

# Planning and Environment Committee

## Report

11th Meeting of the Planning and Environment Committee  
May 30, 2022

PRESENT: Councillors A. Hopkins (Chair), S. Lewis, S. Turner, S. Hillier,  
Mayor E. Holder

ABSENT: S. Lehman

ALSO PRESENT: PRESENT: H. Lysynski and K. Van Lammeren  
REMOTE ATTENDANCE: Councillors M. Hamou and J. Fyfe-  
Millar; L. Livingstone, J. Adema, A. Anderson, G. Barrett, J.  
Bunn, M. Corby, M. Davenport, J. Davison, K. Edwards, M.  
Greguol, K. Gonyou, J. Kelemen, P. Kokkoros, L. Marshall, H.  
McNeely, B. Page, C. Parker, A. Pascual, M. Pease, A. Riley, A.  
Singh and B. Westlake-Power

The meeting was called to order at 4:01 PM, with Councillor A.  
Hopkins in the Chair, Councillor 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. Hillier  
Seconded by: E. Holder

That Items 2.1 to 2.6, inclusive, BE APPROVED.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

#### 2.1 58 Sunningdale Road West (39T-16503)

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

That, on the recommendation of the Director, Planning and Development,  
the Approval Authority BE ADVISED that the Municipal Council supports  
the request for a three (3) year extension of the draft plan of subdivision  
approval for the draft plan submitted by Drewlo Holdings Inc. (File No.  
39T-16503), prepared by MTE and certified by P.R. Levac OLS, (File No  
50861-102, dated May 18, 2022), as red-lined amended, which shows 41  
single detached lots, two (2) residential part blocks, three (3) medium  
density blocks, one (1) commercial block, one (1) road widening block,  
and four (4) 0.3m reserve blocks all served by an extension of Callingham  
Drive, an extension of Pelkey Road, and three (3) new local streets,  
SUBJECT TO the conditions contained in the staff report dated May 30,  
2022 as Schedule "A". (2022-D12)

**Motion Passed**

2.2 890 Upperpoint Avenue (P-9358)

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

That, on the recommendation of the Director, Planning and Development, based on the application by Sifton Properties Ltd., the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to exempt Block 141, Plan 33M-754 and Block 42, Plan 33M-810 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. (2022-D25)

**Motion Passed**

2.3 3195 White Oak Road (H-9471)

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

That, on the recommendation of the Director, Planning and Development, based on the application by Econ Consultant Ltd., relating to the property located at 3195 White Oak Road, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h-94\*R1-3(21)) Zone TO a Residential R1 Special Provision (R1-3(21)) Zone to remove the "h-94" holding provision. (2022-D09)

**Motion Passed**

2.4 1284 and 1388 Sunningdale Road West (39T-04510\_5)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the subdivision of land over Concession 5, Part Lot 23, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, municipally known as 1284 and 1388 Sunningdale Road West:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the Foxhollow North Kent Subdivision, Phase 5 (39T-04510) appended to the staff report dated May 30, 2022 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated May 30, 2022 as Appendix "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated May 30, 2022 as Appendix "C"; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2022-D12)

**Motion Passed**

2.5 525 Dufferin Avenue - Heritage Alteration Permit Application (HAP22-031-L)

Moved by: S. Hillier

Seconded by: E. Holder

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 to replace the porch railings/guard on the heritage designated property at 525 Dufferin Avenue, within the East Woodfield Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- a) all exposed wood be painted;
- b) the installation of the proposed porch railings/guards be completed within twelve 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. (2022-R01)

**Motion Passed**

2.6 Building Division Monthly Report - March, 2022

Moved by: S. Hillier

Seconded by: E. Holder

That the Building Division Monthly Report for the month of March, 2022 BE RECEIVED for information. (2022-A23)

**Motion Passed**

**3. Scheduled Items**

3.1 Definition of " Public Park" in Zoning By-law Z-1 / City-Wide

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the City-initiated zoning by-law review, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning definition for Public Park;

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:

- is consistent with the Provincial Policy Statement (2020);
- conforms with the policies of the London Plan, specifically in regards to the Green Space Place Type and the Parks and Recreation chapter;

- will enable uses and activities in city-owned parks that are consistent with the Parks and Recreation By-law (PR-2); and,
- represents good planning. (2022-D14)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: E. Holder

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Lewis

Seconded by: E. Holder

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.2 537 Crestwood Drive (Z-9333)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, based on the application by Middlesex Vacant Land Condominium 816, relating to the property located at 537 Crestwood Drive, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR1) Zone TO a Holding Residential R6 Special Provision h-(\*)R6-2(\*) Zone;

it being noted that the following site plan matters were raised during the public participation process:

- i) an amendment to the registered Plan of Condominium 816 is required;
- ii) warning clauses to be registered on title regarding noise and dust related to gravel pit and rehabilitation activities; and,
- iii) warning clauses to be registered on title regarding possible noise impacts from the future realigned Commissioners Road East;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- H. Froussios, Zelinka Priamo Ltd., on behalf of the Middlesex Vacant Land Condominium 816;

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

- the recommended amendment is consistent with the 2020 Provincial Policy Statement 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 and requires resource extraction activities to be protected for long-term use and not hindered by incompatible development; and that resource extraction activities and sensitive residential development be appropriately separated from each other. A holding provision is recommended to ensure a new geotechnical study is required to establish the limit of development related to the slope hazard and evaluate the potential impacts of the future construction of the Commissioners Road West realignment; and to ensure a rehabilitation plan and site restoration plan have been completed for the adjacent aggregate resource extraction area;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, the Neighbourhoods Place Type, and Natural Resources; and,
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation and the Specific Area policies for Lands in the Vicinity of Byron Gravel Pits. (2022-D07)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.3 Demolition Request for the Heritage Listing Property at 180 Simcoe Street

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, the property at 180 Simcoe Street BE REMOVED from the Register of Cultural Heritage Resources.

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2022-R01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: E. Holder

Seconded by: S. Hillier

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Turner

Seconded by: S. Hillier

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

3.4 258 Richmond Street (Z-9465)

Moved by: E. Holder

Seconded by: S. Hillier

That, on the recommendation of the Director, Planning and Development, based on the application by Siv-ik Planning and Design Inc., relating to the property located at 258 Richmond Street, the proposed revised by-law appended to the Added Agenda, BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan (The London Plan, 2016) and the 1989 Official Plan), to change the zoning of the subject property FROM a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone TO a Holding Business District Commercial Special Provision (h-\_\*BDC(\_)) Zone;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- J. Smolarek, Siv-ik Planning and Design Inc.;

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;
- the recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions and Urban Corridor Place Type for the SoHo Main Street Specific Segment.
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor (MSCC); and,
- the recommended amendment would facilitate the reuse of the existing building and allow a broader range of uses that are appropriate for the context of the site. (2022-D09)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: E. Holder

Seconded by: S. Turner

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

### 3.5 850 Highbury Avenue North - Request for Demolition

Moved by: E. Holder

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development with the advice of the Heritage Planner, the demolition request for the removal of (8) non-designated built resources on the heritage designated property at 850 Highbury Avenue North, BE PERMITTED pursuant to Section 34(1) of the Ontario Heritage Act subject to the following terms and conditions:

- a) during demolition, construction fencing and buffering of sensitive areas be implemented per Project Site Plan appended to the staff report dated May 30, 2022 as Appendix C;
- b) during demolition, restrict construction routes to areas outside the treed alley; and,
- c) pre-, during, and post-demolition, implement recommendations of the

PreConstruction Analysis appended to the staff report dated May 30, 2022 as Appendix D;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- B. McCauley, Old Oak Properties;
- K. Eby, GMPS, on behalf of JDA Investments Inc.; and,
- N. Tausky, on behalf of the Architectural Conservancy of Ontario. (2022-R01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to add a new part d), which reads as follows:

"d) the applicant BE REQUESTED to photographically document and chronical, to the degree possible, the north and south pavilion and the connecting building."

Yeas: (2): A. Hopkins , and S. Turner

Nays: (3): S. Lewis, S. Hillier, and E. Holder

Absent: (1): S. Lehman

**Motion Failed (2 to 3)**

Moved by: S. Hillier

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Hillier

Seconded by: S. Turner

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

3.6 1503 Hyde Park Road (Z-9425)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, based on the application by 2575707 Ontario Corp. (c/o Business Network Associates), relating to the property located at 1503 Hyde Park Road, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Business District Commercial (h-91\*BDC1/BDC2) Zone TO a Holding Business District Commercial Special Provision (h-91\*BDC1(\_)/BDC2) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

- i) provide sufficient common outdoor amenity space based on the number of units proposed and/or provide detailed design and program solutions for the area;
- ii) review alternative vehicular access arrangements as opposed to the shared vehicular access point with 1435 Hyde Park Road; and,
- iii) consider additional landscaping and use of planters along this section of Hyde Park Road consistent with Urban Design's first submission comments to ensure that planters are aligned parallel to the street with a 0.15m curb to clearly define the clearway;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters:

- the project summary from M. Davis, Siv-ik; and,
- a communication dated May 26, 2022 from J. Haasen;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- M. Davis, Siv-ik Planning and Design, on behalf of Business Network Associates; and,
- J. Haasen, 70 Dissing Crescent;

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 PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, City Building policies, and the Main Street Place Type policies;
- the recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation and is in keeping with the Hyde Park Community Plan and Urban Design Guidelines;
- the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding

neighbourhood; and,

- the recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary with an appropriate form of development. (2022-D09)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Turner

Seconded by: S. Hillier

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

3.7 850 Highbury Avenue (OZ-9324)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, based on the application by Old Oak Properties Inc., relating to the property located at 850 Highbury Avenue North, and with respect to housekeeping amendments to the approved London Psychiatric Hospital Secondary Plan, the proposed by-law appended to the staff report dated May 30, 2022 as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on June 14, 2022 to DELETE the London Psychiatric Hospital Secondary Plan in its entirety and ADOPT the London Psychiatric Hospital Secondary Plan, appended to the staff report dated May 30, 2022 as Appendix "A", Schedule "1";

it being noted that the specific policy changes to the existing London Psychiatric Hospital Secondary Plan, that will result from the deletion of the existing plan and the adoption of the new revised plan, are outlined in Appendix B of the above-noted staff report;

it being noted that the Planning and Environment Committee received the staff presentation with respect to these matters;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- C. Kulchycki, Zelinka Priamo Ltd., on behalf of Old Oak Properties Inc.; and,
- K. Eby, GMPS representing JDA Investments Inc.;

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

- the proposed Secondary Plan amendment is consistent with the Provincial Policy Statement (PPS), 2020, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents; and,
- the proposed official plan amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.. (2022-D09/R01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Lewis

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

Moved by: S. Lewis

Seconded by: E. Holder

Motion to close the public participation meeting.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

**4. Items for Direction**

None.

**5. Deferred Matters/Additional Business**

None.

5.1 (ADDED) 1st Report of the Community Advisory Committee on Planning

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

That, the following actions be taken with respect to the 1st Report of the Community Advisory Committee on Planning from its meeting held on May 26, 2022:

a) the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to the Demolition Request for Heritage Listed Property located at 180 Simcoe Street by Richmond Corporate Centre Inc. and the CACP supports the staff recommendation and the findings of the Heritage Impact Assessment; it being noted that the CACP recommends the preservation of trees to mitigate potential impacts to adjacent cultural heritage resources;

b) the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to the Demolition Request for Non-Designated Built Resources on the Heritage Designated Property located at 850 Highbury Avenue North - the former London Psychiatric Hospital Lands by Old Oak Properties and the CACP supports the staff recommendation;

c) the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to a Heritage Alteration Permit Application by E. Placzek at 525 Dufferin Avenue, East Woodfield Heritage Conservation District and the CACP supports the staff recommendation; and,

d) clauses 1.1, 1.2, 2.1, 3.1 to 3.7, inclusive, 4.1, 5.2, 5.3 and 6.1 to 6.3, inclusive, BE RECEIVED for information.

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

**6. Confidential (Enclosed for Members Only)**

6.1 Instructions for OLT Appeal, OLT-22-002053 (2624 Woodhull Road) - File No. A.146/21 and B.008/21

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

That the Planning and Environment Committee convene, In Closed Session, for the purpose of considering the following:

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Ontario Land Tribunal (“OLT”), and for the purpose of providing

instructions and directions to officers and employees of the Corporation.  
(2022-L01)

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

Absent: (1): S. Lehman

**Motion Passed (5 to 0)**

The Planning and Environment Committee convenes, in Closed Session,  
from 6:11 PM to 6:28 PM.

**7. Adjournment**

The meeting adjourned at 6:31 PM.

## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P.Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Draft Plan of Subdivision – Three Year Extension and Redline  
Revision  
Application By: Drewlo Holdings Inc.  
Address: 58 Sunningdale Road West

**Meeting on:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the Approval Authority **BE ADVISED** that Council supports the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Drewlo Holdings Inc. (File No. 39T-16503), prepared by MTE and certified by P.R. Levac OLS, (File No 50861-102, dated May 18, 2022), as red-lined amended, which shows 41 single detached lots, two (2) residential part blocks, three (3) medium density blocks, one (1) commercial block, one (1) road widening block, and four (4) 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road, and three (3) new local streets, **SUBJECT TO** the conditions contained in the attached Schedule "A".

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to consider a three (3) year extension to Draft Approval for the residential draft plan of subdivision 39T-16503.

### Rationale of Recommended Action

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

## Linkage to the Corporate Strategic Plan

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

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The subject site is a 12.4 ha parcel of land located at the southwest corner of Richmond Street North and Sunningdale Road West. The site is currently farmed for cash crops. There are no structures on the property.

The subject site is located east of the developed Sunningdale Meadows Subdivision (39T-10502) which is comprised of single detached dwellings, medium density blocks and high density blocks. Lands on the east side of Richmond Street and south of Sunningdale Road contain the Uplands Subdivision (circa 1970) consisting mostly of single detached dwellings. There is also a high-rise apartment building immediately adjacent to this proposed subdivision. To the north of the site is the Richmond North Subdivision (39T-04513) which consists of low, medium and high-density blocks as well as a 6 ha Main Street Commercial block. To the south are large single detached dwelling lots designated for future low density residential development.

## **1.2 Previous Reports Related to this Matter**

**June 1998** – Report to the Planning Committee recommending adoption of the Sunningdale Area Plan.

**June 2007** – 1985 Richmond Street OMB decision and Official Plan Amendment (OPA409).

**November 2009** – Staff report to Planning Committee OMB decision PL-090268 upholding Council's decision at 2118 Richmond Street.

**November 14, 2016** – Public Participation Meeting and Report to Planning Committee recommending the consideration of a red line draft plan of subdivision, Official Plan Amendment and Zoning By-law Amendment.

**August 28, 2017** – Report to Planning Committee in response to appeals to the Ontario Municipal Board, dated July 19, 2017, submitted by Analee Ferreira on behalf of Barvest Realty Inc. (attached Schedule "1") on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application; and a non-decision by Municipal Council within 120 days relating to an Official Plan and Zoning By-law amendment applications concerning lands located at 58 Sunningdale Road West.

**July 22, 2019** – Report to Planning Committee report on the Ontario Municipal Board decision of the appeal by Analee Ferreira on behalf of Barvest Realty Inc. relating to draft plan of subdivision, Official Plan and Zoning By-law Amendment for the lands located at 58 Sunningdale Road West.

## **2.0 Discussion and Considerations**

### **2.1 Planning History**

This application for Draft Plan of Subdivision Approval was accepted on June 14, 2016. It was circulated to the required agencies and municipal departments on June 21, 2016 and advertised in the Londoner on June 30, 2016. On November 14, 2016 a public participation meeting was held at the Planning and Environment Committee meeting to consider a red line draft plan of subdivision, Official Plan amendment and Zoning By-law Amendment.

At the public participation meeting, the agent for the applicant requested that the application be referred back to staff for further discussion with the public, staff and the applicant regarding the requested expansion of the commercial block. At its meeting held on November 22, 2016, Municipal Council resolved that the application by Barvest Realty Inc., relating to the property located at 58 Sunningdale Road West be referred to a future Planning and Environment Committee meeting to provide an opportunity for further discussions between the community.

On July 19, 2017, Analee Ferreira on behalf of Barvest Realty Inc. submitted appeals to the Ontario Municipal Board, on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application; and

a non-decision by Municipal Council within 120 days relating to an official Plan and zoning by-law amendment application.

The OMB hearing was held on March 4, 2019 by teleconference. On March 4, 2019 oral decision was made approving the draft plan of subdivision with conditions. On June 18, 2019 the OMB issued its written decision to allow the lands to be developed with 41 single detached lots, three medium density blocks, one commercial block and two residential part blocks and several 0.3 metre reserve blocks, all served by an extension of Callingham Drive, an extension of Pelkey Road and three new local streets subject to the completion of conditions as directed by the Board. Draft approval was granted on March 5, 2019.

## **2.4 Applicant Request**

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

## **2.5 Redline and Changes**

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

No changes are proposed to the approved zoning at this time, lotting pattern, or road alignments within the draft plan. The applicant has requested a minor redline changes to the plan, that the block limit between Block 45 and Block 46 be shifted east, revising the size of Block 45 (Multi Family Medium Density) to be +/- 2.52 ha and the size of Block 46 (Commercial) to be +/- 2.18ha. The removal of Block 48 is also requested for the road widening purchased by the City of London on March 18, 2022. In support of this request, the zoning limits will need to be adjusted accordingly to delineate areas that have been draft approved. A future rezoning application will be submitted to reflect these redline changes for Block 45.

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

## **2.6 Policy Context**

### *Provincial Policy Statement*

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

The lands are close to existing parks and schools, to meet the needs of the future residents. The plan layout will foster social interaction and facilitate active transportation and community connectivity.

The subject lands are within the Urban Growth Boundary (settlement area) as identified in the Official Plan and are designated to permit a mix of uses. There are no Mineral and Petroleum, Mineral Aggregate Resources issues associated with this proposal. There are no Natural Hazards associated with this plan.

It is staff's position that the draft plan of subdivision will provide for a healthy, livable and safe community. It will provide for a walkable community, and provides for on street

pedestrian linkages to commercial, open space and parkland.

### (1989) Official Plan

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

The lands are designated Low Density Residential, Multi-Family, Medium Density Residential and Community Commercial Node on the southwest corner of Richmond Street and Sunningdale Road on Schedule A of the (1989) Official Plan. The zoning for all the Blocks reflects the current designations, including zoning provisions related to density and height as per the OMB decision.

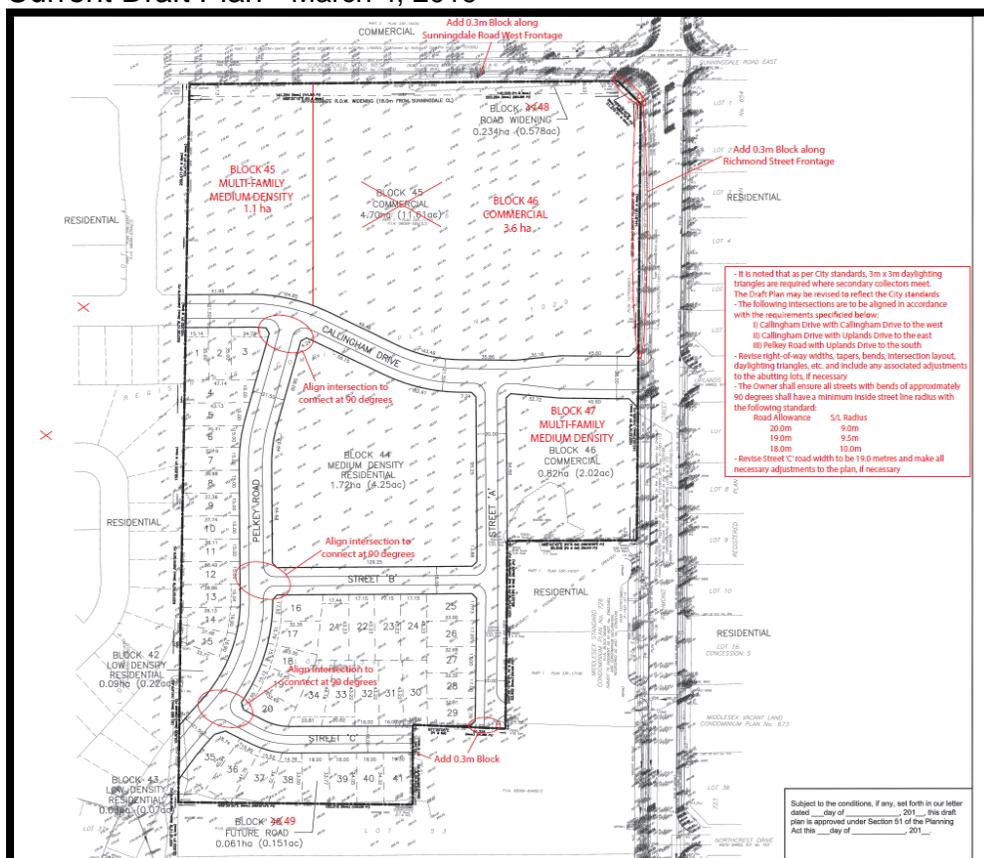
### The London Plan

The policies of The London Plan encourage a mix of housing types within the Neighbourhoods Place Type. The Shopping Area Place Type permits a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential and mixed-use buildings. The lands are located along an Urban Thoroughfare (Richmond Street), and a Civic Boulevard (Sunningdale Road South).

### Sunningdale Area Plan

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

### Current Draft Plan - March 4, 2019





## Conclusion

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

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Subdivisions and Condominiums

**Reviewed by:** Bruce Page  
Manager, Subdivision Planning

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

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager,  
Planning and Economic Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
cc: Bruce Page, Manager, Subdivisions  
cc: Matt Davenport, Manager, Subdivisions

May 24, 2022

SM/GB/BP/Sm/sm

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## Appendix A

### THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO DRAFT APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-16503, ARE AS FOLLOWS

\***highlights** for revisions, ~~strikeouts~~ for deletions and underlines for additions

#### No. Condition

1. This draft approval applies to the draft plan as submitted by Barvest Realty Inc. (File No. 39T-16503), prepared by MTE and certified by P.R. Levac OLS, (File No 50861-102, dated May 18, 2022), as red-lined amended, which shows 41 single detached lots, two (2) residential part blocks, three (3) medium density blocks, one (1) commercial block, one (1) road widening block, and four (4) 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road, and three (3) new local streets
2. This approval applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3. The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4. The Owner shall request that street(s) shall be named to the satisfaction of the City.
5. The Owner shall request that the municipal address shall be assigned to the satisfaction of the City.
6. Prior to final approval, the Owner shall submit to the City a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7. The subdivision agreement between the Owner and the City shall be registered against the lands to which it applies. Prior to final approval the Owner shall pay in full all municipal financial obligations/encumbrances on the said lands, including property taxes and local improvement charges.
8. Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision
9. Phasing of this subdivision (if any) shall be to the satisfaction of the City
10. In conjunction with registration of the plan, the Owner shall provide to the appropriate authorities such easements as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
11. Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with City a complete submission consisting of all required clearances, fees, and final plans, and to advise the City in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information required by the City, such submission will be returned to the Owner without detailed review by the City.
12. The Owner shall not commence construction or installations of any services (e.g. clearing or servicing of land) involved with this plan prior to obtaining all necessary

permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing; (e.g. Ministry of the Environment Certificates; City/Ministry/Government permits: Approved Works, water connection, water-taking, Crown Land, navigable waterways; approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of Environment, City; etc.)

## **Planning**

13. The Owner shall obtain and submit to the City a letter of archaeological clearance from the Southwestern Regional Archaeologist of the Ministry of Culture. The Owner shall not grade or disturb soils on the property prior to the release from the Ministry of Culture.
14. The Owner to register on title and include in all Purchase and Sale Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan, are to have design features, such as but not limited to porches, windows or other architectural elements that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard or to be extended to the rear wall of the dwelling unit if greater than 50% abutting the exterior side yard road frontage. Further, the owner shall obtain approval of their proposed design from the Manager of Urban Design prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan.
15. ~~The Owner shall transfer the Future Development Block 49, on the south side of Street "C" as needed, at no cost to the City. Should the adjacent lands develop for residential use and Future Development Block 49 is required for access purposes, the Future Development Block 49 shall be sold at market value, as determined by the City acting reasonably to the owners of the adjacent lands for access purposes, and the City shall pay the net proceeds of that sale (minus any City costs) to the Owner of this plan (39T-16503) within 30 days of such sale. Should the City determine that the Future Development Block 49 is not needed for access purposes, then the City would transfer the lot back to the Owner of this plan for a nominal fee.~~

The Owner shall establish Future Development Block (Block 49), on the south side of Street "C" for future access should the adjacent lands develop for residential use. At the time of registration of the Plan, the Owner shall register on title of the Future Development Block (Block 49), in a form satisfactory to the City, a restrictive covenant prohibiting any dealings with the block (including any development, transfer, mortgage or lease of the lands) unless otherwise permitted by the City, until the tenth (10th) anniversary of the City's passing of a by-law assuming the works and services in this plan. Should the adjacent land develop for residential uses within this ten (10) year period and Future Development Block 49 is required for access purposes, the Future Development Block (Block 49) shall be sold upon the City's direction to the adjacent landowner at market value, as determined by a third-party appraisal. In the event of a dispute between the owner of the adjacent lands and the Owner with respect to the appraised value of the Future Development block, either party may request that the City in its sole discretion make a determination on the market value.

16. The Owner shall comply with Canada Post in regards to Community Mailbox requirements, to the satisfaction of the City.

## **Parks Planning**

17. The Owner shall provide 2% of the value of the commercial blocks the day before the issuance of the first building permit and cash in lieu will be required for all

residential development in accordance with By-law CP-9 all to the satisfaction of the City.

## **Engineering - Sanitary**

### **Sanitary:**

18. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit the following sanitary servicing design information:
  - i.) Provide a sanitary drainage area plan, including the preliminary sanitary sewer routing and the external areas to be serviced (eg. 1985 Richmond Street, Winder Lands to the south, Baran lands and existing lands east of Richmond Street), to the satisfaction of the City;
  - ii.) Propose a suitable routing for the sanitary sewer to be constructed through this plan;
  - iii.) To meet allowable inflow and infiltration levels as identified by OPSS 410 and OPSS 407, provide an hydrogeological report that includes an analysis to establish the water table level of lands within the subdivision with respect to the depth of the sanitary sewers and recommend additional measures, if any, which need to be undertaken;
  
19. In accordance with City standards or as otherwise required by the Deputy City Manager, Environment and Infrastructure;, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - i.) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 200 mm diameter sanitary sewer located on Callingham Drive and the 250 mm diameter sanitary sewer located on Pelkey Road;
  - ii.) ~~Construct servicing for 1985 Richmond Street~~ Construct sanitary sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan, including 1985 Richmond Street (as dictated by the Agreements registered as Instrument Number ER634304 and ER503412), all to the specifications of the Deputy City Manager, Environment and Infrastructure;
  - iii.) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
  - iv.) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the Deputy City Manager, Environment and Infrastructure;.
  
20. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:
  - i.) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
  - ii.) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer.
  - iii.) Install Parson Manhole Inserts (or approved alternative satisfactory to the Deputy City Manager, Environment and Infrastructure;) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the

- inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure;
- iv.) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
  - v.) Implementing any additional measures recommended through the Design Studies stage.
21. Prior to registration of this Plan, the Owner shall obtain consent from the Deputy City Manager, Environment and Infrastructure; to reserve capacity at the Greenway/Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the Deputy City Manager, Environment and Infrastructure; subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.
- i.) Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the Deputy City Manager, Environment and Infrastructure;. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserved sewage treatment capacity reassigned to the subdivision.

#### Storm and Stormwater Management (SWM)

22. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i.) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be handled, all to the satisfaction of the City;
  - ii.) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
  - iii.) Ensure that all existing upstream external flows traversing this plan of subdivision are accommodated within the overall minor and major storm conveyance servicing system(s) design, all to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure;.
  - iv.) Developing a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements;  
~~Developing an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject lands in accordance with City of London and Ministry of the Environment standards and requirements, all to the satisfaction of the City. This plan is to include measures to be used during all phases on construction; and~~
  - v.) Implementing SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the Deputy City Manager, Environment and Infrastructure;
  - vi.) Make provisions to oversize and deepen the internal storm sewers in this plan, if necessary, to accommodate flows from upstream lands external to this plan;

23. The above-noted Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation, prepared by the Owner's consulting professional engineer, shall be in accordance with the recommendations and requirements of the following:
- i.) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study and any addendums/amendments;
  - ii.) The approved Functional Stormwater Management Plan for the Sunningdale SWM Facility # 4 and Compensation Area, prepared by DelCan (April 2011) or any updated Functional Stormwater Management Plan;
  - iii.) The City's Design Requirements for Permanent Private Stormwater Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
  - iv.) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - v.) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - vi.) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - vii.) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
24. In accordance with City standards or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of stormwater management (SWM) and stormwater services for this draft plan of subdivision:
- i.) Construct storm sewers to serve this plan, located within the Medway Creek Subwatershed, and connect them to the existing municipal storm sewer system, namely, the 975 mm diameter storm sewer located on Pelkey Road and the 825 mm diameter storm sewer on Callingham Drive, outletting to the existing Regional Sunningdale SWM Facility # 4 via the existing sewer connections within plans 33M-664 and 33M-665;
  - ~~i.) Construct servicing for 1985 Richmond Street~~ Construct storm sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan, including 1985 Richmond Street (as dictated by the Agreements registered as Instrument Number ER634304 and ER503412), all to the specifications of the Deputy City Manager, Environment and Infrastructure;
  - ii.) Make provisions to oversize and deepen the internal storm sewers, if necessary, in this plan to accommodate flows from upstream lands external to this plan
  - iii.) Construct and implement erosion and sediment control measures as accepted in the Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation for these lands and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith; and
  - iv.) Address forthwith any deficiencies of the stormwater works and/or monitoring program.
25. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i.) For lots and blocks in this plan or as otherwise approved by the Deputy City Manager, Environment and Infrastructure, all storm/drainage and SWM related works to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
  - ii.) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;

- iii.) Implement all geotechnical/slope stability recommendations made by the geotechnical report accepted by the City; and
26. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
27. In conjunction with the first submission of engineering drawings, the Owner shall have a report prepared by a qualified consultant, and if necessary, a detailed hydro geological investigation carried out by a qualified consultant, to determine the following:
- i.) the effects of the construction associated with this subdivision on the existing ground water elevations and domestic or farm wells in the area
  - ii.) identify any abandoned wells in this plan
  - iii.) assess the impact on water balance in the plan
  - iv.) any fill required in the plan
  - v.) provide recommendations for foundation design should high groundwater be encountered
  - vi.) identify all required mitigation measures including Low Impact Development (LIDs) solutions
  - vii.) address any contamination impacts that may be anticipated or experienced as a result of the said construction
  - viii.) provide recommendations regarding soil conditions and fill needs in the location of any existing watercourses or bodies of water on the site.
- all to the satisfaction of the City.
28. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
29. The Owner shall ensure the post-development discharge flow from the subject site must not exceed capacity of the stormwater conveyance system. In an event where the condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirements for permanent Private Stormwater Systems.

#### Watermains

30. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure;:
- a) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;
  - b) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the low-level (high-level) water distribution system;
  - c) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;
  - d) Include modeling for two fire flow scenarios as follows:
    - i) Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and
    - ii) Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed

hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);

~~Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);~~

- e) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;
  - f) Develop a looping strategy to the satisfaction of the Deputy City Manager, Environment and Infrastructure when development is proposed to proceed beyond 80 units;
  - g) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable; The Winder Lands to the south must be serviced by appropriately sized mains
  - h) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
  - i) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
  - j) Identify the effect of development on existing water infrastructure – identify potential conflicts;
  - k) Include full-sized water distribution and area plan(s);
  - l) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices) the fire hydrant rated capacity & marker colour, and the design fire flow applied to development Blocks;
  - n) Adherence to the North London Water Servicing Strategy
  - o) Identify the servicing strategy for 1985 Richmond Street North
  - p) An engineering analysis to determine the extent of external watermains are required to serve Blocks within this plan, at no cost to the City.
  - q) Provide a servicing concept acceptable to the City Engineer for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services is being achieved;
31. Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure;, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.
32. Prior to the issuance of any Certificate of Conditional Approval and in accordance with City standards or as otherwise required by the Deputy City Manager, Environment and Infrastructure;, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:
- i.) Construct watermains to serve this Plan and connect them to the existing high-level municipal system, namely, the existing 200 mm diameter watermain on Callingham Drive, the 300 mm diameter watermain on Pelkey Road and the 400 mm diameter watermain on Richmond Street (high level system);
  - ii.) If a watermain connection is required, provide an easement and temporary watermain connection between Street 'A' and Street 'C'
  - iii.) Deliver confirmation that the watermain system has been looped to the satisfaction of the Deputy City Manager, Environment and Infrastructure; when development is proposed to proceed beyond 80 units; and
  - iv.) The available fireflow and appropriate hydrant colour code (in accordance with the City of London Design Criteria) are to be shown on engineering drawings;  
The fire hydrant colour code markers will be installed by the City of London at the time of Conditional Approval

33. The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:
- i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;
  - ii) any incidental and/or ongoing maintenance of the automatic flushing devices;
  - iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;
  - iv) all works and the costs of removing the devices when no longer required; and
  - v) ensure the automatic flushing devices are connected to an approved outlet.
34. With respect to the proposed blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan, a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.
35. If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements
36. The Owner shall obtain all necessary approvals from the Deputy City Manager, Environment and Infrastructure; for individual servicing of blocks in this subdivision, prior to the installation of any water services for the blocks.
37. The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging and phasing plan as set out in the accepted water servicing report and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging and phasing as set out in the accepted water servicing report, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.

## **STREETS, TRANSPORTATION & SURVEYS**

### Roadworks

38. All through intersections and connections with existing streets and internal to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, in accordance with City standards, unless otherwise approved by the Deputy City Manager, Environment and Infrastructure;. The following intersections are to be aligned to the satisfaction of the City:
- i.) Callingham Drive with Callingham Drive to the west
  - ii.) Callingham Drive with Uplands Drive to the east
  - iii.) Pelkey Road with Pelkey Road to the south
39. In conjunction with the first submission of engineering drawings, the Owner shall provide a concept plan showing the alignment of Callingham Drive opposite Uplands Drive, to the satisfaction of the City.
40. In conjunction with the submission of detailed design drawings, the Owner shall have his consulting engineer provide a proposed layout of the tapers for streets in this plan that change right-of-way widths with minimum 30 metre tapers (~~eg. from 20.0 metre to 19.0 metre road width~~), all to the satisfaction of the Deputy City Manager, Environment and Infrastructure;. The roads shall be tapered equally aligned based on the alignment of the road centrelines. It should be noted tapers

are not to be within an intersection.

41. In conjunction with the first submission of engineering drawings, the Owner shall provide a conceptual layout of the roads and rights-of-way of the plan to the Deputy City Manager, Environment and Infrastructure; for review and acceptance with respect to road geometries, including but not limited to, right-of-way widths, tapers, bends, intersection layout, daylighting triangles, pavement markings, turn lanes, etc., and include any associated adjustments to the abutting lots.
42. At 'tee' intersection, the projected road centreline of the intersecting street shall intersect the through street at 90 degrees with a minimum 10 metre tangent being required along the street lines of the intersecting road (eg. Pelkey Road at Callingham Drive and Street 'C' at Pelkey Road).
43. In conjunction with the first submission of engineering drawings, the Owner shall have its professional consulting engineer confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions:"
44. The Owner shall have its professional engineer design and construct the roadworks in accordance with the following road widths:
  - i.) Callingham Drive and Pelkey Road have a minimum road pavement with (excluding gutters) of 6.0 metres 9.5 metres plus parking lay-bys with a minimum road allowance of 23 metres 21.5 metres.
  - ii.) Street 'A' have a minimum road pavement width (excluding gutters) of 7.5 metres 8.0 metres with a minimum road allowance of 20 metres.
  - iii.) Street 'C' have a minimum road pavement width (excluding gutters) of 7.5 metres 7.0 metres with a minimum road allowance of 20 metres 19 metres.
  - iv.) Street 'B' have a minimum road pavement width (excluding gutters) of 7.5 metres 6.0 metres with a minimum road allowance of 20 metres 18 metres.  
The Owner shall construct a gateway (without island) treatment feature on Callingham Drive at the intersection of Richmond Street with a right of way width of 28.0 metres for a minimum length of 45.0 metres tapered back over a distance of 30 metres to the standard secondary collector Neighbourhood Connector Road right of way width of 23.0 metres 21.5 metres, to the satisfaction of the City. Landscaped gateway features shall be installed within a widened boulevard area, to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure.
45. The Owner shall construct Callingham Drive and Pelkey Road to neighbourhood connector ~~secondary collector road~~ standards, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

#### Sidewalks/Bikeways

46. The Owner shall construct a 1.5 metre sidewalk on both sides of all streets in this Plan. the following streets:
  - i.) ~~Callingham Drive~~
  - ii.) ~~Pelkey Road~~
47. The Owner shall construct a 1.5 metre sidewalk on one side of the following streets:
  - i.) ~~Street 'A' west boulevard~~
  - ii.) ~~Street 'B' north boulevard~~
  - iii.) ~~Street 'C' north boulevard~~
  - iv.) Richmond Street – along entire frontage of plan to 1985 Richmond Street
  - v.) Sunningdale Road – along entire frontage of plan
48. In conjunction with the first submission of engineering drawings, the Owner shall provide details of a 1.5 metre sidewalk on both sides of all streets and details of the sidewalks on Richmond Street and Sunningdale Road, to the specifications of

the City. A 2.50m boulevard width (back of curb to sidewalk) shall be provided.

~~At the time of site plan approval for Block 46, the Owner shall install temporary street lights at the intersection of the commercial driveway and Sunningdale Road West, to the satisfaction of the Deputy City Manager, Environment and Infrastructure;, at no cost to the City.~~

~~Within one year of registration of the plan, the Owner shall install street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City. Where an Owner is required to install street lights in accordance with this draft plan of subdivision and where a street from an abutting developed or developing area is being extended, the Owner shall install street light poles and luminaires, along the street being extended, which match the style of street light already existing or approved along the developed portion of the street, to the satisfaction of the London Hydro for the City of London.~~

49. In conjunction with the submission of engineering drawings, the Owner shall have a qualified professional engineer provide to the City Engineer for review and acceptance appropriate drawings and calculations (eg photometric) for street lights that exceeds the street lighting standards in new subdivisions as required by the City Engineer at no cost to the City.

50. In conjunction with the first submission of engineering drawings, the Owner shall provide details of street lighting on all streets and walkways in this plan to the satisfaction of the City, at no cost to the City.

#### Boundary Road Works

51. In conjunction with the Focused Design Studies, the Owner shall update the 58 Sunningdale Road Traffic Impact Study, to the satisfaction of the City. Prior to undertaking this study, the Owner shall contact the Transportation Planning and Design Division regarding the scope and requirements of this study.
52. The Owner shall implement all recommendations outlined in the approved Transportation Impact Assessment, at no cost to the City, to the satisfaction of the Deputy City Manager, Environment and Infrastructure;.
53. The Owner shall be required to make minor boulevard improvements on Sunningdale Road West and Richmond Street North adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
54. The Owner shall grade their site in accordance with the Sunningdale Road Environmental Assessment, to the satisfaction of the City and at no cost to the City.
55. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing street lights on Richmond Street or provide temporary street lights to provide for sufficient illumination at the intersection of Callingham Drive and Richmond Street, at no cost to the City, to the satisfaction of the Deputy City Manager, Environment and Infrastructure;.
56. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional consulting engineer submit design criteria for the left turn and right turn lanes on Richmond Street North at Callingham Drive for review and acceptance by the City.
57. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct left and right turn lanes at Callingham Drive on Richmond Street North and all associated works, to the satisfaction of the Deputy City Manager, Environment and Infrastructure;.

## Road Widening

~~The Owner shall be required to dedicate sufficient land to widen Sunningdale Road West and Richmond Street North to 18.0 metres from the centreline of the original road allowance.~~

58. The Owner shall be required to dedicate 3.0 m x 3.0 m “daylighting triangles” at the intersection of ‘collector’ road streets in the Plan (ie. Where Callingham Drive meets Pelkey Road) to satisfy requirements necessary for servicing bus transit routes, as specified by the Deputy City Manager, Environment and Infrastructure.
59. The Owner shall be required to dedicate sufficient land to widen Sunningdale Road West to 24.0 metres from the centreline of the existing road to a point 150.0 metres west of Richmond Street.
60. The Owner shall be required to dedicate sufficient land to widen Sunningdale Road West to 18.0 metres from the point 150.0 metres to the West of the existing road for the remaining portion along Sunningdale Road West.
61. The Owner shall be required to dedicate sufficient land to widen Richmond Street to 18 metres ~~22.50 metres~~ from the centreline of the existing road to a point 150.0 metres South of Sunningdale Road West.
62. The Owner shall be required to dedicate sufficient land to widen Richmond Street to 22.50 metres from the point 150.0 metres to the West of the existing road for the remaining portion along Richmond Street.
63. The Owner shall be required to dedicate 6.0 m x 6.0 m “daylighting triangles” at the arterial roads, to the satisfaction of the City.

## Vehicular Access

64. The Owner shall cooperate with the landowner(s) of 1985 Richmond Street in satisfying conditions of the Agreements registered as Instrument Number ER634304 and ER503412. The Owner shall provide access to 1985 Richmond Street from the internal road network in this plan, at no cost to the City, to the satisfaction of the City.

## Traffic Calming

65. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional engineer provide a conceptual design of the proposed traffic calming measures, on internal streets in this plan of subdivision, to be relocated and/or constructed along Callingham Drive and Pelkey Road, including raised intersections, parking bays, curb extensions, speed cushions and other measures, to the satisfaction of the City.
66. The Owner shall relocate and/or construct traffic calming measures associated with this traffic calming plan, including parking bays, curb extensions, speed cushions and other measures to the satisfaction of the City.
67. The Owner shall construct a raised intersection on Callingham Drive at Pelkey Road, to the satisfaction of the Deputy City Manager, Environment and Infrastructure;, at no cost to the City. Should it be determined, the raised intersection will affect the major overland flow route, the Owner shall construct alternative traffic calming measures on Callingham Drive, to the satisfaction of the Deputy City Manager, Environment and Infrastructure;.

### Construction Access/Temporary/Second Access Roads

68. The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize either Sunningdale Road West (via Villagewalk Boulevard and Callingham Drive), or Richmond Street (via Callingham Drive), or other routes as designated by the City.
69. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the City for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
70. The Owner shall construct a temporary turning facility for vehicles at the following location(s), to the specifications of the City:
- i.) Street 'A' – south limit
  - ii.) Street 'C' – east limit

Temporary turning circles/facilities for vehicles shall be provided to the City as required by the City, complete with any associated easements. When the temporary turning circles(s) are no longer needed, the City will quit claim the easements which are no longer required, at no cost to the City.

71. The Owner shall ~~remove the temporary turning facility on Pelkey Road and adjacent lands, in Plan 33M-665 to the south of this Plan, and~~ complete the construction of Pelkey Road on adjacent lands (Plan 33M-665), to the south of this plan, in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-665 for ~~the removal of the temporary turning facility and~~ the construction of this section of Pelkey Road and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

~~In the event that Pelkey Road in Plan 33M-665 is constructed as a fully serviced road by the Owner of Plan 33M-665, then the Owner shall be relieved of this obligation.~~

72. In conjunction with first submission of engineering drawings, the Owner shall provide a pavement marking plan, to include all turn lanes, etc., to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
73. The Owner shall ensure that no vehicular access will be permitted to Blocks fronting Richmond Street North and Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.
74. The Owner shall restrict access to Richmond Street North and Sunningdale Road West by establishing blocks for 0.3 metre (1') reserves along the entire frontages, to the satisfaction of the City.

### **GENERAL CONDITIONS**

75. The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings, to the satisfaction of the City. Any deviations from the City's standards, guidelines or requirements shall be satisfactory to the City.

76. Prior to the issuance of a Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
77. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services or grading situated on private lands outside this plan, and shall provide satisfactory easements over these works, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
78. In conjunction with the first submission of engineering drawings, the Owner shall provide, to the City for review and acceptance, a geotechnical report or update the existing geotechnical report recommendations to address all geotechnical issues with respect to the development of this plan, including, but not limited to, the following:
- i.) servicing, grading and drainage of this subdivision
  - ii.) road pavement structure
  - iii.) dewatering
  - iv.) foundation design
  - v.) removal of existing fill (including but not limited to organic and deleterious materials)
  - vi.) the placement of new engineering fill
  - vii.) any necessary setbacks related to slope stability for lands within this plan
  - viii.) identifying all required mitigation measures including Low Impact Development (LIDs) solutions,
  - ix.) Addressing all issues with respect to construction and any necessary setbacks related to erosion, maintenance and structural setbacks related to slope stability for lands within this plan, if necessary, to the satisfaction and specifications of the City. The Owner shall provide written acceptance from the Upper Thames River Conservation Authority for the final setback.

and any other requirements as needed by the City, all to the satisfaction of the City.

79. The Owner shall implement all geotechnical recommendations to the satisfaction of the City.
80. Once construction of any private services, ie: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the Deputy City Manager, Environment and Infrastructure; and at no cost to the City.
81. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision, at no cost to the City, all to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure;.

~~In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer submit a concept plan which shows how all servicing (water, sanitary, storm, gas, hydro, street lighting, water meter pits, Bell, Rogers, etc.) shall be provided to condominiums/townhouses indicated on Block 44. It will be a requirement to provide adequate separation distances for all services which are to be located on the municipal right-of-way to provide for required separation distance (Ministry of Environment Design Standards) and to allow for adequate space for repair, replacement and maintenance of these services in a manner acceptable to the City.~~

82. The Owner shall have the common property line of Sunningdale Road West and Richmond Street North graded in accordance with the City of London Standard "Subdivision Grading along Arterial Roads", at no cost to the City.
83. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services.

Prior to connection being made to an unassumed service, the following will apply:

- i.) In the event discharge is to unassumed services, the unassumed services must be completed and conditionally accepted by the City;
- ii.) The Owner must provide a video inspection on all affected unassumed sewers;

Any damages caused by the connection to unassumed services shall be the responsibility of the Owner.

84. The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above-noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:
- i.) commence upon completion of the Owner's service work, connections to the existing unassumed services; and
  - ii.) continue until the time of assumption of the affected services by the City.
85. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.

The connection into and use of the subject services by an outside Owner will be conditional upon the outside Owner satisfying any requirements set out by the City, and agreement by the outside Owner to pay a proportional share of the operational maintenance and/or monitoring costs of any affected unassumed services and/or facilities.

86. If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the Deputy City Manager, Environment and Infrastructure; and Chief Building Official immediately, and if required by the Deputy City Manager, Environment and Infrastructure; and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the Deputy City Manager, Environment and Infrastructure; and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the Deputy City Manager, Environment and Infrastructure; and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the Deputy City Manager, Environment and Infrastructure; and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the Deputy City Manager, Environment and Infrastructure; and review for the duration of the approval program.

If a permanent venting system or facility is recommended in the report, the Owner shall register a covenant on the title of each affected lot and block to the effect that the Owner of the subject lots and blocks must have the required system or facility designed, constructed and monitored to the specifications of the Deputy City Manager, Environment and Infrastructure; and that the Owners must maintain the installed system or facilities in perpetuity at no cost to the City. The report shall also include measures to control the migration of any methane gas to abutting lands outside the Plan.

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

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

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

88. The Owner's professional engineer shall provide full-time inspection services during construction for all work to be assumed by the City, and shall supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the Deputy City Manager, Environment and Infrastructure;
89. In conjunction with the first submission of engineering drawings, the Owner shall have its professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.
90. Prior to the construction of works on existing City streets and/or unassumed subdivisions, the Owner shall have its professional engineer notify new and existing property owners in writing regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision along with any remedial works prior to assumption, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".

~~The Owner shall have its professional engineer notify existing property owners in writing, regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".~~

91. The Owner shall not commence construction or installations of any services (eg. clearing or servicing of land) involved with this Plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the

development of the subdivision, unless otherwise approved by the City in writing (eg. Ministry of the Environment Certificates, City/Ministry/Government permits: Approved Works, water connection, water-taking, crown land, navigable waterways, approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, City, etc.)

92. Prior to any work on the site, the Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
93. In conjunction with the first submission of engineering drawings, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.
94. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure;, at no cost to the City.
95. The Owner shall remove any temporary works when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City.
96. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
97. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the City.
98. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the City, at no cost to the City.
99. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
100. Prior to the issuance of a Certificate of Conditional Approval for Blocks 42 and 43 in this plan, Blocks 42 and 43 shall be combined with lands to the south and west to create developable lots and/or blocks, to the satisfaction of the City. The above-noted blocks shall be held out of development until they can be combined with adjacent lands to create developable lots and/or blocks.
101. Prior to the issuance of a Certificate of Conditional Approval for Block 45 in this plan, Block 45 shall be combined with lands to the west to create a developable block, to the satisfaction of the City. The above-noted block shall be held out of development until they can be combined with adjacent lands to create a developable block.
102. Lot 30 shall be held out of development until lands to the south and east develop.
103. Prior to the issuance of a Certificate of Conditional Approval for Pelkey Road, the Owner shall construct new services and make adjustments to the existing works

and services on Pelkey Road in Plan 33M-665, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure; at no cost to the City.

104. Should Commercial, Industrial or Institutional blocks exist within this plan of subdivision, the Owner shall either register against the title of Block 46, in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the Deputy City Manager, Environment and Infrastructure;
105. Where site plan approval is required, which includes street facing townhouse blocks, the Owner shall install servicing on streets in this plan of subdivision for these blocks only after site plan approval has been obtained or as otherwise directed by the City, all to the satisfaction of the City, at no cost to the City.
106. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.
107. Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.
108. In conjunction with the first submission of engineering drawings, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the Deputy City Manager, Environment and Infrastructure; and City Treasurer (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
109. In conjunction with the submission of engineering drawings, the Owner shall provide a minimum lot frontage of 6.7 metres as per City standards to accommodate street townhouses within this draft plan of subdivision, all the specifications and satisfaction of the City.
110. In conjunction with the first submission of engineering drawings, the Owner shall identify locations of all existing infrastructure, ie. Water, septic, storm, hydro, driveways, etc. and their decommissioning or relocation, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
111. In conjunction with first submission of engineering drawings, the Owner shall provide details to show how Municipal Nos.1985 Richmond Street will be serviced and accessed and identifying the location of an easement over any Blocks in this Plan if needed for servicing of 1985 Richmond Street.



## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P.Eng  
Deputy City Manager, Planning and Economic Development

**Subject:** Exemption from Part-Lot Control  
Application By: Sifton Properties Ltd.  
Address: 890 Upperpoint Avenue

**Meeting on:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application by Sifton Properties Ltd., the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 14, 2022 to exempt Block 141, Plan 33M-754 and Block 42, Plan 33M-810 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

This report is for review and endorsement by Municipal Council to exempt Block 141 in Registered Plan 33M-754 and Block 42 in Registered Plan 33M-810 from the Part-Lot Control provisions of the Planning Act.

### Purpose and the Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of fourteen (14) single detached dwellings with frontage on Fountain Grass Drive.

### Rationale of Recommended Action

The standard 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

The subject site is located on Fountain Grass Drive to the east of Upperpoint Avenue, which is generally located east of Westdel Bourne and east of Middleton Avenue. The site is currently vacant with existing low density residential to the north and east, and vacant future residential lands to the south, and existing and planned medium density residential lands to the west. A neighbourhood park is planned southwest of the subject lands. The subject lands are proposed to be developed as fourteen (14) single detached dwellings.

## 1.1 Previous Reports Related to this Matter

**March 23, 2015** - Report to Planning Committee to recommend approval of the Riverbend South Secondary Plan and amendment to the Official Plan.

**November 14, 2016** - Report to Planning and Environment Committee to recommend approval of the Warbler Woods draft plan of subdivision and associated zoning by-law amendments (39T-16502/Z-8621).

**July 16, 2018** - Report to Planning and Environment Committee to recommend approval of the Special Provisions for Warbler Woods Subdivision Phase 2 (39T-16502).

**March 29, 2021** - Report to Planning and Environment Committee to recommend approval of the Wagner draft plan of subdivision and associated zoning by-law amendments (39T-20503/Z-9278).

**October 18, 2021** - Report to Planning and Environment Committee to recommend approval of the Special Provisions for Wagner Subdivision Phase 1 (39T-20503).

**December 13, 2021** - Report to Planning and Environment Committee to recommend removal of holding provisions (H-9392).

