and Economic Development
City Hall
300 Dufferin Avenue
London, ON N6B 1Z2

Attention: Chuck Parker

**Re: Proposed Zoning By-law Amendment
755 – 785 Wonderland Road South, Westmount Mall
City of London File: Z-9356**

We act on behalf of Farhi Holdings Corporation (the “Client” or “FHC”) and have been retained to review and comment on the proposed zoning by-law amendment as it relates to the 755 – 785 Wonderland Road South (“Westmount Mall”) to: (i) add business service establishment as a permit use to permit call centres, customer service field offices or other businesses that operate on a fee or contract basis such as advertising, mailing, building maintenance, employment services, or (ii) increase the maximum cap for office space in the zone (the “Proposed Zoning By-law Amendment”).

Our Client owns numerous properties situated throughout the downtown core in the City of London (the “City” or “London”) for which it has made numerous attempts to redevelop and attract tenants to the core area. It has been, and continues to be, the goal of our Client to bring more people and businesses into the core to ensure a vibrant downtown area for the City. Our Client is concerned that increasing office space outside of the Downtown Core Area as set out in the Proposed Zoning By-law Amendment is contrary to the City’s planning framework and does not represent good planning.

Proposed Zoning By-law Amendment

The purpose of the Proposed Zoning By-law Amendment is to add “Business Services Establishment” as a permitted use within the Westmount Shopping Centre (the “Subject

DIRECT
TELEPHONE (519) 660-7878
FACSIMILE (519) 660-7879

HEAD OFFICE
TELEPHONE (519) 672-2121
FACSIMILE (519) 672-6065

4764484

Property”) by way of the creation of a new site-specific “Regional Shopping Area Special Provision (RSA2(_))” Zone. Based on the information provided it appears that a special provision may also be requested to increase to the maximum office space permission (the “cap”) for the Subject Property under the City’s RSA Zone structure.

Our Client, based on its initial review of the Proposed Zoning By-law Amendment, has identified the following key concerns:

1. **Shopping Centre Place Type (The London Plan).** Policy 878_6 of The London Plan prescribes that total aggregate office uses will not exceed 2,000 m² within a Shopping Area place type.

The materials submitted in conjunction with the Proposed Zoning By-law Amendment do not appear to provide an accounting of the existing office space within the shopping centre. This information is required in order to demonstrate that the Proposed Zoning By-law Amendment conforms with the office space cap prescribed by this policy as set out in The London Plan.

2. **The London Plan** provides numerous Downtown specific objectives including but not limited to the promotion and continued development of the Downtown as the primary business, office, cultural and administrative centre for the City of London. Policy 795 of The London Plan specifically states that Downtown will be hub of the City’s business community, containing the City’s largest office buildings and providing a complex blend of professional and business functions that collectively create dynamic synergies. Policy 796 confirms the intent of the City that Downtown will be the most highly connected location in the City, being the hub for rapid transit, rail, high speed rail, and the multi-use pathway along the Thames River in addition to offering the City’s premier pedestrian space. Policy 799_14 specifically directs large-scale office developments to the Downtown to prevent the deterioration of the important Downtown office market. Policy 1113_13 ensuring that the Downtown office market is not undermined by permitting office buildings outside of the core area.

The Proposed Zoning By-law Amendment has numerous negative impacts on the office space situated in the Downtown area and fails to comply with the policies set out in The London Plan. Any increase in office space at the Subject Property should not be permitted until such time as it can be clearly demonstrated that the proposed increase will not adversely impact on the viability of the Downtown office market.

- 3. **RSA Zone (City of London Zoning By-law).** Table 29.3 of the City’s Comprehensive Zoning By-law specifies that in the RSA Zone, the maximum total gross leasable floor area (the “GLFA”) for office uses is 10% of the total GLFA of a shopping centre. The submission materials do not appear to provide a GLFA calculation for either the existing mall or its office components and therefore the maximum GLFA cannot be effectively calculated. It is unclear if the existing mall arrangement complies with this regulation or what the magnitude of the cap exemption being requested as part of the Proposed Zoning By-law Amendment. A scheduled detailing the GLFA of all existing uses and identifying the specific office uses within the shopping centre needs to be provided to allow for a fulsome review of the Proposed Zoning By-law Amendment.

The impacts of the Proposed Zoning By-law Amendment cannot be considered and appropriately reviewed until an opportunity to review the schedule detailing of the GLFA of existing uses can be completed to confirm: (i) the percentage of office space currently provided at the Subject Site; and (ii) the total GFLA cap increase required as part of the Proposed Zoning By-law Amendment.

It is premature to allow for an increase in office space uses outside of the Downtown Area until such time as it can be demonstrated that the proposal will not detrimentally impact the office space market in the Downtown Area.

- 4. **City of London Zoning By-law.** It is notable that the City’s Zoning By-law implements the policies of the Official Plan and most of the Downtown Area is zoned either DA (Downtown Area) 1 or 2, permitting a wide range of retail, office, cultural, institutional, entertainment and residential uses. By contrast, the RSA Zone structure is intended to primarily regulate enclosed regional shopping centres and places prescribed limits on the total amount of office space permitted on individual sites.

The Proposed Zoning By-law Amendment inappropriately proposes to expand office uses outside of the Downtown Area.

- 5. **City of London Strategic Plan, 2019 – 2023.** The 2019 – 2023 Strategic Plan for the City of London (“Strategic Plan”) identifies City Council’s Vision, Mission, Values and Strategic Areas of Focus for 2019 – 2023. One of the strategies identified is to direct growth and intensification to strategic locations including the revitalization of London’s Downtown Area.

Without adequate justification, any increase of office space permitted outside of the Downtown core is contrary to, and contradicts, the City’s Strategic Plan.

- 6. **Downtown London Community Improvement Plan (the “Downtown CIP”).** The Downtown CIP provides the context for a coordinated municipal effort to improve the physical, economic and social climates of the Downtown. The goals of the Downtown CIP are to stimulate private investment and property maintenance and renewal in the Downtown. One of the stated goals of the Downtown CIP is *“to promote the continued development of the Downtown as the primary business, office, cultural and administrative centre for the City, and as a regional centre for Southwestern Ontario.”* One of the Downtown CIP initiatives is to limit the amount of office space outside of the Downtown Area.

The Proposed Zoning By-law Amendment does not support the Downtown CIP, as it inappropriately increases the office space outside of the Downtown Area and will exacerbate vacancy rates in the Downtown Core.

- 7. **Core Area Action Plan, October 28, 2019.** The Core Area includes Downtown, Richmond Row and Old East Village and encompasses most of the London Downtown and Old East Village Business Improvement Areas (“BIA”). The Core Area Action Plan has been developed by the City to address the complex challenges relating to the London’s core; developing several initiatives focused on improvement homeless prevention, enhancing safety and security, ensuring there is space for the economy to grow, and creating a positive space to attract visitors. The Core Area Action Plan specifically identifies the persistence of high vacancies in many office buildings as a concern.

The Proposed Zoning By-law Amendment fails to meet the objectives of the City’s Core Area Action Plan and will exacerbate the persistence of high vacancies in the Downtown Area.

We also note that the City has failed to act on the Downtown parking study from 2015 and the City’s Parking Strategy for the Downtown Area from 2017. Until such time as the City’s Downtown parking strategy is appropriately addressed, the creation of office space located outside of the Downtown core that includes convenient availability of parking results in a

680 Waterloo Street, London, ON N6A 3V8

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disadvantage to the Downtown Core Area and further challenges efforts to revitalize the City's Downtown Core Area as discussed above.

In light of these considerations, in our opinion, the noted deficiencies need to be addressed to ensure this application aligns with the policy direction and permissions of the applicable planning framework. As currently drafted the Proposed Zoning By-law Amendment fails to adhere to the requirements of the City's planning framework and City's intention to protect the Downtown Core Area and does not represent good planning. This represents our Client's initial review of the Proposed Zoning By-law Amendment and as a result we reserve our Client's right to raise any additional issue that may arise upon further review and consideration.

By copy of this letter we request notification of any public meetings, town hall meetings, council meetings special or otherwise, statutory or otherwise, as they relate to the Proposed Zoning By-law Amendment.

Should you have any questions or concerns, please do not hesitate to contact us.

Yours very truly,

Yours very truly,

Siskinds LLP



e-signature

Per:

Paula Lombardi
Partner

c: Client

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: ***(Added bold italics for important reference)***

1) Provincial Policy Statement, 2020 (In Effect May 1, 2020)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning*” in order to ensure efficient development and the protection of resources. All planning applications, including Zoning By-law Amendment applications, are required to be consistent with these policies. The following policies are relevant to the proposed application:

Section 1.1.1 a) promoting efficient development and land use patterns which sustain ***financial well-being*** of the Province and ***municipalities over the long term***;

Section 1.1.1b) Accommodating an appropriate affordable and market-based range and mix of [...] ***employment*** (including industrial and ***commercial***) [...] to meet long-term needs

Section 1.1.3.1 Settlement areas shall be the focus of growth and development.

Section 1.1.3.2 Land use patterns within a settlement area shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;
- e) Support active transportation;
- f) Are transit-supportive, where transit is planned, exists or may be developed.

Section 1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) Providing for an ***appropriate mix and range of employment***, institutional, and broader mixed uses to meet long-term needs.
- b) Providing opportunities for a diversified economic base, including maintaining a range and ***choice of suitable sites for employment uses*** which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.
- c) Facilitating the conditions for economic investment by ***identifying strategic sites*** for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment.
- d) Encouraging ***compact, mixed-use development that incorporates compatible employment uses*** to support liveable and resilient communities, with consideration of housing policy 1.4.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, ***protect and preserve employment areas*** for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

1.3.2.2 At the time of the official plan review or update, planning authorities should assess employment areas identified in ***local official plans to ensure that this designation is appropriate to the planned function of the employment area***.

Section 1.7.1 Long-term economic prosperity should be supported by:

- d) ***maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets***;

6.0 Definitions

Employment area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, **offices**, and associated retail and ancillary facilities.

2) City of London Strategic Plan, 2019 – 2023.

The 2019 – 2023 Strategic Plan for the City of London (“Strategic Plan”) identifies City Council’s Vision, Mission, Values and Strategic Areas of Focus for 2019 – 2023. The following are relevant to this application;

Building a Sustainable City

Direct Growth and intensification to strategic locations/Revitalize London’s Downtown and urban areas.

Growing Our Economy

Increase public and private investment in strategic locations/Revitalize London’s Downtown and Urban Areas

Increase access to supports for entrepreneurs and small businesses and community economic development/Revitalize London’s Downtown and urban areas

3) 1989 City of London Official Plan (Council adopted June 19, 1989)

4.1. DOWNTOWN DESIGNATION

The Downtown is the primary multi-functional activity centre serving the City of London and the surrounding area, comprising much of southwestern Ontario. **It contains regionally significant office**, retail, service, **government** recreational, entertainment and cultural facilities and is distinguished from other areas in the City by its concentration of employment and its intensive, multi-functional land use pattern. It is intended that the **Downtown will continue to be the major office employment centre** and commercial district in the City,..... **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.

4.1.1. PLANNING OBJECTIVES

- iii) **Promote the continued development of the Downtown as the primary business, administrative**, institutional, entertainment and cultural centre for the City of London and as a regional centre for Southwestern Ontario. (Clause i) amended by OPA No. 95 - OMB Order No. 1596 - approved 98/06/25)
- iv) **Concentrate the development of major office buildings**, hotels, convention facilities, entertainment and cultural uses, major indoor sports facilities and **government buildings**, having City-wide or regional significance, **within the Downtown**. (Clause ii) deleted and replaced by OPA No. 95 - OMB Order No. 1596 - approved 98/06/25)

4.3 COMMERCIAL NODES

The development of lands designated as Commercial Node is primarily intended to meet a variety of retail and service needs ranging from frequent, convenience-oriented and neighbourhood-based shopping activities to the provision of specialized goods and services that draw customers from a broad trade area. While these areas are

conveniently located to satisfy many of the shopping needs of the areas they serve, **they are not intended to accommodate the wide range of functions or the intensive scale of non-retail development permitted in the Downtown, nor will they rival the Downtown's role as the primary business, administrative, institutional, entertainment and cultural area in the City.** (Section 4. Amended by OPA 95- OMB Order No. 1596 – approved 98/06/25)

Enclosed Regional, New Format Regional, Community and Neighbourhood Commercial Nodes shall be developed primarily for retail and service commercial uses, **and, to a lesser extent, small scale offices that are suited to a location with an integrated form of development that encourages multi-purpose shopping trips.** Specific ranges of uses for the commercial nodes will be determined on the basis of their size, location and proximity to sensitive land uses. These uses will be identified in the Zoning By-law.

Function - Policy 4.3.7.1 Community Commercial Nodes **are intended to provide a wide range of goods and services which are needed on a regular basis.** Community Commercial Nodes are smaller in size than Enclosed and New Format Regional Commercial Nodes and there is less emphasis on comparison shopping needs and more emphasis on community specialized services. A supermarket or food store should form an integral part of the node. Their trade areas are subsidiary to the trade areas of Enclosed and New Format Regional Commercial Nodes and primarily consist of the surrounding community which includes a number of neighbourhoods within convenient driving or walking distance.

Permitted Uses - Policy 4.3.7.3 Permitted uses include all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; **service-oriented office uses such as real estate, insurance and travel agencies;** community facilities, such as libraries or day care centres; **professional and medical/dental offices;** and commercial and private schools. **Within Community Commercial Nodes, office uses and places of entertainment will be permitted in limited amounts.** Zoning on individual sites or areas may be for less than the full range of permitted uses.

5.OFFICE LAND USE DESIGNATIONS

INTRODUCTION

The Office land use designations provide for the development of purpose-designed office buildings, office conversions, and mixed office/residential buildings at appropriate locations. **The intent of these designations is to allow for choice in the location and cost of office space while maintaining the Downtown as the primary office employment area in the City and as the preferred location for major office developments. Limited forms of office development are also allowed in other Commercial designations** and under the Industrial and Residential land use policies; however, **these provisions are not intended to accommodate the type and scale of general office development that may be appropriate at selected locations outside of the Downtown. In creating separate Office designations and allowing some suburban office development, it is recognized that such development may have an impact on the demand for office space in the Downtown. For this reason, the policies limit the scale and form of office development in the Office designations. Where an Official Plan and/or Zoning By-law amendment is required, consideration will be given to the impact of the office development on the projected office space demand for both the Downtown and the City.**

5.1.1. GENERAL OBJECTIVES FOR ALL OFFICE DESIGNATIONS

i) **Provide for choice in the location and cost of office space while maintaining the Downtown as the primary office employment area in the City.**

5.2.4. Scale of Development

... The Zoning By-law will control the scale of development through building height, lot coverage, floor area, and setback regulations. For the purpose of this Plan, **office development of less than 2,000 square metres (21,529 sq.ft.) gross floor area will normally be considered “small scale”, and office development between 2,000 square metres (21,529 sq.ft.) and 5,000 square metres (53,921 sq.ft.) gross floor area will normally be considered “medium scale”.** (OPA #506)

4) The London Plan (Council adopted June 23, 2016, Ministry approved December 28, 2016)

DOWNTOWN

OUR VISION FOR THE DOWNTOWN PLACE TYPE

795_ Our Downtown will be the **hub of our economy’s business community, containing the city’s largest office buildings** and a complex blend of professional and business service functions that collectively create dynamic synergies. Our vibrant Downtown restaurants, entertainment venues, hotels, and convention centre facilities, combined with the highest-order communications infrastructure, will be attractive to those who work Downtown and those **businesses that seek out the best and the brightest employees.**

HOW WILL WE REALIZE OUR VISION?

799_ We will realize our vision for Downtown by implementing the following in all the planning we do and the public works we undertake, we will:

14. Direct large-scale office developments, greater than 5,000m², to the Downtown to prevent the deterioration of the important Downtown office market while still allowing for a reasonable supply of office uses outside of the Downtown.

15. Locate major government buildings, hotels, convention centres, and large entertainment and cultural facilities in the Downtown.

SHOPPING AREA

ROLE WITHIN THE CITY STRUCTURE

873_ The Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Main Street and Neighbourhoods Place Types all support varying amounts of retail, office, and service uses. Outside of these Place Types, the **Shopping Area is the primary Place Type that will allow for commercial uses.**

874_ Shopping Areas are to service their immediate neighbourhoods, and provide a walkable focal point that creates a neighbourhood identity. In some cases, these centres may be very large and serve a much broader population, and may not be directly tied to an individual neighbourhood or community

HOW WILL WE REALIZE OUR VISION?

876_ 4. Encourage the **repurposing**, reformatting, infill and intensification of existing centres to take advantage of existing services, use land more efficiently, and reduce the need for outward expansion.

PERMITTED USES

877_ The following uses may be permitted within the Shopping Area Place Type:

1. A broad range of retail, service, **office**, entertainment, recreational, educational, institutional, and residential uses may be permitted within the Shopping Area Place Type.

INTENSITY

878_ The following intensity policies apply within the Shopping Area Place Type:

7. Total aggregate office uses will not exceed 2,000m2 within a Shopping Area Place Type.

5) Zoning By-law Z-1 – July 1, 1993

Section 2- Definitions

"OFFICE" means a building, or part thereof, containing one or more offices including professional or service offices and all other forms of offices except medical/dental offices

"OFFICE, MEDICAL/DENTAL" means an office or offices in which the practice of the professions of medicine, psychiatry, dentistry or optometry is carried on or in which the treatment by osteopathy or chiropractic is carried out but does not include a CLINIC, METHADONE."

"OFFICE, BUSINESS" means a building or part thereof in which the administrative functions of agencies, foundations, brokers, labour or fraternal organizations are carried out and includes a service office, but does not include medical/dental offices, professional offices, support offices, financial or general offices, unless specified as permitted within this definition.

"OFFICE, CHARITABLE ORGANIZATION" means a building or part thereof in which the administrative functions of a registered charitable organization are carried out as the primary function, including but not limited to such uses as design, printing, assembly and distribution of information materials related to the use, customer service and data processing related to the use, warehousing/storage of supplies related to the use, and training and conference facilities and public education programs related to the use. (Z.-1-081810)

"OFFICE, PROFESSIONAL" means a building or part thereof in which a legal or other personal professional service is performed or consultation given, includes the offices of a lawyer, a planner, an architect, a surveyor, an engineer or a chartered accountant, but does not include a personal service establishment, a medical/dental office, a clinic, an animal hospital, a body-rub parlour or any adult entertainment parlour as defined in the Municipal Act, as amended.(Z.-1-93173 and Z.-1-94236)

"OFFICE, SERVICE" means a building, or part thereof, in which one or more persons is employed in the management, direction or conducting of a travel agency, an insurance agency, or a real estate agency

"FINANCIAL INSTITUTION" means an establishment which provides money management services directly to the public, including a bank, trust company, credit union, securities dealer, finance companies and stock brokers, but not including the internal offices or administrative offices which shall be considered to be offices for the

purposes of this By-Law

"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair

"PUBLIC USE", when used in reference to a building, structure, use or lot, means a building, structure, use or lot used by a public agency to provide a service to the public. Public agencies comprise: (O.M.B. File #R 910387 - Appeal #9006-2 June 4, 1993)

- a) the Government of Canada, the Government of Ontario, or a municipal corporation;
- b) any ministry, department, commission, authority, board or agency established by the Government of Canada or the Government of Ontario; or
- c) any public utility. (Z.-1-051390)

Section 21 - REGIONAL SHOPPING AREA (RSA) ZONE

21.1 GENERAL PURPOSE OF THE RSA ZONE

The RSA Zone primarily recognizes lands planned for use as enclosed regional shopping centres. The RSA Zone provides for and regulates a wide range of regional-scale, specialized, comparison shopping retail and personal service uses, as well as some office, commercial recreation and community facilities uses, which are suited to a location within an enclosed shopping centre building. Limits are placed on the amount of office and entertainment space. Other shopping centre and stand-alone buildings are allowed on a limited basis normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen large surface parking lots. The permitted uses are the same for all RSA Zone variations, however, variations of the zone occur based on maximum permitted gross leasable floor area.

21.2 PERMITTED USES

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any RSA Zone variation or any use other than the following uses:

- 1) RSA1, RSA2, RSA3, and RSA4 Zone variations

The following are permitted uses within an enclosed shopping centre building in RSA1, RSA2, RSA3, and RSA4 Zone variations:

- a) (Amusement games establishments deleted by Z.-1-96458 - (O.M.B. File No. R 980047 - Order Issue Date June 25, 1998)
- b) Assembly halls;
- c) Automotive uses, restricted;
- d) Catalogue stores;
- e) Clinics;
- f) Commercial parking structures and/or lots;
- g) Commercial recreation establishments;
- h) Convenience service establishments;
- i) Day care centres;
- j) (Z.-1-96435)
- k) Duplicating shops
- l) Financial institutions;
- m) Institutions;
- n) Liquor, beer and wine stores;

- o) Medical/dental offices;
- p) Offices;
- q) Patient testing centre laboratories;
- r) Personal service establishments;
- s) Private clubs;
- t) Restaurants;
- u) Retail stores;
- v) Service and repair establishments;
- w) Studios;
- x) Supermarkets;
- y) Taverns;
- z) Taxi establishments;
- aa) (Deleted by Z.-1-96458 - O.M.B. File No. R 980047 - Order Issue Date June 25, 1998)
- bb) Video rental establishments;
- cc) Place of Entertainment; (Added by Z.-1-96458 - O.M.B. File No. R 980047 - Order Issue Date: June 25, 1998)
- dd) Brewing on premises establishments (Z.1-021027)

21.3 REGULATIONS

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any RSA Zone variation except in conformity with the regulations as set out below or in Table

2) GROSS LEASABLE FLOOR AREA (MAXIMUM) For the purpose of the RSA Zone variations, maximum gross leasable floor area shall not include floor area devoted to commercial recreation establishments, institutions, or day care centres. (Z.-1-96458 - O.M.B. File No. R 980047 - Order Issue Date: June 25, 1998) ...

21.4 SPECIAL PROVISIONS

The following zones apply to unique or existing situations and are not the standard RSA Zone variations. If a regulation or case is not specified, the list of permitted uses and/or the regulations of Section 21.2 and/or Section 21.3 shall apply.

RSA2(2) 785 Wonderland Road South

- a) Additional Permitted Use:
 - i) Commercial and Private Schools. (Z.-1-112018)

6) London Downtown Plan- "Our Move Forward

Downtown London plays an important role in the life of Londoners. It is the cultural heart and the original neighbourhood of our city. The **downtown is**, and has historically been, **a critical employment centre and economic engine.** ..

A successful downtown is **key for retaining and attracting business investment** in London. A strong downtown tells the world that London is vibrant, interesting, exciting and enriching. It signals to investors that London is a captivating choice when attracting and retaining a high-quality labour force. It exudes the kind of success that breeds investment confidence

The Downtown as a Place to Do Business -The downtown **has continually maintained its status as the office employment centre of London, with over 80 percent of the city-wide office space and 303 jobs per hectare.** Much of this success can be linked to **strong City policies supporting the downtown in this role since the early 1990's.**

6.0 Create the buzz

6.1 Maintain and enhance the downtown as the **major focus for employment** and economic activity within the city and the region.

6.2 Maintain the downtown as the primary and preferred location for office buildings exceeding 5,000 square metres.

6.3 Encourage **federal, provincial and municipal governments to maintain and expand their downtown office facilities**

7) Downtown London Community Improvement Plan (the “Downtown CIP”) (Council adopted-1996, amendments November 14, 2017)

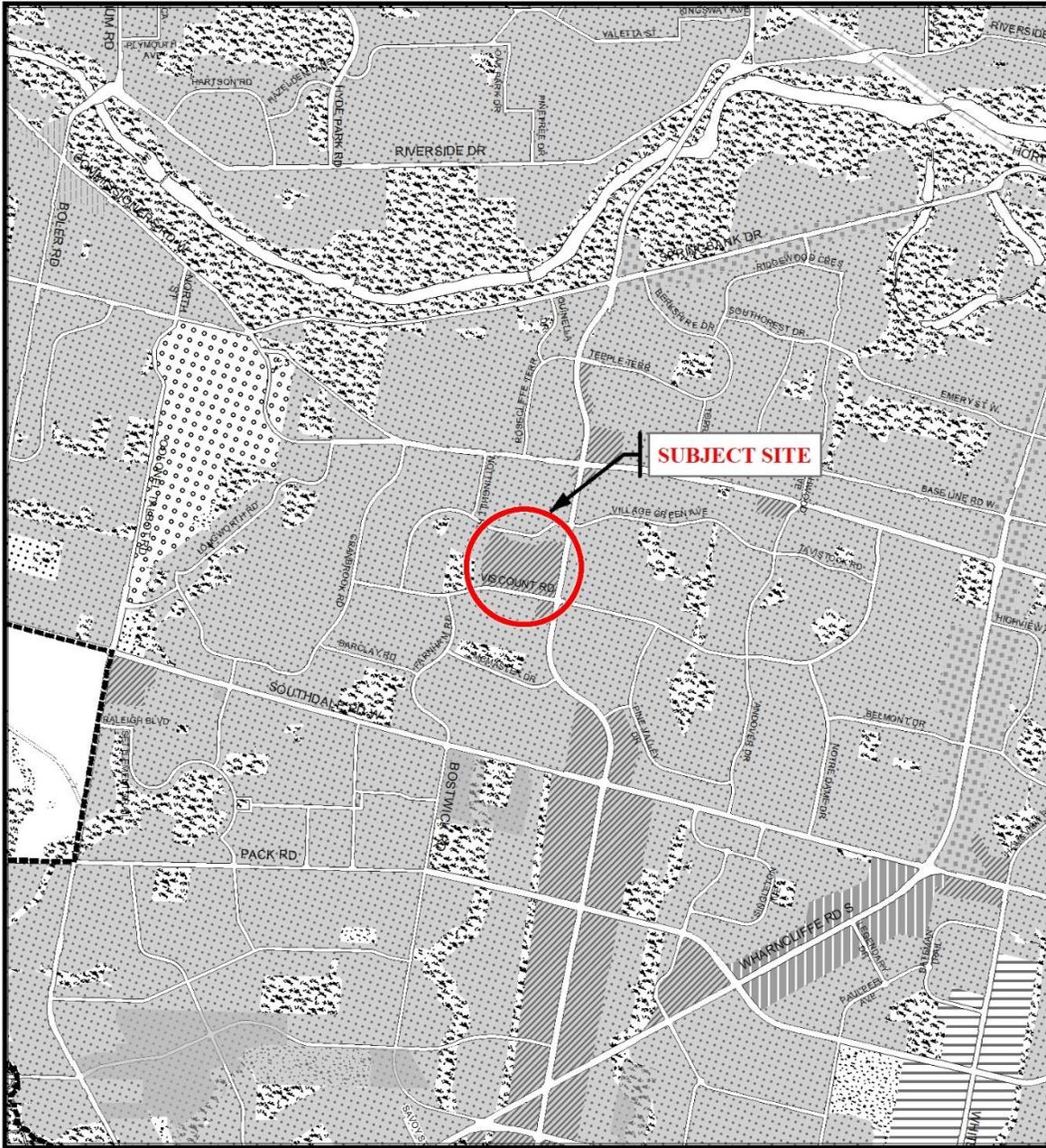
The Downtown CIP provides the context for a coordinated municipal effort to improve the physical, economic and social climates of the Downtown. The goals of the Downtown CIP are to stimulate private investment and property maintenance and renewal in the Downtown. One of the stated goals of the Downtown CIP is **“to promote the continued development of the Downtown as the primary business, office, cultural and administrative centre for the City, and as a regional centre for Southwestern Ontario.”** One of the Downtown CIP initiatives is to **limit the amount of office space outside of the Downtown Area.**

8) Core Area Action Plan, October 28, 2019.

The Core Area includes Downtown, Richmond Row and Old East Village and encompasses most of the London Downtown and Old East Village Business Improvement Areas (“BIA”). The Core Area Action Plan has been developed by the City to address the complex challenges relating to the London’s core including; specifically identifying the **persistence of high vacancies in many office buildings** as a concern.

Appendix C – 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 | Areas Withheld from LPAT Approval |
| 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 & Development

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning & Development



Scale 1:30,000



File Number: Z-9356

Planner: CP

Technician: MB

Date: 2021/07/20



Zoning as of June 30, 2021



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSA2(2)

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 |
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CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

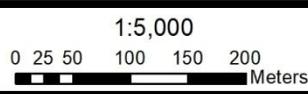
ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:
Z-9356 CP

MAP PREPARED:
2021/07/20 MB





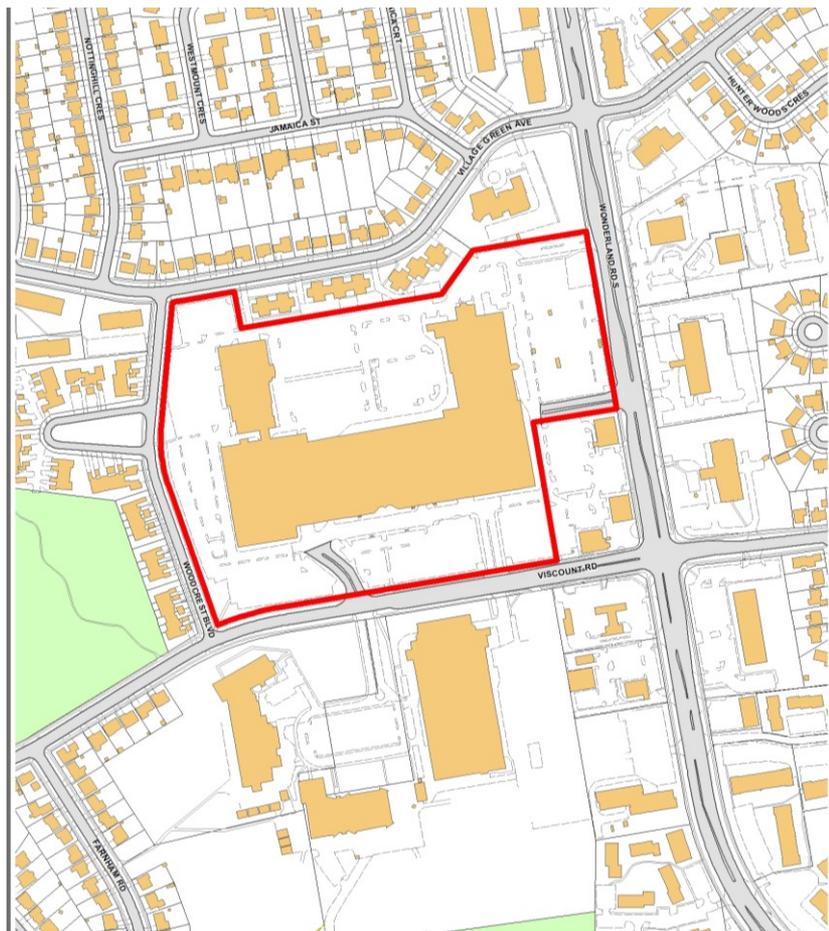
London
CANADA

755-785 Wonderland Road South (Westmount Mall)

Z-9356/McCor Management Inc.

Planning and Environment Committee
September 20, 2021

Location of Site



- Former Regional Mall
- Built in the 1980's
- 1989 Official Plan – Community Commercial Node
- London Plan- Shopping Area Place Type
- Zoning By-law Z-1- Regional Shopping Area Special Provision (RSA2 (2)- commercial and private schools added by ZBA

Existing Situation

Total Gross Leasable Floor Area- 41,800m²

Retail- 10,000m²

Office-type uses- 10,300m²

Public service uses- 1,500m²

Other uses- 4,600m²

Vacant- 15,400m² (approx. 36% based on information provided)

First floor mainly retail uses, Second Floor mainly offices

In recent years the former Regional Shopping Mall has been losing tenants and has had vacancy issues partially due to the proximity of new commercial development to the south and changes in retail demand.





Requested Zoning By-law Amendment

- The applicant has requested the addition of “business service establishment” to permit a call centre
- No proposed size was provided.
- ***"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair.***
- That use is only currently permitted in the Light Industrial (LI) Zone in low-impact industrial areas.
- Most call centres have located in Downtown (e.g. Citi-Plaza/Galleria)



City of London Office Policies since the 1990's

- 1989 Official Plan- maximum of 5000m² for suburban office buildings.
- The London Plan- maximum of 2000m² of office space in Shopping Area Place Types.
- Policies focus on the all-inclusive term “office” which includes all forms of office whereas Zoning By-law Z-1 has various office definitions.
- Downtown Plan, Downtown CIP and Core Area Action Plan also speak to the importance of office space to Downtown.
- **Goal-** limit large floor plate, employment-based offices to Downtown
- Small-scale offices serving walk-up clients and customers allowed.

Office Space Statistics

- 2019 Office Vacancy Rates (2019 State of the Downtown Report/CBRE) prior to COVID-19

Downtown-	Class A	13.6%
	Class B	16.3%
	Class C (Older)	48.6%
	Overall Rate-	18.4%
Suburban-		16.9%

A 5-8% vacancy rate is considered a “healthy” office market.

In the last 5 years the Downtown’s share of the office space market has dropped 5% from 80% to 75%.

The City recently formed a Core Area Vacancy Strategy Team to identify ways to fill vacancies.



Importance of Downtown to the City

- Employment, Entertainment and Cultural Centre of the City- the City's gathering place for all Citizens.
- Assessment/Taxes- collect disproportionate share based on land area – 5.5% of all taxes for 0.2% of the total City land area.
- Provide spin-off benefits to other uses Downtown (e.g. retail, personal service, restaurants)

Recommendation

- **REFUSAL** of the request to add business service establishment as a permitted use.
- **REASONS**
 1. not in conformity with the 2020 Provincial Policy Statement (Section 1.7.1)
 2. not in conformity with the Downtown and Community Commercial Nodes policies of the 1989 Official Plan.
 3. not in conformity with the Downtown and Shopping Area Place Type policies of the London Plan.
 4. Would introduce a large floor space, employment-based office use in a suburban location.
 5. Based on the definition, could introduce a light industrial use into a shopping mall.

Options for the Site

- Focus on Non-Office Uses- community serving uses
- Introduction of High Density/Medium Density Residential- similar to Masonville Mall, Hylands Centre and London Mall in London
- Reformat the Mall- similar to Oakridge, Argyle and Northlands Malls

EMAIL paula.lombardi@siskinds.com

FILE NO. 872523

Delivered By Email: hlysynsk@London.ca

September 16, 2021

Heather Lysynski
Committee Clerk
City Clerk's Office
City of London, City Hall
300 Dufferin Avenue
London, ON N6B 1Z2

Attention: Planning and Environment Committee

**Re: Proposed Zoning By-law Amendment, City of London File: Z-9356
755 – 785 Wonderland Road South, Westmount Mall**

We act on behalf of Farhi Holdings Corporation (the “**Client**” or “**FHC**”) and have been retained to review and comment on the proposed zoning by-law amendment as it relates to the 755 – 785 Wonderland Road South (the “**Westmount Mall**”) to: (i) add business service establishment as a permit use to permit call centres, customer service field offices or other businesses that operate on a fee or contract basis such as advertising, mailing, building maintenance, employment services, or (ii) increase the maximum cap for office space in the zone (the “**Proposed Zoning By-law Amendment**”).

We ask that the Planning and Environment Committee (“**PEC**”) receive and review these written comments when considering the Proposed Zoning By-law Amendment. FHC is submitting these comments for consideration at the public participation meeting scheduled for Monday, September 20, 2021. We reiterate and rely on our submissions to the City of London (the “**City**”) on the Proposed Zoning By-law Amendment dated June 29, 2021 and attached to the City’s staff report.

We have reviewed the City’s staff report and support the recommendation that the Proposed Zoning By-law Amendment be refused.

We also enclose a letter from Scott Allen, MA, RPP, of MHBC, Planning Urban Design & Architecture, advising that Westmount Mall may currently have approximately twice the permitted gross leasable floor area permitted under the City’s policies and plans to be

DIRECT
TELEPHONE (519) 660-7878
FACSIMILE (519) 660-7879

HEAD OFFICE
TELEPHONE (519) 672-2121
FACSIMILE (519) 672-6065

4863819

allocated to office uses. This supports the position set out in the City's staff report that the existing office space in Westmount Mall does not comply, and exceeds, what is permitted. The limit of suburban office space is set out in The London Plan, 1989 Official Plan, Council's Strategic Plan, the Downtown London Plan and the numerous other plans, policies and City endorsed documents to support the protection of Downtown office space market including but not limited to the Community Improvement Plan and Core Area Action Plan.

The protection of the Downtown office market is consistent with the City's policy framework requiring that any suburban office space be restricted to protect the important Downtown office market.

In light of these considerations, we support the City's refusal of the Proposed Zoning By-law Amendment. The Proposed Zoning By-law Amendment does not align with the policy direction and permissions of the City's applicable planning framework, fails to protect the Downtown Core Area and Downtown office market, and does not represent good planning.

Our opinion is based on the information submitted to date and we preserve our Client's right to raise any additional issue that may arise upon further review and consideration. Should you have any questions or concerns, please do not hesitate to contact us.

Yours very truly,

Siskinds LLP



e-signature

Per:

Paula Lombardi
Partner

c: Client
C. Parker

September 16, 2021

Paula Lombardi, Partner
Siskinds
680 Waterloo Street
London, ON N6A 3V8

Dear Ms. Lombardi:

RE: Zoning By-law Amendment Application (City of London File: Z-9356)
McCor Management Inc.
755-785 Wonderland Road South (Westmount Mall)
Our File: 18159'P'

In response to your request, MHBC has conducted a review of materials submitted in conjunction with the above-noted application relative to the planning policy framework applying to 755-785 Wonderland Road South (the "Subject Lands). We have also had the opportunity to review the public notices issued for this application and the Development Services report (the "Staff Report") issued for the September 20, 2021 public meeting before the City of London's Planning and Environment Committee.

As identified in the City's Public Meeting Notice, dated September 1, 2021, the intent of application Z-9356 is to either (1) add business service establishment as an additional permitted use to the existing Regional Shopping Area Special Provision (RSA2(2)) Zone applied to the Subject Lands or (2) increase the maximum 'cap' for office space in this zone.

The following outlines our preliminary comments relating to the application materials, addressing both Zoning By-law Amendment (ZBA) options and related Official Plan considerations.

Application Review

It is our understanding that the applicant is seeking an additional business service establishment use to broaden the range of permitted uses on the Subject Lands, and to specifically permit a call centre use. Generally, the existing RSA2(2) Zone permits several service commercial and office uses; however business service establishments as defined in Section 2 of the City's Zoning By-law are not expressly permitted:

"BUSINESS SERVICE ESTABLISHMENT" means an establishment primarily engaged in providing services to business establishments on a fee or contract basis, including advertising and mailing, building maintenance, employment services, protective services, and small equipment rental, leasing and repair.

As set out in the City's public notices, call centres and customer field offices would be among the uses that would be considered business service establishments and permitted if the first ZBA proposal were approved. In our review of the application materials and the Staff Report, it is unclear if, generically, business service establishments would be considered 'office' uses in the context of the RSA Zone structure. Pursuant to Table 21.3 of the Zoning By-law, a maximum of 10% of the gross leasable floor area (GLFA) of the shopping centre can be allocated to office uses in the applicable RSA Zone structure. Additionally, the application materials and public notices do not appear to indicate the anticipated mall GLFA that would be allocated for the proposed business service establishments.

With respect to the second ZBA proposal, an inventory of floor space within the Westmount Mall, dated September 22, 2016, was made available with the application materials. As set out in the Staff Report, City staff subsequently calculated that under current conditions, the building has approximately 9,100 m² of office GLFA; equating to more than twice the permitted floor area under the cap (4,184 m²). However, it is further noted in this report that based on the interpretation of the City's Zoning Division, a number of existing uses included in this calculation would not be classified as offices in the context of the Zoning By-law. Notwithstanding, with the inclusion of all existing uses, the amount of current office GLFA may exceed the cap prior to the introduction of any new office-type uses (as contemplated by this application).

In our opinion, in order to assess the potential planning impacts of both ZBA proposals, at a minimum, the applicant should (1) prepare an updated inventory of the existing office GLFA for further evaluation and (2) confirm the amount of space intended for new office-related users. This information would help clarify existing conditions relative to the office cap, and help confirm the magnitude of any proposed cap exceedance. City staff should also confirm if a call centre would be subject to this cap and included in the calculations of total GLFA pursuant to Table 21.3. Rationale should be provided if it is concluded that this type of use is separate and distinct from those office uses subject to the cap.

Official Plan Considerations

The City's Official Plans contain a number of policies that are intended to help sustain and enhance the vitality of the City's Downtown, and to reflect related objectives and guidance in London's Downtown Plan (Our Move Forward), the Downtown London Community Improvement Plan and the Core Area Action Plan. It is our opinion that this direction is largely encapsulated in the following policies of The London Plan and the 1989 Official Plan:

The London Plan

City Structure Plan:

128_ At the top of the hierarchy for these centres [*Downtown, Transit Village, Rapid Transit Corridor place types*], the Downtown will offer rich cultural opportunities and a wide variety of services that will be offered to those who live throughout the city as well as those living Downtown. With the exception of offices that are directly ancillary to industrial uses, our large office spaces will be directed to the Downtown to ensure its long- term health and vibrancy.

Downtown Place Type:

795_Our Downtown will be the hub of our economy's business community, containing the city's largest office buildings and a complex blend of professional and business service functions that collectively create dynamic synergies. Our vibrant Downtown restaurants, entertainment venues, hotels, and convention centre facilities, combined with the highest-order communications infrastructure, will be attractive to those who work Downtown and those businesses that seek out the best and the brightest employees.

1989 Official Plan

City Structure Policies:

- 2.4.1. i) The Downtown shall be primary business, office, institutional, entertainment and cultural centre for the City of London.
- vii) The Downtown shall continue to be the dominant office employment area in the City, and large office developments shall be encouraged to locate there. Opportunities will be provided for small and medium-scale office development in locations outside of the Downtown to accommodate uses that have site area, location or accessibility requirements which may not be appropriate for a Downtown location

Downtown Designation Policies:

- 4.1.1. i) Promote the continued development of the Downtown as the primary business, administrative, institutional, entertainment and cultural centre for the City of London and as a regional centre for Southwestern Ontario.
- ii) Concentrate the development of major office buildings, hotels, convention facilities, entertainment and cultural uses, major indoor sports facilities and government buildings, having City-wide or regional significance, within the Downtown.

The London Plan also includes two applicable intensity policies relating to office space caps which, in our opinion, are intended to support the planned function of the Downtown and protect the Downtown office market:

799_14. Direct large-scale office developments, greater than 5,000m², to the Downtown to prevent the deterioration of the important Downtown office market while still allowing for a reasonable supply of office uses outside of the Downtown.

878_6. Total aggregate office uses will not exceed 2,000m² within a Shopping Area Place Type.

In our opinion, in the context of both Official Plans, business service establishments would likely be considered office uses and would be subject to Policy 878_6 of The London Plan. This finding reflects the conclusion set out in Section the Staff Report respecting call centres. Accordingly, to assess whether this application conforms with this Shopping Area place type policy, a current inventory of existing office space within the existing mall is required and additional information is required on the total space intended for new office-type uses. It is also our opinion that this information is required to assess the potential impact of this proposal on the planned function of Downtown London, as described in Policy 795 of The London Plan, and the Downtown office market.

Summation

In light of these concerns, without additional information confirming the inventory of existing office space, the magnitude of any proposed cap exceedance and detailed rationale for the proposed cap increase, in our opinion, the potential planning impacts of this proposal cannot be adequately assessed. Absent confirmation of this inventory any consideration of the inclusion, or increase, of additional office space is premature. At a minimum, the applicant should also demonstrate that this proposal (1) satisfies applicable Official Plan policies and Zoning By-law regulations regarding office space caps and (2) would not adversely impact on the planned function of other areas designated for office development, particularly Downtown London. Based on the information provided to date, in our opinion the applicant has not provided sufficient rationale to adequately address these fundamental matters.

Our concerns are reflective of the commentary provided in the Staff Report, and we are in agreement with the basis for the refusal recommendation detailed in the report. In this respect, we agree with the following conclusion set out in Section 3.3 of the report:

“The proposed zoning by-law amendment has numerous negative impacts on the office space situated in the Downtown area and fails to comply with the policies set out in The London Plan. Any increase in office space at the subject property should not be permitted until such time as it can be clearly demonstrated that the proposed increase will not adversely impact on the viability of the Downtown office market.”

We trust this information is of assistance. Should you have any questions pertaining to our comments, please do not hesitate to contact the undersigned.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Scott Allen". The signature is fluid and cursive, with the first name "Scott" and last name "Allen" clearly distinguishable.

Scott Allen, MA, RPP
Partner



September 16th, 2021

Dear Chair Squire, members of PEC, and His Worship:

On behalf of Downtown London, London Downtown Business Association board of directors, and our membership, we support the staff recommendation to not approve the application of McCOR Management Inc, relating to the property located at 755-785 Wonderland Road South (Westmount Shopping Centre); and their request to amend Zoning By-law No.Z.-1 to add business service establishment as an additional permitted use to the existing Regional Shopping Area Special Provision (RSA2(2) zoning.

Downtown London continues to defend any zoning amendment requests that do not conform to the polices and the intent of the London Plan, and that are aimed at increasing the floor plate of employment-based offices in suburban areas beyond that set out in the City of London's By-law Z-1 regulations and guiding principles of the Official Plan.

We encourage the members of the Planning and Environment Committee to support the staff recommendation, specifically where it makes references to the London Plan and Provincial Policy Statement below:

DOWNTOWN/OUR VISION FOR THE DOWNTOWN PLACE TYPE

795_ *Our Downtown will be the hub of our economy's business community, containing the city's largest office buildings and a complex blend of professional and business service functions....*

This policy establishes the Downtown as the primary location for the largest office buildings.

Z-9356/Chuck Parker

HOW WILL WE REALIZE OUR VISION?

799_ *We will realize our vision for Downtown by implementing the following in all the planning we do, and the public works we undertake, we will:*

14. Direct large-scale office developments, greater than 5,000m², to the Downtown to prevent the deterioration of the important Downtown office market while still allowing for a reasonable supply of office uses outside of the Downtown.



Provincial Policy Statement (PPS) 2020, at s.1.7.1 (Long-term economic prosperity) provides direction for all other relevant policies related to protection and enhancement of the Downtown, and states that enacted policies should have the effect of *“maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets”*

The alternative would have negative impacts on downtown’s vacancy rate (18.4% in the 2019 State of the City report) and would significantly impede the downtown’s economic recovery post pandemic.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Maly".

Barbara Maly
Executive Director - Downtown London

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

Andrew McClenaghan
Chair - London Downtown
Business Association

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: 2355440 Ontario Inc.
250-272 Springbank Drive
Public Participation Meeting

Date: September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development the following actions be taken with respect to the application of 2355440 Ontario Inc. relating to the property located at 250-272 Springbank Drive:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend the 1989 Official Plan to **AMEND** a policy to Section 3.5 – Policies for Specific Residential Area West Coves that would modify the height from 14-storeys to 15-storeys on the subject lands located at 250-272 Springbank Drive;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend The London Plan to create a special policy area in the Urban Corridor Place Type at 250-272 Springbank Drive to add a site specific policy to align with the Specific Residential Policy in the 1989 Official Plan, and by **ADDING** the subject lands to Map 7 – Specific Policies Areas – of The London Plan;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London as amended in parts (a) and (b) above), to change the zoning of the subject property **FROM** a holding Residential R9 Bonus/Office Residential Special Provision (h.R9-7.H42.B-49/OR4(2)) Zone and an Open Space (OS4) Zone, **TO** a holding Residential R9 Bonus (h.R9-7.H42.*B-) Zone and an Open Space (OS4) Zone;

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential development, with a maximum height of 15-storeys (51 metres), 260 dwelling units and a maximum density of 306 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

1. Exceptional Building Design

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

- Enhanced building and site design features and a setback podium creating a pedestrian area linked to the public sidewalk;
- Buildings oriented to Springbank Drive;
- Energy efficient built form;
- Garden suites adjacent to Springbank Drive with sidewalk access
- Architectural design features on the towers that will enhance the skyline and break up the building mass;
- The inclusion of building step backs with a variety of building

- materials and building articulation to break up the massing of the building;
 - Purpose-designed amenity space on top of the parking structure.
 - 2. Construction of 2 levels of underground parking;
 - 3. Dedication of the Open Space Lands as a public link and to complement the adjacent Environmentally Sensitive Area along with the removal of the existing asphalt parking lot and substituting it with landscaping;
 - 4. Provision of Affordable Housing consisting of:
 - A total of 28 units (14 one-bedroom units and 14 two-bedroom units) allocated towards the purpose of affordable housing;
 - A period of affordability for all identified affordable units be set at 50 years;
 - That rent for the identified affordable units be set at 85% of Average Market Rents (as determined by CMHC) at the time of occupancy; and
 - That the identified affordable housing units be aligned with municipal priorities through a required Tenant Placement Agreement with the City of London.
- (d) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process to be addressed through the Site Plan Approval process:
- i) The final building design is to incorporate bird-friendly design features;
 - ii) Incorporate an urban treatment between the built form and the City sidewalk. This can be achieved by landscaped tiered planters and staircases where changes in grades exist along the street. This should also include forms of public art along this street frontage, recognising the significant bonus zone that has been provided;
 - iii) Avoid dark tinted vision glass in favour of clear vision glass to animate the street.
 - iv) Enhanced provision of boundary fencing along boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;
 - v) Ensure an access from Springbank Drive along the Thames Valley Corridor to the lands to the south be considered; and
 - vi) Address the existing sanitary capacity issues. The Brookdale pumping station needs to be upgraded to accommodate the proposed density of this development.

Executive Summary

Summary of Request

The applicant has requested to amend the Official Plan and Zoning By-law for the subject site to continue to permit the two tower residential development approved by the Ontario Municipal Board (OMB), now called Ontario Land Tribunal (OLT), with modifications to the form to include the removal of the commercial and LEED certification elements, increase lot coverage from 28% to 29%, and 15-storeys in place of 14-storeys. It should be noted that the approved 51.0 metres through the existing Bonus Zone is not proposed to be changed.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to change an existing site specific policy to the 1989 Official Plan from 14-storey to 15-storey, and rezone the subject lands to facilitate form modifications to an approved two tower residential development with a maximum building height of 15-storeys (51 metres), 260 units and a maximum density of 306 units per hectare. A site-specific bonus zone would permit the proposed development in return for exceptional building design, dedication of open space, underground parking and affordable housing. Also, the recommendation includes

adding a Specific Policy Area to the Urban Corridor Place Type of The London Plan to align with the West Coves policy of the 1989 Official Plan approved by the OMB.

Other special provisions included under the proposed Bonus Zone to facilitate the existing permitted setbacks and the proposed development include:

- a minimum front yard setback of 4.0 metres (6.6 feet);
- a minimum easterly side yard setback of 0.0 metres from the OS4 Zone;
- a minimum westerly side yard setback of 24.0 metres (59 feet);
- a minimum rear yard setback of 30.0 metres (98.4 feet); and
- a maximum lot coverage of 29%

Rationale of Recommended Action

1. The recommended amendments meet the intent of the OMB Order to permit the development of a two tower residential development;
2. The recommended amendments to modify the form of the development are considered appropriate and are consistent with the development framework currently approved;
3. 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;
4. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Urban Corridor Place Type and Key Directions;
5. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, High Density Residential and Open Space designations;
6. The recommended amendment facilitates the development of an underutilized site at an important location in the Built Area Boundary and Primary Transit Area; and,
7. The recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.

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

August 24, 2015 Report to the Planning and Environment Committee - 250, 268, 270 and 272 Springbank Drive (OZ-8279) - This report from the Managing Director, Planning and City Planner provided a recommendation to the Planning and Environment Committee to receive information regarding the outcome of an Ontario Municipal Board (OMB) hearing on an Official Plan and Zoning By-law amendment relating to the subject lands, and, further to the OMB decision for Municipal Council to

provide direction on important urban design matters to be considered through the subsequent site plan approval process.

June 17, 2014 Report to the Planning and Environment Committee – 250, 268, 270 and 272 Springbank Drive (OZ-8279) – This report from the Managing Director, Planning and City Planner provided a recommendation to the Planning and Environment Committee regarding an application for an Official Plan and Zoning By-law amendment received from Rand Developments Inc. (2355440 Ontario Inc.). The requested amendments were intended to facilitate the development of two (2) 14-storey apartment buildings and a 3-storey commercial building at 250-272 Springbank Drive on a property adjacent to the west bank of the “Coves” Environmentally Significant Area (ESA), on the south side of Springbank Drive.

1.2 Planning History

On October 29, 2013 the City received a complete application for an Official Plan and Zoning By-law amendment from Rand Developments Inc. for the lands located at 250-272 Springbank Drive. The application was intended to facilitate a high-rise, mixed-use residential development with a maximum height of 14 storeys and a maximum density of 286 units per hectare (approx. 240 residential units and 2,000m² commercial/office space).

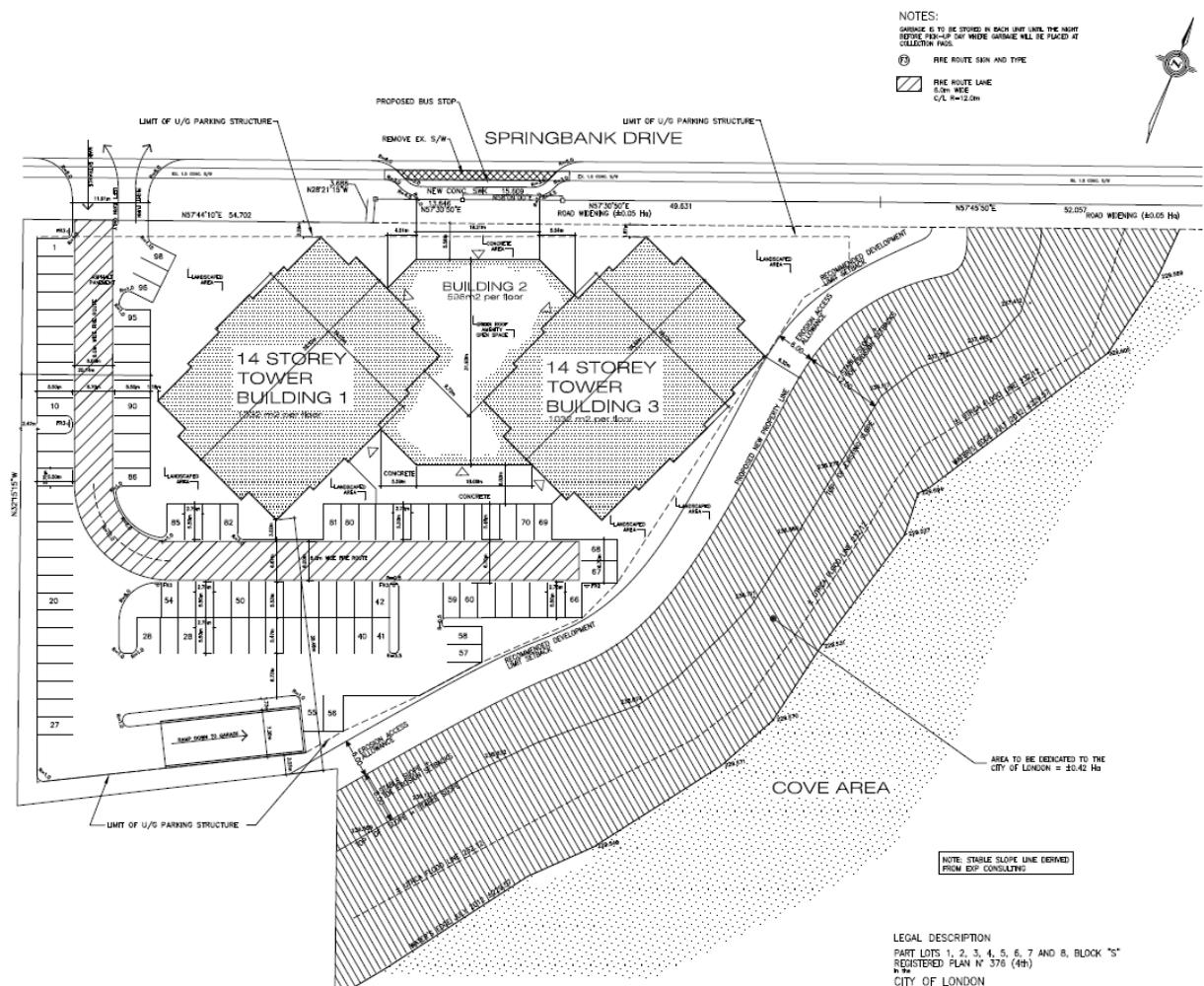


Figure 1: 2013 - Conceptual Site Plan



Figure 2: 2013 - Conceptual Building Rendering

A hearing was held on April 20, 2015 to consider the appeal from Rand Developments Inc. This was appealed on the basis of non-decision by Council. At this time staff were actively working with the applicant to explore opportunities towards a mutual agreement on the appropriate form of development. Council eventually recommended to the OMB that a medium density residential development be approved. In general, the OMB decision supported the Rand Developments Inc. Official Plan and Zoning By-law amendments in terms of use and intensity by allowing for the maximum density of 286 units per hectare and a maximum height of 14-storeys on the site, subject to the inclusion of a series of “bonusable” features in the ultimate development. In terms of form, the OMB decision provided some direction on urban design matters that should be addressed through the subsequent site plan application by the applicant. These items included revising the site design to provide an appropriate building orientation, ensuring that all of the parking structure remains fully below-grade and is not exposed to The Coves or Springbank Drive, that buildings include a “green roof” and that the development achieves LEED certification. The OMB also ordered that a public hearing should be conducted on the site plan application and that final approval of the zoning be withheld until a site plan had been approved and a satisfactory agreement entered into with the City.

Subsequent to this, the applicant applied for Site Plan Approval. This was further appealed to the OMB on the basis of failure of the City of London to announce a decision on the application. The OMB order issued February 28, 2018 supported the Official Plan and Zoning By-law amendments in terms of use and intensity by allowing for the maximum height of 51.0 metres and maximum density of 306 units per hectare along with special provisions for setbacks and coverage through bonusing. In the OMB order this was in return for:

- *enhanced building and site design features;*
- *remediation of an existing brownfield condition;*
- *construction of 2 levels of fully underground parking,;*
- *dedication of the Open Space (OS4) lands;*
- *a green roof on the office commercial podium;*
- *current public transit lines (23 and 5); and*
- *the construction of a LEED certified building.*

A slope stability assessment was submitted with the previous application which determined the setbacks slope stability and erosion measures.

1.3 Property Description

The subject site is located on the south side of Springbank Drive, just opposite to Forest Hill Ave, located north of Springbank Drive. The site is adjacent to the Coves, which is part of the Thames Valley Corridor. The property is irregular in shape with a total site area of approximately 1.34 hectares. There are a number of physical and environmental constraints due to the topographical challenges with a steep slope along the bank of the Coves.

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

- Official Plan Designation – High Density Residential
- The London Plan Place Type – Urban Corridor Place Type
- Existing Zoning – Residential R9 Special Provision Bonus/Office Residential Special Provision (R9-7(□)•D282•H49•B-49/OR4(□)) and Open Space (OS4) Zone

1.5 Site Characteristics

- Current Land Use – Former automobile sales establishment
- Frontage – 140 metres
- Depth – approximately 90 metres
- Area – 1.34 hectares
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Residential
- East – The Coves
- South – The Coves
- West – Auto-Oriented Commercial

1.7 Intensification

The proposed development at 306 units per hectare as approved by the OMB represent intensification within the Built-Area Boundary. The proposed residential units are located inside of the Primary Transit Area.

