Planning and Environment Committee

Report

16th Meeting of the Planning and Environment Committee
November 1, 2021

PRESENT: A. Hopkins (Acting Chair), S. Lewis, S. Lehman, S. Hillier, Mayor E. Holder

ALSO PRESENT: PRESENT: H. Lysynski and J.W. Taylor

REMOTE ATTENDANCE: Councillors M. van Holst, M. Cassidy, S. Turner and E. Peloza; J. Adema, M. Campbell, M. Clark, M. Corby, A. Curtis, L. Dent, S. Dunleavy, K. Edwards, M. Feldberg, K. Gonyou, M. Greguol, J. Hall, P. Kokkoros, G. Kotsifas, P. Masse, C. Maton, H. McNeely, B. O'Hagan, B. Page, M. Pease, V. R., J. Raycroft, M. Tomazincic, B. Westlake-Power and S. Wise
ALSO PRESENT: Councillor J. Fyfe-Miller

The meeting was called to order at 4:00 PM, with Councillor A. Hopkins in the Chair, Councillors S. Lehman and S. Lewis present and all other Members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lewis
Seconded by: S. Hillier

That Items 2.1 to 2.9, inclusive, BE APPROVED.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

2.1 7th Report of the Environmental and Ecological Planning Advisory Committee

Moved by: S. Lewis
Seconded by: S. Hillier

That, the following actions be taken with respect to the 7th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on October 21, 2021:

a) the 2020 Community Energy Use and Greenhouse Gas Emissions Inventory Working Group comments BE FORWARDED to the Civic Administration for consideration; and,

b) clauses 1.1, 2.1, 3.1 to 3.4, inclusive and 4.1 BE RECEIVED for information.

Motion Passed

2.2 1224 Blackwell Boulevard - Removal of Holding Provision (H-9391)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the application by Rembrandt Developments (Woodstock) Inc., relating to lands located at 1224 Blackwell Boulevard, legally described as Block 1 Plan 33M-798, the proposed by-law appended to the staff report dated November 1, 2021 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5/Residential R6/Residential R7/Residential R8 (h•R5-4/R6-5/R7•D75•H16/R8-4•H16) Zone TO a Residential R5/Residential R6/Residential R7/Residential R8 (R5-4/R6-5/R7•D75•H16/R8-4•H16) Zone to remove the holding (h) provision.

Motion Passed

2.3 1820 Finley Crescent (P-9370)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated November 1, 2021 BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to exempt Block 99, Plan 33M-733 from the Part Lot Control provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c.P.13*, for a period not exceeding three (3) years.

Motion Passed

2.4 Labatt Memorial Park - Heritage Designation Application

Moved by: S. Lewis
Seconded by: S. Hillier

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 application to the National Historic Sites and Monuments Board of Canada to nominate Labatt Memorial Park as a National Historic Site of Canada:

a) the above noted initiative BE ENDORSED; and,

b) the Civic Administration BE DIRECTED to submit the application to the National Historic Sites and Monuments Board of Canada with respect to this matter.

Motion Passed

2.5 64 Duchess Avenue - Heritage Alteration Permit Application

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the doorway of the heritage designated property at 64 Duchess Avenue, located within the Wortley Village-Old South Heritage Conservation District BE PERMITTED as submitted with the following terms and conditions:

a) the door and doorway be painted;

b) the proposed alterations to the doorway be completed within six (6) months of Municipal Council's decision on this Heritage Alteration Permit; and,

c) the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Motion Passed

2.6 1903 Avalon Street - Request for Heritage Designation

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the request for designation of the property at 1903 Avalon Street, that the following actions be taken:

a) Notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix E appended to the staff report dated November 1, 2021; and,

b) should no objections to Municipal Council's notice of intention to designate be receive, a by-law to designate the property at 1903 Avalon Street to be of cultural heritage value or interest for the reasons outlined in Appendix E to the staff report dated November 1, 2021 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.

Motion Passed

2.7 Contract Award - ReThink Zoning Consulting Services - RFP21-57

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the appointment of consulting services relating to ReThink Zoning:

a) Sajecki Planning Inc. BE APPOINTED project consultants to prepare the new comprehensive Zoning By-law for the City of London, in the total amount of $674,970.00, including disbursements and excluding HST;

b) the financing for the ReThink Zoning (Phase Two) project BE APPROVED in accordance with the Source of Financing Report attached, hereto, as Appendix 'A';

c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with the ReThink Zoning project;

d) the approvals given, herein, BE CONDITIONAL upon the Corporation of the City of London entering into a formal contract; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other document, if required, to give effect to these recommendations.

Motion Passed

2.8 August, 2021 Building Division Monthly Report

Moved by: S. Lewis
Seconded by: S. Hillier

That the Building Division Monthly Report for August, 2021 BE RECEIVED for information. (2021-A23)

Motion Passed

2.9 September, 2021 Building Division Monthly Report

Moved by: S. Lewis
Seconded by: S. Hillier

That the Building Division Monthly Report for September, 2021 BE RECEIVED for information. (2021-A23)

Motion Passed

3. Scheduled Items

3.1 SoHo Community Improvement Plan - Performance Measures and Indicators (O-9328)

Moved by: S. Lewis
Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, the proposed by-law appended to the staff report dated November 1, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to ADD an Appendix that sets out performance measures and indicators of success for the SoHo Community Improvement Plan ("CIP");

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

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

- the recommended amendment conforms with the *Planning Act*, as the loan and grant programs meet the requirements set out in Section 28 related to Community Improvement;
- the recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS). The PPS encourages the regeneration of settlement areas as they are critical to the long-term economic prosperity of communities and mainstreets;
- the recommended amendment conforms to the in-force policies of The London Plan, including the Key Directions, Urban Regeneration, and Community Improvement sections; and,
- the recommended amendment conforms to the policies of the SoHo Community Improvement Plan.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

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

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

3.2 Hamilton Road Community Improvement Plan - Performance Measures and Indicators of Success (O-9330)

Moved by: S. Lewis
Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, the proposed by-law appended to the staff report dated November 1, 2021 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to ADD an Appendix that sets out performance measures and indicators of success for the Hamilton Road Community Improvement Plan (“CIP”);

it being pointed out that the Planning and Environment Committee reviewed and received a communication dated October 19, 2021, from B. Baginski, with respect to this matter;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

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

- the recommended amendment conforms with the *Planning Act*, as the loan programs meet the requirements set out in Section 28 related to Community Improvement;
- the recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS). The PPS encourages the regeneration of settlement areas as critical to the long-term economic prosperity of communities and mainstreets;
- the recommended amendment conforms to the in-force policies of The London Plan, including the Key Directions, Urban Regeneration, and Community Improvement sections; and,
- the recommended amendment conforms to the policies of the Hamilton Road Area Community Improvement Plan.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

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

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

3.3 Lambeth Community Improvement Plan - Performance Measures and Indicators of Success (O-9329)

Moved by: S. Lewis
Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Development, the proposed by-law appended to the staff report dated November 1, 2021 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to ADD an Appendix that sets out performance measures and indicators of success for the Lambeth Community Improvement Plan (“CIP”);

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

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

- the recommended amendment conforms with the *Planning Act*, as the loan programs meet the requirements set out in Section 28 related to Community Improvement;
- the recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS). The PPS encourages the vitality and regeneration of settlement areas as critical to the long-term economic prosperity of communities, and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- the recommended amendment complies with the in-force policies of The London Plan, including the Key Directions, Urban Regeneration, and Community Improvement;
- the recommended amendment complies with the policies in the Southwest Area Secondary Plan; and,
- the recommended amendment complies with the policies of the Lambeth Area Community Improvement Plan.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

3.4 235 Kennington Way (39CD-21514)

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Sifton Properties Limited, relating to the property located at 235 Kennington Way:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to a property located at 235 Kennington Way; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 235 Kennington Way;

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

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

3.5 704-706 Boler Road (39CD-21511)

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

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, based on the application by Southside Construction Management Ltd., relating to the property located at 704-706 Boler Road:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 704-706 Boler Road; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 704-706 Boler Road;

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

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

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

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

3.6 512 McCormick Boulevard (Z-9374)

Moved by: S. Hillier
Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by Derek Panzer, relating to the property located at 512 McCormick Boulevard, the proposed by-law appended to the staff report dated November 1, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan), to change the zoning of the subject property FROM a Residential R1 (R1-6) Zone TO a Light Industrial Special Provision (LI1(_)) Zone;

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

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

- the recommended 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 recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the General Industrial designation;
- the recommended amendment aligns with the Council-adopted Urban Agriculture Strategy;
- the recommended amendment facilitates the development of an underutilized parcel of land that would otherwise be undevelopable.

Yeas: (4): A. Hopkins , S. Lewis, S. Lehman, and S. Hillier

Recuse: (1): E. Holder

Motion Passed (4 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

3.7 560 & 562 Wellington Street (OZ-8462)

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

That, based on the application of 560 Wellington Holdings Inc., relating to the property located at 560 and 562 Wellington Street:

a) the proposed attached by-law BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to amend the Official Plan (1989) to change the designation FROM a Low Density Residential designation TO a Multi-Family, High Density Residential Designation, and to ADD a Specific Area Policy in Chapter 10 – Policies for Specific Areas;

b) the proposed attached by-law BE INTRODUCED at the Municipal Council meeting to be held on November 16, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM an Office (OF1) Zone, TO a holding Residential R10 Special Provision (h-5*R10-5(_)*H61) Zone;

it being pointed out that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- the staff presentation;
- a communication from AM. Valastro, by e-mail;
- a communication dated October 28, 2021, from S. Stapleton, Vice President, Auburn Developments;
- a communication dated October 28, 2021, from H. Handy, Senior Associate and K. Muir, Senior Planner, GSP Group;
- a communication dated October 28, 2021, from K. McKeating, President, Architectural Conservancy Ontario – London Region; and,
- a communication dated October 25, 2021, from G. Bruzas, CEO, THINQ Technologies Ltd.;

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

Yeas: (4): S. Lewis, S. Lehman, S. Hillier, and E. Holder

Nays: (1): A. Hopkins

Motion Passed (4 to 1)

Additional Votes:

Moved by: S. Hillier
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins , S. Lewis, S. Lehman, and S. Hillier

Absent: (1): E. Holder

Motion Passed (4 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

4. Items for Direction

4.1 10th Report of the London Advisory Committee on Heritage

Moved by: S. Lewis
Seconded by: S. Lehman

That, the following actions be taken with respect to the 10th Report of the London Advisory Committee on Heritage, from its meeting held on October 20, 2021:

a) the Civic Administration and T. Jenkins and G. McDonald of AECOM BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the overall design of the Victoria Bridge Replacement as it relates to the original Heritage Impact Assessment recommendations;

it being noted that the LACH suggests the following items be taken into consideration with respect to the above-noted design:

- the lamp pole design be sympathetic with the modern design of the bridge;
- the colour of the bridge be grey; and,
- the existing signage, noting the bridge name and original crossing dates, be included in the new design;

it being further noted that the presentation, as appended to the agenda, dated October 20, 2021, from T. Jenkins and G. McDonald, with respect to this matter, was received;

b) 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 October 20, 2021, related to a request for designation of the property located at 1903 Avalon Street by S. Cox:

i) notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix E of the above-noted staff report; and,
ii) should no objections to Municipal Council's notice of intention to

designate be receive, a by-law to designate the property at 1903 Avalon 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;

c) on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18,* seeking approval for alterations to the doorway of the heritage designated property located at 64 Duchess Avenue, within the Wortley Village-Old South Heritage Conservation District BE PERMITTED, as submitted, with the following terms and conditions:

· the door and doorway be painted;
· the proposed alterations to the doorway be completed within six (6) months of Municipal Council's decision on this Heritage Alteration Permit; and,
· the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;
it being noted that tripled arched wood doorways are important to the built heritage in London and the London Advisory Committee on Heritage is disappointed in the loss of this one;

d) 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 October 20, 2021, related to the application to the National Historic Sites and Monuments Board of Canada to nominate Labatt Memorial Park as a National Historic Site of Canada:

i) the above noted initiative BE ENDORSED; and,
ii) the Civic Administration BE DIRECTED to submit the application to the National Historic Sites and Monuments Board of Canada with respect to this matter;

e) L. Maitland, Site Development Planner, BE ADVISED that the London Advisory Committee on Heritage supports the research and recommendations of the Heritage Impact Assessment, dated October 8, 2021, from M. Hobson, Built Heritage Consultant, as they relate to the Notice of Planning Application, dated October 6, 2021, from L. Maitland, Site Development Planner, with respect to Official Plan and Zoning By-law Amendments related to the properties located at 370 South Street and 124 Colborne Street; it being noted that the above-noted Notice, with respect to this matter, was received; and,

f) clauses 1.1, 3.1 to 3.8, inclusive, 4.1 and 4.2, inclusive, 5.5 and 5.6, inclusive and 6.1 BE RECEIVED for information.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

4.2 Food Security and Home-Based Food Business

Moved by: A. Hopkins
Seconded by: S. Lewis

That the Civic Administration BE DIRECTED to bring forward a report that identifies recommended zoning amendments or other next steps regarding the regulations in Zoning By-law No. Z.-1 for home occupations as they relate to food based businesses, taking into consideration recent Provincial changes to the Food Premises Regulation (O.Reg. 493/17) and the "Guide to Starting a Home-based Food Business") {Ministry of Health, 2020}.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

4.3 Global Bird Rescue

Moved by: A. Hopkins
Seconded by: S. Lewis

That the following actions be taken with respect to Global Bird Rescue:

a) the request to update the Site Control By-law and Guidelines for bird-friendly building design in all new site plans BE ADDED to the Planning and Environment Committee (PEC) Deferred List; and,

b) the Civic Administration BE REQUESTED to contact the London Bird Team to finalize the bird-friendly pamphlet and the bird-friendly pamphlet be added to the PEC Deferred List;

it being noted that B. Samuels, Coordinator, London Bird Team, was granted delegation status with respect to these matters;

it being further noted that the Planning and Environment Committee reviewed and received a communication from B. Samuels, Coordinator, London Bird Team, with respect to these matters.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Lehman
Seconded by: S. Hillier

Motion to approve delegation status for B. Samuels, Coordinator, London Bird Team, BE GRANTED delegation status with respect to the Global Bird Rescue 2021.

Yeas: (5): A. Hopkins , S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 8:34 PM.

Environmental and Ecological Planning Advisory Committee Report

The 7th Meeting of the Environmental and Ecological Planning Advisory Committee
October 21, 2021
2021 Meeting - Virtual Meeting during the COVID-19 Emergency

Attendance

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

ABSENT: A. Bilson Darko, L. Grieves, S. Sivakumar and M. Wallace

ALSO PRESENT: C. Creighton, M. Feldberg, M. McKillop, K. Murray and E. Williamson

The meeting was called to order at 5:00 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

2.1 Wastewater Treatment Operations Plan and Wastewater Treatment Operations Projects

That it BE NOTED that the presentation by M. McKillop, Environmental Services Engineer and K. Murray, Environmental Services Engineer, with respect to the Wastewater Treatment Operations Plan and Wastewater Treatment Operations projects, was received.

3. Consent

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

That it BE NOTED that the 6th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on September 23, 2021, was received.

3.2 Dingman Creek Stage 2 Lands Environmental Assessment - Notice of Study Initiation

That it BE NOTED that the Notice of Study Initiation dated September 2, 2021, for the Dingman Creek Stage 2 Environmental Assessment was received.

3.3 Notice of Planning Application - 179 Meadowlily Road South

That a Working Group BE ESTABLISHED consisting of S. Levin (lead), L. Hall and R. Trudeau to review the Notice of Planning Application for Official Plan and Zoning By-law Amendments for the property located at 179 Meadowlily Road South; it being noted that the Environmental and

Ecological Planning Advisory Committee reviewed and received a Notice of Planning Application dated October 6, 2021, with respect to this matter.

3.4 Notice of Public Participation Meeting - Encouraging the Growth of Food In Urban Areas

That it BE NOTED that the Public Meeting Notice relating to Encouraging the Growing of Food in Urban Areas dated October 13, 2021, was received.

4. Items for Discussion

4.1 Environmental Management Guidelines

That it BE NOTED that the Environmental and Ecological Planning Advisory Committee held a general discussion with respect to the Environmental Management Guidelines; it being further noted that a Working Group was previously established relating to this matter.

4.2 (ADDED) Energy Use and Greenhouse Gas (GHG) Emissions Inventory Working Group Comments

That the 2020 Community Energy Use and Greenhouse Gas Emissions Inventory Working Group comments BE FORWARDED to the Civic Administration for consideration.

5. Adjournment

The meeting adjourned at 6:34 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 Rembrandt Developments (Woodstock) Inc.**
1224 Blackwell Boulevard
Removal of Holding Provision
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Rembrandt Developments (Woodstock) Inc. relating to lands located at 1224 Blackwell Boulevard, legally described as Block 1 Plan 33M-798, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on November 16, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R5/Residential R6/Residential R7/Residential R8 (h•R5-4/R6-5/R7•D75•H16/R8-4•H16) Zone **TO** a Residential R5/Residential R6/Residential R7/Residential R8 (R5-4/R6-5/R7•D75•H16/R8-4•H16) Zone to remove the holding (h) provision.

Executive Summary

Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the holding (h) symbol to permit the development of a vacant block within a registered plan of subdivision.

Rationale of Recommended Action

1. The conditions for removing the holding (h) provision have been met and the recommended amendment will allow development of medium density residential uses in compliance with the Zoning By-law.
2. Subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement for this phase (Stoney Creek South – Phase 2) has been executed by the applicant and the City.
3. The subject lands are part of a registered plan of subdivision within the City's Urban Growth Boundary, on lands that have been designated over the long term for future medium density residential development.

Linkage to the Corporate Strategic Plan

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

Analysis

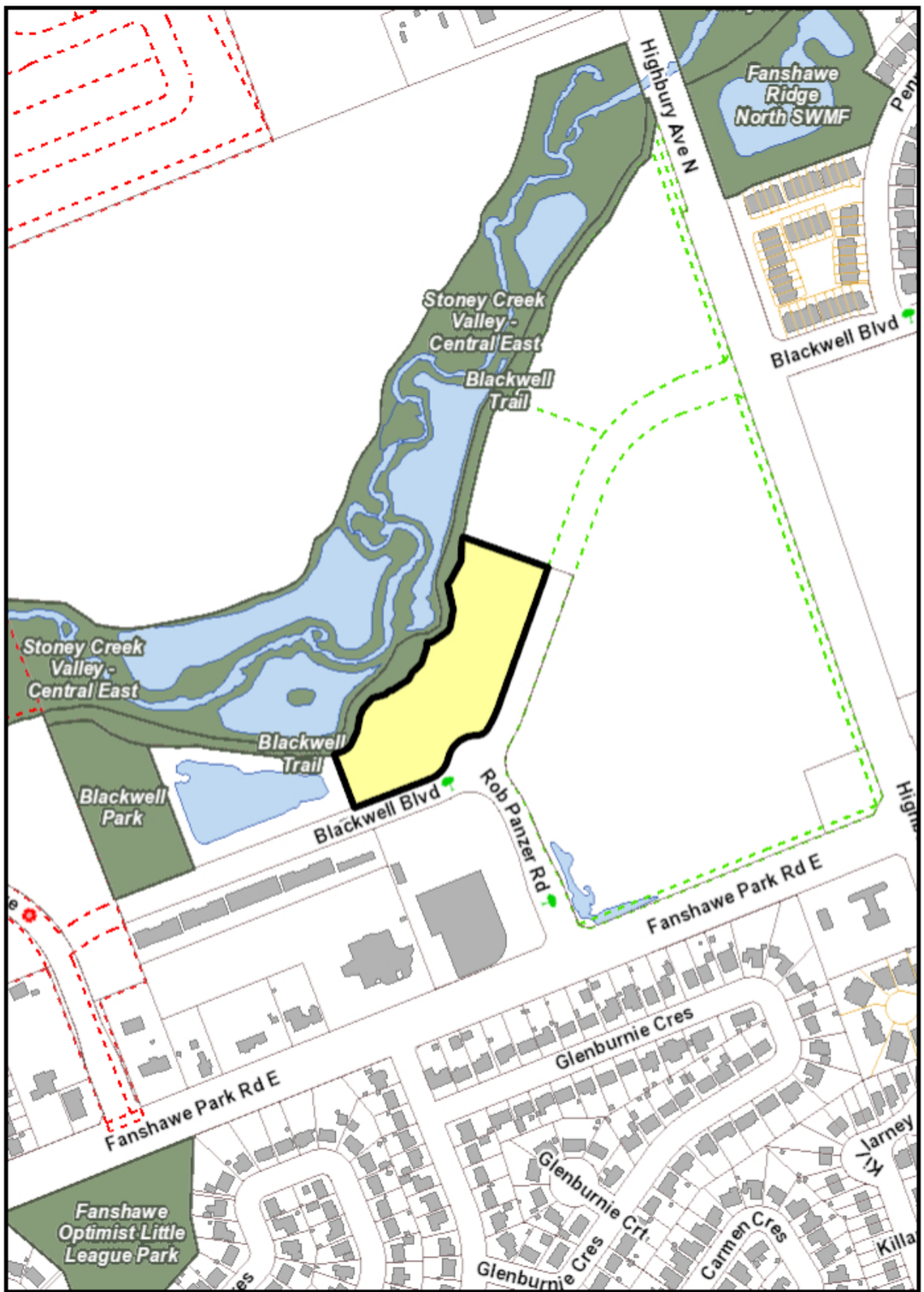
1.0 Background Information

1.1 Previous Reports Related to this Matter

October 19, 2020 – Report to Planning and Environment Committee – 1300 Fanshawe Park Road East – Stoney Creek South Subdivision, Phase 2 - Special Provisions (File No. 39T-04512_2).

2.0 Discussion and Considerations

2.1 Location Map



Location Map

Project Title:	H-9391
Description:	1224 Blackwell Boulevard
Created By:	Larry Mottram
Date:	8/9/2021
Scale:	1:4000

Corporation of the City of London

N

Legend

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

2.2 Site Plan


SITE LOCATION
HIGHBURY AVENUE NORTH
STACKHOUSE AVENUE
STONEY CREEK – UTRCA
BLACKWELL BOULEVARD
ROB PANZER ROAD
BLOCK 8
BLOCK 9
SITE DATA
LEGEND
DECORATIVE FENCING AND FEATURE ELEVATION
PRIVACY FENCE DETAIL
FIRE ROUTE SIGN DETAILS
REMBRANDT HOMES
LDS
BLOCK 2 NORTH
REMBRANDT DEVELOPMENTS (FANSHAWE) INC.
SITE PLAN
LD-00182
SP1

2.3 Description of Proposal

This proposal is for consideration of a request to remove the holding provision from Block 1 Plan 33M-798 to permit development of the block for 61 cluster townhouse dwelling units.

2.4 Planning History

On February 22, 2021, the City of London Approval Authority granted final approval to Phase 2 of the Stoney Creek South subdivision consisting of one (1) medium density residential block, a partial extension of Blackwell Boulevard east of the T-intersection with Rob Panzer Road, and two (2) one foot reserve blocks.

2.5 Community Engagement (see more detail in Appendix B)

There were no responses received to the Notice of Application.

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 Conclusions

4.1 Have the conditions for removal of the holding (h) provision been met?

Section 36(1) of the Planning Act allows municipalities to place holding provisions on properties to ensure that certain requirements have been addressed to the satisfaction of Council, prior to development. The purpose of the holding ("h") provision in the zoning by-law is as follows:

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

A Subdivision Agreement has been executed between 700531 Ontario Limited (Anthony J. Marsman, President) and the City of London registered on March 29, 2021 as Instrument No. ER1364066. Subdivision securities were also posted as required by City policy and the Subdivision Agreement. Engineering drawings have been completed and accepted by the City for the installation of all services to service Block 1. Construction has commenced to install services and extend Blackwell Boulevard along with the installation of a looped watermain and a temporary emergency access to Highbury Avenue North, in accordance with the approved subdivision drawings and Subdivision Agreement. Therefore, the condition has been met for removal of the h provision.

These lands are the subject of an application for Site Plan Approval (File No. SPA21-017 – Rembrandt Developments (London) Inc.) for a proposed 61-unit townhouse development. The 3rd submission site plan documents were recently submitted for review, and an approved site plan and Development Agreement are expected to be completed shortly.

Conclusion

In the opinion of Staff, the holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding symbol from the zoning map.

Prepared by:	**Larry Mottram, MCIP, RPP** **Senior Planner, Subdivisions and Condominiums**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Subdivision Planning**
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: Matt Feldberg, Manager, Subdivisions and Development Inspections
Peter Kavcic, Manager, Subdivision Engineering

October 22, 2021
GK/GB/BP/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2021 PEC Reports\16 - Nov 1\1224 Blackwell Boulevard - H-9391 LM.docx

Appendix A

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for lands located at 1224 Blackwell Boulevard, legally described as Block 1 Plan 33M-798.

WHEREAS Rembrandt Developments (Woodstock) Inc. has applied to remove the holding provision from the zoning on lands located at 1224 Blackwell Boulevard, legally described as Block 1 Plan 33M-798, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1224 Blackwell Boulevard, legally described as Block 1 Plan 33M-798, as shown on the attached map, to remove the holding (h) provision so that the zoning of the lands as a Residential R5/Residential R6/Residential R7/Residential R8 (R5-4/R6-5/R7•D75•H16/R8-4•H16) Zone comes into effect.

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

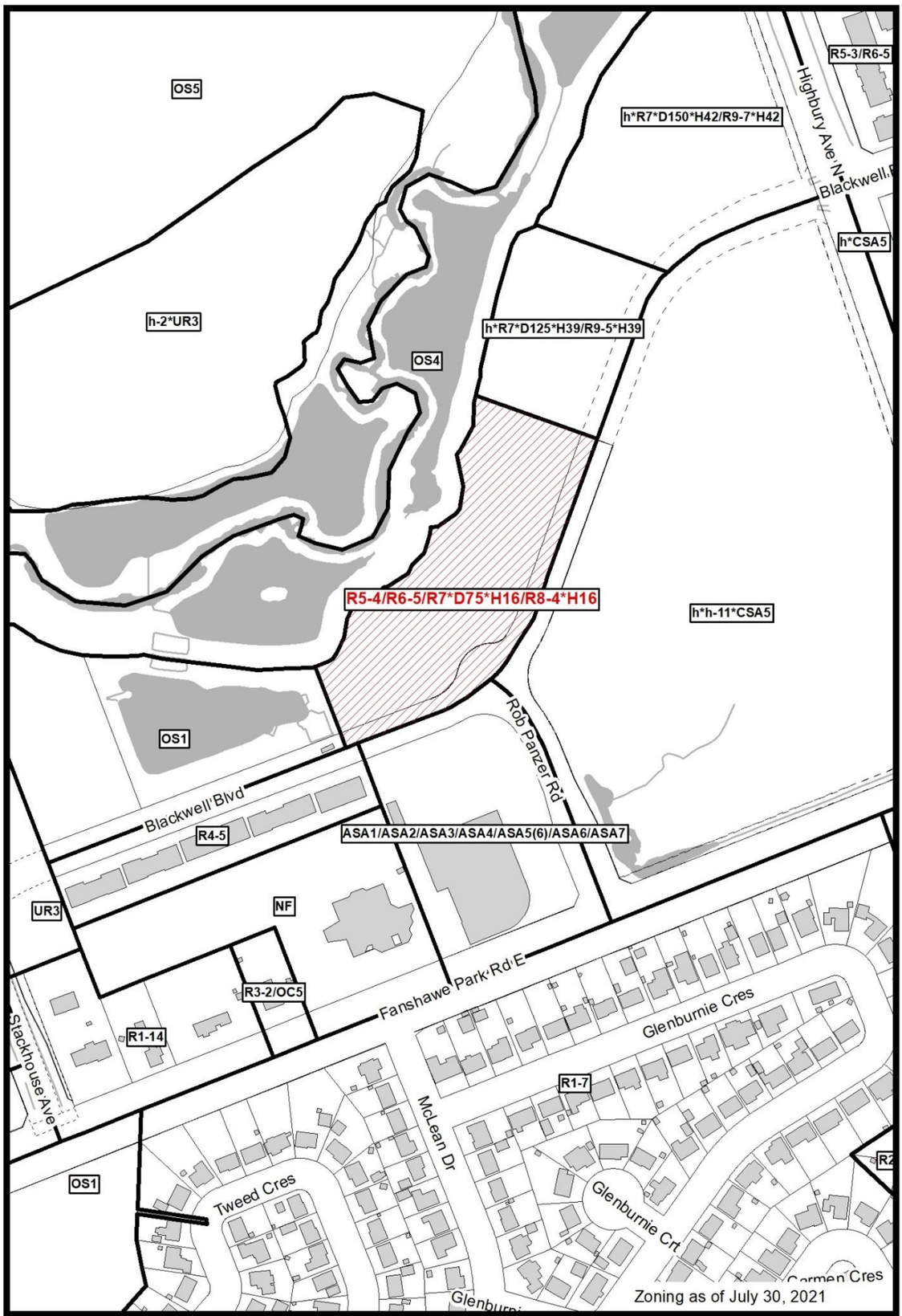
PASSED in Open Council on November 16, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 16, 2021
Second Reading – November 16, 2021
Third Reading – November 16, 2021

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



File Number: H-9391

Planner: LM

Date Prepared: 2021/10/04

Technician: MB

By-Law No: Z.-1-

SUBJECT SITE

1:3,000

0 15 30 60 90 120 Meters

Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: Notice of the application was published in the *Public Notices and Bidding Opportunities* section of The Londoner on August 19, 2021.

Responses: None

Nature of Liaison: 1224 Blackwell Boulevard, located north of Fanshawe Park Road East and west of Highbury Avenue North; identified as Block 1 Plan 33M-798 – City Council intends to consider removing the Holding (h) Provision from the zoning of the subject lands to allow development of 61 cluster townhouse dwelling units permitted under the Residential R5/Residential R6/Residential R7/Residential R8 (R5-4/R6-5/R7•D75•H16/R8-4•H16) Zone. The purpose of the h provision is to ensure the orderly development of lands and the adequate provision of municipal services. The h symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. Council will consider removing the holding provision as it applies to these lands no earlier than October 5, 2021.

Response to Notice of Application and Publication in "The Londoner"

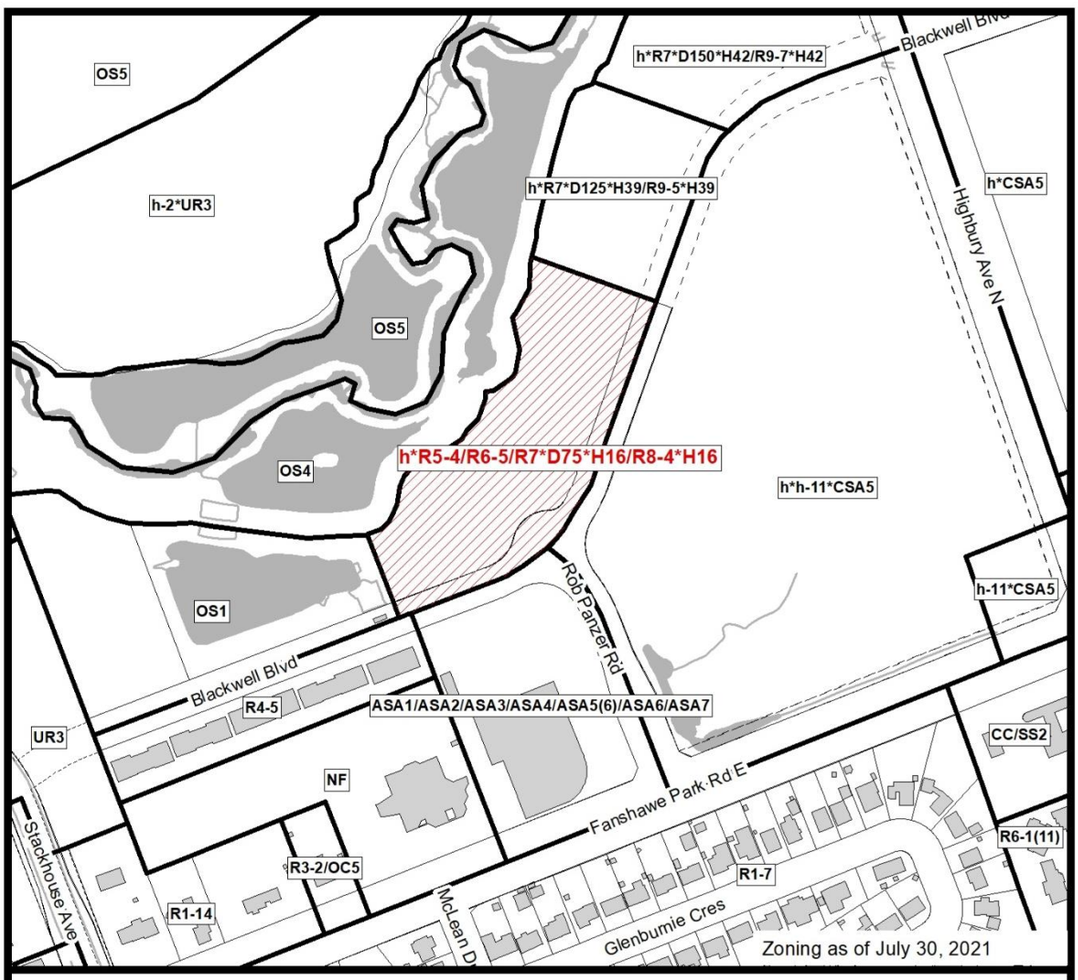
Telephone:	**Written:**
None	None

Significant Agency/Departmental Comments:

None

Appendix C – Relevant Background

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*R5-4/R6-5/R7*D75*H16/R8-4*H16

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: H-9391 LM

MAP PREPARED: 2021/10/04 MB

1:3,500

0 15 30 60 90 120 Meters

Report to Planning and Environment Committee

To: **Chair and Members**
Planning & Environment Committee
From: **George Kotsifas, P. Eng.**
Deputy City Manager, Planning and Economic Development
Subject: **Exemption from Part-Lot Control**
Application By: Kenmore Homes (London) Inc. c/o Ric Knutson
Address: 1820 Finley Crescent
Meeting on: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application by Kenmore Homes (London) Inc., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on November 16, 2021 to exempt Block 99, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

Executive Summary

Summary of Request
Request for approval to exempt Block 99, Plan 33M-733 from the Part Lot Control provisions of the *Planning Act*.

Purpose and Effect of Recommended Action
Exemption from Part-Lot Control will facilitate the creation of six (6) street townhouse units, with access provided by way of Finley Crescent.

Rationale for Recommended Action
The conditions for passing the Part-Lot Control By-law have been satisfied and it is appropriate to allow the exemption from Part-Lot Control. The cost of registration of the by-law is to be borne by the applicant, all in accordance with the previous Council Resolution.

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

On December 20, 2017, the City of London Approval Authority granted final approval to the phase 2 of draft plan 39T-08502. This phase contained ninety-seven (97) single detached residential lots, eight (8) multi-family residential blocks, served by four (4) new local streets. The subject lands were part of this phase being one of the multi-family residential blocks. The draft plan of subdivision 39T-08502 was registered in February 2018 as plan 33M-733.

1.1 Previous Reports Related to this Matter

January 2011 – Report to Built and Natural Environment Committee relating to the Subdivision, Official Plan amendment and Zoning By-law amendment applications by Kenmore Homes (London) Inc.

March 26, 2012 - Report to Built and Natural Environment Committee relating to the revised Subdivision, Official Plan amendment and Zoning By-law amendment applications by Kenmore Homes (London) Inc.

November 5, 2012- Report to Planning and Environment Committee relating to the appeal of to the Ontario Municipal Board.

February 4, 2014- Report to Planning and Environment Committee relating to the withdrawal of the appeal to the Ontario Municipal Board.

March 2016 - Report on Special Provisions for Phase I.

February 20, 2018 - Report to Planning and Environment Committee relating to the Zoning By-law amendment applications by Kenmore Homes (London) Inc., to allow for the subject lands to be developed for street townhouse uses with 45% coverage.

1.2 Previous Meeting

At its meeting held on July 26, 2021 Municipal Council resolved:

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Kenmore Homes (London) Inc., to exempt Block 99, Plan 33M-733 from Part-Lot Control:

(a) Pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 99, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(4)) which permits street townhouse dwellings;

(b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Block 99, Plan 33M-733 as noted in clause (a) above:

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

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

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

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

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

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

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

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

ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;

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

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

xii. The applicant shall provide a draft transfer of the easements to be registered on title;

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

xiv. In accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1820 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict.

1.3 Property Description

The subject site is located on Finley Crescent, which is generally located south of Gainsborough Road and east of Hyde Park Road. The site has a mix of high and medium density residential located to the north, commercial to the west, low density residential to the east, and a mix of medium and low density residential to the south. The site has proximity to Maple Wood Park, and St. John French Immersion Catholic Elementary School.

1.4 Current Planning Information

- The London Plan Place Type – Neighbourhoods Place Type
- Official Plan Designation – Multi-Family Medium Density Residential
- Existing Zoning – Residential R4 Special Provision (R4-4(4))

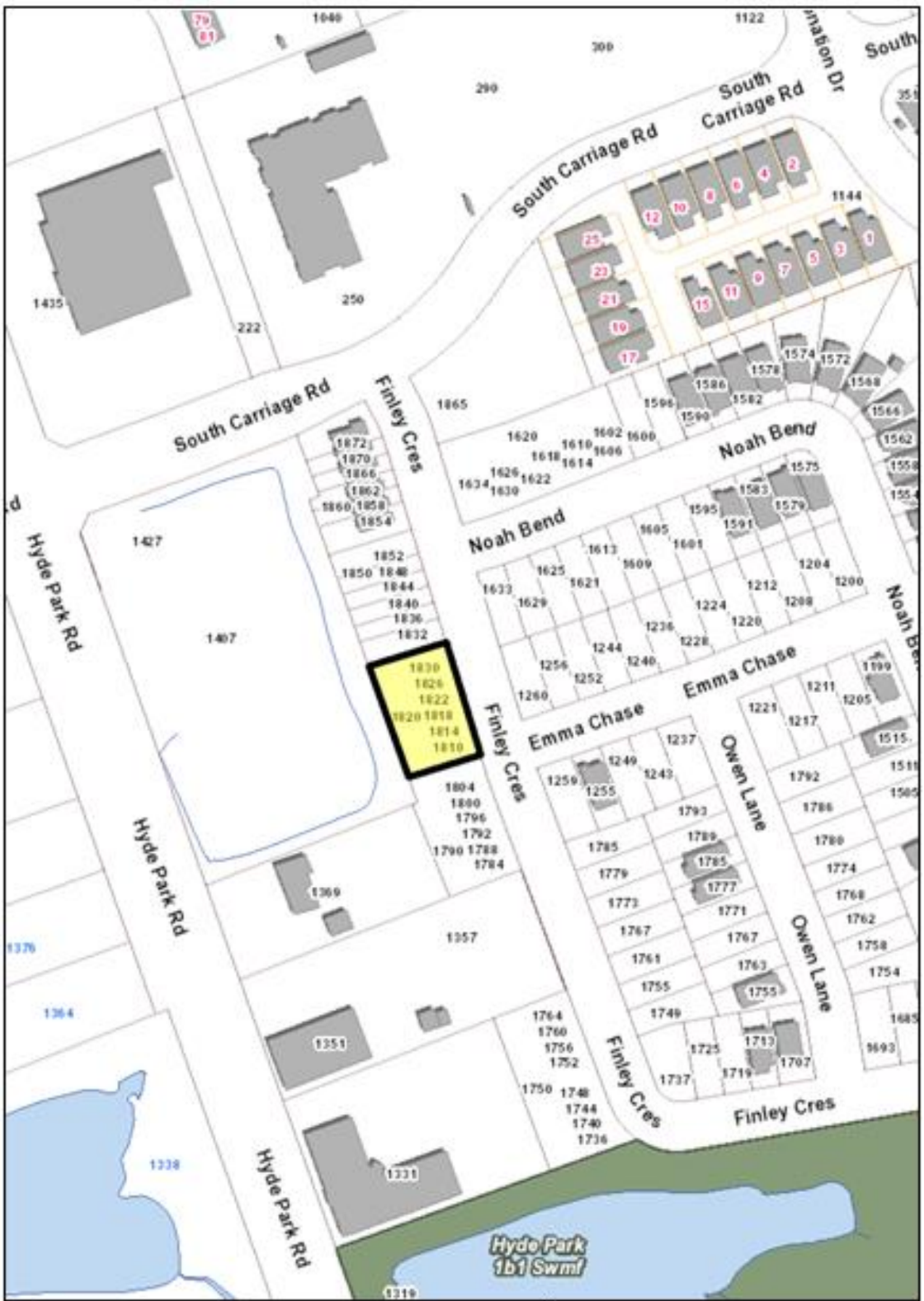
1.5 Site Characteristics

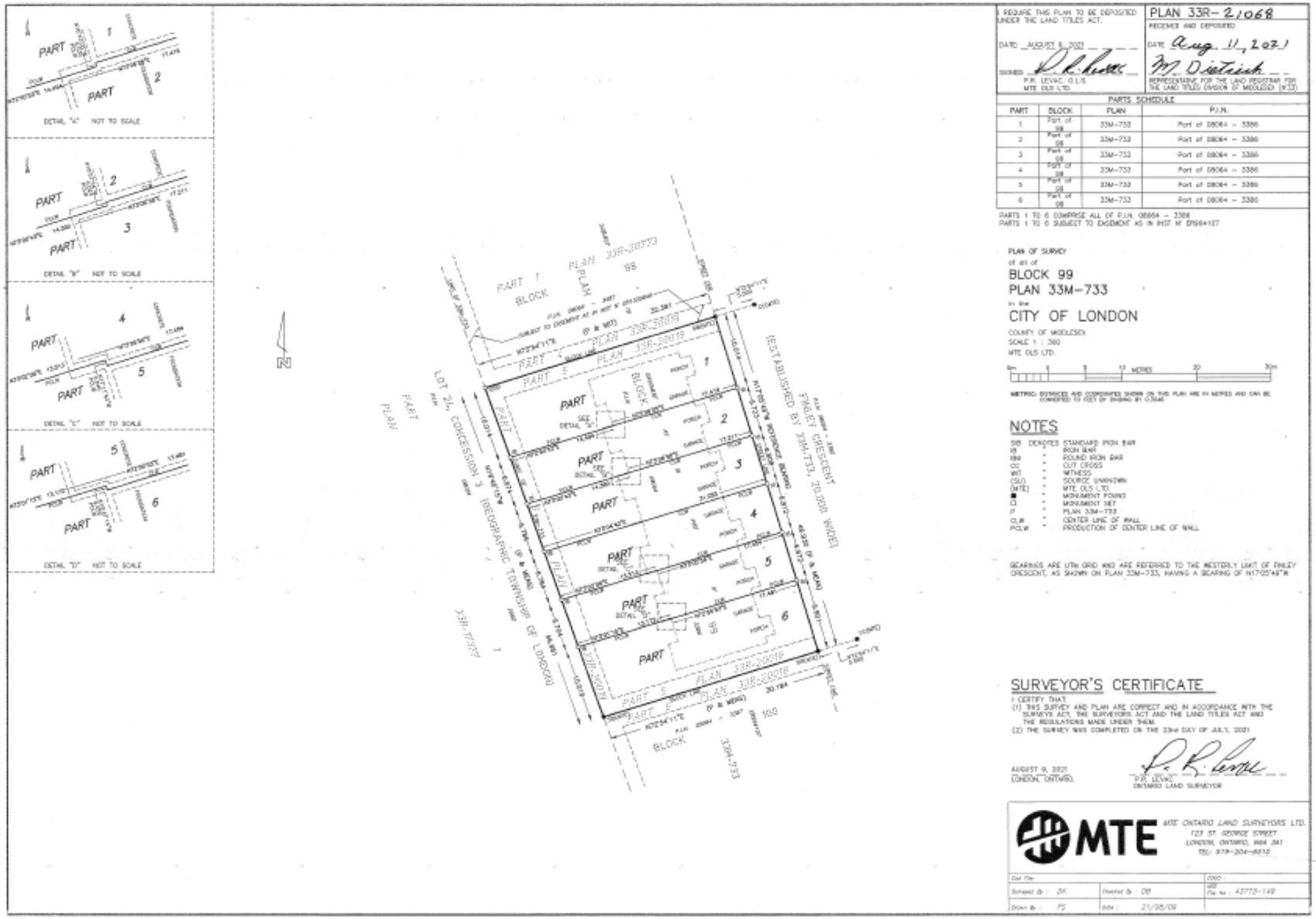
- Current Land Use – vacant
- Frontage – ~49.93 metres
- Area – 0.24 hectares
- Shape – rectangular

1.6 Surrounding Land Uses

- North – future residential
- East – residential
- South – future residential
- West – vacant

1.7 Location Map





I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: AUGUST 9, 2021

SIGNED: P.R. LEVAC, O.L.S.
MTE OLS LTD.

PLAN 33R-21068
RECEIVED AND DEPOSITED
DATE: Aug. 11, 2021
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MIDDLESEX (#33)

PARTS SCHEDULE

PART	BLOCK	PLAN	P.I.N.
1	Part of 99	33M-733	Part of 08064 – 3386
2	Part of 99	33M-733	Part of 08064 – 3386
3	Part of 99	33M-733	Part of 08064 – 3386
4	Part of 99	33M-733	Part of 08064 – 3386
5	Part of 99	33M-733	Part of 08064 – 3386
6	Part of 99	33M-733	Part of 08064 – 3386

PARTS 1 TO 6 COMPRISE ALL OF P.I.N. 08064 – 3386
PARTS 1 TO 6 SUBJECT TO EASEMENT AS IN INST. N. ER564107

PLAN OF SURVEY
of all of
BLOCK 99
PLAN 33M-733
in the
CITY OF LONDON
COUNTY OF MIDDLESEX
SCALE 1 : 300
MTE OLS LTD.

0m 6 9 12 METRES 30 30m

METRIC: BEARINGS AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTES

SIB DENOTES STANDARD IRON BAR
IB " IRON BAR
RIB " ROUND IRON BAR
CC " CUT CROSS
WIT " WITNESS
(SIU) " SOURCE UNKNOWN
(MTE) " MTE OLS LTD.
■ " MONUMENT FOUND
□ " MONUMENT SET
P " PLAN 33M-733
CLW " CENTER LINE OF WALL
PCLW " PRODUCTION OF CENTER LINE OF WALL

BEARINGS ARE UTM GRID AND ARE REFERRED TO THE WESTERLY LIMIT OF FINLEY CRESCENT, AS SHOWN ON PLAN 33M-733, HAVING A BEARING OF N17°05'48"W

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
(2) THE SURVEY WAS COMPLETED ON THE 23rd DAY OF JULY, 2021

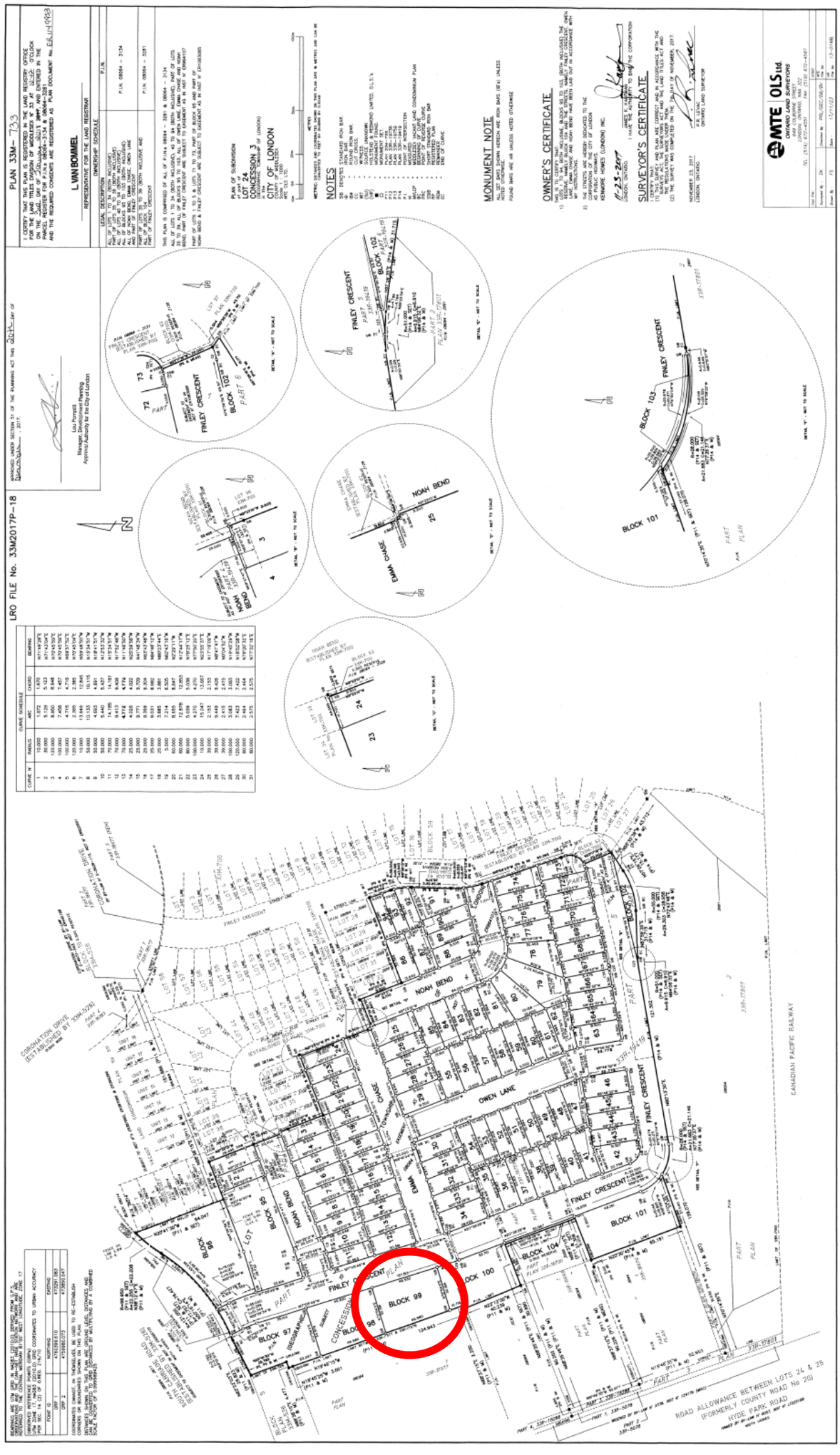
AUGUST 9, 2021
LONDON, ONTARIO

P.R. LEVAC
ONTARIO LAND SURVEYOR

MTE
MTE ONTARIO LAND SURVEYORS LTD.
123 ST. GEORGE STREET
LONDON, ONTARIO, N6A 3A1
TEL: 519-204-8810

Cad File:		Dwg:
Surveyed By: SH	Checked By: DB	Job No: 42775-149
Drawn By: FS	Date: 21/08/09	

1.9 Plan of Subdivision 33M-733



2.0 Discussion and Considerations

The Applicant, Kenmore Homes (London) Inc., has requested exemption from part-lot control to create a total of six (6) street townhouse units. The plan of subdivision was registered in February 2018 as a multi-family medium density residential block. The dwellings will be street townhouse units, one or two storeys in height, and accessed off Finley Crescent.

3.0 Financial Impact/Considerations

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

3.1 Community Engagement

There is no legislated community engagement component to an Exemption from Part-Lot Control. A notice of the request for exemption from part-lot control and a list of standard draft conditions was circulated to internal departments (such as Engineering and the Building Division) and London Hydro. Development Engineering confirmed that the draft standard conditions are applicable, and no additional conditions were needed.

3.2 Policy Context

In Ontario, the subdivision of land is governed by the *Planning Act*. Under this legislation, lot creation is permitted through the approval of a plan of subdivision, the granting of a Consent (commonly described as a “severance”) or, for lots within a registered plan of subdivision, through a by-law exemption from part-lot control. Section 50(28) of the *Planning Act*, R.S.O. 1990, c.P13, includes provisions to ensure that part of a lot or block within a registered plan of subdivision cannot be transferred without the approval of the municipality. The part-lot control provisions of the *Planning Act* allow a municipality to pass by-laws to remove part-lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot or block. Exemption from part-lot control is appropriate when a number of land transactions are involved, and the resulting changes will not affect the nature or character of the subdivision.

Exemption from part-lot control is used to create street townhouse lots to ensure that the eventual lot lines match the foundation for the building and are constructed exactly on the property boundaries. Part-Lot Control may be exempted to allow a property owner to legally divide a block within their registered plan of subdivision.

4.0 Exemption from Part-Lot Control

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

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

   Acknowledged by the applicant on September 22, 2021.

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

   Satisfied by registration of reference plan 33R-21068 as the draft reference plan complies with the Zoning on the lands.

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

Satisfied by submission on October 12, 2021 and confirmed by the GIS Data Technician on October 14, 2021.

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

The applicant has indicated this condition was satisfied by approval from London Hydro through the subdivision process.

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

Satisfied by the acceptance of Lot Grading and Servicing Plans submitted as per Site Plan Application SPA18-049.

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

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

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

The applicant agrees to fulfil this condition in its entirety related to the construction of all services and will be completed in accordance with the approved final designs of the lots through site plan approval.

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

Satisfied by municipal numbering assigned on August 12, 2019.

ix. The applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;

Satisfied by reference plan 33R-21068.

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

Satisfied by reference plan 33R-21068.

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

Building permits have been issued for this block as permit number 20020252.

xii. The applicant shall provide a draft transfer of the easements to be registered on title; and

Satisfied by the applicant's Solicitor.

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

Acknowledged by applicant on September 22, 2021.

xiv. In accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1820 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict.

Engineering has confirmed October 22, 2021 this condition has been satisfied through the acceptance of lot grading and servicing plans submitted through Site Plan Approval.

Conclusion

The recommended exemption from Part-Lot Control is considered appropriate and in keeping with the planned intent of the Beirens (Westfield) Subdivision. In accordance with the Council Resolution, the conditions required to be completed prior to the passage of a Part-Lot Control By-law have been satisfied, and the applicant has been advised that the cost of registration of the by-law is to be borne by the applicant.

Prepared by:	**Sean Meksula, MCIP, RPP** **Senior Planner, Subdivision Planning**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Planning & Development**
Recommended by:	**Gregg Barrett, RPP, PLE** **Director, Planning and Development**
Submitted by:	**George Kotsifas, P. Eng.** **Deputy City Manager,** **Planning and Economic Development**

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
cc: Bruce Page, Manager, Subdivision Planning
cc: Peter Kavcic, Manager, Subdivision Engineering
cc: Michael Pease, Manager, Site Plan

SM/
Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2021\P-9370 - 1820 Finley Crescent Block 99 (SM)\PEC 2 November 1\DRAFT_P-9370 - 1820 Finley Crescent _Report to pass by-law_PEC.docx

Appendix A

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

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

A by-law to exempt from Part-Lot Control, lands located at 1820 Finley Crescent, legally described as Block 99 in Registered Plan 33M-733.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13,* as amended, and pursuant to the request from Kenmore Homes (London) Inc., it is expedient to exempt lands located at, legally described as Block 99 in Registered Plan 33M-733, from Part Lot Control;

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

1. Block 99 in Registered Plan 33M-733, located at 1820 Finley Crescent, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit street townhouse units in conformity with the Residential R4 Special Provision (R4-4(4)) Zone of the City of London Zoning By-law No. Z-1.

2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on November 16, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 16, 2021
Second Reading – November 16, 2021
Third Reading – November 16, 2021

Report to Planning and Environment Committee

To: **Chair and Members**
Planning and Environment Committee
From: **George Kotsifas, Deputy City Manager, Planning and Economic Development**
Subject: **Application to National Historic Sites and Monuments Board of Canada to Nominate Labatt Memorial Park as a National Historic Site of Canada**
Date: **November 1, 2021**

Recommendation

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 application to the National Historic Sites and Monuments Board of Canada to nominate Labatt Memorial Park as a National Historic Site of Canada:

a) The above noted initiative **BE ENDORSED**; and,

b) The Civic Administration **BE DIRECTED** to submit the application to the National Historic Sites and Monuments Board of Canada with respect to this matter.

Executive Summary

Labatt Memorial Park is the world's oldest baseball grounds. Located at 25 Wilson Avenue, the cultural heritage value of Labatt Memorial Park is recognized locally by the property's designation pursuant to Part IV of the *Ontario Heritage Act* and inclusion in the Blackfriars/Petersville Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act*. At it meeting held on June 15, 2021, Municipal Council endorsed the initiative to begin the nomination process and directed civic administration to assist a volunteer steering committee to prepare a nomination to the Historic Sites and Monuments Board of Canada.

The Historic Sites and Monuments Board of Canada application process requires a resolution from a Municipal Council endorsing a municipality's nomination for designation as a National Historic Site. The intent of this report is to provide a report back to Municipal Council with the complete application, seeking Municipal Council endorsement to apply to the Historic Sites and Monuments Board of Canada to nominate Labatt Memorial Park as a National Historic Site of Canada pursuant to the *Historic Sites and Monuments Act*.

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 Previous Reports Related to this Matter

- Report to London Advisory Committee on Heritage, Nomination of Labatt Memorial Park as a National Historic Site, May 12, 2021.

1.2 Property Location

The Labatt Memorial Park property at 25 Wilson Avenue is located on the east side of Wilson Avenue, just north of its intersection with Riverside Drive. The property is located northwest of the Forks of the Thames River (Appendix A).

1.3 Description

The property at 25 Wilson Avenue, commonly known as Labatt Memorial Park consists of the baseball diamond, a grandstand, and bleachers (constructed in the1990s), and the Roy McKay Clubhouse, originally constructed in 1937 (Appendix B). Opening in 1877 as Tecumseh Park, the park has played an essential role in the growth and development of baseball in London and Canada and is the world's oldest baseball grounds. Labatt Memorial Park continues to be used for various levels of recreational and competitive baseball and is the home of the London Majors of the Intercounty Baseball League.

1.4 Cultural Heritage Status

To recognize and protect its cultural heritage value, the Labatt Memorial Park property was designated pursuant to Part IV of the *Ontario Heritage Act* in 1994 by By-law, L.S.P.-3237-544 in 1994, and amended by By-law, L.S.P.-3237(a)-319 in 1996. The park has been used today by the London Majors of the Intercounty Baseball League since 1925.

As a municipally-owned heritage property, the City continues to be stewards of its history and conservators of its cultural heritage value. As a part of its long-term conservation and protection, the Roy McKay Clubhouse is assessed as a part of conservation master planning for municipally-owned heritage properties to set out short and long term maintenance plans over a 10-year horizon. Recent improvements to the park and clubhouse include a restoration of the clubhouse in 2008, and improvements to the dugouts.

In 2015, the property was designated pursuant to Part V of the *Ontario Heritage Act* as it was included within the Blackfriars/Petersville Heritage Conservation District, designated by By-law No. L.S.P.-3437-179, which came into force and effect on May 15, 2015.

Labatt Memorial Park continues to be a hub of community activity. Most recently, Tourism London offered public tours of Labatt Memorial Park throughout the summer of 2021 as part of a "Southwestern Ontario Baseball Heritage Pass". Further, in September 2021, the London Sports Council inducted Labatt Memorial Park into the London Sports Hall of Fame, the first facility to be inducted.

In recent years, Labatt Memorial Park has been the subject of further research in baseball history. Competing with historic baseball fields in Clinton, Massachusetts and Pittsfield, Massachusetts, Labatt Park was subject to study by researchers and historians from the Society for American Baseball Research (SABR) and the Centre for Canadian Baseball Research (CCBR), concluding that the park was in fact, the world's oldest baseball grounds. Building on its successful claim as the world's oldest baseball grounds, members of the Friends of Labatt Park, the Canadian Centre for Baseball Research, the London Majors Alumni Committee, and heritage community members have requested that the City of London pursue National Historic Site designation for Labatt Memorial Park to recognize its importance in the growth and development of baseball in Canada.

In 2008, Guinness World Records certified that Labatt Memorial Park was in fact the oldest baseball diamond in the world.[1]

1.5 Historical Background

1.5.1 Early History

The first complete London Township survey was undertaken beginning in 1810, by Deputy Provincial Surveyor Mahlon Burwell. The Burwell survey extends north from the Thames River and focussed on the first six concessions laying out the grid of lots and concessions. The survey was interrupted by the outbreak of War in 1812, however, by 1819 Crown patents were being given to settlers.[2]

Located at the Forks of the Thames, the property that would become Labatt Memorial Park was originally located within a low-lying flood plain bound by the North Branch of the Thames River to the east and the main branch of the Thames River to the south. Following Burwell's survey of London Township, much of the floodplain was granted to Joshua Applegarth. An early settler in London Township, Applegarth was granted the land in 1810 for the purpose of growing hemp intended for cordage and sails for the British Navy. Applegarth's residence was located within the vicinity of the current bend in Charles Street, west of Wharncliffe Road North but his land was used for hemp growing. Ultimately, the Applegarth initiative was unsuccessful and by 1819 moved south of the Thames River.[3]

Another early land owner and settler in the area surrounding what would become Labatt Memorial Park was John Kent. Kent, born in Staffordshire, England, immigrated to Upper Canada in 1823 where he later purchased Lots 1 & 2 east of the Wharncliffe Highway. The lands, totalling 192 acres stretched to both the east and west sides of the Thames River and included what became known as the "river flats" which would later become valuable farming land and building lots.[4]

In 1848, Kent had a portion of his land in Lots 1 & 2 east of the Wharncliffe Road between the existing Blackfriars Road south to the Thames River surveyed into Park Lots that ranged in size from 3 to 9 ¼ acre lots. Further, he had a road surveyed down the middle of the lots, known first as Centre Street, late re-named to Wilson Avenue. The survey would become registered as Plan 191, and Lot 6 on the east side of Centre Street (Wilson Avenue) would become home to Labatt Memorial Park. Upon Kent's passing in 1859, his will left his land holdings in the newly subdivided area to his sons and daughters.[5]

An analysis of early mapping depicts the gradual subdivision of land within the area that would become home to Labatt Memorial Park. By 1850, the *Sketch of Part of London Township* shows the Wharncliffe Highway and the road that would become Blackfriars Street in existence with the area undeveloped. The 1863 Township of London map prepared by Samuel Peters shows a similar arrangement with the area that is now the Blackfriars/Petersville Heritage Conservation District simply identified as "Kent Farm Subdivided". By 1872, the *Bird's Eye View of London* depicts the area as quickly developing. Several dwellings are depicted as constructed along Centre Street (Wilson Avenue), but the area that would become Labatt Memorial Park remained generally undeveloped. Two years later in an 1874 "Map of the Village of Petersville

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[1] Since the Guinness World Records certification, the terminology in identifying historic baseball parks, grounds, and diamonds has been subject to on-going debate by baseball and sports historians. The most-widely agreed upon term that is used for Labatt Memorial Park at this time, is that is the "world's oldest baseball grounds".

[2] John H. Lutman and Christopher L. Hives, *The North and the East*, 53-54.

[3] Corporation of the City of London, *Blackfriars/Petersville Heritage Conservation District Study Report,* p. 12-13; Daniel Brock, *Fragments from the Forks*, p. 5-8.

[4] *Blackfriars/Petersville Heritage Conservation District Study Report*, p 14; John Lutman, *The Historic Heart of London,* p. 12.

[5] *Blackfriars/Petersville Heritage Conservation District Study Report*, p 18; RP191(W); LRO 33, Instrument #5468, 9 July 1859.

(London West) was prepared showing the subdivided building lots in the area including most of the side-streets off Centre Street (Wilson Avenue) that now terminate at the Thames River. Lots 4, 5, and 6 on the east side of Centre Street were shown as undivided park lots at that time.

1.5.2 The London Tecumsehs and the Early History of Tecumseh Park

By the 1870s, the London Tecumsehs, a baseball team founded originally in 1868 was in need of a new permanent playing field. In 1876, the Tecumsehs became champions of the Canadian Association of Base Ball. Until that point the club had previously been using the only viable sports field in London, today's Victoria Park. However by the mid-1870s growing crowd support for the ball club fuelled by the team's rivalry with Guelph's team, the Guelph Maple Leafs, combined with the demand for use of the Victoria Park as the provincial exhibition grounds during the late season games necessitated a new permanent ball field. By 1877, W.J. Reid, a merchant and financial backer of the London Tecumsehs found the land on which Tecumseh Park would be constructed exclusively for the team.

Reporting on the need for a new permanent ball field, the *London Advertiser* of April 16, 1877 reported:

> *"After visiting London East, the northern suburbs of the city and the Petersville and Kensington Flats, the most convenient plot, taking everything into consideration, that could be secured, was a piece of meadow land adjoining the west end of Kensington Bridge, on the north side of the road, and an agreement has been effected by the owners of it for its lease or purchase. Work will be commenced on it at once, and the expectation is that it will be ready in ten days, or a fortnight at the furthest."*[6]

In May 1877, the newly constructed Tecumseh Park, named after the team for which it was constructed officially opened for baseball. At the first official league game hosted at the park, the *Advertiser* reported that 2,000 spectators were in attendance to watch the opening game between the Tecumsehs and the Hartfords of Brooklyn, New York. The *Canadian Illustrated News* referred to Tecumseh Park as "without doubt the best for its purpose in the Dominion."[7]

The same year, the London Tecumsehs, together with the Guelph Maple Leafs, joined several other American-based baseball teams in forming the International Association, a "major-league" competitor to the National Association of Professional Baseball Clubs – now the National League of Major League Baseball. In the league's inaugural year, the Tecumsehs sported a record of 47 wins, 26 losses, and 7 ties. On October 13, 1877 the Tecumsehs beat the Pittsburgh Alleghenys at Tecumseh Park to become the first champions of the International Association making them what journalist Brian Martin identifies as "Canada's First Major League Baseball Champions."[8] In covering the event, a New York newspaper noted "Nothing better could have happened for the advancement of the popularity of baseball in Canada."[9]

Unfortunately, the early success of the team and league was short lived. Within the span of a few years the Guelph Maple Leafs (funded by the success of brewer George Sleeman), and the London Tecumsehs both dropped out of the league due to financial reasons, low attendance, and suspicions of league-wide

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[6] *London Daily Advertiser*, "The Ball Field", April 16, 1877.
[7] Robert K. Barney and Riley Nowokowski, "A Canadian Distinction of Note: London, Ontario's Labatt Memorial Park, Baseball History's Oldest Continuously-Operating Baseball Precinct", Ontario History, Volume 113, No. 2, Fall 2021; William Humber, *Diamonds of the North: A Concise History of Baseball in Canada*, p. 38.
[8] For a comprehensive history of the London Tecumsehs and their International Association championship, Brian Martin, *The Tecumsehs of the International Association: Canada's First Major League Baseball Champions*, 2015.
[9] "The International Championship" *The Brooklyn Clipper*, October 13, 1877.

cheating scandals. In losing the Canadian teams, the league changed it named to the National Association but by 1880 had dissolved in trying to compete with other major baseball leagues.

Despite the initial loss of a baseball presence on an international stage, Tecumseh Park continued to be a hub for sporting activity in London in its first few years of existence. In the late 1870s and early 1880s it was used not only for baseball but also for bicycle racing and lacrosse (See Section 1.5.7).

However, in 1883, the first of two major floods hit London. Overnight between July 10 and 11, 1883, a storm dropped a torrential amount of rain on London resulting in extensive damage to Blackfriars/Petersville area.[10] Tecumseh Park was extensively damaged in the flooding. In describing the damages in London West, the *Advertiser* wrote: "The whole of Tecumseh Park, fences, stands, and houses, together with Massie's boat house, all went down the river."[11] Nonetheless, the park was eventually re-fenced, albeit with a relocated home-plate and infield to protect from further flooding damage and to present spectators with a view to London's core.[12] Following the flood, baseball and other sporting activities continued at Tecumseh Park throughout the first decades of the 20th century.

Through the 1890s to the 1920s Tecumseh Park continued to be the home of several London-based baseball teams, including the Tecumsehs, and the Alerts. Between 1911 and 1915, the Tecumsehs entered a newly formed professional league called the Canadian League. In an exhibition game against the Detroit Tigers in August 1914, the park hosted one of its largest crowds hoping to see the Tigers star player, Ty Cobb. The Canadian League folded in 1915 as a result of the First World War.

Following the war, professional baseball returned to Tecumseh Park in 1919 when the London Tecumsehs entered the Michigan-Ontario League. The league operated until 1925. During that period various would-be professional baseball players either played for or against the London Tecumsehs at the Tecumseh Park. Charlie Gehringer, a second baseman for the Tecumsehs would later play for the Detroit Tigers, and the Tecumsehs again hosted an exhibition game against Ty Cobb and the Tigers in September 1920 in front of a crowd of 3,000 fans. Gehringer would later be inducted into the Baseball Hall of Fame. The park also hosted exhibition games between the Tecumsehs and the Boston Red Sox, the Pittsburgh Pirates, and the Washington Senators which included visits from Hall of Famers Tris Speaker, Walter Johnson, and Honus Wagner.

At one particular exhibition game in 1921, London's baseball fans were delighted to host the Pittsburgh Pirates, managed by London's own George "Mooney" Gibson.

Baseball continued to gain popularity in London throughout the 1920s well into the 1930s with the establishment of both men's and women's baseball and softball leagues, as well as church leagues, and industrial leagues operated and sponsored by businesses, all of which functioned in Tecumseh Park. It was

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[10] The area that is now generally known as the Blackfriars/Petersville Heritage Conservation District has been known historically by various names including Blackfriars, Petersville, Kensington, and London West, among other names used to describe the flats immediately west of the Thames River.

[11] *London Advertiser*, "The Latest: Terrible Destruction by Water – London West and Low Points of the City Submerged – Immense Loss of Life Feared – Moving Tales of the flood – The Damage to property Incalculable", July 11, 1883.

[12] The location of home-plate has been changed various times in the history of Labatt Memorial Park to protect against potential future flooding as well as to accommodate alternative uses of the park. The details of the re-location are further explored in Robert K. Barney and Riley Nowokowski, "A Canadian Distinction of Note: London, Ontario's Labatt Memorial Park, Baseball History's Oldest Continuously-Operating Baseball Precinct", Ontario History, Volume 113, No. 2, Fall 2021.

during this period that the Intercounty Baseball League (IBL) was founded in 1925. London's team was originally called the London Braves but changed their name often depending on company sponsorship. The team played under the names, the London Winery, the London Silverwoods, and of course, the London Majors.

1.5.5 Transition to Labatt Memorial Park and the Flood of 1937

By the mid-1930s, the future of baseball at Tecumseh Park was in jeopardy due to much-need facility upgrades. Team sponsorships also gradually dropped due to the Great Depression and the facilities at Tecumseh Park were in decline. In an attempt to "save" the park from concerns about potential private purchase and demolition a Tecumseh Park "booster day" was held in June 1936, which included a game between Stratford and London. The intent was to raise the necessary funds to prevent its sale, and the day included guest appearances from Fred Goldsmith, a former pitcher for the Tecumsehs on the 1877 championship team.[13] The *London Free Press* commented on the success of the event:

> *"The success of the day will save Tecumseh Park for this year, but this does not solve the problem for the future. Anyone who was at the game on Saturday must have been thoroughly convinced of the necessity of retaining the park as a centre for athletics in London. It is ideally and centrally located and could, without a great expenditure, be converted into the best athletic field for all sports in Canada. One hesitates in these days of financial stress, as far as taxpayers are concerned, to urge that the city should purchase the property. What an opportunity for some philanthropically-minded citizen to do something worth while for London!"*[14]

Whether the article was written with a specific "philanthropically-minded citizen" in mind may never be known, however, six months later the *Free Press* highlighted positive momentum in the park's history with an eye-catching headline: "City is Given Tecumseh Park, $10,000: Famous Playground Donated by Labatt Family to Citizens".[15] John and Hugh Labatt purchased the park as a means to honour their father John Labatt Sr. upon the advice of their neighbour, Mooney Gibson. The park was renamed "Labatt Memorial Park", and given to the City with a donation of $10,000 to maintain and update the park.[16]

The excitement and optimism for the donation of Labatt Memorial Park was short-lived as London was again devasted by flooding a few months later. In April 1937, after weeks of unusually high amounts of precipitation, the Thames River again flooded the area causing extensive damage to the City. Like in 1883, the newly named ballpark sustained extensive damage to the grandstand, bleachers, and fencing. It was not until mid-June that the London Silverwoods were able to return to Labatt Park as their home field. In its reconstruction, the newly-named park included a new grandstand, fencing and the construction of brand new cottage-style clubhouse that included changerooms for the teams, public washrooms, and concessions.[17] A distinctive Art Deco style entrance gate was also constructed fronting onto Dundas Street (later re-routed for Riverside Drive), The Art Deco gate no longer remains, however, the clubhouse, now known as the Roy McKay Clubhouse is extant on the property.

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[13] Fred Goldsmith was a former pitcher for the London Tecumsehs. His career has been a part of on-going debate centred on the invention and usage of the "curveball" pitch used in baseball. His life and baseball career is extensively documented in John R. Castle Jr., *Goldie's Curve Ball: How Fred E. "Goldie" Goldsmith Invented, Demonstrated, Mastered, and Championed The Curve* Ball, 2010.

[14] *London Free Press,* "Tecumseh Park", June 29, 1936.

[15] *London Free Press*, "City is Given Tecumseh Park, $10,000: Famous Playground Donated by Labatt Family to Citizens" December 15, 1936.

[16] Barney and Nowokowski, "A Canadian Distinction of Note", *Ontario History*; Martin, *The Tecumsehs of the International Association*, p. 216-217.

[17] Ibid.

1.5.6 Continued Baseball Legacy at Labatt Memorial Park

The 1940s brought men's and women's championship baseball at various levels to Labatt Park. Women's softball gained popularity during the war years, attracting large crowds and to the park. Many of the teams and leagues were sponsored by local businesses including Kellogg's, McCormick's, and Silverwood's. By 1942, the "London Ladies' Softball Association" was organized by the City. The women's league gained popularity resulting in the formation of two travelling teams, the most prominent of which was the London Supremes of the Michigan-Ontario League. The Supremes won the league championship in 1948. Before disbanding in 1951, the Supremes played a series of exhibition games across North America including games in Arizona and California, where they defeated the reigning US Ladies champions, the Orange County Lionettes.

The men's teams competing at Labatt Park were just as successful in the 1940s. In 1944, Bill Farquharson, the Director of the Public Utilities Commission for the City of London assumed responsibility of London's IBL team and re-named the team the Majors as a recognition to Major Chet Smith his predecessor and manager of the formerly-named London Army team. In 1948, Farquharson entered the Majors into the National Baseball Congress, Can-Am Championship Series. In the same year, they defeated the Fort Wayne Indiana General Electric's in Game 7 of the Championship Series to become the only Canadian team to win the Can-Am Championship. Game 7 was estimated to have had 10,000 spectators in attendance including London-born professional ballplayer Frank Colman, New York Yankees catcher Yogi Berra, and Detroit Red Wings Gordie Howe and Ted Lindsay.[18]

The 1950s to 1970s brought continued success and growth of the game in London and Canada. The 1950s started with the London Majors winning the IBL Championship in 1951, followed by the purchase of the team by Frank Colman in 1954 before winning the Championship again in 1956. In the 1960s, the ownership of the Majors switched hands numerous times and with that came name changes including the London Diamonds and the London Pontiacs. This trend continued in the 1970s with London's team becoming known as the London Avco's, the London El-Morrocco Majors, and finally a return to the Majors in 1975. That same year, they won the IBL Championship, an honour that London had simply not yet accomplished until this year. On October 1, 2021, the London Majors defeated the Toronto Maple Leafs at Labatt Memorial Park to win their first IBL Championship in 46 years.

Baseball's modern era of the 1980s and 1990s brought some of the more recent big name athletes to London. Between 1989 and 1993, Labatt Park was home to the London Tigers, a Double-A Minor League affiliate to Major League Baseball's Detroit Tigers.[19] It was during this time that Londoners and Canadian baseball fans could see future Major Leaguers on their way through the minor league systems. Some of the more prominent players include Cliff Floyd, professional MLB and National Football League player Deion Sanders, All-Stars Jeff Bagwell, Jim Thome, and Travis Fryman, Pete Walker (current pitching coach for the Toronto Blue Jays) as well as World Series MVP Manny Ramirez. Sarnia, Ontario's Rob Thomson, current bench coach for the Philadelphia Phillies, also called Labatt Park home for a season, coaching 1st base for the London Tigers.[20]

Labatt Park was also home to two of London's additional professional teams in the modern era. The Kalamazoo Kodiaks of the Frontier League, an independent professional league in North America relocated from Kalamazoo, Michigan to London in 1999 becoming the London Werewolves. The Werewolves won the

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[18] Brock, *Fragments from the Forks*, 253.
[19] Ibid., 334.
[20] Rob Thomson also won a World Series championship as a member of the coaching staff for the New York Yankees in 2009. He was inducted into the Canadian Baseball Hall of Fame in 2019.

Frontier League Championship in their inaugural season in the league, but would later relocate to Canton, Ohio. In 2003, the London Monarchs were London's representatives in the short-lived Canadian Baseball League. The first official game of the league was held at Labatt Park to a sold-out crowd.

In recent years, Labatt Park has continued to play an important role in the growth and development of baseball in Canada. The park was used for the 2001 Canada Summer Games, the 2018 Ontario Summer Games, and continues to host Baseball Canada and Baseball Ontario championships.

1.5.7 Additional Uses of Labatt Memorial Park

In addition to baseball, Labatt Park has hosted various sporting purposes since its early days.

Dating to its first few years in operation, the then Tecumseh Park hosted lacrosse as early as 1883. The London Lacrosse Club made Tecumseh Park their homefield. They opened their season in that year at Tecumseh Park in a game against the Brantford Brants. Reportedly, a crowd of 2,000 spectators visited the park to watch the game.[21]

In addition to lacrosse, Tecumseh Park also hosted rugby and football games, primarily at the collegiate level. Western University's rugby team began hosting their games at the park in 1907 with their inaugural game that year against the University of Toronto. The Western University football team continued to use Tecumseh Park for their games in the early-20th century as well. Aerial photography indicates the grid-iron football field laid out over the top of the baseball diamond, indicating the field's multi-sport usage. Western use the field until the late-1920s when the university constructed J.W. Little Stadium on campus.[22]

Lastly, one of the most popular alternative uses of Tecumseh Park in the late-19th century was for bicycle track racing. In the 1880s, a cycling craze swept much of North America including London, which created the London Forest City Bicycle Club. In 1895, construction began at Tecumseh Park to create a third of a mile powdered brick and clay track intended for amateur and professional bicycle racing. The *Advertiser* noted the planned improvements for the park to accommodate a cycling track and noted it would be "one of the best athletic parks in Canada" including the third mile track with proper banking on the turns, and the baseball diamond configured on the interior of the oval, with a new grandstand to accommodate 2,500 spectators. Cycling remained popular in London and at Tecumseh Park until the middle of the First World War, when its popularity began to wane.[23]

On a local level, the facility was used to host the City of London's "Playground Olympics" in the mid-20th century. Based on the success of the PUC's Outdoor Recreation Program managed by Bill Farquharson between 1935-1973, Labatt Park was used annually to host this event, which was a culmination of the Outdoor Recreation Program's activities and athletics competition. The program and the event drew thousands from across the City on a regular basis and provided children with the opportunity to participate in community-based sporting events. The program was referred to and applauded by its participants as one of the best in North America, and one that promoted inclusivity in sport.

In addition to sports, Tecumseh Park/Labatt Memorial Park was also used (and continues to be used) for community activities. In July 1927, the park was used

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[21] Barney and Nowokowski, "A Canadian Distinction of Note", *Ontario History*.
[22] Barney and Nowokowski, "A Canadian Distinction of Note", *Ontario History*; Robert S. Kossuth and Kevin B. Wamsley, "Cycles of Manhood: Pedaling Respectability in Ontario's Forest City" *Sports History Review*, Volume 34, Issue 2, p.167-189, 2003.
[23] "It's a Go", *The Advertiser*, May 25, Barney and Nowokowski, "A Canadian Distinction of Note", *Ontario History.*

for a Chautauqua event.[24] By the mid-20th century the park was used for military drumhead services. In 1997, the park was used as a facility from which to fire a 21-gun salute during the Queen Elizabeth II's Royal Visit to London. The park has also been used for public skating, civic receptions, the RCMP Musical Ride, and political rallies. On an annual basis, the park is used for Canada Day celebrations, usually including a baseball game and fireworks.

Most recently in August 2021, Labatt Memorial Park was used as a venue to celebrate the accomplishments of the London-based Canadian Olympic athletes who competed for Canada at the Tokyo Olympic Games. Among the athletes who were in attendance were women's rower Jennifer Martins, opening ceremony flag-bearer and women's basketball team member Miranda Ayim, member of the gold-medal winning women's eight rowing team Susanne Grainger, gold-medal swimmer Maggie MacNeil, and gold-medal winning decathlon champion Damian Warner.

Labatt Memorial Park continues to be valued by Londoners, Canadians, and sports-fans in North America.

2.0 Discussion and Considerations

2.1 Historic Sites and Monuments Act

The Historic Sites and Monuments Board of Canada (HSMBC) was established in 1919 and oversees the National Program of Historical Commemoration. The HSMBC is mandated through the *Historic Sites and Monuments Act* (1953) and makes recommendations to designate persons, places, and events of national historic significance to the Minister responsible for Parks Canada (Parks Canada, *Framework for History and Commemoration*, 2019). Unlike, the *Ontario Heritage Act*, as federal legislation the *Historic Sites and Monuments Act* does not protect or regulate property, but rather identifies and commemorates place, persons, and sites of national historic significance.

Currently, the Minister of the Environment and Climate Change is responsible for designating places, persons, and events of national historic significance. Parks Canada is the agency of the Government of Canada that provides professional and administrative services to support the HSMBC including the historical and archaeological research needed for evaluation applications for National Historic Site designation. The agency is mandated to "protect and present nationally significant examples of Canada's natural and cultural heritage, and foster public understanding, appreciation, and enjoyment in ways that ensure their ecological and commemorative integrity for present and future

2.2 National Program of Historical Commemoration

National Historic Sites are places of profound importance to Canada, each telling their own unique story, contributing a sense of time, identity, and place to our understanding of Canada as a whole. Over 2,100 places, persons, and events have been commemorated by the Government of Canada for their national historic significance. Any aspect of Canada's human history may be considered for a national designation if it has had a nationally significant impact on, or illustrates a nationally important aspect of, Canadian history. In Canada, National Historic Sites represent a variety of historic places, encompassing sites as diverse as sacred places, battlefields, archaeological sites, cultural landscapes, ships and shipwrecks, structures, and districts. Many are still used for work, religious practices, commerce and industry, education, and leisure.

In addition to National Historic Sites, the Government of Canada recognizes National Historic Persons and National Historic Events. National Historic Persons are individuals who have made a significant and lasting contribution to Canadian

[24] *London Advertiser*, "Rotary Bringing Chautauqua Here" July 1, 1927.

history. National Historic Events are designated if they represent a defining action, episode, movement, or experience in Canada history.

2.3 Eligibility Requirements and Application Process

2.3.1 Eligibility

The eligibility of a potential national historic designation is guided by criteria and guidelines set out by the Historic Sites and Monuments Board of Canada. Currently, the Minister is advised by the HSMBC based on the *Criteria and Guidelines for evaluating subject of potential national historic significance* (Fall 2017) (See Section 2.3.1.1). The guideline document sets out the detailed criteria and guidelines followed by the HSMBC. The following summary highlights the key concepts for criteria for national historic significance.

Any aspect of Canada's human history may be considered for ministerial designation of national historic significance. To be considered for designation, a place, person, or event must have had a nationally significant impact on Canadian history or must illustrate a nationally important aspect of Canadian human history.

Subjects that qualify for national historic significance will meet one or more of the following criteria:

1. A place may be designated of national historic significance by virtue of a direct association with a nationally significant aspect of Canadian history. An archaeological site, structure, building, group of buildings, district, or cultural landscape of potential national historic significance will:
    a. Illustrate an exceptional creative achievement in concept and design, technology and/or planning, or a significant stage in the development of Canada; or,
    b. Illustrate or symbolize in whole or in part a cultural tradition, a way of life, or ideas important in the development of Canada; or
    c. Be most explicitly and meaningfully associated or identified with persons that are deemed of national historic importance; or
    d. Be most explicitly and meaningfully associated or identified with events that are deemed of national historic importance.
2. A person (or persons) may be designated of national historic significance if that person individually or as the representative of a group made an outstanding and lasting contribution to Canadian history.
3. An event may be designated of national historic significance if it represents a defining action, episode, movement, or experience in Canadian history.

In general, only one designation will be made for each place, person, or event of national historic significance. Uniqueness or rarity are not, in themselves, evidence of national historic significance, but may be considered in connection with the above noted criteria. Firsts, per se, are not considered for national historic significance.

Buildings, ensembles of buildings, and sites that are 40 years of age or older[25] may be considered for designation of national historic significance. A place must be in a condition that respects the integrity of its design, materials, workmanship, function and/or setting to be considered for designation of national historic significance, insofar as any of these elements are essential to understand its significance.

[25] Unlike national historic designations, age is not a criteria for designations pursuant to the *Ontario Heritage Act*. Individual properties designated pursuant to Part IV of the *Ontario Heritage Act* must meet one or more criteria of Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest.

Persons deceased for at least 25 years may be considered for designation of national historic significance, with the exception of Prime Ministers, who are eligible for commemoration immediately upon death.

Events that occurred at least 40 years ago may be considered for designation of national historic significance. Historic events that continue into the more recent past will be evaluated on the basis of what occurred at least 40 years ago.

2.3.1.1 Criteria and Guidelines for evaluating subjects of potential national historic significance

The Minister is advised by the HSMBC based on the *Criteria and Guidelines for evaluating subject of potential national historic significance* (Fall 2017). This guideline document sets out the detailed criteria and guidelines for the HSMBC to frame their advice to the Minister. The specific "criteria" are those found in the Criteria for National Historic Significance (1998) (See Section 2.3.1 above). The guidelines included within the *Criteria and Guidelines for evaluating subject of potential national historic significance* (Fall 2017) refer to both the "General Guidelines" as adopted by the HSMBC in 1998, as well as "Specific Guidelines", which are based on HSMBC decisions to address specific aspects of commemoration, adopted over time.

Sporting facilities, parks and fields are not specifically identified as a specific aspect of commemoration, however, the *Criteria and Guidelines for evaluating subject of potential national historic significance* (Fall 2017) includes specific guidelines related to the identification of parks and gardens of national significance, as well as specific guidelines in evaluating Canadian athletes. Read together, the guidelines assist in understanding the criteria and guidelines considered when evaluating sport facilities that may be evaluated for their national historic significance such as Labatt Memorial Park.

The specific guidelines of Section 3.10 (Identification of Parks and Gardens of National Significance) note:

> *In November 1994, the Board recommended that:*
>
> *A park or a garden may be considered of national significance because of:*
>
> 1) *the excellence of its aesthetic qualities;*
> 2) *unique or remarkable characteristics of style(s) or type(s) which speak to an important period or periods in the history of Canada or of horticulture;*
> 3) *unique or remarkable characteristics reflecting important ethno-cultural traditions which speak to an important period or periods in the history of Canada;*
> 4) *the importance of its influence over time or a given region of the country by virtue of its age, style, type, etc.;*
> 5) *the presence of horticultural specimens of exceptional rarity or value;*
> 6) *exceptional ecological interest or value;*
> 7) *associations with events or individuals of national historic significance;*
> 8) *the importance of the architect(s), designer(s), or horticulturalist(s) associated with it.*
>
> *The Board stated, however, that it expected the case for national commemoration of any garden or park would not rest solely on one of the eight guidelines adopted, save in the most exceptional of circumstances.*

The specific guidelines of Section 4.7 (Evaluating Canadian Athletes) note:

In July 2007, the Board adopted the following guidelines:

An athlete may be considered of national significance if:

1) *he or she fundamentally changed the way a sport in Canada is played through his or her performance; and/or he or she greatly expanded the perceived limits of athletic performance; and*
2) *he or she came to embody a sport, or had a transcendent impact on Canada*

Note: When these guidelines are applied to a sport team, the team will be presented to the Board as an "event" rather than a "person"

2.3.2 Nomination Requirements

Parks Canada has set out criteria for all nomination requirements submitted to the HSMBC for national historic designations. Nominations are submitted to the HSMBC Secretariat. All nominations must contain the following information:

- Identification of the Applicant – a point of contact for inquiries, clarifications, and correspondence between the Applicant and the HSMBC;
- Identification of the Subject – identification of the place, person, or event for nomination including important dates, buildings or structure, construction dates, and/or parameters of an event;
- Documentation and Suggestions for More in-depth Research – suggestions for research, including historical sources, photograph collections, documents, bibliographic reference, and contact person

Additional special requirements are necessary for nominations for National Historic Sites. This includes:

- Consent of the Property Owner(s) – written consent of the property owner (if the applicant is not the owner) is required, otherwise, the HSMBC will not consider applications for the designation. If the property falls under a municipal authority, consent may take the form of a Municipal Council resolution to endorse the nomination;
- Boundaries of the Site Proposed for Designation – description of the boundaries of the property being proposed for designation, which may include a sketch map, legal description, or survey map;
- Components of the historic property – identification of all of the major built and/or natural components of the property;
- Site Condition – description of the condition of the site, identify any existing potential threats to the integrity of the site; and,
- Additional Documentation – photographs, plans, and/or elevations of buildings if necessary.

The endorsement of Municipal Council in pursuing the nomination is a critical component of the nomination requirements.

2.3.3 Application Process and Timelines

The application process for national historic site designations can take several years (Appendix C). Upon receiving a nomination, the HSMBC Secretariat confirms that all required components have been submitted prior to sending the nomination to the Parks Canada Cultural Sciences Branch. Preliminary research is conducted to ensure that the nomination meets the criteria and guidelines and that there is sufficient documentation for a report to be prepared to the satisfaction of the HSMBC. This initial step can take approximately four months for completion.

If a nomination is successful in the preliminary evaluation stage, Parks Canada historians prepare a comprehensive report for submission to the HSMBC at one of their bi-annual meetings. During the meeting, the HSMBC reviews the reports for each subject and issues recommendations or may seek clarification on

aspects of an application. When clarification is requested, the subject is resubmitted at a subsequent meeting.

HSMBC recommendations are brought forward to the Minister of Environment and Climate Change for approval.

2.4 Implications for Maintaining National Historic Site Designation

Every National Historic Site has a set of reasons or an explanation for why it is significant or distinctive. The reasons why a National Historic Site are important are established by the HSMBC, and are laid out in a Statement of Commemorative Intent (*Framework for History and Commemoration*, 2019).

The *Historic Sites and Monuments Act* does not have the scope to legally protect designated sites, as the designation is commemorative in intent. As federal legislation, the federal government does not regulate privately owned property. A National Historic Site designation helps focus public attention on a particular site, but it does not affect ownership of the site or provide protection against interventions. However, before undertaking alterations to a National Historic Site, Parks Canada recommends following the guidance of the *Standards and Guidelines for the Conservation of Historic Places in Canada*[26]. Alterations to a National Historic Site that have a profound impact on the site's "integrity" or the reasons outlined the Statement of Commemorative Intent, may result in the removal of the National Historic Site designation.

For Labatt Memorial Park, the property's "double-designation" pursuant to the *Ontario Heritage Act* provides legal protection for the property's cultural heritage value. Heritage Alteration Permit approval may still be required for alterations to the property.

A National Historic Site designation is not anticipated to result in implications to the day-to-day operations or planned infrastructure improvements of the Labatt Memorial Park property for City staff.

2.5 Letters of Support

Letters of support from organizations and individuals are encouraged to accompany the nomination to demonstrate community support for the nomination. City staff and steering committee members have been successful in gathering support from individuals in the sports, heritage, and political community on a local, provincial, federal, and international level. A list of individuals and their representative organizations have provided letters of support in nominating Labatt Memorial Park as a National Historic Site of Canada. The valuable contents of their support letters can be found in Appendix E.

Support letters have been received by:

- John Thorn, Official Historian, Major League Baseball;
- Paul Beeston, Former President and Current President Emeritus, Toronto Blue Jays;
- Canadian Centre for Baseball Research Board of Directors – Andrew North, Robert K. Barney, William Humber, Brian "Chip" Martin;
- Dr. Colin Howell, Centre for the Study of Sport and Health, Saint Mary's University;
- Frank Consentino, Professor Emeritus, York University, Grey Cup Champion and Vanier Cup Champion;
- William Humber, Educator, Author, Historian, and Canadian Baseball Hall of Fame Inductee, 2018;
- Dr. Stephanie Radu, Beachville District Museum;

[26] The *Standards and Guidelines for the Conservation of Historic Places in Canada was prepared by Parks Canada* in 2001, as a part of an initiative called the Historic Places Initiative (HPI). The primary purpose of the document was to provide consistent best practices and guidelines for heritage conservation in Canada. The *Standards and Guidelines for the Conservation Historic Places in Canada* has not been adopted by the City of London.

- Zanth Jarvis, Director, Sport Tourism, Tourism London;
- Jennifer Grainger, Past President, London Region Branch, Architectural Conservancy Ontario;
- Terence Kernaghan, Member of Provincial Parliament, London North Centre;
- Scott Bush, CEO, Society for American Baseball Research; and,
- Barbara Barclay and Brenda Logan, Co-Chair, Hamilton Road Community Association and Members of the Hidden History of Hamilton Road.

3.0 Financial Impact/Considerations

3.1 Financial Requirements

There are no costs to apply to the HSMBC for a national historic site designation. Likewise, there are no costs or fees to maintain status as a National Historic Site.

3.2 Financial Opportunities

National Historic Sites are eligible for the National Historic Sites of Canada Cost-Sharing Program. This program supports preparatory aid projects and conservation projects, as well as the development of heritage presentation for owner and eligible lessees of national historic sites. A site owner may be reimbursed up to 50% of eligible costs incurred in the conservation and presentation of a National Historic Site. Funded projects include planning and works to conserve the heritage fabric of a site, as well as presentation projects to communicate the reasons for federal designation. The guidelines and calls for supported projects for this program are established annually.