**December 13, 2021** - Report to Planning and Environment Committee to recommend conditions of approval to be required prior to the passage of a Part Lot Control By-Law (P-9358).

## 1.2 Planning History

The majority of the subject lands are located within the Warbler Woods Subdivision (Block 141 in Plan 33M-754). On October 24, 2018, the City of London Approval Authority granted final approval and Phase 2 of the Warbler Woods subdivision was registered as Plan 33M-754 on November 2, 2018. The final plan consisted of 128 single detached residential lots, four (4) medium density residential blocks, one (1) high density residential block, one (1) school block, three (3) park blocks, one (1) open space block, one (1) walkway block, two (2) secondary collector roads, and seven (7) local streets.

A small portion of the subject lands, as well as the street onto which all the lots front, is located within the Wagner Subdivision (Block 42 in Plan 33M-810). On November 18, 2021, the City of London Approval Authority granted final approval and Phase 1 of the Wagner subdivision was registered as Plan 33M-810 on November 29, 2021. The final plan consisted of 39 single detached residential lots, two (4) medium density residential blocks, one (1) future development block, one (1) park block, one (1) road widening block, two (2) reserve blocks, and the extensions of two (2) local streets.

An application for removal of the 'h' holding provision requiring the submission of necessary securities to the City of London and the execution of a development agreement has also been submitted, and was approved by Council on December 13, 2021.

## 1.3 Previous Meeting

At its meeting held on December 21, 2021, Municipal Council resolved:

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Sifton Properties Ltd., to exempt Block 141, Plan 33M-754 and Block 42, Plan 33M-810 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated December 13, 2021 BE INTRODUCED at a future Council meeting, to exempt Block 141, Plan 33M-754 and Block 42, Plan 33M-810 from the Part-Lot Control provisions of subsection 50(5) of the said Act; it being noted that these lands are subject to registered subdivision agreements and are zoned Holding Residential R1 (h\*R1-4) in Zoning By-law No. Z.-1, which permits single detached 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 141, Plan 33M-754 and Block 42, Plan 33M-810 as noted in clause a) above:
- i) the applicant be advised that the costs of registration of the said bylaws are to be borne by the applicant in accordance with City Policy;
  - ii) the applicant submit a draft reference plan to the Planning and Development 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 City 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 Deputy City Manager, Environment and Infrastructure or designate 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 City 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 City 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 Deputy City Manager, Environment and Infrastructure 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) 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. (2021-D25)

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

- The London Plan Place Type – Neighbourhoods Place Type
- Riverbend South Secondary Plan – Low Density Residential
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – R1-4

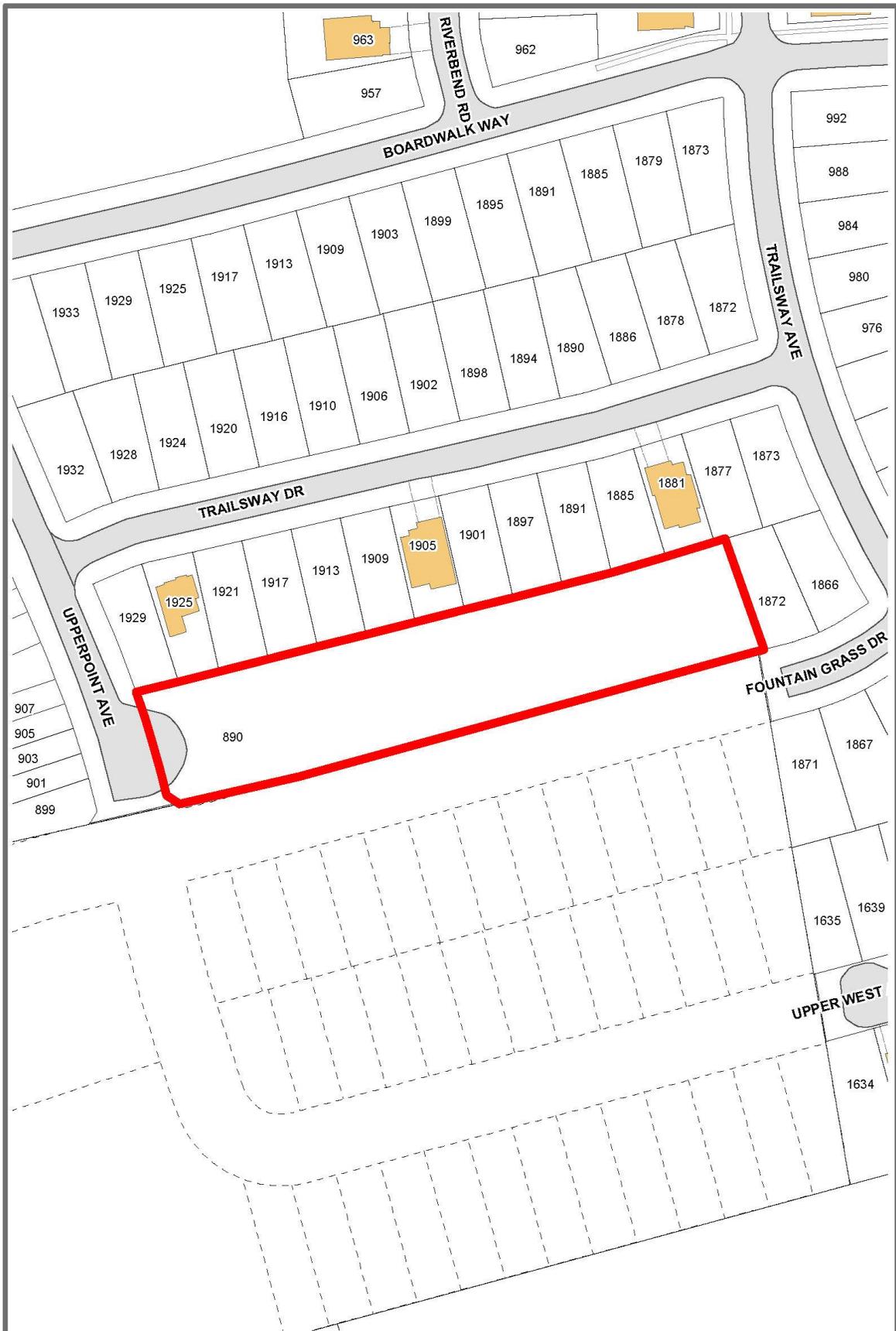
#### **1.5 Site Characteristics**

- Current Land Use – Vacant
- Frontage – approx. 33m on Upperpoint Avenue (Neighbourhood Connector) and 172m on Fountain Grass Drive (Neighbourhood Street)
- Area – approx. 5,700 m<sup>2</sup>
- Shape – Irregular

#### **1.6 Surrounding Land Uses**

- North – single detached dwellings
- East – single detached dwellings
- South – single detached dwellings
- West – townhouse dwellings, municipal park, future medium density residential

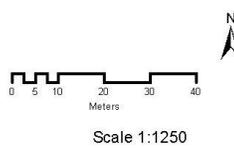
1.7 Location Map



**LOCATION MAP**

Subject Site: P-9358  
File Number: 890 Upperpoint Avenue  
Planner: Michael Clark  
Date: 03/06/2021

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



**Legend**

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



## 2.0 Discussion and Considerations

The Applicant, Sifton Properties Ltd., has requested exemption from part-lot control to create a total of fourteen (14) single detached dwellings on Fountain Grass Drive.

### 2.1 Community Engagement (see more detail in Appendix B)

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.

### 2.2 Policy Context (see more detail in Appendix C)

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* allows 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.

## 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

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 bylaws are to be borne by the applicant in accordance with City Policy;*

Acknowledged by the applicant on March 15

- ii) *the applicant submit a draft reference plan to the Planning and Development 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-21155.

- iii) *the applicant submits to the City 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 March 15, 2022 and City staff (GIS Data Technician) confirmed by email on March 22, 2022 that a digital file has been submitted in a format acceptable to the City of London.

- 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;*

Satisfied by Offer to Connect agreed upon between London Hydro and Norquay Developments Ltd. on August 5, 2021 for the Wagner Subdivision (33M-810), including these 14 lots for Sifton Properties Ltd.

- v) *the applicant submit to the Deputy City Manager, Environment and Infrastructure or designate 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 updated grading plans submitted on May 3, 2022 for the Warbler Wood Phase 2 Subdivision (39T-16502) and accepted by staff, and by the servicing plans submitted and accepted during the Wagner Subdivision (39T-20503) drawing submissions.

- vi) *the applicant shall enter into any amending subdivision agreement with the City, if necessary;*

Satisfied by a commitment by the applicant on May 16, 2022 to amend the subdivision agreement for Warbler Wood Phase 2 Subdivision (39T-16502) to recognize the updated lot grading plan.

- 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 all of their obligations will be fulfilled in their entirety related to the construction of all services and will be completed in accordance with the approved final engineering design for the lots.

- viii) *the applicant shall obtain confirmation from the City 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 February 1, 2022.

- ix) *the applicant shall obtain approval from the City of each reference plan to be registered prior to the reference plan being registered in the land registry office;*

Satisfied by email from City staff on February 1, 2022.

- 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-21155 submitted.

- xi) *the applicant shall obtain clearance from the Deputy City Manager, Environment and Infrastructure 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;*

Acknowledged by the applicant on March 15, 2022 that this condition will be fulfilled prior to the issue of building permits.

- xii) *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 the applicant on March 15, 2022.

## Conclusion

The recommended exemption is considered appropriate and in keeping with the registered phases of the Warbler Woods and Wagner Subdivisions. 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:** Michael Clark, MA  
Planner, Subdivision Planning

**Reviewed by:** Bruce Page, MCIP, RPP  
Manager, Subdivision Planning

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

**Submitted by:** Scott Mathers, MPA, P.Eng  
Deputy City Manager,  
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
cc: Matt Davenport, Manager, Development Engineering (Subdivisions)  
cc: Michael Pease, Manager, Site Plans  
cc: David Turvey, GIS Data Technician, Planning and Development

BP/mc

## Appendix A

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

By-law No. Z.-1-\_\_\_\_\_

A by-law to exempt from Part-Lot Control, lands located at 890 Upperpoint Avenue, legally described as Block 141 in Registered Plan 33M-754 and Block 42 in Registered Plan 33M-810.

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 Sifton Properties Limited, it is expedient to exempt lands located at 890 Upperpoint Avenue, legally described as Block 141 in Registered Plan 33M-754 and Block 42 in Registered Plan 33M-810, from Part Lot Control;

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

1. Block 141 in Registered Plan 33M-754 and Block 42 in Registered Plan 33M-810, located at 890 Upperpoint Avenue, north of Fountain Grass Drive 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 single detached dwellings in conformity with the Residential R1 (R1-4) 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 June 14, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading - June 14, 2022  
Second Reading - June 14, 2022  
Third Reading - June 14, 2022

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers, MPA, P.Eng.,  
Deputy City Manager, Planning and Economic Development  
**Subject:** Application By: Econ Consultant Ltd.  
3195 White Oak Road  
**Meeting on:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Econ Consultant Ltd. relating to the property located at 3195 White Oak Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 14, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a Holding Residential R1 Special Provision (h-94\*R1-3(21)) Zone **TO** a Residential R1 Special Provision (R1-3(21)) Zone to remove the "h-94" holding provision.

## Executive Summary

### Purpose and the Effect of Recommended Action

The purpose and effect of this zoning change is to remove the "h-94" holding symbol from the zone map to permit the development of single detached dwellings.

### Rationale of Recommended Action

The conditions for removing the holding provision have been met. Provisional Consent (B.039/21) was granted on February 27, 2022 to consolidate the remnant part blocks. The applicant has submitted a complete clearance of conditions package that has been accepted by staff as of the deadline date for finalization of this report. It is anticipated that certificates of consent will be issued and registered by the time that this matter goes to Municipal Council. The removal of the holding provision will allow the applicant to submit and be issued building permits and supports re-building the local economy.

## 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

**May 12, 2003** – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

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

**June 4, 2019** - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980)).

**July 22, 2020** - London Consent Authority - 2748714 Ontario Inc. (c/o Mohamed Abuhajar) Application for consent regarding the property located at 3195 White Oak Road. Notice of Provisional Consent Decision was granted on November 30, 2020 (B.021/20)

**February 8, 2021** - Planning and Environment Committee – 2748714 Ontario Inc. regarding the property located at 3195 White Oak Road – Application for Zoning By-law Amendment (Z-9204).

**February 16, 2022** - Committee of Adjustment - Econ Consultant Ltd. Application for consent regarding the property located at 3195 White Oak Road. Notice of Provisional Consent Decision was granted on January 27, 2022 (B.039/21).

## **1.2 Planning History**

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

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

A draft plan of subdivision (file 39T-18505/1/Z-8980) was submitted for the lands located at 3087 White Oak Road (to the north of the subject site) on December 10, 2018. Municipal Council approved the plan and the associated zoning by-law amendment. The Approval Authority granted draft approval on July 22, 2019. The plan was registered on December 23<sup>rd</sup>, 2020 consisting of 72 single detached lots, 2 medium density blocks, 2 future development blocks, 3 road widening blocks, and 2 0.3m reserves, all serviced by the extension of four existing public streets (Petty Road, Bateman Trail, Lemieux Walk, and Biddulph Street).

## **1.3 Property Description**

The site is addressed as 3195 White Oak Road. These lands are within a registered plan of subdivision Plan 33M795. The lands are currently vacant.

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Holding Residential R1 Special Provision h-94\*R1-3(21)

## **1.5 Site Characteristics**

- Current Land Use – single detached dwelling/vacant
- Frontage – approx. 50m (164 feet) along Petty Road
- Depth – varies
- Area – 1.97ha (4.86 ac)
- Shape – irregular

## 1.6 Surrounding Land Uses

- North – future residential/vacant
- East – commercial/warehousing
- South – residential
- West – residential

## 1.7 Location Map





## **2.0 Discussion and Considerations**

### **2.1 Description of Proposal**

The site is addressed as 3195 White Oak Road, on the south side of Southdale Road East, west of White Oak Road. The subject lands have a total frontage of 50 metres on Petty Road, with a site area of approximately 1.97 hectares. The subject lands are presently vacant. There are existing residential uses to the west and vacant lands to the north, east and west.

The applicant is requesting the removal of the “h-94” holding provision from the Zone on the subject lands, which requires that the part residential blocks be consolidated with adjacent lands. The requested amendment will permit the development of up to four (4) single detached dwellings.

### **2.2 Community Engagement (see more detail in Appendix B)**

On June 17, 2021 a notice of the application was published in the Public Notices and Bidding Opportunities section of The Londoner. No comments were received in response to the Notice of Application.

### **2.3 Policy Context (see more detail in Appendix C)**

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

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

## **3.0 Financial Impact/Considerations**

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

## **4.0 Key Issues and Considerations**

### **4.1 What is the purpose of the “h-94” holding provision and is it appropriate to consider its removal?**

**The “h-94” holding provision states:**

*Purpose: To ensure that there is a consistent lotting pattern in this area, the “h-94” symbol shall not be deleted until the block has been consolidated with adjacent lands.*

Provisional Consent (B.039/21) was granted on January 27, 2022 to consolidate the remnant part blocks with adjacent lands to create a consistent lotting of single detached lots. The applicant has submitted a complete clearance of conditions package that has been accepted by staff as of the deadline date for finalization of this report. It is anticipated that certificates of consent will be issued and registered by the time that this matter goes to Municipal Council on June 14, 2022.

This satisfies the requirement for the removal of the “h-94” holding provision.

## **Conclusion**

The Applicant has completed the necessary severance application to consolidate the remnant part blocks with adjacent lands to create a consistent lotting of single detached lots. The removal of the holding provision will allow the applicant to submit and be issued building permits and is being recommended to Council for approval. The removal of this holding provision supports the re-building of our local economy.

**Prepared by:** Sean Meksula, MCIP, RPP  
Senior Planner, Subdivisions and Condominiums

**Reviewed by:** Bruce Page  
Manager, Subdivision Planning

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

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager,  
Planning and Economic Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

SM/GB/BP/Sm/sm

## Appendix A

Bill No. (Number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1- \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3195 White Oak Road.

WHEREAS Econ Consultant Ltd. has applied to remove the holding provision from the zoning for the lands located at 3195 White Oak Road, as shown on the map attached to this by-law, as set out below;

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

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3195 White Oak Road, as shown on the attached map, comprising part of Key Map No. 111 to remove the h-94 holding provision so that the zoning of the lands as a Residential R1 Special Provision (R1-3(21)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

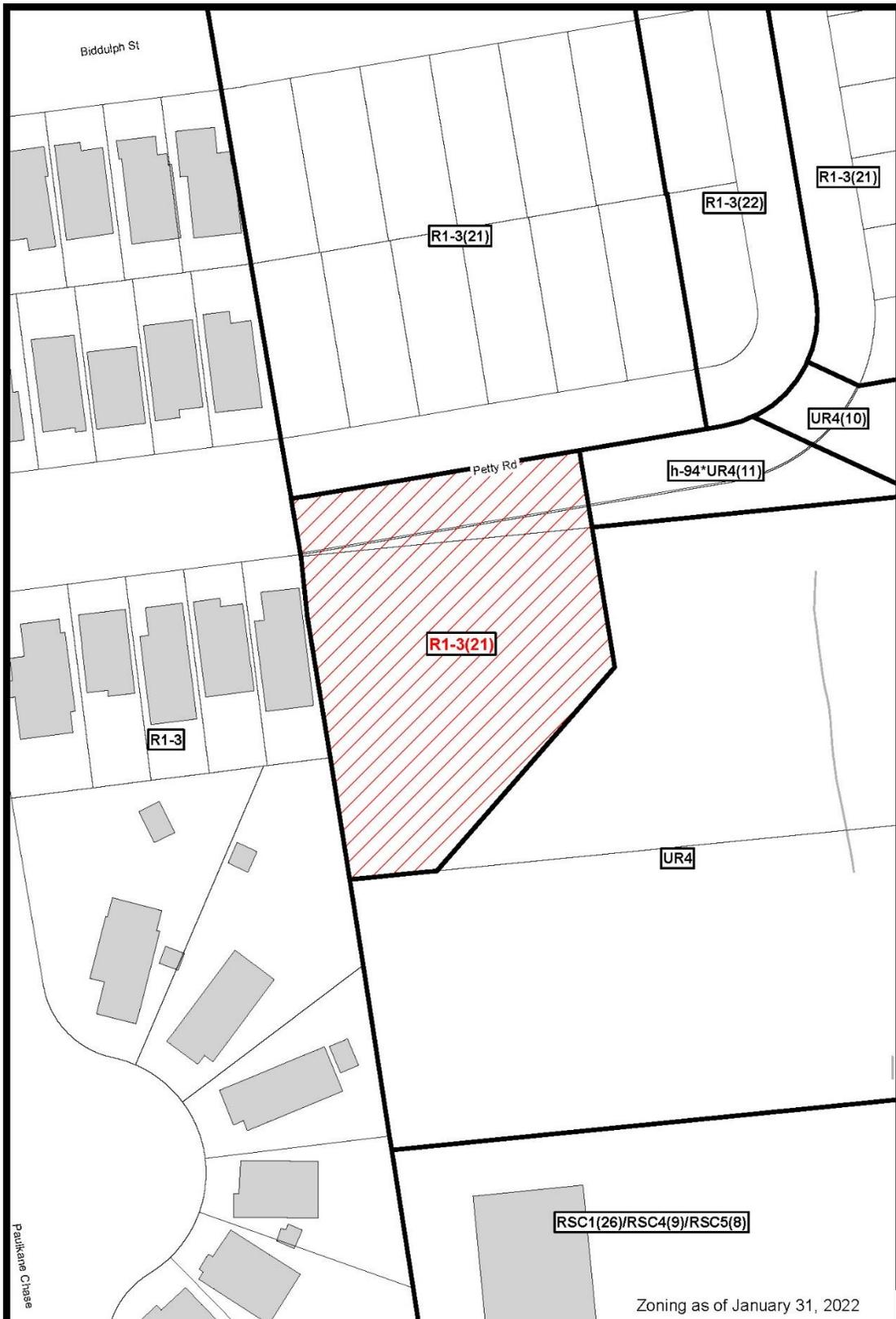
PASSED in Open Council on June 14, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – June 14, 2022  
Second Reading – June 14, 2022  
Third Reading – June 14, 2022

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



File Number: H-9471  
Planner: SM  
Date Prepared: 2022/02/16  
Technician: RC  
By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** Notice of the application was published in the Londoner on February 24, 2022.

0 replies were received

**Nature of Liaison:** City Council intends to consider removing the “h-94” Holding Provision from the zoning of the subject lands. The purpose and effect of this zoning change is to remove the holding symbol to allow development of the lands for single detached dwellings. The purpose of the “h-94” provision is to ensure that there is a consistent lotting pattern in this area, the “h-94” symbol shall not be deleted until the block has been consolidated with adjacent lands. Council will consider removing the holding provisions as it applies to these lands no earlier than April 25, 2022.

# Appendix C – Relevant Background

## Existing Zoning Excerpt



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9471

SM

MAP PREPARED:

2022/02/16

RC

1:1,000

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Meters

## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P.Eng  
Deputy City Manager, Planning and Economic  
Development

**Subject:** Application by Foxhollow North Kent Developments Inc.  
1284 and 1388 Sunningdale Road West  
Foxhollow North Kent Subdivision Phase 5 - Special  
Provisions

**Meeting on:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the subdivision of land over Concession 5, Part Lot 23, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, municipally known as 1284 and 1388 Sunningdale Road West;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the Foxhollow North Kent Subdivision, Phase 5 (39T-04510) attached as Appendix "A", **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix "B";
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Appendix "C"; and,
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

## Executive Summary

Seeking approval of Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the Foxhollow North Kent Subdivision, Phase 5 (39T-04510\_5).

## Linkage to the Corporate Strategic Plan

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

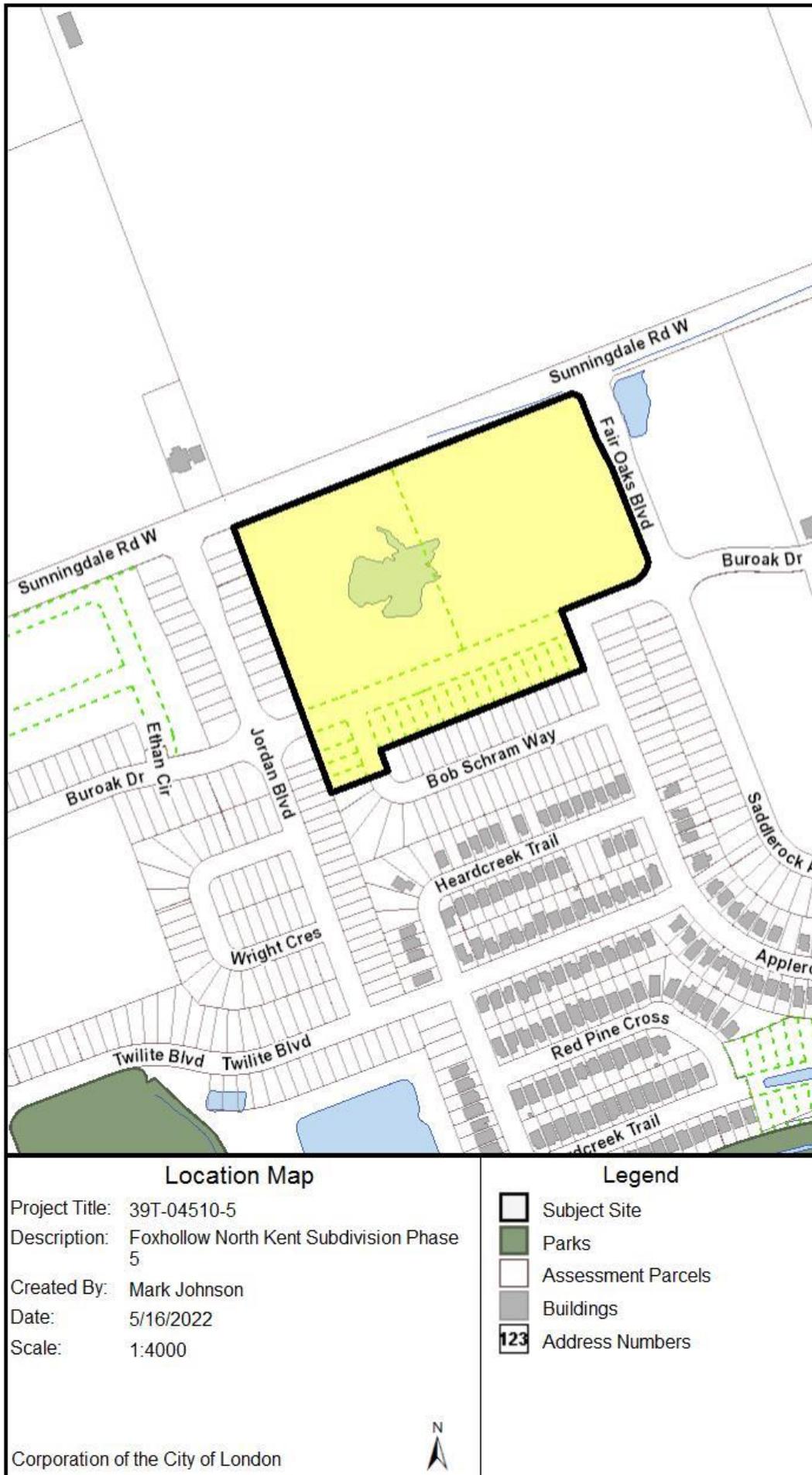
## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The subject lands are located in the northwest quadrant of the City and are included in the Foxhollow Community Plan. The lands are on the south side of Sunningdale Road West, and north of Heard Drain. Phase 5 of the subdivision will be located along the north and south side of the future extension of Buroak Drive. The phase will contain twenty (20) single detached lots with approximately 12 metre frontages, a multi-family block, and a school block.

## 1.2 Location Map





## **2.0 Discussion and Considerations**

### **2.1 Development Proposal**

Phase 5 of the plan of subdivision will consist of 20 single detached Lots (Lots 1 to 20), a multi-family block (Block 21), and a school block (Block 22), all served by the extension the extension of Buroak Drive and Bob Schram Way.

The recommended special provisions for the proposed Phase 5 Subdivision Agreement are found at Appendix A of this report. Staff has reviewed these special provisions with the Owner who is in agreement with them.

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

## **3.0 Financial Impact/Considerations**

### **3.1 Financial Securities**

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

## **4.0 Key Issues and Considerations**

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

## **Conclusion**

Planning and Development staff are satisfied with the proposed special provisions for the Foxhollow North Kent Subdivision – Phase 5, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

**Prepared by:** Mark Johnson, MCIP, RPP  
Senior Planner, Planning and Development

**Reviewed by:** Bruce Page  
Manager, Subdivision Planning

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

**Submitted by:** Scott Mathers, MPA, P.Eng.  
Deputy City Manager,  
Planning and Economic Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
Bruce Page, Manager, Subdivision Planning  
Matt Davenport, Manager, Manager, Subdivision Engineering

May 20, 2022  
SM/GB/MJ/jar

## Appendix A – Special Provisions

### 15. PROPOSED SCHOOL SITES

Remove Section 15.3 and **replace** with the following:

- 15.3 The Owner shall set aside an area or areas (being Block 22) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.

### 24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

1. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.  
  
Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangements to have any section(s) of easement(s) in this plan, quit claimed to the satisfaction of the City, at no cost to the City.
2. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements to construct new services and make adjustments to the existing works and services on Buroak Drive and Bob Schram Way in Plans 33M-793 and Plan 33M-799, adjacent to this plan to accommodate the proposed works and services on these streets to accommodate this plan (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent landowners as to what each parties consulting engineer will be required to be certified for the City for the purposes of assumption, all to the satisfaction of the City.
3. Prior to assumption of this subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the Deputy City Manager, Finance Supports the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine:
  - (i) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher
4. Within one (1) year of registration of the plan, the Owner shall prepare and deliver to all homeowners an education package which advises potential purchasers of the ongoing agricultural activities occurring in the vicinity. The educational package shall be prepared to the satisfaction of the City.
5. The Owner shall include in all Purchase and Sale or Lease Agreements the requirement that the homes to be designed and constructed on all corner lots including lots flanking the park corridor blocks in this Plan, are to have design features, such as but not limited to porches, windows or other architectural amenities that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard. Further, the owner shall obtain approval of their proposed design from the City prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan.

6.

## 24.2 CLAIMS

Add the following new Special Provisions

6.

- (a) Where the proposed development calls for the construction of works, and where the Owner is of the opinion that such works are eligible to be funded in whole or in part from Development Charges as defined in the Development Charges By-law, and further, where such works are not oversized pipe works (sanitary, storm or water – the reimbursement of which is provided for in subsidy appendices in the Development Charges By-law), then the Owner shall submit through their Professional Engineer, a Work Plan for the proposed works to be approved by the Deputy City Manager, Environment and Infrastructure (or designate) and Deputy City Manager, Finance Supports (or designate). The Owner acknowledges that:
- i) no work subject to a Work Plan shall be reimbursable until both the Deputy City Manager, Environment and Infrastructure (or designate) and Deputy City Manager, Finance Supports (or designate) have reviewed and approved the proposed Work Plan; and
  - ii) in light of the funding source and the City's responsibility to administer Development Charge funds collected, the City retains the right to request proposals for the work from an alternative consulting engineer.
- (b) Where the Owner undertakes construction of works as a capital cost incurred on behalf of the City in accordance with this Agreement, and which are eligible for a claim made against a Development Charge Reserve Fund or the Capital Works Budget, the Owner must conform with the Development Charges By-law and policies in effect at the time the claim is made including but not limited to, requirements for a Work Plan, tendering of construction works and completeness of claims.
- (c) The Owner may, upon approval of this Agreement and completion of the works, make application to Development Finance for payment of the sum alleged to be owing, and as confirmed by the Deputy City Manager, Environment and Infrastructure (or designate) and the Deputy City Manager, Finance Supports (or designate). Payment will be made pursuant to any policy established by Council to govern the administration of the said Development Charge Reserve Fund.
- The anticipated reimbursements from the Development Charge Reserve Funds are:
- (i) for the construction of oversized watermains in conjunction with this Plan, subsidized at an estimated cost of which is \$13,794, excluding HST.
- Any funds spent by the Owner that exceed the approved Work Plan estimates shall be at the sole risk of the Owner pending sufficient capital funding included in the City Budget.
- (d) The Owner shall review and seek approval from the City for any proposed use of construction contingency that relate to claimable works outlined in the Work Plan prior to authorizing work.
- (e) The Owner shall ensure that the City is formally invited to all construction site/progress meetings related to the claimable works associated with this Plan, including but not limited to providing a minimum of two-week notice of meetings and copies of all agenda and minutes as appropriate, all to the satisfaction of the City.
- (f) The Owner shall provide full-time supervision by its Professional Engineer for all claimable works to be constructed in accordance with current City policies. Upon completion of these claimable works, a Certificate of Completion of Works is to be supplied to the City, pursuant to the General Provisions and **Schedule 'G'** of this Agreement.
- (g) Upon approval of an application for a claim to a Development Charge Reserve Fund, the City shall pay the approved claim in full to the Owner subject to the limits noted above and in accordance with the Council approved "Source of Financing"

and the Development Charges By-law and policies in effect at the time the claim is made.

#### **24.6 EROSION AND SEDIMENT CONTROL**

**Update** the General Condition as follows in the General Provisions:

7.

- (d) The Owner shall install, and construct erosion and sediment control measures as required during construction to control overland flows from this subdivision to ensure that mud, silt, construction debris, etc. does not adversely affect abutting properties, all to the specifications of the City.

The Owner shall maintain and replace such erosion and sediment control measures as necessary. Such maintenance shall include, but is not limited to, adequate cleaning of all streets, consisting of scraping of curbs and sweeping operations at an appropriate frequency based on site and seasonal conditions, cleaning and replacement of all silt sacks in the catchbasins when necessary, and other associated maintenance works, all to the satisfaction of the City.

**Add** the following new Special Provisions:

8. All temporary erosion and sediment control measures installed in conjunction with this Plan shall be decommissioned and/or removed when warranted as per accepted engineering drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.

#### **24.7 GRADING REQUIREMENTS**

**Add** the following new Special Provisions:

9. The Owner shall grade the portions of Blocks 21 and 22 inclusive, which have a common property line with Sunningdale Road West, to blend with the ultimate profile of Sunningdale Road West, in accordance with the accepted engineering drawings and to the specifications and satisfaction of the City, at no cost to the City.
10. The Owner shall grade Blocks 21 and 22 as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
11. The Owner shall not alter the existing grading and/or ditching on Block 22 until a site plan has been accepted by the City and the ultimate grading for the Block has been approved, all to the specifications and satisfaction of the City.
12. The Owner shall provide positive drainage from Blocks 21 and 22 to the existing Ditch Inlet Catchbasins unless otherwise approved by this City during site plan stage, all to the specifications and satisfaction of the City.
13. The Owner shall register against the title of Blocks 21 and 22 in this Plan, and shall include in the Agreement of Purchase and Sale for the transfer of each of the said Blocks, as an overland flow route is located on the Blocks, a covenant by the purchaser or transferee to observe and comply with the following:
- i) The purchaser or transferee shall not alter or adversely affect the said overland flow route on the said Blocks as shown on the accepted lot grading and servicing drawings for this subdivision unless otherwise approved by the City.

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

14. The Owner shall maintain the existing overland flow route on Blocks 21 and 22 as per the accepted engineering drawings, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

15. Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
16. Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owner to the west to regrade a portion of the property abutting this Plan, if necessary, in conjunction with grading and servicing of this subdivision, to the specifications of the City, at no cost to the City.

#### **24.8 STORM WATER MANAGEMENT**

**Add** the following new Special Provisions:

17. The Owner shall implement SWM Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and the approval of the City.
18. All temporary storm works and servicing installed within the proposed Plan of Subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City, at no cost to the City.

#### **24.9 SANITARY AND STORM SEWERS**

19.

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

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Medway Creek Subwatershed, and connect them to the City's existing storm sewer system being the 900 mm diameter storm sewer on Buroak Drive and the 300 mm diameter storm on Bob Schram Way in accordance with the accepted engineering drawings, to the satisfaction of the City.

20.

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

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

**Add** the following new Special Provisions:

21. The Owner acknowledges that the ultimate minor storm outlet for this subdivision is the City existing and operational regional Fox Hollow SWM Facility # 3 via the existing minor storm system on Buroak Drive provided by Plan 33M-793 and Plan 33M-750. The major storm outlet for this subdivision is the City's existing and operational regional Fox Hollow SWM Facility # 3 via Buroak Drive.
22. The Owner shall include in the agreement of purchase and sale for the transfer of Block 22 in this Plan, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the Deputy City Manager, Environment and Infrastructure.
23. The Owner shall remove the temporary DICBS, etc., when applicable, and the existing easements on Blocks 21 and 22 may be quit claimed, all to the satisfaction and specifications of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.

## 24.10 WATER SERVICING

**Add** the following new Special Provisions:

24. Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
- i) construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing 300 mm diameter watermain on Buroak Drive and the 200 mm diameter watermain on Bob Schram Way, in accordance with the accepted engineering drawings;
  - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the Deputy City Manager, Environment and Infrastructure when development is proposed to proceed beyond 80 units;
25. The available fire flows for development Blocks 21 and 22 within this Plan of Subdivision have been established through the subdivision water servicing design study.
- Future development of these Blocks shall be in keeping with the established fire flows in order to ensure adequate fire protection is available.
26. If the Owner requests the City to assume Buroak Drive with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the west, the Owner shall pay to the City at the time of the assumption of this subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the west limit of Buroak Drive and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with **Condition 24.1 (\_\_\_)**. The Owner shall provide the cash to the City at the request of the City prior to assumption of the subdivision if needed by the City.

## 24.11 ROADWORKS

27.

**Remove** Condition 24.11 (p) and **replace** with the following:

- (p) Where traffic calming measures are required within this Plan:
- (i) The Owner shall erect advisory signs at all street entrances to this Plan for the purpose of informing the public of the traffic calming measures implemented within this Plan prior to the issuance of any Certificate of Conditional Approval in this Plan.
  - (ii) The Owner shall register against the title of all Lots and Blocks on Buroak Drive in this Plan, and shall include in the Agreement of Purchase and Sale or Lease for the transfer of each of the said Lots and Blocks, a covenant by the purchaser or transferee stating the said owner shall locate the driveways to the said Lots and Blocks away from the traffic calming measures on the said streets, including speeds cushions, to be installed as traffic control devices, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

28.

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

- (q) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Fair Oaks Boulevard via Sunningdale Road West. All trades and construction vehicles shall park within this Plan of Subdivision.

**Add** the following new Special Provisions:

29. The Owner shall remove the temporary turning circle on Bob Schram Way and adjacent lands, in Plan 33M-793 to the south of this Plan and complete the construction of Bob Schram Way in this location as a fully serviced road, including restoration of adjacent lands, to the specifications of the City.

If funds have been provided to the City by the Owner of Plan 33M-793 for the removal of the temporary turning circle and the construction of this section of Bob Schram Way and all associated works, the City shall reimburse the Owner for the substantiated cost of completing these works, up to a maximum value that the City has received for this work.

In the event that Bob Schram Way in Plan 33M-793 is constructed as a fully serviced road by the Owner of Plan 33M-793, then the Owner shall be relieved of this obligation.

30. Barricades are to be maintained at west limit of Buroak Drive until assumption of this Plan of Subdivision or as otherwise directed by the City. At the time of assumption of this Plan or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.

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

31. Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Buroak Drive adjacent to the speed cushion location that indicate Future Speed Cushion Location, as identified on the accepted engineering drawings, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
32. Prior to assumption or when required by the Deputy City Manager, Environment and Infrastructure, the Owner shall install one speed cushions on Buroak Drive, including permanent signage and pavement marking in a location, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
33. Prior to any work on the site, the Owner shall install signage advising construction traffic that loads on Sunningdale Road West are restricted to a maximum weight of five (5) tonnes per axle for any vehicle travelling on this road during the period March 1 to April 30, inclusive in any year.
34. The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Sunningdale Road West adjacent to this Plan. The Owner may be required to dedicate temporary easements along the north boundary of this Plan that may be required by the City in order for the City for complete the said works on Sunningdale Road West.

#### **24.14 PARKS**

35. Remove Section 24.14 as there are no Parks required in this Plan.
- ~~36. Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City.~~
- ~~37. Within (1) year of registration of this Plan, the Owner shall have its consultant provide a certificate that identifies that the Block has been rough graded as per the approved plan and receive City approval of rough grades prior to topsoil installation.~~
- ~~38. Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with the accepted engineering drawings and City Standard S.P.O. 4.8, to the satisfaction of the City, and at no cost to the City.~~

~~Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.~~

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

~~39. The Owner shall not grade into any park or open space area. Where Lots abut lands zoned as open space, all grading of the developing Lots at the interface with the park or open space areas are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the park or open space zones shall be to the satisfaction of the City.~~

## **SCHEDULE "C"**

This is Schedule "C" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022, between The Corporation of the City of London and Foxhollow North Kent Developments Inc. to which it is attached and forms a part.

### **SPECIAL WORKS AND SERVICES**

#### **Roadways**

- Buroak Drive shall have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres
- Bob Schram Way shall have a minimum road pavement width (excluding gutters) of 7.0 metres with a minimum road allowance of 19 metres

#### **Sidewalks**

A 1.5 metre sidewalk shall be constructed on both sides of Buroak Drive as per the accepted engineering drawings, unless otherwise noted below.

A 2.4 metre sidewalk shall be constructed on the north boulevard of Buroak Drive as per the accepted engineering drawings.

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

- (i) Bob Schram Way – west boulevard

#### **Pedestrian Walkways**

There are no pedestrian walkways in this Plan.

## **SCHEDULE "D"**

This is Schedule "D" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022, between The Corporation of the City of London and Foxhollow North Kent Developments Inc. to which it is attached and forms a part.

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

### **LANDS TO BE CONVEYED TO THE CITY OF LONDON:**

0.3 metre (one foot) reserves:	Block 23
Road Widening (Dedicated on face of plan):	NIL
Walkways:	NIL
5% Parkland Dedication:	NIL – Parkland Dedication was satisfied through previous subdivision phases
Dedication of land for Parks in excess of 5%:	NIL
Stormwater Management:	NIL

### **LANDS TO BE SET ASIDE FOR SCHOOL SITE:**

School Site:	Block 22
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### **LANDS TO BE HELD IN TRUST BY THE CITY:**

Temporary access:	NIL
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**SCHEDULE "E"**

This is Schedule "E" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022, between The Corporation of the City of London and Foxhollow North Kent Developments Inc. to which it is attached and forms a part.

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

CASH PORTION:	\$ 124,481
BALANCE PORTION:	<u>\$ 705,390</u>
TOTAL SECURITY REQUIRED	\$ 829,871

The Cash Portion shall be deposited with the Deputy City Manager, Finance Supports prior to the execution of this agreement.

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

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

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

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

## **SCHEDULE "F"**

This is Schedule "F" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022, between The Corporation of the City of London and Foxhollow North Kent Developments Inc. to which it is attached and forms a part.

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

### **Multi-Purpose Easements:**

- (a) Multi-purpose easements for servicing shall be deeded to the City in conjunction with this Plan, within this Plan, on an alignment and of sufficient width acceptable to the Deputy City Manager, Environment and Infrastructure as follows:
  - (i) Over Blocks 21 and 22 for temporary Ditch Inlet Catchbasins and temporary grading as per the accepted engineering drawings

# Appendix B – Claims and Revenues

## Estimated Costs and Revenues

<b>Estimated DC Claim Costs</b>	<b>Estimated Cost (excludes HST)</b>
Claims for Owner led construction from CSRF	
- Watermain Internal Oversizing Subsidy (DC19WD1001)	\$13,794
<b>Total</b>	<b>\$13,794</b>
<b>Estimated DC Revenues (January 1, 2022 to December 31, 2022 Rates)</b>	<b>Estimated Revenue</b>
<b>CSRF TOTAL</b>	<b>\$5,386,907</b>

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

Approved by:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Paul Yeoman  
Director, Capital Assets and Projects

## Appendix C – Source of Financing

RE: Subdivision Special Provisions - Kent Phase 5  
Foxhollow North Kent Developments Inc.  
(Subledger 2552285)  
Capital Project EW381819 - Watermain Internal Oversizing Subsidy (2019-2023)

### Finance Supports Report on the Sources of Financing:

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

<b>Estimated Expenditures</b>	<b>Approved Budget</b>	<b>Committed To Date</b>	<b>This Submission</b>	<b>Balance for Future Work</b>
Construction	361,763	117,258	14,037	230,468
<b>Total Expenditures</b>	<b>\$361,763</b>	<b>\$117,258</b>	<b>\$14,037</b>	<b>\$230,468</b>
<b>Sources of Financing</b>				
Drawdown from City Services - Water Reserve Fund (Development Charges) (Note 1)	361,763	117,258	14,037	230,468
<b>Total Financing</b>	<b>\$361,763</b>	<b>\$117,258</b>	<b>\$14,037</b>	<b>\$230,468</b>
<b>Financial Note</b>				
Contract Price	\$13,794			
Add: HST @13%	1,793			
Total Contract Price Including Taxes	15,587			
Less: HST Rebate	-1,550			
Net Contract Price	\$14,037			

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

\_\_\_\_\_  
Jason Davies  
Manager of Financial Planning & Policy

lp

## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Heritage Alteration Permit application by E. Placzek at 525  
Dufferin Avenue, East Woodfield Heritage Conservation  
District

**Date:** Monday May 30, 2022

## 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 to replace the porch railings/guard on the heritage designated property at 525 Dufferin Avenue, within the East Woodfield Heritage Conservation District, **BE PERMITTED** with the following terms and conditions:

- a) All exposed wood be painted;
- b) The installation of the proposed porch railings/guards be completed within twelve 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 525 Dufferin Avenue is a significant cultural heritage resource, designated as part of the East Woodfield Heritage Conservation District. The porch railings/guards were removed and replaced without Heritage Alteration Permit approval in a manner that does not comply with the policies or guidelines in the *East Woodfield Heritage Conservation District Plan*. The property owner has submitted a Heritage Alteration Permit application to replace the porch's railings/guards with traditional wood railings, which better complies with the policies for alterations in the *East Woodfield Heritage Conservation District Plan* and are compatible with the property's heritage character. The Heritage Alteration Permit application for 525 Dufferin Avenue should be approved with terms and conditions.

## 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 Location

The property at 525 Dufferin Avenue is located on the south side of Dufferin Avenue between Peter Street and William Street (Appendix A).

#### 1.2 Cultural Heritage Status

The property at 525 Dufferin Avenue is located within the East Woodfield Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.-3179-68. The East Woodfield Heritage Conservation District came into force and effect on May 6, 1993.

### **1.3 Description**

The house located at 525 Dufferin Avenue was built circa 1910, but could date earlier pending further research, and is identified as a vernacular building. It is a two-and-a-half storey building with an end-gable roof. The building is setback consistently with other historic buildings on the southside of Dufferin Avenue, westerly towards Peter Street, all of which are constructed of buff brick. There is a front porch, which spans the front façade. The building has a gable on the east side as well as an oriel bay window on the upper storey of the west elevation. A stucco-clad or parged addition with a flat roof was constructed on the east side of the building. It now serves as the main entry to the multiple residential units in the converted dwelling. The building has a tall chimney on the east side. The building, including its porch, has a slate roof.

The porch has a shed roof supported by square posts. A gable, with half timbering, is located off-centre on the porch. It is also articulated by additional applied bracket details. Previously, the railings/guards of the porch were painted wood in a traditional style with turned spindles (see Image 2, Appendix B). The railings/guards were replaced with a metal railing, which included a glass-like panel detail (see Image 3, Appendix B).

The building demonstrates a combination of architectural styles that were popular at the time of the building's construction including Romanesque Revival and Arts & Crafts, lending to its identification as a vernacular building. The Romanesque Revival influence can be seen in the heavy, rusticated stone trim detail around the window openings on the front façade. The Arts & Crafts influence can be seen in the half timbering present in the front gable and porch gable. These attributes and elements contribute to the property's heritage character and its contributions to the East Woodfield Heritage Conservation District.

## **2.0 Discussion and Considerations**

### **2.1 Legislative and Policy Framework**

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

#### **2.1.1 Provincial Policy Statement**

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2020)* promotes the wise use and management of cultural heritage resources and directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved" (Policy 2.6.1, *Provincial Policy Statement 2020*).

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

Additionally, "conserved" means, "the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained."

#### **2.1.2 Ontario Heritage Act**

The *Ontario Heritage Act* enables municipalities to protect properties of cultural heritage value or interest. Properties of cultural heritage value can be protected individually, pursuant to Section 29 of the *Ontario Heritage Act*, or where groups of properties have cultural heritage value together, pursuant to Section 41 of the *Ontario Heritage Act* as a Heritage Conservation District (HCD). Designations pursuant to the *Ontario Heritage Act* are based on real property, not just buildings.

##### **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 for an individual and \$250,000 for a corporation.

#### **2.1.2.2 Heritage Alteration Permit**

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*).

#### **2.1.3 The London Plan/Official Plan**

*The London Plan* is the new official plan for the City of London (Municipal Council adopted, approved by the Ministry of Municipal Affairs and Housing with modifications, and the majority of which is in force and effect).

The policies of *The London Plan* found in the Key Directions and Cultural Heritage chapter support the conservation of London's cultural heritage resources for future generations. To ensure the conservation of significant cultural heritage resources, including properties located within a Heritage Conservation District, the policies of *The London Plan* provide the following direction:

*Policy 594\_ Within heritage conservation districts established in conformity with this chapter, the following policies shall apply:*

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

*Policy 596\_ A property owner may apply to alter a property within a heritage conservation district. The City may, pursuant to the Ontario Heritage Act, issue a permit to alter the structure. In consultation with the London Advisory Committee on Heritage, the City may delegate approvals for such permits to an authority.*

#### **2.1.4 East Woodfield Heritage Conservation District**

East Woodfield was designated to recognize and protect its heritage character as a Heritage Conservation District, pursuant to Part V of the *Ontario Heritage Act*, in 1993. The *East Woodfield Heritage Conservation District Plan*, Parts I-IV, provides policies and guidelines to help manage change within its boundaries.

In addition to the goals and objectives supporting the heritage designation of the East Woodfield Heritage Conservation District, Section 1.3 of the *East Woodfield Heritage Conservation District Plan* (Part I) provides principles relevant to the consideration of a Heritage Alteration Permit application:

- *Replacement of architectural features must match the material being replaced in composition, design, texture, colour, size, and level of craftwork.*
- *Historical, physical, or pictorial and documentary evidence shall guide the repair and replacement of missing architectural features of an individual heritage*

*building. Guesswork or use of architectural elements borrowed from other buildings should be avoided.*

- *Contemporary design of alterations and additions will be permitted where they do not destroy significant historical, architectural, streetscape or cultural features.*

Section 4.2, Part II, *East Woodfield Heritage Conservation District Plan* states, *Generally in any alteration to a heritage property every attempt must be made to ensure that:*

- *Historical building materials and architectural features are protected;*
- *Character defining elevations, especially those that face the street or public spaces, are not radically altered; and,*
- *That replacement of building components or features are unobtrusive and fit visually and functionally with existing features.*

Specifically regarding porches, Policy 3 of Section 4.2.4, Part II, *East Woodfield Heritage Conservation District Plan* states,

*The design and construction of a new entrance and/or porch are encouraged to be compatible with the character of the building. Restoration of a missing porch should be based upon historical, pictorial, and physical documentation.*

## **2.2 Heritage Alteration Permit (HAP22-031-L)**

A complaint from the community brought the alterations to the railings/guards of the property at 525 Dufferin Avenue to the attention of the City. The railings/guards of the porch had been removed and replaced, as well as the railings/guards on the east steps to the main entry, of the property at 525 Dufferin Avenue.

The property owner subsequently submitted a Heritage Alteration Permit application which was received on May 12, 2022. The property owner has applied for a Heritage Alteration Permit for:

- Retroactive approval for the removal and replacement of the metal railing/guard installed on the east steps;
- Removal of the non-compliant metal railings/guards of the porch; and,
- Installation of new painted wood railings/guards for the porch, with the following details (see Appendix C):
  - Constructed out of wood (pine);
  - Top and bottom railings, with square spindles (1-5/8" square); and,
  - Affixed to the existing wood posts.

As the alterations commenced prior to obtaining Heritage Alteration Permit approval, this application has met the terms and conditions for referral requiring consultation with the Community Advisory Committee on Planning (CACP). The CACP was consulted at its meeting on May 26, 2022.

Per Section 42(4) of the *Ontario Heritage Act*, the 90-day timeline for this Heritage Alteration Permit application will expire on August 10, 2022.

In addition to the requirement to obtain a Heritage Alteration Permit, a Building Permit is required for the replacement of the railings/guards.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

Porches are an important part of the heritage character of the East Woodfield Heritage Conservation District and make significant contributions to its streetscapes.

The porch railings/guards of the heritage designated property at 525 Dufferin Avenue were removed and replaced without obtaining Heritage Alteration Permit approval. The contemporary design of the porch railings, metal with inset glass-like panels, installed

without Heritage Alteration Permit approval have a negative impact on the heritage character of this heritage designated property and are negatively affecting its contributions to the streetscape. The existing porch railings/guards do not conserve the street-facing façade of the heritage designated property at 525 Dufferin Avenue and do not fit the heritage character of the property or streetscape.

To address these issues, the property owner has submitted a Heritage Alteration Permit application proposing to replace the existing railings/guards and reinstate railings/guards that are appropriate for the heritage designated property at 525 Dufferin Avenue. The proposed railings/guards are wooden railings/guards, with wood top and wood bottom railings and square wood spindles set between. The railings/guards will be attached to the existing square wood posts of the porch.

The former porch railings/guards featured turned painted wood spindles, which also appears to be consistent with the previous photograph of the property in 1993 (see Image 1, Appendix B). The Heritage Alteration Permit application proposes the use of square wooden spindles but installed in the same traditional manner between a wood top and bottom railings. Given the Arts & Crafts influences of the property, seen in its other architectural details of the building, square spindles are appropriate and compatible with the property's heritage character.

The porch, including the proposed railings/guards, should be painted to ensure the longevity of the wooden elements, in accordance with Section 3.8, Part II, *East Woodfield Heritage Conservation District Plan*.

The replacement of the metal railings/guards on the east steps with new metal railings/guards is sufficiently compatible with the policies for alterations in the *East Woodfield Heritage Conservation District Plan*.

## Conclusion

Porches make a significant contribution to the heritage character of the East Woodfield Heritage Conservation District. Unfortunately, alterations were completed to the porch of the heritage designated property at 525 Dufferin Avenue without Heritage Alteration Permit approval that were not in keeping with its heritage character and negatively affected the property and its streetscape contributions.