1.8 Location Map

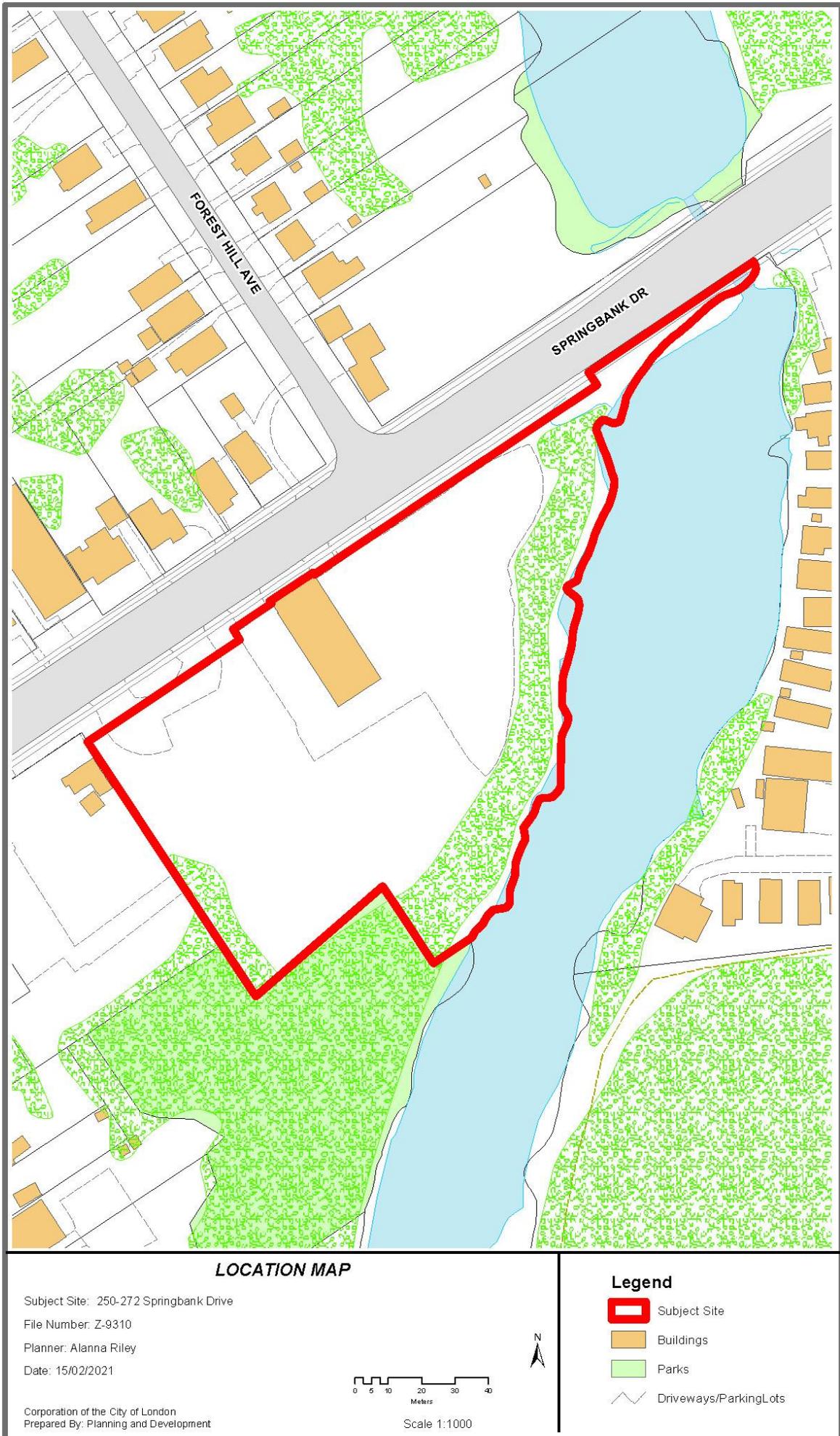




Figure 5: Revised Rendering from looking southeast from Springbank Drive

2.2 Proposed Amendment

Amendment to the Current Official Plan

- Amend Section 3.5 – Policies for Specific Residential areas – West Coves from 14-storeys to 15-storeys.
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Amendment to The London Plan

- Amend The London Plan to add a site specific policy within the Urban Corridor Place Type to align with the proposed amended policy of the 1989 Official Plan.

Zoning By-law Amendment

Amend the Zoning By-law Z.-1 to a Holding Residential R9 Special Provision Bonus (h.R9-7().H42.B() Zone and an Open Space (OS4) Zone to continue to permit a two tower residential high-rise development with modifications to the form.

Specifically, to remove the commercial permissions, LEED certification requirements, and transit route numbers elements, and substitute these facilities, services and matters with the provision of 28 affordable housing units and an open space area, and to permit 29% lot coverage and 15-storeys while maintaining the existing permitted height of 51 metres. All the rest of the provisions under the bonus zone along with special provisions to remain the same.

2.3 Community Engagement (see more detail in Appendix D)

Members of the public were given an opportunity to provide comments on this application in response to the notice of application. Written comments were received from 9 individuals.

Also, the applicant hosted a virtual community meeting. The purpose of the meeting was to provide the community with information with respect to this application. Fifteen members of the community attended the community meeting.

The public's concerns generally included:

- Use

- Concern with the proposed uses
- Intensity
 - Traffic volume and safety issues
 - Density and height
 - Parking and access
- Form
 - Ignores the characteristics of the neighbourhood
- An increased number of people trespassing behind this development
- Connection from Springbank Drive along the Thames Valley Corridor to the lands to the southwest

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

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); 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 (s. 1.1.1.e).

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 2020 also requires that municipalities provide an appropriate range and mix of affordable and market-based housing options and densities to meet projected requirements of current and future residents (s. 1.4.1). It directs planning authorities to permit and facilitate growth through lands available for residential intensification and redevelopment within the existing built-up areas.

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.

Also, the PPS 2020 requires Planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns. This directs municipalities to promote compact form and a structure of nodes and corridors, to promote the use of active transportation and transit in and between residential. (s.1.8.1)

The PPS protects natural features and areas for the long term. Development and site

alteration shall not be permitted in significant wetlands or significant woodlands. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. 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, 2.1.4, 2.1.5, 2.1.7 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 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:

- Revitalize our urban neighbourhoods and business areas (s. 55_, Direction 1.4);
- Invest in, and promote, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners (s. 55_, Direction 1.13);

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

- Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward” (s. 59, Key Direction 5.2);
- 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);
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place (s. 59_, Key Direction 5.5); 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:

- 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 (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_).

On housing, the Plan provides policy in terms of what elements should be included in development intended to meet affordable goals. It speaks to encouraging developments similar to the one under consideration through this application, specifically residential developments that offer innovative design features, construction techniques or tenure arrangements that will also broaden the range of available housing alternatives. (Policy 513_) This policy indicates that when considering affordable housing arrangements context should not be interpreted simply as a matching of existing neighbourhood and that new arrangements should be expected.

The policy context also includes those policies which speak more specifically to the siting of development and relationships of scale and form within a neighbourhood context. The range of uses and intensities for residential development within the Neighbourhoods Place Type are guided by Tables 10 and 11*, with the interpretation thereof guided by Policy 919.

The site is in the Urban Corridor Place Type on a Civic Boulevard, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within this Place Type include range of residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use buildings are encouraged while large floor plate, single use buildings will be discouraged. (Permitted Uses *837).

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. They will confirm or refine the boundaries of components of the Natural Heritage System, and will include conditions to ensure that development does not negatively impact the natural features and ecological functions for which the area is identified. (Policy 1431). 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 a planning and development application, where development or site alteration is proposed entirely or partially within the distances adjacent to Natural Heritage System components set out in *Table 13 – Areas Requiring Environmental Study (Policy 1432_). 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 (Policy 1433_).

1989 Official Plan

The City's *Official Plan (1989)* contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The Multi-Family, High Density Residential designation is intended to accommodate large-scale, multiple-unit forms of residential development which includes low-rise and

high-rise apartment buildings (3.4.1. Permitted Uses). Within the Multi-Family, High Density Residential designation net residential densities will normally be 150 units per hectare (60 units per acre) or less outside of Central London (3.4.3. Scale of Development). The scale of development is also controlled through specific criteria generally applied to large areas designated MFHDR. The policies encourage a mixing of housing types, building heights and densities while providing for a transition in scale, diversity of housing forms and where possible locate the high-rise structures closest to activity nodes (shopping and employment centres) and points of high accessibility (arterial roads, transit service). Massive, at-grade or above-grade parking areas shall not dominate the site and all developments should conform to the urban design principles in Section 11.1.

The Multi-Family, High Density Residential designation identifies that Council, under the provisions of policy 19.4.4. and the Zoning By-law, may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3. Scale of Development, Density Bonusing).

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 area. 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)

Housing Stability Action Plan 2019-2024

Council adopted the Housing Stability Action Plan 2019-2024 early in 2020. The Plan identifies a minimum 3,000 new affordable housing units are needed in London to meet current and potential future needs. The current vacancy rate in the rental market is 2.1% meaning there is virtually no available rental housing stock that is affordable.

More than 300 additional affordable rental housing units are needed each year to close the gap. In the city of London, 14% of Londoners are in Core Housing Need and the City is ranked fourth nationally for individuals and families living within Core Housing Need.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

As noted above, an Official Plan amendment and Zoning By-law amendment for a two tower high-rise development with a commercial component was approved by the OMB and that the present application is for minor modifications to the form. However, relating to use it should be noted the changes include the removal of the commercial component and related green roof and the addition of residential garden suites and an open space area. A brief analysis as it relates to this change for strictly residential is below.

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).

Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2.b). The PPS directs that planning authorities consider the housing needs of all residents including those in need of affordable housing units (Policy 1.4.3.b). The Provincial Policy statement is broadly supportive of the use at this location within the City.

The recommended amendment is consistent with the intent of the Ontario Municipal Board order and is in keeping with the PPS as it facilitates the development of an underutilized site within a settlement area. The proposed two tower, 15-storey, 260-unit residential development contributes to a mix of housing types and provides choice and diversity in housing options for both current and future residents along with affordable housing. No new roads or infrastructure are required to service the site, making efficient use of land and existing services.

1989 Official Plan

Through the OMB order these lands were redesignated to Multi-family, High Density Residential which permit high rise apartment buildings. Staff are supportive of the change to remove the commercial component and green roof and allowing all residential with the integration of affordable housing. Given the context of the surrounding area along an urban corridor served by transit with access to shopping and a large open space corridor this change is appropriate.

Therefore, the request to change the special area policy, as outlined below in 4.3-Form, to permit the requested 15-storey apartment buildings is appropriate as the intent of Specific Area policies have been met.

As such, staff is satisfied the proposed apartment building use is in conformity with the 1989 Official Plan.

The London Plan

The subject site is located along an Urban Corridor Place Type. The proposed apartment buildings are in keeping with the permitted uses of The London Plan. (Permitted Uses, *837_).

Consistent with the surrounding context, as well as the list of uses permitted under the place type, the use of this building for residential purposes is in keeping with the Urban Corridor Place Type at this location.

4.2 Issue and Consideration #2: Intensity

Although the intensity of the new proposal is not changing, a brief review of the applicable policies are below.

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 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

Within the City Structure Plan of the London Plan, the framework for growth and change over the planning horizon establishes a clear and strategic hierarchy for development intensity inside the Urban Growth Boundary.

The subject site is located within the urban area (within Urban Growth Boundary and Built Area) and within the Primary Transit Area (PTA). It is also Urban Corridor Place Type in The London Plan which is an area identified as an area for intensity.

The recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. As the site was currently developed with automobile uses, now vacant, the proposed development represents a form of intensification through redevelopment. The site is located in an area serviced by existing transit and the consolidation of land previously developed as an automobile sales establishment supports the Province's goal to achieve a more compact, higher density form of development, consistent with the PPS.

1989 Official Plan

The Multi-Family High Density Residential designation provides three ranges of net density within the City excluding provisions for bonusing. In the case of the subject site it is located outside of the Downtown and Central London and is therefore permitted a maximum density of 150 unit per hectare (3.4.3. Scale of Development). As previously indicated, the OMB approved the density above the permitted 150 uph to 306 uph through bonusing provisions which is not proposed to be changed.

Density bonusing can be approved by Council, under the provisions of policy 19.4.4. and is a tool used to achieve enhanced development features, which result in a public benefit that cannot be obtained through the normal development process, in return for permitting increased heights and densities. The Planning Act provides legislation which allows municipalities to use bonusing provisions in their Official Plan in return for facilities, services, or matters, as are set out in the By-law. The proposed building form and design discussed below in 4.3, the provision of affordable housing units, and 2 levels of underground parking, all of which may not otherwise be implemented through the normal development approvals process, allow the proposed development to qualify for Bonus Zoning in conformity to the policies of the Official Plan. These bonusable features are outlined in the Staff recommendation.

In order to implement the identified items for bonus zoning, section 19.4.4 iv) of the Official Plan states that:

“As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.”

Bonus zoning is implemented through a development agreement with the City that is registered on title to the lands. The development agreement is intended to “lock in” the design features and other public benefits that will be incorporated into the form of development to merit the additional height and density. Through the site plan approval process, the proposed development will be reviewed to ensure that all facilities, services and matters that have warranted bonus zoning have been incorporated into the development agreement. These design features are highlighted in the recommendation and the amending by-law and are attached as illustrations in Schedule “1”.

Staff is satisfied that the provision of affordable housing along with an exceptional building and design, and underground parking is commensurate for the requested changes are consistent with the OMB order. As such, staff is satisfied the proposed intensity and scale of development is in conformity with the 1989 Official Plan.

The London Plan

Although The London Plan does not identify density limits within the policy framework, it does control how intense lands can develop through specific criteria. The proposed towers are being recommended at a height of 15-storeys, whereas The London Plan contemplates a maximum height of 8-storeys for apartment buildings. However, the relevant policies are still under appeal and are not the in-force policies that apply to this application. The proposed residential development contributes to the overall form of the development in the area which is considered appropriate within this transitional period between Official Plans.

That being said, a Specific Policy to the Urban Corridor Place Type to align with the approved Ontario Municipal Board order which added a Specific policy in Section 3.5 – Policies for Specific Residential Areas – West Coves to the 1989 Official Plan, and to also align with the proposed change through this application to the 1989 Official Plan policy from 14-storeys to 15-storeys, while maintaining the height of 51.0m is recommended.

Furthermore, the subject site is of sufficient size and configuration which can accommodate the proposed use and allow for the creation of a comprehensive development. The development also provides a coordinated parking facility through structured/underground parking in the rear of the development and some surface parking which is internal to the site (Intensity, *840_).

Bonusing Provisions (Policy *1652) outline the framework and public facilities, services, or matters that can be provided in order to achieve the requested increases in height in keeping with the recommended bonusing provisions. Type 2 bonusing in The London Plan is currently under appeal however, the bonusing requirements and process is similar to that of the 1989 Official Plan. Further analysis has been provided through review of the bonusing criteria of the identified policies below in the bonusing section.

The development proposal provides 260 units with some units dedicated to affordable housing. The applicant has presented a number of facilities, services, and matters for the recommended 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 below in this report. Staff is satisfied that the proposed facilities, services, and matters are considered appropriate and are consistent with the development framework currently approved

4.3 Issue and Consideration #3: Form

The amendments would continue to permit the two tower residential development, as approved by the OMB with modifications to the form as noted. These include the following:

- rotation of the buildings from angled to a street wall along Springbank Drive;
- the elimination of the commercial podium and related green roof;

- the addition of garden suites and an open space area;
- a shift of the buildings to create a more pedestrian oriented development;
- 14-storeys to 15-storeys all while maintaining the existing approved 51.0m;
- a lot coverage increase of 28% to 29%; and
- construction of a LEED development, however without the certification.,



Figure 6&7: Old and Revised Renderings looking south from Springbank Drive

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 modifications for this development would optimize the use of land and public investment in infrastructure in the area. Located within a developed area of the City, the redevelopment of the subject lands would contribute to achieving more compact forms of growth. The proposed high rise development represents a more compact form of development. Also, the proposed development has considered the surrounding building stock by positioning its tallest portions at appropriate locations on the site where impacts on the surrounding properties will be reduced. Furthermore, the building's design and location help promote active transportation as they provide the ability for pedestrian and bicycles to access the nearby facilities helping limit the need for a vehicle to carry out daily activities in conformity with the goals of the PPS [1.1.3.2, 1.6.7.4].

1989 Official Plan

The proposed development has made a strong effort to incorporate measures to provide sensitivity and rhythm that responds to the surrounding area. The revised development concept no longer includes a commercial component, with the addition of garden suites and providing for an active street wall along Springbank Drive and providing a positive interface for pedestrians. The use of appropriate step backs for the tower portions of the building provides for an appropriate human scale along the Springbank frontage and creates an appropriate separation between the abutting properties. The development also positions the height and massing at appropriate locations where the impacts of the height will be limited on the abutting properties. Additionally, the subject lands are within an established mixed-use area and well serviced by public transit. The proposed development will encourage intensification to make better use of existing City infrastructure and services and support existing commercial uses.



Figure 8: Revised Rendering from looking southwest from Springbank Drive

Further to this, the proposed buildings include a street-oriented design with principle building entrances facing Springbank Drive. The building design provides for appropriate scale, rhythm, materials, fenestration on the Springbank Drive frontage, helping to create a comfortable, human-scaled streetscape.



Figure 9: Revised Rendering from looking northwest from Springbank Drive

In addition to achieving a street-oriented design the surface parking area is located fully in the rear yard and west interior side yard, with the majority of spaces screened by the building. No parking spaces are located between the building and the street and adequate setbacks from interior lot lines have been provided to allow for buffering and landscaping to further screen the parking from adjacent properties. The parking area serving the site provides a greater separation between the proposed development and existing residential to the south and west. The loss of the commercial podium will also lose the green roof. That will be replaced with outdoor amenity space between the towers at grade and protected from north, west and east winds via the proposed buildings. The proposed open space being at grade will also be more accessible.

The development is appropriate on the subject lands, as it is an optimal location due to the close proximity to a number of services and complementary land uses. The subject

lands are also located along an arterial road where there is sufficient access to transit and the Rapid Transit Corridor northeast on Wharncliffe Road, which further supports this high-rise development.

The applicant has requested to remove the LEED certification as it would delay the construction process two year. However, the applicant does indicate the project will still achieve most of the benefits of LEED on design and the compensation for deleting this is the proposed affordable housing.

The development as approved by the OMB, permits 14-storeys within a maximum height of 51.0m through bonusing. As mentioned, the applicant requested an amendment to the existing site specific policy to permit 15-storeys while maintaining the 51.0m maximum height. Therefore, an amendment to change the West Coves policy in Section 3.5 – Policies for Specific Residential Areas for the subject lands from 14-storeys to 15-storeys has been recommended.

The proposed modifications to the form represent good planning and are consistent with the development framework as approved by the OMB. The revised proposal achieves many of the objectives in the policy framework and a more functional design interface with Springbank Drive.

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).

The London Plan also provides guidance on compatibility and fit with regards to form (Policy 953_). The applicant has provided a concept for review (Site Concept Plan provided above) which allows for some analysis of the anticipated form and its relationship to the neighbourhood.

Further, the London Plan requires that all planning and development applications conform to the City Design policies and the Urban Corridor Place Type policies provide specific form policies. The proposed development is in keeping with these policies as the building is sited near the front lot line along Springbank Drive that creates a strong street wall. The use of the garden suites with sidewalks to Springbank Drive replacing the commercial component contributes to the pedestrian environment and reduces the scale of the 15-storey towers.

The overall development uses step-backs and a variety of different materials and articulation to help reduce the overall massing of the buildings and create a pleasant and interesting pedestrian environment while reducing large expanses of blank walls along the streets and internal to the site. Landscaping will be provided to include trees and fencing that would screen the proposed building providing privacy for both residents and neighbours. Although no on-street parking is provided at this location, the development is able to provide surface parking internally and in underground/structured parking in keeping with the Form Policies of the Urban Corridor Place Type.



Figure 10: View along Springbank Drive

The above picture in shows the massing, building stepbacks, and garden suites with public access to Springbank Drive.

The proposed fifteen-storey apartment building will provide an appropriate transition to the surrounding area, with its setbacks, landscaping, massing, building stepbacks.

A site specific area policy is recommended for The London Plan to align with the existing 1989 Official Plan West Coves specific policy as approved by the OMB, as proposed to be amended above.

4.4 Issue and Consideration #4: Zoning

In addition to the bonus zone to permit an increase in height and density, the recommended amendment also seeks to keep the existing special provisions approved by the OMB that pertain to the current proposal and bonus zone. These include the height of 51.0m, front yard setback of 4.0m, density of 306uph, east side yard from the Open Space Zone of 0.0m, and west side yard of 24m. Two additional special provisions proposed are the building height from 14-storeys to 15-storeys and lot coverage of 28% to 29%.

As mentioned, the majority of special provisions have already been approved by the OMB (LPAT) and proposed to be retained.

Larger setbacks are generally less conducive to achieving a street-oriented and transit-oriented building design. The reduced front yard depth 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 (Policy 259_).

Staff has no concerns with the requested reductions, as it would facilitate a development better oriented towards Springbank Drive.

The requested change from 14-storeys to 15-storeys can be accommodated within the approved height of 51.0m. The new positioning of the development will provide adequate separation between the proposed development and adjacent properties. Staff

are satisfied that maintaining the existing approved provisions along the increase of one storey, and one percent of lot coverage would not have any additional impacts than is currently approved on the surrounding area.

4.5 Issue and Consideration #5: 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:

1. Exceptional Building Design

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

- Enhanced building and site design features and a setback podium creating a pedestrian area linked to the public sidewalk;
- Buildings oriented to Springbank Drive;
- Energy efficient built form;
- Garden suites adjacent to Springbank Drive with sidewalk access
- Architectural design features on the towers that will enhance the skyline and break up the building mass;
- The inclusion of building step backs with a variety of building materials and building articulation to break up the massing of the building;
- Purpose-designed amenity space on top of the parking structure.

2. Construction of 2 levels of underground parking;

3. Dedication of the Open Space Lands as a public link and to complement the adjacent Environmentally Sensitive Area along with the removal of the existing asphalt parking lot substituting landscaping;

4. Provision of Affordable Housing The provision of affordable housing shall consist of:

- A total of 28 units (14 one-bedroom units and 14 two-bedroom units) be identified for the purpose of affordable housing;
- That the period of affordability for all identified affordable units be set at 50 years;
- That rent for the identified affordable units be set at 85% of Average Market Rents (as determined by CMHC) at the time of occupancy; and
- That the identified affordable housing units be aligned with municipal priorities through a required Tenant Placement Agreement with the City of London.

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 for affordable housing;

Through discussions with the HDC, as outlined above, the applicant has agreed to provide twenty-eight (28) affordable units for the purpose of affordable housing. Also, the proposed development includes exceptional design, two levels of underground parking, in which the majority of on-site parking will be provided, and dedication of open space lands as a public link.

Staff is satisfied the proposed public facilities, amenities, and design features are commensurate with the requested increase in height and density.

4.6 Issue and Consideration #6: Sanitary Servicing

There are some long standing sanitary capacity issues which are still in an unresolved state. It has been commented in the past that Brookdale pumping station would need to be upgraded in order for this application to be allowed the proposed density or a phased approach would be considered with no more than 120 units. This has been included to be addressed through site plan and included in the recommendation. A holding provision is also in place to ensure the orderly development of the lands.

4.7 Issue and Consideration #7: Natural Heritage

The south portion of the subject lands is adjacent to the west pond of the Coves Environmentally Sensitive Area.



Figure 11: View along the Thames River

Through the OMB a large portion of the lands were zoned Open Space to be dedicated to the City through bonusing. Through this application and with further review of the slope stability, the city has no additional concerns with the proposal. Also, UTRCA staff have confirmed the development concept 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 they have identified are addressed.

Conclusion

In 2018, the Ontario Municipal Board approved Official Plan and Zoning By-law amendments to permit the “use” of a mixed-use residential apartment building, with an “intensity” consisting of a maximum height of 14-storeys (51 meters), and a maximum

density of 306 units per hectare. The approved “form” of development included two buildings constructed above a 3-storey commercial podium and two storeys of underground parking. The approved use, intensity, and form were predicated on the provision of a green roof top the 3-storey podium and LEED certification of the building, among other considerations, and secured by way of a Bonus zone.

The proposed development recommended in this report generally maintains the same use, intensity, and form previously approved by the OMB. The commercial component of the approved development has now been removed so that only residential uses remain. Given the housing shortage currently faced in the City of London, this change is seen as a positive. The intensity of the approved development has remained unchanged notwithstanding that 15-storeys are now proposed given that the recommended height will remain at 51 meters and the density will remain at 306 units per hectare. And the form of development has been modestly improved from the previously-approved form in that the face of the towers are now parallel to the street and situated above a 2-storey residential podium that is directly accessed from Springbank Drive and all atop 2-storeys of underground parking. The only substantial change to the recommended development is the elimination of the requirement for a Green Roof and LEED Certification and replacing those elements with 28-affordable housing units. Given the current housing shortage and affordability issues in London, there is a greater public interest in the provision of 28 affordable housing units being offered in the proposed development. The public benefits become more evident in light of the applicant’s intent to continue to construct the building to LEED standards albeit without attaining the certification.

Given that the recommend “use”, “intensity”, and “form” of the proposed development remain largely unchanged, the recommended amendments are consistent with the intent of the Official Plan and Zoning By-law amendments approved by the Ontario Municipal Board. They are also consistent with the Provincial Policy Statement, 2020 and conform to the 1989 Official Plan policies and the in-force policies of The London Plan including the Urban Corridor Place Type policies. The proposal facilitates the development of an underutilized property and encourages an appropriate form of development. The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard. The subject lands are situated in a location where intensification can be accommodated given the nearby arterial streets, and existing public transit, and large open space corridor with passive recreational trails in the area. The proposed development also includes the provision of affordable housing which will be mixed throughout the development.

Prepared by: Alanna Riley, MCIP, RPP
Senior Planner, Planning & Development

Reviewed by: Michael Tomazincic, MCIP, RPP
Acting Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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

Appendix A Official Plan Amendment – Policies for Specific Areas

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

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 250-
272 Springbank Drive.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The 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 October 5, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to modify a policy in Section 3.5 of the Official Plan for the City of London to permit an apartment building with a height of 15-storeys in place of 14-storeys while noting that the height in metres will remain unchanged.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 250-272 Springbank Drive in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with Policies for Specific Residential Areas of the Official Plan and consistent with the decision of the Ontario Municipal Board to allow an apartment building with a maximum height of 51 metres. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 3.5 – Policies for Specific Residential Areas of the Official Plan for the City of London is amended by modifying the following:

West Coves

By deleting the phrase “14-storeys” and replacing it with the phrase “15-storeys”



Appendix B London Plan Amendment – Policies for Specific Areas

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

By-law No. C.P.-1284-

A by-law to amend The London Plan for
the City of London, 2016 relating to
relating to 250-272 Springbank Drive.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021.
Second Reading – October 5, 2021.
Third Reading – October 5, 2021.

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy to the Specific Policies for the Urban Corridor Place Type which implements a decision of the Ontario Municipal Board and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit a two tower residential development with a maximum height of 15-storeys through the use of Bonus Zoning.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 250-272 Springbank Drive in the City of London.

C. BASIS OF THE AMENDMENT

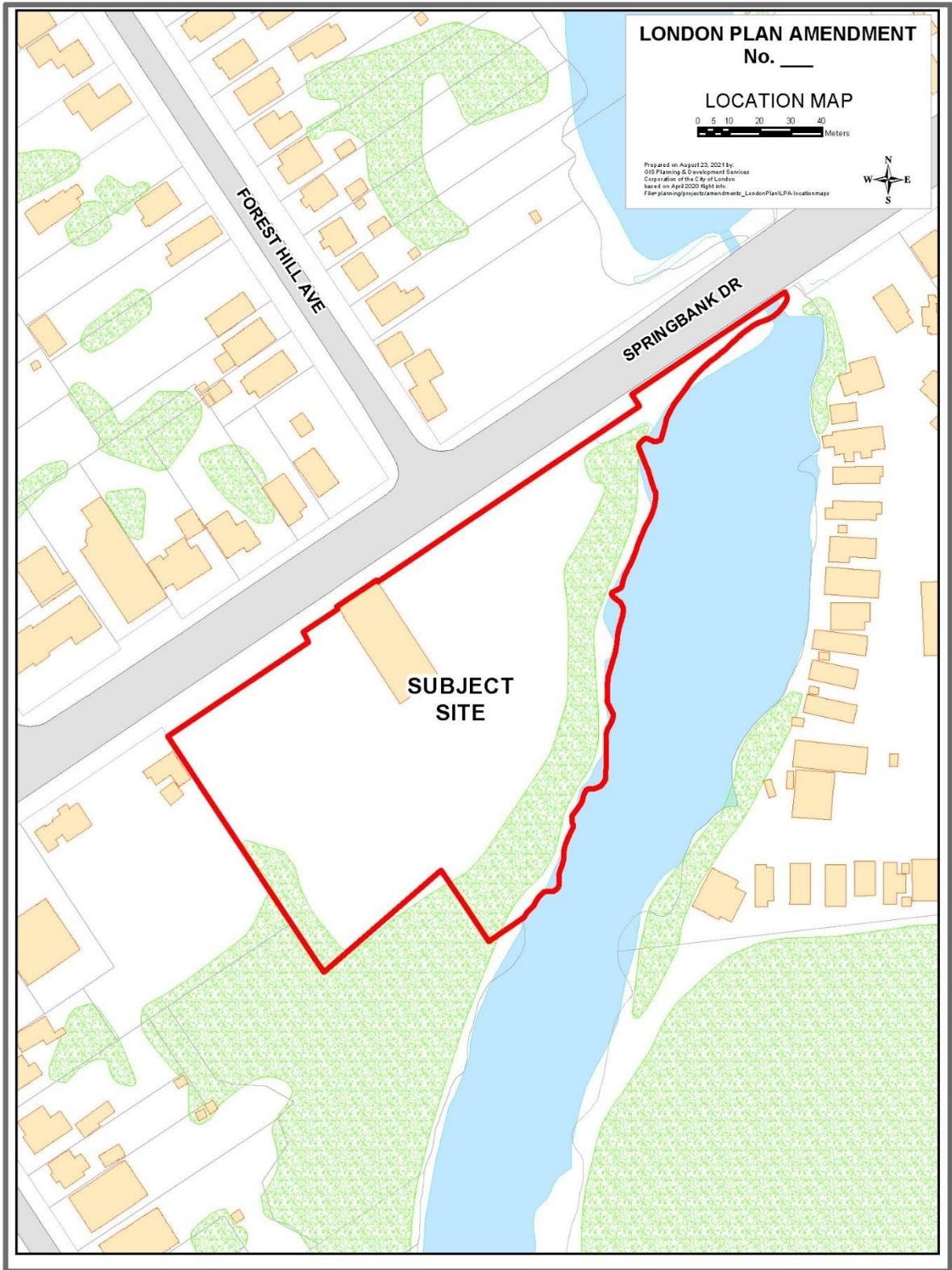
The recommended amendment is consistent with the Provincial Policy Statement 2020, and conforms to The London Plan, including affordable housing, city design and specific area policies. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development and implements the decision of the Ontario Municipal Board

D. THE AMENDMENT

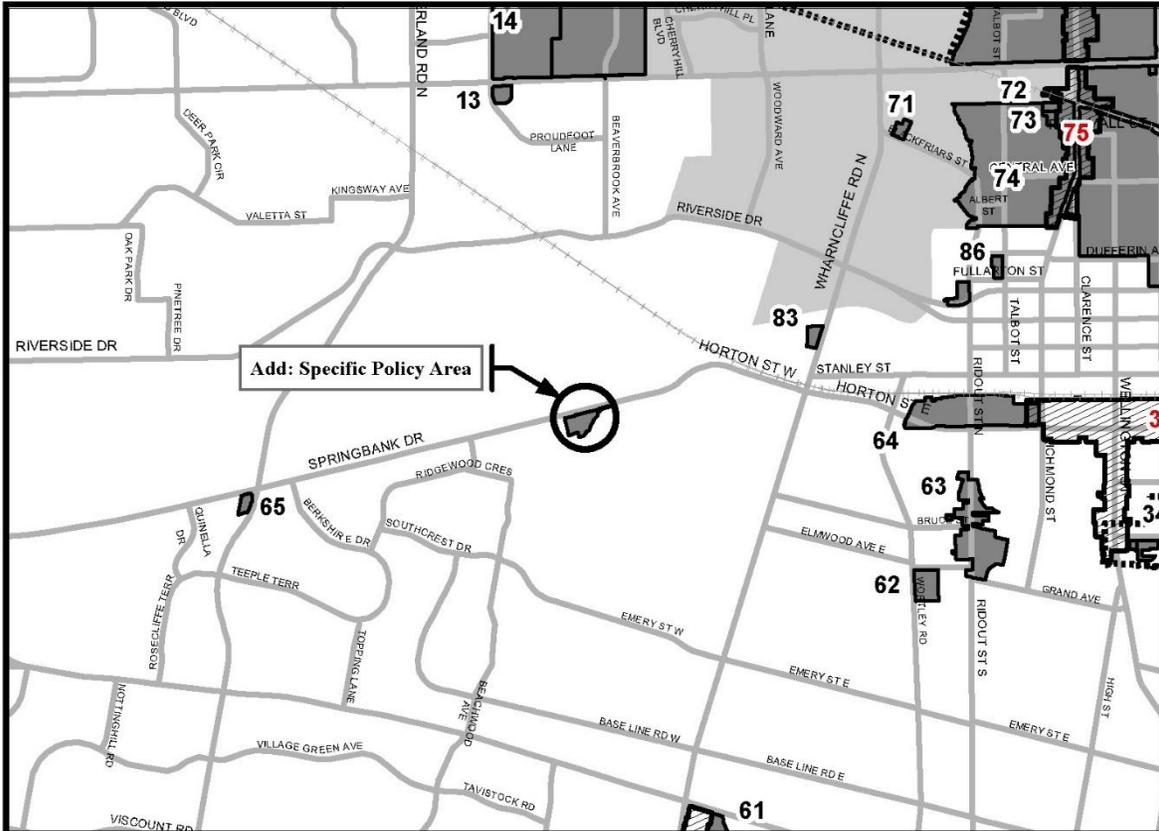
The London Plan for the City of London is hereby amended as follows:

1. Policy (864_) - Specific Policies for the Rapid Transit and Urban Corridor Place Type - of The London Plan for the City of London is amended by adding the following:

() In the Urban Corridor Place Type at 250-272 Springbank Drive a bonus zone may be permitted to allow for a two tower residential development with a maximum height of 15-storeys (51.0m) and a density of 306 units per hectare.
2. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for those lands located at 250-272 Springbank Drive in the City of London, as indicated on “Schedule 1” attached hereto.



AMENDMENT NO:



LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

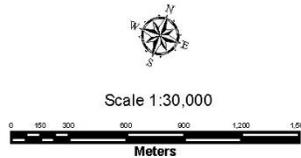
BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  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: Z-9310

PLANNER: AR

TECHNICIAN: RC

DATE: 8/23/2021

Appendix C Zoning By-law Amendment

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

By-law No. Z.-1-21 _____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 250-
272 Springbank Drive

WHEREAS 2355440 Ontario Inc. has applied to rezone an area of land located at 250-272 Springbank Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 250-272 Springbank Drive, as shown on the attached map comprising part of Key Map No. A107, from a holding Residential R9 Bonus/Office Residential Special Provision (h.R9-7.H42.B-49/OR4(2)) Zone and an Open Space (OS4) Zone, to a holding Residential R9 Bonus (h.R9-7.H42*B-) Zone and an Open Space (OS4) 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-__ 250-272 Springbank Drive

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a two tower residential development, with a maximum height of 15-storeys and a maximum density of 306 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law, in return for the following facilities, services and matters:

1. Exceptional Building Design

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

- Enhanced building and site design features and a setback podium creating a pedestrian area linked to the public sidewalk;
- Buildings oriented to Springbank Drive;
- Energy efficient built form;
- Garden suites adjacent to Springbank Drive with sidewalk access
- Architectural design features on the towers that will enhance the skyline and break up the building mass;
- The inclusion of building step backs with a variety of building materials and building articulation to break up the massing of the building;
- Purpose-designed amenity space on top of the parking structure.

2. Construction of 2 levels of underground parking;
3. Dedication of the Open Space Lands as a public link and to complement the adjacent Environmentally Sensitive Area along with the removal of the existing asphalt parking lot and substituting it with landscaping;
4. Provision of Affordable Housing consisting of:
 - A total of 28 units (14 one-bedroom units and 14 two-bedroom units) be allocated towards the purpose of affordable housing;
 - A period of affordability for all identified affordable units be set at 50 years;
 - That rent for the identified affordable units be set at 85% of Average Market Rents (as determined by CMHC) at the time of occupancy; and
 - That the identified affordable housing units be aligned with municipal priorities through a required Tenant Placement 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) Permitted Uses

- i) Apartment buildings

b) Regulations

- | | | |
|------|-------------------------------------|------------------------------|
| i) | Height
(Maximum) | 51.0 metres |
| ii) | Density
(Maximum) | 306 units per hectare |
| iii) | Front Yard Setback
(Minimum) | 4.0 metres |
| iv) | East Side Yard Setback
(Minimum) | 0.0 metres from the OS4 Zone |
| v) | West Side Yard Setback
(Minimum) | 24.0 metres |
| vi) | Rear Yard Setback
(Minimum) | 30.0 metres |
| vii) | Lot Coverage
(Minimum) | 29% |

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.

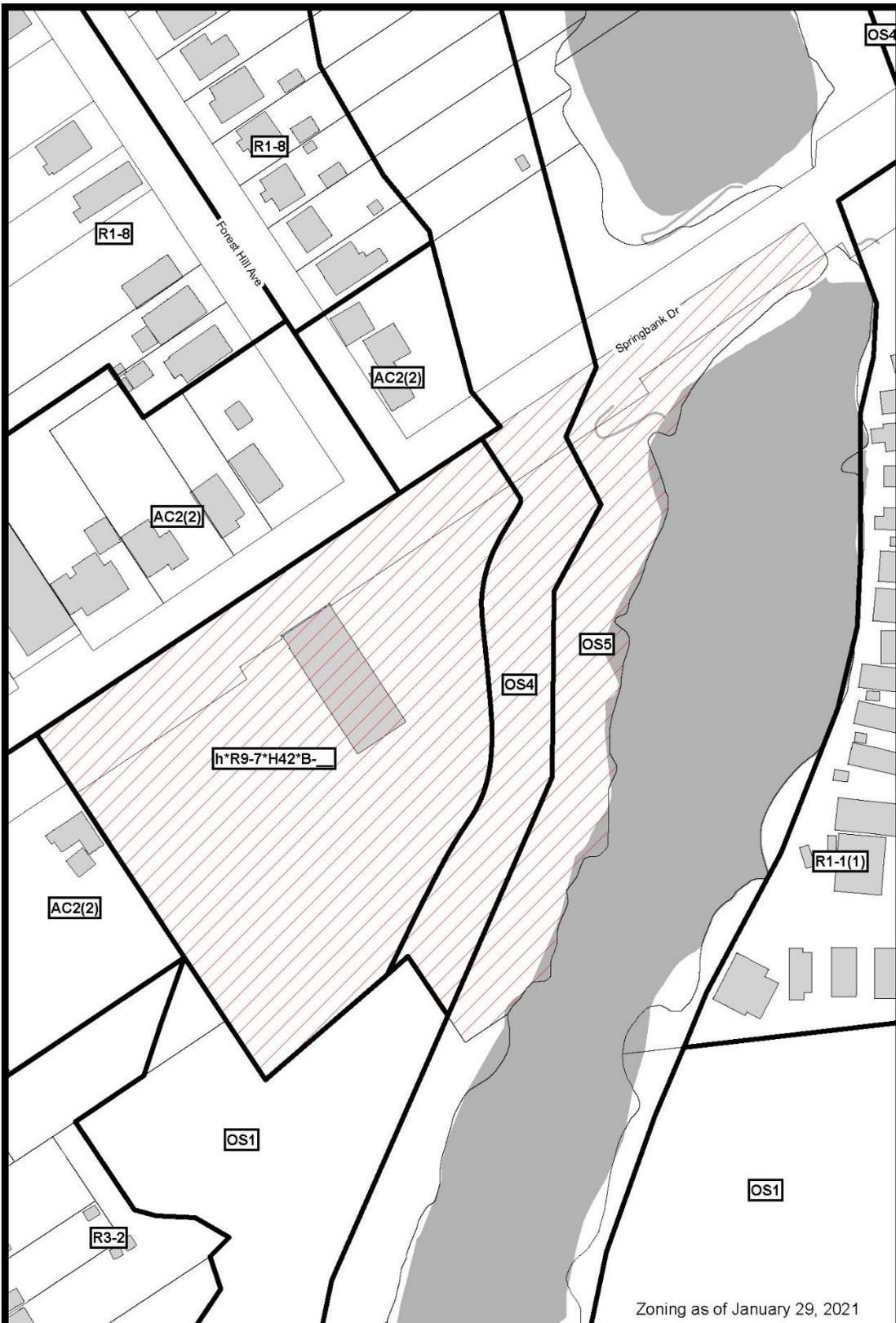
PASSED in Open Council on October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

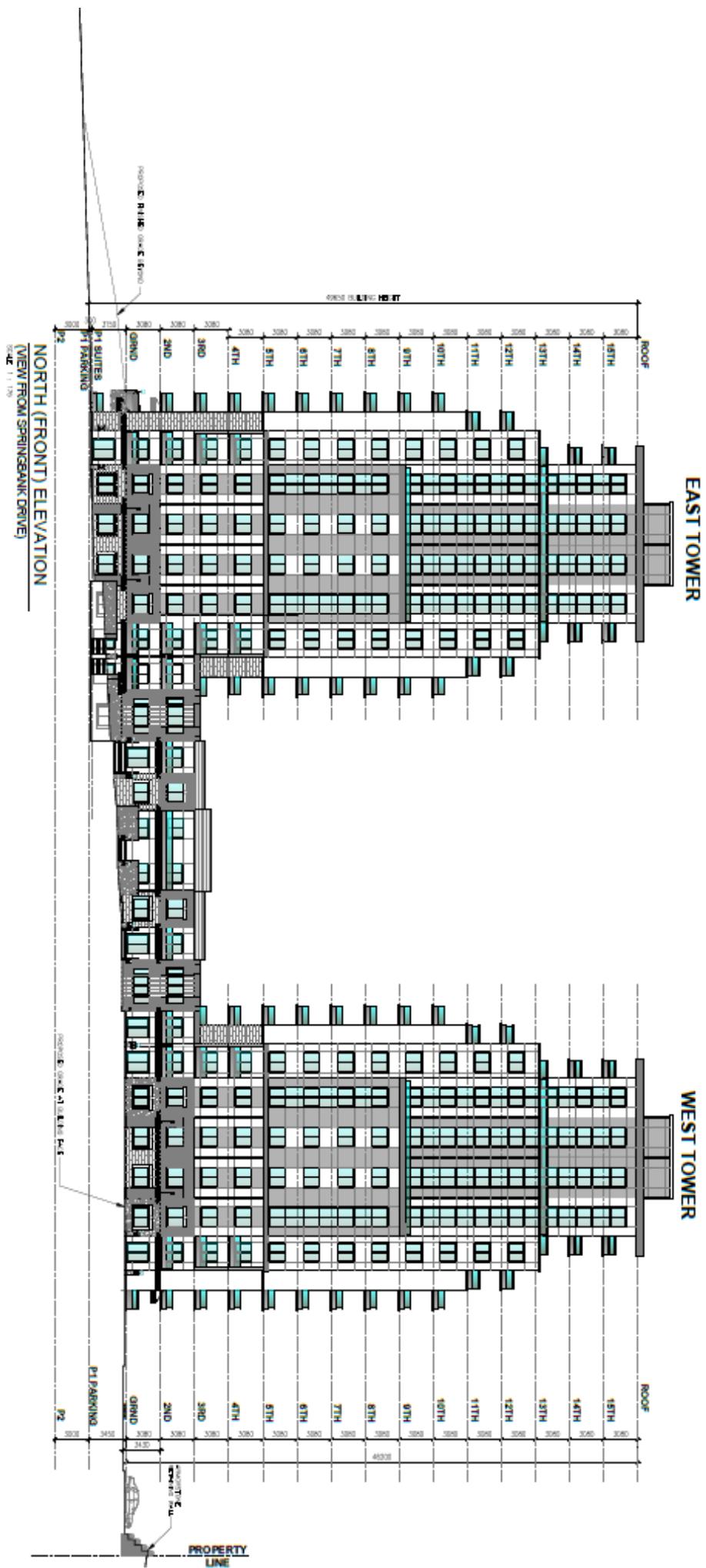
First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

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



<p>File Number: Z-9310 Planner: AR Date Prepared: 2021/08/25 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase





WEST (DRIVEWAY SIDE) ELEVATION

SCALE 1:1,200

Appendix D – Public Engagement

Community Engagement

Public liaison: On February 19, 2021, Notice of Application was sent to surrounding 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 19, 2021. A “Planning Application” sign was also posted on the site. The application was revised and revised notices were sent to reflect this.

9 replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to amend the existing Bonus Zone to allow for affordable housing and an open space area, and add a special provision to permit an overall lot coverage of 29% maximum. Possible change to Zoning By-law Z.-1 **FROM** a Holding Residential R9 Bonus and Office Residential OR4 (h.R9-7.H42.B(49) and OR4(2)) Zone **TO** a Holding Residential R9 Special Provision Bonus (h.R9-7.H51.B() Zone and an Open space 4 (OS4) Zone. The amendment would continue to permit the two tower residential development with modifications to the form to include the removal of the commercial and LEED certification elements. It should be noted the owner will not be seeking LEED accreditation, however, the development is still proposed to still achieve most of the benefits of LEED.

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

Concern for:

- Use
 - Concern with the proposed uses
- Intensity
 - Traffic volume and safety issues
 - Density and height
 - Parking and access
- Form
 - Ignores the characteristics of the neighbourhood
- An increase of people trespassing behind this development
- Connection from Springbank Drive along the Thames Valley Corridor to the lands to the southwest

Responses to Public Liaison Letter and Publication in “The Londoner”

1

Why does it need to be so tall though?

From 42M to 51M? And again, this is unfair as many of the residents on Greenwood were not aware of this.

The building looks Gawdy and is a behemoth of its kind. Its really ugly.

Will the city put traffic lights at Greenwood/Springbank or close by to help with traffic?

Will the speed limit be reduced to help with traffic?

What steps are being done to preserve the wildlife nearby?

Will the city clean the Cove annually to help with the ongoing pollution?

We have already had trespassers in our backyard in the past, what steps are being done to preserve the Cove/prevent future trespassing?

Again, if the tenants of the six 4-plexes within Harrison Carter Groups properties were aware, there would be a lot of other people against this.

2

As an owner of property on Forest Hill Ave, I do have a few concerns regarding this proposal. Namely:

Parking on Forest Hill Ave. When the City put curbs on our street, it really narrowed Forest Hill Ave to the point where two vehicles across from each other have blocked traffic going in either direction. There will be increase traffic/parking on Forest Hill Ave.

Springbank Dr traffic. We will need a traffic light at Forest Hill Ave. Too many vehicles “fly” over the crest of the hill. There have been accidents.

The Coves is an Environmentally protected area. They will be digging deep, too. Will that impact my use of my back yard that extends down to the Cove water/wildlife?

Please accept this email for its content and to ensure I have a voice in future talks/discussion/meeting on this by law.

Thank you,

John Scott

3

We live on Forest Hill Ave and received notification of the zoning amendment proposed for the two 250-270 Springbank Drive towers. We really don't know too much about these things, but the proposed towers looked nice. A commercial podium would probably have provided some upclass commercial space for the area, so the loss of that is too bad.

One thing we were wondering about is who is the actual developer? Googling the applicant, Knutson Development Consultants Inc, shows they are just consultants for land development companies. We would like to know who is actually going to be behind the towers in order to investigate what sort of reputation they have.

In our own prior experience with living in apartment buildings, the company in charge is a large determiner of the ethos of space.

Thanks! -Tyson & Brenda

4

I got your email from the City of London's website in regards to a planning matter at 250-270 Springbank Avenue. It's file Z-9310. The applicant is Knutson Development Consultants Inc., though I'm unsure of the property owner. Is it possible to get more information on the file and the building that's being proposed? I read up on it further on the below links, but I imagine there's draft and site plan applications that have been submitted to city staff.

<https://london.ca/business-development/planning-development-applications/planning-applications/250-270-springbank>

<https://london.ca/sites/default/files/2021-02/Z-9310%20-%20Notice%20of%20Application.pdf>

Pg. 39 with the Bonus Zone: https://london.ca/sites/default/files/2021-01/Zoning%20By-law%20Section%204_0.pdf

Thanks for your help! Looks like an interesting project!

Cheers,
Greg

5

In regards to 250-270 Springbank Drive
File #Z-9310

We do not approve of the rezoning and the proposal to place a new high rise building in the location you have proposed. It exceeds the building height limit for this area and no way should be given allowances to permit lot coverage of 29%. The loss of natural habitat in that area alone should be the largest reason this does not go forward.

The design of the building is absolutely abhorrent to the eyes. It should not be exceeding 5 floors either. You want to destroy the natural skyline and wildlife we residents of the surrounding area currently enjoy. Not to mention take away all privacy we currently have by having people stare into our backyards. Which was a major consideration for home buyers when we purchased to live in this area. You will be depreciating the value of all our homes and quality of our lives by building something so intrusive, massive and tall.

The Coves are a nature reserve where people have paid good money for the privacy and enjoyment of the wildlife to which you want to end their existence. If you build there, not only would you be taking down some protected species of trees (such as Butternut), you will be disturbing nesting grounds for the water fowl and singing birds that only nest in that type of area, a coyote den you will displace, nesting and hunting grounds of hawks and several deer migrating paths. Why tear down more of the forested areas around here and turn everything into a bland concrete wasteland. Build where it has already been developed before and leave the nature reserve as is. How can we be known as the tree city when you continue to tear them all down. I can not imagine the amount of garbage that will end up from having that many people in one spot that will float into the woods and cause damage to the wildlife. There are people already, that live around here, that go in and clean all the blown garbage in the spring but if you add that many people, and garbage (because they will have dumpsters, not locking garbage cans to keep wildlife from tearing and spreading garbage) there is no way we will be able to keep it clean. Adding to the destruction of natural habitat.

I understand the need for housing in London but please take into consideration that natural preservation is needed as well. Just build townhouses or a 5 storey maximum building on the already developed area and leave the wildlife and skyscape. There is no need for a building that massive there when no amenities are nearby for walking patrons.

Thank you
I wanted to consider all the variables of the situation before sending an email

6

Good Morning Steve and Alanna,

I am writing in concern of the zoning amendment proposed for 250-270 Springbank Drive Towers.

I am happy to see the land being developed, however I am very concerned about the size of the towers and the affect that has on the area and homes surrounding. The increase of traffic in an area that can be difficult as is to enter or exit on the Forest Hill and Wildwood Ave streets with such a large increase of traffic, the wildlife being

affected being at the coves which is considered an environmentally significant area, as well as the shadow cast that will affect my home as well as those that surround me.

I understand the area being developed is being used as a dump essentially and has been vacant for a long time so seeing interest in the land being developed is positive for me, however the affect a building of this size (during a time when vacancies for buildings are high) is very concerning to me. Is there a way to be kept informed of council meetings and any updates to this file? I am very against the amendment to increasing the height of this building as was proposed.

I am also curious of how many residents in the area were provided notice? I was told that only homes within 150 m are required to be notified but because of our location, the shadow cast, and overall affect this will have on the area that those notified should be increased as everyone in the area will be affected. Are there any protections in place for those living in the area so we do not have a large change to the benefits of living in the area in the first place?

Thank you for your time,

Sabrina Tomaszewski

7

Good morning Alanna,

I am emailing in regards to the proposed development located at 250 Springbank Drive - Zoning By Law Amendment.

The sign for the ZBA was posted onto the site last week after the building was demolished indicating that a Zoning By-Law Amendment had been applied for. However, the closing date for comments was before the sign was posted - the closing date of March 12, 2021. Just curious how comments can be provided if the sign indicating a proposed amendment for the site was erected after the comments closed? I understand the previous design was approved via OMB in 2015/2016, however this ZBA includes increase in height and lot coverage. While I am shocked and saddened to see that this has been approved by the OMB given that it is completely out of context with the area and I live here, I was not living here at that time so I was not aware of this development. Many of my neighbours who have moved into the area are also only seeing this sign and proposed ZBA for the first time and want to comment but not sure how given the date has closed before knowledge was made public on the site.

On the City website, when reviewing the applications via the City map there is no information provided via the link. I was able to find the PDF of the planning application but it was challenging.

Surely this is not acceptable. Please advise.

Thank you.

Tara

8

I walk our dog at the Coves at least 3 mornings a week and am appalled, devastated, angry, saddened to read about that monstrosity that is going up at 250-270 Springbank Dr. And I understand they want it even taller! That will totally destroy the atmosphere of the Coves and I don't understand how it could have passed any environmental requirements.

I join the naysayers. I don't think it should be built there. And if something has to be built it should be smaller not bigger. It is a spot of wilderness in the middle of the

city. Have you walked back there? All sorts of wildlife including deer, coyotes thousands of birds, turtles, beaver.

I also have a problem with the fact it was denied by the city council but approved by the OMB. Why have the city involved in anything if it is just overturned?

Sandra Grant
281 Robin Rd.
London

9
Tom McClenan
_ connection from Springbank Drive to the lands to the south
- remediation

July 9, 2021: Housing Development Corporation

July 9, 2021

TO: City of London Development Services
Attention: Michael Tomazincic, Manager, Development Services, Current Planning
Alanna Riley, Senior Planner, Development Services, Current Planning

REGARDING: Bonusing for Affordable Housing
250-272 Springbank Drive ("Subject Lands")

Background:

Housing Development Corporation, London (HDC) was engaged to work with Rand Developments Inc. (the "Proponent") and the Proponent's consultant (Knutson Development Inc.) and provide a fair recommendation to the Director, City of London Development Services in response to a Zoning By-law Amendment application (City of London Planning File: Z-9310) to amend the requirements of an existing bonus zone to allow for affordable housing.

This letter reflects the recommendation of HDC and is provided with the concurrence of the Proponent.

RECOMMENDATION:

It is the recommendation of the HDC that the following elements constitute the affordable housing bonus zone:

1. A minimum of fourteen (14) one-bedroom residential units and a minimum of fourteen (14) two-bedroom residential units be dedicated to affordable rental housing.
2. "Affordability" for the purpose of an agreement be defined as rent not exceeding 85% of the CMHC Average Market Rent for London. For purposes of clarity this means:
 - i. The rental rate for initial tenancies shall be 85% of the Average Market Rent (AMR) as to be determined by the Canada Mortgage and Housing Corporation (CMHC) Rental Market Report for the London Census Metropolitan Area (CMA) for the calendar year of 2021 as established for one-bedroom and two-bedroom units – in order to align with the comparable bonus units;
 - 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 be inclusive of heat and water and shall only be increased once per 12-month period in accordance to the *Residential Tenancy Act* or any successor legislation allowable maximum normal rent increase and shall never exceed 85% of the previous year's 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.



520 Wellington St., Unit 7, London, ON N6A 3R2
P: 519-930-3512 www.hdc london.ca

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 principle 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 south side of Springbank Drive, west of the Coves and east of Greenwood Avenue. The lands are proximate to a broad range of residential, retail, service, office, institutional and open space uses. The lands are directly served by transit and active and supportive transportation infrastructure.

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.

Sincerely,



Stephen Giustizia
President and CEO

- c. Brian Turcotte, Development Manager, HDC
- Isabel da Rocha, Business and Program Manager, HDC



520 Wellington St., Unit 7, London, ON N6A 3R2
P: 519-930-3512 www.hdcilondon.ca

P

Appendix E – Policy Context

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

Provincial Policy Statement, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 b)

1.1.1 e)

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – 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 54_ Our Strategy, Key Directions

Policy 59_ 1, 2, 4, 5, and 8 Our Strategy, Key Directions, Direction #5 Build a Mixed-use Compact City

Policy 61_ 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 256_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 259_ City Building Policies, City Design, How Are We Going to Achieve This, Site Layout

*Policy 837 Permitted Uses

*Table 9 Range of Permitted Heights

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

963_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods

964_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Vision for Near-Campus Neighbourhoods

965_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Planning Goals for Near-Campus Neighbourhoods

968_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Intensification and Increases in Residential Intensity in the Neighbourhoods Place Type Within Near-Campus Neighbourhoods
969_ Place Type Policies, Urban Place Types, Specific Policies for the Neighbourhoods Place Type, Near-Campus Neighbourhood, Intensification and Increases in Residential Intensity in the Neighbourhoods Place Type Within Near-Campus Neighbourhoods
Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications

Official Plan (1989)

General Objectives for All Residential Designations

3.1.1 ii)

3.4. Multi-Family, High Density Residential

3.4.1. Permitted Uses

3.4.2 Location

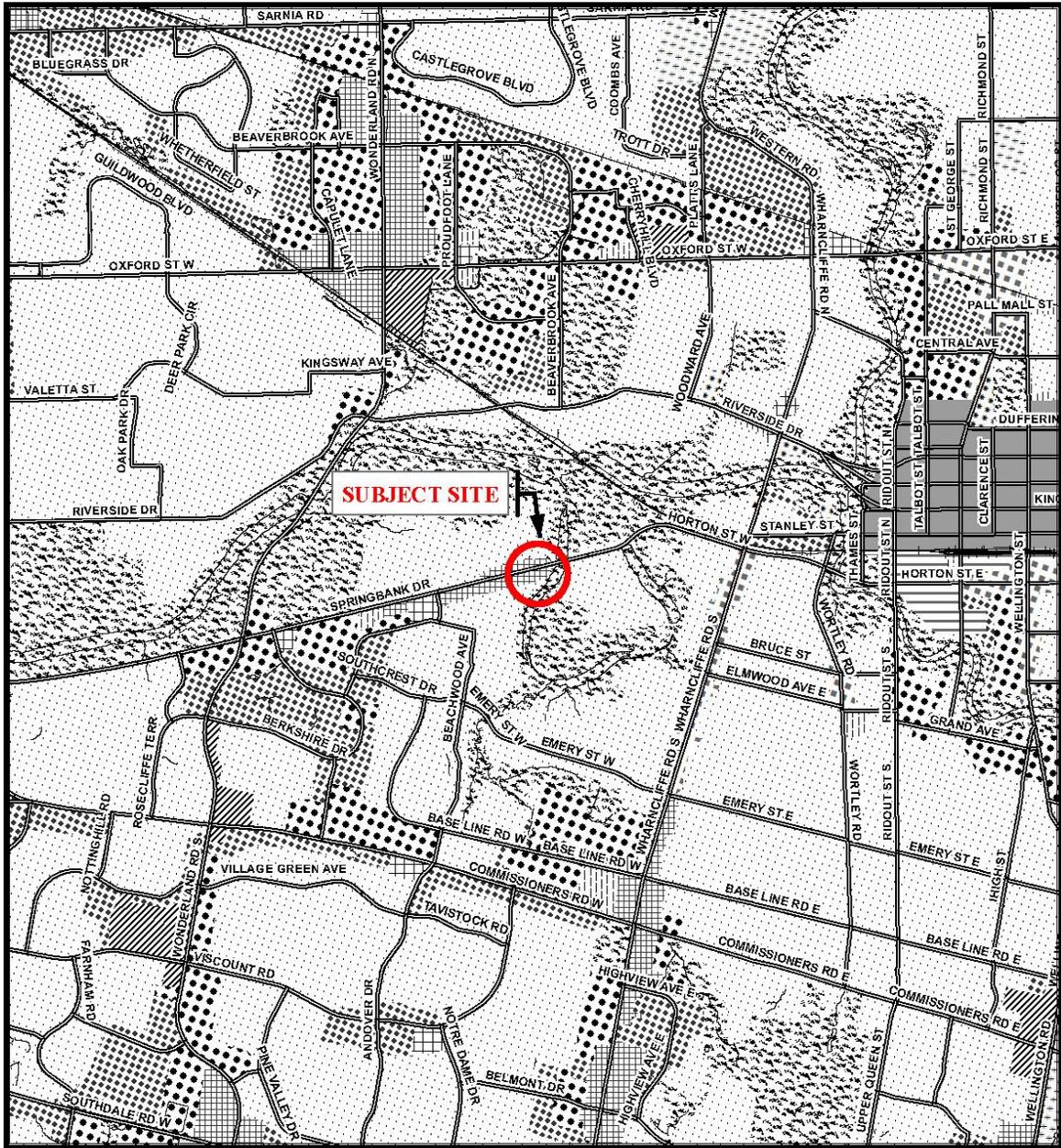
3.4.3. Scale of Development

11.1. Urban Design Policies

19.4.4. Bonus Zoning

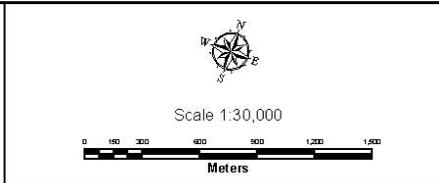
Appendix F – Relevant Background

Additional Maps



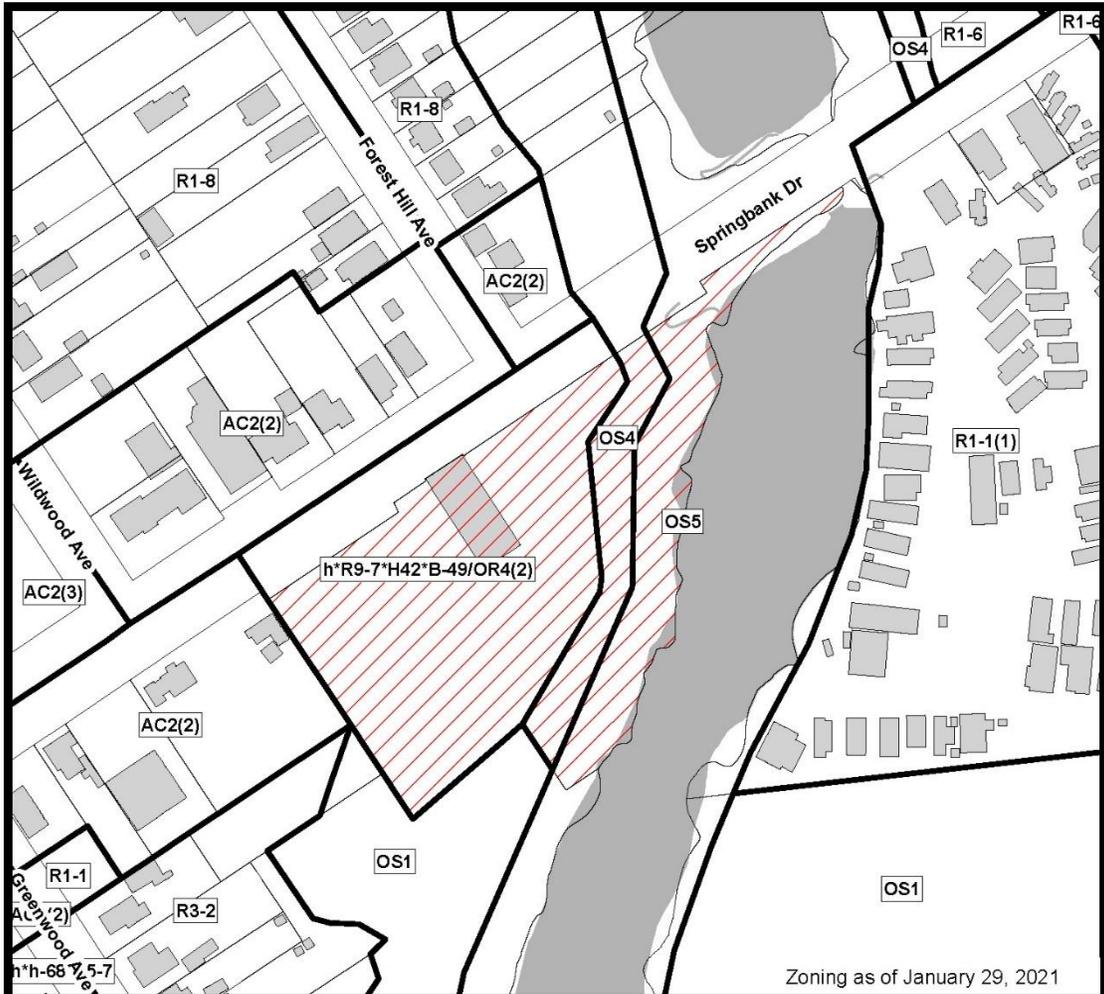
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented 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-9310
 PLANNER: AR
 TECHNICIAN: RC
 DATE: 2021/02/19

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_NEW_b&w_6x14.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:
Z-9310 AR

MAP PREPARED:
2021/02/19 rc

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

Appendix G – Ontario Municipal Board Order – February 18, 2018

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: February 28, 2018 **CASE NO(S):** PL160951

PROCEEDING COMMENCED UNDER subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by: 2355440 Ontario Inc.
Subject: Site Plan
Property Address/Description: 250-272 Springbank Drive
Municipality: City of London
OMB Case No.: PL160951
OMB File No.: PL160951
OMB Case Name: 2355440 Ontario Inc. v. London (City)

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

Applicant and Appellant: 2355440 Ontario Inc.
Subject: Request to amend the Official Plan - Failure of the City of London to adopt the requested amendment
Existing Designation: Auto-Orientated Commercial Corridor
Proposed Designation: Multi Family High Density Residential with a Special Policy
Purpose: To permit the development of two 14-storey residential apartment buildings with a 3-storey podium structure connecting the base of the two towers
Property Address/Description: 250-272 Springbank Drive
Municipality: City of London
Approval Authority File No.: OZ-8279
OMB Case No.: PL140423
OMB File No.: PL140423

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

Applicant and Appellant: 2355440 Ontario Inc.
Subject: Amendment to Zoning By-law No Z.-1 - Failure of the City of London to announce a decision on the application
Existing Zoning: Arterial Commercial (AC2(3)) Zone & Open Space (OS1) Zone

Proposed Zoning: Open Space (OS4) Zone to allow for conservation lands and public parks, and a Residential R9 Special Provision Bonus/Office Residential Special Provision (R9-7(),D282.H49.B-*/OR4()) Zone

Purpose: To permit the development of two 14-storey residential apartment buildings with a 3-storey podium structure connecting the base of the two towers

Property Address/Description: 250-272 Springbank Drive

Municipality: City of London

Municipal File No.: OZ-8279

OMB Case No.: PL140423

OMB File No.: PL140424

BEFORE:

BLAIR S. TAYLOR) Monday, the 26th
MEMBER)
) day of February, 2018

THIS MATTER having come on for public hearing and the Board having issued its decision on November 10, 2017, and the Board having withheld its final order pending confirmation from the City solicitor that the draft site plan approval, conditions of approval and the required development agreement have been fulfilled;

AND THE BOARD having received written confirmation from the parties that the final form of the official plan amendment, zoning by-law amendment and draft site plan approval are acceptable;

THE BOARD ORDERS that the appeals are allowed, and the Official Plan for the City of London is amended as set out in Attachment 1 to this Order; further the municipality is directed to amend By-law Z.1-18 in the manner set out in Attachment 2 to this Order. The Board authorizes the municipal clerk to assign a number to this by-law for record

PAg

keeping purposes; and the site plan prepared by Phillip Agar Architects dated March 15, 2017 and set out in Attachment 3 to this Order is approved.