Lastly, as a designation that is honourary in nature and commemorative in intent, National Historic Site designation increases public awareness of heritage places. Combined with the success of Tourism London's public tours of Labatt Memorial Park, as well as the partnership with the Canadian Baseball Hall of Fame and Museum and the Beachville District Museum in a "Southwestern Ontario Baseball Heritage Pass", National Historic Site designation has the potential to increase public attention for Labatt Memorial Park and a tourism site for London, Ontario.

Conclusion

First opening in 1877 as Tecumseh Park, now known as Labatt Memorial Park was initially the home of the London Tecumsehs. The park has played an important role in the growth and development of baseball in Canada and is recognized as the world's oldest baseball grounds.

National Historic Sites are places of profound importance to Canada, each telling their own unique story, contributing a sense of time, identity, and place to our understanding of Canada as a whole. To highlight its importance in Canadian sport history, staff recommend submitting the application to the National Historic Sites and Monuments Board of Canada to nominate Labatt Memorial Park as a National Historic Site of Canada.

Acknowledgments

Staff would like to acknowledge the numerous baseball and sport historians, enthusiasts, and volunteers who graciously contributed their time and effort to assist staff in researching the history of Labatt Memorial Park. Special thanks to Barry Wells who has long advocated for the commemoration of Labatt Memorial Park. Special thanks also to Stephen Harding, Riley Nowokowski, and Robert Barney who have provided continuous support to staff in researching Labatt Memorial Park and for gathering support for the application to the National Historic Sites and Monuments Board of Canada.

Prepared by:	**Michael Greguol, CAHP** **Heritage Planner**
Reviewed by:	**Britt O'Hagan, MCIP, RPP** **Manager, Community Planning, Urban Design, and Heritage**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**George Kotsifas, P. Eng.** **Deputy City Manager, Planning and Economic Development**

Appendix A – Property Location

Appendix B – Images

Appendix C – Historic Documentation and Images

Appendix D – Parks Canada National Historic Designation Flowchart

Appendix E – Letters of Support

Sources

Barney, Robert K. "For Argument's Sake: The Case for London's Labatt Park Against Its Challengers for the Distinction of Being the World's Oldest, Continuously Operated Ballpark" presented at the Canadian Baseball History Conference. 2018.

Barney, Bob, and Riley Nowokowski. "Floods, the Cycling Craze and Baseball Fever: A Century and a Half Transformation of Tecumseh Park/Labatt Park, 1877-2000" presented at the Canadian Baseball History Conference. 2019.

Barney, Robert K., and Riley Nowokowski. "A Canadian Distinction of Note: London, Ontario's Labatt Memorial Park, Baseball History's Oldest, Continuously-Operating Baseball Precinct" *Ontario History*, Volume 113, Number 2, Fall 2021, pp.127-272.

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Appendix A – Property Location

Figure 1: Location map, showing Labatt Memorial Park located at 25 Wilson Avenue.

Appendix B – Images

Image 1: Photograph looking west from the outfield towards the grandstands at Labatt Memorial Park.

Image 2: Detail looking west from the outfield showing the infield and grandstand.

Image 3: Photograph showing the scoreboard at Labatt Memorial Park, noting the park as the "World's Oldest Baseball Grounds".


Image 4: View looking down the third base line from leftfield.

Image 5: Photograph showing third base dugout and grandstand.

Image 6: Photograph showing the third base dugout.

Image 7: Photograph showing view through the front gate to Labatt Memorial Park from Wilson Avenue, showing the view to downtown London.

Image 8: Photograph showing a tour of Labatt Memorial Park in progress during the summer of 2021.

Image 9: Photograph showing one of the "fan-favourite" components of the tours of Labatt Memorial Park – an opportunity to play catch on the world's oldest baseball grounds.

Image 10: Photograph showing the Roy McKay Clubhouse, constructed in 1937, located behind the grandstands along the third baseline.

Image 11: Photograph showing the Roy McKay Clubhouse. The cottage-style clubhouse is identified as a heritage attribute protected by the heritage-designating by-law for the property's designation pursuant to Part IV of the Ontario Heritage Act.

Image 12: Photograph showing the interior of the Roy McKay Clubhouse as shown during the tours of Labatt Park during the summer of 2021.

Image 13: Photograph showing display within the Roy McKay Clubhouse during the tours of Labatt Memorial Park in the summer of 2021.

Image 14: Photograph showing display within the Roy McKay Clubhouse during the tours of Labatt Memorial Park in the summer of 2021.

Appendix C – Historic Documentation and Images

Image 15: Excerpt from the 1850 Sketch of London Township, showing the Forks of the Thames River. The Wharncliffe Road is shown west of the river running in a north-south orientation.

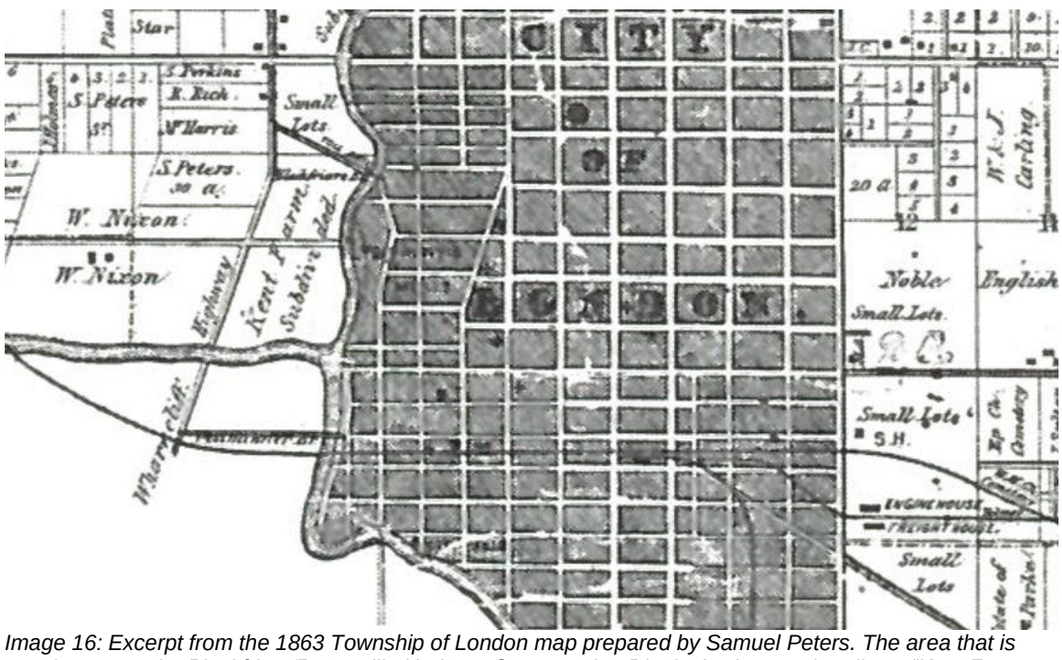

Image 16: Excerpt from the 1863 Township of London map prepared by Samuel Peters. The area that is now known as the Blackfriars/Petersville Heritage Conservation District is shown primarily as "Kent Farm Subdivided", including the location of Labatt Memorial Park.

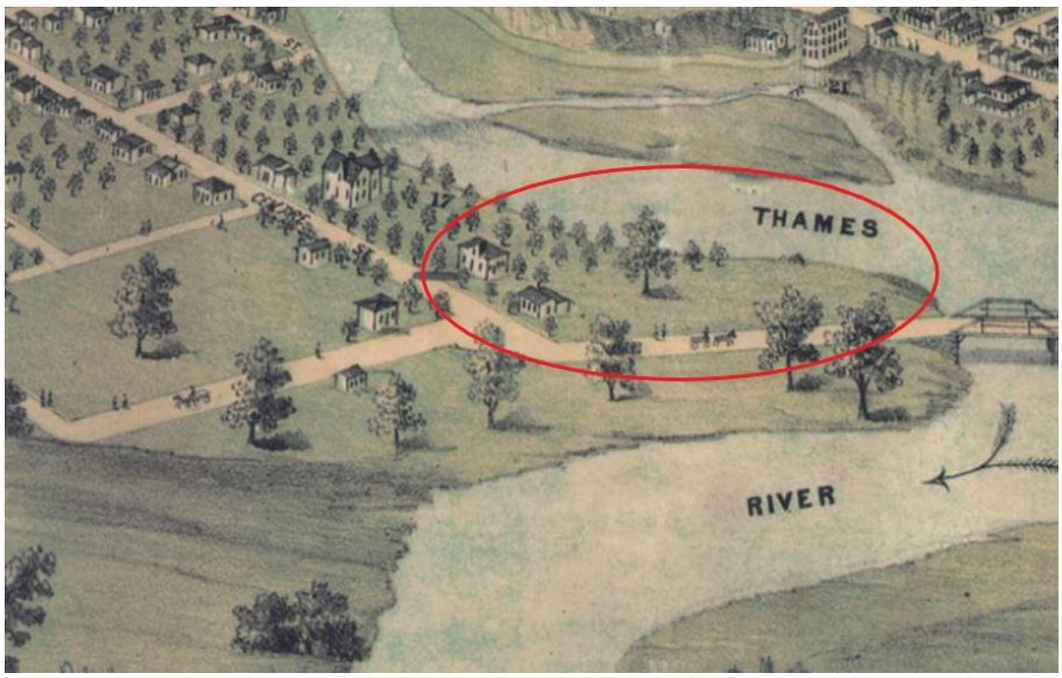

Image 17: Excerpt from the 1872 Bird's Eye View of London, Ontario showing approximate future site of Tecumseh Park.

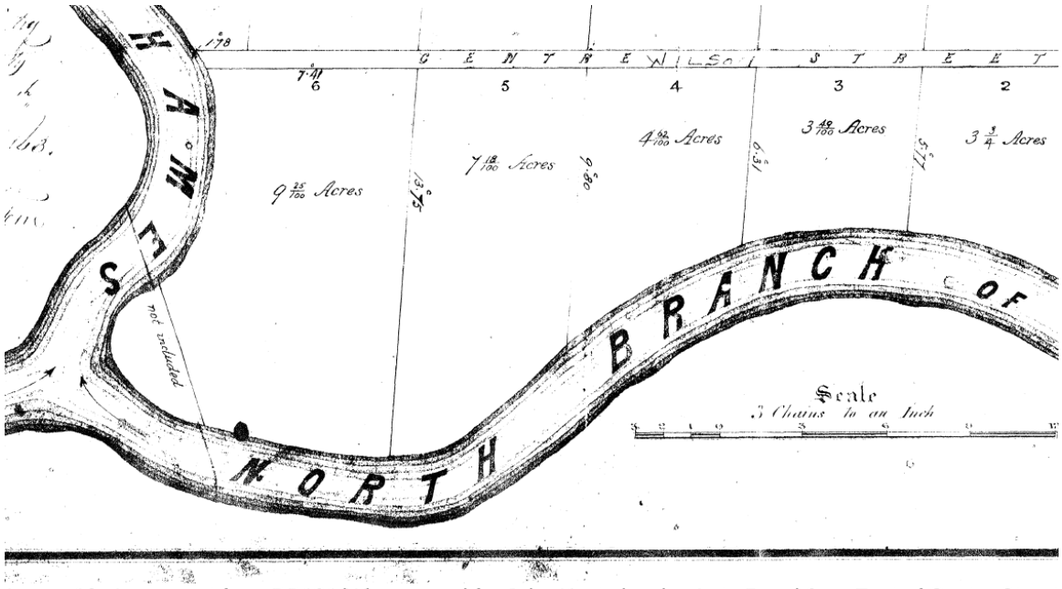

Image 18: An excerpt from RP191(W) prepared for John Kent showing Lots 5 and 6 on East of Centre Street (now Wilson Avenue). Tecumseh Park would later be constructed on a portion of these park lots.

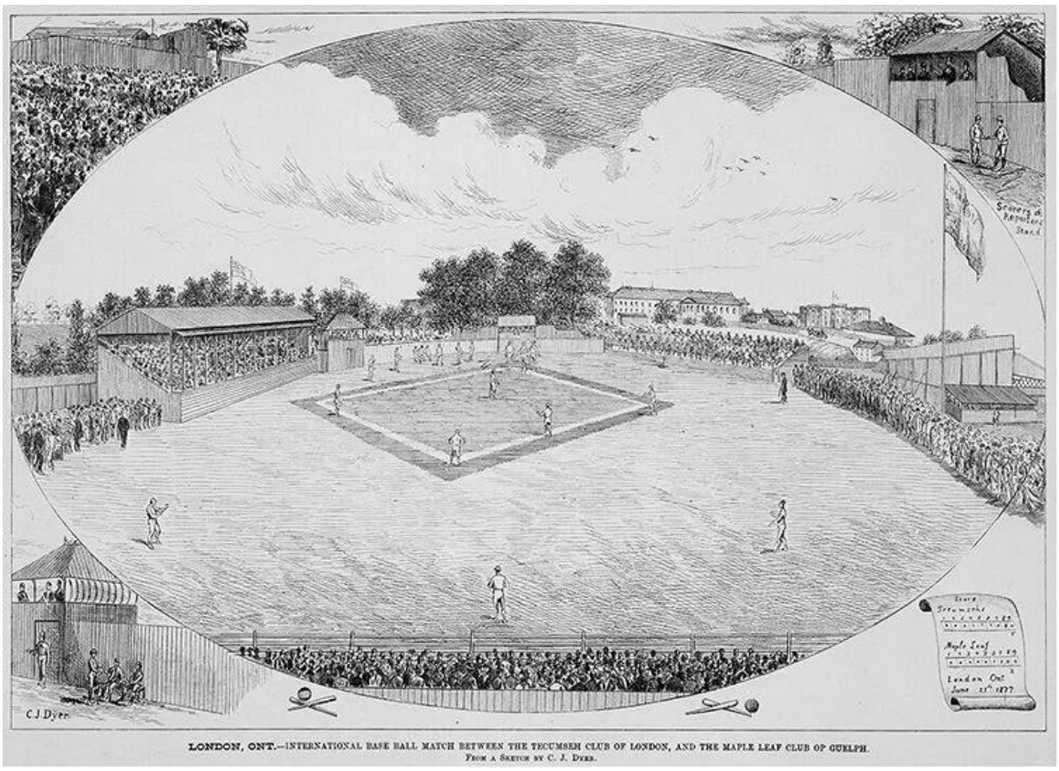

Image 19: Sketch showing an "International Base Ball Match Between the Tecumseh Club of London and the Maple Leafs of Guelph", as shown in the Canadian Illustrated News, July 14, 1877 (Western Archives).

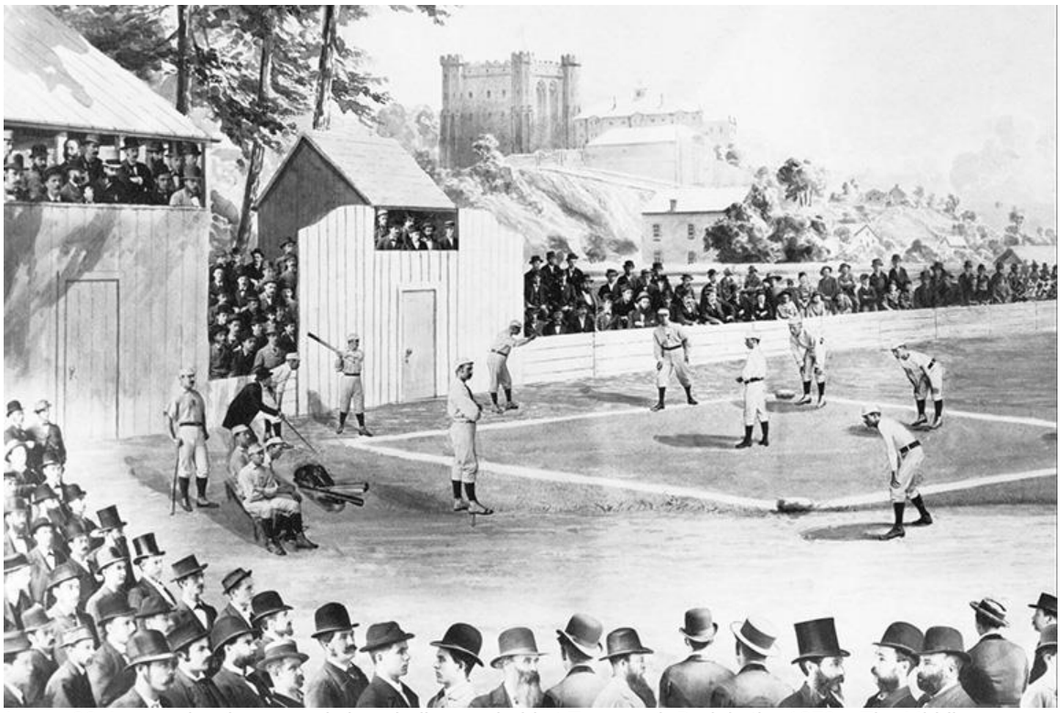

Image 20: Image showing an early baseball game held at Tecumseh Park in the 1870s. The Middlesex County Courthouse is depicted in the distance (Western Archives).

Image 21: 1876 London Tecumsehs baseball club as shown in the Canadian Illustrated News, July 15, 1879 (Western Archives).

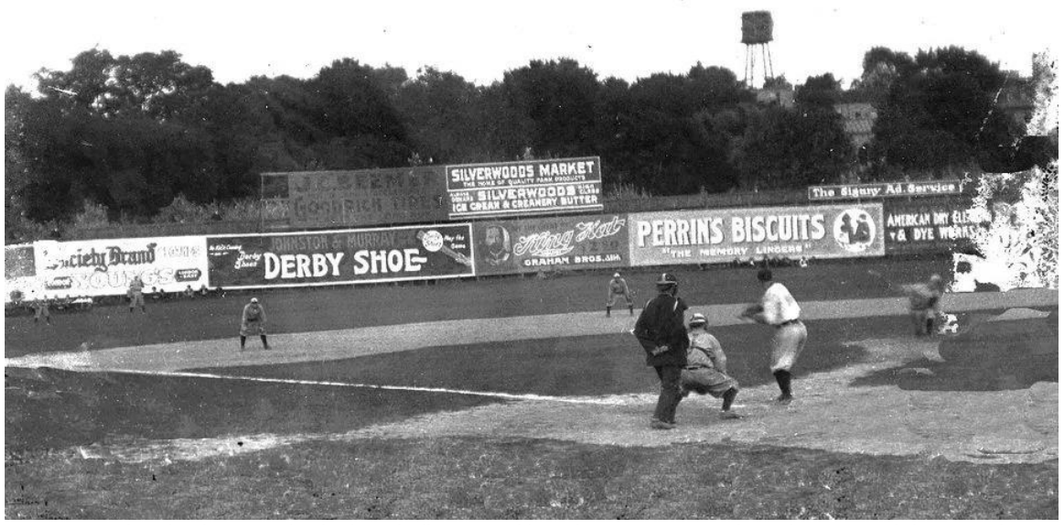

Image 22: Historic photograph of a baseball game taking place at Tecumseh Park, c. 1920 (Photograph from the Hines Collection, Western University Archives).

Image 23: 1911 London Tecumsehs of the Canadian League (Western Archives).

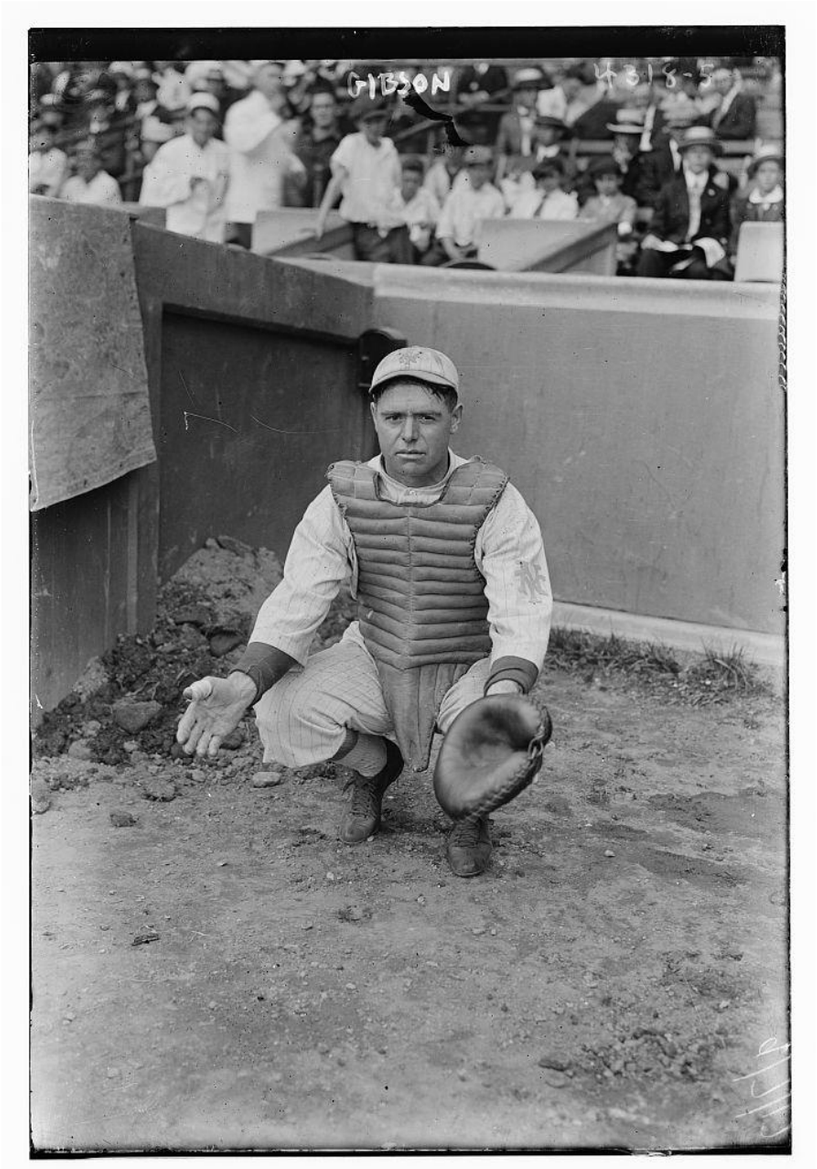

Image 24: Photograph of London's own catcher George "Mooney" Gibson (Western University).

Image 25: 1922 Aerial Photograph showing Tecumseh Park at bottom right. Note, the grid-iron pattern of the football field can also be seen in the aerial photograph. (Map and Data Centre, Western University).

Image 26: Photograph of the 1944 London Major team, as shown in the London Free Press (Courtesy of the London Majors Alumni Association).

Image 27: 1947 photograph of the Kellogg's women's softball team that held a reunion at Labatt Memorial Park. The team won at least one Ontario championship during the 1930s (Courtesy of the Friends of Labatt Park).

Image 28: Photograph of the 1948 London Majors (Western Archives).

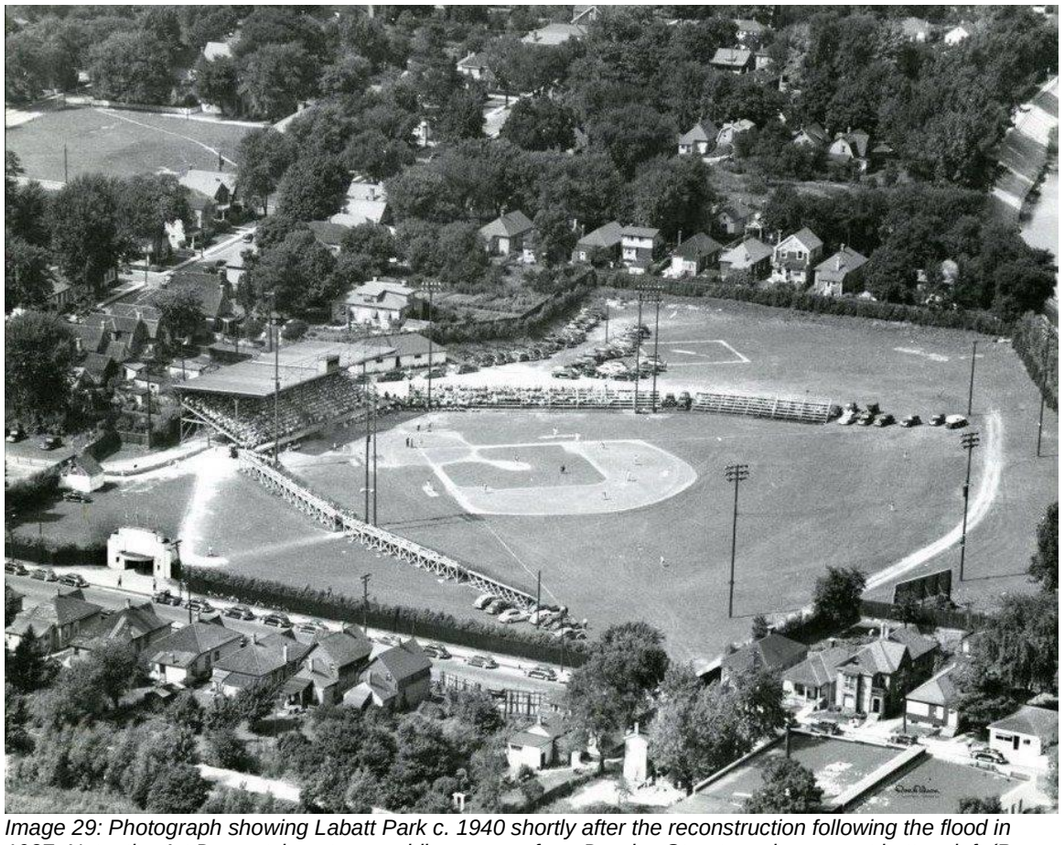

Image 29: Photograph showing Labatt Park c. 1940 shortly after the reconstruction following the flood in 1937. Note, the Art Deco style gates providing access from Dundas Street can be seen at bottom left (Ron Nelson Collection, Western Archives).

Image 30: Detail of the Art Deco style gates that provided access to Labatt Memorial Park from Dundas Street. The gates were officially opened in 1940 (Ron Nelson Collection, Western Archives).

Image 31: Photograph shown in the London Free Press, including George "Mooney" Gibson at left and Frank Colman, 1955 (Courtesy of Stephen Harding).

Image 32: Promotional photograph appearing in the London Free Press in 1989, marking the use of Labatt Memorial Park by the London Tigers (London Free Press).

Image 33: Photograph showing the first ever pitch at a London Werewolves game in 1999.

Image 34: Photograph showing rugby being played at Tecumseh Park in the 1920s, one of the many alternative uses for Tecumseh Park, later Labatt Memorial Park (Western Archives).

Image 35: Photograph showing the starting line of a bicycle race in the 1890s (Western Archives).

City Playground 'Olympics' Draw 1,200 to Two-Day Meet

COMPETITION KEEN AT LABATT PARK JUNIOR OLYMPICS
- - - young supporters cheer their favorites

—Free Press Photos by George Blumson

PRINCESS ELIZABETH PUPIL IN BROAD JUMP
- - - Jim Hoover flies through the air

Image 36: Newspaper clipping highlighting the successful and popular Playground Olympics as a part of the City's Outdoor Recreation Program. The "Olympic" event took place annually at Labatt Memorial Park throughout the mid-20th century (Courtesy of the Friends of Labatt Park).

Appendix D – Parks Canada National Historic Designation Flowchart

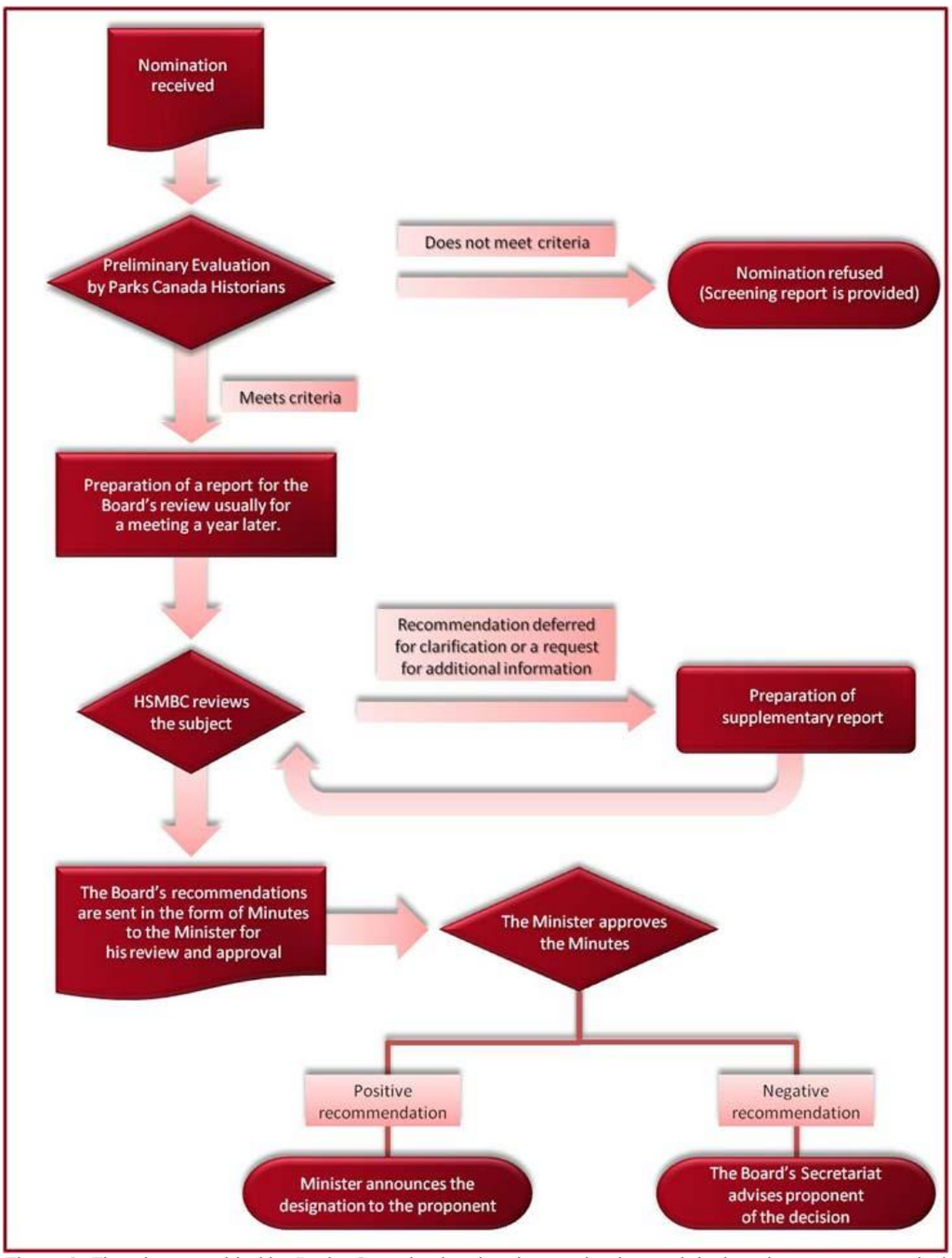

Figure 2: Flowchart provided by Parks Canada showing the nomination and designation process used when evaluating national historic designations.

Appendix E – Letters of Support

Letters of Support for nominating Labatt Memorial Park as a National Historic Site of Canada [attached separately].

Office of the Commissioner
MAJOR LEAGUE BASEBALL

September 13, 2021

Michael Greguol, CAHP
Heritage Planner
City Planning
City of London (Ontario)

Dear Mr. Greguol:

As Major League Baseball's Official Historian, I write today in support of the City of London's application to the Canadian Federal Government to recognize Labatt Memorial Park as a National Heritage Site.

This improbable survivor dates to 1877, when the professional game and league play were new: the International Association was founded as a rival to the National League, established the year before. Today scholars of the game identify the International Association as the game's first minor league, with many players from both sides of the national border.

The earliest MLB ballpark still in use is Boston's Fenway Park, from 1912. The concrete-and steel edifices of that era testified to the magnates' confidence in the enduring popularity of the game. The largely wooden construction of the earliest period reflected their hope that professional baseball would take hold.

Labatt Memorial Park is the oldest extant ballpark built to accommodate spectators—the key to the game. Canada and the United States have shared this pastime from its beginnings. They have built ballparks, torn them down, and replaced them. Only this one, from the dawn of the game, survives.

Now, I believe, is the right time to honor Labatt Memorial Park as a National Heritage Site.

Thank you for your consideration of my views.

Sincerely,

John Thorn
Official Historian, Major League Baseball

Paul M. Beeston

Michael Greguol CAHP
Heritage Planner
City Planning
City of London

Dear Mr. Greguol,

Please accept my enthusiastic and unconditional support of the City of London's application to our Federal Government to recognize Labatt Memorial Park as a National Heritage site.

Having lived in London for twelve years, I spent many evenings at Labatt Park in the 1960s-1970s; enjoying the great game of baseball at this historic ballpark, that was just shy of it's 100th anniversary when I attended my first game in the 1960s.

This ballpark, located in the centre of the city, has played host to professional, semi-professional and amateur teams of all ages for over 140 years and is recognized by fans of all sports, but for fans of baseball in particular. Labatt Memorial Park means London.

We do not have many venues in Canada (or North America for that matter) that have stood the test of time. Labatt Memorial Park has clearly met this threshold. Labatt Park was and is a meeting place where citizens from generations long ago to the present enjoy the game in the exact same location, on the bank of the Thames River.

As a former president of both Major League Baseball and the Toronto Blue Jays, I recognize my bias. As a Canadian citizen and fan of the game, I am impartial in my thoughts and support and encourage without reservation the recognition of Labatt Memorial Park as a National Heritage Site.

I would be pleased to provide further details should you require.

Sincerely,

Paul Beeston.

Paul Beeston CM

Centre for Canadian Baseball Research

398 Queen St. E., P.O. Box 3305, St. Marys, Ont. N4X 0A6

Date: March 4, 2019

To: Mayor and Members of London City Council

Labatt Park (nee Tecumseh Park) was at first considered to be too far out of town to ever be sustained by a baseball loving public in London. How wrong those 1877 naysayers were! It's not only an urban jewel on the edge of the city's downtown but Canada's claimant to international standing as the game of baseball's oldest ballpark. Long may it reign as a nationally recognized treasure.

The undersigned heartily endorse the consideration of Labatt Park for National Heritage designation.

Robert K. Barney, Director

William Humber, Director

Brian "Chip" Martin, Director

Andrew North, Director

Tecumseh/Labatt Park

In early 1877, after months of controversy, Canada's new baseball champions, the London Tecumsehs, finally acquired a new park to replace their temporary home at the Exhibition Grounds, near today's Victoria Park.

Finding new quarters was essential to the team, whose popularity was soaring. Contests with archrival Guelph Maple Leafs, for instance, had drawn as many as 10,000 spectators. After the collapse of temporary stands during a Guelph game the previous year, Tecumseh directors needed something permanent to meet team needs and those of its growing legion of fans. Besides, every September, late in their season, the team lost their field to the annual Western Fair.

W. J. Reid, a successful china merchant and team backer, found a chunk of land across the Thames River from downtown. The low-lying field at the river forks was susceptible to flooding, but when dry, animals grazed there. Impromptu games, including baseball, had been played for at least two decades on the grassy meadow where natives had once grown corn. The six-acre site, located in a small settlement known as Petersville, had great potential. It was an easy five-minute walk across Kensington Bridge from downtown shops, businesses, and homes and the Grand Trunk Railway station on York Street.

The field was named Tecumseh Park. Of the playing field, the *London Advertiser* said:

> There is a strong force at work leveling and preparing the new grounds for the Tecumsehs, and numbers visit the place during the day to view the location and watch proceedings. Every friend of the club appears pleased with the pluck and enterprise displayed by the Tecumseh managers in grappling so successfully with the difficulties thrown in their way by certain citizens who opposed the granting of a ball field off the Park grounds. Property in the immediate neighborhood of the new ball grounds has increased in value a hundred per cent, since Saturday.[i]

A contract for 2,000 yards of sod was let to a Mr. Murdoch, and fencing and construction of stands for spectators proceeded quickly, along with a "brisk competition" for the lease of the refreshment stands. The city provided road shavings to help raise and level the land.

Construction was overseen by contractors Broadbent and Overall. The work included installation of a telegraph wire from the downtown office of the Montreal Telegraph Company so game scores could be relayed promptly to and from other ballparks.[ii]

A 600-seat grandstand arose in short order as well as bleachers and a separate structure for reporters, scorers, and telegraph operators. The playing surface featured an in-ground watering system. A "director's pavilion" was also erected, paid for by new Tecumseh president Jake Englehart.

The new ballpark caught the attention of the *Canadian Illustrated News* a few months later. The publication

featured an illustration of Tecumseh Park during a game between London and Guelph. "The baseball grounds and buildings," it said, "have been fitted up at an expense of upwards of $3,000 and without doubt are the best for the purpose in the Dominion."[iii]

The first game, was an exhibition match against the city's premier amateur team, the Atlantics on May 3. Two days later, the first professional game was a 6-2 loss to the Hartford (Connecticut) Dark Blues.

During 1876, the Tecumsehs emerged from the shadows of the Guelph Maple Leafs, winning all four of their contests before thousands of rabid fans. To beat Guelph at their own game, the Tecumsehs began adding Americans to their roster. The Tecumsehs captured and mirrored the young city of London's hopes and aspirations, just as the Maple Leafs had done for Guelph, a town half the size of London.

So by 1877 it wasn't far-fetched for either team to want to play some of the best teams in the United States on a regular basis. Topnotch competition in Canada was hard to find. Barnstorming American teams often visited Southern Ontario and regularly sought games with London and Guelph because of the good crowds they drew. Despite their relatively small size compared to many American cities, London and Guelph felt the strong attendance at their games was a factor that might help gain them entry into any U.S.-based professional loop. When it came to attendance, the Ontario cities were already in the big leagues.

In 1877, London and Guelph became founding members of the International Association, a league that competed head-on against the one-year-old National League. And London won the inaugural pennant at Tecumseh Park when the Tecumsehs defeated the Alleghenys of Pittsburgh in October.

London left the International Association after 1878, although at one point the Tecumsehs considered joining the National League.

By 1936, the park had become run down and at risk of being demolished when the Labatt Family purchased it, donated $10,000 to help rebuild it and gave the property to the city of London. It was renamed Labatt Memorial Park.

In 1990, the park was awarded the Beam Clay Baseball Diamond of the Year Award as the best natural grass ballpark in North America.

In 1994, the park was declared an historic site under the Ontario Heritage Act.

In 2009, the Guinness Book of World Records named Labatt Park the World's Oldest Baseball Grounds.

In 2011, Baseball Canada held a contest in which voters chose it as "Canada's Favourite Ballpark."

During its long history, several professional, semi-professional and amateur teams have called Labatt Park

home. The longest tenant has been the London Majors of the Intercounty Baseball League.

By Chip Martin, author of *The Tecumsehs of the International Association,* founding director of the Centre for Canadian Baseball Research, member of the National and Canadian Baseball Halls of Fame and of the Society for American Baseball Research.

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[i] *London Advertiser*, April 17, 1877.
[ii] "Ball and Bat," *London Free Press*, April 25, 1877.
[iii] *Canadian Illustrated News*, July 14, 1877, quoted in Pat Morden, *Putting Down Roots* (St. Catharines, Ontario: Stonehouse Publications, 1988), 47.

SAINT MARY'S UNIVERSITY SINCE 1802 | CENTRE FOR THE STUDY OF SPORT & HEALTH

July 15, 2021

Michael Gerguol, CAHP
Heritage Planner
City Planning
City of London

Dear Mr. Greguol:

The City of London has an illustrious baseball history, from the early exploits of the London Tecumsehs almost a century and a half ago, to the wartime and postwar London Majors, longtime participation in the Intercounty League, and various stints with the minor leagues and independent league baseball. One constant throughout its history is Tecumseh/Labatt Park which has the distinction being "the world's oldest, continually operating ballpark in baseball history." This claim is not mere "boosterism, but has been carefully documented by Dr. Bob Barney and Riley Nowokowski, who demonstrate that London's claim is stronger than that of the two other competitors for this honour, Clinton and Pittsfield, Massachusetts.

Given its significance I am pleased to write in support the proposal for the national historic designation of Labatt Park. As a baseball historian who has also worked in support of the Canadian Baseball Hall of Fame, I am very committed to recognizing the history of the game across the country as well as London's pre-eminent place in that larger story.

Yours sincerely,

ColinHowell

Dr. Colin Howell
Academic Director
Centre for the Study of Sport and Health
Saint Mary`s University
Halifax, NS, B3H 3C3

Michael Greguol, CAHP,
Heritage Planner,
City Planning,
London City Hall,
206 Dundas St.,
London, Ontario,
N6A 1G7

Frank Cosentino. PhD,
Professor Emeritus
York University, Toronto
M3J 1P3

July 27, 2021

Dear Sir:

I am writing this letter in support the City of London's Heritage Department quest to have Labatt Park declared a National Heritage Distinction Site.

There is no question that the upcoming article to the *Ontario History* by Dr. Bob Barney and Riley Nowokowski and the action by the Guinness Book of Records verifies your claim.

The purpose of this missive is not to so much repeat the already submitted records. My submission has more to do with my national outlook, to make the public more aware of significant events, to instill pride in our nation.

For more than 30 years I taught courses in sport history with emphasis on Canada. I discovered that we, as a nation, suffered from "cultural amnesia". We had few books, movies, music and, yes, sport, within our memory banks. Students who took the courses were always surprised and amazed that Canada had such an abundance of stories, perhaps ones that their grand parents recalled but not so the students' generation.

One example re baseball: It was known by many as America's Pastime, its date of "discovery" in 1845 by Alexander Cartwright and his team the New York Knickerbockers. But that was 8 years after baseball was played in Canada at Beachville on June 4, 1838. (Canadian Encyclopdia, William Humber, p.143). Sometimes, there is a tendency when "legend" interferes with "fact" it is the legend that is promoted or printed.

Writing as an author of mostly Canadian sport books, I am well aware of the difficulty of Canadian books still being published. The Heritage projects are therefore even more valuable for identifying terminal points, markers if you will, of our Canadian History and it is my humble opinion that London's

Labatt Park "has played an important role in the growth and development of baseball in Canada and is recognized as the world's oldest baseball grounds. (And I'm pleased to mention that as a member of the Intercounty Baseball League I played in Labatt Park.)

All the best in this very noteworthy and necessary addition to Canada's National Heritage Distinction Site.

Frank Cosentino

Frank Cosentino, professor emeritus and senior scholar, York University, played ten years in the CFL and coached 12 years intercollegiate football. He was on two Grey Cup winning teams and coached 2 Vanier Cup winners. He has authored or co-authored 18 books. See www.valleyoldtimers.com He is a member of the Canadian Football Hall of Fame Class of 2018

William Humber, 15 Beech Avenue, Bowmanville, Ontario, Canada L1C 3A1
educator, author and historian
wa.humber@gmail.com

This letter is written in support of Labatt Memorial Park's designation as a National Historic Site of Canada. In so doing, it would recognize the extraordinary story of baseball's deep, and often misunderstood, heritage in this country.

Baseball's development as a modern game is one shared by Canada with the United States in all important aspects of its evolution from a folk game, through multiple modernization experiments, to its taken for granted sports identity today. As a folk game, we have ample records of its play in Canada from the late 18th through the early 19th century in a period before the game claimed any national identity. The 4 June baseball contests in Upper Canada in 1819 and 1838 are simply one example of the continuity necessary for this joint venture between Canadians and Americans to develop a modern foundation. As the game rounded into a true modern form in the 1850s through early 1870s Canadians controlled all aspects of the game's play in their country including internal organizational leadership, lineups of local players, and teams who not only represented towns and cities regardless of size but who often competed against each other for national supremacy.

This Canadian initiative would become increasingly connected with its American partners in the form of regularized cross border play and the sharing of player talent. As late as 1876, however Canadian teams in Ontario had their own distinct league as a counterpoint to the American-based National League. In 1877, the London Tecumsehs and Guelph Maple Leafs took a leap of faith in the sport's future by fully integrating their organizations into the International Association, a radical attempt to create a different approach from the exclusive membership model of the National League. Had it succeeded baseball in North America might have come to resemble the tiered but open network of teams later popularized in European soccer. Unfortunately, it failed and so a caste system of major and minor league entities, with no on-field opportunity for the latter to join the former, came to define baseball, as it would other modern sports in North America.

At the centre of this process was the London Tecumsehs organization, which effectively declared its big league status in 1877 by constructing Tecumseh Park, on the very site of today's Labatt Memorial Park, for their first season in the International Association. The Park had all the aspects of a major league facility of its day including telegraph resources not only to broadcast game reports to the outside world but also to receive those from other cities. Guelph would leave this circuit by the end of the 1877 season while London's possible off-season intention of applying for, or accepting, National League membership was abandoned at least in part because it would have meant a loss of lucrative exhibition dates with local rivals.

In 1878, the era's foremost sports paper, the New York Clipper, described the International Association as baseball's leading professional entity. At the same time, the National League was still dealing with how it might replace expelled franchises in New York and Philadelphia after the 1876 season, and the impact of a gambling crisis in Louisville in 1877. Its future was by no means certain. Alas, the International's long-term survival was not to be. London left the International Association by season end of 1878 and its baseball future would forever be one of either membership in baseball's minor league

"caste" system, or in the independent, semi-pro, Intercounty Baseball League. In all of these entities Tecumseh Park, renamed Labatt Park after severe flooding in the 1930s destroyed any remnant of its original built iteration, has been continuously maintained as the place for the highest available level of baseball play, though home plate has shifted so that fly balls are now hit toward the Thames River.

It is an extraordinary story and more so since this living symbol of the game in Canada continues to function with the same purpose as when the site was built upon in 1877, though never again at its early major league level. It is simply the oldest continuously functioning ballpark site anywhere in the world as defined by being a place for both a grandstand of spectators and a ball diamond of players.

Labatt Memorial Park is a historic jewel in the Canadian landscape of built-upon features. As such, it should be designated as a National Historic Site in Canada.

In appreciation,

William Humber,
Canadian Baseball Hall of Fame inductee 2018

Beachville District Museum

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BEACHVILLE DISTRICT HISTORICAL SOCIETY

Attn: Mail Room, Michael Greguol (206 Dundas) c/o 300 Dufferin Ave., London, ON N6B 1Z2
Letter of Support: National Designation for Labatt Memorial Park

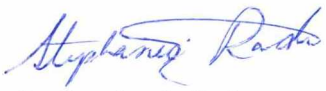
Designated National Historic Sites provide opportunities for Canadians to capture, share, celebrate and learn from our countries exceptional designs, cultural traditions, important figures and defining events. Recognizing this criterion, I am writing in support of the application to designate Labatt Memorial Park.

One need only look at the popularity of Cooperstown, New York to acknowledge how significant national centres of sport history can develop. Cooperstown functions as a hub for baseball scholarship and tourism. It is a site of pilgrimage for baseball enthusiasts and allows the roots of the sport to be preserved and shared. Labatt Park is positioned to become a similar hub of present sport activities, research, education-focused public history and sports-focused tourism. It is the home of the Inter-county Baseball League's London Majors, making the ballpark a lively site for baseball fans to visit. It also hosts the Major's Alumni Association, a team of researchers and former players committed to the study of baseball's history and to the commemoration of baseball's greats within the Park. It has maintenance and preservation support from the City of London and Tourism London. This team of caretakers and stakeholders is equipped to ensure the park functions as a strong national historic site for public appreciation.

Canada marks less than a handful of places connected to its baseball heritages. While it does have museums and halls that speak to the history of the sport, Labatt Memorial Park offers a new opportunity for the culture of the sport to be understood and more tangibly felt. The ballpark occupies the same footprint it did in the 19th century. As a historic site, it was known as Tecumseh Park, and was the home base of the London Tecumsehs, who became Canadian Champions. It was also a major site in the early years of Canada's baseball leagues – drawing international teams across borders to play at the Park against Canada's best athletes. The Park operated as a training ground for some of Canada's highly-skilled baseball players and as a site for Canada's cycling enthusiasts (as the hometown of the Canadian Wheelmen's Association). It was also where the Eager Beaver Baseball Association grew up. While the Association was locally run by the Public Utilities Commission, it became a model for other baseball training programs and was emulated across the country.

Professionally, I maintain ties with the Canadian Baseball Hall of Fame, the London Majors, the Society for American Baseball Research and the Canadian Centre for Baseball Research, and Western University and I understand that there is great demand amongst those who run such organizations (as well as among the sport-loving audiences that these sites and organizations serve) for Labatt Park's full significance to be recognized and celebrated. As the longest-continuously-operating baseball grounds in the world (with a history dating back to 1877) and as a site of numerous stories and events of national significance, it is belongs in our country's list of designated heritage sites.

With regards,



Dr. Stephanie Radu
Curator

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Thursday, September 16, 2021

Michael Greguol
Heritage Planner, Planning and Economic Development
City of London
206 Dundas Street
London, ON N6A 1G7

Greetings,

On behalf of Tourism London, the destination marketing organization for the City of London, I'd like to provide this letter of support towards the National Heritage Site Designation Application for Labatt Memorial Park, the world's oldest baseball grounds. This designation would provide the much-deserved recognition of this historic site which has been hosting baseball for nearly 150 years and has welcomed some of Baseball's most legendary and impactful players including Ty Cobb, Satchel Paige, Honus Wagner among many others.

Not only is this designation important from a civic pride perspective, but it's also extremely meaningful for tourism. Each year, many passionate tourists travel to London to visit Labatt Park to learn more about this historic facility which they've discovered through their own research. To support this tourism demand, this past summer we launched a tour program where we produced signage and offered guided tours around the venue (www.labattparktours.com). The program was an overwhelming success, with guests traveling from across Ontario to learn more about Labatt Park and its impressive history.

This shows that the demand for tourism exists, and by receiving National Heritage Site Designation, it would officially acknowledge and recognize the important heritage of Labatt Park while allowing us to promote at a national level, resulting in an increase in tourism for the City.

We are proud to support this application and appreciate you taking the time to review this letter. Best of luck as you continue to go through this process and please don't hesitate if you have any questions.

Sincerely,

Zanth Jarvis
Director, Sport Tourism
Tourism London
zjarvis@londontourism.ca
(226) 984-8640

Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge, 1017 Western Road, London, ON N6G 1G5

Monday, September 20, 2021

Mr. Michael Greguol, Heritage Planner, City of London

Re: Labatt Park as a Canadian National Historic Site

Dear Mr. Greguol:

I am writing in support of the designation of London's Labatt Park as a National Historic Site of Canada.

Our National Historic Sites are places of profound significance. They bear witness to our nation's defining moments and exemplify our creativity, accomplishments, and culture. Each of our National Historic Sites tells its own distinctive narrative, part of the greater story of Canada, and contributes to a better understanding of our country as a whole.

The following points illustrate the importance of Labatt Park:

- Labatt Park is the world's oldest baseball field, in use since at least 1877.
- It is also London, Ontario's oldest sports facility.
- The park was built for the London Tecumsehs, one of the best-performing ball teams in the world at that time. The Tecumsehs won the inaugural pennant of the International Association, established to rival the National League in 1877.
- The park was designated an historic site under Part IV of the Ontario Heritage Act in 1994.
- The Roy McKay Clubhouse dates to 1937, having been built after the devastating Thames River flood of that year. This clapboard building, an important London Majors gathering place, was designated under Part IV of the Ontario Heritage Act in 1996.

The fact that London, Ontario is home to the world's oldest baseball park seems to be largely unknown beyond London's heritage community and baseball historians. Designation as a National Historic Site would help to remedy this situation, as subsequent promotion would help publicize the park to Canadians and baseball fans around the world. Tourism will bring sightseer dollars to London's core and help revitalize our downtown.

London has only four other National Historic Sites: Banting House; Wolseley Barracks; the former Middlesex County courthouse; and the Ridout Street complex known as "Bankers' Row." The two latter sites are owned by developers, making their future as historic monuments in doubt. I would argue that, for a city of its size, London should have more nationally-recognized sites. London does not lack history but often seems to lack "home town pride" or the will for self-promotion. The addition of another site helps remedy this situation. Labatt Park is eminently worthy of being our next National Historic Site and we at ACO London fully support its designation.

Sincerely,

Jennifer Grainger
Past President, London Region Branch, Architectural Conservancy Ontario

Terence Kernaghan
MPP London North Centre

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29 September 2021

Dear Historic Sites and Monuments Board of Canada Secretariat,

It is my pleasure to write to you in support of Labatt Memorial Park receiving official designation as a National Historic Site. For over a century, the grounds at Labatt Memorial Park have provided entertainment, leisure, and community to thousands of Londoners, spectators, and hosted professional athletes from all over North America. An official designation from the Historic Sites and Monuments Board of Canada would recognize the important role Labatt Memorial Park has played as a site of culture, leisure, and the development of professional baseball in Canada.

Located at the forks of the Thames River on Wilson Avenue, Labatt Memorial Park holds the record for the world's oldest baseball field. The site is already recognized at local and provincial levels as a site of significance under the *Ontario Heritage Act*, but merits national recognition as well. Other national historic sites in Canada have earned their designation for playing an integral role in the development of professional sports in our country and for embodying exciting moments in our sporting history. Toronto's Maple Leaf Gardens and the Montreal Forum in Quebec, for instance, are two notable examples designated for their contributions to Canada's hockey culture. Originally built in 1877, the grounds at Labatt Memorial Park have played a similar role in charting the development of baseball in Canada. The field has hosted countless teams and numerous championship games featuring Canadian and American athletes throughout its lengthy history. As a proud Londoner, I remember attending many games with my father, hearing stories about visiting legends such as Satchel Paige as well as homegrown heroes such as Frank Colman and Tom Burgess, and those who came to London after storied professional careers such as Denny McLain and Fergie Jenkins. Recently, Labatt Memorial Park was the most appropriate venue to host London's returning Tokyo Olympians Damian Warner, Maggie McNeil, Miranda Ayim, Susanne Grainger, and Jennifer Martins in a celebration of their spectacular achievements. The world's oldest baseball field is firmly rooted in history and looks forward to the bright future of sport.

Labatt Memorial Park is an important site that reflects the development of Canadian baseball and tells us how Canadians have used sport to cultivate a sense of pride and community. It is my hope that the Historic Sites and Monuments Board strongly considers designating Labatt Memorial Park a National Historic Site to ensure it remains an important site of Canadian sporting history.

Sincerely,

Terence Kernaghan

Society for American Baseball Research
Cronkite School at ASU
555 N. Central Ave. #416, Phoenix, AZ 85004
602.496.1460 (phone)
SABR.org

October 4, 2021

Michael Greguol, CAHP
Heritage Planner
City Planning
City of London Ontario, Canada

Dear Mr. Greguol:

The Society for American Baseball Research (SABR) and its members have long known that the City of London embraces a distinguished place in baseball history, from the early years of the 1870s until the present day. To further this fact, SABR is currently publishing a substantial book on the history of baseball in Canada, of which the story of Tecumseh-Labatt Park is one of its most substantial chapters. Our organization, with nearly 7,000 members worldwide, is dedicated towards preserving the history of baseball, including its rare artifacts from the past that continue to have a presence in our lives today. Labatt Memorial Park in London is one such rarity, being baseball history's oldest ball-grounds precinct. The names of some of Canada's and America's most revered National Baseball Halls of Fame members (in St. Marys, Ontario and Cooperstown, New York) played at the Park at one time during their noteworthy careers—Ferguson Jenkins, Ty Cobb, and Charlie Gehringer among them. The Park's rich history has been both honored and ably embellished on-site by distinguished plaques, colorful storyboards, enhanced City of London beautification efforts, and well-received heritage tours.

Therefore, SABR eagerly and enthusiastically registers its unreserved support for the efforts of the City of London in the quest for Labatt Park to become a National Historic Site. Such a distinction is a powerful agent in the heritage protection/preservation of this now hallowed 144 year old site-location enjoyed by both London and greater Canadian visitors/users.

Yours in baseball,

Scott Bush
SABR CEO
xxxxxxxxxx

Hidden History of Hamilton Road

October 5, 2021

Michael Greguol
Heritage Planner
City of London
mgreguol@london.ca

Designate Labatt Memorial Park as a National Historic Site

The Hamilton Road Community has enjoyed many significant connections to baseball in London, beginning in the 1870's. Jacob Englehart was among London's pioneer oil refiners and a founder of Imperial Oil of Canada. Imperial Oil's first refinery was located in the vicinity of Hamilton Road and Adelaide Street. Mr. Engelhart was the major sponsor of the London Tecumsehs, "Canada's First Major League Baseball Champions". 1

There have been many great players, managers and team owners that have come from the Hamilton Road area of whom we are most proud! Included are; the late great Stan (Gabby) Anderson, Gerry Anderson, Norm Aldridge, Stan "Tubby" Jones, Tom "Scrap" Brownlie, Barry Howson, Frank Colman, Alfie White, Irene Brownlie, Pearl Price, Marion Clarke-Knowles, Barbara Bossance, and many others.

The present owners of the London Majors Baseball Club, Scott Dart and Roop Chanderdat were raised in the Hamilton Road area and went to school here. In the late 1950s and early 60's the London Majors were owned by Frank Colman and his brother Jack, who also came from the Hamilton Road area.

It would be wonderful if Labatt Memorial Park could become a National Historic Site.

Thank you!!

Barbara Barclay/Brenda Logan
Co-Chairs, Hamilton Road Community Association
Members, Hidden History of Hamilton Road

1 *"The Tecumsehs of the International Association*", by Brian "Chip" Martin, pub. 2015

Intercounty Baseball League "Gabby Anderson's Golden Bat" presentation. Standing l-r are: Mike Mitchel, Barry Boughner, Rick Corner, Dave Byers of the Majors Alumni, Cleveland Brownlee, designated hitter for the London Majors and Richard Anderson. Gabby was raised on Glenwood Avenue in the Hamilton Road area.

Report to Planning and Environment Committee

To: **Chair and Members**
London Advisory Committee on Heritage
From: **George Kotsifas, Deputy City Manager, Planning and Economic Development**
Subject: **Heritage Alteration Permit application by M. & J. DeQuartel at 64 Duchess Avenue, Wortley Village-Old South Heritage Conservation District**
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the doorway of the heritage designated property at 64 Duchess Avenue, located within the Wortley Village-Old South Heritage Conservation District **BE PERMITTED** as submitted with the following terms and conditions,

a) The door and doorway be painted;

b) The proposed alterations to the doorway be completed within six (6) months of Municipal Council's decision on this Heritage Alteration Permit; and,

c) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

Executive Summary

The property at 64 Duchess Avenue is a significant cultural heritage resource, designated pursuant to Part V of the *Ontario Heritage Act* as part of the Wortley Village-Old South Heritage Conservation District. The property owners undertook alterations to the heritage designated property without obtaining a Heritage Alteration Permit, which resulted in the loss of the rare and significant London Doorway. Staff have worked with the property owners to propose alterations that are more compatible than the alterations that were completed without Heritage Alteration Permit approval. The alterations proposed in this Heritage Alteration Permit should be approved with terms and conditions.

Linkage to the Corporate Strategic Plan

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

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

Analysis

1.0 Background Information

1.1 Location

The property at 64 Duchess Avenue is located at the northwest corner of Duchess Avenue and Edward Street (Appendix A).

1.2 Cultural Heritage Status

The property at 64 Duchess Avenue is included in the Wortley Village-Old South Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.-3439-321 on June 1, 2015. The property is B-rated by the *Wortley Village-Old South Heritage Conservation District Plan*, meaning that it

contributes to the heritage character of the Wortley Village-Old South Heritage Conservation District.

1.3 Description

The house at 64 Duchess Avenue was constructed circa 1882 for Thomas Westby. The construction of the house at 64 Duchess Avenue was part of the trend of residential development that characterizes the evolution of London South – first established as a Crown reserve for colonial administrators, subdivided into park lots, and further divided into estate sized lots upon which the house at 64 Duchess Avenue was constructed.

The Italianate architectural style is exemplified in the design of the house at 64 Duchess Avenue. The two-and-a-half storey buff brick dwelling has a L-shaped plan, with historic and contemporary additions. A shallow hipped roof is exaggerated by a heavy frieze and bracket course, characteristic of the Italianate style. Other Italianate details include the brickwork details including pilasters and voussoirs, the combination of segmented arch and rounded arch openings, and the overall vertical emphasis of the dwelling's features. The house at 64 Duchess Avenue originally featured a London Doorway, a rare and unique tripled arched wood doorway that is only found in the London area.

In about 1940, the house at 64 Duchess Avenue was converted into five apartment units.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

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

2.1.1 *Provincial Policy Statement*

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

"Conserved" is defined in the *Provincial Policy Statement* (2020), "means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments."

2.1.2 *Ontario Heritage Act*

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

a) The permit applied for
b) Notice that the council is refusing the application for the permit, or
c) The permit applied for, with terms and conditions attached (Section 42(4), Ontario Heritage Act)

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

2.1.2.1 Contravention of the *Ontario Heritage Act*

Pursuant to Section 69(1) of the *Ontario Heritage Act*, failure to comply with any order, direction, or other requirement made under the *Ontario Heritage Act* or contravention of the *Ontario Heritage Act* or its regulations, can result in the laying of charges and fines

up to $50,000.

2.1.3 *The London Plan*

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

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

2.1.4 *Wortley Village-Old South Heritage Conservation District Plan*

Doors and penetrations of the exterior walls of a building, like windows, are recognized as heritage attributes by the *Wortley Village-Old South Heritage Conservation District Plan* where they are recognized for their ability "to flaunt the unique qualities and character of each building" (Section 8.2.7).

The policies of Section 5.10.1 of the Wortley Village-Old South Heritage Conservation District Plan requires Heritage Alteration Permit approval for major alterations, including replacement of windows. Importantly, the replacement, installation, or removal of storm windows does not require Heritage Alteration Permit approval.

Section 8.2.7, Heritage Attributes – Windows, Doors and Accessories, of the Wortley Village-Old South Heritage Conservation District Plan notes,

> *Doors and windows are necessary elements for any building, but their layout and decorative treatment provides a host of opportunities for the builder to flaunt their unique qualities and character of each building.*

Section 8.3.1.1.e, Design Guidelines – Alterations, provides the direction to:

> *Conserve; retain and restore heritage attributes wherever possible rather than replacing them, particularly for features such as windows, doors, porches and decorative trim.*

Section 8.3.1.1.f, Design Guidelines – Alterations, states:

> *Where replacement of features (e.g. doors, windows, trim) is unavoidable, the replacement components should be of the same style, size, proportions and material wherever possible.*

2.2 London Doorway

London Doorways are a rare and unique architectural expression found only in the London region. A London Doorway can be identified by its triple arches: it has arched sidelights that extend above the head of the door jam, with a rounded arch transom that is set in a segmented arch opening. The arches of the sidelights must break the head of the door jam. London Doorways are always single-leaf doorways and always symmetrical. The sidelights may be divided and the transom may feature an oculus or etched glass. London Doorways vary slightly in proportion (height and width but scaled) and often exhibit slightly different carved and applied detailing.

London Doorways are typically found on residential structures built between 1868 and about 1890. This may represent the work or career of one artisan or craftsperson, perhaps a wagon maker, cabinet maker, or furniture building. However, further research is required particularly into the method of construction of a London Doorway.

Forty-seven London Doorways were initially identified and included in the 2014 publication *London Doorways: A Study of Triple Arched Doorways* by Julia Beck. Each

doorway was identified, documented with photographs, and presented as part of this important collection.

Since *London Doorways* was published, about twenty additional confirmed and suspected London Doorways have been identified. The subject property at 64 Duchess Avenue was included in *London Doorways* (2014).

2.2.1 Heritage Alteration Permit Application (HAP21-070-L)

A complaint from the community brought the alterations to the heritage designated property at 64 Duchess Avenue to the attention of the City in December 2020. The Heritage Planner investigated and identified alteration to the heritage designated property having been undertaken without first obtaining a Heritage Alteration Permit.

The Heritage Planner sent a letter to the property owners advising of the violation of Section 42(1) of the *Ontario Heritage Act*. The property owners promptly contacted the Heritage Planner, and since that time have worked to identify potential resolutions to the non-compliant alterations undertaken to the heritage designated property at 64 Duchess Avenue.

The London Doorway has been discarded and is not available for salvage or reuse.

On September 13, 2021, a Heritage Alteration Permit application was received by the City seeking approval for the following alterations to the heritage designated property at 64 Duchess Avenue:

- Replace the existing sidelights with same size and shape (rectangular) in frosted glass with no internal muntins.
- Replace the existing door with a solid panel door (no window or lite), with applied panelling detail added.
- Replace the upper cedar-shingled transom with one clear glass arched window.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

It is regrettable that a unique and rare London Doorway was removed from a heritage designated property.

The doorway that was installed on the subject property at 64 Duchess Avenue is not compatible with the heritage character of the property or the Wortley Village-Old South Heritage Conservation District. The oval shape of the light set in reverse ogee arch panelling is not appropriate to the period or architectural style of the building. The brass-coloured muntins and design of the lites or windows in the sidelights and door are also not appropriate to the period or architectural style of the building. The installation of the cedar singles in the place of the transom obscures this important architectural detail of the Italianate building.

To address the compatibility issues, the property owners and Heritage Planner have worked together to propose alterations that better fit the heritage character and architecture of the property.

Initially, replicating the London Doorway was the preferred resolution. Quotes were sought for the replication, however only one quote was obtained and was not feasible to implement.

As replication was not a viable solution, other resolutions were considered. This resulted in the proposed alterations of replacing the sidelights with more appropriate frosted glass (no muntins), replacing the door with a solid door with applied panelling, and reinstating a plain (or frosted) glass transom. The plain glass transom will be templated in place to ensure an appropriate fit of the wood frame to the existing brick opening. While these alterations fall short of replicating the London Doorway and its

unique design, the proposed alterations are more compatible with the heritage character of the subject property and the Wortley Village-Old South Heritage Conservation District than the existing condition. The proposed alterations are more consistent with the direction of Section 8.3.1.1.f of the *Wortley Village-Old South Heritage Conservation District Plan* and better conserve the heritage attributes of the heritage designated property than its existing condition.

To ensure its compatibility, the doorway should have a painted finish. Additionally, to ensure that the doorway issue is resolved in a timely manner, six months are recommended as a condition of the Heritage Alteration Permit approval.

The property owner is encouraged to consider future Heritage Alteration Permit applications to remove the awning over the doorway and to construct a more appropriate porch while maintaining the remaining heritage attributes of the property.

The London Advisory Committee on Heritage (LACH) was consulted at its meeting on October 20, 2021 regarding this Heritage Alteration Permit application in compliance with Section 42(4.1) of the *Ontario Heritage Act* and the Delegated Authority By-law.

Conclusion

The loss of this London Doorway is regrettable. The conservation of London Doorways are very important as this architectural feature is unique to the London area.

The proposed alterations to the heritage designated property at 64 Duchess Avenue are more compatible with the heritage character of the subject property and the Wortley Village-Old South Heritage Conservation District than the existing conditions and should be approved with terms and conditions.

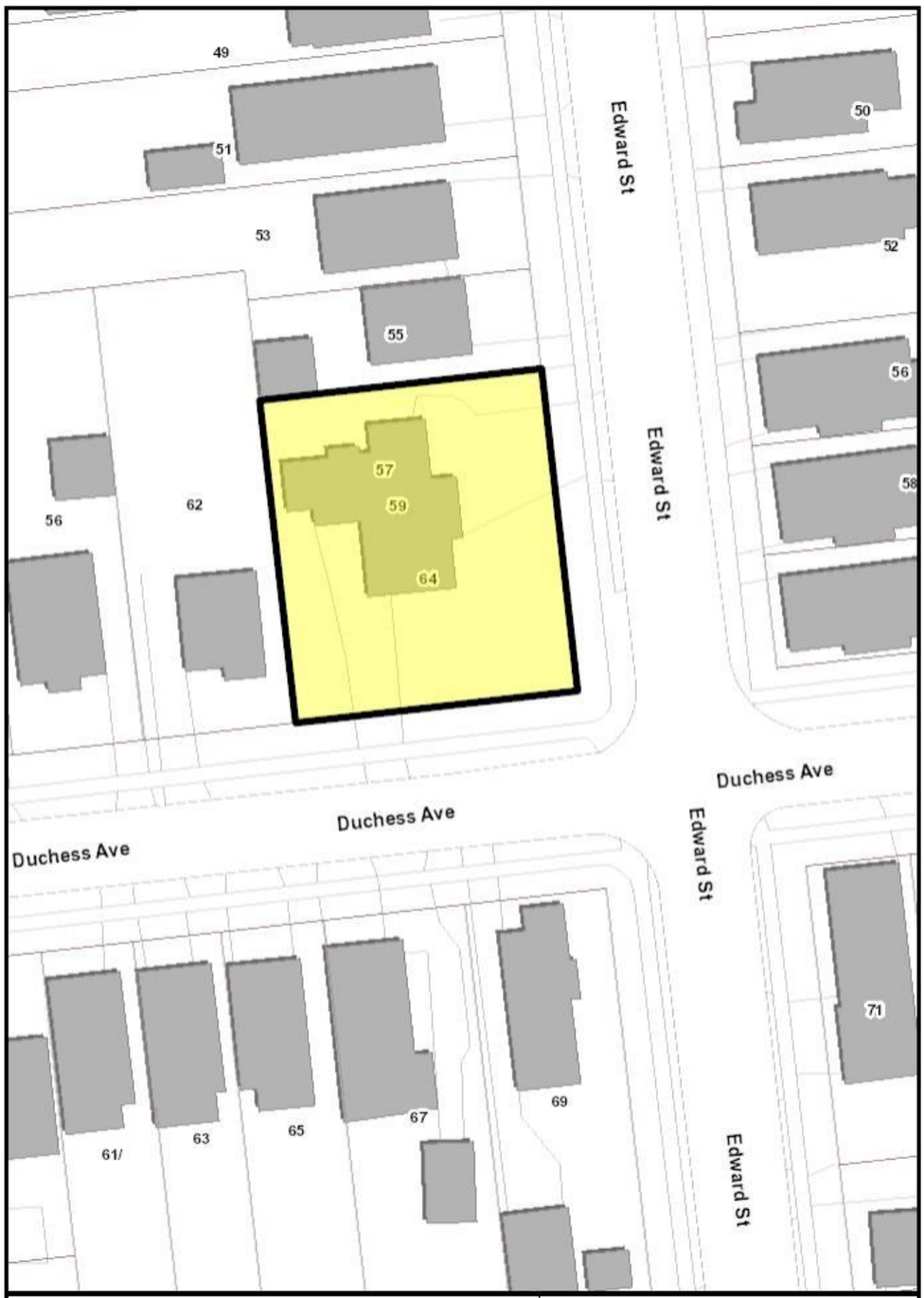
Prepared by:	**Kyle Gonyou, CAHP** **Heritage Planner**
Reviewed by:	**Britt O'Hagan, MCIP, RPP** **Manager, Community Planning, Urban Design, and Heritage**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**George Kotsifas, P. Eng** **Deputy City Manager, Planning and Economic Development**

Appendices
Appendix A Property Location
Appendix B Images
Appendix C Proposed Alterations

Links
London Doorways – www.londondoorways.ca

Additional Sources
Beck, Julia et al. *London Doorways: A Study of Triple Arched Doorways*. 2014.
Gonyou, Kyle. "London Doorways – Celebrating a Unique Feature of London's Heritage." *Ontario Heritage Act + More*. Posted November 28, 2020.

Appendix A – Property Location



Location Map

Project Title: HAP21-070-L
Description: 64 Duchess Avenue
Created By: Kyle Gonyou
Date: 9/23/2021
Scale: 1:500

Corporation of the City of London

N

Legend

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

Appendix B – Images

Image 1: Photograph showing the Italianate building on the heritage designated property at 64 Duchess Avenue (October 7, 2016).

Image 2: Detail photograph of the London Doorway of the Italianate building at 64 Duchess Avenue (October 7, 2016).

Image 3: Photograph of the subject property at 64 Duchess Avenue, seen from the corner of Duchess Avenue and Edward Street, on December 3, 2020.

Image 4: Detail photograph showing the doorway that was installed without Heritage Alteration Permit approval.

Appendix C – Proposed Alterations

Figure 1: Materials for replacement sidelights and replacement door, submitted as part of the Heritage Alteration Permit application.

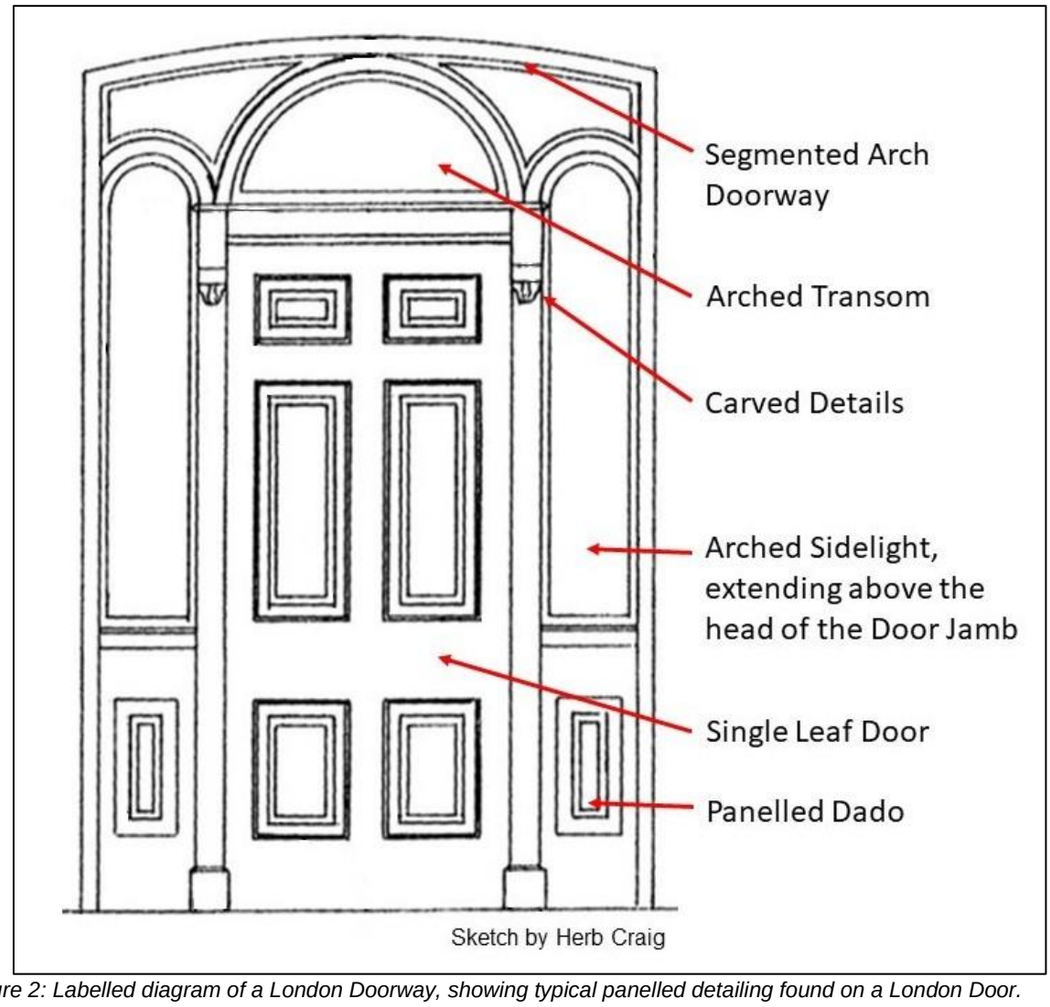


Figure 2: Labelled diagram of a London Doorway, showing typical panelled detailing found on a London Door. Courtesy www.londondoorways.ca.

Report to Planning and Environment Committee

To: **Chair and Members**
Planning and Environment Committee
From: **George Kotsifas, Deputy City Manager, Planning and Economic Development**
Subject: **Request for Designation 1903 Avalon Street under Section 29 of the *Ontario Heritage Act* by S. Cox**
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the request for designation of the property at 1903 Avalon Street, that the following actions **BE TAKEN**:

a) Notice **BE GIVEN** under the provisions of Section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix E of this report; and,

b) Should no objections to Municipal Council's notice of intention to designate be receive, a by-law to designate the property at 1903 Avalon Street to be of cultural heritage value or interest for the reasons outlined in Appendix E of this 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.

Executive Summary

At the request of the property owner, an evaluation of the property at 1903 Avalon Street, locally known as the Clarke House, was undertaken using the criteria of O. Reg 9/06. The evaluation determined that the property is a significant cultural heritage resource that merits designation pursuant to Section 29 of the *Ontario Heritage Act*.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2019-2023 Strategic Plan area 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 subject property at 1903 Avalon Street is located on the southwest corner of Avalon Street and Clarke (Side) Road in the Argyle area of London (Appendix A).

Historically, the property is part of the South Half of Lot 5, Concession I, in the former London Township. The property originally fronted onto Dundas Street (Governor's Road, Highway 2), but has been subsequently subdivided. The current extent of the property at 1903 Avalon Street were established in Plan 660, registered in 1949.

1.2 Cultural Heritage Status

At its meeting on July 24, 2018, Municipal Council added the property at 1903 Avalon Street to the Register of Cultural Heritage Resources, pursuant to Section 27 of the *Ontario Heritage Act*. The property at 1903 Avalon Street is a heritage listed property.

1.3 Description

The property at 1903 Avalon Street is roughly square in shape, with a house located on the approximate middle of the property set on a rise (Appendix A). In addition to house, there is a detached garage/residential unit located along the westerly boundary of the property which is accessed by a driveway from Avalon Street from the north. Access to the property from Clarke Road is articulated by a pair of stone gate posts at Clarke Road. A row of trees line the southern boundary of the property.

The farmhouse at 1903 Avalon Street is a one-and-a-half storey painted brick building. Locally, it is known as the Clarke House, associated with the pioneer family who were the first colonial settlers on the property. Clarke House is rectangular in plan, with ells and additions to the rear, as well as stone porch that was added onto the brick house. The primary façade of the Clarke House faces south, away from Avalon Street and Clarke Road but towards Dundas Street as the house was originally oriented.

The farmhouse was constructed of buff brick, at least two wythes forming the brick structure. The brick may have been fired locally or on site, as it appears to be very soft. Detailed analysis has identified that the brick appears to have been coated with a lime rendering shortly after the farmhouse was constructed and now has a painted finish. The brick masonry has been laid in a modified common bond, usually with eight stretcher courses between a header course, indicating a solid brick structure of at least two wythes of brick masonry. The early style of brick masonry as well as other historical sources date the construction of the Clarke House to prior to 1860 (Appendix C), making it an early building now in the City of London.

The farmhouse is five-bays across its main (south) façade, with a central recessed doorway flanked by a pair of windows to each side. Each of the wood windows are six-over-six. The central doorway is recessed with panelled reveals and a central single leaf panelled wood door that is flanked by plain sidelights with dados below and a wood fanlight in a Georgian-inspired style.

The gable roof of the farmhouse was sympathetically altered by the three south-facing dormer style windows, before 1954. The style of the windows in the dormers replicates those of the main storey and original part of the house. One chimney remains at Clarke House, but originally featured chimneys at each gable-end of the house (see Figure 19).

A detached garage was constructed in about 1977. The structure also includes a residential unit.

1.4 Property History

The Euro-Canadian history of the property at 1903 Avalon Street follows the conventional pattern of colonial settlement as much of southwestern Ontario. In 1810, Mahlon Burwell initiated a survey of the first four concessions of London Township. Surveying the remainder of London Township was interrupted by the War of 1812 and resumed once settlers began locating on lots.

1.4.1 Clarke Family

On July 11, 1829, John Clarke (1773-1873) purchased the property at the South Half of Lot 5, Concession I from the Canada Company. John Clarke emigrated from Ireland with his family and settled in London Township as a pioneer. Typical terms of purchase from the Canada Company dictated that the purchase was paid in annual installments and satisfying the other conditions of settlement, with the patent for the property issued when the debt had been relieved. On July 11, 1834, five years (and six payments) after the grant, John Clarke obtained the patent to his 100-acre property.

The 1861 Census of Canada West records the Clarke family living in a one-storey brick dwelling. This critical piece of information assists in dating the existing brick house at 1903 Avalon Street as having been constructed before 1861. In addition to information about the house, the 1861 Census of Canada West also reveals other interesting information about the Clarke family (H. Bates Neary, 2018); of the 100-acre farm, 55-acres were under cultivation with 40-acres in crops, 13-acres in pasture, and 2-acres in orchards and gardens. The remaining land were wood or wild. The Clarke family had two steers or heifers, eight milk cows, four horses, one colt or filly, 26 sheep, and 9 pigs.

The property at 1903 Avalon Street remained in the ownership of the Clarke family until David Clarke (b. 1854), grandson of John Clarke, sold the property to Abraham J. Montague in 1912. It appears that members of the Clarke family had relocated to the West Nissouri Township or elsewhere in London Township.

The Clarke family were a pioneer family in the former London Township that is now part of the City of London, with three generations of the family having lived in the farmhouse now known as the Clarke House. The significance of the Clarke family to the development of this area can be understood in their namesake Clarke Road, a sideroad in the former London Township that spans from the Thames River to Highway 7.

1.4.2 Argyle Land Company

The property is linked to the history of the Argyle area, yielding information to its subdivision and development in the early part of the twentieth century. Following the sale of the property by David Clarke to Abraham J. Montague it was sold again in 1913 to Henry Montague Peterman for $16,000 with a large ($12,800) mortgage. Henry Montague Peterman then entered into an agreement with David R. Wood to transfer his interests in the property for $17,000. David R. Wood then transferred the property to The Argyle Land Company in 1914 for $1.

Abraham J. Montague appears to have been involved in many real estate deals, particularly in the Pottersburg and Argyle areas in the early part of the twentieth century. He lived at Greenwood (251 Hale Street, now 551 Hale Street), a heritage listed property. Montague Place, running off Hale Street south of Dundas Street, is named for Abraham J. Montague; McDiarmid Street is named for his wife's maiden name – both created through the subdivision of land he acquired on Hale Street (Registered Plan 478). A 1913 article in *The London Advertiser* associates Abraham J. Montague with a "Winnipeg firm."

The "Winnipeg firm" that Abraham J. Montague is associated with appears to be the Argyle Land Company. The Argyle Land Company was a Winnipeg-based real estate/land development company. David R. Wood was the president of the Argyle Land Company. Organized in 1905, the company's first project was a Winnipeg subdivision known as "Argyle Gardens."

In 1908, the headquarters for the company were built at 224 Notre Dame Avenue in Winnipeg, known as the "Argyle Block." The Argyle Land Company appears to have acquired property across Canada, including similar residential developments in Winnipeg, Regina, Kitchener, and Westmount (Montreal).

In 1913, the Plan of Subdivision for "Argyle Park" was registered by the Argyle Land Company. Nationalistic street names, such as Saskatoon Street, Vancouver Street, Winnipeg Boulevard, Regina Street, Calgary Boulevard, and Edmonton Street, were included. The Argyle Land Company advertised residential lots for sale, with many promotions (see Appendix C).

The Argyle Land Company continued to acquire more property in the area, including what now includes 1903 Avalon Street. While the Argyle Land Company primarily focused on residential development, in 1914 the Argyle Land Company offered a 10-acre portion of the former Clarke farm for industrial development of the Crucible Metals Company of Canada, which failed to arise.

While the reasons are not clearly known, the Argyle Land Company appears to have gone bankrupt in 1918. All advertisement ceases in 1918 and company officers disappear from any reference in the City Directory. A Certificate of Order of Foreclosure is registered on the title of the property with the property reverting in ownership to its mortgagee, Abraham J. Montague in 1918. Subsequent property owners completed the residential subdivision of the area.

The “Argyle” namesake has been applied to the broader area, including the original Argyle Park subdivision and the Clarke House.

1.4.3 1903 Avalon Street

Following the bankruptcy of the Argyle Land Company, Abraham J. Montague sold the property, and it was transferred several times with portions subdivided. During this period, the Clarke House appears to have been tenanted. While difficult to complete property-based research in semi-rural locations that were not owner-occupied, Sam Cox has identified the Partridge family as a long-term tenant of the Clarke House in the early part of the twentieth century.

In 1942, a remaining five-acre parcel where the Clarke House is located was sold to John A. and Alice Edith Pack for $2,800. The Pack family appear to have moved in, with City Directory records listing the family’s address as RR9, later assigning the address of 1903 Avalon Street. John A. Pack was the Director of Courses for Westervelt School and later a teacher at Medway High School in Arva. He and his wife were responsible for registering the final subdivision plan for the former Clarke property in Registered Plan 660 in 1949. Registered Plan 660 establishes the current lot fabric of the area surrounding the property at 1903 Avalon Street, where Clarke House is located on Lot 15, Lot 16, and Lot 17.

On December 1, 1953, the property was sold to James M. and Helen L. Fielding for $12,500. It is not clear if the Pack family or the Fielding family were responsible for the alterations to the Clarke House, but the dormers on the upper storey appear to date from circa 1950 and are shown in the background of a 1954 photograph of the opening of the nearby Loblaws Grocery Store.

The property at 1903 Avalon Street was included in the 1961 annexation by the City of London. The property was purchased by Gerrit Jan and Hanna G. Klomps on July 12, 1965, for $16,000. On September 9, 1977, the property was sold to Hendrik S. and Geertruida Van Weeren for $74,000. On July 13, 1984, the property was sold to Daniel H. MacDonald and Eleanor MacDonald. In September 2020, the property was purchased by the current property owner.

1.5 Pre-1861 Farmhouses in London

There are 37 farmhouse type heritage listed and heritage designated properties with attributed dates of construction before 1861 included on the City of London’s Register of Cultural Heritage Resources, which represents less than 1% of the total number of heritage listed and heritage designated properties (Appendix D). These resources are in rural or formerly rural locations. Eight of these properties are designated pursuant to Parts IV and/or V of the *Ontario Heritage Act*.

The five-bay form, like that of the Clarke House, is also uncommon in the London area, with only a few examples of five-bay one or one-and-a-half storey dwellings. Examples include:

- House in the Grove, 2056 Huron Street (heritage listed property built circa 1840)
- Property at 249 Halls Mill Road (heritage listed property, built circa 1835)
- Property at 642 Waterloo Street (heritage designated property in the West Woodfield Heritage Conservation District, built circa 1880)
- Property at 123 Wilson Avenue (heritage designated property in the Blackfriars/Petersville Heritage Conservation District, built circa 1876)

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are recognized for the value and contributions that they make to our quality of life, sense of place, and tangible link to our shared past. Cultural heritage resources are to be conserved as per the fundamental policies in the *Provincial Policy Statement* (2020), the *Ontario Heritage Act*, *The London Plan*. It is important to recognize, protect, and celebrate our cultural heritage resources for future generations.

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).

"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 determine 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 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 object to a Notice of Intention to Designate (NOID) and to appeal the passing of a by-law to designate a property pursuant to Section 29 of the *Ontario Heritage Act*. 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).

To determine eligibility for designation under Section 29 of the *Ontario Heritage Act*, properties are evaluated using the mandated criteria of Ontario Regulation 9/06.

2.1.2.1 Ontario Regulation 9/06

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 reinforced by Policy 573_ of *The London Plan*. These criteria are:

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

A property is required to meet one or more of the abovementioned criteria to merit

protection under Section 29 of the *Ontario Heritage Act*.

2.1.2.2 Ontario Regulation 385/21

Ontario Regulation 385/21 was proclaimed on July 1, 2021. This regulation prescribes certain requirements for a heritage designating by-law. The following information is a prescribed requirement of a heritage designating by-law, per Section 3(1), O. Reg. 385/21:

1. The by-law must identify the property by,
    i. The municipal address of the property, if it exists;
    ii. The legal description of the property, including the property identifier number that relates to the property; and,
    iii. A general description of where the property is located within the municipality, for example, the name of the neighbourhood in which the property is located and the nearest major intersection to the property.
2. The by-law must contain one or more of the following that identifies each area of the property that has cultural heritage value or interest:
    i. A site plan.
    ii. A scale drawing.
    iii. A description in writing.
3. The statement explaining the cultural heritage value or interest of the property must identify which of the criteria set out in subsection 1(2) of Ontario Regulation 9/06 (Criteria for Determining Cultural Heritage Value or Interest) made under the Act are met and must explain how each criterion is met.
4. The description of the heritage attributes of the property must explain how each heritage attribute contributes to the cultural heritage value or interest of the property.

2.2 *The London Plan*

The Cultural Heritage chapter of *The London Plan* recognizes that our cultural heritage resources define our City's unique identity and contribute to its continuing prosperity. It notes, "The quality and diversity of these resources are important in distinguishing London from other cities and make London a place that is more attractive for people to visit, live or invest in." Policies 572_ and 573_ of *The London Plan* enable the designation of individual properties under Section 29 of the *Ontario Heritage Act*, as well as the criteria by which individual properties will be evaluated.

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1 Request for Designation

Following pre-application consultation with the City, the owner of the property at 1903 Avalon Street submitted a letter, dated December 6, 2020, to the City requesting the heritage designation of the property. This request was referred to the Stewardship Sub-Committee.

Access to archival sources proved challenging during a global pandemic. Research persevered and sought new ways to answer research questions to better understand the cultural heritage value of this property.

4.2 Cultural Heritage Evaluation

The property at 1903 Avalon Street was evaluated using the criteria of O. Reg. 9/06 (see Section 2.1.2.1 above). The evaluation is included below.

Table 1: Summary of the evaluation of the property at 1903 Avalon Street using the criteria of Ontario Regulation 9/06

	Criteria	**Evaluation**
The property has design value or	Is a rare, unique, representative or early example of a style, type,	The property at 1903 Avalon Street is a unique example of an evolved early brick

physical value because it,	expression, material, or construction method	farmhouse in the former London Township.
	Displays a high degree of craftsmanship or artistic merit	The property at 1903 Avalon Street is not believed to demonstrate a high degree of craftsmanship or artistic merit.
	Demonstrates a high degree of technical or scientific achievement	The property at 1903 Avalon Street is not believed to demonstrate a high degree of technical or scientific achievement.
The property has historical value or associative value because it,	Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	The property at 1903 Avalon Street has direct historical associations with the Clarke family, a pioneer family of London Township. The significance of the Clarke family is also articulated by their namesake of Clarke (Side) Road and reinforced by the long-term retention of their farmhouse.
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	The property is linked to the history of the Argyle area, yielding information to its subdivision and development in the early part of the twentieth century. The “Argyle” name now characterizes the broader area and contributes to an understanding of the history of the Argyle area. Through its association with the Argyle Land Company, the Argyle area is associated with many other Argyle namesakes in Canada. The development of the former Clarke farm and the retention of the Clarke House at 1903 Avalon Street is important in understanding the development of the Argyle area. The relationship of the property to the Argyle Land Company, and the history of that company, has the potential to contribute to an understanding of how and why the Argyle area developed at the time and in the manner that it evolved.
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	The property at 1903 Avalon Street is not believed to be associated with the work or ideas of an architect, artist, building, designer, or theorist who is significant to a community.
The property has contextual value because it,	Is important in defining, maintaining, or supporting the character of an area	Clarke House was originally constructed as the farmhouse for the Clarke family on their 100-acre farm lot in the former London Township before 1860. As the area has changed and developed in the late nineteenth and into the twentieth centuries, the farmhouse has become encompassed within a more suburban setting of single detached homes built in the late 1940s and early 1950s. The area surrounding the Clarke House is better recognized as part of the twentieth century development of the Argyle area. The property at 1903 Avalon Street, Clarke House, is sufficiently different from

		the prevailing character of the area to not define, maintain, or support it. The Clarke House is an important relic from an earlier period of development, which is better reflected as a historical or associative value for this property.
	Is physically, functionally, visually, or historically linked to its surroundings	Clarke House is sited with its primary façade oriented south, towards Dundas Street. This demonstrates its historical links of the property to the surrounding area that is significant in understanding the evolution of the former Clarke property. The subsequent subdivision and development of the land around the Clarke House has altered the relationship between the house and Dundas Street, however, the existing lot fabric allows the primary (south) façade of Clarke House to remain clearly oriented southerly towards Dundas Street.
	Is a landmark	The property at 1903 Avalon Street is locally recognized as a landmark within the Argyle community.

As the property at 1903 Avalon Street has met the criteria for designation, a Statement of Cultural Heritage Value or Interest and heritage attributes have been identified (Appendix E).

4.3 Comparative Analysis

The Register of Cultural Heritage Resources identified only 37 farmhouse type properties that are listed or designated pursuant to the *Ontario Heritage Act* with a date of construction before 1861. This is a small pool of comparison properties, which includes one-and-a-half storey farmhouses (like Clarke House at 1903 Avalon Street), but also includes single-storey farmhouses as well as two-storey farmhouses, which may have different architectural expressions and materials.

Of the eight pre-1861 farmhouses that are designated pursuant to the *Ontario Heritage Act*, there are few direct comparisons. The James McStay House at 1603 Richmond Street is a buff brick, three-bay farmhouse that may be closer in appearance to how the Clarke House looked before the dormers and stone porch were added. The Alexander Leslie House at 81 Wilson Avenue and Bruyland at 2115 Wilton Grove Road are more classic examples of the Ontario Farmhouse style; a one and a half storey buff brick farmhouse with a gable roof and a single central peak above the central doorway.

Clarke House is therefore reasonably understood as an early brick farmhouse, with a unique evolution and form. While it fits within the architectural vernacular of the London area, it is distinct to itself.

4.4. Integrity

Integrity is not a measure of originality, but a measure of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property. Likewise, the physical condition of a cultural heritage resource is not a measure of its cultural heritage value. Cultural heritage resources can be found in a deteriorated state but may still maintain all or part of their cultural heritage value or interest (Ministry of Culture, 2006).

The dwelling at 1903 Avalon Street demonstrates a high degree of integrity. While maintenance is an on-going requirement for a cultural heritage resource, the surviving physical features continue to represent the cultural heritage value of the Clarke House as unique example of a sympathetically evolved early brick farmhouse.

4.5 Consultation

As an owner-requested heritage designation, a cooperative approach has been taken in the research and evaluation. The property owner facilitated a site visit to Clarke House on March 3, 2021. The property owner has reviewed and concurred with the Statement of Cultural Heritage Value or Interest and Heritage Attributes (see Appendix E).