To correct the non-compliance, a replacement porch railing/guard, constructed of wood in a traditional style, has been proposed. This better complies with the policies in the *East Woodfield Heritage Conservation District* and is more compatible with the heritage character of the property, supporting its contributions to the East Woodfield Heritage Conservation District and the conservation of this significant cultural heritage resource. The Heritage Alteration Permit application should be approved with terms and conditions.

**Prepared by:** Kyle Gonyou, RPP, MCIP, CAHP  
Heritage Planner

**Reviewed by:** Jana Kelemen, M.Sc.Arch., MUDS, RPP, MCIP  
Manager, Urban Design, and Heritage

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

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager, Planning and Economic  
Development

## **Appendices**

Appendix A Property Location

Appendix B Images

Appendix C Heritage Alteration Permit application details

## **Sources**

Corporation of the City of London. *East Woodfield Heritage Conservation District Plan*. 1993.

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

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

*Ontario Heritage Act*. 2019, c.9, Sched. 11. Retrieved from

<https://www.ontario.ca/laws/statute/90o18>.

Property file, 525 Dufferin Avenue.

# Appendix A – Property Location



Figure 1: Location map of the subject property at 525 Dufferin Avenue, in the East Woodfield Heritage Conservation District.

**Appendix B – Images**



**525 Dufferin Avenue**

*Image 1: Photograph of the property at 525 Dufferin Avenue, included in the East Woodfield Heritage Conservation District Study (1993).*



Image 2: Photograph of the property at 525 Dufferin Avenue, East Woodfield Heritage Conservation District, on April 15, 2020.



Image 3: Photograph of the property at 525 Dufferin Avenue, on April 6, 2022, showing the changes completed to the railing/guard of the porch.

**Appendix C – Heritage Alteration Permit application details**



*Image 4: Image submitted as part of the Heritage Alteration Permit application showing the proposed wooden railing/guard for the heritage designated property at 525 Dufferin Avenue.*

## 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  
March, 2022

**Date:** May 30, 2022

## Recommendation

That the report dated March 2022 entitled “Building Division Monthly Report March 2022”, **BE RECEIVED** for information.

## Executive Summary

The Building Division is responsible for the administration and enforcement of the *Ontario Building Code Act* and the *Ontario Building Code*. Related activities undertaken by the Building Division include the processing of building permit applications and inspections of associated construction work. The Building Division also issues sign and pool fence permits. The purpose of this report is to provide Municipal Council with information related to permit issuance and inspection activities for the month of March 2022.

## Linkage to the Corporate Strategic Plan

Growing our Economy

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

Leading in Public Service

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

## Analysis

### 1.0 Background Information

This report provides information on permit and associated inspection activities for the month of March 2022. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of March 2022”, as well as respective “Principle Permits Reports”.

### 2.0 Discussion and Considerations

#### 2.1 Building permit data and associated inspection activities – March 2022

##### Permits Issued to the end of the month

As of March 2022, a total of 894 permits were issued, with a construction value of \$283.7 million, representing 477 new dwelling units.

Compared to the same period in 2021, this represents a 16.29% decrease in the number of building permits, with a 27.48% decrease in construction value and an 39.21% decrease in the number of dwelling units constructed.

### Total permits to construct New Single and Semi-Dwelling Units

As of the end of March 2022, the number of building permits issued for the construction of single and semi-detached dwellings was 185, representing an 42.2% decrease over the same period in 2021.

### Number of Applications in Process

As of the end of March 2022, 1,258 applications are in process, representing approximately \$1.5 billion in construction value and an additional 2,841 dwelling units compared with 1,136 applications, with a construction value of \$711 million and an additional 1,974 dwelling units in the same period in 2021.

### Rate of Application Submission

Applications received in March 2022 averaged to 19.6 applications per business day, for a total of 450 applications. Of the applications submitted 60 were for the construction of single detached dwellings and 16 townhouse units.

### Permits issued for the month

In March 2022, 339 permits were issued for 105 new dwelling units, totaling a construction value of \$79.4 million.

### Inspections – Building

A total of 3,226 inspection requests were received with 2,890 inspections being conducted.

In addition, 5 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 3,226 inspections requested, 97% were conducted within the provincially mandated 48 hour period.

### Inspections - Code Compliance

A total of 831 inspection requests were received, with 565 inspections being conducted.

An additional 105 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 831 inspections requested, 98% were conducted within the provincially mandated 48 hour period.

### Inspections – Plumbing

A total of 1,407 inspection requests were received with 1,693 inspections being conducted related to building permit activity.

An additional 2 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,407 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

## **2020 Permit Data**

To the end of March , a total of 776 permits were issued, with a construction value of \$150.2 Million, representing 242 new dwelling units. The number of single/semi detached dwelling units was 173.

## **Conclusion**

The purpose of this report is to provide Municipal Council with information regarding the building permit issuance and building & plumbing inspection activities for the month of March 2022. Attached as Appendix "A" to this report is a "Summary Listing of Building Construction Activity" for the month of March 2022 as well as "Principle Permits Reports".

**Prepared by:** Peter Kokkoros, P.Eng.  
**Director, Building and Chief Building Official**  
**Planning and Economic Development**

**Submitted by:** Scott Mathers, MPA, P.Eng.  
**Deputy City Manager**  
**Planning and Economic Development**

**Recommended by:** Scott Mathers, MPA, P.Eng.  
**Deputy City Manager**  
**Planning and Economic Development**

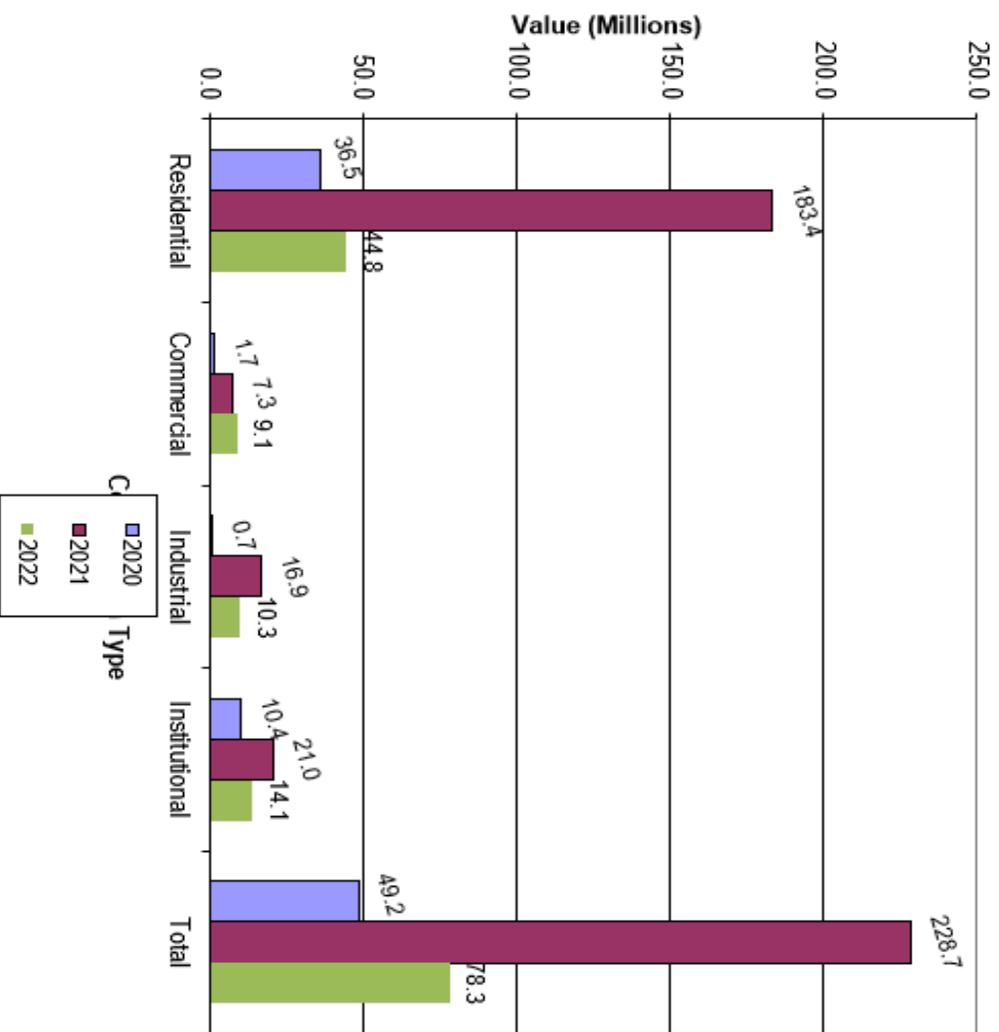
# CITY OF LONDON

## SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF March 2022

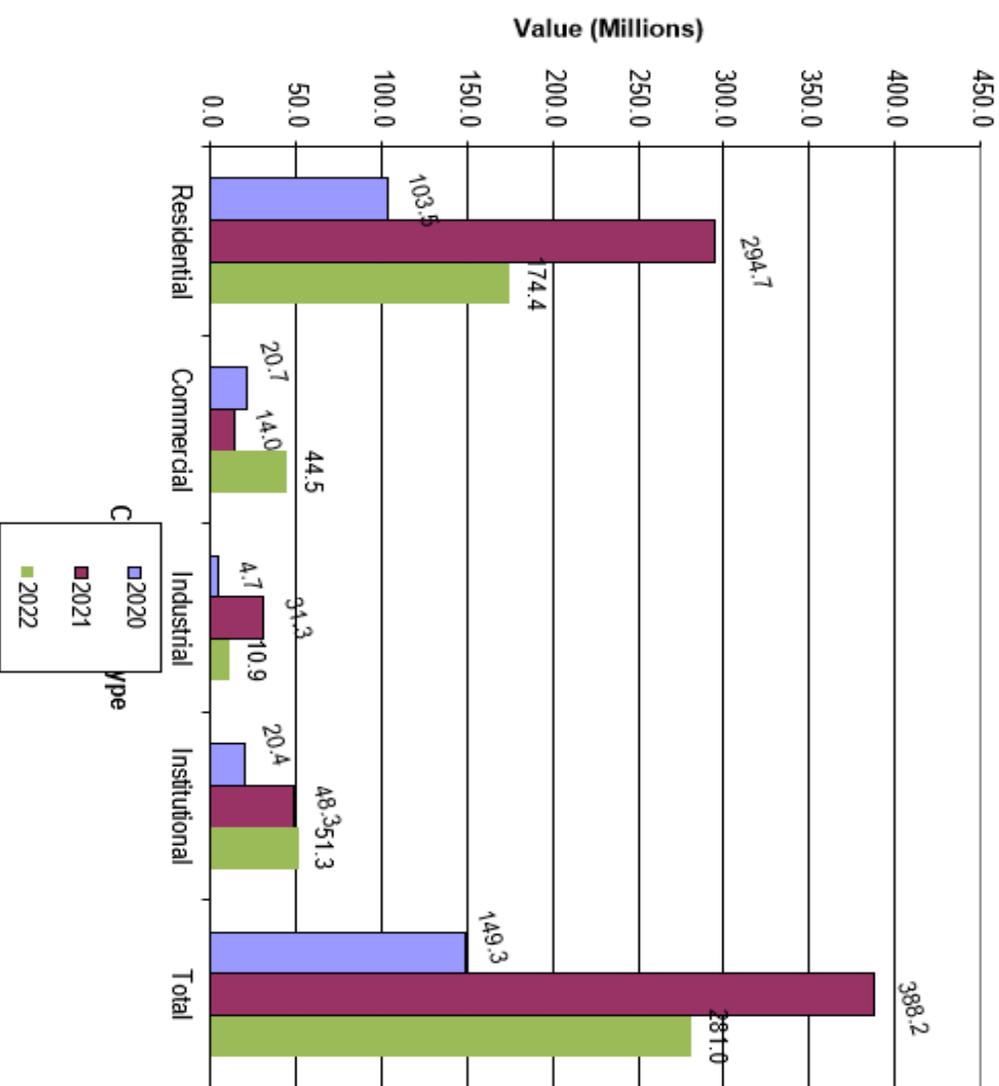
CLASSIFICATION	March 2022				March 2021				March 2020									
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS						
SINGLE DETACHED DWELLINGS	59	28,127,234	59	185	84,605,287	185	136	60,759,800	136	321	142,327,500	320	62	28,209,680	62	173	75,460,800	173
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	1	223,500	1	1	223,500	1	0	0	0	0	0	0
TOWNHOUSES	10	6,942,782	24	35	38,014,991	142	26	23,245,600	91	47	39,156,200	139	6	5,870,000	19	22	12,933,900	41
DUPLEX, TRIPLEX, QUAD, APT BLDG	0	0	0	3	29,330,190	103	4	90,010,000	295	4	90,010,000	295	0	0	0	0	0	0
RESALTER & ADDITIONS	166	9,741,702	22	404	24,488,682	47	159	9,179,161	15	372	22,988,721	33	91	4,397,533	6	287	15,099,008	14
COMMERCIAL - ERECT	0	0	0	4	31,150,000	0	8	2,217,000	0	9	3,193,500	0	0	0	0	1	940,000	0
COMMERCIAL - ADDITION	1	450,000	0	2	950,000	0	1	120,000	0	1	120,000	0	0	0	0	2	2,001,800	0
COMMERCIAL - OTHER	27	8,669,982	0	60	12,356,941	0	30	5,002,200	0	76	10,677,014	0	20	1,668,400	0	96	17,795,906	0
INDUSTRIAL - ERECT	0	0	0	0	0	0	1	1,597,500	0	3	15,792,500	0	1	436,700	0	2	3,436,700	0
INDUSTRIAL - ADDITION	1	10,300,000	0	1	10,300,000	0	1	280,000	0	1	280,000	0	0	0	0	1	118,800	0
INDUSTRIAL - OTHER	2	3,300	0	6	571,300	0	3	15,035,000	0	9	15,194,800	0	3	223,337	0	14	1,113,837	0
INDUSTRIAL - ERECT	0	0	0	1	38,000,000	0	0	0	0	1	12,000,000	0	0	0	0	1	575,000	0
INSTITUTIONAL - ADDITION	0	0	0	0	0	0	1	200,000	0	3	1,963,386	0	0	0	0	1	2,000,000	0
INSTITUTIONAL - OTHER	8	14,112,237	0	16	15,254,237	0	8	20,798,850	0	20	34,305,950	0	17	10,419,200	0	36	17,831,200	0
AGRICULTURE	0	0	0	1	250,000	0	0	0	0	0	0	0	0	0	0	1	100,000	0
SWIMMING POOL FENCES	29	1,031,050	0	49	1,872,983	0	54	1,749,894	0	89	2,814,994	0	16	488,740	0	25	802,740	0
ADMINISTRATIVE	6	9,000	0	21	569,000	0	6	50,000	0	16	130,000	0	3	25,000	0	9	25,000	0
DEVOLUTION	2	0	2	19	0	16	10	0	9	18	0	15	5	0	5	19	0	14
SIGNS/CANOPY - CITY PROPERTY	0	0	0	1	0	0	0	0	0	4	0	0	1	0	0	1	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	28	0	0	86	0	0	17	0	0	73	0	0	18	0	0	85	0	0
<b>TOTALS</b>	<b>339</b>	<b>79,387,287</b>	<b>105</b>	<b>894</b>	<b>283,713,611</b>	<b>477</b>	<b>466</b>	<b>230,468,505</b>	<b>538</b>	<b>1,068</b>	<b>391,178,065</b>	<b>788</b>	<b>243</b>	<b>49,738,590</b>	<b>92</b>	<b>776</b>	<b>150,234,691</b>	<b>242</b>

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 March



### Construction Value of Building Permits January to March



### City of London - Building Division

#### Principal Permits Issued from March 1, 2022 to March 31, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1031 Upperpoint Ave F	Erect-Street Townhouse - Condo ERRECT NEW STREET TOWNHOUSE CONDO 5 UNITS BLOCK F, 2 STOREY, 1 CAR, 4 BED, UNFINISHED BASEMENT, NO DECK, W/ A/C, SB12 A1, DPN 1003,1005,1007,1009,1011	5	1,625,530
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1305 Riverbend Rd	Alter Retail Store Alter interior for existing flower shop to expand into next suite. Unit 120	0	142,740
London District Catholic School Board	1360 Oxford St W	Alter Schools Secondary, High, Jr. High ALTER INTERIOR FOR NEW BARRIER FREE WASHROOM	0	150,000
TOWNLINE PROPERTY LTD TOWNLINE ORCHARD PROPERTY LTD	1478 Westdal Brne	Install-Apartment Building INSTALL SITE SERVICES		300,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1531 Moe Norman Pl	Erect-Townhouse - Cluster SDD ERRECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE + GOLF CART PARK, PARTIALLY FINISHED BASEMENT, 3 BEDROOMS, REAR COVERED PORCH, NO A/C, SB-12 HOT 2000, PART OF BLOCK 6 PART 8 33R-18937, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	443,678
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1655 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERRECT NEW CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, 2 BEDROOMS, PARTIALLY FINISHED BASEMENT, COVERED DECK, A/C, SB-12 A3, LOT 16 PLAN 33M-721, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED.	1	459,687
CHECK NPLAN PRIOR TO ISSUANCE.				
The Ridge At Byron Inc	1710 Ironwood Rd 53	Erect-Townhouse - Cluster SDD ERRECT CLUSTER SDD, 1 STOREY, 2 CAR GARAGE, UNFINISHED BASEMENT, REAR COVERED DECK, NO A/C, SB-12 A5, HRV & DWHR REQUIRED	1	409,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1866 Sandy Somerville Lane	Erect-Townhouse - Cluster SDD ERRECT NEW CLUSTER SDD, 1 STOREY, 2 CAR, 4 BED, UNFINISHED BASEMENT, COVERED REAR PATIO, W/A/C, SB12 PERFORMANCE HOT2000, PART BLOCK 1 33M-758 PART 7, SOIL REPORT REQUIRED, HRV AND DWHR REQUIRED	1	450,539
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1965 Upperpoint Gate I	Erect-Townhouse - Condo ERRECT TOWNHOUSE CONDO BLOCK I, 2 STOREY, 1 CAR GARAGE, 3 BEDROOM, UNFINISHED BASEMENT, DECK INCLUDED, A/C INCLUDED, SB-12 A3, HRV & DWHR REQUIRED, DPN 49, 51,53, 55	4	778,800
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1965 Upperpoint Gate L	Erect-Townhouse - Condo ERRECT TOWNHOUSE BLOCK L, 4 UNITS, DPN's 50, 52, 54, 56	4	793,200

### City of London - Building Division

#### Principal Permits Issued from March 1, 2022 to March 31, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Sifton Properties Limited The Incorporated Synod Of The Diocese Of Huron	200 Queens Ave	Alter Offices CM - INTERIOR ALTERATIONS FOR OFFICE SUITE 501	0	365,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	2208 Jack Nash Dr	Add Townhouse - Cluster SDD ENCLOSE EXISTING PORCH AND CONVERT TO SUNROOM	0	150,000
Ray Foley Lakeshore Dunn Corporation	233 Wharcliffe Rd S	Install-Offices Installing hydronic heating system to serve new perimeter heaters.		250,000
London District Catholic School Board	268 Herkimer St	Alter Schools Elementary, Kindergarten Washrooms and HVAC upgrades	0	189,687
WESTHAVEN HOMES (2008) INC. WESTHAVEN HOMES (2008) INC.	2835 Sheffield Pl 10	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD - 2 STOREY, 2 CAR GARAGE, 5 BEDROOMS, FINISHED BASEMENT, NO DECK, NO A/C, SB-12 A1, LOT 5 LEVEL 1 M.V.L.C.P. No. 949, SOILS REPORT REQUIRED, HRV REQUIRED, DWHR REQUIRED.	1	568,500
DOMDAY DEVELOPMENTS INC DOMDAY DEVELOPMENTS INC	2835 Sheffield Pl 44	Erect-Townhouse - Cluster SDD ERECT SDD TOWNHOUSE CLUSTER, 2 STOREY, 2 CAR GARAGE, 4 BEDROOMS, FINISHED BASEMENT, NO DECK, NO A/C, SB12-A1, HRV&DWHR REQUIRED.	1	493,448
WESTWOOD POWER CENTRE INC. WESTWOOD POWER CENTRE INC.	3099 Wonderland Rd S	Alter Retail Store INTERIOR ALTER TO AN EXISTING RETAIL STORE FOR SEPHORA	0	615,000
Goal Ventures Inc	3130 Dingman Dr	Install-Retail Store CM - SITE SERVICING		2,700,000
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	360 Chippendale Cres	Alter Schools Elementary, Kindergarten HVAC upgrades and structural modification	0	1,610,550
1226 PROPERTY LIMITED	379 Horton St E	Add Offices Addition to commercial bldg, structural work to support roof top unit, plumbing rough-in for new washroom. Interior renovation of units 1 and 2 under separate permit.	0	450,000
MILLSTONE INC. MILLSTONE HOMES INC.	4252 Lismer Lane B	Erect-Street Townhouse - Condo ERECT 3 STOREY Townhouse Building Bldg B - 5 units DPNS 4254, 4258, 4262, 4266, 4270 - deck & AC INCLUDED	5	920,400
John Bellone Musical Instruments Limited	446 York St	Alter Out-Patient Clinic Interior alter for Carepoint Clinic	0	900,000
CAPRETT APARTMENTS INC. CAPRETT APARTMENTS INC.	75 Fiddlers Green Rd	Alter Apartment Building ALTER INTERIOR CEILING IN GROUND FLOOR LOBBY AND CORRIDOR	0	102,600
LONDON CROSSROADS CENTRE HOLDINGS INC. LONDON CROSSROADS CENTRE HOLDINGS INC.	765 Exeter Rd	Alter Retail Store INTERIOR ALTERATIONS FOR NEW TENANT	0	220,000
THAMES VALLEY DISTRICT SCHOOL BOARD THAMES VALLEY DISTRICT SCHOOL BOARD	8 Mountsfield Dr	Install-Schools Elementary, Kindergarten Install upgrades to HVAC system. Shell Permit only, Provide Integrated Testing Coordinator Form and Testing Plan.		2,870,000



**City of London - Building Division**  
**Principal Permits Issued from March 1, 2022 to March 31, 2022**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
TALU PROPERTIES INC TALU PROPERTIES INC	805 Chelton Rd	Install-Apartment - Condo Install site services.		2,866,627

Total Permits 26      Units 24      Value 20,824,986

*\* 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**

<b>OWNER</b>
1226 PROPERTY LIMITED

*Commercial Permits regardless of construction value*

## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P.Eng.  
Deputy City Manager, Planning and Economic  
Development

**Subject:** Definition of “Public Park” in Zoning By-law Z-1  
City-wide/City of London

**Public Participation Meeting on:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the City-initiated zoning by-law review:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 14, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning definition for Public Park.

## Executive Summary

### Summary of Request

The recommended zoning by-law amendment is to change the existing “Public Park” definition in Zoning By-law Z-1 as it applies to City-owned parks to permit special events currently permitted by the Parks and Recreation By-law (PR-2).

### Purpose and Effect of Recommended Action

The purpose and effect of this zoning by-law amendment is to update the zoning by-law definition so that it aligns with the current Parks and Recreation By-law (PR-2) by permitting special events to occur subject to permits issued under that by-law. This change will resolve an existing issue where current or planned special events and activities in city owned parks do not conform with the Zoning By-law.

### Rationale for Recommended Action

The zoning by-law amendment is recommended for approval as it:

1. Is consistent with the Provincial Policy Statement (2020),
2. Conforms with the policies of the London Plan, specifically in regards to the Green Space Place Type and the Parks and Recreation chapter,
3. Will enable uses and activities in city-owned parks that are consistent with the Parks and Recreation By-law (PR-2), and
4. Represents good planning

## Linkage to the Corporate Strategic Plan

The recommended amendment supports the Strengthening Our Community strategic area of focus, under the outcome “Londoner’s are engaged and have a sense of belonging in their neighbourhoods and community”, by permitting a range of appropriate and desirable uses and activities within City-owned parks.

## Analysis

### 1.0 Background Information

#### 1.1 Why is this Zoning By-law Review Occurring?

In recent years, issues have been raised with regard to certain activities occurring in City parks and whether they are permitted by the Zoning By-law. Zoning By-law officers have indicated that certain activities permitted by the Parks and Recreation (PR-2) By-law; included festivals, special events, retail sales, etc; are not currently permitted in the zoning by-law. The Zoning By-law should be amended in order for these activities to be permitted.

The Parks and Recreation By-law, which aligns with the Special Events Policies and Procedures Manual, already permits these activities to occur on City-owned lands through an existing permit/approval process.

Requiring zoning by-law amendments, which take additional time to process, for every activity occurring in a public park duplicates the permissions already permitted through the Parks and Recreation By-law (PR-2). To be more efficient, avoid duplication and reduce the time needed for approvals, the process needs to be simplified.

Planning and Development has undertaken this zoning review at the request of Neighbourhood and Community-Wide Services to consider an updated definition to the "Public Park" definition so that there is no question that these activities are permitted.

#### 1.2 The Parks and Recreation By-law (PR-2)

The Parks and Recreation By-law (PR-2) applies to all recreation areas, parks, avenues, boulevards, drives and streets under the control or management, or joint management, of the City. The By-law was approved by Council in August 1996 and subsequently revised in March 2005.

Part 3 of the By-law includes over forty general prohibited activities in public parks and recreation areas. Part 4 of the By-law includes a list of activities which are prohibited but can be allowed subject to approval through a permitting process. Some of these activities which require a permit may include;

- (5) *hold or take part in a picnic, organized gathering or event of more than twenty five persons ;*
- (7) *have exclusive use of any portion or all of a park or recreation area ;*
- (11) *sell refreshments or other merchandise to the public unless authorized through permitted use;*
- (12) *operate any business game, show or amusement for admission by the public;*

Section 5 of the By-law also includes special prohibitions for certain parks and environmentally significant areas.

#### 1.3 The Special Events Policies and Procedures Manual

Each year the City of London receives many requests from individuals and groups to operate Special Events on City of London property. The City of London recognizes Special Events as an important part of London's quality of life and as providers of affordable entertainment to its residents. It is also recognized that Special Events enhance tourism, culture, recreation and education as well as providing an economic benefit to businesses in the City of London. This was very important through the recent COVID-19 pandemic when outdoor activities, with safe distancing, were encouraged.

The Manual provides a comprehensive list of the requirements that are in place to plan and execute a successful Special Event.

Implementation of the Manual is under the direction of the Deputy City Manager, Neighbourhood and Community-Wide Services who may;

- a) Receive and process all applications for Special Events;
- b) Issue approvals for Special Events in accordance with the provisions of this Policy and applicable By-laws;
- c) Impose terms and conditions on approvals in accordance with this Policy; or,
- d) Refuse to issue an approval or revoke or suspend approval , in accordance with this Policy.

Section 4 of the Manual includes the “Policy” which applies to all the Special Event Operators, which identifies the rules and regulations for special events. Similar to the Parks and Recreation By-law there are special policies for certain parks such as Victoria Park, Queens Park (Western Fair), Springbank Park, and Harris Park. These special policies relate to limits on amplified sound, concession placement, alcohol sales, parking of vehicles, and other matters.

Both of these Council approved documents currently provide the policy basis for controlling activities on City lands.

Civic Administration has begun a comprehensive review of the Parks By-law PR-2 and will be bringing a proposed By-law to Council for consideration in early 2023.

## **2.0 Applicable Planning Policy**

More specific policies and regulations are provided in Appendix “B” but in summary;

### **2.1 2020 Provincial Policy Statement**

The 2020 PPS includes policies which support the development of a wide range of uses within Settlement Areas to improve the health, liveability and safety of Ontario’s residents. Policy 1.5.1 includes that “Healthy, active communities should be promoted by ... (b) planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources.”

### **2.2 The London Plan**

The London Plan policies provide for and identify parks as important gathering places that add to the quality of life for residents, while also bringing economic benefits. City-wide parks including Victoria Park, Harris Park and Springbank Park are intended to provide “opportunities for all types of recreation, social, and cultural activities” (policy 4.16). They are envisioned to be places where people can come together for City festivals and events, and to serve as community hubs and aid in the creation of a health community.

### **2.3 Zoning By-law Z-1**

The Zoning By-law includes definitions for various “Public Park” uses. There are two zones which allow “Public Parks” uses including the Open Space (OS1) Zone which allows parks without structures and the Open Space (OS2) Zone which allows parks with structures. The current definition for “Park” is as follows:

*"PARK" means an area of land, consisting primarily of landscaped open space, used primarily for active or passive recreational purposes or as a conservation area, with or without related recreational buildings, structures or facilities*

*including, but not necessarily restricted to, a recreational playground, a golf course, a driving range, a ski hill, a play area, a bandstand, a skating rink, a horticultural greenhouse, a zoological garden, an historical establishment, a bowling green, a tennis or badminton court, a playfield, a running track, a swimming pool, a spray pad, a wading pool, a boating pond or lake, a watercourse, a refreshment booth, a picnic area, or an auditorium or place of assembly.*

- a) *"PRIVATE PARK" means a park, other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but does not include an amusement park.*
- b) *"PUBLIC PARK" means a park owned or controlled by a public authority*

Because the definition does not mention special events that may include retail sales, it has been interpreted as prohibiting such uses or activities.

The policies described above support the recommended amendment to Zoning By-law Z-1 to permit activities in City-owned parks that are permitted in the Parks and Recreation By-law/Special Events Policies and Procedure Manual. This would have the effect of allowing special events and retail sales subject to the Parks and Recreation permitting process instead of the Zoning By-law.

## **2.4 Zoning By-law Amendments Required**

As indicated above, an amendment to the Zoning By-law is required to permit certain activities in public parks. Retail sales is one use that has been identified on many occasions as needing zoning by-law changes. Instead of requiring zoning by-law amendments on a temporary or permanent basis for individual parks it is recommended that a change to the definition of "Public Park" be approved, to allow special events and minor retail sales subject to the Parks and Recreation By-law instead.

The Parks and Recreation By-law already allows public gatherings and retail sales by approval/permit. There is no need to duplicate that approval through Zoning By-law Z-1.

The recommended amendment includes changing clause b) "Public Parks" within the "Parks" definition as follows:

"PUBLIC PARK" means a park owned or controlled by a public authority. In addition to the permitted uses of a "Park," Public parks may also be used for special events and selling refreshments or other merchandise to the public, subject to being authorized under the London Parks and Recreation Area By-law (PR-2).

## **3.0 Public and Agency Comments Received**

On March 7, 2022 a Notice of Planning Review was sent to other City Departments, Agencies and public groups such as the Urban League and placed in the Londoner.

To date no comments have been received.

## Conclusion

The purpose and effect of this zoning by-law amendment is to change the existing definition in Zoning By-law Z-1 that apply to municipally-owned parks to permit special events and minor retail sales subject to the Parks and Recreation By-law (PR-2).

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

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

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

**Submitted by:** Scott Mathers, MPA, P.Eng.  
Deputy City Manager, Planning and Economic  
Development

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## Appendix A

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

2022

By-law No. Z.-1-18\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to change a definition which would apply City-wide.

WHEREAS the City of London has initiated a Zoning By-law review as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Section 2 (Definitions) is amended by deleting clause “b)” of the existing “Park” definition and replacing it with the following new clause:
  - b) “PUBLIC PARK” means a park owned or controlled by a public authority. In addition to the permitted uses of a “Park,” Public parks may also be used for special events and the selling refreshments or other merchandise to the public, subject to being authorized under by the City of London Parks and Recreation Area By-law (PR-2).

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

PASSED in Open Council on June 14, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – June 14, 2022  
Second Reading – June 14, 2022  
Third Reading – June 14, 2022

## 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:

### 1) Provincial Policy Statement (2020)

The following policies are relevant to this zoning review;

#### Part IV: Vision for Ontario's Land Use Planning System

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy.

Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

#### Part V: Policies

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

1.1.1 Healthy, liveable and safe communities are sustained by:

b)accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

#### 6.0 Definitions

**Recreation:** means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

### 2) Council Strategic Plan (2019-2023)

The following directions are important to this zoning review;

#### Strengthening Our Community

Londoners are engaged and have a sense of belonging in their neighbourhoods and community.

- Increase the number of meaningful opportunities for residents to be connected in their neighbourhood and community.
- Strengthen engagement opportunities for all Londoners to participate in their neighbourhoods.
- Support neighbourhood festivals, cultural events, and activities across the city.

Implement programs and services that respond to neighbourhood recreation needs.

- Increase participation in recreation, sport, and leisure activities.
- Remove barriers to access recreation, sport, leisure, and leadership programs and services.
- Increase the number of recreation, sport, and leisure opportunities.

-Work with community partners to create a leading sustainable sport development model.

### **Building a Sustainable City**

Build infrastructure to support future development and protect the environment.

-Renew, expand, and develop parks and recreation facilities, and conservation areas in appropriate locations to address existing gaps.

### **Growing Our Economy**

Increase partnerships that promote collaboration, innovation, and investment.

-Grow tourism revenues through initiatives that build awareness and interest in London.

Increase public and private investment in amenities that attract visitors, a talented workforce and investment.

-Increase partnership funding, sponsorships, and donations to recreation services and amenities.

Increase efficiency and consistency for administrative and regulatory processes.

-Improve administrative and regulatory processes and by-law requirements to enhance London's competitiveness.

### **Leading in Public Service**

Increase efficiency and effectiveness of service delivery.

-Conduct targeted service reviews.

## **3) The London Plan**

**(Council approved June 23, 2016, Ministry approved December 28, 2016, Consolidated May 28, 2021)**

### **City Building Policies**

#### **Parks and Recreation**

#### **WHAT IS PARKS AND RECREATION?**

402\_ Our parks include our trails and pathways, city-wide gathering places like Victoria Park and Springbank Park, sports fields, neighbourhood parks, larger district parks and smaller civic spaces. Our recreational facilities include community centres, arenas, indoor and outdoor pools, and seniors' centres. Combined, these are the places where we come together as Londoners, for city festivals, sports activities, all forms of leisure and recreation, and to meet our neighbours.

#### **WHY IS PARKS AND RECREATION IMPORTANT TO OUR FUTURE?**

403\_ Our parks and recreation facilities have been called our "third space" – they are places we can live outside of our homes and our workplaces. They play a large role in defining our quality of life and research has shown that even small investments in parks and recreation yield important economic, social, and environmental returns that benefit all Londoners by supporting healthy life styles, strong neighbourhoods, and environmental sustainability. In doing so, our parks play a significant role in our goal to create healthy communities.

405\_ Our recreation facilities offer a wide variety of leisure and recreational possibilities for all ages, and serve as community hubs. Spread across the city, they provide neighbourhood-level and city-wide services, giving Londoners the opportunity to access information, acquire new skills and knowledge, increase personal health, reduce stress, develop stronger social skills and bonds of friendship, and stay independent longer.

408\_ In the development of the system, we will strive to develop facilities, amenities and programming that are flexible, serve multiple users and can be linked to broader community strategies and initiatives related to health, economy, development, mobility, education, sustainability, and growth management.

### **CITY-WIDE PARKS**

416\_ City-wide Parks are developed for the enjoyment of a broad range of Londoners, including individuals, family groups, and community organizations. Opportunities for all types of recreational, social, and cultural activities will be provided with maximum accessibility. The preservation of natural heritage features, historic sites, and wildlife habitats will be incorporated in the park design. City-wide Parks serve London's entire population and attract visitors to London. These parks may include amenities found in other park categories, as they can also serve as an area's District Park or Neighbourhood Park.

## **4) Zoning By-law Z-1 (Council approved July 1, 1993)**

### **Section 2 (Definitions)**

"**PARK**" means an area of land, consisting primarily of landscaped open space, used primarily for active or passive recreational purposes or as a conservation area, with or without related recreational buildings, structures or facilities including, but not necessarily restricted to, a recreational playground, a golf course, a driving range, a ski hill, a play area, a bandstand, a skating rink, a horticultural greenhouse, a zoological garden, an historical establishment, a bowling green, a tennis or badminton court, a playfield, a running track, a swimming pool, a spray pad, a wading pool, a boating pond or lake, a watercourse, a refreshment booth, a picnic area, or an auditorium or place of assembly.

- a) "PRIVATE PARK" means a park, other than a public park, regardless of whether or not such park is maintained or operated for gain or profit, but does not include an amusement park.
- b) "PUBLIC PARK" means a park owned or controlled by a public authority (Z.-1-152431)

"**COMMUNITY CENTRE**" means any tract of land and the buildings and facilities thereon used for recreational, leisure, or institutional community activities and may include a Social Service Establishment, and the control of which is vested in the municipality, a non-profit organization, a local board or agent thereof and shall not include a use for commercial purposes. (Z-1-051390)(Z.-1-152431)

"**GOLF COURSE**" means a public or private area operated for the purpose of playing golf and includes a Par 3 golf course, and may include a restaurant, the sale of golf equipment and an assembly hall, but does not include recreational golf courses, driving ranges, miniature courses or similar uses operated for commercial purposes.

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

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

### **SECTION 36 - OPEN SPACE (OS) ZONE**

#### **36.1 GENERAL PURPOSE OF THE OS ZONE**

The Open Space (OS) Zone is a two-tier zone. The OS1, OS2 and OS3 Zone variations are intended to be applied to areas located outside of conservation lands (hazard lands,

floodplain and steep slopes) and areas which are not environmentally significant. The OS1 Zone variation is typically applied to City and private parks with no or few structures. The OS2 Zone variation is applied to City and private parks with structures and includes a broader range of larger uses which can generate more traffic and activity....

### **36.2 PERMITTED USES**

#### 1) OS1

The following are permitted uses in the OS1 Zone variation:

- a) Conservation lands;
- b) Conservation works; (Z-1-051390)
- c) Cultivation of land for agricultural/horticultural purposes;
- d) Golf courses;
- e) Private Parks;
- f) Public Parks; .....

#### 2) OS2

The following are permitted uses in the OS2 Zone variation:

- a) Any use permitted in the OS1 Zone variation (Z.-1-015390)
- b) Commercial recreational establishments;
- c) Community centres;
- h) Institutions;
- i) Private outdoor recreation clubs;
- l) Public swimming pools;
- m) Recreational buildings;
- q) Sports fields; (Z-1-051390)

### **5) The Parks and Recreation By-law (PR-2)**

The Parks and Recreation By-law (PR-2) applies to all recreation areas, parks, avenues, boulevards, drives and streets under the control or management or joint management of the City. The By-law was approved by Council in August 1996 and subsequently revised in March 2005.

Part 3 of the By-law includes over forty general prohibited activities in public parks and recreation areas. Part 4 of the By-law includes a list of activities which are prohibited but can be allowed subject to approval through a permitting process. Some of these activities may include;

- (5) *hold or take part in a picnic, organized gathering or event of more than twenty five persons without a permit;*
- (7) *have exclusive use of any portion or all of a park or recreation area without a permit;*
- (11) *sell refreshments or other merchandise to the public unless authorized through permitted use;*
- (12) *operate any business game, show or amusement for admission by the public;*

Section 5 includes special prohibitions for certain parks and environmentally significant areas.

### **6) The Special Events Policies and Procedures Manual**

The Manual was enacted in September 2017 to provide a comprehensive list of the requirements that are in place to plan and execute a successful Special Event.

The Managing Director, Parks and Recreation may;

- 2) Receive and process all applications for Special Events;
- 3) Issue approvals for Special Events in accordance with the provisions of this Policy and applicable By-laws;
- 4) Impose terms and conditions on approvals in accordance with this Policy; or,
- 5) Refuse to issue an approval or revoke or suspend approval , in accordance with this Policy.

Section 4 of the Manual includes the “Policy” which applies to all the Special Event Operators, which identifies the rules and regulations for special events. Similar to the Parks and Recreation By-law there are special policies for certain parks such as Victoria Park, Queens Park (Western Fair), Springbank Park Harris Park etc. These special policies relate to limits on amplified sound, concession placement, alcohol sales, parking of vehicles etc.

Both of these Council approved documents currently provide the policy basis for controlling activities on City lands.

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development  
**Subject:** Middlesex Vacant Land Condominium 816  
537 Crestwood Drive  
Public Participation Meeting  
**Date:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Middlesex Vacant Land Condominium 816 relating to the property located at 537 Crestwood Drive:

- (a) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 14, 2022 to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Urban Reserve (UR1) Zone **TO** a Holding Residential R6 Special Provision h-( )\*R6-2(\*) Zone.
- (b) **IT BEING NOTED** that the following site plan matters were raised during the public participation process:
  - i) An amendment to the registered Plan of Condominium 816 is required;
  - ii) Warning clauses to be registered on title regarding noise and dust related to gravel pit and rehabilitation activities.
  - iii) Warning clauses to be registered on title regarding possible noise impacts from the future realigned Commissioners Road East.

## Executive Summary

### Summary of Request

The requested amendment is to permit one additional single detached dwelling within Condo Corporation No. 816, specifically the addition of a third unit on the westerly portion of the subject lands. The applicant requested a change in the zoning of the subject lands from an Urban Reserve (UR1) Zone and a Residential R6 Special Provision (R6-2(13)) Zone to a Residential R6 Special Provision (R6-2(\*) Zone. The proposed zone would include the existing special provisions plus new special provisions to accommodate the new dwelling, reflect previously granted minor variances, and to recognize the existing rear yard depth for the existing accessory structure. New special provisions requested include: a reduced rear yard depth for the new dwelling of 3.73m in place of 4.0m; and a minimum rear yard depth for the existing accessory structure of 1.2m in place of 3.6m. Existing permissions proposed to be carried forward to the new zone include: a minimum lot frontage on Crestwood Drive of 10.0m; a reduced minimum east interior side yard depth of 1.2m; a maximum accessory building height of 7.0m; and a minimum south interior side yard depth of 1.2m for an accessory building.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to permit an additional cluster single detached dwelling on the subject lands once the aggregate pit licences have been closed.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the *2020 Provincial Policy Statement* 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 and requires resource

extraction activities to be protected for long-term use and not hindered by incompatible development; and that resource extraction activities and sensitive residential development be appropriately separated from each other. A holding provision is recommended to ensure a new geotechnical study is required to establish the limit of development related to the slope hazard and evaluate the potential impacts of the future construction of the Commissioners Road West realignment; and to ensure a rehabilitation plan and site restoration plan have been completed for the adjacent aggregate resource extraction area;

2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, the Neighbourhoods Place Type, and Natural Resources; and
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation and the Specific Area policies for Lands in the Vicinity of Byron Gravel Pits.

## Linkage to the Corporate Strategic Plan

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

## 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 efficient use of existing urban lands and infrastructure.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

Crestwood Drive extends south from Commissioners Road West to Longwoods Road in the vicinity of the Byron Gravel Pits. The subject lands are municipally known as 537 Crestwood Drive and are located on the west side of Crestwood Drive adjacent to aggregate resources extraction areas located to the west. The subject lands consist of a flag-shaped lot. The narrow frontage along Crestwood Drive provides access to two (2) existing single detached dwellings and an accessory building that have developed on the subject lands through previous planning and development approvals. The surrounding land uses include aggregate resource extraction areas and operations, the City’s water reservoir, parklands/garden plots and low density, low-rise, residential land uses. A realignment of Commissioners Road West corridor is planned in the area surrounding the subject lands.

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

- 1989 Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Urban Reserve (UR1) Zone and Residential R6 Special Provision (R6-2(13)) Zone

#### 1.3 Site Characteristics

- Current Land Use – Residential (Two (2) Cluster Single Detached Dwellings)
- Frontage – 10 metres (33 feet)
- Depth – 122 metres (400 feet))
- Area – 4,188 square metres (1.03 acres) (entire subject lands)
- Shape – Irregular (Flag-shaped)

#### 1.4 Surrounding Land Uses

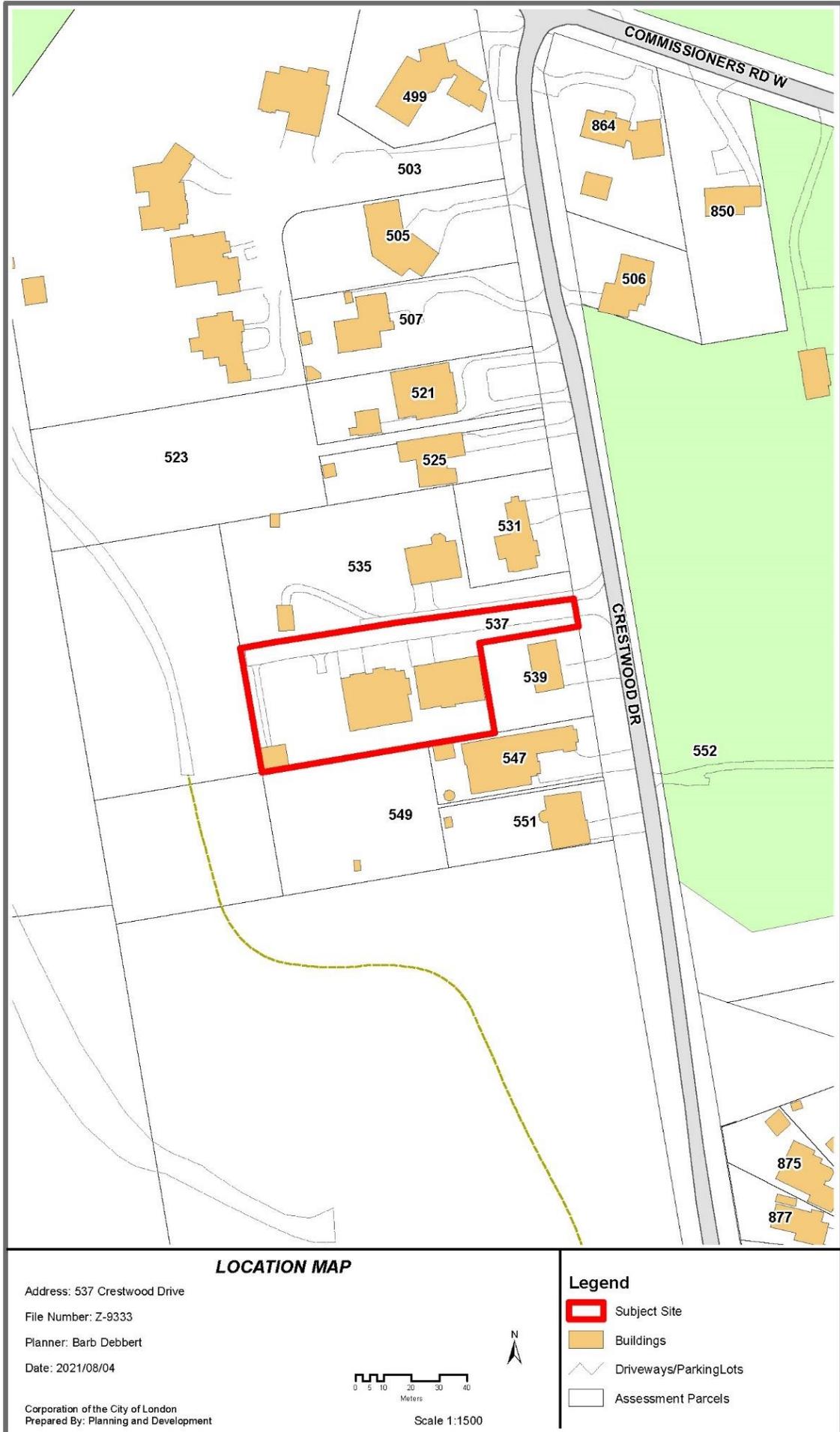
- North – Residential (Single Detached Dwellings)
- East – City of London Water Reservoir

- South – Residential (Single Detached Dwellings)
- West – Aggregate Resource Extraction (Byron Gravel Pits)

### 1.5 Intensification

- One (1) unit within the Built-area Boundary

### 1.6 Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The development proposal for the subject lands would add a third single detached dwelling approximately 482 sq. m (5,188 sq. ft.) in size and one-storey in height on the westerly portion of the subject lands. The westerly portion of the subject lands is currently vacant except for an existing accessory building that would be maintained. Vehicular access to all three (3) dwelling units (existing and proposed) would be provided by the existing 6.0 metre wide asphalt driveway that extends westerly from Crestwood Drive parallel to the northerly property line. The proposed third single detached dwelling would be oriented on the subject lands towards the driveway, the same as the existing single-detached dwellings, with the front elevation facing north. Subsequent applications for Site Plan Approval and a Plan of Vacant Land Condominium would be required to facilitate the proposed development.

Figure 1: Site Concept Plan

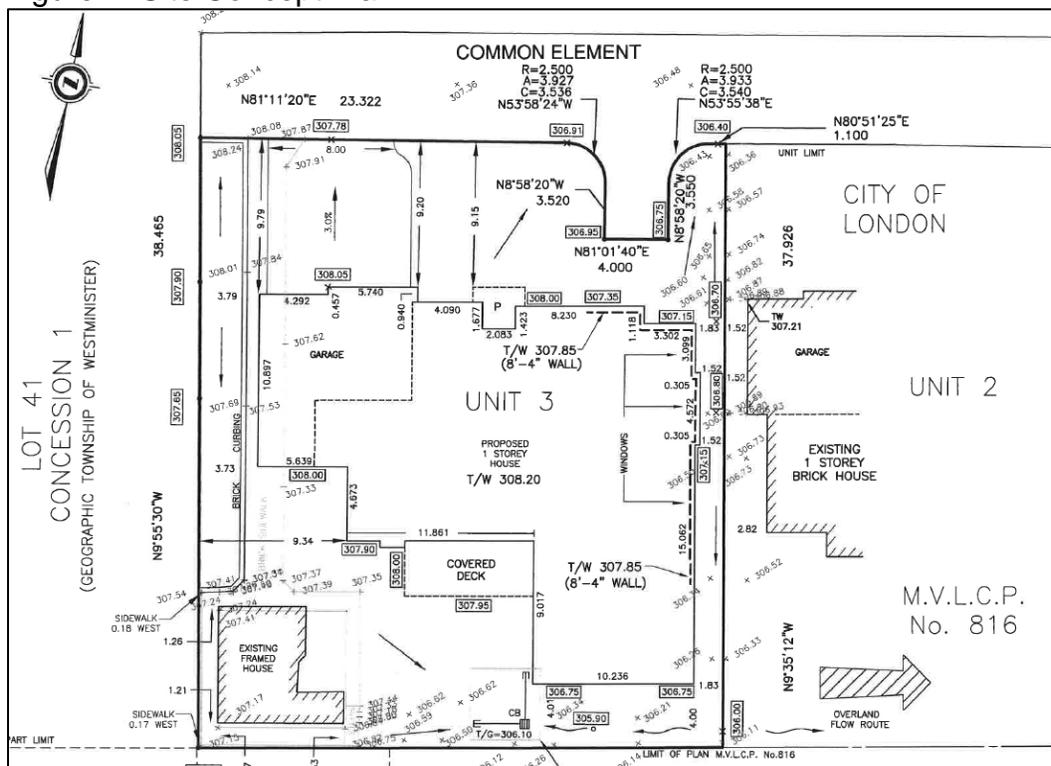
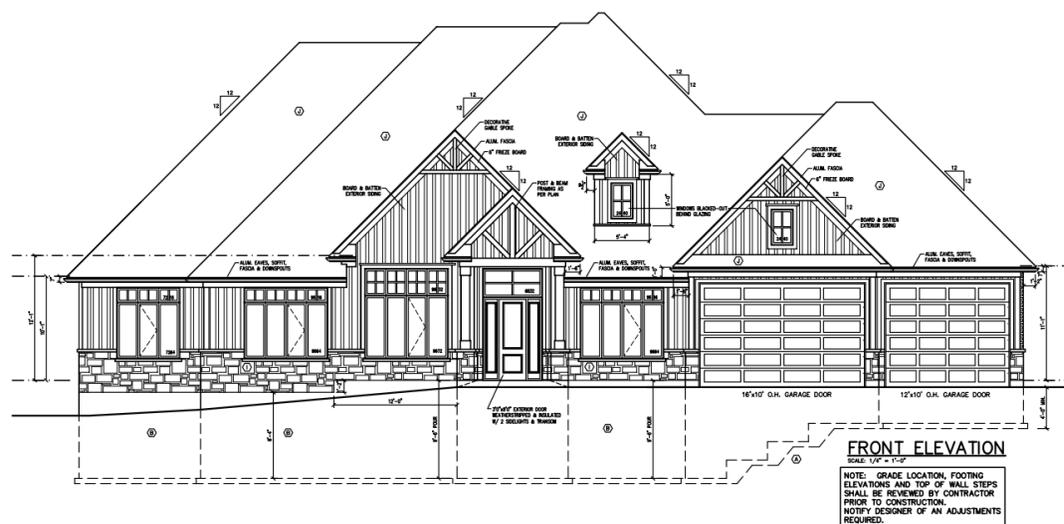


Figure 2: Elevation of proposed house



## 2.3 Planning History

In 1988, the “*South-East Byron Area Study*” was initiated by Council to provide a comprehensive review of land use issues related to the Byron Gravel Pits and surrounding undeveloped properties. The study provided the land use basis for continuation of aggregate resource extraction, residential development and the future rehabilitation of the licenced pit area. The study and subsequent amendments to the Official Plan and Zoning By-law, were adopted by Council, but appealed to the Ontario Municipal Board (“OMB”). A subsequent 1992 OMB decision confirmed the land use designations, special policies and zoning that would apply in the vicinity of the Byron Gravel Pits. Since then, modifications have been made to the land use designations and zoning in the vicinity of the Byron Gravel Pits through individual, site-specific applications.