SECRETARY

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board
A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

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

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to the lands at 250, 268, 270, and 272 Springbank Drive.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the Planning Act, R.S.O. 1990, c.P.13.

PASSED in Open Council on _____

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of certain lands described herein from Auto-Oriented Commercial Corridor and Low Density Residential on Schedule "A", Land Use, to the Official Plan and to add a policy in Section 3.5., Policies for Specific Areas, of the Official Plan for the City of London to permit a mixed use development of two residential towers joined by an office/commercial podium with increase in the maximum building height and density permitted by the Official Plan policies through the use of Bonus Zoning.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 250, 268, 270, and 272 Springbank Drive in the City of London

C. BASIS OF THE AMENDMENT

The subject lands are consistent with the locational criteria for Multi-Family High Density Residential Designation. The Multi-Family High Density Residential designation also allows for a range of office / commercial uses.

The general Multi-Family, High Density Residential Designation policies include limits to scale and height that are normally 150 units per hectare.

Notwithstanding these limitations, Multi-Family High Density Residential policies contemplate increases to the scale of development through bonus zoning in return for eligible facilities, services or matters which provide a public benefit and are identified in Section 19.4.4 of the Official Plan. Section 19.4.4 of the Official Plan provides broad criteria for considering height and density increases through bonus zoning. The additional policies to be added to Section 3.5 will include site specific requirements for matters to be considered in favour of bonus zoning and will allow for density and height increases exceeding those established in the Multi-Family, High Density Residential designation.

The recommended form of development for the subject lands is consistent with the permitted uses in the Multi-Family, High Density Residential designation. Given the historical site contamination and the potential for brownfield remediation it is appropriate to allow for site specific increases to the permitted scale of development in return for matters which provide a public benefit and a form of development that complements the character of the surrounding neighbourhood and natural features. The special Official plan policies will consider the site specific context to provide for specific guidance in considering height and density increases through bonus zoning.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Schedule 'A', Land Use, to the Official Plan for the City of London Planning Area is amended by changing the designation for those lands known municipally as 250, 268, 270, and 272 Springbank Drive as shown on Schedule 1 attached hereto from Auto-Oriented Commercial and Low density Residential to Multi-Family High Density Residential
2. Section 3.5 — Policies for Specific Residential Areas — of the Official Plan for the City of London is amended by adding the following:

West Coves: The West Coves area is located on the south side of Springbank Drive on the lands that are municipally known as 250, 268, 270 and 272 Springbank Drive. These lands are located along a significant gateway into the City of London from the west, along a redeveloping urban corridor served by transit and with close access to neighbourhood shopping areas and designated public open space. These lands have been previously utilized for a range of industrial and commercial land uses which have resulted in contamination that complicates the transition to more sensitive land uses. Given the brownfield context and the significance of the location it is desirable to allow for increased net residential density on these lands. Conversely, these lands are located adjacent to the west bank of the Coves Ponds, an abandoned oxbow of the Thames River and part of the Thames Valley Corridor and are surrounded primarily by low-rise residential development. Given the nature of surrounding physical, natural and built form it is also desirable to achieve a form of

development which respects its context. Future development of these lands shall be consistent with the following site specific policies:

i) Permitted uses shall include apartment buildings, handicapped person's apartment buildings, lodging house class 2's, senior citizen apartment buildings, emergency care establishments, continuum of care facilities and residential care facilities. A range of convenience and personal service commercial uses including clinics, convenience stores, day care centres, emergency care establishments, financial institutions, medical/dental laboratories, personal service establishments, pharmacies, eat-in restaurants and studios as well as office uses up to a maximum gross floor area of 2,000m² may also be permitted as secondary permitted uses. Any commercial and/or office uses must be integrated within the podium of a residential apartment building(s) and are not intended to be located within a "stand-alone" commercial structure. Convenience and personal service commercial uses are only permitted on the ground floor and office uses may be permitted up to the third floor. The exact range of permitted commercial uses shall be specified in the Zoning By-law.

ii) Notwithstanding the height and density maximums identified in the general Multi-Family, High Density Residential policies, a bonus zone may be permitted to allow for a maximum height of up to fourteen storeys and a density of up to 306 units per hectare, subject to the proposed form of development addressing the compatibility criteria of Section 3.4.3, the Urban Design Principles in Chapter 11, sensitivity to the Coves ESA, conformity with the objectives of the Thames Valley Corridor Plan, and the general Bonus Zoning policies of Section 19.4.4. Bonus zoning may also be considered in favour of the provision of alternative forms of senior's housing, in combination with the above requirements.

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

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 250,
268, 270, and 272 Springbank Drive.

WHEREAS Rand Developments Inc. (2355440 Ontario Inc.) has
applied to rezone an area of land located at 250, 268, 270 and 272 Springbank
Drive as shown on the map attached to this by-law as set out below

AND WHEREAS upon approval of Official Plan Amendment Number
_____, this rezoning will conform with 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, as amended, is amended by changing the zoning applicable to lands located at 250, 260, 268 and 272 Springbank Drive as shown on the attached map comprising part of Key Map A107 from an Arterial Commercial Special Provision (AC2(3)) Zone and an Open Space (OS1) Zone to a holding Residential R9 Bonus/Office Residential Special Provision (h•R9-7•H42•B_/OR4()) Zone and an Open Space (OS4) Zone.
2. Section Number 16.4 e) of the Office Residential (OR) Zone is amended by adding a new special provision:

OR4() 250, 268, 270, and 272 Springbank Drive

a) Regulation[s]
 (i) Stand-alone non-residential uses are prohibited
 (ii) Commercial uses restricted to the first floor of an office-apartment building
 (iii) Office uses restricted to the first, second and third floors of an office-apartment building
3. Section Number 4.3 (Bonus Zones) of the General Provisions is amended by adding the following Site Specific Bonus Provision:

B_) 250 – 272 Springbank Drive

The Bonus Zone shall be implemented through a development agreement

to provide for a development that is consistent with the site plan and elevations attached as Appendix "1", in return for the provision of the following services, facilities and matters:

- i. enhanced building and site design features including buildings with a multi-faceted street face and setback podium creating a pedestrian area linked to the public sidewalk.
- ii. remediation of an existing brownfield condition notwithstanding potential compensation through brownfield incentives;
- iii. construction of 2 levels of fully underground parking;
- iv. dedication of the open space (OS4) lands as a public link and to compliment the adjacent Environmentally Sensitive Area with all existing asphalt and buildings removed and landscaped in conjunction with landscaping plans for this area to be approved by Parks Planning;
- v. to provide a green roof on the office commercial podium for active open space for building residents
- vi. current public transit lines (23 and 5);
- vii. construction of a LEED certified building

The following regulations shall apply with the approved Site Plan:

i) Height Maximum (Residential towers)	51.0 metres (167 feet)
ii) Height Maximum (3 storey Commercial podium)	17.0 metres (56 feet)
iii) Front Yard setback Minimum residential	4.0 metres (6.6 feet)
iv) Front Yard setback Maximum podium	6.0 metres (19.7 feet)
v) Density Maximum	306 units per hectare (114 units per acre)
vi) Maximum commercial gross floor area	2,000 sq.m (21,528 sq. ft)
vii) Minimum easterly side yard	0.0 metres from OS4 zone
viii) Minimum westerly side yard	24.0 metres (59 feet)
viii) Minimum rear yard westerly building	30.0 metres (98.4 feet)
ix) Maximum coverage	28%

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.

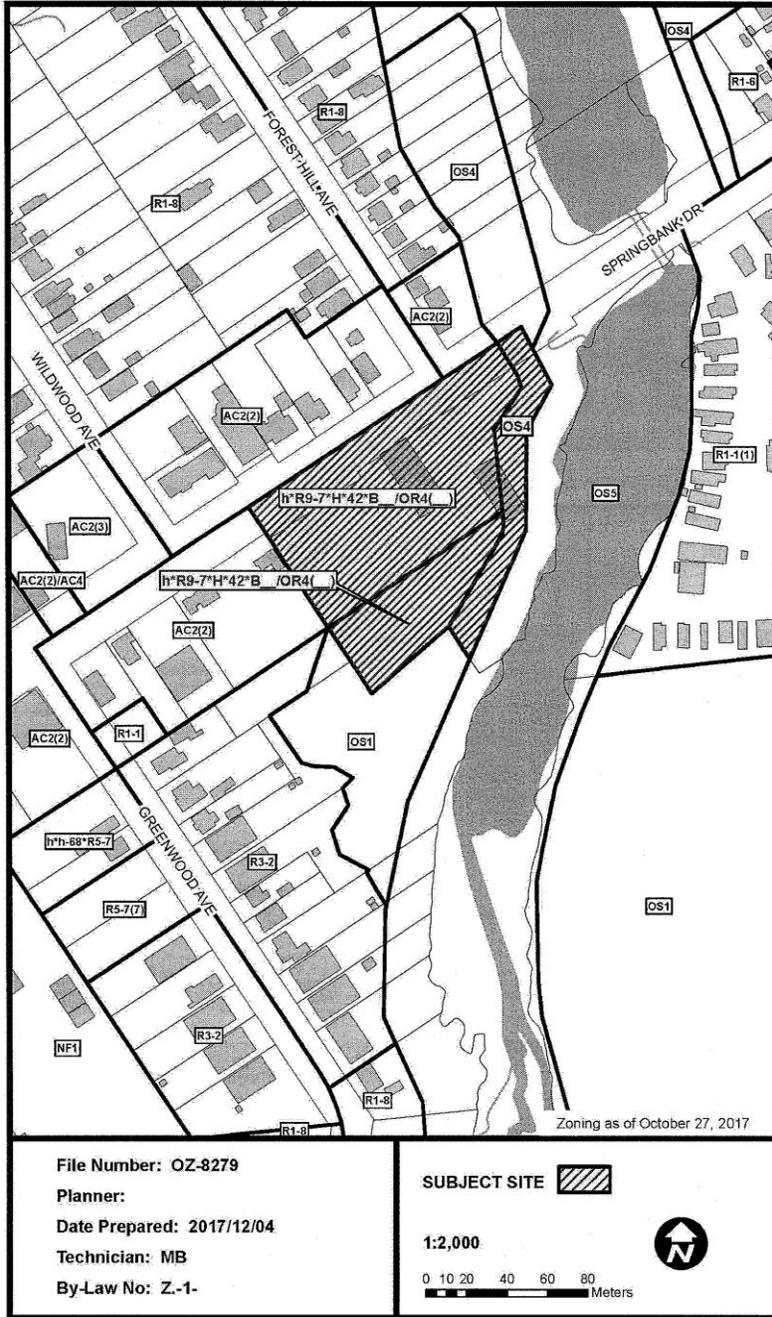
This By-law shall come into force and take effect in accordance with Section 34 of The Planning Act, R. S. O. 1990, c13, as amended, either upon the date of the passage of this By-law or as otherwise provided by said section.

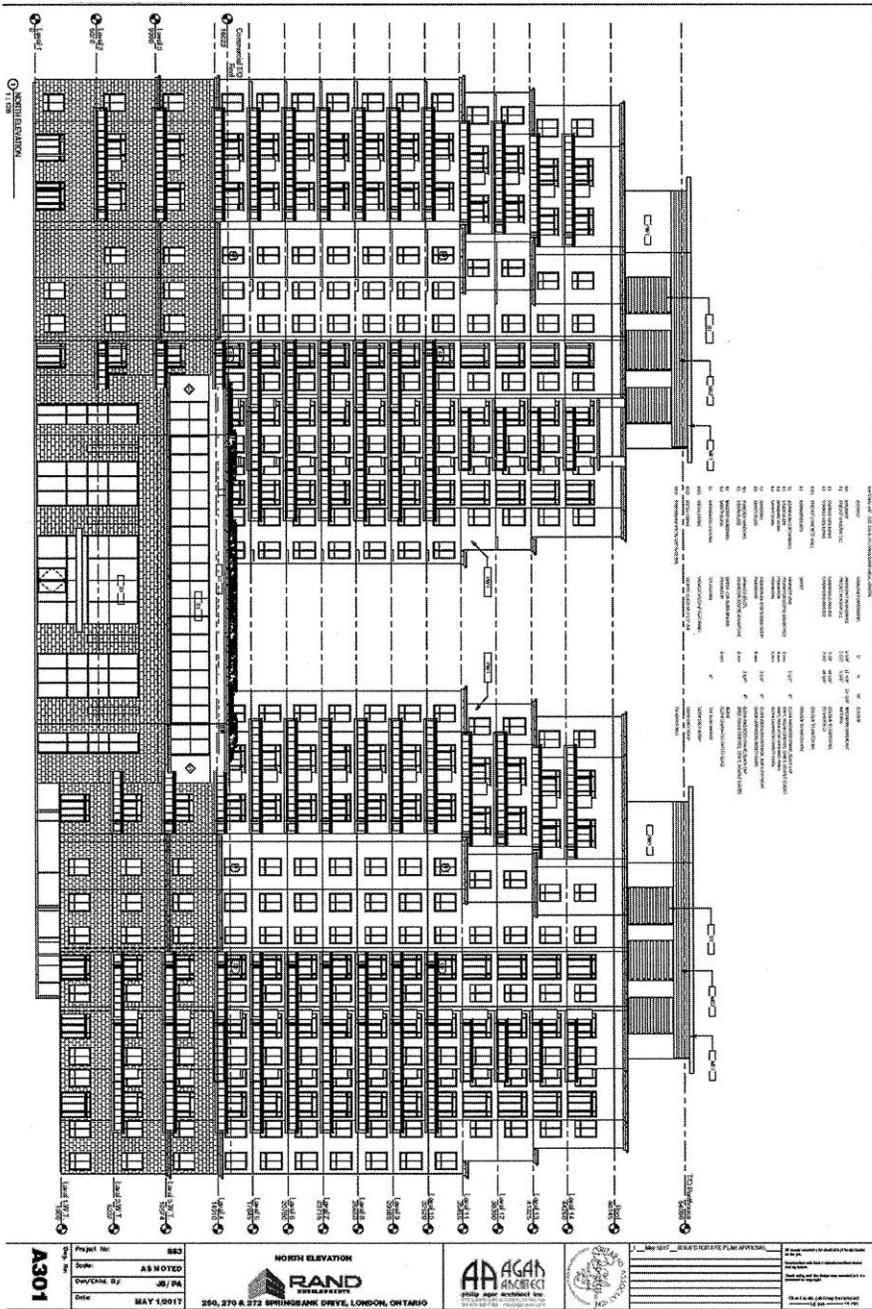
PASSED in Open Council on _____, 2017

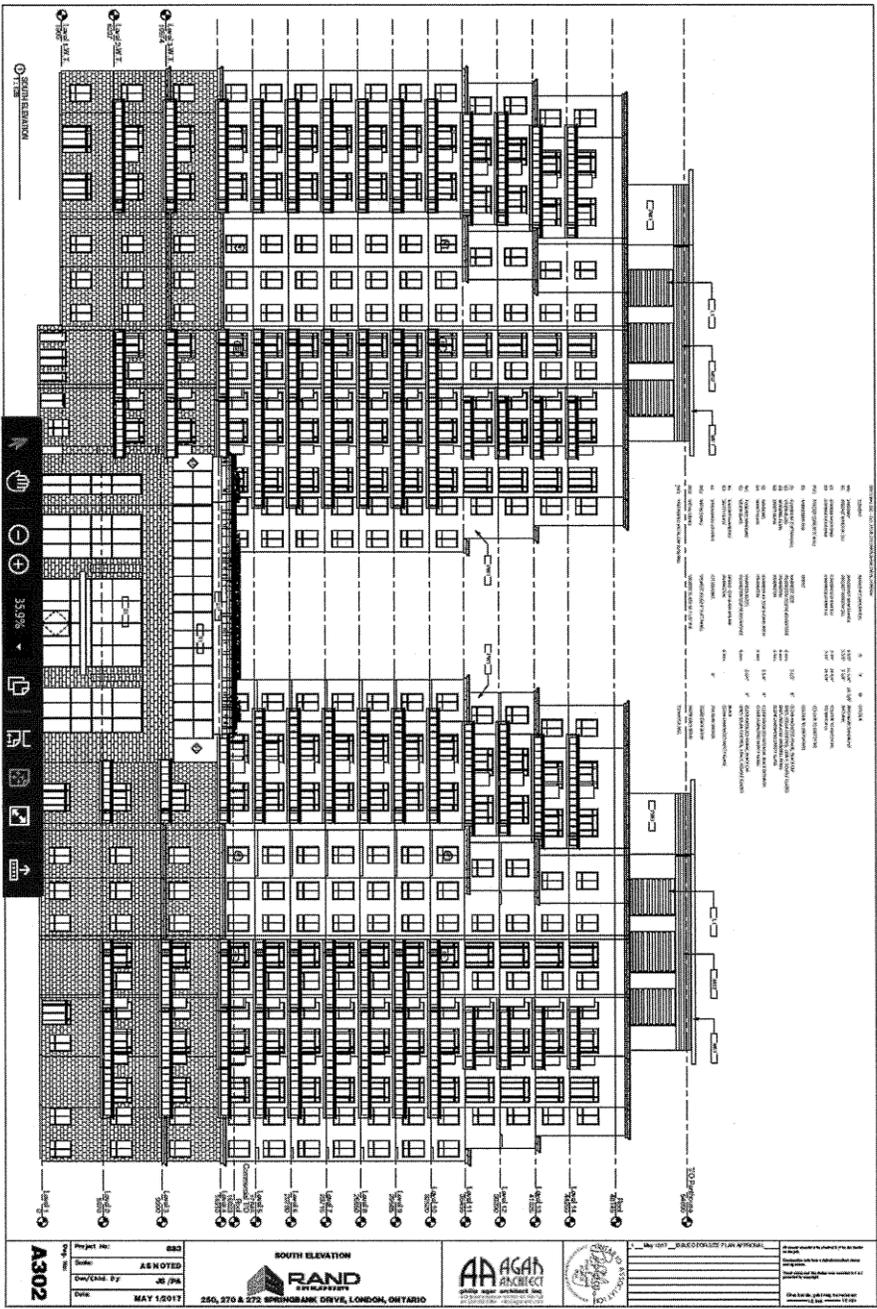
Matt Brown
Mayor

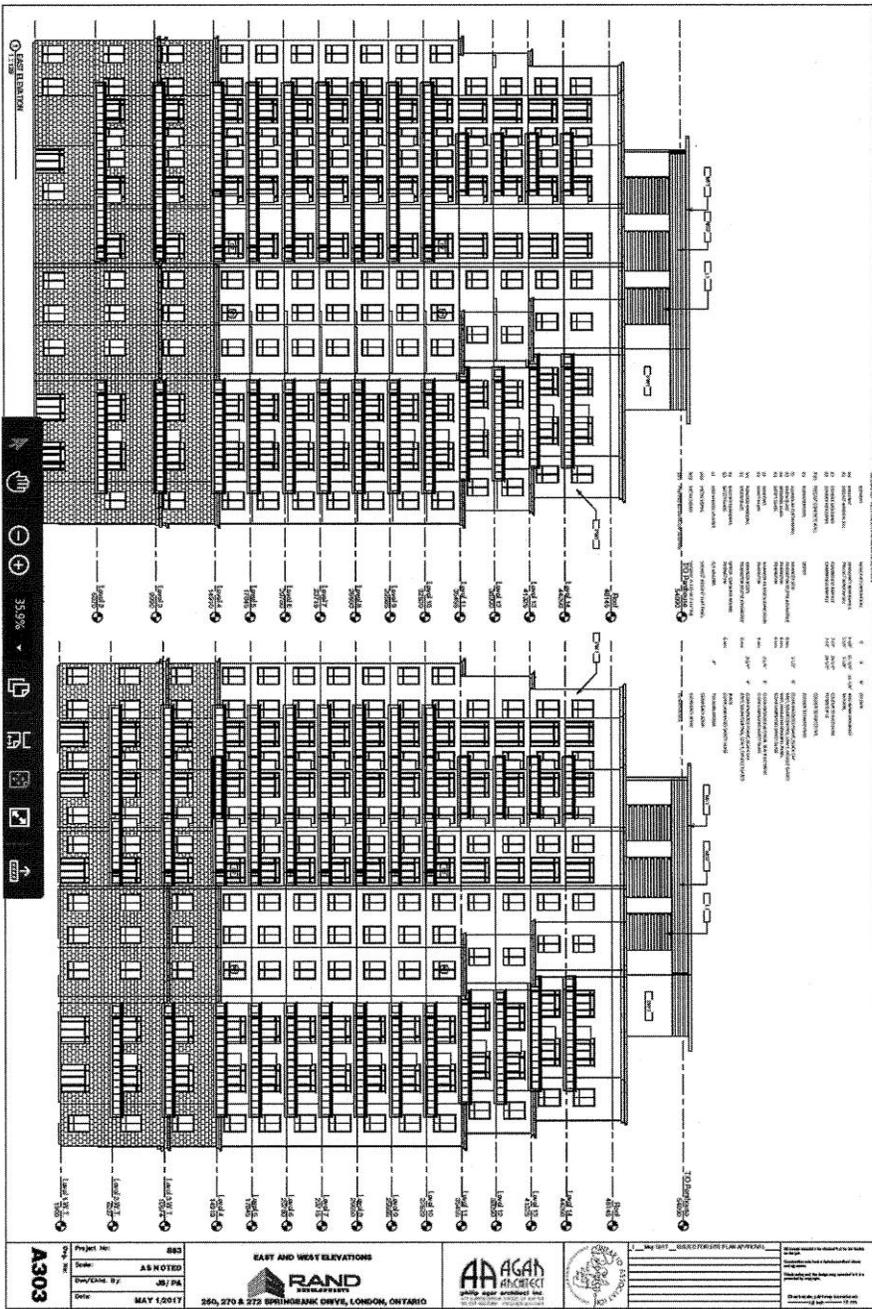
Catharine Saunders
City Clerk

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









A303	Project No. 283	EAST AND WEST ELEVATIONS  RAND ARCHITECTS 250, 270 & 272 SPRINGBANK DRIVE, LONDON, ONTARIO	 AA AGAR ARCHITECT 1000 UNIVERSITY AVENUE, SUITE 100, LONDON, ONTARIO		Project Name: _____ Date: _____ Drawn By: _____ Scale: _____
	Title: AS NOTED Drawn By: JB/PK Date: MAY 1 2017				Project No.: _____ Date: _____ Drawn By: _____ Scale: _____
	Project Name: _____ Date: _____ Drawn By: _____ Scale: _____				Project No.: _____ Date: _____ Drawn By: _____ Scale: _____
	Project Name: _____ Date: _____ Drawn By: _____ Scale: _____				Project No.: _____ Date: _____ Drawn By: _____ Scale: _____

To the Planning and Environment Committee;

I would like to voice my significant concerns regarding the official plan and zoning amendments for the proposed land use for 250-270 Springbank Drive.

The Multi-Family High Density Residential designation 3.4.2, states, *“high density uses shall take into account surrounding land uses in terms of height, scale and setback and shall note adversely impact the amenities and character of the surrounding area”* and 3.1.4 states an objective for high density residences is to *“promote, in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, or in close proximity to, the site.”* Although the Ontario Municipal Board previously found no adverse impact to the amenities and the character of the surrounding area, I would like to strongly disagree. As a resident of this caring community, I feel the enjoyment of the Coves will be severely hindered by the view of these towers in the surrounding areas. As well, rather than enhancing the character of the area, these buildings will be an eyesore as they will be visible towering over the otherwise low-mid rise structures in the area. Furthermore, these buildings will produce substantially more foot traffic to the nearby trails, decreasing enjoyment for its current residences, not to mention, will undoubtedly increase human impact on the area, such as more garbage, which negatively affects the land and animals.

Most troubling though, is the removal of the LEEDS certificate, which causes me great concern. Not only should the City of London be moving towards a more environmentally conscious future, but this certificate is crucial for a proposed development that is in such close proximity to the Coves, which is an environmentally significant area. Having the LEEDS certificate will ensure the development of green buildings, help London achieve our environmental goals, ensure the occupants are living in optimal conditions and minimize the impact this construction will have on the surrounding area.

As a very concerned member of the community, please note my strong opposition to the development of 250-270 Springbank Drive. In the event that the development proceeds, I am proposing the following: 1. the LEEDS accreditation is made mandatory before approval 2. the Zoning By-Law Amendment is declined 3. the height and density threshold of the Multi-Family High Density Residential designation, of 12 storeys and 150 units per ha is respected. These conditions will help reduce the impact this development will have on the land and its inhabitants.

Sincerely,

Stefanie Pereira

To whom it may concern,

As a homeowner in close proximity to 250-270 Springbank Drive, I have concerns regarding the proposed two tower residential development. I am concerned about the environmental implications of having two large buildings directly beside an Environmentally Significant Area (ESA) without obtaining LEED certification. Additionally, the proposed buildings do not meet the objectives of a multi-family, high density residential property, as outlined in chapter 3, section 4.1.2 of the Official Plan Consolidation of the City of London.

The Planning Justification Report submitted by Knutson Development Consultants Inc. December 2020 states, “no high-rise project has been required to meet a LEED certification in London.” I think that special considerations should be made for a high-rise that will be directly beside an ESA. If a high-rise is to be built next to an ESA, a LEED certification should be a minimum requirement.

Chapter 3, section 4.1.2 of the Official Plan Consolidation of the City of London states that a multi-family, high density residential property should, “promote, in the design of multi-family, high density residential developments, sensitivity to the scale and character of adjacent land uses and to desirable natural features on, or in close proximity to, the site.” The proposed development does not meet this requirement. No other building in the immediate area is close to the size of the proposed 15-storey buildings. It also does not compliment the character of adjacent land uses, which is comprised of single-family homes and a trailer park. Additionally, it is not compatible with desirable natural features in close proximity to the site (the Coves).

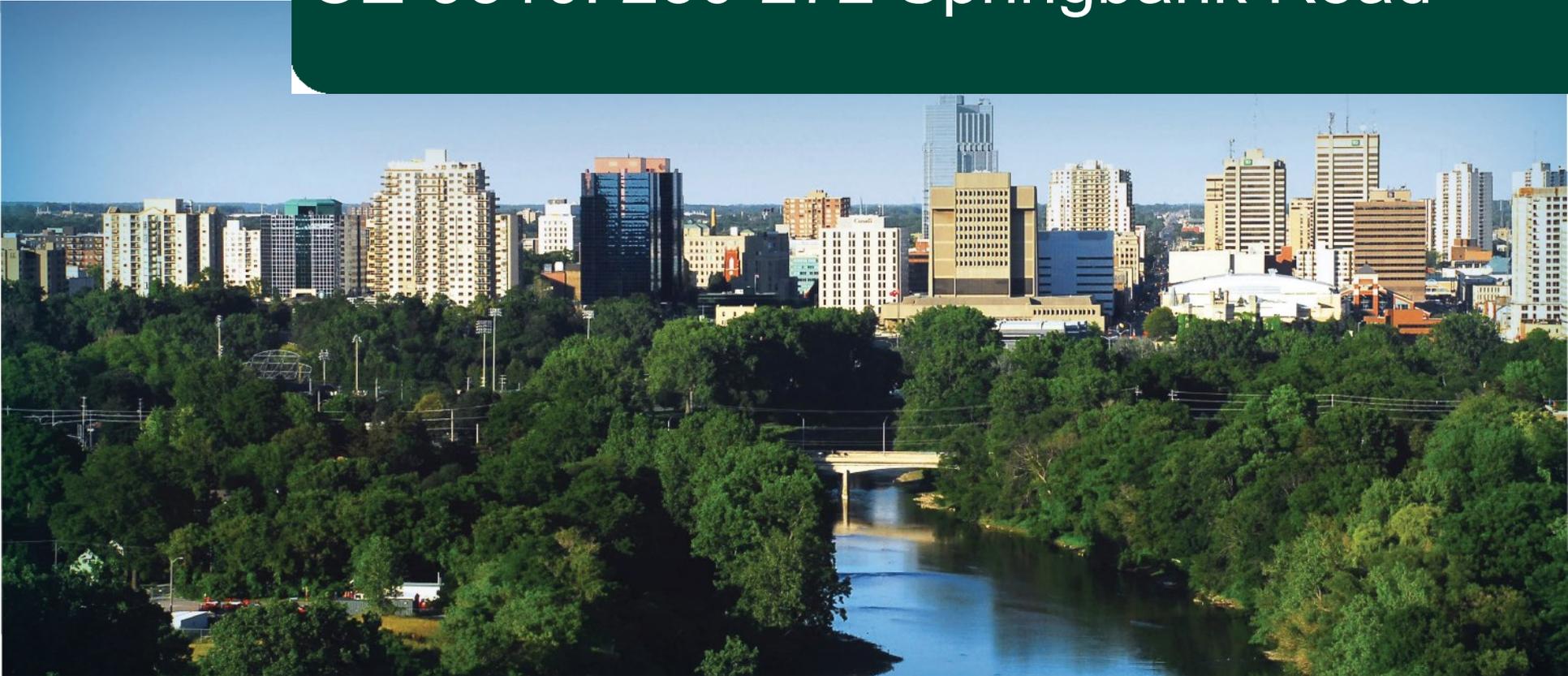
Given the points outlined above, my recommendations are to scale the development down from a high rise to a mid rise, and uphold the requirement for the development to be LEED certified. This will ensure that the development has less of an impact on the ESA that is in close proximity, and it will be more compatible with the scale and character of adjacent land uses.

Thank you for your time and consideration,
Sarah Cordell



London
CANADA

OZ-9310: 250-272 Springbank Road



City of London
September 20, 2021

Subject Site



Proposal



History

- 2018 – Ontario Municipal Board approved an Official Plan and Zoning Bylaw Amendment
- Permitted a mixed-use residential apartment building, with an intensity consisting of a maximum height of 14-storeys (51 meters), and a maximum density of 306 units per hectare
- Approved with the provision of a green roof top, podium and LEED certification along with some other considerations, and included a Bonus Zone

Proposed Changes

- Generally maintains the same use, intensity and form approved by the OMB
- Changes include:
 - the commercial component removed
 - no LEED certification
 - no green roof
 - addition of 28 affordable housing units
 - LEED standard
 - rooftop amenity space
 - 14-storeys to 15 storeys

It is important to note that the height of 51.0m and density of 306uph through bonusing approved by the OMB are not changing.

Use, Intensity & Form

- Use has not changed, except for the removal of the commercial
- Intensity has remained unchanged
- Form has improved



The London Plan/1989 Official Plan

- The proposed development remains largely unchanged and is consistent with the intent of the amendments approved by the OMB
- Through the OMB order these lands were redesignated to Multi-family, High Density Residential which permit high rise apartment buildings.
- The subject site is located along an Urban Corridor Place Type. The proposed apartment buildings are in keeping with the permitted uses of The London Plan. (Permitted Uses, *837_).
- The proposal facilitates the development of an underutilized property and encourages an appropriate form of development.
- Staff is satisfied that the provision of affordable housing along with an exceptional building and design, and underground parking is commensurate for the requested changes are consistent with the OMB order. As such, staff is satisfied the proposed intensity and scale of development is in conformity with the 1989 Official Plan.



The London Plan/1989 Official Plan

- The proposed modifications to the form represent good planning and are consistent with the development framework as approved by the OMB. The revised proposal achieves many of the objectives in the policy framework and a more functional design interface with Springbank Drive.
- The bonusing of the subject site ensures the building form and design will fit within the surrounding area while providing a high quality design standard.
- The subject lands are situated in a location where intensification can be accommodated given the nearby arterial streets, and existing public transit, and large open space corridor with passive recreational trails in the area.
- The proposed amendments conform to the 1989 Official Plan policies and the in-force policies of the London Plan including the Urban Corridor Place Type policies



Site Specific Policy

A site specific area policy is recommended for The London Plan to align with the existing 1989 Official Plan West Coves specific policy as approved by the OMB.



Recommendation

Recommendation - Approval

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Gregg Barrett, Director Planning and Development
Mark Henderson, Interim Director, Economic Services and
Supports
Subject: Argyle Core Area Community Improvement Plan
Date: Meeting on: September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development and Interim Director, Economic Services and Supports, the following actions **BE TAKEN** with respect to the Argyle Core Area Community Improvement Plan (CIP):

- (a) that the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend the 1989 Official Plan to designate the Argyle Core Area Community Improvement Plan Project Area pursuant to Section 28 of the Planning Act and as provided for under Section 14.2.2 of the 1989 Official Plan;
- (b) that the proposed by-law attached hereto as Appendix “B” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to adopt the Argyle Core Area Community Improvement Plan;
- (c) that the proposed by-law amendment attached hereto as Appendix “C” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend the 1989 Official Plan by adding Section 14.2.2 ii) Dundas Street Corridor and Argyle Mall Area to the list of commercial areas eligible for community improvement under Section 14.2.2 ii), and adding the Dundas Street Corridor and Argyle Mall Area to Figure 14-1 to recognize the commercial areas eligible for community improvement;
- (d) that the proposed by-law attached as hereto Appendix “D” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to establish eligibility for financial incentive programs in the Argyle Core Area Community Improvement Project Area; and
- (e) that the proposed by-law amendment attached hereto as Appendix “E” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend the Official Plan, 2016, The London Plan Map 8 – Community Improvement Project Areas by **ADDING** the Argyle Core Area Community Improvement Project Area.

IT BEING NOTED that funding for existing CIP incentive programs will expire no later than December 31, 2023, pending a Municipal Council review of the program results to be provided prior to the adoption of the 2024- 2027 Multi-Year Budget. Therefore, Staff is recommending that funding for any potential incentive programs or other financial requirements in the Argyle CIP be considered through the comprehensive review of funding levels for all CIPs prior to the next (2024-2027) Multiyear Budget.

Executive Summary

The purposes of the recommended actions are to:

- recommend adoption of the Argyle Core Area Community Improvement Plan (CIP) with an overall direction and implementation approach that will achieve the

improvement vision, goals, and objectives set through community consultation for the Argyle Core Area;

- complete the necessary legislative steps provided through the Planning Act to implement the Argyle Core Area Community Improvement Plan (CIP); and
- provide the framework for financial incentive and property improvements.

Linkage to the Corporate Strategic Plan

The Argyle Core Area Community Improvement Plan addresses three strategic areas of focus, as presented in Council's Strategic Plan 2019-2023. These are:

- Strengthening our Community
- Building a Sustainable City
- Growing our Economy

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

June 2012	Designation of an Improvement Area under Section 204 of the Municipal Act, 2001 – Argyle BIA
August 10, 2020	Argyle Regeneration Study Update
December 14, 2020	Argyle Regeneration Study Recommendations
June 21, 2021	Draft Argyle Core Area Community Improvement Plan

1.2 What is a Community Improvement Plan (CIP)?

The *Planning Act* provides for the establishment of community improvement project areas where the municipality's Official Plan contains provisions relating to community improvement and the Community Improvement Project Area is designated by a by-law pursuant to Section 28 of the *Planning Act*.

Section 28 of the *Planning Act* defines community improvement as "...the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary."

A Community Improvement Plan is a tool that allows a municipality to take actions to support improvements and redevelopment within a specifically defined Community Improvement Project Area. CIP actions can include:

- identifying changes needed to land use planning policies, zoning, and/or other by-laws, policies, and practices;
- directing funds for improvements to public infrastructure and public space;
- acquiring, rehabilitating, and disposing of land;
- providing grants and loans to owners and tenants for specific actions (which would normally be unavailable);
- in consultation with stakeholders, establishing a long-term vision, goals, objectives and an implementation strategy to provide focus and direction for continuous community improvement;
- building community capacity; and,
- supporting and strengthening economic resilience.

1.3 Policy Framework

1989 Official Plan

The *1989 Official Plan* for the City of London contains City Council's objectives and policies to guide the physical development of all lands within the boundary of the municipality. The policies of Chapter 14 provide a framework for the selection and designation of Community Improvement Project Areas, and for the preparation and implementation of Community Improvement Plans.

Chapter 14 of the *1989 Official Plan* establishes that the City can prepare a Community Improvement Plan to address community needs and improvement goals as identified by stakeholders. Some of the improvement goals that can be addressed by a CIP include: stimulating private property maintenance and reinvestment activity; encouraging the coordination of municipal expenditures and planning and development activity; promoting the long term stability and viability of the designated Community Improvement Project Area; enhancing the visual quality of the designated area through the recognition and protection of heritage buildings; promoting the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses within the designated Project Area; supporting the creation of Affordable Housing by considering any municipally-owned, undeclared surplus land for Affordable housing before any other use is considered (subject to policy 12.12.2.2. ix) of the Official Plan); supporting the implementation of measures that will assist in achieving sustainable development and sustainable living; supporting the retention of heritage properties or areas; reducing the detrimental effects of incompatible land uses; and, upgrading physical services and social and recreational facilities in the Project Area.

In addition, the *1989 Official Plan* sets out criteria for designating community improvement project areas and initiatives which may be undertaken by Council to deal with existing deficiencies and to encourage private investment activity within the designated Project Area.

The London Plan, 2016

The London Plan is the new Official Plan for the City of London, adopted by Municipal Council in June 2016 and approved by the Ministry with modifications in December 2016. At this time, the majority of *The London Plan* is in force and effect with some portions under appeal at the Ontario Land Tribunal (formerly known as Local Planning Appeal Tribunal). Consistent with the *1989 Official Plan*, *The London Plan* outlines that community improvement project areas can be designated anywhere in the municipal boundary, and that Council may adopt a Community Improvement Plan for the project area to support community improvement goals and regeneration. Goals for community improvement are consistent with the *1989 Official Plan* and include:

1. maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open spaces, and public buildings;
2. maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services;
3. encourage the coordination of municipal servicing expenditures with planning and development activity;
4. stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity;
5. maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms;
6. encourage the conservation, restoration, adaptive re-use and improvement of cultural heritage resources;
7. encourage the eventual elimination and/or relocation of incompatible and conflicting land uses and where this is not possible, encourage physical improvements to minimize the incompatibility/conflict;
8. promote the improvement of energy efficiency standards for residential,

- commercial, industrial, public, recreational, institutional, religious, charitable or other uses;
9. foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts;
 10. upgrade social and recreational facilities and support the creation of affordable housing;
 11. support the implementation of measures that will assist in achieving sustainable development and sustainable living;
 12. improve environmental and social conditions;
 13. promote cultural and tourism development;
 14. facilitate and promote community economic development; and,
 15. promote and improve long-term community stability, safety and quality.

As outlined in the previous *Argyle Regeneration Study Recommendations*, community improvement in the Argyle Area is desirable because of age, dilapidation, unsuitability of buildings, deficiencies in infrastructure, as well as other environmental, social and community economic development reasons consistent with the *Planning Act*. A Community Improvement Plan for the Argyle Core Area is warranted, given that:

- an Argyle Core Area CIP can provide tools to encourage (re)investment and collaboration which will assist with successfully implementing the CIP;
- the preparation of a long-term vision for the area would provide significant benefits such as a more positive neighbourhood image, enhancing the sense of place and further promotion of one of London's unique neighbourhoods;
- there is potential for appropriate infill and intensification which could assist in revitalization and community economic development for the Dundas Street Corridor and surrounding area;
- during the community engagement-process, concerns were raised about social challenges residents and businessowners are experiencing such as crime, people experiencing homelessness and drug addiction; and,
- the Argyle Core Area CIP can contribute to addressing local concerns and community needs regarding safety, mobility, quality streetscapes and a more pedestrian-friendly environment.

CIPs in London

At present, the City of London has adopted eleven (11) CIPs. The CIPs are intended to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve the physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. This may include incentives and targeted private and/or public investment and the ability to acquire, clear and dispose of land to support community improvement and economic development. The approved criteria-based CIPs include Affordable Housing, Airport, Brownfield, Heritage and Industrial. The approved neighbourhood CIPs are the Core Area, Downtown, Hamilton Road, Lambeth, Old East Village and SoHo.

1.4 Purpose of the Argyle Core Area Community Improvement Plan

The City of London has developed the attached Argyle Core Area CIP which will assist in achieving revitalization and redevelopment by:

- designating a Community Improvement Plan Project Area;
- identifying the strengths, weaknesses, opportunities, and threats to the Argyle Area as perceived by the community;
- establishing a vision and objectives for the Argyle Core Area CIP Project Area
- researching and prioritizing action-items for community improvement in the Argyle Core Area CIP Project Area; and
- implementing incentive programs that can stimulate private sector investment in the area.

1.5 Process Used in Developing the Argyle Core Area Community Improvement Plan

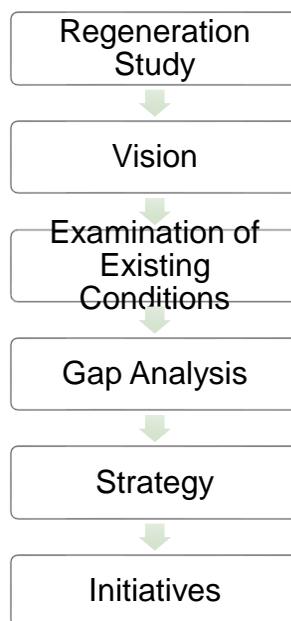
In November 2019, Civic Administration was directed to undertake a comprehensive regeneration study of the Argyle Business Improvement Area (BIA) and surrounding areas. During 2020, City Planning Staff conducted the study including research, data collection, analysis, and consultation with stakeholders, other service areas and the public. Based on the research, consultation findings and applicable legislation, Staff found that a CIP is warranted for the Argyle Area. Municipal Council, at its meeting held on January 12, 2021 directed Civic Administration to undertake the development of a Community Improvement Plan for the Argyle Area.

Typically, a Terms of Reference is established at the beginning of the CIP-process to provide structure and help to guide the following key phases of the project:

- develop a vision for the CIP with the community;
- examine and evaluate the existing conditions;
- identify the gaps between existing conditions and the ideal situation (the vision); and,
- develop initiatives and a course of action to guide community improvement in the Argyle Area.

Since the Argyle Regeneration Study (presented at PEC on Dec. 14, 2020) included a detailed Community Profile, summary of consultation findings and a review of public and private investment over time, it was decided that a Terms of Reference was not necessary for the Argyle CIP project. Therefore, in the graphic below the first step of creating a Terms of Reference was replaced by the *Argyle Regeneration Study*.

Figure 1: Community Improvement Plan Process



In June 2021, a Draft Argyle Core Area was presented at the Planning & Environment Committee for consent and circulated for public review. The feedback that was received through this circulation process has helped form the Final Argyle Core Area CIP recommended in this report.

1.6 Consultation & Communication

Community consultation has remained a significant part of this project, and many people were involved in a number of ways. The section below provides a summary of the communication and consultation conducted for this project:

- **City Website Project Webpage:** Staff established an Argyle Area CIP webpage on the City’s website to provide the project background, study area, regular updates, opportunities for feedback, project-timeline and contact information. The website can be found at: <https://getinvolved.london.ca/Argyle>

- **Project Updates:** City Planning created a Contact List and emailed project updates which included information about upcoming Community Meetings, Meeting Summaries, Committee Report, and a link to the Project Webpage.
- **Argyle Business Improvement Area Meeting:** On February 11, 2021 Staff provided an update on the Argyle CIP process to the Argyle BIA board.
- **Virtual Community Information Meeting #1:** On February 17, 2021 Staff launched the Argyle CIP process, Ward-Councilor Lewis provided an update on approved infrastructure-projects in Argyle, and Staff received input from stakeholders on community needs, desired improvements, and a vision for the Argyle Area.
- **Argyle Community Association Survey:** A survey was included as part of the ACA email-list for April 2021 so members could provide feedback on their vision for the neighbourhood and regeneration efforts.
- **Virtual Planning Hours:** Between May 10 and May 14, 2021, Staff hosted eight (8) opportunities for a 1 on 1 conversation to talk about the project, ask questions and provide suggestions for the CIP project
- **Virtual Community Information Meeting #2:** On June 2nd, 2021 Staff hosted a virtual meeting to define the draft vision, objectives and goals, and confirm what stakeholders identify as requiring improvement.
- **Argyle Business Improvement Area Meeting:** On July 15, 2021 Staff presented the Draft Argyle Core Area Community Improvement Plan to the Argyle BIA board.
- **Argyle Stakeholder Meeting:** On July 20, 2021 an in-person meeting at the Argyle BIA Office took place with relevant stakeholders including the Councilor for Ward 2, representatives from the ACA & BIA and City-Staff.

Throughout the CIP process to date, staff have received six written correspondences (emails and letters) and two phone calls. In addition, 10 surveys were filled in on the City Website Project Website.

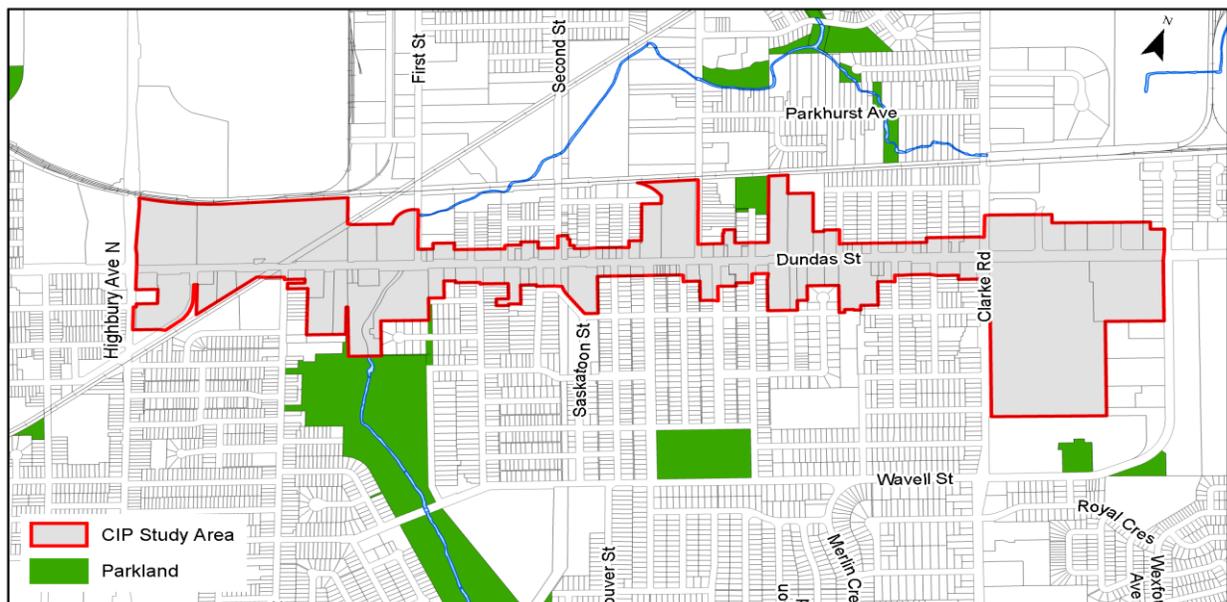
2.0 Argyle Area CIP Study Area

2.1 Study Area

When a CIP is being prepared, a Study Area is established early in the process to maintain a geographical focus and to help avoid “scope creep” as the project moves forward. *The Argyle Regeneration Study* applied to the whole Argyle Planning District, but for the Argyle CIP a smaller Study Area was established based on the existing Argyle BIA boundaries. This Study Area was chosen because stakeholders identified the Dundas Street Corridor as the location where the need for community improvement was the greatest. As Dundas Street is the main artery through the community where most businesses are located, regeneration and revitalization initiatives in this area will provide the most benefits for the overall community.

The Project Area for the Argyle Core Area CIP includes the properties fronting Dundas Street, and is bounded by Highbury Avenue to the west, Canadian Pacific Railway to the north, Wavell Street to the east and Whitney Street to the south. Important community amenities such as the Argyle Mall on Clarke Road are located within the Study Area.

Figure 2: Argyle Community Improvement Plan Study Area



From the Study Area, a Community Improvement Project Area (“Project Area”) is established. Ontario’s *Planning Act* defines a community improvement project area as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

2.2 Sub Project Area

The Project Area has been further divided into two Project Sub-Areas which as based on the existing conditions and characteristics during the preparation of this plan. The Sub-Areas include:

1. The Dundas Street Corridor
2. The Argyle Mall Area

Dundas Street Corridor

The recommended Project Sub-Area is located along Dundas Street, the corridor is the spine that runs through the Argyle community. Dundas Street is a main gateway to Downtown and provides access to the Veterans Memorial Parkway and from there to Highway 401. The Dundas Street Corridor was designed to prioritize vehicular traffic, which has led to large volumes of traffic but leaves opportunities to develop a high-quality public realm and improve pedestrian environment along the corridor. Dundas Street and its many stores, restaurants and other small businesses are conveniently located and provide residents with most of their day-to-day shopping needs.

The Argyle Mall Area

The Argyle Mall Area is located east of the intersection of Dundas Street and Clarke Road, and comprises the Shopping Area adjacent to the Dundas Street Corridor. SmartCentres Real Estate Investment Trust (REIT) has full ownership of the 355,000 square feet shopping centre and leases to approximately 34 commercial tenants. The Argyle Mall provides for most day-to-day shopping needs and includes stores like Walmart, Winners, No Frills, Staples, Mark’s, CIBC, Burger King, LCBO and others. The Argyle Shopping Centre transit terminal is located in front of the mall, and includes LTC-routes 2, 3, 5, 7, 17, 35, 37 and 94.

The area to the north of Dundas Street and east of Clarke Road is part of the Argyle Mall Sub Project Area but has somewhat different characteristics than the main area of the Argyle Mall south of Dundas Street. This area is not under ownership by SmartCentres REIT and generally consists of smaller retail-units, food-chains (such as McDonalds and Pizza Hut), a thrift store and financial institutions.

3.0 Key Findings

3.1 Community-Identified Needs and Weaknesses in the Argyle Area

As part of the (virtual) community meetings, stakeholders were asked to identify issues that require action and/or improvement. These needs are perceived by the community as barriers to successful regeneration of the neighbourhood. A brief summary of issues people identified is provided below; more detail is provided in Appendix D of the Argyle Core Area CIP.

Social

- Issues with crime and safety;
- Argyle doesn't have unique characteristics/theme or 'Argyle Village feel';
- Better crime prevention and more police presence;
- More assistance for people dealing with addictions and homelessness;
- Perception of unsafe neighbourhood;
- Sidewalks along Dundas Street are narrow and close to traffic;
- Concerns about drug use and drug paraphernalia;
- Need for affordable housing and retirement homes for seniors;
- Lack of lighting;
- More community events and outreach;
- Neighbourhood is poorly supported by services when things go wrong (Police, EMS);
- Argyle Mall is underused for events, e.g., children's amusement park or spring/fall festival;
- Need a short-term night watch;
- Neighbourhood feels unsafe at night.

Economic

- Vacant and dated looking building facades;
- Leverage visitors to Argyle Mall for whole neighbourhood;
- Area is stagnating due to disinterest, crime and homelessness;
- Businesses are dated but familiar;
- Opportunity for more mixed-use spaces;
- Perceived as low-income area;
- Lack of housing-options;
- Less big box-stores, more small businesses;
- Lack of support from the City for local businesses;
- Under resourced/ missing amenities such as movie-theatre and more grocery-store options;
- Need an anchor that draws people into Argyle from other parts of the City;
- Focus on successful narratives of small businesses;
- Lack of outdoor eating areas (especially during Covid-19).

Environmental

- Car-centric, Argyle is not perceived as a bike or pedestrian friendly area;
- Missing curbs and sidewalks on local streets;
- Older building stock has significant energy conservation/efficiency issues;
- Dundas Street is in poor condition, improve road quality and safety;
- High amount of environmental contamination, including Kiwanis Park and Pottersburg Creek;
- Too much traffic and congestion;
- Too many entrances onto Dundas Street;
- Better transit-amenities, currently no shelter, benches and too close to the road;
- No places to sit in the shade;
- Lack of trees and green spaces;
- Lack of bike lanes in the area;
- Limited amount of heritage designations and protection;

- Need for pleasant and safe active transportation routes;
- Need better integration between commerce and greenscapes;
- Smaller blocks along Dundas Street and more pedestrian crossings: Dundas Street is a barrier between north and south;
- Entrance to Kiwanis Park is hard to find (no directional signs).

Other

- Loss of historic identity;
- London Transit Commission routes are perceived as inconvenient;
- Build a narrative how Argyle serves London more broadly (businesses, industry, agriculture);
- Walkability should be a priority, e.g., wider sidewalks away from the street;
- Better marketing from the City for East London.

3.2 Issues Identified by Staff

In addition to the needs and issues addressed by stakeholders, City Planning staff identified items requiring attention. Staff's findings are summarized below; more detail is provided in Appendix C of the Argyle Core Area CIP.

- **Pedestrian-oriented commercial corridor:** The design of Dundas Street is currently auto-oriented, with narrow sidewalks and many driveways providing access to businesses. These design elements, coupled with large amounts of traffic, make the corridor unpleasant and unsafe for active mobility users such as pedestrians and cyclists. One of the CIP objectives is to improve the pedestrian environment along Dundas Street so that the Dundas Corridor becomes a more pedestrian focused Main Street.
- **Investment & Growth:** The Argyle community has been largely stable in the last decades but has been experiencing a population increase since 2016. The increasing population, coupled with low vacancy rates and rising housing prices indicate a clear need for more housing development. The private sector is making significant investments in the Argyle area; over \$32 million has been invested in Residential, Commercial, Industrial and Institutional development since 2015. In that same timeframe, a total of 536 building permits were issued in Argyle, 80 of these permits occurred in the CIP Study Area (Argyle BIA). This indicated that the area is seen as a viable area for investment, however investment remains at a lower rate compared to the rest of the urban area of London.
- **Length of Corridor:** The Dundas Street Corridor spans approximately 3km from Highbury Avenue North to Wavell Street. The length of the CIP Study Area is long, with businesses spread out along the corridor. The exception is the concentration of businesses at the Argyle Mall, which is located near the eastern end of the corridor. The Argyle Mall can be considered an anchor and focal point for future growth. However, other amenities such as Kiwanis Park, the East London Library and the East Lions Community Centre are outside of the Dundas Street corridor, resulting in a long and somewhat disjointed corridor.
- **Transitional Urban Corridor:** The Dundas Street Corridor is primarily an Urban Corridor Place Type, intended to implement the Auto-Oriented Commercial Corridor designation in the 1989 Official Plan. This provides for a broad range of commercial uses, and it is intended that the Dundas Corridor is recognized as a unique commercial district accommodating this range of commercial uses on lot sizes which are generally smaller than normally required. The London Plan acknowledges the current development pattern and applies the Transitional Urban Corridor policies to the segment of Dundas Street from First Street to Crumlin Sideroad (located to the west of Veterans Memorial Parkway). The purpose is to maintain, at a minimum, the existing intensity, while supporting the

movement toward more intense forms and uses as permitted under the Urban Corridor Place Type.

- **Infrastructure renewal:** Dundas Street is a major corridor and truck route connecting Veterans Memorial Parkway with Old East Village and Downtown London. Dundas Street has a daily average of 22,500 to 28,000 vehicles, and 36,000 vehicles on Highbury Avenue North at the intersection with Dundas Street. Congestion and the poor state of some roads and sidewalks in Argyle are a concern and contribute to the perceived poor condition of the corridor. The City is working on replacing aging infrastructure in Argyle. As part of the 2019 Arterial Road Rehabilitation, two road segments near the intersection were resurfaced: Dundas Street East; from McCormick Boulevard to Pottersburg Creek and Highbury Avenue North; South of Brydges Street to Dundas Street East. The upcoming Pottersburg Creek Sanitary Trunk Sewer (STS) project is an opportunity for road reconstruction including new curbs on another segment of Dundas Street; starting with the first phase between Pottersburg Creek to Burdick Place. Improvements that are contemplated as part of the design include pedestrian scale lighting, additional trees, visually contrasting surface treatments and wider sidewalks. Later phases that will also be renewed are between Burdick Place to Beatrice Street and between Merlin Street and Ronald Street.

4.0 Format and Content of the Community Improvement Plan

4.1. Vision

The Argyle Core Area Community Improvement Plan starts with a vision developed with the community during virtual community meetings:

By 2035, the Argyle Core Area will be a welcoming, well-maintained and safe destination with unique small businesses and shops, as well as supporting an established growing residential neighbourhood.

4.2. Community Objectives

Stakeholders were asked to rank objectives for community improvement in the Dundas Street corridor. The objective with the highest priority is listed first, the objective with the least perceived priority is last:

1. Support local businesses to create a vibrant and mixed-use main street.
2. Develop a high-quality public realm that is clean and accessible.
3. Provide opportunities for recreation and relaxation that encourages residents and visitors to leave their car and explore the neighbourhood.
4. Stimulate private sector investment in revitalizing the Argyle Area.
5. Improve the pedestrian environment along Dundas Street.
6. Improve the mobility and connections to other parts of the city.