In compliance with Section 29(2) of the *Ontario Heritage Act*, consultation with the LACH is required before Municipal Council may issue its notice of intent to designate the property at 1903 Avalon Street pursuant to the *Ontario Heritage Act*. The LACH was consulted at its meeting on October 20, 2021.

Conclusion

The evaluation of the property at 1903 Avalon Street found that the property met the criteria for designation under Section 29 the *Ontario Heritage Act.* Clarke House is a significant cultural heritage resource that is valued for its physical or design values, its historical or associative values, and its contextual values. The property at 1903 Avalon Street should be designated pursuant to Section 29 of the *Ontario Heritage Act* to protect and conserve its cultural heritage value for future generations.

Prepared by:	**Kyle Gonyou, CAHP** **Heritage Planner**
Reviewed by:	**Britt O'Hagan, MCIP, RPP** **Manager, Community Planning, Urban Design, and Heritage**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**George Kotsifas, P. Eng** **Deputy City Manager, Planning and Economic Development**

Appendices

Appendix A	Property Location
Appendix B	Images
Appendix C	Historical Documentation
Appendix D	Comparative Analysis
Appendix E	Statement of Cultural Heritage Value or Interest – 1903 Avalon Street

Sources

Aerial photographs. Various years.
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With thanks to S. Cox, J. Cushing, C. Hartman, N. Martens, M. Rice, and T. Regnier.

Appendix A – Property Location

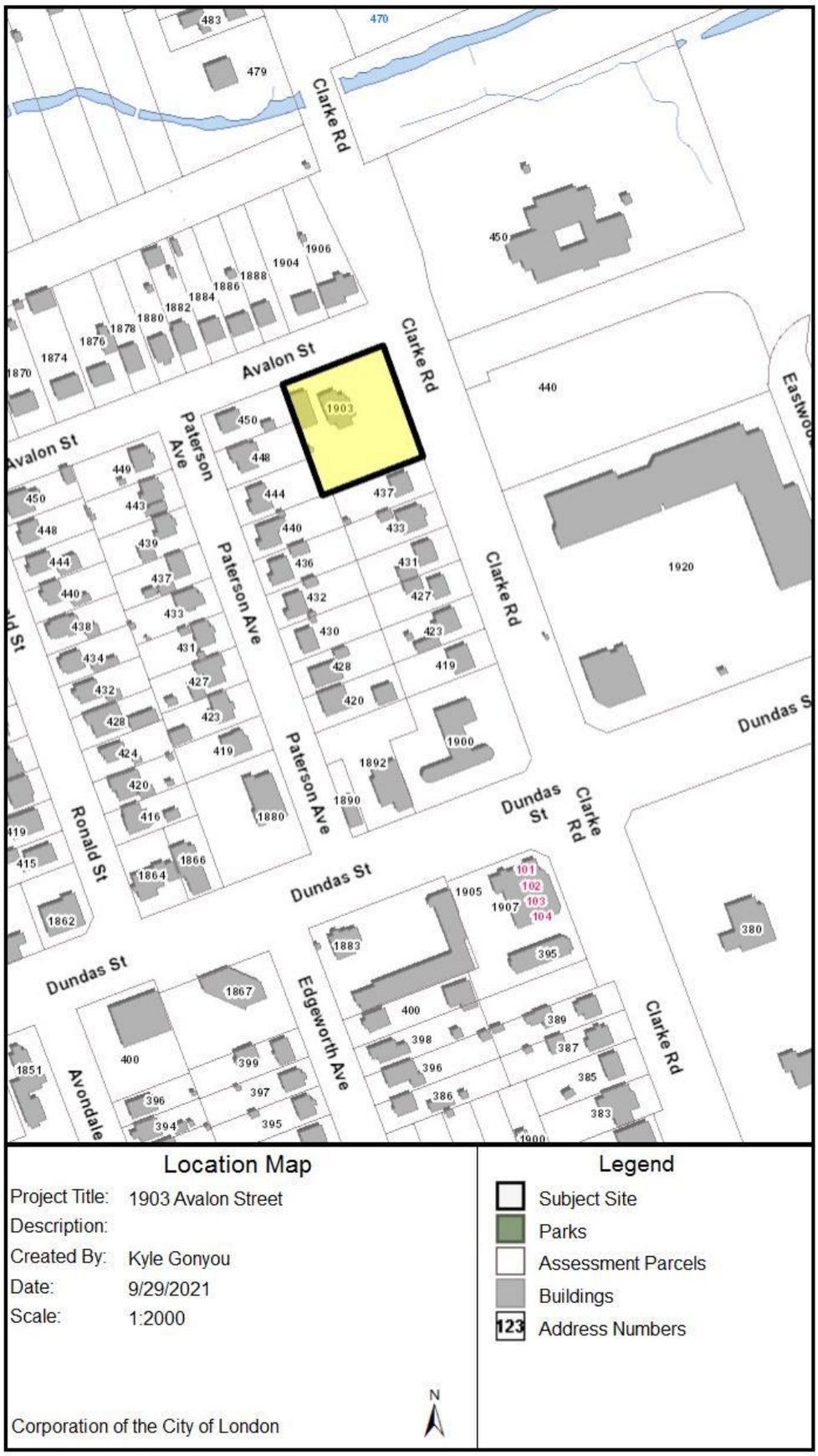

Figure 1: Property Location for 1903 Avalon Street.

Appendix B – Images

Image 1: Clarke House, as seen from the east side of Clarke Road looking northwest towards the property at 1903 Avalon Street (Clarke House).

Image 2: Clarke House, as seen from the east side of Clarke Road.

Image 3: View of the Clarke House from the east side of Clarke Road, with the intersection of Avalon Street shown.

Image 4: View of the main (south) façade of Clarke House. The detached garage is shown on the left.

Image 5: View of the Clarke House, looking northwest from the gate posts at Clarke Road.

Image 6: View showing the east elevation of the Clarke House, as seen from the sidewalk on Clarke Road.

Image 7: View of the Clarke House, as seen from the corner of Avalon Street and Clarke Road, looking southwest.

Image 8: The small, four-lite window on the north elevation, under the eaves, in the second storey of the Clarke House.

Image 9: View of the rear (north) elevation, as seen from Avalon Street.

Image 10: View showing the north and west elevations of the Clarke House.

Image 11: View showing the west and south elevation of the Clarke House.

Image 12: View of the Clarke House, looking northeast.

Image 13: Detail of the porch on the main (south) elevation of the Clarke House.

Image 14: Side view of the stone porch, showing the west elevation. Also showing the view towards Clarke Road.

Image 15: Detail of the front doorway of the Clarke House.

Image 16: Detail of the upper south window on the east elevation of the Clarke House. The sill was previously replaced.

Image 17: Representative image of the six-over-six wood windows on the ground storey and gable ends of the Clarke House. The dormer windows closely resemble these windows.

Image 18: View of the detached garage on the property at 1903 Avalon Street. The detached garage is not a heritage attribute of the property.

Appendix C – Historical Documentation and Research Materials

Table 2: Historical Events affecting the property at 1903 Avalon Street

Date	Historical Event
1796	London Township Treaty (Treaty No. 6) signed
1810	Survey of London Township initiated by Mahlon Burwell, including the first four concessions
1825-1826	Land acquired by the Canada Company
July 11, 1829	South Half of Lot 5, Concession I, London Township (100 acres) granted to John Clarke by the Canada Company
1834	Property patented by John Clarke
1861	Clarke House, a one-storey brick house, is recorded on the Census for Canada West (Ontario) and identified on subsequent mapping
1873	On the death of John Clarke, the property is passed to his son, John Clarke
1886	Western Ontario Pacific Railway (now Canadian Pacific Railway) acquired portion of the property
1893	On the death of John Clarke, the property is passed to his son, David Clarke
July 5, 1912	David Clarke sold the property to Abraham J. Montague for $7,500
February 1913	Abraham J. Montague sold the property to Henry Montague Peterman for $16,000 (with a $12,800 mortgage)
February 1913	Henry Montague Peterman enters into an agreement with David R. Wood for 90-aces in the South Half of Lot 5, Concession I for $17,000
January 29, 1914	David R. Wood transfers the property to the Argyle Land Company for $1.00
1914-1917	Advertisement featuring property for sale by the Argyle Land Company, including industrial development
1918	Argyle Land Company appears to go bankrupt, as Certificate of Order of Foreclosure is registered against the property by the Supreme Court of Ontario; property returned to Abraham J. Montague (mortgagee)
1919-1942	Property sold, transferred, and subdivided several times. Clarke House appears to have been tenanted during this period
July 30, 1942	Property purchased by John S. and Alice Edith Pack for $2,800
December 7, 1949	Plan 660 is registered, establishing the current lot pattern. Clarke House (property at 1903 Avalon Street) is located on Lot 15, Lot 16, and Lot 17 of RP660
December 1, 1953	John S. and Alice Edith Pack sold the property at 1903 Avalon Street to James M. and Helen L. Fielding for $12,500
January 1, 1961	The property is included in the former London Township area annexed by the City of London
July 12, 1965	James M. and Helen L. Fielding sold the property at 1903 Avalon Street to Gerrit Jan and Hanna G. Klomps for $16,000. The property is briefly identified as 443 Clarke Side Road
September 9, 1977	Hanna G. Klomps sold the property at 1903 Avalon Street to Hendrik S. and Geertruida Van Weeren for $74,000
July 13, 1984	Hendrik S. and Geertruida Van Weeren sold the property at 1903 Avalon Street to Daniel N. MacDonald and Eleanor MacDonald
September 2020	Purchased by the current property owner

Figure 2: Sketch of Part of the London Township *(1850) with the approximate location of the Clarke farm identified in a red circle. Courtesy Western Archives and Special Collections.*

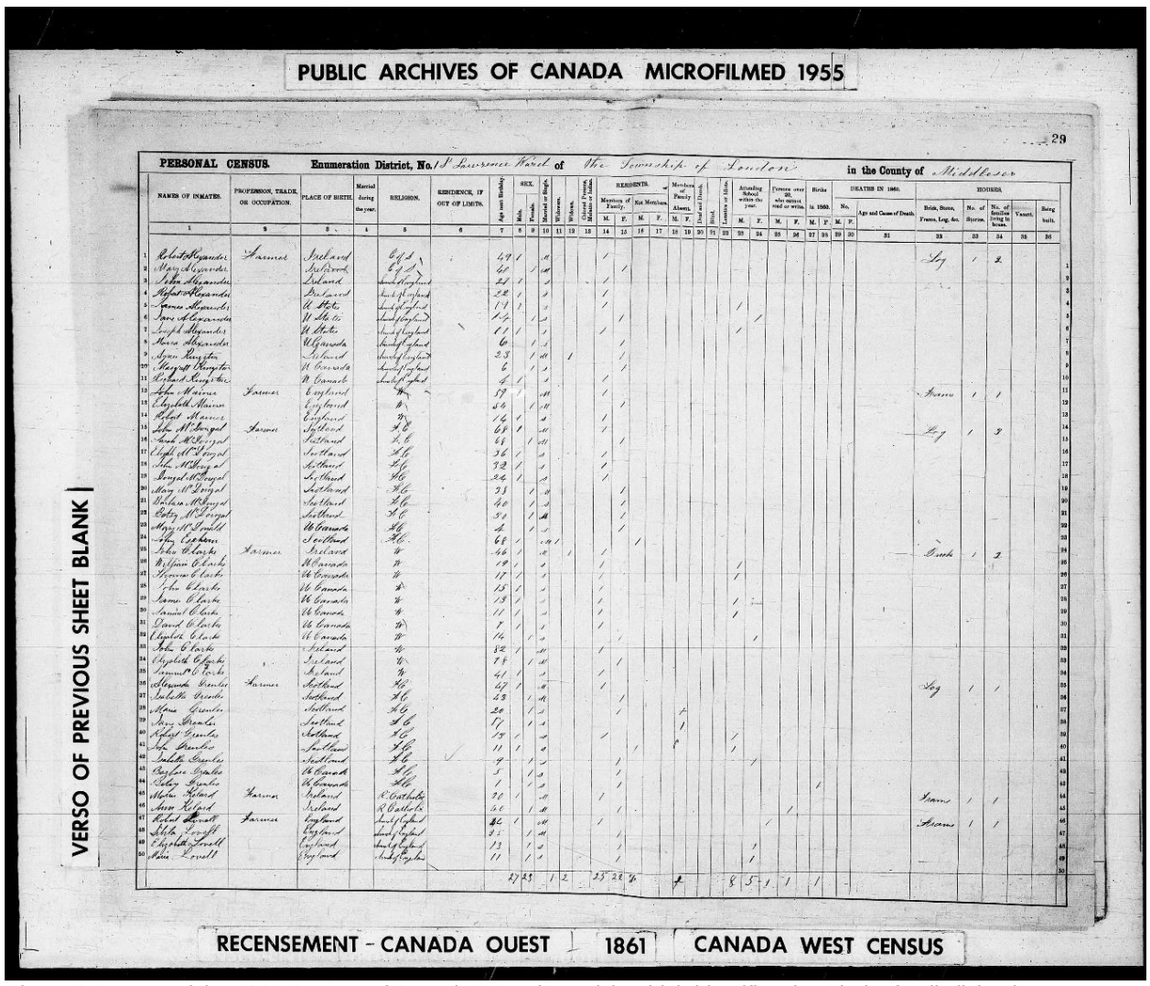

Figure 3: Extract of the 1861 Census of Canada West (Ontario), which identifies the Clarke family living in a one-storey brick house now known as the Clarke House at 1903 Avalon Street. Courtesy Library and Archives Canada.

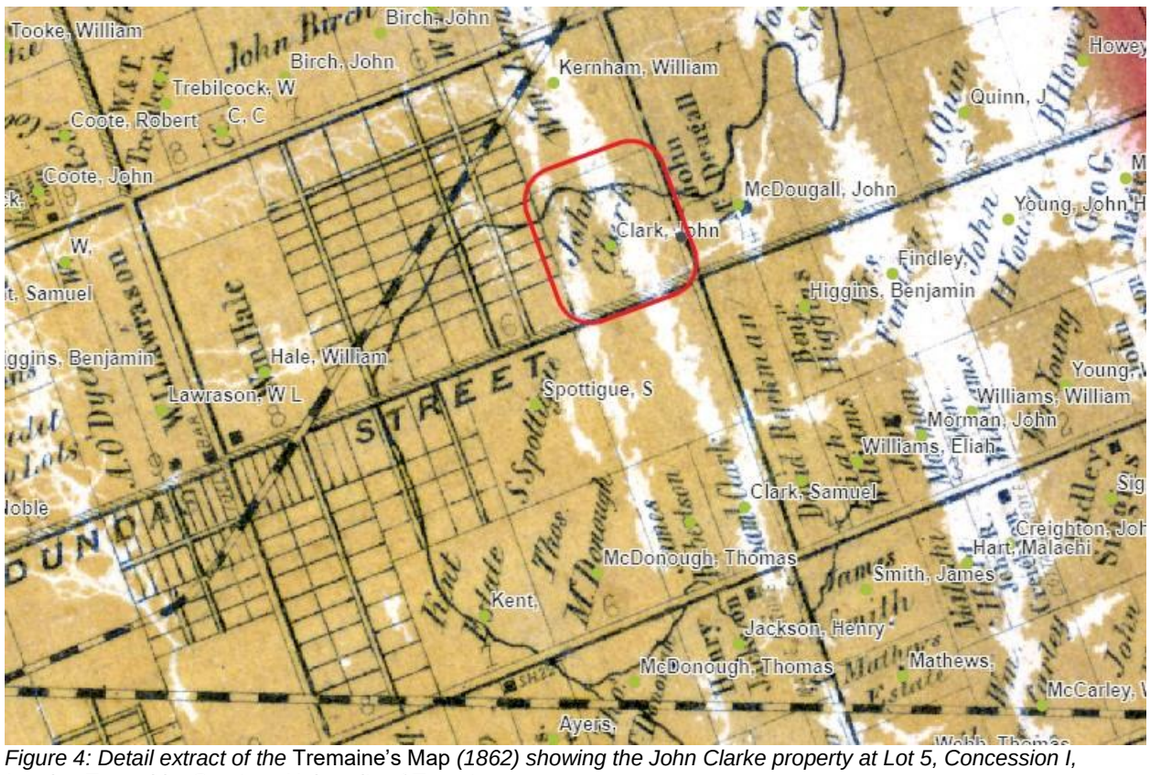

Figure 4: Detail extract of the Tremaine's Map *(1862) showing the John Clarke property at Lot 5, Concession I, London Township. Courtesy University of Toronto.*

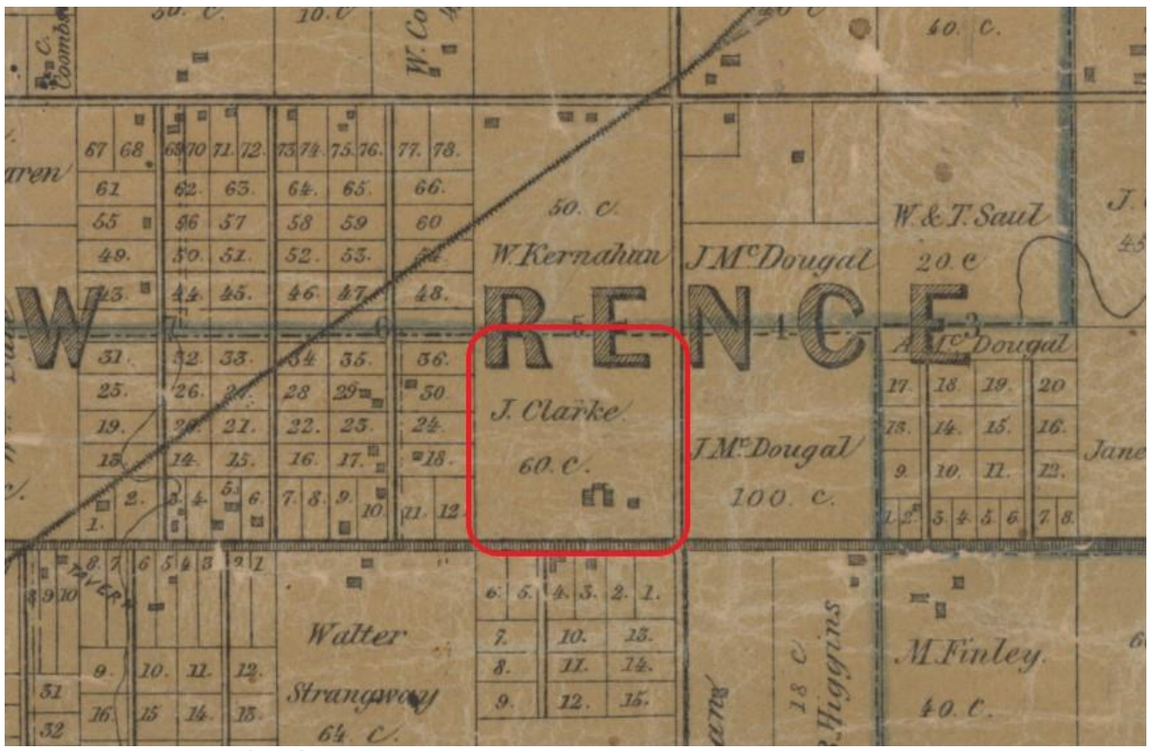

Figure 5: Detail extract of the Samuel Peter's Map of the Township of London, Canada West *(1863), identifying the John Clarke farm with a house and barn structure noted. Courtesy Western Archives and Special Collections.*

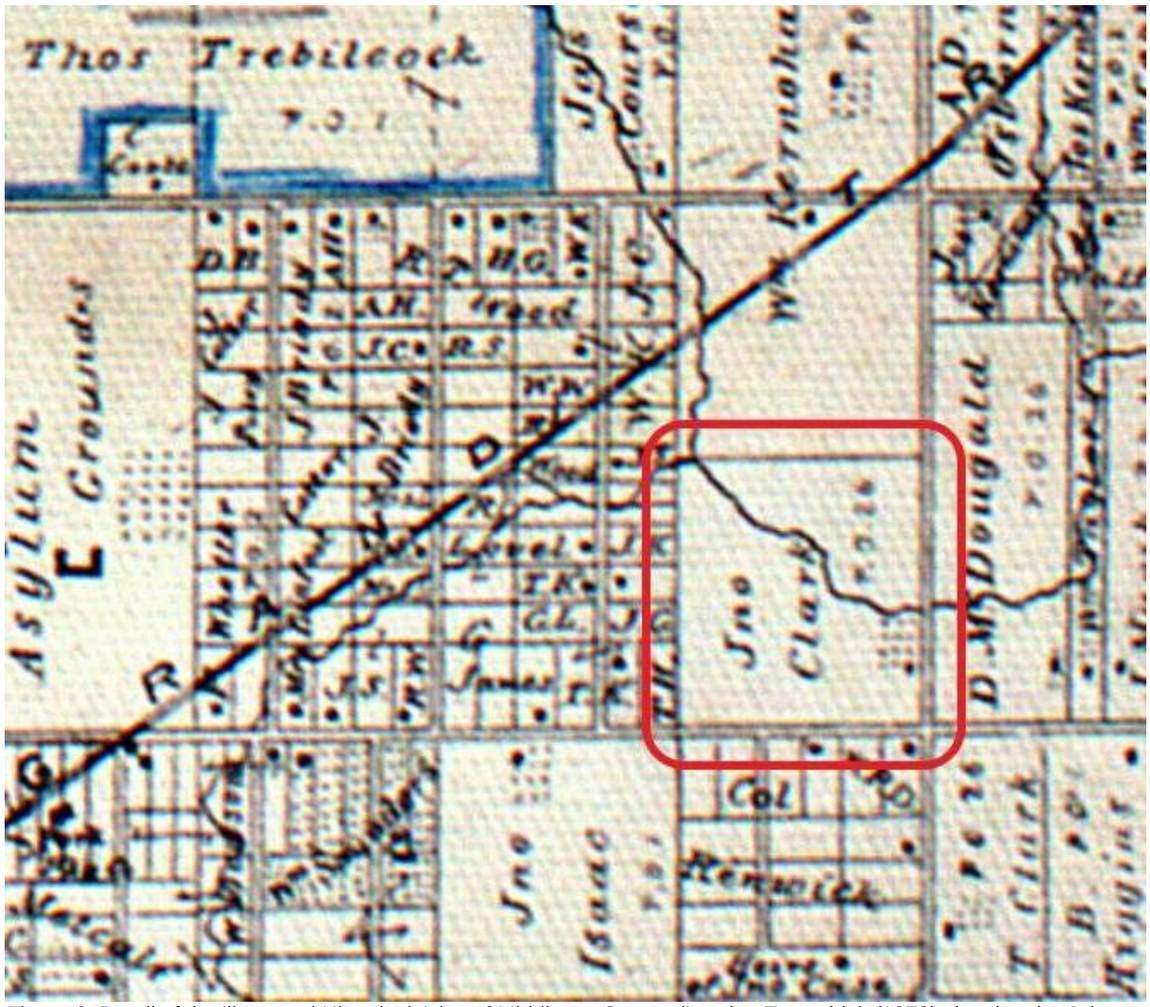

Figure 6: Detail of the Illustrated Historical Atlas of Middlesex County (London Township) *(1878) showing the John Clarke property with a house noted. Courtesy McGill University.*

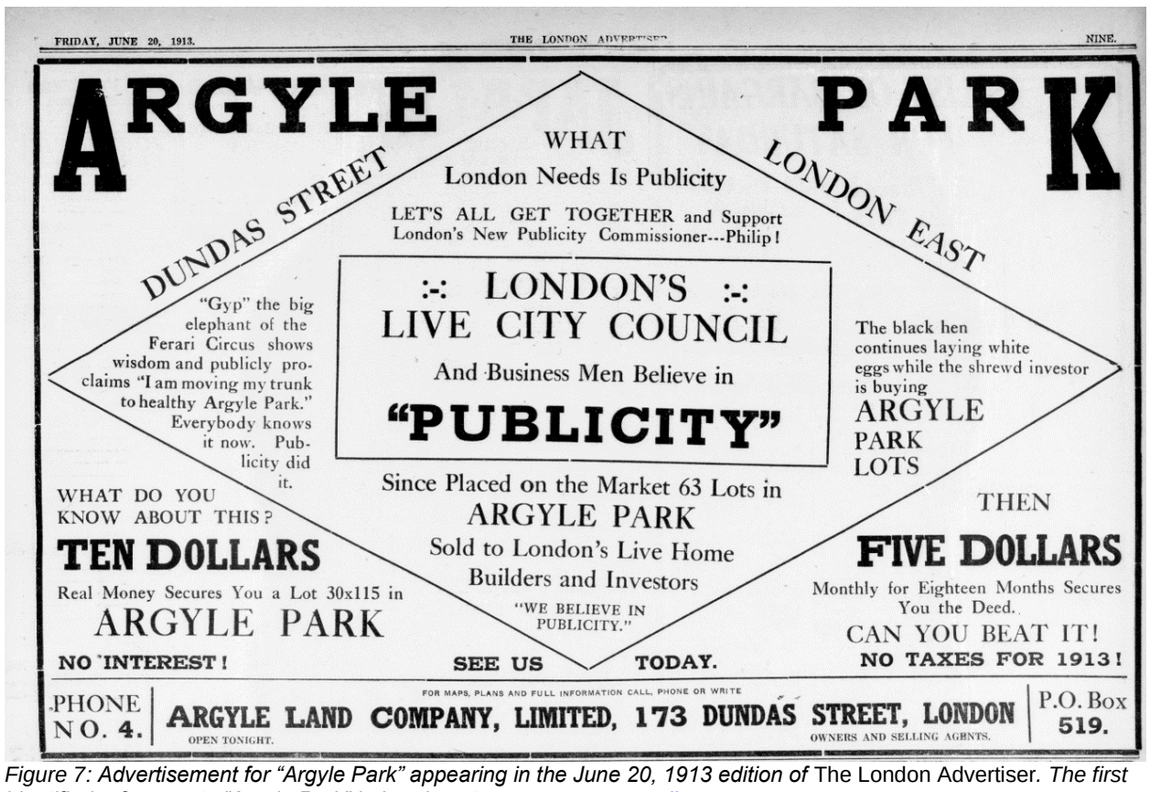

Figure 7: Advertisement for "Argyle Park" appearing in the June 20, 1913 edition of The London Advertiser. *The first identified reference to "Argyle Park" in London. Courtesy www.canadiana.ca.*

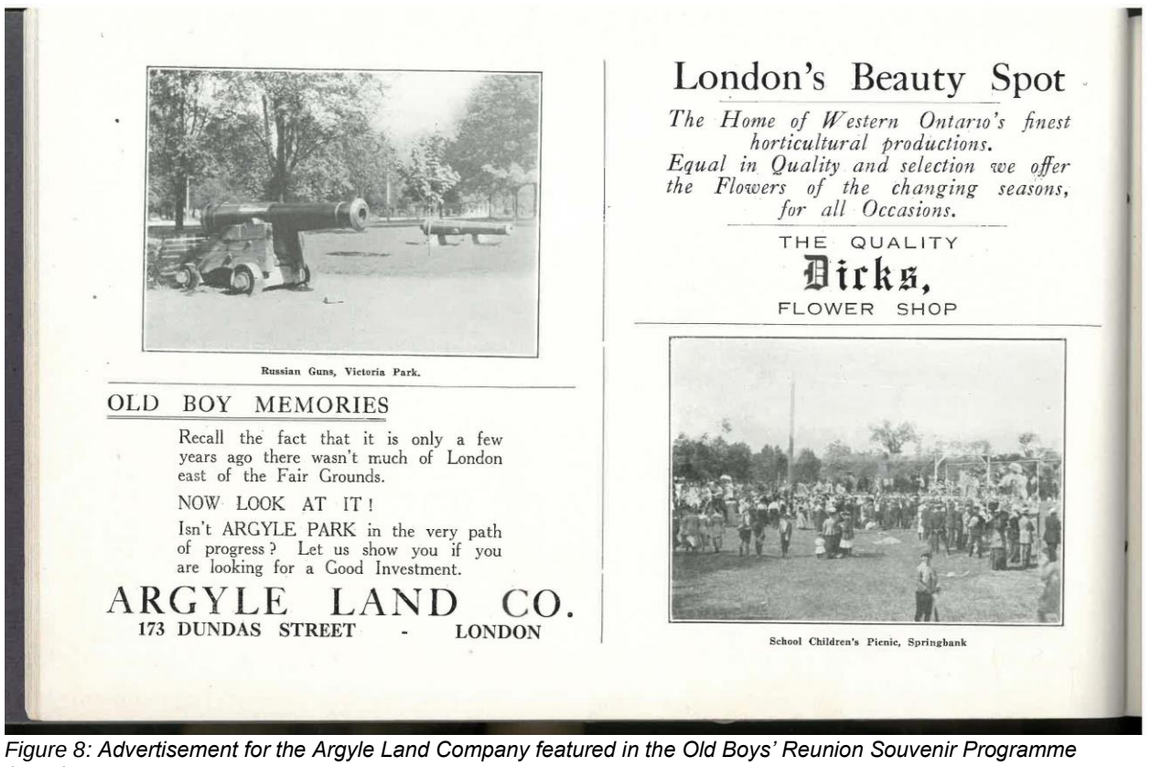

Figure 8: Advertisement for the Argyle Land Company featured in the Old Boys' Reunion Souvenir Programme (1914).

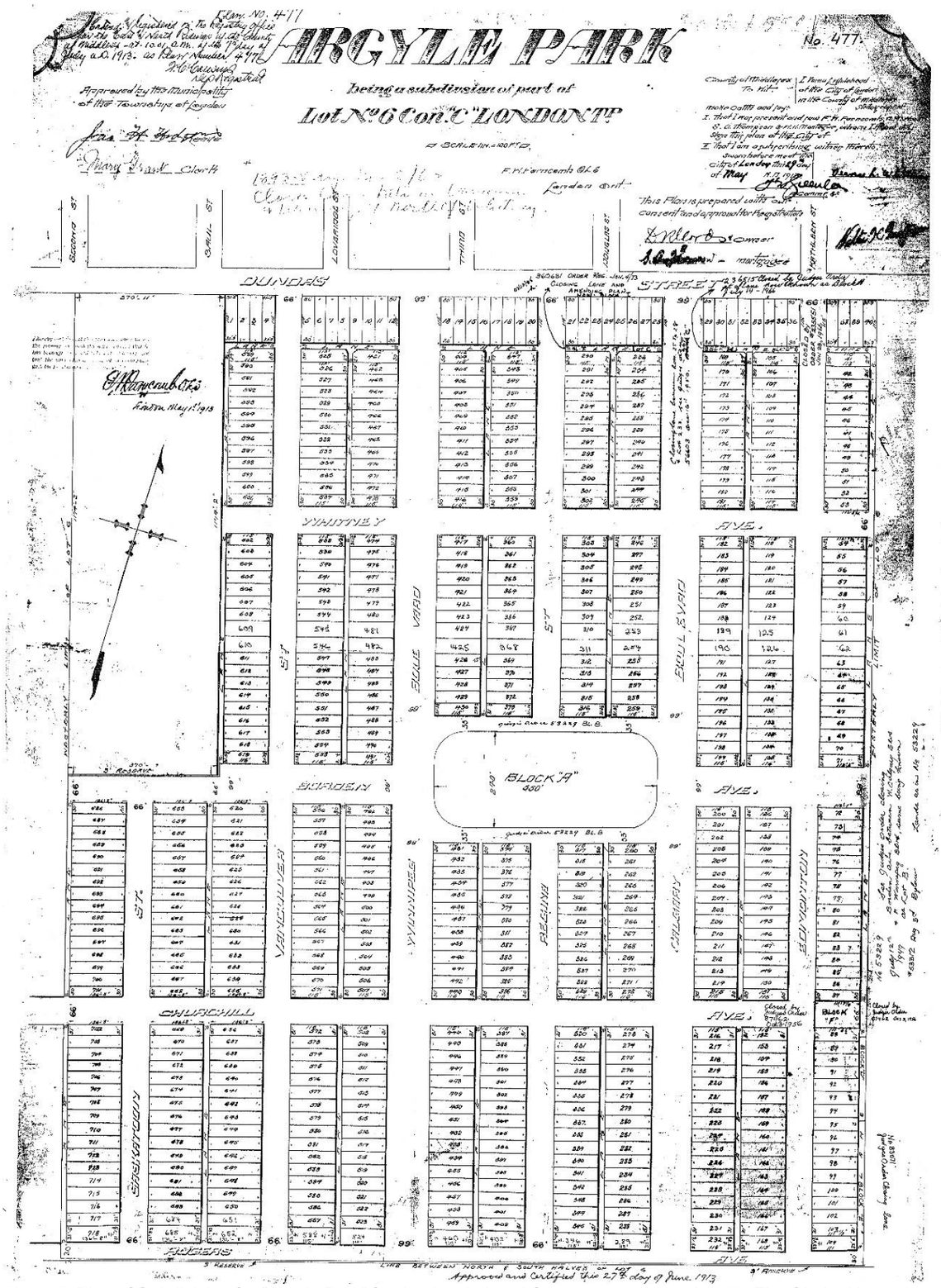

Figure 9:Plan of Subdivision for "Argyle Park" for the Argyle Land Company, registered 1913. The Clarke House is not located within the Argyle Park subdivision but is historically associated with the Argyle Land Company.

THE LONDON ADVERTISER, MONDAY, JUNE 1, 1914. SIXTEEN PAGES. Sun Rises 4:48—Sun Sets 46. PRICE TWO CENTS.

BIG STEEL COMPANY WILL LOCATE ITS PLANT HERE, EMPLOYING 100 HANDS

Accepts Argyle Land Co.'s Offer of Fine 10-Acre Site in East London.

THE ONLY ONE IN CANADA

Crucible Metals Company Is New Departure For This Country.

PRAISE FOR COMMISSIONER

President of Company Has Kind Words For Gordon Philip.

London is to be the home of the Crucible Metals Company of Canada.

Today the president and one of the directors accepted an offer of a ten-acre site from the Argyle Land Company. The generosity of this land company, together with the activity of Gordon Philp, industrial commissioner, are given as the reasons for the company's decision to locate in this city.

The Argyle Land Company gives the site from a portion of the Clarke farm, immediately adjoining Argyle Park, and the company secures direct connection with the C. P. R., and is within a short distance of the Grand Trunk.

The company will be the only one of its kind in Canada. The president is a metallurgical engineer, who has been connected with most of the big companies working in steel in Canada. He and other practical steel men have seen the opportunity for some time, and had long since decided to launch a big company. This morning they came to the city, and after being driven to the property, decided that it was an ideal site for their plant and decided to locate upon it. The company will have a capital stock of $500,000 and $100,000 in gold bonds.

BEST PLACE IN CANADA.

"We have come to the conclusion that London is the best place in Canada for the location of an industry like ours," said the president, in announcing his intention. "You have a wonderful diversity of industries, all of which are purchasers of crucible steel products. We were impressed with the beauty of the city, and the generally attractive conditions. Your labor market is good and you have splendid railway connections. Then, you have a good industrial commissioner. He has put the case of London before us in such a manner as to make it impossible for us to refuse to come here. The Argyle Land Company certainly showed is the way big cities are built up, and I very much mistake the signs if London is not due to become an enormous city. You have the finest diversity of industries that I have ever seen in a single city. You seem to have the right spirit."

He further stated that there would be no difficulty in the securing of raw material. The company has gone into the matter thoroughly. The expectation was that 100 men would be employed at the start, probably more.

"All our hands will be high-class steel and brass moulders," said the president. "There will be a large expert staff of chemists and the executive staff will be chosen from among the best in the country."

CONSTRUCTION STARTS IMMEDIATELY.

Work on the erection of the building will proceed as soon as the company is given its charter, which has been applied for. The financing of the company is now under way.

Mr. Chartrand, of the Argyle Land Company, stated that his company had given the site to the industry because it wanted to advance the city. This concern will be one of the greatest in London, in the opinion of Mr. Chartrand.

Figure 10: Article from The London Advertiser *(June 11, 1914) citing industrial development on a portion of the Clarke farm, which did not arise. Courtesy www.canadiana.ca.*

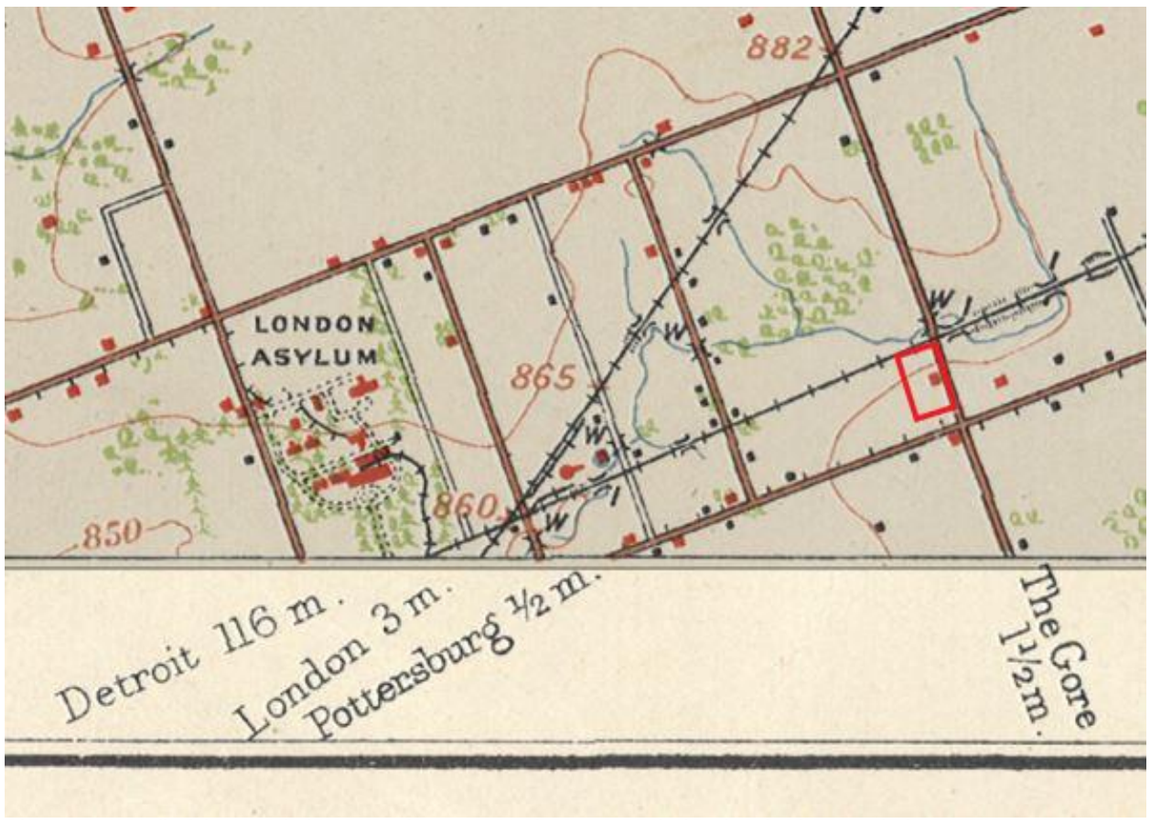

Figure 11: Detail of the Geodetic Survey (1915, Map Sheet 040P03) showing the former Clarke Farm.

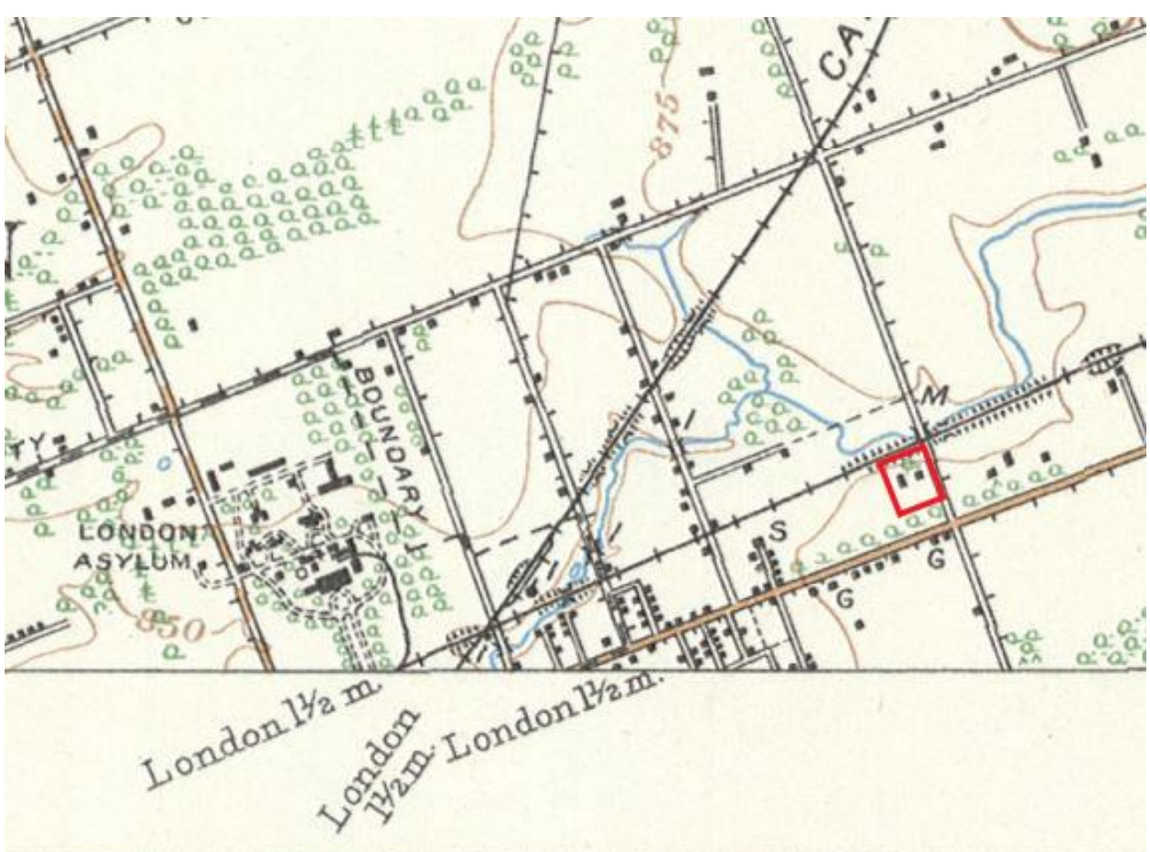

Figure 12: Detail of the Geodetic Survey (1930, Map Sheet 040P03) showing the former Clark farm.

Figure 13: Detail of a 1946 aerial photograph showing the former Clarke farm. Courtesy Western University.

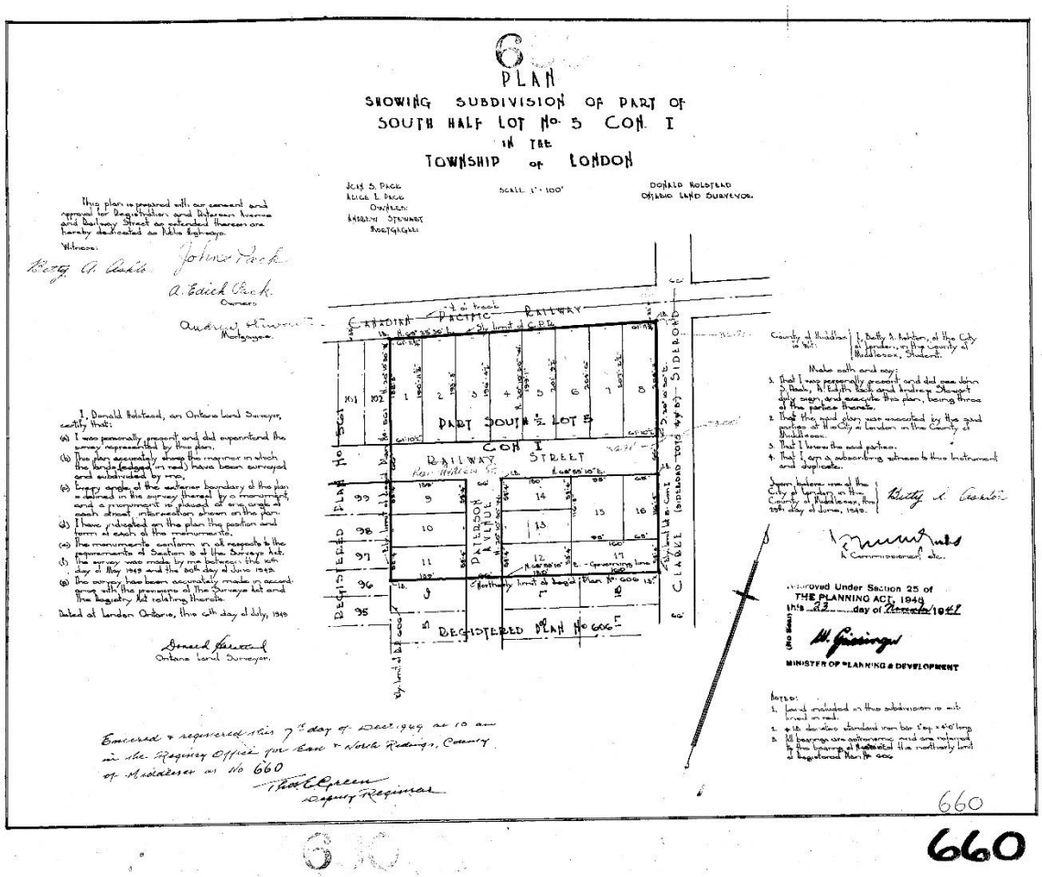

Figure 14: Plan of Subdivision 660, which includes the property at 1903 Avalon Street on Lots 15, 16, and 17. This plan was registered in 1949 and facilitated the residential development immediately surrounding the Clarke House.

Figure 15: Aerial photograph (May 15, 1949) showing the residential development around the Clarke House. Courtesy London Free Press Negatives Collection, Western Archives and Special Collections.

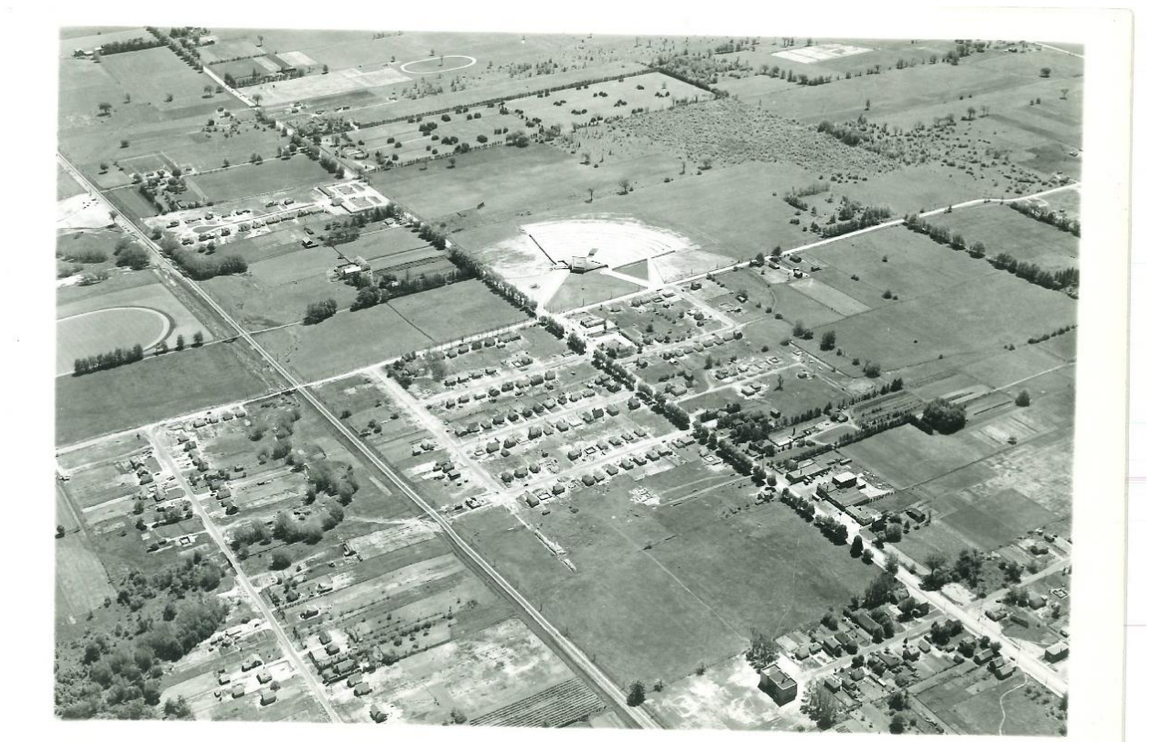

Figure 16: Aerial photograph (August 21, 1950) showing the intersection of Dundas Street and Clarke Road, where the initial stages of residential development around the Clarke House can be see. The Clarke House is located within the cluster of trees between the railway and Dundas Street (identified by the row of trees that line is north right of way). Courtesy London and Suburban Planning Board.

Figure 17: Detail of a photograph of the opening of the Loblaws at Dundas Street and Clarke Road on July 15, 1954. In the background, the front porch and dormers of the Clarke House are legible. Courtesy London Free Press Negatives Collection, Western Archives and Special Collections.

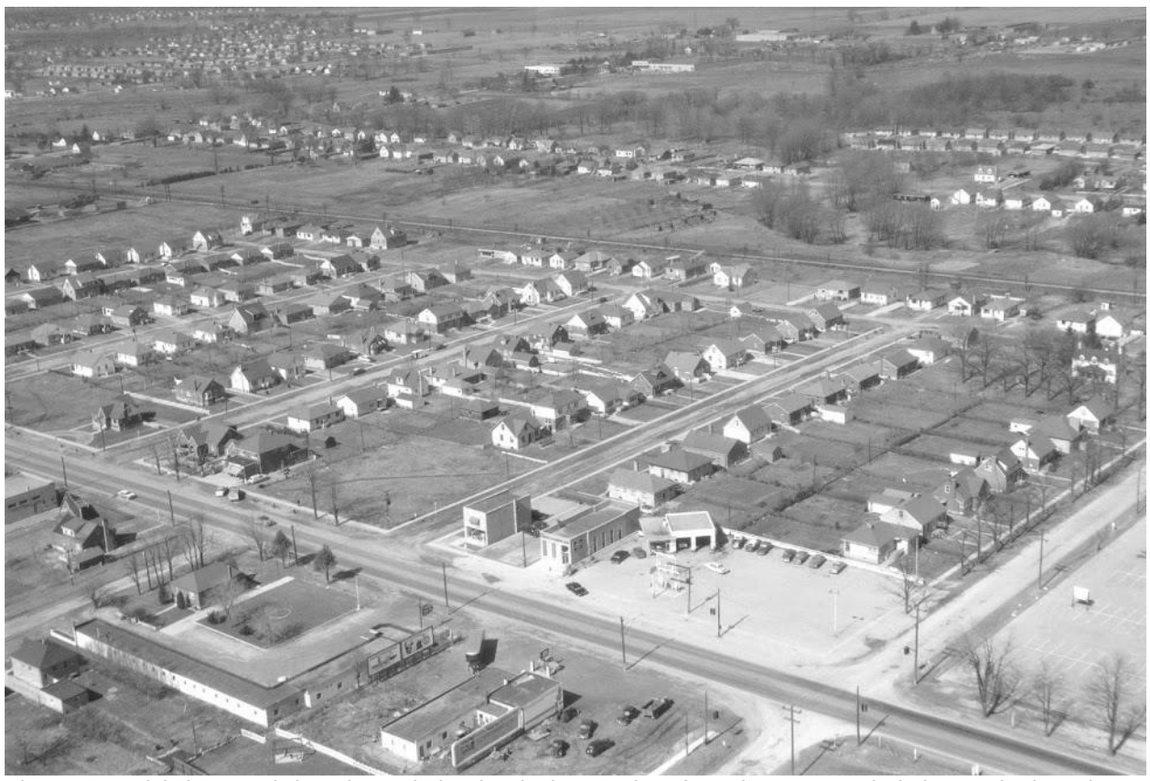

Figure 18: Aerial photograph (March 1957) showing the intersection of Dundas Street and Clarke Road, where the Clarke House can be see on the right hand edge of the image. Courtesy London Free Press Negatives Collection, Western Archives and Special Collections.

Figure 19: Photographs, courtesy of the Bos family via Sam Cox, showing the Clarke House in the 1960s and 1970s.

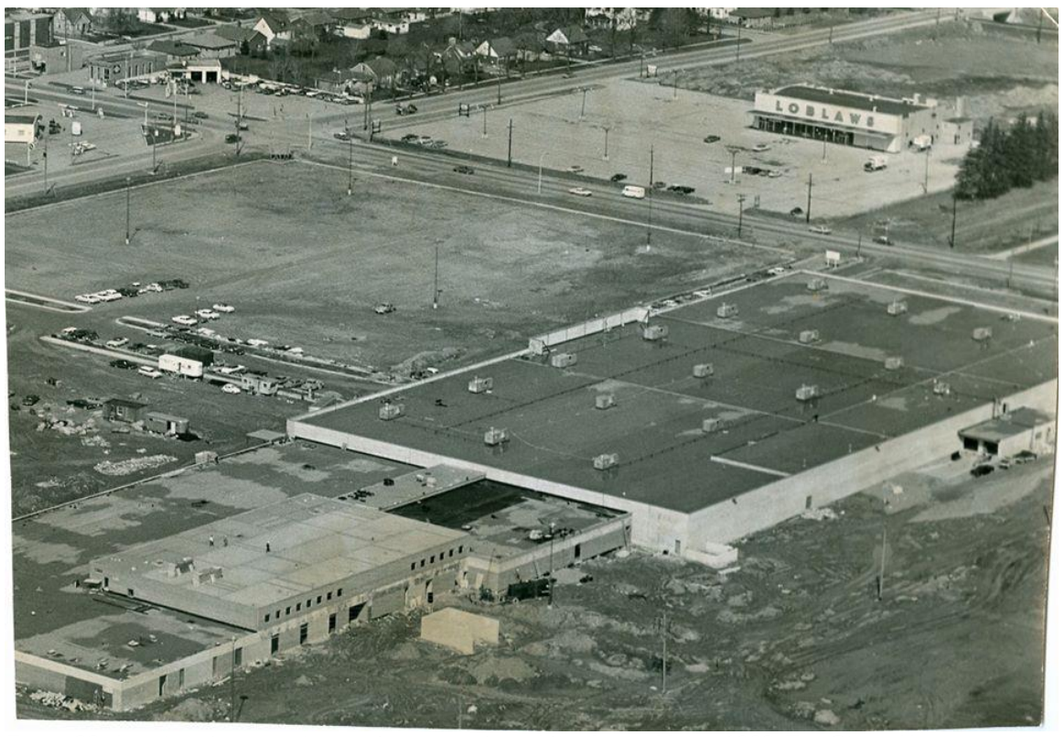

Figure 20: Aerial photograph showing the completion of the Argyle Mall in 1966. The Clarke House can be seen along the very top edge of the photograph. Courtesy London Free Press Negatives Collection, Western Archives and Special Collections.

Appendix D – Comparative Analysis

Heritage listed and heritage designated properties with attributed dates of construction before 1861 included on the Register of Cultural Heritage Resources:

- 1629 Bradley Avenue, Castle Hill Farm, built 1835, heritage listed property
- 1603 Richmond Street, James McStay House, built 1836, heritage designated property
- 1944 Bradley Avenue, built circa 1840, heritage listed property
- 6283 Colonel Talbot Road, Burtwistle, built circa 1840, heritage listed property
- 2056 Huron Street, House in the Grove, built 1840, heritage listed property
- 6414 Orr Drive, Lunana, built circa 1840, heritage listed property
- 555 Pond Mills Road, built circa 1840, heritage listed property
- 2707 Westminster Drive, built circa 1840, heritage listed property
- 7158 Wonderland Road South, built circa 1840, heritage listed property
- 120 Meadowlily Road South, Park Farm, built 1848, heritage designated property
- 6602 White Oak Road, Court, built 1848, heritage listed property
- 2017 Bradley Avenue, Roselawn, built 1850, heritage listed property
- 475 Fanshawe Park Road East, built circa 1850, heritage listed property
- 1976 Oxford Street West, built circa 1850, heritage listed property
- 1035 Sunningdale Road West, built circa 1850, heritage listed property
- 4594 White Oak Road, built circa 1850, heritage listed property
- 5435 White Oak Road, built circa 1850, heritage listed property
- 1458 Huron Street, Flower House, built 1853, heritage listed property
- 1810 Woodhull Road, Kilworth Hall, built 1853, heritage listed property
- 6983-6993 Colonel Talbot Road, built 1855, heritage listed property
- 1057 Oxford Street West, Elson Farm, built 1855, heritage listed property
- 2411 Oxford Street West, Comfort Cottage, built 1858, heritage designated property
- 3101 Westdel Bourne, Rosehill/Uptigrove House, bulit 1858, heritage listed property
- 5075 Westdel Bourne, Bodkin House, built 1858, heritage listed property
- 109 Chesterfield Avenue, built 1860 and altered circa 1915, heritage designated property
- 1424 Clarke Road, Tackabury farmhouse, built circa 1860, heritage listed property
- 5461 Colonel Talbot Road, built circa 1860, heritage listed property
- 7002 Colonel Talbot Road, built circa 1860, heritage listed property
- 1657-1733 Glanworth Drive, built circa 1860, heritage listed property
- 11 Haymarket Place, Greave farmhouse, built circa 1860, heritage designated property
- 5788 Old Victoria Road, built circa 1860, heritage listed property
- 1104 Sarnia Road, built circa 1860, heritage listed property
- 40 Sumner Road, Pleasant Hill Farmhouse, built 1860, heritage designated property
- 1950 Westminster Drive, built circa 1860, heritage listed property
- 371 Wharncliffe Road North, built circa 1860, heritage listed property
- 81 Wilson Avenue, Alexander Leslie House, built circa 1860*, heritage designated property
- 2115 Wilton Grove Road, Bruyland, built circa 1860, heritage designated property

Appendix E – Statement of Cultural Heritage Value or Interest

Legal Description
LOTS 15,1 6, AND 17 PLAN 660 LONDON/LONDON TOWNSHIP

PIN
08110-0154

Description of Property
The property at 1903 Avalon Street is in the Argyle area of the City of London. The property is located at the southwest corner of Avalon Street and Clarke Road, north of the intersection of Clarke Road and Dundas Street.

The one-and-a-half storey painted brick farmhouse, known as the Clarke House, is located on the high point of the land of the property at 1903 Avalon Street. The primary façade of the Clarke House faces south, away from Avalon Street and Clarke Road but towards Dundas Street as the house was originally oriented. The farmhouse is sited on a rise of the property. The farmhouse was built before 1860, prior to the subdivision of the land, Registered Plan 660 (1949), which established the current lot fabric of the area.

Statement of Cultural Heritage Value or Interest
The Clarke House, at 1903 Avalon Street, is of cultural heritage value or interest because of its physical or design values, historical or associative values, and contextual values.

Physical or Design Value
The property at 1903 Avalon Street is a unique example of a sympathetically evolved early brick farmhouse in the former London Township. Originally built before 1861, Clarke House was a five-bay brick farmhouse, with a central entryway. The farmhouse was constructed of buff brick, which has been coated in a lime rendering and subsequently painted, on a buff brick foundation. The brick masonry has been laid in a modified common bond, usually with eight stretcher courses between a header course, indicating a solid brick structure of at least two wythes of brick masonry. Additions have been constructed onto the rear of the original rectangular plan of the building, as well as a stone front porch. The gable roofline was sympathetically altered by the three south-facing dormer style windows, before 1954. The six-over-six wood dormer windows replicate the style of the wood six-over-six windows of the first storey and original part of the house. The front doorway is recessed with panelled reveals and a central single leaf panelled wood door that is flanked by plain sidelights with dados below and a wood fanlight above in a Georgian-inspired style.

Historical or Associative Values
The property at 1903 Avalon Street has direct historical associations with the Clarke family, a pioneer family of London Township. On July 11, 1829, John Clarke (1777-1873) purchased the South Half of Lot 5, Concession I (100 acres) from the Canada Company. The patent for the property was issued by the Canada Company on July 11, 1834, after John Clarke had completed payments for the property. Like many London Township settlers, the Clarke family established a farm and over time increased their land holdings. Upon the death of John Clarke in 1873, the property passed to his son, John Clarke (1815-1893). The property was then passed to David Clarke (b. 1854) upon his father's death in 1893. David Clarke sold the property to Abraham J. Montague for $7,500 on July 5, 1912. The property that now includes 1903 Avalon Street, the Clarke House, was owned by the Clarke family for 83 years. The significance of the Clarke family is also articulated by their namesake of Clarke (Side) Road and reinforced by the long-term retention of their farmhouse.

The property is linked to the history of the Argyle area, yielding information to its subdivision and development in the early part of the twentieth century. Following the sale of the property by David Clarke to Abraham J. Montague it was sold again in 1913 to Henry M. Peterman with a large mortgage. H. M. Peterman then entered into an

agreement with David R. Wood, whose interests were subsequently transferred to The Argyle Land Company in 1914 for $1.

The Argyle Land Company appears to be a Winnipeg-based land developer/speculator that acquired property in the Dundas Street and Clarke Road area, including what now includes 1903 Avalon Street. While the Argyle Land Company primarily focused on residential development, in 1914 the Argyle Land Company offered a 10-acre portion of the former Clarke farm for industrial development of the Crucible Metals Company of Canada, which failed to arise.

While the reasons are not clearly known, the Argyle Land Company appears to have gone bankrupt in 1918. All advertisement ceases in 1918 and company officers disappear from any reference in the City Directory. A Certificate of Order of Foreclosure is registered on the title of the property with the ownership reverting to its mortgagee, Abraham J. Montague in 1918. Subsequent property owners completed the residential subdivision of the area.

The “Argyle” name now characterizes the broader area and contributes to an understanding of the history of the Argyle area. Through its association with the Argyle Land Company, the Argyle area is associated with many other Argyle namesakes in Canada.

The development of the former Clarke farm and the retention of the Clarke House at 1903 Avalon Street is important in understanding the development of the Argyle area. The relationship of the property to the Argyle Land Company, and the history of that company, has the potential to contribute to an understanding of how and why the Argyle area developed at the time and in the manner that it evolved.

Contextual Values

John Clarke obtained the patent to the South Half Lot 5, Concession I of the former London Township in 1834 after completing payments to the Canada Company. Lot 5 is located at the northwest corner of the first concession road of the former London Township and the sideroad laid out between Lots 4 and 5. The first concession road is Dundas Street, also known as the Governor’s Road or Highway 2. It was an important transportation corridor in the early colonial history of the London area. Clarke House is sited with its primary façade oriented south, towards Dundas Street. This demonstrates its historical links of the property to the surrounding area that is significant in understanding the evolution of the former Clarke property. The subsequent subdivision and development of the land around the Clarke House has altered the relationship between the house and Dundas Street, however, the existing lot fabric allows the primary (south) façade of Clarke House to remain clearly oriented southerly towards Dundas Street. The stone gates at Clarke Road physically mark the property’s connection to Clarke Road, named for its historical associations with the Clarke family.

The property at 1903 Avalon Street is locally recognized as a landmark within the Argyle community.

Heritage Attributes

Heritage attributes which support and contribute to the cultural heritage value or interest of this property include:

- A unique example of a sympathetically evolved early brick farmhouse, as demonstrated by:
    - Form, scale, and massing of the one-and-a-half storey farmhouse
    - Siting of the farmhouse, on a rise of the property, with its primary (south) façade oriented towards Dundas Street
    - The modified common bond brick structure, including the foundation, noting that the exterior masonry was coated with a lime rendering and has been painted
    - The strong symmetry of the original window openings and the original front doorway in the brick structure

        - The five-bay south façade, articulated by two pairs of six-over-six wood windows to each side of a central entryway
        - The front doorway that is recessed with panelled reveals and a central single leaf panelled wood door that is flanked by plain sidelights with dados below and a wood fanlight above in a Georgian-inspired style
        - The sympathetically introduced trio of dormers on the south slope of the gable roof which feature wood six-over-six windows, replicating the style of the windows in the first storey
        - The painted wood frieze, painted wood soffit, and painted wood bargeboard which articulates the restrained architectural details
        - On the east elevation, the two wood six-over-six windows on the ground storey and the two wood six-over-six windows on the upper storey
        - On the west elevation, the two wood six-over-six windows on the ground storey and the two wood six-over-six windows on the upper storey
        - The small square wood window in the upper storey of the north elevation
        - The inset chimney at the east end of the farmhouse, which was likely originally flanked by a matching chimney at the west end
        - The robust stone front porch, with a stone balustrade of the porch and steps, and the stone pillars that support a painted wood frieze and a hipped roof. The round columns are believed to be a later alteration to the porch.
    - The two stone pillars, marking the entry to the property from Clarke Road, articulating the contextual values of the Clarke House

- The detached garage structure is not considered to be a heritage attribute.

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: **RFP21-57 ReThink Zoning Consulting Services Contract Award**
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the appointment of consulting services relating to ReThink Zoning:

(a) Sajecki Planning Inc. **BE APPOINTED** project consultants to prepare the new comprehensive Zoning By-law for the City of London, in the total amount of $674,970.00, including disbursements and excluding HST;

(b) the financing for the ReThink Zoning (Phase Two) project **BE APPROVED** in accordance with the Source of Financing Report attached, hereto, as Appendix 'A';

(c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts that are necessary in connection with the ReThink Zoning project;

(d) the approvals given, herein, **BE CONDITIONAL** upon the Corporation of the City of London entering into a formal contract; and,

(e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other document, if required, to give effect to these recommendations.

Executive Summary

This report recommends the appointment of Sajecki Planning Inc. as project consultants to prepare the new comprehensive Zoning By-law for the City of London to implement *The London Plan* and to replace the current *Zoning By-law No. Z.-1*.

In accordance with the City's *Procurement of Goods and Services Policy*, Sajecki Planning Inc. was qualified to provide consulting services through a Request for Qualification (RFQUAL) and had the highest scoring submission through the subsequent Request for Proposal (RFP).

Linkage to the Corporate Strategic Plan

The appointment of consulting services for the preparation of the new comprehensive Zoning By-law will contribute to the advancement of Municipal Council's 2019-2023 Strategic Plan in several ways:

- "Building a Sustainable City" is supported by the preparation of a new comprehensive Zoning By-law that ensures growth and development in the City is well planned and sustainable over the long-term.

- "Strengthening Our Community" is supported by the preparation of a new comprehensive Zoning By-law that ensures new development fits and enhances the surrounding context and considers innovative regulatory approaches to

achieve municipal commitments to affordable housing and to reduce and mitigate climate change.

- "Growing Our Economy" is supported by the preparation of a new comprehensive Zoning By-law that delivers certainty and flexibility in creating a supportive environment where businesses and development can thrive.

- "Leading in Public Service" is supported by opportunities for public and stakeholder engagement and participation in the preparation of the new comprehensive Zoning By-law and in local government decision-making.

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. Through this declaration the Corporation of the City of London (the City) is committed to reducing and mitigating climate change by encouraging sustainable development and directing intensification and growth to appropriate locations. This includes the efficient use of existing urban lands and infrastructure, aligning land use planning with transportation planning to facilitate transit-supportive developments that encourage active transportation. Development shall also be directed away from natural hazards to minimize and mitigate flooding potential.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning and Environment Committee, ReThink Zoning Phase One Update and Background Papers, June 21, 2021. This report introduced for information purposes a series of Background Papers. The first Background Paper provided an overview of the relevance and role of zoning and the importance of engagement in the ReThink Zoning project. The second, third and fourth Background Papers addressed the role of use, intensity, and form in zoning respectively to achieve the city building objectives described in *The London Plan*. The fifth Background Paper undertook a review of Zoning By-laws for several populous municipalities in Ontario to identify best practices and capture innovative approaches to zoning. This report also provided an update on the next steps for the ReThink Zoning project

Planning and Environment Committee, ReThink Zoning Phase One Update, November 30, 2020. This report introduced for information purposes, areas of focus for future public and stakeholder engagement. Areas of focus including education about how zoning works, and conversations about the types of uses and buildings that should be permitted (use), how much activity or building should be permitted (intensity), and where and how buildings should be situated or designed (form). The above noted areas of focus were discussed in the context *The London Plan's* policy direction and Place Types, and how *The London Plan's* vision can be implemented through zoning. The report was initially scheduled for June 2020 and was postponed and adapted to address limitations with public and stakeholder engagement as influenced by COVID-19.

Planning and Environment Committee, ReThink Zoning Terms of Reference, May 13, 2019. Based on public and stakeholder comments on the draft Terms of Reference (TOR), this report introduced for approval an updated TOR for the ReThink Zoning project. The updated TOR included a detailed overview of the

project goals, work plan and deliverables, and identified opportunities for meaningful public and stakeholder engagement through the process.

Planning and Environment Committee, ReThink Zoning Terms of Reference, August 13, 2018. This report introduced for information purposes a draft TOR for the ReThink Zoning project and directed that the draft be circulated to receive comments on the project.

2.0 Discussion and Considerations

2.1 Work Description

ReThink Zoning is a multi-year, multi-phased project for the delivery of a new comprehensive Zoning By-law. Due to the scope and complexity of this project, the approved TOR for ReThink Zoning identified that consultants would be retained to support staff in completing the work plan and providing specialized expertise throughout the process. Work that has already been completed for ReThink Zoning includes background research, initial public and stakeholder engagement, and a best practice review. The next steps in the ReThink Zoning project will include working with the consultant team to continue this process and engage in the detailed analysis required to draft the new comprehensive Zoning By-law.

The primary deliverables related to this project include:

- The development and administration of a comprehensive engagement plan that will exceed and enhance the minimum requirements for public participation under the *Planning Act*.
- The preparation of Issue Papers to provide a zoning approach for each Place Type in *The London Plan* and for specific technical considerations, including but not limited to zoning and affordable housing, zoning and climate change, zoning and intensification.
- An inventory and analysis of existing development patterns, trends and areas will be completed.
- The preparation of two draft zoning by-laws and the final zoning by-law for Municipal Council's approval.

2.1 Procurement Process

In accordance with Sections 12.1, 12.4 and 15.3 of the City's *Procurement of Goods and Services Policy* (By-law No. A-615(y)-268), a two-stage procurement process was used to select the recommended consultant, with the first stage being an open, publicly advertised RFQUAL, and the second stage being an RFP open to firms qualified through the first stage.

The submissions for the RFQUAL and RFP were evaluated by staff from Planning and Development, Building, and Legal Services, and the evaluation process was administered by staff from Finance Supports.

The scoring of the proposals through the second stage RFP included separate technical and pricing components. The evaluation of the technical component considered the demonstrated qualifications and expertise of the consulting team, project related experience, understanding the project goals, objective and desired outcomes, an engagement program, work plan and methodology, project management and schedule and a presentation on the above-noted matters. The pricing component considered the fees for all consultant activities and deliverables.

Sajecki Planning Inc. had the highest scoring proposal overall and for each component (technical and pricing). Sajecki Planning Inc. will function as the lead project consultant with a focus on zoning and land use plan and has assembled an interdisciplinary team of subconsultants as is typical for a project of the scope and complexity of the ReThink Zoning project. Sub-consultants include R.E. Millward + Associates for zoning and land use planning, Freedman Urban Solution for urban design, PosadMaxwan for sustainability and data analytics, LURA Consulting for public engagement and Scribe Technical Writers and Editors for plain language writing.

3.0 Financial Impact/Considerations

3.1 Source of Financing

As a result of the RFQUAL and RFP processes, it is recommended that Sajecki Planning Inc. be authorized as the project consultant to complete ReThink Zoning. Planning and Development staff have reviewed the pricing component of the Sajecki proposal and have confirmed that the hourly rates and time allocated to project related tasks are competitive and the best value supplied through the RFP process. The total pricing amount of $674,970.00, including disbursements and excluding HST, is within the City's estimated expenditures for consulting services for the ReThink Zoning project and can be accommodated within the available capital budget, per the Source of Financing attached as Appendix 'A'.

4.0 Key Issues and Considerations

4.1. Key Issued Addressed

The *Planning Act* requires that all by-laws must conform with the municipality's Official Plan. The current *Zoning By-law No. Z.-1* was written and approved as a tool to implement the *1989 Official Plan*. The new Official Plan, *The London Plan*, necessitates the need for a new comprehensive Zoning By-law to regulate and implement the new direction of The *London Plan*. This report is the conclusion of the RFQUAL and RFP procurement process for consulting services for ReThink Zoning. This contract includes the preparation of the new comprehensive Zoning By-law and will bring the City's Zoning By-law into conformity with *The London Plan.*

Conclusion

The London Plan necessitates the need for a new comprehensive Zoning By-law to regulate and implement the new direction of *The London Plan*. ReThink Zoning will provide an opportunity to consider new, innovative or alternative approaches to regulating use, intensity and form across the City and is the project for the delivery of a new comprehensive Zoning By-law.

Given the scope and complexity of this project, the Terms of Reference approved by Municipal Council identified that consultants would be retained to support staff in completing the project. Through the Request for Qualification and Request for Proposal procurement process, the interdisciplinary consulting team assembled by Sajecki Planning Inc. have demonstrated the qualifications, expertise, and related project experience necessary to prepare a new comprehensive Zoning By-law, and the proposal by Sajecki Planning Inc. represented the best value supplied through the procurement process.

Prepared by: **Melissa Campbell, MCIP, RPP**
Senior Planner, Long Range Planning & Research

Reviewed by:	**Justin Adema, MCIP, RPP** **Manager, Long Range Planning & Research**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning & Development**
Submitted by:	**George Kotsifas, P. Eng.** **Deputy City Manager, Planning & Economic Development**

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Appendix "A"

#21182
November 1, 2021
(Appoint Consultant)

Chair and Members
Planning and Environment Committee

RE: RFP 21-57 ReThink Zoning Consulting Services
(Subledger NT21GG01)
Capital Project PD2152 - Planning Comprehensive Zoning By-law
Sajecki Planning Inc.- $674,970.00 (excluding HST)

Finance and Corporate Services Report on the Sources of Financing:

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

Estimated Expenditures	**Approved Budget**	**Committed To Date**	**This Submission**	**Balance for Future Work**
Consulting	1,000,000	166,971	686,849	146,180
Total Expenditures	$1,000,000	$166,971	$686,849	$146,180
Sources of Financing				
Capital Levy	325,000	83,486	241,515	0
Drawdown from Official Plan Reserve Fund	175,000	0	101,910	73,090
Drawdown from City Services - Studies Reserve Fund (Development Charges) (Note 1)	500,000	83,486	343,425	73,090
Total Financing	$1,000,000	$166,971	$686,849	$146,180

Financial Note:

Contract Price	$674,970
Add: HST @13%	87,746
Total Contract Price Including Taxes	762,716
Less: HST Rebate	-75,867
Net Contract Price	$686,849

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

Jason Davies
Manager of Financial Planning & Policy

lp

Report to Planning & Environment Committee

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

From: **Peter Kokkoros, P.Eng., B.A. (Econ)**
Director Building & Chief Building Official

Subject: **Building Division Monthly Report**
August 2021

Date: **November 1, 2021**

Recommendation

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

Executive Summary

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

Linkage to the Corporate Strategic Plan

Growing our Economy

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

Leading in Public Service

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

Analysis

1.0 Background Information

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

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – August 2021

Permits Issued to the end of the month

As of August 2021, a total of 3,271 permits were issued, with a construction value of $1.16 billion, representing 2,960 new dwelling units. Compared to the same period in 2020, this represents a 31.0% increase in the number of building permits, with a 26.6% increase in construction value and an 37.4% increase in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of August 2021, the number of building permits issued for the construction of single and semi-detached dwellings is 781, representing an 42.8% increase over the same period in 2020.

Number of Applications in Process

As of the end of August 2021, 1,121applications are in process, representing approximately $770 million in construction value and an additional 1,314 dwelling units compared with 1,096 applications, with a construction value of $672 million and an additional 1,568 dwelling units in the same period in 2020.

Rate of Application Submission

Applications received in August 2021 averaged to 19.7 applications per business day, for a total of 413 applications. Of the applications submitted 55 were for the construction of single detached dwellings and 13 townhouse units.

Permits issued for the month

In August 2021, 409 permits were issued for 264 new dwelling units, totalling a construction value of $130.5 million.

Inspections – Building

A total of 2,999 inspection requests were received with 3,081 inspections being conducted.

In addition, 15 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,999 inspections requested, 96% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 1,042 inspection requests were received, with 711 inspections being conducted.

An additional 74 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 1,042 inspections requested, 96% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,471 inspection requests were received with 1,581 inspections being conducted related to building permit activity.

An additional 13 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,471 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

2019 Permit Data

To the end of August 2019, a total of 3,175 permits were issued, with a construction value of $967.3 Million, representing 1,825 new dwelling units. The number of single/semi detached dwelling units was 446.

Conclusion

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

Prepared by:	**Peter Kokkoros, P.Eng.** **Director, Building and Chief Building Official** **Planning and Economic Development**
Submitted by:	**George Kotsifas, P.Eng.** **Deputy City Manager** **Planning and Economic Development**
Recommended by:	**George Kotsifas, P.Eng.** **Deputy City Manager** **Planning and Economic Development**

APPENDIX "A"

CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF August 2021

	August 2021			to the end of August 2021			August 2020			to the end of August 2020			August 2019			to the end of August 2019		
CLASSIFICATION	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	70	34,137,150	70	780	356,736,550	780	64	28,730,500	64	545	232,191,004	545	61	28,676,520	61	446	190,805,596	446
SEMI DETACHED DWELLINGS	0	0	0	1	223,500	1	0	0	0	1	354,000	2	0	0	0	0	0	0
TOWNHOUSES	14	15,291,300	56	162	149,539,000	606	7	7,150,200	24	80	72,293,685	266	14	14,780,360	54	105	92,114,230	418
DUPLEX, TRIPLEX, QUAD, APT BLDG	1	36,000,000	124	11	333,596,000	1,485	4	351,000,000	1,086	10	400,878,800	1,310	2	64,758,000	283	17	191,847,852	871
RES-ALTER & ADDITIONS	165	5,596,716	14	1,249	57,017,596	88	155	4,302,493	8	896	34,296,009	31	163	5,526,295	6	1,279	39,251,657	53
COMMERCIAL -ERECT	0	0	0	21	11,424,400	0	1	2,500,000	0	9	7,160,300	0	1	3,100,000	0	11	18,397,750	0
COMMERCIAL - ADDITION	1	55,000	0	5	455,000	0	0	0	0	2	791,800	0	1	8,000	0	12	8,627,000	0
COMMERCIAL - OTHER	34	9,423,200	0	234	45,261,304	0	29	7,806,692	0	235	51,812,827	0	46	8,889,330	2	364	48,449,410	2
INDUSTRIAL - ERECT	5	12,349,909	0	12	45,227,409	0	2	4,750,000	0	4	8,186,700	0	2	6,400,000	0	8	308,780,000	0
INDUSTRIAL - ADDITION	0	0	0	5	3,386,560	0	0	0	0	4	7,918,800	0	0	0	0	5	5,249,000	0
INDUSTRIAL - OTHER	3	142,000	0	24	16,961,980	0	2	5,300	0	25	2,277,907	0	8	1,329,200	0	56	6,468,520	0
INSTITUTIONAL - ERECT	0	0	0	1	12,000,000	0	0	0	0	3	32,825,000	0	0	0	0	1	9,816,800	0
INSTITUTIONAL - ADDITION	1	660,000	0	6	47,273,386	0	0	0	0	8	15,178,000	0	2	252,000	0	6	5,153,800	0
INSTITUTIONAL - OTHER	15	15,227,800	0	99	74,854,950	0	20	7,408,000	0	118	45,456,001	0	20	2,641,000	0	144	22,743,960	0
AGRICULTURE	1	200,000	0	2	350,000	0	0	0	0	1	100,000	0	0	0	0	5	15,640,000	0
SWIMMING POOL FENCES	44	1,416,400	0	307	8,679,140	0	58	1,637,071	0	278	6,724,570	0	24	512,050	0	171	3,684,667	0
ADMINISTRATIVE	5	12,000	0	64	256,000	0	8	5,000	0	34	100,000	0	19	52,000	0	112	307,000	0
DEMOLITION	11	0	6	57	0	41	12	0	11	52	0	39	9	0	7	61	0	35
SIGNS/CANOPY - CITY PROPERTY	1	0	0	8	0	0	0	0	0	2	0	0	2	0	0	26	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	38	0	0	223	0	0	18	0	0	191	0	0	23	0	0	346	0	0
TOTALS	409	130,511,475	264	3,271	1,163,242,774	2,960	380	415,295,256	1,182	2,498	918,545,403	2,154	397	136,924,755	413	3,175	967,337,242	1,825

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.
2) Mobile Signs are no longer reported.
3) Construction Values have been rounded up.

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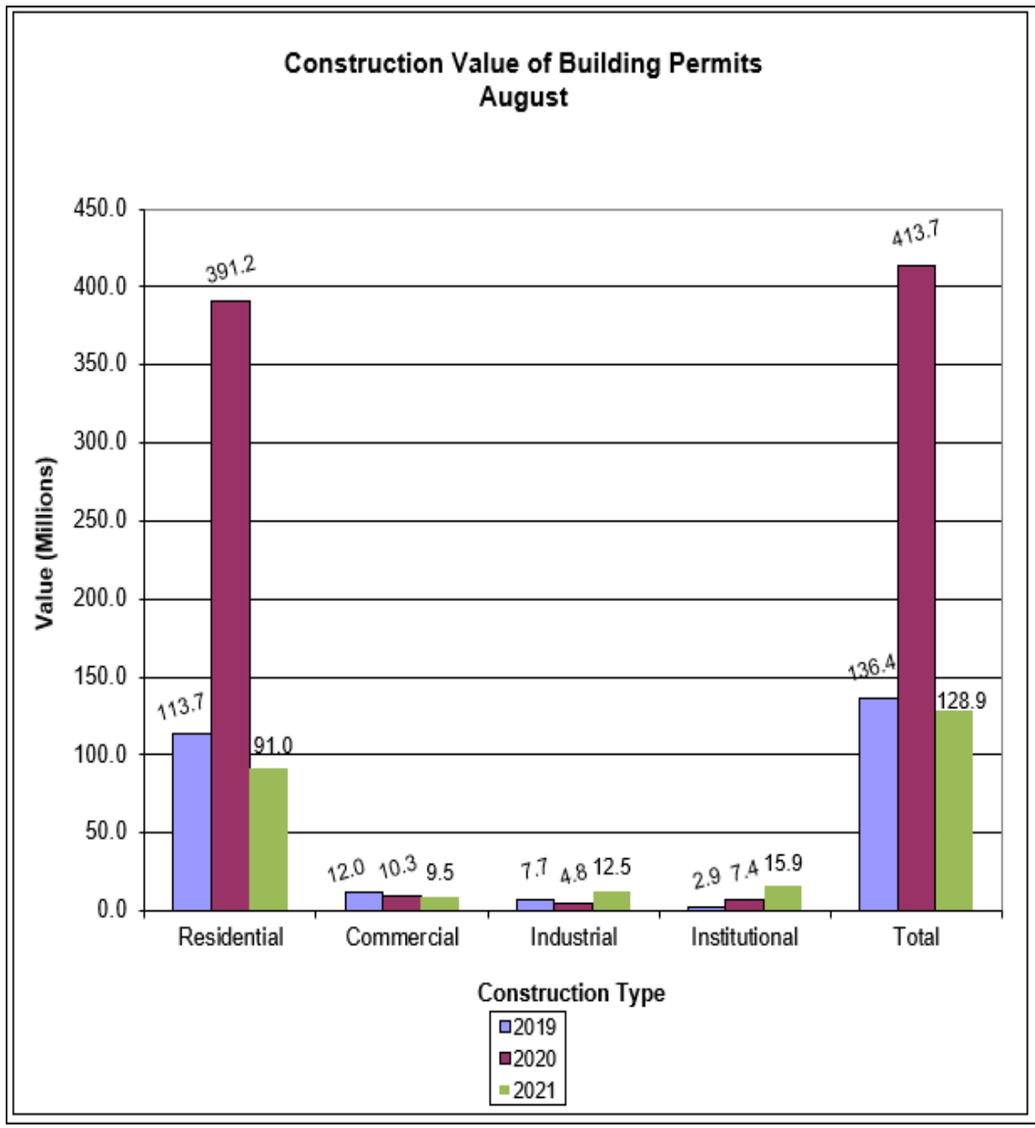
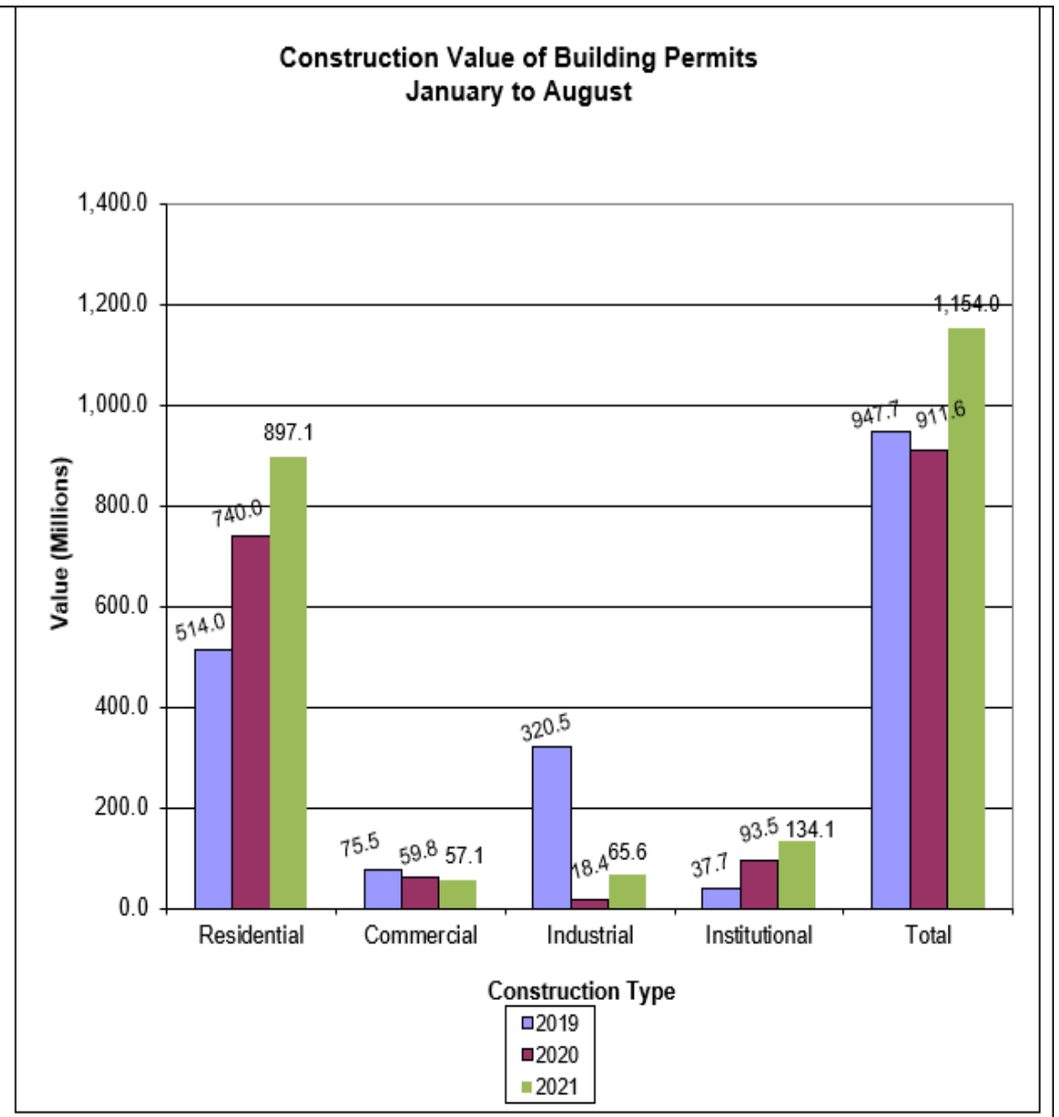

Construction Value of Building Permits
August
Value (Millions)
450.0
400.0
350.0
300.0
250.0
200.0
150.0
100.0
50.0
0.0
113.7
391.2
91.0
12.0
10.3
9.5
7.7
4.8
12.5
2.9
7.4
15.9
136.4
413.7
128.9
Residential
Commercial
Industrial
Institutional
Total
Construction Type
2019
2020
2021


Construction Value of Building Permits
January to August
Value (Millions)
1,400.0
1,200.0
1,000.0
800.0
600.0
400.0
200.0
0.0
514.0
740.0
897.1
75.5
59.8
57.1
320.5
18.4
65.6
37.7
93.5
134.1
947.7
911.6
1,154.0
Residential
Commercial
Industrial
Institutional
Total
Construction Type
2019
2020
2021

City of London - Building Division

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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
1803299 ONTARIO INC 1803299 ONTARIO INC	100 Kellogg Lane	Alter Restaurant <= 30 People INTERIOR ALTER FOR STARBUCKS	0	200,000
The Board of of Western Ontario The Board Of Governors The University Of Western Ontario	1151 Richmond St	Alter University Chiller replacement for Dental Science. FRR	0	652,800
The Board of of Western Ontario The Board Of Governors The University Of Western Ontario	1151 Richmond St	Alter University Interior alteration for 7th floor - Social Sciences, 7300 block, FRR	0	900,000
YORK DEVELOPMENTS YORK DEVELOPMENTS	135 Villagewalk Blvd	Install-Retail Store INSTALL SITE SERVICES		831,200
6141935 Canada Ltd	1682 Dundas St	Alter Restaurant INTERIOR ALTERATION OF THE EXISTING RESTAURANT	0	125,000
The Ridge At Byron Inc	1710 Ironwood Rd 51	Erect-Townhouse - Cluster SDD ERECT SDD TOWNHOUSE CLUSTER, 1 STOREY, 2 CAR GARAGE, 4 BEDROOM, FINISHED BASEMENT, W/ DECK, NO A/C, SB-12 A5, LOT 37, MCC903 , HRV & DWHR REQUIRED	1	471,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES	1820 Canvas Way 33	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, NO DECK, NO A/C, SB-12 A1, MVLCP 927 LEVEL 1 UNIT 34, HRV & DWHR REQUIRED	1	358,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1879 Sandy Somerville Lane	Erect-Townhouse - Cluster SDD TOWNHOUSE CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOM, UNFINISHED BASEMENT, COVERED DECK, NO A/C, SB-12 A3, PART OF BLOCK 1, 33M-758, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	368,000
Enbridge Gas Inc	2023 Wickerson Rd	Erect-Power Plants Erect natural gas regulator building #2	0	326,454
Enbridge Gas Inc	2023 Wickerson Rd	Erect-Power Plants Erect Natural Gas Boiler Building.	0	1,020,000
Enbridge Gas Inc	2023 Wickerson Rd	Erect-Power Plants Erect natural gas regulator building #1.	0	326,455
1413075 Ontario Inc	219 Oxford St W	Alter Offices SUITE 302 - INTERIOR RENOVATIONS FOR OFFICES	0	164,400
Rembrandt Developments (Fanshawe) Inc	2261 Linkway Blvd G	Erect-Townhouse - Condo ERECT 2 STOREY, 5 UNIT TOWNHOUSE, BLDG G, DPNs 14, 16, 18, 20, 22, SOILS REPORT BY EXP ENGINEERING REQUIRED.	5	1,330,000
Rembrandt Developments (Fanshawe) Inc	2261 Linkway Blvd H	Erect-Townhouse - Condo ERECT 2 STOREY, 5 UNIT TOWNHOUSE, BLDG H, DPNs 24, 26, 28, 30, 32, 34, SOILS REPORT BY EXP ENGINEERING REQUIRED.	6	1,058,000
Rembrandt Developments (Fanshawe) Inc	2261 Linkway Blvd I	Erect-Townhouse - Condo ERECT 2 STOREY, 7 UNIT TOWNHOUSE, BLOCK I, DPNs 36, 38, 40, 42, 44, 46, 48, SOILS REPORT BY EXP ENGINEERING REQUIRED.	7	1,400,000

City of London - Building Division

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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Thames Valley District School Board	2435 Buroak Dr	Install-Schools Elementary, Kindergarten INSTALL - SIR ARTHUR CURRIE PUBLIC SCHOOL - INSTALL 6 PORTABLES ON SITE PLAN		500,000
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2650 Buroak Dr G	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK G, 5 UNITS	5	1,500,000
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2650 Buroak Dr J	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK J, 3 UNITS	3	900,000
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2650 Buroak Dr K	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK K, 3 UNITS	3	900,000
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2650 Buroak Dr L	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK L, 6 UNITS	6	1,800,000
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2650 Buroak Dr M	Erect-Townhouse - Condo RT - ERECT - NEW TOWNHOUSE CONDO BLOCK M, 5 UNITS	5	1,500,000
Wmj (Lcc) Holdings Inc	275 Dundas St	Alter Offices INTERIOR ALTER FOR OFFICE, FRR/FPO	0	200,000
SIFTON PROPERTIES LIMITED	2835 Sheffield Pl 32	Erect-Townhouse - Cluster SDD ERECT NEW TOWNHOUSE CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 5 BEDROOM, FINISHED BASEMENT, NO DECK, NO A/C , MVLCP LEVEL 1 UNIT 16 SB-12 A1 ,HRV & DWHR REQUIRED	1	447,500
Al ALLENDORF GREENGATE VILLAGE LTD	3175 Turner Cres	Erect-Townhouse - Condo ERECT 2 STOREY , 8 UNIT TOWNHOUSE, BLOCK 48	8	2,456,000
JEFF FUNG PULSE COMMUNITIES (RHYTHM I) INC.	3635 Southbridge Ave J	Erect-Townhouse - Condo ERECT 4 UNIT 2 STOREY TOWNHOUSE BLOCK, BLDG J, DPNs 47, 49, 51 and 53, SOILS REPORT BY EXP ENGINEERING REQUIRED.	4	802,800
Wmj (Lcc) Holdings Inc	380 Wellington St	Install-Offices		500,000
	517 Palmtree Ave	Alter Duplex ALTER TO CREATE SECONDARY DWELLING UNIT IN BASEMENT AND RECONFIGURE MAIN FLOOR ADDING CONVERTING EXISTING BEDROOM INTO NEW POWDER ROOM AND CLOSETS	1	292,000
2740055 Ontario Inc	5435 White Oak Rd	Add Farm Workshop ADD BARN FOR FARM EQUIPMENT	0	200,000
Bell Canada	725 Colborne St	Alter Offices INTERIOR RENOVATION TO 1, 2 AND 3RD FLOOR - DEMOLITION PLAN FOR THIS PERMIT ONLY. SEPARATE PERMIT REQUIRED FOR INTERIOR FIT UP	0	4,800,000
University Of Western C/O Property Manager	800 Collip Cir	Alter University Interior alteration for NRC-IMTI, FRR/FPO	0	350,000

City of London - Building Division

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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
BATE REAL ESTATE CORP.	879 Wellington Rd	Alter Restaurant Alter for demising wall, separate fit out permit required for proposed restaurant	0	150,000
CITY LONDON C/O WESTERN FAIR ASSOCIATION	900 King St	Alter Convention Centre/Exhibition Hall Infill of existing basement and pour of a new slab on grade	0	200,000

Total Permits 32 Units 57 Value 27,029,609

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

Commercial building permits issued - subject to Development Charges under By-law C.P. -1551-227

OWNER
1025382 ONTARIO LTD.
1025382 ONTARIO LTD.