In 1990 and 1991, a series of consent applications resulted in the severance of the subject lands from lands located immediately to the north, lands located immediately to the west (currently owned by Lafarge Canada Inc. (“Lafarge”)), and the existing single detached dwelling fronting on Crestwood Drive known municipally as 539 Crestwood Drive.

In 2012, Star Homes Ltd. submitted an application for a concurrent Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) as well as an application for a Plan of Vacant Land Condominium for the subject lands to permit and facilitate the development of cluster housing in the form of three (3) single detached dwellings.

Consistent with the staff recommendation in 2012, Council approved the requested change in the designation of the whole of the subject lands from Urban Reserve Community Growth to Low Density Residential in the *1989 Official Plan*; and approved the requested change in the zoning for only the easterly portion of the subject lands from a Residential R1 (R1-9) Zone and an Urban Reserve (UR1) Zone to a Residential R6 Special Provision (R6-2(13)) Zone and a Holding Residential R6 Special Provision (h-145•h-146•R6-2(13)) Zone. The holding provisions required that final design drawings be reviewed by a qualified geotechnical consultant to ensure the Erosion Hazard Limit is properly interpreted prior to any development occurring; and that a noise impact assessment be completed which would confirm noise levels specific to the subject lands to ensure no conflict between the nearby aggregate resource extraction activities and the proposed residential development.

Consistent with the staff recommendation in 2012, Council refused the requested change to the zoning of the westerly portion of the subject lands. The reason staff gave for refusal was that the applicant had not demonstrated that the separation distance on the westerly portion of the subject lands was satisfactory to protect sensitive residential development from the adverse impact of the existing aggregate resource extraction operations. Staff recommended the westerly portion of the subject lands be precluded from development to provide a buffer between adjacent lands licensed for aggregate resource extraction activities and the proposed residential development of the easterly portion of the subject lands to ensure land use compatibility. The requested change in zoning for the westerly portion of the subject lands was considered to be premature by staff; and staff advised that development should not occur until a rehabilitation plan was completed for adjacent aggregate resource extraction areas and site restoration completed in accordance with that plan.

In 2013, an application for the removal of the holding provisions for the easterly portion of the subject lands was approved by Council and resulted in the construction of the two (2) existing single detached dwellings on the subject lands.

In 2018, Council refused another request to rezone the westerly portion of the lands to permit a single detached dwelling. Concerns still existed regarding the erosion limit, noise and a proper setback from the licensed area.

It is recognized that aggregate resource extraction is an interim use, and that aggregate resource extraction activities are likely to conclude in the Bryon Gravel Pits in the near-

future, as indicated by the surrender of active pit licences and site rehabilitation primarily in the northwesterly portion of the pits, the City initiated the *South-East Byron Secondary Plan* to provide a comprehensive assessment of the opportunities and constraints for the planning and development of the Byron Gravel Pits in the future. However, in the interim there are still active pit licences held by landowners proximate to the subject lands and ongoing aggregate resource extraction activities within the Byron Gravel Pits that must be considered by the current planning application. Lafarge continues to hold an active pit licence for the lands located immediately west of the subject lands and has not provided a timeline for the surrender of that licence.

## **2.4 Requested Amendment**

The applicant has requested a Zoning By-law amendment to change the zoning of the subject lands from an Urban Reserve (UR1) Zone and a Residential R6 Special Provision (R6-2(13)) Zone to a Residential R6 Special Provision (R6-2(\_)) Zone to permit cluster housing and the proposed development of a third dwelling unit on the westerly portion of the subject lands.

The requested special provisions would recognize existing site conditions such as a reduced minimum lot frontage of 10 metres, a reduced (easterly) minimum side yard depth of 1.5 metres; a reduced (southerly) minimum rear yard depth for an accessory building of 1.2 metres, and an increase maximum height for an accessory building of 7.0 metres. The requested special provisions would also recognize new site conditions to facilitate the development of the proposed third unit, including a reduced minimum rear yard depth of 4.0 metres; an increased minimum landscaped open space of 42 percent; and reduced (southerly) minimum side yard depth for an accessory building of 1.5 metres that had not been previously recognized.

## **2.5 Community Engagement (see more detail in Appendix C)**

Notice of Application was sent to property owners in the surrounding area on April 1, 2021 and published in the Public Notices and Bidding Opportunities section of *The Londoner* on April 1, 2021. The notice advised of a possible amendment to the Zoning By-law to change the zoning of the subject lands from an Urban Reserve (UR1) Zone and a Residential R6 Special Provision (R6-2(13)) Zone to a revised Residential R6 Special Provision (R6-2(\*)) Zone to allow for cluster housing and the development of a third single detached dwelling on the subject lands. The notice advised of the requested special provisions to recognize existing site conditions and new site conditions because of the addition of the third dwelling unit.

Two (2) replies were received from the public as part of the community engagement process. The first reply was in support of the requested amendment and was received from the owner of one of the existing dwelling units located on the subject lands. The second reply was received from Lafarge, the owner of the adjacent lands located to the west of the subject lands. Lafarge in a letter September 29, 2021, reminded the City that they still have the right to extract reserves within the licensed boundary and are approved to extract up to 15 metres from the shared property boundary with the subject lands and they are protected under the Provincial Policy Statement.

## **2.6 Policy Context (see more detail in Appendix D)**

### *Provincial Policy Statement, 2020*

The Provincial Policy Statement 2020 provides broad policy direction on matters of Provincial interest related to land use planning and development. The *PPS* provides policies on key issues such as intensification and redevelopment and efficient use of land and infrastructure, including support for a range and mix of housing types and densities; land use compatibility; and the protection of mineral aggregate resources.

## *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). Staff are interpreting the subject lands to be located within the “Neighbourhoods” Place Type on Map 1 – Place Types in The London Plan, with frontage on a “Neighbourhood Street” (Crestwood Drive), consistent with the 1989 Official Plan designation of Low Density Residential. The broadest range of use and intensity contemplated for the subject lands in *The London Plan* are single-detached, semi-detached, duplex and converted dwellings, townhouses, secondary suites, home occupations and group homes; a minimum height of 1-storey and a maximum height of 2.5-storeys. *The London Plan* provides for a variety of opportunities for Residential Intensification within the Neighbourhoods Place Type. *The London Plan* contains *Specific Policies for Aggregate Resources*, and specific to the Byron Gravel Pits and adjacent lands, the intent of those policies is to minimize the impact of extraction activities upon surrounding land uses.

## *1989 Official Plan*

The *1989 Official Plan* contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the *PPS*. The *1989 Official Plan* assigns land use designations to properties, and the policies associated with those land use designations provide for a general range of land uses, form and intensity of development that may be permitted.

The subject lands are designated Low Density Residential (“LDR”) on Schedule “A” – Land Use to the *1989 Official Plan*. The LDR designation is intended for low-rise, low-density housing forms including single-detached, semi-detached, and duplex dwellings. Residential intensification is contemplated in the LDR designation through an amendment to the Zoning By-law. The residential intensification policies for the LDR designation contemplate infill housing in the form of single-detached dwellings and cluster housing. *Policies for Specific Residential Areas* in the *1989 Official Plan* direct that residential development in the vicinity of the Byron Gravel Pits have regard for noise and dust impacts from aggregate resource extraction activities.

### **3.0 Financial Impact/Considerations**

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

### **4.0 Key Issues and Considerations**

#### **4.1 Provincial Policy Statement**

The *PPS* directs growth to settlement areas, and states that land use patterns within settlement areas should be based on a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.1 & Policy 1.1.3.2). The *PPS* is supportive of development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4).

The *PPS* directs planning authorities to provide for an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents. The *PPS* directs new housing to locations where appropriate levels of infrastructure and public service facilities are, or will be available; and at densities which would efficiently use land, resources, infrastructure and public service facilities as well as support active transportation and transit (Policy 1.4.3).

The *PPS* directs major facilities, such as resource extraction activities, and sensitive land uses should be appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse impacts and ensure the long-term viability of major facilities (Policy 1.2.6.1).

The *PPS* directs mineral aggregate resources shall be protected for long-term use from development and activities that would preclude or hinder their expansion, continued

use, or would be incompatible for reasons of public health and safety or environmental impacts (Policy 2.5.1 and Policy 2.5.2.4). Adjacent to, or in known deposits of mineral aggregate resources, development or activities unrelated to mineral aggregate resources would only be permitted if the resource use would not be feasible, or the proposed development and activity would serve a greater long-term public interest and issues of public health and safety and environmental impacts are addressed (Policy 2.5.2.5). The *PPS* requires the rehabilitation of mineral aggregate resource areas. Final rehabilitation shall take surrounding land uses and approved land use designations into consideration (Policy 2.5.3.1)

The westerly portion of the subject lands is currently underutilized, predominately vacant, and has the potential to accommodate additional development. The requested ZBA to facilitate the development of the westerly portion of the subject lands for a third single-detached dwelling would provide for residential intensification and a compact form of development that would efficiently use land.

The *PPS* directs that resource extraction activities and sensitive development be appropriately separated from each other and that mineral aggregate resources be protected for long-term use and not be hindered by incompatible development. A buffer is required between adjacent lands licensed for aggregate resource extraction activities and the proposed residential development of the easterly portion of the subject lands to ensure land use compatibility. With on-going aggregate resource extraction activities within the Bryon Gravel Pits and the potential for future aggregate resource extraction activities to occur adjacent to the subject lands as confirmed by Lafarge, staff have included a holding provision to protect the future residential use from any adverse impacts.

## **4.2 Residential Intensification & Infill**

As mentioned, the requested ZBA is intended to facilitate the development of a third dwelling unit on the westerly portion of the subject lands. Staff considered whether the requested ZBA and proposed form of development is appropriate within the context of residential intensification policies governing the use and development of the subject lands.

### **1989 Official Plan**

A general objective for residential designations in the *1989 Official Plan* is to encourage infill development in appropriate locations where existing land uses are not adversely affected and where development can efficiently use municipal services and facilities (Section 3.1.1 vi)).

The LDR designation is applied to lands that are primarily developed or planned for low-rise, low-density housing forms (Preamble Section 3.2 – Low Density Residential). The primary permitted uses in the LDR shall include single detached; semi-detached; and duplex dwellings (Section 3.2.1). The scale of development in the LDR designation shall have a low-rise, low-coverage form, and shall typically be considered in a range up to 30 uph. (Section 3.2.2).

Residential intensification is contemplated in the LDR designation through an amendment to the Zoning By-law and subject to a Planning Impact Analysis (PIA) (Section 3.2.3). Residential intensification in the LDR designation may be permitted up to a maximum density of 75 uph and infill housing is contemplated in the form of single-detached dwellings and cluster housing (Section 3.2.3.2).

The requested ZBA to permit cluster housing and the proposed development of a third single-detached dwelling on the westerly portion of the subject lands conforms to the form of infill housing and the range of primary permitted uses contemplated in the LDR designation. The resulting residential density is well within the 20 uph permitted by the requested zoning and the scale of development typically considered in the LDR designation.

## The London Plan

The range of primary permitted uses contemplated within the Neighbourhoods Place Type on a Neighbourhood Street include single-detached, semi-detached, duplex and converted dwellings, townhouses, secondary suites, group homes and home occupations, triplexes, and small-scale community facilities (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The range of permitted heights contemplated within the Neighbourhoods Place Type on a Neighbourhood Street include a minimum height of 1-storey and a maximum height of 2.5-storeys (Table 11 – Range of Permitted Heights in Neighbourhood Place Type).

*The London Plan* provides for a variety of opportunities for residential intensification within the Neighbourhoods Place Type, and infill development as a form of intensification is contemplated (Policy 939\_5.). *The London Plan* supports residential intensification within the Neighbourhoods Place Type where the proposed intensification is appropriately located and is a good fit within the receiving neighbourhood (Policy 937\_and Policy 940\_). Residential intensification projects within the Neighbourhoods Place Type will be evaluated from an urban design perspective, including but not limited to, site layout within the context of the surrounding neighbourhood, building and main entrance orientation, building line and setback from the street, height transitions and massing within the context of the surrounding neighbourhood (Policy 953\_2.); and whether the intensity of the proposed development is appropriate for the size of the lot (Policy 953\_3.).

The subject lands with a narrow lot frontage along Crestwood Drive and flag-shaped configuration were established through a series of consent approvals in the 1990's. The subject lands, as well as lands located at 503 Crestwood Drive, are existing examples of cluster housing developments along Crestwood Drive that have developed in the form of single detached dwellings. The requested ZBA to permit cluster housing and the proposed development of a third the single-detached dwelling, one (1)-storey height, on the subject lands, conforms to the range of primary permitted uses, and building heights contemplated within the Neighbourhoods Place Type. The proposed orientation of the third dwelling unit with the front elevation facing north and a proposed low-rise, 1-storey, massing is consistent with existing dwelling units located on the subject lands.

### 4.3 Land Use Compatibility

The development of a third dwelling unit on the westerly portion of the subject lands would introduce a new sensitive land use in the proximity of existing aggregate resource extraction areas. The potential to cause land use compatibility issues has been considered by staff.

## 1989 Official Plan

*Policies for Specific Residential Areas* in *1989 Official Plan* direct that residential development within the vicinity of the Byron Gravel Pits shall have regard for noise and dust impacts from aggregate resource extraction activities (Section 3.5.6). In particular, a noise and dust impact study shall be completed prior to rezoning within 300 metres of aggregate resource extraction areas (Section 3.5.6 i)); and residential subdivisions are to be phased to maintain a maximum separation distance between residential development and extraction activities. A minimum separation distance of 150 metres between residential development and the limit of extraction shall normally be required. A noise study and dust study were completed and mitigation measures were recommended. This is discussed further below in this report. Also, as mentioned, staff have included holding provisions to protect the residential from any adverse impacts.

## The London Plan

*The London Plan* recognizes that lands within the City contain natural resources and those resources are to be protected from development until such time as the resource is exhausted and rehabilitation of the resource area is complete (Policy 1511\_). Consistent with the *PPS*, *The London Plan* provides for the continuation of existing

extractive operations; directs that aggregate resources will be protected for long-term use from development that would preclude or hinder the expansion or continued use of the operations, or would be incompatible for reasons of public health and safety or environmental impacts. *The London Plan* aims to minimize potential land use compatibility issues between pits and quarries and surrounding land uses (Policy 1514\_2., 4., and 5.).

Policies in the *1989 Official Plan* specific to lands in the vicinity of the Byron Gravel Pits have been carried over into *The London Plan*, and residential development within the vicinity of the Byron Gravel Pits shall have regard for noise and dust impacts. Noise and dust impact studies shall be completed prior to rezoning within 300 metres of aggregate resource extraction areas; and a minimum separation distance of 150 metres shall normally be required between residential development and the limit of extraction. (Policy 1542\_ 1.-3.) *The London Plan* directs that where new sensitive land uses may be exposed to noise and or vibration and negatively impacted and/or where there are safety concerns, attenuation measures will be incorporated into the development (Policies 1770\_, 1771\_ and 1772\_).

Correspondence from Lafarge confirm that aggregate resource extraction could occur up to 15 metres from the shared property boundary with the subject lands. Holding provisions have been recommended to ensure that residential development will not occur until aggregate resource extraction activities have been surrendered and a rehabilitation plan and site restoration plan have been completed.

#### Noise and Vibration Impact Assessment

RWDI Air Inc. (RWDI) prepared a *Noise and Vibration Impact Assessment* for the subject lands in 2011. This study predicted no adverse noise impact for the subject lands based on a review of previous studies in the Bryon Gravel Pits area which demonstrated noise compliance at locations closer to the aggregate resource extraction activities than the subject lands. Since properties closer to the aggregate resource extraction activities were in compliance with noise guidelines, RWDI concluded that the subject lands would also be in compliance.

A subsequent study was submitted in 2020. Staff reviewed this study and had no concerns with the results and recommendations as the results meet the sound level limits for stationary sources as outlined in the NPC-300 Guidelines. However, this is contingent on development of a residential dwelling limited to one-storey in height. As such a special provision has been recommended to only permit one-storey.

#### Dust Impact Assessment

RWDI prepared a *Dust Impact Assessment* dated July 2011 in support of the 2012 planning and development applications for the subject lands. The 2011 RWDI study reviewed the potential for dust impacts based on a number of factors including the existing and future potential for aggregate resource extraction activities, the separation distance between residential development and the limit of extraction, predominate wind direction, and the complaint history from residents surrounding the Byron Gravel Pits area.

RWDI concluded that the probability of periodic occurrence of dust impacts would be moderate to high for the subject lands similar to the experience of nearby existing residential properties. RWDI recommended that the potential for dust impacts on the subject lands be addressed through the use of warning clauses registered on title. The 2012 staff report agreed with the recommended approach to use warning clauses and incorporated them into the Condominium agreement which includes these lands.

#### Slope Stability Assessment

In addition to the above-noted noise and dust impact assessments, a *Slope Stability Assessment* was prepared by EXP Services Inc. ("EXP") dated June 2011 in support of the 2012 planning and development applications for the subject lands. The stable slope analysis resulted in the delineation of an "Erosion Hazard Limit" comprised of an erosion allowance, a stable slope setback and a 6.0 metre wide access allowance, slightly inside the westerly (rear) property limit of the subject lands. EXP recommended any

buildings and permanent structures associated with the proposed residential development of the subject lands be outside the Erosion Hazard Limit and that prior to any construction on the subject lands final design drawings be reviewed by a qualified geotechnical consultant to ensure the Erosion Hazard Limit is properly interpreted.

At the time of the rezoning on the other portion of the site, the 2012 staff report recommended a holding provision for the geotechnical review of design drawings, which was approved by Council for the easterly portion of the subject lands. The 2012 staff report recommended that the westerly portion of the subject lands be precluded from development to ensure that there is sufficient land adjacent to the steep slope associated with aggregate resource extraction areas to accommodate final site restoration.

While the City plans for the future of the Byron Gravel Pits through the upcoming *South-East Byron Secondary Plan*, to be consistent with the *PPS* in the interim, the City should ensure that there is a buffer between on-going aggregate resource extraction activities from sensitive land uses and protect mineral aggregate resources from incompatible development that could hinder the continued use of the resource or expansion of extraction activities. At present there are on-going aggregate resource extraction activities within the Byron Gravel Pits and the potential for future aggregate resource extraction activities to occur adjacent to the subject lands has been confirmed by Lafarge.

Through the review of this application Staff are recommending a new holding provision requiring a geotechnical/slope stability study prior to site plan approval and issuance of a building permit, and that the study not be undertaken until after resource extraction activities have ceased. The previous h-145 holding provisions applied in 2012 was insufficient to ensure the pit licenses had been discontinued before a Geotech/slope stability was done – until the pit licenses are surrendered, there is theoretically the possibility further extraction could take place undermining the existing slope and rendering any current slope stability study irrelevant. The slope stability study will only be acceptable once it is confirmed that all activities have ceased to exist in the abutting aggregate pit.

#### **4.4 Holding Provision**

Through the development review process, Staff have determined that the proposed residential development would be an appropriate land use on the subject site, and have identified the holding provisions to ensure that site specific erosion impacts and compatibility are addressed prior to development occurring.

The *1989 Official Plan* (Section 19.4.3) and *The London Plan* (Policy 1656\_ to Policy 1661\_) contemplate the use of holding provisions to address requirements relating to matters such as civic infrastructure; environmental, erosion or flood protection measures; noise, vibration, dust or odor mitigation; built form requirements; public site plan processes and other such matters relating to the goals, objectives, and policies of the Official Plan. The Zoning By-law may contain holding provisions that would allow for the use of land, buildings or structures to be permitted when the holding symbol is removed.

As the aggregate pit is nearing completion, and the *South-East Byron Secondary Plan* is also nearing completion, staff feel that the requested ZBA can proceed with the use of holding provisions addressing slope stability, limits to development and land use compatibility. Furthermore, these holding provisions will ensure that there is no deviation from the standard minimum separation distance between residential development and the limit of extraction satisfactory to protect residential development from adverse impacts.

The proposed holding provision is as follows:

h-\_\_\_ 537 Crestwood Ave

To ensure there will be no conflicts between the existing aggregate resource extraction use and the proposed residential uses, the h-( ) shall not be deleted until a geotechnical/slope stability study is prepared which confirms the Erosion Hazard Limit and addresses potential erosion hazards based on the proposed development, layout and site grading, to the satisfaction of the City of London, The report shall be submitted only at such time as all active pit licenses have been surrendered and a rehabilitation plan and site restoration plan have been completed for the adjacent aggregate resource extraction area.

#### **4.5 Realignment of Commissioners Road West**

The subject lands are located proximate to the planned Commissioners Road West realignment. The future corridor is protected through relevant policies in the *1989 Official Plan* and *The London Plan*; and whether the proposed residential development of the subject lands would interfere with the future corridor was considered by staff.

The City's Transportation Planning and Design Division did not indicate any concern with the requested ZBA, or the proposed residential development of the subject lands. It is not expected that the proposed residential development of the subject lands would interfere with the future corridor. The timing for the future corridor is dependent on the completion of aggregate resource extraction activities in the Byron Gravel Pits area.

### **Conclusion**

Given that the subject lands are located within the vicinity of the Byron Gravel Pits proposed residential development must be considered within the context of relevant policies in the *PPS*, the *1989 Official Plan* and *The London Plan* to ensure that mineral aggregate resources will be protected for long-term use and will not be hindered by incompatible development; and that residential development will be appropriately protected from potential impacts and hazards associated with aggregate resource extraction activities including noise, vibration, dust and erosion.

Staff are satisfied that residential development on the westerly portion of the subject land would be an appropriate land use in the future as identified in the *1989 Official Plan* and *The London Plan*. Through the use of a holding provision, the abutting aggregate pit and active licences will be protected from residential development occurring prior to the surrender of aggregate licence. The holding provision will also ensure that a geotechnical/slope stability study is undertaken to establish appropriate development limits on the subject site at the time a rehabilitation plan and site restoration plan have been completed.

**Prepared by:** Alanna Riley  
Senior Planner, Development Services

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

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

**Submitted by:** Scott Mathers MPA, P. Eng.  
Deputy City Manager, Planning and Economic  
Development

**cc:**  
Heather McNeely, Manager, Current Development  
Michael Pease, Manager, Site Plans  
Ismail Abushehada, Manager, Development Engineering

## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1-22\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 537 Crestwood Ave.

WHEREAS Middlesex Vacant Land Condominium 816 has applied to rezone an area of land located at 537 Crestwood Ave, as shown on the map attached to this by-law, as set out below;

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 520 Sarnia Road, as shown on the attached map comprising part of Key Map No. A106, from an Urban Reserve (UR1) Zone to a Holding Residential R6 Special Provision h-( ).R6-2(\*) Zone;
- 2) Section Number 10.4 of the Residential R6 (R6.2) Zone is amended by adding the following Special Provisions:

) R6-2( ) 537 Crestwood Ave

a) Regulations

Single Detached Dwelling

- |      |                                      |             |
|------|--------------------------------------|-------------|
| i)   | Lot Frontage<br>(Minimum)            | 10.0 metres |
| ii)  | Rear Yard<br>(Minimum)               | 3.73 metres |
| iii) | East Interior Side Yard<br>(Minimum) | 1.2 metres  |
| iv)  | Height<br>(Maximum)                  | 1-storey    |
| v)   | Landscape Open Space<br>(Minimum)    | 42%         |

Accessory Building

- |       |                                       |             |
|-------|---------------------------------------|-------------|
| vi)   | Height<br>(Maximum)                   | 7.0 metres, |
| vii)  | Rear Yard<br>(Minimum)                | 1.2 metres  |
| viii) | South Interior Side Yard<br>(Minimum) | 1.20 metres |

- 3) Section Number 3.8 2) of the Holding "h" Zones section is amended by adding the following Holding Zone:

h-\_\_ 537 Crestwood Ave

Purpose:

To ensure there will be no conflicts between the existing aggregate resource extraction use and the proposed residential uses, the h- shall not be deleted until a geotechnical/slope stability study is prepared which confirms the Erosion Hazard Limit and addresses potential erosion hazards based on the proposed development, layout and site grading, to the satisfaction of the City of London, The report shall be submitted only at such time as all active pit licenses have been surrendered and a rehabilitation plan and site restoration plan have been completed for the adjacent aggregate resource extraction area.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

PASSED in Open Council on June 14, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – June 14, 2022  
Second Reading – June 14, 2022  
Third Reading – June 14, 2022

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



File Number: Z-9333  
Planner: AR  
Date Prepared: 2022/05/17  
Technician: RC  
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40  
Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On April 1, 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 April 1, 2021. A “Planning Application” sign was also posted on the site.

Three (3) replies were received

**Nature of Liaison:** The Notice of Application advised of a possible amendment to the Zoning By-law to change the zoning of the subject lands from an Urban Reserve (UR1) Zone and a Residential R6 Special Provision (R6-2(13)) Zone to a revised Residential R6 Special Provision (R6-2(13)) Zone to allow for cluster housing and the development of a third single detached dwelling on the subject lands. The notice advised of the requested special provision to recognize a reduced lot frontage minimum; reduced (easterly) interior side yard depth minimum; reduced rear yard depth minimum; reduced (southerly) side yard depth minimum and reduced rear yard depth minimum for an accessory building; an increased height maximum for an accessory building; and an increased landscaped open space minimum.

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

**Support for:** the proposed residential development by the owners of an adjacent dwelling unit located on the subject lands.

**Concern for:** conformity with the specific policies in *The London Plan* regarding the development of lands within the vicinity of extractive industrial areas or aggregate resource areas.

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

Telephone	Written
	Larry Connell & Nancy Ensley 537-1 Crestwood Drive, London, ON N6K 1Y1
Dr. Nancy Moser 555 Commissioners Road West	
	Lafarge Canada Inc. Attention Luke McLeod 6509 Airport Rd Mississauga, ON L4V 1S7

### Agency/Departmental Comments

#### *Development Services (Engineering)*

##### *Transportation*

- For information regarding the ongoing Commissioners Road West re-alignment EA please use the following web link:  
<https://www.london.ca/residents/Environment/EAs/Pages/Commissioners-Road-West-Realignment.aspx>

#### *Wastewater*

- The sanitary sewer available for the subject lands is the 200mm sanitary sewer on Crestwood Drive.

#### *Water*

- Confirmation from the applicant that the 3rd unit will be amalgamated into the same condominium corporation as the two existing units, such that a regulated drinking water system is not being created.

Please note that Engineering comments were provided without input from Stormwater.

#### ***London Hydro***

- No objection to the official plan and/or re-zoning application.

#### ***Upper Thames River Conservation Authority (“UTRCA”)***

- The UTRCA has not objections to this application.

## **Appendix C – Policy Context**

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

#### ***Provincial Policy Statement, 2014 (PPS)***

Policy 1.1.3.1 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.2 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.1.3.4 Building Strong Health Communities, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, Settlement Areas

Policy 1.2.6.1 Building Strong Health Communities, Coordination, Land Use Compatibility

Policy 1.4.3 Building Strong Health Communities, Housing

Policy 2.5.1 Wise Use and Management of Resources, Protecting Aggregate Resources

Policy 2.5.2.4 Wise Use and Management of Resources, Protecting Aggregate Resources, Protection of Long-Term Resource Supply

Policy 2.5.2.5 Wise Use and Management of Resources, Protecting Aggregate Resources, Protection of Long-Term Resource Supply

Policy 2.5.3.1 Wise Use and Management of Resources, Protecting Aggregate Resources, Rehabilitation

#### ***1989 Official Plan***

Section 3.1.1 vi) Residential Land Use Designations, General Objectives For All Residential Designations

Section 3.2 Residential Land Use Designations, Low Density Residential, Preamble

Section 3.2.1 Residential Land Use Designations, Low Density Residential, Permitted Uses

Section 3.2.2 Residential Land Use Designations, Low Density Residential, Scale of Development

Section 3.2.3 Residential Land Use Designations, Low Density Residential, Residential Intensification

Section 3.2.3.2 Residential Land Use Designations, Low Density Residential, Residential Intensification, Density and Form

Section 3.5.6 i) and ii) Residential Land Use Designations, Policies for Specific Residential Areas, Lands in Vicinity of Byron Pits

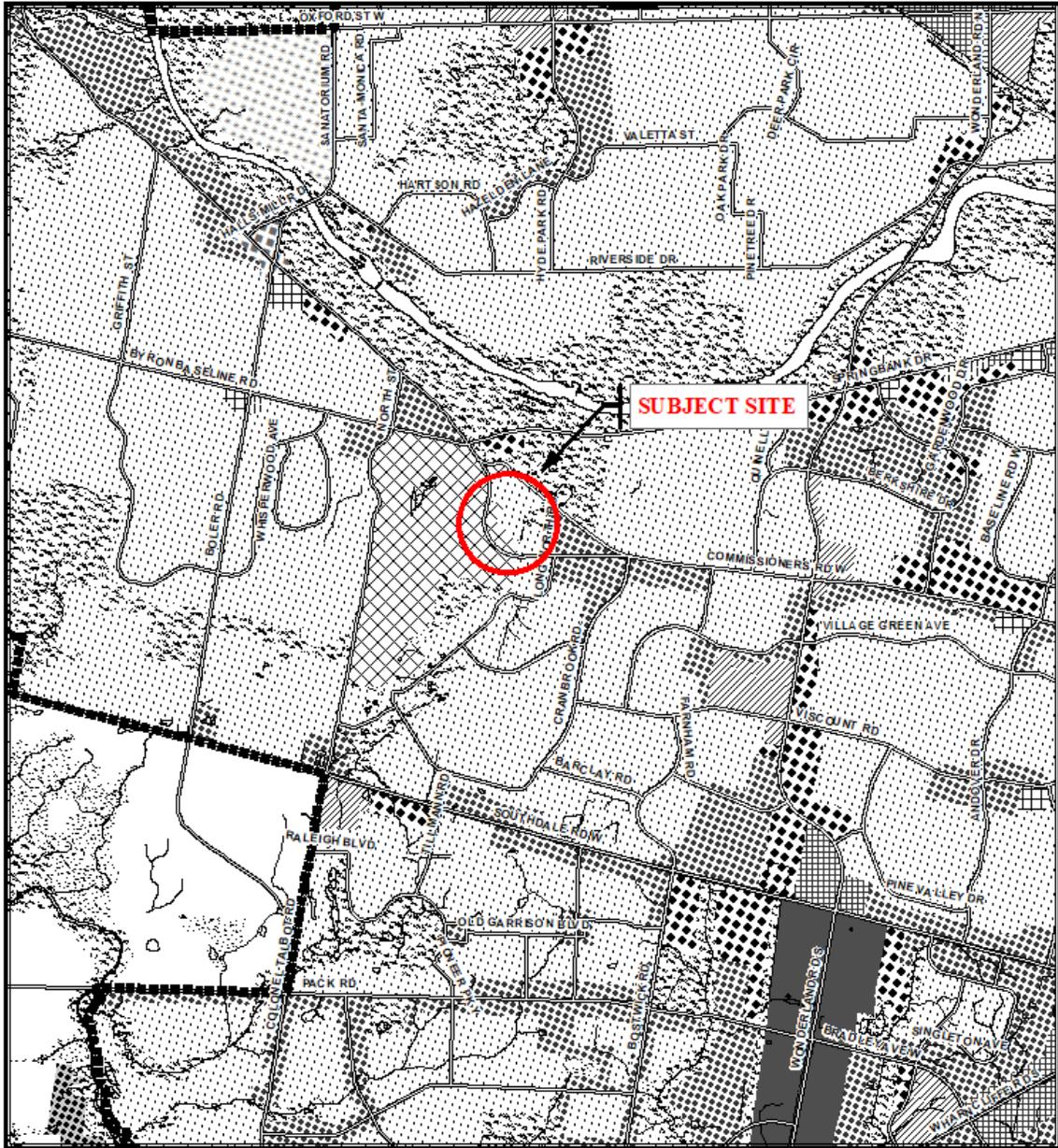
Section 19.4.3 Implementation, Zoning, Holding Zones

#### ***The London Plan***

Table 10 Range of Permitted Uses in Neighbourhoods Place Type  
Table 11 Range of Permitted Heights in Neighbourhood Place Type  
Policy 937\_ Place Type Policies, Urban Place Types, Neighbourhoods, Residential Intensification In Neighbourhoods  
Policy 939\_5. Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification  
Policy 940\_ Place Type Policies, Urban Place Types, Neighbourhoods, Forms of Residential Intensification  
Policy 953\_2. and 3. Place Type Policies, Urban Place Types, Neighbourhoods, Additional Urban Design Considerations for Residential Intensification  
Policy 1511\_ Environmental Policies, Natural Resources, What Are Natural Resources  
Policy 1514\_ 2., 4., and 5. Environmental Policies, Natural Resources, What Are We Trying to Achieve  
Policy 1542\_ 1.-3. Environmental Policies, Natural Resources, Specific Policies for Aggregate Resources, Byron Gravel Pits and Adjacent Lands  
Policy 1656\_ Our Tools, Holding Provision By-law  
Policy 1657\_ Our Tools, Holding Provision By-law  
Policy 1658\_ Our Tools, Holding Provision By-law  
Policy 1659\_ Our Tools, Holding Provision By-law  
Policy 1660\_ Our Tools, Holding Provision By-law  
Policy 1661\_ Our Tools, Holding Provision By-law  
Policy 1770\_ Our Tools, Neighbourhood Design and Noise  
Policy 1771\_ Our Tools, Neighbourhood Design and Noise

# Appendix D – Relevant Background

## Additional Maps

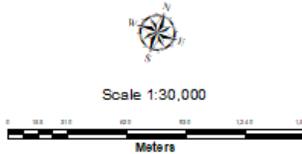


### Legend

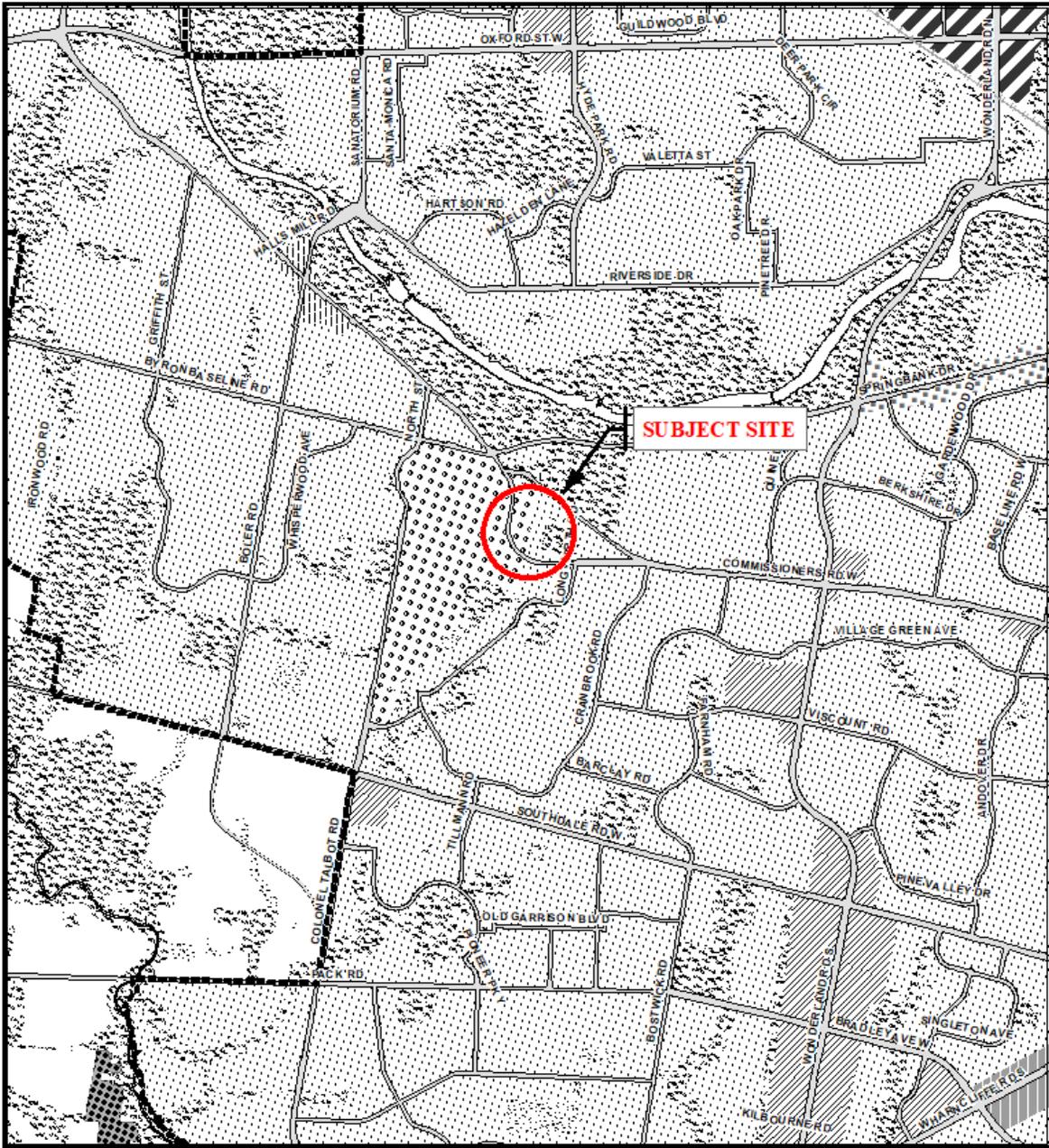
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community 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  
 - LAND USE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8915  
 PLANNER: MC  
 TECHNICIAN: MB  
 DATE: 2018/09/25



**Legend**

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

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

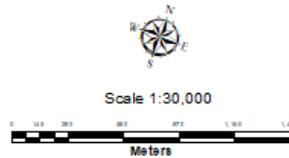
*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

**CITY OF LONDON**

Planning Services /  
Development Services

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

PREPARED BY: Planning Services



**File Number:** Z-8915

**Planner:** MC

**Technician** MB

**Date:** September 25, 2018

## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Demolition Request for Heritage Listed Property at 180  
Simcoe Street by Richmond Corporate Centre Inc.

**Public Participation Meeting Date:** Monday May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the property at 180 Simcoe Street **BE REMOVED** from the Register of Cultural Heritage Resources.

## Executive Summary

The property at 180 Simcoe Street has been identified as a potential cultural heritage resource since at least 2006. As Municipal Council must believe a property to be of potential cultural heritage value or interest to be added to the Register of Cultural Heritage Resource, it must therefore be satisfied that a property is not of cultural heritage value or interest, through the completion of a comprehensive evaluation, prior to removing a property from the Register.

A Heritage Impact Assessment (MHBC, 2022) was submitted as part of the demolition request for the heritage listed property at 180 Simcoe Street in advance of a Site Plan Application for the property. The Heritage Impact Assessment found that the property at 180 Simcoe Street does not meet the criteria for designation under the *Ontario Heritage Act*. Staff agree with the evaluation of the property. As the property at 180 Simcoe Street does not meet the criteria for designation, it should be removed from the Register of Cultural Heritage Resources.

Additionally, the property at 180 Simcoe Street is adjacent to a heritage designated property at 224-226 Richmond Street. The Heritage Impact Assessment has demonstrated to staff's satisfaction that the heritage attributes of the heritage designated property at 224-226 Richmond Street will be conserved. Cautionary mitigation measures can be implemented through the Site Plan Approval process for the new EMS building proposed at 180 Simcoe Street.

## Linkage to the Corporate Strategic Plan

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

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

## Analysis

### 1.0 Background Information

#### 1.1 Property Location

The property at 180 Simcoe Street is located on the north side of Simcoe Street between Richmond Street and Clarence Street (Appendix A). The property at 180 Simcoe Street is in London's SoHo neighbourhood.

#### 1.2 Cultural Heritage Status

The property at 180 Simcoe Street is a heritage listed property. The property was included on the Inventory of Heritage Resources prior to 2006, which was adopted in its

entirety as the Register of Cultural Heritage Resources in 2007. The property at 180 Simcoe Street is a heritage listed property.

### **1.3 Description**

The existing building at 180 Simcoe Street is situated prominently on the property, set near to Simcoe Street (Appendix B). The two-storey building has a light-coloured brick façade with a rusticated block-clad side and rear facades. The nearly rectangular plan of the building is constructed on a concrete foundation with a shallow or low-pitched hipped roof. The building has a traditional relationship of solids and voids on the front façade, with four bays – the main entrance door is located at the westerly bay on the ground storey, which is accessed via concrete steps with metal railings.

Most of the property is paved with asphalt and used as a parking area. There are one-storey detached garage structures located at the rear of the property.

### **1.4 History**

The property at 180 Simcoe Street is in the oldest part of the City – part of the original colonial survey of the town plot of London which was completed by Colonel Mahlon Burwell in 1826. The original town site was bounded by North Street (later Queens Avenue), Wellington Street, and the Thames River.

Given the proximity to the Thames River, this area developed with a mixture of industrial and residential properties. Nearby industrial landmarks include the Labatt Brewery and the former Hunt Mills, both located along the Thames River just west of Richmond Street. The Labatt Brewery (150 Simcoe Street) is still extant and physically dominant in the area, with the large brewery, ancillary sites, and other properties owned by Labatt's.

The existing building at 180 Simcoe Street was constructed in 1989 (Building Permit 89-089213). It replaced an earlier two-storey frame building. The building appears to have been constructed for Rogolino Electric, the property owner at the time of construction.

In 2002, two-storey brick Italianate residential-type building municipally numbered as 178 Simcoe Street was demolished following consultation with the London Advisory Committee on Heritage (LACH) (see Image 5, Appendix B). The one-storey residential-type building at 182 Simcoe Street was also demolished in 2002.

### **1.5 Adjacent Cultural Heritage Resources**

The property at 224-226 Richmond Street is adjacent to the heritage listed property at 180 Simcoe Street. The rear yards of these properties abut each other.

The property at 224-226 Richmond Street is designated pursuant to Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3375-332. The heritage designating by-law describes the historical, architectural, and contextual reasons for the property's designation, including elements which are understood to be the property's heritage attributes.

The property at 224-226 Richmond Street is a semi-detached or "double house," painted brick house built on a fieldstone foundation. The symmetrical building demonstrates elements of the vernacular Italianate style and was built in the 1880s.

Historically, the property at 224-226 Richmond Street is associated with the development of the urban economy and local industry in what became known as the SoHo neighbourhood. The property is associated with the Agnos family and the Greek community in London.

### **1.6 Proposed Development**

Redevelopment of the property at 180 Simcoe Street has been proposed for an Emergency Medical Service (EMS) station for the Middlesex-London EMS.

In addition to the demolition of the existing building, Site Plan Approval is required. A Minor Variance (A.054/22) is also required to accommodate the proposed design.

## 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*.

#### 2.1.1 *Provincial Policy Statement*

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2020)* promotes the wise use and management of cultural heritage resources and directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved” (Policy 2.6.1, *Provincial Policy Statement 2020*).

Additionally, Policy 2.6.3 of the *Provincial Policy Statement (2020)* states,  
*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.*

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

Additionally, “conserved” means, “the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained.”

#### 2.1.2 *Ontario Heritage Act*

Section 27, *Ontario Heritage Act* requires that a register kept by the clerk shall list all properties that have been designated under the *Ontario Heritage Act*. Section 27(1.2), *Ontario Heritage Act* also enables Municipal Council to add properties that have not been designated, but that Municipal Council “believes to be of cultural heritage value or interest” on the Register.

The only cultural heritage protection afforded to heritage listed properties is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the Community Advisory Committee on Planning (CACP)\* is consulted, and a public participation meeting is held at the Planning & Environment Committee. This process is used when a property owner requests the removal of their property from the Register.

Section 29, *Ontario Heritage Act* enables municipalities to designate properties to be of cultural heritage value or interest. Section 29, *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Objections to a Notice of Intention to Designate are referred to Municipal Council. Appeals to the passing of a by-law to designate a property pursuant to the *Ontario Heritage Act* are referred to the Ontario Land Tribunal (OLT).

##### 2.1.2.1 **Criteria for Determining Cultural Heritage Value or Interest**

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

1. Physical or design value:
  - i. Is a rare, unique, representative, or early example of a style, type, expression, material or construction method;
  - ii. Displays a high degree of craftsmanship or artistic merit; or,
  - iii. Demonstrates a high degree of technical or scientific achievement.
2. Historical or associative value:
  - i. Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community;
  - ii. Yields, or has the potential to yield, information that contributes to an

- iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
3. Contextual value:
- i. Is important in defining, maintaining, or supporting the character of an area;
  - ii. Is physically, functionally, visually, or historically linked to its surroundings; or,
  - iii. Is a landmark.

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet the criteria for designation, the heritage listed property should be removed from the Register. These same criteria are in Policy 573\_ of *The London Plan*.

### **2.1.3 The London Plan**

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

Policies 575\_ and 576\_ of *The London Plan* also enable City Council to designate areas of the City under Part V of the *Ontario Heritage Act* as Heritage Conservation Districts. These policies include a set of criteria in the evaluation of an area. *Heritage Places 2.0* is a guideline document as a part of the Cultural Heritage Guidelines. The document describes potential heritage conservation districts and assigns a priority to these districts for consideration as heritage conservation districts.

Policies 565\_ and 586\_ of *The London Plan* require a Heritage Impact Assessment to ensure that the impacts of a proposed development or site alteration have been evaluated and it has been demonstrated that the heritage attributes of the heritage designated property or property listed on the Register will be conserved.

### **2.1.4 Register of Cultural Heritage Resources**

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

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed properties. If a property is evaluated and found to not meet the criteria for designation, it should be removed from the Register of Cultural Heritage Resources.

The property at 180 Simcoe Street is included on the Register of Cultural Heritage Resources as a heritage listed property.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

### **4.1. Request to Remove from the Register of Cultural Heritage Resources**

A demolition request was submitted by the property owner of the heritage listed property at 180 Simcoe Street on April 28, 2022. The demolition request was submitted in advance of a Site Plan Application for the redevelopment of the property.

Municipal Council must respond to remove a heritage listed property from the Register of Cultural Heritage Resources within 60 days, or the request is deemed consented. During this 60-day period, the Community Advisory Committee on Planning (CACP) is consulted and, pursuant to Council Policy, a public participation meeting is held at the Planning and Environment Committee (PEC).

The 60-day period for the request to remove the heritage listed property at 180 Simcoe Street from the Register of Cultural Heritage Resources expires on June 27, 2022.

#### **4.1.1 Heritage Impact Assessment**

A Heritage Impact Assessment (MHBC, April 2022) was submitted as part of the demolition request for the heritage listed property at 180 Simcoe Street. The Heritage Impact Assessment (HIA) addresses both the on-site heritage listed property at 180 Simcoe Street as well as the adjacent heritage designated property at 224-226 Richmond Street. The Heritage Impact Assessment is attached as Appendix C.

#### **4.2 Consultation**

Pursuant to intent of the Council Policy, notification of the request to remove the heritage listed property from the Register of Cultural Heritage Resources request was sent to property owners within 120m of the subject property on May 10, 2022, as well as community groups including the Architectural Conservancy Ontario – London Region Branch, London & Middlesex Historical Society, the Urban League of London, and the SoHo Community Association. Notice was also published in *The Londoner* and on the City's website.

The Community Advisory Committee on Planning (CACP) was consulted on this demolition request at its meeting on May 26, 2022.

#### **4.3 Evaluation of Heritage Listed Property at 180 Simcoe Street**

An evaluation of the heritage listed property at 180 Simcoe Street was completed using the criteria of Ontario Regulation 9/06 in the HIA (MHBC, April 2022). The HIA also included historical research, including a survey of accessible historical mapping and aerial photographs. See Appendix C.

The property at 180 Simcoe Street is located within the SoHo area, which has been identified for future study as a potential Heritage Conservation District in *Heritage Places 2.0*. No Heritage Conservation District Study of the SoHo area has been initiated.

Staff have reviewed the HIA and its evaluation of the property at 180 Simcoe Street. Staff agree with the evaluation of the property at 180 Simcoe Street, finding that the property does not meet the criteria for designation under the *Ontario Heritage Act*.

#### **4.4 Adjacency Concerns for Heritage Designated Property at 224-226 Richmond Street**

In addition to evaluating the heritage listed property at 180 Simcoe Street, the HIA assessed the potential impacts of the proposed development on the adjacent heritage designated property at 224-226 Richmond Street (see Appendix C).

There are no direct impacts to any of the heritage attributes of the heritage designated property at 224-226 Richmond Street. The HIA did not make any recommendations to avoid potential indirect impacts to the heritage designated property at 224-226 Richmond Street. However, the HIA recommended,

*...that construction equipment and material not be stored at the rear of the property line within the vicinity of the adjacent designated properties and that drainage be monitored to ensure that excavation and changes in grading do not negatively impact the adjacent properties during construction.*

These concerns can be addressed during the Site Plan Approval required for the proposed development at 180 Simcoe Street.

Staff have a concern about the extensive length and un-articulation of the wall backing onto the rear yards of 224-226 Richmond Street. To articulate the potential impacts on the adjacent heritage designated property at 224-226 Richmond Street, renderings of the proposed building have been prepared (see Figures 2-3, Appendix B). The proposed EMS building is anticipated to be visible from Richmond Street, however it is not anticipated to overwhelm the significant cultural heritage resource at 224-226 Richmond Street or result in any direct impacts to its heritage attributes. The potential indirect impact, mainly view, can be mitigated through landscape features such as a landscape buffer (hedge) or fence.

Staff are satisfied that there are no direct adverse impacts to the heritage designated property at 224-226 Richmond Street, or its heritage attributes, because of the proposed redevelopment of the property at 180 Simcoe Street.

## Conclusion

The evaluation of the property at 180 Simcoe Street, using the criteria of Ontario Regulation 9/06, found that the property does not meet the criteria for designation. As the property does not merit designation, it should be removed from the Register of Cultural Heritage Resources.

The proposed redevelopment of the property at 180 Simcoe Street has the potential to affect the heritage attributes of the adjacent heritage designated property directly or indirectly at 224-226 Richmond Street. A Heritage Impact Assessment was prepared and submitted in consideration of Policies 565\_ and 586\_ of *The London Plan* and Policy 2.6.3 of the *Provincial Policy Statement* (2020). Staff are satisfied that the heritage attributes of the heritage designated property at 224-226 Richmond Street will be conserved.

**Prepared by:** Kyle Gonyou, RPP, MCIP, CAHP  
Heritage Planner

**Submitted by:** Jana Kelemen, M.Sc.Arch., MUDS, RPP, MCIP  
Manager, Urban Design, and Heritage

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

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager, Planning and Economic  
Development

## Appendices

Appendix A Property Location

Appendix B Images

Appendix C Heritage Impact Assessment (MHBC, dated April 18, 2022)

## Selected Sources

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

Corporation of the City of London. *Heritage Places 2.0*. 2019.

Corporation of the City of London. Property file.

Corporation of the City of London. *Register of Cultural Heritage Resources*. 2020.

Corporation of the City of London. *The London Plan*. 2021 (consolidated).

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC). *Heritage Impact Assessment, 180 Simcoe Street, City of London, Ontario*. April 18, 2022.

Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation*. 2006.

*Ontario Heritage Act*. 2019, c. 9. Sched. 11.

# Appendix A – Property Location



Figure 1: Location Map showing the heritage listed property (shaded in yellow) at 180 Simcoe Street (outlined in black). The adjacent heritage designated property at 224-226 Richmond Street is shaded in red.