The vision and objectives are followed by targeted improvement actions. Through the consultation with the community, 12 targets for improvement were developed from the list of items identified as needing improvement in the Argyle Project Area. The 12 targets for improvement as prioritized by the community are:

1. Crime & homelessness prevention;
2. Safety;
3. Improvement of the public realm;
4. Supporting small businesses;
5. Improving the older and/or vacant building stock;
6. Enhancing Argyle identity and public perception;
7. Opportunities for infill development and redevelopment;
8. Cleanliness of Dundas Street corridor;
9. More stable and affordable housing options (aimed at seniors and below average market rent affordable);
10. Foster broader range of uses;

11. Improve active mobility;
12. Conserving natural heritage.

The 12 targets for improvement were summarized into 6 categories that form the basis for the Argyle Core Area Community Improvement Plan:

1. **Developing a High-Quality Public Realm:** The Argyle Core Area will have a pedestrian-oriented streetscape and public spaces that are safe, clean, accessible and pleasant.
2. **A Safer Neighbourhood for All:** The Argyle Core Area will be a safe, accessible and healthy place to live, visit and work by improving safety and accessibility related issues.
3. **Supporting Businesses:** The Argyle Core Area will have strong, diverse, well-maintained and connected businesses and a business environment that attracts visitors, serves the local community, and supports business retention, expansion & investment.
4. **Enhancing Parks and Places to Sit and Linger:** Natural features and places to sit and linger will be enhanced, conserved and celebrated, and the Argyle Core Area will have strong connections to a range of recreational amenities and programs.
5. **Improved Mobility:** The Argyle Core Area will have an interconnected community-wide transportation network that is safe, convenient, and prioritizes active mobility.
6. **Strengthening the Community:** The Argyle community will continue to develop and maintain strong connections within the community and the City, and build capacity to work strategically with stakeholders to achieve community goals.

The recommended community improvement actions fall under one of the above six categories.

4.3. Community Improvement Plan Action Items

All recommended CIP actions are identified in an Actions Items table in the Argyle Core Area CIP, attached to this report as Schedule 1 to Appendix B. Action Items align with the Vision, Goals and Objectives defined through the Argyle CIP process. The table identifies proposed lead(s) and partners, suggests a priority for implementation, and relative funding requirements (high, medium, low, no cost) for each Action Item.

There is not one organization or person solely responsible of managing and implementing CIP action items. Successful implementation of the Argyle Core Area Community Improvement Plan depends on many stakeholders working together, and ideally champions will emerge to lead different actions. Implementation depends on a number of factors such as priorities, costs, availability of funding and the willingness of the stakeholders and the community to lead projects.

The Action Items table is divided into the following two categories:

1. **Municipal Actions:** Leading these Action Items is the responsibility of Municipal Service Areas. Many of these Action Items are part of existing projects or programs.
2. **Community Opportunities:** Leading these Action Items is the responsibility of community stakeholders.

In terms of general implementation priorities for the Municipal Actions, Action Items identified as 1st priorities can be implemented with existing resources. Action Items identified as 2nd and 3rd priorities have higher costs and may require future budget considerations, longer-term implementation plans and/or coordination with stakeholders.

5.0 Monitoring & Evaluation

The Argyle Core Area CIP features a Monitoring and Evaluation section which provides a framework for regularly tracking the progress of the CIP, and ensuring that priorities and assumptions remain relevant to achieving the Vision, Goals, and Objectives.

A number of baseline conditions were determined during the preparation of the Argyle Core Area CIP against which future information can be compared. This provides a consistent framework for evaluating the ongoing changes in the Argyle Core Area CIP Project Area. Variables/measures may be added to the baseline conditions. Any financial incentive programs made available through the Argyle Core Area CIP will also be monitored and the information will be stored in a database.

Staff are recommending that a Monitoring Report is prepared every four years to evaluate the Community Improvement Plan and its individual programs. This report and evaluation will be based on the changes to the baseline conditions, feedback from stakeholders, and any new issues, conditions, or opportunities that have emerged.

Conclusion

Based on the policy analysis demonstrated in this report, the *Argyle Regeneration Study Recommendations* and the community engagement over the past two years, community improvement in the Argyle Core Area is desirable because of age, dilapidation, unsuitability of buildings, deficiencies in infrastructure, as well as other environmental, social and community economic development reasons consistent with the Planning Act. The attached Argyle Core Area Community Improvement Plan combines the community's vision for improvement with issues identified by staff into one comprehensive plan. Staff recommends that the Argyle Core Area Community Improvement Plan be adopted including the financial incentive guidelines, all pursuant to Section 28 of the *Planning Act*, Chapter 14 of the *1989 Official Plan* and Our Tools Section of *The London Plan*.

Prepared by: Isaac de Ceuster,
Planner I, Long Range Planning & Research

Reviewed by: Jim Yanchula, MCIP, RPP
Manager, Core Area & Urban Regeneration

Recommended by: Gregg Barrett, AICP
Director, Planning & Development

Concurred by: Mark Henderson
Interim Director, Economic Services and Supports

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 Official Plan of the City of London, 1989 to designate the Argyle Core Area Community Improvement Project Area.

WHEREAS by subsection 28(2) of the *Planning Act*, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area covered by an official plan as a community improvement project area;

AND WHEREAS the 1989 Official Plan for the City of London contains provisions relating to community improvement within the City of London;

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

1. The Argyle Core Area Community Improvement Project Area, as contained in Schedule 1, attached hereto and forming part of this by-law, is designated.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

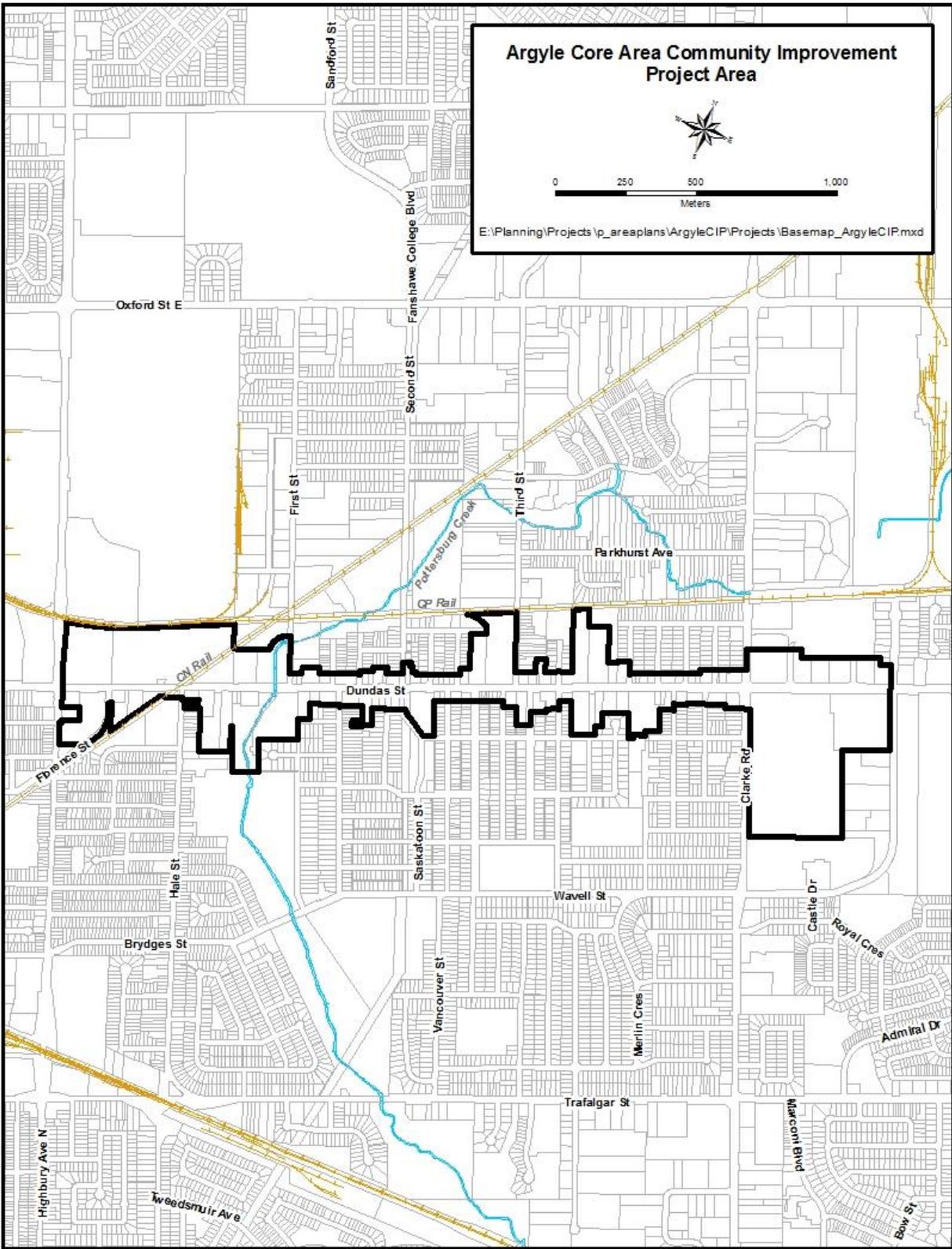
PASSED in Open Council on October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

Schedule 1 – Argyle Core Area Community Improvement Project Area



Appendix B – Adoption of the Community Improvement Plan

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

By-law No. C.P. XXXX

A by-law to adopt the Argyle Core Area
Community Improvement Plan.

WHEREAS by subsection 28(4) of the *Planning Act* enables the Council of a municipal corporation may to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Argyle Core Area Community Improvement Project Area;

AND WHEREAS the Argyle Core Area Community Improvement Project Area is in conformity with the 1989 Official Plan;

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

1. The Argyle Core Area Community Improvement Plan, attached hereto, is hereby adopted as the Community Improvement Plan for the area defined therein;
2. This By-law shall come into force on the day it is passed.

PASSED in Open Council on October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

**Appendix C – Amendment to 1989 Official Plan – Areas Eligible for
Community Improvement**

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

By-law No. C.P.-XXXX

A by-law to amend the 1989 Official
Plan for the City of London relating to
the Argyle Core Area Community
Improvement Project Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to the 1989 Official Plan for the City of London Planning Area, as contained in Schedule 1 attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

AMENDMENT NO.
to the
1989 OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. to add a new clause to Section 14.2.2 ii) of the 1989 Official Plan to include the Argyle Core Area to the list of commercial areas eligible for community improvement; and,
2. to amend Figure 14-1 that will recognize the entire Dundas Street Corridor Project Sub-Area and Argyle Mall Project Sub-Area as commercial areas eligible for community improvement.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands in the City of London generally described as follows:

Dundas Street Corridor Commercial Area: properties having frontage on Dundas Street from Highbury Avenue North to Clarke Road; and,

Argyle Mall Area: properties having frontage on Dundas Street from Clarke Road to Wavell Street.

C. BASIS OF THE AMENDMENT

This Amendment will allow the entire Dundas Street Corridor Project Sub-Area and the Argyle Mall Project Sub-Area to be eligible for the financial incentives offered through the Argyle Core Area Community Improvement Plan.

D. THE AMENDMENT

The 1989 Official Plan for the City of London is hereby amended as follows:

14.2.2 ii)

(h) Dundas Street Corridor

This is the spine of the community designated as the Dundas Street Corridor Project Sub-Area of the Argyle Core Area Community Improvement Project Area. The area functions as a main gateway to Downtown and the "Main Street" of the Argyle community. The large volumes of traffic that pass through have contributed to a decline in the quality of the urban corridor environment. Dundas Street and its many stores, restaurants and other small businesses are conveniently located and provide residents with most of their day-to-day shopping needs.

(i) Argyle Mall Area

This area located east of the Dundas Street and Clarke Road intersection is designated as a Project Sub-Area of the Argyle Core Area Community Improvement Project Area. Anchored by the Argyle Mall, it also includes commercial properties to its north that provide for many day-to-day shopping needs and also includes the Argyle Shopping Centre transit terminal.

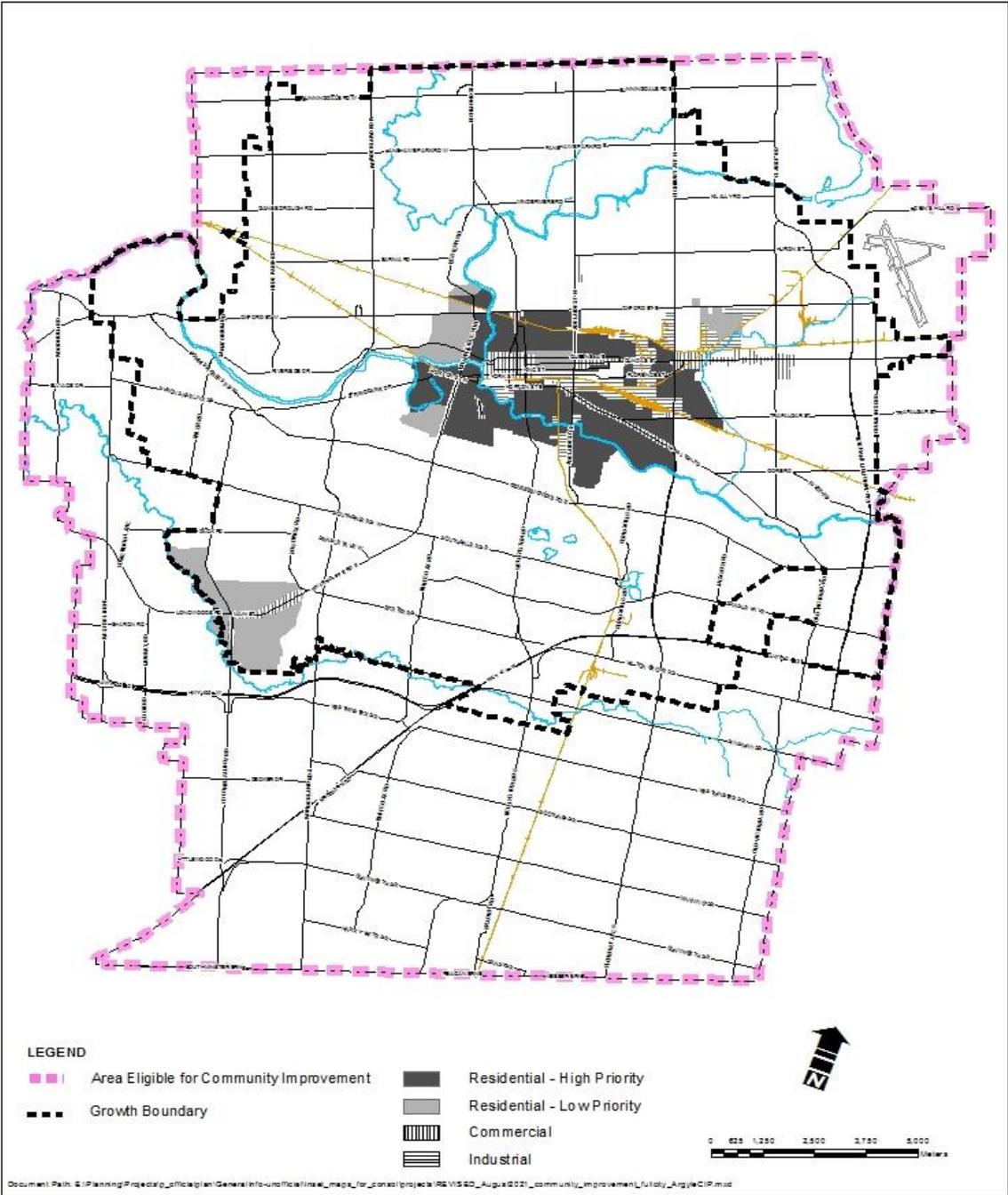
Figure 14-1, Areas Eligible for Community Improvement, to the 1989 Official Plan for the City of London Planning Area is amended by adding the boundary of the Argyle Core Area Community Improvement Project Area as indicated on "Schedule 1" attached hereto.

Schedule 1 – Areas Eligible for Community Improvement

FIGURE 14-1

AMENDMENT NO.

AREA ELIGIBLE FOR COMMUNITY IMPROVEMENT



Appendix D – Establishment of Financial Incentives

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

By-law No. C.P.- XXXX

A by-law to establish financial incentives
for the Argyle Core Area Community
Improvement Project Area.

WHEREAS by subsection 28(2) of the *Planning Act*, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area covered by an official plan as a community improvement project area;

AND WHEREAS by subsection 28(4) of the *Planning Act* enables Council of a municipal corporation to adopt a community improvement plan for the community improvement project area;

AND WHEREAS the 1989 Official Plan for the City of London contains provisions relating to community improvement within the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has by By-law designated a community improvement project area identified as the Argyle Core Area Community Improvement Project Area;

AND WHEREAS the Municipal Council of The Corporation of the City of London has by By-law adopted the Argyle Core Area Community Improvement Plan for the area identified as the Argyle Core Area Community Improvement Project Area;

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

1. The Argyle Core Area Community Improvement Plan - Financial Incentive Program Guidelines attached hereto as Schedule 1 is hereby adopted;
2. This By-law shall come into force on the day it is passed.

PASSED in Open Council on October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

**Appendix E – Amendment to Map 8 – Community Improvement
Project Area**

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 to add the Argyle Core Area Community Improvement Project Area.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 5, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 5, 2021
Second Reading – October 5, 2021
Third Reading – October 5, 2021

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To amend Map 8 (Community Improvement Project Areas) in Appendix 1 (Maps) of The London Plan for the City of London to add the Argyle Core Area Community Improvement Project Area.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally defined as fronting Dundas Street between Highbury Avenue North and Wavell Street, including the Argyle Mall located at the intersection of Dundas Street and Clarke Road.

C. BASIS OF THE AMENDMENT

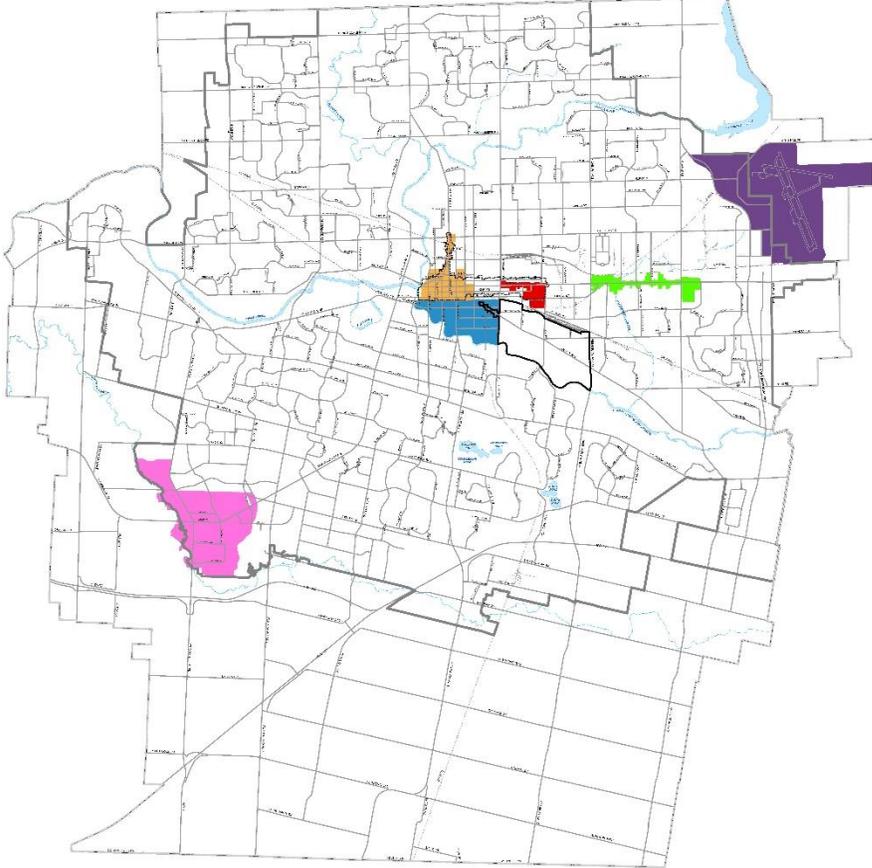
This Amendment is to facilitate a multifaceted strategy to establish a long-term vision for improvement for the Argyle Core Area through the preparation of a Community Improvement Plan applicable within the area outlined in this amendment.

D. THE AMENDMENT

The Official Plan, 2016, The London Plan is hereby amended as follows:

Map 8 – Community Improvement Project Areas is amended by adding the boundary of the Argyle Core Area Community Improvement Project Area, as indicated on “Schedule 1” attached hereto.

MAP 8 - COMMUNITY IMPROVEMENT PROJECT AREAS



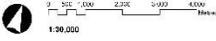
LEGEND

- Area Designated for Improvement Project
- Area of Concern for Improvement Project

NOTE: The boundaries of the City of London are shown in black. The boundaries of the City of London are shown in black. The boundaries of the City of London are shown in black.

BASE MAP FEATURES

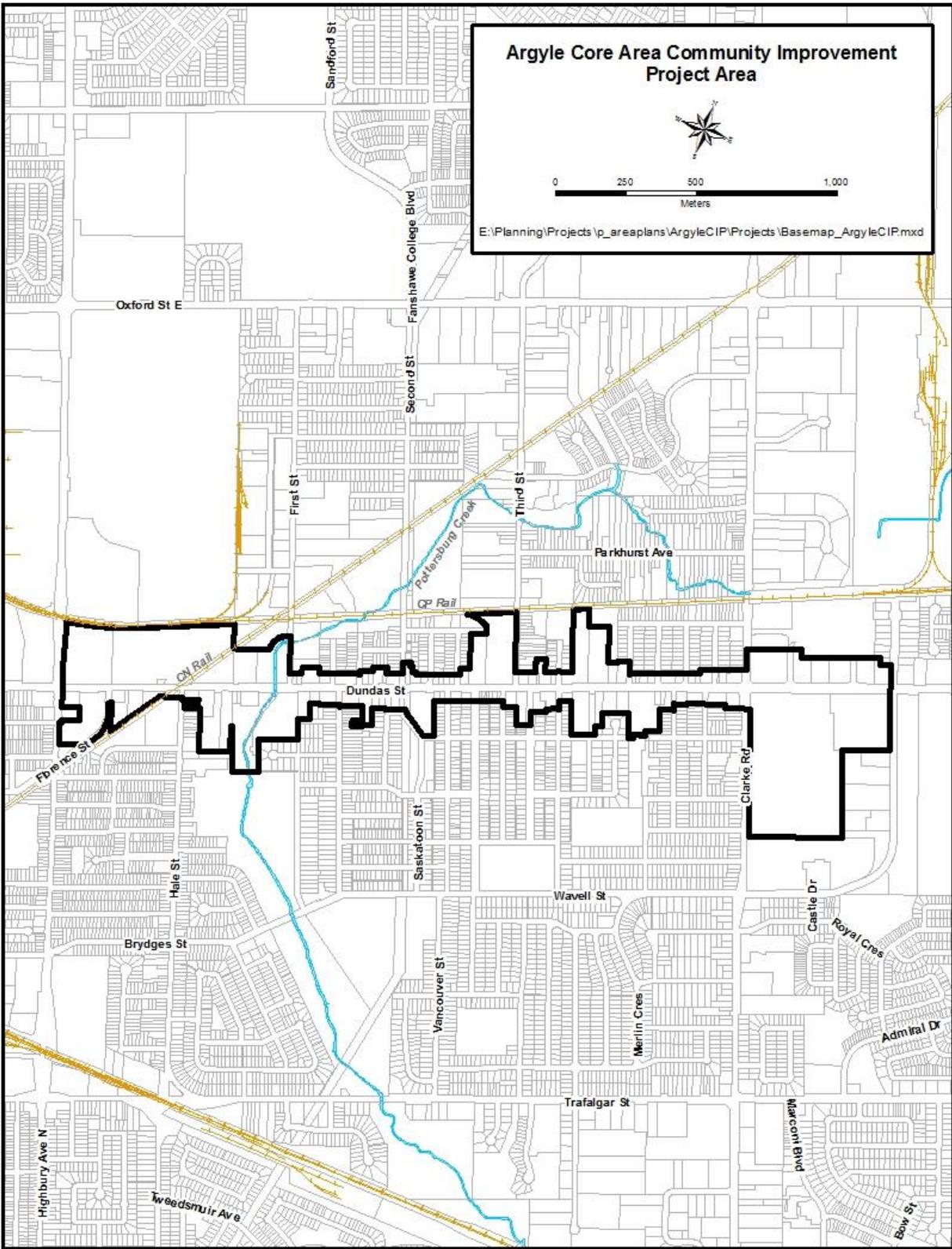
- Boundary
- Boundary
- Boundary
- Boundary



ADOPTED BY COUNCIL ON JUNE 23, 2016
 APPROVED BY THE MINISTRY OF
 MUNICIPAL AFFAIRS ON DECEMBER 28, 2016
 LONDON PLAN CONSOLIDATED
 MAY 28, 2021
**THIS MAP MUST BE READ IN CONJUNCTION
 WITH THE TEXT OF THE LONDON PLAN**

While every effort has been made to ensure that the mapping is accurate, it should be noted that the information contained in this map is not intended to be used as a substitute for a professional survey. The City of London is not responsible for any errors or omissions in this map. © 2021 City of London. All rights reserved.

Schedule 1: Argyle Core Community Improvement Project Area



Schedule 1 – Argyle Core Area Community Improvement Plan – Financial Incentive Program Guidelines

This program guideline package provides details on the financial incentive programs provided by the City of London through the Argyle Core Area Community Improvement Plan (CIP), which includes:

- Upgrade to Building Code Loan;
- Façade Improvement Loan; and,
- Rehabilitation & Redevelopment Tax Grant;

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How to Read this Document

Each of the financial incentive programs has its own specific Purpose, Program Objectives and Eligible Improvements. However, many components of the programs are shared, including: Definitions; Eligibility Criteria; Targeted & Non-Targeted Uses; Appeal of Refusal Section; Relationship to other Financial Incentive Programs; and, Monitoring & Discontinuation of Programs. Therefore, these program guidelines are arranged so that the shared Program information is set out at the beginning, and the details specific to individual programs are outlined in the program specific sections.

This document helps to identify the responsibilities of each stakeholder in the incentive program process. The initials **PO** indicate the Property Owner (or agent acting on behalf of the property owner) is responsible for completing that task or action, whereas the initials **CL** indicates that a City of London staff member holds the responsibility for that task or action.

PO – Check the map to locate your property in the Argyle Core Area Community Improvement Project Area – Dundas Street Corridor Project Sub-Area or Argyle Mall Project Sub-Area. After verifying the property location on the map, check Table 1 to verify the applicable program(s). Then proceed to review the rest of the program guidelines or use the Table of Contents to skip directly to a program to learn more about it and its eligibility information.

Map 1 – Argyle Core Area Community Improvement Project Area

Only properties located in the Argyle Core Area Community Improvement Project Area are eligible for financial incentives.

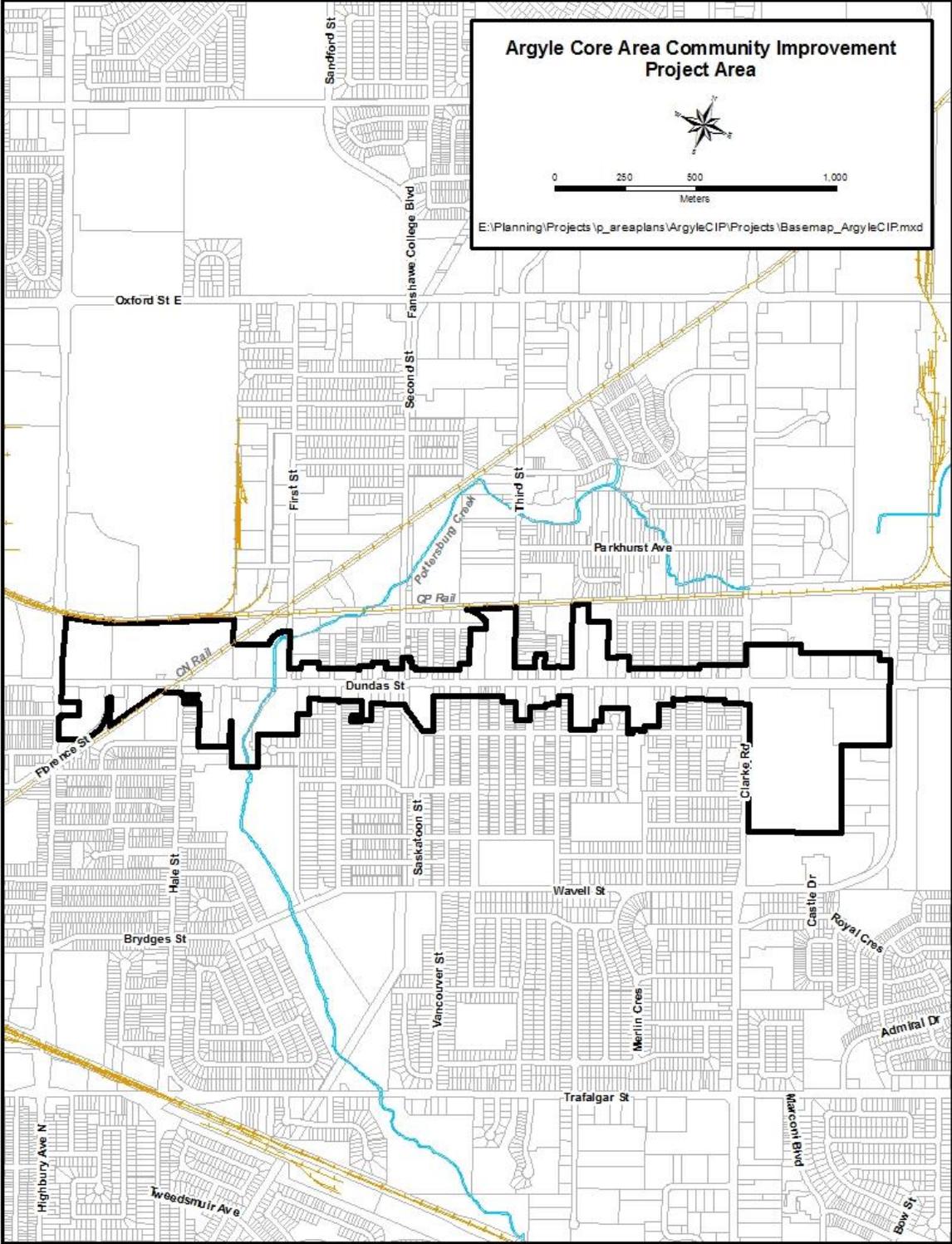


Table 1 – Financial Incentive Programs Offered in the Argyle Core CIP Project Area:

Financial Incentive Program	Argyle Core Area CIP Project Area (see map 1)
Façade Improvement Loan	√
Upgrade to Building Code Loan	√
Rehabilitation and Redevelopment Tax Grant	√

1. Definitions

Active Occupancy – The space being used by a business that is open, in operation and serving customers.

Annual Grant Amount – The annual grant is defined as the grant amount that would be given to the applicant in any one year of the ten-year grant period.

- For Tax Grant, this means each property owner will be given ten annual grants and the annual grant amount will change over this period depending upon year and grant level;
- For Forgivable Loans, this means the amount that would be given each year based on the *Yearly Grant Value* set out in the agreement and *Pro-rated Yearly Grant Percentage* which is based on ground floor occupancy;
- For the Combined Development Charge (DC)/Tax Grant, this means the amount that would be given to the applicant in any one year of the grant period. Each property owner will be given annual grants until such time as the value of Residential DCs have been repaid. The annual grant amount may change over the term of the grant period depending upon year and grant level.

Annual Grant Calculation – The annual grant for any single year will be calculated as follows, the *Annual Tax Increment* multiplied by the *Year/Level Factor*.

Annual Tax Increment – The incremental difference between the municipal portion of property taxes that would be paid for a full year before the improvement versus after the improvement. This can also be considered the tax increase that is directly related to the renovation or redevelopment project. This amount is fixed based on the tax rate at the time of pre-improved assessed value.

Annual Tax Increment Calculation – The annual tax increment will be calculated as follows, the annual taxes based on the post-improved assessed value less the annual taxes based on the pre-improved assessed value. This annual tax increment is fixed for the ten-year duration of the grant schedule. Changes to the tax rate, general reassessments or changes in tax legislation will not be considered for the purpose of calculating the annual tax increment.

Example:

Annual tax based on post-improved assessed value	\$100,000
- Annual tax based on pre-improved assessed value	- \$25,000
= <i>Annual Tax Increment</i>	= \$75,000

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

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

Calendar Year – The 12 months of the year commencing January 1 and ending December 31.

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

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

- Complete drawings of the works to be undertaken (including a façade drawing for façade projects);
- Itemized list of specific improvements;
- Two (2) comparable quotations by qualified contractors showing cost estimates for each of the proposed works which are required to be included in the incentive program. In general, the lower of the two estimates will be taken as the cost of the eligible works. Cost estimates should be consistent with the estimate noted on the accompanying Building Permit (if required);
- A cover letter that summarizes the work to be completed and summarizes the provided quotations;
- A signed copy of the Addendum including the Hold Harmless Agreement, General Liability Insurance, and Contractor qualifications;
- A copy of the Building Permit (if required);
- A copy of the Heritage Alteration Permit (if required);
- Any other information that may be deemed necessary by the Director, Economic Services and Supports , or designate.

Development Charge – Means any Development Charge (DC) that may be imposed pursuant to the City of London's Development Charge By-law under the Development Charges Act, 1997.

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

Dwelling unit – Means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping, and sanitary facilities.

First storey – The storey that has its floor closest to grade and its underside of finished ceiling more than 1.8 m above the average grade.

Grant Cap – The maximum amount of money that the City will provide as a grant back to the property owner.

Maximum Yearly Grant Value – Grant values are established in the payment schedule which is included in the agreement between the City and the property owner. With respect to the forgivable loans the annual grant equals the yearly loan repayments multiplied by a percentage, to a cap, as shown below:

Program	Loan Amount	Forgivable Loan Portion	Considerations for Yearly Grant
Upgrade to Building Code	\$200,000 maximum	The lesser of a maximum of \$25,000 or 12.5% of the loan is eligible to be paid back in the form of grants over the term of the loan.	<ul style="list-style-type: none"> • Number of payments made in the previous <i>Calendar Year</i> • Number of months the main floor was actively occupied with a targeted use in previous <i>Calendar Year</i>
Façade Improvement	\$50,000 maximum	The lesser of a maximum of \$12,500 or 25% of the loan is eligible to be paid back in the form of grants over the term of the loan.	<ul style="list-style-type: none"> • Number of payments made in the previous <i>Calendar Year</i> • Number of months the main floor was actively occupied with a targeted use in previous <i>Calendar Year</i>

Municipal Portion of Property Tax – For the purposes of the Tax Grant program, property taxes refer only to the municipal portion of the property taxes paid, and does not include such charges/taxes/levies as education, water, sewer, transit or phase-in.

Non-Targeted Area – Lands within the Argyle Core Area Community Improvement Plan Project Area which are eligible for incentive programs however are not eligible for consideration of Forgivable Loans.

Non-Targeted Uses – The use occupying the ground floor of a building which is permitted under the land use zone but not listed as a targeted use. Please refer to Section #2 for a full list of *Targeted* and *Non-Targeted Uses*.

Post-Improved Assessed Value – For the purpose of calculating the *Annual Tax Increment*, the *Post-Improved Assessed Value* of the property will be established based on:

- i. Completion of the project as identified by the applicant; and
- ii. Completion of the reassessment of the property by the Municipal Property Assessment Corporation (MPAC) such that the work done at the project completion date (defined in i. above) is recognized. Note: Receiving the *Post-Improved Assessed Value* from MPAC may take one to two years or longer.

Pre-improved Assessed Value – For the purpose of calculating the *Annual Tax Increment*, the pre-improved assessed value of the property will be established as the earlier of the following:

- i. Date of application for building permit;
- ii. Date of application for demolition permit; or
- iii. Date of application for the Rehabilitation and Redevelopment Tax Grant Program.

Future increases in taxes that may be phased in AFTER the *Post-Improved Assessment Date* (as defined above) will not be eligible for grant calculation.

Pro-rated Yearly Grant Percentage – The percentage of months in the *Calendar Year* where the ground floor is actively occupied by a targeted use and can be used in calculating the value of a yearly grant payment on the forgivable portion of a loan.

Rehabilitation Project – For the purpose of the incentive programs shall mean the restoration or reconstruction of buildings, structures or parts thereof to modern building standards without the removal of the building or structure from the lot.

Redevelopment Project – For the purpose of the incentive programs shall mean the development of lands, which are vacant, planned for demolition, in part or in whole, or which will have the building or structure removed from the lot.

Relevant Tax Class Rate – For the purpose of the incentive program means the applicable tax class as of the date of the corresponding grant year.

Targeted Area – Lands within a defined area of the Argyle Core Area Community Improvement Plan Project Area which are eligible for incentive programs including consideration of Forgivable Loans. **At this time, Forgivable Loans are not available in the Argyle Core Area.**

Targeted Uses – The use occupying the ground floor of a building which is permitted under the land use zone and has a key role in achieving the goals of the City’s Strategic Plan, the Business Improvement Area, the Community Improvement Plan, and any other current or future related plans. Please refer to Section #2 for a full list of *Targeted* and *Non-Targeted Uses*.

Year 1 – The first full calendar year that taxes are paid after the project is completed and reassessed. This becomes the first of the ten years of grant payments.

Yearly Grant Value – Means the amount of money granted back to the applicant which may change from year to year based on the calculation of the *Yearly Loan Repayments* multiplied by 25% (for Façade Improvement loan) or 12.5% (for Upgrade to Building Code loan) to give the *Maximum Yearly Grant Value* that is multiplied by the *Pro-rated Yearly Grant Percentage*.

Example (Upgrade to Building Code Loan with the ground floor occupied for six months of the *Calendar Year*):

Yearly Loan Repayments multiplied by 12.5% = *Maximum Yearly Grant Value*
\$60,000 x 12.5% = \$7500

Maximum Yearly Grant Value multiplied by *Pro-rated Yearly Grant Percentage*
= *Yearly Grant Value*
\$7500 x 50% = \$3750

Yearly Loan Repayments – The total value of the loan payment made by the applicant to the City in a *Calendar Year*. The loan agreement includes a loan schedule which provides details on the terms of loan including when loan repayment begins as well as the amount of monthly repayments.

Year/Level Factor – The following tables illustrate the *Year/Level Factor* that is used for each of the Tax Grant levels. The appropriate table will be populated based on the *Annual Tax Increment Calculation* and the *Annual Grant Calculation* and will be included as part of the Grant Agreement between the property owner and the City of London:

Part IV Heritage Designated		Existing Buildings		Vacant or Cleared Land	
Year	Level 1	Year	Level 2	Year	Level 3
1	100 %	1	70 %	1	60 %
2	100 %	2	70 %	2	60 %
3	100 %	3	60%	3	50 %
4	90 %	4	50%	4	40 %
5	80 %	5	40%	5	30 %
6	70 %	6	30%	6	20 %
7	60 %	7	20%	7	10 %
8	50 %	8	10%	8	10 %
9	40 %	9	10%	9	10 %
10	30 %	10	10%	10	10 %

2. List of Targeted & Non-Targeted Uses (Table 2)

Permitted Uses within the Argyle Core Area CIPA	Targeted	Non-Targeted
Accessory dwelling units	X	
Animal clinics	X	
Animal hospitals	X	
Antique store	X	
Apartment buildings	X	
Artisan workshop	X	
Assembly halls		X
Bake shops	X	
Bed and breakfast establishments		X
Brewing on premises establishment	X	
Cinemas	X	
Clinics		X
Commercial parking structures		X
Commercial recreation establishments	X	
Community centres		X
Convenience service establishments		X
Convenience stores	X	
Converted dwellings		X
Craft brewery	X	
Day care centres		X
Dry cleaning and laundry depots		X
Duplicating shops		X
Dewlling units (restricted to the rear portion of the ground floor or on the second floor, or above with any or all of the other permitted uses in the front portion of the ground floor)	X	
Emergency care establishments		X
Existing dwellings		X
Financial institutions	X	
Fire halls	X	
Food store	X	
Funeral homes		X
Grocery stores	X	
Group homes type 2		X
Hotels	X	
Institutions	X	
Laboratories	X	
Laundromats	X	
Libraries		X
Lodging house class 2		X
Medical/dental offices		X
Office-apartment buildings	X	
Offices	X	
Personal service establishments	X	
Places of Worship		X
Police stations		X
Post Office	X	
Private Clubs	X	
Restaurants	X	
Retail Stores	X	
Schools (Private and Commercial)	X	
Service and repair establishments		X
Studios	X	
Taverns	X	
Theatres	X	
Video Rental establishments	X	

3. Eligibility Criteria for Financial Incentive Programs

Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Director, Economic Services and Supports, or designate.

To be eligible for any Financial Incentive Program, the applicant, property and project must meet all conditions detailed in this program description.

Property Owner Considerations

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

Property Considerations

- The property must be located within the Dundas Street Corridor Project Sub-Area or Argyle Mall Project Sub-Area as identified in the Argyle Core Area Community Improvement Project Area (see Map 1);
- There are no City of London Building Division orders or deficiencies relating to the subject property at the time the loan or grant is issued;
- Each property is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example, applications for an Upgrade to Building Code Loan, Facade Improvement Loan, and Tax Grant can be made at the same time).

Building Considerations

- Separate applications must be submitted for each *discrete building* (as defined) on a single property;
- The property must contain an existing building (occupied or unoccupied) located within an identified area for improvement under the Argyle Core Area CIP;
- Where the entirety of a multi-unit building, which contains separate units, are all under the same ownership, (or with condominium status) it will be considered as one building for the purpose of the incentive programs;
- Where a building is within a contiguous group of buildings, a *discrete building* will be interpreted as any structure which is separated from other structures by a solid party wall (and a distinct municipal address);
- Each *discrete building* on each property is eligible for financial incentive programs;
- Each *discrete building* is eligible for multiple Upgrade to Building Code loans provided the total of all loans do not exceed the maximum amount allowable under the program

guidelines (\$200,000), additional Upgrade to Building Code loans may be considered after the previous loan(s) is repaid;

- Each *discrete building* is eligible for multiple Façade Improvement loans provided the total of all loans do not exceed the maximum amount allowable under the program guidelines (\$50,000), additional Façade Improvement loans may be considered after the previous loan(s) is repaid;
- Each property is eligible for a Rehabilitation and Redevelopment Tax Grant;
- Each *discrete building* is eligible to avail simultaneously of multiple incentive programs provided through the various Community Improvement Plans (for example applications for an Upgrade to Building Code Loan, Façade Improvement Loan, and Tax Grant can be made at the same time);
- There must be no City of London Building Division orders or deficiencies and no by-law infractions when the loan or grant is issued.

4. Application Process

Expression of Interest

PO – It is suggested to meet with City Economic Services and Supports Staff or the Business Improvement Area (BIA) if/when one exists regarding an Expression of Interest or Proposal before any financial incentive application is made to the City of London. While City Economic Services and Supports staff are often involved in meeting with the BIA and a property owner, no records are formally kept until a complete incentive application, accompanied by appropriate drawings and estimates, is submitted to City Economic Services and Supports.

Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Director, Economic Services and Supports, or designate.

Consultation Phase

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

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

Concept Phase

Step 2 – PO – A *Complete Application* (see Definition Section) for incentive programs is submitted to the City of London.

For the Tax Grant and Residential Development Charge Grant programs, the applicant must also obtain a building permit and make full payment of Residential Development Charges.

Residential Development Charge Grants are processed by City Planning in conjunction with Development and Compliance Services (Building Division). Application to the Residential Development Charge (DC) Grant program is triggered when the full payment of Residential DCs is made to the Building Division. **PO – After making the DC payment, applicants must contact City Economic Services and Supports to complete the application process.**

Step 3 – CL – City of London City Economic Services and Supports Staff will review the application for completeness and inform the applicant in writing that either, more information is required, or the application is accepted. If accepted, the City will provide a *Commitment Letter* which outlines the approved works, related costs, and monetary commitment that the City is making to the project. The letter will also state whether the commitment is for a Forgivable Loan. For the Residential DC Grant, the residential DCs must be paid prior to the City's issuance of a *Commitment Letter*. For the Loan Programs, the City's commitment is valid for one year from the date of issuance of the *Commitment Letter*. The City's commitment applies only to the project as submitted. **PO – Any subsequent changes to the project will require review and approval by appropriate City staff.**

Step 4 – CL – City Economic Services and Supports Staff may visit the subject property and take photographs, both before and after the subject work is completed. When considering forgivable loans, staff will also confirm that the intended use meets the eligibility requirements of the program.

Construction Phase

Step 5 – PO – Having obtained all necessary approvals and/or permits and receiving a *Commitment Letter* from the City for approved works, the applicant may start to undertake eligible improvements. With respect to the Residential DC Grant, there is an additional requirement that the DCs have been paid.

Financial Incentive Programs will not apply retroactively to work started prior to the approval of an application by the Director, Economic Services and Supports, or designate.

Confirmation Phase

Step 6 – PO – The applicant will notify the City in writing (via letter or email) once the project is complete and the costs respecting those works are paid. For Loans, the applicant will submit paid receipts (as proof of payment in full). Confirmation that related building permits are closed is also required so that the City may begin drafting an agreement. With respect to Tax Grant and Residential DC Grant, when the project is complete or following the re-assessment of the property, the applicant will notify City Economic Services and Supports in writing that the project is complete for the purpose of calculating the *Post-Improved Assessed Value*.

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

- The loan must be in good standing with no arrears owing;
- All City of London property taxes must be paid in full and the account deemed in good standing by the Taxation Division;
- There must be no outstanding debts to the City of London;
- The property owner must not have defaulted on any City loans or grants;
- There must be no outstanding City of London Building Division orders or deficiencies against the subject property.

Step 7. i (Grants) – CL – Upon written notice from the applicant, City Economic Services and Supports will request the City's Finance and Corporate Services Taxation Division to

provide a grant schedule that establishes the value of the annual grant over the term of the grant program.

Step 7. ii (Grants) – CL – Upon request by City Economic Services and Supports, the Finance and Corporate Services Taxation Division will establish a *Post-Improved Assessed Value*. To do this they will review the assessed value of the property and determine whether this is the final assessment relating to the completion of the renovation or development project. If this is not the final assessment, the Finance and Corporate Services Taxation Division will contact the Municipal Property Assessment Corporation (MPAC) and request that the final assessment be prepared.

Step 7. iii (Grants) – CL – The Finance and Corporate Services Taxation Division will prepare and note the annual tax increment for the purpose of calculating the grant schedule. The Finance and Corporate Services Taxation Division will then prepare a schedule for the first year that the new taxes were levied for the full year.

Step 7. iv (Grants) – CL – At the completion of the *Calendar Year*, City Economic Services and Supports staff will ask Finance and Corporate Services Taxation Division staff to confirm that all taxes have been paid for that year and that the tax account is in good standing with a zero balance. Upon receiving confirmation, a grant agreement can be drafted.

Agreement Phase

Step 8 (Loans) – CL – Once the approved works are verified by City Economic Services and Supports, staff will draft the loan agreement.

Step 8 (Grants) – CL – Once the eligible works are verified and the grant schedule is complete, City Economic Services and Supports staff will draft the grant agreement and provide a draft copy of the grant agreement to the applicant for review.

Step 9 (Loans) – CL – City Economic Services and Supports staff will request a cheque, and the Document General to place a lien on the property in the amount of the loan is prepared.

Step 9 (Grants) – CL – After the applicant has approved the grant agreement, City Economic Services and Supports staff can prepare two hard copies of the agreement to be signed.

Step 10 – CL – When all the documentation is ready, City Economic Services and Supports staff will contact the applicant to arrange for a meeting to sign the documents (and in the case of a loan, exchange a loan cheque for the first 12 post-dated repayment cheques provided by the property owner or applicant (**PO**)).

Full loan repayment can be made at any time without penalty. **PO** – To make a full or partial repayment above the standard monthly payment, please contact City Economic Services and Supports or Accounts Receivable.

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

PO – Please note that loan cheque distribution cannot occur in December due to financial year-end. Instead, all loan cheques requested in the Agreement phase in December will be processed in January.

5. Financial Incentive Approval

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

6. Additional Rehabilitation and Demolition

Additional work to the interior of the building can be undertaken without City Economic Services and Supports approval subject to obtaining a building and/or heritage alteration permit, when required. The loan programs do not impose any specific restrictions on demolition except that any outstanding loan amount must be repaid to the City prior to the issuance of a demolition permit.

7. Inspection of Completed Works

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

8. Incentive Application Refusal and Appeal

If an application is refused, the applicant may, in writing, appeal the decision of the Director, Economic Services and Supports to the City Clerk's Office who will provide direction to have the matter heard before Municipal Council through the Planning and Environment Committee (PEC).

9. Relationship to other Financial Incentive Programs

It is intended that the Loan and Grant Programs will complement other incentive programs offered by the City of London. Property owners may also qualify for financial assistance under those programs specifically detailed within the program guidelines. However, the funding from these programs cannot be used to subsidize the property owner's share of the total cost of the loan programs property improvements.

10. Monitoring & Discontinuation of Programs

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

11. Program Monitoring Data

The following information will be collected and serve as indicators to monitor the financial incentive programs offered through the Argyle Core Area Community Improvement Plan.

Program	Indicators
Façade Improvement Loan Program Monitoring	<ul style="list-style-type: none"> • Number of Applications (approved and denied) • Approved value of the loan and the total construction cost (i.e., total public investment and private investment) • Pre-Assessment Value • Total Value of Building Permit (if required) • Location of façade being improved (Street Front, Non-Street Front) • Post-Assessment Value • Use Type (Targeted or Non-Targeted) • Increase in assessed value of participating property • Total Loan Amount • Number of forgivable loans • Number of loan defaults • Cost/Value of loan defaults
Upgrade to Building Code Loan Program Monitoring	<ul style="list-style-type: none"> • Number of Applications (approved and denied) • Approved value of the loan and the total construction cost (i.e., total public investment and private investment) • Pre-Assessment Value • Total Value of Building Permit • Post-Assessment Value • Use Type (Targeted or Non-Targeted) • Increase in assessed value of participating property • Total Loan Amount • Number of forgivable loans • Number of loan defaults • Cost/Value of loan defaults
Tax Grant Program Monitoring	<ul style="list-style-type: none"> • Number of Applications (approved and denied) • Pre-Assessment Value • Total Value of Building Permit • Level of Grant (Type 1, Type 2 or Type 3) • Post-Assessment Value • Use Type (Targeted or Non-Targeted) • Number of residential units created • Increase in assessed value of participating property • Total Grant Amount • Number of grant defaults • Cost/Value of grant defaults
Development Charge Program Monitoring	<ul style="list-style-type: none"> • Number of Applications (approved and denied) • Pre-Assessment Value • Total Value of Building Permit • Number of residential units created • Post-Assessment Value • Type (Targeted or Non-Targeted Industrial) Use • Increase in assessed value of participating property • Total Grant Amount • Number of grant defaults • Cost/Value of grant defaults

12. Activity Monitoring Reports

Annual Activity Reports will measure the following variables:

- Number of applications by type;
- Increase in assessment value of properties;
- Value of the tax increment (i.e., increase in property tax after the construction activity);
- Value of construction and building permits issued;

- Number of units created (by type, ownership/rental);
- Number and value of incentive program defaults; and,
- Ground floor occupancy rates within the CIP area where the program(s) is in effect.

**COMMON PROGRAM INFORMATION SECTION ENDS HERE
INDIVIDUAL PROGRAM INFORMATION BEGINS NOW**

13. Façade Improvement Loan Programs

Argyle Core Area Façade Improvement Loan Program

Purpose: The Argyle Core Area Façade Improvement Loan Program is intended to assist property owners in identified community improvement project areas with façade improvements and to bring participating buildings and properties within the identified community improvement areas into conformity with the City of London Property Standards By-law and applicable City Design Guidelines. Through this program, the City provides a no-interest 10-year loan. Loans will be issued to cover 50% of the cost of the eligible works to a maximum of \$50,000.

Objectives: The overarching goals of this Program are to:

- Support the maintenance, improvement and beautification of the exterior appearance of buildings in the Argyle Core Area;
- Encourage reinvestment in the Argyle Core Area;
- Help make the Argyle Core Area environment interesting and aesthetically pleasing for residents, patrons and visitors alike;
- Bring participating buildings and properties into conformity with the City of London Property Standards By-law.

Eligible Works: Eligible works that will be financed through this program include improvements that are demonstrated to enhance the appearance of building exteriors in compliance with applicable Urban Design Guidelines. Examples of works that may be eligible under this program are listed below.

- Exterior street front renovations;
- Portions of non-street front buildings, visible from adjacent streets. Non-street front visible portions may only be eligible for funding after the street front façade has been improved or street front improvements have been deemed unnecessary by the Director, Economic Services and Supports, or designate;
- Awnings that are affixed to the exterior street front of a building which are used to keep the sun or rain off a storefront, window, doorway, or sidewalk, and/or to provide signage for a commercial tenant;
- Business name signage that is affixed to the exterior street front of a building;
- Decorative lighting which is affixed to the exterior street front of a building that is ornamental and installed for aesthetic effect;
- Eaves troughs, rain gutters, soffits, fascia, bargeboard, and other materials that direct rain water;
- Doors, windows, and their finished framing;
- Professional fees for the preparation of drawings and technical specifications required for eligible works (limited to the lesser of a maximum of \$5000 or 10% of the loan).

Note: A Heritage Alteration Permit is required for heritage designated properties in the Argyle Core Area.

Works Not Eligible: The following provides examples, but not a complete list of works that are not eligible to be financed through this program:

- New stucco building materials;
- Back lit signs;

- Any other materials that at the discretion of the Director, Economic Services and Supports or designate, are deemed ineligible or inauthentic.

Loan Terms: A complete application must be received and a City *Commitment Letter* issued before any work can commence.

Period: The loan will be interest free and will be amortized over a 10-year period.

Loan Amount: Loans will be issued to cover the lesser of:

- 50% of the cost of the eligible works per building; or,
- a maximum of \$50,000 per building.

While more than one *discrete building* on a single property may be eligible for a loan, loans will not exceed 50% of the cost of the eligible works that related to each *discrete building*.

More than one loan may be issued for each *discrete building* on each property, but the sum of these loans must not exceed the maximum loan amount of \$50,000 per *discrete building*.

Determination of Eligible Non-Street Front Façade Improvements:

The Director, Economic Services and Supports or designate will decide when this program can be applied to a building façade that is not street facing. Typically this consideration is made when the street-front façade is deemed to be in compliance with applicable City Design guidelines and Building and Fire Codes.

Determination of Façade Improvements where there are two Street Frontages:

If a building has both the front and rear façade facing a municipal street (not a private street or a laneway), then the building is eligible for a Façade Improvement Loan for each unique street fronting façade. Further, if a building is on a corner property where two or more façades face a municipal street (not a private street or laneway), then the building is eligible for two or more Façade Improvement Loans. All façade designs must be deemed in compliance with applicable City Design guidelines and the Building and Fire Codes, to be eligible for loans.

Loan Distribution: The City will provide the applicant with one cheque in the full amount of the approved loan after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the loan; (2) the Loan Agreement has been signed; and, (3) the first 12 months of post-dated cheques (to be used for the first year repayment of the loan) are received. City of London Accounts Receivable staff will contact the applicant annually to request a supply of cheques in subsequent years. **PO** – The applicant will notify the City about any changes to their banking arrangements and replace cheques as appropriate over the term of the loan.

The City will not provide partial loan amounts or progress payments.

Loan Security and Postponement: Loans will be secured through the registration of a lien placed on property title for the total amount of the loan. Liens will be noted on the tax roll and will be registered and discharged by the City. The Director, Economic Services and Supports or designate may postpone the lien (subordination of a lien to another lien on the same property) which is given as security for the loan in circumstances where any of the registered mortgages are being replaced, consolidated or renewed and the total value of all mortgages and charges including the City's lien does not exceed 90% of the appraised value of the property.

Loan Agreement: Participating property owners in the financial incentive programs shall be required to enter into a loan agreement with the City. This agreement shall specify such items as (but not limited to) the loan amount, the duration of the loan, and the owner's obligation to repay the City for any monies received if the property is demolished before the loan period elapses. The agreement shall include the terms and conditions included in the program guidelines.

Repayment Provisions: Loan repayments will begin six months after the advancement of funds. Repayment of the loan will be on a monthly basis and does not include interest. The monthly payment amount will be calculated based on the total loan amount divided by **114 payments**. Full repayment can be made at any time without penalty.

Transferable Loans: At the discretion of the City, loans may be transferable to a new property owner providing that the new owner meets the eligibility criteria and agrees to the terms and conditions of the loan. The new owner must enter into a new loan agreement with the City for the outstanding loan value at the time of purchase. Otherwise, where the ownership is transferred the outstanding balance of the loan shall immediately become due and payable by the selling property owner.

14. Upgrade to Building Code Loan Program

Upgrade to Building Code Loan Program – Purpose

The Upgrade to Building Code Loan Program is intended to assist property owners with the financing of building improvements that are often necessary to ensure older buildings comply with current Building Code Requirements. The costs associated with these improvements frequently pose a major issue for building owners wanting to upgrade their properties. This issue is amplified in the Argyle Core Area where much of the building stock is older and needs major rehabilitation. Through this program, the City provides a no interest 10-year loan for an eligible property. Loans will be issued to cover 50% of the cost of the eligible works to a maximum of \$200,000. In some locations a portion of these loans may be partially forgivable in the form of a grant from the City.

Upgrade to Building Code Loan Program – Objectives

The overarching goals of this Program are to:

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

Upgrade to Building Code Loan Program – Eligible Works

Eligible works that will be financed through this program include improvements that are demonstrated to be necessary to meet Building and Fire Code requirements, address one or more health and safety issues, and accessibility and/or environmental sustainability issues. Examples of works that may be eligible under this program include:

- The installation or alteration of fire protection systems such as sprinklers, stand pipes, fire alarms, emergency power, lighting, and exit signs;
- Installation or alteration of fire separations, fire doors, fire shutters and other fire protection devices;
- The relocation of fire escapes and the installation of new exit facilities;
- The extension of plumbing and electrical services for the creation of habitable space;
- The replacement of plumbing, electrical, and mechanical systems that no longer meet Building Code requirements;
- The construction or alteration of stairs, guards, handrails, etc.;
- The reinforcement or reconstruction of floors, walls, ceilings or roofs;
- The installation or alteration of required window openings to residential spaces;
- Required improvements to ventilation systems;
- Improvements for barrier-free accessibility including elevators, ramps, and washrooms;

- Improvements for green, or sustainable developments such as living walls and green roofs;
- Improvement to basements, or other such spaces that can be occupied and are located below the first storey;
- Asbestos abatement, including the removal, enclosure and/or encapsulating to prevent building occupant from being exposed to the fibers;
- Renovations required to remove moulds (or other materials caused by water-damage from interior building materials), replace affected materials and install vapour barriers;
- Professional fees for the preparation of drawings and/or technical specifications required for eligible works (limited to the lesser of a maximum of \$5,000 or 10% of the loan);
- Other improvements related to health and safety issues at the discretion of the Director, Economic Services and Supports or designate.

Upgrade to Building Code Loan Program – Loan Terms

Period

The loan will be interest free and will be amortized over a 10 year period.

Loan Amount

Loans will be issued to cover the lesser of:

- 50% of the cost of the eligible works per buildings; or
- A maximum of \$200,000 per building.

While more than one *discrete building* on a single property may be eligible for a loan, loans will not exceed 50% of the cost of the eligible works that relate to each *discrete building*.

More than one loan may be issued for each *discrete building* on each property, but the sum of these loans must not exceed the maximum loan amount of \$200,000 per *discrete building*.

Loan Distribution

The City will provide the applicant with one cheque in the full amount of the approved loan after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the loan, (2) the Loan Agreement has been signed, and (3) the first 12 months of post-dated cheques (to be used for the first year repayment of the loan) are received. City of London Accounts Receivable staff will contact the applicant annually to request a supply of cheques in subsequent years. **PO** – The applicant will notify the City about any changes to their banking arrangements and replace cheques as appropriate over the term of the loan. **The City will not provide partial loan amounts or progress payments.**

Loan Security and Postponement

Loans will be secured through the registration of a lien placed on property title for the total amount of the loan. Liens will be noted on the tax roll and will be registered and discharged by the City. The Director, Economic Services and Supports or designate may postpone the lien (subordination of a lien to another lien on the same property) which is given as security for the loan in circumstances where any of the registered mortgages are being replaced, consolidated or renewed and the total value of all mortgages and charges including the City's lien does not exceed 90% of the appraised value of the property.

Loan Agreement

Participating property owners in the financial incentive programs shall be required to enter into a loan agreement with the City. This agreement shall specify such items as (but not limited to) the loan amount, the duration of the loan, and the owner's obligation to repay the City for any monies received if the property is demolished before the loan period elapses. The agreement shall include the terms and conditions included in the program guidelines.

Repayment Provisions

Loan repayments will begin six months after the advancement of funds. Repayment of the loan will be on a monthly basis and does not include interest. The monthly payment amount will be calculated based on the total loan amount divided by **114 payments**. Full repayment can be made at any time without penalty.

Transferable Loans

At the discretion of the City, loans may be transferable to a new property owner providing that the new owner meets the eligibility criteria and agrees to the terms and conditions of the loan. The new owner must enter into a new loan agreement with the City for the outstanding loan value at the time of purchase. Otherwise, where the ownership is transferred the outstanding balance of the loan shall immediately become due and payable by the selling property owner.

15. Rehabilitation and Redevelopment Tax Grant (“Tax Grant”)

Tax Grant Program – Purpose

The Tax Grant is intended to provide economic incentive for the rehabilitation and/or redevelopment of residential and commercial properties in the Argyle Core Area Improvement Project Area. The program helps property owners transition to a higher tax assessment as a result of property improvements. Through this program, the City provides a ten-year tax grant for an eligible property, with annual grant amounts declining over this ten-year period. The total grant value is based on the increase in municipal taxes resulting from the rehabilitation and/or redevelopment of the property according to the MPAC assessment.