Commercial Permits regardless of construction value

Report to Planning & Environment Committee

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

From: **Peter Kokkoros, P.Eng., B.A. (Econ)**
Director Building & Chief Building Official

Subject: **Building Division Monthly Report**
September 2021

Date: **November 1, 2021**

Recommendation

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

Executive Summary

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

Linkage to the Corporate Strategic Plan

Growing our Economy

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

Leading in Public Service

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

Analysis

1.0 Background Information

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

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – September 2021

Permits Issued to the end of the month

As of September 2021, a total of 3,668 permits were issued, with a construction value of $1.3 billion, representing 3,371 new dwelling units. Compared to the same period in 2020, this represents a 23.2% increase in the number of building permits, with a 25.2% increase in construction value and an 37.2% increase in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of September 2021, the number of building permits issued for the construction of single and semi-detached dwellings is 844, representing an 27.5% increase over the same period in 2020.

Number of Applications in Process

As of the end of September 2021, 1,224 applications are in process, representing approximately $771 million in construction value and an additional 1,293 dwelling units compared with 928 applications, with a construction value of $646 million and an additional 1,352 dwelling units in the same period in 2020.

Rate of Application Submission

Applications received in September 2021 averaged to 21.2 applications per business day, for a total of 445 applications. Of the applications submitted 81 were for the construction of single detached dwellings and 50 townhouse units.

Permits issued for the month

In September 2021, 397 permits were issued for 411 new dwelling units, totalling a construction value of $166.1 million.

Inspections – Building

A total of 2,585 inspection requests were received with 2,637 inspections being conducted.

In addition, 22 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,585 inspections requested, 97% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 794 inspection requests were received, with 675 inspections being conducted.

An additional 98 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 794 inspections requested, 97% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,257 inspection requests were received with 1,585 inspections being conducted related to building permit activity.

An additional 7 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,257 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

2019 Permit Data

To the end of September, a total of 3,563 permits were issued, with a construction value of $1.05 billion, representing 1,963 new dwelling units. The number of single/semi detached dwelling units was 514.

Conclusion

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

Prepared by:	**Peter Kokkoros, P.Eng.** **Director, Building and Chief Building Official** **Planning and Economic Development**
Submitted by:	**George Kotsifas, P.Eng.** **Deputy City Manager** **Planning and Economic Development**
Recommended by:	**George Kotsifas, P.Eng.** **Deputy City Manager** **Planning and Economic Development**

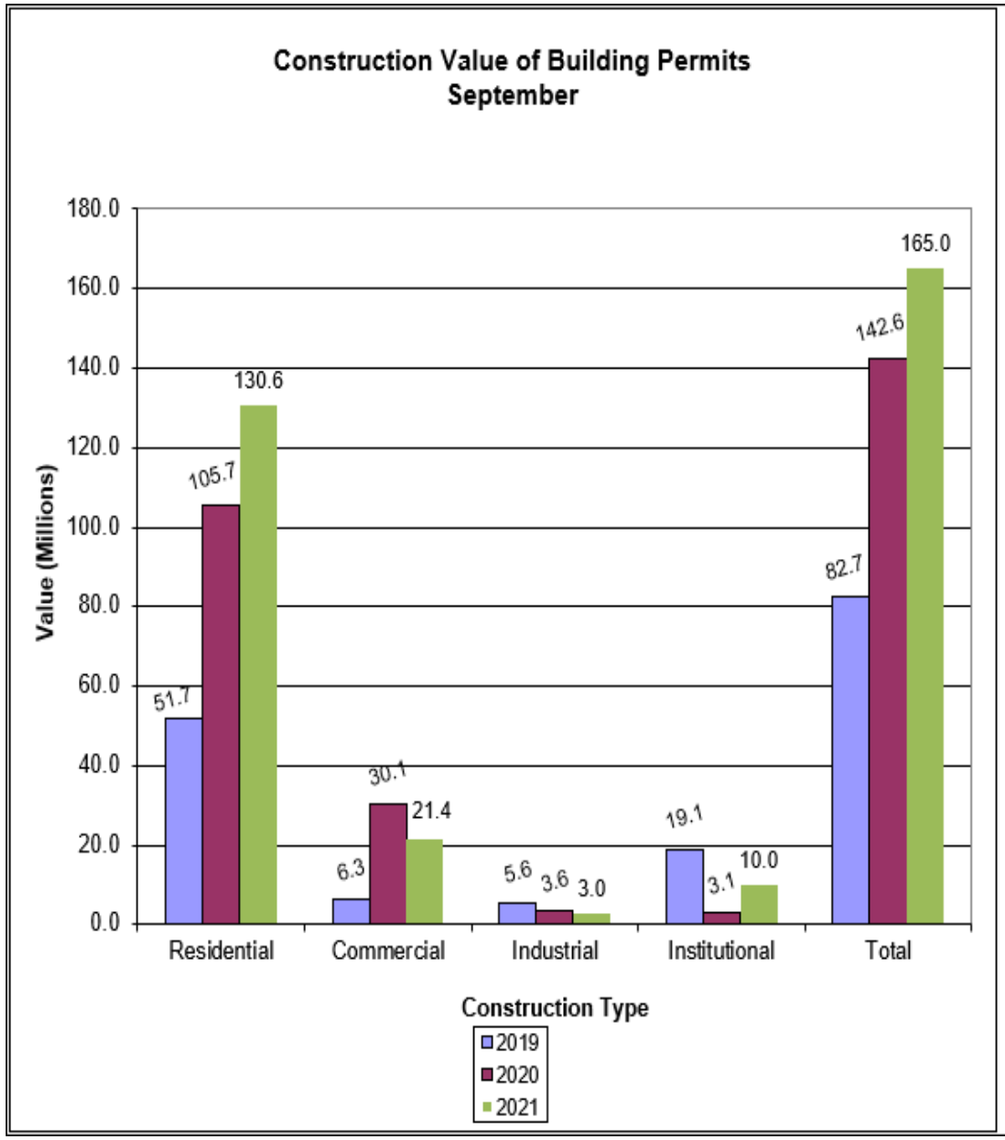
APPENDIX "A"

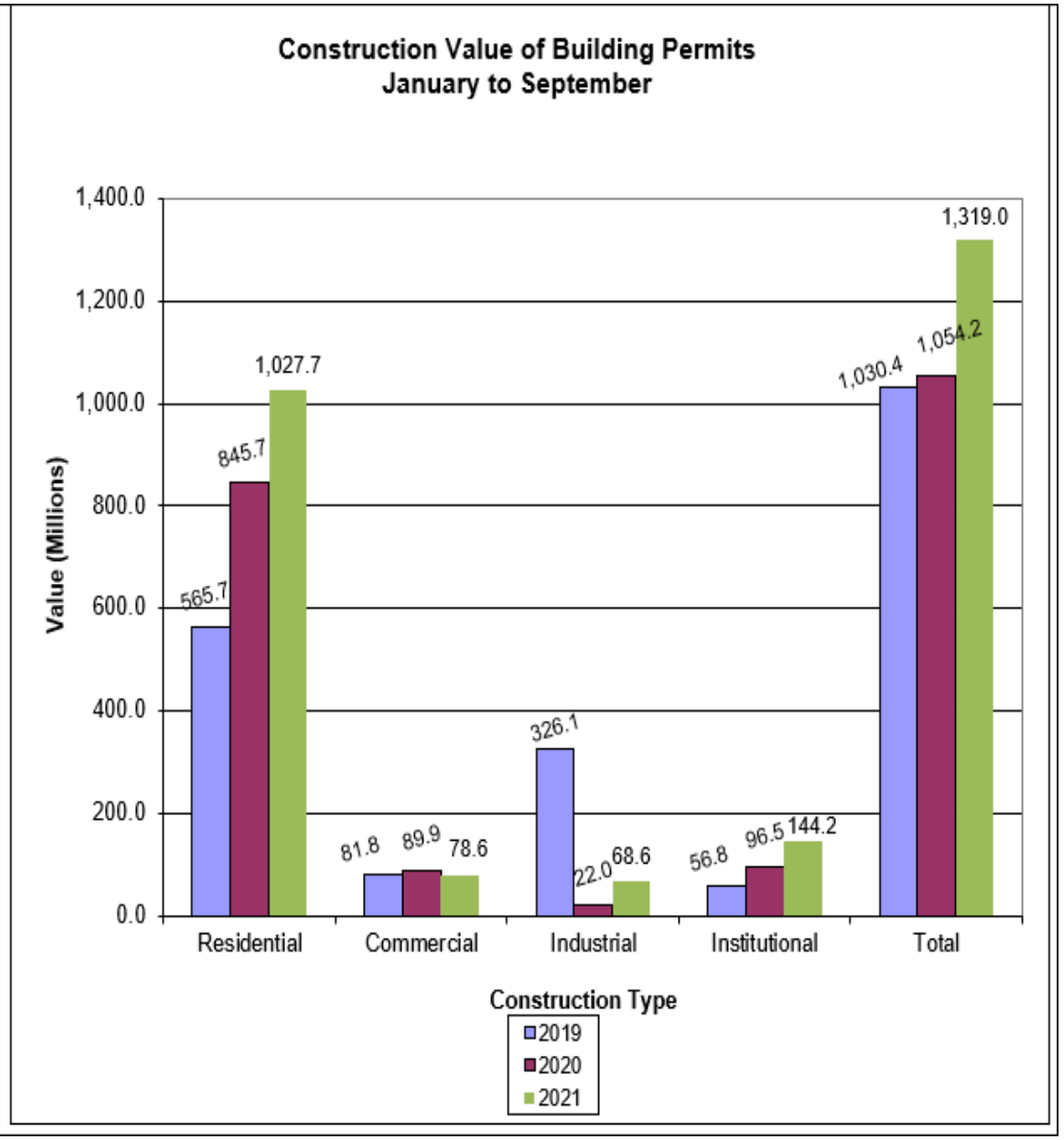
CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF September 2021

	September 2021			to the end of September 2021			September 2020			to the end of September 2020			September 2019			to the end of September 2019		
CLASSIFICATION	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	63	26,251,000	0	843	382,987,550	843	112	46,697,350	112	658	278,888,354	658	62	24,838,835	62	508	215,644,431	508
SEMI DETACHED DWELLINGS	0	0	69	1	223,500	1	1	669,000	2	2	1,023,000	4	3	884,400	6	3	884,400	6
TOWNHOUSES	17	20,110,900	266	179	169,649,900	675	17	21,226,500	75	97	93,520,185	341	20	20,297,380	98	125	112,411,610	516
DUPLEX, TRIPLEX, QUAD, APT BLDG	3	77,775,500	13	14	411,371,500	1,751	2	30,000,000	104	12	430,878,800	1,414	1	639,000	4	18	192,486,852	875
RES-ALTER & ADDITIONS	174	6,437,830	0	1,423	63,455,427	101	191	7,118,000	9	1,087	41,414,009	40	146	5,036,160	3	1,425	44,287,817	56
COMMERCIAL -ERECT	1	95,000	0	22	11,519,400	0	0	0	0	9	7,160,300	0	3	2,264,330	0	14	20,662,080	0
COMMERCIAL - ADDITION	1	3,171,500	0	6	3,626,500	0	1	5,000	0	3	796,800	0	3	927,000	0	15	9,554,000	0
COMMERCIAL - OTHER	33	18,158,011	0	267	63,419,315	0	44	30,126,500	0	279	81,939,327	0	33	3,111,000	0	397	51,560,410	2
INDUSTRIAL - ERECT	0	0	0	12	45,227,409	0	1	100,000	0	5	8,286,700	0	3	3,986,000	0	11	312,766,000	0
INDUSTRIAL - ADDITION	1	3,000,000	0	6	6,386,560	0	0	0	0	4	7,918,800	0	3	1,064,100	0	8	6,313,100	0
INDUSTRIAL - OTHER	0	0	0	24	16,961,980	0	7	3,536,500	0	32	5,814,407	0	5	578,800	0	61	7,047,320	0
INSTITUTIONAL - ERECT	0	0	0	1	12,000,000	0	0	0	0	3	32,825,000	0	1	17,640,000	0	2	27,456,800	0
INSTITUTIONAL - ADDITION	0	0	0	6	47,273,386	0	0	0	0	8	15,178,000	0	1	180,000	0	7	5,333,800	0
INSTITUTIONAL - OTHER	9	10,042,500	0	108	84,897,450	0	14	3,083,000	0	132	48,539,001	0	7	1,245,000	0	151	23,988,960	0
AGRICULTURE	0	0	0	2	350,000	0	0	0	0	1	100,000	0	1	60,000	0	6	15,700,000	0
SWIMMING POOL FENCES	30	1,037,018	0	337	9,716,158	0	39	1,042,321	0	317	7,766,891	0	22	454,600	0	193	4,139,267	0
ADMINISTRATIVE	18	34,000	0	82	290,000	0	7	6,000	0	41	106,000	0	12	13,000	0	124	320,000	0
DEMOLITION	3	0	0	60	0	41	5	0	4	57	0	43	10	0	4	71	0	39
SIGNS/CANOPY - CITY PROPERTY	0	0	0	8	0	0	0	0	0	2	0	0	1	0	0	27	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	44	0	0	267	0	0	37	0	0	228	0	0	51	0	0	397	0	0
TOTALS	397	166,113,259	348	3,668	1,329,356,034	3,371	478	143,610,171	302	2,977	1,062,155,574	2,457	388	83,219,605	173	3,563	1,050,556,847	1,963

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.
2) Mobile Signs are no longer reported.
3) Construction Values have been rounded up.


Construction Value of Building Permits
September
Value (Millions)
180.0
160.0
140.0
120.0
100.0
80.0
60.0
40.0
20.0
0.0
51.7
105.7
130.6
6.3
30.1
21.4
5.6
3.6
3.0
19.1
3.1
10.0
82.7
142.6
165.0
Residential
Commercial
Industrial
Institutional
Total
Construction Type
2019
2020
2021


Construction Value of Building Permits
January to September
Value (Millions)
1,400.0
1,200.0
1,000.0
800.0
600.0
400.0
200.0
0.0
565.7
845.7
1,027.7
81.8
89.9
78.6
326.1
22.0
68.6
56.8
96.5
144.2
1,030.4
1,054.2
1,319.0
Residential
Commercial
Industrial
Institutional
Total
Construction Type
2019
2020
2021

City of London - Building Division

Principal Permits Issued from September 1, 2021 to September 30, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
TYLER EMEL 2283500 Ontario Inc o/a Urban Signature Homes	1031 Upperpoint Ave E	Erect-Street Townhouse - Condo ERECT 2 STOREY, 6 UNIT, STREET TOWNHOUSE BLOCK, BLDG E, DPNS 1029, 1027, 1025, 1023, 1021, 1019, SOILS REPORT BY EXP ENGINEERING REQUIRED.	6	1,500,000
ST PETER'S SEMINARY ST PETER'S SEMINARY	1040 Waterloo St	Alter Clubs, Recreational Facilities INSTIT- INTERIOR RENOVATIONS FOR ST. PETERS SEMINARY - PHASE 2B FRR/FPO	0	2,500,000
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 18	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, FINISHED BASEMENT, 5 BEDROOMS, REAR COVERED DECK, NO A/C, SB-12 ENERGY STAR, UNIT 22 MVLCP NO. 958 DPN 18, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	444,000
The Board of of Western Ontario The Board Of Governors The University Of Western Ontario	1151 Richmond St	Alter University Install new chiller and 5 backflow preventors, FRR	0	2,000,000
CANADIAN COMMERCIAL (SHERWOOD FOREST) INC.	1225 Wonderland Rd N	Alter Office Complex (Retail/Office) INTERIOR ALTERATIONS TO SPLIT EXISTING SUITE TO TWO SUITES. Submit sprinkler system shop drawings for City review prior to 'Full' permit, as noted on Mech plans (resolved Aug. 16-2021 as no design is proposed on sprinkler sys.)	0	120,000
PATRICK HAZZARD CUSTOM HOMES PATRICK HAZZARD CUSTOM HOMES	1820 Canvas Way 2	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTERED SDD, 2 STOREY, 2 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, NO DECK, A/C NOT INCLUDED, SB-12 A1, LOT 63, MVLCP 927 LEVEL 1 UNIT 63 HRV & DWHR REQUIRED	1	314,000
YORK DEVELOPMENTS YORK DEVELOPMENTS	1876 Oxford St W	Alter Hairdressing Shop ALTER FOR BARBERSHOP *****A CITY OF LONDON BUSSINESS LICENSE IS REQUIRED*****	0	150,000
The Ironstone Building Company Inc	234 Edgevalley Rd H	Erect-Street Townhouse - Condo ERECT 3 STOREY, 6 UNIT TOWNHOUSE BLDG H, DPNs 274, 276, 278, 280, 282, 284, A/C INCLUDED, SOILS REPORT REQUIRED	6	1,374,800
IRONSTONE COMPANY INC. IRONSTONE BUILDING COMPANY INC.	234 Edgevalley Rd I	Erect-Street Townhouse - Condo ERECT 3 STOREY 6 UNIT TOWNHOUSE, BLDG I, DPNs 262, 264, 266, 268, 270, 272, SOILS REPORT REQUIRED	6	1,377,600
IRONSTONE COMPANY INC. IRONSTONE BUILDING COMPANY INC.	234 Edgevalley Rd J	Erect-Street Townhouse - Condo ERECT 3 STOREY 7 UNIT TOWNHOUSE, BLDG J, DPNs 248, 250, 252, 254, 256, 258, 260, A/C INCLUDED, SOILS REPORT REQUIRED	7	2,450,000
The Ironstone Building Company Inc	234 Edgevalley Rd K	Erect-Street Townhouse - Condo ERECT 3 STOREY, 6 UNIT TOWNHOUSE, BLDG K, DPNs 236, 238, 240, 242, 244, A/C INCLUDED, SOILS REPORT REQUIRED	6	1,377,600

City of London - Building Division

Principal Permits Issued from September 1, 2021 to September 30, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SIFTON PROPERTIES LIMITED SIFTON PROPERTIES LIMITED	2401 Moe Norman Way	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, UNFINISHED BASEMENT, 2 BEDROOMS, SB-12 HOT 2000, PART OF BLOCK 6, PART 20 33R-18937, HRV & DWHR REQUIRED	1	356,000
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2700 Buroak Dr E	Erect-Street Townhouse - Condo ERECT 5 UNIT TOWNHOUSE BLOCK E, DPNs 2350, 2354, 2358, 2362, 2366	5	721,700
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2700 Buroak Dr F	Erect-Street Townhouse - Condo ERECT 4 UNIT TOWNHOUSE BLOCK F DPNs 2334, 2338, 2342, 2346	4	756,300
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2700 Buroak Dr G	Erect-Street Townhouse - Condo ERECT 6 UNIT TOWNHOUSE BLOCK G DPNs 2704, 2708, 2712, 2716, 2720 & 2724	6	1,800,000
FOXHOLLOW KENT DEVELOPMENTS INC. FOXHOLLOW NORTH KENT DEVELOPMENTS INC.	2700 Buroak Dr M	Erect-Street Townhouse - Condo ERECT 4 UNIT TOWNHOUSE BLOCK - BLOCK M DPNs 2686, 2690, 2694, 2698	4	756,900
GREG BROPHEY PROSPERITY HOMES LIMITED	335 Kennington Way D	Erect-Street Townhouse - Condo ERECT STREET TOWNHOUSE BLOCK, BLDG D, 6 UNITS, DPN 319, 321, 323, 325, 327, 325 SOILS REPORT REQUIRED.	6	1,828,000
MILLSTONE INC. MILLSTONE HOMES INC.	3374 David Milne Way B	Erect-Street Townhouse - Condo ERECT 3 STOREY, 4 UNIT TOWNHOUSE BLOCK B, DPNs 3366, 3368, 3370, 3372, SOILS REPORT BY LDS ENGINEERING REQUIRED.	4	2,200,000
THOR RICHARDSON CALLOWAY REAL ESTATE INVESTMENT TRUST INC.	340 Clarke Rd	Alter Retail Store TENANT FIT UP FOR CANNABIS RETAIL STORE CANNABIS USES ARE SUBJECT TO ALL APPLICABLE FEDERAL, PROVINCIAL AND MUNICIPAL LAWS. HEALTH CANADA MAY HAVE SEVERAL REQUIERMENTS THAT MUST BE MET BEFORE AN ESTABLISHMENT OF THIS NATURE CAN BEGIN OPERATION.	0	150,000
MILLSTONE INC. MILLSTONE HOMES INC.	4224 Lismer Lane A	Erect-Street Townhouse - Condo ERECT 3 STOREY 4 UNIT TOWNHOUSE BLOCK, BLDG A, DPNs 4218, 4222, 4226, 4230, SOILS REPORT BY LDS ENGINEERING REQUIRED.	4	2,200,000
	45 Glenwood Ave	Erect-Duplex ERECT NEW SFD, 2 UNITS, 1 STOREY, 1 CAR, 5 BED, FINISHED BASEMENT, W/ DECK, W/ A/C, SB12 A1, DEMO REBUILD, HRV AND DWHR REQUIRED	2	319,500
SCOTT'S TRUSTEE CORP	450 Wharncliffe Rd S	Alter Retail Store Interior alter for landlord prep work of existing retail unit. Separate permit required for tenant finish work.	0	150,000
SKYLINE RETAIL REAL ESTATE HOLDINGS INC. SKYLINE RETAIL REAL ESTATE HOLDINGS INC.	509 Commissioners Rd W	Alter Restaurant INTERIOR ALTER FOR BURRITO GUYZ, FRR	0	125,000

City of London - Building Division

Principal Permits Issued from September 1, 2021 to September 30, 2021

Owner	Project Location	Proposed Work	No. of Units	Construction Value
772866 Ontario Limited C/O Larlyn Property Mgmt	528 Oxford St W	Alter Restaurant INTERIOR FIT UP FOR A2 RESTAURANT. (PUCCI BROS PIZZA). Before 'Full' permit phase, submit shop drawings for fire suppression equipment.... include the actual cooking appliances involved for review purposes (resolved: docs reviewed on July 16/21).	0	265,000
YORK DEVELOPMENTS YORK DEVELOPMENTS	6990 Clayton Walk 27	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOM, UNFINISHED BASEMENT, NO DECK, NO A/C, SB-12 A5, 39CD-19511 Lot 14, HRV & DWHR REQUIRED	1	326,000
YORK DEVELOPMENTS YORK DEVELOPMENTS	6990 Clayton Walk 45	Erect-Townhouse - Cluster SDD ERECT SDD TOWNHOUSE CLUSTER - 1 STOREY, 2 CAR GARAGE, 2 BEDROOMS, UNFINISHED BASEMENT, NO DECK, NO A/C, SB12-A5, HRV&DWHR REQUIRED	1	328,000
Tim See McDougall Energy Inc - 1188165 ONTARIO LTD.	7340 Colonel Talbot Rd	Install-Service Stations ADD NEW CANOPIES		130,000
CARLOS RAMIREZ YORK DEVELOPMENTS	944 Hamilton Rd	Alter Restaurant INTERIOR FIT UP	0	250,000

Total Permits 28 Units 71 Value 26,270,400

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

Commercial building permits issued - subject to Development Charges under By-law C.P. -1551-227

OWNER
SQUARE INC HYDE PARK HYDE PARK SQUARE INC
DEVELOPMENTS YORK YORK DEVELOPMENTS
2242907 Ontario Inc
OF LONDON CORPORATION OF CORPORATION OF THE CITY OF LONDON

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: **SoHo Community Improvement Plan – Performance Measures and Indicators of Success (O-9328)**
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning & Development, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 16, 2021 to **ADD** an Appendix that sets out performance measures and indicators of success for the Community Improvement Plan ("CIP").

Executive Summary

Summary of Request

The recommended amendment will add an appendix to the SoHo Community Improvement Plan that contains performance measures, indicators of success, and targets for the loan and grant programs.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to establish a formal framework for reviewing the loan and grant programs available through the SoHo Community Improvement Plan. The measures, indicators, and targets will help inform Civic Administration when making recommendations to Municipal Council on future changes to the loan and grant programs, including when to reduce or discontinue programs.

Rationale of Recommended Action

The recommended amendment conforms with the *Planning Act*, as the loan and grant programs meet the requirements set out in Section 28 related to Community Improvement.

The recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS). The PPS encourages the regeneration of settlement areas as they are critical to the long-term economic prosperity of communities and mainstreets.

The recommended amendment conforms to the in-force policies of *The London Plan*, including the Key Directions, Urban Regeneration, and Community Improvement sections.

The recommended amendment conforms to the policies of the SoHo Community Improvement Plan.

Linkage to the Corporate Strategic Plan

The City of London Strategic Plan 2019-2023 contains five strategic areas of focus. Revitalizing London's downtown and urban areas is a strategy within both the "Building a Sustainable City" and "Growing our Economy" strategic areas of focus.

The SoHo Community Improvement Plan grant and loan programs help to revitalize the area through incentivizing and encouraging the development of new residential units and as a result, increasing the population of the neighbourhood. Further, the grant and

loan programs encourage and assist property owners in maintaining and improving the older building stock found in the area.

Linkage to Climate Emergency Declaration

On April 23, 2019, Municipal Council declared a Climate Emergency. The loan and grant programs support the City's commitment to reducing and mitigating climate change by encouraging and incentivizing intensification in the SoHo area. These programs help support more intense and efficient use of existing urban lands and infrastructure, and the regeneration of the existing communities. The financial incentives also help ensure older buildings are more energy efficient and sustainable through renovations and upgrades to the structure and mechanical systems.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning and Environment Committee – May 13, 2019 – New Measures and Indicators of Success

Planning and Environment Committee – November 16, 2020 – Community Improvement Plans Performance Measures and Indicators of Success

Planning and Environment Committee – March 29, 2021 – Downtown Community Improvement Plan – Performance Measures and Indicators of Success (O-9286)

Planning and Environment Committee – March 29, 2021 – Old East Village Community Improvement Plan – Performance Measure and Indicators of Success (O-9285)

Planning and Environment Committee – June 21, 2021 – CIP - Performance Measures and Indicators of Success

1.2 Community Improvement Plans

A Community Improvement Plan (CIP) is a tool prescribed by Section 28 of the *Planning Act* that is intended to replan, redesign, redevelop, and rehabilitate a designated area in need due to age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social, or community economic development reasons.

A CIP can help:

- Focus public attention on local priorities and municipal initiatives
- Target areas in transition or in need of repair, rehabilitation, and redevelopment
- Facilitate and encourage community change in a coordinated manner
- Stimulate private sector investment through municipal incentive-based programs

The financial incentive programs in the Community Improvement Plan are often the tools to encourage and support community and economic redevelopment. The financial incentives are geared to encourage private sector investment in specific areas that further support the City's policy goals and objectives, for example a loan to improve a building.

1.3 Community Improvement Plan Service Review (2017)

Civic Administration undertook a comprehensive CIP service review in 2016-2017 and from that review recommended:

- Changes to existing financial incentive programs
- Introducing financial incentive programs to new or expanded areas

- Amending the CIPs to include performance measures and indicators of success

The Municipal Council resolution from May 2, 2017 relating to the CIP service review directed that these recommended changes come into effect on January 1, 2018. The amended programs, as identified in the resolution, will expire no later than December 31, 2023 pending a review of the program results by the Municipal Council prior to the adoption of the 2024-2027 Multi-Year Budget, with the review identifying interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery. The complete May 2, 2017 Municipal Council resolution is provided in Appendix “B”.

The addition of the measures, indicators, and targets identified in this report will assist Civic Administration in undertaking the future CIP service review in support of the 2024-2027 Multi-Year Budget.

1.4 Draft Performance Measures, Indicators of Success, and Targets

On June 21, 2021, an information report with draft performance measures, indicators of success, and the related targets was presented to the Planning and Environment Committee which recommended the draft measures, indicators, and targets be circulated for public review. Municipal Council adopted the recommendations at the July 6, 2021 meeting.

The grant program being measured is the:

- Rehabilitation and Redevelopment Tax Grant

The draft indicators for the grant program are:

- Residential population
- The assessment value of the properties

The two loan programs being measured are:

- Façade Improvement Loan
- Upgrade to Building Code Loan

The draft indicators for the two loan programs are:

- Building façade condition
- A healthy ground floor vacancy rate
- The private sector investment generated by offering public sector loans
- The number of loans issued per year

Additional details on the loan and grant programs, and the draft measures, indicators, and targets are available in the June 21, 2021 report.

The June 21, 2021 report was also posted on a Get Involved webpage for public review and comment. Further details on the consultation can be found in that report and in Section 4.0 of this report.

2.0 Purpose for the Amendment

The SoHo CIP was approved and adopted by Municipal Council in 2011. Civic Administration has reviewed and monitored the loans and grants, but performance measures, indicators of success, and targets for the incentive programs have never been formalized in the CIP.

Through amending the CIP by adding an appendix that contains measures, indicators, and targets, Civic Administration will be better able to:

- Manage the loan and grant programs

- Better determine if the loan and grant programs are being successful in achieving the objectives of the SoHo Community Improvement Plan and The London Plan
- Provide recommendations to Municipal Council on when to reduce funding and/or discontinue or amend the loan and grant programs

3.0 Recommended Amendments to the Financial Incentives and Rationale

The SoHo Community Improvement Plan has one (1) grant program and two (2) loan programs. The indicators of success and the targets for the financial incentives have not changed since the June 21, 2021 PEC report.

Grant Program:
The available grant is the Rehabilitation and Redevelopment Tax Grant. The objective of the program is to encourage residential development in the area. For the purposes of the CIP amendment, the Tax Grant provide will be measured by the population growth of the SoHo Area and the % change of assessed property values over time.

The target of 6,000 people in the SoHo area was determined as needed for the neighbourhood to have the ability to support the needs of the residential and commercial communities. Currently, the SoHo area has a population of 4,232 from the 2016 Canada Census Data. This population target would provide a ratio of residents to area of 32.2 people per hectare. The population target will be reached in about 2046 assuming about 6% increase of population per 5-year interval (from 2011 through 2016 the population increased by 5.86%). It is unknown how much the COVID-19 pandemic will affect residential population growth in Ontario and London. For example, will the recent drop in immigration to Canada be a blip in the short to mid-term or last much longer? Will housing price increases affect in-migration to London from other cities in Ontario and beyond?

The target for the percent change of assessed property values is 1% per year. This value was derived from the analysis for the Downtown and Old East Village CIP tax grants assessment values as at the time of writing. SoHo has only received one Tax Grant application and this sample size is too small to determine the impact of the program on assessed property values.

Loan Programs:
The Façade Improvement Loan program is available in SoHo and the objective of the program is to provide property owners loans at zero percent interest for up to 50% of the work up to $50,000. The Upgrade to Building Code Loan is also available in SoHo and the objective of the program is to provide property owners loans at zero percent interest loans for up to 50% or $200,000. The indicators of success for the loan programs are ground floor vacancy rate, the building façade condition, the number of applications received per year, and the ratio of private sector investment to public sector investment.

The target for the ground floor vacancy is less than 3%, where the current vacancy rate is 12.7%. The value was determined to be a healthy vacancy rate where there is vibrancy and pedestrian traffic on the street while allowing room for businesses to enter the market. The ground floor vacancy rate will be evaluated biennially. The COVID-19 pandemic had a significant impact on businesses across the city. At this time, it is too early to know how the pandemic, the resulting operating interruptions to local businesses, and the changing public behaviour around working from home, dining out, or gathering in large groups will affect the ground floor vacancy rate.

The target for the building façade condition is 90% of the façades on the streets do not need improvement. A façade evaluation checklist was developed and first tested in the field in 2021. At the time of writing, Civic Administration has not analyzed the data to determine the percent of facades do not need improvement.

The SoHo CIP area does not typically receive many loan applications. At the time of writing, only three applications for the Upgrade to Building Code Loan and none for the Façade Improvement Loan were received in the SoHo CIP area. The minimum target of three applications per year was determined to be appropriate. Though Civic Administration continues to meet with prospective applicants, the number of new applications in general declined in 2020 and 2021, likely due to the COVID-19 pandemic. Further, the Recovery Grant was issued in May, 2021 with an expiry date of June 11, 2021. There were four (4) applications received in SoHo for the Recovery Grant that may have otherwise applied for the loan programs.

The minimum ratio of private sector investment to public sector investment possible under the loan programs is 2:1. The target for the financial incentive loans is 2.8:1 that was derived using the data from the Downtown and Old East Village CIP financial incentive analysis as the application sample size for SoHo is too small.

4.0 Policy Context

4.1 The Planning Act

The *Planning Act* defines community improvement, community improvement plan ("CIP"), and community improvement project area (Section 28(1)).

Section 28 (7) permits a municipality to make grants or loans, in conformity with the CIP, to registered owners, assessed owners, and tenants of lands and buildings within the community improvement project area. The eligible costs of a community improvement plan may include costs related to development, redevelopment, construction, and reconstruction of lands and buildings for rehabilitation purposes (Section 28(7.1)).

The loan and grant programs available in the SoHo CIP include loans and a grant to incentivize rehabilitation of the existing buildings. These programs are consistent with the community improvement goals in the SoHo CIP and the policies of The London Plan.

The loan and grant programs available through the SoHo CIP are in conformity with Section 28 of the *Planning Act*. Further, the recommended amendment is in conformity with Section 28 of the *Planning Act*. The amendment does not change how the loan and grant programs operate or the intended community improvement objectives. The amendment provides clarity on how the success of these programs will be measured. No changes to the programs that are being considered will result in nonconformity with Section 28 of the *Planning Act.*

4.2 Provincial Policy Statement

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of Provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Decisions affecting planning matters "shall be consistent" with the PPS.

The PPS promotes efficient development to sustain the financial wellbeing of Municipalities (1.1.1(a)). The PPS identifies that healthy, livable, and safe communities are sustained by accommodating an appropriate range and mix of affordable and market-based residential dwelling units and employment uses (1.1.1 b).

The PPS emphasises that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of communities (1.1.3). As such, settlement areas shall be the focus of growth and development (1.1.3.1). Further, the PPS states that Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas based on local conditions (1.1.3.5).

The PPS further requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment and

broader mixed uses to meet long-term needs (1.3.1(a)). In addition, planning authorities shall facilitate 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 (1.3.1(c)).

The PPS states that long-term economic prosperity should be supported by: promoting opportunities for economic development and community investment-readiness (1.7.1(a)) and maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets (1.7.1 (d)).

Lastly, the PPS identifies that significant built heritage resources shall be conserved (2.6.1).

The loan and grant programs available through the SoHo CIP encourage the regeneration of the SoHo area, which is located within the City of London settlement area. Further, the programs help enhance the vitality and viability of the Wellington Street corridor, that is considered a Main Street, by incentivizing rehabilitation of existing building stock, intensification, and the redevelopment of under-utilized areas. Therefore, the loan and grant programs are consistent with the PPS and support the implementation of these policies. Further, the recommended amendment is consistent with the PPS as it will not change how the loan and grant programs operate.

4.3 The London Plan

The London Plan constitutes the Official Plan for the City of London. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city. The London Plan was adopted by Municipal Council on June 23, 2016 and approved by the Province on December 28, 2016. Numerous policies remain under appeal; however, all the policies discussed in this report related to community improvement and Map 8 – Community Improvement Project Areas are in force.

The Key Directions provide the vision of The London Plan. Key Direction #1 – Plan strategically for a prosperous city – identifies the importance of revitalizing the city's urban neighbourhoods and business areas (55_4). Key Direction #3 – Celebrate and support London as a culturally rich, creative, and diverse city – identifies protecting our built and cultural heritage to promote our unique identity (57_7).

Main Streets are areas where urban regeneration efforts will be directed to sustain and enhance them and SoHo is considered a Main Street in (Policy 133_).

The Urban Regeneration policies of the Our City part of The London Plan support the sensitive growth and change within London's urban areas so that they are sustainable and prosperous over the long term (153_) including encouraging the economic revitalization and enhancing the business attraction of urban main streets (153_4). The Urban Regeneration policies also permit Municipal Council to designate, by by-law community improvement project areas and adopt Community Improvement Plans (164_), subject to the Community Improvement Plan policies in the Our Tools part of The London Plan.

The Community Improvement Policies (1723_ through 1728_) of The London Plan provide the direction for implementing CIPs, including the objectives. One of the objectives is to stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity (1727_4). Map 8 – Community Improvement Project Areas show the designated community improvement project areas within London (1786_).

The loan and grant programs, as well as the proposed amendment conform, with the in-force policies of *The London Plan*.

4.4 SoHo Community Improvement Plan

The Vision Statement of the SoHo CIP is, “our SoHo will be a vibrant and healthy urban neighbourhood that celebrates its rich sense of community and heritage. With its unique links to the Downtown and Thames River, SoHo will be a great place to live, work and play!” Multiple Strategic Directions of the SoHo CIP speak to the importance of mainstreets for the economic development of the community. In particular, Wellington Street and Horton Street, where the financial incentives are available, are highlighted as mainstreets that should have strong commercial corridors in SoHo. Further, commercial corridors should be the focus to build strong and safe connections to the Downtown and the Thames River. Furthermore, establishing incentive programs for commercial buildings in the mainstreets of SoHo was identified as an implementation strategy in the SoHo Community Improvement Plan.

The financial incentive programs comply with the vision and the strategic directions of the SoHo CIP as they encourage development and redevelopment of commercial buildings along the mainstreets. Further, the amendment to add an appendix to measure the success of the financial incentives complies with the SoHo CIP and further support the goals and objectives of community improvement. Once the targets are achieved, then resources may be allocated to other areas of the SoHo CIP area.

5.0 Public and Stakeholder Consultations

On July 15th, 2021, Notice of Application was mailed to property owners in the SoHo CIP area, published in The Londoner, and circulated to interested parties and stakeholders for review and input on the proposed amendment. In addition, there was a Get Involved London project page that went live at the same time. In total, five comments were received. The general response was favourable to the project, while some individuals contacted the City to gather more information of the financial incentives available in the area. Further information of the public consultation is found in Appendix “C” of this report.

Conclusion

The recommended amendment to the SoHo Community Improvement Plan will add an appendix to the CIP that introduces performance measures, indicators of success, and targets for the two loan programs and one grant program available to property owners and tenants within the SoHo community improvement project area. The measures, indicators, and targets will assist Civic Administration with better measuring the success of the loan and grant programs and provide a stronger rationale for recommending future changes to the programs, including scaling back or shifting priorities as targets are met.

The amendment is consistent wit the Provincial Policy Statement, 2020, conforms with the Planning Act, and complies with The London Plan and the SoHo Community Improvement Plan.

Prepared by:	**Jasmine Hall, MCIP RPP** **Planner II, Urban Regeneration**
Reviewed by:	**Jim Yanchula, MCIP RPP** **Manager, Core Area and Urban Regeneration**
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. C.P.-1444

A by-law to amend the SoHo Community Improvement Plan (CIP) to add an Appendix that sets out performance measures and indicators of success for the CIP

WHEREAS subsection 28(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, enables the council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the SoHo community improvement project area;

AND WHEREAS the SoHo community improvement project area is in conformity with The London Plan, 2016, the Official Plan for the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the SoHo Community Improvement Plan;

AND WHEREAS the Municipal Council of The Corporation of the City of London deems it appropriate to amend the SoHo Community Improvement Plan to add an Appendix that sets out performance measures and indicators of success for the CIP;

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

1. Amendment No. (to be inserted by the Clerk’s Office) to the SoHo Community Improvement Plan, as contained in the text attached hereto as Schedule “1” and forming part of this By-law being “Appendix to the SoHo Community Improvement Plan”, is hereby adopted.

2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

PASSED in Open Council on November 16, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 16, 2021
Second Reading – November 16, 2021
Third Reading – November 16, 2021

AMENDMENT NO.
to
THE SOHO COMMUNITY IMPROVEMENT PLAN

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add an appendix to the SoHo Community Improvement Plan relating to performance measures, indicators of success, and targets for the financial incentive programs (Rehabilitation and Redevelopment Tax Grant, Façade Improvement Loan, and the Upgrade to Building Code Loan).

B. LOCATION OF THIS AMENDMENT

This amendment applies to all lands within the SoHo community improvement project area that are eligible for financial incentives.

C. BASIS OF THE AMENDMENT

The addition of an appendix to the SoHo Community Improvement Plan relating to performance measures, indicators of success, and targets for the financial incentive programs maintains the intent of The London Plan regarding the application of community improvement policies. The performance measures, indicators of success, and targets will allow Civic Administration to better measure the success of the loan and grant programs and improve the mechanism in place to help recommend future changes to the programs including scaling back or shifting priorities as targets are met.

D. THE AMENDMENT

The SoHo Community Improvement Plan is hereby amended as follows:

1. Schedule “1” – Appendix to the SoHo Community Improvement Plan is added as Appendix A to the SoHo Community Improvement Plan.

Schedule “1” – Appendix to the SoHo Community Improvement Plan

Appendix A: Performance Measures, Indicators of Success, and Targets

Appendix A outlines performance measures, indicators of success, and the related targets for the loan and grant programs available through the SoHo Community Improvement Plan.

These measures and indicators will:

- Assist Civic Administration with the management of the loan and grant programs
- Help determine if the loan and grant programs are being successful in achieving the objectives of the SoHo Community Improvement Plan and the policies of *The London Plan*
- Assist Civic Administration with providing recommendations to Municipal Council on when to reduce funding and/or amend or discontinue the loan and grant programs

Civic Administration may also recommend changes to the loan and grant programs through other mechanisms such as a Community Improvement Plan service review; however, these changes should only be recommended after consulting this Appendix and taking into consideration its contents.

The loan and grant programs mentioned in Appendix A may be reduced, amended, or discontinued at the direction of Municipal Council without amendment to the SoHo Community Improvement Plan.

The performance measures and indictors of success are:

- Residential population
- The assessment value of the properties in the community improvement project area
- Building façade condition
- Ground floor vacancy rate
- The private sector investment generated by offering public sector loans for building improvements
- Number of loans issued per year

Population

Indicator
Residential population in the SoHo Community Improvement Area.

Question
Has the SoHo residential population grown enough to support the needs — both daily and long-term — of the residential and commercial community?

Why it Matters
The SoHo area is identified as a Rapid Transit Corridor Main Street segment of *The London Plan*. Main Street segments will continue to provide local shopping and commercial options so that residents can walk to meet their daily needs. Further, the Strategic Direction #5 'Build a mixed-use compact City' of *The London Plan* is to sustain, enhance, and revitalize main streets and urban neighbourhoods.

Baseline
- The 2016 Census of Canada indicated the population at 4,232 people;
- The 2016 residential population density is 22.73 people / hectare;
- The five-year residential population growth rate (2011 to 2016) is 5.83%

Targets
- A residential population of 6,000 people in the SoHo area has been identified as the target needed for the neighbourhood to have the ability to support the needs of the residential and commercial communities.
- A population of 6,000 people is 32.2 people / hectare.
- Five-year SoHo residential population growth rates:
    - 2021-2026: > 6 %
    - 2026-2031: > 6 %
    - 2031-2035: > 6 %

Note, that using the target percentages, the population target will be reached in 2046.

Considerations
The Protected Major Transit Station Areas Information Report presented at the August 10, 2020 meeting of the Planning and Environment Committee contained forecasted density (residents and jobs combined per hectare) for identified major routes for the City of London until 2034.

The City of London's population and employment are forecast to grow by 77,000 new residents and 43,000 new jobs by 2035, according to the Protected Major Transit Station Areas Information Report (August 10, 2020, Planning and Environment Committee). In the South Rapid Transit Corridor where SoHo is located, the 2035 target is 48 jobs and residents per ha.

Proposed Changes to Grant Programs
The SoHo Rehabilitation and Redevelopment Tax Grant Program will continue to operate as outlined in the program guidelines for the SoHo area until the population target of 6,000 is met. Once the target is met, a possible amendment to the Tax Grant program may be proposed.

Assessment Value

Indicator
The assessment value of the properties in the SoHo Community Improvement project area.

Question
Is the assessment value growing?

Why it Matters
An increasing assessment value can indicate that property values are increasing because of growth and investment in the community. This can help increase the tax base city-wide.

Baseline
Baseline data will be collected in year one.

Proposed Target
A 1% per year assessment value growth rate in the SoHo area.

Considerations
None.

Proposed Changes to Grant Programs
Not applicable.

Façade Condition

Indicator
Building façade condition.

Question
Are building façades being improved and upgraded?

Why It Matters
A well-maintained building façade provides an interesting and aesthetically pleasing environment for people to enjoy while living in or visiting a neighbourhood. The intent of the community improvement policies in *The London Plan* are to stimulate private sector property maintenance, repair, rehabilitation, redevelopment, and other forms of private sector investment and reinvestment activity. Within each of the CIP areas subject to this report, there are improvement policies meant to target specific areas, such as commercial corridors and mainstreets. Community improvement policies also encourage the conservation, restoration, adaptive re-use, and improvement of cultural heritage resources — including the façades of any heritage resource.

Baseline
A façade condition evaluation tool has been developed to determine the baseline data. Baseline data will be collected in year one (2021).

Civic Administration will complete a comprehensive review of the façade condition on a biennial basis for the SoHo CIP area.

Target
90% of façade condition being rated ‘does not need improvement.’ This target will be refined once the baseline data has been collected.

Considerations
The evaluation of a façade’s condition tends to be subjective. City Staff developed the façade evaluation tool to mitigate the subjectivity of evaluating the façade condition. The calculation of the façade value will provide a percentage of applicable façade attributes that need improvement or not. Further, evaluations may include multiple individuals reviewing the same façade independently and taking the average of the results as the final value.

It is also important to note that the façade evaluation tool is for purposes only related to the Façade Improvement Loan Program and does not replace or overrule the City of London’s Property Standards By-Law or a Heritage Alteration Permit process.

Changes to Façade Improvement Loan Program
Once the target is met for façade conditions that are rated ‘does not need improvement’, Civic Administration will begin to transition the loan program to:

- Focus on the areas in SoHo that are rated needs improvement
- Focus on the parts of façades that are receiving the lowest scores (for example, upper façades, storefronts, or lighting)

Ground Floor Vacancy Rate

Indicator
A healthy ground floor vacancy rate in the SoHo CIP area.

Question
Are the loan programs being used to renovate properties to help reduce ground floor vacancies?

Why It Matters
A high vacancy rate may create gaps in the streetscape with little to no “eyes on the street” to help reduce undesirable behaviour. Conversely, Main Streets with lots of businesses provides more “eyes on the street” and creates vibrancy in the community. A healthy ground floor vacancy rate is also important as it indicates there is choice in the market for interested business owners to locate in the neighbourhood.

Baseline
Table 1: SoHo Baseline Ground Floor Vacancy Rate

CIP	2019	2021	Average
SoHo	12.7 %	12.7 %	**12.7%**

Target
A ground floor vacancy rate below 3%.

Considerations
Civic Administration notes that the loan programs may contribute to reducing ground floor vacancies for property owners who are interested and motivated in finding tenants; however, there are property owners that do not always have that motivation.

Baseline data is a “snap-shot” of ground floor vacancies on the day the surveying was done.

Changes to the Loan Programs
Civic Administration will complete a comprehensive review of the ground floor businesses in SoHo CIP areas on a biennial basis to determine the number of properties with a vacant ground floor.

If the target is not met, continue the program and refine the loan program to target areas seeing the highest level of vacancies where they are needed most.

If the target is met, focus the loan programs to ensure the ground floor businesses are tenanted with targeted uses.

Existing Loan Measures

Indicators

1. The private sector investment generated by offering public sector loans for building improvements
2. Number of loans issued per year

Questions

1. Are the loan programs generating a positive rate of return and incentivizing property owners to invest?
2. Are property owners and tenants continuing to use the loans?

Why It Matters

The City's Façade Improvement Loan Program offer private property owners with access to inexpensive funding (0% interest) to incentivize them to improve their properties.

Quality facades and storefronts will help conserve the built heritage and the form of buildings in our communities. Renovating facades, storefronts, roofs, and interiors will help ensure a building's long-term viability. Further, renovated buildings may result in fewer vacancies.

Baseline

The minimum ratio possible for the loan programs is $2 invested by the private sector for $1 invested by the City.

Targets

1. A minimum of $2.8 to $1 for both loan programs
2. A minimum of three (3) loans issued per year in total in SoHo

Considerations

The loan values were increased beginning in 2018 to reflect the increase in construction costs for renovation projects and this increase in loan value has a negative impact on the ratio. For example, prior to 2018, a $200,000 investment in interior upgrades would result in a maximum $50,000 loan for a 4.0 ratio; whereas post-2018, a $200,000 investment would result in a $100,000 loan for a 2.0 ratio.

Changes to the Loan Programs

As a result of the Community Improvement Plan Review for the 2024-2027 Multi-Year Budget, Civic Administration may consider the following depending on findings:

- Refining the loan programs to tackle other City priorities (for example, building retrofits to address climate change);
- Focusing the loan programs on areas of the SoHo; and
- Removing a loan program from SoHo.

Appendix “B”

I hereby certify that the Municipal Council, at its meeting held on May 2, 2017 resolved:

13. That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the service review of the City’s Community Improvement Plans (CIPs) and associated incentive programs:

a) the Residential Development Charges Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to require the payment of the residential development charge at the time of building permit (“up front”) by the Applicant, and provide a phased grant-back program to re-pay the residential development charge; it being noted that this program change will generate an estimated $620,000 of operating savings per year and $6,000,000 of one-time savings;

b) the City-wide Industrial Development Charge Program BE AMENDED to distinguish between targeted and non-targeted industrial uses to provide a maximum development charge rebate of $250,000 equal to 50% of the development charge for the first $500,000 for non-targeted industrial uses;

c) the Rehabilitation and Redevelopment Tax Grant Programs for the Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to increase the value of the grants for the retention and rehabilitation of properties designated under the *Ontario Heritage Act*;

d) the Rehabilitation and Redevelopment Tax Grant Program, as amended in part c) above, BE PROVIDED for eligible properties located in the SoHo Community Improvement Plan Project Area; it being noted that this program was previously approved as part of the SoHo Community Improvement Plan, but not funded;

e) the Upgrade to Building Code Loan and Grant Programs for the Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to $200,000 capped at 50% of the completed eligible improvements;

f) the Upgrade to Building Code Loan and Grant Programs for Downtown and the Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;

g) the Façade Improvement Loan and Grant Programs for Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to $50,000 capped at 50% of the completed eligible improvements;

h) the Façade Improvement Loan and Grant Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;

i) Industrial Corridor Enhancement Grant Program BE FUNDED up to $40,000 per year for eligible properties located within the Highway 401/402 Corridor; it being noted that this program was previously approved as part of the Industrial Lands Community Improvement Plan, but not funded;

j) the Civic Administration BE DIRECTED to amend the Downtown Community Improvement Plan to expand the Community Improvement Plan Project Area boundary to include the Richmond Row area, and that the following programs be provided in the Richmond Row area:

    i) Façade Improvement Loan Program; and,

ii) Building Code Loan Program;

k) a portion of the savings generated by the Community Improvement Plan amendments described in part a) above BE IDENTIFIED to potentially fund the following new programs pending the conclusion and the Municipal Council adoption of the Hamilton Road and Lambeth Community Improvement Plans:

i) Façade Improvement Loan Program (Hamilton Road and Lambeth); and,
ii) Building Code Loan Program (Hamilton Road);

l) that $200,000 of annual net savings generated as a result of this service review of the Community Improvement Plan program BE DIRECTED to address the budgeted savings target for the 2016-2019 multi-year budget;

m) the Civic Administration BE DIRECTED to consider Forgivable Loan Programs for the SoHo, Hamilton Road and Lambeth Community Improvement Plan Project Areas as part of the 2024-2027 Multi-year Budget process;

n) that Community Improvement Plans for the following Community Improvement Plan Project Areas BE AMENDED to include performance measures and indicators of success to align with current City policies and Council strategic directions:

i) Airport Area Community Improvement Plan;
ii) Brownfield Community Improvement Plan;
iii) Downtown Area Community Improvement Plan (including the “Richmond Row” expansion area);
iv) Heritage Community Improvement Plan;
v) Industrial Community Improvement Plan;
vi) Old East Village Community Improvement Plan; and
vii) SoHo Area Community Improvement Plan;

o) as part of the monitoring of the revised incentive programs, the Civic Administration BE DIRECTED to report back on the experience of mid-rise and/or smaller scale residential development accessing the residential development charges grant program;

it being noted that the program changes recommended above (a) through i) above) will come into effect on January 1, 2018 following the preparation of new program guidelines for these programs; and,

it being further noted that these amended programs (identified in recommendations a) through i) above) 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, and that the review identify interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery;

Appendix "C"

Community Engagement

Public liaison: On July 15th, 2021, Notice of Application was published in *The Londoner* and circulated through the circulation list and to interested parties and stakeholders for review and input on the proposed amendment. The Notice of Application was sent to property owners within 120 metres from the SoHo CIP area. The Notice of Application included a link to the Get Involved London project webpage to allow the public the opportunity to review and provide feedback on the proposed amendment.

There were 119 visitors that accessed the Get Involved London project webpage, with supporting documents being downloaded 58 times.

The Get Involved page included 3 quick poll questions. Below are the questions and the results received.

1. How Important do you feel Financial Incentives are for Community Improvement?

   There were four responses were received and 100 % answered as 'very important'.

2. If eligible, how likely are you to apply for a Grant or Loan in the next 5 years?

   There was one response received and answered as 'somewhat likely'. There was one response received and answered as 'somewhat likely'.

3. Which Community Improvement Plan Financial Incentive area is your property located?

   There were three responses received and one of them responded that they were in the SoHo area.

Further, the Get Involved page had an opportunity for webpage viewers to ask questions regarding the project. There were no questions received regarding the SoHo Community Improvement Plan project.

There were two phone calls of property owners that were received. One property owners wanted to receive additional information on the financial incentives that may be available to them. One caller expressed concerns of public funds being used to support the private sector. Two emails were received: one provided some suggestion on community improvement and another to inquire about available financial incentives. In addition, there was one written comment received that provided a suggestion for community improvement in SoHo that was not related to financial incentives.

Agency Comments:

<u>London Hydro – July 22, 2021</u>

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.

July 27, 2021

Euthanasia Prevention Coalition

City Planning,
City of London,
206 Dundas St.,
London ON N6A 1G7

Attention: Jasmine Hall

Re: File: 0-9328 Notice of Planning Application—Official Plan Amendment
SoHo CIP—Financial Incentives Measures and Indicators

We received the Date of Notice: July 23, 2021 of the above mentioned Official Plan Amendment via snail mail on July 27, 2021, and wish to respond. We own the property located at 383 Horton Street East, London, ON N6B 1L6, which is located *right across the street from London Fire Hall Station Number One*, within the Community Improvement Project Area as per Schedule 3. Currently, our address and area businesses down Horton Street aren't serviced with high-speed fibre internet, though we have pleaded with Bell Canada's executive office to service the area.

For this community to attract and establish new businesses, retain thriving businesses, and appeal to and maintain high quality employees in our work environments, **we ask that *the City of London reach out and ask that our community be wired with high-speed fibre internet as soon as possible*. As an example, the small town of Glencoe, Ontario, is getting high-speed fibre internet. Why is this Community Improvement Project Area not fully serviced immediately?**

Since our area does not have reliable high-speed fibre internet, this failure limits our businesses' access to cloud environments, cloud software and data storage, video conferencing and work-from-home arrangements. Based on our current internet speed test at 383 Horton Street East, **upload speed averages a measly 0.86 Megabits per second, and download speed averages 11.1 Megabits per second.** This is not acceptable internet speed for any business to succeed in London!

Our businesses are more dependent on technology and software within cloud environments, and without access to high-speed fibre internet, businesses here are failing to compete and thrive.

Additionally, high-speed fibre internet is required to access premium smart business/home security and alarm monitoring systems for our community to help deter criminal activity. Note that security video cameras require high-speed fibre internet to operate: multiple large images must be received and sent in real time, and without high-speed fibre internet, our community is less secure.

Again, we ask that the City of London obtain high-speed fibre internet as soon as possible for the benefit of our community's businesses and residences.

Sincerely,

Schadenberg

Alex Schadenberg, Executive Director

Box 25033 London, ON N6C 6A8 Canada | Box 611309 Port Huron, MI 48061-1309 USA
Tel. 519-439-3348 or (toll-free) 1-877-439-3348 **Fax:** 519-439-7053
Email: info@epcc.ca **Website:** www.epcc.ca **Blog:** www.epcblog.org

Appendix “D”

Policy Context

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

The Planning Act

28 (1) – Community improvement project area
28 (7) – Grants or loans re eligible costs
28 (7.1) – Eligible costs

Provincial Policy Statement (PPS)

1.1 – Managing and directing land use to achieve efficient and resilient development and land use patters
1.1.1

1.1.3 – Settlement Areas
1.1.3.1
1.1.3.3

1.3 – Employment
1.3.1

1.7 – Long-Term Economic Prosperity
1.7.1 a)
1.7.1 d)

2.6 – Cultural Heritage and Archaeology
2.6.1

The London Plan

Our Strategy
55 – Key Direction #1
57 – Key Direction #3
59 – Key Direction #5

Our City
153
164

Our Tools
1723
1724
1725
1726
1727
1728
1786

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – SoHo Community Improvement Plan – Performance Measures and Indicators (O-9328)

- Councillor Hopkins: I'd like to go to staff to give a brief presentation regarding the SoHo Community Improvement Plan. Thank you, Ms. Hall. I'd like to move now on to the public. If there's anyone here from the public that would like to speak to this recommendation, please come forward. I'd like to ask one more time if there's, this is the SoHo CIP. Please come forward. Hello. Welcome to the Planning and Environment Committee meeting. You have. If you can state your name and address if you wish and you have up to five minutes.

- My name is Cherene Metcalf and I'm a landlord on Clarence Street. I'm just, this is the first that I'm hearing of this so I'm not sure if I'm understanding correctly but this is a proposal to start these grants and loans? This is a very initial process of this for Council? Is that correct?

- Councillor Hopkins: We will go to answers to your question once you've made your comments. I'll have staff respond. Please go forward with your comments.

- Cherene Metcalf: I don't really have any comments. That's just my question.

- Councillor Hopkins: Ok. We can go to staff after your comments and if there's anyone else here. Thank you.

- Cherene Metcalf: Thank you.

- Councillor Hopkins: I'll ask one more time if there's anyone here that would like to speak to the SoHo CIP? I see none. I just want to make sure. I will go to the Committee then to close the public participation meeting. Councillor Hillier, seconded by the Mayor. Are we good in Committee Room #1? Just one moment before we close. Clerk? I think we do have someone else that would like to make comments to the SoHo Community Improvement Plan. Welcome sir. If you can state your name and address if you wish and you have up to five minutes.

- My name is David Moxley. I'm at 236 St. Julien Street. I just wanted to say that most of the people that I've talked to in our household are very happy as to what is happening next Spring and members of the City and construction workers that are going to take part in this have explained everything very well and we're anxious to see this happen and have it and we thank everybody. Thank you.

- Councillor Hopkins: Thank you for your comments. I'll go back to the Committee, I do apologize. I will ask for a motion to close the public participation meeting.

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: **Hamilton Road Area Community Improvement Plan – Performance Measures and Indicators of Success (O-9330)**
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning & Development, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 16, 2021 to **ADD** an Appendix that sets out performance measures and indicators of success for the Community Improvement Plan ("CIP").

Executive Summary

Summary of Request

The recommended amendment will add an appendix to the Hamilton Road Area Community Improvement Plan that contains performance measures, indicators of success, and targets for the loan programs.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to establish a formal framework for reviewing the loan programs available through the Hamilton Road Area Community Improvement Plan. The measures, indicators, and targets will help inform Civic Administration when making recommendations to Municipal Council on future changes to the loan programs, including when to reduce or discontinue programs.

Rationale of Recommended Action

The recommended amendment conforms with the *Planning Act*, as the loan programs meet the requirements set out in Section 28 related to Community Improvement.

The recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS). The PPS encourages the regeneration of settlement areas as critical to the long-term economic prosperity of communities and mainstreets.

The recommended amendment conforms to the in-force policies of The London Plan, including the Key Directions, Urban Regeneration, and Community Improvement sections.

The recommended amendment conforms to the policies of the Hamilton Road Area Community Improvement Plan.

Linkage to the Corporate Strategic Plan

The City of London Strategic Plan 2019-2023 contains five strategic areas of focus. Revitalizing London's downtown and urban areas is a strategy within both the "Building a Sustainable City" and "Growing our Economy" strategic areas of focus.

The Hamilton Road Area Community Improvement Plan loan programs help to revitalize the area through incentivizing and encouraging the development of new residential units and as a result, increasing the population of the neighbourhood. Further, the loan programs encourage and assist property owners in maintaining and improving the older building stock found in the area.

Linkage to Climate Emergency Declaration

On April 23, 2019, Municipal Council declared a Climate Emergency. The loan programs support the City's commitment to reducing and mitigating climate change by encouraging and incentivizing intensification on Hamilton Road. Further, the loans help support more intense and efficient use of existing urban lands and infrastructure, and the regeneration of the existing communities. The loans also help ensure older buildings are more energy efficient and sustainable through renovations and upgrades to the structure and mechanical systems.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning and Environment Committee – May 13, 2019 – New Measures and Indicators of Success

Planning and Environment Committee – November 16, 2020 – Community Improvement Plans Performance Measures and Indicators of Success

Planning and Environment Committee – March 29, 2021 – Downtown Community Improvement Plan – Performance Measures and Indicators of Success (O-9286)

Planning and Environment Committee – March 29, 2021 – Old East Village Community Improvement Plan – Performance Measure and Indicators of Success (O-9285)

Planning and Environment Committee – June 21, 2021 – CIP - Performance Measures and Indicators of Success

1.2 Community Improvement Plans

A Community Improvement Plan (CIP) is a tool prescribed by Section 28 of the *Planning Act* that is intended to replan, redesign, redevelop, and rehabilitate a designated area in need due to age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social, or community economic development reasons.

A CIP can help:

- Focus public attention on local priorities and municipal initiatives
- Target areas in transition or in need of repair, rehabilitation, and redevelopment
- Facilitate and encourage community change in a coordinated manner
- Stimulate private sector investment through municipal incentive-based programs

The financial incentive programs in the Community Improvement Plan are often the tools to encourage and support community and economic redevelopment. The financial incentives are geared to encourage private sector investment in areas that further support the City's policy goals and objectives, for example a loan to improve a building.

1.3 Community Improvement Plan Service Review (2017)

Civic Administration undertook a comprehensive CIP service review in 2016-2017 and from that review recommended:

- Changes to existing financial incentive programs
- Introducing financial incentive programs to new or expanded areas
- Amending the CIPs to include performance measures and indicators of success

The Municipal Council resolution from May 2, 2017 relating to the CIP service review directed that these recommended changes come into effect on January 1, 2018. The

amended programs, as identified in the resolution, will expire no later than December 31, 2023 pending a review of the program results by the Municipal Council prior to the adoption of the 2024-2027 Multi-Year Budget, with the review identifying interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery. The complete May 2, 2017 Municipal Council resolution is provided in Appendix “B”.

The Hamilton Road Area CIP was not included in the 2017 Council Resolution, however, the amendment will bring consistency with how to measure the success of CIPs similar to how the Old East Village and Downtown CIPs are evaluated. The addition of the measures, indicators, and targets identified in this report will assist Civic Administration in undertaking the future CIP service review in support of the 2024-2027 Multi-Year Budget.

1.4 Draft Performance Measures, Indicators of Success, and Targets

On June 21, 2021, an information report with draft performance measures, indicators of success, and the related targets was presented to the Planning and Environment Committee which recommended the draft measures, indicators, and targets be circulated for public review. Municipal Council adopted the recommendations at its July 6, 2021 meeting.

The two loan programs being measured are the:

- Façade Improvement Loan
- Upgrade to Building Code Loan

The draft indicators for the two loan programs are:

- Building façade condition
- A healthy ground floor vacancy rate
- % of targeted uses
- The private sector investment generated by offering public sector loans
- The number of loans issued per year

Additional details on the loan programs, and the draft measures, indicators, and targets are available in the June 21, 2021 report.

The June 21, 2021 report was also posted on a Get Involved webpage for public review and comment. Further details on the consultation can be found in that report and in Section 4.0 of this report.

2.0 Purpose for the Amendment

Civic Administration have reviewed and monitored the loans, but performance measures, indicators of success, and targets for the incentive programs have never been formalized in the CIP.

Through amending the CIP by adding an appendix that contains measures, indicators, and targets, Civic Administration will be better able to:

- Manage the loan programs
- Determine if the loan programs are being successful in achieving the objectives of the Hamilton Road Area Community Improvement Plan and The London Plan
- Provide recommendations to Municipal Council on when to reduce funding and/or discontinue or amend the loan programs

3.0 Recommended Amendments to the Financial Incentives and Rationale

The Hamilton Road Area Community Improvement Plan has two (2) loan programs that are both forgivable – the Façade Improvement Loan and the Upgrade to Building Code

loans. The indicators of success and the targets for the financial incentives are similar to the June 21, 2021 PEC report. The proposed new appendix for the Hamilton Road Area CIP containing the recommended measures, indicators, and targets is attached as Schedule “1” to Appendix “A” of this report.

The Façade Improvement Loan program is available in the Hamilton Road Area CIP and the objective of the program is to provide property owners loans at zero percent interest for up to 50% of the work up to $50,000. The Upgrade to Building Code Loan is also available in the Hamilton Road Area CIP and the objective of the program is to provide property owners loans at zero percent interest loans for up to 50% up to $200,000. The indicators of success for the loan programs are ground floor vacancy rate, the building façade condition, the % of Targeted Uses, the number of applications received per year, and the ratio of private sector investment to public sector investment.

The target for the ground floor vacancy is less than 3%, where the current vacancy rate is 6.65%. The value was determined to be a healthy vacancy rate where there is vibrancy and pedestrian traffic on the street while allowing room for businesses to enter the market. The ground floor vacancy rate will be evaluated biennially. The COVID-19 pandemic had a significant impact on businesses across the city. At this time, it is too early to know how the pandemic, the resulting operating interruptions to local businesses, and the changing public behaviour around working from home, dining out, or gathering in large groups will affect the ground floor vacancy rate.

The target for the building façade condition is 90% of the facades on the streets do not need improvement. A façade evaluation checklist was developed and first tested in the field in 2021. At the time of writing, Civic Administration has not analyzed the data to determine the percent of facades do not need improvement.

The target for the percentage of Targeted Uses is 75% to trigger refinement of the forgivable portion of the loan programs and 95% to eliminate the forgivable portion of the loan programs. The percentage of Targeted Uses were found to be 40.2% in 2019 and 37.3% in 2021.

The Hamilton Road Area CIP does not typically receive many loan applications. At the time of writing, only four (4) applications for the Upgrade to Building Code Loan and three (3) for the Façade Improvement Loan were received in the Hamilton Road Area CIP area since the inception of the programs. The minimum target of three (3) applications per year was determined to be appropriate. Though Civic Administration continues to meet with prospective applicants, the number of new applications in general declined in 2020 and 2021, likely due to the COVID-19 pandemic. Further, the Recovery Grant was issued in May, 2021 with an expiry date of June 11, 2021. There were nine (9) applications received in Hamilton Road Area for the Recovery Grant that may have otherwise applied for the loan programs.

The minimum ratio of private sector investment to public sector investment possible under the loan programs is 2:1. The target for the financial incentive loans is 2.8:1 that was derived using the data from the Downtown and Old East Village CIP financial incentive analysis as the application sample size for the Hamilton Road Area is too small.

4.0 Policy Context

4.1 The Planning Act

The *Planning Act* defines community improvement, community improvement plan (“CIP”), and community improvement project area (Section 28(1)).

Section 28 (7) permits a municipality to make grants or loans, in conformity with the CIP, to registered owners, assessed owners, and tenants of lands and buildings within the community improvement project area. The eligible costs of a community improvement plan may include costs related to development, redevelopment, construction, and reconstruction of lands and buildings for rehabilitation purposes (Section 28(7.1)).

In 2018, Municipal Council designated the Hamilton Road community improvement project area and adopted the Hamilton Community Improvement Plan that outlines the community improvement goals for that area and the loan programs for the area. The loan programs available through the Hamilton Road CIP incentivize rehabilitation of the existing buildings. Therefore, these loan programs conform with Section 28 of the *Planning Act.* The amendment provides clarity on how the success of the programs will be measured. No changes to the programs are being considered that will result in non-conformity with Section 28 of the *Planning Act*.

4.2 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of Provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Decisions affecting planning matters “shall be consistent” with the PPS.

The PPS promotes efficient development to sustain the financial wellbeing of Municipalities (1.1.1(a)).

The PPS emphasises that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of communities (1.1.3). As such, settlement areas shall be the focus of growth and development (1.1.3.1). Further, the PPS states that Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas based on local conditions (1.1.3.5).

The PPS further requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment and broader mixed uses to meet long-term needs (1.3.1(a)). In addition, planning authorities shall facilitate 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 (1.3.1(c)).

The PPS states that long-term economic prosperity should be supported by: promoting opportunities for economic development and community investment-readiness (1.7.1(a)) and maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets (1.7.1 (d)).

Lastly, the PPS identifies that significant built heritage resources shall be conserved (2.6.1).

The loan programs available through the Hamilton Road Area CIP encourage the regeneration of Hamilton Road, that is within the City of London settlement area. Further, the loan programs focus redevelopment and reinvestment in the Hamilton Road area. The amendment does not change how the loan programs operate and simply provides clarity of how success of the programs is measured. Therefore, the loan programs and the recommended amendment are consistent with the PPS.

4.3 The London Plan

The London Plan constitutes the Official Plan for the City of London. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city.

The London Plan was adopted by Municipal Council on June 23, 2016 and approved by the Province on December 28, 2016. Numerous policies remain under appeal; however, all the policies discussed in this report related to community improvement and Map 8 – Community Improvement Project Areas are in force.

The Key Directions provide the vision of The London Plan. Key Direction #1 – Plan strategically for a prosperous city –identifies the importance of revitalizing the city’s urban neighbourhoods and business areas (55_4). Key Direction #3 – Celebrate and support London as a culturally rich, creative, and diverse city – identifies protecting our built and cultural heritage to promote our unique identity (57_7).

Main Streets are areas where urban regeneration efforts will be directed to sustain and enhance them (131_). Hamilton Road is considered a Main Street in Policy 133.

The Urban Regeneration policies of the Our City part of The London Plan support the sensitive growth and change within London's urban areas so that they are sustainable and prosperous over the long term (153_) including encouraging the economic revitalization and enhancing the business attraction of urban main streets (153_4).

The Urban Regeneration policies also permit Municipal Council to designate, by by-law community improvement project areas and adopt Community Improvement Plans (164_), subject to the Community Improvement Plan policies in the Our Tools part of *The London Plan*.

The Community Improvement Policies (1723_ through 1728_) of The London Plan provide the bulk of the detail and direction for implementing such plans. One of the objectives is to stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity (1727_4). Map 8 – Community Improvement Project Areas show the designated community improvement project areas within London (1786_).

The loan programs and the proposed amendment conform with the in-force policies of The London Plan.

4.4 Hamilton Road Area Community Improvement Plan

The vision of the Hamilton Road Area CIP is that by 2027, the area will be an attractive destination in London filled with heritage, diverse local businesses and multicultural restaurants, as well as a safe and welcoming neighbourhood. Some of the objectives of the Hamilton Road Area CIP are to stimulate private sector investment in revitalizing and rehabilitating and encourage the conservation and restoration of local heritage resources.

The loan programs support the vision and the objectives of the Hamilton Road Area CIP as the loans focus on rehabilitation by incentivizing private sector investment. Therefore, the amendment to the CIP complies with the Hamilton Road Area Community Improvement Plan.

5.0 Public and Stakeholder Consultations

On July 15th, 2021, Notice of Application was published in The Londoner and circulated through the circulation list and to interested parties and stakeholders for review and input on the proposed amendment. In addition, there was a Get Involved London project page that went live at the same time. In total, comments and questions were received from the Get Involved website (four), phone calls (three), and emails (two). In addition, separate conversations with the Hamilton Road BIA and Hamilton Road Community Association were held regarding the project. The general response was favourable to the project and some individuals contacted the City to gather more information of the financial incentives available in the area. Further information of the public consultation is found in Appendix "C" of this report.

Conclusion

The recommended amendment to the Hamilton Road Area Community Improvement Plan will add an appendix to the CIP that introduces performance measures, indicators of success, and targets for the two loan programs available to property owners and tenants within the Hamilton Road community improvement project area. The measures, indicators, and targets will assist Civic Administration with better measuring the success of the loan programs and put a better mechanism in place to help recommend future changes to the programs including scaling back or shifting priorities as targets are met.

The amendment is consistent wit the Provincial Policy Statement, 2020 and conforms with the *Planning Act*. The amendment conforms to the in-force policies of The London

Plan and the Hamilton Road Area Community Improvement Plan.

Prepared by:	**Jasmine Hall, MCIP RPP** **Planner II, Urban Regeneration**
Reviewed by:	**Jim Yanchula, MCIP RPP** **Manager, Core Area and Urban Regeneration**
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. C.P.-1444

A by-law to amend the Hamilton Road Area Community Improvement Plan (CIP) to add an Appendix that sets out performance measures and indicators of success for the CIP

WHEREAS subsection 28(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, enables the council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Hamilton Road community improvement project area;

AND WHEREAS the Hamilton Road community improvement project area is in conformity with *The London Plan*, 2016, the Official Plan for the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the Hamilton Road Area Community Improvement Plan;

AND WHEREAS the Municipal Council of The Corporation of the City of London deems it appropriate to amend the Hamilton Road Area Community Improvement Plan to add an Appendix that sets out performance measures and indicators of success for the CIP;

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

1. Amendment No. (to be inserted by the Clerk's Office) to the Hamilton Road Area Community Improvement Plan, as contained in the text attached hereto as Schedule "1" and forming part of this By-law being "Appendix to the Hamilton Road Area Community Improvement Plan", is hereby adopted.

2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

PASSED in Open Council on November 16, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 16, 2021
Second Reading – November 16, 2021
Third Reading – November 16, 2021

AMENDMENT NO.
to
THE HAMILTON ROAD AREA COMMUNITY IMPROVEMENT PLAN

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add an appendix to the Hamilton Road Area Community Improvement Plan relating to performance measures, indicators of success, and targets for the financial incentive programs Façade Improvement Loan, Upgrade to Building Code, Forgivable Façade Improvement Loan, and Forgivable Upgrade to Building Code Improvement Loan).

B. LOCATION OF THIS AMENDMENT

This Amendment applies to all lands within the Hamilton Road community improvement project area that are currently eligible for the financial incentives.

C. BASIS OF THE AMENDMENT

The addition of an appendix to the Hamilton Road Area Community Improvement Plan relating to performance measures, indicators of success, and targets for the financial incentive programs maintains the intent of The London Plan regarding the application of community improvement policies. The performance measures, indicators of success, and targets will allow Civic Administration to better measure the success of the loan programs and improve the mechanism in place to help recommend future changes to the programs including scaling back or shifting priorities as targets are met.

D. THE AMENDMENT

The Hamilton Road Area Community Improvement Plan is hereby amended as follows:

1. Schedule “1” – Appendix to the Hamilton Road Area Community Improvement Plan is added as Appendix A to the Hamilton Road Community Improvement Plan.

Schedule “1” – Appendix to the Hamilton Road Area Community Improvement Plan

Appendix A: Performance Measures, Indicators of Success, and Targets

Appendix A outlines performance measures, indicators of success, and the related targets for the loan programs available through the Hamilton Road Area Community Improvement Plan.

These measures and indicators will:

- Assist Civic Administration with the management of the loan programs
- Help determine if the loan programs are being successful in achieving the objectives of the Hamilton Road Area Community Improvement Plan and the policies of *The London Plan*
- Assist Civic Administration with providing recommendations to Municipal Council on when to reduce funding and/or amend or discontinue the loan programs

Civic Administration may also recommend changes to the loan programs through other mechanisms such as a Community Improvement Plan service review; however, these changes should only be recommended after consulting this Appendix and taking into consideration its contents.

The loans mentioned in Appendix A may be reduced, amended, or discontinued at the direction of Municipal Council without amendment to the Hamilton Road Area Community Improvement Plan.

The performance measures, indicators of success, and targets linked to the loan programs are:

- Building façade condition
- % of targeted uses
- Ground floor vacancy rate
- The private sector investment generated by offering public sector loans for building improvements
- Number of loans issued per year

Façade Condition

Indicator
Building façade condition.

Question
Are building façades being improved and upgraded?

Why It Matters
A well-maintained building façade provides an interesting and aesthetically pleasing environment for people to enjoy while living in or visiting a neighbourhood. The intent of the community improvement policies in the *London Plan* are to stimulate private sector property maintenance, repair, rehabilitation, redevelopment, and other forms of private sector investment and reinvestment activity. Within each of the CIP areas subject of this report, there are improvement policies meant to target specific areas, such as commercial corridors. Community improvement policies also encourage the conservation, restoration, adaptive re-use, and improvement of cultural heritage resources — including the façades of any heritage resource.

Baseline
A façade condition evaluation tool has been developed to determine the baseline data. Baseline data will be collected in year one (2021).

Civic Administration will complete a comprehensive review of the façade condition on a biennial basis for the Hamilton Road CIP area.

Target
90% of façade condition being rated ‘does not need improvement.’

Considerations
The evaluation of a façade’s condition tends to be subjective. City Staff developed the façade evaluation tool to mitigate the subjectivity of evaluating the façade condition. The calculation of the façade value will provide a percentage of applicable façade attributes that need improvement or not. Further, evaluations may include multiple individuals reviewing the same façade independently and taking the average of the results as the final value.

It is also important to note that the façade evaluation tool is for purposes only related to the Façade Improvement Loan Program and does not replace or overrule the City of London’s Property Standards By-Law or a Heritage Alteration Permit process.

Changes to Façade Improvement Loan Program
Once the target is met for façade conditions that are rated ‘does not need improvement’, Civic Administration will begin to transition the loan program to:

- Focus on the areas in Hamilton Road Area that are rated needs improvement
- Focus on the parts of façades that are receiving the lowest scores (for example, upper façades, storefronts, or lighting)

Targeted Uses

Indicator
The percentage of targeted uses in the Hamilton Road community improvement project area.

Question
Are the financial incentive programs being used to establish businesses and uses that are in line with the objectives of the Hamilton Road Area CIP and key directions of The London Plan?

Why It Matters
Targeted Uses are uses that are considered pedestrian generators by helping increase the liveliness of a neighbourhood and encouraging shopping and eating in the Hamilton Road area. Common examples include, restaurants, retail stores, and support services for the surrounding residential community and people who work in the area.

Targeted Uses play an important role in the City's Loan programs. In the Hamilton Road area, only properties with a Targeted Use are eligible to receive a Forgivable Loan. The London Plan Strategic Direction #5 discusses building a mixed-use compact city – mixing stores, restaurants, clean industry, live-work arrangements, and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity. By incentivizing for Targeted Uses, the City can help achieve this direction.

Baseline
In the Hamilton Road area, 126 (37.3 %) storefronts and properties were considered to have a targeted use in 2021 measured in the Targeted Incentive Zone of the CIP. From the 2019 data: 105 (40.2 %) storefronts and properties were considered to have a targeted use in 2019 measured in the Targeted Incentive Zone of the CIP.

Proposed Targets
Hamilton Road Area – 75% to trigger a refinement; 95% to eliminate the forgivable portion of the Façade Improvement Loan.

Considerations
To reach the proposed targets in the Hamilton Road Area, properties that are vacant will require targeted use tenants and non-targeted uses will need to be replaced with targeted uses.

Proposed Changes to the Loan Programs
Civic Administration will complete a comprehensive review of the targeted uses in the Hamilton Road Area on a biennial basis to determine the number of properties with a targeted use on the ground floor.

Once the 95% target is meet, eliminate the Forgivable Façade Improvement Loan. If the target is not met, continue the programs to encourage targeted uses where they are needed most.

The Forgivable Upgrade to Building Code Loan amount will remain at a maximum of $200,000 with 12.5% of the annual loan repayment being forgivable if the ground floor of the property is actively occupied by a Targeted Use. This will continue until the next Community Improvement Plan Review for the 2024-2027 Multi-Year Budget.

Ground Floor Vacancy Rate

Indicator
A healthy ground floor vacancy rate in the Hamilton Road Area.

Question
Are the loan programs being used to renovate properties to help reduce ground floor vacancies?

Why It Matters
A healthy ground floor vacancy rate indicates there is choice in the market for interested business owners to locate in the neighbourhood. A high vacancy rate may create gaps in the streetscape with little to no “eyes on the street” to help reduce undesirable behaviour.

Baseline

Table 1: Hamilton Road Area Baseline Ground Floor Vacancy Rate

CIP	2019	2021	Average
Hamilton Road	7.3 %	6 %	**6.65 %**

Target
A ground floor vacancy rate below 3%.

Considerations
Civic Administration notes that the loan programs may contribute to reducing ground floor vacancies for property owners who are interested and motivated in finding tenants; however, there are property owners that do not always have that motivation.

Baseline data is a “snap-shot” of ground floor vacancies on the day the surveying was done.

Changes to the Loan Programs
Civic Administration will complete a comprehensive review of the ground floor businesses in the Hamilton Road Area CIP on a biennial basis to determine the number of properties with a vacant ground floor.

If the target is not met, continue the program and refine the loan program to target areas seeing the highest level of vacancies where they are needed most, prior to the adoption of the 2024-2027 Multi-Year Budget.

If the target is met, focus the loan programs to ensure the ground floor businesses are filled with targeted uses.

Existing Loan Measures

Indicators

1. The private sector investment generated by offering public sector loans for building improvements
2. Number of loans issued per year

Questions

1. Are the loan programs generating a positive rate of return and incentivizing property owners to invest?
2. Are property owners and tenants continuing to use the loans?

Why It Matters

The City's Façade Improvement and Upgrade to Building Code Loan programs offer property owners with access to inexpensive funding (0% interest) to incentivize them to improve their properties.

Quality facades, storefronts, and signs beautify the form of buildings in our communities and helps to ensure a building's long-term viability. Further, renovated buildings may result in fewer vacancies.

Baseline

The minimum ratio is $2 invested by the private sector for $1 invested by the City.

Targets

1. A minimum of $2.8 to $1 for both loan programs (for both loan programs)
2. A minimum of three (3) loans issued per year in total in the Hamilton Road area

Considerations

The number of loan applications received, and the amount of private sector investment may be impacted by external forces outside the control of the City.

Changes to the Loan Programs

Not applicable at this time, however, up-take of both loan programs is constantly monitored. As a result of the Community Improvement Plan Review for the 2024-2027 Multi-Year Budget, Civic Administration may consider the following depending on findings:

- Refining the loan programs to tackle other City priorities (for example, building retrofits to address climate change);
- Focusing the loan programs on areas of Hamilton Road area; and
- Removing a loan program from the Hamilton Road area.

Appendix “B”

I hereby certify that the Municipal Council, at its meeting held on May 2, 2017 resolved:

13. That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the service review of the City’s Community Improvement Plans (CIPs) and associated incentive programs:

a) the Residential Development Charges Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to require the payment of the residential development charge at the time of building permit (“up front”) by the Applicant, and provide a phased grant-back program to re-pay the residential development charge; it being noted that this program change will generate an estimated $620,000 of operating savings per year and $6,000,000 of one-time savings;

b) the City-wide Industrial Development Charge Program BE AMENDED to distinguish between targeted and non-targeted industrial uses to provide a maximum development charge rebate of $250,000 equal to 50% of the development charge for the first $500,000 for non-targeted industrial uses;

c) the Rehabilitation and Redevelopment Tax Grant Programs for the Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to increase the value of the grants for the retention and rehabilitation of properties designated under the *Ontario Heritage Act*;

d) the Rehabilitation and Redevelopment Tax Grant Program, as amended in part c) above, BE PROVIDED for eligible properties located in the SoHo Community Improvement Plan Project Area; it being noted that this program was previously approved as part of the SoHo Community Improvement Plan, but not funded;

e) the Upgrade to Building Code Loan and Grant Programs for the Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to $200,000 capped at 50% of the completed eligible improvements;

f) the Upgrade to Building Code Loan and Grant Programs for Downtown and the Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;

g) the Façade Improvement Loan and Grant Programs for Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to $50,000 capped at 50% of the completed eligible improvements;

h) the Façade Improvement Loan and Grant Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;

i) Industrial Corridor Enhancement Grant Program BE FUNDED up to $40,000 per year for eligible properties located within the Highway 401/402 Corridor; it being noted that this program was previously approved as part of the Industrial Lands Community Improvement Plan, but not funded;

j) the Civic Administration BE DIRECTED to amend the Downtown Community Improvement Plan to expand the Community Improvement Plan Project Area boundary to include the Richmond Row area, and that the following programs be provided in the Richmond Row area:

    i) Façade Improvement Loan Program; and,

ii) Building Code Loan Program;

k) a portion of the savings generated by the Community Improvement Plan amendments described in part a) above BE IDENTIFIED to potentially fund the following new programs pending the conclusion and the Municipal Council adoption of the Hamilton Road and Lambeth Community Improvement Plans:

i) Façade Improvement Loan Program (Hamilton Road and Lambeth); and,
ii) Building Code Loan Program (Hamilton Road);

l) that $200,000 of annual net savings generated as a result of this service review of the Community Improvement Plan program BE DIRECTED to address the budgeted savings target for the 2016-2019 multi-year budget;

m) the Civic Administration BE DIRECTED to consider Forgivable Loan Programs for the SoHo, Hamilton Road and Lambeth Community Improvement Plan Project Areas as part of the 2024-2027 Multi-year Budget process;

n) that Community Improvement Plans for the following Community Improvement Plan Project Areas BE AMENDED to include performance measures and indicators of success to align with current City policies and Council strategic directions:

i) Airport Area Community Improvement Plan;
ii) Brownfield Community Improvement Plan;
iii) Downtown Area Community Improvement Plan (including the “Richmond Row” expansion area);
iv) Heritage Community Improvement Plan;
v) Industrial Community Improvement Plan;
vi) Old East Village Community Improvement Plan; and
vii) SoHo Area Community Improvement Plan;

o) as part of the monitoring of the revised incentive programs, the Civic Administration BE DIRECTED to report back on the experience of mid-rise and/or smaller scale residential development accessing the residential development charges grant program;

it being noted that the program changes recommended above (a) through i) above) will come into effect on January 1, 2018 following the preparation of new program guidelines for these programs; and,

it being further noted that these amended programs (identified in recommendations a) through i) above) 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, and that the review identify interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery;

Appendix "C"

Community Engagement

Public liaison: On July 15th, 2021, Notice of Application was published in *The Londoner* and circulated through the circulation list and to interested parties and stakeholders for review and input on the proposed amendment. The Notice of Application was sent to property owners within 120 metres from the Hamilton Road Area CIP area. The Notice of Application included a link to the Get Involved London project webpage to allow the public the opportunity to review and provide feedback on the proposed amendment.

There were 119 visitors that accessed the Get Involved London project webpage, with supporting documents being downloaded 58 times.

The Get Involved page included three (3) quick poll questions. Below are the questions and the results received.

1. How Important do you feel Financial Incentives are for Community Improvement?

   There were four responses were received and 100 % answered as 'very important'.

2. If eligible, how likely are you to apply for a Grant or Loan in the next 5 years?

   There was one response received and answered as 'somewhat likely'. There was one response received and answered as 'somewhat likely'.

3. Which Community Improvement Plan Financial Incentive area is your property located?

   There were three responses received and one of them responded that they were located in the Hamilton Road area.

Further, the Get Involved page had an opportunity for webpage viewers to ask questions regarding the project. Four responses on the Get Involved website were received that either asked for additional information of the project and/or supported investment in the community.

Three phone calls of property owners that were received. Two of the calls were to receive additional information on the financial incentives that may be available to them. One caller expressed concerns of public funds being used to support the private sector. Two emails were received that both were asking if their properties were eligible for any loans.

There was a virtual meeting held on July 28th, 2021 with the Hamilton Road BIA (Bethany Mejia and Dave Broostad) to discuss the project. There were no concerns regarding the project and the measures and targets proposed in the project. A phone call was received by the Hamilton Road Area Community Association to discuss the project and no comments or concerns were received.

Agency Comments:

<u>London Hydro – July 22, 2021</u>

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 “D”

Policy Context

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

The Planning Act

28 (1) – Community improvement project area
28 (7) – Grants or loans re eligible costs
28 (7.1) – Eligible costs

Provincial Policy Statement (PPS)

1.1 – Managing and directing land use to achieve efficient and resilient development and land use patters
1.1.1

1.1.3 – Settlement Areas
1.1.3.1
1.1.3.3

1.3 – Employment
1.3.1

1.7 – Long-Term Economic Prosperity
1.7.1 a)
1.7.1 d)

2.6 – Cultural Heritage and Archaeology
2.6.1

The London Plan

Our Strategy
55 – Key Direction #1
57 – Key Direction #3
59 – Key Direction #5

Our City
153
164

Our Tools
1723
1724
1725
1726
1727
1728
1786

From: Bernadette Maria Baginski
Sent: Tuesday, October 19, 2021 5:24 PM
To: Doc Services <DocServices@london.ca>; Hall, Jasmine <jahall@london.ca>; van Holst, Michael <mvanholst@london.ca>
Cc: Bernadette Maria Baginski
Subject: [EXTERNAL] Re: Notification of Council Decision

Dear Madam/Sir,

I received 2 letters regarding Public meeting notice re Official Plan Amendment of the meeting scheduled November 1, 2021 at the City Hall.

File: 0-9330

Applicant: City of London

I am the owner of the house located on 1022 Trafalgar street in London Ontario so I was asked to give some input/comments to Hamilton Road Community Improvement Plan and I would also like to be notified of Council Decision as what has been done until now and of the progress as what will be done in my neighborhood coming forward.

I am very pleased with the road infrastructure that took place on my street and on the intersection of Trafalgar at Hamilton road and Egerton.

This improved the location and it looks very nice now, great work.

There is a high traffic volume on my street and on Hamilton Road in general, how this can be minimized/calmed?

I would like see more trees along my neighborhood and through Hamilton road.

Even I would like a tree in front of my house and in front of nearby houses.

Very, very important to have a supermarket or market nearby.

There is a Fresco on Trafalgar at Highbury, but it would be essential to have another one closer to me.

I live just across the temple. I would love to see a nice grocery store somewhere close to me. Store like No frill or Metro or other type of grocery store other that convenient stores with the reasonable food prices.

This market or supermarket would have also coffee shoppe in, some take-out food, fresh produce, flowers, groceries, maybe a patio

Definitely it is very important to control crime activities like prostitutions, etc...I think there is an improvement, but previously I noticed a lots of prostitutes and other activities near to Hamilton Rd and Rectory and throughout Hamilton road...this year it is much better.

We like to have the location to be safe, clean and elegant and with these beautiful road infrastructures that was done on my street why not to make the whole area more elegant and one among better areas in London. Location that is safe, clean, elegant and attractive?

We have the bus stop on Hamilton road at Trafalgar, can we have sitting stations in there with the bench and covered against snow or rainy weather.

A few times I noticed the street was not clean

Throughout Hamilton road ...garbage on the sidewalks and on the street, messy.

And some festivals would be nice in my neighborhood...maybe a place with the live music and outside patio like Covent market type?

I might not be able to attend upcoming meeting, but I would appreciate if this can be taken to consideration.

Sincerely,

Bernadette Baginski

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: **Lambeth Area Community Improvement Plan – Performance Measures and Indicators of Success (O-9329)**
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning & Development, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 16, 2021 to **ADD** an Appendix that sets out performance measures and indicators of success for the Community Improvement Plan ("CIP").

Executive Summary

Summary of Request

The recommended amendment will add an appendix to the Lambeth Area Community Improvement Plan that contains performance measures, indicators of success, and targets for the loan programs.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to establish a formal framework for reviewing the loan programs available through the Lambeth Area Community Improvement Plan. The measures, indicators, and targets will help inform Civic Administration when making recommendations to Municipal Council on future changes to the loan programs, including when to reduce or discontinue programs.

Rationale of Recommended Action

The recommended amendment conforms with the Planning Act, as the loan programs meet the requirements set out in Section 28 related to Community Improvement.

The recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS). The PPS encourages the vitality and regeneration of settlement areas as critical to the long-term economic prosperity of communities, and, where possible, enhancing the vitality and viability of downtowns and mainstreets.

The recommended amendment complies with the in-force policies of The London Plan, including the Key Directions, Urban Regeneration, and Community Improvement.

The recommended amendment complies with the policies in the Southwest Area Secondary Plan.

The recommended amendment complies with the policies of the Lambeth Area Community Improvement Plan.

Linkage to the Corporate Strategic Plan

The City of London Strategic Plan 2019-2023 contains five strategic areas of focus. Revitalizing London's downtown and urban areas is a strategy within both the "Building a Sustainable City" and "Growing our Economy" strategic areas of focus.

The Lambeth Area Community Improvement Plan loan programs help to revitalize the area through incentivizing and encouraging the development of new residential units

and as a result, increasing the population of the neighbourhood. Further, the loan programs encourage and assist property owners in maintaining and improving the older building stock found in the area.