**Appendix B – Images**



*Image 1: Streetscape view of the north side of Simcoe Street, including the property at 180 Simcoe Street.*



*Image 2: View of the front façade of the property at 180 Simcoe Street.*



*Image 3: View of the east and north (rear) façades of the property at 180 Simcoe Street.*



*Image 4: View of the detached one-storey garage structures at the rear of the property at 180 Simcoe Street.*



*Image 5: View of the properties at 178 Simcoe Street (left), 180 Simcoe Street, and 182 Simcoe Street in 2002. The buildings on 178 Simcoe Street and 182 Simcoe Street were demolished in 2002.*



*Image 6: Photograph of the heritage designated property at 224-226 Richmond Street.*



*Figure 2: Rendering showing the view looking east towards the heritage designated property at 224-226 Richmond Street, with the proposed new EMS building at 180 Simcoe Street in the background.*



*Figure 3: Rendering showing the view looking east towards the heritage designated property at 224-226 Richmond Street, with the proposed new EMS building at 180 Simcoe Street in the background.*

## **Appendix C – Heritage Impact Assessment**

Heritage Impact Assessment (MHBC, dated April 18, 2022) – *attached separately*

# HERITAGE IMPACT ASSESSMENT

180 Simcoe Street,  
City of London, Ontario

Date:  
**April 18, 2022**

Prepared for:  
**York Developments Inc.**

Prepared by:  
**MacNaughton Hermsen Britton Clarkson  
Planning Limited (MHBC)**  
200-540 Bingemans Centre Drive  
Kitchener, ON N2B 3X9  
T: 519 576 3650  
F: 519 576 0121

**Project No. 1094BT**

# Table of Contents

Project Personnel .....	4
Glossary of Abbreviations .....	4
Acknowledgement of Indigenous Communities .....	5
Other Acknowledgements.....	5
Executive Summary .....	6
1.0 Introduction.....	7
1.1 Description of Subject Property.....	7
1.2 Description of Surrounding Area .....	9
1.3 Heritage Status.....	10
2.0 Policy Context .....	12
2.1 The Ontario Planning Act.....	12
2.2 Provincial Policy Statement (2020) .....	12
2.3 Ontario Heritage Act.....	13
2.4 City of London Official Plan .....	14
3.0 Historical Background .....	16
3.1 Indigenous Communities and Pre-Contact History.....	16
3.2 City of London .....	17
3.3 Historical Overview of Subject Property .....	19
4.0 Description of Subject Property and Adjacent Properties.....	32
4.1 180 Simcoe Street .....	32
4.1.1. Description of Built Features.....	33
4.1.2 Description of Landscape Features .....	35
4.2 224 and 226 Richmond Street.....	37

- 4.2.1. Description of Built Features ..... 37
- 4.2.2 Description of Landscape Features ..... 38
- 5.0 Evaluation of Cultural Heritage Resources ..... 39
- 5.1 Evaluation Criteria..... 39
- 5.2 Evaluation of 180 Simcoe Street..... 40
- 5.2.1 Design/Physical Value ..... 40
- 5.2.2 Historical/Associative Value ..... 40
- 5.2.3 Contextual Value ..... 40
- 5.2.4 Ontario Regulation 9/06 Evaluation ..... 40
- 5.2.5 Summary..... 41
- 6.0 Review of Identified Cultural Heritage Resources ..... 42
- 6.1 Reasons for Designation of 224-226 Richmond Street, London, Ontario ..... 42
- 6.2 Heritage Attributes ..... 44
- 7.0 Description of Proposed Development..... 45
- 8.0 Impact Analysis ..... 49
- 8.1 Introduction..... 49
- 8.2 Impact Analysis for 224-226 Richmond St..... 50
- 8.2.1. Summary ..... 51
- 9.0 Alternative Development Options and Mitigation Measures ..... 55
- 9.1 Alternative Development Options..... 55
- 9.2 Mitigation and Conservation Measures ..... 55
- 10.0 Conclusions & Recommendations ..... 56
- 11.0 Bibliography ..... 57
- Appendix A– Maps ..... 62
- Appendix B– Site Plan and Elevations ..... 63
- Appendix C- Designation By-law for 224-226 Richmond Street, London ..... 64
- Appendix D– Pre-consultation Notes Heritage ..... 65
- Appendix E–Curriculum Vitae..... 66

*Heritage Impact Assessment  
180 Simcoe Street. London, ON*

*Disclaimer: Due to the Covid-19 pandemic, in-person research has been limited and therefore, this report may not be able to reference relevant hard copy sources that are within collections that are temporarily closed to the public. Western University Archives and Research Collections Centre, at the time of this report, is closed to non-Western affiliated researchers.*

# Project Personnel

Dan Currie, MA, MCIP, RPP, CAHP	<i>Managing Director of Cultural Heritage</i>	Senior Review
Rachel Redshaw, MA, HE Dipl., CAHP	<i>Heritage Planner</i>	Author, Research, Fieldwork and Review
Robyn McIntyre	<i>Junior Planner</i>	Historical Research

# Glossary of Abbreviations

CHVI	<i>Cultural Heritage Value or Interest</i>
DHCD	<i>Downtown London Heritage Conservation District</i>
HIA	<i>Heritage Impact Assessment</i>
HCD	<i>Heritage Conservation District</i>
MHBC	<i>MacNaughton Hermsen Britton Clarkson Planning Limited</i>
MHSTCI	<i>Ministry of Heritage, Sport, Tourism and Culture Industries</i>
OHA	<i>Ontario Heritage Act</i>
OHTK	<i>Ontario Heritage Toolkit</i>
O-REG 9/06	<i>Ontario Regulation 9/06 for determining cultural heritage significance</i>
PPS 2020	<i>Provincial Policy Statement (2020)</i>



# Executive Summary

MHBC Planning, Urban Design and Landscape Architecture (“MHBC”) was retained in September 2021 by York Developments to undertake a Heritage Impact Assessment (HIA) for the proposed redevelopment of 180 Simcoe Street, City of London, Ontario hereafter referred to as the ‘subject property’ (see **Appendix ‘A’**). The proposed redevelopment of the subject property includes the construction of a two storey EMS Station with a gross floor area of 724m<sup>2</sup>.

This report determined that the subject property does not have cultural heritage value or interest and therefore, the proposed development will not result in impacts to cultural heritage resources on site. Furthermore, the analysis did not identify significant adverse impacts for the adjacent designated properties at 224-226 Richmond Street, London, Ontario.

As a precautionary measure, it is recommended that construction equipment and material not be permitted to be stored along the rear property line of the adjacent designated properties and that drainage be monitored to ensure that excavation and changes in grading do not negatively impact the building during construction.

It is recommended that the property at 180 Simcoe Street (identified as 178-180 Simcoe Street in the *City of London’s Register of Cultural Heritage Resources*) be removed from the municipal heritage register to allow for demolition of the existing building on-site, which is determined not to be of cultural heritage value or interest, and permit redevelopment of the site.

# 1.0 Introduction

MHBC Planning, Urban Design and Landscape Architecture (“MHBC”) was retained by York Developments to undertake a Heritage Impact Assessment (HIA) for the proposed redevelopment of 180 Simcoe Street, City of London, Ontario hereafter referred to as the ‘subject property’ (see **Appendix ‘A’**). The proposed redevelopment of the subject property includes the construction of a two storey EMS Station with a GFA of 724m<sup>2</sup>.

The subject property is identified on the *City of London’s Register of Cultural Heritage Resources* (2019) as a “listed” property. The subject property is not designated under Part IV or V of the *Ontario Heritage Act* (“OHA”). In addition to being listed on the municipal register, the subject property is adjacent to 224 Richmond Street and 226 Richmond Street, two properties which are designated under Part IV of the OHA (By-law L.S.P. 3375-332)<sup>1</sup>.

As per Policy 565 of the *London Plan*, the City of London has requested a Heritage Impact Assessment be completed to form part of the complete planning applications required for the redevelopment of the site. The City requires that the assessment for the adjacent designated properties at 224 Richmond Street and 226 Richmond Street, London, Ontario.

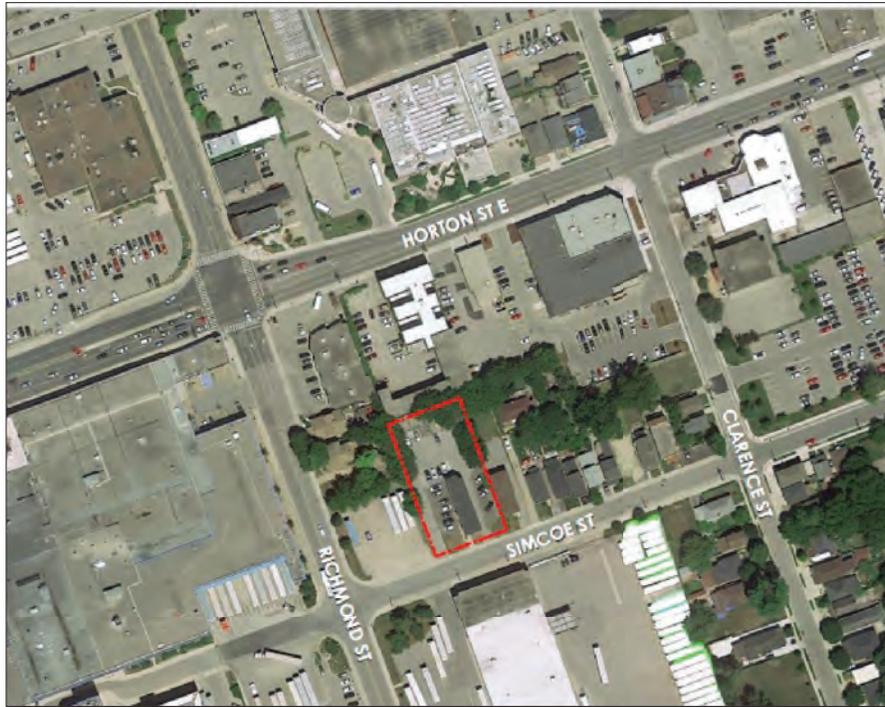
## 1.1 Description of Subject Property

The subject property is identified by the following civic address: 180 Simcoe Street, London, Ontario<sup>2</sup>; this location is shown in Figure 1 and **Appendix ‘A’** of this report. The site is located north of Simcoe Street, east of Richmond Street, south of Horton Street East, and west of Clarence Street. Legally, the subject property can be identified by the legal address Pt Lt 9, N/w Simcoe Street Designated as Part 4, Plan 33r-18593, City of London.

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<sup>1</sup> Note that 220, 224, 226 and 230 Richmond Street are consolidated into one property.

*Heritage Impact Assessment  
180 Simcoe Street. London, ON*



Figures 1 & 2: (above) An aerial photo of the sites surrounding the subject property with the subject property outlined in a red dashed box (below) Photograph of front façade of main building on subject property.

## 1.2 Description of Surrounding Area

The properties surrounding the subject property vary greatly in both their size and their composition. Some sites are large, accommodating both commercial space and parking areas. Other sites are smaller, accommodating just their frontage and a driveway accessing the houses thereon. Uses include a mix of commercial, residential, vacant, and storage. To the west of the subject property is vacant land and across the street is Labatt's Brewery which includes parking and a complex of industrial buildings. To the north are primarily commercial buildings and to the south parking and industrial buildings. East of the subject property on the north side of Simcoe Street is a row of residential buildings.



**Figures 3 & 4:** (above) View of surrounding area looking westward from subject property along the north side of Simcoe Street; (below) View of surrounding area looking eastward from subject property (MHBC, 2022).

## 1.3 Heritage Status

In order to confirm the presence of identified cultural heritage resources, several databases were consulted such as: *City of London's Register of Cultural Heritage Resources* (2019), *City of London's Official Plan*, the *Ontario Heritage Act Register* (Ontario Heritage Trust), the *Canadian Register of Historic Places*.

Based on the review of the above mentioned databases, it was confirmed that the subject property is listed on the City of London's Register of Cultural Heritage Resources (2019). The listing identifies 178-180 Simcoe Street as the "Rogolino Property" constructed in 1879 in the Italianate Style. The property was added to the registered March 26, 2007. There are two adjacent properties located at 224-226 Richmond Street that are designated under Part IV of the Ontario Heritage Act (By-law L.S.P. 3375-332); the properties were designated October 24, 2005. The subject property and adjacent properties are not located in a designated Heritage Conservation District.



**Figure 5:** Map figure identifying listed subject property and adjacent designated properties (Source: MHBC, 2022).

## 1.4 Land Use and Zoning

The subject property is zoned RO1 which is designated 'restricted office zone'. The zone is intended to provide for and regulate new office uses outside of the Downtown area in small-scale office buildings. The RO1 zone permits medical/ dental office and offices.

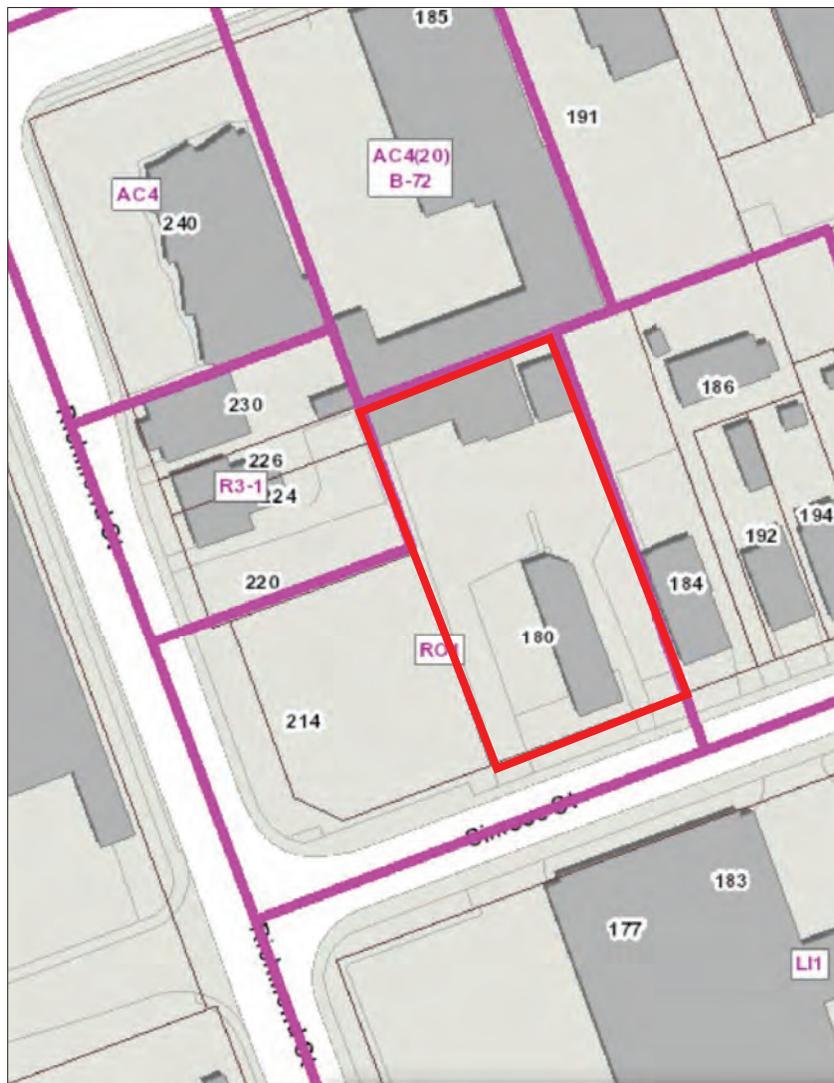


Figure 6: Excerpt from the City of London Interactive Zoning City Map; red box identifies the subject property (Source: City of London and City of London Zoning By-law, Section 18).

# 2.0 Policy Context

## 2.1 The Ontario Planning Act

The *Planning Act* makes a number of provisions respecting cultural heritage, either directly in Section 2 of the Act or Section 3 respecting policy statements and provincial plans. In Section 2, the *Planning Act* outlines 18 spheres of provincial interest that must be considered by appropriate authorities in the planning process. Regarding cultural heritage, Subsection 2(d) of the Act provides that:

*The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as, ...*

*(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*

The *Planning Act* therefore provides for the overall broad consideration of cultural heritage resources through the land use planning process.

## 2.2 Provincial Policy Statement (2020)

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Policy Statement, 2020* (PPS). The PPS is “intended to be read in its entirety and the relevant policy areas are to be applied in each situation”. This provides a weighting and balancing of issues within the planning process. When addressing cultural heritage planning, the PPS provides for the following:

*2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

*2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

The PPS defines the following terms

***Significant:** in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.*

***Built Heritage Resource:** means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.*

***Protected Heritage Property:** means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.*

## 2.3 Ontario Heritage Act

The *Ontario Heritage Act*, R.S.O, 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. This HIA acknowledges the criteria provided with *Regulation 9/06* of the *Ontario Heritage Act* which outlines the mechanism for determining cultural heritage value or interest. The regulation sets forth the

criteria to evaluate the adjacent (non-contiguous) listed heritage property located at 530 Ridout Street North, City of London as requested by City Staff.

## 2.4 City of London Official Plan

The Official Plan states that new development on or adjacent to heritage properties will require a heritage impact assessment. The London Plan identifies adjacent as follows:

*Adjacent when considering potential impact on cultural heritage resources means sites that are contiguous; sites that are directly opposite a cultural heritage resource separated by a laneway, easement, right-of-way, or street; or sites upon which a proposed development or site alteration has the potential to impact identified visual character, streetscapes or public views as defined within a statement explaining the cultural heritage value or interest of a cultural heritage resource.*

Policy 152 discusses the importance of urban regeneration in the City which includes the protection of built and cultural heritage resources while “facilitating intensification within [the City’s] urban neighbourhoods, where it is deemed to be appropriate and in a form that fits well within the existing neighbourhood” (Policy 152, 8). Policy 554, reinforces the importance of the protection and conservation of built and heritage resources within the City and in particular, in the respect to development. As part of this initiative the City states in Policy 586, that,

*The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved.*

Thus, it is the purpose of this report to analyze the potential impact(s) to the subject property and adjacent protected properties at 224 and 226 Richmond Street.

## 2.5 City of London Terms of Reference

This Heritage Impact Assessment is based on the requirements of a Heritage Impact Assessment as per the *Ministry of Heritage, Sport, Tourism and Culture Industries* (MHSTCI) *InfoSheet #5* which are as follows:

- Historical Research, Site Analysis and Evaluation;
- Identification of the Significance and Heritage Attributes of the Cultural Heritage Resource;
- Description of the Proposed Development or Site Alteration;
- Measurement of Development or Site Alteration Impact;
- Consideration of Alternatives, Mitigation and Conservation Methods;
- Implementation and Monitoring; and
- Summary Statement and Conservation Recommendations.

The above-noted categories will be the method to determine the overall impact to the subject property and its heritage attributes as it relates to the proposed development.

# 3.0 Historical Background

## 3.1 Indigenous Communities and Pre-Contact History

The pre-contact period of history in Ontario specifically refers to the period of time prior to the arrival of Europeans in North America. The prehistory of Ontario spans approximately 11,000 years from the time the first inhabitants arrived in the Paleo-lithic period to the late Woodland period, just before the arrival of Europeans and the “contact” period, in the 16<sup>th</sup> and 17<sup>th</sup> centuries. The periods (and sub-periods) of Indigenous history in Ontario includes the Paleo period (beginning approximately 11,500 B.P.), the Archaic Period (9,500 B.P. to 2,900 B.P.), and the Woodland period (900 B.C. to approximately the 16<sup>th</sup> century). There are several registered archaeological sites in London dating to the Paleo period, the Early, Middle and Late Archaic period, as well as Early, Middle, and Late Woodland period. This includes Iroquoian longhouse settlements during the Early and Late Ontario Iroquoian period (*Archaeological Management Plan* (2017)). The Region included the Anishnaabeg, Haudenosaunee, and Lenni-Lenape Nations (City of London, 2020).

On September 7, 1796, an agreement was made between representatives of the Crown and certain Anishinaabe peoples called the *London Township Purchase* also known as Treaty #6. The territory included in the agreement was approximately 30km<sup>2</sup> and included payments of “-calico and serge cloths, cooking implements, rifles and flint, and vermillion” (Ministry of Indigenous Affairs, Government of Ontario).

Today, the neighbouring First Nations communities including the Chippewas of the Thames First Nation, Munsee- Delaware Nation and Oneida Nation of the Thames, identify the City of London and area as traditional territory (The London Plan, 2019, 137).

## 3.2 City of London

Three years prior to the establishment of *The London Treaty* of 1796, Lieutenant-Governor John Graves Simcoe, attracted by the Forks of the Thames, envisioned that it would be the location for the capital of the province (City of London, 2020). Thomas Talbot who accompanied Simcoe immigrated to Upper Canada upon receiving a land grant in the newly established London District in 1800 (Historic Places Canada).

It was not until more than three decades later, in 1826, that London was founded as the district town of the area. The town was surveyed by Colonel Thomas Talbot in 1824 and later Colonel Mahlon Burwell, “which covered the area now bounded on the south and west by the two branches of the Thames” (City of London, 2020) (see Figure 6 below; red outline identifies vicinity of subject property).

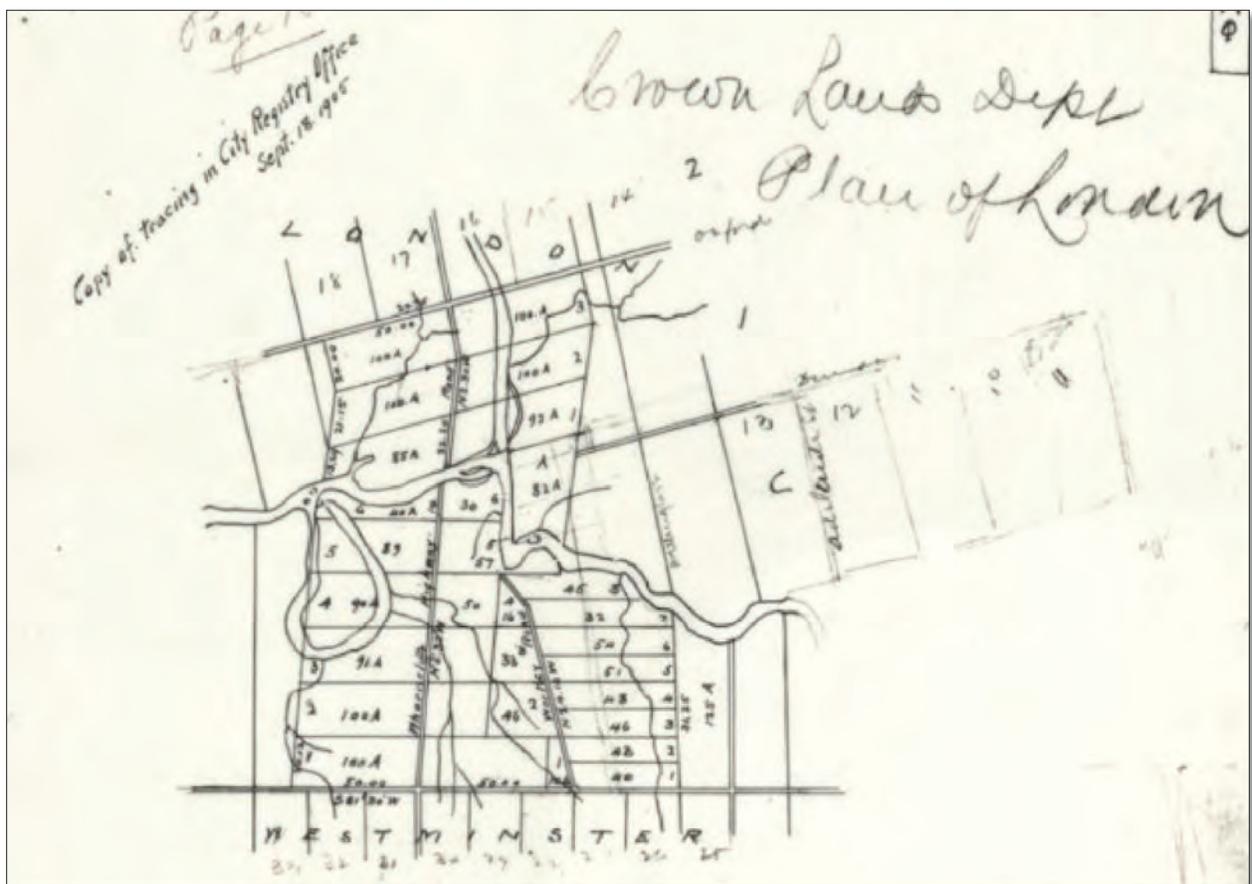


Figure 7: Crown Lands Department Plan of London of 1824 (Courtesy of Western University).

The town expanded and by 1834 there were 1,000 residents (City of London, 2020). The Mackenzie Rebellion was the catalyst to establishing a garrison in the town which served as a military base between 1838 and 1869 in what is presently Victoria Park (City of London, 2020).

Leading merchants such as John Labatt and Thomas Carling were instrumental in connecting the town with the surrounding area in the 1840s by constructing the “Proof Line Road” and manufacturers such as Simeon Morrell and Ellis W. Hyman, Elijah Leonard and McClary brothers became well known in the area as prominent manufacturers (Whebell & Goodden, 2020).



Figure 8: Artist's illustration of London, entitled “London, Canada West” painted between 1847 and 1852 by Richard Airey (Courtesy of the McIntosh Collection, Purchase, Library Collections, 1957).

Unfortunately, in 1844 and 1845 a fire resulted in the destruction of some of the town's centre. By 1848, however, the town was rebuilt and reincorporated; the population at the time was recorded as 4,584 (Whebell & Goodden, 2020). By 1854, the Great Western Railway line was running through the town, allowing for businesses to flourish with the ability to import and export more goods. In 1855, the Town of London was officially incorporated as a City (Whebell & Goodden, 2020).

In the latter half of the 19<sup>th</sup> century, many of London's neighbouring communities were annexed including London South in 1890 into Westminster Township, which at the time was one of the largest townships within Middlesex County (Whebell & Goodden, 2020). The Council for the Westminster Township was first established in March of 1817 (Brock and Moon, 84). By the mid-1800s, the City of London had significantly expanded resulting in the annexation of land from Westminster Township as part of the city's boundaries.

By the First World War, there were approximately 55,000 people living in London (City of London, 2020). Between the first and second world war, the City growth slowed due to challenges posed by the Great Depression. The year 1961 marked the great annexation of London which increased its population by 60,000 residents and included the annexation of Westminster Township (Meligrana, 5) (Whebell & Goodden, 2020). Since then, the City has grown and as of 2016, the population of the City has reached approximately 383, 822 (Canadian Census, 2016).

### 3.3 Historical Overview of Subject Property

The subject property was originally part of Concession C, Lot 15. By 1862, the area in which the subject property is located was identified as being part of the urban area of the City of London.

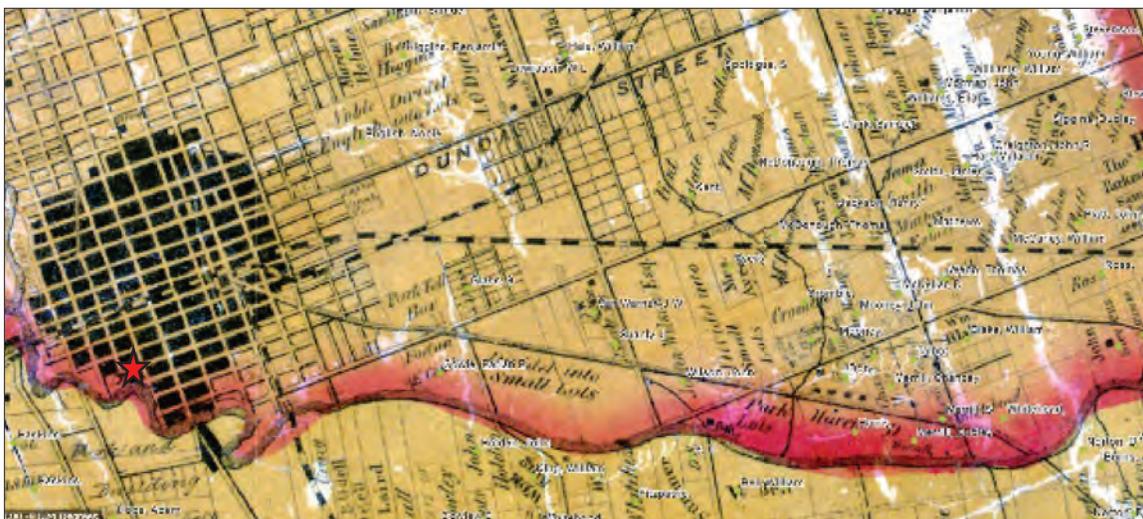
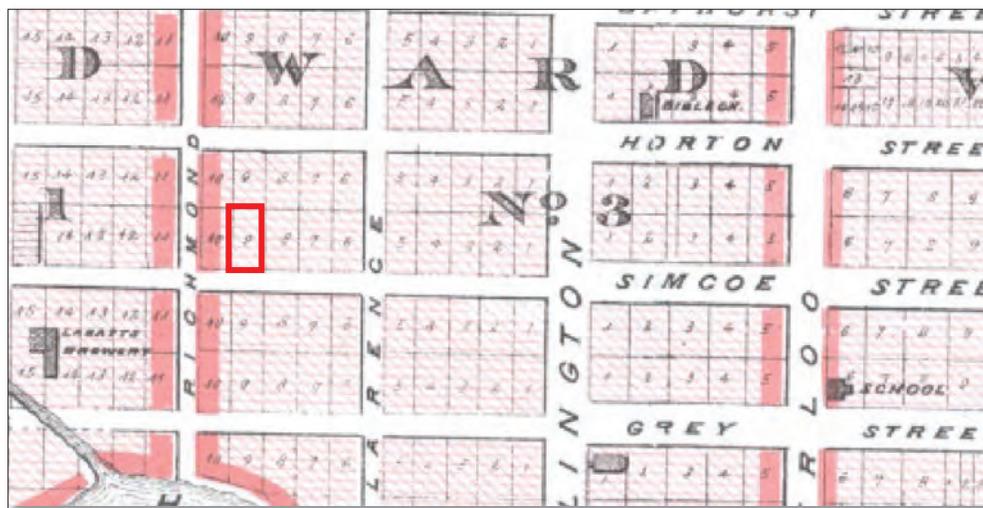
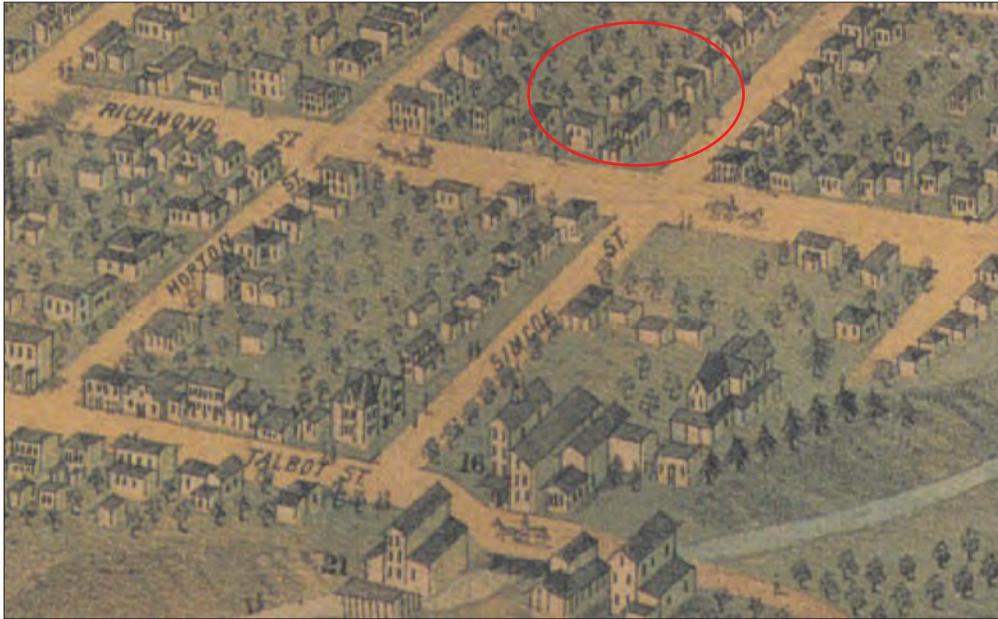


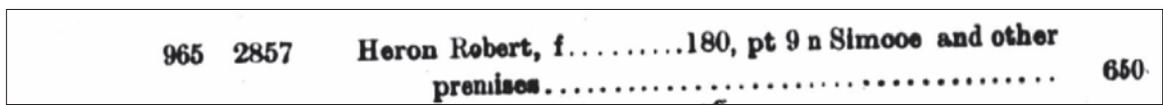
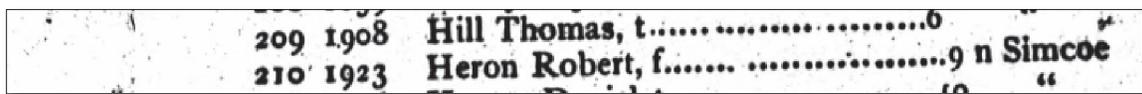
Figure 9: Excerpt of the 1862 Map by George Tremaine of the Historical County Map of Middlesex County; red star indicates approximate location of subject property (Courtesy of the Ontario Historical County Maps Project).

By 1872, a Bird's Eye View depicts buildings at the corner of Richmond and Simcoe Streets. There are buildings illustrated in the vicinity of the subject property and appear to be one to two storeys in height. South-east of this corner is the block bound by Simcoe, Richmond and Talbot and Grey Streets where Labatt's brewery was and continues to be located (see Figure 10). In the 1878 Map of the City of London and Suburbs, the subject property is identified as Lot 9 on the north-west side of Simcoe Street.



Figures 10 & 11: (above) Excerpt from the 1872 Bird's Eye View of London, Ontario; red circle indicates the area in which the subject property are located; (below) Excerpt of the 1878 Map of the City of London and Suburbs; red box identifies Lot 9 which includes 180 Simcoe Street (Courtesy of Western University Libraries).

In the 1876 Voter's List, Robert Heron is identified as a freeholder owning Lot 9 on the north side of Simcoe Street. Robert was an emigrant of Ireland and was born around 1823 (ancestry.ca). In the 1871 Census of Canada, he was married to Jane and together they had a son William. In the 1884 Voter's List, Robert Heron is associated with 182 Simcoe Street; this address is later identified as 180 Simcoe Street in the 1887 Voter's List.

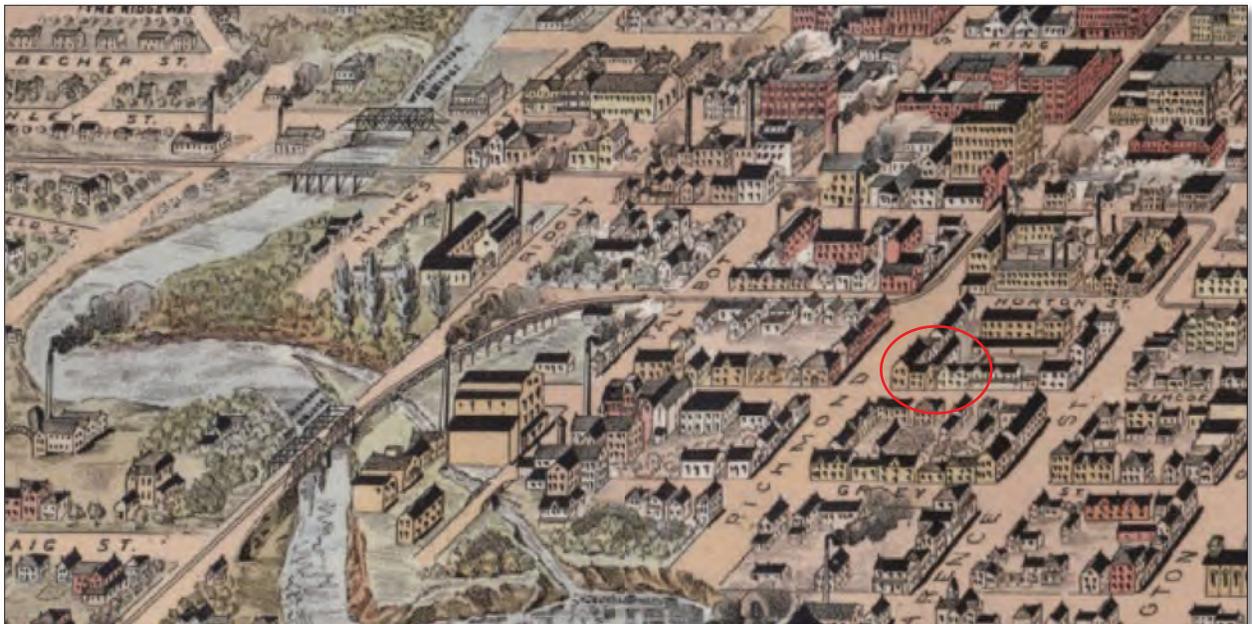


Figures 12 & 13: (above) Excerpt from the 1876 Voter's List; (below) Excerpt from the 1887 Voter's List (Library and Archives Canada).

In the 1890 *Bird's Eye View of London, Ontario, Canada*, the illustration depicts buildings concentrated at the corner of Richmond and Simcoe Street. There appears to be a building in the vicinity of the subject property, however, it is setback from the street.

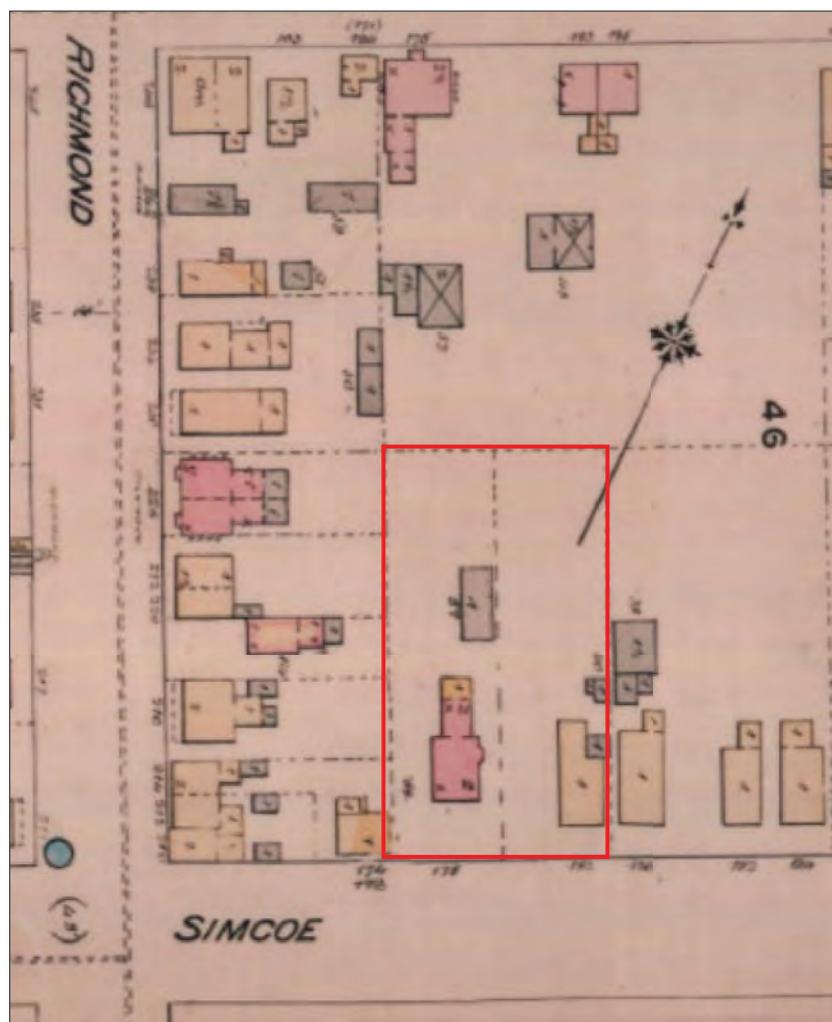
In the 1893 *Bird's Eye View of London, Ontario, Canada*, the illustration depicts buildings concentrated at the corner of Richmond and Simcoe Street. A series of two storey buildings are represented along the north of Simcoe Street in the location of the subject property. However, none of the buildings in either of the 1890 or 1893 *Bird's Eye View* appear to resemble the existing building on the subject property.

*See following page for 1890 and 1893 Bird's Eye View of London, Ontario, Canada.*



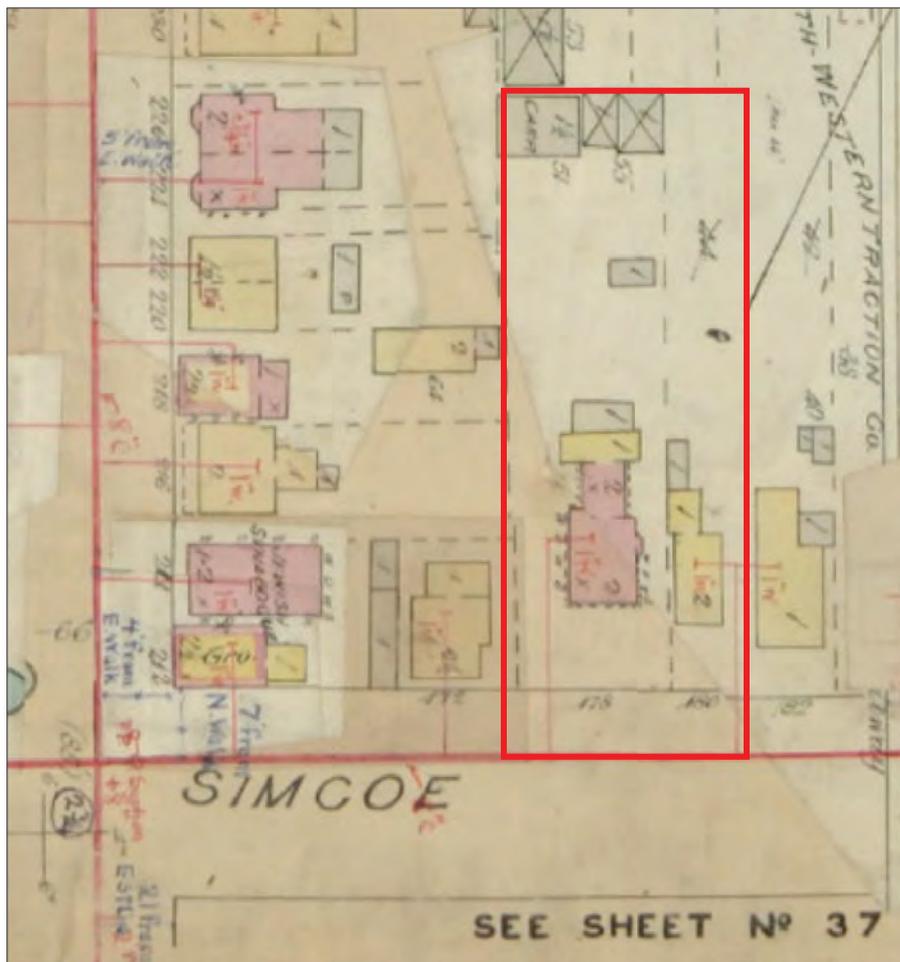
Figures 14 & 15: (above) Excerpt from the 1890 Bird's Eye View of London, Ontario from Hobb's Manufacturing; red circle indicates the area in which the subject property is located; (below) Excerpt of the 1893 Bird's Eye View of London; red circle indicates the area in which the subject property and is located (Courtesy of Western University Libraries).

The 1881 (revised 1888) Fire Insurance Plan, shows buildings at 178 and 182 Simcoe Street. The property at 178 Simcoe Street included a two storey brick dwelling with two storey brick rear wing and one storey wood frame addition; there was a one storey outbuilding to the rear of the property. The property at 182 Simcoe Street includes a one storey wood frame building with two (2) one storey outbuildings.



**Figure 16:** Excerpt of the 1881 revised 1888; red outlined indicates location of 178 and 182 Simcoe Street (180 Simcoe Street is not present) (Courtesy of Western University Libraries).

The 1892 (revised 1907) Fire Insurance Plan demonstrates that between 1892 and 1907 a two storey wood frame building with a one storey wood frame wing was constructed between the two existing buildings and addressed as 180 Simcoe Street.



**Figure 17:** Excerpt of the 1892 revised 1907; red outlined indicates location of 178-180 Simcoe Street, London (Courtesy of Western University Libraries).

The 1912 (revised 1915) Fire Insurance Plan (FIP) shows limited change from the 1892 revised 1907 Fire Insurance Plan. This Plan identifies the buildings at 178, 180 and 182 Simcoe Street as “Dwellings”. The outbuildings to the rear of the property are wood frame and include a stable; it appears that the two stables appearing in the earlier FIP were consolidated into one (see Figure 19).

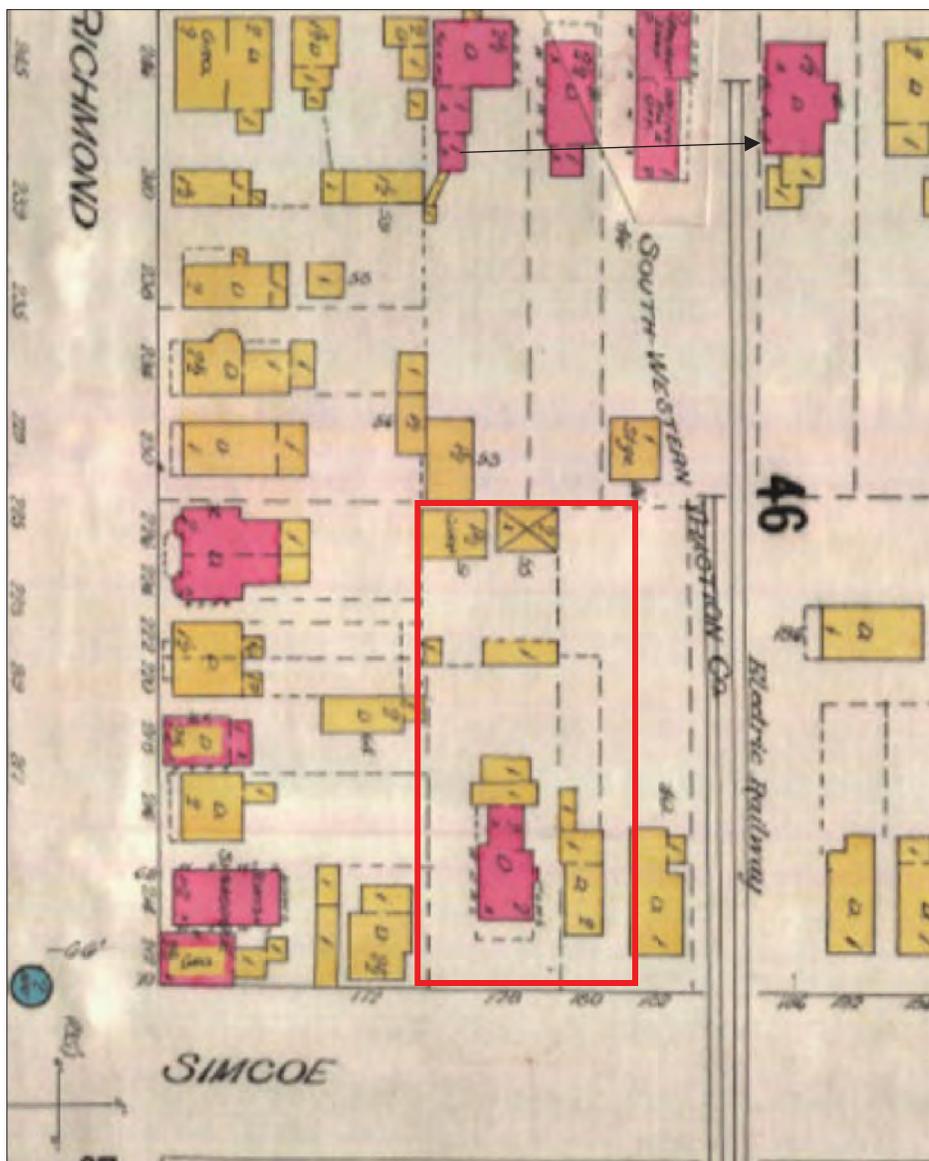


Figure 18: Excerpt of the 1912 revised 1915; red outlined indicates location of subject property (Courtesy of Western University Libraries).

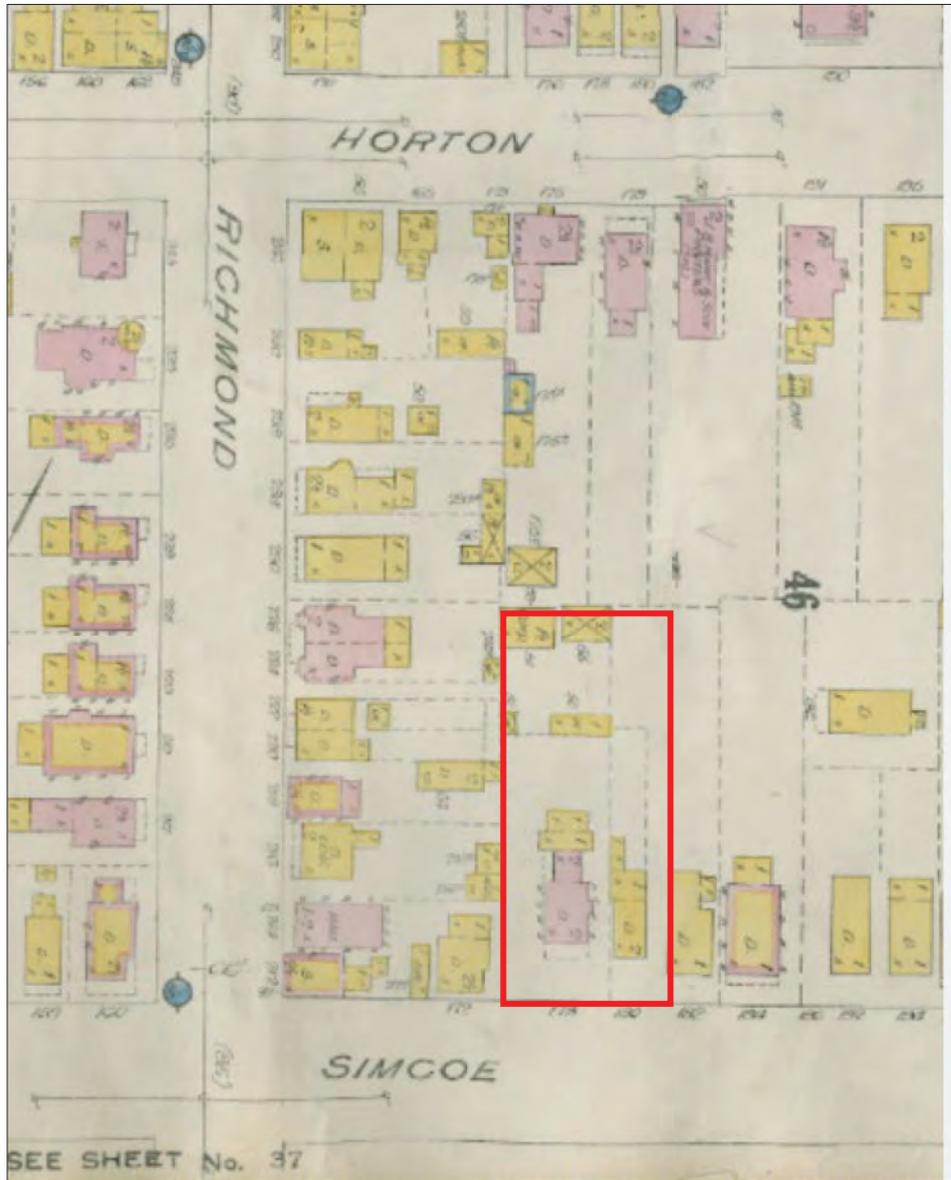


Figure 19: Excerpt of the 1912 revised 1922; red outlined indicates location of 178-180 Simcoe Street, London (Courtesy of Western University Libraries).

In 1922, the property was granted from Dora Harris to George Gleeson McCormick and Malcolm Kent (LRO). Dora and Jacob Harris immigrated to London in 1889 from Russia (1911 Census of Canada). They had four children: Myers, Samuel, Louis and Reah.

George Gleeson McCormick lived all his life in the City of London. He was born in 1860 of Irish descent and was identified as a manufacturer (Library and Archives Canada). In 1927, George and Malcolm Kent and trustees granted the property to Consolidated Trusts Corporation. Two years later, the property was granted to Wilbert Myers (LRO). Wilbert is identified as a compositor in the 1935 Voter's List. In the 1930 aerial photo, the building at 180 Simcoe Street is visible as are the adjacent buildings at 178 and 182 Simcoe Street.

Simcoe, 178, Payne, Mrs. Edward A. (W), married woman.....	210
Simcoe, 180, Myers, Wilbert, compositor.....	211
Simcoe, 180, Myers, Mrs. Wilbert (W), married woman.....	212
Simcoe, 182, Myers, Norman, cook.....	213
Simcoe, 182, Myers, Mrs. Norman (W), married woman.....	214

Figure 20: Excerpt of the 1935 Voter's List (Courtesy of the Library and Archives Canada).



Figure 21: Historical aerial from 1930; red box indicates approximate location of subject property; arrow indicates a building at 180 Simcoe Street (Courtesy of London Air Photo Collection, Western Libraries).