Tax Grant Program – Objectives

The overarching goals of the Tax Grant are to:

- Stimulate and assist private property owners to rehabilitate buildings in the Argyle Core Area to ensure long term viability;
- Encourage preservation of significant heritage resources;
- Foster a diverse and resilient economy.

Tax Grant Program – Eligible Works

Eligible works that will be financed through this program include:

- Construction, erection, or placing of one or more buildings or structures on land that has the effect of increasing municipal property taxes;
- Additions or alterations to a building or structure that has the effect of increasing municipal property taxes;
- Other improvements related to health and safety issues at the discretion of the Director, Economic Services and Supports, or designate, that have the effect of increasing municipal property taxes.

Tax Grant Program – Eligible Works

Eligible works that will be financed through this program include:

- All applicable property taxes owing for each year must be fully paid prior to the disbursement of any annual grant amount under this program. If property taxes are owing on a property for more than one full year, the City will have the option, without notice and at its own discretion, of terminating all future grant payments, thereby eliminating all grant obligations to the applicant;
- The City is not responsible for any costs incurred by an applicant in relation to the Grant program, including without limitation, costs incurred in application of a grant;
- Notwithstanding any other calculations relating to the grant amount, the City will not pay an annual grant which is greater than the municipal portion of the property tax collected for a property in any one year (i.e., if a general reassessment substantially reduces annual property taxes on a property, the annual grant amount will be capped at the municipal portion of the property tax collected for that property in any one year);

- The annual grant is based upon changes in property taxes as a result of construction and improvement to the property, and is not based upon occupancy or changes in occupancy;
- If the property is under an assessment appeal, the application will be held in abeyance until the appeal is resolved;
- The amount of the grants provided for a property over the life of this program will not exceed the value of the work done that resulted in the increased level of municipal tax assessment. For this reason the amount of grants may be monitored in relation to the total value of work done and the grants will cease if they equal the value of the work done;
- The applicant will be responsible for ensuring that they can be contacted by the City for the purpose of delivering grant cheques. If applicants cannot be reached over a protracted period (greater than 2 years), the City will have the option, without notice and at its own discretion, of terminating all future grant payments, thereby eliminating all grant obligations to the applicant. PO – The property owner will notify the City if mail or email address changes throughout the term of the Tax Grant program;
- In instances where a participating Level 1, Level 2, or Level 3 Grant property has undergone a tax reclassification during the period of an executed grant agreement, the municipality reserves the right to recalculate the grant schedule to reflect the new tax class of the participating property. Should it be determined that the grant agreement and grant schedule is no longer appropriate because it results in grants not reflecting the new tax class, the value of the taxes received and the value of grants provided, the municipality reserves the right to amend the current agreement and establish a new grant schedule and grant agreement for the balance of the grant period. This amended grant agreement and grant schedule may be pro-rated to reflect the date of reclassification;
- Tax increases that result from a general reassessment, a change in tax legislation or an increase in the mill rate will not be considered for the purposes of calculating the grant. The annual tax increment will be held constant over the ten-year grant period (i.e., changes in mill rate or phased in assessment increases after the post-improvement date is established will not be incorporated into the calculation of the annual tax increment;
- If buildings are to be demolished in order to clear the site for redevelopment, a demolition permit must be obtained prior to any demolition work. Failure to obtain a demolition permit will result in the application being ineligible for this program;
- In instances where a participating Level 1 or Level 2 Grant property is demolished in whole before the grant period elapses the grant shall become forfeit and is to be repaid to the City no later than 30 days after the demolition has occurred;
- For participating Level 1, Level 2, or Level 3 Grant properties, demolition, in part, may be permitted entirely at the discretion of the City of London without a requirement for grant repayment, but only in those instances where a written request by the property owner is received and a corresponding letter of permission is granted by the City and a demolition permit is obtained;
- Additions or alterations to a building or structure that has the effect of increasing municipal property taxes;
- Proposed development within the Argyle Core Area Community Improvement Project Area must be consistent with the vision for the Argyle Core Area = as outlined in the Argyle Core Area Community Improvement Plan to the satisfaction of the Managing Director, Planning and City Planner or designate. This condition does not apply to properties within the Area of Transition.

Eligibility for Level 1: Grants for Rehabilitation of Heritage Designated Properties

Grant Level 1 of the Tax Grant program applies to properties that are individually designated under Part IV of the Ontario Heritage Act and where the buildings or structures are rehabilitated or renovated in such a way that would not compromise the reasons for designation. The eligibility requirements for this program level are:

- The property shall be designated under Part IV of the Ontario Heritage Act (in other words, is not just listed in the Inventory of Heritage Resources);

- The property shall be rehabilitated/renovated such that it will not compromise the reasons for designation;
- A Heritage Alteration Permit shall be required prior to undertaking any work on a designated property;
- The amount of renovations undertaken shall be sufficient to result in a re-assessment of the property.

Eligibility for Level 2: Rehabilitation / Renovation Grants

This level of the Tax Grant program applies to existing buildings that are rehabilitated or renovated to ensure longer-term viability. The purpose of this grant level is to further encourage finer-grained, small-scale revitalization projects. The eligibility requirements for this program level are:

- Property shall contain an existing building;
- For properties listed in the "City of London Register of Cultural Heritage Resources" a Heritage Planner will be consulted to assess works to be undertaken;
- The property shall be rehabilitated/renovated such that it will be consistent with Council-approved Guidelines;
- The amount of renovations undertaken shall be sufficient to result in a re-assessment of the property.

Eligibility for Level 3: Redevelopment Grants

This level of the Tax Grant program applies to new buildings that are developed on vacant or cleared sites. The purpose of this level is to encourage the rehabilitation of vacant or under-utilized sites. The eligibility requirements for this level of the program are:

- The property shall be redeveloped, such that the design of the new structure is consistent with Council-approved Guidelines;
- The amount of renovations undertaken shall be sufficient to result in a re-assessment of the property.

Tax Grant Program – Grant Terms Period

Grants will be paid over a ten-year period, with Year 1 being the first full calendar year that taxes are paid after the project is completed and reassessed. For example, where a project is completed and the property is reassessed on February 28, 2020 the grant recipient will receive a Year 1 grant at the end of 2021 (after a full year of taxes are paid at the new rate in 2018). However, where the total value of the grant is less than or equal to one thousand dollars (\$1,000), a one-time lump sum payment of the total grant amount as detailed in the grant agreement will be issued.

Calculation of Annual Tax Increment

See Definitions.

Grant Amount

The amount of the grant will vary from project to project and will decline over the course of the 10-year payback period. The grant will be based on the increase in the municipal portion of property taxes that is directly related to the eligible project (in other words, the tax increase that results from the improvements to the property) and the assigned Year/Level Factor, as shown below:

Part IV Heritage Designated		Existing Buildings		Vacant or Cleared Land	
Year	Level 1	Year	Level 2	Year	Level 3
1	100 %	1	70 %	1	60 %
2	100 %	2	70 %	2	60 %
3	100 %	3	60%	3	50 %
4	90 %	4	50%	4	40 %
5	80 %	5	40%	5	30 %
6	70 %	6	30%	6	20 %
7	60 %	7	20%	7	10 %
8	50 %	8	10%	8	10 %
9	40 %	9	10%	9	10 %
10	30 %	10	10%	10	10 %

PO – Please note that the reassessment could take one to two years or longer. It is the property owner’s responsibility to notify Planning Services about an increase in property assessment related to the improvement project in order to activate the grant program.

Grant Agreement

Participating property owners in the Tax Grant program shall be required to enter into a grant agreement with the City. This agreement shall specify such items as (but not limited to) the applicable grant level, the duration of the grant, and the owner's obligation to repay the City for any grants received if the property is demolished before the grant period elapses. The agreement shall include the terms and conditions included in the program guidelines.

Grant Distribution

At the end of each year, Planning Services will provide a list of grant properties to the Finance and Corporate Services Taxation Division requesting confirmation that all taxes have been paid for the previous year and that the tax accounts are in good standing. Planning Services will also confirm that any outstanding loans relating to the properties are in good standing and finally Planning Services will verify that there are no outstanding orders or bylaw contraventions relating to the properties. Upon receiving such confirmation, Planning Services will contact applicants and provide them with their grant cheques. The City aims to provide grant cheques in the first quarter of the following year.

Transferable Grants / Condominium Projects

If a participating property is sold, in whole or in part, before the grant period elapses, the applicant and/or the subsequent landowner is not entitled to outstanding grant payments (on either the portion sold or retained by the applicant). The City may, entirely at its own discretion, enter into a new agreement with any subsequent owners of the property to receive outstanding grant payments under this program.

For the purposes of sale of condominium units, the property owner, as signatory to the grant agreement, is and remains entitled to receive the grant in accordance with the terms of the grant agreement.

PO - The property owner who is selling a property with active loans or grants should contact Planning Services prior to finalizing the sale in order to either repay the loans to remove the liens or transfer the outstanding loan or grant balance to the new property owner (if the new property owner agrees to take on the loan or grant).



City of London
Attachment

Argyle Core Area Community Improvement Plan



Acknowledgements

The Arglye Core Area Community Improvement Plan was prepared by the City of London Planning and Development Services staff with assistance from representatives from other City Divisions and the community.

The following people and organizations have played an instrumental role in the preparation of this CIP:

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SECTION 1

INTRODUCTION



Community Improvement Plan Overview

What is a Community Improvement Plan?

A Community Improvement Plan (CIP) is a tool that allows a municipality to take actions to support improvements and redevelopment within a specifically defined project area. Section 28 of the Planning Act gives municipalities the ability to prepare CIPs. Through a CIP, municipalities are permitted to:

- Identify changes needed to land use planning policies, zoning, and/or other by-laws, policies and practices;
- Direct funds for improvements to public infrastructure and public space;
- Acquire, rehabilitate, and dispose of land; and,
- Provide grants and loans to owners and tenants for specific actions.

Purpose of this Community Improvement Plan

In October 2019, the Argyle BIA submitted a request through the Planning and Environment Committee (PEC) for staff to undertake a comprehensive study of the Argyle BIA and surrounding area. Based on the Argyle Regeneration Study completed in December 2020, it was recommended that an Argyle Core Area Community Improvement Plan be undertaken during 2021. The purpose of this CIP is to:

- Establish a vision, goals and objectives for the Argyle Core Area;
- Identify the strengths, weaknesses, opportunities, and threats to the Argyle Core Area;
- Record and prioritize actions for how the Argyle Core Area can be improved; and
- Propose incentive programs to encourage and stimulate private property maintenance and reinvestment activity.

How This Plan was Prepared

The following key tasks were completed to build a comprehensive foundation for preparing the Argyle Core Area CIP:

Review of relevant Provincial legislation and City policy documents;
Review of existing City of London Community Improvement Plans and incentive programs;
Review of best practices used in CIPs provided by other Ontario Municipalities;
Analysis of the Argyle Core Area based on:
Secondary information (such as Statistics Canada data)
Site visits and first-hand data collection;
Input received from the Argyle Community Association (ACA), the Argyle Business Improvement Association and City of London Staff;
Information collected during (virtual) community meetings and project drop-in office hours.



Argyle Study Area

Argyle Study Area

Based on a request from the Argyle BIA, Staff completed a regeneration study of the Argyle Business Improvement Area and surrounding area during 2020. This study included research, data collection and analysis, and consultation with stakeholders, other service areas and the public for the whole Argyle Planning District. As a result, the area the regeneration study focused on will be referred to as the Argyle Study Area in this Report.

Argyle Study Area Description

The Argyle Study Area (shown in figure 2) identified in the Argyle regeneration study applies to lands in the east of London, generally bounded by Highbury Avenue, Oxford Street East, Clarke Road, Veterans Memorial Parkway, Canadian Pacific Railway and the Canadian National Railway.

The following section presents a summary of characteristics and statistics of the Argyle Study Area to provide context for the Argyle Project Area. Where possible, City-wide data has also been provided.

Existing Zoning

Within the Argyle Study Area, the majority of the land is zoned for residential uses (54%), followed by industrial (14%), institutional (13%), commercial (12%) and open space (7%).

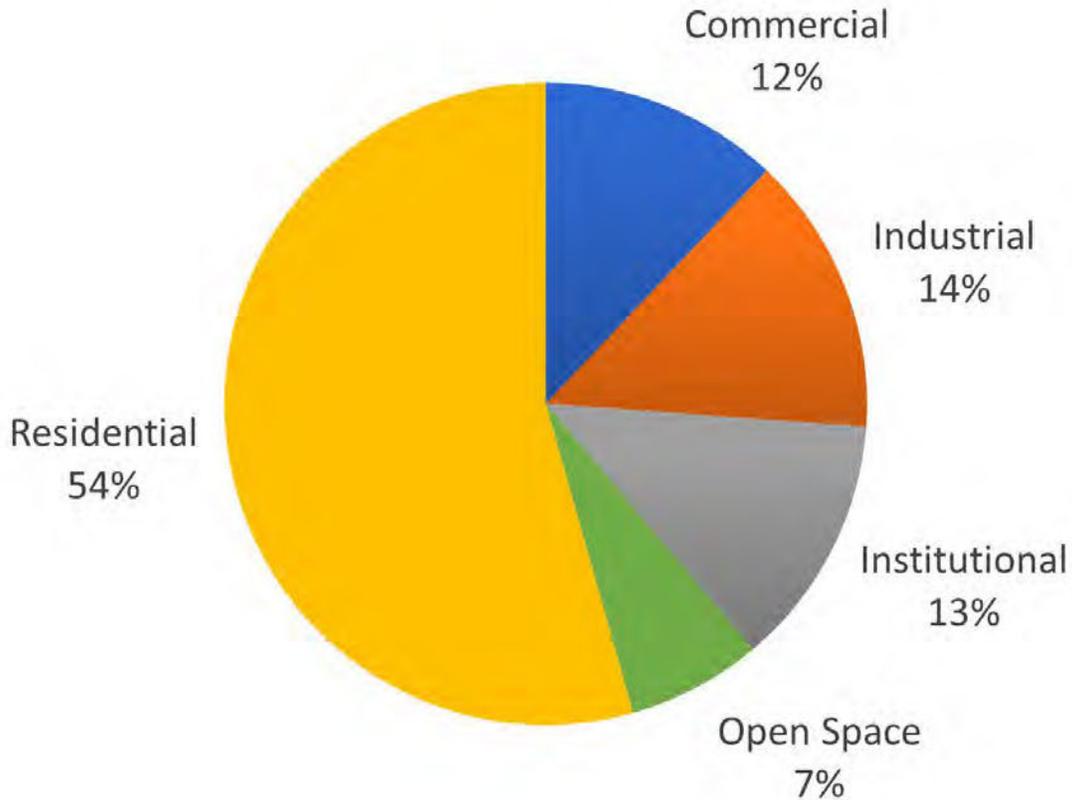


Figure 1: Percentage of Land in Generalized Zones in Argyle Study Area

Hectares of Parkland per 1000 people: As mentioned, 7% of the total Argyle Study Area is zoned as open space. The Argyle Study Area has a variety of parks and outdoor public spaces including Kiwanis Park, East Lions Park, Nelson Park, Admiral Park, Mildred Barons Park, Bonaventure Meadows Park and Vimy Ridge park. In total, 75.3 total hectares of green space of 2.1 hectares of parkland per 1000 people exists in the Argyle Study Area. This compares to 7.2 hectares of parkland per 1000 people City-Wide.

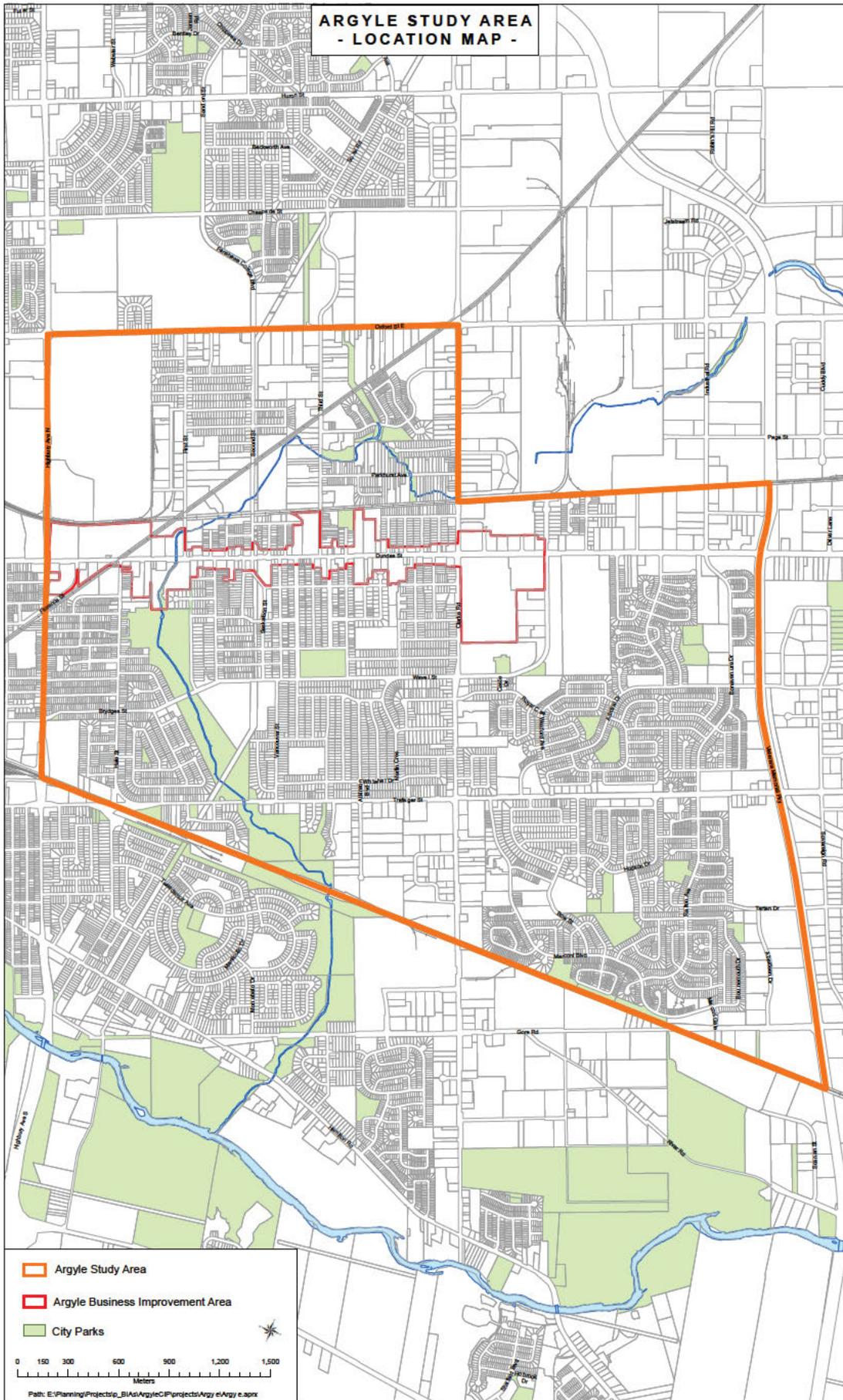


Figure 2: Argyle Study Area

Population

The current resident population in the Argyle Study Area is approximately 22,500 people within a total of 9,652 households. The largest population segment in the Argyle Study Area is the 25-29 year old age range, comprising of 8% of the total population. The next largest population segments are the 20-24; 30-34; 50-54; 55-59 and 60-64 age ranges, each comprising of 7% - 8% of the total population.

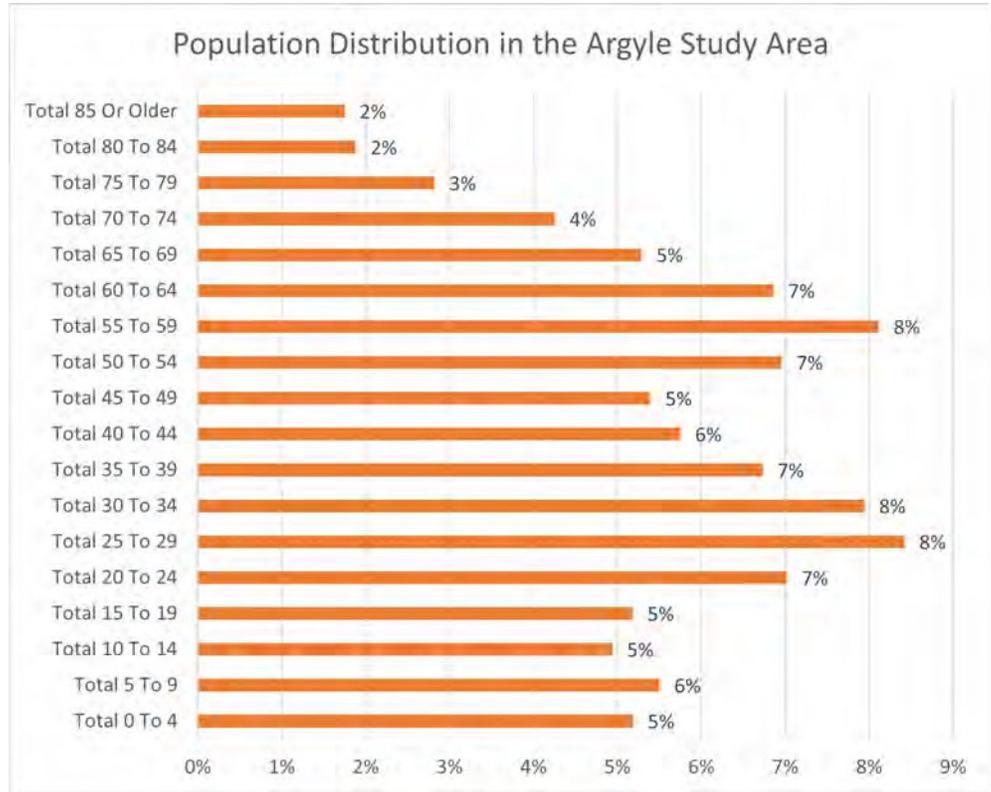


Figure 3: Population Distribution in percentages in the Argyle Study Area

Average Household Income

Based on the 2015 National Census Data, the Argyle Study Area has a lower average household income compared to the City-Wide average. The average household income in the Argyle CIP Study Area is 21.8% lower than the City-Wide Average household income.

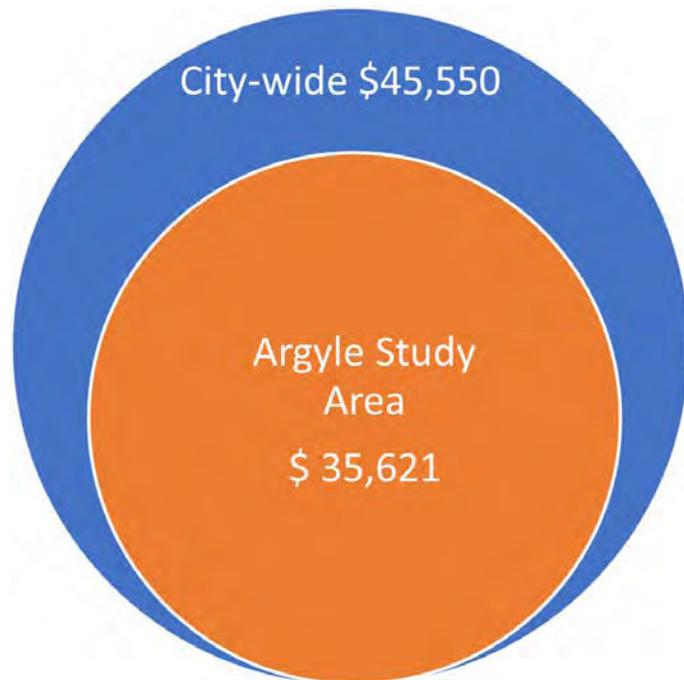


Figure 4: Nested circle diagram of the average household income for the Argyle Area and City of London

Education

The Education Attainment profile for the Argyle Study Area is lower than the City-Wide statistics. 43% of the Argyle Study Area residents have some form of post-secondary education, compared to 67% of residents City-Wide. The most frequent credential earned is High School education (and Equivalency Diploma) for just over 35% of the population compared with just over 24% City-Wide. Almost 22% of the residents have no certificate, compared to just 9% of the City-Wide population. Additionally, 25% of the population has College level education compared to 28% City-Wide.

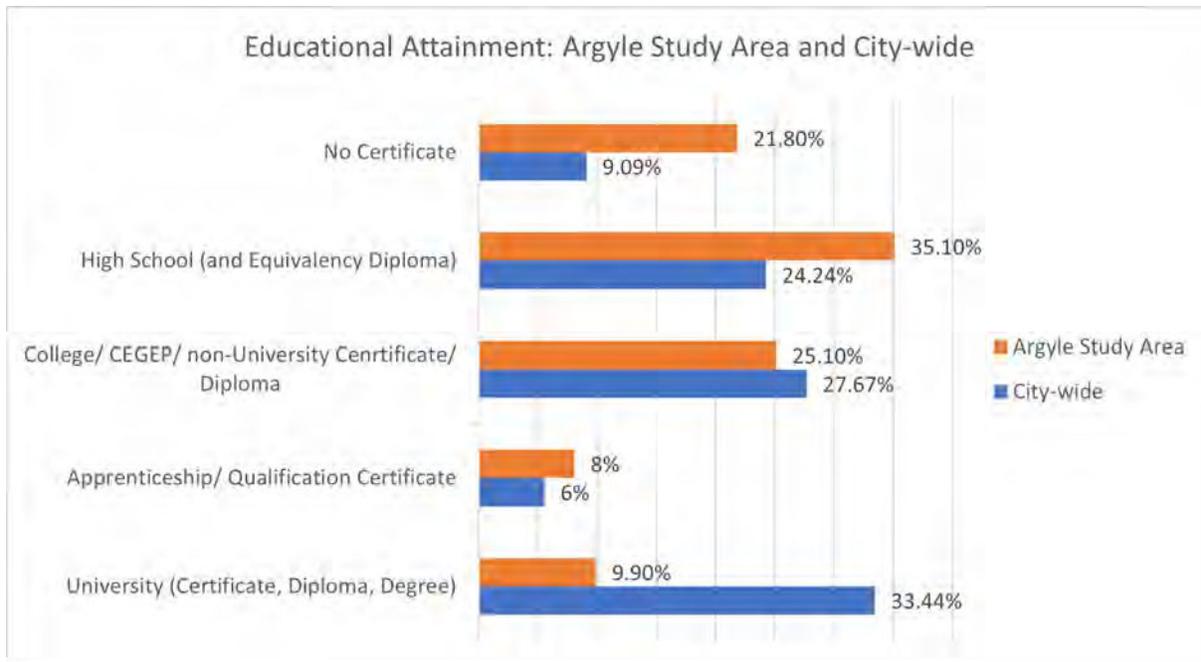


Figure 5: Educational Attainment for the Argyle Study Area and City of London

Housing Tenure

The main form of housing tenure in the Argyle Study Area is homeownership which totals 65%, compared to 59.7% City-Wide. Conversely, the number of rent-occupied dwellings (35%) is lower than the rest of the City (40.3%)

Homeownership

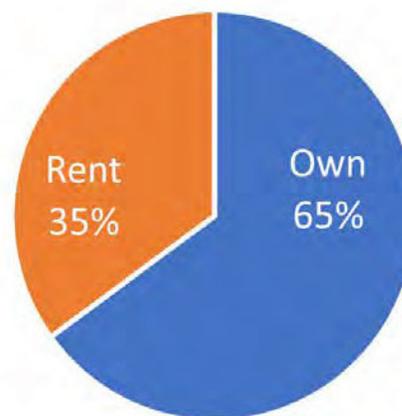


Figure 6: Housing Tenure of the Argyle Study Area

Dwelling Types

Fifty-six percent (56%) of dwellings in the Argyle Study Area are single detached residential units, compared to 49% City-Wide. The second most frequent dwelling type are row houses, with 20% of the dwellings compared to 13% City-Wide. The remaining 24% of dwelling types in the Argyle Study Area is comprised of apartments in buildings less than 5 storeys (11%), apartments in a building with 5 or more storeys (5%), semi-detached dwellings (5%) and detached duplex dwellings (3%).

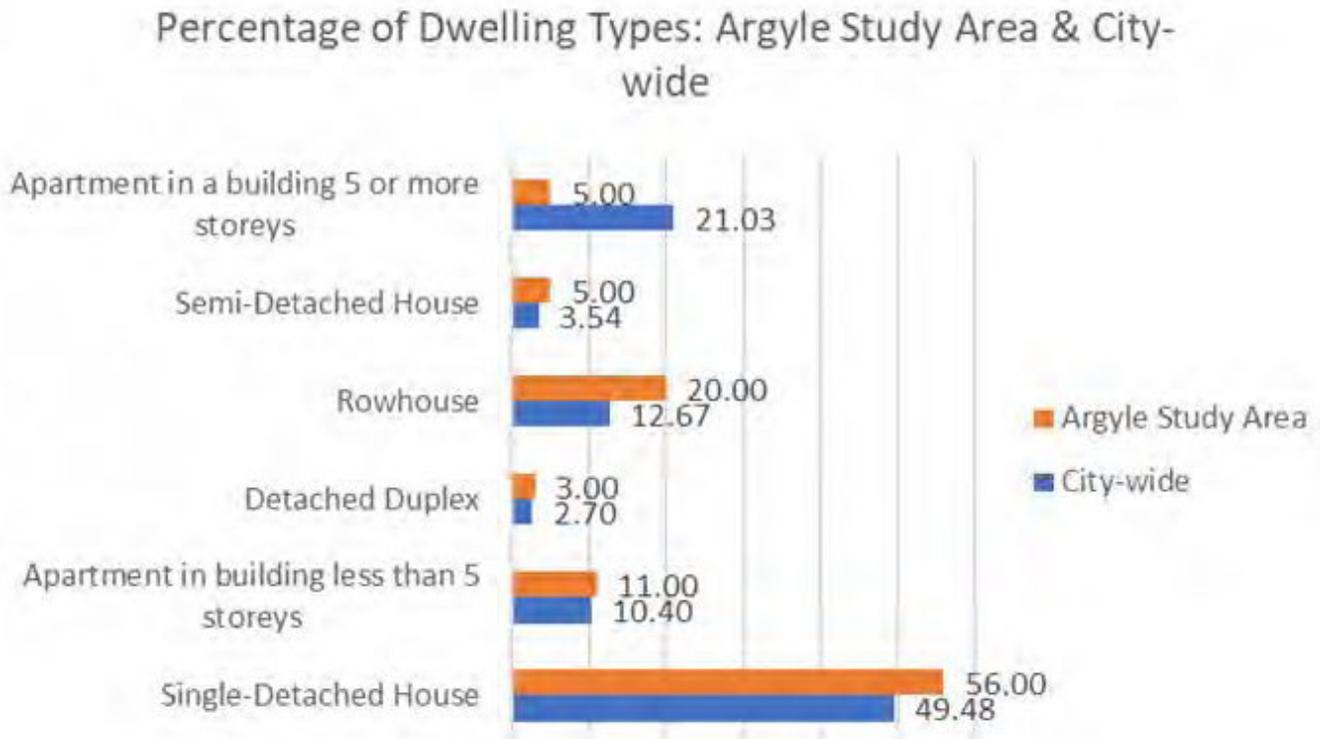


Figure 7: Percentage of dwelling types in the Argyle Study Area compared to City-Wide.

Argyle Project Area

When a Community Improvement Plan is being prepared, a (proposed) Project area is established early in the process to maintain focus and to help avoid scope creep as the project moves forward. From the proposed Project Area, a Community Improvement Plan Area is then identified as the specific area requiring improvement. The Community Improvement Plan Area is included in the final CIP document which is then adopted by Municipal Council. The Planning Act states that the Community Improvement Plan Area is to be based on an area that in the opinion of Municipal Council, improvement is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social, or community economic development reason.

Because the Argyle Study Area is very large, approximately 1,362 hectares, the proposed Project Area (Figure 2) that will lead to an Argyle Core Area Community Improvement Plan is smaller to maintain focus on the area most in need of regeneration and improvement.

The Argyle Project Area is situated in the east end of the City within the Urban Growth Boundary (UGB). It encompasses properties with frontages abutting the main corridor of Dundas Street, and the Argyle Mall at the most eastern portion of the study area. Parts of the north boundary are adjacent to the Canadian Pacific Railway line and the westerly boundary is Highbury Avenue North.

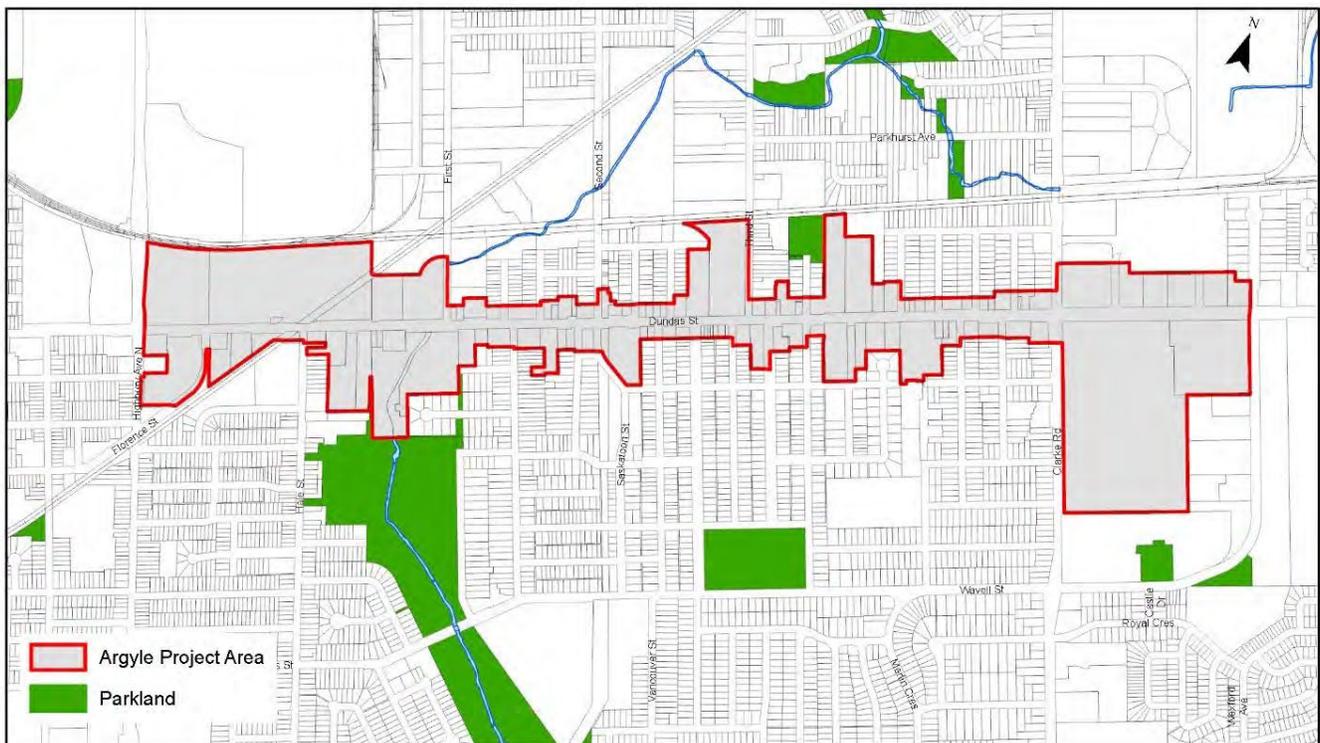


Figure 8: Argyle Project Area

Argyle Project Area Profile

This section presents a summary of characteristics and statistics of the Argyle Project Area to provide context for the CIP. Where possible, City-Wide data has also been provided. Every effort has been made to align the data with consistent boundaries, however, data may be associated with variable boundaries.

Population

The current resident population in the Argyle Project Area is approximately 175 people within a total of 57 households; The largest population segment in the Argyle Project Area is the 30-34 year old age range, comprising of 12% of the total. The next largest population segments are the 20-24; 25-29; and 55-59 age ranges, each comprising of approximately 11% of the total population.

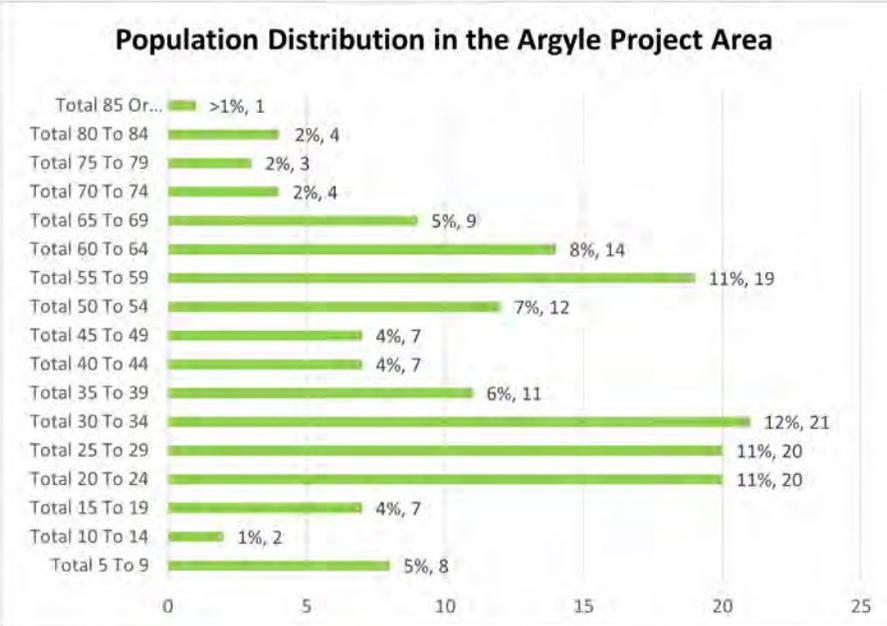


Figure 9: Population distribution of the Argyle Project Area

Average Household Income

Based on the 2015 National Census data, the Argyle Project Area has a lower average household income compared to the City-Wide average. The average household income in the Argyle Project Area is 33% lower than the City-Wide average household income.

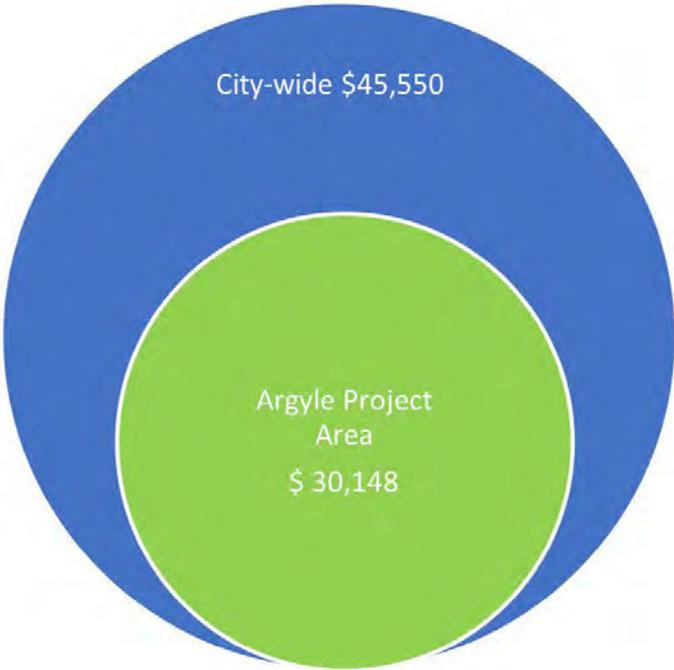


Figure 10: Nested circle diagram of the average household income for the Argyle Project Area and City of London.

Education

The Educational Attainment profile for the Argyle Project Area is lower than the City-wide statistics. 41% of the the Argyle Project Area residents have some form of post-secondary education, compared to 67% of residents City-wide. The most frequent credential earned is High School education (and Equivalency Diploma) for just over 36% of the population compared with just over 24% City-Wide. Almost 23% of the residents have no certificate, compared to just 9% of the City-Wide Population. Additionally, 23% of the population has a College level education compared to 28% City-Wide.

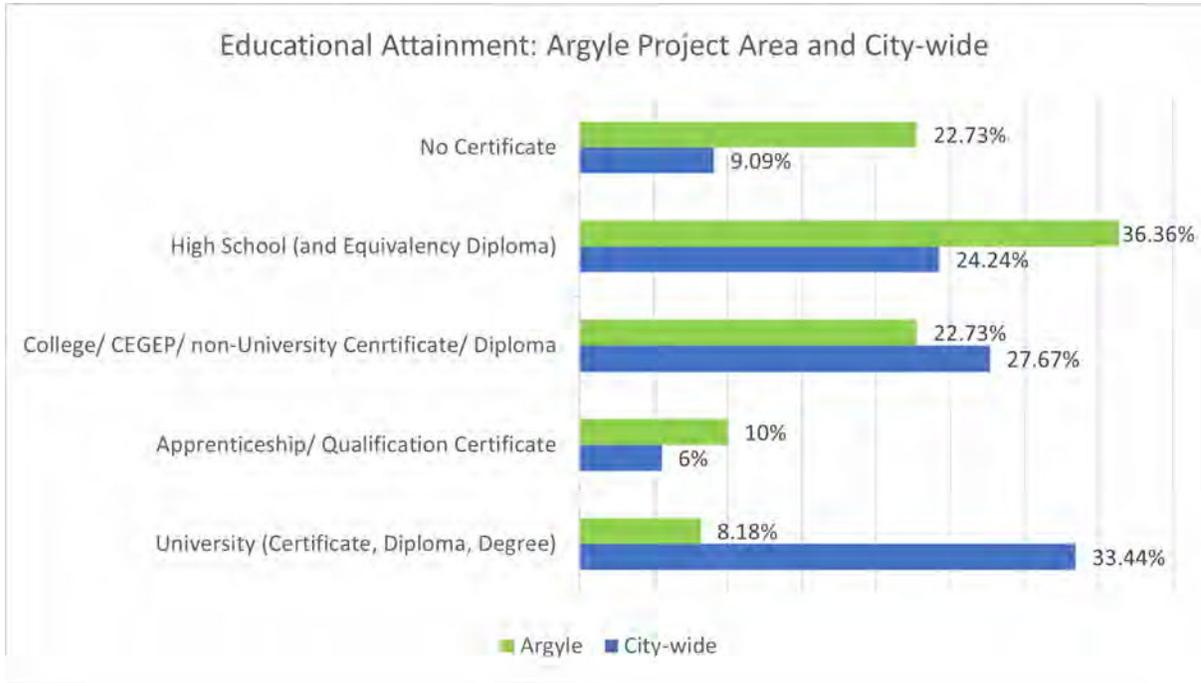


Figure 11: Educational Attainment in the Argyle Project Area compared to City-Wide.

Homeownership

Housing Tenure

The main form of housing tenure in the Argyle Project Area is renting which totals 56.1%, compared to 40.3% City-Wide. Conversely, the number of owner-occupied dwellings (44%) is lower than the rest of the City (59.7%).

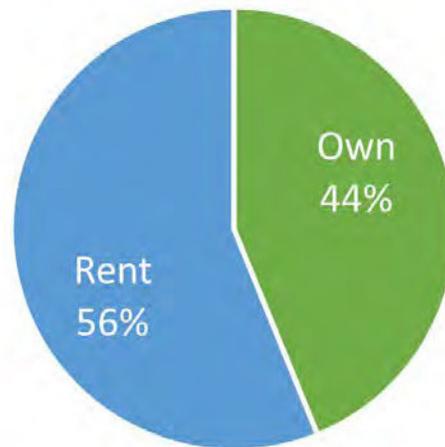


Figure 12: Housing Tenure of the Argyle Project Area

Dwelling Types

Forty-six percent (46%) of dwellings in the Argyle Project Area are single detached residential units, compared to 49% City-wide. The second most frequent dwelling type are apartments in a building with fewer than 5 storeys, with 42% of dwellings compared to 10% City-Wide. The remaining 12% of dwelling types in the Project Area is comprised of detached duplex (7%), row housing (3.5%), and semi-detached dwellings (2%). The Argyle Project Area does not have apartment buildings of 5 or more storeys.

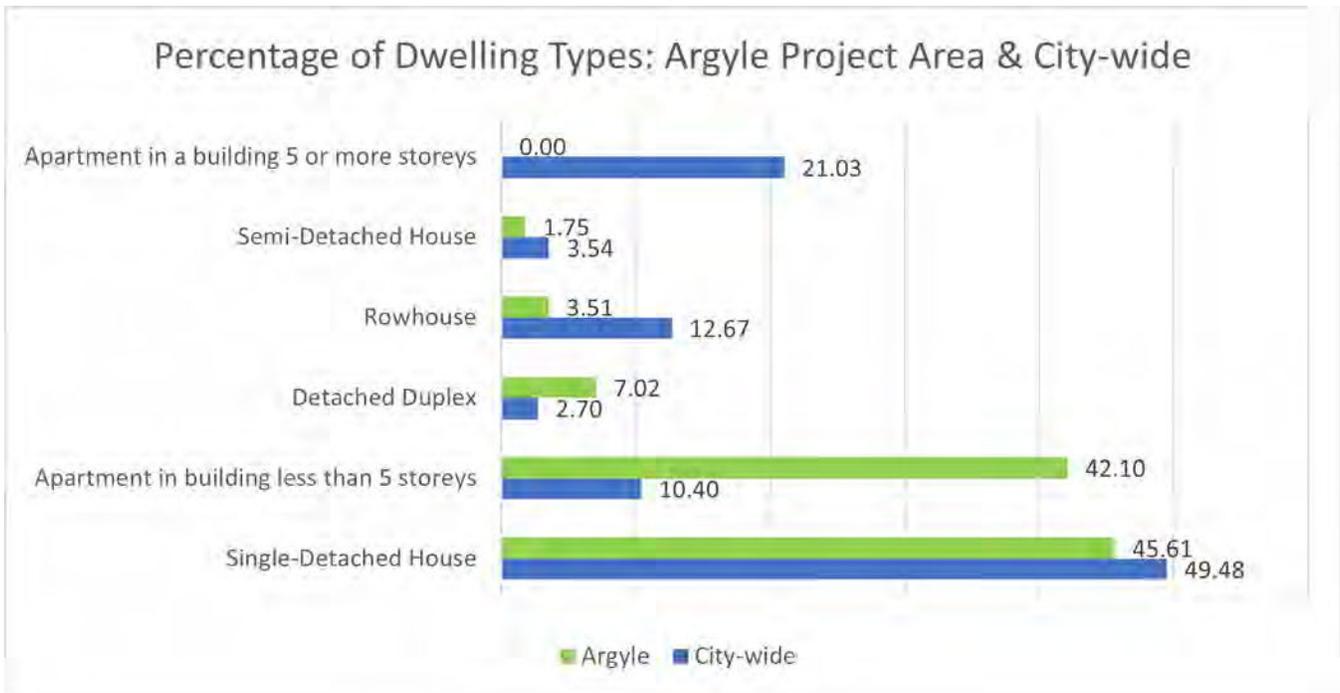


Figure 13: Percentage of Dwelling types in the Argyle Project Area compared to City-Wide.

Parkland

Although there is a variety of parks and outdoor public spaces in the Argyle neighbourhood, only a small portion of Kiwanis Park North is within the Argyle CIP Study Area. This equals 0.6 hectares of parkland, which equals less than one percent (0.71%) of the total CIP Study Area. Based on a population of 175 people from the Census Data, the Argyle CIP Study Area has 3.42 hectares per 1000 people, compared with 7 hectares of parkland per 1000 people City-Wide in London.

SECTION 2

VISION & OBJECTIVES





Vision

A **vision** for a CIP is a long-term strategic statement that identifies how the community wants to look, feel and function. Establishing a vision is an important component of the CIP process as it provides the overarching foundation for the Action Items contained in the CIP. A vision also helps to focus and direct the improvements and incentive programs outlined in the CIP.

Through Community consultation, the following Vision Statement for the Argyle Project Area was created:

By 2035, the Argyle Core Area will be a welcoming, well-maintained and safe destination with unique small businesses and shops, as well as supporting an established growing residential neighbourhood.



Objectives

During the engagement-process, stakeholders provided feedback on their main objectives for regeneration and improvement in the Argyle Project Area. A summary of the comments recieved include the following:

- Crime & Homelessness Prevention;
- Improve long-term community safety to create a safe environment for all at all times of the day;
- Foster great streetscapes with a visually interesting, accessible, and clean public realm;
- Build upon the success of the diverse business-community to create a vibrant and mixed-use main street;
- Encourage the restoration and redevelopment of the older and/or vacant building stock;
- Enhance Argyle's identity and public perception;
- Create more opportunitie for infill development and redevelopment along the Dundas Corridor;
- Create more stable and affordable housing options (aimed at seniors and below average market rent affordable);
- Foster a broader range of uses, such as access to fresh food and more entertainment-amenities within Argyle;
- Improve active mobility and coordinate municipal servicing infrastructure improvements with planning and development activity to help reduce distruptions in the neighbourhood;
- Conserve natural heritage and support remediation of contaminated areas.

Targets for Improvement

Through consultation with the community, twelve areas for improvement in the Argyle Core Area were developed from the list of items identified as needing improvement in the Argyle Project Area:

- Support Small Businesses
- Improve Public Realm - Dundas Street
- Crime Prevention/Safety
- Deficiencies in Infrastructure
- More (residential) Growth
- Enhancing Argyle's Identity
- Lack of Affordable Housing
- Lack of Trees and Greenery
- Create Places to Sit and Linger
- General Cleanliness
- Congestion (vehicular traffic)
- Recreational Programs & Community Gathering Spaces



The 12 areas for improvement were summarized into six (6) improvement categories:



1. Developing High Quality Public Realm

The Argyle Core Area will have a pedestrian-oriented streetscape and public spaces that are safe, clean, accessible and pleasant.



2. Safer Neighbourhood for All

The Argyle Core Area will be a safe accessible, and healthy place to live, visit and work by improving safety and accessibility related issues.



3. Supporting Businesses

The Argyle Core Area will have strong, diverse and connected businesses and a business environment that attract visitors, serves the local community, and support business retention, expansion and investment.



4. **Enhancing Parks & Recreational Opportunities**

Natural features and neighbourhood parks will be enhanced, conserved, and celebrated, and the Argyle Core Area will have a range of recreational amenities and programs.



5. **Improved Mobility**

The Argyle Core Area will have an interconnected community-wide transportation network that is safe, convenient, and prioritizes active mobility.



6. **Strengthening the Community**

The Argyle Core Area community will continue to develop and maintain strong connections within the community and the City, and built capacity to work strategically with stakeholders to achieve community goals.

The recommended actions for improvement found in Section 6 will fall under one of the the above six categories.

SECTION 3

ARGYLE COMMUNITY IMPROVEMENT PLAN PROJECT AREA & SUB- AREAS



The Argyle Project Area

Project Area Description

When a CIP is being prepared, a Project Area is established early in the process to maintain a geographical focus and to help avoid “scope creep” as the project moves forward. The *Argyle Regeneration Study* applied to the whole Argyle Planning District, but for the Argyle CIP a smaller Project Area was established based on the the existing Argyle BIA boundaries. This Project Area was chosen because stakeholders identified the Dundas Street Corridor as the location where the need for community improvement was the greatest. As Dundas Street is the main artery through the community where most businesses are located, regeneration and revitalization initiatives in this area will provide the most benefits for the overall Argyle Core Area community.

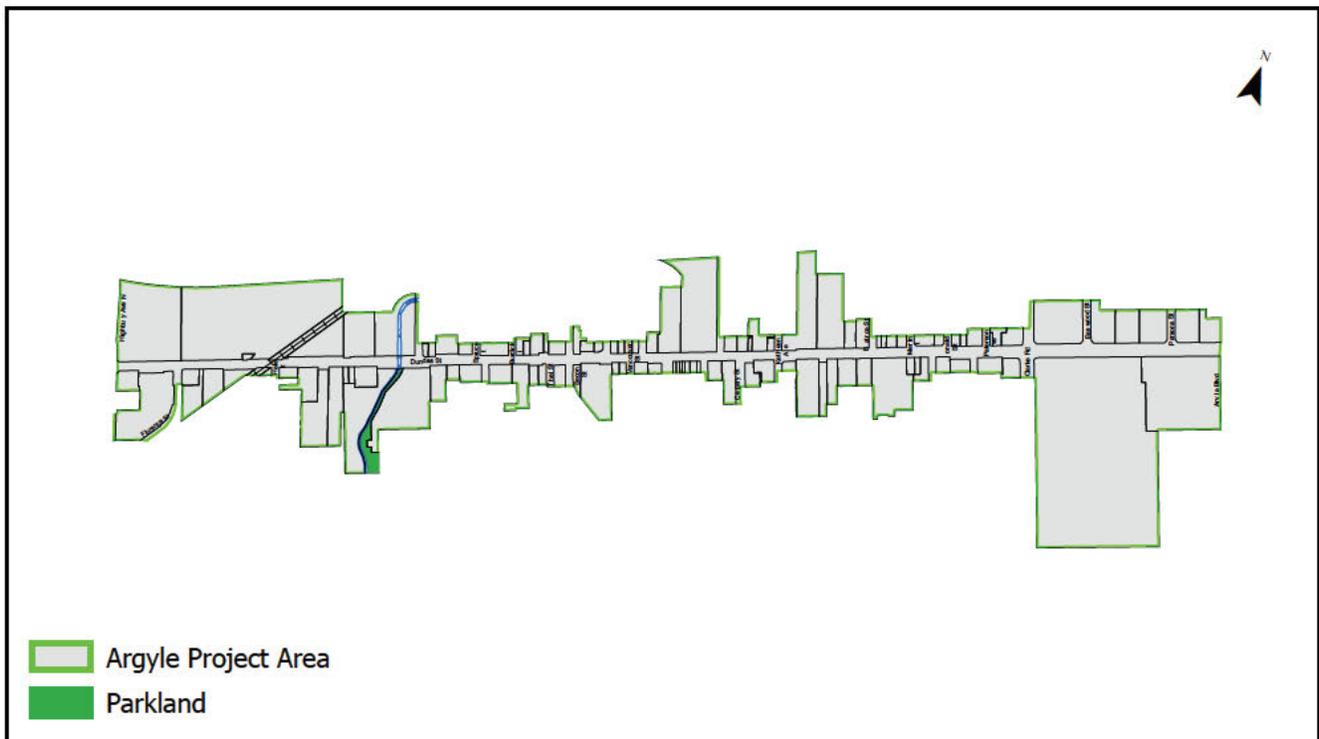


Figure 14: Argyle Project Area

The Argyle CIP Project Area is generally bounded by Highbury Avenue to the west, Canadian Pacific Railway to the north, Wavell Street to the east and Whitney Street to the south. The Project Area includes all properties fronting Dundas Street, as well as the Argyle Mall located at Clarke Road.

Project Sub-Areas

The Project Area has been further divided into two Project Sub-Areas which are based on the existing conditions and characteristics during the preparation of this Plan. The Sub-Areas include:

1. Dundas Street Corridor
2. Argyle Mall

1. Dundas Street Corridor

The Dundas Street Corridor contains lands fronting onto Dundas Street from Highbury Avenue North to Clarke Road. Dundas Street is the main commercial and transit corridor within the Project Area, connecting Veterans Memorial Parkway with the Argyle Mall and Highbury Avenue. The large volumes of traffic including trucks that pass through Dundas Street have contributed to a decline in the quality of the public realm and detract from the street environment policy objectives specified in the London Plan. Dundas Street and its many stores, restaurants and other small businesses are conveniently located and provide residents with most of their day-to-day shopping needs. An effort to rebalance the auto-dominated corridor to provide a more pedestrian friendly environment is a priority. A desire for more safety, cleanliness, additional public spaces to rest and more greenery and street-trees were identified in the first community meeting.

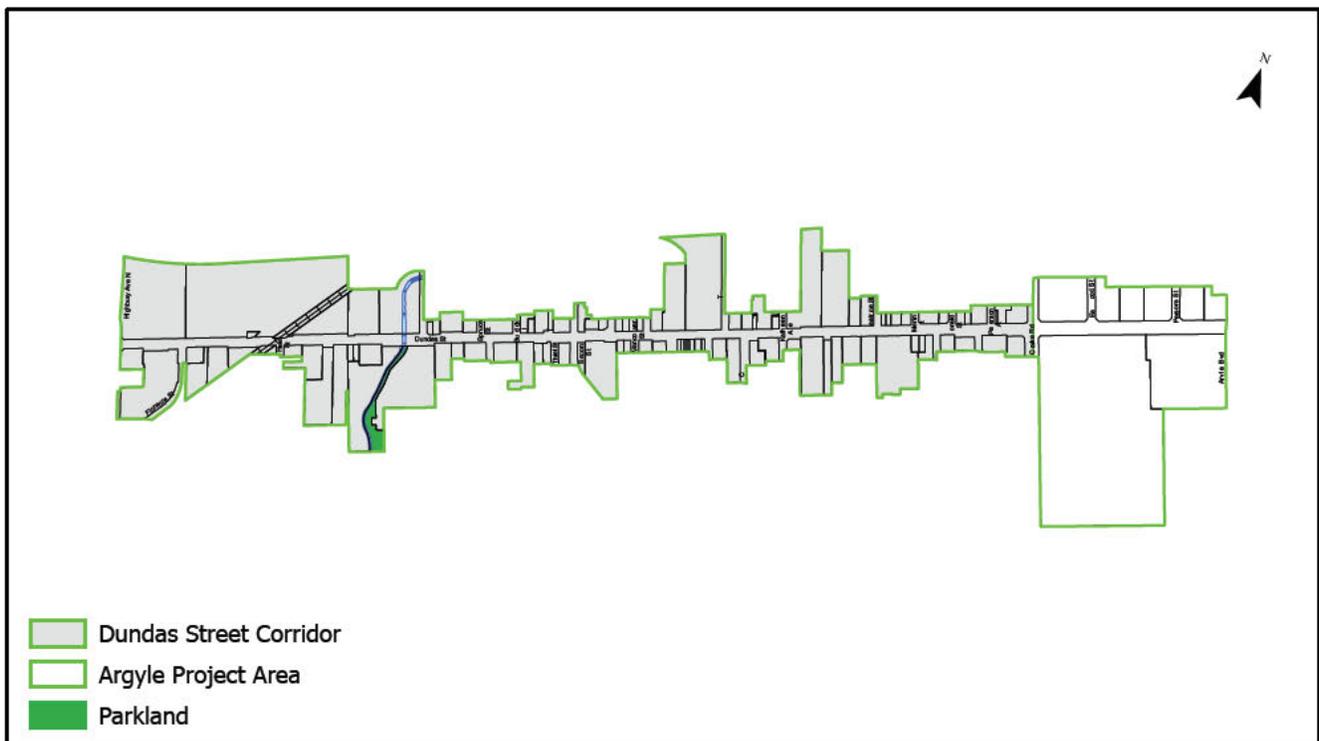


Figure 15: Argyle Project Sub-Area Dundas Street Corridor

The London Plan identifies the Dundas Street Corridor as an Urban Corridor Place Type. Urban Corridors permit a wide range of uses, encourage intensification and mixed-use buildings and support a high-quality pedestrian environment that is pleasant, accessible and safe. As the Dundas Street Corridor is the centre of the Argyle Core Area, it will be the focal point for improvement.

2. Argyle Mall

The Argyle Mall is comprised of the Shopping Area adjacent to the Dundas Street Corridor in the Project Area. The Argyle Mall is located at the intersection of Dundas Street and Clarke Road, on the eastern portion of the Project Area. SmartCentres Real Estate Investment Trust (REIT) has full ownership of the 355,000 square foot shopping centre and leases to approximately 34 commercial tenants. The Argyle Mall provides for most day-to-day shopping needs and includes stores like Walmart, Winners, No Frills, Staples, Mark's, CIBC, Burger King, LCBO and others.

The area to the north of Dundas Street and east of Clarke Road is part of the Argyle Mall Sub Project Area but has somewhat different characteristics than the main area of the Argyle Mall south of Dundas Street. This area is not under the ownership of SmartCentres REIT and generally consists of smaller retail-units, food-chains (such as McDonalds and Pizzahut), a thrift store and financial institutions.