Linkage to Climate Emergency Declaration

On April 23, 2019, Municipal Council declared a Climate Emergency. The loan programs support the City's commitment to reducing and mitigating climate change by encouraging and incentivizing intensification in Lambeth. Further, the loans help support more intense and efficient use of existing urban lands and infrastructure, and the regeneration of the existing communities. The loans also help ensure older buildings are more energy efficient and sustainable through renovations and upgrades to the structure and mechanical systems.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning and Environment Committee – May 13, 2019 – New Measures and Indicators of Success

Planning and Environment Committee – November 16, 2020 – Community Improvement Plans Performance Measures and Indicators of Success

Planning and Environment Committee – March 29, 2021 – Downtown Community Improvement Plan – Performance Measures and Indicators of Success (O-9286)

Planning and Environment Committee – March 29, 2021 – Old East Village Community Improvement Plan – Performance Measure and Indicators of Success (O-9285)

Planning and Environment Committee – June 21, 2021 – CIP - Performance Measures and Indicators of Success

1.2 Community Improvement Plans

A Community Improvement Plan (CIP) is a tool prescribed by Section 28 of the *Planning Act* that is intended to replan, redesign, redevelop, and rehabilitate a designated area in need due to age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social, or community economic development reasons.

A CIP can help:

- Focus public attention on local priorities and municipal initiatives
- Target areas in transition or in need of repair, rehabilitation, and redevelopment
- Facilitate and encourage community change in a coordinated manner
- Stimulate private sector investment through municipal incentive-based programs

The financial incentive programs in the Community Improvement Plan are often the tools to encourage and support community and economic redevelopment. The financial incentives are geared to encourage private sector investment in specific areas that further support the City's policy goals and objectives, for example a loan to improve a building.

1.3 Community Improvement Plan Service Review (2017)

Civic Administration undertook a comprehensive CIP service review in 2016-2017 and from that review recommended:

- Changes to existing financial incentive programs
- Introducing financial incentive programs to new or expanded areas

- Amending the CIPs to include performance measures and indicators of success

The Municipal Council resolution from May 2, 2017 relating to the CIP service review directed that these recommended changes come into effect on January 1, 2018. The amended programs, as identified in the resolution, will expire no later than December 31, 2023 pending a review of the program results by the Municipal Council prior to the adoption of the 2024-2027 Multi-Year Budget, with the review identifying interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery. The complete May 2, 2017 Municipal Council resolution is provided in Appendix “B”.

Although the Municipal Council resolution pre-dates the adoption of the Lambeth Area Community Improvement Plan, the proposed amendment will ensure consistency of monitoring the success of the Lambeth Area Community Improvement Plan as is done for the Downtown and Old East Village CIPs. Further, the addition of the measures, indicators, and targets identified in this report will assist Civic Administration in undertaking the future CIP service review in support of the 2024-2027 Multi-Year Budget.

1.4 Draft Performance Measures, Indicators of Success, and Targets

On June 21, 2021, an information report with draft performance measures, indicators of success, and the related targets was presented to the Planning and Environment Committee which recommended the draft measures, indicators, and targets be circulated for public review. Municipal Council adopted the recommendations at its July 6, 2021 meeting.

The two loan programs being measured are the:

- Façade Improvement Loan
- Wharncliffe Road Corridor Sign Loan

The draft indicators for the two loan programs are:

- Building façade condition
- Ground floor vacancy rate
- The private sector investment generated by offering public sector loans
- The number of loans issued per year

Additional details on the loan programs, and the draft measures, indicators, and targets are available in the June 21, 2021 report.

The June 21, 2021 report was also posted on a Get Involved webpage for public review and comment. Further details on the consultation can be found in that report and in Section 4.0 of this report.

2.0 Purpose for the Amendment

The Lambeth Area CIP was approved and adopted by Municipal Council in 2019. Since that time, Civic Administration has reviewed and monitored the loans, but performance measures, indicators of success, and targets for the incentive programs have never been formalized in the CIP.

Through amending the CIP by adding an appendix that contains measures, indicators, and targets, Civic Administration will be better able to:

- Manage the loan programs
- Determine if the loan programs are being successful in achieving the objectives of the Lambeth Area Community Improvement Plan, the Southwest Area Secondary Plan, and *The London Plan*
- Provide recommendations to Municipal Council on when to reduce funding and/or discontinue or amend the loan programs

3.0 Recommended Amendments to the Financial Incentives and Rationale

The Lambeth Area Community Improvement Plan has two (2) loan programs: the Façade Improvement Loan and the Wharncliffe Road Corridor Sign Loan. The indicators of success and the targets for the financial incentives have not changed since the June 21, 2021 PEC report. The proposed new appendix for the Lambeth Area CIP containing the recommended measures, indicators, and targets is attached as Schedule "1" to Appendix "A" of this report.

The Façade Improvement Loan program is available in the Lambeth Area CIP and the objective of the program is to provide property owners loans at zero percent interest for up to 50% of the work up to $50,000. The Wharncliffe Road Corridor Sign Loan is also available in the Lambeth Area CIP and the objective of the program is to provide property owners loans at zero percent interest loans for up to 50% or $5,000. The indicators of success for the loan programs are ground floor vacancy rate, the building façade condition, the number of applications received per year, and the ratio of private sector investment to public sector investment.

The target for the ground floor vacancy is less than 3%, where the current vacancy rate is 4.2%. The value was determined to be a healthy vacancy rate where there is vibrancy and pedestrian traffic on the street while allowing room for businesses to enter the market. The ground floor vacancy rate will be evaluated biennially. The COVID-19 pandemic had a significant impact on businesses across the city. At this time, it is too early to know how the pandemic, the resulting operating interruptions to local businesses, and the changing public behaviour around working from home, dining out, or gathering in large groups will affect the ground floor vacancy rate.

The target for the building façade condition is 90% of the facades on the streets do not need improvement. A façade evaluation checklist was developed and first tested in the field in 2021. At the time of writing, Civic Administration has not analyzed the data to determine the percent of facades that do not need improvement.

The Lambeth CIP area does not typically receive loan applications. At the time of writing, no loan applications were received in the Lambeth CIP area. The minimum target of two (2) applications per year was determined to be appropriate. Though Civic Administration continues to meet with prospective applicants, the number of new applications in general declined in 2020 and 2021, likely due to the COVID-19 pandemic. Further, the Recovery Grant was issued in May, 2021 with an expiry date of June 11, 2021. There were nine (9) applications received in Lambeth for the Recovery Grant that may have otherwise applied for the loan programs.

The minimum ratio of private sector investment to public sector investment possible under the loan programs is 2:1. The target for the financial incentive loans is 2.8:1 that was derived using the data from the Downtown and Old East Village CIP financial incentive analysis as the application sample size for Lambeth is too small.

4.0 Policy Context

4.1 The Planning Act

Section 28 (1) of the *Planning Act* defines community improvement, community improvement plan ("CIP"), and community improvement project area. In 2019, Municipal Council designated the Lambeth community improvement project area and adopted the Lambeth Community Improvement Plan that outlines the community improvement goals for that area.

Section 28 (7) permits a municipality to make grants or loans, in conformity with the CIP, to registered owners, assessed owners, and tenants of lands and buildings within the community improvement project area. Section 28 (7.1) identifies that the eligible costs of a community improvement plan may include costs related to development, redevelopment, construction, and reconstruction of lands and buildings for rehabilitation purposes.

The loan programs available through the Lambeth Area CIP include loans to incentivize rehabilitation of the existing buildings. Therefore, these loan programs conform with Section 28 of the *Planning Act.* The amendment provides clarity on how the success of the programs will be measured. No changes to the programs are being considered that will result in nonconformity with Section 28 of the *Planning Act*.

4.2 Provincial Policy Statement

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of Provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. Decisions affecting planning matters “shall be consistent” with the PPS.

The PPS promotes efficient development to sustain the financial wellbeing of Municipalities (1.1.1(a)). The PPS identifies that healthy, livable, and safe communities are sustained by accommodating an appropriate range and mix of affordable and market-based residential dwelling units and employment uses (1.1.1 b).

The PPS emphasises that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of communities (1.1.3). As such, settlement areas shall be the focus of growth and development (1.1.3.1). Further, the PPS states that Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas based on local conditions (1.1.3.5).

The PPS further requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment and broader mixed uses to meet long-term needs (1.3.1(a)). In addition, planning authorities shall facilitate 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 (1.3.1(c)).

The PPS states that long-term economic prosperity should be supported by: promoting opportunities for economic development and community investment-readiness (1.7.1(a)) and maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets (1.7.1 (d)).

Lastly, the PPS identifies that significant built heritage resources shall be conserved (2.6.1).

The loan programs available through the Lambeth Area CIP encourage the regeneration of Lambeth, which is within the City of London settlement area. Lambeth is known for its heritage and retaining of heritage in redevelopment is enhanced by the loan programs. Further, the loan programs focus redevelopment and reinvestment in the Lambeth Village Core. The amendment does not change how the loan programs operate, but simply provides clarity of how success of the programs is measured. Therefore, the loan programs and the recommended amendment are consistent with the PPS.

4.3 The London Plan

The London Plan constitutes the Official Plan for the City of London. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city.

The London Plan was adopted by Municipal Council on June 23, 2016 and approved by the Province on December 28, 2016. Numerous policies remain under appeal; however, all the policies discussed in this report related to community improvement and Map 8 – Community Improvement Project Areas are in force.

The Key Directions provide the vision of *The London Plan*. Key Direction #1 – Plan strategically for a prosperous city – identifies the importance of revitalizing the city’s urban neighbourhoods and business areas (55_4). Key Direction #3 – Celebrate and support London as a culturally rich, creative, and diverse city – identifies protecting our built and cultural heritage to promote our unique identity (57_7).

Main Streets are areas where urban regeneration efforts will be directed to sustain and enhance them (131_). The Lambeth Urban Corridor is considered a Main Street in Policy 133.

The Urban Regeneration policies of the Our City part of The London Plan support the sensitive growth and change within London's urban areas so that they are sustainable and prosperous over the long term (153_) including encouraging the economic revitalization and enhancing the business attraction of urban main streets (153_4).

The Urban Regeneration policies also permit Municipal Council to designate, by by-law community improvement project areas, and adopt Community Improvement Plans (164_), subject to the Community Improvement Plan policies in the Our Tools part of *The London Plan*.

The Community Improvement Policies (1723_ through 1728_) of The London Plan provide the bulk of the detail and direction for implementing such plans. One of the objectives is to stimulate private sector property maintenance, repair, rehabilitation, redevelopment and other forms of private sector investment and reinvestment activity (1727_4). Map 8 – Community Improvement Project Areas show the designated community improvement project areas within London (1786_).

The loan programs and the proposed amendment conform with the in-force policies of The London Plan.

4.4 Southwest Area Secondary Plan

According to the Southwest Area Secondary Plan, Lambeth is the cornerstone of the community, has a historical presence and quaint village main street core. The picturesque tree-lined streetscapes of Lambeth serve as a backdrop for new residential neighbourhoods in the southwest part of the city

The Lambeth Village Core is located in Lambeth, along a major traffic route through the community. It comprises lands with frontage on either side of Main Street between Campbell Street and Colonel Talbot Road, and on either side of Colonel Talbot Road between Main Street extending south beyond Sunray Avenue. This area serves as a central community focal point and will provide a neighbourhood level of service within comfortable walking distance of most residents of Lambeth and other nearby Neighbourhoods (20.5.8(i)).

The loan programs available in the Lambeth Area Community Improvement Plan comply with the Southwest Area Secondary Plan. Further, the proposed amendment to the Lambeth Area CIP will not alter how the financial incentives will be distributed and therefore, complies with the Secondary Plan.

4.5 Lambeth Community Improvement Plan

The Lambeth Community Improvement Plan (CIP) represents a multi-faceted strategy to establish a long-term vision for the Lambeth area and recognizing the distinct downtown of the Lambeth Village Core and the strong sense of place of the community. The Key Principles of the Lambeth Community Plan are that Lambeth be a great place to be; a destination; the Lambeth Village Core is the distinct downtown of the community, it is pedestrian-friendly, attractive and a preferred location for community events.

The loan programs available in the Lambeth CIP area comply with the intent of the Lambeth Community Improvement Plan. Further, the amendment to the CIP will not alter the way the financial incentives function and therefore, complies with the Lambeth Area CIP.

5.0 Public and Stakeholder Consultations

On July 15th, 2021, Notice of Application was mailed to property owners in the Lambeth CIP area, published in The Londoner, and circulated to interested parties and stakeholders for review and input on the proposed amendment. In addition, there was a Get Involved London project page that went live at the same time. In total, three phone

calls were received and all were requesting further information regarding the project. Further information of the public consultation is found in Appendix “C” of this report.

Conclusion

The recommended amendment to the Lambeth Area Community Improvement Plan will add an appendix to the CIP that introduces performance measures, indicators of success, and targets for the two loan programs available to property owners and tenants within the Lambeth community improvement project area. The measures, indicators, and targets will assist Civic Administration with better measuring the success of the loan programs and put a better mechanism in place to help recommend future changes to the programs including scaling back or shifting priorities as targets are met.

The amendment is consistent wit the Provincial Policy Statement, 2020, conforms with the Planning Act, and complies with The London Plan, Southwest Area Secondary Plan, and the Lambeth Area Community Improvement Plan.

Prepared by:	**Jasmine Hall, MCIP RPP** **Planner II, Urban Regeneration**
Reviewed by:	**Jim Yanchula, MCIP RPP** **Manager, Core Area and Urban Regeneration**
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. C.P.-1444

A by-law to amend the Lambeth Area Community Improvement Plan (CIP) to add an Appendix that sets out performance measures and indicators of success for the CIP

WHEREAS subsection 28(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, enables the council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Lambeth community improvement project area;

AND WHEREAS the Lambeth community improvement project area is in conformity with The London Plan, 2016, the Official Plan for the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the Lambeth Area Community Improvement Plan;

AND WHEREAS the Municipal Council of The Corporation of the City of London deems it appropriate to amend the Lambeth Area Community Improvement Plan to add an Appendix that sets out performance measures and indicators of success for the CIP;

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

1. Amendment No. (to be inserted by the Clerk’s Office) to the Lambeth Area Community Improvement Plan, as contained in the text attached hereto as Schedule “1” and forming part of this By-law being “Appendix to the Lambeth Area Community Improvement Plan”, is hereby adopted.

2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

PASSED in Open Council on November 16, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 16, 2021
Second Reading – November 16, 2021
Third Reading – November 16, 2021

AMENDMENT NO.
to
THE LAMBETH AREA COMMUNITY IMPROVEMENT PLAN

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add an appendix to the Lambeth Community Improvement Plan relating to performance measures, indicators of success, and targets for the financial incentive programs (Façade Improvement Loan and the Wharncliffe Road Corridor Sign Loan).

B. LOCATION OF THIS AMENDMENT

This Amendment applies to all lands within the Lambeth community improvement project area that are eligible for the financial incentives.

C. BASIS OF THE AMENDMENT

The addition of an appendix to the Lambeth Community Improvement Plan relating to performance measures, indicators of success, and targets for the financial incentive programs maintains the intent of The London Plan regarding the application of community improvement policies. The performance measures, indicators of success, and targets will allow Civic Administration to better measure the success of the loan programs and improve the mechanism in place to help recommend future changes to the programs including scaling back or shifting priorities as targets are met.

D. THE AMENDMENT

The Lambeth Community Improvement Plan is hereby amended as follows:

1. Schedule “1” – Appendix to the Lambeth Community Improvement Plan is added as Appendix A to the Lambeth Community Improvement Plan.

Schedule “1” – Appendix to the Lambeth Area Community Improvement Plan

Appendix A: Performance Measures, Indicators of Success, and Targets

Appendix A outlines performance measures, indicators of success, and the related targets for the loan programs available through the Lambeth Area Community Improvement Plan.

These measures and indicators will:

- Assist Civic Administration with the management of the loan
- programs
- Help determine if the loan programs are being successful in achieving the objectives of the Lambeth Area Community Improvement Plan and the policies of The London Plan
- Assist Civic Administration with providing recommendations to Municipal Council on when to reduce funding and/or amend or discontinue the loan programs

Civic Administration may also recommend changes to the loan programs through other mechanisms such as a Community Improvement Plan service review; however, these changes should only be recommended after consulting this Appendix and taking into consideration its contents.

The loan mentioned in Appendix A may be reduced, amended, or discontinued at the direction of Municipal Council without amendment to the Lambeth Area Community Improvement Plan.

The performance measures and indictors of success are:

- Building façade condition
- A healthy ground floor vacancy rate
- The private sector investment generated by offering public sector loans for building improvements
- Number of loans issued per year

Façade Condition

Indicator
Building façade condition.

Question
Are building façades being improved and upgraded?

Why It Matters
A well-maintained building façade provides an interesting and aesthetically pleasing environment for people to enjoy while living in or visiting a neighbourhood. The intent of the community improvement policies in The London Plan are to stimulate private sector property maintenance, repair, rehabilitation, redevelopment, and other forms of private sector investment and reinvestment activity. Within each of the CIP areas subject of this report, there are improvement policies meant to target specific areas, such as commercial corridors. Community improvement policies also encourage the conservation, restoration, adaptive re-use, and improvement of cultural heritage resources — including the façades of any heritage resource.

Baseline
A façade condition evaluation tool has been developed to determine the baseline data. Baseline data will be collected in year one (2021).

Civic Administration will complete a comprehensive review of the façade condition on a biennial basis for the Lambeth CIP area.

Target
90% of façade condition being rated ‘does not need improvement.’ This target will be refined once the baseline data has been collected.

Considerations
The evaluation of a façade’s condition tends to be subjective. City Staff developed the façade evaluation tool to mitigate the subjectivity of evaluating the façade condition. The calculation of the façade value will provide a percentage of applicable façade attributes that need improvement or not. Further, evaluations may include multiple individuals reviewing the same façade independently and taking the average of the results as the final value.

It is also important to note that the façade evaluation tool is for purposes only related to the Façade Improvement Loan Program and does not replace or overrule the City of London’s Property Standards By-Law or a Heritage Alteration Permit process.

Changes to Façade Improvement Loan Program
Once the target is met for façade conditions that are rated ‘does not need improvement’, Civic Administration will begin to transition the loan program to:

- Focus on the areas in Lambeth that are rated needs improvement
- Focus on the parts of façades that are receiving the lowest scores (for example, upper façades, storefronts, or lighting)

Ground Floor Vacancy Rate

Indicator
A healthy ground floor vacancy rate in Lambeth.

Question
Are the loan programs being used to renovate properties to help reduce ground floor vacancies?

Why It Matters
A high vacancy rate may create gaps in the streetscape with little to no “eyes on the street” to help reduce undesirable behaviour. Conversely, Main Streets with lots of businesses provides more “eyes on the street” and creates vibrancy in the community. A healthy ground floor vacancy rate is also important as it indicates there is choice in the market for interested business owners to locate in the neighbourhood.

Baseline

Table 1: Lambeth Baseline Ground Floor Vacancy Rate

CIP	2019	2021	Average
Lambeth	4.1 %	4.3 %	**4.2%**

Target
A ground floor vacancy rate below 3%.

Considerations
Civic Administration notes that the loan programs may contribute to reducing ground floor vacancies for property owners who are interested and motivated in finding tenants; however, there are property owners that do not always have that motivation.

Baseline data is a “snap-shot” of ground floor vacancies on the day the surveying was done.

Changes to the Loan Programs
Civic Administration will complete a comprehensive review of the ground floor businesses in Lambeth CIP areas on a biennial basis to determine the number of properties with a vacant ground floor.

If the target is not met, continue the program and refine the loan program to target areas seeing the highest level of vacancies where they are needed most, prior to the adoption of the 2024-2027 Multi-Year Budget.

If the target is met, focus the loan programs to ensure the ground floor businesses are filled with targeted uses.

Existing Loan Measures

Indicators

1. The private sector investment generated by offering public sector loans for building improvements
2. Number of loans issued per year

Questions

1. Are the loan programs generating a positive rate of return and incentivizing property owners to invest?
2. Are property owners and tenants continuing to use the loans?

Why It Matters

The City's Façade Improvement and Wharncliffe Road Corridor Sign Loan programs offer property owners with access to inexpensive funding (0% interest) to incentivize them to improve their properties.

Quality facades and storefronts will help conserve the built heritage and the form of buildings in our communities. Renovating facades, storefronts, roofs, and interiors will help ensure a building's long-term viability. Further, renovated buildings may result in fewer vacancies.

Baseline

At the time of writing, there have not been any applications received for any of the financial incentive programs in the Lambeth CIP area.

The minimum ratio possible is $2 invested by the private sector for $1 invested by the City.

Targets

1. A minimum of $2.8 to $1 for both loan programs (for both loan programs)
2. A minimum of two (2) loans issued per year in total in Lambeth

Considerations

The number of loan applications received, and the amount of private sector investment may be impacted by external forces outside the control of the City.

Changes to the Loan Programs

Not applicable at this time, however, up-take of both loan programs is constantly monitored. As a result of the Community Improvement Plan Review for the 2024-2027 Multi-Year Budget, Civic Administration may consider the following depending on findings:

- Refining the loan programs to tackle other City priorities (for example, building retrofits to address climate change);
- Focusing the loan programs on other areas of Lambeth; and
- Removing a loan program from Lambeth.

Appendix “B”

I hereby certify that the Municipal Council, at its meeting held on May 2, 2017 resolved:

13. That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the service review of the City’s Community Improvement Plans (CIPs) and associated incentive programs:

a) the Residential Development Charges Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to require the payment of the residential development charge at the time of building permit (“up front”) by the Applicant, and provide a phased grant-back program to re-pay the residential development charge; it being noted that this program change will generate an estimated $620,000 of operating savings per year and $6,000,000 of one-time savings;

b) the City-wide Industrial Development Charge Program BE AMENDED to distinguish between targeted and non-targeted industrial uses to provide a maximum development charge rebate of $250,000 equal to 50% of the development charge for the first $500,000 for non-targeted industrial uses;

c) the Rehabilitation and Redevelopment Tax Grant Programs for the Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to increase the value of the grants for the retention and rehabilitation of properties designated under the *Ontario Heritage Act*;

d) the Rehabilitation and Redevelopment Tax Grant Program, as amended in part c) above, BE PROVIDED for eligible properties located in the SoHo Community Improvement Plan Project Area; it being noted that this program was previously approved as part of the SoHo Community Improvement Plan, but not funded;

e) the Upgrade to Building Code Loan and Grant Programs for the Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to $200,000 capped at 50% of the completed eligible improvements;

f) the Upgrade to Building Code Loan and Grant Programs for Downtown and the Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;

g) the Façade Improvement Loan and Grant Programs for Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to $50,000 capped at 50% of the completed eligible improvements;

h) the Façade Improvement Loan and Grant Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;

i) Industrial Corridor Enhancement Grant Program BE FUNDED up to $40,000 per year for eligible properties located within the Highway 401/402 Corridor; it being noted that this program was previously approved as part of the Industrial Lands Community Improvement Plan, but not funded;

j) the Civic Administration BE DIRECTED to amend the Downtown Community Improvement Plan to expand the Community Improvement Plan Project Area boundary to include the Richmond Row area, and that the following programs be provided in the Richmond Row area:

    i) Façade Improvement Loan Program; and,

ii) Building Code Loan Program;

k) a portion of the savings generated by the Community Improvement Plan amendments described in part a) above BE IDENTIFIED to potentially fund the following new programs pending the conclusion and the Municipal Council adoption of the Hamilton Road and Lambeth Community Improvement Plans:

i) Façade Improvement Loan Program (Hamilton Road and Lambeth); and,
ii) Building Code Loan Program (Hamilton Road);

l) that $200,000 of annual net savings generated as a result of this service review of the Community Improvement Plan program BE DIRECTED to address the budgeted savings target for the 2016-2019 multi-year budget;

m) the Civic Administration BE DIRECTED to consider Forgivable Loan Programs for the SoHo, Hamilton Road and Lambeth Community Improvement Plan Project Areas as part of the 2024-2027 Multi-year Budget process;

n) that Community Improvement Plans for the following Community Improvement Plan Project Areas BE AMENDED to include performance measures and indicators of success to align with current City policies and Council strategic directions:

i) Airport Area Community Improvement Plan;
ii) Brownfield Community Improvement Plan;
iii) Downtown Area Community Improvement Plan (including the “Richmond Row” expansion area);
iv) Heritage Community Improvement Plan;
v) Industrial Community Improvement Plan;
vi) Old East Village Community Improvement Plan; and
vii) SoHo Area Community Improvement Plan;

o) as part of the monitoring of the revised incentive programs, the Civic Administration BE DIRECTED to report back on the experience of mid-rise and/or smaller scale residential development accessing the residential development charges grant program;

it being noted that the program changes recommended above (a) through i) above) will come into effect on January 1, 2018 following the preparation of new program guidelines for these programs; and,

it being further noted that these amended programs (identified in recommendations a) through i) above) 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, and that the review identify interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery;

Appendix "C"

Community Engagement

Public liaison: On July 15th, 2021, Notice of Application was published in *The Londoner* and circulated through the circulation list and to interested parties and stakeholders for review and input on the proposed amendment. The Notice of Application was sent to property owners within 120 metres from the Lambeth CIP area. The Notice of Application included a link to the Get Involved London project webpage to allow the public the opportunity to review and provide feedback on the proposed amendment.

There were 119 visitors that accessed the Get Involved London project webpage, with supporting documents being downloaded 58 times.

The Get Involved page included 3 quick poll questions. Below are the questions and the results received.

1. How Important do you feel Financial Incentives are for Community Improvement?

   There were four responses were received and 100 % answered as 'very important'.

2. If eligible, how likely are you to apply for a Grant or Loan in the next 5 years?

   There was one response received and answered as 'somewhat likely'. There was one response received and answered as 'somewhat likely'.

3. Which Community Improvement Plan Financial Incentive area is your property located?

   There were three responses received and one of them responded that they were in the Lambeth area.

Further, the Get Involved page had an opportunity for webpage viewers to ask questions regarding the project. There were no questions received regarding the Lambeth Area Community Improvement Plan project.

There were three phone calls of property owners that were received that all requested further details regarding the project.

Agency Comments:

<u>London Hydro – July 22, 2021</u>

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 “D”

Policy Context

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

The Planning Act

28 (1) – Community improvement project area
28 (7) – Grants or loans re eligible costs
28 (7.1) – Eligible costs

Provincial Policy Statement (PPS)

1.1 – Managing and directing land use to achieve efficient and resilient development and land use patters
1.1.1

1.1.3 – Settlement Areas
1.1.3.1
1.1.3.3

1.3 – Employment
1.3.1

1.7 – Long-Term Economic Prosperity
1.7.1 a)
1.7.1 d)

2.6 – Cultural Heritage and Archaeology
2.6.1

The London Plan

Our Strategy
55 – Key Direction #1
57 – Key Direction #3
59 – Key Direction #5

Our City
153
164

Our Tools
1723
1724
1725
1726
1727
1728
1786

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Lambeth Community Improvement Plan – Performance Measures and Indicators (O-9330)

- Councillor Hopkins: Very quick presentation. Thank you, Ms. Hall. Any technical questions from the Committee? I see none. I will go to the public. If there's anyone here that would like to the Lambeth CIP?

- Heather Lysynski, Committee Clerk: Sean Eden.

- Councillor Hopkins: Mr. Eden?

- Barb Westlake-Power, Deputy City Clerk: Madam Chair, I still only the unidentified phone caller in. I don't have Mr. Eden.

- Heather Lysynski, Committee Clerk: Stan Waring.

- Stan Waring: Yes, my question is, is the façade improvement program available from on the Longwoods Road section and if not, why not, and if so, can I learn more about it, please?

- Councillor Hopkins: Thank you Mr. Waring for attending. Is that the end of your comment? We usually go to staff to answer the questions at the end of your comments.

- Stan Waring: Yes.

- Councillor Hopkins: Thank you for attending the public participation meeting. I will ask one more time if there's anyone else from the public that would like to speak to this recommendation? I see none in Committee Room 1 and 2. With that I'm looking for a motion to close the public participation meeting.

Report to Planning and Environment Committee

To: **Chair and Members**
Planning and Environment
From: **George Kotsifas, P.Eng.**
Deputy City Manager, Planning and Economic Development
Subject: **Draft Plan of Vacant Land Condominium on the Submission by Sifton Properties Limited for 235 Kennington Way**
Public Participation Meeting: November 1, 2021

Recommendation

That, on the recommendation of the Director, Planning and Economic Development, the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 235 Kennington Way:

(a) the Planning and Environment Committee **ADVISE** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to a property located at 235 Kennington Way; and,

(b) the Planning and Environment Committee **ADVISE** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 235 Kennington Way.

Executive Summary

Summary of Request

This is a request by Sifton Properties Limited to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval and Removal of Holding Provisions. The Plan consists of 41 dwelling units, within multiple-attached townhouse buildings with a new private road providing access from Kennington Way. The Applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

The purpose and effect are to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium.

Rationale of Recommended Action

i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;

ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;

iii) The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential Designation and will implement an appropriate form of residential development for the site.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London's growth and development are well planning and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 12, 2003 – Report and Public Participation Meeting to Planning Committee recommending adoption of North Longwoods Area Plan (O-6424).

February 19, 2012 – Report to Planning and Environment Committee on Stormwater Management (SWM) Facility Land Acquisition Agreement (39T-15501).

December 12, 2016 – Report and Public Participation Meeting to Planning and Environment Committee regarding Draft Plan of Subdivision and associated Zoning By-law Amendments (39T-15501/Z-8470).

May 31, 2018 – Report to Approval Authority recommending approval of Consent Application (B.009/18).

December 13, 2019 – Report to Approval Authority recommending approval of Consent Application (B.045/19).

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

1.2 Planning History

This application is for Block 46 of Phase 1A of the Richardson (Middleton) Subdivision. On January 27th, 2017, the City of London Approval Authority granted final approval and the subdivision was registered as Plan 33M-769 on October 9th, 2019. The final plan consisted of 42 single detached residential lots, two (2) medium density residential blocks, two (2) open space blocks, and two (2) neighbourhood streets.

On December 19th, 2016, Municipal Council passed a Zoning By-law amendment to change the zoning from Urban Reserve (UR6) Zone, a Holding Light Industrial (h-17*LI3) Zone, and an Environmental Review (ER) Zone to a Holding Residential R5 Special Provision (h*h-100*h-198*R5-4(23)) Zone and a Holding Residential R6 Special Provision (h*h-100*h-198*R6-5(51)) Zone for Block 46 of Registered Plan of Subdivision 33M-769. This amendment was brought forward to facilitate the development of a residential subdivision consisting of low and medium density forms of housing.

Applications for Site Plan Approval, Removal of Holding Provisions and Minor Variances have been received and accepted (SPA21-047, H-9375, A.136/21). These applications are being processed concurrently with the Draft Plan of Vacant Land Condominium application (39CD-21509) which was accepted on June 23, 2021. The Minor Variance Application was heard by the Committee of Adjustment on October 14, 2021.

1.3 Property Description

The subject property is located west of Stewart Avenue and south of Kennington Way, which is generally north of Exeter Road and east of Wonderland Road South. The site has a mix of light industrial and low density residential to the north, medium density residential to the east, and light industrial to the south and west. The proposal consists

of the northern portion of one medium density residential block within a Registered Plan of Subdivision (Block 46 of Plan 33M-769). The site is currently vacant and approximately 0.89 hectares (2.2 acres) in size. The site has full access to municipal services and is in an area which is planned for future growth.

1.4 Current Planning Information

- The *London Plan* Place Type – Neighbourhoods
- (1989) *Official Plan* Designation – Multi-Family, Medium Density Residential
- Existing Zoning – Holding Residential R5/R6 Special Provision (h*h-100*h-198*R5-4(23)/R6-5(51)

1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 119.47 meters along Kennington Way and 72 meters along Stewart Avenue
- Depth – Various
- Area – 0.89 hectares
- Shape – Irregular

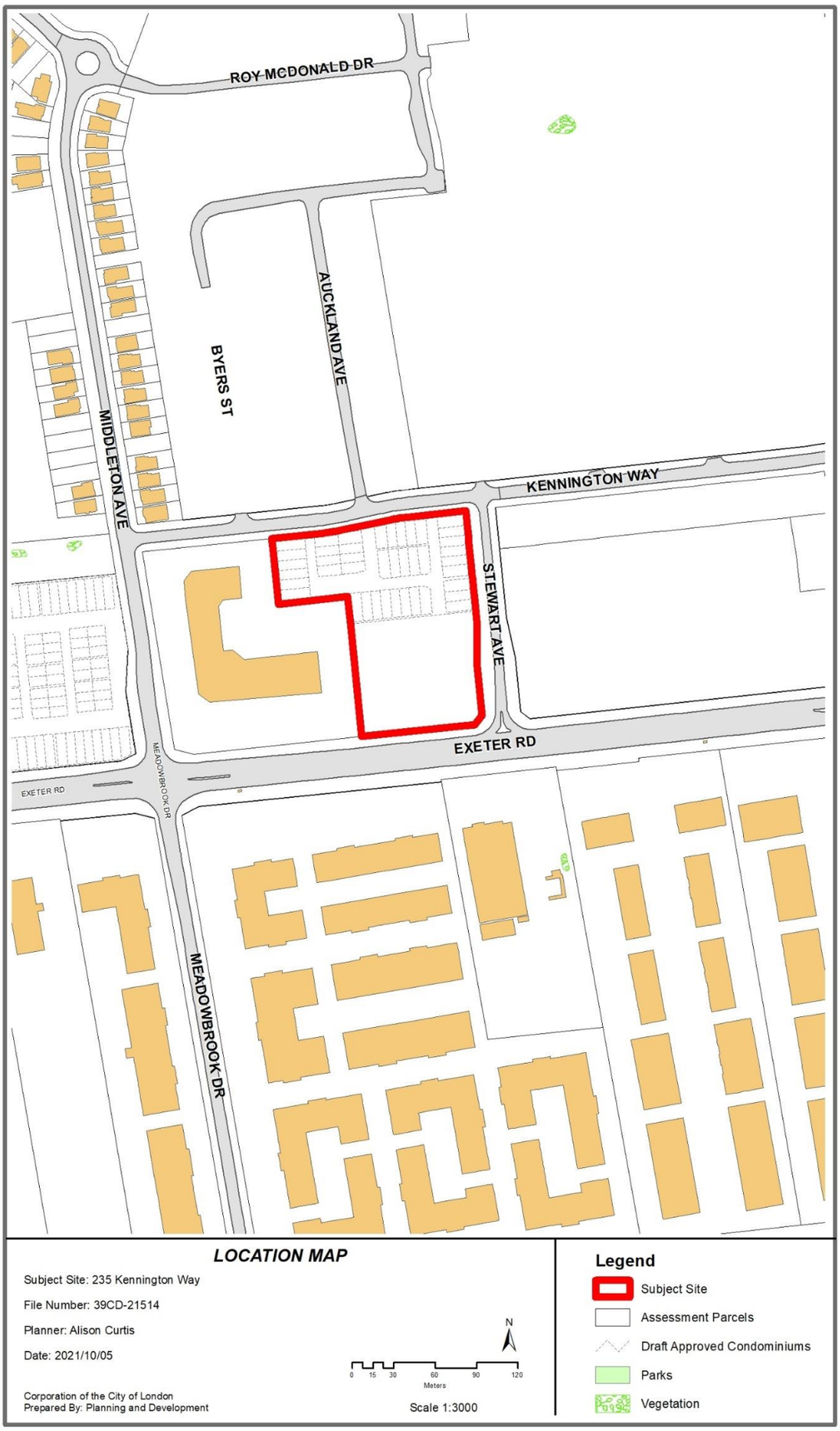
1.6 Surrounding Land Uses

- North – Light Industrial and Low-Density Residential
- East – Medium-Density Residential
- South – Light Industrial
- West – Light Industrial

1.7 Intensification (41 Units)

- The 41-unit, multiple-attached townhouse development is located outside the Primary Transit Area and inside the Urban Growth Boundary.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The effect of the application request is to create 41 Vacant Land Condominium Units to be developed in the form of cluster townhouse dwellings. Landscaped areas, internal driveways, services and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation.

Figure 1: Proposed Vacant Land Condominium

Applications for Site Plan Approval (SPA21-047) and Minor Variances (A.136-21) have also been submitted in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting. The Minor Variance application requested relief for reduced exterior side yard, front yard, rear yard and interior side yards setbacks, and was heard by the Committee of Adjustment on October 14, 2021. The following Minor Variances were granted approval by the committee:

VAIRANCE(S) REQUESTED:
AS AMENDED BY COMMITTEE
Phase One (Townhouses):
1. To permit an exterior side yard setback of 1.4m (4.6ft), whereas 6.0m (19.7ft) is required.
2. To permit a front yard setback of 3.7m (12.1f), whereas 6.0m (19.7ft) is required.
~~3. To permit a rear yard setback of 3.0m (9.8ft), whereas 4.0m (13.1ft) is required.~~
4. To permit an interior side yard setback of 2.9m (9.5ft), whereas 4.0m (13.1ft) is required (Block A).
~~5. To permit an interior side yard setback of 3.0m (9.8ft), whereas 4.0m (13.1ft) is required (Block G).~~
6. To permit an interior side yard setback of ~~1.5m (4.9ft)~~ 2.1m (609ft), whereas 4.0m (13.1ft) is required (Block F).

The full Notice of Decision can be found in Appendix D.

Figure 2: Proposed Conceptual Elevations

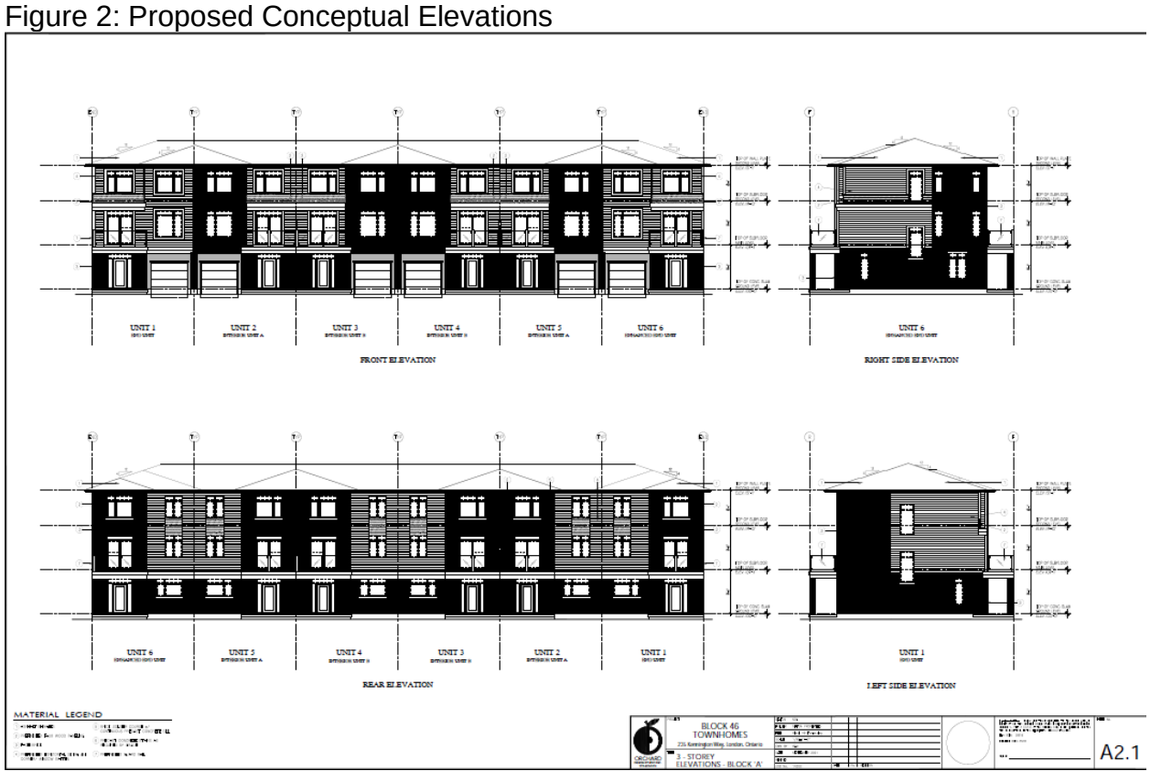


Figure 3: Proposed Conceptual Elevations

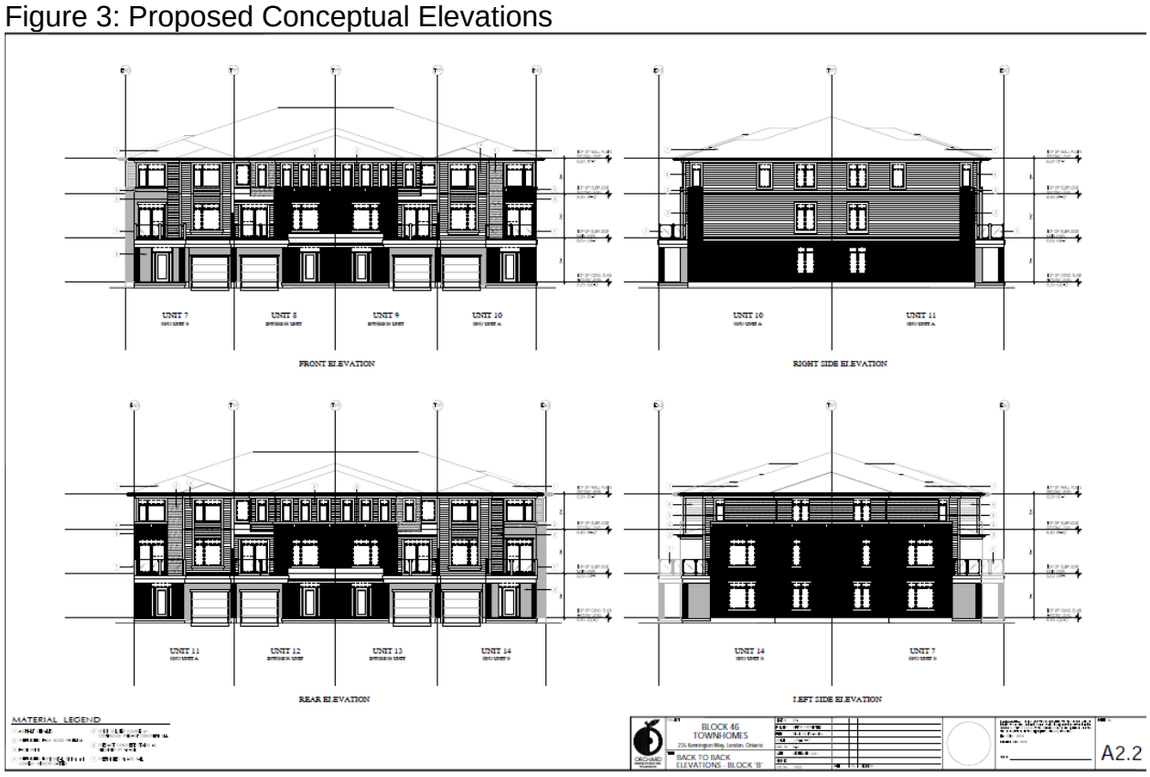
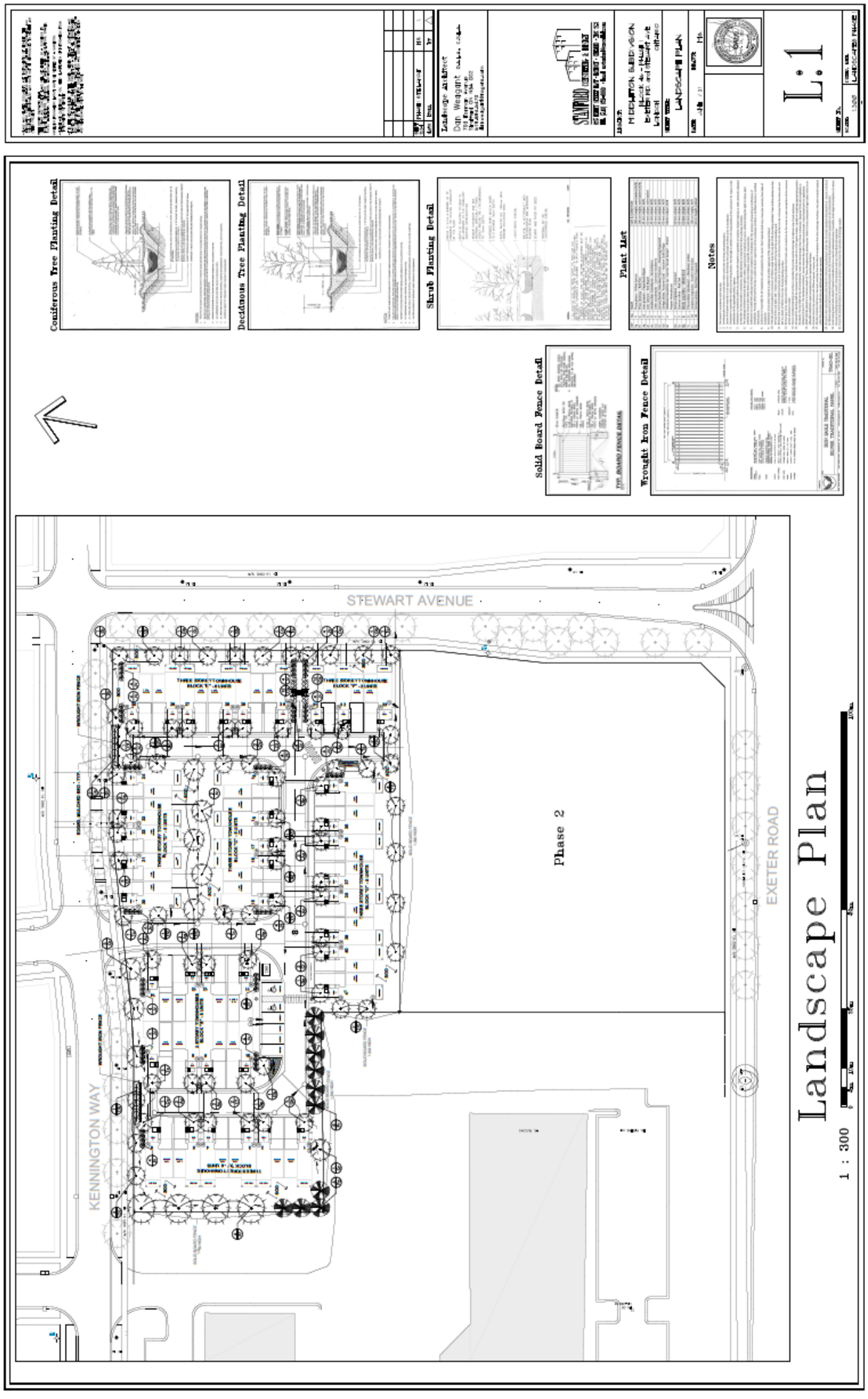


Figure 4: Amenity Space and Landscaping



2.2 Consultation

Information regarding the Draft Vacant Land Condominium application and opportunities to provide comments were provided to the public as follows:

- Notice of Public Participation Meeting was sent to property owners within 120 meters of the subject property on October 14th, 2021.
- Notice of Application and Public Participation were published in the Public Notices and Bidding Opportunities section of The Londoner on October 14th, 2021.
- Information about the Application were posted on the website on October 14th, 2021.

No comments were received from the public. Comments from external agencies are included in Appendix B.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1. Policy Review

Provincial Policy Statement (PPS), 2020

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest as identified in Section 2 of the *Planning Act.* In accordance with Section 3 of the *Planning Act*, all planning decision shall be consistent with the *PPS* and the land use planning policies: Building Strong Healthy Communities; Wise Use and Management of Resources; and, Protecting Public Health and Safety. The *PPS* is to be read in its entirety.

The subject site is in the settlement area, and the proposal is to create 41 Vacant Land Condominium units. There is a mix of residential, open space and agricultural uses adjacent to the property. This Draft Plan of Vacant Land Condominium is consistent with several *PPS* policies, which are outlined below.

Policy Sections 1.1.1, 1.1.3 and 1.6 requires land use within settlement areas to effectively use the land and resources through appropriate densities, range of uses and the efficient use of infrastructure. This contributes to resilient development and the creation of healthy, livable, and safe communities. This proposal will develop a vacant site within the settlement area that has full access to municipal services, as well as provide a range of housing in compact form for current and future residents (Section 1.4). The subject lands are designated and intended, over the long term, to be used for multiple-dwelling, low to medium density residential uses.

The compact form, mix of uses, and density of the proposal result in efficient and resilient development, and this will encourage the use of public and active transportation options. This will help to support energy conservation and help to improve air quality, which is consistent with Section 1.8 of the *PPS.* An archaeological study was completed for the subject site and determined there would no impacts to archaeological or cultural resources, which is consistent with Section 2.6 of the *PPS.* The site is also located outside of any natural or man-made hazards, which helps to protecting public health and safety as prioritized in Section 3.0 of 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 PL170700) and not in force and effect are indicated with an asterisk (*) throughout this report).

Neighbourhood Place Type

The subject lands are located with the "Neighbourhoods" Place Type at an intersection of two Neighbourhood Streets, Kennington Way and Stewart Avenue. This Place Type and location based on street classifications permit a range of lower-density residential uses (i.e., single-detached dwellings, semi-detached and townhouses) at a maximum height of 2.5 storeys. The proposed vacant land condominium is generally in keeping with these policies.

The vision for the Neighbourhood Place Type is to ensure that neighbourhoods are vibrant and exciting places that contribute to community well-being and quality of life. This vision is supported by key elements, some of which include: strong neighbourhood character; diverse housing choices; well-connected neighbourhoods; alternatives for mobility; and, parks and recreational opportunities. The proposal is generally in keeping with the vision for the Neighbourhood Place Type and its key elements. It contributes to a neighbourhood character and provides diversity of housing choice. The site is located close to City owned open space lands and public transportation options on Exeter Road and Wharncliffe Road, which would contribute to a connected and strengthened community that offers convenient alternatives for mobility and accessing services.

City Building and Design

The proposal is generally supportive of the policies laid out in the City Building section of *The London Plan*, which seeks to set a framework for the shape, form, and character of the City. The layout of the proposed vacant land condominium contributes to neighbourhood character orienting buildings to the street along Stewart Avenue and discouraging blank walls along the street edge on Kennington Way, which will contribute to an active street front (202*, 229, 259*, 291*). This proposed layout will also help to create an environment that is safe for pedestrians and promotes connectivity, within the proposed development and the surrounding neighbourhoods, which offers opportunities for active mobility (255*, 259*, 285*, 291*).

Our Tools

Policy 1709 of the *London Plan* outlines the applicable policies when considering vacant land condominium application. Part 1 of this policy outlines that draft plans of vacant land condominiums shall be evaluated by the same requirements and considerations as draft plans of subdivision, which has been done. The proposal conforms with the *1989 Official Plan* and the *London Plan* policies and has access to municipal services. The access and residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. There are future commercial and neighbourhood facility uses proposed in proximity to the site, as well as City owned open space. The size and style of the townhouses provide a mix of housing choices in the community. Building elevation, grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, future Development Agreement and Site Plan Approval process.

The proposal is also in keeping with Parts 2 to 6 of Policy 1709 because: it is being considered concurrently with an active Site Plan Application; the proposed units do not result in unit boundaries above or below other units; there is only one townhouse per unit; a Development Agreement is required before hand, which will prevent structures from crossing unit boundaries; and the proposed cluster townhouse development is to be registered as one condominium corporation.

1989 Official Plan

The subject lands are designated as Multi-Family, Medium Density Residential (MFMDR) in the *1989 Official Plan.* The permitted uses in this residential designation include: row houses or cluster houses; low-rise apartment buildings; rooming and boarding house; emergency care facilities; converted dwellings; and, small-scale nursing homes, rest homes, and homes for the aged (3.3.1 Permitted Uses).

One of the preferred locations for the MFMDR designation is abutting arterial, primary collector or secondary collector streets (3.3.2 Location). Although not directly abutting an arterial or secondary collector, the subject lands are located adjacent to Exeter Road, an arterial road, and Middleton Avenue, a secondary collector. Development within this designation shall be low-rise in form with a density and site-coverage that serve as a transition between low density residential areas and more intensive forms, such as commercial, industrial, or high density residential (3.3.3 Scale of Development). The proposed vacant land condominium is in keeping with these policies as it would serve as a transition between single detached dwellings to the north and light industrial uses to south and west. It also provides a density of 46 units per hectares, which is less than the 75 units per hectare permitted in the MFMDR designation, and does not exceed the permitted 4 storeys (3.3.3 Scale of Development).

Southwest Area Secondary Plan

This site forms part of the Southwest Area Secondary Plan and is subject to the development vision and detailed policies of the Secondary Plan. Additionally, the site forms part of the 'Central Longwoods Neighbourhood' within the greater plan. This secondary plan sets out policy and guidance to create neighbourhoods that have the following features: a mix of uses and diverse mix of residential housing; an emphasis on design parameters with placemaking features; walkability within and between neighbourhoods; an integration of the Natural Heritage System as an opportunity for residents to enjoy; and, Neighbourhood Central Activity Nodes as destination places in the neighbourhood.

The site is designated as Medium Density Residential in the Southwest Area Secondary Plan and is located adjacent to Exeter Road, which is an arterial road. This designation encourages a mix of housing forms at a higher intensity than suburban neighbourhoods, and residential development that supports public and active transportation opportunities. The permitted uses defer to those in the Multi-Family, Medium Density Residential Designation of the *1989 Official Plan*, as identified in the previous section of the Policy Context. Southwest Area Secondary Plan also permits a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses, such as parks, schools and churches, and live-work uses may be permitted within the Medium Density Residential Designation. A minimum density of 30 units per hectare and a maximum density of 100 units per hectare is permitted in this designation at this location. The proposed vacant land condominium is considered an appropriate use of the lands and achieves the vision of the Southwest Area Secondary Plan, and the 46 units per hectare is within the permitted densities.

Z.-1 Zoning By-law

The existing zoning is a Holding Residential R5/R6 Special Provision (h*h-100*h-198*/R5-4(23)/R6-5(51) Zone. This Zone permits medium density, residential development in the form of cluster townhouses and cluster housing, as single detached dwellings, townhouses, and low-rise apartments. The special provision permits a density of 30 to 100 units per hectare and 2 to 9 storeys in height. The proposed vacant land condominium and proposed site plan are consistent with the Zoning By-law.

- The holding provisions that currently form part of the zone are to ensure the following: orderly development and adequate provision of municipal services through approved Development Agreement (h);

- there is adequate water services 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 (h-100); and,
- street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan (h-198).

An application to remove the holding provisions will be brought forward in a separate report under the application H-9363.

Vacant Land Condominium Application

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

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

4.2 Issues and Considerations

Amenity Space

The Residential R5 Special Provision (h*h-100*h-198*/R5-4(23)/R6-5(51) Zone requires a minimum of 30% of the subject lands be landscaped open space. Landscaped open area is defined in the Zoning By-law as:

> *the open space which is used for the growth and maintenance of grass, flowers, shrubbery and other landscaping and includes any surfaced walk, patio, swimming pool or similar area, but does not include any access driveway or ramp, parking area, bus parking area, roof-top area or any open space beneath or within any building or structure*.

There is 31.2% landscaped open space proposed in the Draft Plan of Vacant Land Condominium, as seen in Figure 4, which satisfies the regulations. However, the distribution, location and orientation of these lands results in limited space that may not provide sufficient or useable space that would support opportunities for residents to gather or participate in active or passive recreation.

Conclusion

The proposed Vacant Land Condominium is consistent with the *Provincial Policy Statement,* and in conformity with the *London Plan, (1989) Official Plan,* and the *Southwest Area Secondary Plan*. The proposed townhouse use is appropriate for the site and permitted under the existing zoning. Applications for Site Plan Approval, Removal of Holding Provisions and Minor Variances have also been submitted and are being reviewed in conjunction with this application.

Prepared by:	**Alison Curtis, MA** **Planner 1, Planning and Development**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Subdivision Planning**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**George Kotsifas, P.Eng.** **Deputy City Manager, Planning and Economic Development**

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections
Bruce Page, Manager, Subdivision Planning
Michael Pease, Manager, Site Plans

Appendix A: Community Consultation

Public liaison: On October 14, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 14, 2021.

Nature of Liaison: Consideration of a Draft Plan of Vacant Land Condominium consisting of 41 multiple-attached, townhouse dwelling units in one (1) Block with common element for access from Kennington Way, to be registered as one Condominium Corporation. This property is also the subject of Site Plan Approval (SPC21-035) and Removal of Holding Provisions (H-9375).

Londoner Notice: 235 Kennington Way: located on the north side of Exeter Road, east of Middleton Avenue; approximately 0.89 hectares; The propose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 41 units in one (1) Block. Consideration of a proposed draft plan consisting of 41 multiple-attached dwellings and common elements to be registered as one Condominium Corporation. **For the lands under consideration, the following separate applications have been submitted by Sifton Properties Limited: Site Plan Approval – Application File No. SPA21-047 and Removal of Holding Provision – Application File No. H-9375.*
File: 39CD-21514 Planner: A. Curtis (x. 4497)

Appendix B: Agency and Department Comments

Reply Sheet for City of London Applications to be Reviewed by London Hydro Engineering

Date:

To: City of London Planning Division – Room 609

Attn: _____

RE: **Address:** _____

Applicant: _____

File/Ref #: _____

London Hydro Response:

Servicing the above proposal should present no foreseeable problems. Any new and/ or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. **Note:** Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	
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 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	
Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. **Note:** Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.	✖
London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.	
London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.	✖

Signed: _____

Hans Schreff
Manager - Developer & Operations Support,
Engineering & Operations Administration Dept.
519-661-5800 ext. 5014

Committee of Adjustment | Notice of Application | Site Plan Consultation | Site Plan Application

HS v1.1 5/2020

39CD-21514
A. Curtis

Enbridge Gas

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

Should you require any further information, please contact the undersigned.

Barbara M.J. Baranow
Analyst Land Support

Enbridge Gas Inc.
50 Keil Drive North, Chatham, ON N7M 5M1

Integrity. Safety. Respect.

Hydro One

Hello,

We are in receipt of Application 39CD-21514 dated October 15, 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link: http://www.hydroone.com/StormCenter3/

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map.

If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Thank you,

Best Wishes,

Dolly Shetty
Real Estate Assistant | Land Use Planning

Hydro One Networks Inc.
185 Clegg Road (R32)
Markham, ON | L6G 1B7
Email: Dolly.Shetty@HydroOne.com

Appendix C: Policy Review

The following regulatory documents and policies were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified in the following sections.

Provincial Policy Statement, 2020

Section 1.0 Building Strong Healthy Communities
- 1.1.1 of Managing and directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
- 1.4 Housing
- 1.6 Infrastructure and Public Service Facilities
- 1.8 Energy Conservation, Air Quality and Climate Change

Section 2.0 Wise Use and Management of Resources
- 2.2 Water
- 2.6 Cultural Heritage and Archaeology

Section 3.0 Protecting Public Health and Safety

The London Plan

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

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

1. A strong neighbourhood character, sense of place and identity.
2. Attractive streetscapes, buildings, and public spaces.
3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.
4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.
5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.
6. Easy access to daily goods and services within walking distance.
7. Employment opportunities close to where we live.
8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

City Building

*202_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood's character and identity.

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

*255_ Site layout will promote connectivity and safe movement between, and within, sites for pedestrians, cyclists, and motorists.

*259_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

*285_ To support pedestrian activity and safety, blank walls will not be permitted along the street edge.

*291_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.

** Policy subject to LPAT Appeal PL170100 - November 13, 2019*

Our Tools

1709_The following policies will apply to consideration of an application for a vacant land condominium:

1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.
2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.
3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.
4. Only one dwelling will be permitted per unit.
5. At the time of registration, structures cannot cross unit boundaries.
6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.

1898 Official Plan

Chapter 3: Residential Land Use Designations

- 3.3 Multi-Family, Medium Density Residential
- 3.3.1 Permitted Uses
- 3.3.2 Location
- 3.3.3 Scale of Development

Southwest Area Secondary Plan

20.5.1 – Introduction
20.5.2 – Community Structure Plan
20.5.4 – General Land Use Policies
20.5.10 – North Lambeth, Central Longwoods and South Longwoods Residential Neighbourhoods

Z.-1 Zoning By-law

Section 3: Zones and Symbols
Section 9: Residential R5 Zone
Section 10: Residential R6 Zone

Appendix D: Minor Variance – Committee of Adjustment Notice of Decision

NOTICE OF DECISION
LONDON COMMITTEE OF ADJUSTMENT SUBMISSION NO.: A.136/21

Thursday October 14, 2021

OWNER:
Sifton Properties Limited
300-1295 Riverbend Road
London, ON N6K 0G2

WARD: 12

LOCATION: 235 Kennington Way, PLAN 33M769 BLK 46, south of Kennington Way, west of Stewart Avenue

At its meeting on Thursday October 14, 2021, the London Committee of Adjustment **GRANTED** the requested Minor Variance **SUBJECT** to the following **CONDITIONS**:

1. At the side yard of Unit 1, flows are to be conveyed from a rear yard swale that is over 120m long and is conveying flows from 10 units. The applicant's engineer shall demonstrate that the reduced side yard setback is adequate to convey the overland flows while maintaining all Building Code requirements for homes adjacent to overland flow routes, to the satisfaction of SWED.

NOTES:
- SWED recommends refusal of variance 5 (townhouses). The external major overland flow route from the adjacent Commercial Block (to the west) is shown to be conveyed directly in front of Unit 41 at elevation 262.35m. The overland flow route poses an increased risk of flooding to Unit 41. If the Owner wishes to proceed with a reduced setback, the Owner shall obtain permission from the owner of the external Commercial Block to regrade the low spot westerly to avoid crossing the driveway/property of Unit 41 and reduce the risk of flooding to the Unit. The reduced setback may not be approved at Site Plan as shown.
- Transportation supports requested exterior, front, and rear yard setbacks in the phase one (townhouse) and front yard setback in the phase two (apartment).
- Archaeological issues previously associated with this property can be considered addressed.

PURPOSE: To permit a new townhouse and apartment development.

VARIANCE(S) REQUESTED:
AS AMENDED BY COMMITTEE:
Phase One (Townhouses)

1. To permit an exterior side yard setback of 1.4m (4.6ft), whereas 6.0m (19.7ft) is required.
2. To permit a front yard setback of 3.7m (12.1ft), whereas 6.0m (19.7ft) is required.
3. ~~To permit a rear yard setback of 3.0m (9.8ft), whereas 4.0m (13.1ft) is required~~
4. To permit an interior side yard setback of 2.9m (9.5ft), whereas 4.0m (13.1ft) is required (Block A).
5. ~~To permit an interior side yard setback of 3.0m (9.8ft), whereas 4.0m (13.1ft) is required (Block G).~~
6. To permit an interior side yard setback of ~~1.5m (4.9ft)~~ 2.1m (6.9ft), whereas 4.0m (13.1ft) is required (Block F).

Phase Two (Apartment):

1. To permit a front yard setback 6.0m (19.7ft), whereas a minimum of 8.0m (26.3ft) is permitted.
2. To permit an interior side yard setback of 6.0m (19.7ft), whereas a minimum of 12.4m (40.7ft) is permitted.
3. To permit a lot coverage of 54%, whereas a maximum of 45% is permitted.
4. To permit a density of 165 units per hectare, whereas a maximum of 100 units per hectare is permitted.
5. To permit 127 off-street parking spaces, whereas a minimum of 152 spaces is permitted.

REASON: In all the circumstances, the Committee is of the opinion that the variance requested is minor and is desirable for the appropriate development of the land and is in keeping with the general intent and purpose of the By-law and Official Plan.

APPEAL PERIOD
This permission is not final until the expiration of a statutory appeal period of twenty (20) days from the date the decision is signed, being 4:30 p.m. on Wednesday November 3, 2021, during which any objector may file with the Secretary - Treasurer an appeal against this decision of the London Committee of Adjustment.

Any appeal must set out the reasons for the appeal and must be accompanied by the $400.00 fee prescribed by the Ontario Land Tribunal Act in the form of a certified cheque or money order made payable to the Minister of Finance and must be accompanied by an Appellant Form (A1) found on the OLT website: http://elto.gov.on.ca/lpat/ or from the Office of the Secretary - Treasurer of the Committee of Adjustment. A copy of the regulations governing appeals is enclosed. If you have any questions regarding the OLT process, please contact the ELTO Citizen Liaison Office toll free at 1-866-448-2248, or in person at 655 Bay Street, Suite 1500, Toronto.

Note: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for purposes of the Act, groups wishing to appeal this decision should do so in the name or names of individual group members, and not in the name of the group.

Please ensure that all conditions are cleared prior to applying for a Building Permit. Contact the undersigned if information is required.

Acting, Secretary - Treasurer
London Committee of Adjustment
The Corporation of the City of London
Phone: 519-930-3500
CoAsubmit@london.ca www.london.ca

APPEALS TO THE ONTARIO LAND TRIBUNAL, VARIANCES SECTION 45. PLANNING ACT.R.S.O.1990, c.P.13

The following extracts from section 45 of the Planning Act outline the appeal process for appealing variance decisions made by the Committee of Adjustment.

Appeal to OLT
45 (12) The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal under the Ontario Land Tribunal Act, 2017 as payable on an appeal from a committee of adjustment to the Tribunal. 2017, c. 23, Sched. 5, s. 98 (3).

Note: The fee for an appeal is $400.00 and $25.00 for a related appeal and should be in the form of a **certified cheque or money order** made payable to the Minister of Finance of Ontario.

45 (13) On receiving a notice of appeal filed under subsection (12), the secretary-treasurer of the committee shall promptly forward to the Tribunal, by registered mail, (a) the notice of appeal; (b) the amount of the fee mentioned in subsection (12);(c) all documents filed with the committee relating to the matter appealed from;(d) such other documents as may be required by the Tribunal; and (e) any other prescribed information and material. 2017, c. 23, Sched. 5, s. 98 (3).

Exception

45 (13.1) Despite subsection (13), if all appeals under subsection (12) are withdrawn within 15 days after the last day for filing a notice of appeal, the secretary-treasurer is not required to forward the materials described under subsection (13) to the Tribunal. 1999, c. 12, Sched. M, s. 26; 2017, c. 23, Sched. 5, s. 98 (4).

Decision final

45 (13.2) If all appeals under subsection (12) are withdrawn within 15 days after the last day for filing a notice of appeal, the decision of the committee is final and binding and the secretary-treasurer of the committee shall notify the applicant and file a certified copy of the decision with the clerk of the municipality. 1999, c. 12, Sched. M, s. 26.

Where no appeal

45 (14) If within such 20 days no notice of appeal is given, the decision of the committee is final and binding, and the secretary-treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the municipality. R.S.O. 1990, c. P.13, s. 45 (14); 1994, c. 23, s. 26 (3).

Where appeals withdrawn

45 (15) Where all appeals to the Tribunal are withdrawn, the decision of the committee is final and binding and the Tribunal shall notify the secretary-treasurer of the committee who in turn shall notify the applicant and file a certified copy of the decision with the clerk of the municipality. 2017, c. 23, Sched. 5, s. 98 (5).

Hearing

45 (16) On an appeal to the Tribunal, the Tribunal shall, except as provided in subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, the secretary-treasurer of the committee and to such other persons or public bodies and in such manner as the Tribunal may determine. 2017, c. 23, Sched. 5, s. 98 (5).

Dismissal without hearing

45 (17) Despite the Statutory Powers Procedure Act and subsection (16), the Tribunal may dismiss all or part of an appeal without holding a hearing, on its own initiative or on the motion of any party, if,

(a) it is of the opinion that,

(i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Tribunal could allow all or part of the appeal,

(ii) the appeal is not made in good faith or is frivolous or vexatious,

(iii) the appeal is made only for the purpose of delay, or

(iv) the appellant has persistently and without reasonable grounds commenced before the Tribunal proceedings that constitute an abuse of process;

(b) the appellant has not provided written reasons for the appeal;

(c) the appellant has not paid the fee charged under the Ontario Land Tribunal Act, 2017; or

(d) the appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal. 2017, c. 23, Sched. 5, s. 98 (5).

Representation

45 (17.1) Before dismissing all or part of an appeal, the Tribunal shall notify the appellant and give the appellant the opportunity to make representation on the proposed dismissal but this subsection does not apply if the appellant has not complied with a request made under clause (17) (d). 2000, c. 26, Sched. K, s. 5 (3); 2017, c. 23, Sched. 5, s. 80.

Dismissal

45 (17.2) The Tribunal may dismiss all or part of an appeal after holding a hearing or without holding a hearing on the motion under subsection (17), as it considers appropriate. 2017, c. 23, Sched. 5, s. 98 (5).

Powers of OLT

45 (18) The Tribunal may dismiss the appeal and may make any decision that the committee could have made on the original application. R.S.O. 1990, c. P.13, s. 45 (18); 2017, c. 23, Sched. 5, s. 80.

Amended application

45 (18.1) On an appeal, the Tribunal may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection. 1993, c. 26, s. 56; 1994, c. 23, s. 26 (7); 2017, c. 23, Sched. 5, s. 80.

Exception

45 (18.1.1) The Tribunal is not required to give notice under subsection (18.1) if, in its opinion, the amendment to the original application is minor. 2017, c. 23, Sched. 5, s. 98 (5).

Notice of intent

45 (18.2) Any person or public body who receives notice under subsection (18.1) may, not later than thirty days after the day that written notice was given, notify the Tribunal of an intention to appear at the hearing or the resumption of the hearing, as the case may be. 1993, c. 26, s. 56; 1994, c. 23, s. 26 (8); 2017, c. 23, Sched. 5, s. 98 (6).

Order

45 (18.3) If, after the expiry of the time period in subsection (18.2), no notice of intent has been received, the Tribunal may issue its order. 1993, c. 26, s. 56; 2017, c. 23, Sched. 5, s. 98 (6).

Hearing

45 (18.4) If a notice of intent is received, the Tribunal may hold a hearing or resume the hearing on the amended application or it may issue its order without holding a hearing or resuming the hearing. 1996, c. 4, s. 25 (2); 2017, c. 23, Sched. 5, s. 98 (6).

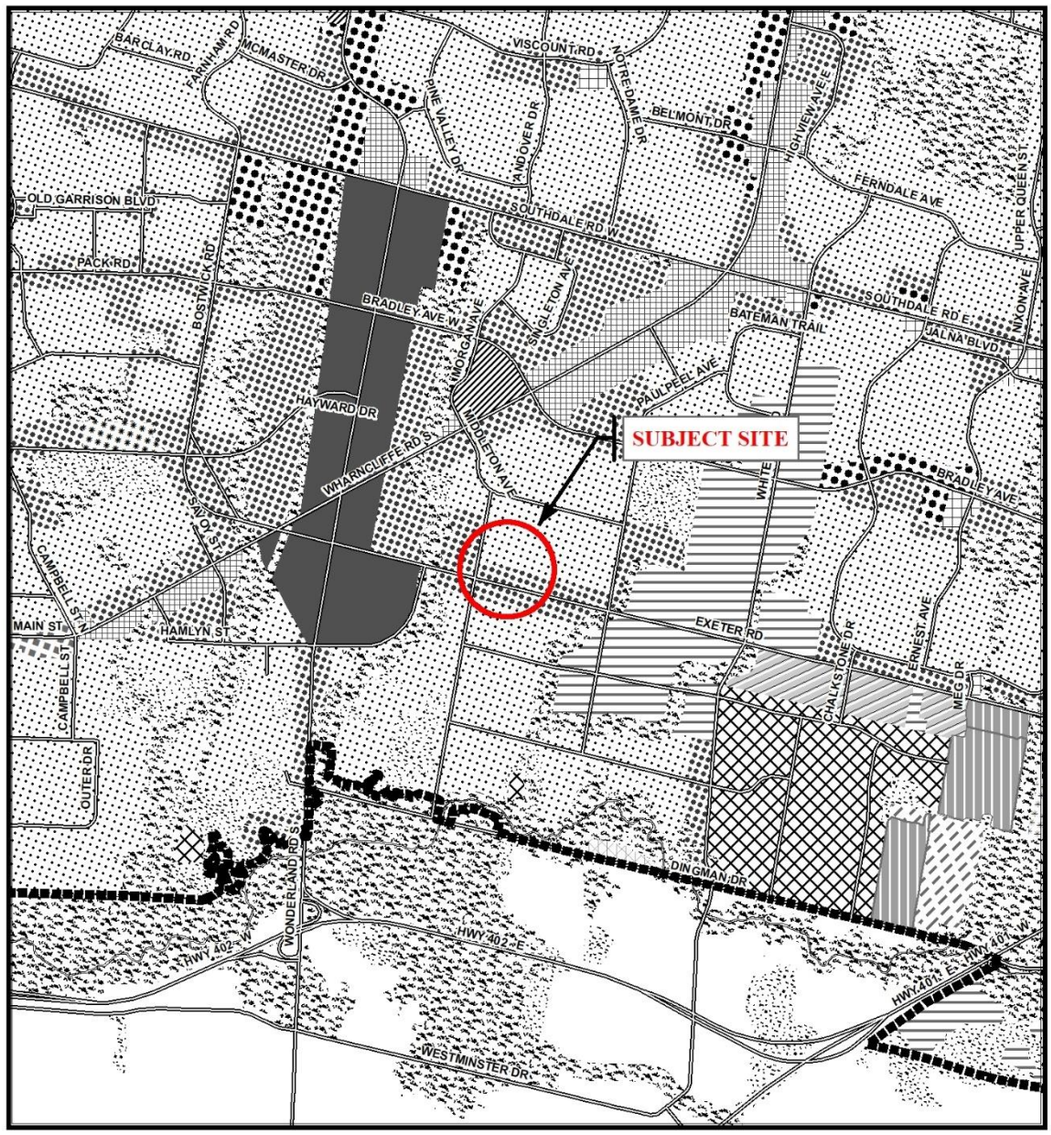
Notice of decision

45 (19) When the Tribunal makes an order on an appeal, the Tribunal shall send a copy thereof to the applicant, the appellant and the secretary-treasurer of the committee. 2017, c. 23, Sched. 5, s. 98 (7).

Idem

45 (20) The secretary-treasurer shall file a copy of the order of the Tribunal with the clerk of the municipality. R.S.O. 1990, c. P.13, s. 45 (20); 2017, c. 23, Sched. 5, s. 98 (8).

Appendix E: Relevant Background



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

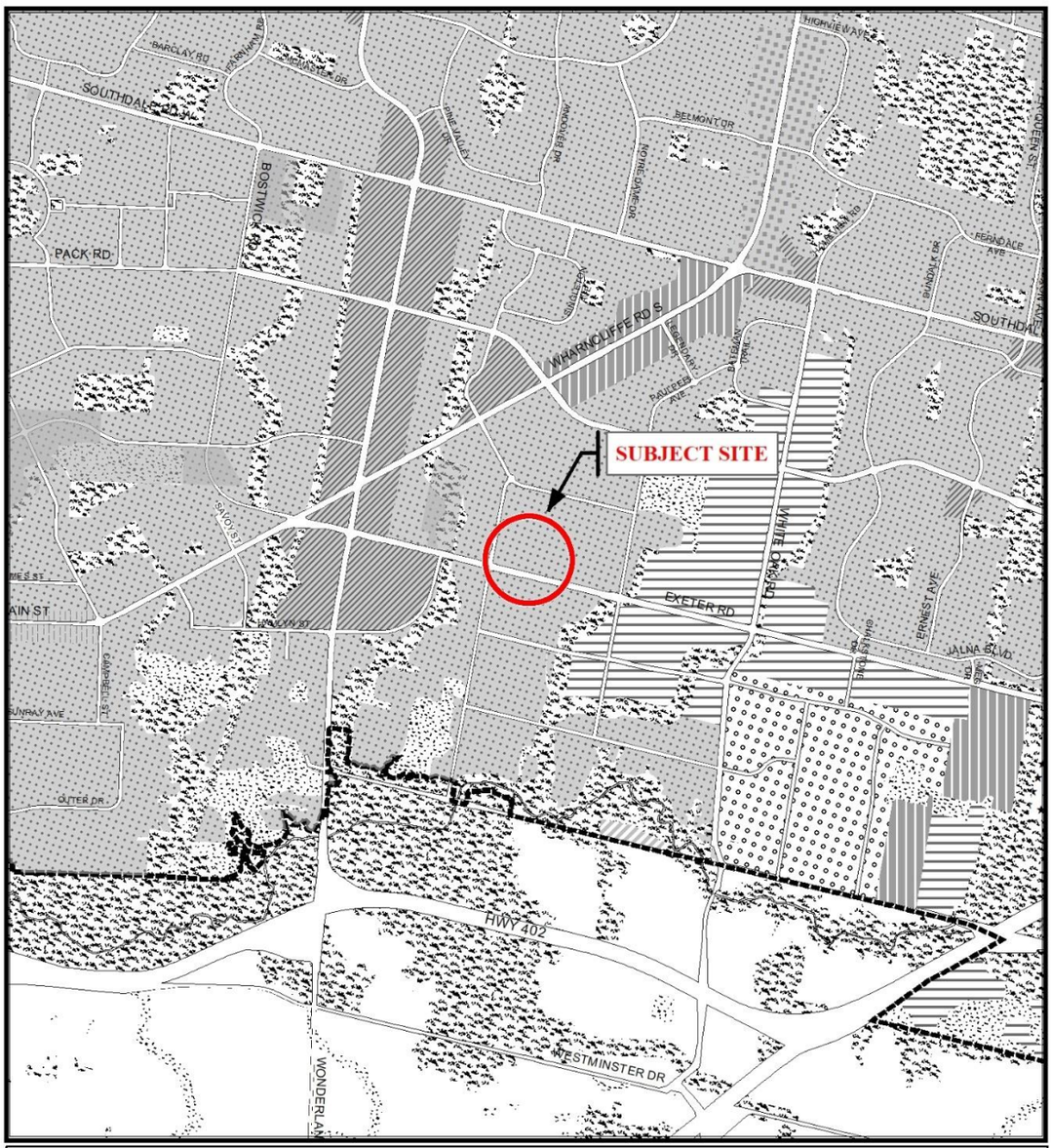
0 155 310 620 930 1,240 1,550

Meters

FILE NUMBER:	**39CD-21514**
PLANNER:	AC
TECHNICIAN:	MB
DATE:	2021/10/07

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

39CD-21514
A. Curtis



Legend

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

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

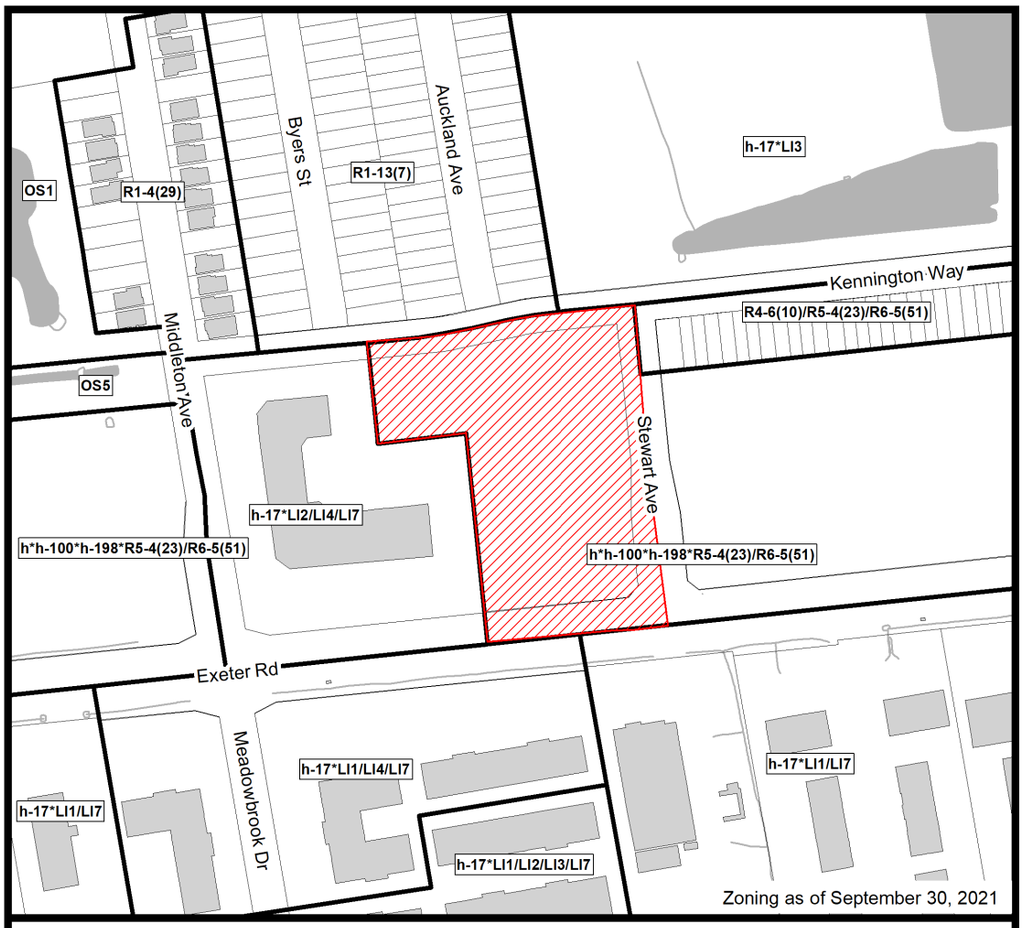
Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	39CD-21514
Planner:	AC
Technician	MB
Date:	2021/10/05

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd

39CD-21514
A. Curtis



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*h-100*h-198*R5-4(23)/R6-5(51)

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:
39CD-21514 AC

MAP PREPARED:
2021/10/07 MB

1:3,000
0 15 30 60 90 120
Meters

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – 235 Kennington Way (39CD-21511)

- Councillor Hopkins: This is a draft plan for a Vacant Land Condo. I wonder if there's anyone here? First of all, I will go to the Committee to see if they are fine without a presentation? I'll go to the public. Is there anyone here from the public that would like to make a comment? I see none.

- Heather Lysynski, Committee Clerk: Lindsay Clark, the applicant is here.

- Councillor Hopkins: Oh. Thank you. Welcome Ms. Clark. If you can make comments, you have up to five minutes.

- Lindsay Clark, Sifton Properties Limited: Thank you very much Madam Chair and Committee Members. I'm Lindsay Clark with Sifton Properties Limited. Just wanted to make a note that we are in agreement with the report brought forward by staff and I want to thank staff for their efforts and I am here if you have any questions. Thank you.

- Councillor Hopkins: Thank you.

- Lindsay Clark, Sifton Properties Limited: No problem.

- Councillor Hopkins: I'd like to go to the public. If there's anyone here that would like to make a comment, please come forward. I'll ask one more time if there's anyone from the public that would like to make a comment on the recommendation. I see none. I will look to the Committee to close the public participation meeting.

39CD-21511
M. Clark

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: **Draft Plan of Vacant Land Condominium on the Submission by Southside Construction Management Ltd. for 704-706 Boler Road**
Public Participation Meeting: November 1, 2021

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, based on the application of Southside Construction Management Ltd. relating to the property located at 704-706 Boler Road:

(a) the Planning and Environment Committee **ADVISE** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 704-706 Boler Road; and,

(b) the Planning and Environment Committee **ADVISE** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 704-706 Boler Road.

Executive Summary

Summary of Request

This is a request by Southside Construction Management Ltd. to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval. The plan consists of 13 single detached dwelling units with access via a common element private street from Apricot Drive. The applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

The purpose and effect are to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium and application for Site Plan Approval.

Rationale of Recommended Action

i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;

ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;

iii) The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential Designation and will implement an appropriate form of residential development for the site.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate Strategic Plan by ensuring that the City of London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

June 20, 2016 - Report to Planning and Environment Committee to regarding appeals to the Ontario Municipal Board (39T-15503/Z-8505).

May 31, 2021 - Report to Planning and Environment Committee on Special Provisions for the Subdivision Agreement (39T-15503).

July 26, 2021 - Report to Planning and Environment Committee on the removal of the 'h' holding provision (H-9352).

1.2 Planning History

The subject site is part of the Boler Heights Subdivision located at 704 and 706 Boler Road (39T-15503). The subdivision was draft approved on August 21, 2020 based on a decision by the Local Planning Appeal Tribunal (LPAT) which ordered the Approval Authority to issue draft approval for the proposed subdivision and approve the zoning on the site.

On June 15, 2021 Council endorsed the special provisions and recommended that a subdivision agreement be entered into between the City of London and Southside Construction Management Ltd. The Owner and the City have signed the subdivision agreement and securities have been posted. Final registration of the subdivision is imminent.

On July 26, 2021 the 'h' holding provision was lifted from the subject lands once the development agreement and securities had been submitted for the larger subdivision.

1.3 Property Description

The subject lands consist of a block in the southeast corner of the Boler Heights Subdivision (Block 101 in 39T-15503 with an area of 1.37 ha (3.4 acres). The block is irregularly shaped and is located to the south of an open space block which includes wetlands and the extension of Longview Park. The eastern limit of the block borders a walkway between Longview Park and the residential neighbourhood to the east. Existing low density residential uses are located to the south and future low density residential uses are planned for the west side of Apricot Drive.

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

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning –Residential R6 Special Provision (R6-1(18)) Zone

1.5 Site Characteristics

- Current Land Use – Vacant
- Frontage – 12.4m on Apricot Dr. (Neighbourhood Street)
- Area – approx. 1.37 ha (3.4 acres)
- Shape – Irregular

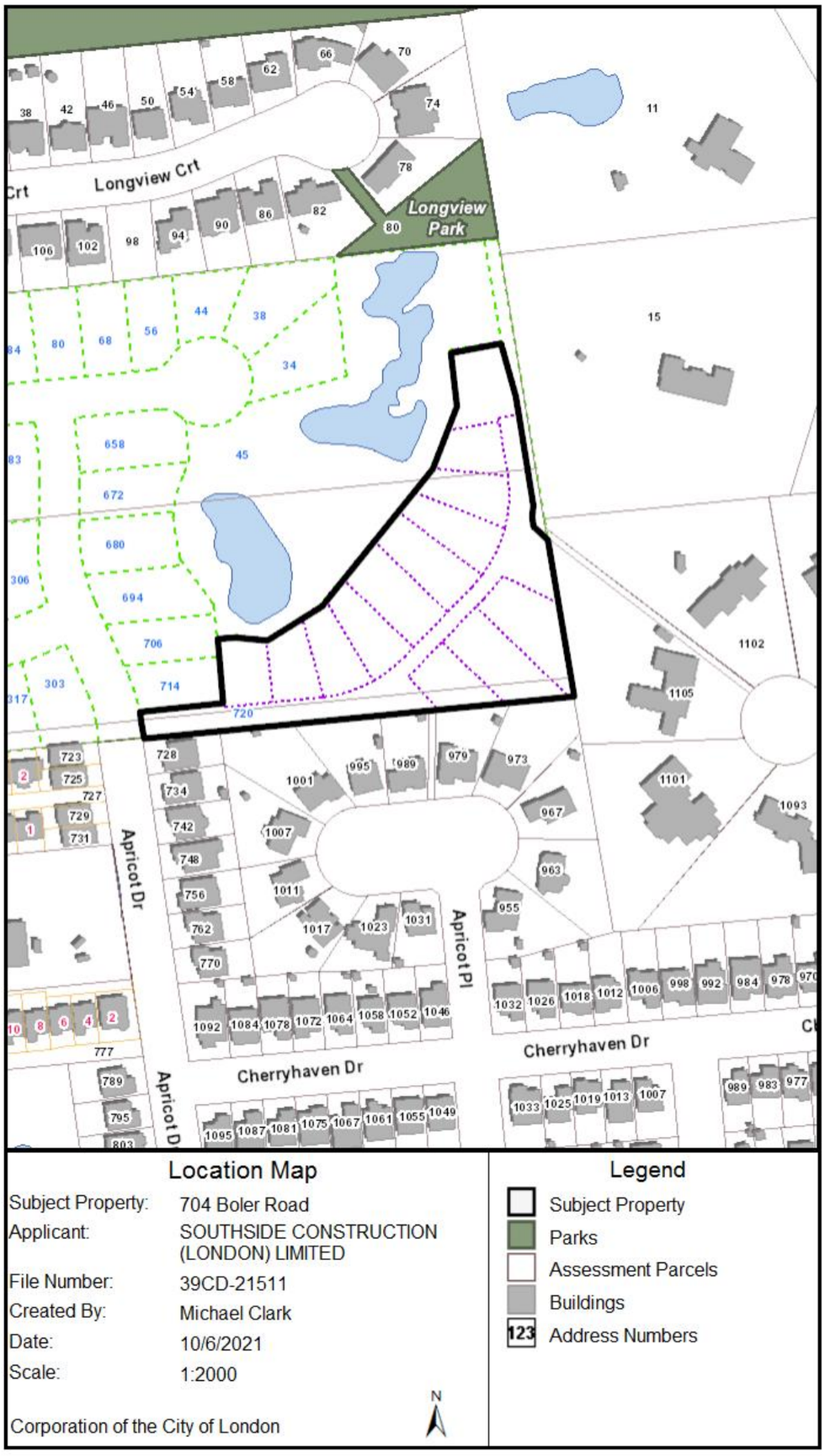
1.6 Surrounding Land Uses

- East – low density residential, pedestrian pathway
- South – existing low density residential
- West – future low density residential
- North – open space, municipal park

1.7 Intensification

- The 13-unit, single detached dwelling development is located outside the Primary Transit Area and inside the Urban Growth Boundary.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The proposed Vacant Land Condominium consists of 13 single detached dwellings served by a private road in a common elements easement.

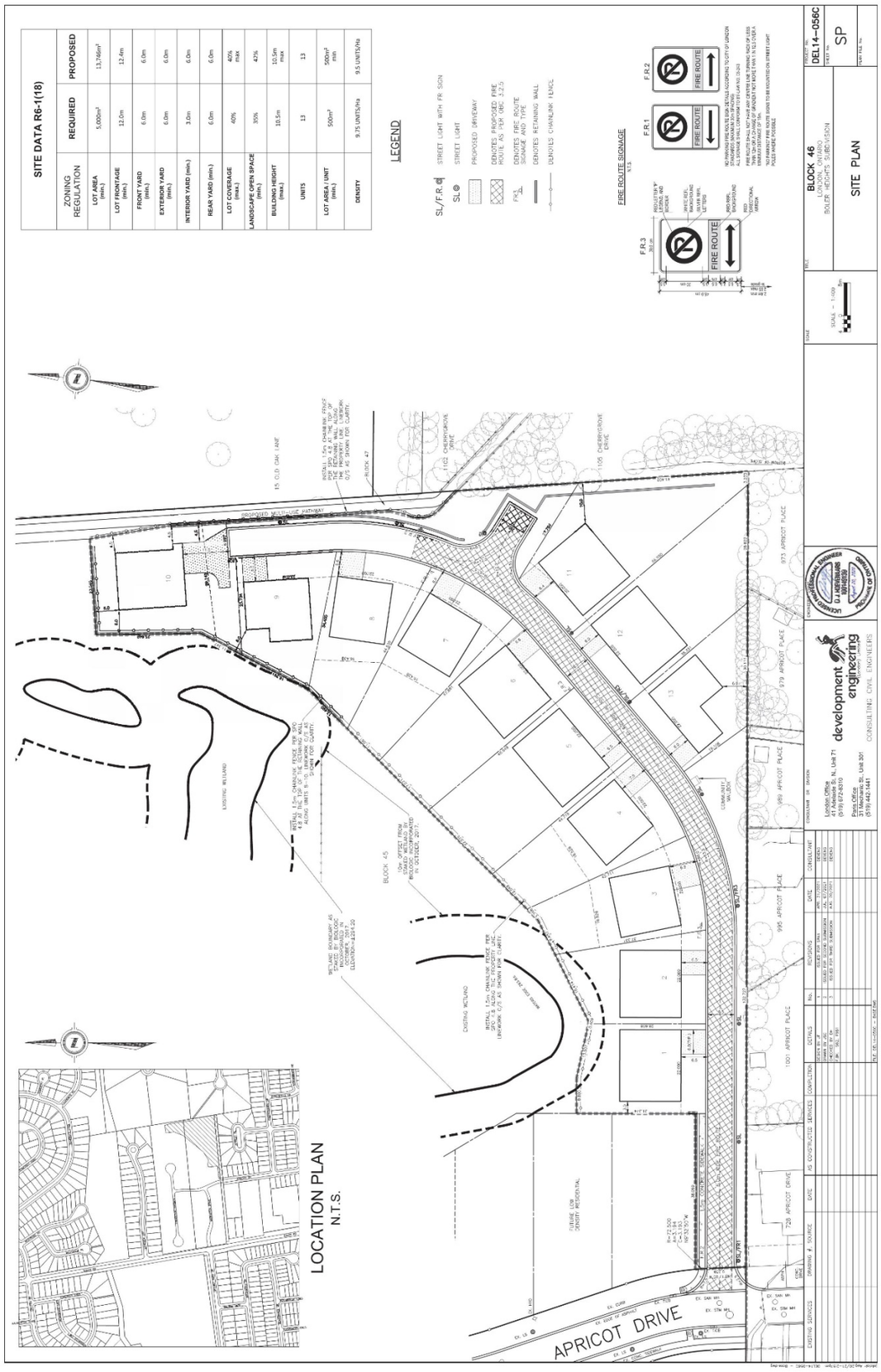


Figure 1 – Site Plan

An application for Site Plan Approval (SPA21-029) has also been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan

submission, including servicing, grading, and landscaping plans are under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting.

2.2 Community Engagement (see more detail in Appendix A)

Public Circulation

The original application was circulated on August 18, 2021. Through the public circulation process three (3) comments were received from the public. The concerns from the public related to the status of and impact that the proposed development would have on the walkway to the east, and existing parking issues near other condominium developments in the area. Detailed comments can be found in Appendix "A".

Notice for the Public Participation Meeting was circulated on October 14, 2021.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Policy Review

Provincial Policy Statement, 2020

The proposed development achieves objectives for efficient development and land use patterns. It represents new development taking place within the City's built-area boundary, and within an area of the City that is currently building out. It also achieves objectives for compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, and maintains appropriate levels of public health and safety.