In 1941, the property was granted to Mary E. Moore for \$1,800.00. In 1947, the property was granted to Betty L. Moore who granted the property three years later in 1950 to Dolly Totten for \$6,100.00 (LRO). In the 1949 Voter's List, it appears that the building was being rented to four tenants including a clerk, servant, upholster and packer and that Dolly Totten resided on Talbot Street and was using the property as a rental unit. An aerial from 1950 shows the presence of buildings at 178, 180 and 182 Simcoe Street. The existing industrial building across the street is present in the photograph as well as the expansion of Labatt's brewery.

SIMCOE STREET--Cont.		
140	180 Acheson, James, clerk .....	218
141	180 Lott, Al, civil servant .....	219
142	180 Zerebecki, Alex, upholsterer .....	220
143	180 Bozic, Miss Anne, packer .....	221
144	182 Marshall, Lorne, Labatt employee .....	222
145	182 Marshall, Mrs. Lorne — .....	223
146	186 Strasser, Frank, Dennisteel employee .....	224

Figure 22: Excerpt of the 1949 Voter's List (Courtesy of the Library and Archives Canada).



Figure 23: Historical aerial from 1950; red box indicates approximate location of subject property; arrow indicates a building at 180 Simcoe Street (Courtesy of London Air Photo Collection, Western Libraries).

In 1961, Dolly Totten granted the property to Arthur and Elizabeth Robinson for \$6,500.00 as joint tenants (LRO). In 1962, grants were made to Arthur Robinson for portions of the property "to uses" (LRO); it is speculated that the existing outbuildings on-site were constructed at this time as they are not present in the 1950 aerial photograph and are constructed primarily of cinder block- a typical construction material used during that time period.

In 1978, the property was granted to Dale Borland for \$80,000 (LRO). A year later, the property was granted to Joseph and Catherine Rogolino (LRO). In the 1974 Census of Canada, Joseph is identified as an electrical contractor (Library and Archives Canada).

In 1990, the adjacent property at 182 Simcoe Street, was purchased by Joseph and Raymond Rogolino for \$97,500.00. In 1993, an agreement was made between Joseph, Catherine, Raymond and Joseph<sup>3</sup> Rogolino with the City of London (LRO).

Figure 24 is the 1999 aerial photo of the subject property and shows that the change had occurred to the building at 180 Simcoe Street. The 2004 aerial photog shows that between 1999 and 2004, the adjacent buildings at 178 and 182 Simcoe Street had been demolished leaving only the existing building at 180 Simcoe Street. Comparison of the building footprint shown in the 1999 aerial photograph with the 1922 Fire Insurance Plan suggest that the original building (as show in 1922 FIP) was replaced at some point before 1999 with a larger building that is located closer to the street (see Figure 26).

Although the resolution of the 1950s aerial photograph in Figure 23 makes it difficult to see detail, it appears that the original building shown in the 1922 FIP still existed at the time. Based on the 1949 Voter's List, the building was used as a boarding house. While the historical records, at this point<sup>4</sup>, do not identify the precise date of construction, the evidence suggests that the existing building on the subject property was constructed between 1950 and 1999. Based on the observations on-site, including the contemporary poured concrete foundation, it is most likely that it was constructed at the end of the 20<sup>th</sup> century around the time of ownership by the Rogolino Family.

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<sup>3</sup> There are two entries for Joseph.

<sup>4</sup> Aerials photographs between 1980 and 1999 are protected under copyright law and due to Covid-19 availability to these aerials was restricted from the University of Western Archives and Research Collections Centre.



Figures 24 & 25: (above) Aerial photograph from 1999; (below) Aerial photograph from 2004 (Source: Google Earth Pro).



Figure 26: Comparison between the 1922 Fire Insurance Plan and aerial photograph from 1999 (Source: Western University Libraries & Google Earth Pro).

# 4.0 Description of Subject Property and Adjacent Properties

The following sub-section will describe the built features and landscape features on the subject property. A site visit was conducted by MHBC Cultural Heritage Staff on March 18, 2022.

## 4.1 180 Simcoe Street

The subject property includes a two storey commercial building that fronts Simcoe Street. There is a small complex of outbuildings to the rear of the property that are constructed of cinder block and brick. The remainder of the property includes surface parking and deciduous trees along the west, north and east property line.



**Figure 27:** Aerial photograph of subject property outlined by the red box (MHBC, 2022).

#### 4.1.1. Description of Built Features

##### *Main Building- Exterior*

The property includes a two storey building with a rectangular floor plan. The building is constructed of masonry exterior walls and concrete foundation. The building has a low-pitched hipped roof with asphalt shingles. The front elevation includes an asymmetrical entry with a transom light and proportionately placed windows along the façade. The west elevation includes one window opening with a soldier course header. The east elevation includes four window openings along the second storey with soldier course headers. The north (rear) elevation includes two door openings and two window openings on the second level with soldier course headers.



**Figure 28:** South elevation looking north-east from southside of Simcoe Street (MHBC, 2022).



**Figure 29:** West elevation looking eastward (MHBC, 2022).



**Figure 30:** East elevation looking west from north-east corner of property (MHBC, 2022).



**Figure 31:** North (rear) elevation looking south-east (MHBC, 2022).

*Main Building- Interior*

The foundation is a poured concrete foundation. Based on the observation of the foundation composition and dating on the insulation, the building appears to have been constructed within the past three decades. The interior arrangement of the building indicates its use for office/ commercial spaces which include contemporary features including flooring, lighting, doors, hardware, etc.



**Figures 32 & 33:** (left) View of poured concrete foundation in basement; (right) View of interior of second floor (MHBC, 2022).

### *Outbuildings*

There is a complex of one storey outbuildings to the rear of the property primarily constructed of painted cinder block with flat platform roofs. There are four vehicular entrances and several human doors.



**Figure 34:** Complex of one storey outbuildings to the rear of the property (MHBC, 2022).

#### 4.1.2 Description of Landscape Features

The majority of the lot is asphalt parking. There are some trees along the western property line and a board on board fence along the west and east property lines.



**Figure 35:** View of deciduous trees and board on board fencing along western property line (MHBC, 2022).

## 4.2 224 and 226 Richmond Street

### 4.2.1. Description of Built Features

The subject property includes a two storey, semi-detached painted brick dwelling with a low-pitched roof composed of asphalt shingles and a fieldstone foundation. The house includes a front porch with a wooden divider to separate the entrance to each residence. The porch has dentil mouldings along its fascia.



Figure 36: View of front façade (MHBC, 2022)



Figure 37: Detailed view of façade (MHBC, 2022)



Figure 38: View of south elevation and rear yard of property (MHBC, 2022)



Figure 39: View of rear elevation of house including addition from rear property line (MHBC, 2022).

#### 4.2.2 Description of Landscape Features

The property has a few mature trees including one large, mature deciduous tree. There is a board on board fence along the rear of the property.



**Figure 40:** View of rear and side yard of 224-226 Richmond Street from the fence along western property line of subject property (MHBC, 2022).

# 5.0 Evaluation of Cultural Heritage Resources

## 5.1 Evaluation Criteria

The following sub-sections of this report will provide an analysis of the cultural heritage value of 180 Simcoe Street as per *Ontario Regulation 9/06*, which is the legislated criteria for determining cultural heritage value or interest. This criteria is related to design/physical, historical/associative and historical values as follows:

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

## 5.2 Evaluation of 180 Simcoe Street

### 5.2.1 Design/Physical Value

The buildings on the property are not rare, unique, representative or an early example of a style, type, expression, material or construction method, nor do they display a high degree of craftsmanship or artistic merit or high degree of technical or scientific achievement.

### 5.2.2 Historical/Associative Value

The main building on-site was constructed in the late 20<sup>th</sup> century and the outbuildings to the rear were constructed approximately in the 1960s. The property does not have direct or indirect historical associations nor can it yield information that contributes to the understanding of a community or culture.

### 5.2.3 Contextual Value

The context of the property has significantly changed over the years. Many of the former buildings within the immediate vicinity of the subject property have been removed and replaced with contemporary buildings or used as open space/ parking. As a result, the current surrounding area no longer represents the former historic context.

### 5.2.4 Ontario Regulation 9/06 Evaluation

Table 1.0

Ontario Regulation 9/06	180 Simcoe Street
<b>1. Design/Physical Value</b>	
i. Rare, unique, representative or early example of a style, type, expression, material or construction method	No.
ii. Displays high degree of craftsmanship or artistic merit	No.
iii. Demonstrates high degree of technical or scientific achievement	No.

2. Historical/Associative Value		
iv.	Direct associations with a theme, event, belief, person, activity, organization, institution that is significant	No.
v.	Yields, or has potential to yield information that contributes to an understanding of a community or culture	No.
vi.	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to the community.	Unknown.
3. Contextual Value		
vii.	Important in defining, maintaining or supporting the character of an area	No.
viii.	Physically, functionally, visually, or historically linked to its surroundings	No.
ix.	Is a landmark	No.

### 5.2.5 Summary

It has been determined that the property does not warrant cultural heritage value or interest based on the evaluation under the prescribed *Ontario Regulation 9/06*.

# 6.0 Review of Identified Cultural Heritage Resources

## 6.1 Reasons for Designation of 224-226 Richmond Street, London, Ontario

The properties at 224-226 Richmond Street, London Ontario, which includes a semi-detached residence, were designated in October of 2005 under By-law L.S.P. 3375-332 (see **Appendix 'C'**). The following identifies the reasons outlined in the by-law for designation:<sup>5</sup>

### Historical Reasons

Examination of City Directory information shows frequent changes in occupants at this semi-detached residence. Many of the occupants were workers in local businesses or were employed as laundresses, seamstresses and clerical workers. In the war years occupants had military connections. There seems to be a clear link to the developing downtown urban economy of London through these years with the residences providing, rental accommodation close to the workplaces. In 1950 William Agnos purchased 224 Richmond and his daughter, Georgia, bought 226. The Agnos family is significant for both this property and neighbouring properties with which they were associated. William Agnos, (Anagnostopoulos) himself, came to Canada in 1927 and he brought his wife, Despina, (Pinio) and their three children from Greece in 1935 to join him in London. William owned and operated for many years, until his death, the Capital Shoe Repair and Hat Cleaners business which he relocated in 1951 to 222 Richmond, another semi-detached residence which has since been damaged by fire and demolished. A shoeshine bench used in the business is now in the Museum London collection. His ties to the street were strengthened when, in 1945, he built a new home for his family at 230 Richmond.

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<sup>5</sup> Note that this by-law was written prior to Ontario Regulation 9/06.

The Agnos family is notable for several reasons. William was President of the Greek community association in 1948-1949 and he played a major part in the building of Holy Trinity Orthodox Church. He also assisted in establishing a Greek language school on Saturday mornings at Beal Secondary School. Despina (Pinio) Agnos was also active in Greek cultural societies. Both parents stressed the importance of education to their children. Son, John, graduated, cum laude, in 1952 from the University of Western Ontario Medical School. His subsequent medical career in radiology saw him retire as Head of Radiology from Westminster Hospital in London. John was also an active and noted environmentalist and former President of the McIlwraith Field Naturalist Society. His interest in science and the environment led him to produce a monthly column on those mailers in the London Free Press until his death in 1991. To honour his life's achievement a memorial has been placed on the empty lot at 220-222 Richmond Street. Georgia Agnos Velos, daughter of William and Pinia, has also achieved prominence as the first Greek immigrant high-school teacher in London at H.B. Beal secondary School. She has also served as President of the Daughters of Penelope, a Greek cultural society. Georgia's daughter, Pamela, became the first Canadian-born woman of Greek ancestry from London to become a medical doctor.

### **Architectural Reasons**

224/226 Richmond is a two-storey, semi-detached painted brick house with a front rectangular section set on a fieldstone foundation. A rear section, also rectangular is narrower than the front. The building is in the vernacular Italianate style. A notable feature of the house front is its symmetry. Below a hip roof, there are plain soffits around the building. The second storey of the Richmond St. exterior is broken by four windows evenly spaced across the façade. On the ground floor the building features a bay at each end, each containing a larger central window flanked by two 3 narrower windows. A porch joins the bays. Within the porch the two front entrances are immediately adjacent, each with a transom above. Most windows are segmental headed and trimmed with brick voussoirs. Each has simple recessed wood trim. The upper floor windows are two over two as is the central window in each lower bay. The door openings have segmental arches topped by brick voussoirs. The door casings, framed with turned mouldings, are original. The porch is open but contains a wooden divider separating the entrance to each residence. The porch roof is deeper than the bay windows allowing the roof edge to curve to meet the inside of the bay. The porch fascia has two rows of dentil mouldings extending across each bay.

Below the fascia board is a band of turned spindles. The porch is skirted with profiled vertical boards.

### **Contextual Reasons**

224-226 Richmond, architecturally, is important as an example of an 1880's semi-detached residence stressing simplicity and functionality. It recognizes, through its occupants, the relationship of this type of residence to the central business district of the city and the work force. The Agnos family's association with this building and its neighbouring buildings illustrates, also, the emergence of the Greek ethnic community and its contributions to the fabric of London's society and culture.

## 6.2 Heritage Attributes

The by-law does not list heritage attributes, but based on the architectural reasons for designation, the following heritage attributes can be identified:

- Original massing and scale;
- Symmetry of front façade;
- Hipped roofline and soffits;
- Original window and door openings with brick voussoirs including original door casings and mouldings;
- Front porch including fascia with dentil mouldings; and,
- Fieldstone foundation.

# 7.0 Description of Proposed Development

The owner proposes to remove all buildings and structures on site and construct a two storey EMS Station with a GFA of 724m<sup>2</sup>. The building consists of garage parking to facilitate the parking of ambulances of a GFA of 368m<sup>2</sup> and office space of 356m<sup>2</sup>. There will be surface parking on-site to the rear of the property (see **Appendix 'B'** for detailed site plan).



Figure 41: Architectural drawing of site plan (Source: Philip Agar Architect Inc., 2022)

Heritage Impact Assessment  
 180 Simcoe Street, London, ON



Figures 42, 43, 44 & 45: (above) South (front) elevation of proposed development; (middle above) North (rear) elevation of proposed development; (middle below) West elevation of proposed development; (below) East elevation of proposed development (Agar Philip Inc., 2022).

The following **Table 2.0** identifies the proposed setbacks for the proposed redevelopment:

Table 2.0- Proposed Setback	
Setback	Proposed
Front Yard Setback	7.16m
Rear Yard Setback	1.2m
Interior Side Yard	
<i>West</i>	0.31m
<i>East</i>	8.21m



Figures 46 & 47: (above) South (front) elevation of proposed development; (below) Rear elevation of proposed development; (Source: Philip Agar Architect Inc., 2022).

# 8.0 Impact Analysis

## 8.1 Introduction

The following sub-sections of this report provide an analysis of the impacts which may occur as a result of the proposed development.

- **Destruction:** of any, or part of any *significant heritage attributes* or features;
- **Alteration:** that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- **Shadows:** created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden;
- **Isolation:** of a *heritage attribute* from its surrounding environment, context or a significant relationship;
- **Direct or Indirect Obstruction:** of significant views or vistas within, from, or of built and natural features;
- **A change in land use:** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;
- **Land disturbances:** such as a change in grade that alters soils, and drainage patterns that adversely affect a cultural heritage resource.

The impacts of a proposed development or change to a cultural heritage resource may be direct or indirect. They may occur over a short term or long term duration, and may occur during a pre-construction phase, construction phase or post-construction phase. Impacts to a cultural heritage resource may also be site specific or widespread, and may have low, moderate or high levels of physical impact. Severity of impacts used in this report derives from *ICOMOS Guidance on Heritage Impact Assessments for Cultural World Heritage Properties (2011)*.

Built Heritage and Historic Landscapes	
Impact Grading	Description
Major	Change to key historic building elements that contribute to the cultural heritage value or interest (CHVI) such that the resource is totally altered. Comprehensive changes to the setting.
Moderate	Change to many key historic building elements, such that the resource of significantly modified.
Minor	Changes to the setting an historic building, such that it is significantly modified. Change to key historic building elements, such that the asset is slightly different.
Negligible/ Potential	Change to setting of an historic building, such that is it noticeably changed. Slight changes to historic building elements or setting that hardly affect it.
No change	No change to fabric or setting.

As it has been determined that the subject property located at 180 Simcoe Street is not of cultural heritage value or interest and the removal of the building will not result in negative impacts to significant cultural heritage resources.

## 8.2 Impact Analysis for 224-226 Richmond St

The assessment of the impact of the proposed development on the adjacent properties at 224 and 226 Richmond Street is described in **Table 3.0** below.

Table 3.0 Adverse Impacts		Impact to DHCD
Impact	Level of Impact (No, Potential, Negligible, Minor, Moderate or Major)	Analysis
Destruction or alteration of heritage attributes	No.	The proposed development will not alter or destroy the identified heritage attributes of the cultural heritage resource.

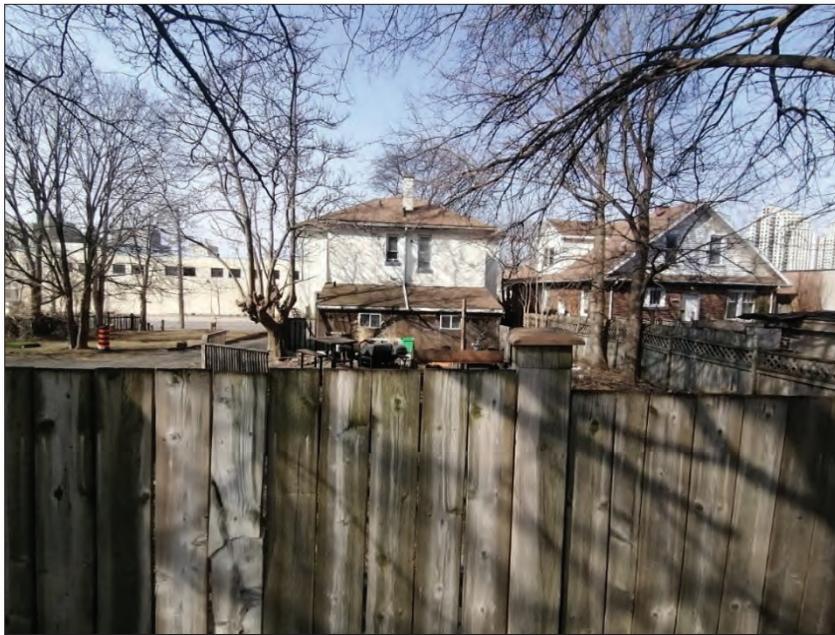
Shadows	No.	The proposed development will not result in shadows that negatively impact heritage attributes. The new construction is at its highest two storeys in height which is the same height of the cultural heritage resource.
Isolation	No.	The proposed development will not isolate heritage attributes of the cultural heritage resource.
Direct or Indirect Obstruction of Views	No.	The proposed development is along Simcoe Street and will not directly or indirectly obstruct views of the cultural heritage resource that fronts Richmond Street.
A Change in Land Use	No.	The change of land use to institutional will not negatively impact the heritage attributes of the cultural heritage resources.
Land Disturbance	No.	The proposed development will not cause land disturbances that will impact the heritage attributes of the cultural heritage resources.

### 8.2.1. Summary

Staff noted in preliminary design comments their concerns regarding the “extensive length and un-articulation of the wall backing on the rear yards of 224 and 226 Richmond Street” (see Appendix ‘D’). The west elevation of the proposed developed runs closely along the western property line (0.31 metre side yard setback), however, the wall will be set back approximately 15 metres from the existing building (the rear wing of the building) and approximately 36 metres from Richmond Street streetscape. The wall is also the same height of the existing building so it is not anticipated to impact any views, cause isolation or land disturbances to the cultural heritage resource.



Figure 48: Overlay of site plan on subject lands and approximate distance between the western property boundary and the existing adjacent cultural heritage resource (Source: MHBC, 2021).



Figures 49 & 50: (above) View of front façade of adjacent property from the west side of Richmond Street; red box indicates the approximate size of the proposed development as it would appear from the streetscape; (below) View of distance between board and board fence along western property line and adjacent cultural heritage resource (MHBC, 2022)



**Figure 51:** Coloured rendering of west elevation of proposed development, part of which is adjacent to the 224-226 Richmond Street; note the low-rise scale and use of a lighter hue of material on the first storey to the rear of the elevation (Source: Philip Agar Architect Inc., 2022).

# 9.0 Alternative Development Options and Mitigation Measures

## 9.1 Alternative Development Options

No impacts were identified in Section 7.0 of this report as a result of the redevelopment of the subject property, and therefore, alternative development options were not explored.

## 9.2 Mitigation and Conservation Measures

No impact was identified within the impact assessment in Section 7.0 of this report, therefore no mitigation or conservation measures are required.

As a precautionary measure, it is recommended that construction equipment and material not be stored at the rear property line within the vicinity of the adjacent designated properties and that drainage be monitored to ensure that excavation and changes in grading do not negatively impact the adjacent property.

# 10.0 Conclusions & Recommendations

This report determined that the subject property does not have cultural heritage value or interest and therefore, the removal of the existing building will not result in negative impacts to cultural heritage resources. Furthermore, the assessment identified that the proposed development will not result in adverse impacts to the adjacent designated properties at 224 and 226 Richmond Street, London, Ontario.

As a precautionary measure, it is recommended that construction equipment and material not be stored at the rear property line within the vicinity of the adjacent designated properties and that drainage be monitored to ensure that excavation and changes in grading do not negatively impact the adjacent properties during construction.

It is recommended that the property at 180 Simcoe Street (identified as 178-180 Simcoe Street in the *City of London's Register of Cultural Heritage Resources*) be removed from the municipal heritage register to allow for demolition of the existing building on-site, which is determined not to be of cultural heritage value or interest, and permit redevelopment of the site.

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# Appendix A– Maps



**Location Map**

180 Simcoe St  
 City of London  
 County of Middlesex

**LEGEND**

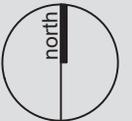
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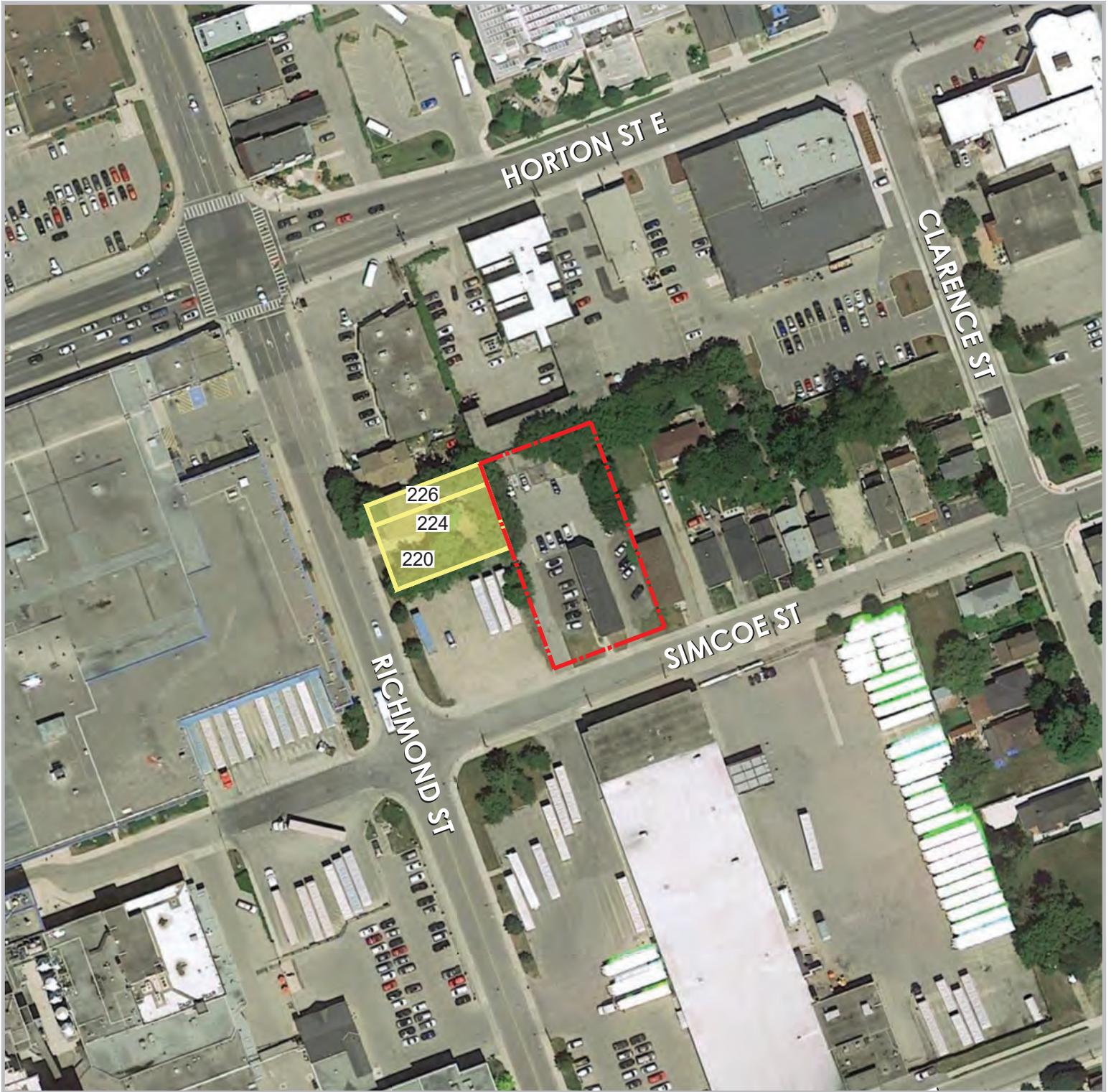


K:\1094BT - 180 SIMCOE ST. LONDON\RPT\LOCATION.DWG



**PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE**

200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9  
 P: 519.576.3650 F: 519.576.0121 | WWW.MHBCPLAN.COM



**Listed Properties**

180 Simcoe St  
 City of London  
 County of Middlesex

**LEGEND**

-  Subject Property
-  Listed Property on the City of London's Register of Cultural Heritage Resources

**DATE:** March 2022

**SCALE:** 1: 1,000

**FILE:** 1094BT

**DRAWN:** LC



K:\1094BT - 180 SIMCOE ST. LONDON\RP\LISTED PROPERTY.DWG



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 & LANDSCAPE  
 ARCHITECTURE**

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**Site Plan Overlay**

**LEGEND**

 Subject Property

**DATE:** March 2022

**SCALE:** 1: 750

**FILE:** 1094BT

**DRAWN:** LC



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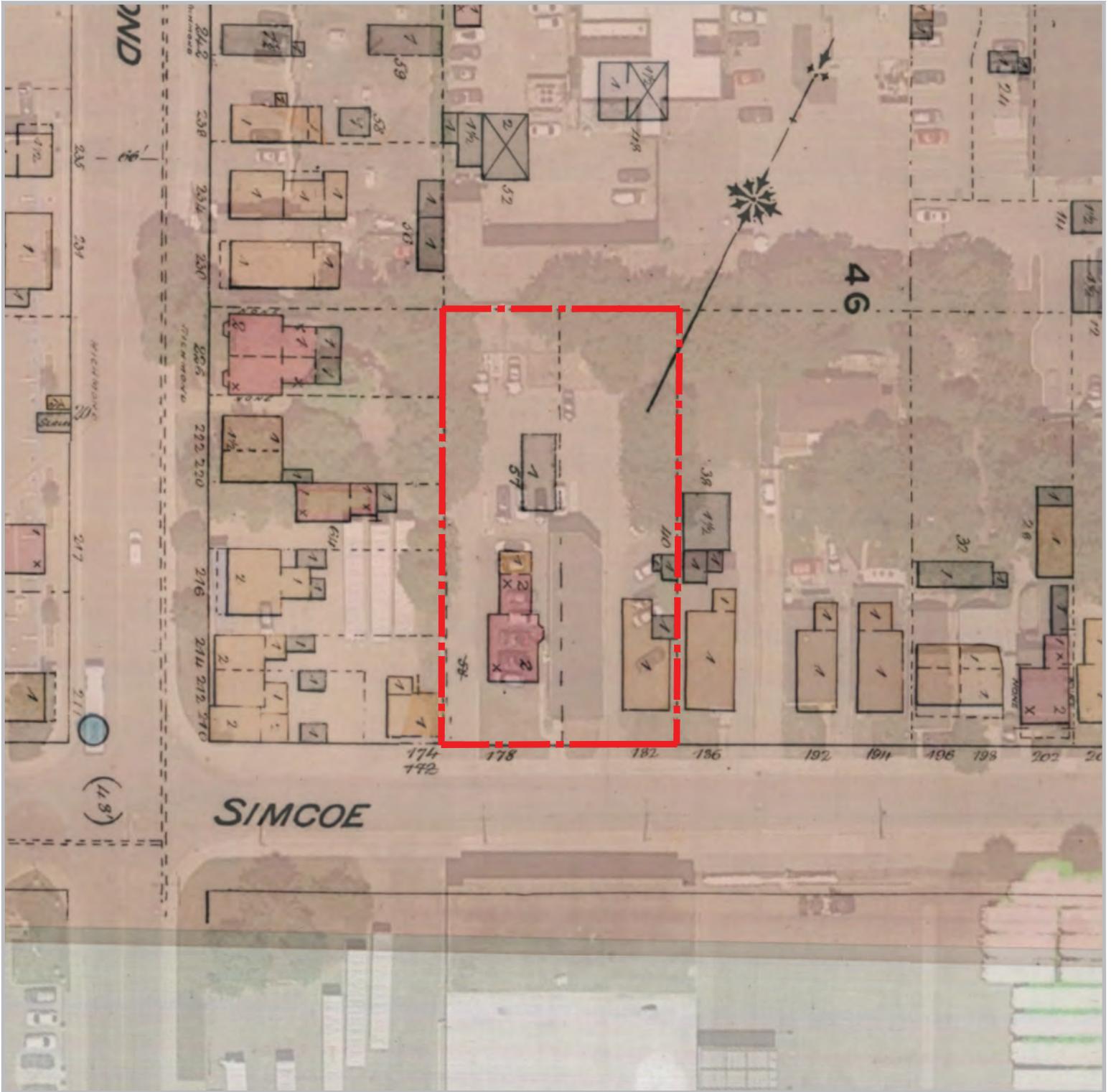
**180 Simcoe St**  
City of London  
County of Middlesex

**Note:**  
Distance from building to closest construction only approximate



**PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE**

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**Fire Insurance Plan of  
London, 1881 revised  
1888**

180 Simcoe St  
City of London  
County of Middlesex

**LEGEND**

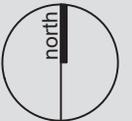
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**DRAWN:** LC



K:1094BT - 180 SIMCOE ST. LONDON\RP\FIRE INSURANCE  
PLAN.DWG

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URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE  
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**Fire Insurance Plan of  
London, 1892 revised  
1907**

180 Simcoe St  
City of London  
County of Middlesex

**LEGEND**

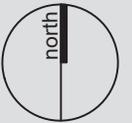
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**1922 Aerial Imagery**

**180 Simcoe St**  
City of London  
County of Middlesex

**LEGEND**

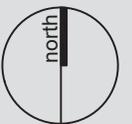
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-  Existing Building (2022)

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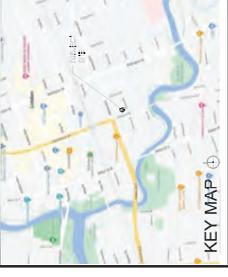
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 **PLANNING  
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& LANDSCAPE  
ARCHITECTURE**  
200-540 BINGEMANS CENTRE DR. KITCHENER, ON, N2B 3X9  
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# Appendix **B**– Site Plan and Elevations



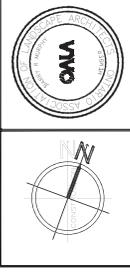
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RON KOUDDYS  
LANDSCAPE  
ARCHITECTS

DATE	DESCRIPTION	NO.
2022.03.18	ISSUE FOR PERMITS	2
2022.03.18	ISSUE FOR CONSTRUCTION	1

DATE: 2022.03.18  
DRAWING NO.: 22-123L3

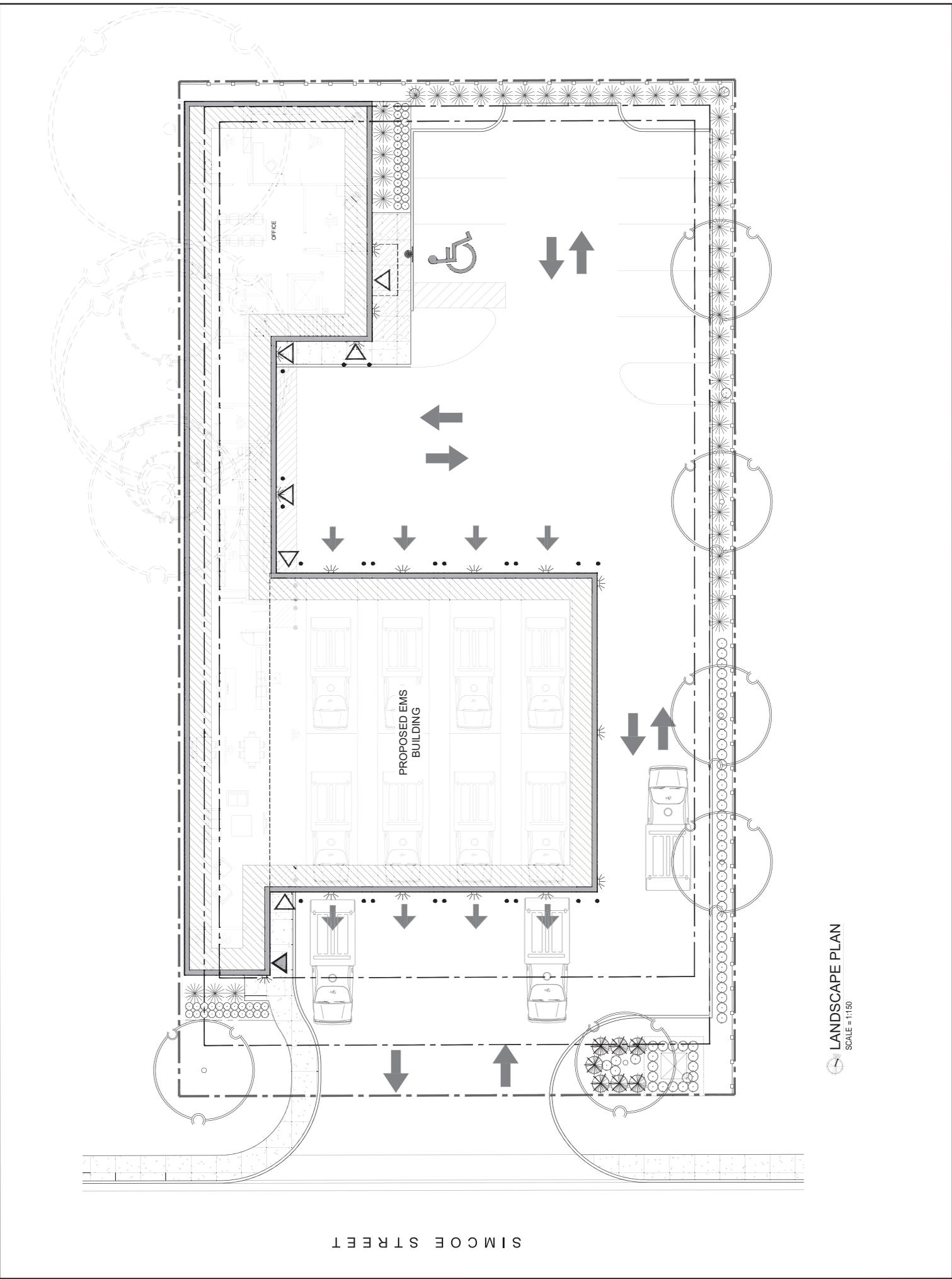
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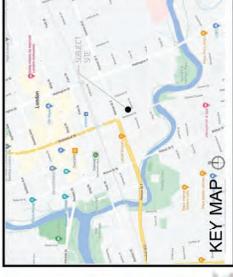
YORK  
EMS  
180 SIMCOE STREET  
LONDON, ONTARIO

PRESENTATION  
PLAN

DATE: MARCH 2022  
SCALE: 1:150  
DRAWING NO.: 22-123L3

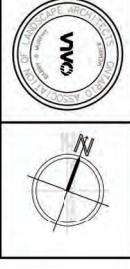


LANDSCAPE PLAN  
SCALE = 1:150



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DATE	DESCRIPTION	BY
2022.03.28	ISSUED FOR PERMITTING	RL
2022.03.16	ISSUED FOR CONSTRUCTION	RL



YORK EMS  
180 SIMCOE STREET  
LONDON, ONTARIO

PRESENTATION PLAN

DATE	AS NOTED	P-1
SCALE	DATE	



LANDSCAPE PLAN  
SCALE = 1:150







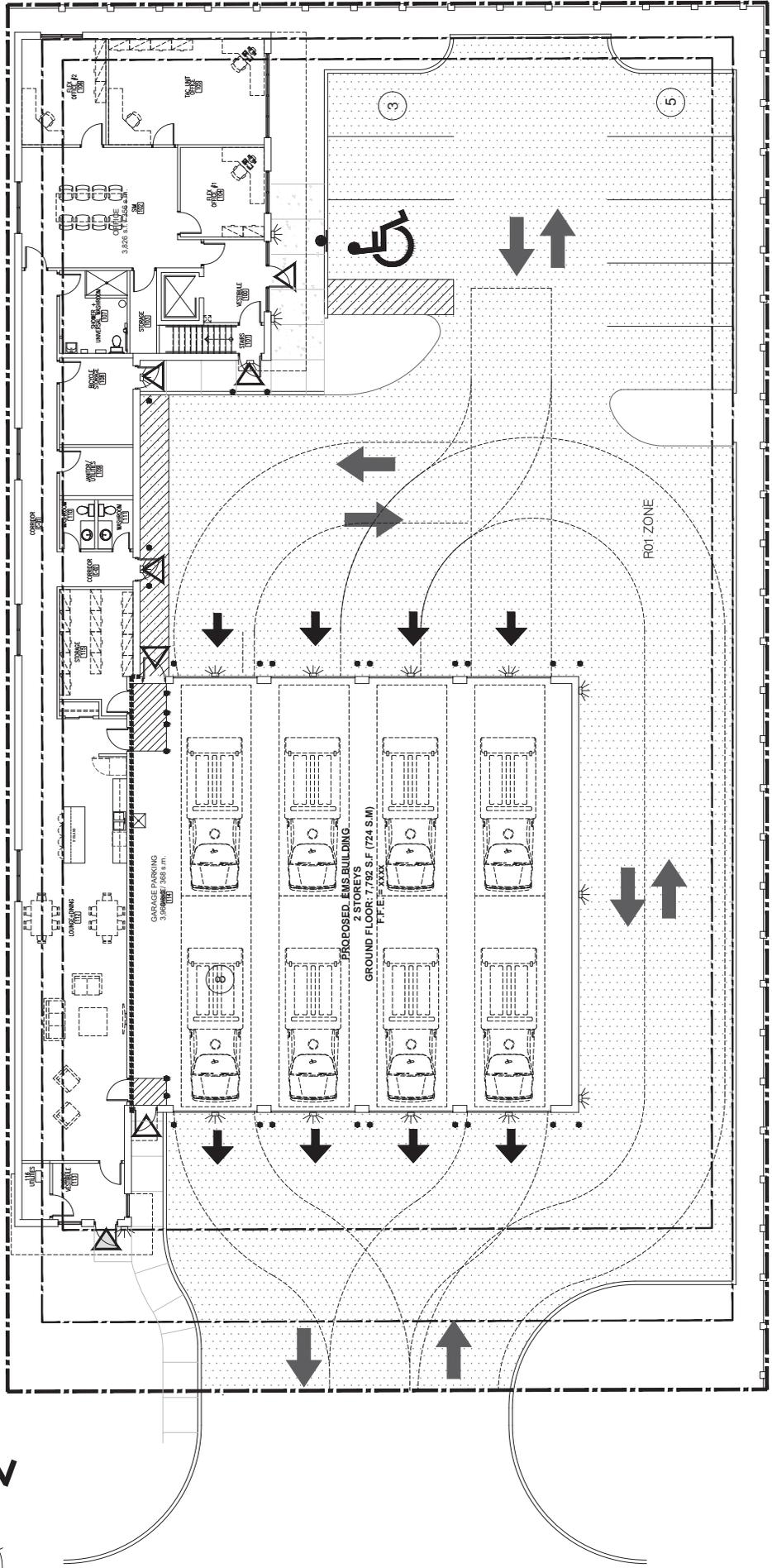
PROPOSED EMS BUILDING  
180 SIMCOE ST.  
LONDON, ONTARIO



philip agar architect inc.  
510 QUEEN ST. W., LONDON, ON N6B 1Y9  
TEL: 519 432-7988 info@agar-arch.com

1	11/16/2021	ISSUED FOR CLIENT REVIEW
2	02/02/2022	ISSUED FOR SFC

Any dimensions, unless a proposed measurement are to be confirmed on site by the contractor. The contractor shall immediately notify the architect if any discrepancy is noted. This drawing is for informational purposes only and is not to be used for construction. The architect shall not be responsible for any errors or omissions in this drawing. The architect shall not be responsible for any errors or omissions in this drawing. The architect shall not be responsible for any errors or omissions in this drawing.



SIMCOE ST



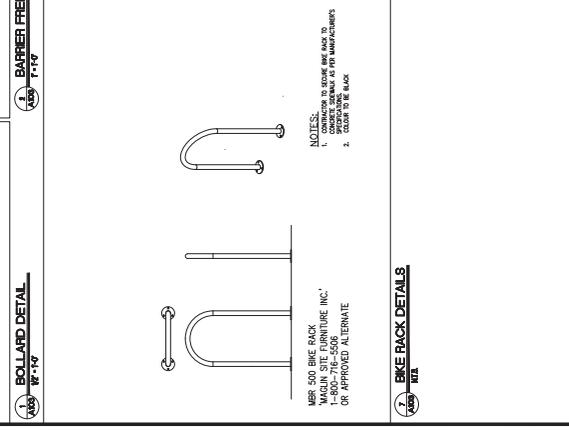
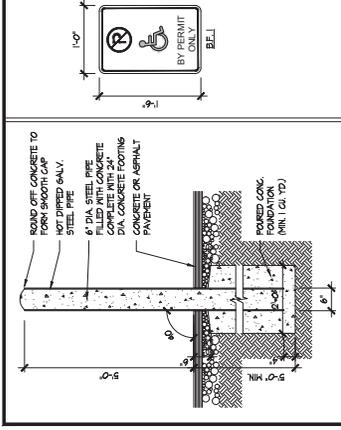
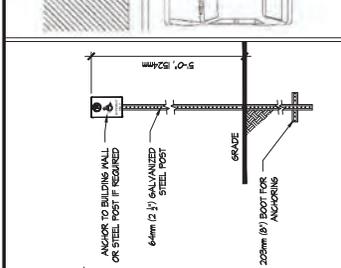
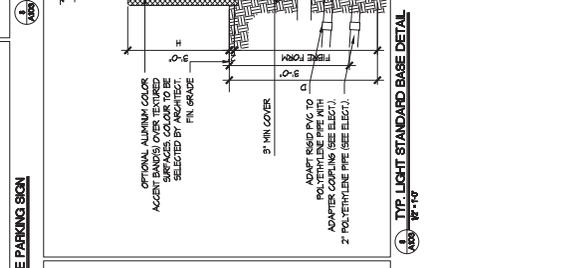
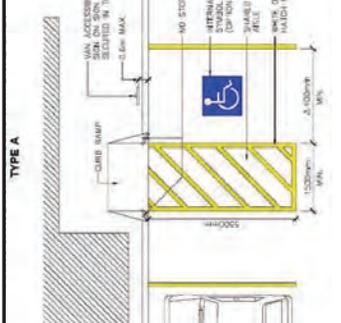
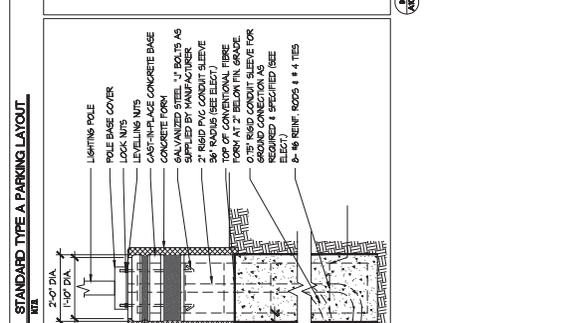
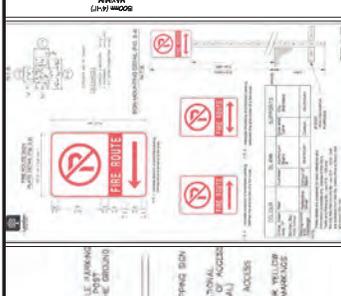
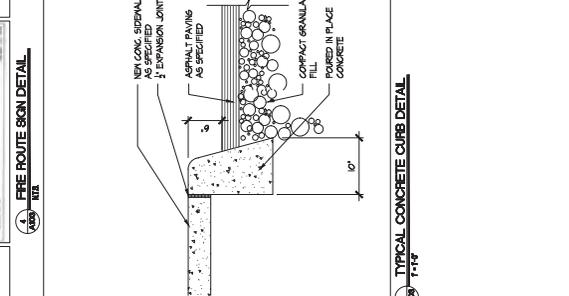
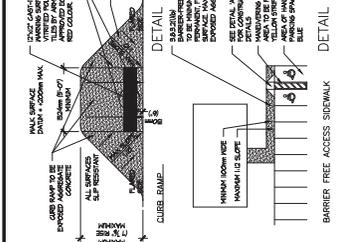
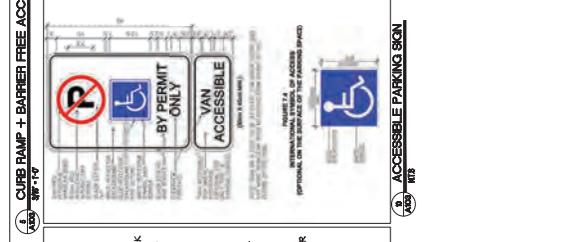
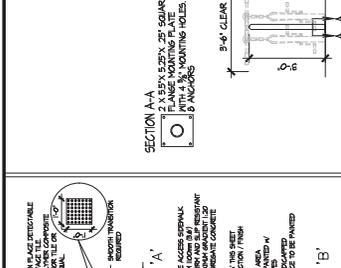
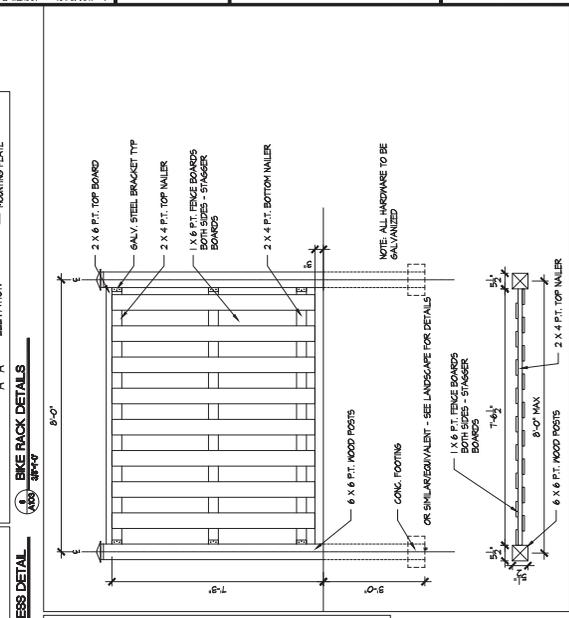
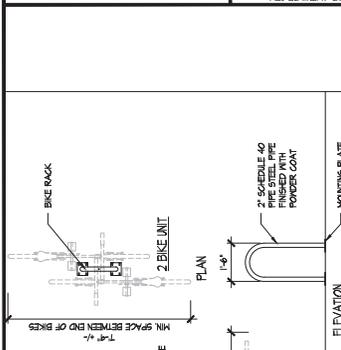
**SITE PLAN DETAILS**  
 PROPOSED EMS BUILDING  
 180 SIMCOE ST.  
 LONDON, ONTARIO



philp agar architect inc  
 philp.aga@apha.com  
 519-432-7388  
 180 Simcoe Street, London, ON N6A 1Y5

1	11/06/2021	ISSUED FOR CLIENT REVIEW
2	02/02/2022	ISSUED FOR SFC

Any dimension, unless a proposed measurement is indicated on the drawings, shall be controlled by the contractor. The contractor shall immediately notify the architect of any discrepancy in dimensions or conditions of the work or materials as shown on the drawings or as shown in the field. The drawings and the specifications shall be read in conjunction with the contract documents. This drawing is intended for construction purposes only. It is not to be used for any other purpose without the written permission of the architect. The architect shall not be held responsible for any errors or omissions in this drawing.



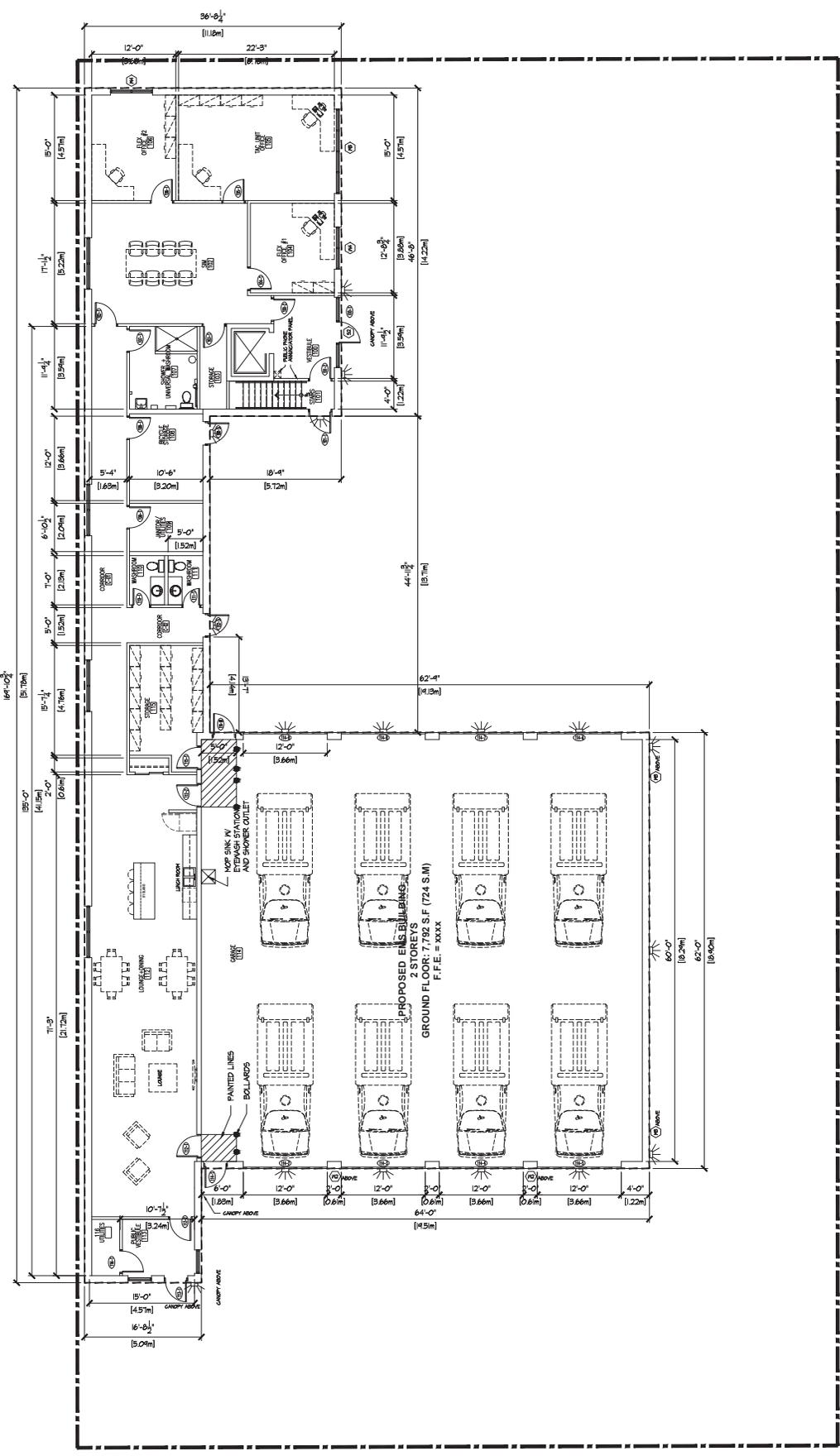


FLOOR PLAN  
 PROPOSED EMB BUILDING  
 180 SIMCOE ST.  
 LONDON, ONTARIO



philip agar architect inc.  
 phil@agar-arch.com  
 TEL: 519 432-7388  
 510 QUEEN STREET, TORONTO, ON M5G 1Y3

1	11/06/2021	ISSUED FOR CLIENT REVIEW
2	02/02/2022	ISSUED FOR SFC



A202

Dwg. No:

Project No: 1189

Date: NOV 2021



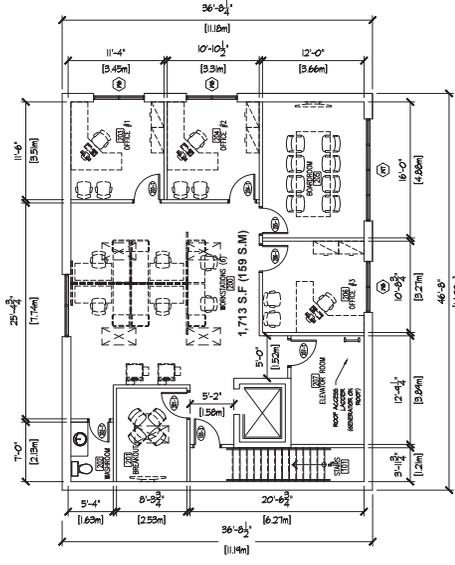
SECOND FLOOR PLAN  
PROPOSED EMB BUILDING  
180 SIMCOE ST.  
LONDON, ONTARIO



philip agar architect inc.  
info@agar-arch.com  
tel: 519 432-7388

1	11/06/2021	ISSUED FOR CLIENT REVIEW
2	02/02/2022	ISSUED FOR SFC

As survey information, existing & proposed measurements are to be confirmed on site by the contractor. The contractor shall immediately notify the architect of any discrepancies, which shall be resolved in writing or by field notes. The architect shall be responsible for the accuracy of the information provided in this drawing. The architect shall be responsible for the accuracy of the information provided in this drawing. The architect shall be responsible for the accuracy of the information provided in this drawing.