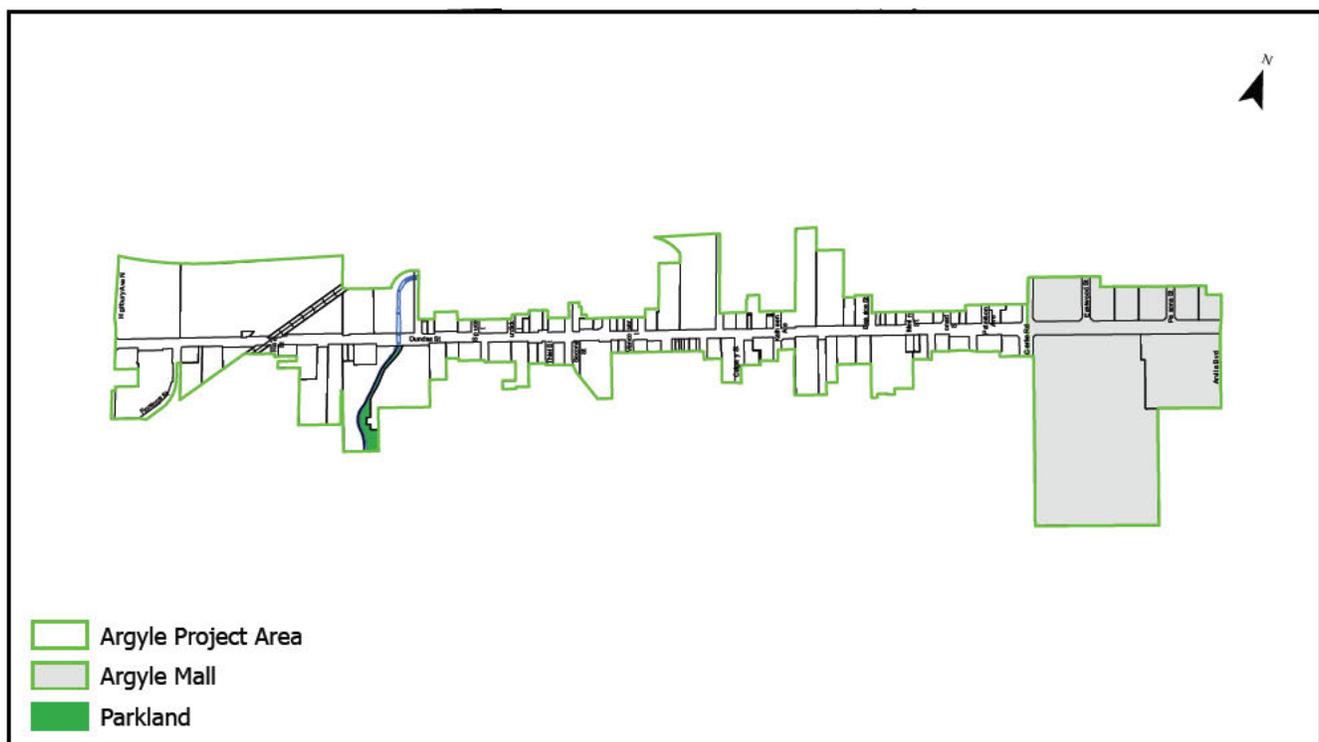


Figure 16: Argyle Project Sub-Area Argyle Mall

Within the London Plan, the Argyle Mall is designated as Shopping Area. This is the primary Place Type for commercial uses, and also allows for a broad range of retail, service, office, entertainment, recreational, educational, institutional and residential uses. Shopping Areas are to service their immediate neighbourhood and provide a walkable focal point that creates a neighbourhood identity. Commercial Place Types currently permitted in the London Plan provide a broad range of opportunities for new commercial uses, and there are also many opportunities for reforming, redevelopment, expansion and intensification of Shopping Areas such as the Argyle Mall.



Figure 17: Overview of the Argyle Mall looking east, dated November 2019.



SECTION 4

COMMUNITY IMPROVEMENT NEEDS





Community Improvement Needs

To gain an understanding of key issues that should be addressed by this CIP, community improvement needs in the Argyle Project Area have been determined using the following methods:

- First-hand observations made during site-visits;
 - Consultation with community members, organizations and other stakeholders;
 - Research and analysis of applicable legislation, policies, regulations and census data;
- and,
- Consultation across City of London Service Areas.

Identified Strengths, Weaknesses, Opportunities & Threats (SWOT)

Items seen as strengths, weaknesses, opportunities and threats (SWOT) in the Argyle Study Area that require action and/or improvement were identified through consultation with stakeholders throughout this project (community members, groups, organizations).

These items are summarized on the following pages.



Strengths:

- Diverse collection of land uses
- Rich history of independent businesses
- Access to main shopping centre
- Excellent Parks
- Industrial development close by (employment opportunities)
- Residential neighbourhood is stable
- Gateway into the City, access to VMP
- Argyle Mall has ample parking; convenient to find a parking spot.
- Neighbourhood has full municipal services
- Sense of community, lots of positive people
- Presence of active BIA that is committed to Argyle



Weaknesses:

- Dated appearance
- Poor image and perception that East London comes last
- Social issues (crime, homelessness, arsons, vandalism)
- Urban blight
- Concern that the East Lions Community Centre is not finished
- Poorly services by emergency services (especially Police)
- Lack of City-wide destination
- Low amount of heritage designations
- Many businesses have their own lane-entrance, makes it hard to get in & out
- LMHC units are in poor condition
- Poor sidewalks & streetlighting
- Need pedestrian amenities (benches, bike racks, bus shelter)
- On-site parking is inconsistent, some businesses have issues providing parking



Opportunities:

- More infill and intensification along Dundas Street
- More affordable housing
- Development of Urban Design Guidelines to guide development
- Promote greater mix of uses, including mixed-use development
- Encourage property owners to improve their buildings (bring up to code) and attract tenants
- Economic impact from residential regeneration of former LPH lands
- Promote built heritage in Argyle through signage and educational outreach
- Promote cycling and walking
- Better balancing of vehicular and pedestrian traffic
- Great need for roadwork, sewer and infrastructure improvements
- East Lions Community Centre when it opens
- Crime Prevention Through Better Design (CPTED)
- Enhance by-law and police enforcement in Argyle
- Bring back Neighbourhood Watch Program
- Promote and expand the Active and Safe Routes to School Program



Threats:

- First impression when entering from VMP
- Vacant buildings along corridor
- Dilapidated buildings in visible locations threaten ability to attract new businesses
- Lack of consideration for heritage features
- Drug use is at an all-time high
- Lack of foot traffic
- Accessibility issues
- Loss of historic identity, no longer industry and agriculture in Argyle
- Stagnation due to disinterest
- Underused laneways contribute to crime
- Many construction projects are disruptive for residents
- High speed of traffic on Dundas Street
- Feeling that Argyle is overlooked
- Lack of lighting contributes to perceived unsafety



Categories of Identified Community Improvement Needs

The following list groupd identified needs for the Argyle Project Area that require community improvement consistent with the six (6) categories shown in Section 2. The list is not in an order of priority and is based on received feedback and engagement in community meetings.



1. **Developing High Quality Public Realm**

- Lack of lighting
- Sidewalks along Dundas Street are narrow and close to traffic
- Car-centric, Argyle is not perceived as a bike or pedestrian friendly area
- Missing curbs and sidewalks on local streets
- Dundas Street is in poor condition, improve road quality and safety
- Too many entrances onto Dundas Street
- No places to sit in the shade
- Lack of trees and green spaces
- Lack of bike lanes in the area
- Congestion
- Walkability should be a priority, wider sidewalks away from the street



2. Safer Neighbourhood for All

- Issues with crime and safety
- Better crime prevention and more police presence
- More assistance for people dealing with addictions and homelessness
- Neighbourhood feels unsafe at night
- Need a short-term night watch
- Neighbourhood is poorly supported by services when things go wrong (Police, EMS)
- Concerns about drug use and drug paraphernalia
- Perception of unsafe neighbourhood



3. Supporting Businesses

- Vacant and dated looking building facades
- Leverage visitors to Argyle Mall for whole neighbourhood
- Businesses are dated but familiar
- Opportunity for more mixed-use spaces
- Need an anchor that draws people into Argyle from other parts of the City
- Focus on successful narratives of small businesses
- Less big-box stores, more small businesses
- Lack of outdoor eating areas (especially during COVID-19)
- Older building stock has significant energy conservation/efficiency issues
- Building a narrative how Argyle serves London more broadly (businesses, industry, agriculture)



4. Enhancing Parks & Recreational Opportunities

- More events for families at Kiwanis Park
- Argyle Mall is underused for events, e.g. Children's amusement park or seasonal festivals
- High amount of environmental contamination, including Kiwanis Park and Pottersburg Creek
- Entrance to Kiwanis Park is hard to find (no directional signs)



5. Improved Mobility

- Better transit-amenities, currently no shelter, benches and too close to the road
- Timing of traffic signal lights is not convenient for cyclists
- London Transit Commission routes are perceived as inconvenient
- Need for pleasant and safe active transportation routes
- Smaller blocks along Dundas Street and more pedestrian crossings: Dundas Street is views as a barrier between the north and south.



6. Strengthening the Community

- Argyle doesn't have unique characteristics/theme or 'Argyle Village feel'
- More community events and outreach
- Need for affordable housing and retirement homes for seniors
- Area is stagnating due to disinterest, crime and homelessness
- Lack of housing options
- Perceived as low-income area
- Loss of historic identity, limited heritage designation & protection
- Lack of support from the City for local businesses
- Better marketing from the City for East London

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SECTION 5

INCENTIVE PROGRAMS



Incentive Programs

Together with proposed initiatives that can be undertaken by the public sector on municipal property, the private sector needs to be engaged in community improvement to achieve this CIP's objectives.

One method of achieving this is by providing Financial Incentive Programs to help stimulate private investment in buildings and properties. Community Improvement Plans enable municipalities to establish financial incentive programs to target different community needs. In accordance with the *Planning Act* and the City's Official Plan, the City may offer grants or loans to property owners to help cover eligible costs and advance community improvement goals.

Financial incentives and programs are subject to availability of funding, and Municipal Council can choose to implement, suspend or discontinue an incentive program at any time. The Argyle Core Area CIP is an enabling document, meaning that Municipal Council is under no obligations to activate and implement any part of a CIP including financial incentive programs.



Argyle Core Area Community Improvement Plan Incentive Programs

The Argyle Core Area CIP financial incentive programs represent a comprehensive ‘toolkit’ of programs designed to help improve a number of the key weaknesses and threats identified and to achieve the vision and objectives of the CIP. The financial incentive programs will encourage private sector investment, rehabilitation, adaptive re-use, redevelopment and construction along the Dundas Street Corridor and Argyle Mall Sub-Project Areas. The programs represent a ‘toolkit’ because once activated, these programs can be used individually or together by an applicant. In addition to the specific incentive programs in this CIP, the City of London also provides incentive programs in the Brownfield and Heritage CIPs, which may also be applicable to property-owners within the Project Area. Each CIP provides specific program requirements for each financial incentive program.

The following table summarizes basic program details for each of the incentive programs. The maximum grant/loan available for each program will be determined by City Council when it implements and incentive program and will be based on budget considerations at that time. Eligibility criteria will be available in the detailed program requirements in the Argyle Core Area CIP financial incentive implementation information package.

Program	Description	Program Duration
Upgrade to Building Code Loan	<p>A loan program designed to assist property owners with the financing of building improvements to ensure older buildings comply with contemporary Building Code Requirements. The costs associated with these improvements often pose an issue for building owners wanting to upgrade their properties.</p> <p>City may provide no-interest loans that are paid back over no more than a 10-year period.</p>	As directed by Municipal Council
Facade Improvement Loan	<p>A loan program designed to assist property owners with improvements to building facades abutting or very visible from the public right-of-way, to bring participating properties into conformity with the Property Standards By-law and achieve applicable Urban Design Guidelines.</p> <p>City may provide no-interest loans that are paid back over no more than a 10-year period</p>	As directed by Municipal Council.

Program	Description	Program Duration
Rehabilitation & Redevelopment Tax Grant	<p>A grant program designed to provide economic incentive for the rehabilitation of mixed-use and commercial properties in areas where the building stock is older.</p> <p>City may provide an annual grant to property owners on a declining scale over no more than a 10-year period. The effect of this program is to phase in the property tax increase, which results from a rehabilitation project, over a period of 10 years. The annual grant amount is calculated based on the property tax increase that results from the increase in assessment relating to an improvement project.</p>	As directed by Municipal Council

Table 1: Incentive Loan Programs for the Argyle Core Area CIP

Upgrade to Building Code Loan:

This is a program designed to assist property owners with the financing of building improvements to ensure older buildings comply with contemporary Building Code requirements. The costs associated with these improvements often pose an issue for building owners wanting to upgrade their properties. City may provide no-interest loans that are paid back over no more than a 10-year period.

Façade Improvement Loan:

This is a program designed to assist property owners with improvements to building façades abutting or very visible from the public right of way, to bring participating properties into conformity with the Property Standards By-law and achieve applicable Urban Design Guidelines. City may provide no-interest loans that are paid back over no more than a 10-year period.

Rehabilitation & Tax Redevelopment Grant:

A grant program designed to provide economic incentive for the rehabilitation of mixed-use and commercial properties in areas where the building stock is older. City may provide an annual grant to property owners on a declining scale over no more than a 10-year period. The effect of this program is to phase in the property tax increase, which results from a rehabilitation project, over a period of 10 years. The annual grant amount is calculated based on the property tax increase that results from the increase in assessment relating to an improvement project.

Brownfield, Heritage and Affordable Housing Incentive Programs

In addition to the incentive programs contained in this CIP, the City of London also provides incentive programs in the Brownfield, Heritage and Affordable Housing CIPs. As a result, depending on the specific project, a property owner may be eligible for a number of financial incentive programs. The following table provides a summary of these incentive programs. Specific program information is included in the relevant CIPs.

Program	Description
Brownfield	<ul style="list-style-type: none"> • Contamination Assessment Study Grant Program • Property Tax Assistance Program • Development Charge Rebate • Tax Increment Equivalent Grant
Heritage	<ul style="list-style-type: none"> • Tax Increment Grant • Development Charge Equivalent Grant
Affordable Housing	<ul style="list-style-type: none"> • Affordable Housing Development Loan Program • Additional Residential Unit Loan Program

Table 2: Overview Program Details of Brownfield, Heritage and Affordable Housing Incentive Programs



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159 2B TO BONAVENTURE 159
0202

CASH 123
cellular services
Canada's
Cleanest

BMO

CASH LENDER
PAYDAY LOAN
NO CREDIT CHECK
WE FINANCE
LOWEST

CELL MAGICIAN
CELL PHONE
REPAIR
IPHONE 8
\$259

SECTION 6

IMPLEMENTING THE ARGYLE CORE AREA COMMUNITY IMPROVEMENT PLAN





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How to Read the Argyle Core Area CIP Action Items Table

The Argyle Core Area Community Improvement Plan (CIP) Action Items Table is organized into six (6) improvement categories:

- 1. Developing a High-Quality Public Realm;**
- 2. A Safer Neighbourhood for All;**
- 3. Supporting Businesses;**
- 4. Enhancing Parks and Places to Sit and Linger;**
- 5. Improved Mobility;**
- 6. Strengthening the Community**

Within each improvement category, there are community and City identified actions that arose during community and stakeholder consultation and have been developed through City Staff input. Action Items are aligned with the Objectives, Goals and Vision defined through the Argyle CIP process as presented in Section 4 of this CIP. Each action item identifies the lead (who is expected to coordinate implementing the action), the suggested partners (who can assist the lead), the priority (Do First, Second and Third) and the relative cost associated with each action item.

Actions Table

1. Developing a High-Quality Public Realm				
	Action	Priority	Lead & Suggested Partners	Cost
Municipal Actions				
1.1	Develop a Streetscape Masterplan for the Dundas Street Corridor to support the London Plan vision for Urban Corridors as high-quality spaces with neighbourhood amenities including parks, civic spaces and attractive outdoor seating areas, accessible to the public.	Do 1st	Environment & Infrastructure - Transportation and Mobility Suggested Partners: Planning & Economic Development - Community Planning, Urban Design & Heritage	Low/ Medium (future budget)
1.2	Seek opportunities to widen sidewalks as part of planned Infrastructure Renewal along Dundas Street.	Do 1st	Environment & Infrastructure - Transportation and Mobility Suggested Partners: Planning & Economic Development - Community Planning, Urban Design & Heritage	Medium (future budget)
1.3	Seek opportunities to include pedestrian scale lighting as part of existing and planned Infrastructure Renewal along Dundas Street.	Do 2nd	Environment & Infrastructure - Transportation and Mobility Suggested Partners: Planning & Economic Development - Community Planning, Urban Design & Heritage Argyle BIA	Medium (future budget)
1.4	Seek opportunities to improve the amenities at bus stops in the Argyle Core Area, including shelters and benches.	Do 2nd	London Transit Commission Suggested Partners: Planning & Economic Development - Community Planning, Urban Design & Heritage Environment & Infrastructure - Construction and Infrastructure Services.	Medium (future budget)

1.5	Identify opportunities to install more garbage and recycling receptacles at bus stops, as part of the garbage and recycling program facilitated by the City.	Do 2nd	Environment & Infrastructure - Climate Change, Environment and Waste Management	Medium (future budget)
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Community Opportunities				
1.6	Improve and support the streetscape and beautification projects that the Argyle BIA is implementing.	Do 1st	Argyle BIA Suggested Partners: London Hydro & Community Sponsors	Low (existing budget)
1.7	Clean Dundas Street sidewalks on a more frequent schedule, and work in conjunction with the BIA Clean Streets program.	Do 1st	Argyle BIA Suggested Partners: Environment & Infrastructure - Climate Change, Environment and Waste Management	Medium (future budget)
1.8	Seek opportunities to include street trees and greenery in the Dundas Corridor as part of existing and planned Infrastructure Renewal along Dundas Street.	Do 2nd	Argyle BIA Suggested Partners: Environment & Infrastructure - Parks and Forestry/Climate Change, Environment and Waste Management	Medium (future budget)
1.9	Develop a way-finding system with pedestrian-scale signs to allow visitors to explore the neighbourhood.	Do 3rd	Argyle BIA Suggested Partners: Argyle Community Association (ACA) Environment & Infrastructure - Transportation and Mobility	Low (future budget)

Table 2: Actions Table Improvement Category 1 - Developing a High-Quality Public Realm



2. A Safer Neighbourhood for All

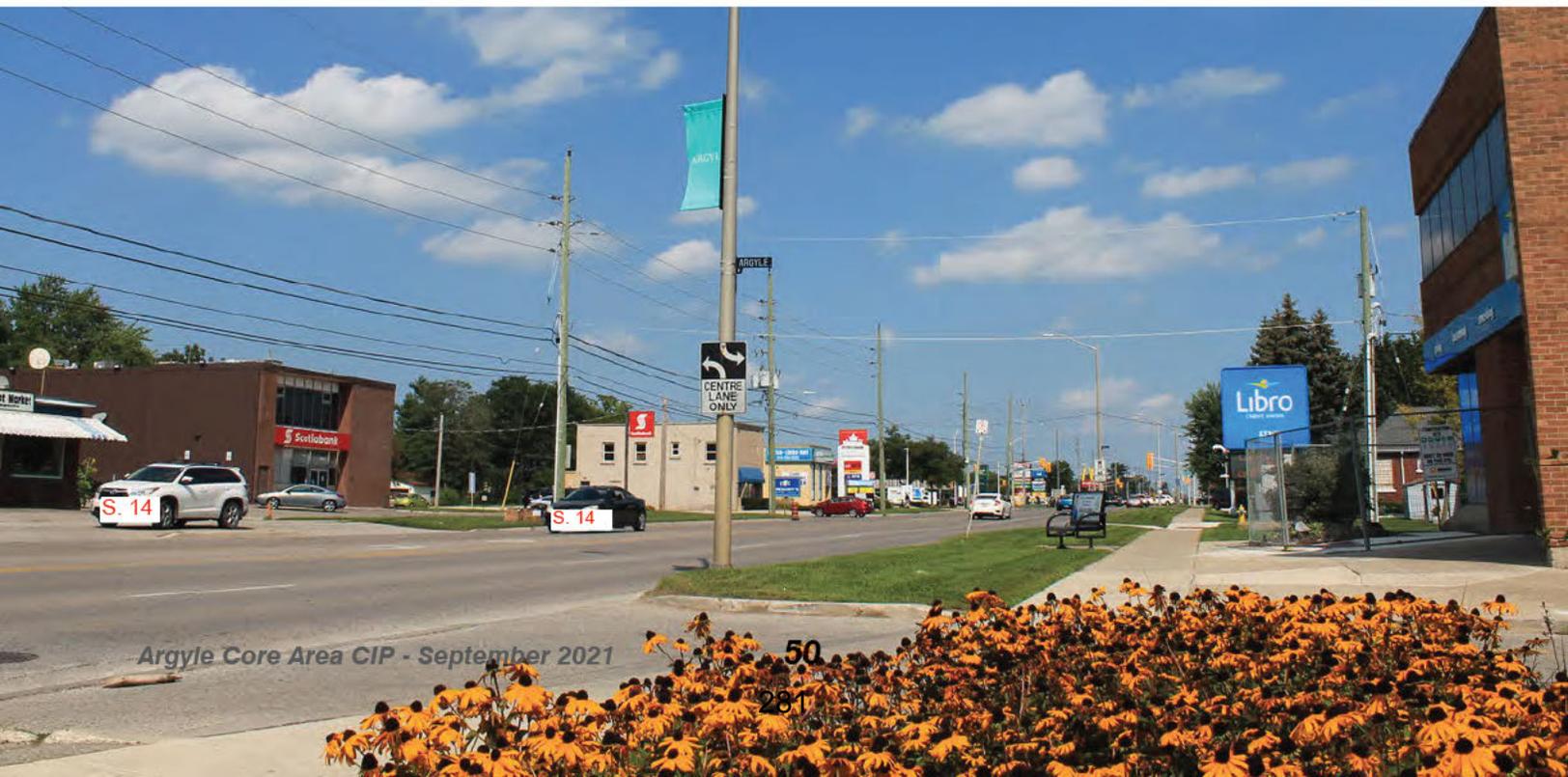
	Action	Priority	Lead & Suggested Partners	Cost
Municipal Actions				
2.1	Implement an annual 'crime prevention through environmental design (CPTED) review of targeted areas along the Dundas Corridor.	Do 1st	Neighbourhood and Community-Wide Services (Neighbourhood Safety Audits) Suggested Partners: London Police Services Planning & Economic Development - Community Planning, Urban Design & Heritage Argyle BIA Argyle Community Association	Low (existing budget)
2.2	Continue to work with the Coordinated Informed Response initiative to identify neighbourhood issues and develop appropriate responses including proactive foot/bike patrols and targeted enforcement	Do 1st	Social and Health Development - Housing Stability Services Suggested Partners: London Police Service Argyle BIA London Cares Argyle Community Association	Low (existing Budget)
2.3	Increase the frequency of proactive By-law Enforcement blitzes in the Dundas Street area.	Do 2nd	Planning & Economic Development - Municipal Compliance Suggested Partners: Argyle BIA Planning & Economic Development - Community Planning, Urban Design & Heritage	Low (future budget)

2.4	Continue to work with the Argyle BIA to install needle disposal bins along the Dundas Street Corridor.	Do 2nd	Neighbourhood and Community - Wide Services Suggested Partners: Argyle BIA London Cares Planning & Economic Development - Community Planning, Urban Design & Heritage	Low (existing budget)
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Community Opportunities

2.5	Undertake a Safety Audit to identify and document specific safety concerns in the Argyle Core Area CIP Project Area	Do 1st	Argyle Community Association Suggested Partners: Neighbourhood and Community-Wide Services	Low (existing budget)
2.6	Engage Neighbourhood Watch London about expanding the Neighbourhood Watch Program to the Dundas Street Corridor.	Do 2nd	Argyle BIA Suggested Partners: Neighbourhood Watch London Neighbourhood & Community - Wide Services (Neighbourhood Safety Audits) Argyle Community Association	Low (other budget)

Table 3: Actions Table Improvement Category 2 - A Safer Neighbourhood for All



3. Supporting Businesses

	Action	Priority	Lead & Suggested Partners	Cost
Municipal Actions				
3.1	Provide and promote financial incentives including the Facade Improvement Loan, Upgrade to Building Code Loan and Rehabilitation & Redevelopment Tax Grant Programs for the Dundas Street Corridor	Do 1st	Planning & Economic Development - Urban Regeneration Suggested Partners: Argyle BIA	High (future budget)
3.2	Create business support material and methods to help businesses and entrepreneurs understand planning and development processes, and how to navigate City Hall.	Do 1st	Planning & Economic Development - Economic Partnerships Suggested Partners: Argyle BIA Argyle Community Association Planning & Economic Development - Urban Regeneration	Low (future budget)
3.3	Increase the use of the London Small Business Centre (SBC)	Do 2nd	Planning & Economic Development - Economic Partnerships Suggested Partners: London SBC Argyle BIA Participants	No Cost
3.4	Undertake a Business Attraction, Retention & Expansion Strategy	Do 2nd	TBD Suggested Partners: Argyle BIA	Low (existing budget)
3.5	Incorporate Information Communications & Technology (ICT) infrastructure to "future ready" the Argyle Core Area CIP Project Area through the Technology Investment Strategy	Do 3rd	City of London Information Technology Services Suggested Partners: Argyle BIA Internet Service Providers Planning & Economic Development - Urban Regeneration	Medium (future budget)

Community Opportunities				
3.6	Strengthen the Argyle brand and work together with the Argyle BIA to improve the sense of place, stimulate investment and attract customers and visitors	Do 1st	Argyle BIA Suggested Partners: ACA	Medium (existing budget)

Table 4: Actions Table Improvement Category 3 - Supporting Businesses

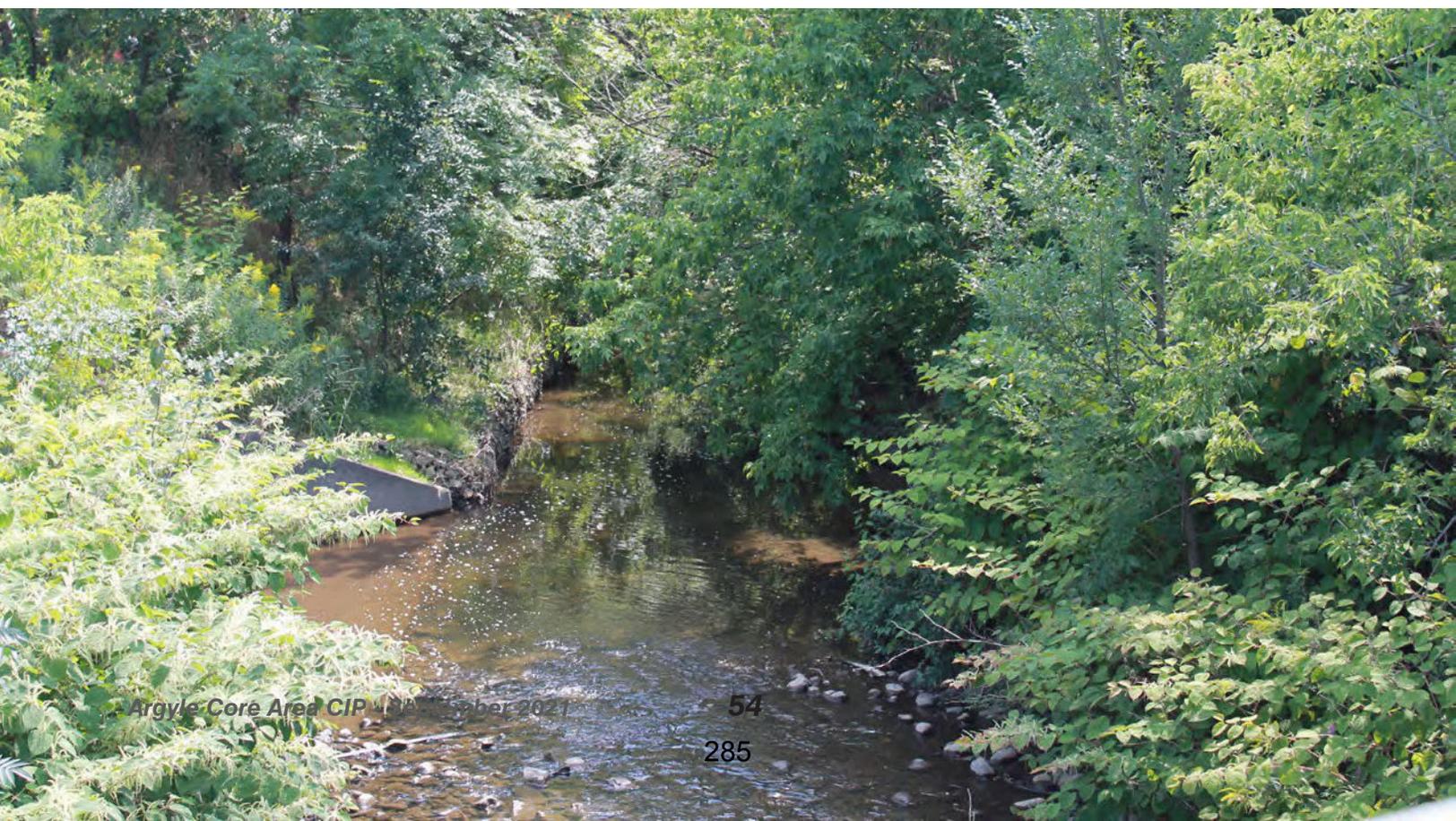


4. Enhancing Parks and Places to Sit and Linger

	Action	Priority	Lead & Suggested Partners	Cost
Municipal Actions				
4.1	Promote and review the programs offered in the East Lions Community Centre (once opened) to ensure adequate programming is available to the neighbourhood.	Do 1st	Neighbourhood and Community-Wide Services Suggested Partners: Argyle ACA Family Centre Argyle	Medium (existing budget)
4.2	Plant trees (where feasible) as per the Urban Forestry Strategy to connect people and nature and build a sustainable city.	Do 1st	Parks & Forestry Suggested Partners: ReForest London Neighbourhood & Community-Wide Services Environment & Infrastructure	Medium (existing budget)
4.3	Enhance the north entrance to Kiwanis Park to improve its visibility and accessibility	Do 2nd	Parks & Forestry - Parks Planning	Medium (future budget)
4.4	Install places to fill up water bottles along the Dundas Corridor	Do 2nd	Water, Wastewater & Storm Water Suggested Partners: Neighbourhood & Community -Wide Services	Low (future budget)
4.5	Continue to pursue additional sources for funding to support the UTRCA projects of improving the habitat and water quality of the Pottersburg Creek.	Do 3rd	Environment & Infrastructure - Climate Change, Environment & Waste Management Suggested Partners: UTRCA Planning & Economic Development Parks & Forestry	No Cost

Community Opportunities				
4.6	Explore opportunities to organize 'pop-up' recreational programs and events on the parking lot of the Argyle Mall.	Do 1st	Argyle Community Association Suggested Partners: Smart Centres REIT Argyle BIA	No Cost
4.7	Apply for the TreeME Tree Matching Fund program to secure funds for trees on private property.	Do 1st	Individual Property-owners Suggested Partners: ReForest London Argyle Community Association	Low (existing budget)
4.8	Promote the annual Argyle specific Green and Clean Plan to encourage community clean-ups of the Dundas Corridor and Parks.	Do 2nd	Argyle Community Association Suggested Partners: Parks & Forestry Argyle BIA	No Cost
4.9	Improve and expand recycling initiatives, e.g. identifications of 'Street Ambassadors' who are interested in promoting cleanliness issues and help promote clean-ups, recycling and maintenance.	Do 2nd	Neighbourhood and Community-Wide Services Suggested Partners: Argyle Community Association Argyle BIA	No cost

Table 5: Actions Table Improvement Category 4 - Enhancing Parks and Recreational Opportunities



5. Improve Mobility				
	Action	Priority	Lead & Suggested Partners	Cost
Municipal Actions				
5.1	Seek opportunities to include a new pedestrian crossing (PXO) on Dundas Street near Beatrice Street to create a safe pedestrian connection between the Ontario Works Office, transit stops and Service Ontario.	Do 1st	Environment & Infrastructure - Transportation and Mobility Suggested Partners: Argyle BIA Argyle Community Association Planning & Economic Development - Community Planning, Urban Design & Heritage.	Medium (future budget)
5.2	Continue to build and improve connections between the Dundas Street Corridor and the rest of London using roads, trails and pathways in accordance with the Parks & Recreation Masterplan and Cycling Master Plan.	Do 1st	Environment & Infrastructure - Transportation and Mobility Suggested Partners: Parks & Forestry	High (existing budget)
5.3	Review and consider increasing the walking signal time for pedestrians at intersections on Dundas Street.	Do 2nd	Environment & Infrastructure - Transportation and Mobility Suggested Partners: Argyle BIA - Randy Sidhu Argyle Community Association	Low
5.4	Identify opportunities to increase the frequency and convenience of bus service in the Argyle Core Area (in particular with Downtown and Fanshawe College)	Do 2nd	London Transit Commission Suggested Partners: Argyle BIA Argyle Community Association	High (other budget)
5.5	Undertake an infrastructure Renewal Project Needs Assessment for Dundas Street within the Argyle Core Area CIP Project Area.	Do 2nd	Environment & Infrastructure - Construction and Infrastructure Services	High (existing budget)

Table 6: Actions Table Improvement Category 5 - Improve Mobility

6. Strengthening the Community				
	Action	Priority	Lead & Suggested Partners	Cost
Municipal Actions				
6.1	Explore opportunities to construct purpose-built quality affordable housing that will contribute to the revitalization of the Argyle Core Area.	Do 1st	Real Estate Development & Home Builders Suggested Partners: Housing Development Corporation Planning & Development - Community Planning, Urban Design & Heritage Real Estate Developers and Home Builders Argyle BIA	High
Community Opportunities				
6.2	Implement and update the Argyle Neighbourhood Action Plan.	Do 1st	Argyle Community Association Suggested Partners: Argyle BIA	No Cost
6.3	Create information for services, projects and programs that foster support for cultural and natural heritage.	Do 1st	Argyle Community Association Suggested Partners: London Community Foundation Neighbourhood & Community-Wide Services Planning & Economic Development - Tourism London	Low (future budget)
6.4	Host a street festival in Kiwanis Park or the Argyle Mall by using the Block Party in a Box available through Neighbourhood and Community Services.	Do 2nd	Argyle Community Association Suggested Partners: Neighbourhood and Community-Wide Services Argyle BIA	Low (existing budget)

Table 7: Actions Table Improvement Category 6 - Strengthening the Community

SECTION 7

MONITORING & EVALUATION



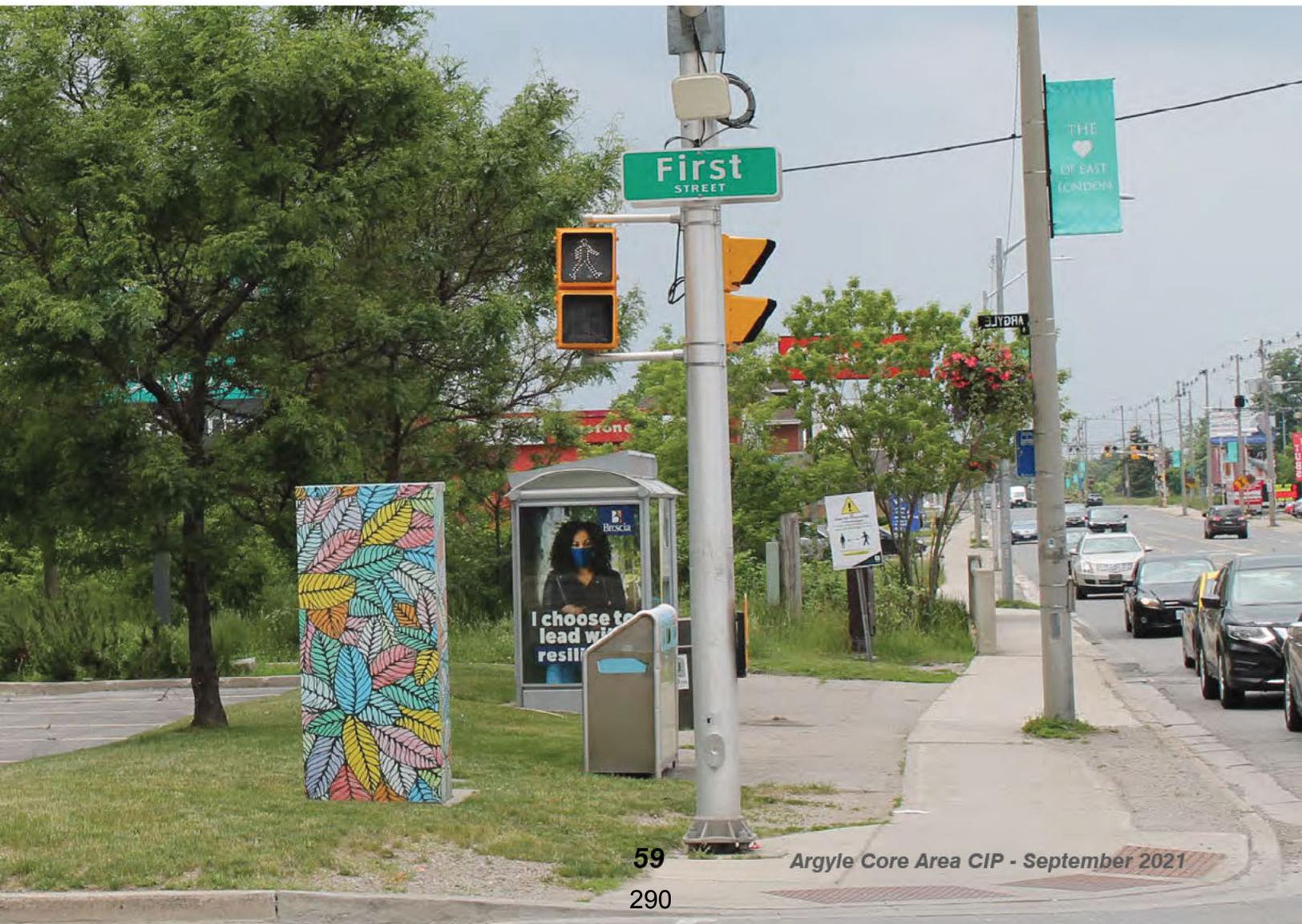
CIP Target Success Measures

The Argyle Core Area CIP was created to help achieve the Objectives as outlined in Section 2 of this report. The success of this CIP will be based on the Action Items being undertaken, achievement of the Objectives, alignment of results with improvement targets and consistency with the London Plan. The table below provides target success measures and sample indicators that may be used to help to evaluate implementation of the Argyle Core Area CIP.

Targets	Indicator of Success
Quality Public Realm	<ul style="list-style-type: none"> • Dundas Corridor is clean and well-maintained • Increased Pedestrian Traffic • Increased number of public spaces to sit and rest • Improvements in the ongoing beautification and streetscape project, including flower baskets, crosswalks, street banners, slogan signs and pole wraps. • Uptake of the Facade Improvement Loan • Inclusion of amenities such as benches, waste receptacles
Crime Prevention & Safety	<ul style="list-style-type: none"> • Improved pedestrian-oriented lighting • Increased awareness among Businesses about the Coordinated Information Response initiative offering support to Londoners living unsheltered • Improvements to ensure compliance with property standards by-law including fencing issues • Petty crime (theft, trespassing) and drug-use occur less frequently in the Argyle Core Area CIP Project Area
Support for Businesses	<ul style="list-style-type: none"> • Up-take of the Financial Incentive Programs • Argyle BIA will continue to expand its membership • Maximum of 5% vacancy on ground level commercial spaces incl. the Argyle Mall • Improved marketing material for potential new businesses • Targeted uses in key storefronts
Infrastructure	<ul style="list-style-type: none"> • As part of the Pottersburg Trunk Sewer Project, sidewalks are rehabilitated and where possible widened • Number of bicycle routes, connections and trails increases over time • Increased connectivity for pedestrians across the Dundas Corridor with a potential PXO or increased walking signal time.

Identity	<ul style="list-style-type: none"> Argyle’s distinct brand reflects its unique history and natural heritage Increased number of businesses invest and participate in storefront Holiday Decorations Implement a way-finding system with pedestrian-scale signs
Recreation & Community Events	<ul style="list-style-type: none"> Events are held to celebrate Argyle and foster social interaction Increased number of public events in Kiwanis Park and the Argyle Mall
More (Residential) Growth	<ul style="list-style-type: none"> Increase in building permit activity Uptake of the Rehabilitation & Redevelopment Tax Grant Number of residential units constructed within a consecutive four-year period exceeds the previous four-year period
Conserve Natural Heritage	<ul style="list-style-type: none"> Increased tree planting and greenery within the Argyle Core Area CIP Project Area Entrance from Dundas Street to Kiwanis Park is more visible, accessible and landscaped

Table 8: Table with draft targets and indicators of success for the Argyle Core



Baseline Conditions

For the indicators above, Baseline Conditions within the Argyle Core Area CIP Project Area boundary were determined during the preparation of the CIP against which future information can be compared. These Baseline Conditions provide for a consistent and measurable framework for evaluating the ongoing regeneration in the Argyle Core Area CIP Project Area. Variables and measures may be added to the Baseline Conditions.

Measure	Status
Photo inventory of the condition of existing streetscapes	Streetscapes baseline appearance documented during 2021
Estimate vacancy rates at street level along the Dundas Corridor	Vacancy-rate at street level of 3.8% on August 3, 2021
Estimate vacancy rates in the Argyle Mall	6 Vacancies in Argyle Mall
Building Rating: Poor Condition	17.03% of buildings have a poor rating
Building Rating: Fair Condition	66.48% of buildings have an average rating
Building Rating: Good Condition	16.48% of building have a good rating
Number of new businesses within the Argyle Core Area CIP Project Area	14 openings in 2020
Number of members in the Argyle BIA	2020: 200 business members + 100 non-commercial properties 2002: 218 business members + 100 non-commercial properties
Incentive Activity	No incentive activity as no incentives were available
Total Building Permit Activity	2015: 11; 2016: 15; 2017: 10; 2018: 9; 2019: 20; 2020: 13; 2021: (until May 20th) 2. Total of 80 permits in the last 6 years and 4 months
Residential Permit Activity	2 in the last 6 years
Commercial Permit Activity	75 in the last 6 years
Industrial Permit Activity	1 in the last 6 years
Number of community events held in Argyle CIP Project Area	Due to COVID: 3 events, for 2021 at least 4
Number of listed Heritage Properties	1
Number of Designated Heritage Properties	1
Hectares of Parkland	0.6 hectares

Table 9: Baseline Conditions Argyle Core Area CIP

Argyle Core Area CIP Evaluation and Monitoring Report

A monitoring report will be prepared every four years to evaluate the status of the Argyle Core Area CIP and associated programs. The report and evaluation will be based on the changes to the Baseline Conditions as identified above, feedback from stakeholders, and any new issues or opportunities that have emerged. The report will recommend adjustments to the CIP if required and recommendations regarding the financial incentive programs based on the performance of the programs. Based on the experiences with administering other CIPs in London, the Monitoring Report will cover a four-year period. This four-year time span is sufficient to:

- Accumulate information on the uptake and monitoring of CIP incentive programs;
- Implement and assess impacts of capital projects and community actions;
- Incorporate projects into staff work plans; and,
- Synchronize CIP implementation recommendations with the municipal four-year budgeting cycle.

As part of the evaluation of the impact of this CIP, City staff have developed a database to monitor the implementation of the financial incentive programs. Information obtained through the Monitoring Database can be used to inform periodic adjustments to the incentive programs and used to provide reports to Municipal Council on the amount of private sector investment being leveraged by the municipal incentive programs and the economic benefits associated with these private sector projects.

Facade Improvement Loan Program Monitoring

- Number of Applications (approved and denied);
- Approved value of the loan and the total construction cost (total public investment versus private investment);
- Pre-Assessment Property Value;
- Total Value of Building Permit (if required);
- Post-Assessment Property Value;
- Increase in property taxes of participating property;
- Total Loan Amount;
- Location of the facade being improved;
- Number of loan defaults; and,
- Cost/Value of loan defaults

Upgrade to Building Code Loan Program

- Number of Applications (approved and denied);
- Approved value of the loan and the total construction cost (total public investment versus private investment);
- Pre-Assessment Property Value;
- Total Value of Building Permit (if required);
- Post-Assessment Property Value;
- Increase in property taxes of participating property;
- Total Loan Amount;
- Location of the Facade being improved;
- Number of loan defaults; and,
Cost/Value of loan defaults

Tax Increment Grant

- Number of Applications (approved and denied);
- Pre-Assessment Property Value;
- Total Value of Building Permit
- Level of Grant (Type 1, Type 2 or Type 3);
- Post-Assessment Property Value;
- Number of residential units created;
- Increase in assessed property value of participating property;
- Total Grant Amount;
- Number of grant defaults; and,
Cost/Value of grant defaults

Data Collection

In addition to the quantitative, economic-based measures, monitoring of the Argyle Core Area CIP will include qualitative measures that characterize social and community benefits of implementing the CIP Action Items. Qualitative information illustrating the individual and cumulative impact of both public and private sector CIP project should be collected on a regular basis. This could include the impact of public realm improvement projects on existing businesses and on community identity. Data can take many forms, including comments received by Staff from business owners, property owners and residents. The qualitative information and quantitative information of the Monitoring Database, will be reported to Council to provide a full, holistic picture of the impact of the CIP. The report will recommend any adjustments that might be needed to the CIP, and adjustments to incentive programs and/or eligibility criteria. The report will also provide budget recommendations based on the performance of the programs.

Evaluation Outcomes

The summary report and evaluation will result in at least three(3) types of outcomes:

- 1. Amendments to the Argyle Core Area CIP:** Changes to any of the content of this CIP, including the Vision and Objectives, boundaries of the Project Area/Sub-Project Areas, additions, deletions, or clarifications to the Actions Table or to the financial incentive programs. These amendments must follow the process described in the *Planning Act*, Consequential amendments may also be required to the *London Plan* and/or Zoning By-law.
- 2. Adjustments to the Financial Incentive Programs:** Changes to the terms, conditions and processes described in the financial incentive programs may be made without amending this CIP.
- 3. Adjustments to Funding:** Municipal Council has the authority to approve funding for financial incentive programs specified in London's CIPs, and may approve budgets necessary to carry out other CIP actions. Budgets supporting the implementation of the Argyle Core Area CIP will be based on a comprehensive review undertaken by City Staff with the assistance of the Monitoring and Evaluation Strategy described in this section. Funding will be timed and reviewed as part of the multi-year budget requests, or any requested amendments made in consultation with the City Treasurer to approve four-year budgets.
- 4. Qualitative Assessment:** Qualitative assessment based on annual Argyle BIA survey.

ARGYLE



SECTION 8

APPENDICES



Appendix A: Legislative Framework

This section provides an overview of the legislative authority for preparing and adopting the Argyle Area Community Improvement Plan.

Municipal Act, 2001

The Municipal Act, 2001 prohibits municipalities from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses (Section 106(1)). This prohibition is generally known as the “bonusing rule”. Prohibited actions include (Section 106(2)):

- Giving or lending any property of the municipality, including money;
- Guaranteeing borrowing;
- Leasing or selling any municipal property at below fair market value; and,
- Giving a total or partial exemption from any levy, charge or fee.

However, Section 106(3) of the *Municipal Act, 2001* provides an exemption to this “bonusing rule” for municipalities exercising powers under Subsection 28 (6), (7) or (7.2) of the *Planning Act* or under Section 365.1 of the *Municipal Act, 2001*. This legislation states that Municipalities are allowed to prepare and adopt Community Improvement Plans (CIPs) if they have the appropriate provisions in their Official Plan.

Further, Sections 204-215 of the Ontario Municipal Act provide for the establishment of Business Improvement Areas, including their:

- Purpose “to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality generally; and to promote the area as a business or shopping area”
- Governance through a board of management consisting of the number of directors established by the municipality and functioning as a local board of the municipality for all purposes.
- Membership consisting of persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

Planning Act

The *Planning Act* set out the framework and ground rules for land use planning in Ontario, and describes how land uses may be controlled and who may control them. Section 28 of the *Planning Act* provides for the establishment of Community Improvement Project Areas where the municipality’s Official Plan contains provisions relating to community improvement and the Community Improvement Project Area is designated by a By-law pursuant to Section 28 of the *Planning Act*.

Community Improvement in Section 28 of the *Planning Act* is defined as “the planning or replanning , design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement or energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary.”

In addition, Section 28 of the *Planning Act* defines a Community Improvement Project Area to mean “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

Once a Community Improvement Plan has come into effect, the municipality may:

- Acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28(3) of the *Planning Act*);
- Construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28(6));
- Sell, lease, or otherwise dispose of any land and buildings acquired or held by it in conformity with the community improvement plan (Section 28(6)); and,
- Make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of land and buildings within the Community Improvement Project Area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the Community Improvement Plan (Section 28(7)).

Section 28(7.1) of the *Planning Act* provides for grants and loans for eligible costs established in an approved CIP. This may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements, or facilities.

Section 28(7.3) of the *Planning Act* restricts the maximum amounts of grants and loans made under the *Planning Act* from exceeding the eligible costs defined in the CIP.

Further, the total of all grants, loans and property tax assistance provided through financial incentive programs available in a CIP can't exceed the cost of rehabilitating the lands and buildings.

Official Plan

The Official Plan includes policies to guide the development of CIPs for lands within the City as set out in Chapter 14. Consistent with these policies, the City may use CIPs as a planning tool to address deficiencies within designated areas in a coordinated and comprehensive manner. CIPs can also encourage private investment activity in these areas. Several community improvement objectives in the Official Plan relate to the Dundas Core Area including:

- Provide for the designation of “Community Improvement Project Areas” in areas of the City that exhibit problems of instability, building deterioration, inadequate municipal services and facilities, or inappropriate arrangement of land uses.
- Promote the long term stability and viability of designated “Community Improvement Project Areas”
- Encourage the co-ordination of municipal expenditures and planning and development activity within designated “Community Improvement Project Areas”
- Stimulate private property maintenance and reinvestment activity
- Upgrade physical services and social and recreational facilities in designated “Community Improvement Project Areas”
- Promote the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses within the designated community improvement project area
- Support the implementation of measures that will assist in achieving sustainable development and sustainable living
- Support the retention of heritage properties or areas.

The London Plan

Approved by Municipal Council in June 2016 and by the Province in December 2016. The London Plan sets new goals and priorities to shape the growth, preservation and evolution of London over the next 20 years. As of June 2021, the majority of The London Plan is in full force and effect, with some policies and maps still under appeal to the Local Planning Appeal Tribunal.

Land Use & Urban Design Policies:

In The London Plan, all lands within the City are assigned a Place Type that establishes policies that regulate the permitted development.

The properties fronting Dundas Street between Florence Street and Wavell Street are assigned the Urban Corridor Place Type. Urban Corridors will generally support mid-rise residential and mixed-use development. They will be places that encourage intensification of the life of The London Plan so that they can be mature to support higher-order transit at some point in the future beyond 2035.

The most eastern section of Dundas Street is assigned the Shopping Area Place Type. Shopping Areas provide for a wide range of retail, service, business, recreational, social, education and government uses within east walking distance from neighbourhoods. Shopping Areas will be well connected to public transit, local streets and other linkages allowing attractive options for walking and cycling to these destinations. These centres will be designed and developed to create a sense of place and identity and to establish and identifiable hub for commerce and neighbourhood services.

The most western section of Dundas Street is assigned the Rapid Transit Corridor. This Place Type support a similar form of development as the Urban Corridor, but at a slightly higher intensity. The Rapid Transit Corridors will be some of the most highly connected neighbourhoods in our City, linking to the Downtown and Transit Villages. Most of these corridors will be fundamentally walkable streetscapes, with abundant trees, widened sidewalks and development that is pedestrian and transit oriented.

East London Link-Bus Rapid Transit: This project is scheduled from 2022-2024 and has received funding support from the Government of Canada and the Government of Ontario. The East London Link will improve transit in East London: connecting Fanshawe College's main and downtown campuses; support the revitalization of Old East Village; and encourage development of the former London Psychiatric Hospital and McCormick's lands. There is potential for buses to run every 15 minutes in mixed traffic along Oxford Street to the airport and an opportunity for a stronger link with the eastern industrial employment areas. In the East London Link, buses would be removed from mixed traffic with the goal of improving capacity in general traffic lanes and increasing transit frequency and reliability. On King Street, buses would travel in curbside transit lanes. Along the rest of the corridor, they would travel in centre-running transit lanes beside a small, curb-height median on the left and general traffic lanes on the right. Large concrete barriers would only be included near transit stations to enhance passenger safety. The project would coordinate necessary underground work, including replacing aging sewers and watermains. It would add dedicated turn lanes at signalized intersections to enhance driver safety and increase capacity, and active transportation infrastructure to support cycling and walking. To take advantage of environmental benefits and potentially lower operating costs, purchasing electric buses is being explored. Work required to complete this project:

- Revitalize 6.3 kilometers of road, from Downtown to Fanshawe College, while completing necessary underground work on sewers and watermains.
- Install transit stations
- Widen Highbury Bridge, Highbury Avenue and Oxford Street to establish continuous transit lanes. Install transit lanes on King and Dundas Streets.
- Install smarter traffic signals to reduce intersection delays and shorten travel times, including transit signal priority, sensors and video.

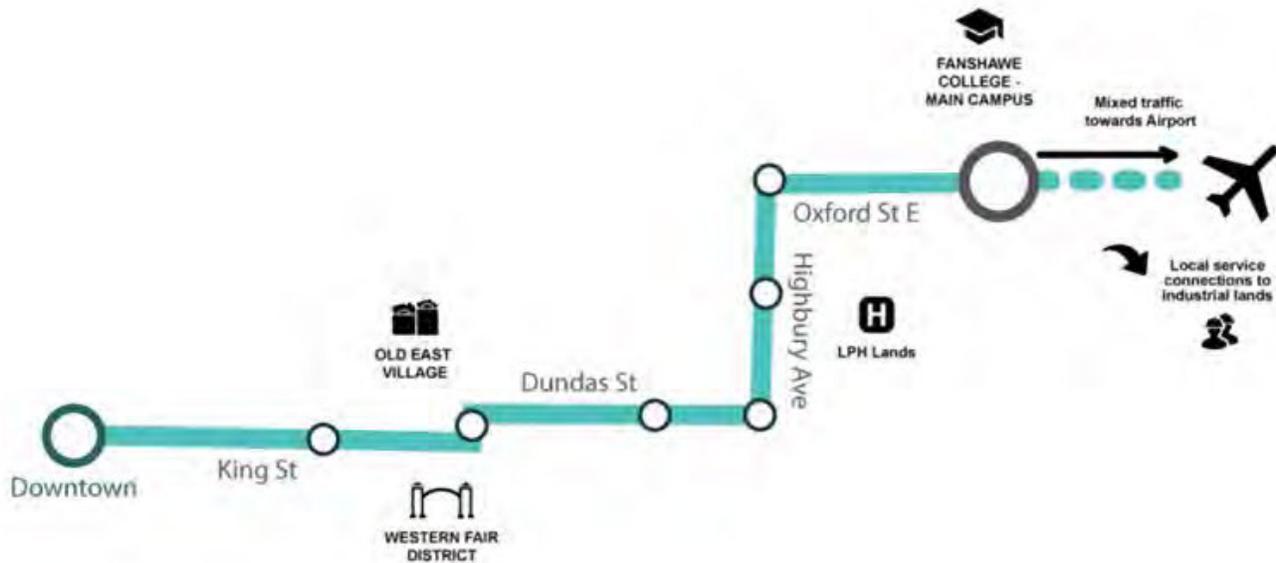


Figure 18: Overview Route East London Link Bus Rapid Transit

Community Improvement Plan Policies

Community Improvement Plans are intended to provide City Council with the necessary tools to stimulate reinvestment and redevelopment, inspire appropriate infill and intensification, coordinate planning efforts, improve physical infrastructure, support community economic development, preserve neighbourhood and cultural heritage value, and lead to the establishment of an improved neighbourhood. The tools to implement community improvement plans may include incentives and targeted private and/or public investment to achieve the vision, key directions and policies in the London Plan. Council also may acquire, clear, and dispose of land to support community improvement and economic development, or use any other methods to support community improvement or environmental, social or community economic development that is permitted by the legislation.

Policy 1727 outlines the objectives community improvement is intended to meet. Several of these objectives related to the Argyle Core Area including:

- Maintain and improve the public realm, including such things as streets, sidewalks, street lights, street trees, pathways, parks, open space, and public buildings.
- Maintain and improve municipal services including such things as the water distribution system, the sanitary and storm sewer systems, mobility network, transit services, and neighbourhood services.
- Encourage the coordination of municipal servicing expenditures with planning and development activity.
- Stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity.

- Maintain and improve the physical and aesthetic amenities of streetscapes in both the public and private realms.
- Encourage the eventual elimination and/or relocation of incompatible and conflictive land uses and where this is not possible, encourage physical improvements to minimize the incompatible/conflict.
- Promote the improvement of energy efficiency standards for residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses.
- Foster the revitalization and continued improvement of the Downtown and other existing commercial districts including but not limited to the Old East Village, the SoHo Area, and other established business districts.
- Upgrade social and recreational facilities and support the creation of affordable housing.
- Support the implementation of measures that will assist in achieving sustainable development and sustainable living.
- Improve environmental and social conditions.
- Promote cultural and tourism development.
- Facilitate and promote community economic development.
- Promote and improve long-term community stability, safety and quality.

Policy 1728 outlines the criteria used to identify an area for community improvement. Several of these criteria apply to the Argyle Core Area including:

- Deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streets, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities.
- Deficiencies in recreational, social or community facilities including public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities.
- Commercial, residential, industrial, and mixed-use areas with poor physical condition and/or poor visual quality of the built environment, including but not limited to building facades, building condition, streetscapes, public amenity areas and urban design.
- Vacant lots and/or underutilized properties and buildings which have potential for infill, redevelopment, expansion or development to better utilize the land base.
- Non-conforming, conflicting or incompatible land uses or activities that disrupt the predominant land use, function and/or viability of an area.
- A demonstrated interest in community improvement by the private firms within an area.
- Presence of potential or recognized cultural heritage resources
- Known or suspected areas of environmental contamination
- Lack of deficient affordable housing or mix of housing opportunities
- Improvement to energy efficiency and/or renewable energy efficiency
- Traffic and/or parking problems or deficiencies

- Other significant barriers to the repair, rehabilitation, redevelopment or development of underutilized land and/or buildings.
- Other significant environmental, social or community economic development reasons for community improvement.

City of London By-law

The Argyle Core Area has a mix of zoning designations that reflects its range of existing and permitted uses including:

- Auto-oriented Commercial Corridor
- Multi-Family, High Density Residential
- Multi-Family, Medium Density Residential
- New Format Regional Commercial Node
- Open Space

Beyond the Argyle Core Area, the Argyle Study Area is primarily zoned for low density residential with General Industrial and Light Industrial zoning along the railway tracks and Veterans Memorial Parkway.

Existing Community Improvement Plans

The City of London has a variety of CIPs which are intended to stimulate targeted reinvestment, inspire infill and intensification opportunities, coordinate planning efforts preserve neighbourhood and heritage character, enhance industrial, and other business opportunities, and aid in the cleanup of contaminated sites. Presently the City of London has 11 CIPs that have been adopted by Municipal Council, some of which are geographically based such as those for the Airport, Downtown, Hamilton Road, Lambeth Area, Old East Village and SoHo, and some are based on site and/or building criteria including: Affordable Housing, Airport, Brownfield, Heritage and Industrial.