The subject lands were created through a plan of subdivision process and were zoned and designated for low density residential uses over the long term. The natural heritage features north of the site are protected through plantings and fencing, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the subdivision review process. The proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority 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.

These lands are within the "Neighbourhoods" Place Type with frontage on a neighbourhood street which permits a range of low-density residential uses from single detached dwellings to townhouses. The proposed cluster development of single detached dwellings at is in keeping with the permitted uses and intensity of the Neighbourhood Place Type.

In the Our Tools section of The London Plan, Vacant Land Condominiums are considered based on the following (1709):

1) *The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium;*

The proposed draft plan of vacant land condominium has been evaluated with regards to the review criteria for plans of subdivision. The proposed single detached dwelling units conform to the Official Plan and The London Plan policies and have access to municipal services. The access and residential uses proposed are appropriate for the site, and the natural features and hazards north of the site are protected by plantings and fencing. There is sufficient open space/park space within the neighbourhood, and existing commercial uses in close proximity. Any outstanding grading and drainage issues that were not addressed through the plan of subdivision process have been addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, Development Agreement and Site Plan Approval process.

2) *The applicant may be required to provide site development concepts and meet design requirement consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium;*

   The draft plan of Vacant Land Condominium has been reviewed through the Site Plan approval process ensuring that the proposed site development concept meets the design requirements consistent with the Site Plan Control By-law. The various requirements of the Site Plan Control By-law will be implemented through a Development Agreement for the lands.

3) *Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported;*

   The proposed single detached dwelling units do not result in units below or above other units.

4) *Only one dwelling will be permitted per unit;*

   There is only one single detached dwelling proposed per unit.

5) At the time of registration, structures cannot cross unit boundaries;

   A signed Development Agreement will be required prior to the final approval of the Vacant Land Condominium that will confirm both the location of structures and unit boundaries.

6) *The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable independent operation of the condominium corporation.*

   The proposed cluster single detached dwelling development is to be developed as one condominium corporation.

1989 Official Plan

The 1989 Official Plan designation for these lands is Low Density Residential (LDR). The Low Density Residential designation is intended to accommodate low-rise, low density housing forms which includes single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster housing may also be permitted subject to the policies of this Plan (3.2.1. Permitted Uses). The proposed vacant land condominium is in keeping with the range of permitted uses.

Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. The development of low density residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-law. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses and shall result in net densities that range to an approximate upper limit

of 30 units per hectare (12 units per acre) (3.2.2. Scale of Development). The development also provides a density of 9.5 uph which is less the maximum of 30 uph permitted in the LDR designation (3.2.2. Scale of Development).

Vacant Land Condominium Application

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

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

Z.-1 Zoning By-Law

The lands are currently zoned Residential 6 Special Provision (R6-1(18)). The R6 Zone provides for and regulates cluster housing developments. The R6 Zone Variation 1, permits single detached dwellings, and a maximum height of 10.5m. The site-specific policies includes a number of regulations including a reduced minimum frontage of 12m; a reduced maximum number of units of 13; a reduced maximum density of 9.75 units per hectare; a reduced amount of landscape open space of 35%. The proposed vacant land condominium and site plan will be implemented in conformity with the existing zoning.

Public Concern

Through the review process three members of the public provided comments. One of the concerns related to the status of walkway that is planned to connect from Cherrygrove Drive to Longview Park. Another member of the public expressed some concern regarding parking issues in the neighbourhood following the development of other nearby condominium developments.

Through conditions in the draft plan of condominium, the condominium corporation will be required to construct and maintain a retaining wall along the planned walkway to the east of the condominium.

Consistent with the zoning by-law, the proposed condominium units will be required to have at least 2 parking spaces per dwelling units. This is the same as single detached dwellings on freehold lots in a plan of subdivision. It is anticipated that condominium units will likely be able to accommodate more than two vehicles between their driveways and attached garages and that there should not be an impact on street parking in the adjacent neighbourhoods.

A third member of the public inquired regarding the nature of the proposed application to ensure that it complied with a previous Ontario Municipal Board (OMB) settlement related to the zoning on the property. This settlement included special zoning regulations related to the setbacks and number of units permitted in the southeast corner of the property. Through discussions with Site Plan staff and the adjacent property owner it was confirmed that the proposed development complies with the zoning on the property, including the regulations added as a result of the previous OMB settlement.

More information and detail is available in Appendix A of this report.

Adjacent Walkway and Associated Retaining Wall

A public walkway is located adjacent to east of the proposed condominium. There is a significant grade difference between the planned pathway and the condominium and a retaining wall within the subject lands is required. The conditions of the draft plan of vacant land condominium will require the retaining wall and other associated works to be included in the description of common elements of the condominium, and that they will be owned and maintained by the condominium corporation. The draft conditions to this effect have been shared with and agreed upon with the proponent.

Conclusion

The proposed Draft Plan of Vacant Land Condominium is consistent with the Provincial Policy Statement, and in conformity with The London Plan and the 1989 Official Plan. The proposed cluster single detached dwelling units are appropriate for the site and permitted under the existing zoning. An application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium.

Prepared by:	**Michael Clark, MA** **Planner I, Subdivision Planning**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Subdivision Planning**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**George Kotsifas, P. Eng.** **Deputy City Manager,** **Planning and Economic Development**

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
cc: Bruce Page, Manager, Subdivision Planning
cc: Peter Kavcic, Manager, Subdivision Engineering
cc: Michael Pease, Manager, Site Plans

BP/mc

Appendix A – Community Engagement

Public liaison: On August 18, 2021, Notice of Application was sent to 74 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 19, 2021.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium within a block of an existing plan of subdivision (39T-15503) consisting of 13 single detached dwellings. Common elements will be provided for private access driveway and services to be registered as one Condominium Corporation. File: 39CD-21511 Planner: M. Clark (City Hall).

Responses to Public Liaison Letter and Publication in "The Londoner"

From: Bernie Bierbaum <bbierbaum@bluestoneprop.com>
Sent: Thursday, August 26, 2021 11:41 AM
To: Clark, Michael
Subject: [EXTERNAL] File: 39CD-21511 704 Boler Road

Good morning Michael.

We have lived at 11 Old oak Lane since 1985.

I just have 2 questions regarding public access in the neighborhood.

We have used the Cherrygrove Drive walkway to the west for years and now that it is excavated with a substantial grade drop, will it be closed in the future?

Will a new fence be installed on the east side of the condo property and on the north side of the entire development bordering on Longview Court?

Cheers,

Bernie

From: Tammy Sanders
Sent: Monday, August 30, 2021 9:40 AM
To: Clark, Michael
Subject: [EXTERNAL] 704-706 Boler rd.

Hello Michael Clark

I received a letter in the mail today notice of application draft plan for vacant land condominiums. I would like to address the fact that it indicates that there is a shared common elements. visitor parking and landscaping when I am reviewing the draft plan it does not indicate where the parking is, we currently have condos that were built across the street from us that did not include parking and everyone parks on the street it causes problems every winter and I do not want to see a repeat of this happen so if this could be addressed I would greatly appreciate it.

Thank you

Tammy Sanders

From: Richard Sheppard
Sent: Monday, August 23, 2021 8:04 PM
To: Clark, Michael
Subject: [EXTERNAL] RE: File: 39CD-21511, 704 - 706 Boler Road
Attachments: RS_20210823_01_of_01.pdf

RE: File: 39CD-21511, 704 - 706 Boler Road

Dear Michael Clark,

I received the "Notice of Planning Application," File: 39CD-21511, 704 - 706 Boler Road, dated August 19, 2021 on August 23, 2021. In order to provide comments, I will need some additional information which I believe is usually posted to the application specific page at London.ca/planapps. However, there is nothing their to review and I could not find any application or information contained there. Could you kindly post the details or provide the details to me directly, please?

Sincerely,

Richard Sheppard and Jacqueline Roussy Sheppard

Agency & Department Comments

Internal departments and external agencies were circulated for comment on August 18th, 2021 for a 13 unit draft plan of vacant land condominium. Comments received are identified below:

Enbridge Gas – August 18, 2021

Thank you for your correspondence with regards to draft plan of approval for the above noted project.

It is Enbridge Gas Inc.'s (operating as Union Gas) request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by Union for the provision of gas services for this project, in a form satisfactory to Enbridge.

London Hydro – August 18, 2021

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Hyrdo One – August 20, 2021

We are in receipt of Application 39CD-21511 dated August 18, 2021. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

Water Engineering Division – August 27, 2021

Water Engineering have no comments for the notice of application noted above. Water servicing shall be in accordance with the approved site plan drawings.

39CD-21511
M. Clark

Bell Canada – September 1, 2021

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/ telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

Please note that WSP operates Bell’s development tracking system, which includes the intake of municipal circulations.

WSP is mandated to notify Bell when a municipal request for comments or for information, such as a request for clearance, has been received. All responses to these municipal circulations are generated by Bell, but submitted by WSP on Bell’s behalf. WSP is not responsible for Bell’s responses and for any of the content herein.

Urban Design – September 17, 2021

There are no UD Concerns for Application (Draft plan of Vacant Land Condominium) related to 704- 706 Boler Road.

Parks and Site Plan – October 4 & 7, 2021

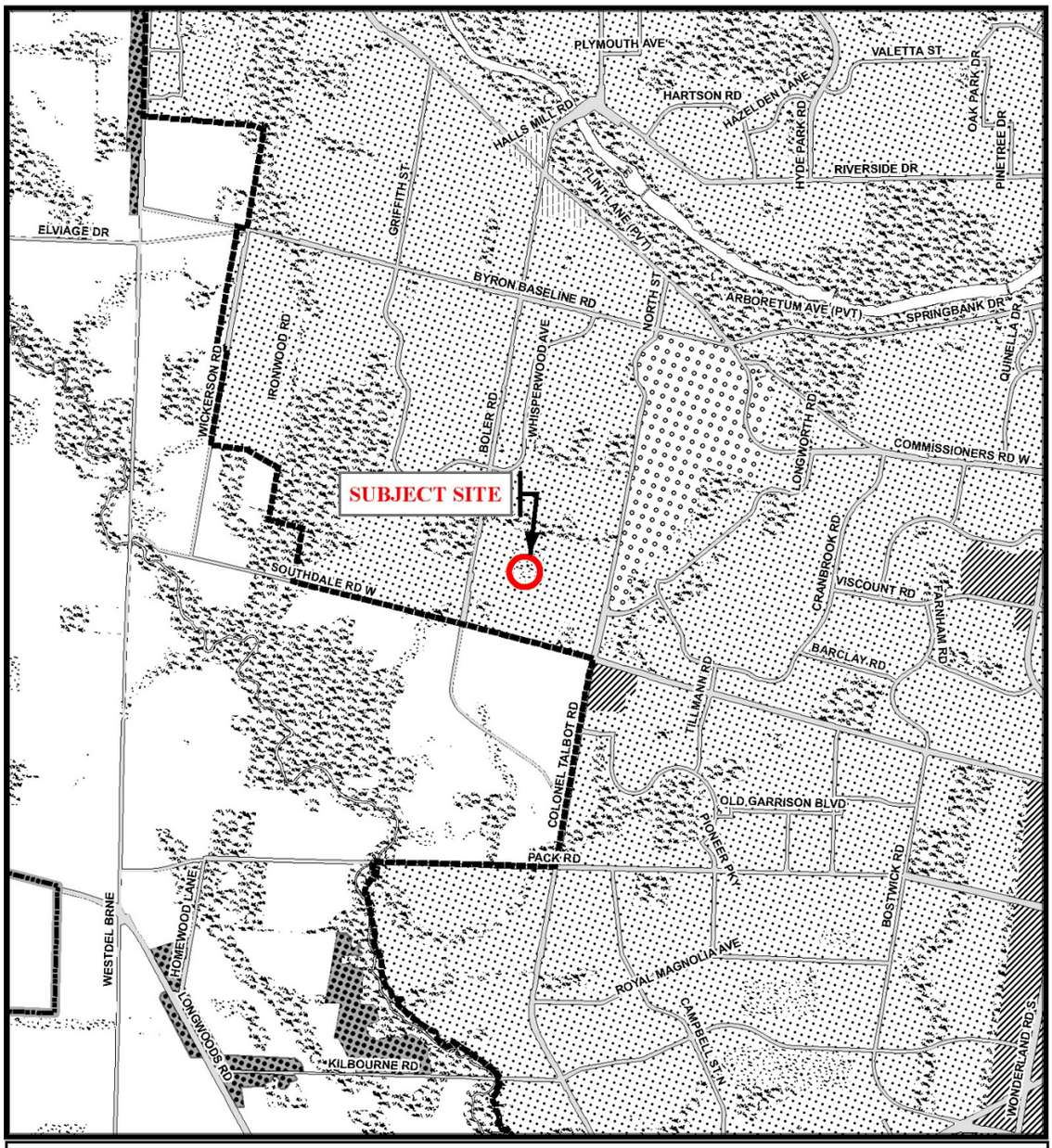
The SPA application is still under active review. I expect the main point will be for the condo to maintain the retaining wall and associated guard rail, drainage, etc. but it’s on private condo land and the site plan team will probably flag that separately from Parks.

In speaking with Parks, please include the following condition (feel free to massage it if needed).

1. A clause shall be included in the Condominium Declaration which indicates that the retaining wall on the lands is to be a common element which shall be fully owned and maintained by the Condominium.

Appendix B – Relevant Background

London Plan Excerpt



Legend

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

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

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services

Scale 1:30,000

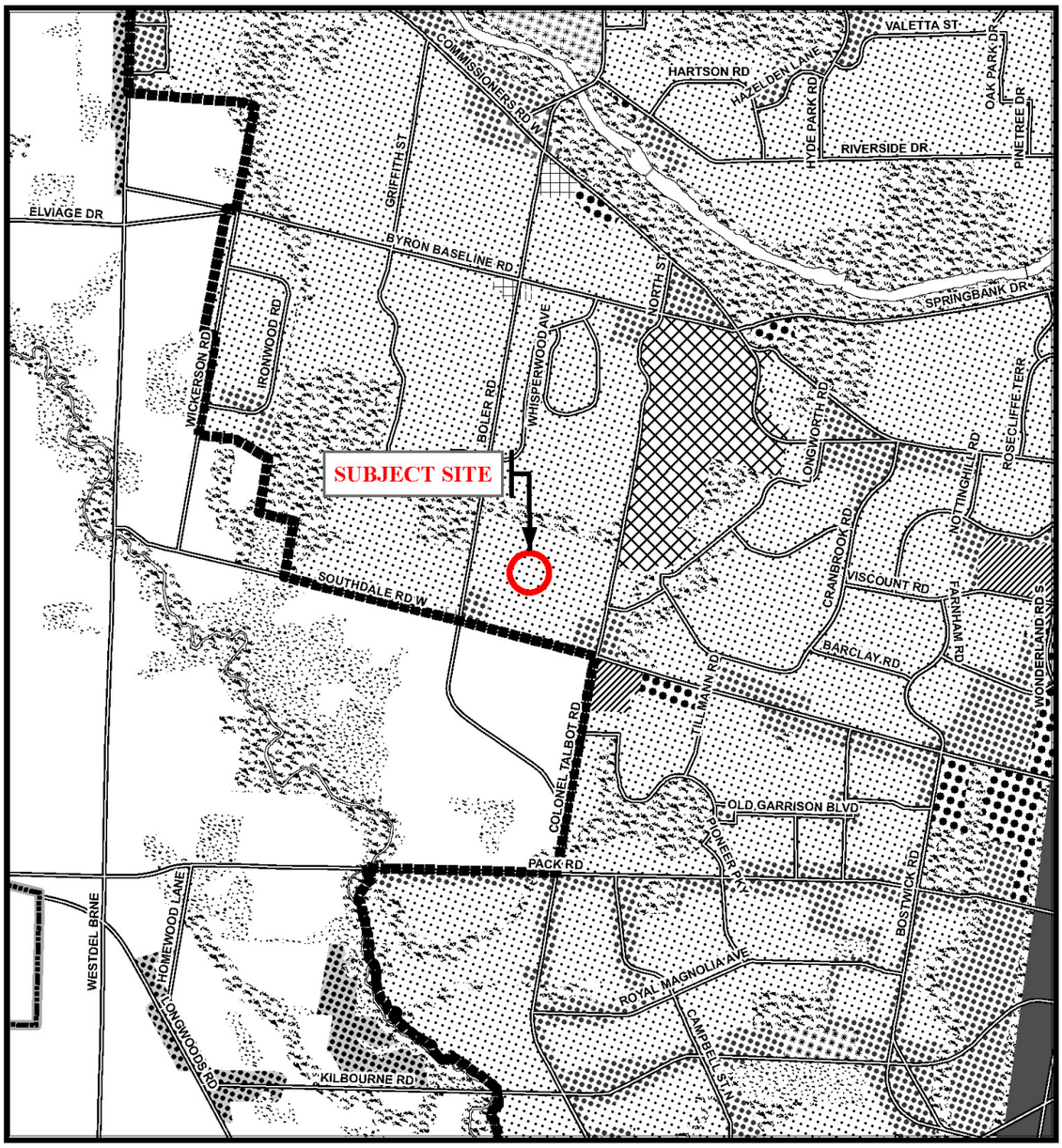
0 150 300 600 900 1,200 1,500
Meters

File Number:	39CD-21511
Planner:	MC
Technician	RC
Date:	May 26, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\H-9352-Map1-PlaceTypes.mxd

39CD-21511
M. Clark

1989 Official Plan Excerpt



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

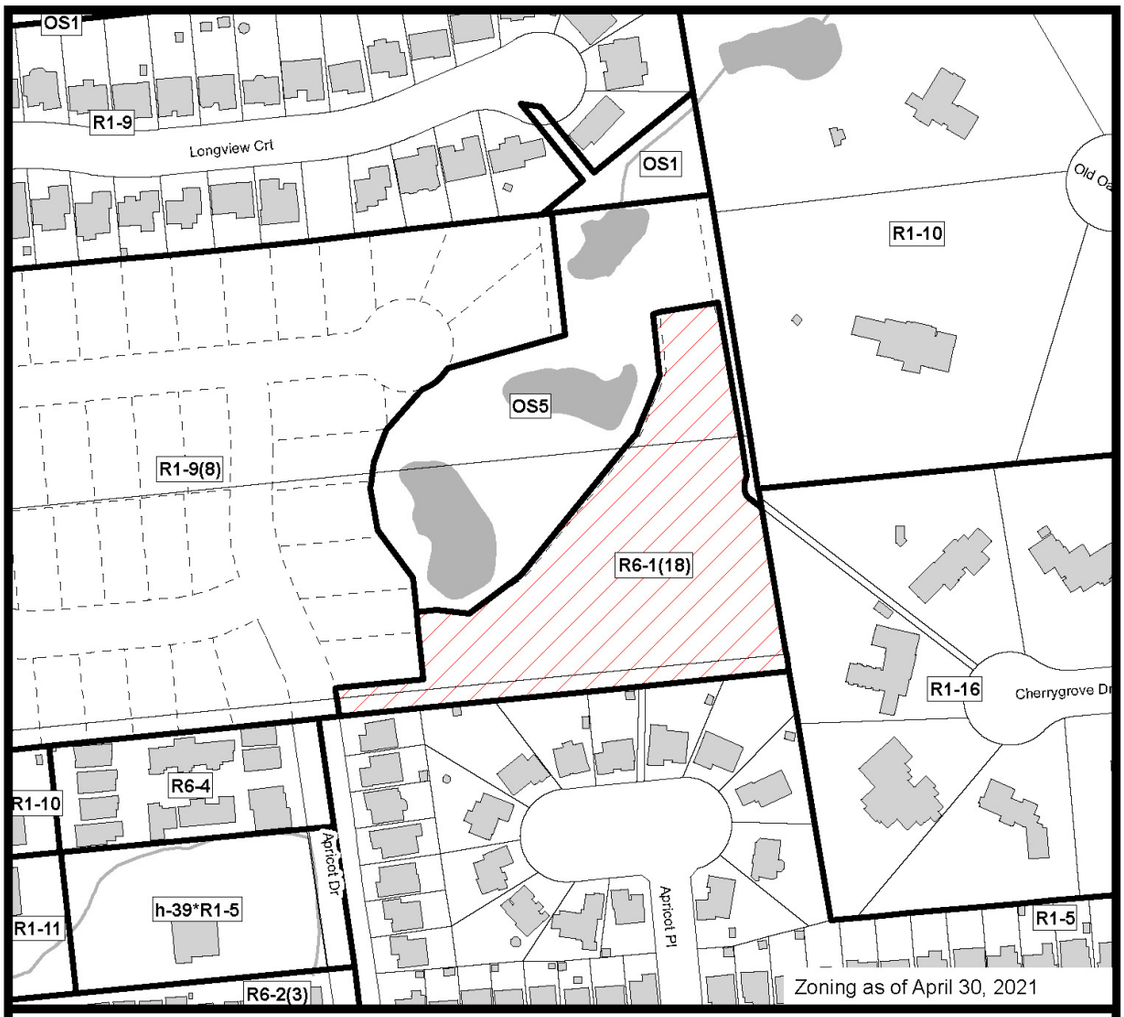
0 155 310 620 930 1,240 1,550
Meters

FILE NUMBER:	39CD-21511
PLANNER:	MC
TECHNICIAN:	RC
DATE:	2021/05/26

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

39CD-21511
M. Clark

Existing Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

R1 - SINGLE DETACHED DWELLINGS
R2 - SINGLE AND TWO UNIT DWELLINGS
R3 - SINGLE TO FOUR UNIT DWELLINGS
R4 - STREET TOWNHOUSE
R5 - CLUSTER TOWNHOUSE
R6 - CLUSTER HOUSING ALL FORMS
R7 - SENIOR'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:
39CD-21511 MC

MAP PREPARED:
2021/05/26 CK

1:2,500
0 12.525 50 75 100
Meters

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – 704-706 Boler Road (39CD-21511)

- Councillor Hopkins: I would like to go to staff for a presentation. Thank you. Any technical questions? I see none. I will go to the applicant. Is the applicant here?

- Good evening Madam Chair. My name is Casey Kulchycki, Planner with Zelinka Priamo Ltd. Just wanted to say thank you to staff for their work on this file. We've reviewed their report and we are in agreement with what is presented to you tonight. I'm just on hand in case any members of Committee, staff or the public have any questions or comments that I may be able to address. Thank you.

- Councillor Hopkins: Thank you for being here. I'd like to now go to the public. If there's anyone here that would like to make comments to this recommendation, please come forward. I see no one in Committee Rooms 1 and 2. No one on the phone. I'll ask one more time if there's anyone here that would like to make a comment to this recommendation. I see none I will look to the Committee to close the public participation meeting.

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: **512 McCormick Boulevard**
Public Participation Meeting
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning & Development, with respect to the application of Derek Panzer relating to the property located at 512 McCormick Boulevard, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 16, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (1989), to change the zoning of the subject property **FROM** a Residential R1 (R1-6) Zone **TO** a Light Industrial Special Provision (LI1(_)) Zone.

Executive Summary

Summary of Request

The owner has requested to rezone the subject lands to permit Urban Agriculture through the conversion of shipping containers which will be used solely for the growing of food.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit Urban Agriculture as a new use on the subject lands.

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 General Industrial designation;
4. The recommended amendment aligns with the Council-adopted Urban Agriculture Strategy;
5. The recommended amendment facilitates the development of an underutilized parcel of land that would otherwise be undevelopable.

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

None.

1.3 Property Description

The subject lands are located on the east side of McCormick Boulevard, north of Princess Avenue, in the East London Planning District. The subject lands have a frontage of approximately 38.1 metres, an area of approximately 768 square metres, and are irregular in shape.

Figure 1: Image of the subject lands

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

- 1989 Official Plan Designation – General Industrial
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R1 (R1-6) Zone

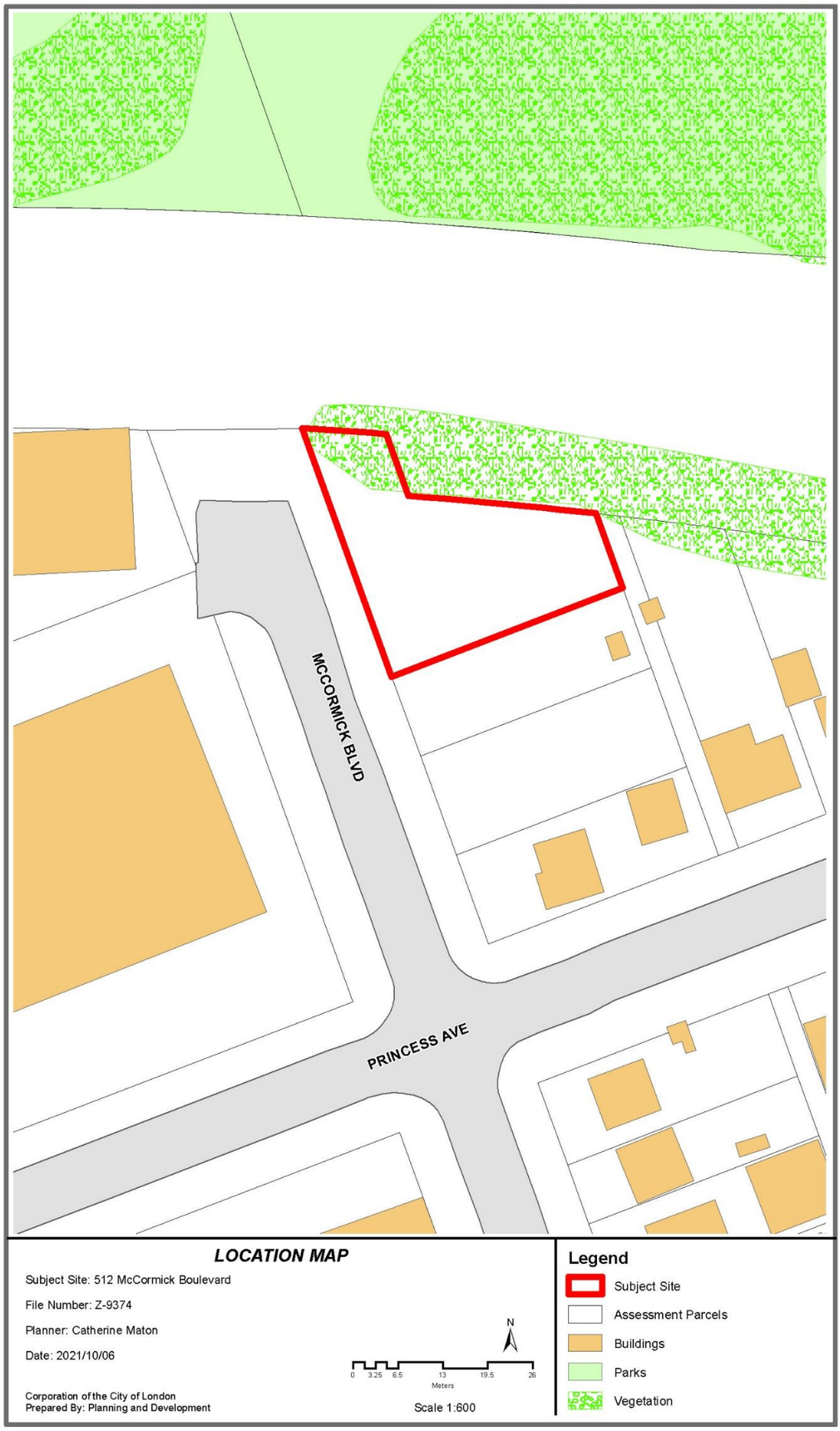
1.5 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 38.4 metres (125.9 feet)
- Depth – 35.8 metres (117.4 feet)
- Area – 800 square metres (8,611 square feet)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Railway tracks (Canada Pacific Rail)
- East – Residential
- South – Hydro substation
- West – Industrial

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The owner is proposing to develop the subject lands with up to eight shipping containers to be converted for, and wholly devoted to, growing food. A site concept plan and massing model are provided below in Figures 2 and 3.

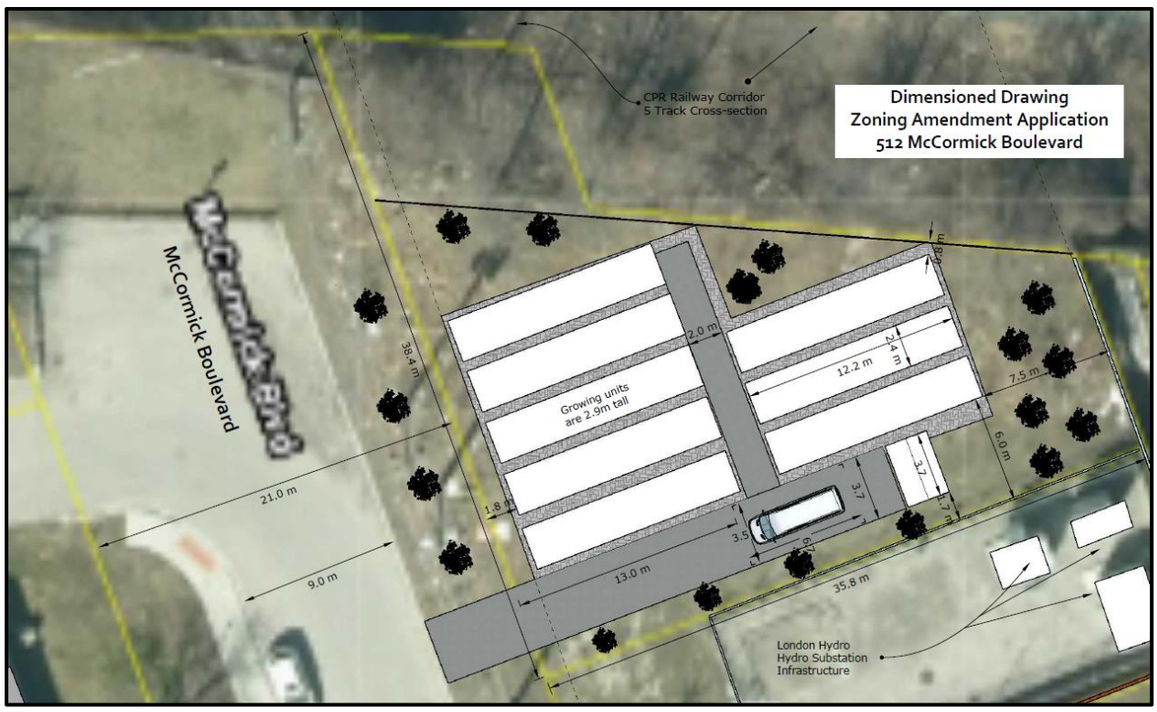


Figure 2: Site concept plan

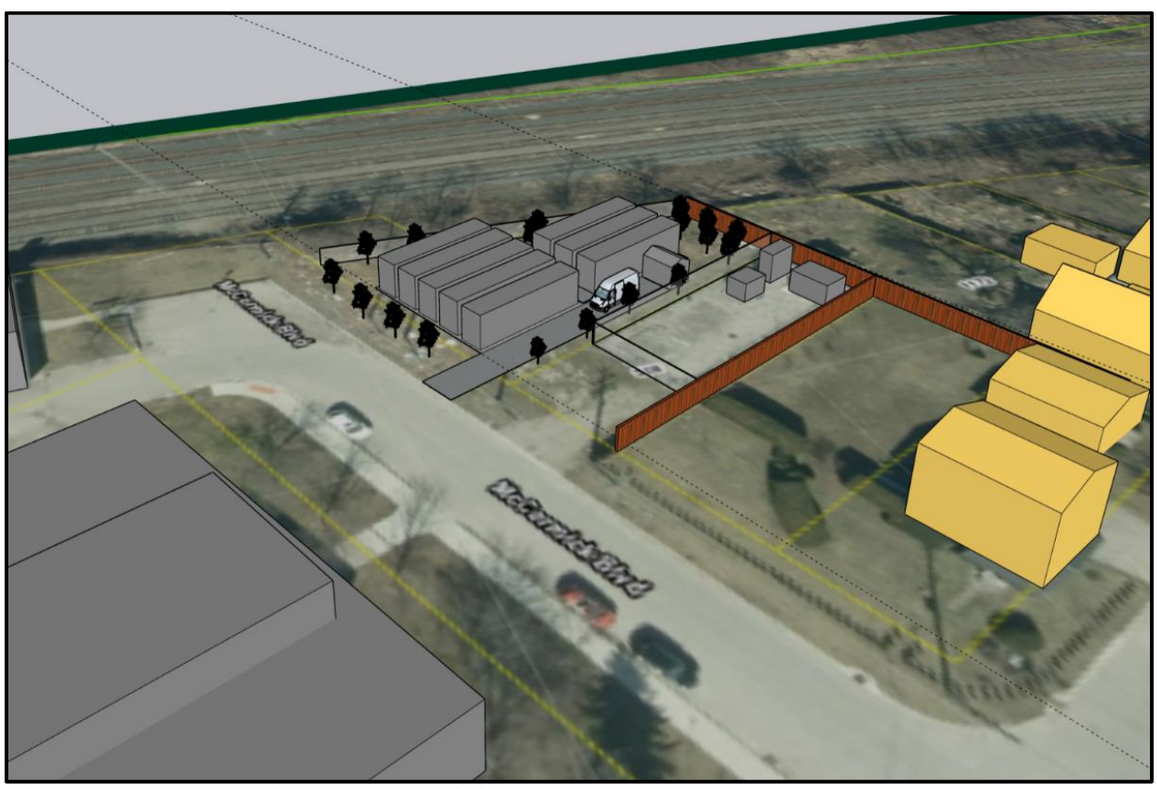


Figure 3: Conceptual massing model

2.2 Requested Amendment

The owner has requested to rezone the subject lands from a Residential R1 (R1-6) Zone to a Light Industrial Special Provision (LI1(_)) Zone to permit the use of the subject lands for Urban Agriculture. Special provisions would permit: the proposed Urban Agriculture use; up to 8 shipping containers converted for, and wholly devoted to,

growing food; a minimum lot area of 800 square metres; minimum interior side and rear yard depths of 1.2 metres per 3 metres of building height; and a minimum parking rate of one space for Urban Agriculture.

Through the review and circulation of the application, community members expressed concern that the shipping containers could be stacked multiple high. To address this concern, the applicant amended their application to include an additional special provision to prohibit vertical stacking of shipping containers.

2.3 Community Engagement (see more detail in Appendix B)

Seven (7) written responses and two phone calls were received from seven (7) neighbouring property owners, which are addressed in Appendix B of this report.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3).

The London Plan

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

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

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

- Protecting our valuable agricultural land and building upon London’s role as an agri-food industrial hub. (Key Direction #1, Direction 14).

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

- Supporting neighbourhood-scale food production. (Key Direction #7, Direction 11).

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

- Plan so that London is resilient and adaptable to change over time. (Key Direction #8, Direction 4).

The site is in the Neighbourhoods Place Type on a Neighbourhood Street, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. A range of low-rise residential uses are contemplated, including single detached dwellings, semi-detached

dwellings, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, in accordance with Table 10 – Range of Permitted Uses in Neighbourhoods Place Type. The maximum intensity is 2.5 storeys in accordance with *Table 11 – Range of Permitted Heights in Neighbourhoods Place Type.

1989 Official Plan

The site is designated General Industrial in accordance with Schedule 'A' of the 1989 Official Plan. The General Industrial designation is intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other uses and is intended to apply to areas which are appropriately separated from residential areas (7.2). However, the General Industrial designation is also applied to certain older industrial areas located adjacent to residential uses (7.2).

Urban Agriculture Strategy

The Urban Agriculture Strategy was adopted by Council in November 2017. The Strategy identified five broad categories as the basis of the Strategy: growing; processing; distribution; food loss and recovery; and education and connection. Under each category, community-identified priorities were described, and a series of actions were identified for these priorities. For each action, roles were identified for each of the partners (Urban Agriculture community, Agencies, and City).

The Goals of the Strategy are to: 1. Develop a strategy to direct urban agriculture efforts in the City of London; 2. Address all aspects of urban agriculture within the city and present policy and regulation amendments where necessary; 3. Determine the roles and responsibilities of the City and community in the implementation of the strategy; 4. Address gaps that may exist in providing for urban agriculture; and, 5. Outline criteria for pilot site selection and/or urban agriculture projects.

The City is currently undertaking a City-wide Official Plan Amendment and Zoning By-law Amendment to address goals 2 and 4. An information report was brought to the Planning and Environment Committee on June 21, 2021 before circulating draft amendments for public review. It is expected that a final report, with recommended amendments, will be presented at a public meeting in the fall of 2021.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use, Intensity, and Form

Provincial Policy Statement, 2020

The PPS 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 further promotes planning to prepare for the regional and local impacts of a changing climate (1.1.1i)).

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Planning authorities are to promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs (1.3.1). In addition, long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness; optimizing the long-term availability and use of land, resources, infrastructure and public service facilities; and sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network (1.7.1 a), c), i)).

The recommended amendment facilitates the introduction of a land use that will have minimal impacts on the surrounding residential neighbourhood and makes efficient use of a vacant lot that would otherwise be undevelopable. The proposed Urban Agriculture use would utilize existing land and services, contributes to economic prosperity, and provides for an alternative and innovative way of growing food in a changing climate. The proposed land use provides opportunities to support local food and assists in maintaining and improving the local agri-food network in accordance with policy 1.7.1 of the PPS.

The London Plan

The City Building policies of The London Plan establish a policy framework for food systems in the City of London. A food system refers to all of the processes, networks, and infrastructure that are involved in the growth, harvest, processing, packaging, distribution, transport, marketing, sale, serving, consumption, and disposal of food within a city or a region. London's food system includes the prime agricultural land in and around our city, as well as the significant agri-food industry that exists in London that processes, packages, and transports our food to the world. Our food system includes such things as backyard and community gardens, local businesses, and restaurants that sell and serve food, and farmers markets that bring residents, food businesses, and local growers together (648_).

The Food System policies in The London Plan encourage, foster, and support the following goals through planning, public projects, and investment: a sustainable food system that contributes to the economic, ecological, and social well-being of our city and region; local food production and access to local, regional, national and international agricultural trade markets; alternative ways that Londoners grow, process and sell food within the city; and opportunities for urban food production on private and public lands (653_). Further, the policies direct coordinated community and regional efforts to develop a more sustainable food system that considers all stages of the food system and provides opportunities for urban agriculture (654_6).

Table 10 permits a range of residential uses but does not specifically list Urban Agriculture as a permitted use. While not listed as a permitted use in Table 10, the vision policies for the Neighbourhoods Place Type directs how the vision for Neighbourhoods is to be realized, which includes integrating facilities to support neighbourhood urban agricultural systems into neighbourhoods (918_9). However, the City is currently undertaking a City-wide Official Plan Amendment and Zoning By-law Amendment to implement the Council-adopted Urban Agriculture Strategy and remove barriers from the policy and regulatory frameworks to better facilitate Urban Agriculture uses within the Urban Growth Boundary. The recommended amendment through this application is consistent with the draft amendments currently under review by staff.

Due to the site's immediate adjacency to the CP Railway to the north, minimum setbacks and berming requirements essentially sterilize the site for residential redevelopment. As such, it is reasonably anticipated that the site could never fulfill its planned residential function under The London Plan. It should also be noted that the Neighbourhoods Place Type on *Map 1 is currently under appeal, therefore the policies of the Neighbourhoods Place Type are informative but are not determinative for the purpose of this recommendation.

1989 Official Plan

The General Industrial designation is intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other uses but is also applied to certain older industrial areas located adjacent to residential uses (7.2). The primary permitted uses contemplate a range of heavier industrial uses, including: industrial uses that involve assembling, fabricating, manufacturing, processing, and repairing activities; service trades; public and private utilities and related facilities; large storage facilities, such as wholesale and warehouse establishments, contractors yards, transportation terminals, and heavy equipment sales and service; and residential and other source recycling facilities (7.2.1).

Staff is satisfied the proposed use fits within the range of permitted uses as a manufacturing and processing use. In addition, given the site's proximity to existing sensitive land uses, staff is satisfied the proposed use is more compatible with the surrounding residential neighbourhood than the range of heavier industrial uses that would be contemplated under the existing General Industrial designation. It should also be noted that the undersized nature of the site severely constrains its ability to develop with a heavier industrial use due to zoning and provincial D-6 requirements to ensure compatibility with adjacent residential properties.

4.2 Issue and Consideration #2: Zoning

Given the General Industrial designation under the 1989 Official Plan and the site's inability to develop with a residential use, it has been determined that an industrial zone is more appropriate for the site than the current Residential R1 (R1-6) Zone. However, given the proximity of adjacent residential uses, a Light Industrial Zone variation is more appropriate than a heavier General Industrial Zone variation. Through the circulation of the application, neighbouring property owners expressed concern that the proposed Light Industrial (LI1) Zone would permit a range of industrial uses that may not be appropriate for the site. Staff and the applicant have taken this into consideration by tying necessary special provisions to the Urban Agriculture use only.

The site is currently undersized with a lot area of 800 square metres, whereas the proposed LI1 Zone requires a minimum of 2,500 square metres. The recommended amendment includes a special provision to recognize the existing lot area of 800 square metres for the Urban Agriculture use only. As such, further planning approvals and public consultation would be required to recognize the reduced lot area for any other future use, regardless of whether it is permitted under the LI1 Zone. In addition, concerns were raised regarding the potential for the shipping containers to be stacked. To address this concern, the applicant has amended their request to include an additional special provision prohibiting vertical stacking of shipping containers.

There is currently no parking requirement for Urban Agriculture in Zoning By-law Z.-1. As such, the requested amendment includes a special provision for a parking rate of one space for the Urban Agriculture use. The site design includes a single-lane driveway with parking available for one vehicle, or two vehicles if arranged in tandem. As the proposed on-site operations do not involve retailing, the applicant anticipates one parking space is sufficient to accommodate one staff person approximately 20 hours per week. Concerns were raised regarding the adequacy of this parking rate, especially given the limited availability of on-street parking on McCormick Boulevard. However, staff have no concerns due to the limited staff and clientele regularly on site.

The LI1 Zone requires a 15 metre setback from any residential zone, which severely affects the developability of the site as the southerly and easterly lot lines abut an R1-6 Zone. The requested amendment includes reduced interior side and rear yard depths of 1.2 metres per 3 metres of building height, requiring a setback of 1.2 metres for the 2.9-metre-tall shipping containers. However, as with the other requested special provisions, the reduced 1.2 metre setback would only apply to the proposed Urban Agriculture use. As such, the 15 metre setback would still apply to all other industrial uses permitted under the LI1 Zone and would effectively sterilize the site for industrial development

without further planning approvals and public consultation. The limited as-of-right building envelope is generally depicted in the hatched area shown in Figure 4 below.

Figure 4: LI1 Zone building envelope (hatched area)

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the General Industrial designation. The recommended amendment aligns with the Council-adopted Urban Agriculture strategy and facilitates the development of an underutilized parcel of land which would otherwise be undevelopable with a use that does not detract from the surrounding residential and industrial uses.

Prepared by:	**Catherine Maton, MCIP, RPP** **Senior Planner**
Reviewed by:	**Mike Corby, MCIP, RPP** **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 512 McCormick Boulevard

WHEREAS Derek Panzer has applied to rezone a portion of an area of land located at 512 McCormick Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 512 McCormick Boulevard, as shown on the attached map comprising part of Key Map No. A108, from a Residential R1 (R1-6) Zone to a Light Industrial Special Provision (LI1(_)) Zone.

2) Section Number 40.4 of the Light Industrial (LI1) Zone is amended by adding the following Special Provision:

LI1(_) 512 McCormick Boulevard

a) Additional Permitted Use:
   i) Urban Agriculture

b) Regulations for the Additional Permitted Use:

i)	Lot Area (minimum)	800 sq.m (8,611 sq.ft)
ii)	Interior Side Yard Depth Abutting Residential (minimum)	1.2m (4ft) per 3m (9.8 ft) of building height
iii)	Rear Yard Depth Abutting Residential	1.2m (4ft) per 3m (9.8 ft) of building height (minimum)
iv)	Parking (minimum)	1

v) Up to 8 shipping containers converted for, and wholly devoted to, growing food are permitted

vi) Vertical stacking of shipping containers is expressly prohibited

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.

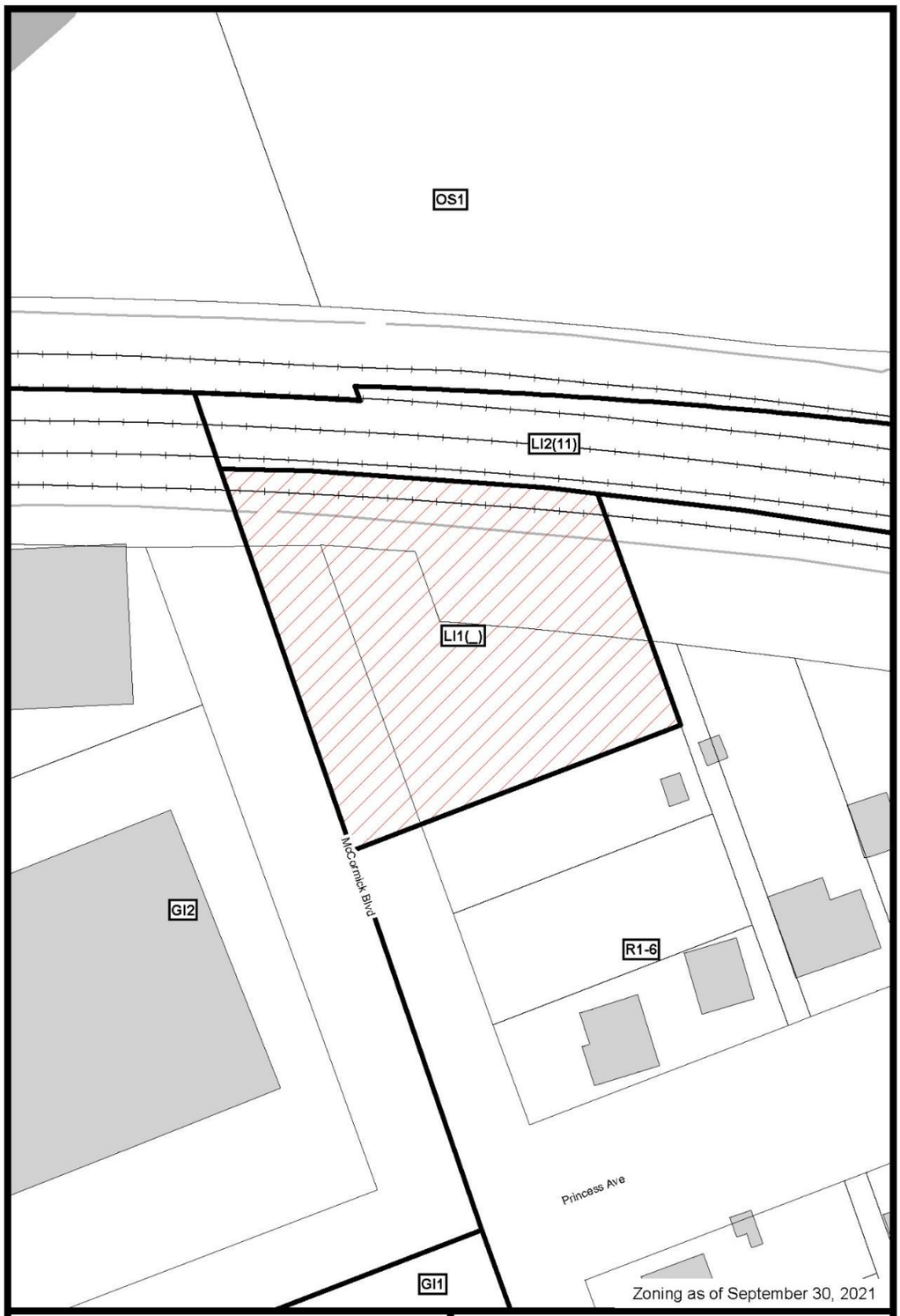
PASSED in Open Council on November 16, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 16, 2021
Second Reading – November 16, 2021
Third Reading – November 16, 2021

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



File Number: Z-9374
Planner: CM
Date Prepared: 2021/06/10
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE

1:600

0 3 6 12 18 24 Meters

Geodatabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On June 23, 2021, Notice of Application was sent to 33 property owners and five tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 24, 2021. A "Planning Application" sign was also posted on the site.

Seven replies were received.

The applicant hosted a Community Information Meeting on September 16, 2021. Nine members of the public were in attendance. Comments from the meeting were generally positive and in support of the proposal, with some concerns related to the potential noise emitted from heating and cooling units.

Nature of Liaison: The purpose and effect of this zoning change is to permit Urban Agriculture on the subject lands. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-6) Zone **TO** a Light Industrial Special Provision (LI1(_)) Zone. Special provisions would permit: the proposed Urban Agriculture use; up to 8 shipping containers converted for, and wholly devoted to, growing food; a minimum lot area of 800 square metres; minimum interior side and rear yard depths of 1.2 metres per 3 metres of building height; and a minimum parking rate of one space for Urban Agriculture.

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

Concern for: The potential for cannabis to be grown on site; possible odours emitted from the containers; existing nefarious activity in the area and the risk that the proposed shipping containers could exacerbate this activity; stacking of the containers; narrowness of McCormick Boulevard and its ability to accommodate the turning radius of large trucks; and the lack of available on-street parking and the request for only one parking space on site.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Bill Brock	Jay and Darlene Shaw 1172 Princess Avenue London, ON N5W 3N3
Mark Toth 1173 Princess Avenue London, ON N5W 3N4	Mark Toth 1173 Princess Avenue London, ON N5W 3N4
	Scott Toth 500 McCormick Boulevard London, ON N5W 4C7
	Marlene Goncalves 511 McCormick Boulevard London, ON N5W 4C8
	Chris Baluk 1230 Sparton Street London, ON N5W 3J4
	Eleanor J. Rath

From: Darlene Shaw
Sent: Sunday, June 27, 2021 9:44 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Helmer, Jesse <jhelmer@london.ca>
Subject: [EXTERNAL] FILE Z-9374
Good day. We just received of “NOTICE OF PLANNING APPLICATION”. We have some questions/concerns that we are hoping you can provide some answers to.

- is the product to be grown vegetables not marijuana?
- we are concerned about possible smells coming from the containers (I assume they are vented) and also possible smells from compost/manure that will be on site. If on site will they be stored in open piles round site?
- is this a retail site?
- If council approves when is this planned?
- Since we have a bit of a problem with theft/break-ins in the area (due to homelessness, drug addicts and just some trouble making youth) will the property be securely fenced all the way around? We a small concern this may attract more trouble depending on set up layout. If not properly fenced we fear people besides trying to break in will set up overnight sleeping between containers for example and also lead to more needles laying around.
- If I am reading correctly containers are not stacked higher than one high?
- Also concerned since our property borders the back of this property that our fence is not secure enough to keep certain individuals out of their property since we all ready have challenges there now.

Thank you,

Jay & Darlene Shaw
1172 Princess Ave,
London

From:
Sent: Tuesday, July 13, 2021 12:26 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] File: Z-9374 planning application.

Hello,

We have not met or spoken, and my name is not familiar.

Please allow me to introduce myself. My name is Mark Toth, and I am a resident within 120 meters of the subject property at 512 McCormick Blvd.
I have actually lived within 65 meters of the property for 61 years.

As one of the "old-timers" in the neighborhood, I can sense other residents waiting for me to weigh-in on the proposed by-law amendment.

I have read the 53-page planning justification report prepared by the applicant. (Big surprise right. :) Who actually reads that stuff before asking questions.)
I read it closely enough to notice that in section 3.4, the train tracks were incorrectly identified as being owned by CN, but correctly named as CPR everywhere else in the document.

Having said that, I still have a few questions and concerns.

I noticed from your voicemail message that you are not going into your office at city hall.
I was hoping for a short, informal, in-person conversation.
My business experience has demonstrated that these types of initial meetings between strangers are the most productive, efficient, and beneficial.
Given that this is not possible, would you be open to a phone conversation at your convenience?

Best Regards,
Mark Toth

From: Joshua Scott
Sent: Tuesday, July 13, 2021 4:12 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 512 McCormick Blvd.

Dear Catherine Maton,
July 13, 2021
Planning and Development, City of London

I am writing with respect to the Notice of Planning Application for a Zoning By-Law Amendment for 512 McCormick Boulevard (File: Z-9374 / Applicant: Derek Panzer) and to put into perspective the big picture.

Our family has lived in the house at 500 McCormick Boulevard for 61 years and also own the adjacent property of 504 McCormick Blvd. The next lot is the London Hydro Substation at 508 McCormick Boulevard and then the purchased empty lot of 512 McCormick Boulevard. In over 55 years, the 512 lot has remained vacant and has never been up for sale. After it was purchased, there was never any property maintenance done which is visible in the London Free press picture. The property attracts many transient people who use the unkept lot for doing drugs, prostitution and a place to discard unwanted items (picture attached). There has been an increase in vehicle break-ins and theft in the neighbourhood since recent project developments have come to a halt. Our property has had three incidents in the last month with stolen property from neighbours left on the lawn.
The railroad has tried numerous times to install fences of various types to try and stop people from crossing the tracks, North to South/South to North, but the fences have been destroyed, cut through or removed.

Although a notice was sent out to the neighbourhood asking for comments with respect to the planning application, it appears that this so-called proposal is well on its way to being approved. It is unsettling to read in the London Free Press dated Saturday July 3, 2021 on page A3 that two shipping containers are already on their way from Massachusetts.

I would like to bring to your attention the background of the neighbourhood, points of concern and what City Planning and Development has not followed through with in their proposals / construction for the revitalization of the neighbourhood:

- The abandoned McCormick's Candy Factory and property has not been maintained for years and the abandoned building is the home for drugs, prostitution and the homeless
- The double fence around the abandoned McCormick's Candy Factory does not keep anyone out
- Graffiti is an issue and an eyesore
- The piles of building rubble and ground materials have not been removed for years
- The City does not regularly maintain the city property / boulevard grass
- The abandoned McCormick's Candy Factory building has increased the homeless traffic who are seen on a regular basis pushing shopping carts, full of collected materials, through the neighbourhood and down to the McCormick Factory property
- The sewer replacement /road construction on McCormick Boulevard ended a couple of years ago and the street has not received its final layer of asphalt. The street does not drain properly after a rain and there is always a pool of water at Dundas Street
- The City had stated their plans for a pedestrian overpass which would line up with the sidewalk on the west side of McCormick Boulevard, cross over the railway tracks, to connect with McCormick Park on the north side of the tracks

I am stating all these facts to let you know that the proposal for 512 McCormick Boulevard is just one more property that has the potential to be a disaster. Eight freight containers is not beautifying the neighbourhood but actually taking the neighbourhood look into an opposite negative direction.

The owners of 512 McCormick Boulevard are quoted in saying that their purchased property is "sandwiched between a rail line and a London Hydro Substation". If City Planning and Development keeps their promises, the 512 property will be in the center of a developed area for all to see. Eight freight containers is not what ALL want to see on their neighbourhood walk while crossing on a pedestrian overpass to and from McCormick Park and Dundas Street.

It makes me laugh when I look at the picture of the two owners in the London Free Press standing on their property of 512 McCormick Boulevard. Everyone who has seen this picture can clearly see that the property has not been maintained at all. That is something that the owners should not be proud of, as we as longtime property owners have had to look at, with 4 foot high weeds, overgrown grass and debris / garbage every day.

According to the statement by Mr. Panzer and Mr. Cane, their urban farming operation of the freight containers will be conducted remotely, which means that their physical presence will not be needed on the property. It is clear that their physical presence and care for the property is currently one of absence and neglect.

If the application is approved, I would like the following questions to be considered and noted:

1. Will there be a tall security fence surrounding the property on all four sides, not a chain link fence which can easily be cut through, that will keep transient people off the property?
2. Will there be security cameras with a nearby security company monitoring the property 24/7 and then responding to trespassers?
3. Will the freight containers be secure from potential break-ins?
4. Will there be any deterrent for the potential of graffiti as these containers will be a blank canvas?
5. Will the property be lit at night by light fixtures installed by the owner or will it only be illuminated by existing street lights which will not illuminate the entire property as a deterrent for trespassers / vandals? (lighting that will not illuminate adjacent properties like a baseball field)
6. Will there be any noise from the site?
7. Will there be any smell / odour from the site?
8. Will the containers or property be used for the growing of marijuana at any time?
9. Will there be regular inspections of the contents of the containers to ensure that there are no environmental safety concerns?
10. Will the property be maintained on a daily / weekly basis (lawn care)?
11. Will the containers be approved to be stacked at a later date?
12. Will the property be allowed to be rented out by an Absentee Landlord?
13. Will we still see tents used by the homeless and debris on / near the property as there is now?

I thank you for your time and trust that the concerns stated above will be reviewed and considered in your decision in this application for a Zoning By-Law Amendment.

Sincerely,
Scott Toth
500 McCormick Blvd.
London, Ontario
N5W 4C7

From: Marlene Goncalves

Sent: Monday, July 26, 2021 1:06 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Helmer, Jesse <jhelmer@london.ca>
Subject: [EXTERNAL] File: Z-9374 Applicant: Derek Panzer

Greetings,

We received the "Notice of Planning Application" zoning By-Lay Amendment for 512 McCormick Boulvard.

Unfortunately, we only received it on Thursday, first it took a while to receive and second, we were away on vacation and didn't open until today. We now see that comments were required by July 14th, 2021.

We own the business across the street from this property under review at 511 McCormick Blvd., Airia Brands Inc., and have been there for over 25 years.

We definitely have concerns about the proposed zoning amendment for a host of reasons, specifically:

- several years back the city undertook narrowing McCormick Blvd and since it's difficult to pass on this street if multiple vehicles are passing each other
- not enough parking for the businesses already in existence
- parking on the streets wasn't properly executed and therefore limited
- trucks of any kind are a challenge on this street (waste disposal trucks, delivery trucks, transport trucks) all have a terrible time maneuvering in and around this area. Often trucks are "stuck" parallel on the road due to other vehicles obstructing the way and the street not being wide enough to support the size of the trucks
- "A minimum parking rate of one space for Urban Agriculture" - we know that any business going in this space will certainly require more than one spot for vehicle parking and there is absolutely no space for parking on the street or elsewhere. We and our neighbouring businesses already have issues as to where our employees will park let alone adding another business with no proper designed parking of their own
- Winter and snow removal is already a challenge with parking in this area let alone adding requirements for more parking

Please advise how we should proceed next given the July 14th, 2021 comment date has passed.

Looking forward to hearing from you at your earliest convenience.

Regards,

Marlene Goncalves

From: Joshua Scott
Sent: Tuesday, August 3, 2021 3:28 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Re: 512 McCormick Blvd.

Catherine,
Thank you so much for your responses to my many questions. My brother, Mark Toth, also told me that you also had a conversation with him over the phone. He was impressed with the fine details that are being considered and the owners 53 page proposal. I feel much better about the plan and look forward to a good rapport with the owners.
I noticed the new planning application sign on the property. Sometimes my teacher proofreading won't turn off for the summer. LOL

I think the sign is supposed to read... shipping containers, and not .... shopping containers. LOL
Have a great day and week
Scott

From: Chris Baluk
Sent: Tuesday, August 10, 2021 4:06 PM
To: Maton, Catherine <cmaton@london.ca>; Helmer, Jesse <jhelmer@london.ca>
Subject: [EXTERNAL] 512 McCormick Blvd

Good Afternoon, I recently read an article in the London Free Press about the rezoning of 512 McCormick Blvd. I live nearby at 1230 Sparton St. I greatly support rezoning of this address for this business. The land is not suited in any way for a residence, Business initiatives of this kind should be welcomed and supported by the City and it's residents.
Thank you for your time,
Christopher Baluk
1230 Sparton St.
London, ON
N5W 3J4

From: Eleanor J. Rath
Sent: Wednesday, October 20, 2021 11:46 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Notice of Public Meeting - Zoning By-law Amendment for 512 McCormick Boulevard

Hi Catherine:
As a member of the Agricultural Advisory Committee, I would like to voice my support for the Zoning By-law Amendment to permit Urban Agriculture in the form of shipping containers on the property known civically as 512 McCormick Boulevard.

It is good to see the City considering options for new forms of urban agriculture. This particular location appears to be well suited for this type of use.

Thank you for the opportunity to review and comment on this planning application.

--
Eleanor J. Rath, CMO
Member of Agriculture Advisory Committee

Agency/Departmental Comments

June 24, 2021: London Hydro
London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

June 29, 2021: Parks Planning & Design
Parkland dedication is waived as per Parkland Conveyance and Levy By-law - CP-9 for industrial lands.

July 14, 2021: Engineering
No Engineering concerns related to the re-zoning application.

September 14, 2021: Site Plan
I have reviewed the submitted concept site plan and have no further comments at this time. The comments provided through the Record of Site Plan Consultation can be addressed through the Site Plan Application process.

September 14, 2021: Urban Design
There are no UD comments/Concerns for zoning at this stage related to ZBA application at 512 McCormick Blvd. More detailed comments will be provided at site plan.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
1.1.1 a)
1.1.1 e)
1.1.1 i)
1.1.3.1
1.1.3.2 a)
1.1.3.2 b)
1.1.3.2 c)
1.1.3.2 d)
1.3 – Employment
1.3.1 a)
1.3.1 d)
1.7 – Long-term Economic Prosperity
1.7.1 a)
1.7.1 c)
1.7.1 i)

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 52_ Our Strategy, Values
Policy 54_ Our Strategy, Key Directions
Policy 55_ Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City
Policy 61_ 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 648_ City Building Policy, Food System, What is a Food System?
Policy 650_ City Building Policy, Food System, Why Are Food Systems Important to Our Future?
Policy 653_ City Building Policy, Food System, What Are We Trying to Achieve?
Policy 654_ City Building Policy, Food System, How Are We Going to Achieve This? Comprehensive Food System Planning
Table 10 Range of Permitted Uses in Neighbourhoods Place Type
*Table 11 Range of Permitted Heights in Neighbourhood 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

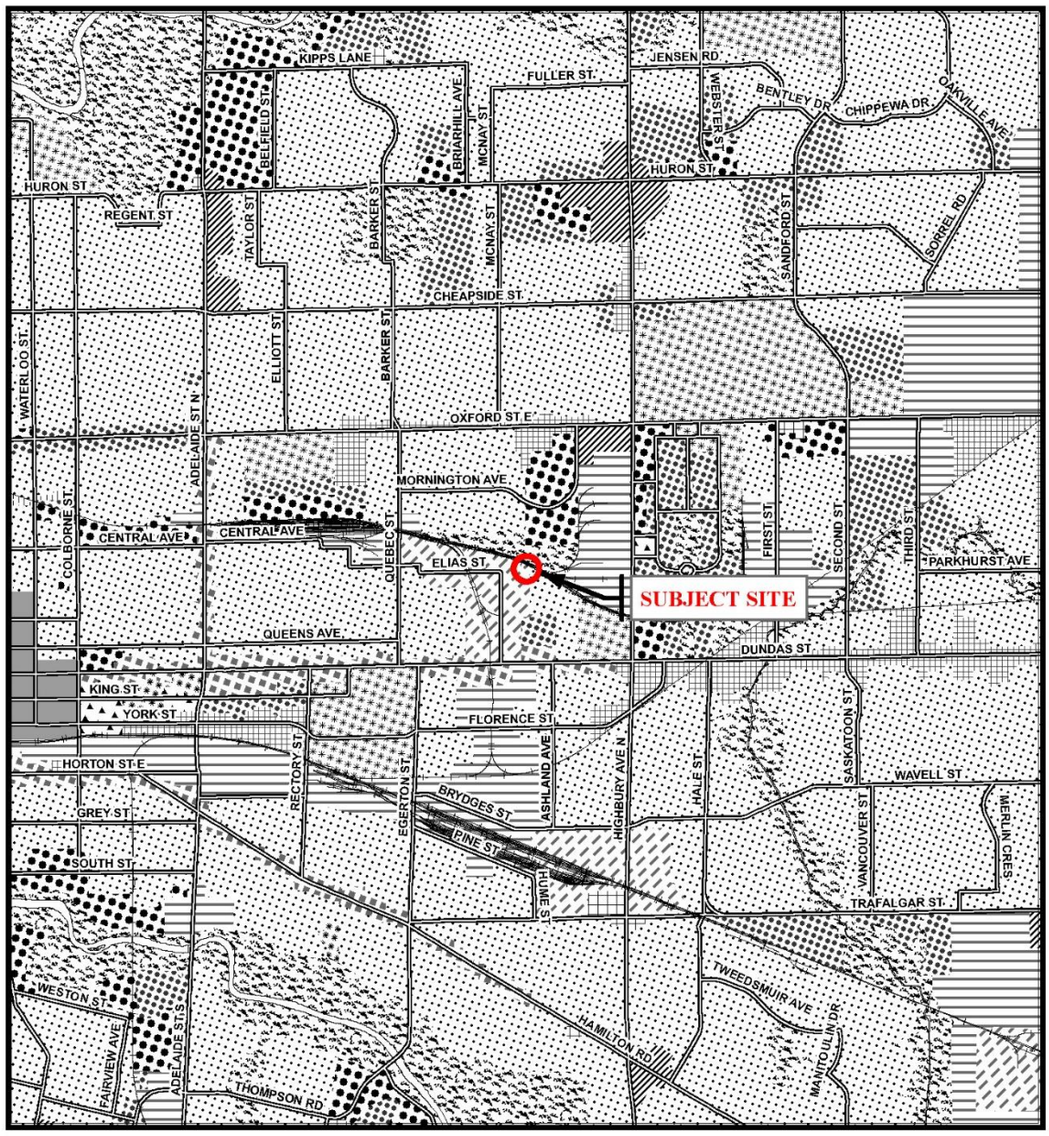
*935_1 Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Intensity
Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria For Planning and Development Applications
*Map 1
Map 3

1989 Official Plan

Chapter 7 – Industrial Land Use Designations
Introduction
7.1.1 – Objectives for All Industrial Designations
7.1.2 – General Industrial Objectives
7.2 – General Industrial
7.2.1 – Main Permitted Uses

Appendix D – Relevant Background

Additional Maps



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

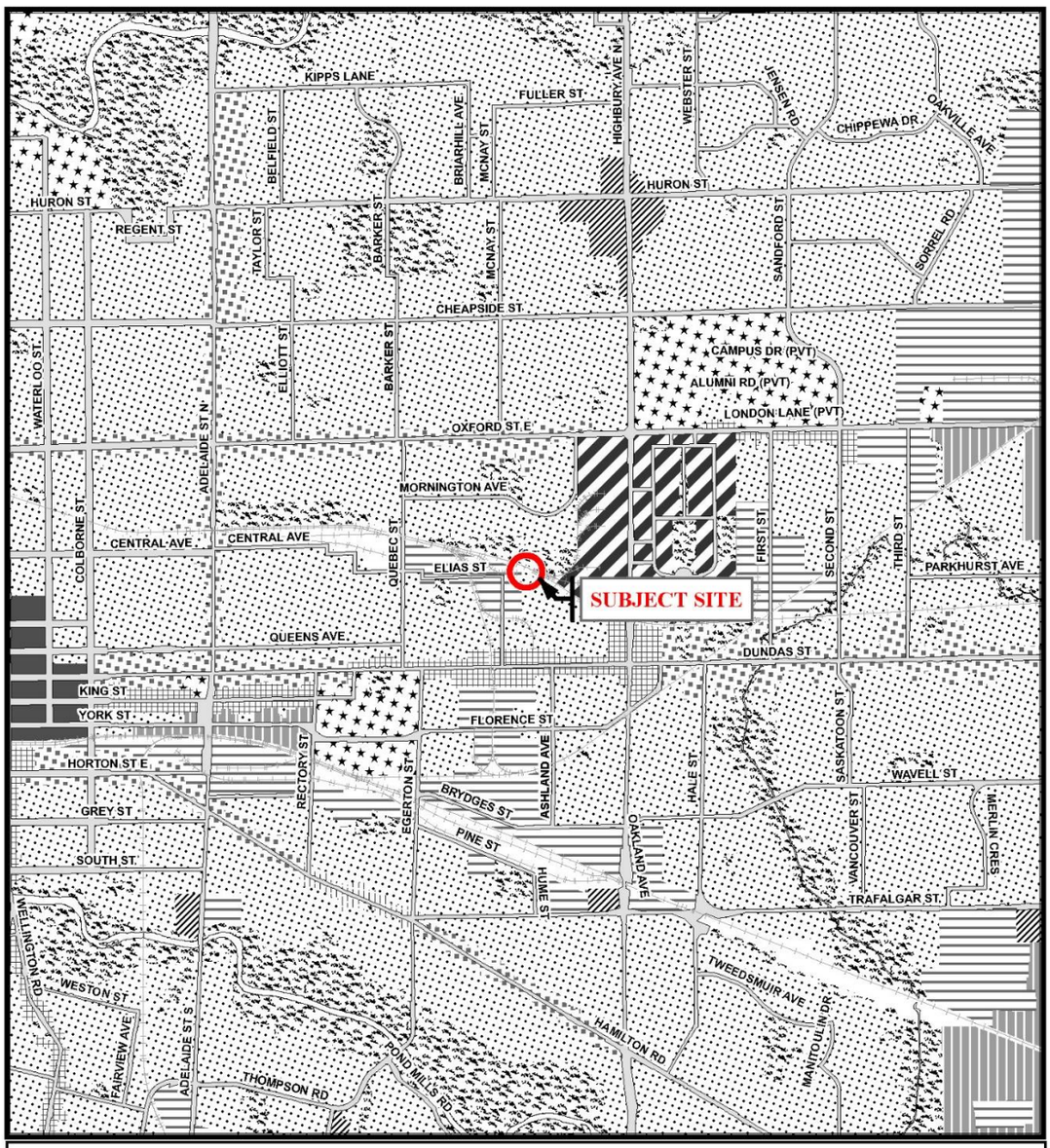
PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

FILE NUMBER:	Z-9374
PLANNER:	CM
TECHNICIAN:	RC
DATE:	2021/10/06

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

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

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

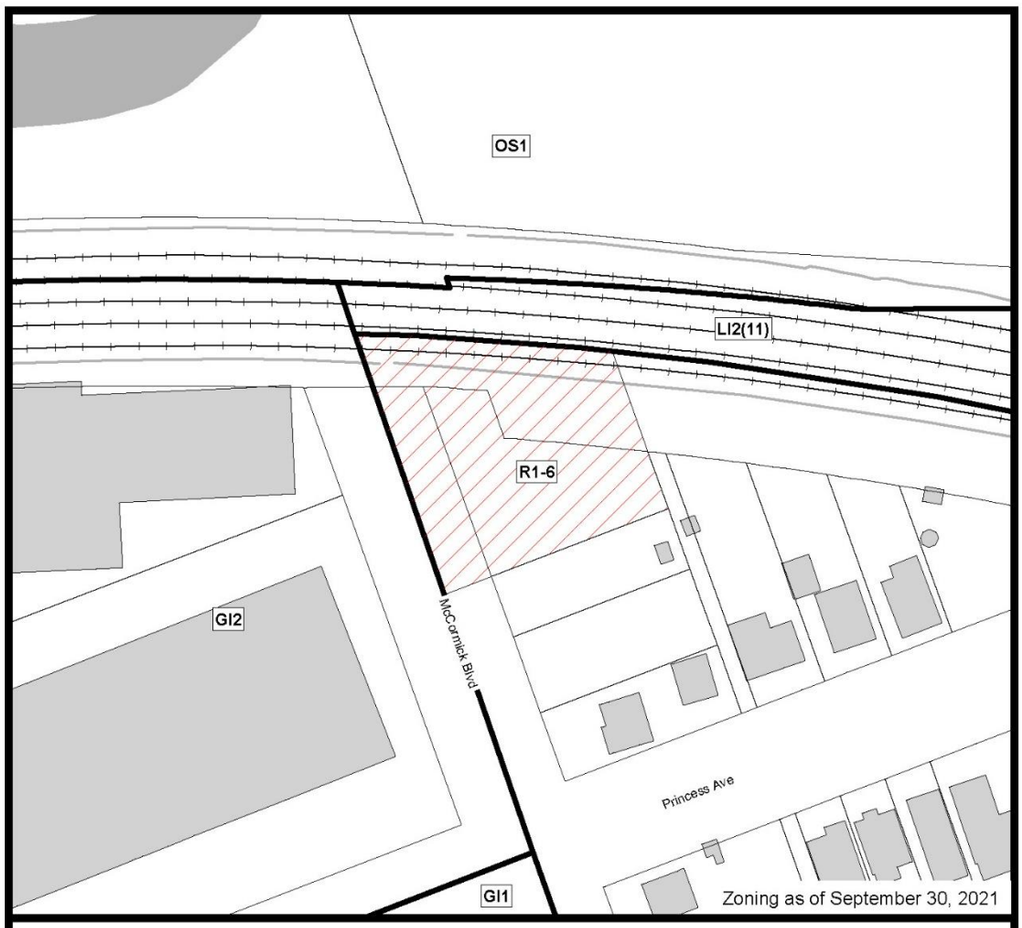
PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	Z-9374
Planner:	CM
Technician	RC
Date:	October 6, 2021

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9374-Map1-PlaceTypes.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-9374 CM

MAP PREPARED:
2021/10/06 rc

1:1,000
0 5 10 20 30 40
Meters

PUBLIC PARTICIPATION MEETING COMMENTS

3.6 PUBLIC PARTICIPATION MEETING – 512 McCormick Boulevard (Z-9374)

- Councillor Hopkins: I would like to go to staff for a brief presentation. Thank you. Any technical questions from the Committee? Councillor Lehman.

- Councillor Lehman: Through you Chair to staff are there any constraints on what would be allowed to be grown there?

- Catherine Maton, Senior Planner: Through you Madam Chair, I'm just going to pull up the definition for Urban Agriculture. There is a restriction on cannabis. That there's no cannabis permitted to be grown on site. Essentially the Urban Agriculture definition means the use of lands, buildings or structures for the purpose of growing, sharing and distributing food or beverage and may include the processing of food or beverage by the use of hand tools or small-scale light mechanical equipment. As I said, there is a restriction that does not permit the growing, processing, distribution or retail sales of cannabis but it doesn't appear there's any restriction on the type of food that's grown.

- Councillor Lehman: Thank you.

- Councillor Hopkins: Thank you that. Any other technical questions of staff? If the Committee will allow me, I do have a quick technical question and that's got to do with the height of these containers. I understand that stacking is allowed but vertical stacking is prohibited so my question is what is that and how high are these containers or can be?

- Catherine Maton, Senior Planner: Through you Madam Chair, the containers are 2.9 metres tall. The concern was that they could be stacked multiple containers high and that would result in an unsightly streetscape and would, of course, make the containers much taller than they would as a single unit. The special provision is intended to prohibit that, to ensure that it's just the single unit without multiple stacked high. In theory, the side yard setback is relative to building height and so without that special provision prohibiting the stacking there was a concern that provided they could provide a larger setback, it could open the opportunity for having the stacking. We wanted to ensure that prohibition was there.

- Cuncillor Hopkins: Thank you for that information. I'd like to now go to the applicant.

- Hello Madam Chair. My name is John Fleming. It's nice to see you again. I am serving as the agent for Derek Panzer and Rich Kane who are the applicants for this particular application. I want to start out by thanking Catherine Maton, Michael Tomazincic and Catalina Barrios, a team that's really helped us out through this application process and my hat goes off to them. As you have heard, the idea here is to take a vacant site, it hasn't been developed. The Old East Village has grown up around it and used it for growing food. We think it's a great opportunity. Up to 1,000 head of lettuce can be grown in one of these containers per week so this is real. It's a kind of urban agriculture use and opportunity that we think Council's been looking for and quite excited by the opportunity to take this site that's sandwiched between a hydro substation and the CPR tracks across from industrial uses and make it work. Finally, I will just say that the intention is to distribute the food within the Old East Village to restaurants, markets, the Old East Village businesses and the institutions as well looking at the potential for places like Fanshawe College and some of the social services that are in that area. We're

here to answer any questions that you do have and we do agree with the recommendation of staff and, again, very appreciative of their help. Thank you.

- Councillor Hopkins: Thank you Mr. Fleming. Welcome in a different, wearing a different hat to Planning and I know you have been quite involved in the urban agriculture areas of London as well. I will go to the public. Is there anyone here from the public that would like to make comments to this recommendation?

- Heather Lysynski, Committee Clerk: Darlene Shaw.

- Councillor Hopkins: Is it Ms. Shaw?

- Jay Shaw: Hello there.

- Councillor Hopkins: Or Jay?

- Jay Shaw: This is Jay speaking.

- Councillor Hopkins: Yes Mr. Shaw. If you could state your name and address if you wish and you have up to five minutes. Please proceed.

- Jay Shaw: Okay. Great. Thank you. My name is Jay Shaw. My address 1172 Princess Ave. We border on the property. We would be directly behind the property of the development. We really think it's a great idea for use of space, an excellent idea as opposed to something else. It's urban agriculture and we are really thrilled about that idea. Our only concern was the noise generated by the temperature control units. We'll have eight of them right next door. It would be like having eight air conditioners going all the time so we're just concerned about the noise level there. Other than that we think it's a great idea.

- Councillor Hopkins: Thank you.

- Jay Shaw: Thank you.

- Councillor Hopkins: Is there anyone else from the public that would like to make their comments to this recommendation?

- Derek Panzer on the line, the applicant. Thanks everyone. I just wanted to join and thank staff for their support and help with this and answer any questions that you may have of me. I'll turn it over to you.

- Councillor Hopkins: Thank you for being here. I'll ask one more time if there's anyone here from the public and with that I will go to Committee members to close.

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: **560 and 562 Wellington Street**
Public Participation Meeting
Date: **November 1, 2021**

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of 560 Wellington Holdings Inc., relating to the property located at 560 and 562 Wellington Street:

(a) The request to amend the *Official Plan (1989)* to change the designation **FROM** a Low Density Residential designation, **TO** a Multi-Family, High Density Residential Designation, and to **ADD** a Specific Area Policy in Chapter 10 – Policies for Specific Areas, **BE REFUSED** for the following reasons:

1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.
2. The proposed development does not conform to the *Official Plan (1989)* as it does not meet the criteria to establish new lands as Multi-Family, High Density Residential designation, does not conform to the policies of the Woodfield Neighbourhood Specific Residential Area, and does not conform to the Near Campus Neighbourhood Area policies.
3. The proposed development represents an over-intensification of the site and does not pass all of the criteria of the Planning Impact Analysis.
4. The proposed development is not in keeping with the West Woodfield Heritage Conservation District Plan.
5. The subject site does not have any unique attributes which would warrant a Specific policy to allow the proposed development.

(b) The request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Office (OF1) Zone, **TO** a holding Residential R10 Special Provision (h-5*R10-5(_)) Zone, **BE REFUSED** for the following reasons:

1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.
2. The proposed development does not conform to the *Official Plan (1989)* as the requested Multi-Family, High Density Residential designation is not recommended for approval.
3. The proposed development and requested zoning represent an over-intensification of the site and do not pass all of the criteria of the Planning Impact Analysis.
4. The proposed development is not in keeping with the West Woodfield Heritage Conservation District Plan.

Executive Summary

The proposed development is for a 17 storey, mixed-use apartment building with 173 residential units, ground floor commercial space of 247m² and 219 parking spaces. The initial application was submitted on February 27, 2015 for a 25 storey building, and based on the public circulation and review of the application a second submission was

provided for a 22 storey building. The application for the 22 storey building was considered by the Planning and Environment Committee and Municipal Council in May of 2017, and was referred back to staff to continue working towards a development that could be supported.

The site is within a prominent central location opposite Victoria Park and within a low density residential neighbourhood and a heritage conservation district. The site is also within the Woodfield Neighbourhood Specific Residential Policy Area and the Near Campus Neighbourhood area, which both identify retention and preservation of the existing neighbourhoods and contemplate sensitive infill development forms only. The proposed amendment was deemed to be complete prior to *The London Plan* approval by Municipal Council and has been evaluated on the policies of the *Official Plan (1989)*.

The proposed development represents a significant height and density that is inconsistent with the surrounding neighbourhoods and would be better suited to a location that contemplates and supports high-rise intensities, like the Downtown. Despite the central location of the site, and convenient proximity to transit and services, it is not identified, nor appropriate for the consideration of such high-intensity, high-rise development forms. The proposal is not compatible with the adjacent and surrounding low density residential neighbourhoods, does not provide adequate buffering or transitions to adjacent low-rise built forms and does not represent good planning.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended refusal is to maintain the existing Official Plan Designation as Low Density Residential and to maintain the existing Office (OF1) Zone on the property.

Rationale of Recommended Action

It is recommended that this application be refused for the following reasons:

1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.
2. The proposed development does not conform to the *Official Plan (1989)* as it does not meet the criteria to establish new lands as Multi-Family, High Density Residential designation, does not conform to the policies of the Woodfield Neighbourhood Specific Residential Area, and does not conform to the Near Campus Neighbourhood Area policies.
3. The proposed development represents an over-intensification of the site and does not pass all of the criteria of the Planning Impact Analysis.
4. The proposed development is not in keeping with the West Woodfield Heritage Conservation District Plan.
5. The subject site does not have any unique attributes which would warrant a Specific policy to allow the proposed development.

Linkage to the Corporate Strategic Plan

The Strategic Plan provides direction through Building a Sustainable City and Strengthening Our Community. Building a Sustainable City includes growth and development that is well planned and directed to strategic locations. The subject site is near, but not within a strategic location for growth and intensification. The Strategic Plan identifies that Strengthening our Community so that they have a strong character and sense of place is achieved by ensuring that new development fits within and enhances its surrounding community, and that London’s heritage properties continue to be conserved. The site is within a heritage conservation district which promotes retention of existing building stock and sensitive infill development.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration, the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes intensification and efficient use of existing urban lands and infrastructure within strategic locations such as the downtown, transit villages and corridors. While the site is centrally located with proximity to transit services, it is not within an area identified to support the level of growth and intensification requested. Substantial development intensity should be directed to the strategic locations for growth like the downtown where they contribute best to achieving a compact and efficient development pattern that meets the intent of the Climate Emergency.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 8, 2017 – Planning and Environment Committee: Planning report recommending refusal of 22 storey proposal

April 30, 2018 – Planning and Environment Committee: Planning report recommending staff undertake a comprehensive plan for the properties surrounding Victoria Park

1.2 Planning History and Timeline

February 27, 2015: The application for Official Plan and Zoning By-law Amendment was accepted as complete for a 25 storey building.

June 1, 2016: The application was requested to be placed ‘on-hold’ by the applicant following initial circulation and comments.

December, 2016: Resubmission of materials for the ‘second submission’ which included a lower building of 22 storeys.

May 8, 2017: The second submission proposal was brought forward to the Planning and Environment Committee meeting with a staff recommendation for refusal.

May 16, 2017: Municipal Council referred the matter back to staff to continue to work with the applicant to submit a revised proposal that is more compatible with the surrounding context and planning framework.

April 30, 2018: Report to Planning and Environment Committee recommending that planning staff be directed to review the existing plans, policies and guidelines that apply to the properties surrounding Victoria Park comprehensively.

May 8, 2018: Municipal Council directed staff to undertake a comprehensive (Secondary) plan for the properties surrounding Victoria Park.

June, 2021: Resubmission of materials for the ‘current proposal’ for a 17 storey building were received and circulated.

1.3 Subject Site and Surrounding Context

The subject lands are located across from Victoria Park, on the east side of Wellington Street and north of Wolfe Street within the West Woodfield Heritage Conservation District. The subject lands currently consists of a two storey office building at 562 Wellington Street and a five storey office building at 560 Wellington Street. There were previously three stately homes on the subject lands that were demolished in the early 1970’s.

Figure 1: Existing Buildings

The site is located between the low-rise, single detached dwellings that comprise the majority of Woodfield (east) and the large open space that is Victoria Park (west). Buildings on Wolfe Street and Wellington Street (north of the subject site) have a consistent heritage character and are designated under Part V of the Ontario Heritage Act as part of the West Woodfield Heritage Conservation District Plan.

Immediately to the north of the site are three converted residential buildings. Two of these buildings have A-Ratings and one has a B-Rating in the West Woodfield Heritage Conservation District Plan. Wolfe Street is characterized by single detached dwellings between the subject property and Waterloo Street, some of which have been converted to office or multiple-unit residential uses. Of the 20 other properties on Wolfe Street west of Waterloo Street, 14 have A-Ratings, 5 have B-Ratings, and one has a D-Rating in the West Woodfield Heritage Conservation District Plan.

The property directly to the south of the subject site located at 556 Wellington Street is currently used as a surface parking lot and is within a Downtown Area (DA1(1)) Zone. Despite the site being within an Office Area designation in the *Official Plan (1989)* and the Neighbourhoods place type in *The London Plan,* it permits high-rise development with a wide variety of land uses. The West Woodfield Heritage Conservation District Plan contemplates redevelopment of 8-10 storeys at 556 Wellington Street, however, the current zoning allows a maximum height of 90m with required stepbacks. A public site plan meeting was held on September 21, 2020 as part of application SPA19-046, and was endorsed by Municipal Council for approval.

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

- *Official Plan (1989)* – Low Density Residential designation
- *The London Plan* – Neighbourhoods Place Type
- Existing Zoning – Office (OF1) Zone

1.5 Site Characteristics

- Current Land Use – two office buildings
- Frontage – 45.7m (Wolfe Street)
- Depth – 47.5m (Wellington Street)
- Area – 0.22 hectares
- Shape – square

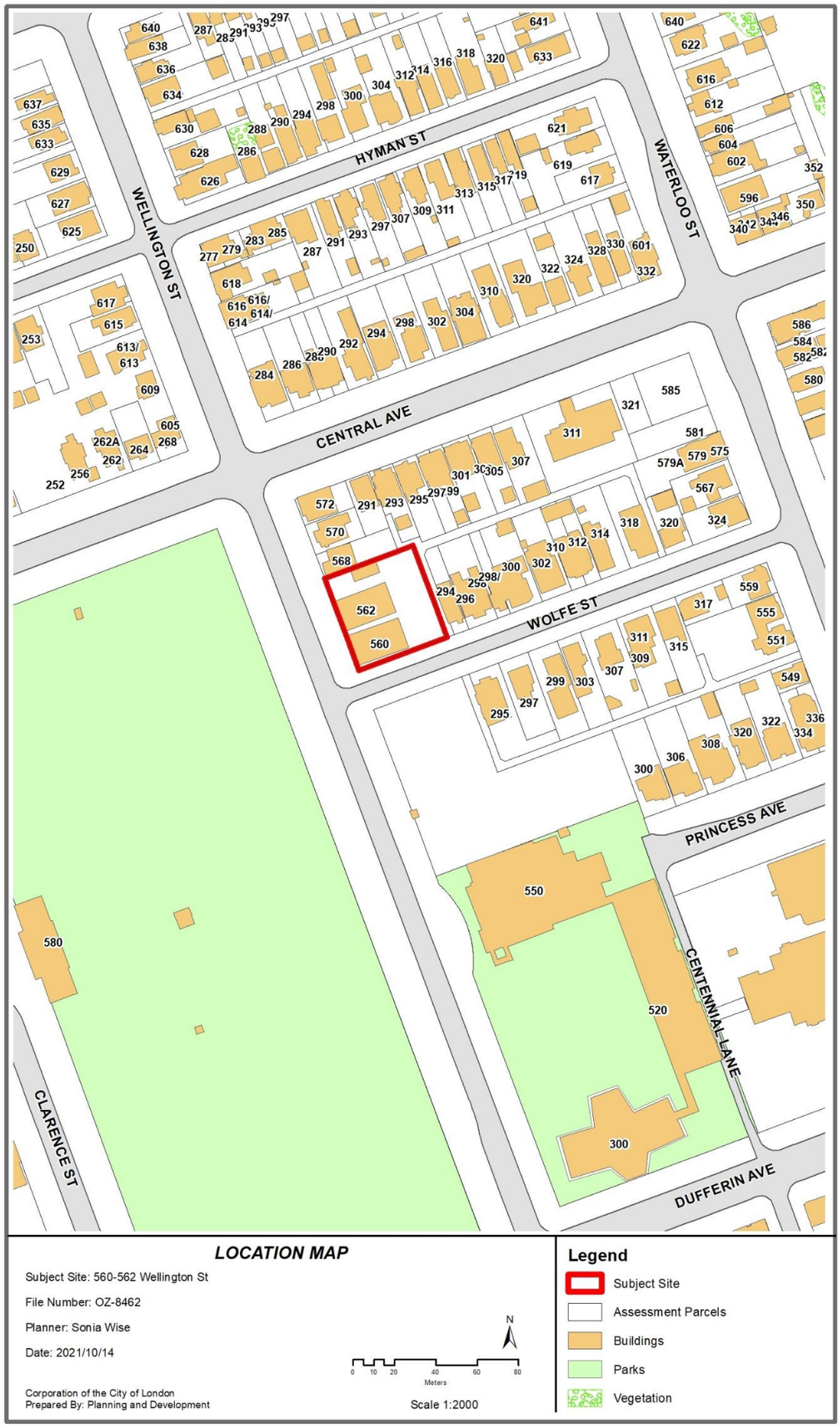
1.6 Surrounding Land Uses

- North – converted residential uses
- East – low density residential uses
- South – surface parking and future development
- West – open space (Victoria Park)

1.7 Intensification

- The 173 residential units represents intensification within the Built-Area Boundary and Primary Transit Area.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Requested Amendment

An Official Plan and Zoning By-law Amendment have been received for the consideration of a mixed-use apartment building on the subject site. The proposed development is for a 17 storey, mixed-use apartment building with 173 residential units, ground floor commercial space of 247m² and 219 parking spaces. An Official Plan Amendment is requested to change from the existing Low Density Residential designation to a Multi-Family, High Density Residential designation, and to add a specific policy in Chapter 10 to allow for the proposed intensity of 800 units per hectare. A Zoning By-law Amendment is requested to change from the existing Office (OF1) Zone to a holding Residential R10 Special Provision (h-5*R10-5(_)) Zone, with special provisions for increase lot coverage, reduced and alternative landscaped open space, reduced building setbacks, site-specific height, increased density, and a range of ground floor commercial uses. The current proposal is the third iteration of the project, which evolved from the initial proposal of 25 storeys and a second submission at 22 storeys.

2.2 Initial Proposal

The initial proposal submitted in February, 2015 consisted of:

- 25 storey building (85m)
- 4 storey podium
- 188 residential units
- Ground floor commercial space with a floor area of 375m²
- 280 parking spaces

Figure 2: Initial Design (25 storeys) – West and South elevations

2.3 Second Submission

A revised design was submitted in December, 2016 which consisted of:

- 22 storey building (78m)
- 3 storey podium
- 151 residential units
- 700uph
- 1 commercial retail unit with a floor area of 285m²
- 263 parking spaces

Figure 3: Second Submission (22 storeys) – West and South Elevations

2.4 Current Proposal

The current proposal (third submission) consists of:

- 17 storey building (61m)
- 3 storey podium
- 173 residential units
- density of 800uph
- 1 commercial retail unit with 247m²
- 219 parking spaces

Figure 4: Current Proposal (17 storeys) – South and West Elevations

2.5 Public Consultation

Public notice was provided as part of the initial application on March 19, 2015, a revised notice of application for the second submission was provided on January 4, 2017, and a revised notice of application for the current proposal was provided on June 28, 2021. There were 38 comments received after the first notice of application in 2015, and 27 individual comments were received after the revised notice was posted in 2017. In

addition to these individual comments a petition was received after the first notice that opposed the proposed development and included 546 signatures. A petition containing 38 signatures was received after the second notice was sent in opposition to the proposed development. The majority of the comments received opposed the proposed development and are available in more detail in Appendix A of this report.

There were 12 written comments received during the current proposal circulation. A summary of comments and concerns including the following:

- Impacts on park and ability to hold events in Victoria Park
- Shadow and wind effects will degrade the park
- Increased traffic and pedestrian safety
- Height is not sympathetic to the Neigbourhoods Place Type or the heritage conservation district
- Not an area identified for high-density development
- Too big for site and numerous changes required
- Proposal does not conform to policy framework including official plan and heritage policies
- No space for on-site plantings
- Precedent setting development will degrade the Heritage Conservation District
- Two submissions were supportive of the proposal and design

2.6 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages settlement areas (1.1.3) to be the main focus of growth and that their vitality and regeneration shall be promoted. Appropriate land use patterns within settlement areas are established by the Official Plan policies that designate areas of growth and development, and areas of preservation like the subject site. The PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns (1.1.1.a.). The proposed development represents a high-rise and intense built form that is inconsistent with the established land use pattern and surrounding neighbourhood.

The policies of the PPS also direct planning authorities to identify appropriate locations and promote opportunities for residential intensification and redevelopment (1.1.3.2.b) and 1.1.3.3) where this can be accommodated, while promoting appropriate development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The PPS also promotes the long-term economic prosperity by maintaining, and where possible, enhancing the vitality and viability of downtowns and mainstreets (1.7.1.d). The proposed development is located in a central area near the downtown but, is not within a designated growth area where intensification of the proposed scale would be desirable, or located within the Downtown designation where this level of intensity would be contemplated to enhance the downtown vitality.

The PPS directs that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of affordable and market-based residential types to meet long-term needs (1.1.1.b). The City's typical approach for intense development applications in identified growth areas is to require bonus zoning to support additional intensity, which has consistently included affordable housing as a priority for bonusable facilities, services or matters. The site-specific requested amendment is not consistent with the City's standard approach, and does not provide any measurable public benefit such as affordable housing that would normally be expected through a bonus zone that is consistent with the planning framework.

The PPS also states long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources (1.7.1.e). Further, the PPS identifies that significant built heritage resources "shall be conserved" (2.6.1). The site is a designated property within the West Woodfield Heritage Conservation District which is an area of significant cultural heritage

that is intended to be preserved and retained with only sensitive infill development contemplated that is in keeping with the established character.

2.7 Official Plan Policy Framework

The requested amendment was initially received in February of 2015 and the in force and effect policies at the time of the application acceptance were the *Official Plan (1989)* policies. The *Official Plan (1989)* policies are the determinative policies for the evaluation of the proposed amendment and all other official plan policies referenced in this report reflect policy direction without the same status.

In June of 2016 Council adopted *The London Plan*, the new Official Plan for the City. Following the adoption, a site-specific appeal to *The London Plan* was received for 560 and 562 Wellington Street. *The London Plan* policies referenced in this report provide Council's recently approved direction for the site, the area, and the City as a whole, but are not considered as the in-force or determinative, Official Plan policies for this application.