**AA AGAR**  
ARCHITECT  
philip agar architect inc



**AAA AGAR**  
ARCHITECT  
philip agar architect inc.



**AA AGAR**  
ARCHITECT  
philip agar architect inc.



**AAA AGAR**  
ARCHITECT  
philip agar architect inc



**AAA AGAN**  
ARCHITECT  
philip agar architect inc



AAA AGAR  
ARCHITECT  
philip agar architect inc.

# Appendix C- Designation By-law for 224- 226 Richmond Street, London

# Document General

Form 4 — Land Registration Reform Act

DM

D

FOR OFFICE USE ONLY

ER393127  
Oct 31/05

(1) Registry <input type="checkbox"/>	Land Titles <input checked="" type="checkbox"/>	(2) Page 1 of 2 pages
(3) Property Identifier(s) ALL of PIN 08320-0049 & 08320-0048	Block	Property Additional: See Schedule <input type="checkbox"/>
(4) Nature of Document By-law No.L.S.P.-3375-332		
(5) Consideration TWO <span style="float: right;">2.00 Dollars \$</span>		
(6) Description Part of Lot 10 North of Simcoe Street West on Crown Plan 30 in the City of London and County of Middlesex as in Instrument 857780 and Instrument 938911; and  Part of Lot 10 North of Simcoe Street West on Crown Plan 30 in the City of London and County of Middlesex as in Instrument W43940.		
(7) This Document Contains: <input type="checkbox"/>	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input type="checkbox"/>

New Property Identifiers  Additional: See Schedule

Executions  Additional: See Schedule

(8) This Document provides as follows:

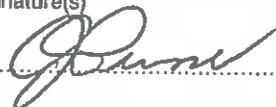
TO: THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MIDDLESEX EAST (NO. 33)

The Corporation of the City of London has an unregistered estate, right, interest or equity in the lands described herein and registered in the name of The Corporation of the City of London and hereby applies under Section 71 of the Land Titles Act, R.S.O. 1990, for the entry of a Notice of By-law in the register for the said parcel.

Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature
		Y M D
THE CORPORATION OF THE CITY OF LONDON		
James C. Purser, Deputy Clerk		2005 10 27

(11) Address for Service P.O. Box 5035, London, Ontario N6A 4L9

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature
		Y M D
PLANNING DIVISION SCANNED		

(13) Address for Service P.O. BOX 5099, LONDON ON N6A 4M8

(14) Municipal Address of Property  
N/A

(15) Document Prepared by:  
CITY CLERK'S OFFICE  
CITY OF LONDON  
P.O. BOX 5035  
LONDON ON N6A 4L9

Fees and Tax	
Registration Fee	
Total	

FOR OFFICE USE ONLY

Bill No. 357  
2005

By-law No. L.S.P.-3375-332

A by-law to designate 224-226 Richmond Street to be of historical and contextual value or interest.

WHEREAS pursuant to the *Ontario Heritage Act, R.S.O. 1990, c. 0.18*, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of historic and contextual value or interest;

AND WHEREAS notice of intention to so designate the property known as 224-226 Richmond Street has been duly published and served and no notice of objection to such designation has been received;

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

1. There is designated as being of historical and contextual value or interest, the real property at the 224-226 Richmond Street, more particularly described in Schedule "A" hereto, for the reasons set out in Schedule "B" hereto.
2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Foundation and to cause notice of this by-law to be published in the London Free Press, and to enter the description of the aforesaid property, the name and address of its registered owner, and short reasons for its designation in the Register of all properties designated under the *Ontario Heritage Act*.
4. This by-law comes into force on the day it is passed.

PASSED in Open Council on October 24, 2005.



Anne Marie DeCicco  
Mayor



Kevin Bain  
City Clerk

First Reading - October 24, 2005  
Second Reading - October 24, 2005  
Third Reading - October 24, 2005

**SCHEDULE "A"**  
**To By-law No. L.S.P.- 3375-332**

Part of Lot 10 North of Simcoe Street West on Crown Plan 30 in the City of London and County of Middlesex as in Instrument 857780 and Instrument 938911; and

Part of Lot 10 North of Simcoe Street West on Crown Plan 30 in the City of London and County of Middlesex as in Instrument W43940.

**SCHEDULE "B"**  
**To By-law No. L.S.P.-3375-332**

**Reasons for Designation - 224-226 Richmond Street**

(revised 10 October 2004)

**Historical Reasons**

Examination of City Directory information shows frequent changes in occupants at this semi-detached residence. Many of the occupants were workers in local businesses or were employed as laundresses, seamstresses and clerical workers. In the war years occupants had military connections. There seems to be a clear link to the developing downtown urban economy of London through these years with the residences providing, rental accommodation close to the workplaces.

In 1950 William Agnos purchased 224 Richmond and his daughter, Georgia, bought 226. The Agnos family is significant for both this property and neighbouring properties with which they were associated.

William Agnos,(Anagnostopoulos) himself, came to Canada in 1927 and he brought his wife, Despina, (Pinio) and their three children from Greece in 1935 to join him in London. William owned and operated for many years, until his death, the Capital Shoe Repair and Hat Cleaners business which he relocated in 1951 to 222 Richmond, another semi-detached residence which has since been damaged by fire and demolished. A shoeshine bench used in the business is now in the Museum London collection. His ties to the street were strengthened when, in 1945, he built a new home for his family at 230 Richmond.

The Agnos family is notable for several reasons. William was President of the Greek community association in 1948-1949 and he played a major part in the building of Holy Trinity Orthodox Church. He also assisted in establishing a Greek language school on Saturday mornings at Beal Secondary School.

Despina (Pinio) Agnos was also active in Greek cultural societies.

Both parents stressed the importance of education to their children. Son, John, graduated, cum laude, in 1952 from the University of Western Ontario Medical School. His subsequent medical career in radiology saw him retire as Head of Radiology from Westminster Hospital in London. John was also an active and noted environmentalist and former President of the McIlwraith Field Naturalist Society. His interest in science and the environment led him to produce a monthly column on those matters in the London Free Press until his death in 1991. To honour his life's achievement a memorial has been placed on the empty lot at 220-222 Richmond Street.

Georgia Agnos Velos, daughter of William and Pinia, has also achieved prominence as the first Greek immigrant high-school teacher in London at H.B. Beal secondary School. She has also served as President of the Daughters of Penelope, a Greek cultural society. Georgia's daughter, Pamela, became the first Canadian-born woman of Greek ancestry from London to become a medical doctor.

**Architectural Reasons**

224/226 Richmond is a two-storey, semi-detached painted brick house with a front rectangular section set on a fieldstone foundation. A rear section, also rectangular is narrower than the front. The building is in the vernacular Italianate style. A notable feature of the house front is its symmetry.

Below a hip roof, there are plain soffits around the building. The second storey of the Richmond St. exterior is broken by four windows evenly spaced across the façade. On the ground floor the building features a bay at each end, each containing a larger central window flanked by two

narrower windows. A porch joins the bays. Within the porch the two front entrances are immediately adjacent, each with a transom above.

Most windows are segmental headed and trimmed with brick voussoirs. Each has simple recessed wood trim. The upper floor windows are two over two as is the central window in each lower bay. The door openings have segmental arches topped by brick voussoirs. The door casings, framed with turned mouldings, are original.

The porch is open but contains a wooden divider separating the entrance to each residence. The porch roof is deeper than the bay windows allowing the roof edge to curve to meet the inside of the bay. The porch fascia has two rows of dentil mouldings extending across each bay. Below the fascia board is a band of turned spindles. The porch is skirted with profiled vertical boards.

### **Contextual Reasons**

224-226 Richmond, architecturally, is important as an example of an 1880's semi-detached residence stressing simplicity and functionality. It recognizes, through its occupants, the relationship of this type of residence to the central business district of the city and the work force. The Agnos family's association with this building and its neighbouring buildings illustrates, also, the emergence of the Greek ethnic community and its contributions to the fabric of London's society and culture.

# Appendix D– Pre-consultation Notes

## Heritage

Preliminary design comments

Heritage planning staff has concerns regarding, but not limited to, the following design matters:

- The extensive length and un-articulation of the wall backing on the rear yards of 224 and 226 Richmond Street.

Conditions of site plan approval – heritage planning

- A Heritage Impact Assessment (HIA)
- Council approval for demolition of the building on the property at 180 Simcoe Street

Notes:

Heritage Impact Assessment

- This assessment should respond to information requirements in the Ministry's InfoSheet #5.
- Cultural Heritage Impact Assessments (using 9/06 Regulation criteria) for 180 Simcoe Street should be a component of the HIA.
- Please be aware that conclusions of the CHER and HIA may impact the design of the proposed medical station; recommended revisions to the proposal could be an outcome.
- The Heritage Impact Assessment should be prepared by heritage planner, heritage consultant and or a member of the Canadian Association of Heritage Professionals (CAHP).
- Resumes of those involved in the preparation of the HIA should be included in the appendix.

*Heritage Impact Assessment  
180 Simcoe Street. London, ON*

# Appendix E—Curriculum Vitae



## CURRICULUM VITAE

### Dan Currie, MA, MCIP, RPP, CAHP

Dan Currie, a Partner and Managing Director of MHBC's Cultural Heritage Division, joined MHBC Planning in 2009, after having worked in various positions in the public sector since 1997 including the Director of Policy Planning for the City of Cambridge and Senior Policy Planner for the City of Waterloo.

Dan provides a variety of planning services for public and private sector clients including a wide range of cultural heritage policy and planning work including strategic planning, heritage policy, heritage conservation district studies and plans, heritage master plans, heritage impact assessments and cultural heritage landscape studies.

#### EDUCATION

2006  
Masters of Arts (Planning)  
University of Waterloo

1998  
Bachelor of Environmental Studies  
University of Waterloo

1998  
Bachelor of Arts (Art History)  
University of Saskatchewan

#### PROFESSIONAL ASSOCIATIONS

Full Member, Canadian Institute of Planners  
Full Member, Ontario Professional Planners Institute  
Professional Member, Canadian Association of Heritage Professionals

#### SELECTED PROJECT EXPERIENCE

##### Heritage Conservation District Studies and Plans

Alton Heritage Conservation District Study, Caledon (underway)  
Port Stanley Heritage Conservation District Plan (underway)  
Port Credit Heritage Conservation District Plan, Mississauga  
Town of Cobourg Heritage Conservation District Plan updates  
Rondeau Heritage Conservation District Study & Plan, Chatham Kent,  
Barriefield Heritage Conservation District Plan Update, Kingston  
Victoria Square Heritage Conservation District Study, Markham  
Bala Heritage Conservation District Study and Plan, Township of Muskoka Lakes  
Downtown Meaford Heritage Conservation District Study and Plan  
Brooklyn and College Hill Heritage Conservation District Plan, Guelph  
Garden District Heritage Conservation District Study and Plan, Toronto

##### Heritage Master Plans and Management Plans

City of Guelph Cultural Heritage Action Plan  
Town of Cobourg Heritage Master Plan  
Burlington Heights Heritage Lands Management Plan  
City of London Western Counties Cultural Heritage Plan

#### CONTACT

540 Bingemans Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x 744  
F 519 576 0121  
dcurrie@mhbcpplan.com  
www.mhbcpplan.com



## CURRICULUM **VITAE**

**Dan Currie, MA, MCIP, RPP, CAHP**

### Cultural Heritage Evaluations

MacDonald Mowatt House, University of Toronto  
City of Kitchener Heritage Property Inventory Update  
Niagara Parks Commission Queen Victoria Park Cultural Heritage Evaluation  
Designation of Main Street Presbyterian Church, Town of Erin  
Designation of St Johns Anglican Church, Norwich  
Cultural Heritage Landscape evaluation, former Burlingham Farmstead, Prince Edward County

### Heritage Impact Assessments

Heritage Impact Assessment for Pier 8, Hamilton  
Homer Watson House Heritage Impact Assessment, Kitchener  
Expansion of Schneider Haus National Historic Site, Kitchener  
Redevelopment of former industrial facility, 57 Lakeport Road, Port Dalhousie  
Redevelopment of former amusement park, Boblo Island  
Redevelopment of historic Waterloo Post Office  
Redevelopment of former Brick Brewery, Waterloo  
Redevelopment of former American Standard factory, Cambridge  
Redevelopment of former Goldie and McCullough factory, Cambridge  
Mount Pleasant Islamic Centre, Brampton  
Demolition of former farmhouse at 10536 McCowan Road, Markham

### Heritage Assessments for Infrastructure Projects and Environmental Assessments

Heritage Assessment of 10 Bridges within Rockcliffe Special Policy Area, Toronto  
Blenheim Road Realignment Collector Road EA, Cambridge  
Badley Bridge EA, Elora  
Black Bridge Road EA, Cambridge  
Heritage and Cultural Heritage Landscape Assessment of Twenty Mile Creek Arch Bridge, Town of Lincoln  
Heritage Evaluation of Deer River, Girven, Burnt Dam and MacIntosh Bridges, Peterborough County

### Conservation Plans

Black Bridge Strategic Conservation Plan, Cambridge  
Conservation Plan for Log house, Beurgetz Ave, Kitchener  
Conservation and Construction Protection Plan - 54 Margaret Avenue, Kitchener

### CONTACT

540 Bingemans Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x 744  
F 519 576 0121  
dcurrie@mhbcplan.com  
www.mhbcplan.com



## CURRICULUM VITAE

### Dan Currie, MA, MCIP, RPP, CAHP

#### Tribunal Hearings: Local Planning Appeal Tribunal & Conservation Review Board

Port Credit Heritage Conservation District (LPAT)  
Demolition 174 St Paul Street (Collingwood Heritage District) (LPAT)  
Brooklyn and College Hill HCD Plan (LPAT)  
Rondeau HCD Plan (LPAT)  
Designation of 108 Moore Street, Bradford (CRB)  
Redevelopment of property at 64 Grand Ave, Cambridge (LPAT)  
Youngblood subdivision, Elora (LPAT)  
Designation of St Johns Church, Norwich (CRB - underway)  
Designation of 27 Prideaux Street, Niagara on the Lake (CRB – underway)

#### MASTER PLANS, GROWTH MANAGEMENT STRATEGIES AND POLICY STUDIES

Town of Frontenac Islands Marysville Secondary Plan  
Niagara-on-the-Lake Corridor Design Guidelines  
Cambridge West Master Environmental Servicing Plan  
Township of West Lincoln Settlement Area Expansion Analysis  
Ministry of Infrastructure Review of Performance Indicators for the Growth Plan  
Township of Tiny Residential Land Use Study  
Port Severn Settlement Area Boundary Review  
City of Cambridge Green Building Policy  
Township of West Lincoln Intensification Study & Employment Land Strategy  
Ministry of the Environment Review of the D-Series Land Use Guidelines  
Meadowlands Conservation Area Management Plan  
City of Cambridge Trails Master Plan  
City of Kawartha Lakes Growth Management Strategy

#### DEVELOPMENT PLANNING

Provide consulting services and prepare planning applications for private sector clients for:

- Draft plans of subdivision
- Consent
- Official Plan Amendment
- Zoning By-law Amendment
- Minor Variance
- Site Plan

#### CONTACT

540 Bingemans Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x 744  
F 519 576 0121  
dcurrie@mhbcplan.com  
www.mhbcplan.com



# CURRICULUM VITAE

## Rachel Redshaw, MA, H.E. Dipl., CAHP

### EDUCATION

2014  
Master of Arts  
**World Heritage and Cultural Projects for Development**  
The International Training Centre of the ILO in partnership with the University of Turin, Politecnico di Torino, University of Paris 1 Pantheon-Sorbonne, UNESCO, ICCROM, Macquarie University

2012  
Bachelor of Arts  
**Joint Advanced Major in Celtic Studies and Anthropology**  
Saint Francis Xavier University

2011  
Higher Education Diploma  
**Cultural Development/ Gaelic Studies**  
Sabhal Mòr Ostaig, University of the Highlands and Islands

[www.linkedin.com/in/rachelredshaw](http://www.linkedin.com/in/rachelredshaw)

### CONTACT

540 Bingemans Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x751  
F 519 576 0121  
rredshaw@mhbceplan.com  
www.mhbceplan.com

Rachel Redshaw, a Heritage Planner with MHBC, joined the firm in 2018. Ms. Redshaw has a Bachelor of Arts in Anthropology and Celtic Studies and a Master of Arts in World Heritage and Cultural Projects for Development. Ms. Redshaw completed her Master's in Turin, Italy; the Master's program was established by UNESCO in conjunction with the University of Turin and the International Training Centre of the ILO. Rachel is also a professional member of the Canadian Association of Heritage Professionals.

Ms. Redshaw provides a variety of heritage planning services for public and private sector clients. Ms. Redshaw has worked for years completing cultural heritage planning in a municipal setting. She has worked in municipal building and planning departments and for the private sector to gain a diverse knowledge of building and planning in respect to how they apply to cultural heritage. Rachel enjoys being involved in the local community and has been involved in the collection of oral history, in English and Gaelic, and local records for their protection and conservation and occasionally lecturers on related topics. Her passion for history and experience in archives, museums, municipal building and planning departments supports her ability to provide exceptional cultural heritage services.

### PROFESSIONAL ASSOCIATIONS

Professional Member, Canadian Association of Heritage Professionals (CAHP)

### PROFESSIONAL HISTORY

2018 - Present	Heritage Planner, MacNaughton Hermsen Britton Clarkson Planning Limited
2018	Building Permit Coordinator, (Contract) Township of Wellesley
2018	Building Permit Coordinator (Contract) RSM Building Consultants
2017	Deputy Clerk, Township of North Dumfries
2015-2016	Building/ Planning Clerk Township of North Dumfries
2009-2014	Historical Researcher & Planner Township of North Dumfries



## CURRICULUM VITAE

Rachel Redshaw, MA, H.E. Dipl., CAHP

- |      |   |
|------|---|
| 2012 | Translator, Archives of Ontario   |
| 2012 | Cultural Heritage Events Facilitator (Reminiscence Journey) and Executive Assistant, Waterloo Region Plowing Match and Rural Expo |
| 2011 | Curatorial Research Assistant<br>Highland Village Museum/ Baile nan Gàidheal  |

### PROFESSIONAL/COMMUNITY ASSOCIATIONS

- |              |   |
|--------------|---|
| 2021-Present | Professional Member, Canadian Association of Heritage Professionals                                 |
| 2017-2020    | Member, AMCTO   |
| 2018-2019    | Member of Publications Committee, Waterloo Historical Society                                       |
| 2018         | Member, Architectural Conservancy of Ontario- Cambridge   |
| 2018 - 2019  | Secretary, Toronto Gaelic Society   |
| 2012 -2017   | Member (Former Co-Chair & Co-Founder), North Dumfries Historical Preservation Society               |
| 2011 - 2014  | Member, North Dumfries Municipal Heritage Committee   |
| 2013         | Greenfield Heritage Village Sub-committee, Doors Open Waterloo Region                               |
| 2012         | Volunteer Historical Interpreter, Doon Heritage Village, Ken Seiling Waterloo Region Museum         |
| 2008-2012    | Member, Celtic Collections, Angus L. Macdonald Library  |
| 2012-2013    | Member (Public Relations), Mill Race Folk Society   |
| 2011         | Member, University of Waterloo Sub-steering Committee for HCD Study, Village of Ayr, North Dumfries |
| 2010-2011    | Member (volunteer archivist), Antigonish Heritage Museum  |

### AWARDS / PUBLICATIONS / RECOGNITION

- |      |  |
|------|--|
| 2019 | Waterloo Historical Society Publication, <i>Old Shaw: The Story of a Kindly Waterloo County Roamer</i> |
| 2014 | Master's Dissertation, <i>The Rise of the City: Social Business Incubation in the City of Hamilton</i> |
| 2014 | Lecture, <i>A Scot's Nirvana</i> , Homer Watson House and Gallery                                      |

#### CONTACT

540 Bingham Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x751  
F 519 576 0121  
rredshaw@mhbcpplan.com  
www.mhbcpplan.com



## CURRICULUM VITAE

Rachel Redshaw, MA, H.E. Dipl., CAHP

2013	Lecture, <i>The Virtual Voice of the Past: The Use of Online Oral Accounts for a Holistic Understanding of History</i> , University of Guelph Spring Colloquium
2012-2013	Gaelic Events Facilitator, University of Guelph
2012-2015	Intermediate Gaelic Facilitator, St. Michael's College, University of Toronto
2012	<i>Nach eil ann tuilleadh: An Nòs Ùr aig nan Gàidheal</i> (BA Thesis) Thesis written in Scottish Gaelic evaluating disappearing Gaelic rites of passage in Nova Scotia.
2012	Waterloo Historical Society Publication, <i>Harvesting Bees and Feasting Tables: Fit for the Men, Women and Children of Dickie Settlement and Area, Township of North Dumfries</i>
2007-2012	25 historical publications in the Ayr News (access to some articles <a href="http://ayrnews.ca/recent">http://ayrnews.ca/recent</a> )

### PROFESSIONAL DEVELOPMENT COURSES

2021	Indigenous Relations Training Program, University of Calgary
2020	Condo Director Training Certificate (CAO)
2018	Building Officials and the Law (OBOA Course)
2017-2018	AMCTO Training (MAP 1)
2017	AODA Training
2010	Irish Archaeological Field School Certificate

### COMPUTER SKILLS

- Microsoft Word Office
- Bluebeam Revu 2017
- ArcGIS
- Keystone (PRINSYS)
- Municipal Connect
- Adobe Photoshop
- Illustrator
- ABBYY Fine Reader 11
- Book Drive

### CONTACT

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F 519 576 0121  
rredshaw@mhbcpplan.com  
www.mhbcpplan.com



# CURRICULUM VITAE

Rachel Redshaw, MA, H.E. Dipl., CAHP

## SELECT PROJECT EXPERIENCE 2018-2020

### **CULTURAL HERITAGE IMPACT ASSESSMENTS**

- Peterborough Lift Lock and Trent-Severn Waterway (TSW), National Historic Sites, Development for 380 Armour Road, City of Peterborough
- City of Waterloo Former Post Office, Development for 35-41 King Street North, City of Waterloo, Phase II
- Consumers' Gas Station B, Development for 450 Eastern Avenue, City of Toronto
- 82 Weber Street East, City of Kitchener
- 87 Scott Street, City of Kitchener
- 2348 Sovereign Street, Town of Oakville (Phase I)
- Carriage House Restaurant, 2107-2119 Old Lakeshore Road, City of Burlington
- 34 Manley Street, Village of Ayr, Township of North Dumfries
- Quinte's Isle Campark, 558 Welbanks Road, Prince Edward County (LPAT)
- 174 St. Paul Street, Town of Collingwood (LPAT)
- 30-40 Margaret Avenue, City of Kitchener
- McDougall Cottage and Historic Site, Development for 93 Grand Avenue South, City of Kitchener
- 60 Broadway, Town of Orangeville
- 45 Duke Street, City of Kitchener
- 383-385 Pearl Street, City of Burlington
- St. Patrick's Catholic Elementary School, (SPCES), 20 East Avenue South, City of Hamilton
- 2325 Sunningdale Road, City of London
- 250 Allendale Road, City of Cambridge
- 110 Deane Avenue, Town of Oakville
- 249 Clarence Street, City of Vaughan
- 2-16 Queen Street West, City of Cambridge (Hespeler)
- 660 Sunningdale Road East, City of London
- 16 Horn Street, City of London
- 2507 Dundas Street, Town of Oakville
- 496 Dundas Street, City of London,
- 20 Queen Street North, City of Kitchener
- 349 Southdale Road, City of London
- 599-610 Richmond Street, City of London

### CONTACT

540 Bingemans Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x751  
F 519 576 0121  
redshaw@mhbcpplan.com  
www.mhbcpplan.com



# CURRICULUM VITAE

Rachel Redshaw, MA, H.E. Dipl., CAHP

- 234 Eagle Street, City of Cambridge

*Specific for Relocation of Heritage Buildings*

- 1395 Main Street, City of Kitchener
- 10379 & 10411 Kennedy Road, City of Markham

**CULTURAL HERITAGE SCREENING REPORT**

- Kelso Conservation Area, Halton County

**CULTURAL HERITAGE EVALUATION REPORTS**

- 52 King Street North, City of Kitchener
- Sarnia Collegiate Institute and Technical School (SCITS), 275 Wellington, City of Sarnia (Municipal contingency study)
- 10536 McCowan Road, City of Markham
- Former Burns Presbyterian Church, 155 Main Street, Town of Erin (Designation Report)
- Former St. Paul's Anglican Church, 23 Dover Street, Town of Otterville, Norwich Township (CRB)
- 6170 Fallsview Boulevard, City of Niagara Falls

**CONSERVATION PLANS**

- City of Waterloo Former Post Office, 35-41 King Street North, City of Waterloo
- 82 Weber Street East, City of Kitchener
- 87 Scott Street, City of Kitchener
- 107 Young Street, City of Kitchener (Temporary relocation)
- 1395 Main Street, City of Kitchener (Relocation)
- 10379 & 10411 Kennedy Road, City of Markham (Relocation)

*Cultural Heritage Conservation Protection Plans (Temporary protection for heritage building during construction)*

- 12 & 54 Margaret Avenue, City of Kitchener
- 45 Duke Street, City of Kitchener
- 82 Weber Street West and 87 Scott Street, City of Kitchener

**DOCUMENTATION AND SALVAGE REPORTS**

- 250 Allendale Road, City of Cambridge
- 57 Lakeport Road City of St. Catharines
- Gaslight District, 64 Grand Avenue South, City of Cambridge
- 242-262 Queen Street South, City of Kitchener (Photographic Documentation Report)

**CONTACT**

540 Bingham Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x751  
F 519 576 0121  
rredshaw@mhbcpplan.com  
www.mhbcpplan.com



# CURRICULUM VITAE

Rachel Redshaw, MA, H.E. Dipl., CAHP

- 721 Franklin Boulevard, City of Cambridge

## HERITAGE PERMIT APPLICATIONS

- 660 Sunningdale Road East, City of London (adaptive re-use of clay tile barns for commercial businesses);
- 35-41 King Street North, City of Waterloo (Old Post Office), Phase II (alteration to building with a municipal heritage easement, Section 37, OHA)
- 50-56 Weber Street West & 107 Young Street, City of Kitchener (demolition and new construction within HCD)
- 30-40 Margaret Avenue, City of Kitchener (new construction within HCD)
- 249 Clarence Street, City of Vaughan (alteration within HCD)
- 174 St. Paul Street, Town of Collingwood (demolition within HCD)

## MASTER PLANS/ HERITAGE CHARACTER STUDY

- Elgin, Central and Memorial Neighbourhoods, Municipality of Clarington

## CONTACT

540 Bingham Centre Drive,  
Suite 200  
Kitchener, ON N2B 3X9  
T 519 576 3650 x751  
F 519 576 0121  
redshaw@mhbcpplan.com  
www.mhbcpplan.com



**MHBC**  
PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

200-540 BINGEMANS CENTRE DRIVE KITCHENER / ONTARIO / N2B3X9 / T:519.576.3650 / F: 519-576-0121 / WWW.MHBCPLAN.COM

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development  
**Subject:** 258 Richmond Street  
Public Participation Meeting  
**Date:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Siv-ik Planning and Design Inc. relating to the property located at 258 Richmond Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting May 30, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (The London Plan, 2016) and the Official Plan for the City of London (1989), to change the zoning of the subject property **FROM** a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone, **TO** a Holding Business District Commercial Special Provision (h-\_\*BDC(\_)) Zone;

## Executive Summary

### Summary of Request

The property at 258 Richmond Street (the "subject lands") is recommended for rezoning from a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone to a Holding Business District Commercial Special Provision (h-\_\* BDC(\_)) Zone to permit a broader range of commercial and residential uses on the property and to recognize the existing frontage, lot coverage, vehicle parking and bicycle parking spaces. A Holding Provision is recommended to address concerns raised by the Canadian National Railway (CN Rail) that are further detailed in Appendix B of this report. No exterior alterations or physical changes to the site configuration are proposed as part of this application.

Special provisions would permit Hotel and Assembly Halls as additional permitted uses and allow; a lot frontage of 5.6m whereas 8m is required; a lot coverage of 85% whereas 70% maximum is required; 0 vehicle parking spaces whereas 4 parking spaces are required; and, 0 bicycle parking spaces whereas 2 spaces are required.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to allow a broader range of commercial and residential uses on the site that better support a "Main Street" function along Richmond Street. The proposed Amendment is not intended to facilitate the enlargement or expansion of the existing building and the special provisions are meant to recognize the existing site conditions in regard to frontage, lot coverage, and parking.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020;
2. The recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions and Urban Corridor Place Type for the SoHo Main Street Specific Segment.

3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor (MSCC)
4. The recommended amendment would facilitate the reuse of the existing building and allow a broader range of uses that are appropriate for the context of the site.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The subject lands are located northeast of the Richmond Street and Horton Street East intersection and are currently within the Central London Planning District and the Primary Transit Area. The site is currently 186.6m<sup>2</sup> with a lot frontage of 5.63m along Richmond Street and is occupied by an existing 2-storey building which is currently being used as an art gallery on the ground floor, and a legal non-conforming residential unit on the upper level. The subject lands also contain a loading area located at the rear of the existing building that is currently accessed via a laneway off Horton Street East.



Figure 1: Photo of the Front Façade of 258 Richmond Street (from Richmond Street)



Figure 2: Photo of Subject Site and rear laneway (facing North on Horton Street East)

## 1.2 Current Planning Information

- The London Plan Place Type – Urban Corridor Place Type (SoHo Main Street Specific Segment)
- Official Plan Designation – Main Street Commercial Corridor (MSCC)
- Existing Zoning – Restricted Service Commercial (RSC2/RSC3/RSC4)
- Street Frontage Classification- Rapid Transit Corridor (Richmond Street)

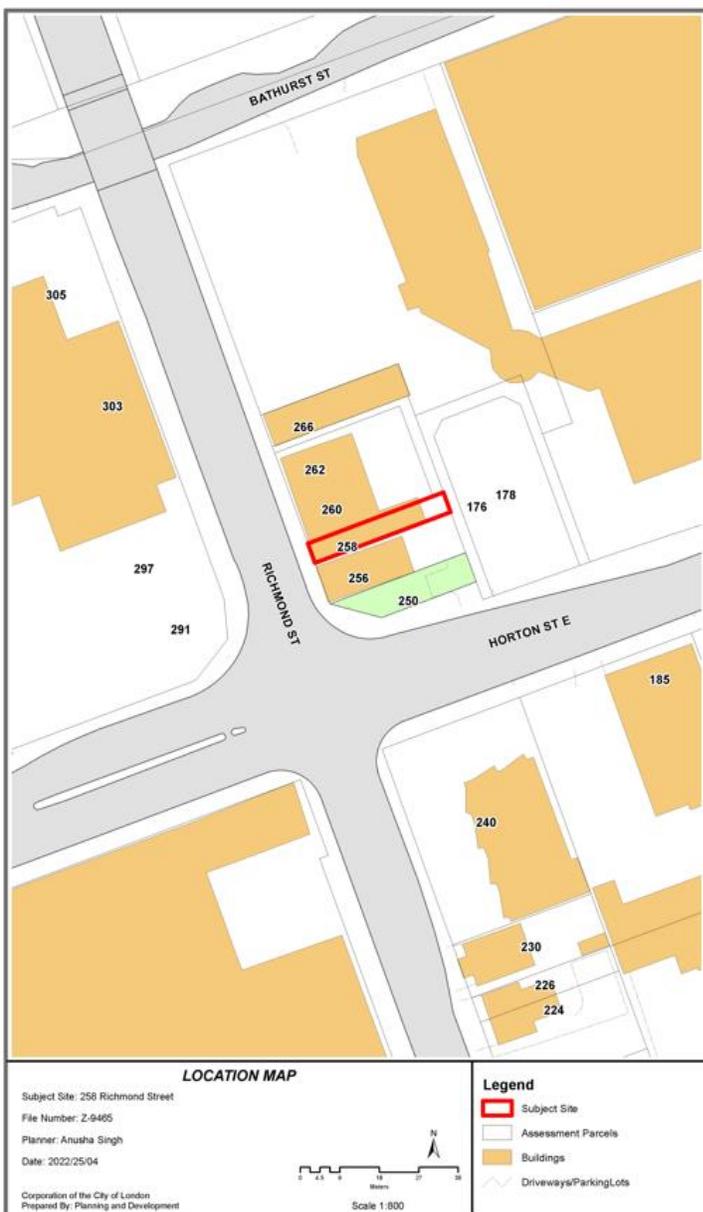
## 1.3 Site Characteristics

- Current Land Use – Existing Art Gallery and Existing Residential Unit
- Frontage – 5.63 metres
- Depth – 33.09 metres
- Area – approximately 186.62 square metres
- Shape – Long, Narrow, and Rectangular

## 1.4 Surrounding Land Uses

- North – Commercial
- East – Recreational/Parking
- South – Commercial
- West –Office/ Parking

## 1.5 Location Map



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The applicant has requested to rezone the subject lands to permit a broader range of commercial and residential uses on the property with special provisions to recognize existing site conditions. No additional development, change of use, or site alteration is proposed as part of this Amendment.

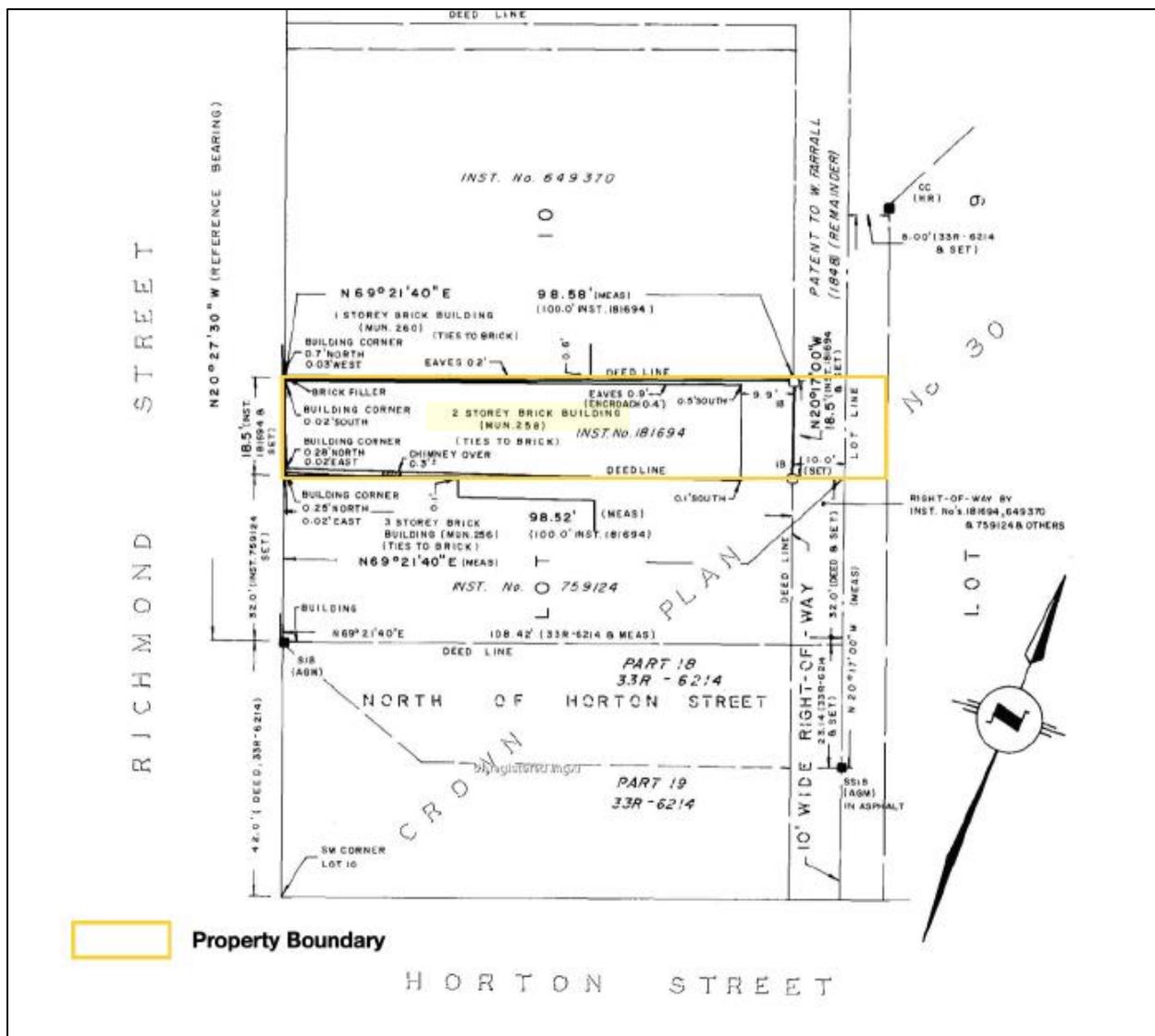


Figure 3: Existing conditions plan

### 2.2 Requested Amendment

The applicant has requested to rezone the lands to a Business District Commercial Special Provision (BDC(\_)) Zone to permit a broader range of commercial and residential uses on the property. Special provisions are requested to include Hotel and Assembly Halls as additional permitted uses, and to allow; a lot frontage of 5.6m whereas 8m is required; a lot coverage of 85% whereas 70% maximum is required; 0 vehicle parking spaces whereas 4 parking spaces are required; and, 0 bicycle parking spaces whereas 2 spaces are required. The intent of the amendment is to allow a broader range of uses for the property that better support a “Main Street” function along Richmond Street.

### 2.3 Community Engagement (see more detail in Appendix B)

Staff received one (1) comment during the public consultation period. The comment expressed concerns over the maintenance of the access from Horton Street to the properties to the immediate north. The comment expressed concern that the Amendment would result in changes or impacts to laneway which could result in a loss of access to their properties.

On March 9<sup>th</sup>, 2022, Staff addressed the comment and clarified that the proposed Amendment will not alter the external layout of the site and will not result in an expansion or alteration to the exterior of the existing building. Staff received no further comments from the public as a result of this Amendment.

## 2.4 Policy Context

### *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 celebrate and support London as a culturally rich and diverse city by:

- Revitalizing London’s downtown, urban main streets and their surrounding urban neighbourhoods to service as the hubs of London’s culturally community (Key Direction #3, Direction 9)

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development to strategic locations - along rapid transit corridors and within the Primary Transit Area.
- Plan to achieve a compact, contiguous pattern of growth – looking “inward and upward”
- Sustain, enhance, and revitalize our downtown, main streets, and urban neighbourhoods
- Mix stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods. (Key Direction #5, Directions 1, 2, 3 and 6)

The proposed rezoning supports these Key Directions by requesting permission to allow a broader range of uses that are more in line with a “Main Street” function and will assist in allowing the existing building to facilitate a mix of uses that can better serve the surrounding community.

The site is also located in the Urban Corridor Place Type within the SoHo Main Street Specific Segment as identified on \*Map 1 – Place types. The SoHo Main Street Specific

Segment permits a range of residential, retail, service, office, cultural, recreational, and institutional uses that are intended to be provided at a pedestrian-oriented and walkable neighbourhood scale.

#### *1989 Official Plan*

The subject site is designated Main Street Commercial Corridor (MSCC) in accordance with Schedule 'A' of the 1989 Official Plan. Main Street Commercial Corridors are intended to have a street-oriented form with buildings close to the street at a scale that provides for easier pedestrian movement. They include a broad range of uses, that are compatible with adjacent developments and encourage residential uses combined with a wide range of commercial uses that would help promote active street life (4.4.1).

### **3.0 Financial Impact/Considerations**

None.

### **4.0 Key Issues and Considerations**

#### **4.1 Issue and Consideration #1: 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)).

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 and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Planning authorities shall 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). Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The recommended amendment is in keeping with the PPS 2020 as it facilitates the introduction of uses that are suitable within existing site context and within the Urban Corridor Place Type. As part of this application, the proposed building is not expected to be expanded nor are site features anticipated to change from what currently exists in regard to lot coverage, parking, and frontage. The recommended Amendment contributes to an appropriate mix, and range, of uses by providing for a broader spectrum of commercial, retail and residential uses allowed on the site. These uses will help contribute to a more diverse and vibrant pedestrian streetscape whilst also continuing to provide a mix of services to the surrounding community. The amendment will also promote opportunities for economic development and community investment-readiness. Lastly, the recommended amendment provides opportunities for a greater variety of uses and services in close proximity to residential neighbourhoods, thereby reducing the number of vehicle trips.

#### **4.2 Issue and Consideration #2: Use, Intensity, and Form**

#### *1989 Official Plan*

Areas designated Main Street Commercial Corridor (MSCC) are intended to have a street-oriented form with buildings located close to the street at a scale that provides for easier pedestrian movement. The MSCC designation encourages a broad range of uses that are compatible with adjacent developments and encourage residential uses

combined with a wide range of commercial uses that would help promote active street life (4.4.1).

The BDC Zone is typically applied to corridors with a main street character. This Zone provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts. Typically, the Main Street Commercial Corridor designation is implemented through the BDC zone throughout the City. Rezoning the lands from the existing RSC zones to the proposed BDC Special Provision Zone is not anticipated to have any negative impacts and will allow a greater range of uses for the site that are more in line with a “Main Street” function and policies of the 1989 Official Plan.

### *The London Plan*

The Urban Corridor Place Type and the SoHo Main Street Specific Segment permits a broad range of residential, retail, service, office, cultural, recreational, and institutional uses that are intended to be provided at a pedestrian-oriented and walkable neighbourhood scale. (837). Mixed-use buildings that are appropriate for the site context are encouraged and a broad range of uses at a walkable neighbourhood scale will be permitted within these areas (845\_). A maximum intensity of 12 storeys, or 16 storeys with Type 2 Bonus Zoning, is contemplated in the SoHo Main Street Specific Segment (847\_2).

The London Plan also identifies that, where appropriate, block concepts should be developed to provide for rear drive lanes and to coordinate automobile access and circulation in a way that discourages vehicles from having to park or gain access to a building’s front yard (841\_). Furthermore, the Plan highlights that cultural heritage resources shall be conserved with the Cultural Heritage policies of the London Plan in accordance with the Ontario Heritage Act. Proposals adjacent to cultural heritage resources will be required to assess potential impact on these cultural heritage resources and design new development to avoid or mitigate impact. (848\_1)

The property at 258 Richmond Street is directly adjacent to a Listed Heritage Property at 256 Richmond Street. This amendment is not currently proposing to expand or alter the exterior composition of the building or site layout and instead aims to expand the uses permitted within the existing building allowing for the efficient utilization of the site. For this reason, there are no heritage implications as a result of this application and no additional impacts are anticipated on the subject lands or any of the surrounding properties.

Staff are of the opinion that rezoning the subject lands to a Business District Commercial Special Provision (BDC(\_)) Zone is in line with the above policies and will not have negative impacts on the surrounding community.

\*\* It is noted that the policies outlined in Section 837 of The London Plan are subject to appeal and are therefore informative, but not determinative, for the purpose of this application.

### **4.3 Issue and Consideration #3: Zoning**

The applicant has requested to rezone the lands from the existing Restricted Service Commercial (RSC2/RSC3/RSC4) Zone to a Business District Commercial Special Provision (BDC(\_)) Zone. The intent is to permit the wider range of uses permitted in the BDC Zone on the site as well as to include Hotels and Assembly Halls as additional permitted uses. Special Provisions are also requested to recognize the existing lot frontage of 5.6m whereas 8m is required; the existing lot coverage of 85% whereas 70% maximum is required; the existing 0 vehicle parking spaces whereas 4 parking spaces are required; and, the existing 0 bicycle parking spaces whereas 2 spaces are required.

The existing RSC zone variations permit a range of moderate intensity commercial

uses, automobile uses, and trade service uses, which often require larger amounts of land, greater space for outdoor storage, and a larger building footprint to properly operate. The subject site is approximately 186.62m<sup>2</sup> in size with a frontage of 5.63m that will unlikely allow for many of the existing automotive and trade service uses currently permitted within the existing zone to properly function on the property.

As such, staff are of the opinion that the existing RSC zones do not appropriately or effectively provide a range of commercial uses that would allow the site to serve the community at its full potential, nor do they implement the 1989 Official Plan and London Plan policies that aim to develop the Richmond Street Corridor into a vibrant, pedestrian oriented, and walkable main street. Furthermore, Business District Commercial (BDC) zones are typically meant to be applied to corridors with a main street character. The BDC zone provides for and regulates a mix of small-scale retail, restaurant, neighbourhood facility, office and residential uses and apply to areas where building can be located near the street line with parking to the rear.

Through circulation, comments were received from Canadian National Rail (CN Rail) with respect to railway noise and sensitive land uses, such as residential. The City is recommending that a Holding Provision be included as part of the proposed rezoning to address concerns raised by the CN Rail. The recommended Holding Provision will require that a noise analysis be carried out and submitted to the City by a qualified professionals at the time of a change of use permit. The holding provision would also require that any recommendations for mitigation measures within the noise analysis shall be implemented to the satisfaction of the Site Plan Approval Authority prior to the removal of the “h-” symbol.

For the reasons outlined above, staff supports the Amendment to rezone the lands from the existing Restricted Service Commercial (RSC2/RSC3/RSC4) zones to a Business District Commercial Special Provision (BDC(\_)) Zone. Staff also supports the requested special provisions to recognize the existing conditions regarding parking, lot coverage, and lot frontage as they can be considered appropriate for the use of the lands given its existing size and location. Lastly, the proposed amendment does not seek any site or building alterations as part of this application and aims to recognize the existing deficiencies.

## **Conclusion**

The recommended Amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the policies of The London Plan and the 1989 Official Plan. The recommended Amendment would facilitate the reuse of the existing building by recognizing existing site conditions and allowing a broader range of residential and commercial uses on the property which are considered appropriate and compatible within the surrounding context.

**Prepared by:** Anusha Singh  
Planner I

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

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

**Submitted by:** Scott Mathers, MPA, P. Eng  
Deputy City Manager, Planning and Economic  
Development

## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 258  
Richmond Street

WHEREAS Siv-ik Planning and Design. has applied to rezone an area of land located at 258 Richmond Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 258 Richmond Street, as shown on the attached map comprising part of Key Map No. A107, from a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone to a Holding Business District Commercial Special Provision (h-\_\*BDC(\_)) Zone.
- 2) Section Number 3.8 2) of the Holding "h" Zones section is amended by adding the following Holding Zone:

h-\_\_ 258 Richmond Street

Purpose: To prevent or minimize possible adverse effects on sensitive land uses created by the Canadian Nation Railway (Main Line), a noise analysis shall be carried out at the time of a change of use permit by a qualified professional and submitted to the City. Any recommendations contained therein for mitigation measures shall be implemented to the satisfaction of the Site Plan Approval Authority, prior to the removal of the "h-\_\_" symbol.

Permitted Interim Uses: Uses permitted in the BDC Zone other than residential

- 3) Section Number 25.4 of the Business District Commercial (BDC) is amended by adding the following Special Provision:

BDC(\_) 258 Richmond Street

a) Additional Permitted Uses:

i) Hotels and Assembly Halls

b) Regulations:

i) Lot Frontage (m) 5.6 metres  
(Minimum)

ii) Lot Coverage (maximum) 75%

iii) Off-Street Parking  
(Minimum) - Existing as of the date of the passing of this By-law for all permitted uses within the existing Gross Floor Area of the building

No additional parking spaces shall be required for conversions and/or changes of use within the existing floor area provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained. Where an addition to, or expansion of, the existing building is proposed the parking requirements of Zoning By-Law shall only

iv) Bicycle Parking  
(Minimum)

No bicycle parking requirements shall apply to the conversion of existing buildings for residential or non-residential uses

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

PASSED in Open Council on June 14, 2022

Ed Holder  
Mayor

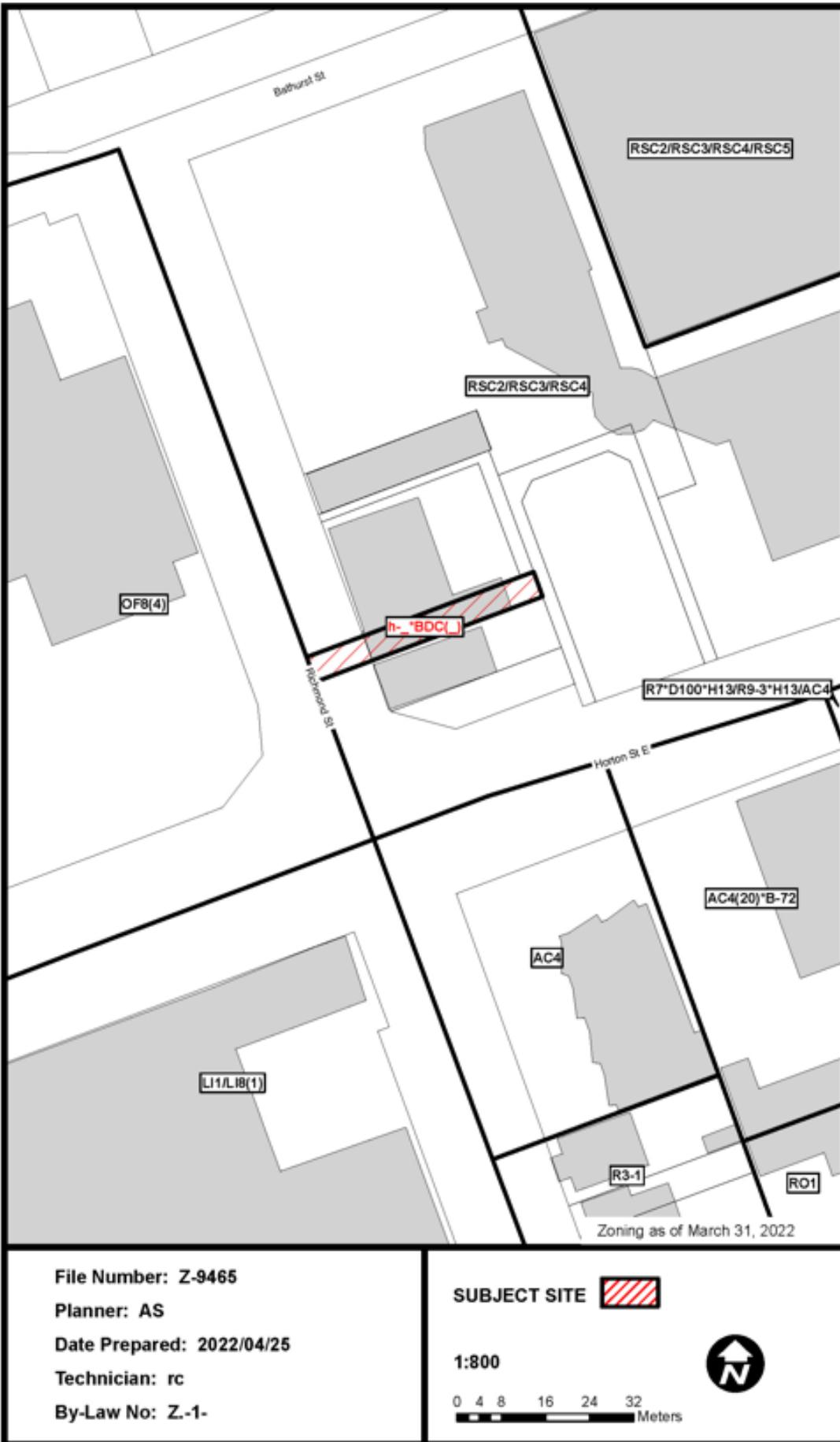
Michael Schulthess  
City Clerk

First Reading – June 14, 2022

Second Reading – June 14, 2022

Third Reading – June 14, 2022

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



File Number: Z-9465  
Planner: AS  
Date Prepared: 2022/04/25  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On February 23, 2022, Notice of Application was sent to property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 24, 2022. A “Planning Application” sign was also posted on the site.