Appendix B: Land Use Maps

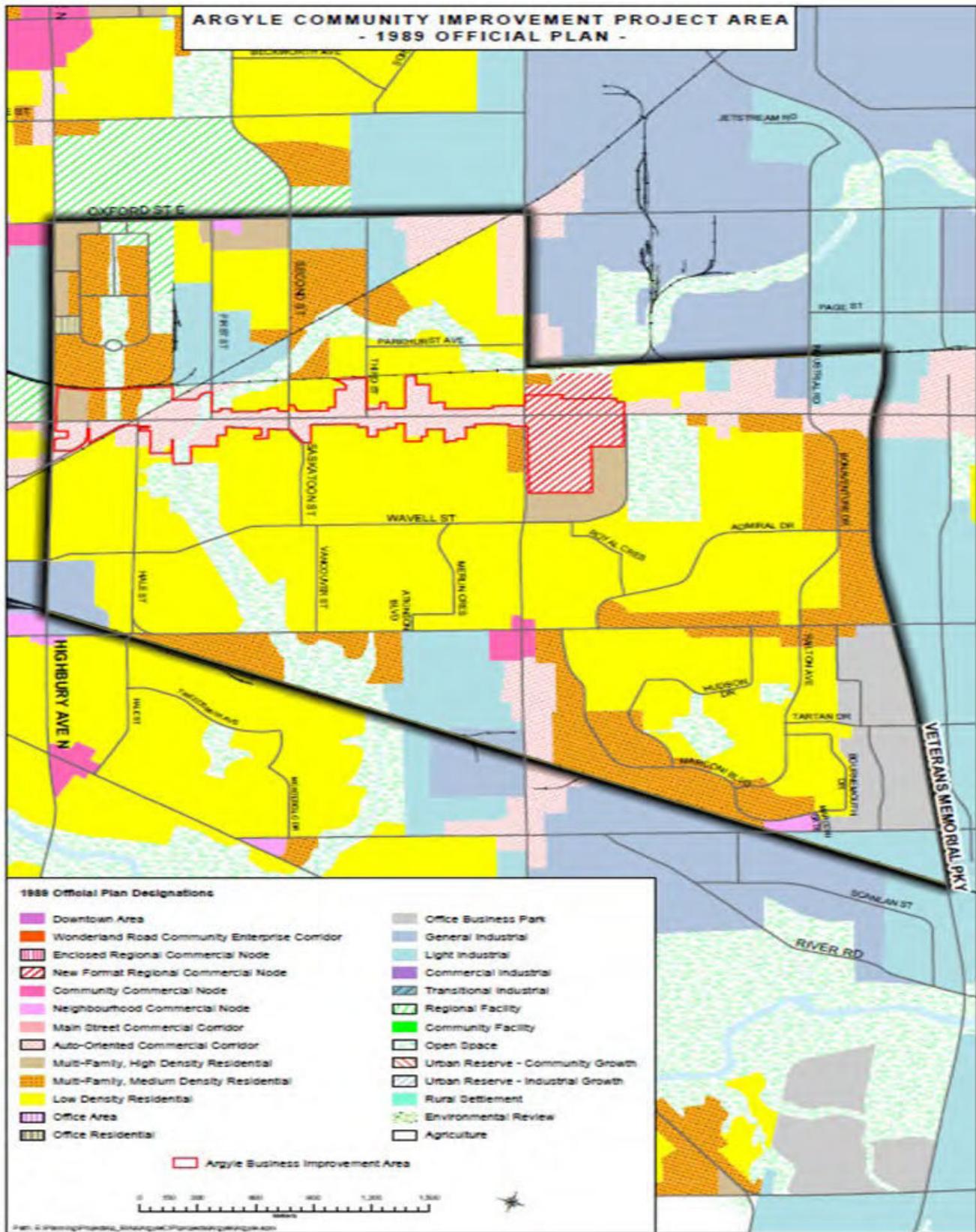


Figure 19: Land Use Argyle Study Area, 1989 Official Plan

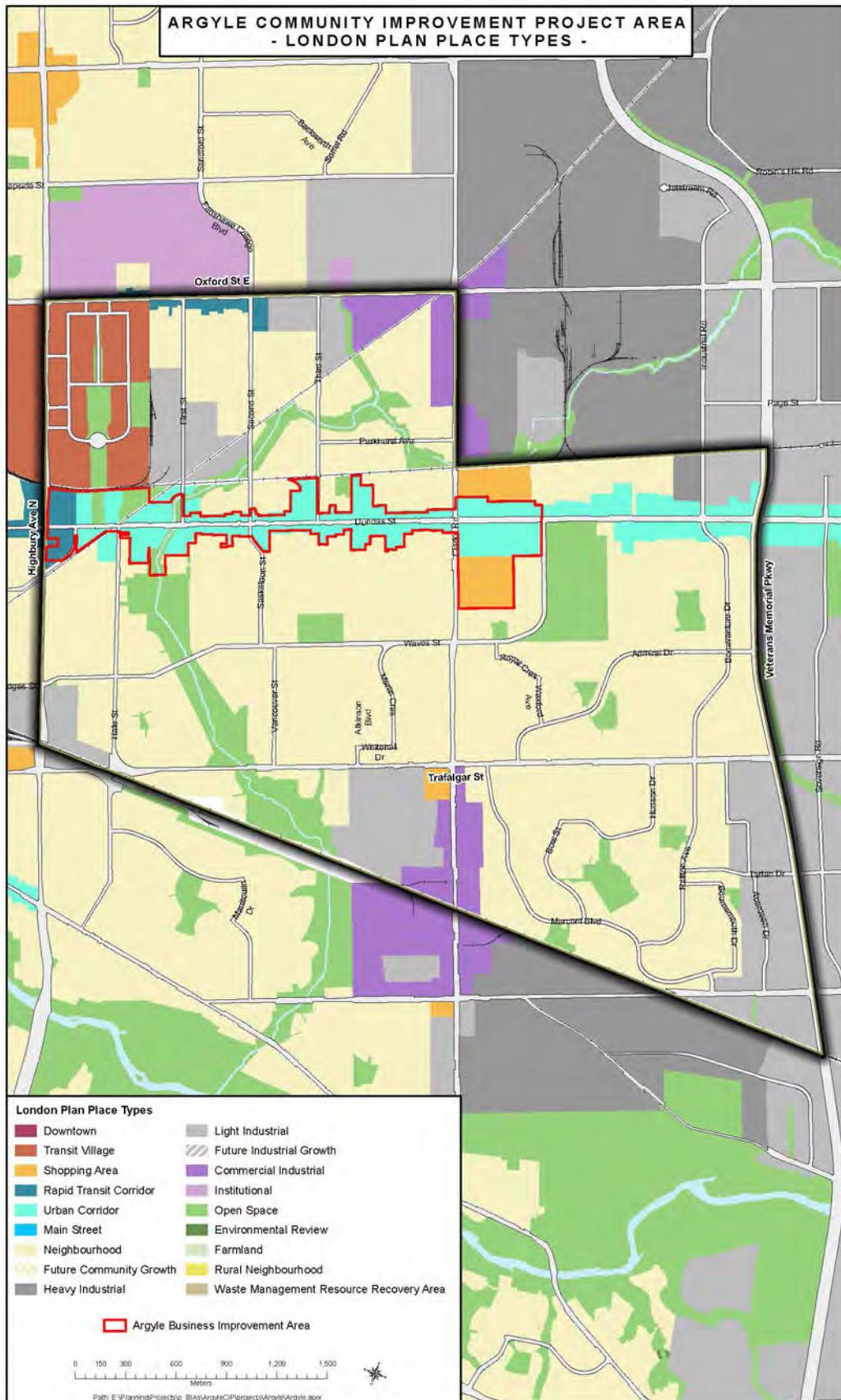


Figure 20: Argyle Study Area Place Types, The London Plan

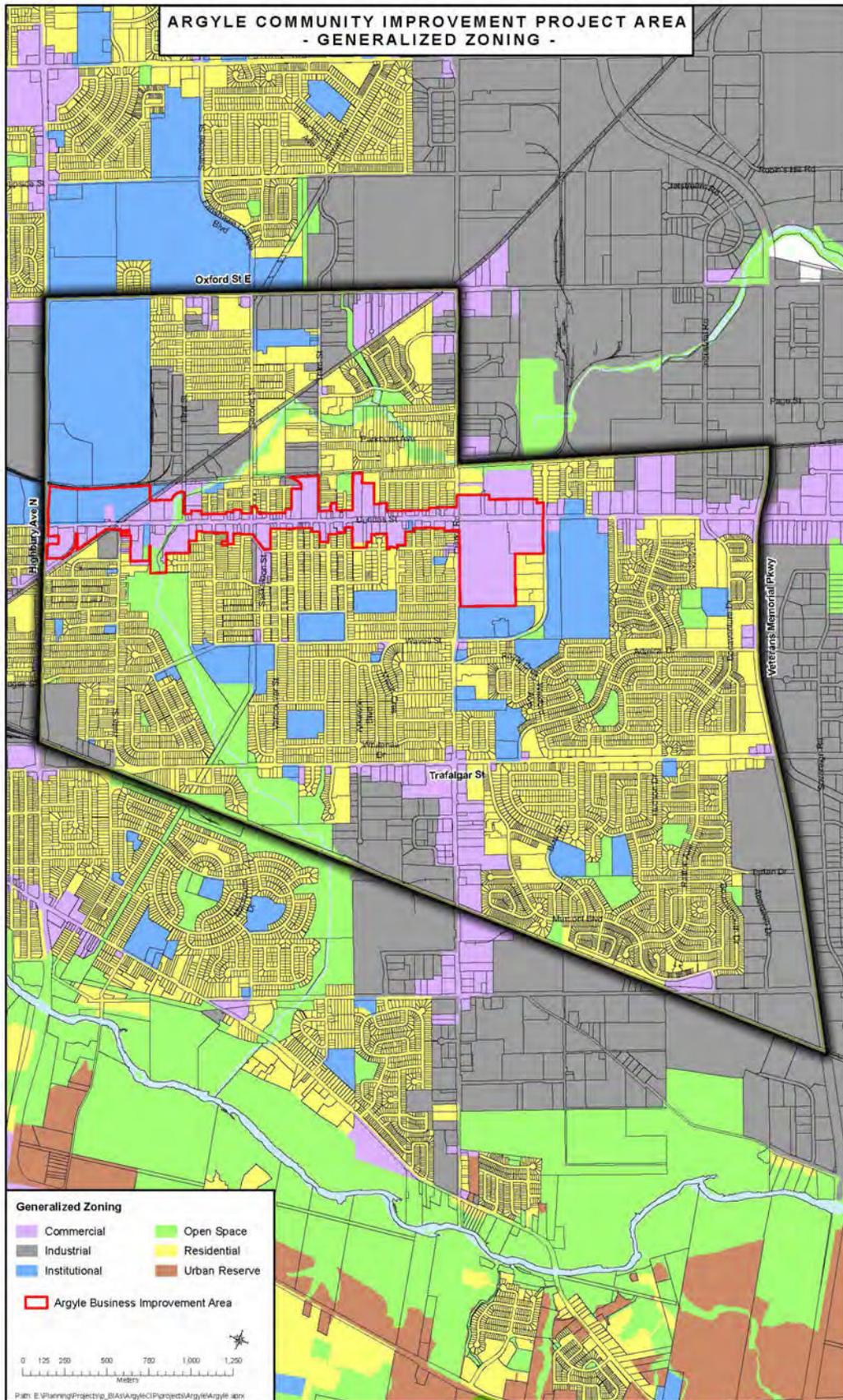


Figure 21: Land Use in Argyle, generalized zoning

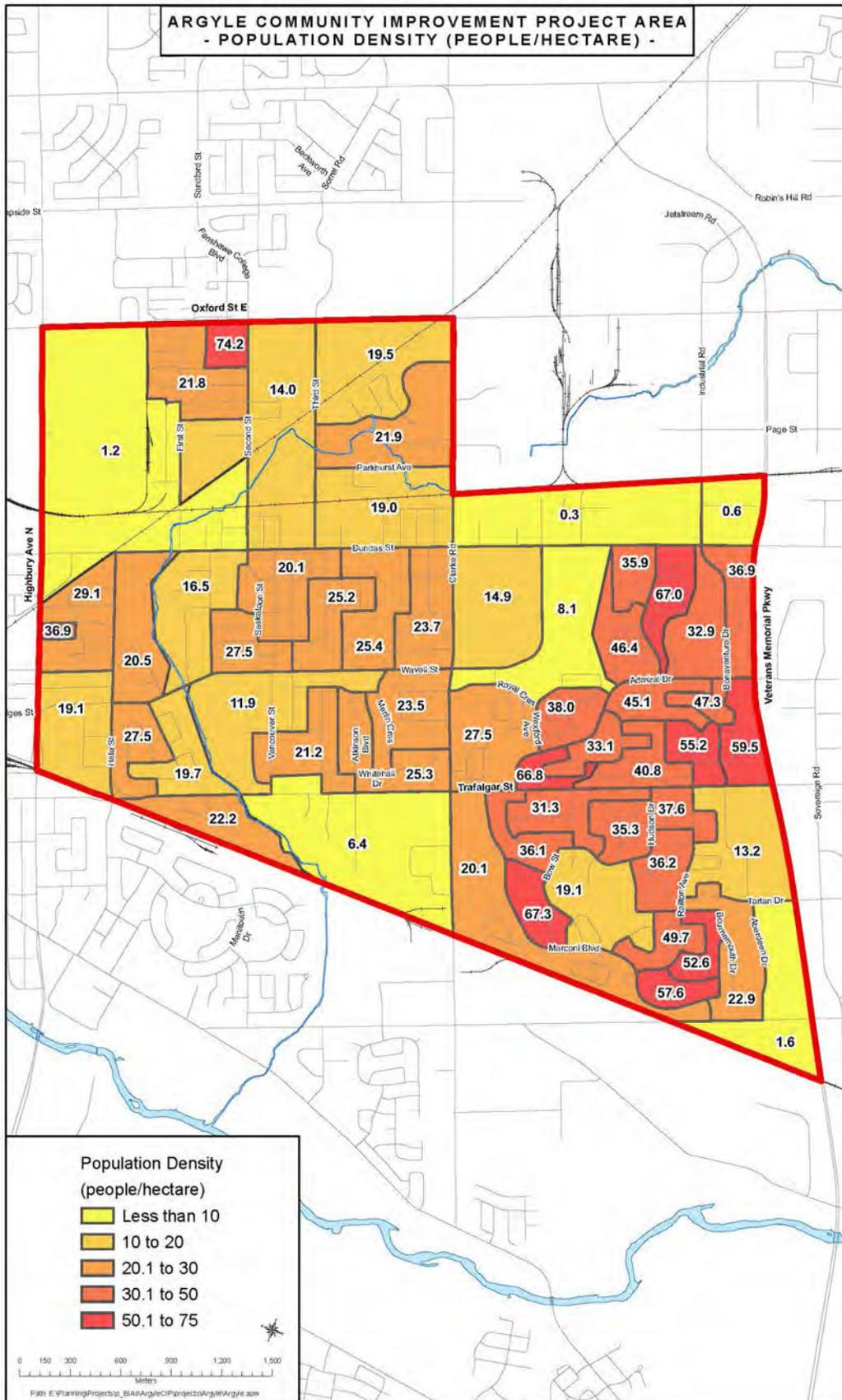
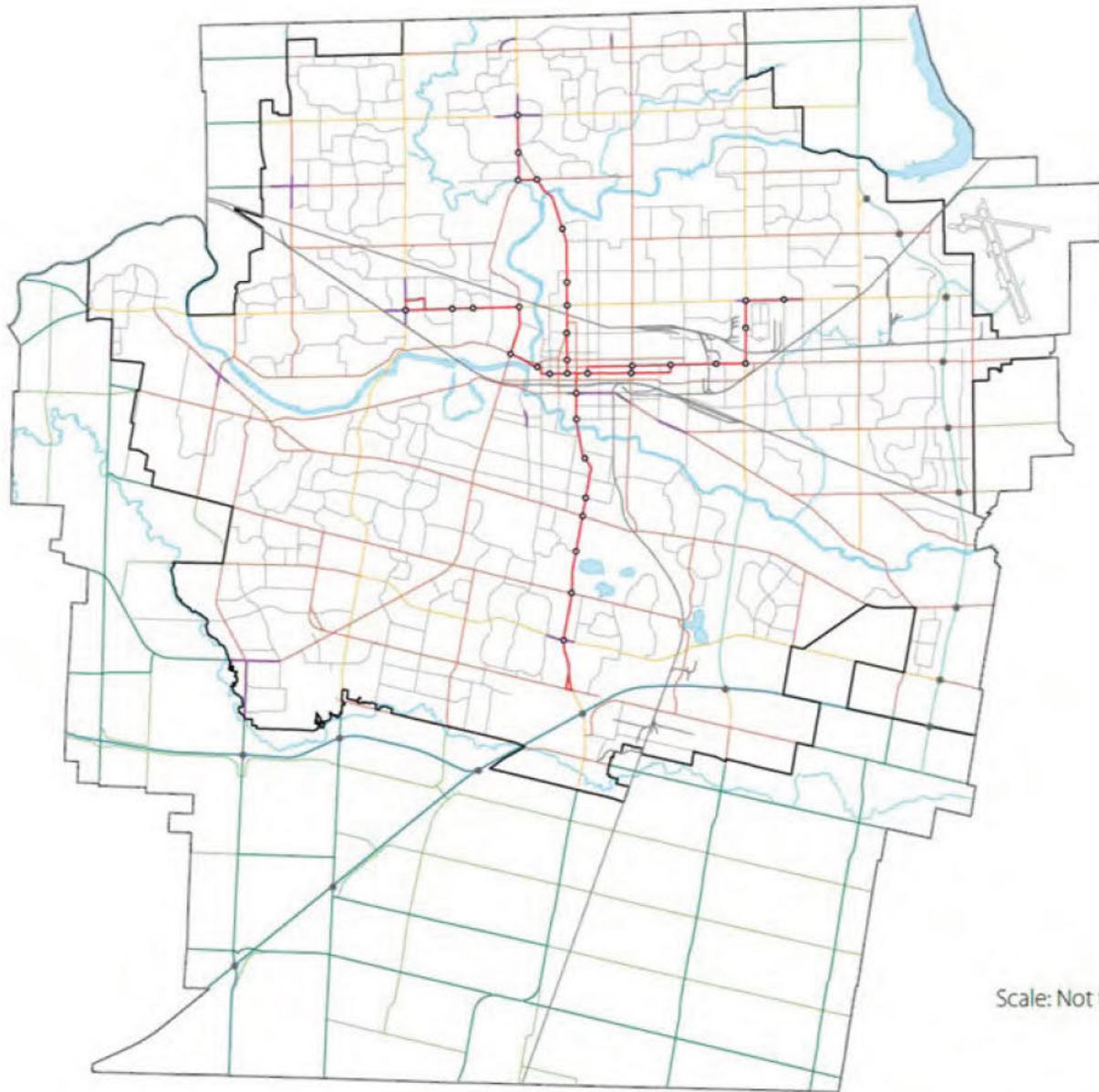


Figure 22: Population Density in Argyle Study Area



Scale: Not to Scale

- LEGEND**
- | | |
|---------------------------|--------------------------|
| — Provincial Highway | BASE MAP FEATURES |
| — Expressway | — Railways |
| — Urban Thoroughfare | — Urban Growth Boundary |
| — Rapid Transit Boulevard | — Water Courses / Ponds |
| — Civic Boulevard | |
| — Main Street | |
| — Neighbourhood Connector | |
| — Rural Thoroughfare | |
| — Rural Connector | |
| ● Interchanges | |
| ○ Rapid Transit Stations | |

Figure 23: Street Classification Map, The London Plan

Appendix C: Study Area

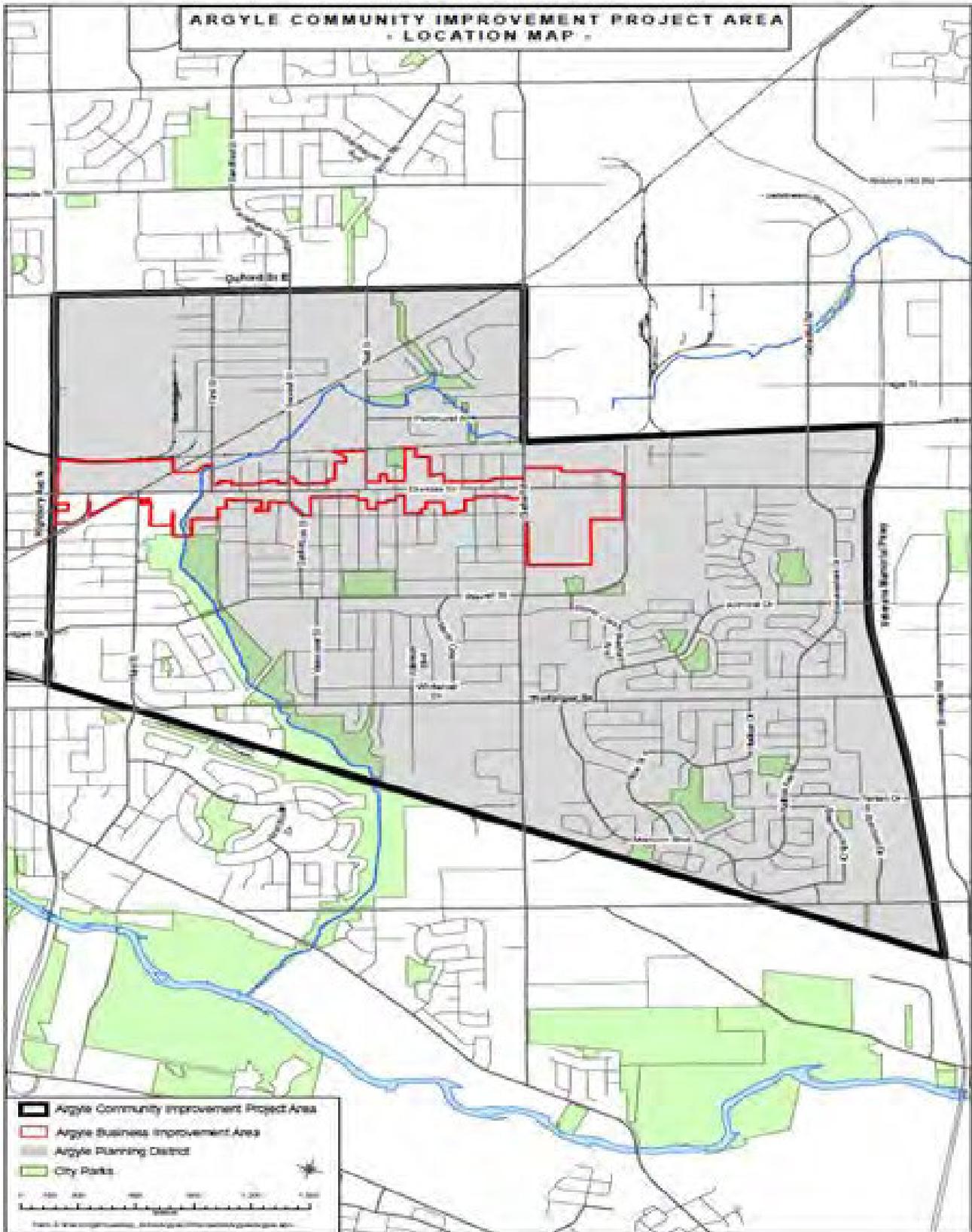


Figure 24: Argyle Study Area

Figure 24 illustrates the general boundaries for the Argyle Regeneration Study (The Argyle Study Area) and the Argyle Planning District. This Study Area was chosen for the following reasons:

- The Argyle Planning District was kept intact as much as possible, so the boundaries for the study area generally coincide with the boundaries of the Planning District. This allows for better data-comparison with existing demographic Argyle Trade Area Reports and the 2016 Census.
- The Canadian Pacific Railway, the Canadian National Railway, Veterans Memorial Parkway, Oxford Street East and Highbury Avenue North were viewed as existing boundaries that separate Argyle from other Planning Districts. These districts are East London and Carling District to the west, Huron Heights and Airport District to the north, Crumlin to the east and Hamilton Road to the south of the Argyle Area.
- Dundas Street is the main commercial and transit corridor within this Study Area, connecting Veterans Memorial Parkway with the Argyle Mall and Highbury Avenue. The Argyle BIA is located along Dundas Street, between Wavell Street and Highbury Avenue. In order to incorporate the full BIA and Dundas Street Corridor, the study area has been extended towards the west to include the Hale Street district.
- Another benefit of expanding the boundaries to the west, is that the study area will encompass the full Kiwanis Park North & Central and Pottersburg Creek instead of only half of the Park. This is a better reflection of the importance of this natural feature on the surrounding neighbourhood.

Based on the Argyle Area Regeneration Study, it was recommended that a Community Improvement Plan for the Argyle Area be undertaken. The Study identified that the Dundas Corridor was the core area of Argyle with the most pressing regeneration needs. Some of these reasons for community improvement are outlined below:

- The Dundas Street corridor and surrounding area can be described as an area in relatively poor condition; with an older building stock that was predominantly built before 1980, lack of landscaping and street trees in the streetscape, and significant issues around upkeep, security, littering and vandalism (graffiti). In addition, business-owners and residents have identified Dundas Street as an unpleasant public realm, especially for pedestrians and public transit users. There are few places to sit, limited pedestrian crossings, garbage bins and/or transit amenities, and the large amount of hydro poles and numerous private driveway entrances further detract from the public realm.
- Although within Argyle relatively more building activity is concentrated along the Dundas Corridor, it can be concluded that there is less building activity density in Argyle and the Argyle BIA-area compared to the rest of the urban area of the city. There is a clear opportunity to redevelop and expand commercial, residential and employment options in Argyle and provide appropriate infill along Dundas Street, Clarke Road and on the London Psychiatric Hospital Lands. Financial and planning tools should be considered to incentivize quicker redevelopment.
- Argyle is a unique mixed-use area with significant amounts of commercial and industrial land uses. Especially along Clarke Road, First Street and Second Street, industrial and commercial activities could threaten the surrounding residential character and amenity. A detailed analysis of the existing zoning and land use context could help to

- increase the viability and sustainability of these residential neighbourhoods by preventing adverse impacts from noise, odor and congestion and identifying opportunities for sensitive intensification.
- There is a strong need for more and better quality affordable housing in the Argyle area. The neighbourhood used to be known as more affordable and an area where young families could enter the housing market. This is rapidly changing, resulting in increasing average sold prices, low housing inventory and vacancy rates, and unfortunately also an increasing population of people experiencing homelessness. The lack of rent-geared-to-income housing and opportunities to age-in-place for senior residents and another indication of a need for more stable, and affordable housing options in Argyle.
- The older building stock in the area, with 70% built before 1980, indicates an opportunity to improve the energy efficiency of residential, industrial, commercial, and industrial properties. This is further highlighted by the average residential electricity use & gas usage (measured in 2014), with Argyle predominantly in the red zones, meaning the highest 20% use (far above City average).
- The new East Lions Community Center is nearing completion and will provide a range of programs and services to the local neighbourhood and serve as a regional destination for indoor aquatics. However, during this study, Staff received a number of concerns and questions from residents about the availability, accessibility and affordability of future recreational programs, especially for teenagers and seniors.
- The Argyle study area is experiencing deficiencies in the physical infrastructure. The pavement quality index on some streets is in poor to very poor condition, some streets are missing sidewalks and/or streetlights, and upgrades to sanitary services are necessary and on-going. Existing City programs do deal with infrastructure upgrade and renewal and the CIP study will provide an opportunity for the public to outline their preferences and priorities in the Argyle area.
- Argyle has significant areas with known environmental contamination, and some have undergone remediation measures, such as the large removal contaminated soil, sediment and debris from the former General Electric facility. More recently, the UTRCA released a Watershed Report Card for the Pottersburg Creek. Both the surface water quality and forest conditions were graded with a D (poor), which shows the necessity for more conservation efforts on private and public lands.
- Due to the high traffic volumes on major corridors such as Dundas Street, Highbury Avenue, Oxford Street, Clarke Road, Trafalgar Street and Veterans Memorial Parkway, automobile traffic patterns and congestion are an issue in Argyle. Many stakeholders raised concerns with the adverse impacts of congestion, such as time delays, increases in different forms of pollution, and frustrating driving conditions. The planned East Link of the Bus Rapid Transit system, additional sidewalks and bike lanes will alleviate some of the traffic issues in Argyle and shift to more sustainable and clean transportation options as an alternative to car-use. However, active transportation can only be a real alternative if the public realm is more attractive, pleasant and safe for all residents.

The proposed Argyle Project Area is the area that has been determined to be in need of community improvement and represents the area where public realm improvement efforts will be focused and where financial incentive programs may be offered. The proposed Argyle Project Area includes all properties fronting Dundas Street, as well as the Argyle Mall located at Clarke Road. The proposed Argyle Project Area is generally defined as Highbury Avenue to the west, Canadian Pacific Railway to the north, Wavell Street to the east and Whitney Street to the south.

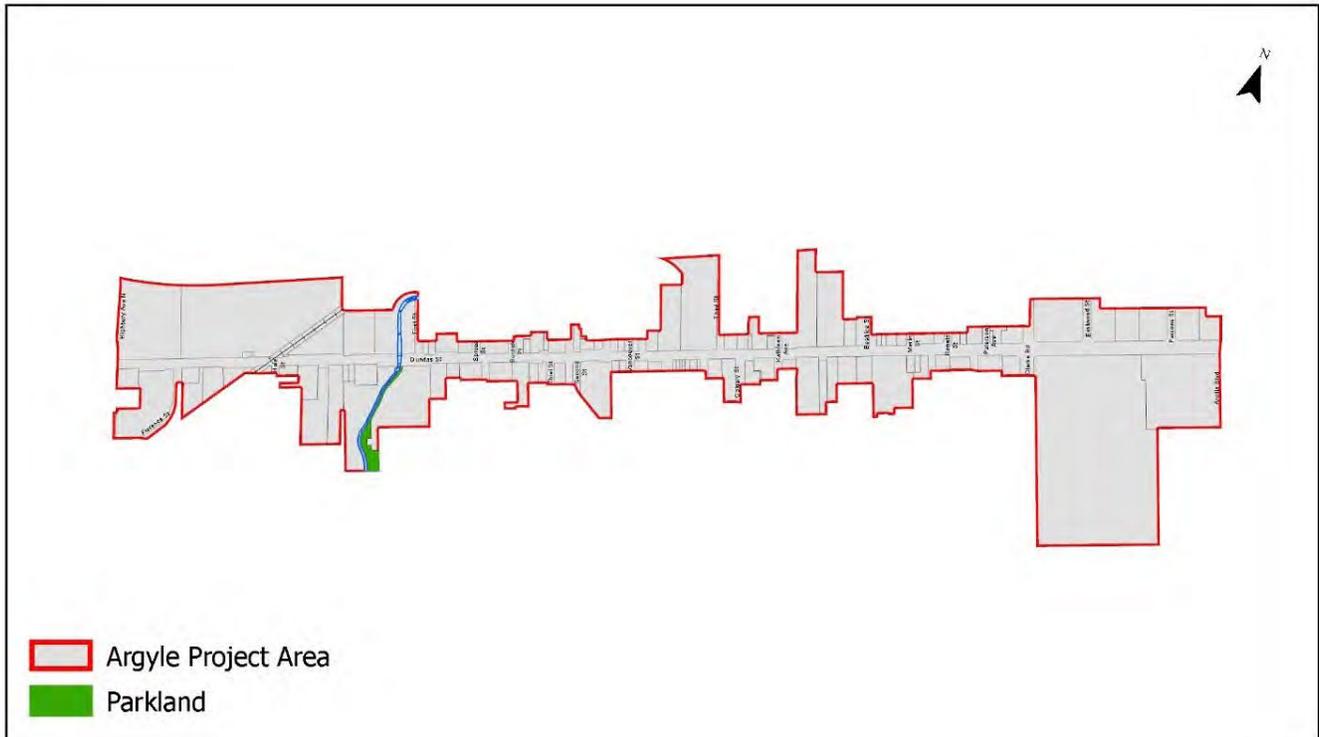


Figure 25: Argyle Project Area

Appendix D: Community Identified SWOT - Analysis for the Argyle Study Area

As part of the community meetings held in preparation of this CIP, and through a survey on the project website, participants were asked to identify Strengths, Weaknesses, Opportunities and Threats (SWOT) in the Argyle Core Area. These comments have not been edited or sanitised by Planning & Development. However, the comments have been summarized when two or more comments were addressing the same issue.

Category	Strengths	Weakness	Opportunities	Threats
Land Use Conditions	<ul style="list-style-type: none"> • Diverse Collection of land uses • Rich history of independent businesses • Main Street is good for business • Excellent Parks • Residential Neighbourhoods is stable 	<ul style="list-style-type: none"> • Lack of fresh food, Little residential growth • Lack of a City-wide destination 	<ul style="list-style-type: none"> • Opportunities for residential infill and intensification • Development of urban design guidelines to help guide development • ReZone the Dundas Corridor to promote a greater mix of uses 	<ul style="list-style-type: none"> • Vacant buildings along the corridor • Vacant/dilapidated buildings in visible locations threaten ability to attract businesses
Building Conditions	<ul style="list-style-type: none"> • Majority of buildings are in fair condition 	<ul style="list-style-type: none"> • No financial incentive programs available to improve buildings • LMHC are in poor condition/vacant 	<ul style="list-style-type: none"> • Encourage & incentivize property owners to improve their buildings and attract tenants • Opportunities for redevelopment 	<ul style="list-style-type: none"> • Some buildings are in poor shape and contribute to negative atmosphere
Heritage	<ul style="list-style-type: none"> • London Psychiatric Hospital Area is one of the most significant sites in history of mental health in Canada 	<ul style="list-style-type: none"> • Low amount of designated heritage properties 	<ul style="list-style-type: none"> • LPH area can be designed as a more intensive urban village, while conserving cultural heritage • Opportunity to promote the neighbourhood's built heritage through signage and educational outreach 	<ul style="list-style-type: none"> • Lack of consideration for heritage features

<p>Public Realm & Streetscape</p>	<ul style="list-style-type: none"> • Kiwanis Park is one of the largest City Parks 	<ul style="list-style-type: none"> • Poor (or non-existing) sidewalks • Bus stops are poor • Some local roads have no curbs • Poor Streetlighting • Hydro poles further limit public realm • Limited pedestrian crossing • Lack of street trees • Lack of places to sit and linger • Lack of garbage bins (garbage on sidewalks) 	<ul style="list-style-type: none"> • Promote walking and cycling in Argyle • Improvements to the corridor to address many of the weaknesses and attempt to better balance vehicular and pedestrian traffic 	<ul style="list-style-type: none"> • Underused laneways contribute to crime in area • Many different construction projects could be disruptive for residents and road users
<p>Traffic & Parking</p>	<ul style="list-style-type: none"> • Some on street parking is available, Argyle Mall has large parking lots • Many different bus routes • Lots of traffic, so good exposure for businesses 	<ul style="list-style-type: none"> • Many businesses along Dundas have their own lane-entrance or egress point, hard to get in/out • Heavy vehicle and truck traffic contribute to a reduction in pedestrian environment • On-site parking is inconsistent, some businesses have issues providing parking • Narrow sidewalks 	<ul style="list-style-type: none"> • Provide additional off-street parking • Analyze the requirements for on-site parking 	<ul style="list-style-type: none"> • High vehicle - speeds on Dundas • Lack of enforcement and police - presence

Servicing	<ul style="list-style-type: none"> • Neighbourhood has full municipal services 	<ul style="list-style-type: none"> • Perception that snow-clearance of roads and sidewalks is lacking • No lighting on local streets • Roads in poor conditions 	<ul style="list-style-type: none"> • Great need for roadwork, sewer and infrastructure improvements • Opening East Lions Community Centre 	<ul style="list-style-type: none"> • Percieved feeling that Argyle is 'overlooked' • Need more garbage - emptying (Nov. & Dec.)
Crime & Safety	<ul style="list-style-type: none"> • Sense of community, lot of positive people • Loyal East - ends 	<ul style="list-style-type: none"> • Issues with drugs and prostitution in the neighbourhood • Crime is common, including burglary (vehicle) theft, arsons, and robberies • Residents feel unsafe in local parks and streets 	<ul style="list-style-type: none"> • Crime prevention through better design (CPTED) • Enhance by-law and police enforcement and patrols in Argyle • Bring back neighbourhood watch program • Promote and expand the Active and Safe Routes to School Program 	<ul style="list-style-type: none"> • Underused or abandoned alleyways contribute to crime in the area • Argyle Mall feels unsafe at night • Lack of lighting contributes to preceived unsafety

Table 9: Community Identified SWOT - analysis for the Argyle Study Area

Appendix E: Consultation

Preparation of the Argyle Regeneration Study Update, the Argyle Regeneration Study Recommendations and Argyle Core Area CIP was guided by consultation with City Staff, stakeholders and participants at the various (virtual) community meetings and ‘planning office hours’. There are a number of community organizations focused on Argyle, which are summarized below:

- **Argyle Business Improvement Area (BIA):** Founded in 2011, the Argyle Business Improvement Area has currently more than 200 due-paying members. A key part of the community’s vision for Argyle is a resilient, vibrant, and pleasant commercial “Main Street” along Dundas Street and the Argyle Mall.
- **Argyle Community Association (ACA):** This is a volunteer based organization striving to enhance the quality of life for Argyle Residents. The ACA invites residents to participate in events offered by the association, such as the Community Conservation Gatherings. As the biggest community association within London, the ACA gives residents an opportunity to assist with decision making in terms of services, initiatives or events and infrastructure.
- **East London Lions Club:** The London East Lions Club is part of the Lions Club International, a network of volunteers who works together to answer the needs that challenge communities around the world. One of the contributions of the Lions was to adopt the East Lions Park, this encourages group to get involved in the preservation and enhancement of our City Parks.

Get Involved London Website Project Page

<https://getinvolved.london.ca/Argyle>

City Planning Staff established an Argyle CIP Page on the City’s Get Involved London website to provide: project background and status, clarification of roles and responsibilities; opportunities for feedback; notice of upcoming meetings; the project timeline; and, contact information.

Project Contact List

Planning Staff created an email list for the Argyle Core Area CIP using information gathered at Community Meetings, from comment cards, surveys, and from people who contacted Staff directly. Project update emails included information about upcoming Community Meetings, Meeting Summaries, and City Council Approvals (such as the Argyle Regeneration Study Update and Argyle Regeneration Study Recommendations). Emails also provided links to the City’s Argyle Core Area CIP project page.

Community Information Meetings, Office-Hours and other Meetings

- **Office hours with Planners (Februaru 20 & 27, 2020)**

Planning Staff hosted an opportunity to find out more about the study and provide input during 'office hours' in the East London Library.

- **Argyle BIA Meeting (December 11, 2019)**

Planning Staff provided a presentation to the BIA board members to:

- Kick-off the Argyle Regeneration Study;
- Provide information on the purpose and rationale for preparinf the CIP;
- Work with stakeholders to identify strengths, weaknesses, community needs for the Argyle Study Area

- **Argyle Community Association (January 3rd, 2021)**

Planning Staff provided a presentation to the BIA board members to:

- Provide information on the purpose and rationale for preparing the CIP;
- Work with stakeholders to identify strengths, weaknesses, community needs for the Argyle Study Area

- **Argyle Community Meeting (January 22, 2020)**

Planning Staff were invited to a community meeting hosted by Councillor Lewis rearding the Multi-Year Budget 2020-2023 at the Clarke Road Secondary School. A booth was set up to provide basic information on the purpose of a CIP and to obtain input about improvement categories in Argyle.

- **Senior Circle Aregyle (March 5, 2020)**

Planning Staff attended the Senior Circle at the Trinity Church to obtain information from stakeholders regarding community needs for seniors in Argyle.

- **Argyle Community Association Meeting (March 9, 2020)**

Staff provided a presentation on the progress of the Argyle Area Regeneration Study and answered some of the questions from the ACA-board. Of particulat interest were the upcoming infrastructure projects and community events.

- **Argyle BIA Meeting (March 12, 2020)**

Staff provided an overview of the study, work done so far and received feedback from the BIA-members and Councillor Shawn Lewis. There was a discussion about street calming measures, the necessity for a Pedestrian Crossover on Dale Street and Coulton and the ineffective routes of the LTC in Argyle.

- **Community Information Meeting (March 26, 2020)**

This meeting was cancelled due to the COVID-19 Pandemic

- **City of London Planning and Environment Committee (PEC) Meeting (June 22, 2020)**

On June 22, 2020 Planning Staff Presented the Argyle Regeneration Study Update to the Planning and Environment Committee (PEC). The Update provided the first stage of the study including research, data collection and analysis, and consultation with stakeholders, other service areas and the public.

- **Virtual Community Information Meeting (November 5, 2020)**

Staff provided an update of the Argyle Regeneration Study so far, receive feedback from participants and presented next steps to members of the public through the online platform, Zoom.

- **City of London Planning and Environment Committee (PEC) Meeting (December 14, 2020)**

On December 14, 2020 Planning Staff presented the Argyle Regeneration Study Recommendations to the Planning and Environment Committee (PEC). Based on the research, legislation, existing planning framework and consultation findings, Staff found that a Community Improvement Plan Study for the Argyle Area is warranted and therefore recommended adding an Argyle Community Improvement Plan (CIP) to the workplan for 2021.

- **Virtual Community Information Meeting (February 17, 2021)**

This second virtual meeting was held on February 17, 2021 to:

- Define objective for the Argyle Core Area CIP;
- Establish a vision for the Argyle Core Area CIP;
- Confirm what stakeholders identified as requiring improvement; and,
- Prioritize the identified improvements

- **Argyle BIA Meeting (February 10, 2021)**

Staff provided an update on the Argyle Regeneration Study Recommendations, the process of developing a CIP, and next steps.

- **Virtual Office hours with Planners (May 10,11,12,13 and 14, 2021)**

Planning Staff hosted 8 virtual opportunities to find out more about the Argyle Core Area CIP and provide input during 'office hours'.

- **Virtual Community Information Meeting (June 2nd, 2021)**

This third virtual meeting was held on February 17, 2021 to:

- Confirming the vision for the Argyle Core Area CIP;
- Confirming categories for the Argyle Core Area CIP;
- Review proposed CIP Action Item, vote on whether participants agree with the Actions Item and what priority it should be given;
- Highlight existing plans and projects, the next steps; and,
- Call to action to participate in the survey available on the Project Website.

- **City of London Planning and Environment Committee (PEC) Meeting (June 21, 2020)**

On June 21, 2020 Planning Staff presented the Draft Argyle Core Area Community Improvement Plan to the Planning and Environment Committee(PEC)

- **Argyle Stakeholder Meeting (July 0, 2021)**

Staff presented the draft CIP document and discussed changes with members from the Argyle BIA, Argyle Community Association and the Ward-Councillor.

Argyle Core Area Community Improvement Plan (CIP)



Planning & Environment Committee - September 20, 2021

Purpose

- By-laws to adopt the Argyle Core Area CIP and establish financial incentive programs.
- 1989 Official Plan Amendment to designate the Argyle Core Area Community Improvement Project Area.
- London Plan Amendment to add the Argyle Core Area Community Improvement Project Area (Map 8).

Background: What is a Community Improvement Plan?

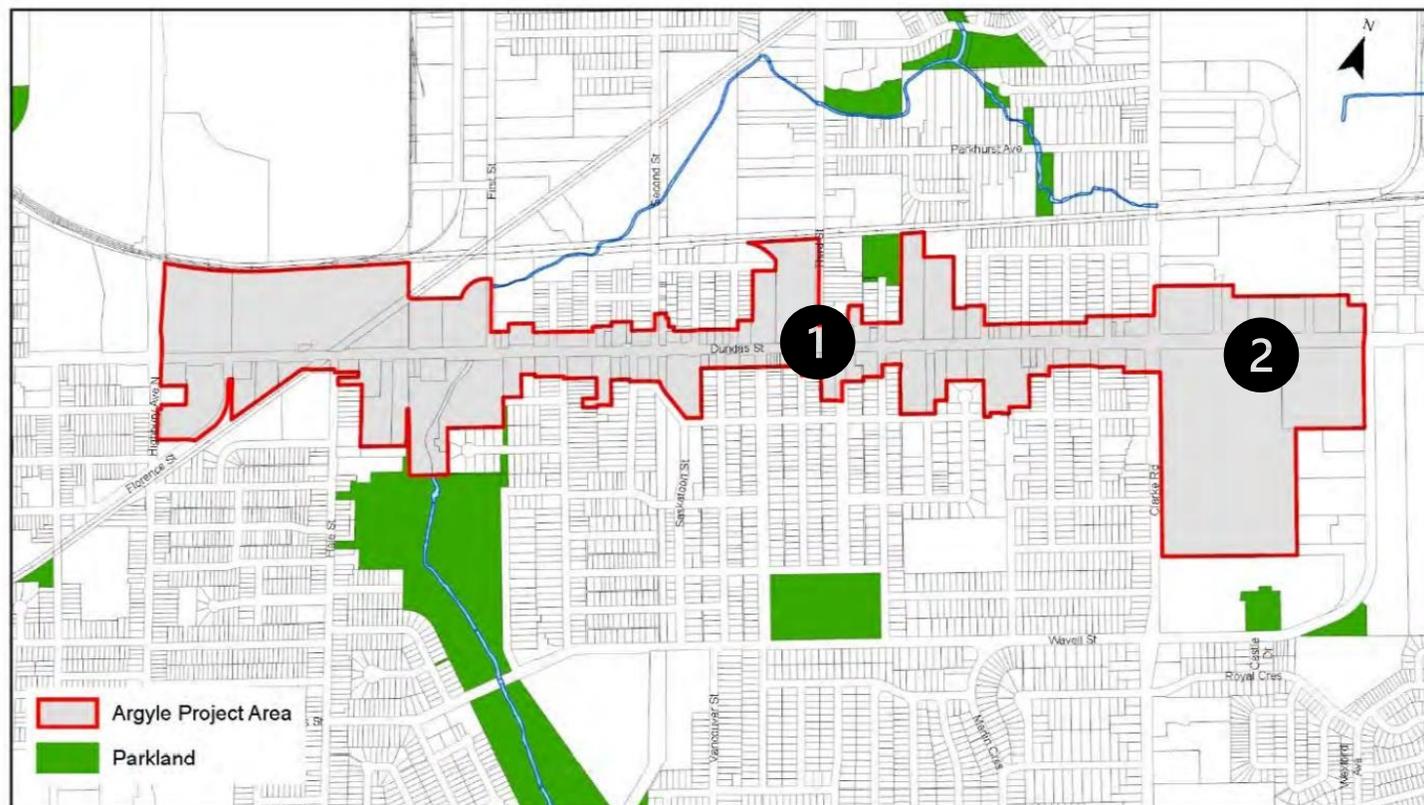
Planning Act, Section 28 tool that allows a municipality to take actions to support improvements and redevelopment within a specifically defined CIP Project Area.



CIPs help to:

- Address reuse & restoration of lands, buildings, infrastructure.
- Address growth management challenges.
- Plan for rehabilitation and land-use changes.

Recommended Project Area & Sub-Areas



Sub-Areas

1. Dundas Street Corridor
2. Argyle Mall Area

How can the Argyle Core Area CIP positively affect Argyle?

Process

- Community engagement
- Relationships
- Connections
- Information
- Defining Vision & Goals

Action Items

- Municipal Action Items
- Community Opportunities
- Priorities identified & completed during the Argyle Area CIP process

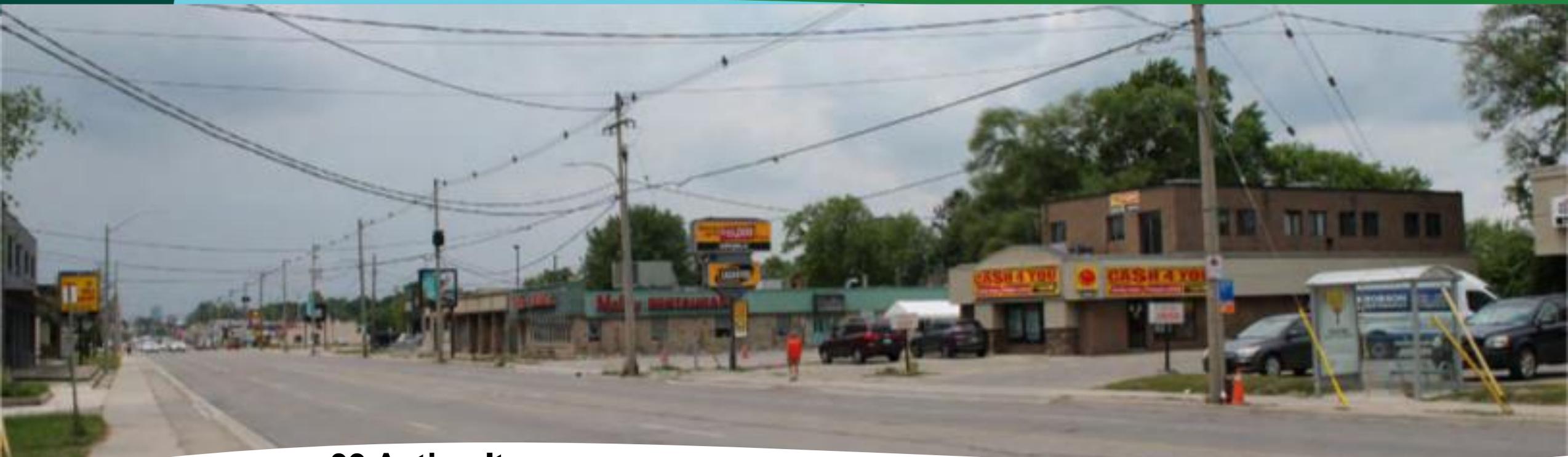
Providing a coordinated framework to support the Argyle Core Area CIP Project Area – legislation, infrastructure, funding, coordination with existing projects, information, relationship-building, collaboration, education, staff support.

Vision & Improvement Categories

By 2035, the Argyle Core Area will be a welcoming, well-maintained and safe destination with unique small businesses and shops, as well as supporting an established growing residential neighbourhood.

1. **Developing a High-Quality Public Realm;**
2. **A Safer Neighbourhood for All;**
3. **Supporting Businesses;**
4. **Enhancing Parks and Places to Sit and Linger;**
5. **Improved Mobility;**
6. **Strengthening the Community**

Action Items



39 Action Items

- 25 Municipal Action Items
- 14 Community Opportunities
- 47 Categories of Identified Community Improvement Needs

Financial Incentive Programs

Façade Improvement Loan

- Assist property owners with improving facades and making changes to buildings
- Exterior façade works (decorative lighting, brickwork, awnings, soffits, painting, doors etc.
- No-interest loans paid back over 10-year period.

Upgrade to Building Code Loan

- Assist property owners with financing of building improvements to ensure compliance with Building Code Requirements

Rehabilitation & Tax Redevelopment Grant

- Provide incentive for rehabilitation & redevelopment of residential and commercial properties by transitioning to a higher tax assessment.



Monitoring & Evaluation

- Targets
- Indicators of Success
- Baseline Conditions
- Monitoring Report
- Financial Incentive Program Monitoring



Recommendations

That, on the recommendation of the Director, Planning and Development and Interim Director, Economic Services and Supports, the following actions **BE TAKEN** with respect to the Argyle Core Area Community Improvement Plan (CIP):

- (a) that the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend the 1989 Official Plan to designate the Argyle Core Area Community Improvement Plan Project Area pursuant to Section 28 of the Planning Act and as provided for under Section 14.2.2 of the 1989 Official Plan;
- (b) that the proposed by-law attached hereto as Appendix “B” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to adopt the Argyle Core Area Community Improvement Plan;
- (c) that the proposed by-law amendment attached hereto as Appendix “C” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend the 1989 Official Plan by adding Section 14.2.2 ii) Dundas Street Corridor and Argyle Mall Area to the list of commercial areas eligible for community improvement under Section 14.2.2 ii), and adding the Dundas Street Corridor and Argyle Mall Area to Figure 14-1 to recognize the commercial areas eligible for community improvement;

Recommendations

- (d) that the proposed by-law attached as hereto Appendix “D” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to establish eligibility for financial incentive programs in the Argyle Core Area Community Improvement Project Area; and
- (e) that the proposed by-law amendment attached hereto as Appendix “E” **BE INTRODUCED** at the Municipal Council meeting on October 5, 2021 to amend the Official Plan, 2016, The London Plan Map 8 – Community Improvement Project Areas by **ADDING** the Argyle Core Area Community Improvement Project Area.

IT BEING NOTED that funding for existing CIP incentive programs will expire no later than December 31, 2023, pending a Municipal Council review of the program results to be provided prior to the adoption of the 2024- 2027 Multi-Year Budget. Therefore, Staff is recommending that funding for any potential incentive programs or other financial requirements in the Argyle CIP be considered through the comprehensive review of funding levels for all CIPs prior to the next (2024-2027) Multiyear Budget.

Argyle Core Area Community Improvement Plan (CIP)



Planning & Environment Committee - September 20, 2021

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: 1150 Fanshawe Park Road East
File SPA21-050
Stackhouse Developments (London) Inc.

Date: Public Participation Meeting on September 20, 2021

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions **BE TAKEN** with respect to the application of Stackhouse Developments (London) Inc. relating to the property located at 1150 Fanshawe Park Road East:

- (a) The Planning & Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to facilitate the construction of the proposed residential development; 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 cluster townhouse and apartment building development consisting of one (1) stacked townhouse containing six (6) units along Fanshawe Park Road East and a six (6) storey apartment building containing 81 units along Stackhouse Avenue. The subject lands are located on the west side of Stackhouse Avenue and on the north side of Fanshawe Park Road East. The site is to be developed with vehicular access from Stackhouse Avenue. The proposed development is subject to a public site plan meeting in accordance with the h-5 holding zone regulations of the Z.-1 Zoning By-law.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Site Plan Approval.

Rationale of Recommended Action

1. The Site Plan, as proposed, is consistent with the Provincial Policy Statement, 2020, as it provides for development within an existing settlement area and provides for an appropriate range of residential uses within the neighbourhood.
2. The proposed Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan.
3. The proposed Site Plan conforms to the Policies for Specific Residential Areas and to the Multi-family, Medium Density Residential designation of the 1989 Official Plan
4. The proposed development is consistent with the Stoney Creek Community Plan.

5. The proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law.
6. 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

OZ-9215 – Official Plan and Zoning By-law Amendment Application at Planning and Environment Committee November 2, 2020.

1.2 Property Description

The subject property is located on the north side of Fanshawe Park Road East and on the west side of Stackhouse Avenue with frontage along both Fanshawe Park Road East and Stackhouse Avenue. The subject property is surrounded by low-density residential uses and future development lands.

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

- Official Plan Designation – Multi-family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Holding Restricted Office/Convenience Commercial Special Provision/Residential R8 Special Provision Bonus (h-5*h-18*RO2/CC5(1)/R8-4(60)*B-70) Zone

1.4 Site Characteristics

- Current Land Use – Single detached dwelling
- Frontage – 30.4 metres (99.7 feet) (Fanshawe Park Road East)
- Depth – 94.7 metres to 131.8 metres (310-432 feet) (Stackhouse Avenue)
- Area – 6,601.5 square metres (71,052 square feet)
- Shape – Irregular (L-shaped)

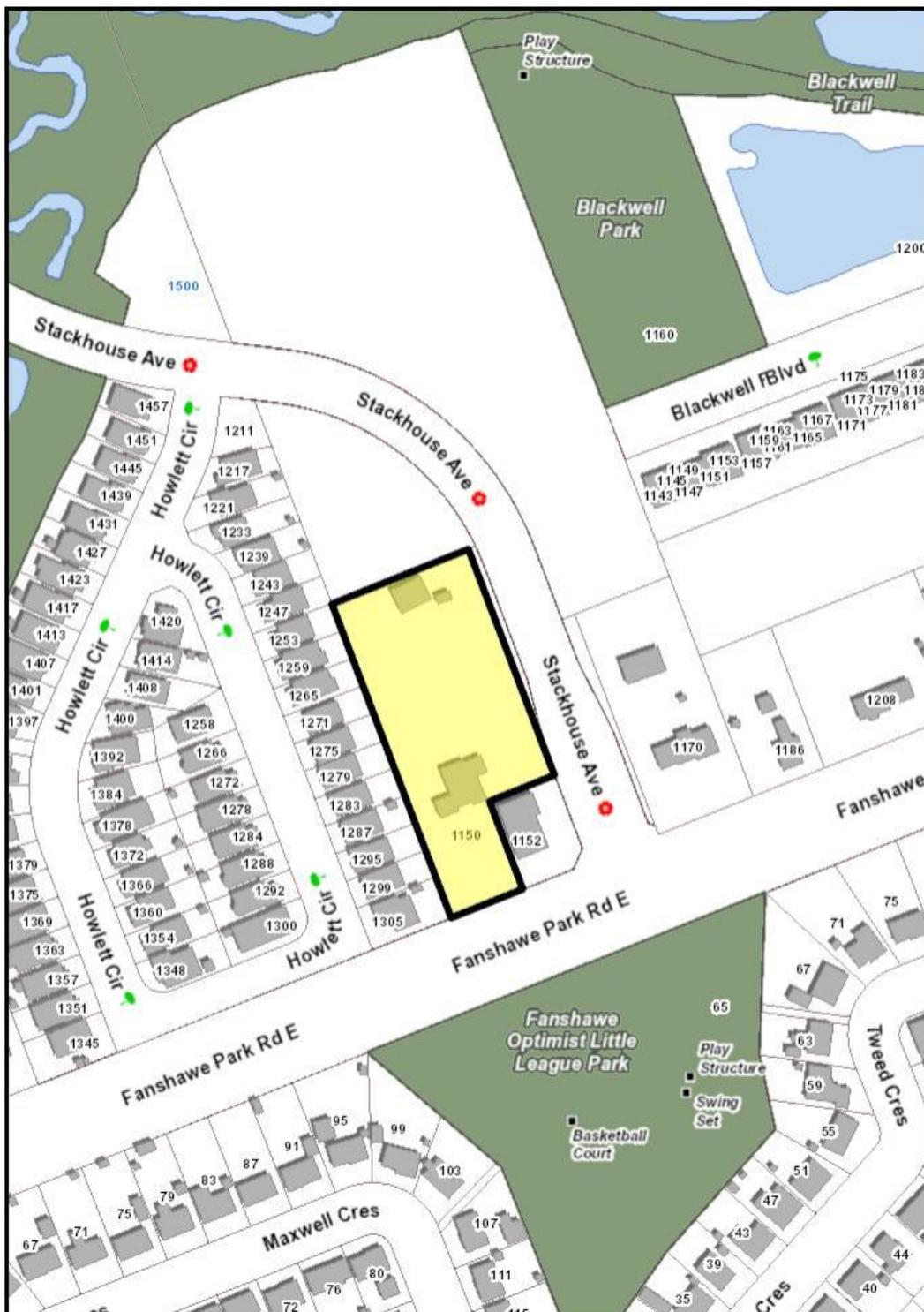
1.5 Surrounding Land Uses

- North – Low density residential and future residential
- East – Existing and future residential
- South – Park
- West – Existing residential

1.5 Intensification (identify proposed number of units)

- The proposed development of 87-units is within the Primary Transit Area boundary and constitutes infill development.

1.6 Location Map



Location Map		Legend	
Subject Property:	1150 Fanshawe Park Road E		Subject Property
Applicant:	Stackhouse Developments (London) Inc		Parks
File Number:	SPA21-050		Assessment Parcels
Created By:	Melanie Vivian		Buildings
Date:	7/15/2021		Address Numbers
Scale:	1:2000		
Corporation of the City of London			

2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development consists of one (1) three-storey stacked townhouse containing six (6) units with frontage along Fanshawe Park Road East and one (1), six (6) storey apartment building containing 81-units along Stackhouse Avenue for a total density of 87 units (133 units per hectare). The proposed site plan includes 111 parking spaces with both surface and underground parking, with five (5) being provided for the provision of barrier-free parking. Staff are currently working with the applicant to ensure the visitor parking is provided to the minimum standards of the Site Plan Control By-law.

A landscaped common amenity area is proposed on the west side of the subject lands. The proposed amenity space will not result in the removal of any mature trees and will be screened by the existing board-on-board fence to ensure there are no privacy impacts on the abutting properties.

Detailed plans of the development are contained in Appendix “A” of this report.

2.2 Planning History

An Application for Consent (B.024/03) was submitted in 2003 where the corner property at 1152 Fanshawe Park Road East was severed from the retained subject lands. In order to facilitate the Application for Consent, a Minor Variance Application (A.042/03) was submitted, and subsequently granted, to facilitate the requested severance for a reduced lot frontage. The corner property at 1152 Fanshawe Park Road East continues to be used as a small retail clothing store.

On May 14, 2020, an Official Plan and Zoning By-law Amendment Application (OZ-9215) was submitted for a six (6) storey, 81-unit apartment building with frontage along Stackhouse Avenue and one level of underground parking. The original proposal included the amenity area along the western property boundary and garbage enclosure located in the north-west corner of the surface parking lot. Revisions to the original proposal were provided based on concerns raised by City staff in September 2020 relating to the policy context for The London Plan. Changes included the addition of a three-storey stacked townhouse containing 6 units located along the frontage of Fanshawe Park Road East as well as a greater interior side yard setback from the existing corner property at 1152 Fanshawe Park Road East.

On November 2, 2020, a Public Participation Meeting was held before the Planning and Environment Committee, which recommended approval of the proposed Official Plan and Zoning By-law Amendment to amend the 1989 Official Plan by adding a specific policy to Chapter 10 to permit an increased density of 133 units per hectare, as well as amending The London Plan by adding a new policy to the Specific Policies for the Neighbourhoods Place Type and amending Map 7 – Specific Policy Areas by adding the subject lands to the list of Specific Policy Areas. The Z.-1 Zoning By-law was amended from a Holding Restricted Office/Convenience Commercial Special Provision (h-27*RO2/CC5(1)) Zone to a Holding Restricted Office/Convenience Commercial Special Provision/Residential R8 Special Provision Bonus (h-5*h-18*RO2/CC5(1)/R8-4(60)*B-70) Zone. The resolution of Council also noted that the garbage storage shall be located internally within the building; fencing along the west property boundary shall be installed or enhanced to provide adequate screening, minimize the impact of headlights and enhance privacy; enhanced provision of landscaping along the southwest property boundary to provide screening for the stacked townhouse dwellings; and minimal to no windows to habitable rooms for the west façade of the stacked townhouses.

On June 25, 2021, a Site Plan Control Application (SPA21-050), was received by the City of London. Additional submissions are required to address comments provided with the previous review by staff, and further to address the recommendations to the Approval Authority as part of the Site Plan public meeting. The comments from the first

submission are attached herein as Appendix “C”. The identified matters that were included in the Council resolution (November 11, 2020) are integral to the proposal being considered at the September 20, 2021 public site plan meeting. The second submission documents have yet to be submitted at the time of this report and will incorporate the public comments considered at the public site plan meeting.

2.3 Community Engagement (see more detail in Appendix “B”)

On September 1, 2021, Notice of Public Meeting was sent to all property owners within 120 metres of the subject lands and those who made comment throughout the Official Plan and Zoning By-law Amendment Application, and Notice of Public Meeting was published in the *Londoner* on September 2, 2021. On July 21, 2021, a Notice of Site Plan Control Application was sent out to all property owners within 120 metres of the subject lands and to those who made comments throughout the Official Plan and Zoning By-law Amendment Application. Notice of Application was published in *The Londoner* on July 22, 2021.

At the time this report was prepared, a total of 12 responses were received in response to the Notice of Site Plan Control Application and Notice of Public Meeting. One response was a phone call requesting further clarification and the status of the application.

In general, the comments received from the public have raised concerns with respect to the following site matters:

- Loss of privacy
- Garbage storage
- Damage to surrounding single detached dwellings due to construction
- Scale of development
- Loss of trees
- Traffic concerns with the increased density

A discussion regarding the items below are found in Section 4.0 of this report.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020 (PPS)

The Provincial Policy Statement, Section 1.1, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, encourages healthy, livable, and safe communities which are sustained by accommodating an appropriate affordable and market-based housing range and mix of residential types to meet long-term needs (1.1.1.b)). The PPS further directs municipalities to establish land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification while using land and resources wisely to promote development patterns, ensuring effective use of infrastructure and public service facilities (1.1.3). The identified settlement areas are to be the focus of growth and development with land patterns based on densities and a mix of land uses (1.1.3). Direction is also provided to planning authorities to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents (1.4.3.b).