In May of 2018 the Victoria Park Secondary Plan was initiated by Council direction for the lands surrounding Victoria Park, including the subject site. As a result of the secondary plan process there have been background studies and community consultation undertaken to develop a draft Victoria Park Secondary Plan. The draft Secondary Plan has not been adopted by Municipal Council at this time, and does not represent approved Council direction.

3.0 Financial Impact/Considerations

There are no financial impacts or considerations for this proposal.

4.0 Key Issues and Considerations

4.1 Location

The City Structure Policies direct high and medium density residential development to appropriate areas within and adjacent to the Downtown, near the periphery of Regional and Community Shopping Areas, and in selected locations along major roads specifically along transit nodes and corridors and near Open Space designations. It is recognized that through infill, intensification and redevelopment, some high and medium density residential projects may be permitted in areas which have not been identified as preferred locations. The approval of these developments will be based on the ability of a site to accommodate development in a manner which requires compatibility concerns be addressed (Section 2.4.1 vi).

The subject site is within the Low Density Residential designation, and within two specific policy areas: the Near Campus Neighbourhood Area and the Woodfield Neighbourhood Specific Residential Policy Area. The Low Density Residential designation typically permits low-rise forms of development and up to four storeys and 75 units per hectare through the residential intensification policies. The Woodfield Neighbourhood Specific Residential Policy Area recognizes that the area is characterized by predominantly low density residential development and the policy intent is to maintain the neighbourhood as a low density residential area (3.5.4). The Near Campus Neighbourhoods policies apply to lands in proximity to the University of Western Ontario of Fanshawe College. The policies encourage appropriate intensification and direct preferred forms of intensification to appropriate locations.

The requested amendment is to change the land use designation from a Low Density Residential designation to the Multi-Family, High Density Residential designation in the *Official Plan (1989)*. Location Criteria are provided for new High Density Residential designations in Section 3.4.2 of the *Official Plan (1989)*. The preferred locations include those areas predominantly composed of existing or planned high density residential development, areas near the periphery of the Downtown that are appropriate for redevelopment, lands in close proximity to major commercial nodes, regional facilities

and open spaces, and lands abutting or proximate to arterial or primary collector roads (3.4.2).

The subject site meets some of the location criteria as it is located in Central London, on an arterial road (Wellington Street) and across from a designated open space (Victoria Park). The site however, is not in a location composed of existing or planned high density residential, and with the exception of the lands to the south, are surrounded by low rise residential uses. While there are certain locations in the periphery of the Downtown that are designated as Multi-Family, High Density Residential, this site is not within one of those areas and the various policies that apply to the lands identify preservation and conservation of the low-rise character for new developments.

Within the Near-Campus Neighbourhoods Specific Policy Areas, appropriate locations for intensification are identified as those that are designated as Multi-Family, Medium and High Density Residential that are located along major roads and well served by transit (3.5.19.6). The areas designated Low Density Residential within the Near-Campus Neighbourhoods, allow for Residential Intensification based on criteria that includes: if the proposal is unique within its context, if the proposal is appropriate in size and scale, if mitigation measures are incorporated to ensure the amenity of the surrounding residential land uses is not negatively impacted, the proposal demonstrates that all heritage attributes and resources are conserved, and that a positive and appropriate precedent for similar proposals is established (3.5.19.10). The proposed development is within an existing low density residential neighbourhood which is not considered a unique situation and could be considered precedent setting. The proposed scale and size of the tower represents a significant departure from the policy framework and does not provide mitigation or buffering to the surrounding residential areas, which are designated properties within the West Woodfield Heritage Conservation District.

The site is located within an established residential neighbourhood, and recommended to be retained in the existing Low Density Residential designation. The existing designation allows for a modest amount of redevelopment and range of uses that is consistent with the site context within the Woodfield Neighbourhood Specific Residential Policy Area, the Near Campus Neighbourhood Area, and the West Woodfield Heritage Conservation District, that directs retention and preservation of the existing building stock, and is addressed further in section 4.5 of this report.

4.2 Use

Lands within the Low Density Residential designation primarily allow for low-rise, low-density housing forms, with residential intensification that contemplates building heights up to four storeys, and up to 75 units per hectare.

The requested amendment would allow a high-rise apartment building with ground floor commercial space. The existing designation contemplates apartment buildings as a permitted use, and the apartment building ‘use’ is not considered to be an inappropriate land use for the subject site; it is the scale and intensity of the apartment building use that is not supported. The 17 storey form and 800 units per hectare represents a significant departure from the existing and requested permissions, which is outlined further in section 4.3 – Intensity, and section 4.4 – Form, of this report.

Part of the requested amendment is to also allow for a limited amount of ground floor commercial space as: art galleries, bake shops, convenience stores, dry cleaning and laundry depots, financial institutions, personal service establishments, florist shop, small-scale grocery or food store, restaurants, retail stores, studios and video rental establishments. The *Official Plan (1989)* generally encourages new convenience commercial uses to locate in the Commercial designations, but they may be permitted in the Multi-family, High Density Residential by Official Plan amendment and zoning change, subject to locational and scale criteria (Section 3.4.1 ii). If the site was considered to be appropriate for high-rise residential uses, then there could likewise be consideration for the commercial uses requested. The high-rise, apartment building proposed is not supported or recommended, which extends to the commercial uses requested as they are secondary in nature and subordinate to the high-rise residential

uses.

The existing Low Density Residential designation is consistent with the surrounding area, provides for an appropriate range of low-rise development forms and is recommended to be retained for the subject site.

4.3 Intensity

The current maximum density on the subject property is 75 units per hectare, and the standard maximum density in the Multi-Family, High Density Residential designation on sites within Central London is limited to 250 units per hectare. The requested amendment is for a density of 800 units per hectare with 173 residential units.

In the Multi-Family, High Density Residential designation, the *Official Plan (1989)* may permit development that exceeds standard maximum densities and heights through the use of a bonus zone (3.4.3.iv). This application is not proposing a bonus zone which is the standard approach set out by the policy framework and identifies only the site-specific Official Plan and Zoning By-law Amendment to support the request. If a bonus zone had been requested the development would be assessed under those provisions, though would still be required to fit in the context of the built form, as the *Official Plan (1989)* requires that “the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses” (Policy 19.4.4).

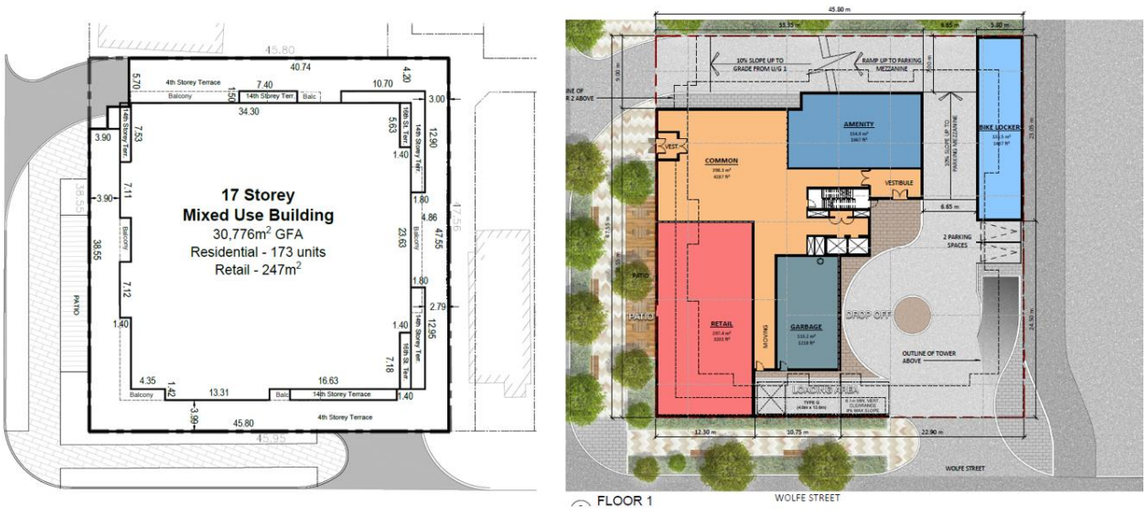


Figure 5: Site Concept Plan and Floor Plan

The use, intensity, and form of development that is proposed is what is generally envisioned and contemplated in the Downtown designation. The Downtown is distinguished from other areas in the City by its intensive, multi-functional land use pattern, and the delineation of the Downtown designation is “conducive to its development as a compact, densely built-up area” (4.1.3). The boundary of the Downtown designation is considered to be sufficient to accommodate considerable growth and redevelopment to promote vibrant activity and vitality.

While the site is close to the Downtown area, it is not within the boundary, and the type of development that would be contemplated by the Downtown designation is not appropriate in an established low-rise residential neighbourhood. The most intensive development forms in the City are strategically located in the downtown to promote revitalization and a compact development form. Allowing intensive developments outside of the Downtown can result in a less intense core and development pattern where the greatest intensity is not in the most beneficial location to contribute to, or gain from, the central location.

In the Woodfield Neighbourhood Specific Residential Policy Area, the Low Density Residential neighbourhoods within the area bounded by Wellington Street, Pall Mall Street, Waterloo Street and Princess Avenue shall only provide for infill where it is clearly compatible with the character, scale and intensity of the residential neighbourhood in this area (3.5.4). Similarly, one of the Near Campus Neighbourhood

policies for consideration of new development within the Low Density Residential designation is if the proposal is an appropriate size and scale, and does not represent an over-intensification of the site (3.5.19.10.iv). There is a high building coverage proposed with minor tower stepbacks from the podium edge, and 173 residential units that equate to 800 units per hectare. The intensity proposed represents an over-intensification of the site and is not considered to be an appropriate size and scale to integrate with the existing neighbourhood.

The proposed amendment is of a scale and intensity that would typically be suitable for consideration within the Downtown designation, and is not consistent with the level of intensity found in Central London, or contemplated by the Woodfield Neighbourhood or Near Campus Neighbourhoods policies. The existing Low Density Residential designation allows for an intensity of 75 units per hectare, and is recommended to be retained for the subject site.

4.4 Form

One of the overall objectives for the Multi-Family, High Density Residential designation is to promote the design of high density residential developments that are sensitive to the scale and character of adjacent land uses (3.1.4.iii). The subject site abuts a low-rise residential neighbourhood to the north and east and represents a high-rise development form with significant intensity in proximity to sensitive uses. Development proposals are further guided by the urban design principles in Chapter 11 for evaluation and review, including:

v) Architectural Continuity: The massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity or which are recognized as being of cultural heritage value or interest.

The site is within the West Woodfied Heritage Conservation District with low density heritage dwellings to the north and east. The massing of the 17 storeys is not considered to provide continuity of the existing low-rise form, or represent a harmonious fit with the existing architectural styles in the surrounding neighbourhood.

Figure 6: Rendering along Wellington Street

viii) Pedestrian Traffic Areas: In pedestrian traffic areas, new development should include street-oriented features that provide for the enhancement of the pedestrian environment, such as canopies, awnings, landscaped setbacks and sitting areas.

The site is within a central location and across from a major pedestrian destination point (Victoria Park). The podium feature along the street level provides a pedestrian-scale environment, however past iterations of the built form provided greater tower setbacks from the edge of the podium which was more successful in terms of minimizing the building mass from the street level. The proposed development has a building coverage of 95% which does not facilitate grade level landscaping, and a special provision is requested to consider green rooftop space as landscaped open space, which is not

supported and expressly excluded in the Zoning By-law as it would not provide any beneficial screening, buffering or pedestrian amenity or enhancement at street level.

Figure 7: Rendering – South view

ix) Access to Sunlight: The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets. In reviewing proposed developments, access to sunlight for adjacent properties should be maximized to enhance the potential for energy conservation and the amenity of residential areas and open space areas, such as parkettes and outdoor plazas.

The initial submission was a taller and more slender tower. Through revised submissions, the tower has become shorter but squatter in nature, which is less effective in mitigating shadowing. The overall massing of the building proposed in such close proximity to adjacent uses without the benefit of setbacks and stepbacks will exacerbate shadow impacts.


Figure 8: Southwest and West Renderings

On July 21, 2021, the Urban Design Peer Review Panel considered the proposed development and offered comments regarding:

- Reducing the building massing to be more aligned with previous versions
- Reducing the tower floorplate
- More careful consideration of articulation and material change
- A more cohesive building design for the podium and tower
- Removal of vehicular access point on Wellington Street
- Incorporate additional landscaped open space by revising the site design and layout.

City of London Urban Design staff have reviewed the application and commended certain positive features such as the continuous built edge along Wellington Street and Wolfe Street, the active ground floor uses, the location of the majority of the parking underground and the use of the articulation, colour and material change. There are however, numerous revisions suggested and concerns with the design based on the following comments:

- The building height and mass should be further reduced to be more compatible with the surrounding built form context and proximity to Victoria Park
- No functional setbacks are provided for the building along all sides of the property
- No significant transition in height and massing to minimize shadow, overlook, privacy, and show compatibility
- No parking or loading areas should be located at the ground and upper floors of the podium
- Include more functional outdoor amenity space on site

The proposed built form offers some positive features, though there are substantial design consideration and revisions that have been identified. Further, this type of built form is fundamentally in a location that would not support such height and intensity.

4.5 Heritage

Heritage is a prominent planning issue of consideration in this application, as the subject lands are within the West Woodfield Heritage Conservation District (WWHCD) Plan area. The evaluation of the submitted Heritage Impact Assessment and the WWHCD Plan provide a detailed analysis of heritage planning considerations and express concerns with regards to the scale of the proposed building.

The PPS provides strong policy support for the conservation of heritage resources. Section 2.6.1 states that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.” The subject lands are located within a Heritage Conservation District, and as such, considered a significant heritage resource. Any planning decision regarding this property shall conserve its heritage attributes.

In the *Official Plan (1989)*, policies identify that the historic perspective of the City will be recognized through the preservation and/or rehabilitation of older commercial, institutional and residential structures which have heritage value on the basis of their cultural heritage value or interest (Section 2.4.1 xix). The general objectives for residential designations the *Official Plan (1989)* include to “encourage the maintenance of buildings and/or areas considered by Council to be architecturally and/or historically significant to the community” (Policy 3.1.1.ix). The site is within a prominent location in a heritage conservation district which promotes retention and preservation over intensive redevelopment.

There is a high standard for compatibility of development that is within a heritage conservation district, specifically the West Woodfield neighbourhood. The *Official Plan (1989)* directs that “Council shall be guided by the policies of this Plan and the Heritage Conservation District Plan” (Policy 13.3.5). It goes on to state specifically about West Woodfield that “it is the intention of Council to maintain, protect, and conserve the West Woodfield Heritage Conservation District” (Policy 13.3.8.4). While the proposed development has certain positive built form attributes such as use of materials that are

compatible with the West Woodfield neighbourhood and a pedestrian scaled podium, its form does not align with the policy direction to preserve the West Woodfield neighbourhood character.

Some inconstancies between the proposed development and the WWHCD Plan include:

- High-rise buildings may be redeveloped at +/- 1 storey from the existing building height. In this context five storeys represents a tall building relative to the surrounding built form and is considered to be a high-rise building (Policy 4.3.c).
- Criteria for new development must include consideration of surrounding development patterns. The prevailing development pattern around the subject property includes single detached structures at 2-3 storeys (Policy 8.2.3).
- The HCD Plan recommends that a transition be provided to neighbouring development. The abrupt transition of 2-storeys to 17-storeys on adjacent properties is not consistent with the policy (Policy 8.1.9).
- The subject property is on the opposite site of Wolfe Street from the "City Hall Precinct," which includes City Hall, Centennial Hall, and the surface parking lot at the Southeast corner of Wolfe and Wellington. The HCD Plan contemplates a maximum height of 8-10 storeys in this precinct so as not to detract from the prominence of City Hall. It is logical that the subject lands, which are between the City Hall Precinct and existing low-rise development would continue the transition downward in height, rather than represent a new high-rise form that would need further buffering and transition.

On September 8, 2021, the revised application was considered by the London Advisory Committee on Heritage, and Municipal Council resolved on October 5, 2021 to advise staff 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."

Heritage staff have also reviewed the proposed development and Heritage Impact Statement and concluded the following:

New development should first be guided by good planning and urban design practices and issues around 'good fit' – essentially to demonstrate that the new development is sensitive to, and compatible with, the existing and planned context. Regarding this very point, the proposed development at 560-562 Wellington does not demonstrate fit with the existing or planned context, or to use heritage terminology, conserve cultural heritage value or interest. Based on the review of the HIA, heritage staff is not satisfied that the height and massing of the proposal is compatible with its heritage context. Also, the HIA does not provides justification that there will be no adverse impacts on Victoria Park, the West Woodfield Heritage Conservation District as a whole, and specifically on heritage designated properties adjacent to 560-562 Wellington Street as a result of the proposed development. It has not been sufficiently demonstrated that the cultural heritage value or interest of significant heritage resources has been conserved through mitigative measures.

The proposed building is not in keeping with the West Woodfield Heritage Conservation District, does not adequately conserve cultural heritage value, and does not fit the surrounding context. The existing Low Density Residential designation is recommended for retention, which aligns with the West Woodfield Heritage Conservation District.

4.6 New Multi-Family, High Density Residential designation

Considerations for designating new lands as Multi-Family, High Density Residential include criteria that relates to built form and location for: i) compatibility, ii) municipal services, iii) traffic, iv) buffering and v) proximity to transit and service facilities.

i) Compatibility: Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area.

   The compatibility requirement in the *Official Plan (1989)* identifies that height, scale, and setbacks shall be compatible with the surrounding area, and must not detract from the character of the neighbourhood. The specific policies for the Woodfield Neighbourhood only contemplate infill that is "clearly compatible with the character" of the low density residential neighbourhood (3.5.4). The policies require a high level of sensitivity to the established context through compatibility. While the aspect of compatibility does not mean the 'exact same' development form, it refers to a harmonious fit with mitigated impacts. The proposed development is not in keeping with the established character, scale or intensity of this area, the Official Plan policies, or the West Woodfield Heritage Conservation District, and does not satisfy the compatibility criteria of this policy.

ii) Municipal Services: Adequate municipal services can be provided to meet the needs of potential development.

   A preliminary servicing study has been prepared and will need to be updated to reflect the current development proposed, though there is water, wastewater and stormwater infrastructure available for the site.

iii) Traffic: Traffic to and from the location should not have a significant impact on stable low density residential areas.

   A Transportation Impact Assessment was submitted with the initial proposal evaluating the anticipated traffic to be generated by the development. Transportation Planning and Design staff have reviewed the proposed development and have no concerns. Detailed comments regarding access design and location would be made through a possible future planning application for Site Plan.

iv) Buffering: The site or area is of suitable shape and size to accommodate high density housing and provide for adequate buffering measures to protect any adjacent low density residential uses.

   Buffering is another criteria that needs to be considered, and it has to do with the transition from low to high density built form and can be addressed through on-site measures or intervening land uses. The site area is not sufficient to provide for appropriate on-site buffering between the adjacent low-rise residential built form and the proposed 17-storey building. There is very little stepback from the edge of the podium to the tower floorplate (2.8m) to provide separation and relief of the massing of the tower to the adjacent low density residential neighbourhood, resulting in an abrupt change in height. An alternative technique for buffering is identified in the *Official Plan (1989)* policies for an intervening land use, where the Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use (3.3). This

would provide mid-rise development forms as a transition from high-rise building heights to low density residential areas. The proposed development is not providing sufficient on-site buffering to the adjacent low density residential neighbourhood.

v) Proximity to Transit and Service Facilities: Public transit service, convenience shopping facilities and public open space should be available within a convenient walking distance.

The site is within a central location with convenient pedestrian access to quality public transit, shopping and open space facilities.

The proposed development meets a number of the criteria to establish a new Multi-Family, High Density Residential designation; but not all. While the subject property has access to municipal services, does not represent an unreasonable increase in traffic and is in proximity to transit facilities and shopping, it does not represent a compatible development form, or provide sufficient buffering to the adjacent low density residential neighbourhood. In order to support the addition of a new Multi-Family, High Density Residential designation it must meet all of the criteria.

4.7 Request for Specific Policy - Chapter 10

Chapter 10 allows Council to consider policies for specific areas where one or more of the four evaluation criteria apply, and the underlying designation is intended to be maintained. The application is to change from a Low Density Residential designation to a Multi-Family, High Density Residential designation, and utilize the specific policy of Chapter 10 to allow a greater density of 800 units per hectare.

Evaluation Criteria

i) The change in land use is site specific, is appropriate given the mix of uses in the area, and cannot be accommodated within other land use designations without having a negative impact on the surrounding area.

The area is comprised of primarily low-rise residential uses to the north and east, with Victoria Park to the west, and a future development site to the south. The proposal is a site specific request for an amendment to the Multi-Family, High Density Residential designation with increase lot coverage, reduced setbacks, reduced landscaped open space and an abrupt change in height to the adjacent heritage district, which area all indicative of an over-intensification of the site.

Further, the policies set out a framework for increasing the height and or density in the Multi-Family, High Density Residential designation, which includes bonus zoning to allow for increases in density above the limits otherwise permitted in return for the provision of certain public facilities, amenities or design features. Municipal Council has identified affordable housing as a priority deliverable for bonus zoning, and the provision of affordable housing has been a standard consideration for proposals of similar intensity. There is no bonus zone requested, and no provision of services, facilities or matters that would result in a public benefit to contemplate greater intensity in this location. While the merits of the proposal would still need to demonstrate compatibility with the surrounding area and be an appropriate use for the site, the bonus zone approach would allow the proposed development to be accommodated within the Multi-Family, High Density Residential designation, without the need for a specific policy in Chapter 10. As such, the change in land use requested does not meet this criterion.

ii) The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.

The requested amendment is not to maintain the existing Low Density Residential designation, but to change to a Multi-Family, High Density Residential designation, and add the specific policy to allow for the consideration of the increased density of 800 units per hectare, where the proposed Multi-Family, High Density Residential designation that would only permit up to 250 units per hectare. As described above, the

request for such an increase in density is described in the planning framework in section 3.4.3.iv) that Council may allow an increase in the density above the limit otherwise permitted as a site specific bonus zone. Contemplating a specific policy to allow the greater density proposed would not provide any facilities, services or matters that would result in a public benefit as considered under the bonusing policies, and represents a departure from the standard approach as specified in the policy framework.

iii) The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required.

The existing Low Density Residential designation is appropriate for the lands and adequate to direct future development as the character in the area is well-established and mostly comprised of low rise residential uses and forms. The subject site is currently zoned to allow for the existing office uses, however the underlying designation is Low Density Residential which provides the future direction on land use and scale of development for any future redevelopment or adaptive reuse. The existing and future land uses in the area are consistent with the permission and intent of the Low Density Residential designation, which is recommended to be retained.

iv) The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.

The specific policy is not being requested to restrict the scale or density of development, but to permit a greater density to allow for the proposed mixed-use, apartment building. The requested specific policy to permit an increase in density represents a departure from the established approach in the policy framework which identifies that bonus zoning is the mechanism to consider increases in height or density as it provides for facilities, services and matters that result in a public benefit. There are no unique circumstances associated with the development proposal or site that would justify the creation of a new specific policy to support such a significant departure from the existing permissions of the Low Density Residential designation and the Multi-Family, High Density Residential designation, and a built form that is not providing buffering or considered to be compatible with the surrounding area.

4.8 Planning Impact Analysis

Consistent with the requirements of Chapter 3 and Chapter 10, a Planning Impact Analysis will be required on all applications for an Official Plan amendment and policies for Specific Areas to determine the appropriateness of a proposed change in land use.

a) 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 development is not compatible with adjacent built forms and there is not an adequate transition provided to adjacent low-rise forms of development. It is not consistent with the WWHCD Plan or the Woodfield Neighbourhood Policies in the *Official Plan (1989)*. This criteria is not met.

b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use.

   The site specific zoning regulations requested indicate that the site is unable to accommodate the proposed intensity. Lot coverage within the R10 zone is contemplated up to 50% maximum and the request is for 95%. The minimum landscaped open space is 20% and the request is for 0%. A request for a minimum 0m setback between the podium and all property boundaries is also required to accommodate the proposed built form. The substantial relief requested from the regulations cumulatively represent an over intensification of the site and a development form that should be located elsewhere. This criteria is not met.

c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use.

There are multiple vacant sites in areas that could accommodate this form of high density development. The site is in proximity to the Downtown where the most intensive forms of development, including the density proposed of 800 units per hectare could be considered appropriate. There are multiple plans, strategies and Municipal Council directives that encourage redevelopment and revitalization of the Downtown which does not include the subject site. This criterion is not met.

d) 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 proposed development is adjacent to Victoria Park, is in proximity to downtown and has access to transit services and community facilities. This critierion is met.

e) the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.

Municipal Council has committed to providing new affordable housing units to address the affordable housing crisis. One way that new affordable housing units are delivered is through a bonus zone in exchange for greater development height and/or density. The standard approach as described in the policy framework and common application for a proposed density of this amount is through consideration of a bonus zone. There is no bonus zone proposed, and no provision of affordable housing associated with this proposal. This criterion is not met.

f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.

The proposed building form will impact the heritage character of the surrounding properties that are within the WWHCD. The revised application is proposing a larger tower floorplate than the initial version and second version of the building, which exacerbates the impacts of shadowing and reduces the stepback from the podium that brings the building closer to the property edge. This criterion is not met.

g) 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 site does not contain desirable vegetation or natural features. This criterion is met.

h) 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.

Transportation Planning and Design staff have reviewed the proposed development and have no concerns. Detailed comments regarding access design and location would be made through a possible future planning application for Site Plan. This criterion is met.

i) 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.

The proposed development is not integrated with adjacent uses and does not provide for sufficient transition in height. The scale, bulk and form of development is not consistent with the WWHCD Plan. This criterion is not met.

j) the potential impact of the development on surrounding natural features and heritage resources.

The site does not contain any identified natural features and heritage resources. This criterion is met.

k) 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.

There are no environmental constraints identified. This criterion is met.

l) 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.

The subject property does not confirm to the *Official Plan (1989)* as it does not meet location criteria for the Multi-Family, High Density Residential designation. The proposed development is also inconsistent with the Neighbourhoods Place Type in *The London Plan*. This criterion is not met.

m) 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.

The proposed development is not in keeping with the West Woodfield Heritage Conservation District, does not adequately conserve cultural heritage value, mitigate impacts on the surrounding land uses or fit the local context. This criterion is not met.

n) impacts of the proposed change on the transportation system, including transit.

Transportation Planning and Design staff have reviewed the proposed development and have no concerns. The subject lands are well served by transit, opportunities for active mobility, and personal vehicle transportation. This criterion is met.

The proposed development does not meet 8 of the criteria contained in the Planning Impact Analysis and is not considered to be an appropriate change in land use.

4.9 The London Plan

While the requested amendment was submitted prior to Council's adoption of *The London Plan,* and *The London Plan* has been appealed in its entirety as it relates to the subject property by 560 Wellington Holdings Inc., City staff have considered whether the proposed development is consistent with the new policy direction established in *The London Plan*.

The subject lands are within the Neighbourhoods Place Type, which permits a maximum height of 4 storeys, or 6 through the approval of a Bonus Zone, along a Civic Boulevard street classification (Wellington Street). The proposed development well exceeds the contemplated heights and would not conform to the policies of the Neighbourhoods Place Type.

High-rise development similar to what is proposed on the subject property could be permitted in the Downtown or in the Transit Village Place Types of *The London Plan.* This is consistent with the findings based on the analysis completed using the WWHCD Plan and the *Official Plan (1989)*, which concludes that the proposed building is not in an appropriate location.

Conclusion

The site is within a prominent central location opposite Victoria Park, within a low

density residential neighbourhood and a heritage conservation district. The site is also within the Woodfield Neighbourhood Specific Residential Policy Area and the Near Campus Neighbourhood area in the *Official Plan (1989)*, which both identify retention and preservation of the existing neighbourhoods and promote sensitive infill development forms.

The proposed development represents a significant height and density that is inconsistent with the surrounding neighbourhoods and would be better suited to a location that would contemplate and support high-rise intensities like the Downtown. Despite the central location of the site, and convenient proximity to transit and services, it is not identified, nor appropriate for the consideration of such a highly intensive, high-rise development form. The proposal is not compatible with the adjacent and surrounding low density residential neighbourhoods, does not provide adequate buffering or transitions to adjacent low-rise built forms and overall does not represent good planning. The recommendation is for refusal and retention of the existing Official Plan designation and Zoning.

Prepared by:	**Sonia Wise, MCIP, RPP** **Senior Planner, Site Plans**
Reviewed by:	**Michael Corby, MCIP, RPP** **Manager, Development 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 – Community Consultation

Community Engagement

Public liaison: On June 28, 2021, Notice of Revised Application was sent to 108 property owners and residents in the surrounding area. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 16, 2018. A "Planning Application" sign was also posted on the site. Additional notification of the public participation meeting held on October 9, 2018 was provided on September 20, 2018.

11 replies were received

Nature of Liaison: The purpose and effect of this Official Plan and Zoning By-law amendment is to permit a 17-storey, mixed-use residential/commercial apartment building with 173 residential apartments and 1 commercial unit. Possible change to the 1989 Official Plan **FROM** Low Density Residential **TO** Multi-family, High Density Residential with a Specific Residential Area policy to permit a height of 17-storeys, a floor area ratio of 10:1, and to permit commercial uses on the ground floor. Possible amendment to the Zoning By-law Z.-1 **FROM** an Office Area (OF1) Zone **TO** a holding Residential R10 Special Provision (h-5*R10-5(_)) Zone to permit a 17-storey, mixed-use residential/commercial apartment building. The special provision is requested to add the following additional permitted uses on the ground floor: Art Galleries, Bake Shops, Convenience Stores, Dry Cleaning and Laundry Depots, Financial Institutions, Personal Service Establishments, Florist Shop, Grocery or Food Store (under 250m^2), Restaurants, Retail Stores, Studios, and Video Rental Establishments. The special provision is also requested to add the following regulations: Yard Depths of 0m from the podium portion, Yard Depths ranging between 3.0m-4.0m from the tower portion, Yard Depths ranging from 3.75m-5.5m from the top portion, a maximum building height of 61m, a maximum Floor Area Ratio of 10:1, a maximum lot coverage of 95%, a maximum density of 800uph, a minimum landscaped open space of 20%, recognizing landscaped open space areas within roof-top areas, and a minimum 0m parking area setback from a property line. Council may also consider a Policy for Specific Area (Chapter 10) and/or a Bonus zone for the aforementioned requested uses and regulations in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan.

Responses to Public Liaison Letter and Publication in "The Londoner"

A summary of comments and concerns including the following:

- Impacts on park and ability to hold events in Victoria Park
- Shadow and wind effects will degrade the park
- Increased traffic and pedestrian safety
- Height is not sympathetic to the neigbourhoods place type or the heritage conservation district
- Not an area identified for high-density development
- Too big for site and numerous changes required
- Proposal does not conform to policy framework including official plan and heritage policies
- No space for on-site plantings
- Precedent setting development will degrade the Heritage Conservation District
- Two submissions were supportive of the proposal and design

Comments Received Following Current Proposal (Notice Provided June 28, 2021)
Kate Rapson, Woodfield Community Association
Hazel Elmslie, 63 Arcadia Crescent
Fanny Latvanen, 298 Wolfe St.
AnnaMaria Valastro
J. Fooks 706-520 Talabot Street

Danya Walker, 570 Wellington Street
Burton Moon, 485 Dufferin Avenue
Mary Ann Hodge, 310 Wolfe St.
Greg Bruzas
Fred Dick, 618 Wellington St.
Ben Lansink, 507 Colborne St.
Jeff Petrie, 900-255 Queens Avenue

Comments Received Following Second Submission (Notice January 4, 2017)

Burton and Hilary Moon, 485 Dufferin Ave.
Fred Dick, 618 Wellington St.
Lynne Zarbatany, 41 Palace St.
MaryAnne Hodge, 312 Wolfe St.
Don McLeod, 165 Egerton St.
Barbara Hoover, 360 Central Ave.
Ruth Hoch, 500 Dufferin Ave.
Keith McAlister, 131 Rose Hip Crt.
Barry & Audrey Francis, 503 Central Ave.
Ben Lansink, 507 Colborne St.
Rosy Loewith, 26 Prospect Ave.
Jim Fentin, 481 Dufferin Ave.
Lila Neumann, 24 Regina St.
Fanny Latvanen, 298 Wolfe St.
Tom Okanski, 310 Wolfe St.
David & Ann Lindsay, 510 Princess St.
Danya Walker, 570 Wellington St.
Garth Webster & Janet Menard, 320 Wolfe St.
Larry and Frances Coste, 315 Wolfe St.
Architectural Conservancy Ontario, London Branch, 1017 Western Rd.
Kelley McKeating, 329 Victoria St.
Woodfield Community Association, c/o Kate Rapson, PO Box 452, Station B.
Jeffrey Petrie, 532 Dufferin Ave.
Michael Coon, 38 Medway Cr.
Petition – containing 38 signatures

Comments Received Following First Submission (Notice March 19, 2015)

Barbara Hoover, 360 Central Ave.
Barry and Audrey Francis, 503 Central Ave.
Ben Lansink, 507 Colborne St.
B.J. Hardick, 331 Queens Ave.
Robert Sutherland, 621 Waterloo St.
Hilary Alderson Moon, 485 Dufferin Ave.
Carol Agocs, 1454 Sprucedale Ave.
Christine Guptill, 1034 William St.
Danya Walker, 570 Wellington St.
Fanny Latvanen, 298 Wolfe St.
Fred Dick, 618 Wellington St.
Jason Kipfer, 596 Maitland St.
Jay Jeffrey, 1801-380 King St.
Jim Fentin , 481 Dufferin
Kelley McKeating, 329 Victoria St.
Ken Somerville, 315 Huron St.
Laura Wythe, 2-512 William St.
Lynn Funston, 524 Dufferin Ave.
Marcus Coles, 38 Palace St.
Tom Okanski and Mary Ann Hodge, 310 Wolfe St.
Mary Ellen Kirk, 3-570 Waterloo St.
Janet Menard & Garth Webster, 320 Wolfe St.
Norman Charles William Hoch, 500 Dufferin Ave.

Pat Tripp, 405-7 Picton St.
Rosy Loewith, 26 Prospect Ave.
Scott MacDougall-Shackleton, 802 Hellmuth Ave.
Sheila Scott, 732 Cedar Ave.
Shelley Kopp, 101 Rollingwood Circle
Wendy Dickinson, 522 Princess Ave.
Mary Anne Hodge, 312 Wolfe St.
Petition – containing 546 signatures.

Comments received as part of the current proposal are as follows:

October 13, 2021 **City of London File OZ-8462**

To: Sonia Wise <swise@london.ca> and
Catalina Barrios, <cbarrios@london.ca>

From: Ben Lansink

Re: Highest and Best Use of Land next to or close to a Public Park
Ben Lansink Supports 560 Wellington Holdings Inc. OZ-8462 application

Most cities in the World construct buildings housing multiple residential dwelling units (Residential Hi-Rise) close to or next to public parks or open spaces. London is no exception. The highest and best uses of many core area sites close to or next Public Parks is high density residential high-rise buildings with on-site parking. Core area Parks considered in this report are Victoria Park, Harris Park, and Ivey Park **(the parks).** High-Rise are now luxurious with loads of amenities, spectacular views and easy access to fancy retail shops, parks and public transit, amenities available at the doorstep of the Victoria Park neighbourhood. A minority of Individuals and Community Groups argue:

"There has been no study to look at how this level of intensification will impact the health of the park in terms of shadowing, wind, vehicular traffic, rain, and so on. "

"To study this issue on a case-by-case basis is not effective. The groups, Friends of Victoria Park and the Woodfield Community Association, have asked, and will ask again, for a full environmental impact study before this plan is finalized so as to best inform the public and City council on this important matter."

"We have one chance to get this plan right. The best way to do that is to understand what this current plan means to the park. Intensification is good, but not at the expense of this small urban green space shared and enjoyed by the entire city."

Victoria Park is a city block bordering 4 public streets consisting of 14.18 acres or 617,869 sq. ft. It is not *"a small urban green space."* Since the mid-1980s Ben Lansink has and continues to walk Victoria Park daily and has never witnessed overcrowding. There are good crowds and bad crowds, more people in the Park will have the effect of diminishing bad crowds.

It would be a waste of tax dollars for Council to purchase *"a full environmental impact study."* Each hi-rise building, including 517 Richmond, detailed in this report has NOT resulted in any *"impact the health of the park in terms of shadowing, wind, vehicular traffic, rain, and so on."*

Every time a structure is built, regardless of height, shadowing takes place. If shadowing is an issue, we must stop all future building including low density houses separated by a few feet. There is shadowing on all abutting houses in a community. The earth revolves around the sun which means shadows constantly move. Each building in this report cast a shadow that is always on the move. Society accepts shadowing as a natural occurrence.

Individuals and Community Groups are correct to note "*Intensification is good…*". We must use existing expensive service infrastructure, roads, sidewalks, bike lanes, storm & sanitary sewers, electrical, natural gas, public transit, Covent Market, our Library, Public Parks, YMCA, Budweiser Gardens, Labatt Park, Via Rail, Greyhound Canada, all located downtown, and yes, LTC public transit. Building up, not out, benefits all society. Additional hi-rise buildings, like the ones detailed in this report, next to or close to core area Parks will continue to help alleviate London's housing crises and will also boost our beleaguered downtown.

"We have one chance to get this plan right", yes, but not by the minority, by the majority.

Standing in Victoria Park looking at 517 Richmond Street

517 Richmond Street a 31-story building nearing construction completion November 14, 2020. This residential high-rise building is across the street from the Victoria Park Secondary Plan and overlooks Victoria Park.

517 Richmond Street a 31-story building nearing construction completion November 14, 2020. This residential building is across the street from the Victoria Park Secondary Plan and it overlooks Victoria Park.

549 Ridout North, 505 Talbot Street, and 500 Ridout North, all overlook Harris Park

549 Ridout North, 505 Talbot Street, and 500 Ridout North, overlook Harris Park
71 King, 350 Ridout, 21 King, 19 King, 320 Thames, overlook Ivey Park

71 King Street, 350 Ridout Street, 21 King Street, 19 King Street, 320 Thames Street
All overlook Ivey Park

71 King Street, 350 Ridout Street, 21 King Street, 19 King Street, 320 Thames Street
All overlook Ivey Park

517 Richmond Street, building on left, overlooks Victoria Park and Harris Park.

505 Dufferin Avenue, building on right, overlooks Harris Park and Victoria Park.

500 Ridout Street North, across from Eldon House, overlooks Harris Park

320 Thames Street, across from Ivey Park.

300 Dufferin, 11-storey City Hall, across from and overlooks Victoria Park

I, Ben Lansink, support:

File: OZ-8462
Applicant: 560 Wellington Holdings Inc.

What is Proposed?

Official Plan and Zoning amendments to allow:

- 17-storey, mixed-use residential/commercial apartment building containing 173 residential apartments and 1 commercial unit
- Special provisions to add a range of small-scale commercial uses on the ground floor
- Reductions to yard depths for all sides between the building and property lines
- Maximum height of 61m and lot coverage of 95%
- Minimum landscaped open space of 20% including roof-top areas
- Minimum 0m parking area setback from the road

Southwest and West views to Proposed Development (from Victoria Park)

I wish to be notified of the decision of the City of London on the proposed official plan amendment and zoning by-law amendment, this is my written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca.

I support and agree: Collection of Personal Information -- information is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 RSO 1990, c.P. 13, and will be used by Members of Council and City of London staff in their consideration of this matter. This report may be part of the public record.

Ben Lansink

From: Petrie, Jeffrey < >
Sent: Thursday, October 14, 2021 10:31 AM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] 560 and 562 Wellington Street Application

Morning Sonia,

I received the Notice for the above development.

I live in Woodfield, and own a building downtown as well, both within a few blocks of the proposed development, as well as working downtown within a few blocks of the site.

I regularly walk past this location on the way to the park and downtown, and think the proposal would add a hue amount of value.

Given the development slightly south, I am not sure why this wouldn't receive the same support.

I fully support this development, please take this email as my letter of support, as I may not be able to attend in person.

Jeffrey E Petrie FMA CIM Portfolio Manager, Director

Scotia Wealth Management™ | ScotiaMcLeod®, a division of Scotia Capital Inc.
900-255 Queens Ave. London, ON N6A 5R8

From: Kate Rapson < >
Sent: Wednesday, July 28, 2021 11:30 AM
To: Wise, Sonia <swise@london.ca>
Cc: Kayabaga, Arielle <akayabaga@london.ca>; O'Hagan, Britt <bohagan@london.ca>; MaryAnn Hodge < >; Tom Okanski < >; Fred Dick < >; Arthur Lierman < >; Reini / Mary < >; Delilah Cummings < >; Sandra Miller < >
Subject: [EXTERNAL] RE: OZ-8462 – Official Plan Amendment Application for 560 & 562 Wellington Street

Dear Sonia,

Please see attached for the response from the Woodfield Community Association. Please let me know if you have any questions or wish to set up a meeting to discuss this further. We are open as always to collaboration to try to come to a collective agreement!

Please note, I am copying members of the Friends of Victoria Park committee, as this group was formed to ensure the health of the park is represented during the study period of the Victoria Park Secondary Plan.

Many thanks for your time and consideration of this important matter.

Kate Rapson

Chair, Woodfield Community Association

Kate Rapson,

Chair, Woodfield Community Association

-

July 28, 2021

Sonia Wise
File Planner, City of London
VIA EMAIL: swise@london.ca

RE: OZ-8462 – Official Plan Amendment Application for 560 & 562 Wellington Street

Dear Sonia,

The Woodfield Community Association would like to express our concerns with respect to the proposed development at 560 and 562 Wellington Street (OZ-8462). While the proposed development concept has been revised, we want to reiterate the concerns we and other members of our community have submitted on this application previously, which we do not feel have been adequately addressed.

Appreciating the need to intensify our community, we do not believe that a 17-storey development is appropriate directly abutting single family homes within the Woodfield neighbourhood. The proposal has not adequately addressed the impacts on the neighbouring residential areas including the increase in traffic particularly on Wolf Street but also on the neighbourhood as a whole.

In addition, the impacts to Victoria Park, as a crucial open space for residents, have also not been adequately addressed. Wind tunneling, shadows, and traffic all have the potential to create impacts on the Park that is enjoyed by the entire City. The Victoria Park Secondary Plan was initiated to better understand the cumulative impacts of development and set a vision for the area but has yet to be adopted. In addition, the Great West development has been approved and will have over 400 units. Understanding these cumulative impacts are vital to maintaining the character and vitality of the neighbourhood, so how can this development move forward prior to finalizing the Secondary Plan? Without that Plan in place, we can not support this application.

It is also unclear how this development can be contemplated in the context of the West Woodfield Heritage Conservation District Plan, which emphasizes the residential character, pedestrian scale, and the importance of Victoria Park.
With regard to specifics of the proposed development, the reduction in yard depths, increase in lot coverage, and use of rooftop areas for the calculation of landscaped open space are not appropriate for the site. While we appreciate the multiple revisions to the proposal in an attempt to mitigate impacts, the impacts of a 17-storey building on directly abutting low density residential cannot be mitigated. We do not believe this site is appropriate for the proposed development and will set a precedent for other sites abutting the park.
We would like to note that we are happy to meet with both the City and development proponent to share our concerns and collaborate on solutions. We'd also like to echo concerns being expressed by others that the public meetings before the Planning and Environment Committee and Council, while required under the *Planning Act*, do not represent meaningful community engagement.

We urge the City to consider this proposal in the context of these impacts to the community, including the Park, Wolfe Street, the near neighbours, and community as a whole.

Woodfield Community Association

C/O Kate Rapson, Chair

-

cc'd: Members of the Friends of Victoria Park Committee

From: Hazel Elmslie < >
Sent: Tuesday, July 27, 2021 11:44 AM
To: Wise, Sonia <swise@london.ca>
Cc: Tom Okanski < >; Kate Rapson < >; Kayabaga, Arielle <akayabaga@london.ca>; van Holst, Michael <mvanholst@london.ca>
Subject: [EXTERNAL] OZ-8462 560/562 Wellington St.
Attached is my response to this proposal.
regards,
Hazel Elmslie
63 Arcadia Crescent
London, ON, N5W 1P5

–

RE: OZ-8462 560/562 Wellington St

I am replying to the notice of 24 June 2021 requesting comment on this 4th or 5th iteration of unacceptable plans for this site. It is obvious to me that the plans have been unacceptable as only one ever arrived at City Council (2017) and Council referred that back to staff. At that time is was 22 stories with a 3 storey podium.

I oppose this proposal as it is too big for this site. The size requested results in numerous changes to various plans that have been in place since at least 1989, which is 30 years. The City prepares "official plans" for various reasons, including continuity in neighborhoods and comfortable living spaces. This plan does not provide continuity and disrupts the comfortable living spaces of the people who already live here. This

proposal goes against all good planning principles as envisaged in the 1989 Official Plan and the current London Plan. Why have plans if we allow such huge changes to them?

In summary:

1. It does not conform to the 1989 Official Plan
2. It does not conform to the London Plan, appeals notwithstanding
3. It does not conform to the West Woodfield Heritage Conservation District Plan
4. It has ignored the Victoria Park Heritage Conservation District Plan
5. It has ignored the all of the various proposals of the Victoria Park Secondary Plan.
6. It has provided seven year old documents with that were found deficient by this writer (among others) in the past.
7. There is no traffic study
8. It has ignored the impact of the approved development at 556 Wellington St.
9. I do not believe that this proposal should be approved until the London Plan is fully in force and effect.
10. The owner of this property has objected to many parts of the London Plan as they relate to this property. I will provide an analysis that this owner is the major objector to the London Plan, and that most of the London development community has accepted the London Plan.

I am still waiting for a reply to the following request:

26 July 2021 email to planning@london.ca requesting a copy of the content of the appeals to the London Plan as they relate to this property. Other than the generic "thankyou" I have not yet received an acknowledgement.

Hazel Elmslie

63 Arcadia Crescent

London, ON, N5W 1P5

From: Fanny Latvanen < >
Sent: Monday, July 26, 2021 4:14 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] OZ-8462 (560 & 562 Wellington Street).

Once again we are faced with the decision that needs to be made with this site.I know you have been presented with all the pros and cons over literally this last few years and so i wont present them here .
I live on Wolfe st and i feel no one has made it clear to council that there will be many people injured or killed with this many people trying to access the park at all hour .In the traffic study no where does it address the projected number of pedestrians that will be regularity in the area . As is now few people go to the lights to cross and that wont change .
Over the years i have personally seen so many near misses that it frightens me to think of what may come .With these two residential high rises that will be built on both corners on Wolfe st i am certain many will be injured or killed if the tragic is not rerouted at Dufferin to flow East and West and the likewise rerouted flowing south on Wellington .Its crazy to think that traffic does not need to change in the area with this increased density.With the activities offered in the park and the night life on Richmond st this will only increase the odds of a fatality as so many people are from out of the area.
Please reconsider the size of the development as the pedestrian injuries will be untenable for the city to manage as i know for certain there will be law suits and need for future closure of this stretch of Wellington to cars for pedestrian safety.
In all the documents i have read none have adequately addressed this issue .At the very least could a traffic flow study be repeated to reflect a more accurate situation as if

i recall it was last done several years back and things have changed greatly even in this time of Covid.I drive and walk this area daily and since this development was first put forward this has been my major concern .
Too many people at risk so a developer gets to tarnish a historical site and put people at risk.
Fanny Latvanen
298 Wolfe St
Unit 5
London

From: < >
Sent: Saturday, July 24, 2021 9:01 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] File: OZ-8462 Applicant: 560 Wellington Holdings Inc

typos corrected Please use this version as it reads better. Thank You

File: OZ-8462 Applicant: 560 Wellington Holdings Inc.

The London Plan was hailed at the time of completion as a forward looking approach to city planning and touted the extensive participation of Londoners. Today there is deep disappointment as to how city planning and Council are diverting from a document that spoke of intensification balanced with good quality living. The London Plan seems all but ignored except for the inward and upwards concept of intensification. Intensification alone without respecting the nuance of good planning principles such as setbacks, ground green space, and the surrounding community fails the intent of the London Plan.

This planning application cannot be reviewed without looking at the surrounding community and past planning decisions already approved. Another approved twin tower immediate across the narrow road of Wolfe St. combined with this proposed tower will bury the residents living on Wolfe Street and add substantial shadowing to Victoria Park in the morning and to residents in the afternoon and evening. Removing sun from residents can completely change the quality of their living space.

The design of the building completely ignores the neighbourhood character and is now common place. No bonus zone should be awarded for design as it is nothing special and doesn't even try to be complimentary to the heritage quality of the Woodfield Heritage Conservation District.

My personal opinion is that current Members of the Planning and Environment Committee and Mayor Holder have little respect for the heritage of our city despite the fact that Londoners campaigned for inclusion and preservation of built heritage in the London Plan. Nor does the issued public notice informing readers of this development mention that it is within the Woodfield Heritage Conservation District. This seems to be a departure of the planning department which leads me to believe that the recommendations being forwarded by your department will not consider heritage as a consideration.

The planning department in its recommendations routinely waiver good planning principles such as setback and ground open space in the Core even though these requirements serve an important role in assuring livability by providing space and privacy between properties.

By approving no setbacks, the city is creating a halo where no canopy trees can be planted in the Core – a direct violation of the basic principles of Neighborhood descriptions, character and vibrancy. And does not support the Urban Forestry Strategy as the plan does omit the Core. Waivering good planning principles for people that live in the core is discriminatory and a good case can be argued that the city ignores basic and good planning principles because of where people live or because of land scarcity. If land is scare, a building still needs to comply with good planning principles. And people still need good living conditions. Otherwise, you are creating a concrete jungle. Terrace space is not green space. It does not provide space for people with dogs, shade, trees or space for physical play. It is not a substitute for ground space.

This building is a luxury condo and is exclusionary as most people would not be able to afford to live there. This alone is undesirable and contributes to the housing crisis. It deserves no special provision unless it offers 'rent geared to income'. Market value units are unaffordable as market value is unaffordable. Even below market value no longer provides

shelter as prices for housing continue to increase and beyond the increases of average salaries.

The 'wall' in the rear of this building does not resolve the incompatibility of the design and size of this building and basically is just a wall that cuts off the neighbourhood.

In the end the planning staff decides whether to toss out the details of the London Plan that speak to livability and compatibility and only look at intensification. But Londoners did not buy into the London Plan as it is being implemented by the planning dept. and Council and some are pushing back by appealing decisions that they believe are based on selective policy as a means to an end and ignore the more intrinsic policy that made Londoners more accepting of intensification. If feels like a betrayal. Stick to the plan. There is no reason why the plan cannot be upheld as there is no shortage of luxury condos being built downtown.

Thank You

AnnaMaria Valastro

From: J F < >
Sent: Monday, July 19, 2021 11:58 AM
To: Wise, Sonia <swise@london.ca>; Saunders, Cathy <csaunder@london.ca>
Cc: Kayabaga, Arielle <akayabaga@london.ca>
Subject: [EXTERNAL] Development

Good morning

As a resident of the downtown, I'm writing this morning to state my opposition to the plan to build a 17-storey tower on the northeast corner of Wolfe St. and Wellington St. across from Victoria Park.

Considering that Council has already approved two towers - 18 and 12 storeys - on the opposite corner next to Centennial Hall, this development is clearly redundant.

I'm disappointed that although the zoning for the development allows for a maximum height of 5 storeys, the developer is asking for 17 storeys. This cavalier attitude on the part of the developer is matched by the insouciance of the planning department, which sees downtown residents as pawns in a larger game and which treats the London Plan as an object of derision.

I urge you to treat Woodfield residents with greater respect and to follow the guidelines of the London Plan when determining the suitability of future development.

Sincerely

J. Fooks

706-520 Talbot Street

LONDON ON N6A6K4

From: < >
Sent: Friday, July 16, 2021 1:55 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] Response to Project OZ-8462

Sonia,

I am not in favour of the application filed by Auburn Developments for the 17-storey condominium at Wolfe and Wellington Streets.

Attached please find letter of appeal to Project Reference Number OZ-8462. I ask that you take my feedback into consideration.

Danya Walker

570 Wellington Street

London, ON N6A 3R3

Project Reference Number **OZ-8462**
560, 562 Wellington Street

As you review the application # 0Z-8462, 560 and 562 Wellington Street, I ask you to consider the following information.

The Planning Department of the city of London determines the appropriate use or zoning for property across the city. Neither the newly developed London Plan nor the existing Official Zoning Plan identifies the combined property at 560 and 562 Wellington Street as part of the “urban corridor” (which ends more than a block away at Dufferin Street). Therefore, this property is not designated as suitable for high density development. The developers intend to more than triple the density of this property with the plan to move from five stories to seventeen stories.

Buildings in the downtown zone are encouraged to build right up to the property line. However, the property under consideration is not considered by city planners to be part of the urban corridor and should not be allowed to build right up to the property line. As the property abuts a laneway that services the houses on Wolfe Street, the present laneway would need to be re-aligned onto the property east of the building. This would impact the desirability of the property to the east of the proposed building.

Neither the proposed height of the structure nor building to the property line is sympathetic to the “neighbourhood place type” and the West Woodfield Heritage Conservation Plan. The West Woodfield Heritage Conservation Plan in Section 4.3 states: “In cases where the new building is replacing a high-rise, the height should be restricted to match the existing building plus or minus one floor.” This would entail restricting the new building to 4 to 6 stories.

The property at 560 and 562 Wellington Street is also subject to the Victoria Park Secondary Plan which is still under review. The draft of this plan indicates that properties should not be more than twelve stories in height. Following this proposal would seem to be a good compromise between the present plans of the developer and the more restricted height suggested by the West Woodfield Heritage Conservation Plan. My concern is that the developer might be wanting to rush this property into development before the secondary plan is finalized.

Allowing a height of twelve stories would also reduce the need for parking. The developer is concerned about the cost of underground parking for seventeen floors due to the water table. It is possible that restricting the height of the building to twelve stories would enable the developer to provide underground parking and use the first two stories of the building for more desirable purposes.

As London is in need of more housing, I suggest that the height restrictions of the Victoria Park Secondary Plan proposal be adopted (12 stories), which would more than double the present density. A building of this height would not cast as much of a shadow on my property at 570 Wellington as would a structure of 17 stories. I further suggest that the building should not extend to the property line in order to preserve the integrity of the property on the east of the proposed development.

As a home owner of 570 Wellington Street (the second house north of the proposed structure), I was compelled to restore rather than replace windows to preserve the heritage nature of this area. Does it seem fair that my private residence must reflect the heritage nature at considerable cost while a developer can circumvent this requirement?

If this development is allowed to proceed as described by the developer, what rationale can be used to prevent similar rezoning applications for other properties in this vicinity, resulting in further degradation of the heritage area?

Danya Walker
570 Wellington Street

From: < >
Sent: Tuesday, July 13, 2021 1:05 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] OZ-8462 Application. Not a supporter

You have probably received several copies of Tom Okanski and Mary Ann Hodges objection to the repeat modified application from Auburn. I second every objection they state in their letter. Auburn should be ashamed of itself for bullying their neighbours and continuing to disregard all the work that the planning department has put into creating an official plan and their efforts in getting a secondary plan together for Victoria Park. Clearly they have very little respect for the City of London planners.

Sincerely, Burton Moon

485 Dufferin Ave.

London, On. N6B 2A1

From: MaryAnn Hodge < >
Sent: Saturday, July 10, 2021 9:56 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] Auburn Development Application - project reference number OZ-8462 (560 & 562 Wellington Street).

Sonia,

As you review the application #0Z-8462, 560 and 562 Wellington Street, I ask you to consider the following reasons to refuse the proposal:

1. Urban planning is a profession that is supported by the City of London. The Planning Department takes pride in helping to mold the fabric of the city in a way that benefits all of the citizens of the city. One of the roles of a planning department is to determine the appropriate use or zoning for property across the

city. London has recently renewed its plans for the city with “The London Plan” which highlights areas for development.

2. Although parts of the London Plan are still being addressed in appeals, it has not stopped development from happening. It is understood that if a section of the London Plan is under appeal, then the previous Official Zoning Plan is still valid.

3. Neither the new London Plan nor the existing Official Zoning Plan identify the property at 560 and 562 Wellington Street as part of the ‘urban corridor”, and therefore not designated as suitable for high density development. There needs to be a line somewhere and the planners determined that Dufferin Street was that line. 560 and 562 is more than a block from Dufferin Street.

4. Yes, we need housing, but that does mean that we toss all the rules out the window. There are many parking lots in the downtown core that need high density housing. If we put it in other places, there is less opportunity/demand to put it where it really needs to go. How do you entice developers to build downtown when you allow them to change the zoning on properties that are not zoned for this.

5. Yes, we need to increase density. Moving from 5 storeys to 12 storeys is more than doubling the density on this property. If we were to double the density on all the properties in London, we would not have a housing shortage.

6. Buildings in the downtown zone are encouraged to build right up to the property line. This is not sympathetic to the “neighbourhood place type” and the West Woodfield Heritage Conservation Plan. Yet, this is the request for this development proposal. The following excerpt is from the Heritage Conservation District Plan which would result in a 5-7 storey height restriction:

4.3 New Development

•4.3 (c) In cases where the new building is replacing a highrise, the height should be restricted to match the existing building plus or minus one floor.

7. This property butts a laneway that services the houses on Wolfe Street and proposes a 10m blank wall for the full length of the building’s east wall – and requiring a re-alignment of the laneway onto the property east of the building (also owned by the developer), forever impacting the desirability of that property.

8. This property is subject of the Victoria Park Secondary Plan which is still under review. The draft of this plan indicates this property should not be more than 12 storeys. This seems to be a good compromise. Is this developer wanting to rush this property through before the secondary plan is finalized?

9. The height of the proposed building requires several floors of parking, and the cost of building the required parking underground is considered too expensive by the developer due to the water table. Limiting the height of the building will reduce the need for so much parking. Keeping the parking underground allows the first 2 storeys for more desirable uses than parking.

10. If this development is allowed to proceed as described, what rationale can be used to prevent similar rezoning applications for other properties in this vicinity, resulting in further degradation of the heritage area?

Thank you for your consideration,

Sincerely,

Mary Ann Hodge

From: Greg Bruzas < >
Sent: Friday, July 9, 2021 1:11 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] File: OZ-8462

Sonia, I am the owner of 568 Wellington Street since 2006. I also own the historical building 2 lots west at 572 Wellington Street. Both properties are in the Woodfield Historic District located next to the Critch family Auburn Homes properties at 560 and 562 Wellington Street.

I have serious concerns about the proposed revised Zoning Amendment/Application of the Critch properties at 560 and 562 Wellington Street.

I would like you to call me and discuss my options including:

1) Tearing down my 2 historic properties in Woodfield located at both 572 and 568 Wellington Street (Currently occupied by THINQ Technologies)
2) The proposed property lines and how it will affect my side entrances at 568 Wellington Street
3) Structural damage during construction
4) Office re-allocation during construction because of noise and safety concerns.
5) The rear back lane off Wolf Street which is the only access to the back yard parking. Thus, I am requesting a zoning permit for a driveway off Wellington Street at 568 Wellington Street property.

I also own and occupy the historic property at 293 Central Avenue that used the back alley for access to rear parking.

You may call me at < > at your earliest convenience.

Regards,

Greg Bruzas
CEO
THINQtech.com

-----Original Message-----
From: Frederick Andrew Dick < >
Sent: Monday, June 28, 2021 2:45 PM
To: Wise, Sonia <swise@london.ca>
Cc: Kate Rapson < >; Kayabaga, Arielle <akayabaga@london.ca>
Subject: [EXTERNAL] Comments on OZ-8462 (560 and 562 Wellington St)

Dear Sonia,

As a longtime resident of West Woodfield that lives on Wellington St, I have to say that I'm really shocked to see this application, again! It is essentially the same as the last one for this pair of properties. The only change I think I see here is the name of the applicant, which is no longer Auburn.

To re-iterate the comments that have been brought up numerous times in the last number of years over applications for zoning changes to this property.

1) The height is inappropriate this close to the park. The shadow and wind tunnel effects will degrade the park and potentially damage trees. Everyone in the city enjoys events in Victoria Park this project will reduce its ability to hold these events. The effects of shadowing have been documented extensively for a 28+ floor building and

these concerns were re-stated the last time we saw this application for a similarly sized building.

2) The setback, or lack thereof, will make this the most prominent building on Wellington St that borders the park! Why? In the Victoria Park secondary plan study the need to respect the setback on all city blocks that surround the park is routinely stated and not discussed further simply because the park shouldn't be crowded by any one building. The only reason to need the entire lot for building on this site is the inappropriate scale of what is being proposed.

3) There is no need for retail at this location. In nearly 20 years living here, the commercial occupancy of store fronts in Centennial House has always been poor. There is a glut of unfilled stores on Richmond St that is growing! Unused retail space will only bring the appearance of more urban decay.

4) The above ground parking hidden within a 'pedestal' is inappropriate for the neighborhood. We need eyes on the street to build a safe and walkable community. The concrete block with no windows for the first few floors ensures that this section of the street will be forlorn. The recently opened One Richmond Row condos illustrate how this style isn't necessary or appropriate for this area in downtown.

Sincerely,

Fred Dick
618 Wellington St

London Hydro: June 28, 2021
No objections

Parks Planning and Design: July 13, 2021

- 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.

Urban Design Peer Review Panel Memo

To: Proponents
• Kevin Muir, Senior Planner, GSP Group
• Anita Yu, Associate, Turner Fleisher Architects

From: Urban Design Peer Review Panel (UDPRP)
• Mike Davis, Planner
• Leo Lin, Architect
• Adrienne Hossfeld, Architect
• Terence Lee, Landscape Architect

Regrets:
• Kyle Poole, Landscape Architect
• Tim Wickens, Architect

RE: Zoning By-law Amendment Application, 560-562 Wellington Street, July 21, 2021

This application provided a difficult context for effective UDPRP review and comment. There appears to be a significant disconnect between the planned intent for this site expressed in the City's Planning Documents and the height and massing of the proposed development.

The Panel would suggest that the ultimate solution for the height and massing of new

development adjacent to Victoria Park is best considered through a community planning

process. Once the issues of height and massing are resolved, it is recommended that the application return to UDPRP for detailed design review.

The Panel noted that further UDPRP review and consideration of the proposed Zoning By-law Amendment in advance of resolution of the Victoria Park Secondary Plan seems premature.

Notwithstanding the fundamental planning challenges with the proposed development outlined above and highlighted in previous UDPRP memos, this panel provides the following comments to inform on-going review of the application.

- The building massing has appeared to be enlarged from previous versions – it is difficult to understand how the enlarged massing provides a better design response for this unique urban context.
- If a tower is to be supported on this site, the massing and floorplate size should be carefully considered. As currently design, the scale of the tower is significantly larger than what comparable urban municipalities consider a point tower (e.g., 750m2 – 800m2), and almost 50% greater than London's current definition (1,000m2).
- The design of the tower would benefit from a more careful consideration of articulation and material changes. Currently where the tower would presumably use material changes to transition down to the east, that corner is rendered as the tallest masonry block. Other elevations attempt to use material changes to identify 3 distinct masses or elevations, but they all terminate at the 14th floor creating a negative impression of the elevations being both static and blocky as well as chaotic and unresolved.
- The Panel noted that the architectural design of the podium appears unresolved. The tower component has taken a more modern interpretation of the cornice treatment. The Panel recommends a similar and more simplified approach should be applied on the podium to present a more cohesive building.
- The Panel questioned the "angling" of the north curb cut and whether, in fact, the access on Wellington Street is a necessary component of the development. The Panel recommends this proposed vehicular access point be removed to preserve the pedestrian realm along Wellington.
- The Panel noted some inconsistencies between the Site Plan, Renderings and Elevation drawings, particularly regarding the podium design and landscape treatment. For example, a large hardscape area on Wellington is shown in plan, while less hardscape is shown in a 3D perspective view during the presentation.
- Minimal (5%) landscape area has been proposed on site. The Panel recommends the applicant review the site design and layout, incorporating additional landscape areas on site and achieving a more appropriate landscape to site area coverage ratio.

Concluding comments:

The Panel recommends that this application be paused until such time as the Victoria Park Secondary Plan is complete. The secondary plan would presumably provide revised height and massing policies that are based on multi-stakeholder input and balancing of planning objectives by City Council. UDPRP would be pleased to conduct further review of the application at that time.

MEMO

To: Sonia Wise, Senior Planner

From: Laura E. Dent, Heritage Planner

Date: August 31, 2021

Re: **Heritage Impact Assessment – Heritage Comments**
560 & 562 Wellington Street (OZ-8462)

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1. Overview

560 Wellington Street is a heritage designated property pursuant Part V of the *Ontario Heritage Act*; it is located in the West Woodfield Heritage Conservation District and is subject to the principles, goals, objectives, policies and guidelines of the *West Woodfield Heritage Conservation District Plan* (WW-HCD Plan). The property at 560 Wellington Street includes (2) heritage designated buildings, addressed, 560 and 562 Wellington Street. The property is also located adjacent to Victoria Park, which is designated pursuant Part IV and V of the Ontario Heritage Act.

A heritage impact assessment (HIA) was prepared by Stantec (Nov 2016) and an update memo was submitted with a recently revised application (Stantec, Mar 2021). The application is for an OP/ZBA for a proposed 17-storey development with a 3-4-storey podium. The development is primarily residential, with retail, amenity space and a common area at grade, and combination of underground and above ground parking.

Please note that the analysis and conclusions outlined in a previously submitted Memorandum – prepared by heritage planner Kyle Gonyou (February 9, 2017) – remains relevant to this application and should be referenced along with this Memo.

2. Comments + summary

Heritage planning staff has reviewed the Heritage Impact Assessment + Memorandum (Stantec Consulting Ltd., Nov 2016; March 2021) for the Official Plan + Zoning By-law Amendment (OZ-8462) at the above noted address and provides the following comments. These comments are thematically organized and issue specific. Heritage commenting is consistent with the *Provincial Policy Statement* (PPS), the *Ontario Heritage Act* (OHA), *Ontario Regulation 9/06*, *The London Plan*, and the *West Woodfield Heritage Conservation District Plan* (WW-HCD Plan).

2.1 Demolition

Demolition of buildings on heritage designated properties is strongly discouraged. This development is predicated on the demolition of (2) contiguous heritage designated buildings. Policy 4.2.2.c of the WW-HCD Plan states that “[w]here demolition of a heritage building is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition.” The reasons for demolition have not been sufficiently demonstrated, along with how (or even if) the loss of these heritage buildings within the context of WW-HCD can be mitigated.

2.2 Cultural heritage value or interest (CHVI)

The heritage impact assessment (HIA – Stantec, 2016) included an evaluation of the subject property (560 & 562 Wellington Street) used 9/06 Criteria to determine CHVI and identify heritage attributes. Since the property is already designated as part of the West Woodfield Heritage Conservation District (WW-HCD), further evaluation of the property’s heritage attributes is not required. It is irrelevant since the property has already been determined to retain CHVI as part of the WW-HCD. Note that the WW-HCD Plan (its principles, goals, objectives, policies and guidelines) is used to evaluate impacts of development; these impacts are specific to the property’s context within the District. Conclusions of the HIA (p6.3; Appendix-B) that found the

subject property to not retain CHVI, did not recognize the distinction between Part IV and Part V Ontario Heritage Act (OHA) designation.

2.3 Height

The current proposed 17-storey height is not supported per the policies and guidelines of the *West Woodfield Heritage Conservation District Plan* (WW-HCD Plan) which are intended to maintain the low-density residential character of the District as the predominant land use. 560-562 Wellington Street is outside the City Hall Precinct area noted in the WW-HCD Plan (p57) and is not subject to allowances for increased height and density per policies in 5.10.2. The recent approval of the proposal at 556 Wellington Street is not a sufficient rationale to support a 17-storey high-rise on the subject site; circumstances around its approval are unique to the property and demolition of heritage buildings were not required. The opinion that a high-rise on the subject site is now compatible to the local character due to the approved proposal on 556 Wellington Street is flawed. Ultimately, this logic would undermine any attempts at long-term retention of the character defined in the WW-HCD Plan.

2.4 Scale, massing and character

The intent of the West Woodfield Heritage Conservation District Plan (WW-HCD Plan) (as considered in all parts – its goals, objectives, policies and guidelines) is to maintain the predominantly low-density, residential character of the current District. The proposed development is not responsive to its heritage context. It does not reflect the dominant low-density, residential land-use character (lot patterning, overall form, architectural styling and details). It is not compatible with the smaller, highly, detailed scale and character of the Park and residential District's Victorian heritage character. General design measures are identified in the HIA to mitigate the impact of the scale and form of the proposed development and to enhance its compatibility with the heritage character of the area; these include an articulated podium design and materiality and other measures to be determined. Ultimately, these measures will be insufficient to mitigate the dominant scale of the development. The application of a podium (such as in this design) is customary in high-rise design and the treatment of its exterior is no more unique. Currently, it is not clear in the HIA what will make the proposed development compatible with West Woodfield's character.

2.5 Adjacencies, transitioning and mitigation of negative impacts

The guidelines of the West Woodfield Heritage Conservation District Plan (WW-HCD Plan) address the fit and compatibility of new development in relationship to adjacencies and transitioning to surrounding properties. "…[T]he design of new buildings taller than 3 floors, should be required to provide an adequate transition to neighbouring building types and heights…" (Section 8.1.9) On the subject property, a three-storey height is recommended to transition to adjacent buildings (WW HCD Plan, 5.10.2). The architectural vocabulary for the proposed development relies on a podium base, which is intended to mitigate the scale and massing of the high-rise building, and to relate to the pedestrian scale of the street and to the varying profile of the surrounding neighbourhood. Note as well that the east and north facades of the development are blank and utilitarian and 'butt-up' against adjacent residential heritage homes. Even with a 3-4-storey podium and step backs of the tower form, the immensity of the height and scale of the proposed development, and impacts on adjacent properties, will be overwhelming and not compatible with the smaller, highly detailed scale and heritage character of the district.

The proposed development also has the potential to have negative impacts caused by shadowing, obstruction of views, and 'perceived isolation' of Victoria Park from the District; the proposed design has not been responsive to mitigating these impacts. The form, scale and height of the development separates and isolates the western edge of the District from the Park, which is not only a Part IV designated property, but a resource of West Woodfield as well. This isolation affects the quality of the environment and, more broadly, Londoners' experience of their City.

2.6 Representation of proposal

The proposed development is depicted without its context and with very little reference to adjacencies. The applicant is encouraged to have renderings prepared that illustrate the proposal within its context – adjacent to Victoria Park, park-edge buildings and residential buildings along Wolfe Street. Accurately drafted sections that show the relationship between massing/height of

the proposal and adjacent buildings is necessary to be able to understand and assess impacts realistically. Given the significance of Victoria Park and its landscape setting and the close proximity of many residential properties, heritage staff is recommending that a more fine-grain shadow study be prepared to better assess shadowing impacts and potential impacts on the micro-climate of the Park and backyards of residential homes.

3. Conclusions

New development should first be guided by good planning and urban design practices and issues around 'good fit' – essentially to demonstrate that the new development is sensitive to, and compatible with, the existing and planned context. Regarding this very point, the proposed development at 560-562 Wellington does not demonstrate fit with the existing or planned context, or to use heritage terminology, conserve cultural heritage value or interest. Based on the review of the HIA, heritage staff is not satisfied that the height and massing of the proposal is compatible with its heritage context. Also, the HIA does not provides justification that there will be no adverse impacts on Victoria Park, the West Woodfield Heritage Conservation District as a whole, and specifically on heritage designated properties adjacent to 560-562 Wellington Street as a result of the proposed development. It has not been sufficiently demonstrated that the cultural heritage value or interest of significant heritage resources has been conserved through mitigative measures.

4. Further considerations

4.1 Demolition approval

Municipal council approval will be required for the demolition of the (2) buildings on the subject property. Consultation with the London Advisory Committee on Heritage (LACH) is required prior to council decision.

4.2 Heritage alteration permit approval (HAP)

As per Section 42(1) of the *Ontario Heritage Act* (OHA), heritage permit approval will be required for alterations to properties designated in the West Woodfield Heritage Conservation District. The London Advisory Committee on Heritage (LACH) will provide a recommendation to Municipal Council on the HAP, with Council having approval authority. Heritage alteration permit approval is required prior to issuance of a Building Permit.

Urban Design: August 31, 2021

Please find below UD Comments for OP/ZBA related **to 560-562 Wellington Street**.

- Urban Design staff have reviewed the re-submitted site development concept and elevations for the zoning by-law amendment application at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and guidance provided by the Urban Design Peer Review Panel(UDPRP);
- The applicant is commended for providing a site and building design with following features: A mixed-use form with continuous built edge along Wellington Street and Wolfe Street; active ground floor uses along Wellington Street; appropriate use of articulation with colour and material changes; locating majority of the parking underground and away from the street.
- In accordance with the West Woodfield Heritage Conservation District Plan, the Official Plan (in particular the Urban Design Policies for the Near Campus Neighbourhood [3.5.19.13] and Chapter 11 Urban Design), The London Plan (in particular the City Design Policies) and the comments made by the UDPRP in February 2015 and July 2021, the building height and mass should be further reduced to be more compatible with the surrounding built form context and proximity to Victoria Park.
- Notwithstanding the above comments, the following relates to the revised building design presented in the April 2021 Urban Design Brief.
    - No functional setbacks are provided for the building along all sides of the property

        - Provide a minor setback (approximately 1-2m) for the podium along the shared property lines to avoid negative impacts on adjacent properties and allow for appropriate maintenance and functional circulation.
    - There is no significant transition in height and massing that minimize shadow, overlook, privacy concerns and show compatibility particularly towards low rise dwellings towards North and East and the public realm towards west (Victoria Park)
        - The tower floorplate is very large causing prolonged shadowing of the adjacent park and neighbourhood. A slender tower should be provided with a floorplate of less than 1000m square, to minimize shadow impacts, obstruction of sky views and be less imposing visually on neighbouring properties and public spaces.
        - Ensure an adequate setback of the tower portion (above the podium) to the shared property line(s) to provide for separation distances that allow a transition to the lower building forms and provide relief from privacy and shadow impacts on the private amenity areas for the nearby residential properties.
        - Ensure a stepback is provided along the Wellington St frontage above the podium that is deep enough to establish a pedestrian-scale environment and minimize the presence of the tower portion at street-level.
    - No parking or loading areas should be located the ground and upper floors of the podium along public street frontages. The existing above grade parking creates blank, inactive facades along the pedestrian environment.
        - Provide transparent/translucent glazing treatment for windows on the parking structure levels as opposed to spandrel glazing along Wellington Street and Wolfe Street-facing podium floors to allow for visual connection into and from the building interior areas, and to provide a sense of movement and activation of the building facades.
    - Include more functional outdoor amenity spaces on site. Provide an adequately sized outdoor amenity space in addition to the proposed amenity areas(fourth level) for the number of units particularly as there is very minimal landscape open spaces on site. A reduced tower floorplate for the building will increase the amount of possible rooftop amenity space.

Development Services Engineering: September 2, 2021

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Official Plan and Zoning By-Law amendments application:

Transportation

- As part of a future site plan application, the Traffic Impact Assessment prepared by Stantec, dated November 5th, 2014, will need to be updated to reflect the current conditions of the development and surrounding transportation network.
- 6.0mx6.0m daylight triangles required at Wellington Street/Wolfe Street intersection.
- Detailed comments regarding access design and location will be made through the site plan process.

Water

- Water is available to the site via the municipal 450mm CI watermain on Wellington Street

Wastewater

- As part of a future site plan application, the preliminary servicing report prepared by Stantec, dated November 4th, 2014, will need to be updated to reflect the current conditions of the development and drainage area.

Stormwater

- The subject lands are located in the Central Thames Subwatershed. The applicant shall be required to apply the proper SWM practices to ensure that the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
- The design and construction of SWM servicing works for the subject land shall be in accordance with:
    - The SWM criteria and targets for the Central Thames Subwatershed,
    - Any as-constructed information and any accepted report or development agreement for the area.
    - The City Design Requirements for on-site SWM controls which may include but not be limited to quantity/quality and erosion controls, and
    - The City's Waste Discharge and Drainage By-Laws; the Ministry of the Environment Planning & Design Manual; as well as all applicable Acts, Policies, Guidelines, Standards and Requirements of all approval agencies.
- The design of the SWM servicing work shall include but not be limited to such aspects as requirements for Oil/Grit separators for the proposed parking area, on-site SWM controls design, possible implementation of SWM Best Management Practices (e.g. Low impact Development “LID” features), grading and drainage design (minor, and major flows), storm drainage conveyance from external areas (including any associated easements), hydrological conditions, etc.
- The applicant and his consultant shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.
- Additional SWM related comments may be required and provided upon future review of this site.

London Advisory Committee on Heritage – September 8, 2021 – Council Resolution

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.

Appendix B – Policy Context

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

Provincial Policy Statement, 2020
1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
1.1.3 Settlement Areas
1.7 Long-Term Economic Prosperity

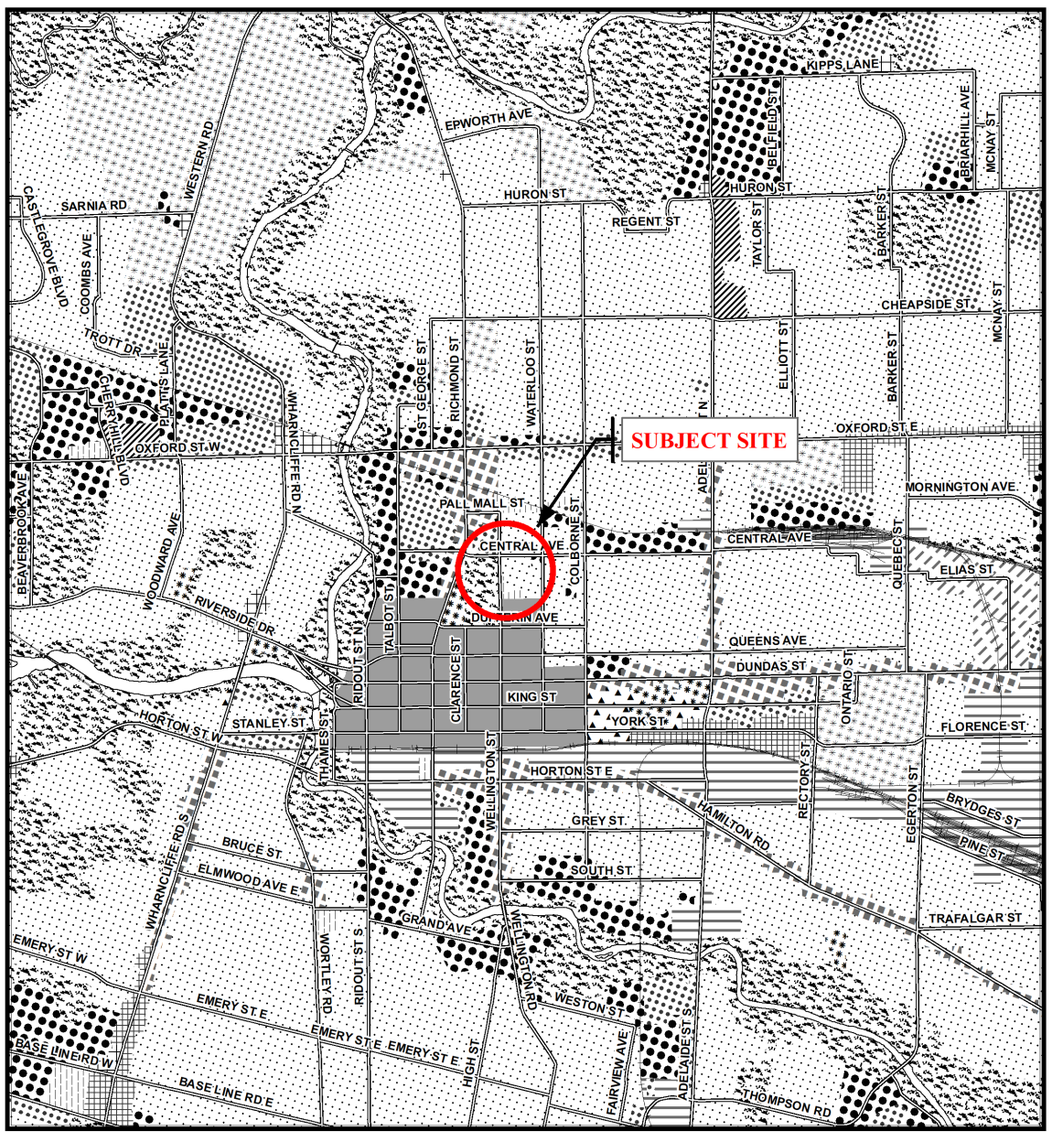
1989 Official Plan
2.1 Council Strategic Plan
3.4. Multi-Family, High Density Residential
3.5.4 Woodfield Neighbourhood Specific Residential Policy Area
3.5.19 Near Campus Neighbourhood Policies
3.6.5 Convenience Commercial and Service Stations
Chapter 11 – Urban Design
Chapter 12 – Housing Polices
Chapter 13 – Heritage Policies

The London Plan
54 Our Strategy
79 Our City – City Structure Plan
193 City Design Policies
309 City Building Policies
516 Affordable Housing
916 Neighbourhoods
1577 Evaluation of Planning Applications

Z.-1 Zoning By-law
Section 3: Zones and Symbols
Section 4: General Provisions
Section 13: Residential R9 Zone
Section 18: Restricted Office Zone
Section 29: Convenience Commercial (CC) Zone

West Woodfield Heritage Conservation District Plan

Appendix C – Additional Maps



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 155 310 620 930 1,240 1,550

Meters

FILE NUMBER:	**OZ-8462**
PLANNER:	SW
TECHNICIAN:	MB
DATE:	2021/10/14

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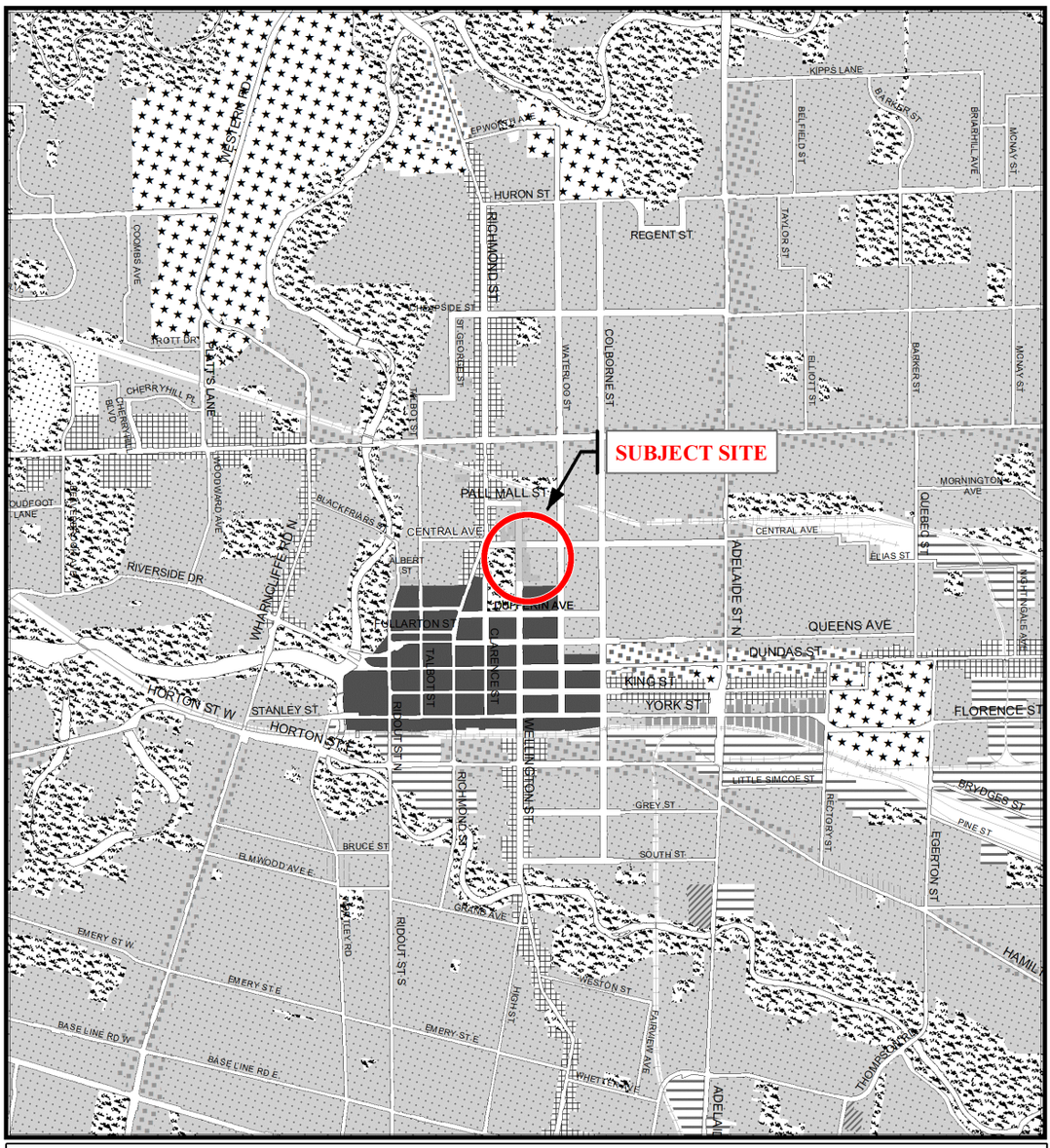


Legend

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

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

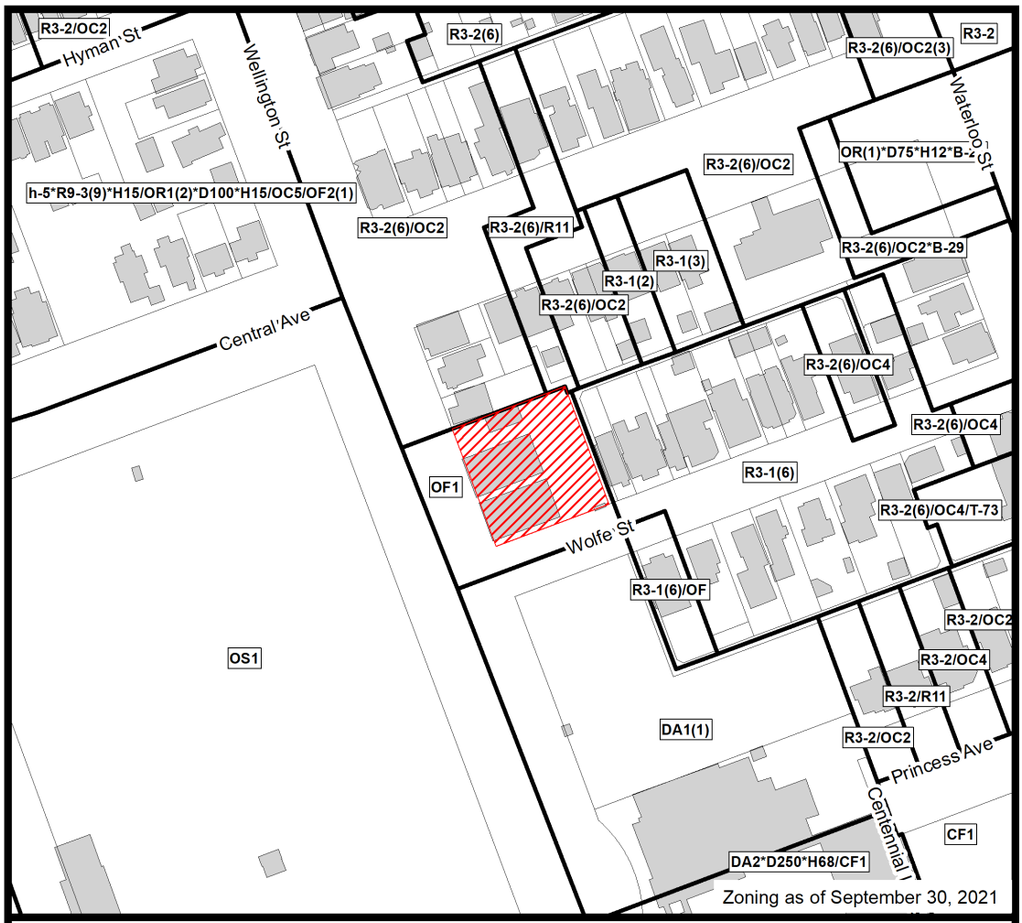
Scale 1:30,000

0 150 300 600 900 1,200 1,500

Meters

File Number:	OZ-8462
Planner:	SW
Technician	MB
Date:	2021/10/14

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\EXCERPT_Map1_PlaceTypes_b&w_8x14.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: OF1

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO:
OZ-8462 SW

MAP PREPARED:
2021/10/14 MB

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

PUBLIC PARTICIPATION MEETING COMMENTS

3.7 PUBLIC PARTICIPATION MEETING – 560 and 562 Wellington Street (OZ-8462)

- Councillor Hopkins: I'd like to go to staff for a presentation. Ms. Wise. Please come forward. Thank you, Ms. Wise. Any technical questions from the Committee? Seeing none I would like to move to the applicant. You have up to five minutes.

- Stephen Stapleton, Auburn Developments: Thank you Madam Chair. Can you hear me fine?

- Councillor Hopkins: Yes Mr. Stapleton. Go ahead. You have up to five minutes.

- Stephen Stapleton, Auburn Developments: Thank you very much for the opportunity to bring this application back to Planning Committee. I'm here with Mr. Handy and Mr. Muir from GSP Group who will be assisting me this evening and to answer any questions you may have. I would also like to thank staff for their time and effort on this file. We do appreciate it despite our differences in opinion. When there is such differences in opinion we have to search for an understanding. The difficulty in this case is the policy framework and the Land Use Designation are not in harmony. The '89 Official Plan or OP policy framework supports intensification and directs high rises and residential uses to areas with certain locational attributes. This dichotomy has caused confusion and opposing views that have yet to be reconciled. In order to clarify it is important to analyse the rationale of both the policies and the land use designation and determine the applicability of the broader support relating to these specific, to this specific location and understanding the context. The local attributes of this application and specific area are significant. Approximity to downtown and transit, places of employment, retail and restaurants and an open space amenities are front and center. These are attributes that are specifically identified in the Official Plan as preferred locations to support higher order land uses. Unfortunately, these policies are at odds with the current low density residential designation and it is this discrepancy that is the basis of our application to amend the Official Plan. 560 and 562 Wellington Street redevelop in the same time as the civic precinct in the seventies. The properties include two office buildings, one two story and one high story and contribute to more of a mixed use transformation around, along Wellington Street. This area, due to the locational attributes, continues to evolve with the recent approval of an eighteen-storey residential complex on a Canada Life property. This combination of higher intensity uses have distinguished the corridors' character from the remainder of the area. The historic and locational attributes influenced the evolution of the area. The vast majority of single-family homes in the area had been transitioned to multi-family and office conversion. The results in the loss of private rear yard amenity space in favor of parking area. This is important as the change in land use must quantify the impacts to determine sensitivity to that change. Change in housing form and height does not necessarily make it incompatible. The impacts must be measured and assessed before this can be determined. This is done by understanding the abutting lands uses and potential sensitivity. As noted in our previous submissions the transition of the private amenity spaces, the parking areas, limits the impacts to the area and therefore limits the sensitivity to height. The evolution of the area from the 1970's followed by the development of an eight-storey apartment building at Central and Waterloo and recently approved eighteen storey apartment complex have all reinforced the trend that began with the conversion of the original housing stock. This evolution of the area is characterized as transition. Given that the area has seen fifty years of evolution it can also inform us on the tolerance and resilience of the area to the proposed proposal for higher order of land uses. This is a common

evolutionary aspect to inner cities and is where further intensification should occur in order to insulate more stable neighbourhoods. Before I ask Mr. Handy of GSP Group to speak on the planning rationale I would like to reiterate that we will continue to work with the city on its goals of affordability and broader community on design and heritage contributions as part of the site plan process if Council sees clear to endorse this application. I would be pleased to answer any question after Mr Handy's presentation.

- Councillor Hopkins: Thank you Mr. Stapleton. I just want to remind you, you have just under one minute left.

- Stephen Stapleton, Auburn Developments: I believe we both marked five minutes. I have five minutes and Mr. Handy has five minutes.

- Councillor Hopkins: Oh, okay. Mr. Handy you are the consultant then.

- Hugh Handy, GSP Group: Yes Madam Chair.

- Councillor Hopkins: Thank you.

- Hugh Handy, GSP Group: Thank you Madam Chair and Members of Committee, staff, ladies and gentlemen. My name is Hugh Handy and I'm a Senior Associate with GSP Group and we act on behalf of 560 Wellington. I'm also here this evening with Kevin Muir, who's a Senior Planner in our firm. We're both Registered Professional Planners. We submitted a letter, it's before you this evening in your agenda package, and I'm going to provide some highlights of that. I'd like to also reiterate our first thanks to staff for the ongoing dialogue through our submission and also that we have considered comments from the public through this as Miss Wise has indicated. This has been extensive process that has brought us to this evening. What I'd like to do is briefly highlight things, I won't take long. As Steve has indicated many of the points that are important as part of differentiating this application. The evolution of the proposed development as Miss Wise has indicated in her presentation has had multiple resubmissions and have sought to address the comments and concerns by rearranging the building massing on the site. It's important both in our opinion as Professional Planners and our client's position that this site is miscategorized as low density residential continually advanced in our planning submissions through our planning justification report for the development plans for the Official Plan and Zoning By-law Amendment repeatedly we referenced the distinction of the Wellington Street corridor. We also believe in The London Plan, which is the, not the operative document but looking forward is a miscategorization as the core aspect in the site specific appeal of The London Plan and that's detailed in our, our submission as well, our submissions before the City. The Victoria Park Secondary Plan, which is why this is indicated it's, we've also participated and there's been multiple submissions through that process to recognize the context of this site and the importance of this corridor within central London. Third, we disagree with the notion this site is not an appropriate location. It's, in our opinion, not a low-density site and it's appropriate high-density site and I'll just highlight a few of those things. From a larger macro scale, we support broad city building objectives through this application related to the Provincial Policy Statement, the Official Plan and The London Plan. In our opinion this is a urban regeneration of central London and the primary transit area. It's transit supportive, in fact, the PPS requires the Provincial policies requires supportive development in such locations. Victoria is a core public space, there is no doubt of the importance of Victoria Park within London and within the central area and we believe that activity and this development could further support that key public space. We also believe that supporting businesses and public services is important and would be accomplished through this application. It's on the periphery of the downtown across the street and one block

from Richmond. This is also a principal arterial corridor on Wellington with frontage on that corridor. We will also provide a diversity of housing stock one, two, three-bedroom units in a distinct location from the downtown in close proximity to the downtown. On a micro or in terms of the context of this site Wellington Streets corridor character is different from the rest of West Woodfield and Woodfield in our opinion. 556 Wellington approvals on the south side which Mr. Stapleton has referenced reinforces this different character. The block the site sits in is not single-detached dwelling use anymore I think that's highlighted in some of the photos and aerial imagery that's within the letter that we sent to you this evening for your consideration. This block is different, when you take a look at it with parking, with lane ways this is different from other areas within Woodfield and we ask you for your consideration of that this evening. There's been multiple studies for the submission, testing the impacts, shadowing, there's acceptable impacts considered in the context when the safety conditions are met the comfort conditions largely are acceptable. Further design measures will be at detailed design should this application be approved. Traffic affected roads will continue to operate at acceptable service levels as Mr Stapleton's indicated this really underwent a transformation in the '70's. These are replications on the site there's no building heritage value other than the contextual relationship so we're not losing heritage buildings.

- Councillor Hopkins: Mr. Handy.

- Hugh Handy, GSP Group: In closing.

  Councillor Hopkins: Oh, thank you.

- Hugh Handy: Yes, I am. I anticipated. Thank you, Madam Chair. In closing the subject property is an appropriate location for a tall building. It provides, in our opinion, a more meaningful intensification opportunity in central London and within the area of the rapid transit furthering both local and Provincial policy objectives. We look for your support this evening and are happy to answer any questions. Thank you, Madam Chair, Committee.

- Councillor Hopkins: Thank you Mr. Handy. Any technical questions? Councillor Hillier.

- Councillor Hillier: Yes. Thank you for recognizing me. One question for staff regarding 311 Central Avenue, that is the Granite House apartment building. How tall is that? How many storeys?

- Councillor Hopkins: Councillor Hillier can you just give me the address again? Sorry.

- Councillor Hillier: 311 Central Avenue. It's called the Granite House. It's been there for quite a while.

- Councillor Hopkins: Thank you. 311 Central. I'd just like to go to staff to find out how many storeys.

- Mike Corby, Manager, Planning Implementation: Through you Madam Chair, it's Mike Corby. If you just want to give us a minute, we can try and figure that out for Councillor Hillier.

- Councillor Hillier: Thank you.

- Sonia Wise, Senior Planner: Madam Chair, this is Sonia Wise. Based on the Google Street View and just counting the storeys it appears to be eight storeys.

- Councillor Hopkins: Councillor.

- Councillor Hillier: Thank you very much.

- Councillor Hopkins: Thank you. Any other technical questions of the Committee? I see none. I'll now go to the public. I'd ask the public. I see Councillor Turner is joining us. Councillor Turner do you have a technical question of the applicant?

- Councillor Turner: I do if I might.

- Councillor Hopkins: Yes. Please go ahead. Sorry for not recognizing you.

- Councillor Turner: Thank you Madam Chair. If I might through you Madam Chair to Mr. Stapleton. Could you give us a bit of a context of how long Auburn has owned the property and whether you are familiar with the West Woodfield Conservation District and the rules associated with that at the time purchase?

- Councillor Hopkins: Mr. Stapleton?

- Stephen Stapleton, Auburn Developments: Sorry I forgot to hit mute. Yes, I believe we purchased the property just after the West Woodfield Heritage Plan was adopted.

- Councillor Hopkins: Just.

- Councillor Turner: I'd imagine at the time of purchase you were aware of what the constraints were on the property with the West Woodfield property or Heritage Conservation District process that had designated for the area as well as the Official Plan and the downtown area and all of those designations?

- Stephen Stapleton, Auburn Developments: Yeah. I'm aware of the Official Plan designations through the property and also the policy context that I referenced in my letter. Yes.

- Councillor Turner: Okay. Thank you. I just wanted to be sure. It's, the process of the West Woodfield Conservation District came into effect in 2000 August just for context. Thank you.

- Councillor Hopkins: Thank you and I see no other technical questions. I will go to the public and I will start with Committee Room 1 and 2. If a member of the public can just come forward with your name and address if you wish and you have up to five minutes. Welcome.

- My name is Bill King. I'm speaking on behalf of Greg Brusaz, the owner and residents of three properties in the Woodfield Heritage District all located within fifty feet of the application. (See attached presentation.)

- Councillor Hopkins: Thank you. I'd like to go to the next person in the committee room. If you can come forward with your name, address if you wish and you have up to five minutes. Welcome.

- My name is Kate Rapson. I'm the Chair of the Woodfield Community Association. We submitted a letter last July and I just read parts of that for you for the Committee here tonight. Woodfield Community Association would like to express our concerns and would like to support the City staff's refusal of the proposed development at 560 and 562 Wellington Street. While the development concept has been revised over the years, we would like to reiterate the concerns that other members of the community have submitted on this application previously that we

do not feel have been adequately addressed. Appreciating the need to intensity our community we do not believe a seventeen-storey development is appropriate directly abutting single family homes. Disagree with what was said earlier that most of the homes in that block are no longer residential or single family within the Woodfield neighbourhood. The proposal has not adequately addressed the impacts on the neighboring residential areas including increased traffic particularly on Wolfe Street but also the neighbourhood as a whole especially in light of the four-hundred-unit thing that has been approved just opposite the corner. In addition to the impacts of Victoria Park as a crucial open space for all residents of London have also not been adequately addressed – wind tunnelling, shadows, traffic, have all been, all have the potential to create impacts on the park as enjoyed by the entire city. Also want to reiterate that during the Victoria Park Secondary Plan we've asked for some environmental work to be done on the various iterations of potential zoning for the area and that's also not been addressed adequately. The Victoria Park Secondary Plan was initiated to better understand the cumulative impacts of development and it's that vision for the area that has yet to be adopted. In addition to the Great West development is a group of over four hundred units understanding these cumulative impacts are vital to maintaining the character and vitality of the neighbourhood and also this small green parcel in the middle of our city. How can this development be moving forward prior to finalizing a Secondary Plan without that plan in place we cannot support this application? It is also unclear how this development can be contemplated in the context of the West Woodfield Heritage Conservation District which emphasizes residential character, pedestrian scale and the importance of Victoria Park. With regard to specifics of the proposed development the reduction of yard depths, the lot area and use of rooftop areas in the calculation of landscaped open space are not appropriate for the site. While we appreciate that multiple revisions to the proposal in an attempt to mitigate impacts, impacts of a seventeen-storey building directly abutting a low density residential cannot be mitigated. We don't believe this site is appropriate for the proposed development and will set a precedent that the previous speaker noted to the other sites abutting the park. We would like you to know that we are happy to meet with the city development to share concerns and collaborate on solutions. We'd also like to echo concerns being expressed by others at the public meetings before the Planning and Environment Committee and Council while required under the *Planning Act* do not represent meeting folk, community engagement. We urge this Committee to please support staff's recommendation that this application be reused and we thank you for your time. Thank you.

- Councillor Hopkins: Thank you for your comments. Welcome. If you could just state your name and address if you wish and you have up to five minutes.

- Hazel Elmslie: (See attached presentation.)

- Councillor Hopkins: Yes. Please come forward stating your name and address if you wish and you have up to five minutes.

- Tom Okanski: (See attached presentation.)

- Councillor Hopkins: Thank you. Is there anyone else in Committee Room? Please come forward with your name, address if you wish and you have up to five minutes. Welcome.

- MaryAnn Hodge: (See attached presentation.)

- Councillor Hopkins: Thank you Ms. Hodge. Is there anyone else in the Committee Room that would like to come forward? I see no further comments from Committee Rooms 1 and 2. Are there any others?

- Heather Lysynski, Committee Clerk: Dorothy Palmer.

- Councillor Hopkins: Ms. Palmer?

- Dorothy Palmer: Thank you. I did look at the proposals and the plans and I appreciate the comments from both the developer and of course the committee room. One statement did stand out to me it was that this stretch of Wellington had been redeveloped in the 1970's and it's kind of well, it's already kind of gone and I'm not sure that's really a wonderful reference there were errors made at the time and perhaps this is the time to sit back a bit and say what could be done better for the next fifty years and I'm going to leave it at that. Thank you.

- Councillor Hopkins: Thank you. Is there anyone else that would like to make a comment?

- Heather Lysynski, Committee Clerk: Kelley McKeating.

- Kelley McKeating: Thank you.

- Councillor Hopkins: Thank you Ms. McKeating. I just want to remind you, you have up to five minutes. Please proceed.

- Kelley McKeating, Architectural Conservancy of Ontario London branch: I'm trying to, I think I'll be shorter. As you may realize I am speaking on behalf of the Architectural Conservancy of Ontario's London region branch. The ACO London supports the staff's recommendation and we've submitted a letter which provides the detailed list of our concerns regarding this proposed development and I'm not going to repeat all of the items in that letter. The, my understanding and I could be wrong, but my understanding is that a City in Ontario cannot pass a Zoning by-law that's inconsistent with a Heritage Conservation District Plan and the policy 4.3 of the West Woodfield H.C.D. Plan states that new buildings shall respect and be compatible with the heritage character of the West Woodfield area through attention to height built form, set back, massing, material and other architectural elements so it seems to me that this proposal is inconsistent with the H.C.D. Plan and that is presumably something that the city should be considering and deciding how to address this proposal. Also, the Ontario Municipal Board, the predecessor to the Ontario Land Tribunal, found in 2015 in a matter up in Toronto related to a thirty-two-storey building, they found that they decided that respectful separation district was critical to conserving the heritage attributes of the neighboring designated and listing properties and in that regard I point out that 560-562 Wellington Street are immediately adjacent to two designated properties, 294 Wolf Street and 568 Wellington Street. Again, this proposal sort of fails in that criterion that the OMB set a few years ago. Now high-rise intensification is absolutely to be supported in the right location and within the City of London our position and our perspective is that the south side of downtown is for the most part the right location there are parking lots there, there are low-rise buildings that don't have any redeeming architectural value and there are ample and really wonderful opportunities for intensification there. The right location is not next door to city gems such as Victoria Park and as another example of what is not the right location, I'd suggest that in the City of Paris France, they'd be unlikely to permit a seventeen-storey office tower or residential development along the Champs-Élysées Boulevard even though there are indeed high-rise towers elsewhere in the City of Paris. It's all about the right location in the right spot and I would encourage you as one of the other speaker said to please make the decision that makes sense for West Woodfield and also for all Londoners. Thanks very much.

- Councillor Hopkins: Thank you. Is there anyone else that would like to make comments to the staff's recommendation? I see none and I'll ask for more time if there’s anyone that would like to make comments please come forward. I see no further comments. I'd like to go to the Committee to close the public participation meeting.

File : OZ-8462

I am speaking on behalf of Greg Bruzas, the owner and resident of 3 properties in Woodfield Heritage District all located within 50 feet of this absurd application that is trying to redefine the whole city planning process.

If our city accepts all or part of this application, legally what they do for one, they must do for all. Is the city ready to make this precedent setting change to this 150+ year old historic community?

All three of my properties over the past 15 years were restored honouring their historic significance and according to the City of London's - Heritage London protocols. One of these homes' restoration efforts was granted The Ontario Conservancy Architectural Heritage Award in 2019. My other two properties are at 568 Wellington Street (directly next to this application) and 2 doors down at the corner of Wellington Street and Central Avenue. Our family home is located 2 properties east of Wellington Street at 293 Central Avenue (The former Phi Beta Phi Sorority House)

It is, at very least, irresponsible to grant Auburn Homes/560 Wellington Holdings Inc. the opportunity to build the monstrosity that they are proposing in a community that has Edwardian and Victorian, Queen Ann style Mansions and Ontario Cottages, dating back to 1840.

I offer the <u>following reasons</u> why this will have a devastatingly negative impact on the integrity of the Woodfield District, the conservation of historically-significant homes, and the 1400 households and families, who embrace this Residential community.

- The 1989 Official Plan and the New London Plan (2021) both reference the zoning of the Woodfield District, as "low density residential and Neighbourhood place type".

  Auburn Homes attempt to **supersede this zoning** designation and be accepted as "urban corridor" is unacceptable. They have the privilege of being located in the "2016 Great Places in Canada Winner - Great

Neighbourhood". That privilege means they are bound to the zoning in place, no exceptions. Irresponsible and unacceptable

- With their request to be **'rezoned' as Urban Corridor**, they are asserting that they will have zero 'set back' conditions. With reductions to yard depths and property lines, and 95% lot coverage, their building will abut one of my homes; literally meaning I cannot open my side doors and step out. Additionally, the balconies will cantilever over my property. The same denial of property set backs will extend across the communal right of way, and potentially prevent access to my garage at another property. Irresponsible and unacceptable
- The Laneway off Wolfe Street is the only access to parking for all residences in the block in question. There are only 4 driveways. All parking is accessed from a horse and buggy lane from the 1800s. By giving ZERO set-back off the property line, it will jeopardize families getting their vehicles down the lane.
- Woodfield District has a 10 meter building **height rule**. Auburn Homes is requesting a 61 Meter high building (6 times the height); including a 17 storey mixed-use residential/ commercial apartment building with 173 apartments and 1 commercial unit with a range of small scale used in the space. Irresponsible and unacceptable
- If the City of London makes the **Precedent- Setting decision**, to allow a 17 story building change the integrity of the Woodfield Historic district, they must also allow the complete block, owned by Farhi Holdings, located between Wellington Street, Richmond Street, Central Ave to Hyman Street, must be allowed to rebuild to this new zoning height, add commercial retail stores and also build directly on the property line.
- The city must also allow the vacant lot at Central and Waterloo to be developed at the new height with retail commercial zoning.
- The city must also allow developers to come into the district and tear down home to build multi-story multi-use buildings throughout Woodfield.

- It will then also allow **me** to demolish two of my Historic properties (located immediately next door to 560-562 Wellington) at 568 and on the corner of Central at 572 Wellington Street.

- Our home at 293 Central Avenue (the house the won the Ontario Architectural Conservancy Award) could also be torn down and we will construct a 17 story building.

- If the city permits the **retail and commercial zoning** to Auburn Homes, I could convert the properties at 568 and 572 to a night club, restaurant or clothing store? I could open a cannabis shop at my home at 293 Central Avenue. Irresponsible and Unacceptable.

  Additionally:

- My neighbour, in Woodfield District, was in desperate need of new windows on her home. Vinyl or aluminum Windows were not an option, as per the stringent rules of Heritage London. She saved the tens of thousands of dollars to have the wood windows removed and covered with plastic as each was rebuilt removing the rotten wood and replacing the glass. This process didn't increase the R value of the home from the original 1907 Windows. How can the city ask one thing of a 20+ year resident of Woodfield and give a Corporation full carte blanche to the changes requested to 560 Wellington Street.

- If the 560 Wellington Street Project is allowed to alter the Property size/set back restrictions, the city will need to approve driveways in the front yards off Wolf Street, Central Avenue, Wellington Street and Waterloo Street.

If the City of London moves in favour of this **precedent setting** decision, it will ultimately impact the vital integrity of the Woodfield District. In doing so, they will be compromising historically-significant homes, create density damage, and negatively impact the families who live and love this area.

OZ-8462 560-562 Wellington St

Additional comments delivered verbally at PEC 1 Nov 2021

1. In Mr. Stapleton's presentation he proposed a theory of the **evolutionary redevelopment** of the Woodfield neighborhood, implying that the intensification of 560-562 Wellington is the inevitable result of "recent" planning decisions. In fact his examples, the SW corner of Waterloo and Central, and the London Life parking lot on Wellington, to the south of this property, although approved have not yet been redeveloped. Furthermore Waterloo and Central has been dormant and an eyesore in the neighborhood for over 35 years and no development has taken place since the approval in 2014, 8 years ago. The only reason the London Life parking lot redevelopment needed approval was the need to override Heritage concerns. In all other respects it adhered to redevelopment requirements for that site and did not require rezoning.

2. There are 2 concerns that the City has recognized that do not appear to be addressed in this proposal. One is the Climate Emergency and the other is affordable housing. This building has not green attributes at all, and minimal outdoor amenity space. The wind study points out that outdoor space will not be usable in the winter, and perhaps even dangerous. Since it is zero lot line there will be no room for landscaping and trees. To meet affordable housing there needs to be rent geared to income in this building.

Hazel Elmslie
63 Arcadia Crescent
London, ON, N5W 1P5

Planning and Environment Committee Meeting

November 01, 2021

Submission from Tom Okanski

Victoria Park is an unfortunate locus of several differing and competing zones. The official city plan of 1989 and confirmed by the London Plan (new London Plan) resolves the issue by compromise. It defines those various zones around the park and recognizes that their mutual coexistence in fact can work to enhance the city by leaving intact this small bit of geography that is so diversely utilized by the city's citizens. That portion of lands to the north and east are designated Low density residential in 1989 and confirmed Neighbourhoods Place on The London Plan. This area and the park itself is further designated a Heritage Zone.

The requested changes to the zoning and special provisions being asked fly in the face of this compromise: there is no attempt in the developer's proposal to maintain this spirit of compromise.

If approved, it will upend the fragile balance of uses, both by the building itself with its height, massing, lot coverage and also by the precedent that will be set if allowed. As has already happened, there will be further erosion of the park's mosaic. Others will use this precedent to seek conversion of the remaining neighbourhoods place type to high rise commercial residential. That erodes the viability of the park as a community gathering space as it becomes the backyard for a group of high-rise exclusive apartments.

I encourage you to maintain the status quo, an awkward but functional compromise that keeps the park and its environs accessible to all Londoners.

Please be consistent with the work done by staff and by previous council in what is now a third application: once again, turn it down!

First, I would like to respond to a statement made earlier. Yes, this block is different than the rest of Woodfield. This block includes several very exclusive examples of Victorian architecture – as fronting on Victoria Park was seen as an exclusive address even then. Also, most houses on the block do not have front driveways. The only access to parking is from a rear lane – and yes, there is lots of parking there – but you will notice that the front yards are lovely and add to the charm of the street. We also have a group home for developmental adults in this block, which requires parking for staff which would be in excess of a normal household's parking needs.

We have an affordable housing shortage and we are in a climate emergency.

People often ask me why, if I advocate for affordable housing and climate action, am I against this application.

It is true that increasing density in the city is essential to combatting climate change. We need density to make transit work more efficiently. Density allows us to leverage existing infrastructure like sewer, water and roads that we already have in place, keeping property taxes lower.

but density is not a one-size-fits-all solution
doubling the density on this site is still a significant improvement
if we were to double the density throughout the city, we would not have a housing shortage

we have zoning rules that dictate the appropriate density in the city.

this property has been zoned for 6 storeys for decades. Since the original houses were demolished to build the existing office tower.

The London Plan has updated the zoning to double this property's current zoning.

Auburn wants to argue that this property is really in the downtown core.
This is not in the downtown core. This is a heritage district - with the advantages and disadvantages that go with it. As a property owner in the neighbourhood, we know this means higher renovation costs and limited re-development opportunities. It means there is space between buildings., not wall to wall concrete. Auburn has re-submitted this application and with zero lot lines. This is not in keeping with a residential neighbourhood.

This is a heritage district BECAUSE of the residential nature of the buildings. It is true that some of this housing has transitioned to light office use, but with the decreasing demand for office space, these buildings may transition back to residential as Auburn is demonstrating with this application.

This development will not address the housing affordability shortage, as this desirable location next to Victoria Park will entice developers to build to the highest possible price point

In my opinion, climate change is really a symptom of a larger issue – it shows us what happens when we sacrifice the health of people and the planet in the pursuit of short term economic gain. What is the long term cost of putting a 17 storey building in a block of 2-3 storey heritage buildings? What is the cost to Victoria Park? There are no studies that show the park can flourish with tall buildings encircling the park, increasing shade at every point in the day.

The park is planned for the possiblity of 25storey buildings on the west, and 35 storey buildings on the south. These heights are in line with the ideology of higher density in transit corridors. Covid has shown us we need to protect public places. There are no studies that show the park can flourish with tall buildings encircling the park, increasing shade at every point in the day. The new building on Richmond is a great example of high rise development in the right place. It is a block away from the park, and has no great impact on the experience in the park.

In my view, this application is really asking the question - will Council ignore the London Plan, created by planning professionals, and endorsed by council, to extend the downtown design district further north to accommodate this application?

attracting people to the downtown requires more than just high rise buildings. It requires natural spaces for people to go for a walk. This neighbourhood is most desireable because it has a gem of a park, and is in an attractive heritage district that makes taking walks in the neighbourhood pleasurable. But this privlege comes with responsibility - the responsibility to keep the neighbourhood a residential atmosphere.

I ask you to deny this application on the grounds that it does not meet the existing height restrictions of the Heritage Conservation District, or the London Plan, and would have a negative impact of Londoner’s enjoyment of Victoria Park, the jewel of London’s urban parks.

MaryAnn Hodge

OZ-8462 – 560 & 562 Wellington Street

Planning and Environment Committee

November 1, 2021

Slide 1 Location and Site Context

Slide 2 Existing Use and Surrounding Area

Slide 3 – West Woodfield Heritage Conservation District

Slide 4 – Proposed Development

Current Proposal (17 storeys)

- 17 storeys (61m)
- 3 storey podium
- 173 residential units
- Density of 800uph
- 1 commercial retail unit with 247sqm
- 219 parking spaces
- Reduced building setbacks
- Increased lot coverage
- Reduced and alternative landscaped open space

Slide 5 – Past Iterations

Initial Proposal (25 storeys)

Second Submission (22 storeys)

Slide 6 – Timeline

- **February, 2015**: OPA/ZBA Application was accepted as complete for 25 storeys
- **June, 2016**: Application was placed ‘on hold’ following the initial circulation and comments
- **December, 2016**: Submission of revised design ‘second submission’ for 22 storeys
- **May, 2017**: Second Submission proposal was brought forward to the PEC meeting with a staff recommendation for refusal. Municipal Council referred the matter back to staff to continue to work with the applicant to submit a revised proposal that is more compatible with the surrounding context and planning framework.
- **May, 2018**: Municipal Council directed staff to undertake a comprehensive (Secondary) plan for the properties surrounding Victoria Park
- **June, 2021**: Submission of revised design of ‘current proposal’ for 17 storeys

Slide 7 – Public Comments

Notice of Application – March, 2015

- 38 submissions received, a petition with 546 signatures, most opposed to the proposed development

Notice of Revised Application – January, 2017

- 27 submissions received, most opposed to the proposed development

Notice of Revised Application – July, 2021

- 12 submissions received, most opposed to the proposed development:

Concerns

- Impacts on heritage character of the WWHCD
- Impacts on Victoria Park
- Precedent setting development
- Lack of conformity with existing plans and policies
- Traffic volumes and safety

Slide 8 – Recommendation

Recommendation for Refusal based on:

- Not consistent with the Provincial Policy Statement, 2020;
- Not conform to the Official Plan (1989);
- Not compatible with surrounding neighbourhood, does not provide sufficient height transition or buffering;
- Represents an over-intensification of the site with regards to density, building massing, lot coverage, landscaped open space and setbacks;
- Does not satisfy the policies for the Multi-Family, High Density Residential designation and does not pass the Planning Impact Analysis; and
- Not in keeping with the West Woodfield Heritage Conservation District and does not adequately conserve cultural heritage value.

Re: Proposed Development at 560 and 562 Wellington Street

Dear Committee Members,

This proposal triggered the Victoria Park Secondary Plan and it was placed on hold because of the outbreak of the Covid-19 virus. It is not fair to residents to approve this development without completing that process. This sentiment is echoed by the Urban Design Peer Review Panel.

In addition to staff comments, this development is not complementary to Victoria Park which residents have clearly stated they do not want any harm coming to the park including shadowing, density – as the park is already over used and the soil compacted, and increased pollution through traffic. As this development is over-sized it does not offer open green space to its residents, forcing residents outside to seek open space and placing a greater burden on Victoria Park to supplement the lack of residential green space. It is not clear how this development will impact the natural qualities of the park.

This highrise combined with the one already approved across the street on the southeast corner on Wolfe and Wellington will completely shade out the homes on the north side of Wolfe St. and plunging these residents into shadow. This is not ethical as sunshine into a person's home is critical to personal well being.

The compromised solution by the developer to build a wall separating its property from the greater neighbourhood is an indicator that the development is not complementary or blend into the neighbourhood. It is the wrong building in the wrong spot. The developer wants to build here for marketing purposes as all developers look to exploit green areas for marketing value.

The current buildings can be retrofitted for residential use and are all great buildings. Retrofit is by far a more sustainable approach to new construction.

Thank You

AnnaMaria Valastro

Auburn
DEVELOPMENTS

October 28, 2021

Dear Mayor & Members of Council:

Re: 560 & 562 Wellington St – Application for Official Plan and Zoning By-law Amendment – File OZ-8462

We appreciate being able to bring this amended application back to PEC and Council and would like to thank staff for continuing the dialogue and professionalism shown despite our current disagreement on the appropriate course for this application.

Although the process has continued for almost 8 years since the application was accepted, we believe that the continued dialogue enabled a clearer understanding of the differences and permitted the refinement that is now before Council. Our analysis shows that the proposal is appropriate given the locational attributes and the planning context given its proximity to downtown and being situated within the Core of London which have been directed by the goals and objectives of the City.

As previously noted, the application preceded the approval of the London Plan and the review is subject to the 1989 Official Plan policies, however, we have also considered the goals of the London Plan as we evolved this application. It should be noted that we have had numerous meetings with the public and previously at PEC that illustrated both as many of those in support and those in resistance. We would submit that the community does have support for this application given previous commentary and polling by the London Free Press.

In addition to the submissions of our Planning Consultants, we would like to reiterate some of the rationale that should be considered in addition to the policy review undertaken by GSP Planning Consultants.

Context

The proposal to redevelop the existing 2 and 5 storey office buildings to high rise residential must be viewed in context of the Wellington Corridor as much as being part of Woodfield given its distinct difference in the evolution and transition of the area.

The Wellington corridor which these two office buildings are part, has already seen a transition from the original single-family character associated with Woodfield. This transition occurred in late 1960's and early 1970's with the construction of City Hall, Centennial Hall and Apartments as well as the office buildings at 560-562 Wellington. Even though this 1970 transition was a drastic change from the original single family fabric, there wasn't a negative impact to the wider Woodfield Community and therefore we know there is a resilience in changes in the community. This proposal is a change but it shouldn't be viewed as a negative as many areas at the periphery of Woodfield have areas of transition and incorporate a more abrupt change from single family to high rise residential housing. This transition is a normal and evolutionary aspect for lands adjacent to the downtown's or within the core of a City given the prominence of the area, locational attributes and amenities, employment and entertainment opportunities in pursuit of the fulfillment of a urban lifestyle.

Character/Locational Attributes/Prominence

The identification of the character of an area requires a focused perspective. Although the lands are part of the Woodfield area, it is located on the periphery and within a block that continues to evolve. The immediate area can be characterized as a 'transitional' neighbourhood as the original housing stock has seen conversions to multi family housing units and commercial offices. The locational attributes of the area includes close proximity to employment, retail, restaurants and open space in Victoria Park, all assisted in the natural evolution of the area. The locational attributes of an area heighten the areas prominence and areas in proximity to Downtown continue to share in this evolutionary aspect of most City's, in which London shares. This attribute is something that is needed to maintain healthy cores and downtowns. When an area in defined as 'transitional' it refers to a stage of evolution. This can inform Planners and Councillors on sensitivities relating to the continued evolution of the area and how to measure impacts such as may be presented by a proposal such as this 17 storey proposal.

In determining the appropriateness of a proposal, a review the locational context as well as the policy context is necessary in determining the appropriate planning impacts associated with the proposal. We respectfully submit that this analysis has not be completed by staff and fails to identify the obvious difference between the Wellington Corridor and Woodfield both through its previous redevelopment evolution as well as current state of transition for the immediate block.

The immediate area has seen the transition of the previous single-family homes to more multifamily and office conversions. An 8 storey apartment building has exu=isted in harmony for some time located at Central and Waterloo. Council's recent approval of the Canada Life 18 story building on Wellington Street supports this proposal and urban design aspects associated with the streetscape of Wellington Street.

The issue of height raised by staff has not been reviewed within the proper context. The issue is not the houses adjacent are only 2-3 storeys in height. The issue of height relates to impacts. The sensitivity to height is measured by the context of the area. Is the area a stable single family home with rear yard amenity space or has the rear yards been converted to parking areas due to the changes in land use to more intensive uses? These contextual examples will derive different impacts given the context and therefore have greater or lesser impacts or sensitivities to increasing the height of a building. Given the context regarding this proposal has replaced rear yard amenity space with parking spots. The sensitivity to height is less and therefore increasing height has less impact. The transition of the area, the locational attributes support increase intensification of this area for the City.

Intensification/Transit supportive Objectives

It is important to note that both the 1989 Official Plan and the London Plan direct further intensification of Central London, the Core and areas in proximity of Downtown. This proposal is in complete conformity with that objective and given the evolution of the Wellington Corridor and the immediate context of the abutting area, the proposal is appropriate. The proposal does conform to the Provincial Policy Statement, both the one that existed when the application was accepted and the current PPS.

Not only do the policies direct additional intensification, the recent approvals of an 18 storey building immediately across Wolfe Street, which shares the Wellington streetscape, also endorses the transition of the area and defines the evolutionary character of the Wellington corridor. The historic evolution and separation from the contextual Woodfield neighbourhood as well as the recently approved Canada Life 18 storey development on this corridor is a component of the review that should not be ignored.

The proximity of open space (Victoria Park), employment, retail, restaurants and transit are planning attributes that support this proposal and support the objectives of the City. This proposal will not negatively impact Woodfield's place as a great place to live. It will only serve to enable the retention of existing residents within the area that wish to maintain that inner core lifestyle. The locational attributes will also entice additional residents to the core given the amenity associated with the area. The area has seen change in the 1970's and it has integrated it with the Woodfield area, this proposal will do the same.

Development Charges Revenue; Assessment Growth and Tax Revenue

The proposed 17 storey building is anticipated to have 173 units of 1, 2 and 3 bedroom units. This proposal will yield the following revenues:

Development Charges (2021 rates): $2,855,109.00

Assessment (est. approx.) $80 Million

Tax Revenue/year (est. approx.): $1,110,624.00

Summary

- The locational attributes of this proposal supports and directs intensification and this form of residential housing; and supports the wider objectives of supporting transit, employment and retail and restaurants in the area.

- The characterization of the immediate neighbourhood is different and distinct from that of the Woodfield neighbourhood as it has previously redeveloped and continues to transition to high rise character along the Wellington corridor as witnessed by the Canada Life approval. The existing office buildings are not significant heritage structures and have little relationship with the history or architecture of the area.

- The Policies of the 1989 OP and the London Plan both support intensification in the Core and Central London and specifically areas adjacent to Downtown. The proximity of employment, transit and amenities reinforces the policies within the OP for location of High Rise Residential Land Uses.

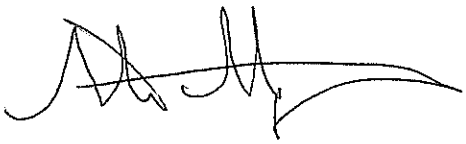
- The project will generate significant revenues for Development Charges and Municipal taxes.

Next Steps

The approval of the Official Plan and zoning bylaw isn't the end of this process. We will also commit to continuing to work with staff if this proposal is approved by Council. We will work through the design considerations in site plan approval and address the housing affordability contributions of this project as well as public art/heritage contributions that may be desired given the historical context. We understand that change is difficult but the locational attributes and context of this project, which aligns with the evolution of the Wellington corridor, should be recognized and supported.

We thank you for your consideration. Feel free to contact me directly is you have any questions.

Respectfully submitted,
Auburn Developments Inc.



Per, Stephen Stapleton,
Vice President

560 WELLINGTON ST 2ND FLOOR LONDON ON N6A 3R4 (519) 434-1808 Fax (519) 434-5084

SHAPING GREAT COMMUNITIES

October 28, 2021 File No: 11054

Planning and Environment Committee
City of London
300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

Re: 560 and 562 Wellington Street
Official Plan and Zoning By-Law Amendment Applications (OZ-8462)
Planning and Environment Committee (PEC) – November 1, 2021

To the PEC Chair and PEC members:

GSP Group is the planning consultant for 560 Wellington Holdings Inc. (the **"Owner"**) regarding its property at 560 and 562 Wellington Street in London (the **"Subject Property"**). GSP Group has been involved in the planning approvals for the Subject Property since 2012 for the original Official Plan Amendment and Zoning By-law Amendment application, which were originally submitted in 2014. In April 2021, GSP Group submitted a revised 17-storey development plan and revised Official Plan Amendment and Zoning By-law Amendment details on behalf of the Owner to be brought forward to a Planning and Environment Committee for a decision.

We are submitting this letter on behalf of the Owner for the Planning and Environment Committee's consideration of the revised applications. It is meant as a summary of the key points of the rationale and justification for the proposed applications that implement the 17-storey development plan for the Subject Property. Our full analysis and justification is outlined in our April 14, 2021 Planning Justification Brief, which is meant to be read in conjunction with the full Planning Justification Reports submitted in 2014 and 2016.

The following presents the key messages for the Committee's consideration.

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883
162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477
gspgroup.ca

THE BACKGROUND

1. **The proposed 17-storey development plans have evolved and been refined since the original 2014 submission to address comments from the community and City Staff.**
    - Now 17 storeys (originally 25 storeys).
    - Now 173 residential units (originally 180 units).
    - Now a mix of 1-bed, 2-bed, and 3-bed units (originally 1-bed and 2-bed only).
    - Has a range of unit sizes from 650 to 1,625 square feet in floor space.
    - Maintains ground floor commercial space facing Wellington Street.
    - Maintains the existing access locations to Wellington Street and Wolfe Street.
    - Lowers the building podium to 3 storeys (originally 4 storeys).
    - Redesigns the building podium with materiality and architecture to reflect the surrounding heritage fabric.
    - Redesigns the building tower to emulate the material choices of the podium.

2. **The proposed 17-storey development plan that is before the Committee is the culmination of a decade-long planning and planning approvals process for the Subject Property.**
    - First submission to the draft London Plan process submitted in November 2014, which was concerned with the height and intensity proposed for the Subject Property.
    - 25-storey development plan, supporting studies, and OPA and ZBA applications (the **"Original Applications"**) were submitted in December 2014.
    - Original Applications progressed through technical review, review committees/panels, and public information meetings inthe first half of 2015.
    - Original Applications were put on hold in later 2015 to explore opportunities for refining the proposed development concept to address comments.
    - Second submission to the draft London Plan process submitted in June 2016, which requested a higher order Place Type and special policies for the Subject Property.
    - 22-storey development plan, supporting studies, and revised OPA and ZBA applications (the **"Modified Applications"**) submitted in December 2016.
    - Modified Applications were referred back to City Staff at the May 2017 PEC meeting to further explore design options.
    - London Plan appealed site-specifically for the Subject Property in September 2017.
    - Attendance at the initial Community Information Meetings for the Victoria Park Secondary Plan (October 2018 and January 2019).
    - Four submissions on behalf of the Owner into the Secondary Plan process and regarding drafts (March 2019, April 2019, September 2019, and January 2020).
    - Attendance at multiple PEC Meetings for consideration of the draft Secondary Plan documents (June 2019 and February 2020).
    - Attendance at multiple Community Information Meetings for the consideration of the draft Secondary Plan (September 2019 and November 2020).

CURRENT DESIGN - 17 STOREYS

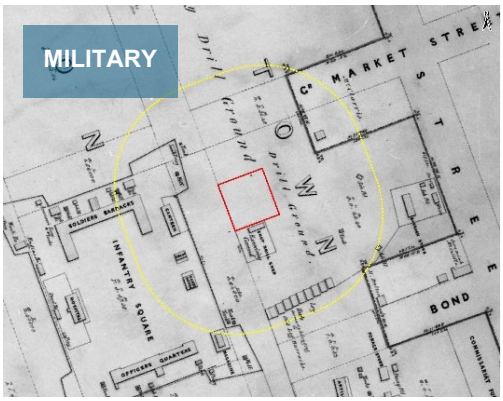
PREVIOUS DESIGN - 22 STOREYS

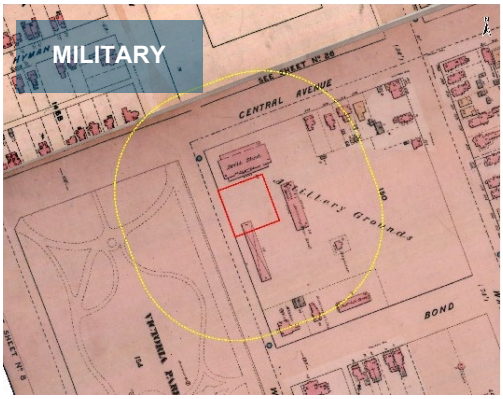
2021 / 07 / 21

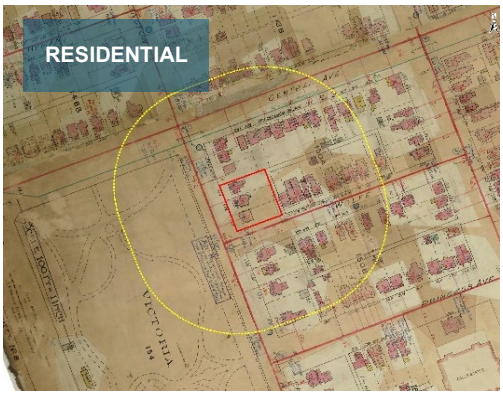
TURNER FLEISCHER

THE CONTEXT

3. **The Wellington Street North corridor has evolved differently from the rest of the Woodfield Neighbourhood.**
    - Subject Property is not an internalized part of the Woodfield Neigbourhood.
    - Instead, it forms part of an evolving Wellington Street corridor that is not static in nature and has a different heritage experience to the Neighbourhood's inner areas to the east.
    - Original fabric along Wellington Street north of Dufferin facing the park's east side was removed in the 1960s and 1970s with the construction of City Hall, Centennial Hall, surface parking lots, and new office buildings (including the Subject Property).
    - This distinction from the low-rise residential fabric associated with much of Woodfield to the east is a significant for understanding the context for the proposed applications.







4. **The existing detached dwelling fabric on the Subject Property's Wellington-to-Waterloo block has also transitioned in use over time.**
    - The heritage residential building fabric remains largely intact on the subject block.
    - Block is characterized by detached dwellings that have been converted to allow for ground floor office use with residential units above or to multiple residential uses.
    - Rear yards have been predominately paved to allow for on-site parking, and, as a result, there is a limited amount of amenity or green space in the rear yards.
    - Mid-rise apartment building sits on Central Avenue, beside which is an approved site for mid-rise apartment building at the Waterloo Street and Central Avenue.
    - These patterns of use influence the sensitives of the surrounding context and inform the assessment of impacts resulting from the proposed building.

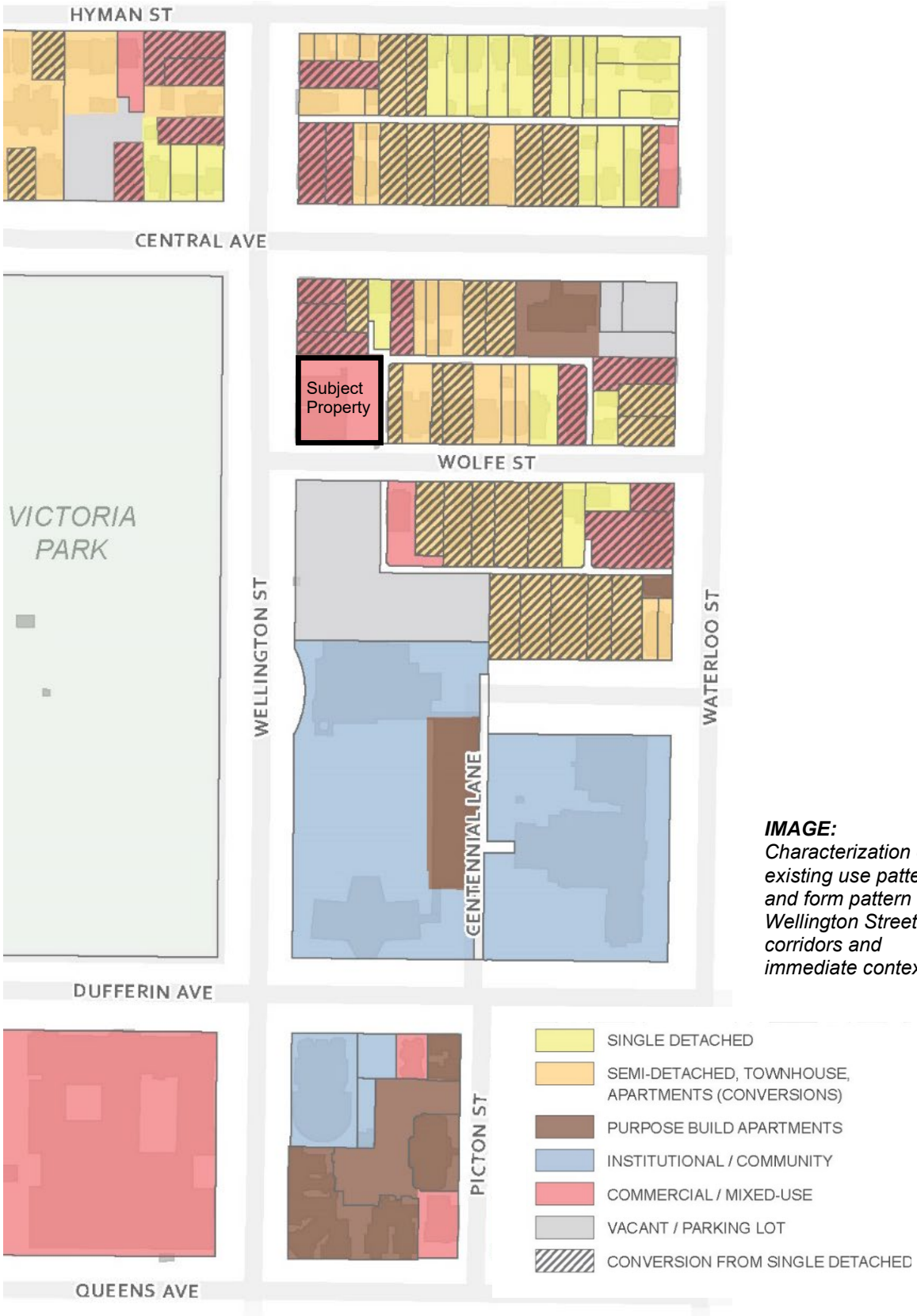


IMAGE: *Characterization of existing use pattern and form pattern of Wellington Street corridors and immediate context.*

5. **The two existing buildings on the Subject Property re relatively contemporary additions to the Wellington Street corridor and the Woodfield Neighbourhood.**
    - Original residential fabric on the Subject Property was demolished in the 1960s.
    - Current buildings on the Subject Property were constructed in the 1970s.
    - Heritage Impact Assessment determined that the current buildings have no cultural heritage or interest from a building character perspective (they do contribute to the streetscape character).
    - Heritage Impact Assessment concluded that a positive streetscape contribution can be established through demolition and a new building on the Subject Property without a detrimental effect on the West Woodfield character.

6. **The transitional nature of the Wellington Street corridor is further highlighted by recent approvals for a high-rise development at 556 Wellington Street facing the Subject Property.**

- Recent Site Plan Approval for 556 Wellington permits a multi-tower development configured with an 18-storey building lining the property's Wellington Street frontage and a 12-storey building oriented perpendicularly to the rear.
- No longer a zoning hypothetical, this approval further reinforces the notion that the Wellington Street corridor is clearly distinct from the remainder of West Woodfield.
- Evolving nature of the subject Wellington Street corridor provides a contextual interface towards the Victoria Park and the Richmond Street corridor spine more so than the interior of West Woodfield neighbourhood.
- Scale of the approved 556 Wellington building informs the contextual analysis of the Subject Property regarding the appropriateness of the proposed development's form and scale.

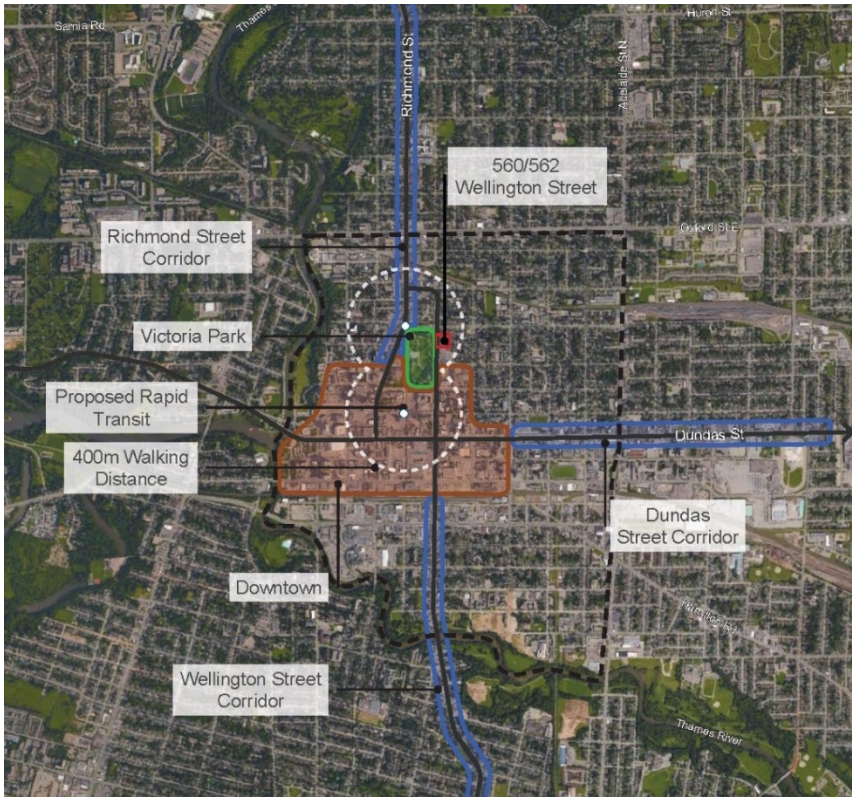
THE POLICY BASIS

7. The OPA is an Amendment to the 1989 Official Plan.

- Proposed OPA and ZBA applications pre-date the approval of the London Plan.
- Proposed OPA and ZBA applications are directed by the 1989 Official Plan.
- The Subject Property is currently under appeal in the London Plan.

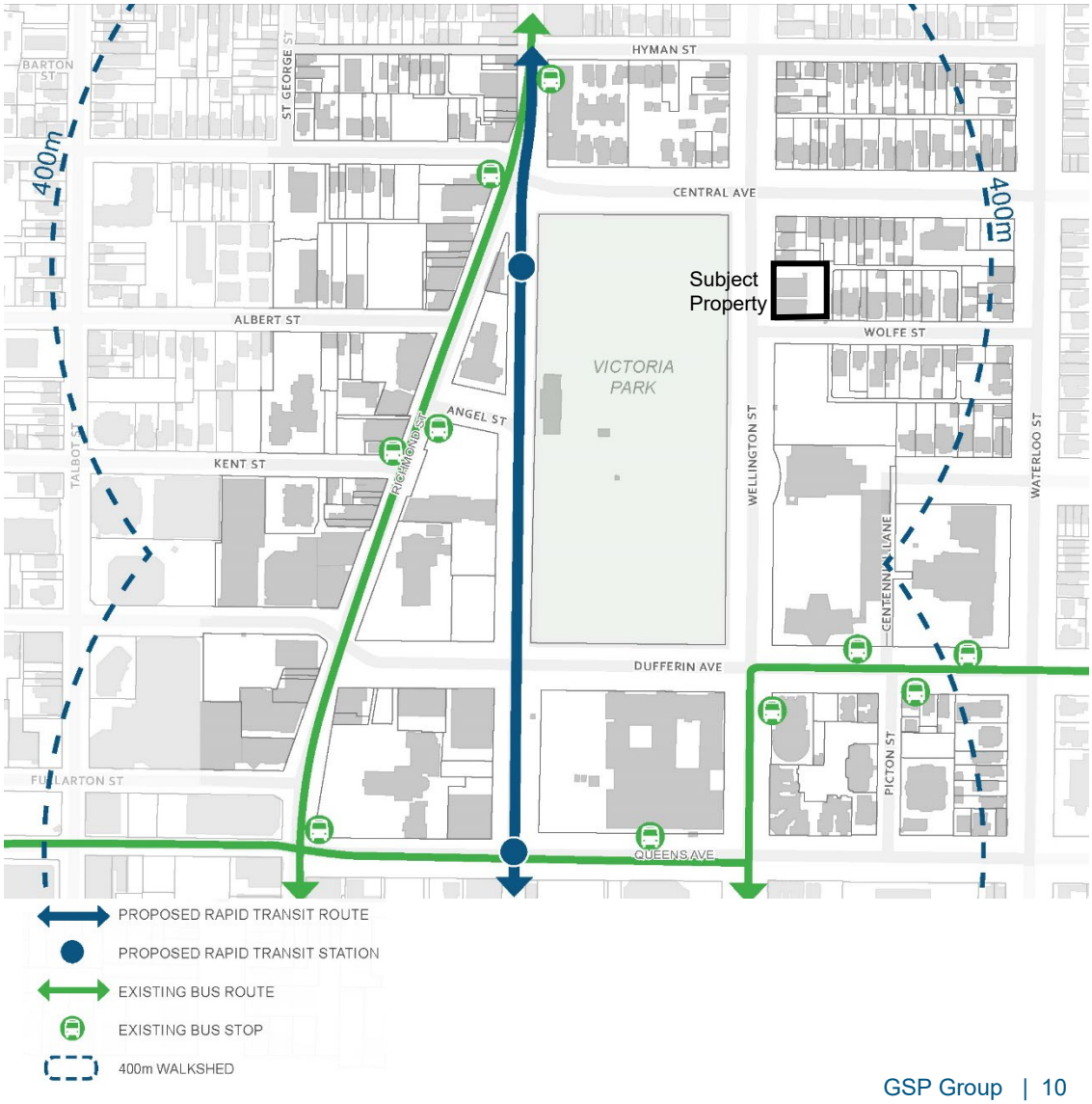
8. The Subject Property is consistent with the 2020 PPS direction for promoting appropriate locations for a "*range of uses and opportunities*" for intensification and redevelopment.

- Proposed development supports Richmond corridor and Downtown businesses and economic activities.
- Proposed development is served by existing local transit services along Richmond Street and in Downtown.
- Proposed development better optimizes the use of a prominent site immediately surrounding a planned rapid transit station on Richmond (a 3-minute walk).
- Proposed development is served by many public facilities within Central London.
- Proposed development is served by existing sanitary, water, and storm water infrastructure with no extensions or improvements required.
- Proposed development fronts on the arterial corridor of Wellington Street.
- Proposed development can occur without adverse impacts on surrounding context, as outlined in following commentary.



9. **The proposed development form, scale and intensity is consistent with the 2020 PPS's stronger emphasis on transit-supportive development.**

- 2014 PPS was in effect at the time of the Original Applications and Modified Applications.
- 2014 PPS identified transit-oriented development as development that makes transit "*viable*".
- 2020 PPS identifies transit-oriented development as development that "*optimizes investments in transit infrastructure*".
- Subject Property is withing 250 metres of a future BRT station on Richmond and close to local routes in surrounding area.
- Low Rise Residential / Office is not an optimal use of the Subject Property given context and prominence in Central London's structure.
- Proposed high-density designation and zoning better supports the intent for "*optimization*" as part of transit-supportive development than the low-rise residential designation on the Subject Property.



10. **The proposed development's mix of unit types and size is consistent with the 2020 PPS direction for diversity of options in the housing stock.**
    - 2020 PPS directs that planning authorities are to "*provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area*":
        - Permitting and facilitating all types of residential intensification and redevelopment
        - Directing new housing development towards locations with appropriate levels of infrastructure and public services facilities
        - Promoting new housing densities that efficiently use land, resources, infrastructure and public service facilities
        - Promoting new housing densities that support active transportation and transit use
        - Requiring transit-supportive development and prioritizing intensification close to transit stations and corridors
    - New requirement in 2020 PPS for transit-supportive development around transit stations for the purposes of accommodating a range and mix of housing options elevates the importance of sites such as the Subject Property for intensification and redevelopment.
    - Revised development plans provide for a full range of apartment unit types with a mix of one-bedroom, two-bedroom and three-bedroom units.
    - Building will cater to a range of different residents, from first-time buyers to older residents downsizing in the neighbourhood and to those with children requiring larger units.
    - Proposed zoning standards support a compact form and minimize housing cost, while presenting no impacts to public health or safety.

1 TYPICAL FLOOR 5 - 13
1 : 200

1 TYPICAL FLOOR 16 - 17
1 : 200

11. **The proposed development is consistent with the 2020 PPS direction for the conservation of built heritage resources through mitigation measures.**
    - Existing buildings on the Subject Property "*were not determined to contain cultural heritage or interest, though their form contributes to the general streetscape character*".
    - PPS intent of *"to conserve"* may be achieved by the implementation of mitigative measures and/or alternative development approaches per Heritage consultant.
    - Heritage Impact Assessment evaluated the potential impacts on the surrounding fabric of the West Woodfield HCDP and recommended mitigation measures (view, vibration and building design).
    - These mitigations, such as compatible podium design and set back of the tower from the podium base are consistent with mitigation measures endorsed by City Planning Staff on other recent high density applications within or adjacent to Heritage Conservation Districts.

12. **The location of the Subject Property and the form of the proposed development conform to the broad city-building objectives and directives of the 1989 Official Plan when it comes to higher density residential uses.**
    - Section 2.2.1: proposed development is a more intensive residential form focused along Wellington and Richmond major corridors to facilitate public transit.
    - Section 2.4.1vi): proposed development is a high density residential development directed to an appropriate area adjacent to the Downtown with a compatibility form with the continually evolving Wellington Street corridor.
    - Section 2.4.1xvi): proposed development provides a compact urban form and efficient use of serviced land that avoids a scattered development pattern, maximizes the use of existing services, supports public transit, and avoids new infrastructure needs.
    - Section 3.4.2: Subject property fits the considerations for preferred location for the Multi-Family, High Density Residential designation near the periphery of the Downtown.

13. **Despite the London Plan not being in effect for the Subject Property, the location of the Subject Property and the form of the proposed development meets the broad city-building directives regarding higher density residential uses.**
    - Policy 59: proposed development supports a city structure that focuses high-intensity, mixed-use development to strategic locations along rapid transit corridors and within the Primary Transit Area.
    - Policy 79: proposed development embraces the emphasis on growing “inward and upward” with a compact development form within the existing built-up area of London.
    - Policy 81: proposed development supports the minimum 45% intensification target within the built-up boundary.
    - Policy 83: Subject Property is an appropriate location for intensification recognizing surrounding transit, commercial and community services and a good fit with the continued and emerging higher density intensification of the Wellington Street corridor.
    - Policies 90, 91 and 92: proposed development supports focus of higher intensity intensification within the Primary Transit Area contributing to the desire for three-quarters of the intensification target.
    - Policy 94: proposed development form is supported by Central London policies contemplating greater heights and densities than in other locations within the same Place Type.
    - Policies 153 and 154: proposed development achieves a multitude of urban regeneration objectives, supporting civic infrastructure investments (transit, public facilities, parks), supporting Downtown’s and Richmond Street’s business environment and strengthens choice in the surrounding urban neighbourhood, facilitating appropriate intensification in the evolving Wellington Street corridor, and expands the choice in the housing stock for a property overlooking Victoria Park.

14. **The proposed building location, form, scale and intensity satisfies the criteria outlined for Multi-Family, High Density Residential uses and Planning Impact Analysis in the 1989 Official Plan.**
    - Shadow Impacts: Demonstrated to be acceptable by shadow analysis evaluating impacts on Victoria Park, public sidewalks, and residential rear yards.
    - Wind Impacts: Safety criteria and desired comfort conditions generally acceptable per wind study with building refinements through detailed design (canopies and entrances)
    - Heritage Impacts: Impact assessment concluded no direct impacts to surrounding heritage properties; mitigation of indirect impacts associated with changes in views is recommended.
    - Heritage Character: Design provides for a compatible, complementary architectural character with the surrounding context with complementary ground floor setbacks, a brick-based material palette, a street-scaled podium scale and articulation reflecting a low-rise residential rhythm, and balance of materiality and airiness in the tower portion.

- Transit Proximity: Subject Property is a 3-minute walk to the Richmond Road transit corridor and a short walk to other nearby transit routes.
- Traffic Impacts: Surrounding intersections would operate at acceptable service levels during peak hours and no road or traffic control improvements are required
- Buffering: Need for buffering and transition minimized given the existing rear-parking block context and land use conversion of the subject Wellington-to-Waterloo block.
- Parking Impacts: Proposed parking supply complies with the existing zoning; site-specific reduction to parking rates is not proposed.
- Available Land Supply: Subject Property accommodates high density residential option within an urban residential fabric facing a prominent greenspace; context is not the same as the existing supply of designated properties within the Downtown London core.

15. A Special Policy for the Subject Property is appropriate as it does meet one of the conditions of Section 10.1 of the 1989 Official Plan.

- Condition iii) applies to the Subject Property: **"***The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required*".
- Unique mixture of existing and evolving residential and non-residential uses along this segment of the Wellington Street corridor.
- Corridor should be intermediary designation between the Downtown to the south, Richmond corridor to the east, and residential fabric to the east, given the above evolving and transitional nature.

CONCLUSIONS

In our opinion, the Proposed Applications for an OPA and ZBA regarding a 17-storey building continue to be appropriate and represent good land use planning. The Subject Property is an appropriate location for a tall building and provides a more meaningful intensification opportunity in Central London and surrounding the planned rapid transit service, furthering Provincial policy objectives. The Proposed Applications are consistent with the 2020 Provincial Policy Statement; in particular, the Proposed Applications and development:

- Links the Subject Property's prominence of location, infrastructure, employment and recreational attributes with complementary higher intensity residential permissions.
- Better optimizes the use of a property situated approximately 250 metres from existing transit and planned rapid transit investments along the Richmond Street corridor.
- Provides a compact intensification on a prominent location within Central London that would provide benefits to local businesses and community activities within Downtown London and along Richmond Street;
- Supports higher order transportation corridors and planned rapid transit corridors immediately near the Subject Property along Richmond Street and other arterial roads;
- Recognizes a more sensitive and integrated transition from the Downtown designation boundary, which is two blocks away from the Subject Property, and the Downtown zoning boundary, which is immediately adjacent to and facing the Subject Property;
- Completes the higher intensity Wellington Street corridor along Victoria Park that is either permitted (for the properties extending to and including the Civic lands near Dufferin Avenue) or that is existing (such as at the terminus of Pall Mall Street);
- Can be achieved without creating unacceptable impacts on the surrounding neighbourhood resulting from the taller building form; and,
- Provides for housing choices and more diverse forms and tenureship within Central London to add to the vibrancy of living in the core area of London.

We look forward to the November 1st Planning and Environment Committee for the consideration of the proposed OPA and ZBA applications. We intend to be a delegate to provide the highlights of the enclosed and answer any questions the Committee may have.

Yours truly,

GSP Group

Hugh Handy MCIP, RPP
Senior Associate

Kevin Muir, MCIP, RPP
Senior Planner

cc. Steve Stapleton, Vice President, Auburn Developments Inc.

Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge
1017 Western Road
London, ON N6G 1G5

October 28, 2021

Members of Planning & Environment Committee:
Anna Hopkins – ahopkins@london.ca (Acting Chair)
Steven Hillier – shillier@london.ca
Steve Lehman – slehman@london.ca
Shawn Lewis – slewis@london.ca

Mayor Ed Holder – mayor@london.ca

Re File: OZ8462 – 560 and 562 Wellington Street

Dear Councillors and Mayor Holder:

ACO London believes in development and intensification in accordance with the principles of the London Plan. For that reason, on behalf of ACO London, I write to express continued concern over the proposed Official Plan and zoning by–law amendments to allow a 17-storey tower on the site of 560 and 562 Wellington Street, overlooking Victoria Park. We support city staff's recommendation that the current application be refused. We encourage the City to insist that the property owner redevelop the property, if it wishes to do so, in accordance with the London Plan, the 1989 Official Plan, and the current zoning by-law.

This new proposal does not differ significantly from the 22-storey tower contemplated in 2017. Similarly, our reasons for concern have not changed significantly:

- The proposed building is approximately six times higher than is currently permitted (61 m vs. 10 m). As a matter of policy, we do not believe that the City should entertain a proposal that is this far outside the bounds of what has been deemed desirable and acceptable by the planning experts who drafted the London Plan, the predecessor Official Plan, the current zoning by-law, and by the city councillors who approved those documents.

- Approval of the proposed development would not seem to be in accordance with Sections 13.1 and 13.3.6 of the city's Official Plan, nor with Policy 4.3 under the West Woodfield HCD Plan. On this point, we respectfully disagree with the findings of the Heritage Impact Assessment report submitted by the proponent. Its shortcomings are self-evident. In the interests of brevity, we will not address those findings in detail in this submission. The adverse impact of this development on the West Woodfield HCD and on Victoria Park would be significant and irreversible.

- The proposed development is too tall for its location. It would undermine the integrity of the West Woodfield Heritage Conservation District, of which it is a part. It would have an adverse impact on the ambiance of Victoria Park, a London gem. At 17 storeys, the proposed building would tower over the neighbouring two-storey homes – some of which are residences while others have been converted to office use, depriving them of both privacy and sunlight. The proposed building would be more than twice as high as the West Woodfield HCD's recommended maximum height for the adjacent City Hall Precinct (8 to 10 storeys for buildings facing Wellington Street, 3 storeys for buildings adjacent to houses on Wolfe Street). The City Hall Precinct is tentatively defined to include the parking lot across Wolfe Street from 560-562 Wellington Street, but to exclude 560-562 Wellington Street itself.

- The proposed development is inconsistent with the Ontario Municipal Board's 2015 decision in *CHC MPAR Church Holdings v. City of Toronto*. In that case, the proponent wished to construct a 32-storey building adjacent to a designated property. The OMB determined that respectful separation distance was critical to conserving the heritage attributes of the neighbouring designated and listed properties. The 560-562 Wellington Street site is immediately adjacent to two properties (294 Wolfe Street and 568 Wellington Street) that are designated under Part V of the Ontario Heritage Act (as part of the West Woodfield HCD).

- The suggested design and massing are out of character with West Woodfield, a neighbourhood of Victorian homes, and with the other buildings bounding Victoria Park.

- This development would set a precedent for inappropriate construction in other London Heritage Conservation Districts (HCDs). There is little purpose to HCDs if their architectural heritage value is not to be respected by the City of London. Rules are of no use if exceptions are always granted to anyone who requests one.

- To our knowledge, the impact of this proposal on Victoria Park itself has not been researched. Changes to wind and sunlight patterns may have an adverse impact on vegetation and on public enjoyment of the park. The Victoria Park Secondary Park study, initiated by City Council as the result of an earlier iteration of this proposal, is not yet complete.

- The development would set a precedent for other very tall buildings around Victoria Park. If Victoria Park were to become surrounded by tall towers, it and its trees would be deprived of much sunlight. It would no longer be the appealing downtown gathering place that it is today.

ACO London supports infill development in the core as per the London Plan, but in appropriate locations and not in inappropriate locations. We would suggest:

- A policy of strict adherence to the London Plan, to the extent possible even in situations where it is not in full effect
- Proactive communication of that policy to potential developers in the very early stages of discussions with City planning staff: this would permit developers to minimize unnecessary expense and to focus on their energy on sites that the city has identified as appropriate for development or redevelopment
- Improvement of the process for identifying appropriate land parcels for infill development, including existing vacant lots, parking lots, or sites containing buildings that are not deemed to have cultural, contextual, or architectural merit, and improvement in the approach to communication of information regarding those parcels to interested developers
- A special effort to discourage development proposals that may adversely West Woodfield's residents and the physical fabric of its Heritage Conservation District
- Implementation of Tall Building Design Guidelines, similar to those in place for the City of Toronto

Sincerely,

Kelley McKeating
President, Architectural Conservancy Ontario – London Region

Copies: Cathy Saunders, City Clerk - csaunder@london.ca
Heather Lysynski, PEC Committee Secretary - pec@london.ca

(attachment)

Addendum to ACO London Submission to PEC

From the Provincial Policy Statement under the Planning Act:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

From the Ontario Heritage Act:

41.2 (1) Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,

a) carry out any public work in the district that is contrary to the objectives set out in the plan; or
b) pass a by-law for any purpose that is contrary to the objectives set out in the plan.

From the September 8, 2021 LACH Report:

"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."

From the City of Toronto Tall Building Design Guidelines (March 25, 2013):

HERITAGE CONSERVATION

The City of Toronto values its heritage properties and requires that they be protected and that new development conserve the integrity of their cultural heritage value, attributes, and character, consistent with accepted principles of good heritage conservation (see Appendix A: Heritage Conservation Principles). Not every property is suitable for tall building development as a result of constraints imposed by its size or by the fact that such development may be incompatible with conserving heritage properties on or adjacent to a development site or within a Heritage Conservation District.

Heritage Conservation Districts (HCDs) are special areas dense with heritage properties and a unique historic character. The character and values of HCDs will be conserved to ensure that their significance is not diminished by incremental or sweeping change.

From: Greg Bruzas
Sent: Monday, October 25, 2021 12:25 PM
To: Lysynski, Heather <hlysynsk@London.ca>
Cc: Kathryn Hodgkinson; Bill King; Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] RE: November 1 PEC Meeting

Good Morning Heather,

Thank you for your response last Wednesday and look forward to your Zoom link next Monday November 1 around 1pm.

As previously discussed, I wish to have the attached letter added to the committee and have my Vice-President Bill King read it at the November 1 PEC meeting. Please forward this letter to the committee as I understand it must be submitted by today to be read and accepted. I also want to make sure that Bill King is on the reading list (I understand it must be less than 5 minutes).

Regards,
Greg Bruzas
CEO
THINQ Technologies Ltd.

File : OZ-8462

I am speaking on behalf of Greg Bruzas, the owner and resident of 3 properties in Woodfield Heritage District all located within 50 feet of this absurd application that is trying to redefine the whole city planning process.

If our city accepts all or part of this application, legally what they do for one, they must do for all. Is the city ready to make this precedent setting change to this 150+ year old historic community?

All three of my properties over the past 15 years were restored honouring their historic significance and according to the City of London's - Heritage London protocols. One of these homes' restoration efforts was granted The Ontario Conservancy Architectural Heritage Award in 2019. My other two properties are at 568 Wellington Street (directly next to this application) and 2 doors down at the corner of Wellington Street and Central Avenue. Our family home is located 2 properties east of Wellington Street at 293 Central Avenue (The former Phi Beta Phi Sorority House)

It is, at very least, irresponsible to grant Auburn Homes/560 Wellington Holdings Inc. the opportunity to build the monstrosity that they are proposing in a community that has Edwardian and Victorian, Queen Ann style Mansions and Ontario Cottages, dating back to 1840.

I offer the <u>following reasons</u> why this will have a devastatingly negative impact on the integrity of the Woodfield District, the conservation of historically-significant homes, and the 1400 households and families, who embrace this Residential community.

- The 1989 Official Plan and the New London Plan (2021) both reference the zoning of the Woodfield District, as "low density residential and Neighbourhood place type".

  Auburn Homes attempt to **supersede this zoning** designation and be accepted as "urban corridor" is unacceptable. They have the privilege of being located in the "2016 Great Places in Canada Winner - Great

Neighbourhood". That privilege means they are bound to the zoning in place, no exceptions. Irresponsible and unacceptable

- With their request to be **'rezoned' as Urban Corridor**, they are asserting that they will have zero 'set back' conditions. With reductions to yard depths and property lines, and 95% lot coverage, their building will abut one of my homes; literally meaning I cannot open my side doors and step out. Additionally, the balconies will cantilever over my property. The same denial of property set backs will extend across the communal right of way, and potentially prevent access to my garage at another property. Irresponsible and unacceptable
- The Laneway off Wolfe Street is the only access to parking for all residences in the block in question. There are only 4 driveways. All parking is accessed from a horse and buggy lane from the 1800s. By giving ZERO set-back off the property line, it will jeopardize families getting their vehicles down the lane.
- Woodfield District has a 10 meter building **height rule**. Auburn Homes is requesting a 61 Meter high building (6 times the height); including a 17 storey mixed-use residential/ commercial apartment building with 173 apartments and 1 commercial unit with a range of small scale used in the space. Irresponsible and unacceptable
- If the City of London makes the **Precedent- Setting decision**, to allow a 17 story building change the integrity of the Woodfield Historic district, they must also allow the complete block, owned by Farhi Holdings, located between Wellington Street, Richmond Street, Central Ave to Hyman Street, must be allowed to rebuild to this new zoning height, add commercial retail stores and also build directly on the property line.
- The city must also allow the vacant lot at Central and Waterloo to be developed at the new height with retail commercial zoning.
- The city must also allow developers to come into the district and tear down home to build multi-story multi-use buildings throughout Woodfield.

- It will then also allow **me** to demolish two of my Historic properties (located immediately next door to 560-562 Wellington) at 568 and on the corner of Central at 572 Wellington Street.

- Our home at 293 Central Avenue (the house the won the Ontario Architectural Conservancy Award) could also be torn down and we will construct a 17 story building.

- If the city permits the **retail and commercial zoning** to Auburn Homes, I could convert the properties at 568 and 572 to a night club, restaurant or clothing store? I could open a cannabis shop at my home at 293 Central Avenue. Irresponsible and Unacceptable.

  Additionally:

- My neighbour, in Woodfield District, was in desperate need of new windows on her home. Vinyl or aluminum Windows were not an option, as per the stringent rules of Heritage London. She saved the tens of thousands of dollars to have the wood windows removed and covered with plastic as each was rebuilt removing the rotten wood and replacing the glass. This process didn't increase the R value of the home from the original 1907 Windows. How can the city ask one thing of a 20+ year resident of Woodfield and give a Corporation full carte blanche to the changes requested to 560 Wellington Street.

- If the 560 Wellington Street Project is allowed to alter the Property size/set back restrictions, the city will need to approve driveways in the front yards off Wolf Street, Central Avenue, Wellington Street and Waterloo Street.

If the City of London moves in favour of this **precedent setting** decision, it will ultimately impact the vital integrity of the Woodfield District. In doing so, they will be compromising historically-significant homes, create density damage, and negatively impact the families who live and love this area.

London Advisory Committee on Heritage

Report

10th Meeting of the London Advisory Committee on Heritage
October 20, 2021
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance

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

ABSENT: L. Fischer, S. Gibson and K. Waud

ALSO PRESENT: L. Dent, K. Gonyou, K. Grabowski, M. Greguol, L. Maitland and M. Schulthess

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

1. Call to Order

1.1 Disclosures of Pecuniary Interest

T. Jenkins discloses a pecuniary interest in Item 2.1 of the 10th Report of the London Advisory Committee on Heritage, having to do with the Victoria Bridge Replacement, by indicating that her employer is involved in this matter.

J. Dent discloses a pecuniary interest in Item 3.6 of the 10th Report of the London Advisory Committee on Heritage, having to do with a Notice of Planning Application - Zoning By-law Amendment - 100 Kellogg Lane, by indicating that his employer is involved in this matter.

L. Jones discloses a pecuniary interest in Item 3.8 of the 10th Report of the London Advisory Committee on Heritage, having to do with a Public Meeting and Revised Notice - Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 14 Gideon Drive and 2012 Oxford Street West, by indicating that her employer is involved in this matter.

2. Scheduled Items

2.1 Victoria Bridge Replacement

That the Civic Administration and T. Jenkins and G. McDonald of AECOM BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the overall design of the Victoria Bridge Replacement as it relates to the original Heritage Impact Assessment recommendations;
it being noted that the LACH suggests the following items be taken into consideration with respect to the above-noted design:

- the lamp pole design be sympathetic with the modern design of the bridge;
- the colour of the bridge be grey; and,
- the existing signage, noting the bridge name and original crossing dates, be included in the new design;

it being further noted that the presentation, as appended to the agenda, dated October 20, 2021, from T. Jenkins and G. McDonald, with respect to this matter, was received.

3. Consent

3.1 9th Report of the London Advisory Committee on Heritage

That it BE NOTED that the 9th Report of the London Advisory Committee on Heritage, from its meeting held on September 8, 2021, was received.

3.2 Municipal Council Resolution - 8th Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution, from its meeting held on September 14, 2021, with respect to the 8th Report of the London Advisory Committee on Heritage, was received.

3.3 Municipal Council Resolution - 9th Report of the London Advisory Committee on Heritage

That it BE NOTED that the Municipal Council resolution, from its meeting held on October 5, 2021, with respect to the 9th Report of the London Advisory Committee on Heritage, was received.

3.4 15th Annual London Heritage Awards: Call for Nominations

That it BE NOTED that the 15th Annual London Heritage Awards: Call for Nominations document, as appended to the Agenda, from the Heritage London Foundation and the Architectural Conservancy Ontario London Region, was received.

3.5 Public Meeting Notice - Official Plan Amendment - Masonville Secondary Plan

That it BE NOTED that the Public Meeting Notice, dated September 29, 2021, from S. Wise, Senior Planner, with respect to an Official Plan Amendment related to the Masonville Secondary Plan, was received.

3.6 Notice of Planning Application - Zoning By-law Amendment - 100 Kellogg Lane

That it BE NOTED that the Notice of Planning Application, dated October 8, 2021, from B. Debbert, Senior Planner, with respect to a Zoning By-law Amendment related to the property located at 100 Kellogg Lane, was received.

3.7 Public Meeting Notice - Official Plan and Zoning By-law Amendments - 560 and 562 Wellington Street

That the following actions be taken with respect to the Public Meeting Notice, dated October 14, 2021, from S. Wise, Senior Planner, with respect to Official Plan and Zoning By-law Amendments related to the properties located at 560 and 562 Wellington Street:

a) the above-noted Notice BE RECEIVED; and,

b) the matter of updating Public Meeting Notices and Notices of Planning Applications to include heritage notifications BE REFERRED to the Planning and Policy Sub-Committee for review.

3.8 Public Meeting and Revised Notice - Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 14 Gideon Drive and 2012 Oxford Street West

That it BE NOTED that the Public Meeting and Revised Notice, dated September 29, 2021, from S. Meksula, Senior Planner, with respect to a Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments related to the properties located at 14 Gideon Drive and 2012 Oxford Street West, was received.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, from its meeting held on September 29, 2021, was received.

4.2 Education Sub-Committee Report

That it BE NOTED that the Education Sub-Committee Report, from its meeting held on October 13, 2021, was received.

5. Items for Discussion

5.1 Request for Designation for the property located at 1903 Avalon Street under Section 29 of the Ontario Heritage Act by S. Cox

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 October 20, 2021, related to a request for designation of the property located at 1903 Avalon Street by S. Cox:

a) notice BE GIVEN under the provisions of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix E of the above-noted staff report; and,

b) should no objections to Municipal Council's notice of intention to designate be receive, a by-law to designate the property at 1903 Avalon 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.

5.2 Heritage Alteration Permit Application by M. and J. DeQuartel for the property located at 64 Duchess Avenue, Wortley Village-Old South Heritage Conservation District

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking approval for alterations to the doorway of the heritage designated property located at 64 Duchess Avenue, within the Wortley Village-Old South Heritage Conservation District BE PERMITTED, as submitted, with the following terms and conditions:

- the door and doorway be painted;
- the proposed alterations to the doorway be completed within six (6) months of Municipal Council's decision on this Heritage Alteration Permit; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that tripled arched wood doorways are important to the built heritage in London and the London Advisory Committee on Heritage is disappointed in the loss of this one.

5.3 Application to National Historic Sites and Monuments Board of Canada to Nominate Labatt Memorial Park as a National Historic Site of Canada

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 October 20, 2021, related to the application to the National Historic Sites and Monuments Board of Canada to nominate Labatt Memorial Park as a National Historic Site of Canada:

a) the above noted initiative BE ENDORSED; and,

b) the Civic Administration BE DIRECTED to submit the application to the National Historic Sites and Monuments Board of Canada with respect to this matter.

5.4 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 370 South Street and 124 Colborne Street

That L. Maitland, Site Development Planner, BE ADVISED that the London Advisory Committee on Heritage supports the research and recommendations of the Heritage Impact Assessment, dated October 8, 2021, from M. Hobson, Built Heritage Consultant, as they relate to the Notice of Planning Application, dated October 6, 2021, from L. Maitland, Site Development Planner, with respect to Official Plan and Zoning By-law Amendments related to the properties located at 370 South Street and 124 Colborne Street; it being noted that the above-noted Notice, with respect to this matter, was received.

5.5 Notice of Planning Application - Draft Plan of Subdivision - 723 Lorne Avenue and 25 Queens Place

That it BE NOTED that the Notice of Planning Application, dated September 16, 2021, from M. Clark, Planner I, with respect to a Draft Plan of Subdivision related to the properties located at 723 Lorne Avenue and 25 Queens Place, was received.

5.6 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated October 20, 2021, from the Heritage Planners, was received.

6. Additional Business

6.1 (ADDED) Film London Flyer

That it BE NOTED that the flyer, as appended to the agenda, from the London Economic Development Corporation, with respect to Film London and the film location database, was received.

7. Adjournment

The meeting adjourned at 7:15 PM.

RE: Food Security and Home-Based Food Business

October 21, 2021

Dear Chair and Members of the PEC,

A resident informed me that In January of 2020 changes to the Ontario Food Premises Regulation made new home-based food businesses possible (see attached). Homeowners are now able to prepare low-risk food items for sale where municipal bylaws permit. This can provide a boost for both the economy and local food security. My discussions with staff and the Middlesex London Food Policy Council have been encouraging so I would suggest the following motion for consideration:

> That Civic Administration BE DIRECTED to bring forward a report that identifies recommended zoning amendments or other next steps regarding the regulations in Zoning By-law No. Z.-1 for home occupations as they relate to food based businesses, taking into consideration recent Provincial changes to the Food Premises Regulation (O.Reg. 493/17) and the "Guide to Starting a Home-based Food Business" (Ministry of Health, 2020)

Sincerely yours,

Michael van Holst
Councillor, Ward 1

Ontario

Ministry of Health

A Guide to Starting a Home-based Food Business

(December 2020)

This is a step-by-step guide to starting a home-based food business. It also provides you with a brief overview of public health requirements.

Starting a Home-based Food Business

Step 1: Deciding what food you want to sell.

Home-based food businesses (e.g. private chefs, farmer's market vendors) are allowed to sell food in keeping with the Health Protection and Promotion Act (HPPA) and the Food Premises Regulation. Changes to the Food Premises Regulation that took effect on January 1, 2020 makes it easier for individuals and businesses to sell low-risk, home-prepared foods.

What Are Low-Risk Food Items?

Low-risk food items are generally considered non-hazardous and do not require time and temperature control. Some examples of low-risk foods include:

- Most breads and buns (without meat, cream filling, etc.);
- Most baked goods (with no custard);
- Chocolate, hard candies and brittles;
- Coffee beans and tea leaves;
- Fudge and toffees;
- Pickles, jams and preserves;
- Granola, trail mix, nuts and seeds;
- Cakes (icing that doesn't require refrigeration), brownies, muffins and cookies.

Step 2: Application process

You are required to contact your local public health unit where your home-based food business will be located to let them know you are a new food operator by completing an application form, which is often located on the public health unit's website. Your local public health unit and its staff will provide guidance on food safety measures to consider depending on the food you are planning to prepare (i.e., food preparation activities, safe operational practices, etc.)

Step 3: Review public health requirements

All food premises, including home-based food businesses, are subject to the requirements of the Health Protection and Promotion Act (HPPA), the Food Premises Regulation and periodic inspection by inspectors from their local public health unit.

Please note: Home-based food businesses that prepare only low-risk foods are exempt from certain regulatory requirements, such as:

- Specified handwashing stations in food premises;
- Compliance with commercial dishwashing requirements; and
- Food handling training certification.

For more information on compliance with the Food Premises Regulation, you can review the following Ministry of Health resource for the full list of public health requirements and best practices to help guide you: Food Premises Reference Document.

For additional helpful resources to assist with food labelling, declaring allergens and food safety measures, please review the Reference Document for Safe Food Donation and Food Donation Supplemental Materials. These documents offer information about the recent regulatory changes and best practices.

Step 4: Open your business!

Contact

For any questions about public health requirements in the Health Protection and Promotion Act or the Food Premises Regulation, please contact the local health unit where your home-based food business is located and speak with a public health inspector.

For a list of local health units and their contact information, please visit the following link: http://health.gov.on.ca/en/common/system/services/phu/locations.aspx

Additional Resources

For information and support about running your home-based food business such as funding, business and legal advice, etc., please visit the Small Business Access website.

Disclaimer: This guide is not intended to provide legal advice on the requirements of the Health Protection and Promotion Act (HPPA) or the Food Premises Regulation (O. Reg. 493/17) under the HPPA and is for information purposes only. In the event of any conflict between this guidance and the regulation, the requirements under the regulation prevails.

It is also recommended to review any zoning by-laws, municipal permits and licensing requirements that pertain to your region.

To whom it may concern,

I am writing to request to appear in-person as a delegate at the Monday November 1, 2021 meeting of the City of London Planning and Environment Committee.

I would like to speak to the Committee on behalf of the London Bird Team to present our report from Global Bird Rescue, a week-long community science event that took place earlier this month to collect data on bird-window collisions across the City (see report attached as a PDF). I would like to discuss the status of London's Bird Friendly Skies Program, including updates to the Site Plan Control By-law that have been delayed until 2022. I will also deliver a certificate from Nature Canada to City Hall in honour of London's recent certification as one of Canada's first Bird-Friendly Cities.

Please let me know if you have any questions about this request.

Thank you,

Brendon Samuels

Coordinator, London Bird Team

Member, EEPAC

PhD Candidate, Department of Biology

The Advanced Facility for Avian Research

The University of Western Ontario

November 1, 2021

To the City of London Planning and Environment Committee,

Earlier this fall, the London Bird Team organized a group of volunteers to participate in Global Bird Rescue, an annual event led by FLAP Canada that is dedicated to raising awareness of bird-window collisions. Collisions with windows on buildings are estimated to kill 25 million birds in Canada each year. From September 27 to October 3, 2021, volunteer members of the public collected data on collisions that occurred in neighbourhoods throughout London, Ontario.

Please find attached to this letter a report summarizing data that were collected in London during Global Bird Rescue. Overall, the team documented 99-bird window collisions at buildings in London, including 94 birds killed and 5 birds injured. These data represent a snapshot of the birds affected by collisions with building windows in London. Historical records of collisions include bird Species at Risk that are protected under Ontario's Endangered Species Act.

In November 2019, and then again in November 2020, the Planning and Environment Committee passed motions acknowledging upcoming work by Development Services staff to update the Site Plan Control By-law C.P.-1455-541 incorporating bird-friendly building design requirements for all new site plans. At the time of the project's initial presentation, a representative from the London Development Institute expressed their support. However, the proposed work on the By-law has not yet materialized. The latest update provided by Heather McNeely, Manager, Current Development, on September 24, 2021 said: "*Planning and Development is undertaking a review of the department's 2022 work program, which includes the review of bird-friendly matters specific to Site Plan Control*." It is worth noting that several of the buildings that killed birds during Global Bird Rescue finished construction after 2019. Meanwhile, new development with untreated window glass is proceeding across the City, further exacerbating the risk of bird-window collisions and cumulative impacts on natural heritage.

We urge the City to resume work on updating the Site Plan Control By-law in 2022, following the example of the City of Toronto where bird-friendly building design has been required by law since 2007, and other municipalities that have published guidelines such as Ottawa and New York City. **Furthermore, we urge the City to facilitate public communications via their website and in other media regarding solutions for preventing bird-window collisions,** such as available bird-friendly glass materials for new construction, window retrofits, and turning off nonessential artificial lights at night. As the risk of collisions with windows poses a persistent threat to birds, communications from the City about prevention should reoccur semi-annually during bird migration periods in spring and fall.

The City of London has an important role to play in conserving birds as part of natural heritage through meaningful policy updates for new development and by participating in public education about bird conservation issues. London became one of the first municipalities in the country to be certified as a Bird-Friendly City by Nature Canada earlier this year. Now, it is time for the City and community to double down on addressing leading threats to birds in the built environment.

Regards,

Brendon Samuels
Coordinator, London Bird Team

Global Bird Rescue 2021 Report for London, Ontario

Prepared by Brendon Samuels, London Bird Team Coordinator | October 13, 2021

Upper: Yellow-billed cuckoo, killed by a building in downtown London. **Bottom left**: Cedar Waxwing, rescued at Western University. **Bottom Right**: Injured Golden-crowned Kinglet found in downtown London.

Executive Summary

Between September 27 and October 3, 2021 a team of 11 volunteers from various neighbourhoods in London, Ontario participated in Global Bird Rescue, an annual event dedicated to raising awareness of bird-window collisions through organized building surveys. Volunteers documented dead birds and "rescued" survivors. The team for Global Bird Rescue recorded a total of 99 bird-window collisions in London during this period. The data from this event are summarized in this report with recommendations for next steps to understand and mitigate the risk of bird-window collisions in London.

Acknowledgement

Thank you to the volunteers listed below, members of the public who submitted data and to Salthaven Wildlife Rehabilitation and Education Centre for supporting the London Bird Team's participation in Global Bird Rescue.

Volunteer List for Global Bird Rescue 2021

- Glenn Berry
- Claire Bottini
- Ruth Dickau
- Adriana Diez
- Stacey Jaczko
- Jen MacRae
- Andrea McCallum
- Lynda McCallum
- Paul Nicholson
- Brendon Samuels (Team coordinator)
- Aditya Thaker

Method

Volunteers independently monitored buildings located along 9 separate walking routes throughout the City of London from September 27 to October 3, 2021. In total, 52 buildings were covered by the monitoring including buildings on campuses at Western University, Fanshawe College and downtown. The frequency of monitoring was not regular (i.e., volunteers were free to walk their route whenever they wanted, but morning checks were encouraged). Each building was checked at least twice over the week. During this period, data were also submitted by members of the public using birdmapper.org or iNaturalist.ca or by contacting the team coordinator.

Where dead birds were recovered, volunteers removed them and placed them away from the buildings. Data were double checked to eliminate redundancies from carcasses being found by multiple monitors. Live birds were captured, if possible, and transported to Salthaven Wildlife Rehabilitation and Education Centre. Data were entered into birdmapper.org as well as iNaturalist.ca for species identification.

Results

In total, 99 bird-window collisions spanning at least 27 species were documented in London by volunteers and the public during Global Bird Rescue (Table 1). Of these, 94 birds were found dead below windows, and 5 birds were found injured. Of the birds that were injured, 2 were sent to Salthaven and 3 were unable to be captured or flew away. Photographic evidence, location information and notes for each observation are available on iNaturalist as part of the *Bird Mortality in London, Middlesex, Ontario* collections project and in FLAP Canada's Global Bird Collision Mapper database (Figure 1).

Table 1. List of species found as window collision victims during Global Bird Rescue 2021. Asterisks indicate individual birds that were found alive, rescued and sent to Salthaven.

Species	***Count***	***Species***	***Count***
American Goldfinch	3*	Northern Parula	1
American Robin	2	Ovenbird	1
American Redstart	1	Red-breasted Nuthatch	2
American Woodcock	1	Red-eyed Vireo	1
Bay-breasted Warbler	1	Ruby-throated Hummingbird	4
Black-throated Blue Warbler	1	Ruby-crowned Kinglet	1
Black-throated Green Warbler	1	Song Sparrow	1
Blackpoll Warbler	2	Swainson's Thrush	3
Blue-headed Vireo	1	Tennessee Warbler	6
Cedar Waxwing	11*	White-throated Sparrow	6
Common Yellowthroat	1	Yellow-bellied Sapsucker	3
European Starling	1	Yellow-billed Cuckoo	1
Golden-crowned Kinglet*	4	***Species unknown***	
Hermit Thrush	1	Perching Birds	17
House Sparrow	1	New World Warblers	7
Mourning Dove	4	Sparrow	3
Nashville Warbler	3	Thrush	3

Total: *99 birds*

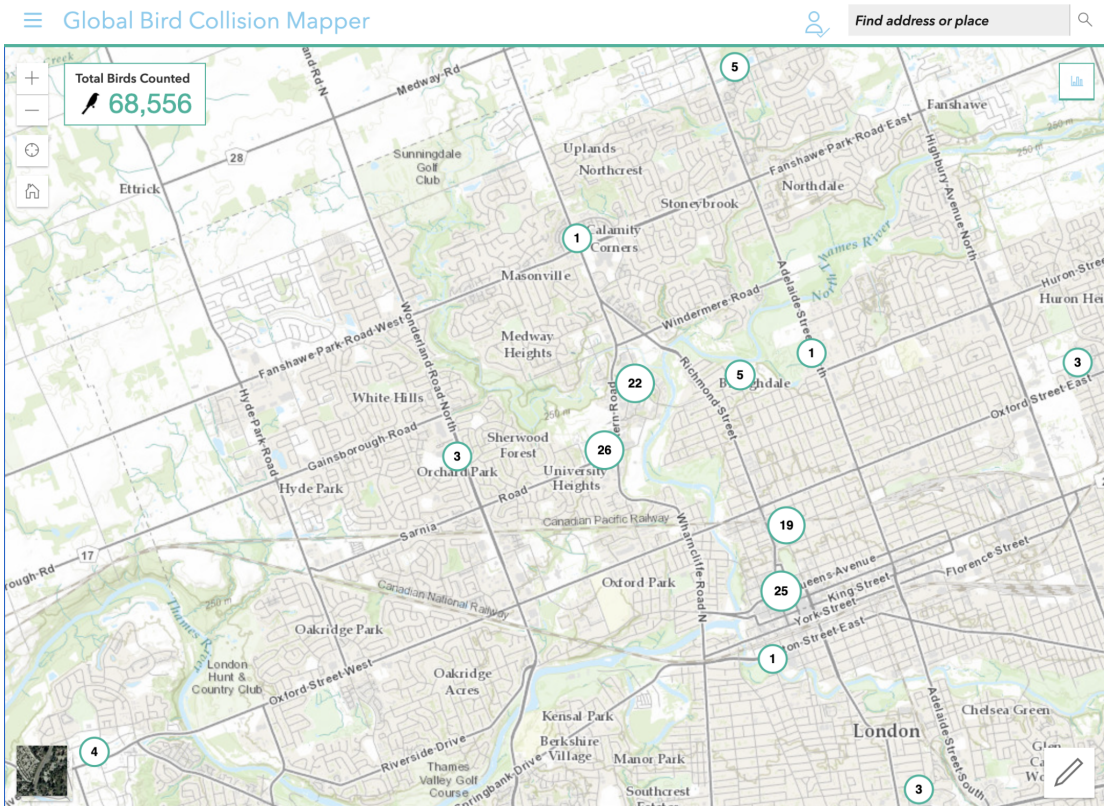


Figure 1. Clusters of bird-window collisions documented in London, ON by participants and members of the public during Global Bird Rescue. Map obtained from birdmapper.org.

Discussion

Our data provide a snapshot of bird-window collisions that occur in London during fall bird migration. It is likely that many more collisions occurred than were documented during the event, since only a small fraction of window collisions are observed or reported. FLAP Canada and scientific research suggest that most bird-window collisions occur at residential homes, but the team for Global Bird Rescue monitored only commercial and institutional buildings in London. Casual building monitoring began earlier in September and has continued following the conclusion of the Global Bird Rescue event. Click here to view over 440 iNaturalist records of bird collision mortality in London spanning over 80 species.

Given that most bird collisions occurred at buildings that feature large, reflective plate glass windows, it is likely that these collisions occurred during daytime and may be attributed to birds mistaking reflections for extensions of their habitat or open space. In some locations such as One London Place, artificial lights at night from inside or surrounding the building may have played a role in disorienting birds during their nocturnal migration through the downtown core.

Recommendations

1. The City of London should update the Site Plan Control By-law C.P.-1455-541 and require bird-friendly building design in all new site plans, so that new building construction does not contribute to bird window collision mortality in London. We recommend that site plan requirements should be made consistent with the CSA A460 Bird Friendly Building Design standard (2019).
2. Overall, more public education is needed in London, Ontario to raise awareness of the risk of bird-window collisions and available solutions (i.e., turning off non-essential lights at night during bird migration periods, window retrofits and bird-friendly building design). Currently there is little communication from the municipality about reducing light pollution and window treatments for preventing bird-window collisions. We recommend that the City of London should do more to contribute to public education by developing an informative webpage, printing information pamphlets, sharing relevant information via other City communications and retrofitting high-risk city-owned building windows based on consultation with subject experts on City of London advisory committees.
3. Future monitoring for bird-window collisions in London should continue checks of buildings along the survey routes followed for Global Bird Rescue 2021, especially where bird collisions were documented frequently. Collision risk may vary between spring and fall in terms of which bird species are affected and by location. As human resources allow, monitoring could expand to include other suspected high-risk buildings.
4. Further data collection is needed to identify locations of additional high-risk windows in the London downtown area and at Fanshawe College. Collision data has already been collected for buildings at Western University and its affiliate campuses.
5. Data on bird-window collisions may be useful for informing plans to target window retrofits at the most dangerous windows on existing buildings. In some cases, reducing vegetation adjacent to the building to deter birds might be preferable to retrofitting windows. Information about records of collision mortality at individual buildings and available solutions can be sent to property managers using a letter template. Relationships should be established with property management at high-risk buildings.
6. To improve the accuracy of monitoring surveys, property management and maintenance workers should be notified in advance of the monitoring period so that dead or injured birds can be left in place and/or documented. Circulating information about Global Bird Rescue and contact information for the organizer(s) would be beneficial.