The proposed development would facilitate the construction of 87 new residential units within an existing settlement area and provide for diverse housing options and include affordable housing options to cater to a wide range of residential needs.

The proposed development is 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 that encourage a mixed-use compact City by planning to achieve a compact, contiguous pattern of growth by looking “inward and upward” through infill and intensification of various types and forms to take advantage of existing services and facilities (59_2 and 59_4). Directions for building a mixed-use compact City also include ensuring a mix of housing types are provided within our neighbourhoods so that they are complete and support aging in place (59_5). The London Plan Key Directions also include ensuring that new development is a good fit within the context of the existing neighbourhood (62_9). The proposed development provides for appropriate intensification on an existing, underutilized piece of land within the City boundaries that will utilize the existing services and facilities in the area. Further, the proposed development will provide for a mix of housing with the inclusion of affordable units, within the immediate area as the residential uses surrounding the subject lands are predominately single detached dwellings.

The subject lands are located within the Neighbourhoods Place Type with frontage along an Urban Throughfare and additional frontage, by way of an exterior side yard, along a Neighbourhood Connector, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within the Neighbourhoods Place Type include a range of residential uses including staked townhouses and low-rise apartments, in accordance with Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type. Intensity within the Neighbourhoods Place Type is measured based on height. The Urban Throughfare regulates a minimum height of 2-storeys with a maximum height of 4-storeys or, with bonusing, a maximum height of up to 6-storeys (*Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The proposed development represents residential intensification within an existing neighbourhood which is encouraged to achieve aging in place, a diversity of built form, affordability and the effective use of lands in neighbourhoods (937_).

The subject lands are also located within a Specific Policy Area of the Neighbourhoods Place Type, in accordance with Map 7- Specific Policy Areas. The site specific policies allow for additional permitted uses of convenience commercial and office uses, as well as mixed use development form with residential and convenience commercial and/or office uses.

The proposed development is consistent with The London Plan.

The 1989 Official Plan

The subject lands are designated as Multi-Family, Medium Density Residential, in accordance with ‘Schedule A’ of the 1989 Official Plan which primarily permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged (3.3.1). The Multi-Family, Medium Density Residential designation provides for a suitable transition between Low Density Residential Areas and more intense forms of land use (3.3). Height and density within the Multi-Family, Medium Density Residential designation are limited to 4-storeys and 75 units per hectare (3.3.3.i) and 3.3.3.ii)). The Multi-Family, Medium Density Residential designation also contemplates a limited range of secondary permitted uses including convenience commercial and restricted office uses (3.3.1.ii).

The subject lands are also located within a specific policy area, in accordance with Section 10.1.3 of the Official Plan to permit an increased height of 21.0 metres and an increased density of 133 units per hectare to implement the bonus zone.

The proposed development provides for residential intensification through infill development that is appropriate with the surrounding land uses and is consistent with

the 1989 Official Plan.

Stoney Creek Community Plan

The subject lands are located within the Stoney Creek Community Plan, approved in 1998 to guide development in the area for the 20 years following. The Community Plan contemplates the site as Multi-Family, Medium Density Residential with primary and secondary uses permitted. Additionally, the Community Plan directs medium density residential uses to locations along arterial road networks.

The proposed development is consistent with the Stoney Creek Community Plan.

Zoning By-law Z.-1

The subject lands are located within a Holding Restricted Office/Convenience Commercial Special Provision/Residential R8 Special Provision Bonus (h-5*h-18*RO2/CC5(1)/R8-4(60)*B-70) Zone which permits the use of the lands for apartment buildings and stacked townhouses. Special provisions for the site regulate a minimum lot frontage of 22.0 metres. The applied Bonus Zone provides for enhanced urban design and affordable housing where the provision of affordable housing consists of six (6) stacked townhouse affordable rental units. Special provisions applied through the Bonus Zone include a minimum lot frontage of 22.0 metres; a minimum front yard depth of 3.0 metres; a minimum exterior yard depth of 2.0 metres; a minimum interior side yard depth of 4.5 metres; a maximum density of 133 units per hectare; a maximum height 21.0 metres; minimum parking spaces of 110; a minimum west parking area depth of 9.5 metres; a minimum south parking area depth of 15.0 metres; and any permitted convenience commercial and/or restricted office uses may be located within the apartment building.

Holding Provisions applied to the subject lands are required to be removed through a separate application under the *Planning Act*, prior to the issuance of permits. The following holding provisions are applicable to the subject lands:

h-5 holding provision ensures that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the *Planning Act*, R.S.O. 1990, c. P.13, prior to the removal of the “h-5” symbol.

h-18 holding provision ensures that the proponent retains a consultant archaeologist, licensed by the Ministry of Tourism, Culture and Sport (MTCS) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Engagement with the appropriate First Nations shall be completed consistent with the policies of the London Plan.

All archaeological assessment reports, in both hard copy format and digitally in Portable Document Format (PDF), will be submitted to the City of London once MTCS has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted on site.

No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the City of London receiving the MTCS compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied. (Z.-1-192784)

As proposed, the Site Plan Application confirms to the provisions of the Zoning By-law Z.-1.

3.0 Financial Impact/Considerations

There are no direct financial expenditures associated with this report.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Council Resolution

As part of the Official Plan and Zoning By-law Amendment to permit the proposed development, Council resolved the following:

***IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:*

- i) garbage storage shall be located internally within the building;*
- ii) fencing along the west property boundary shall be installed or enhanced to provide adequate screening, minimizing the impact of headlights and enhance privacy;*
- iii) enhanced provision of landscaping along the southwest property boundary to provide screening for the stacked townhouse dwellings; and,*
- iv) minimal or no windows to habitable rooms for the west façade of the stacked townhouses;*

In accordance with the Site Plan Control By-law, garbage is being stored internal to the building and brought out to a central pick-up location on collection day. The concept site plan, attached herein as 'Appendix A', identifies the proposed garbage storage location on the site plan, within the building, with the concrete collection pad on the southwest corner of the surface parking. The current proposed garbage storage location meets the intent of the Site Plan Control By-law and the intent of Council's Resolution.

Through the Official Plan and Zoning By-law Amendment process, members of the public raised concerns that the existing board-on-board fence may not provide enough privacy. Between the subject lands and abutting residential uses, there is currently existing board-on-board fencing. Generally, the fencing appears to be 1.8 metres (6 feet) in height and board-on-board across majority of the western property boundary. There is one area along the western property boundary where a chain-link fence exists, as per Image 1 below, outlined in yellow. The existing height is consistent with the requirements of the Site Plan Control By-law.



Image 1: Existing board-on-board fence and chain link fence along the western property boundary

The Owner will be required to fill in gaps that exist, including adding board-on-board fencing where the current chain line fence is present and ensure the preservation of the fencing through construction. As part of the Site Plan Control Application process, a clause will be provided within the Development Agreement to note that should any damage occur to the existing fence, the developer will be obligated to initiate any required repairs or fill in any gaps. In terms of privacy, landscaping is proposed along the west property boundary, along with the retention of mature trees, which will assist in providing adequate screening. Staff are working with the applicant to provide a guard to assist in blocking headlights from the surface parking lot into the rear yards. Staff are satisfied that the current proposal meets the intent of Council's Resolution.

As identified in Section 4.5 Tree Preservation and Landscaping below, 342 plants are proposed to be planted on-site, including eight (8) trees. Along the southwest property boundary, 10 shrubs (hydrangeas) are proposed adjacent to the stacked townhouses. The Site Plan Control By-law requires tree plantings every 1 per 15 metres internal to the site. Given a proposed subdrain and storm sewer for the purpose of stormwater management, landscaping opportunities in this area are limited. Staff will continue to work with the applicant to provide additional plantings in this location.

The current elevations for the stacked townhouses contain several windows at the front and rear of the building with a reduced number of windows on both the west and east façade. While floor plans are not required nor provided through the first submission, staff will work with the applicant to confirm that windows on the west elevation are primarily for non-habitable spaces to ensure that of the resolution of Council is generally maintained.

4.2 Issue and Consideration # 2: Use

The Residential R8 Special Provision Bonus (R8-4(60)*B-70) Zone permits the development of apartment buildings and stacked townhousing, as per Official Plan and Zoning By-law Amendment (OZ-9215). Through the Official Plan and Zoning By-law Amendment process, it was concluded that the proposed apartment building and stacked townhouse dwelling uses are compatible with the surrounding residential neighbourhood and will not be out of character with the existing residential uses.

Additionally, through retaining the existing convenience commercial and restricted office zoning on the lands, the flexibility of uses remains while maintaining the character of the existing uses.

4.3 Issue and Consideration # 3: Intensity

The Site Plan application proposes a total of 87 residential units with a density of 132 units per hectare whereas the R8-4(60)*B-70 Zone permits a maximum density of 133 units per hectare. As such, the proposed density complies with the regulations of Zoning By-law Z.-1. Parking on-site includes 111 parking stalls for all uses on site, including five (5) barrier-free parking stalls. Visitor parking is required as per the Site Plan Control By-law at a rate of 1 space for every 10 units. Staff are still working with the applicant to ensure visitor parking is provided on-site to mitigate overflow parking on to neighbouring streets. There are no concerns from staff regarding the applicant's ability to meet this requirement.

In terms of lot coverage, the R8-4(60)*B-70 Zone permits a maximum lot coverage of 40% whereas the proposed development proposes a lot coverage of 27.1%. Under the R8-4(60)*B-70 Zone, the minimum landscape open space requirement is 30% whereas the proposed development is proposing a landscape open space of 38.5%. The buildings are proposed to be built out to the minimum setback requirements for the front, interior and exterior side yard with a larger rear yard setback. The proposed development is under the maximum permitted density and lot coverage while providing for more landscape open space than required.

4.4 Issue and Consideration # 4: Form

The subject lands are proposed to be developed in the form of an apartment building and stacked townhouse building with heights of 21.0 metres (six-storeys) and 11.0 metres (three-storeys), respectively.

Through the Official Plan and Zoning By-law Amendment process, concerns were raised regarding the compatibility of the development with the surrounding neighbourhood as the surrounding area comprises of predominately low-density residential uses. In terms of compatibility with respect to height, the proposed stacked townhouse building is proposed to be 11.0 metres where the abutting lands to the south permit a maximum height of 9.0 metres, based on the Residential R1 (R1-3) Zone. Given the minimum interior side yard setback of 4.5 metres, the proposed stacked townhouses are compatible with the surrounding neighbourhood and provide a suitable transition from Fanshawe Park Road East to low-density residential uses. The proposed apartment building is located along Stackhouse Avenue with a proposed setback of 30 metres from the west property boundary. Although the apartment building is proposed at 6-storeys, with a larger interior side yard setback from the west property line, the proposed building is deemed to be compatible with the existing neighbourhood. Both the apartment building and stacked townhome are permitted as of right within the Zoning By-law and are keeping with the intent of both The London Plan and the 1989 Official Plan.

As the subject lands have street frontage along Fanshawe Park Road East and Stackhouse Avenue, the proposed development has regard for both frontages with street facing units on each building with direct pedestrian connections out to existing City sidewalks, creating an active street frontage along both streets.

4.5 Issue and Consideration # 5: Tree Preservation and Landscaping

To facilitate and accommodate the proposed development 36 of the 57 trees on site are proposed to be removed, amounting in 63% of the total trees on site being removed. Although the number of trees being removed is greater than 50%, of the proposed trees to be removed, three (3) trees have been identified as hazard trees, three (3) have been identified as in poor condition with six (6) identified in fair condition. The remaining trees being removed are noted as being in good condition but are required to be removed to facilitate the proposed apartment building, underground parking structure and the

surface parking lot. The majority of the trees being retained are located along the west property boundary, where 21 mature trees will remain. The retained mature trees assist in providing screening and privacy from the proposed development and parking lot. Notwithstanding the above, there are a total of 342 plants, including a mix of trees and shrubs, proposed to be planted on site.

Through Council's Resolution, it was requested that enhanced landscaping be provided along the southwest property boundary to provide for screening from the stacked townhouse dwellings. Currently, 10 shrubs (hydrangeas) are proposed along the west wall of the stacked townhouse dwellings. However, a storm sewer and subdrain is proposed within the 4.5 metre setback between the stacked townhouse building and the interior property line which limits the amount of landscape planting that can occur. Staff will continue to work with the applicant to provide for as many plantings as possible that provide for screening qualities that not only meet the intent of the Site Plan Control By-law but exceed the minimum requirements.

Along the west property boundary, as previously identified, there are several mature trees being retained. To ensure these trees are protected, tree preservation fencing will be installed and there will be clauses included within the Development Agreement relating to the health and maintenance of vegetation on site. Staff are satisfied that the proposed landscaping provides for enhanced screening and meetings the intent of Council's Resolution.

4.6 Issue and Consideration # 6: Privacy, Parking and Lot Lighting

One of the common concerns raised through the Site Plan Control Application process and Official Plan and Zoning By-law Amendment Application process was the loss of privacy due to the proposed development and the proposed height of the apartment building. As previously mentioned in Section 4.5 Tree Preservation and Landscaping, the applicant is proposing to retain the mature trees along the west property boundary that will continue to provide privacy for the abutting properties. Additionally, there is an existing board-on-board fence located along the western property line. It was identified through the Official Plan and Zoning By-law Amendment Application process that the fence may not be tall enough and may contain some gaps. Following a site visit, it was identified that the height of the existing board-on-board fence is generally 1.8 metres (6 feet) in height, which is consistent with the requirements of the Site Plan Control By-law and in good condition. As identified above, the applicant will be required to provide a board-on-board fence where the chain-link fence currently exists to the requirements of the Site Plan Control By-law and conduct any repairs on the fence that may occur during construction.

In terms of parking, the proposed development complies to the minimum parking requirements of the Zoning By-law. Through the Official Plan and Zoning By-law Amendment Application, a minimum parking standard of 111 parking spaces. As such, the proposed parking complies with the minimum requirements of the Zoning By-law Z.-1.

Concerns were raised regarding the impact of head lights from the surface parking lot into neighbouring properties along the west property boundary. Due to the grading on site, a retaining wall with a height of approximately 1.0 metres will be installed along the western parking lot boundary that will place the surface parking lot higher than the west property boundary. Council's Resolution seeks for fencing along the west property boundary that is to be installed or enhanced to provide adequate screening, minimize the impact of headlights, and enhance privacy. While a board-on-board fence is existing along the western property boundary, as part of the Development Agreement, the owner will have to ensure all fences along the west lot line are board-on-board and are in good condition as long as the fence does not impact or pose significant risk to the retained mature trees. To provide for additional screening from the surface parking lot, staff will require the applicant to provide a guard to further prevent the casting of headlights in abutting properties.

As part of the complete application, a photometric plan was submitted, attached herein as 'Appendix A', where the applicant is proposing a total of eight (8) light standards for the site with the value across the site of the intensity of light measured in foot-candles. The photometric plans are evaluated based on the intensity of light and the impact on surrounding properties. Based on the location of the five (5) light standards along the west property boundary, the maximum of 0.1 foot-candles are shown. This equates to 1.1 lumens per square metre. The proposed light standards are a 49W light which equals 4571 lumens. The maximum of 0.1 foot-candles at the property line are only shown in two locations. Measurements shown on the plan do not appear to take into consideration the existing board-on-board fence or mature trees. As such, staff are satisfied that any light trespass along the western property boundary will be extremely minimal to none. The other three (3) light standards are proposed along the northern property line. Although the lands to the north are vacant, staff are working with the applicant to reduce any light cast on these lands.

4.7 Issue and Consideration # 7: Garbage Storage

One of the concerns raised through the Official Plan and Zoning By-law Amendment Application process was the garbage storage location. As identified on the Site Plan, attached herein as 'Appendix A', garbage is proposed to be located internal to the apartment building within a specified garbage room, collected within bulk bin containers and wheeled out to a concrete pad collection point on garbage collection day, in accordance with the Site Plan Control By-law. The current collection point is within the southwest corner of the surface parking on a dedicated concrete pad. With the installation of the previously mentioned guard, adequate board-on-board fencing and landscaping along the western property boundary, the garbage collection point will be hidden from the neighbouring properties. Following the garbage being collected on collection days, the bulk bins will be wheeled back into the apartment building for storage.

Garbage collection for the stacked townhouses is proposed as being internal to the dwelling unit with waste being brought out on collection days. Staff are currently working with the applicant to determine and appropriate location for the stacked townhouse collection.

Based on the above, staff are satisfied that Council's Resolution for garbage to be stored internal to the building has been met.

4.8 Issue and Consideration # 8: Elevations

With privacy being one of the main concerns raised through the Official Plan and Zoning By-law Amendment application, Council's Resolution includes the provision of minimal or no windows to habitable rooms for the west façade of the stacked townhouses. The current elevations, attached herein as 'Appendix A', for the stacked townhouses contain several windows at the front along Fanshawe Park Road East and at the rear of the proposed building with a reduced amount along the east and west façade. While floor plans are not required nor provided through the first submission, staff will work with the applicant to confirm that windows on the west elevation are mainly for non-habitable spaces to ensure that of the resolution of Council is generally maintained.

4.9 Issue and Consideration # 9: Outstanding Site Plan Comments

First submission comments were provided to the applicant on July 23, 2021 and are attached herein as Appendix 'C'. The second submission documents have yet to be provided for review at the time of writing this report.

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

Conclusion

The site plan, as proposed, is consistent with the Provincial Policy Statement, has regard for The London Plan and is in conformity with the 1989 Official Plan. The proposed development is also consistent with the Stoney Creek Community Plan. The application, as proposed, is consistent with the Zoning By-law and Site Plan Control By-law and provides for infill development within an established neighbourhood.

Prepared by: Melanie Vivian, Site Development Planner, Site Plans, Planning & Development
Reviewed by: Michael Pease, RPP, Manager, Site Plans, Planning and Development
Recommended by: Gregg Barrett, AICP, Director, Planning and Development
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 Planning and Development.

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

MV/mv

Y:\Shared\implemen\DEVELOPMENT APPS\(\Insert Source)

Apartment Building Elevations – North and East

LT-10 02/20/2017 10:43:04 AM

NORTH ELEVATION

EAST ELEVATION STREET

MATERIALS LEGEND:

- ① LIGHT GREY CONCRETE
- ② DARK GREY CONCRETE
- ③ BRICK
- ④ BRICK
- ⑤ BRICK
- ⑥ BRICK
- ⑦ BRICK
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NO.	SYMBOL	DESCRIPTION	QUANTITY	UNIT	DATE	BY	CHECKED	APPROVED	REVISION
1	(Symbol)	BRICK	100	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
2	(Symbol)	BRICK	200	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
3	(Symbol)	BRICK	300	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
4	(Symbol)	BRICK	400	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
5	(Symbol)	BRICK	500	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
6	(Symbol)	BRICK	600	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
7	(Symbol)	BRICK	700	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
8	(Symbol)	BRICK	800	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
9	(Symbol)	BRICK	900	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00
10	(Symbol)	BRICK	1000	SQ. FT.	10/10/17	J. S. P.	J. S. P.	J. S. P.	1.00

RESIDENTIAL DEVELOPMENT
150 FARMERS PARK ROAD
LONDON ONTARIO

EAST AND NORTH ELEVATIONS

A4.1

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DATE: 10/10/17

BY: J. S. P.

CHECKED: J. S. P.

APPROVED: J. S. P.

Stacked Townhouse Elevations

LT-02 2015/06/16 1:02:44

NORTH ELEVATION

SOUTH ELEVATION

EAST ELEVATION

WEST ELEVATION

MATERIALS LEGEND:

- 1 LIGHT GREY BRICK
- 2 DARK GREY BRICK
- 3 HORIZONTAL CLADDING
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RESIDENTIAL DEVELOPMENT
1150 FANSHAW PARK ROAD
SCARBOROUGH, ONTARIO

STACKED TOWNHOUSES EAST AND NORTH ELEVATIONS

A4.1

DATE: 2015-06-16
SCALE: AS SHOWN
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 2015-06-16

© 2015 [Firm Name]. All rights reserved.
This drawing is the property of [Firm Name] and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of [Firm Name].

ONTARIO ASSOCIATION OF ARCHITECTS
REGISTERED ARCHITECT
[Signature]
[Stamp]

ORCAD
[Logo]

Appendix B – Public Engagement

Community Engagement

Public liaison: On July 21, 2021, Notice of Application was sent to all property owners within 120 metre radius of the subject lands and to those who made public comments during the Official Plan and Zoning By-law Amendment. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on July 22, 2021.

On September 1, 2021, Notice of Public Meeting was sent to all property owners within a 120- metre radius of the subject lands and to those who made public comments during the Official Plan and Zoning By-law Amendment. Notice of Public Meeting was published in *The Londoner* on September 2, 2021.

Five (5) written replies were received as part of the original circulation and one (1) phone call were received. Following the Notice of Public Meeting circulation, five (5) additional written replies were received.

Nature of Liaison: Site Plan Approval to allow for the development of the subject lands, as shown on the attached plan. The Site Plan, as proposed, would result in 87 residential units.

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

Concern for:

- Impacts on abutting properties during construction. Including the possibility of construction causing extensive damages to adjacent dwellings
- Privacy
- Garbage storage
- Shadowing from the building
- Overdevelopment
- Soil disturbances
- Safety, specifically of children in the neighbourhood with the increase in population and loss of privacy
- Reduced property values
- Loss of trees
- Traffic along Stackhouse Avenue and Fanshawe Park Road East intersection
- Increased noise
- Proximity to park

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone
M. Cass

Written	Written
Sunil Koshy 1259 Howlett Circle	Mary Matthew Kottappurathu 1259 Howlett Circle
Bijoy Vellanickal 1420 Howlett Circle	Tianjiao Tong 1243 Howlett Circle
Wayne & Nora Tingle 55 Tweed Crescent	Michael You
Robert Small	Bram Bontje
Michael Benjaminsen 1171 Blackwell Boulevard	Aleksandr and Albina Kononenko 1145 Blackwell Boulevard
Cab Rome	

From: Wayne Tingle
Sent: Monday, July 26, 2021 1:01 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] File: SPA21-050 Stackhouse Developments (London) Inc.

Dear Ms Vivian and Planning Committee:

We have received your notice about the Site Plan Control Application from the above applicants. We back onto the Fanshawe Optimist Park on Fanshawe Park Road East and wish to make the following comments about the potential impacts this will have on our quality of life.

General Comments

We are perplexed about the need for more multi-family housing when there are several recent multi-family developments in the area in the past two years (townhouses across Stackhouse Avenue) and the huge development on Highbury Avenue North just south of the Thames River. We see the following major impacts on traffic volumes on Fanshawe Park Road and Highbury Avenue with all these residential vehicles going to and from work and leisure.

1. The Stackhouse/Fanshawe Park Road intersection will require a traffic signal that will slow the traffic flow on this five lane major east/west 'arterial' road. The frequent stops and starts will result in increased air pollution in an established residential area from buses, transport trucks and gravel trucks that use diesel fuel that pollutes more.
2. The proximity of this intersection to the children's park directly across from this intersection would require the installation of some kind of fencing to protect the children (a fence and /or an earth berm).
3. The noise increase from the frequent stops and starts from the traffic light (quality of life issue for us). You may be required to extend the northern barrier wall that exists on each side of the park.
4. All of these impacts would have major costs associated with them. There should be conditions attached to any approval that requires a financial contribution from the developer.

Looking back at all of our comments on this development application, it looks like this proposal is a bad fit for this property. The fact that the developer needs a zoning amendment, official plan amendment and is asking for bonusing for proposed height and density says to us 'don't allow this development here'.

Sincerely,
Wayne & Nora Tingle
55 Tweed Crescent, London

From: Bijoy Vellanickal
Sent: Thursday, July 29, 2021 12:06 PM

To: Vivian, Melanie <mvivian@london.ca>
Cc: Doc Services <DocServices@london.ca>
Subject: [EXTERNAL] Request For Participation

Hi,

I am currently a resident on Howlett Circle and I am opposing the 1150 Fanshawe Park Road East development.

It's an over development and it would hurt the privacy of the neighbourhood houses.

When they do the construction it will cause extensive damages to the adjacent houses and will cause soil disturbances too.

I would like to participate in all future meetings to raise my concerns. Please notify me about future meetings.

Thank you,

Bijoy Vellanickal

1420 howlett Circle ,London ,N5X0K5

From: Joy Tong

Sent: Wednesday, August 4, 2021 11:06 AM

To: Vivian, Melanie <mvivian@london.ca>

Subject: [EXTERNAL] Concerns about Site Plan Control Application: 1150 Fanshawe Park Road East SPA21-050

Dear Ms. Vivian,

My name is Tianjiao and I am the property owner of 1243 Howlett Circle. I have recently received the notice of a planning application for the apartment building construction near my house (1150 Fanshawe Park Road East SPA21-050). I have serious concerns about this construction and would like to oppose this plan for the following reasons:

1. Privacy and blocking: Although my house does not directly face the proposed construction, many of my neighbour's houses will be severely blocked given its elevation and distance from the houses. Apart from this, the high-rise will cause a great loss of privacy as it is so close to the houses, and residents in the upper level of the proposed apartments have an unblocked view of the houses and our backyards.

2. Kids safety: We are a community with a lot of young parents and their kids. This loss of privacy creates serious security concerns for the kids. Imagine my kids playing in the backyard while being watched by 100+ residents from the proposed apartment. This is something we did not expect when purchasing the house. Also this huge increase in population with unknown backgrounds is also a serious concern to our kids' safety. Now we can watch out for each other's kids and the people around, but after new apartment is built, I am skeptical about whether the kids are still safe to play around the neighbourhood without parents' close supervision.

3. House price drop: Howlett Circle community is currently a very quiet and nice neighbourhood with the income-level of typical house owners. Building an apartment so close to our community will greatly distort the demographic composition and discourage future potential buyers, and a great decline in house price would be expected. For many of the house owners including me, Howlett Circle is the first house we buy while paying a high mortgage. We cannot afford a sharp drop in house price with such surprising apartment construction. Also it is questionable whether the local facilities such as parks can support such a huge increase in resident numbers.

4. Environmental concern: Lots of trees need to be cut down to build the apartment. Many local urban animals and birds will lose their natural habitat.

We have the expectation that new houses might be constructed in the circled area, since the Fanshawe Park Rd East region is under rapid development. However, we do not expect an apartment construction that would severely intrude our privacy and daily living. Thanks for your consideration.

Best,
Tianjiao Tong

From: rintu mary
Sent: Sunday, August 8, 2021 10:45 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] REGARDING 1150 FANSHAWE PARK ROAD EAST

Good evening, I am Mary mathew kottappurathu, currently residing in Howlett circle, and I am opposing the **1150 fanshawe park road east** development. it is overdevelopment and it would hurt the privacy of the neighborhood houses. We already mentioned about it before that, if something happend to our house while doing construction who will be responsible? also tree beind our house is cutting too. no privacy for us. we bought house here because we heard that commercial building coming there. after huge apartment building comes value of the house will go down. also garbage chute coming behind our house. it will affect our health and we cannot even go to the backyard. only we have space in our back during the summer time to get some sun light. if 6 floor bulilding comes we dont have any sunlight too.when they do the construction it will cause extensive damages to the adjacent houses and will cause soil disturbances too. when they do the underground parking definitely some damage to our house and fence. they have to fix it for us if they doing an 6 floor building. I would like to participate in all future meetings to raise my concerns. please notify me about future meetings.

thank you
mary Mathew kottappurathu
1259 Howlett circle London Ontario n5x0k5

From: Sunil Koshy
Sent: Monday, August 9, 2021 10:44 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] REGARDING 1150 FANSHAWE PARK ROAD EAST

Good evening, I am Sunil Koshy, currently residing in Howlett circle, and I am opposing the **1150 Fanshawe park road east** development. it is overdevelopment and it would hurt the privacy of the neighborhood houses. We already mentioned it before that, if something happened to our house while doing construction who will be responsible? also, the tree behind our house is cutting too. no privacy for us. we bought a house here because we heard that commercial building coming there. after a huge apartment building comes the value of the house will go down. also, a garbage chute coming behind our house. it will affect our health and we cannot even go to the backyard. only we have space in our back during the summertime to get some sunlight. if a 6-floor building comes we don't have any sunlight too. when they do the construction it will cause extensive damages to the adjacent houses and will cause soil disturbances too. when they do the underground parking definitely some damage to our house and fence. they have to fix it for us if they doing a 6-floor building. I would like to participate in all future meetings to raise my concerns. please notify me about future meetings.

Thanks
Sunil Koshy
1259 Howlett circle
London Ontario
N5X0K5

From: You Jaeyoung
Sent: Thursday, September 2, 2021 2:26 PM
To: Vivian, Melanie <mvivian@london.ca>
Cc: Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Neighborhood's opinion on New Site Plan (1150 Fanshawe Park Road East) is Strong OBJECTION

Dear Melanie Vivian

CC. Maureen Cassidy

I am one of of Howlett circle and my family and myself respect that your contribution to make London is great city to live.

I like London have nick name of Forrest city and this is why I have decided to relocate at London.

Recently I have got notice of planning application and I am very happy that you are asking neighborhood opinion.

And, I would like to state it is NOT good idea and I really want new site plan is not allowed.

I believe it is very wired plan to allow 6th floor of building at such a small area (Please see attached file)

The reason that I am against of this plan are,

1. Safety issue

- A. I have two kids and we enjoy green forest at area of Blackwell park
- B. And I realized many kids and their family also enjoying at park
- C. New site plan will cause many cars travel on the road(Stack house avenue) and caused more possible car accident
- D. And I highly doubt it will take away some chance Kids not allow to access park(Blackwell park) and green area

SAFETY Second to none

- Too many cars Travel
- Seriously worry about high travel BAN kid's right to access to the park
- More possibility of accident



2. Privacy issue

- A. Boundary between Howlett circle and New site plan is too close
- B. Height of 6th Floor of Building is good enough sight to see every place of 2 stores of family house
- C. I highly drought it cause serious dispute/conflict between neighborhoods
- D. Most of single family house at Howlett circle will lost a chance to see view of green to the direction of East
- E. Every single family house where face to 6th Floor Apartment will NOT get sunshine anymore at the morning

PRIVACY

- Too close
- **Serious PRIVACY problem** will happen over all neighborhood of Howlett circle



3. High Density of Residence

- An area of new site plan have less than 1 acre (~89000ft²)
- It is about 1/5 of Howlett circle
- But new site plan allow too much density of residence in such a short area
- I think it might have high potential of future trouble such as pollution, sewer capacity and another of issue of unpredictable

Residency Density

- Too much high density such a short area
- 58 Family house at Howlet circle
- 87 Town House at New site plan
- No more considering as Forrest City



Area	5	>>	1
Residency	58	<<	87

So I highly state new site plan is not allowed and should be considered as regular type of house.

Thanks for hearing neighbor's pinions and looking forward to hearing new good plan to make London is great city
Again many thanks

Michael You/Your neighborhood

-----Original Message-----

From:

Sent: Thursday, September 2, 2021 4:44 PM

To: Vivian, Melanie <mvivian@london.ca>

Subject: [EXTERNAL] 1150 Fanshawe Park Road East

Hi Melanie

I called you earlier today with regard to 1150 Fanshawe Park Road. This application was approved by the Planning Department as well as the planning committee. What is

this meeting about? Is it still possible to deny this application to move forward? I have spoken to members of the planning committee before. However, I would like to attend the meeting on Monday, September 20 at City Hall. I would appreciate a clarification for this meeting.

Many thanks Melanie
Robert (Bob) Small
Sent from my iPhone

From: Bram Bontje
Sent: Friday, September 3, 2021 12:15 AM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] File SPA21-050 1140 Fanshawe Park Road East comments

Good morning Vivian,

Thank you for distributing these materials. I do not have any comments on the site plan drawing set. Overall the site looks well designed and I'm pleased to see surface parking shown. I assume this will include an appropriate allocation of visitor and/or short term delivery spots since stopping and temporary parking on Stackhouse outside the building on Stackhouse would be problematic.

I realize this does not pertain directly to the site plan application process but I would like to raise my concern again about the lack of traffic lights at Stackhouse/Fanshawe included in this plan (per my December 6, 2020 email to Maureen Cassidy and Sonia Wise). J-walking across Fanshawe by families in Stoney Creek to access the Fanshawe Optimist park already occurs regularly and adding an apartment building with no onsite greenspace at this location would presumably cause this to increase substantially. Excessive speeding/street racing on this section of fanshawe is a common occurrence and I am concerned about the high risk in attempting to cross 4 lanes of traffic at this location, especially by children and youth.

I was informed by Sonia in response to my earlier email that Transportation would require a new volume study capturing actual pedestrian movements to justify a new crossing. I am concerned that if this needs to be a backwards-looking exercise, with the delay involved in executing this study and then planning and constructing a traffic light installation there could be a vehicle/pedestrian accident before this could be completed.

Best regards,

Bram Bontje

From: Michael B
Sent: Tuesday, September 7, 2021 8:31 AM
To: Vivian, Melanie <mvivian@london.ca>
Cc: Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] 1150 Fanshawe Park-File: SPA21-050-Apposed

Good day. We live a 1171 Blackwell Blvd, N5X0N7.

My name is Michael Benjaminsen-Board President-MSCC-954.

I would oppose and really state NO. File;SPA21-50. The subdivision right beside the proposal is really a direct inference with the neighbors on Howlett Circle. They would lose all normal sunlight, as well look directly into a neighbors back yard. This will also affect property valuation and type. High-rise buildings should never back onto single family houses.

We are also adjacent to the proposal, and property type should be similar. We would also be affected by the buildings towering affect.

The City of London should be adding single homes or Townhomes in conjunction with the same building types.

Please advise on, how to vote by email, and or by mail. If required we will attend.

Kind regards,

Michael Benjaminsen-1171 Blackwell Blvd.

From: Альбина Кононенко
Sent: Tuesday, September 7, 2021 5:27 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] File SPA21-050 objections of site plan Stackhouse Development

From: Owners 1145 Blackwell Blvd, London ON Aleksandr and Albina Kononenko
To: Site Development Planner Melanie Vivian

By this email, we are owners of unit # 1145 Blackwell boulevard declare that we are against of construction a 6 level building (Stackhouse Developments, 1150 Fanshawe Park Road East, London) across a road and just opposite of our property. There are several main reasons for our objections:

1. Value of our property will be decreased. We have paid a lot of money and have bought this property because it is a quiet and peaceful neighborhood with no high-rising and crowded buildings around. (especially buildings for rent).
2. Traffic collapse. Fanshawe is a busy street and has a lot of traffic now and busy intersections as well. By adding 87 units there it would be crazy traffic especially in and out of Fanshawe.
3. Landscaping, environment, and ecology deface. We believe that city construction planning should have a system of construction and create an adequate architecture where are special spots can be used for high-rising buildings and wouldn't look ugly among single houses and townhouses. Big building shutting view and sunlight. Also, it will cause noise. And according to the plan looks like it is really not enough space for this building, it is going to be right on the edge of the road. We hope all that negative facts will be taken into consideration and this site plan will be declined.

Please confirm receiving our email.

We would like to be notified of the decision of the City of London on the proposed site plan application.

Sincerely,

Aleksandr and Albina Kononenko

From: Cab rome
Sent: Wednesday, September 1, 2021 3:45 PM
To: Mellen, Barb <bmellen@london.ca>
Subject: [EXTERNAL] Re: Notice of Public Participation Meeting: SPA21-050 - 1150 Fanshawe Pk Rd E

When was the name changed from Brock Development to Stackhouse Development?

Aren't they in current lawsuits to see if they will lose their License to build after the Teeple Terrance collapse and death of 2 workers?

Appendix C: Agency/Departmental Comments

The following comments were provided as the first submission responses. Second submission documents have yet to be received at the time of writing this report.



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

Stackhouse Developments (London) Inc.
356 Oxford Street East
London, ON N6A 1V7

July 23, 2021

Re: Site Plan Control Approval for 1150 Fanshawe Pk Rd E, London, ON – File Number SPA21-050

The City's appointed officers have the following comments regarding your above Application for Site Plan Control Approval. The Applicant is to provide a response to all City comments and submit it with their next Site Plan Control Approval submission:

Please see enclosed: Memos from **London Hydro, Canada Post**

General Comments:

1. Parkland dedication, in the form of cash in lieu, pursuant to By-law CP-9 is required prior to Site Plan Approval. The required amount is \$71,700 (\$800.00/apartment building unit and \$1150.00/stacked townhouse unit).
2. Ensure all plans match with the second submission. The engineering drawings show a wider radius than the site plan and landscape plan.
3. Please see the attached memo from Canada Post. It is noted that the townhouses will be CMB delivery, and the apartment building will be mail panel.
4. Archaeological conditions are considered satisfied for this application.
5. If the development has 4 or more rental housing units, then the DC is deferred over 6 annual installments plus applicable interest. An Alternative Payment Agreement (APA) would be needed to pay the DC at time of permit issuance.
6. Provide updated landscape and engineering cost estimates to address the comments below.
7. Comments from Ecology are forthcoming.
8. A Zoning Referral Record is attached for information purposes.
9. Transfer of Road Widening Land Dedication is required.
10. A Bonus Agreement is required to be entered into prior to SPA/permits.
11. A public site plan meeting is required prior to Site Plan Approval.
12. Holding Provisions are to be removed prior to permit. Please submit your Holding Removal Application if not done already.

Response:

Site Plan Comments:

1. Update the site data table to reflect the in force and effect zoning along with the Bonus Zone.
2. Confirm the height of the proposed stacked townhouse.
3. Identify the fire route sign numbers on the site plan.
4. Solid Waste requires further clarification on the intent of garbage pick-up for the stacked townhouse units as there is no space for a turn-around. Will the garbage be placed along Fanshawe Park Road West or brought to the garbage collection pad on pick-up day? Please clarify.
5. Confirm the height and location of the proposed board-on-board fence on the site plan.
6. The current proposed snow storage areas along the western property boundary require the snow to be piled behind the retaining wall. Consider alternative snow storage locations or explore opportunities for snow to be trucked off site. If the snow is proposed to be trucked off-site, please note this on the site plan.
7. Revise the underground parking configuration to revise the location of the storage lockers. Consider a more common location. The current configuration does not allow for direct access and the doors may impact the proposed parking stalls.
8. Revise the photometric plan to ensure there is a 0.0 rating of light cast along the northern property line.
9. Dimension the barrier-free parking stall lengths.
10. Revise the sidewalk width at the building frontage to be 1.8 metres to meet barrier-free requirements set out in the Accessibility Checklist.
11. Refer to Figure 6.4 of the Site Plan Control By-law for the appropriate fire route sign details. Update the site plan details page to include the correct fire route sign details.

Response:

Landscape Comments:

1. The **landscape plan** needs to be updated as follows to be in accordance with the City of London Site Plan Control Bylaw Section 1.6.1, Section 9:

- Update cross-sections drawings. Planting details and specifications should be in accordance with the City of London Supplemental Standards for Tree Planting and Protection Guidelines <https://www.roadauthority.com/Standards>.
- Provide tree planting along site fronting onto Stackhouse; 1 tree per 12m.
- tree planting along northern interior property lines in 1.5 landscape strip; 1 tree per 15m.
- Substitute native pollinator friendly plantings to fulfill London Plan Policy 239 and 649* for taxus and juniperus species

* The London Plan Key Direction 4 provides strategies to establish London as the Greenest City in Canada and as the key pollinator sanctuary within our region [Policy 16]. To become a sanctuary, the City will need the cooperation of private homeowners and developers to plant species that support a range of native pollinators on their properties. Individual sites will become integrated into a biologically diverse urban patchwork of floral resources and nesting sites.

Response:

Building Design Comments:

1. No further comments.

Response:

Engineering Comments:

See attached red-line drawing.

GENERAL

1. Due to size and nature of the site development, please provide heavy duty silt fence (OPSD 219.130) within the neighboring border limit with MN # 1152 and for the West portion of the site to protect tree preservation.
2. Provide measures to keep City street free of construction sediment, and excessive dust through the use of construction access mats, or street cleaning, or any other methods recommended by the engineer to the standards of the 'Erosion and Sediment Control Guidelines for Urban Design.'
3. Ensure the removal of any overhead hydro lines are coordinated with London Hydro.

GRADING

4. The Grading Plan indicates areas of ponding. The consultant is required to identify the specific storm event that the ponding is in relation to as well as indicating the volumes and elevations of all ponding areas within the drawings, keeping in mind that the City staff does not recommend ponding a 2 year storm event.
5. The Grading Plan depicts incorrect ponding limit elevation and mismatch DICB inlet tag elevation at Southwest portion of the site. Please review the ponding limit within the grading plan and revise accordingly (refer to RL drawing for more detail).
6. Roof water leaders for the stack townhouses should be identified on the grading plan.

SERVICING

7. There are no details to show how to connect a drop structure to Doghouse Sanitary Maintenance Hole within the provided drawings. The provided details on sheet (6) doesn't reflect the situation of the proposed Dog house MH. There are no specific details to show how the consultant/contractor will be constructing the drop structure / Doghouse MH.
8. The Doghouse Maintenance Hole may only be used for placing a new Maintenance Hole on an existing sanitary line when installation of a standard MH is not practical.
9. Based on the minimum flow upstream of this pipe, SED preference to install a standard MH and bypass the flow during construction.
10. As per City Standard, an inspection MH is required downstream of OGS unit. STMH 1 is to be designed as an inspection MH; the benching details is to be included on the plans.
11. There is no storm PDC provided for the stack townhomes and based on the elevation plans provided as part of the Site Plan Application, it is our understanding that there are basements proposed for stack townhomes. If there is a basement for this development, please provide the following:
 - Indicate how the foundation drains for stack townhomes is discharged keeping in mind that as per Drainage By-law 5.7 the foundation drains flows from a lot shall be discharged via a sump pump to a storm building sewer for this development.
 - Show sump pump locations on the drawing.
12. Provide a construction schedule for the re-alignment of the DICB lead. Ensure stormwater flows are controlled on-site and have an active outlet at all times.
13. Add a valve after the hydrant to ensure that building's water service can be isolated while maintaining fire protection.

14. Proposed FH to be 3.0m clear of any obstruction. With the proposed garbage enclosure and parking stall directly adjacent, is the FH and valve readily accessible during emergency situations?
15. As per City standard DSRM 7.9.4 h), two meter pits and two services required for each vertical stack of units within the Townhouse Block.

STORMWATER MANAGEMENT

16. The storm sewers on Fanshawe Park Road E. have been designed to accommodate the 2 year storm event (not 5 year). As such, the consultant is required to revise calculated pre and post development flow rates.
17. The areas on the east side of the site fronting Stackhouse Ave, abutting MN#1152, and on the southside of the site fronting Fanshawe Park Rd E. contain uncontrolled flows and should be identified as such in both the drainage area plan and calculations with the Site Servicing Design Brief.
18. The calculated predevelopment allowable release rate should be reduced to account for the uncontrolled area.
19. The post development composite "C" value should not be calculated using the uncontrolled area.
20. The consultant is to indicate the extents, volumes and elevations of any and all ponding areas and state the associated storm event within the drawings which may occur as a result of the updated calculations.
21. The following comments pertain to the OLF route at the southwest corner of the site:
 - a. Please provide calculations for quantifying discharge of the OLFR weir, accounting for the anticipated high ponding level of the 250 year storm event.
 - b. As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. Regardless of the previous comment, the proposed grading plan at the southwest limit of the development indicates potential for major overland flows being directed towards existing residential lands (match grade 254.74 is only 0.01 higher than the OLF tip point). Adequate freeboard should be provided between the 250 year anticipated OLF water level and the existing property grade. The consultant is to revise the grading plan to direct major overland flows internally and to a safe outlet, ensuring no negative impacts to adjacent properties.
 - c. Further to the above, there is potential for situations where the DICB and/or the OGS surcharge, due to the hydraulic head created from ponding at CBMH3.
22. Further to issues noted within the above comment, SWED has major concerns with the amount of the site's overland flow that is directed to such a narrow and shallow OLF. The consultant should review and reassess opportunities within grading plan to redirect maximal portions of the sites OLF towards the site entrance on Stackhouse Ave.
23. SWED would recommend the consultant include a peastone layer between the insitu soils and clearstone layer in the infiltration trench, rather than geotextile fabric, to promote longevity of the system.

Transportation.

24. Fully Dimension access as per Access Management Guidelines, Radii 6.0m, width 6.7m, clear throat 6.0m from property line;
25. Ensure Access curb return not to extend beyond projection of neighboring property
26. TMP is under review with transportation. Comments will be forwarded (if any) once the review is complete.

Response:

Notwithstanding the above comments, nothing referenced herein shall contravene the Ontario Building Code.

Please include the following documents with the next submission to LondonSPSubmit@london.ca:

- Site Plans
- Engineering Plans
- Landscape Plans
- Cost Estimates
- Update Reports
- Response to Comments

Should you have any questions regarding your request for site plan approval please contact myself at 519-661-2489 x 7547 or mvivian@london.ca.

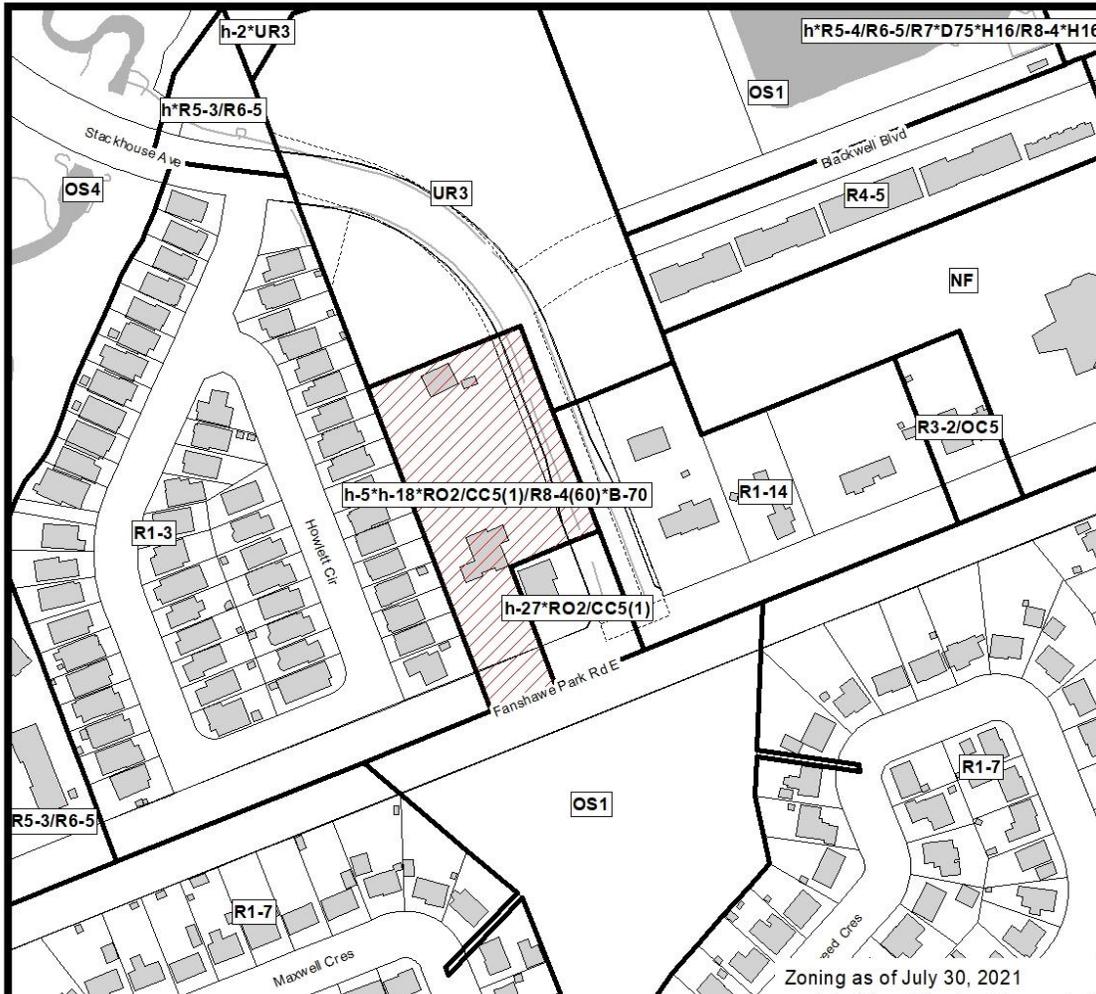
Yours truly,



Melanie Vivian
Site Development Planner

cc: P. Yeoman, Director, Development Services
H. McNeely, Manager, Development Services (Site Plan)
M. Pease, Manager, Development Planning

Appendix D: Zoning, The London Plan and 1989 Official Plan Maps



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

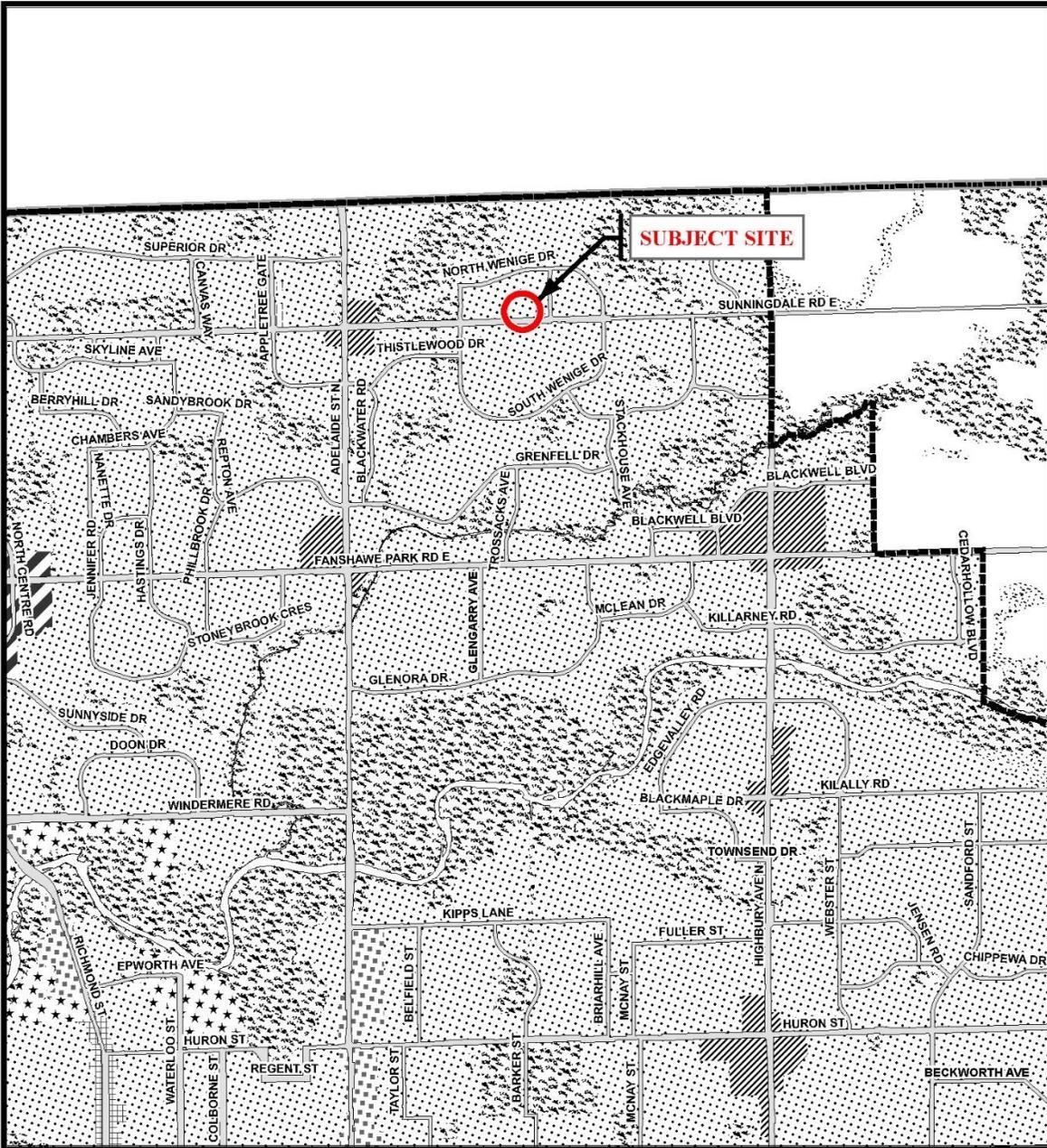


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
SPA21-050 MV

MAP PREPARED:
2021/08/30 DM





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

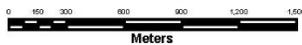
Planning Services /
Development Services

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000

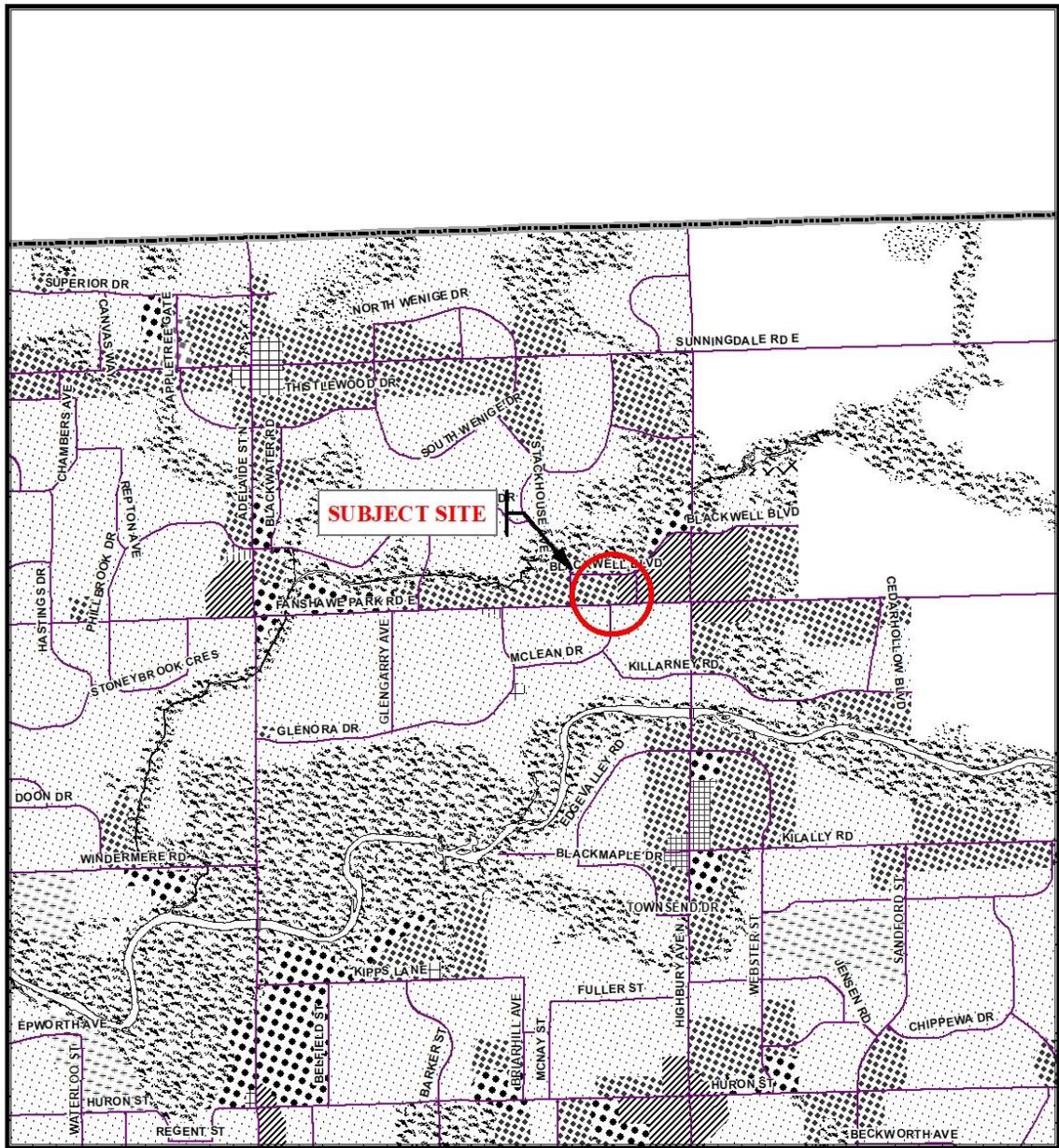


File Number: SPA21-050

Planner: MV

Technician: RC

Date: August 30, 2021



Legend

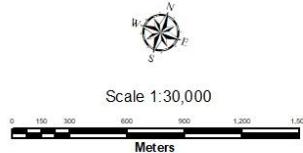
- | | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| New Format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

CITY OF LONDON

Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: SPA21-050

PLANNER: MV

TECHNICIAN: DM

DATE: 2021/08/30

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



SPA21-050: 1150 Fanshawe Park Road East



Stackhouse Developments (London) Inc.

September 20, 2021



Development Proposal



North & East Apartment Building Elevations



Stacked Townhouse Elevations



Development Proposal

- Rezoned in 2020 to permit the proposed 6-storey, 81-unit apartment building and one, 3-storey stacked townhouse dwelling with 6 units
- Maximum Density: 133 units per hectare
 - Proposed: 133 units per hectare (87 units)
- Parking: 110 spaces required (minimum)
 - Conforms to the regulations of the Zoning By-law
 - Visitor parking will be provided
- Lot Coverage: 40% maximum
 - Proposed: 27.1%
- Landscape Open Space: 30% minimum required
 - Proposed: 38.5%

Council Resolution

- Garbage storage location
- Western property boundary fencing for screening
- Enhanced landscaping along the southwest property boundary for screening from the stacked townhouse dwellings
- Minimal or no windows to habitable rooms for the west façade of the stacked townhouses

London Advisory Committee on Heritage

Report

9th Meeting of the London Advisory Committee on Heritage
September 8, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

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

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

ALSO PRESENT: L. Dent, K. Gonyou, M. Greguol, M.
Schulthess and S. Wise

The meeting was called to order at 5:31 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 8th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 8th Report of the London Advisory Committee on Heritage, from its meeting held on August 11, 2021, was received.

2.2 Western Road and Sarnia Road/Philip Aziz Avenue Improvements - Municipal Class Environmental Assessment - Notice of Study Restart

That it BE NOTED that the Notice of Study Restart, dated August 16, 2021, from K. Grabowski, City of London and J. Pucchio, AECOM Canada Ltd., with respect to the Western Road and Sarnia Road/Philip Aziz Avenue Improvements Municipal Class Environmental Assessment, was received.

2.3 Temporary Relocation of Commemorative Boulder and National Historic Site of Canada Plaque at 399 Ridout Street North

That it BE NOTED that the communication, dated August 19, 2021, from J. Dann, Director, Construction and Infrastructure Services, with respect to a temporary relocation of the Commemorative Boulder and National Historic Site of Canada plaque at 399 Ridout Street North, was received.

2.4 Notice of Planning Application - Zoning By-law Amendment - 2170 Wharncliffe Road South

That it BE NOTED that the Notice of Planning Application, dated August 18, 2021, from B. Debbert, Senior Planner, with respect to a Zoning By-law Amendment related to the property located at 2170 Wharncliffe Road South, was received.

2.5 Public Meeting Notice - Zoning By-law Amendment - 496 Dundas Street

That it BE NOTED that the Public Meeting Notice, dated August 11, 2021, from I. de Ceuster, Planner I, with respect to a Zoning By-law Amendment related to the property located at 496 Dundas Street, 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 August 25, 2021, was received.

4. Items for Discussion

4.1 Request for Designation for the property located at 44 Bruce Street under Part IV of the Ontario Heritage Act by A. Konstantynowicz

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the following actions be taken with respect to the staff report, dated September 8, 2021, related to a request for designation of the property located at 44 Bruce Street:

a) notice BE GIVEN, under the provisions of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property located at 44 Bruce Street to be of cultural heritage value or interest for the reasons outlined in Appendix E of the above-noted staff report; and,

b) should no objections to Municipal Council's notice of intention to designate be received, a by-law to designate the property at 44 Bruce Street to be of cultural heritage value or interest for the reasons outlined in Appendix E of the above-noted staff report BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;

it being noted that should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared;

it being further noted that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal.

4.2 Demolition Request for the Anne Eadie Park Stage on the Heritage Listed Property located at 900 King Street

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the Anne Eadie Park Stage on the heritage listed property located at 900 King Street;

it being noted that the property located at 900 King Street should remain on the Register of Cultural Heritage Resources as it is believed to be of cultural heritage value or interest.

4.3 Notice of Planning Application - Revised Official Plan and Zoning By-law Amendments - 560 and 562 Wellington Street

That S. Wise, Senior Planner, BE ADVISED that, despite the changes that have been brought forward in the Notice of Planning Application, dated June 28, 2021, from S. Wise, Senior Planner, with respect to Revised

Official Plan and Zoning By-law Amendments, related to the properties located at 560 and 562 Wellington Street, the London Advisory Committee on Heritage, reiterates its comments from the meeting held on January 11, 2017 with respect to concerns about the following matters related to the compatibility of the proposed application with the West Woodfield Heritage Conservation District Plan guidelines, Victoria Park and the adjacent properties:

- i) the height of the building;
- ii) the massing of the building;
- iii) the setbacks of the Building;
- iv) the design of exterior facades; and,
- v) shadowing impacts onto adjacent heritage properties.

4.4 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated September 8, 2021, from the Heritage Planners, was received.

5. Confidential

5.1 Personal Matters / Identifiable Individual

The London Advisory Committee on Heritage convened in closed session from 6:20 PM to 6:28 PM after having passed a motion to do so, with respect to a personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2022 Mayor's New Year's Honour List.

6. Adjournment

The meeting adjourned at 6:28 PM.