One public comment was received and was addressed.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit A Place of Worship. Possible change to Zoning By-law Z.-1 **FROM** a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone **TO** a Business District Commercial Special Provision (BDC (□)) Zone. The following Special Provisions will apply on the site: Additional permitted uses: Hotel and Assembly Hall; lot frontage of 5.6m whereas 8m is required; lot coverage of 85% whereas 70% maximum is required; 0 vehicle parking spaces whereas 4 parking spaces are required; 0 bicycle parking spaces whereas 2 spaces are required. The City may also consider additional special provisions.

### Public Responses: 1

The Ward Councillor, on behalf of several area residents, provided the following questions and concerns with respect to this application:

- Concern over the impact of existing property access directly off Horton Street as a result of the re-zoning

### Agency/Departmental Comments

#### February 24, 2022: CN Railway

It is noted that the subject site is located in proximity to a CN railway corridor. Some of the uses proposed as part of the amendment, including dwellings/residential uses, hotels, bed and breakfast establishments and day care centres, are considered sensitive in nature. It should be noted that CN has concerns of developing/densifying residential uses in proximity to the railway right-of-way. This is due to noise, vibration and potential trespass issues that will result. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated.

Please refer to CN's guidelines below for the development of sensitive uses in proximity to railways. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area. CN urges the municipality pursue the implementation of the criterion as conditions of an eventual project approval. These policies have been developed by the Railway Association of Canada and the Federation of Canadian Municipalities. Please visit <http://www.proximityissues.ca> for more information.

1. The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 5.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
2. Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz,  $\pm 3$  dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure

living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.

3. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
4. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
5. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
6. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
7. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

#### March 21, 2022: Engineering

No comments as the application will not impact the current site servicing.

#### September 2021: Heritage

Please note that 258 Richmond St is adjacent to a LISTED property on the City's *Register* at 256 Richmond Street. Adjacencies matters have no bearing on the above pre-consultation proposal. However, if a new or adaptive re-development is proposed on the property at 258 Richmond St. in a future application, a heritage impact assessment may be required as part of a complete application.

#### February 23, 2022: Parks Planning

No comments.

#### February 23 2022: 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.

#### March 11, 2022: Transportation

No Comments

#### March 11, 2022: Transportation

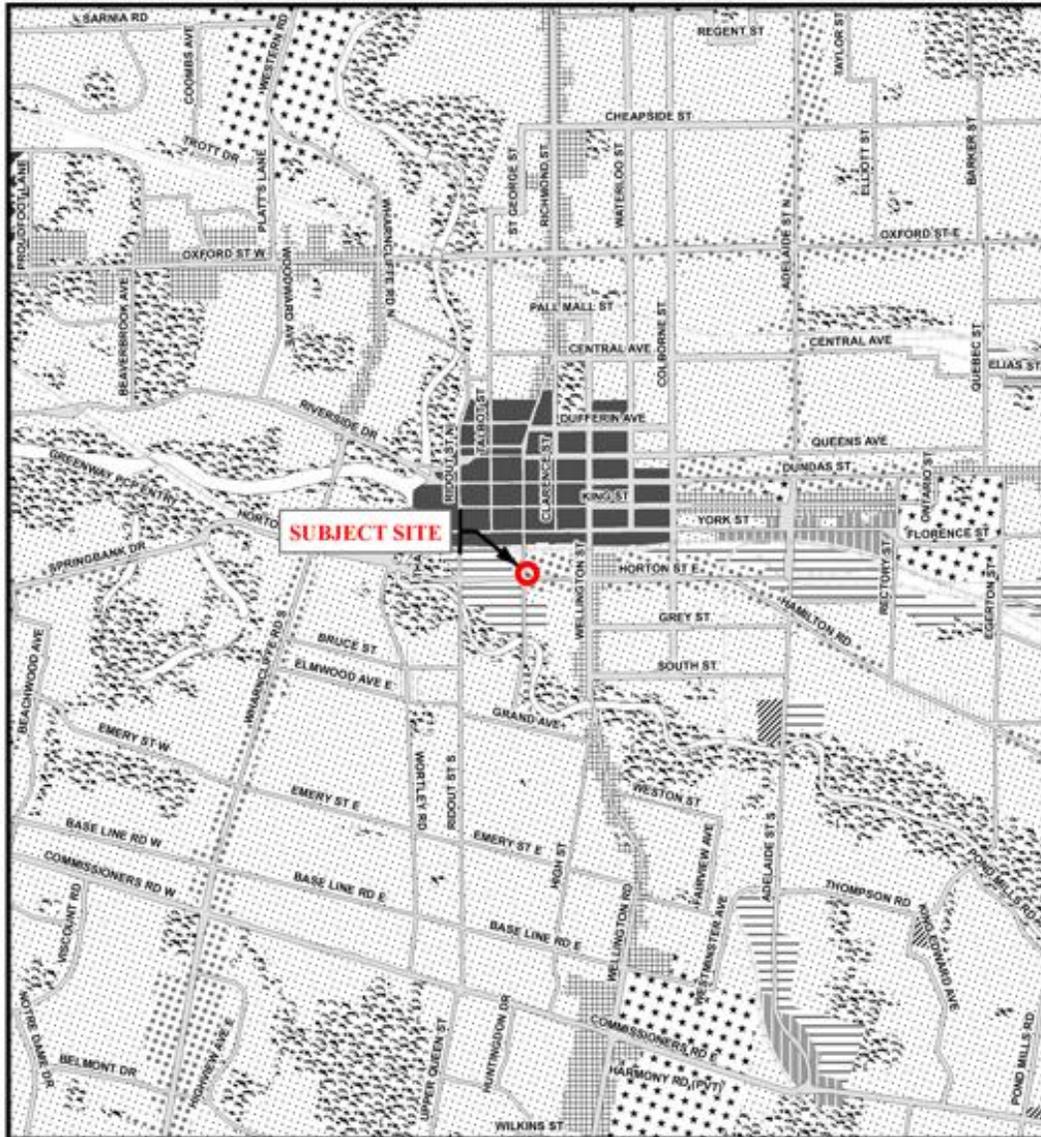
As there are not proposed changes to the building, there are no urban design related comments for 258 Richmond Street.

#### February 28, 2022: UTRCA

Please be advised that the subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. Accordingly, we have no objections or Section 28 Permit requirements.

# Appendix C – Relevant Background

## The London Plan – Map 1 – Place Types



### Legend

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

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

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

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



Scale 1:30,000



File Number: Z-9465

Planner: AS

Technician: RC

Date: April 25, 2022

1989 Official Plan – Schedule A – Land Use

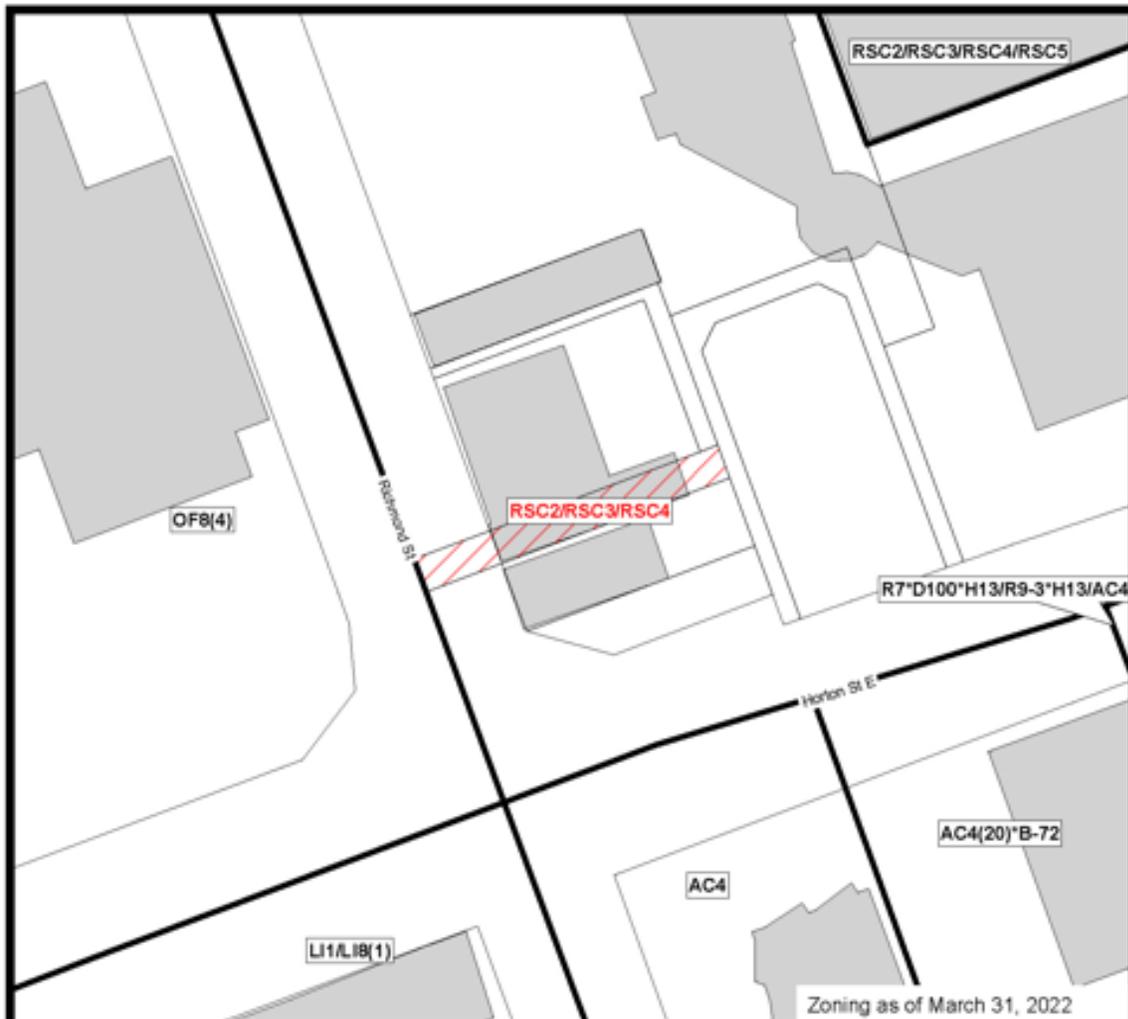


Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p><b>CITY OF LONDON</b>                  Planning Services /                  Development Services                  OFFICIAL PLAN SCHEDULE A                  - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	FILE NUMBER: Z-9465
		PLANNER: AS TECHNICIAN: RC DATE: 2022/04/25

# Zoning By-law Z-1 – Zoning Excerpt



## COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- R1 - SINGLE DETACHED DWELLINGS
- 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



FILE NO:

Z-9425

AS

MAP PREPARED:

2022/04/25

rc

1:800

0 4 8 16 24 32  
Meters

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

## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 258  
Richmond Street

WHEREAS Siv-ik Planning and Design. has applied to rezone an area of land located at 258 Richmond Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 258 Richmond Street, as shown on the attached map comprising part of Key Map No. A107, from a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone to a Holding Business District Commercial Special Provision (h-\_\*BDC(\_)) Zone.
- 2) Section Number 3.8 2) of the Holding "h" Zones section is amended by adding the following Holding Zone:

h-\_\_ 258 Richmond Street

Purpose: To prevent or minimize possible adverse effects on sensitive land uses created by the Canadian Nation Railway (Main Line), a noise analysis shall be carried out at the time of a change of use permit by a qualified professional and submitted to the City. Any recommendations contained therein for mitigation measures shall be implemented to the satisfaction of the Site Plan Approval Authority, prior to the removal of the "h-\_\_" symbol.

Permitted Interim Uses: Uses permitted in the BDC Zone other than residential

- 3) Section Number 25.4 of the Business District Commercial (BDC) is amended by adding the following Special Provision:

BDC(\_) 258 Richmond Street

a) Additional Permitted Uses:

i) Hotels and Assembly Halls

b) Regulations:

i) Lot Frontage (m) 5.6 metres  
(Minimum)

ii) Lot Coverage (maximum) 85%

iii) Off-Street Parking  
(Minimum) - Existing as of the  
date of the passing of this By-law  
for all permitted uses within  
the existing Gross Floor Area  
of the building

No additional parking  
spaces shall be required  
for conversions and/or  
changes of use within the  
existing floor area  
provided that the number  
of parking spaces which  
existed on the effective  
date of this By-law shall  
continue to be provided  
and maintained. Where  
an addition to, or  
expansion of, the existing  
building is proposed the  
parking requirements of  
Zoning By-Law shall only

iv) Bicycle Parking  
(Minimum)

No bicycle parking  
requirements shall apply to  
the conversion of existing  
buildings for residential or  
non-residential uses

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

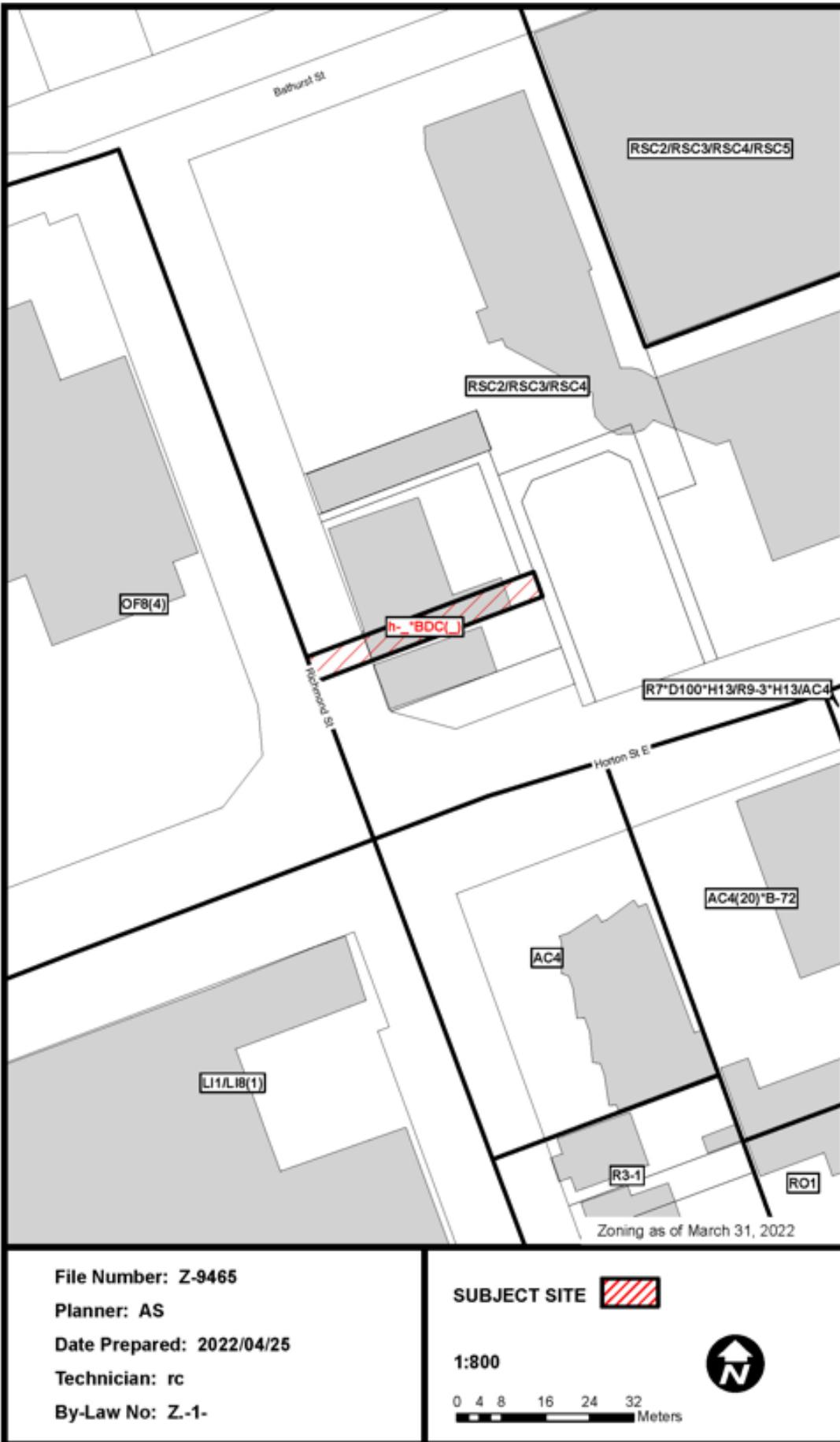
PASSED in Open Council on June 14, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – June 14, 2022  
Second Reading – June 14, 2022  
Third Reading – June 14, 2022

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



File Number: Z-9465  
Planner: AS  
Date Prepared: 2022/04/25  
Technician: rc  
By-Law No: Z.-1-

SUBJECT SITE 

1:800

0 4 8 16 24 32 Meters



## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development

**Subject:** Demolition Request for Non-Designated Built Resources on  
the Heritage Designated Property at 850 Highbury Avenue  
North – the former London Psychiatric Hospital Lands – by  
Old Oak Properties

**Date:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development with the advice of the Heritage Planner, the demolition request for the removal of (8) non-designated built resources on the heritage designated property at 850 Highbury Avenue North, **BE PERMITTED** pursuant to Section 34(1) of the Ontario Heritage Act subject to the following terms and conditions:

- a) During demolition, construction fencing and buffering of sensitive areas be implemented per Project Site Plan in Appendix C.
- b) During demolition, restrict construction routes to areas outside the treed alley.
- c) Pre-, during, and post-demolition, implement recommendations of the Pre-Construction Analysis in Appendix D.

## Executive Summary

A demolition request was submitted by Old Oak Properties on April 5, 2022, to remove (8) non-designated built resources on the heritage designated property at 850 Highbury Avenue North (the former London Psychiatric Hospital Lands). These (8) resources do not contribute to the cultural heritage value or interest of the property and are not identified in the heritage designating by-law (By-Law L-S-P-3321-208) or heritage easement registered on the property (dated January 16, 2019). Their removal will not negatively impact the cultural heritage value or interest of the property. Further, potential impacts to the remaining designated heritage resources (i.e. Chapel of Hope, Horse Stable, Infirmary, Recreation Hall, Treed Allee and Landscape Zones) will be sufficiently mitigated through construction buffering/fencing, restricting construction routes to areas outside the treed alley, and monitoring demolition vibration impacts. The demolition of these (8) non-designated built resources should be permitted 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:
  - Continuing to conserve London's heritage properties and archaeological resources.

## Analysis

### 1.0 Background Information

#### 1.1 Location

850 Highbury Avenue North is located at the southeast corner of Highbury Avenue North and Oxford Street East and is known as the former London Psychiatric Hospital lands (LPH). The rectangular-shaped property is bounded by Highbury Avenue North,

Oxford Street East, Dundas Street East and a Canadian Pacific Railway spur line. In total, the subject lands are approximately 58.13 hectares (143.64 acres) (Appendix A).

## **1.2 Cultural Heritage Status**

850 Highbury Avenue North, known as the former London Psychiatric Hospital (LPH), is a designated property pursuant Part IV of the Ontario Heritage Act. The property was designated in 2000 under Part IV of the Ontario Heritage Act by By-law No. L.S.P.-3321-208 and includes 23 buildings and number of natural landscape resources (Appendix B and Appendix F). Four of the buildings have been identified as having cultural heritage value or interest (CHVI): the Chapel of Hope (1884), Horse Stable (1894), Infirmary (1902), and the Recreation Hall (ca.1920), along with landscape features such as remnants of a ring road and a circular drive, open space, remnants of an ornamental landscape containing mature plantings of black walnut trees and the grand, tree-lined Allée. There are many more built resources that do not contribute to the cultural heritage value or interest of the property. Some of these built resources are the subject of this demolition request. A Heritage Conservation Easement agreement, dated January 16, 2019, is registered on the property with the Ontario Heritage Trust (Appendix G).

## **1.3 Property Description**

The London Psychiatric Hospital was first established as the London Asylum for the Insane between 1869 and 1870 and operated under a number of names over the course of its history including the Ontario Hospital London, London Psychiatric Hospital and Regional Mental Health Care Centre. The building complex and grounds are representative of innovative and humane programs in the treatment of the mentally ill that were encouraged by the Hospital's two first supervisors, Henry Landor (1870-1877) and Richard Maurice Bucke (1877-1902). Both advocated for the “moral treatment” of patients, based on compassion and respect which included ‘farming’ as a therapeutic and communal activity. Under Landor's guidance, the Hospital was designed as a working farm. Bucke improved upon Landor’s initial farm concepts and facilities by implementing an elaborate plan for the landscaping of the grounds, in keeping with his theory that beautiful surroundings were conducive to mental health.

Bucke’s innovative ideas are reflected in the original buildings and grounds of the London Psychiatric Hospital which were designed by London architect Thomas H. Tracy and was modeled after Thomas Kirkbride's landmark Pennsylvania Asylum. Four of the original buildings, along with landscape features, are particularly significant having been identified as having cultural heritage value or interest (CHVI). To start with, an expansive tree lined two-lane avenue runs from the original main entrance, north of Dundas Street to the Infirmary building. The Infirmary, built between 1900 and 1902 is a three-storey white brick building in the Victorian Style, displaying classic symmetry and balance. Another building, The Chapel of Hope, constructed by patients in 1884, is one of the only free-standing Chapel buildings within a psychiatric hospital site in Ontario. The chapel is constructed of white brick and reflects the Gothic Revival style with seven stone-capped buttresses on each side. Of note is the large stained-glass window behind the altar. A near-by two-storey brown-brick Recreation Hall (c1920) features gable ends and four small wings, two at each end, with pedimented gables. The Hall was used to host recreational activities for patients and to stage performances.

The property's landscaped grounds and farmland symbolized the key principles of the therapeutic farming approach, on which the London Psychiatric Hospital was founded. Extensive farming operations were also important to the institution’s self-sufficiency and were located on the northern portions of the site with stables, greenhouses, orchards and crop fields. Part of the farming operations was a horse stable, still standing which was constructed in 1894 in white brick with a slate roof. Although functional in its use, the stable is monumental in its scale and exhibits deliberate design intentions with regular fenestrations and classical proportions. Finally of note is the importance of the naturalized landscape with broad lawns, specimen trees and curvilinear roads and pathways that tie the built elements together.<sup>1</sup>

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<sup>1</sup> Description of the property was compiled from excerpts taken from the following sources: By-law No. L-S-P-3321-208, Julian Smith – Conservation plan (2008), Canadian Register of Historic Place – London Psychiatric Hospital, and Old Oak Properties and OHT (2019) HEA.

The subject lands at 850 Highbury Avenue North have been identified by Old Oak Properties for redevelopment and all buildings on the subject lands are currently vacant. Proposed redevelopment is to include commercial uses and a wide range of housing types, along with adaptive re-use of retained heritage buildings. Old Oak Properties has applied for an official plan and zoning by-law amendment (OZ-9324) to advance a development concept for the lands that requires amendments to the Secondary Plan for the London Psychiatric Hospital Lands (2016).

## **2.0 Discussion and Considerations**

### **2.1 Legislative and Policy Framework**

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

#### **2.1.1 Provincial Policy Statement**

Heritage conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (PPS-2020)* promotes the wise use and management of cultural heritage resources and directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved.” (Policy 2.6.1)

In addition, Policy 2.6.3 states,

“Planning authorities shall not permit development or 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.” (p31)

‘Significant’ is defined in the *PPS-2020* as, “[r]esources that have been determined to have cultural heritage value or interest.” Further, “[p]rocesses and criteria for determining cultural heritage value or interest are established by the province under the authority of the *Ontario Heritage Act*.” (p51)

Additionally, ‘conserved’ means, “[t]he identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. To ‘conserve’ may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. [...] Mitigative measures and/or alternative development approaches can be included in these plans and assessments.” (pp41-42)

#### **2.1.2 Ontario Heritage Act**

The *Ontario Heritage Act* enables municipalities to protect properties of cultural heritage value. This includes the designation of individual properties to be of cultural heritage value or interest pursuant to Section 29 (Part IV), *Ontario Heritage Act*, and groups of properties that together have cultural heritage value or interest pursuant to Section 42 (Part V), *Ontario Heritage Act*, as a Heritage Conservation District.

While the criteria for the designation of individual heritage properties are found in Policy 573\_ of *The London Plan*, the *Ontario Heritage Act* establishes process requirements for decision making.

Section 34(1), *Ontario Heritage Act*, states,

*No owner of property designated under section 29 shall do either of the following, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal:*

- 1. Demolish or remove, or permit the demolition or removal of, any of the property’s heritage attributes, as set out in the description of the property’s heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be.*
- 2. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes*

*in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be. 2019, c. 9, Sched. 11, s. 12.*

Following the receipt of a complete application [for demolition or removal of a property's heritage attributes] per Section 34(4.2) of the Ontario Heritage Act, [t]he council, after consultation with its municipal heritage committee, if one is established, and within the time period determined under subsection (4.3),

(a) shall,

(i) consent to the application,

(ii) consent to the application, subject to such terms and conditions as may be specified by the council, or

(iii) refuse the application;

(b) shall serve notice of its decision on the owner of the property and on the Trust; and

(c) shall publish its decision in a newspaper having general circulation in the municipality. 2019, c. 9, Sched. 11, s. 12.

The refusal or terms and conditions on the approval of demolition request may be appealed by the property owner to the Ontario Land Tribunal within 30-days of Municipal Council's decision.

### **2.1.3 The London Plan**

The Cultural Heritage chapter of *The London Plan* recognizes that cultural heritage resources define the City's unique identity and contribute to its continuing prosperity. *The London Plan* states that, "the quality and diversity of these resources are important in distinguishing London from other cities and make London a place that is more attractive for people to visit, live or invest in." Importantly, "our heritage resources are assets that cannot be easily replicated, and they provide a unique living environment and quality of life. Further, "by conserving them for future generations, and incorporating, adapting, and managing them, London's cultural heritage resources define London's legacy and its future." (552\_)

The cultural heritage policies of *The London Plan* are to:

"1. Promote, celebrate, and raise awareness and appreciation of London's cultural heritage resources.

2. Conserve London's cultural heritage resources so they can be passed onto our future generations.

3. Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources. Generally, the policies of *The London Plan* support the conservation and retention of significant cultural heritage resources." (554\_)

The policies of *The London Plan* support the conservation, maintenance, retention, and protection of London's cultural heritage resources [...] and Council approval for a demolition application is required as pursuant to the *Ontario Heritage Act* (Policy 590\_).

The conservation of whole buildings in-situ is encouraged, while the reasons for designation and identified attributes of the property shall not be adversely affected.

- Policy 566\_: Relocation of cultural heritage resources is discouraged. All options for on-site retention must be exhausted before relocation may be considered.
- Policy 568\_: Conservation of whole buildings on properties identified on the Register is encouraged and the retention of facades alone is discouraged. The portion of a cultural heritage resource to be conserved should reflect its significant attributes including its mass and volume.
- Policy 587\_: Where a property of cultural heritage value or interest is designated under Part IV of the Ontario Heritage Act, no alteration, removal or demolition shall be undertaken that would adversely affect the reasons for designation except in accordance with the Ontario Heritage Act.

Where demolition or irrevocable damage has occurred, documentation may be required as well as interpretive techniques are encouraged where appropriate.

- Policy 567\_: In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a cultural heritage resource is found necessary, as

determined by City Council, archival documentation may be required to be undertaken by the proponent and made available for archival purposes.

- Policy 569\_: Where, through the process established in the Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources section of this chapter and in accordance with the *Ontario Heritage Act*, it is determined that a building may be removed, the retention of architectural or landscape features and the use of other interpretive techniques will be encouraged where appropriate.
- Policy 591\_: Where a heritage designated property or a property listed on the Register is to be demolished or removed, the City will ensure the owner undertakes mitigation measures including a detailed documentation of the cultural heritage features to be lost and may require the salvage of materials exhibiting cultural heritage value for the purpose of re-use or incorporation into the proposed development.

#### **2.1.4 Designating By-Law – 850 Highbury Avenue North (No. L-S-P-3321-208) and Heritage Easement**

850 Highbury Avenue North was designated November 6, 2000, under Part IV of the *Ontario Heritage Act* by By-law No. L-S-P-3321-208. The by-law outlines historical and architectural reasons for its designation (Appendix F). Specific architectural heritage resources designated include the:

- Tree-lined Avenue (entrance off Dundas Street)
- Infirmary Building
- Recreation Hall
- Chapel
- Horse Stable

The heritage easement agreement registered between Old Oak Properties and the Ontario Heritage Trust further identifies that 850 Highbury Avenue North retains cultural heritage value or interest (CHVI) because of its physical or design values, historical or associative values, and its contextual values. Heritage attributes which support and contribute to the cultural heritage value or interest of 850 Highbury Avenue North include the:

- Chapel of Hope
- Horse Stable
- Infirmary
- Recreation Hall,

along with additional zones/areas and landscape features:

- Allee and Ring Road and Zone
- Campus Zone
- Horse Stable Zone

The heritage easement agreement further describes in detail specific heritage features associated with identified attributes and zones (Appendix G).

#### **2.2 Demolition Request and Documentation**

On April 5, 2022, a demolition request was submitted by Old Oak Properties, seeking approval to demolish (8) non-designated built resources on the heritage designated property at 850 Highbury Avenue North. The (8) non-designated built resources include the following and are identified on the site and project plans in Appendix B and C:

- Building #1 (B12013) North Pavilion Building
- Building #2 (B12150) Ontario Government Building
- Building #3 T(B16182) Tractor Barn
- Building #4 (B12016) Granary
- Building #5 (B16183) Soccer Shed
- Building #6 (B17057) Potting Shed
- Building #7 (B12033) Laundry Building
- Building #8 (B12034) Powerhouse

These demolitions are being requested because redevelopment is proposed on the subject lands and a first phase of building removals is required to accommodate Official Plan Amendment application, Draft Plan of Subdivision application, and Zoning By-Law Amendment application. Buildings #1-B12013, #2-B12150, and #3-B16182 are within future municipal right-of-ways, and Buildings #4-B12016, #5-B16183, #6-B17057, #7-B12033, and #8-B12034 are located within future development blocks. (See images in Appendix E).

Under the *Ontario Heritage Act* (Section 34), Municipal Council must pass a decision on the demolition request within 90-days of formal receipt of the request, or the request is deemed consented. The statutory deadline for decision is July 4, 2022. In accordance with Section 34(4.2) of the *Ontario Heritage Act*, the Community Advisory Committee on Planning – CACP (formerly London Advisory Committee on Heritage – LACH), is being consulted at its meeting on May 26, 2022, and it is anticipated that CACP will have a recommendation available to present at the May 30, 2022 meeting of the Planning & Environment Committee. A decision by Municipal Council is expected at the June 14, 2022, meeting. The 90-day statutory time frame for council decision will have been satisfied

### **2.3 Heritage Impact Assessment and Demolition Documentation**

A heritage impact assessment (HIA) was not required as part of a complete application for this demolition request. However, Sections 5.2.1 and 7.1.2 of the HIA submitted for the current OP/ZBA application (OZ-9324) identify potential impacts from demolition and construction activity and recommend mitigative measures (Stantec, 2022 HIA). The following potential impacts were identified:

- *There are two non-heritage buildings within 20 metres of the Horse Stable that are proposed to be demolished. Given the proximity there may be potential for land disturbances related to demolition activities (HIA, p36).*
- *There is a non-heritage building related to the 1964 complex within 35 metres of the Infirmary that is proposed to be demolished. Given the proximity there may be potential for land disturbances related to demolition activities (HIA, p 37).*
- *The demolition and construction activities related to the proposed site plan has the potential for land disturbances related to vibration impacts (HIA, p41).*

Proposed mitigation measures include:

- *Buffer zones, site plan control, and other planning mechanisms: Proposed development is within 50 metres of heritage and cultural heritage landscape features, and they are at risk for indirect impacts resulting from demolition and construction-related ground vibration. To mitigate this risk, a strategy to carry out a pre-condition survey, vibration monitoring, and post-condition survey should be considered and developed by a licensed Engineer preferably with heritage experience (HIA, p45).*
- *An engineer familiar with assessing vibration effects will review any demolition and construction activities that are to occur within 50 metres of heritage features (Infirmary, Chapel of Hope, Recreation Hall, and Horse Stable). If required, at the discretion of the Engineer, strategies to mitigate possible indirect vibration effects to a heritage feature will be taken (HIA, p I, p47).*

A pre-construction analysis for the purposes of vibration assessment/monitoring has also been prepared (EXP, 2022, Appendix D). Conclusions are as follows:

*“[...] the following buildings will require preconstruction and post-construction surveys: B12035 (Stables/Barn), B12019 (Chapel of Hope) and B12029 (Rec Hall). The demolition activity proposed is not anticipated to effect the super structure of the building, however EXP believes it would be prudent to document the pre-construction conditions prior to demolition activity, to establish the baseline conditions.*

*It is EXP’s opinion that Building B12018 (Infirmary), based on its size and construction type, along with proximity to other buildings will require a pre-construction survey and crack monitoring gauges installed, and a post-construction survey. EXP believes that the demolition activity in relatively close proximity may affect finishes and/or façade components. A vibration monitor is*

*recommended to be installed at a strategic location to verify the level of movement may potentially be induced. Vibration monitoring should also occur specifically during backfilling and/or compaction activities after demolition has been carried out.*

*The opinions above are based on proximity to adjacent buildings, building construction and conditions observed. Typically, any structure within 100ft of any demolition, vibration and/or construction activity, below grade, should be monitored. EXP recommends obtaining baseline vibration profiles to ensure that local roadway traffic is accounted for. This should be done prior to demolition activities commence. Attached is the Standard Operating Procedure for vibration level monitoring.” (EXP, 2022)*

Adequate buffering measures have been noted around the Horse Stable and Infirmary to limit impacts of adjacent demolition activity. Construction fencing will be placed around the horse stable to ensure no equipment will transverse within the established boundary.

Finally defined construction access/route(s) and working areas are identified on a Project Site Plan to ensure that heritage resources (specifically allee trees) are well separated from ingress/egress access during demolition activity. Use of roadways within the treed allee will be restricted.

### **2.2.1 Consultation**

Pursuant to Council Policy for demolition on heritage designated properties, notification of the demolition request was sent to 114 residents and property owners within 120m of the subject property, as well as community stakeholders including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League. Notice was also published in The Londoner on May 12, 2022. It is a policy and practice of Municipal Council that the demolition of heritage designated properties shall be considered at a public participation meeting before the Planning and Environment Committee. This item will be heard at the May 30, 2022 PPM of the Planning and Environment Committee.

At its meeting on April 27, 2022, the Stewardship Sub-Committee of the LACH, received a brief verbal presentation from heritage planning staff regarding the demolition request and did not object to the demolition of the eight non-heritage buildings at 850 Highbury Avenue North – noting that it excludes the horse stables, Chapel of Hope, recreation hall, Infirmary building, and tree allée.

Heritage planning staff accessed the subject lands on May 5, 2022 for the purposes of photo-documenting building exteriors, the site landscape and surrounding context.

## **3.0 Financial Impact/Considerations**

None

## **4.0 Key Issues and Considerations**

This demolition request considers the removal of (8) non-designated built resources on the heritage designated property at 850 Highbury Avenue North. These resources do not contribute to the cultural heritage value or interest of the property and are not identified in the designating bylaw or heritage easement registered on the property. Their removal will not negatively impact the cultural heritage value or interest of the property. Further, potential impacts to the remaining designated heritage resources have been identified (specifically land related disturbances due to demolition activity on the Horse Stable and Infirmary). To mitigate this risk, a strategy to carry out a pre-condition survey, vibration monitoring, and post-condition survey is proposed. A pre-construction analysis for the purposes of vibration assessment/monitoring has already been prepared and clear follow-up monitoring measures have been identified (Appendix G).

Through construction buffering/fencing, restricting construction routes to areas outside the treed allee and monitoring demolition vibration impacts through pre- during, and post- assessments, potential impacts on built and landscape heritage designated resources will be sufficiently mitigated.

## Conclusion

This demolition request considers the removal of (8) non-designated built resources on the heritage designated property at 850 Highbury Avenue North. These resources do not contribute to the cultural heritage value or interest of the property and are not identified in the heritage designating by-law (By-Law L-S-P-3321-208) or heritage easement registered on the property (dated January 16, 2019). Their removal will not negatively impact the cultural heritage value or interest of the property. Further, potential impacts to the remaining designated heritage resources (i.e. Chapel of Hope, Horse Stable, Infirmary, Recreation Hall, Treed Allee and Landscape Zones) will be sufficiently mitigated through construction buffering/fencing, restricting construction routes to areas outside the treed allee, and monitoring demolition vibration impacts. The demolition of these (8) non-designated built resources should be permitted with terms and conditions.

**Prepared by:** Laura E. Dent, M.Arch, PhD, MCIP, RPP  
Heritage Planner

**Reviewed by:** Jana Kelemen, M.Sc.Arch., MUDS, MCIP RPP  
Manager, Urban Design, and Heritage

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

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager, Planning and Economic  
Development

### Appendices

Appendix A	Property Location
Appendix B	Demolition Plan Illustrating Adjacencies and Buffering
Appendix C	Demolition Site – Project Plan
Appendix D	EXP Services Inc. (May 2, 2022). Pre-construction analysis – 850-890 Highbury Avenue North.
Appendix E	Images
Appendix F	850 Highbury Avenue North, By-law - L-S-P-3321-208
Appendix G	Heritage Easement Agreement – London Psychiatric Hospital, North Parcel (Jan 16, 2019); Schedule B1, B2 and B3

### Sources

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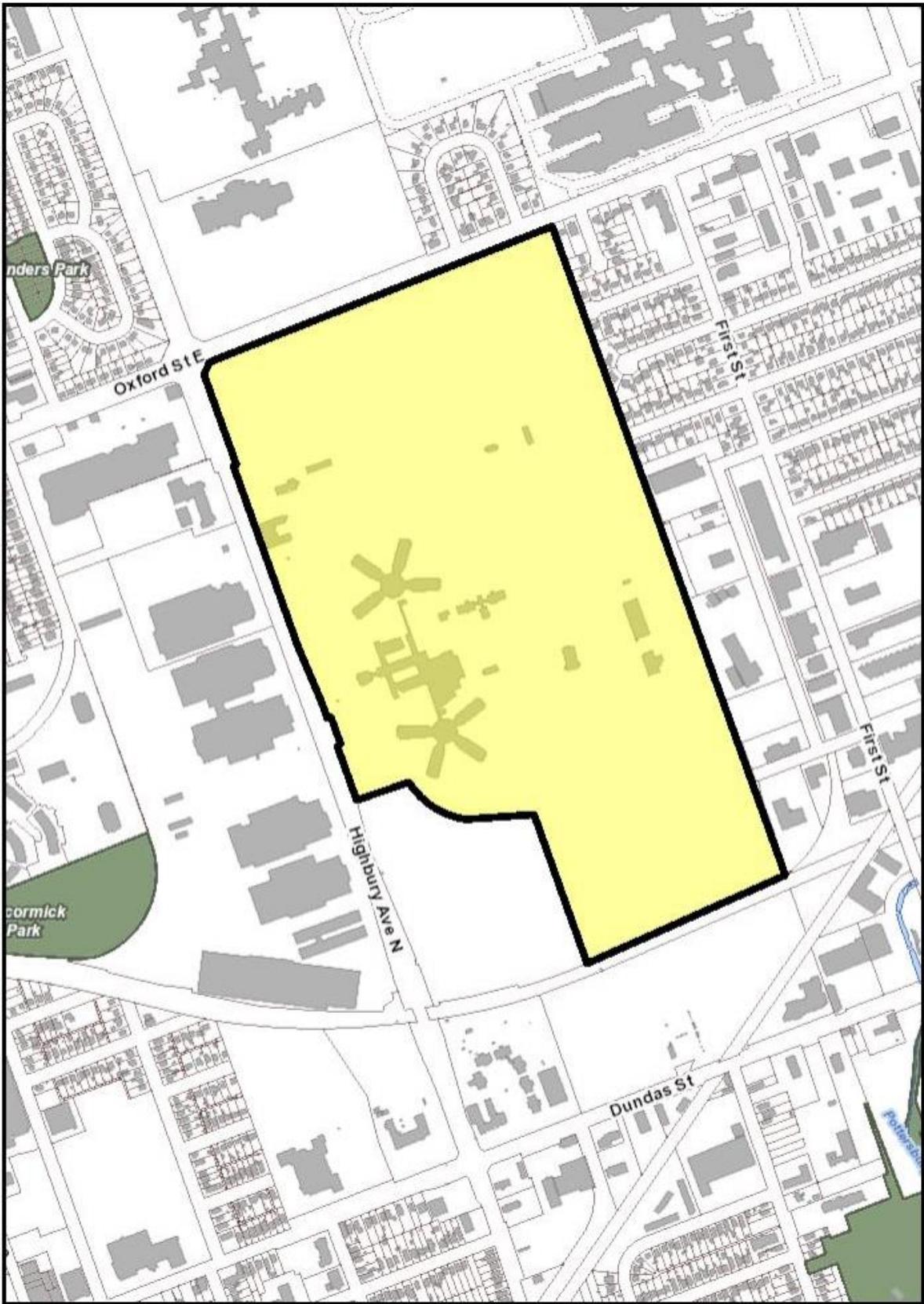
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# Appendix A – Property Location



## Location Map

Project Title: 850 Highbury Avenue N  
Description: Location Plan  
Created By: Laura Dent  
Date: 5/5/2022  
Scale: 1:8000

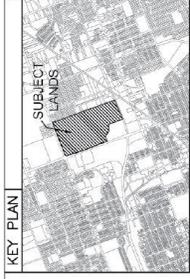
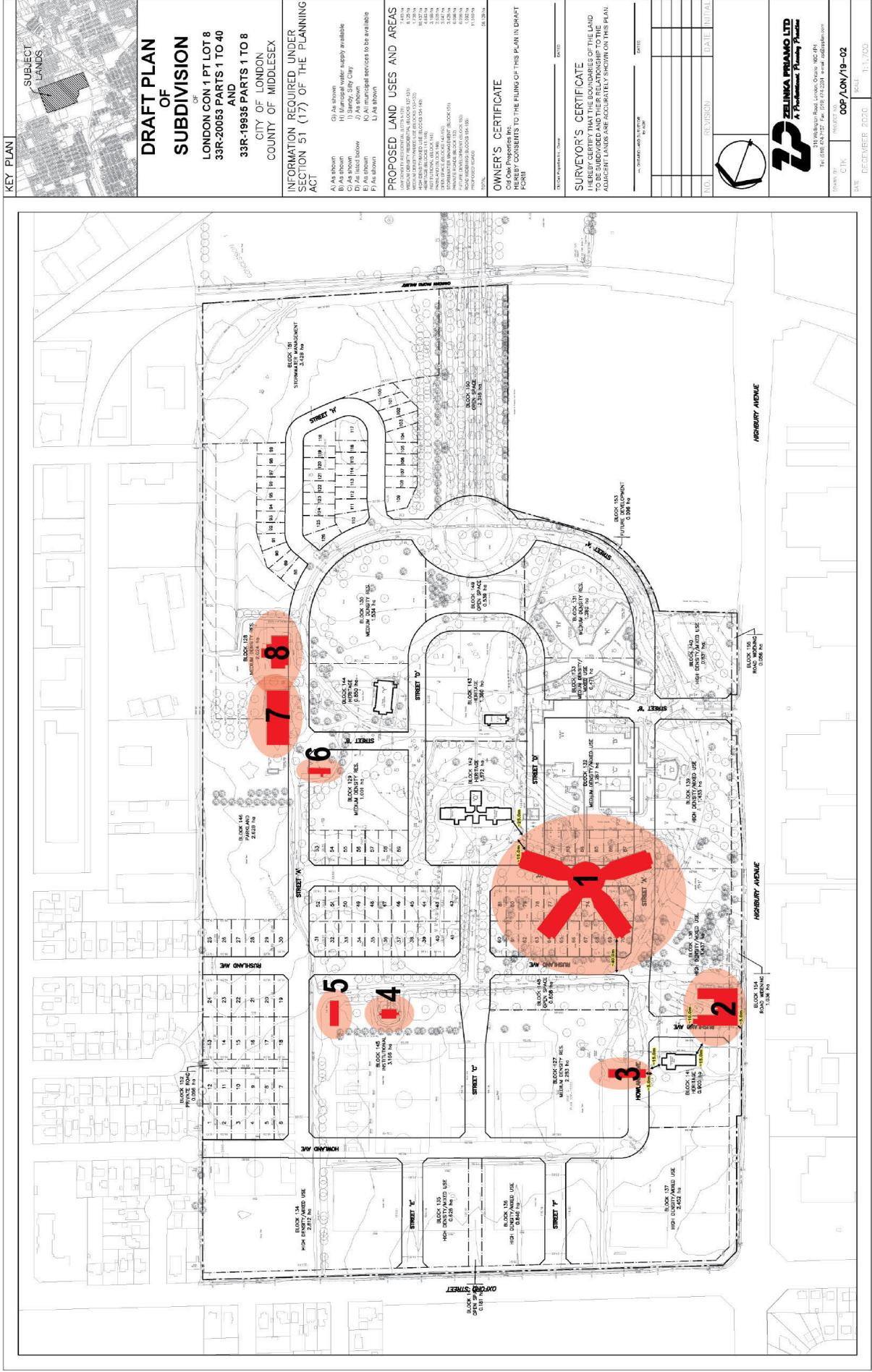
## Legend

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

Corporation of the City of London



# Appendix B – Demolition Plan Illustrating Adjacencies and Buffering



**DRAFT PLAN OF SUBDIVISION**  
 OF  
**LONDON CON 1 PT LOT 8 AND 33R-20053 PARTS 1 TO 40 AND 33R-19936 PARTS 1 TO 8**  
 CITY OF LONDON  
 COUNTY OF MIDDLESEX

**INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT**

A) As shown  
 B) As shown  
 C) As shown  
 D) As shown  
 E) As shown  
 F) As shown

G) As shown  
 H) Municipal water supply available  
 I) Sandy, Silty Clay  
 J) As shown  
 K) All municipal services to be available  
 L) As shown

**PROPOSED LAND USES AND AREAS**

RESIDENTIAL MEDIUM DENSITY (BLOCKS 127 TO 130)  
 4,128 SQ M  
 HIGH DENSITY MEDIUM USE (BLOCKS 131 TO 133)  
 14,127 SQ M  
 HIGH DENSITY MEDIUM USE (BLOCKS 134 TO 136)  
 14,127 SQ M  
 HIGH DENSITY MEDIUM USE (BLOCKS 137 TO 139)  
 14,127 SQ M  
 HIGH DENSITY MEDIUM USE (BLOCKS 140 TO 142)  
 14,127 SQ M  
 HIGH DENSITY MEDIUM USE (BLOCKS 143 TO 145)  
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 HIGH DENSITY MEDIUM USE (BLOCKS 146 TO 148)  
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 14,127 SQ M  
 HIGH DENSITY MEDIUM USE (BLOCKS 395 TO 397)  
 14,127 SQ M  
 HIGH DENSITY MEDIUM USE (BLOCKS 398 TO 400)  
 14,127 SQ M

**OWNER'S CERTIFICATE**

I, the undersigned, HEREBY CONSENTS TO THE PLING OF THIS PLAN IN DRAFT FORM

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND SHOWN ON THIS PLAN HAVE BEEN ACCURATELY SURVEYED AND THAT THE ADJACENT LANDS ARE ACCURATELY SHOWN ON THIS PLAN.

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

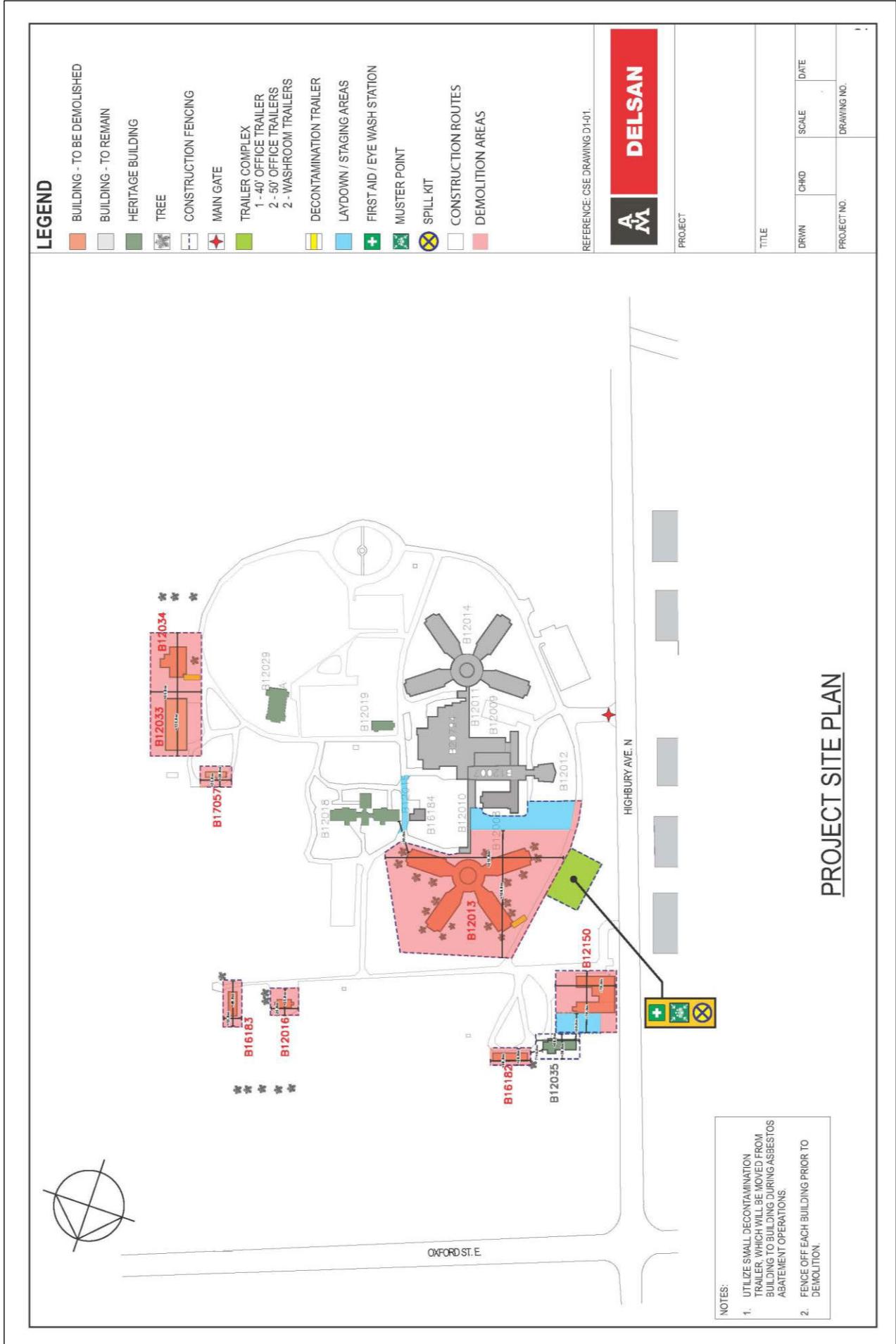
**ZELINKA PRJAMO LTD**  
 A Professional Planning Practice

235 Wellington Road, London, Ontario, N6C 4P4  
 Tel: (519) 724-7127 Fax: (519) 724-2281 e-mail: info@zplinka.com

DRAWN BY: \_\_\_\_\_ PROJECT NO: **00P/LON/19-02**

DATE: DECEMBER 2020 SCALE: 1:1,700

# Appendix C – Demolition Site – Project Plan



# Appendix D – EXP Services Inc. (May 2, 2022). Pre-construction Analysis – 850-890 Highbury Avenue North



May 2, 2022

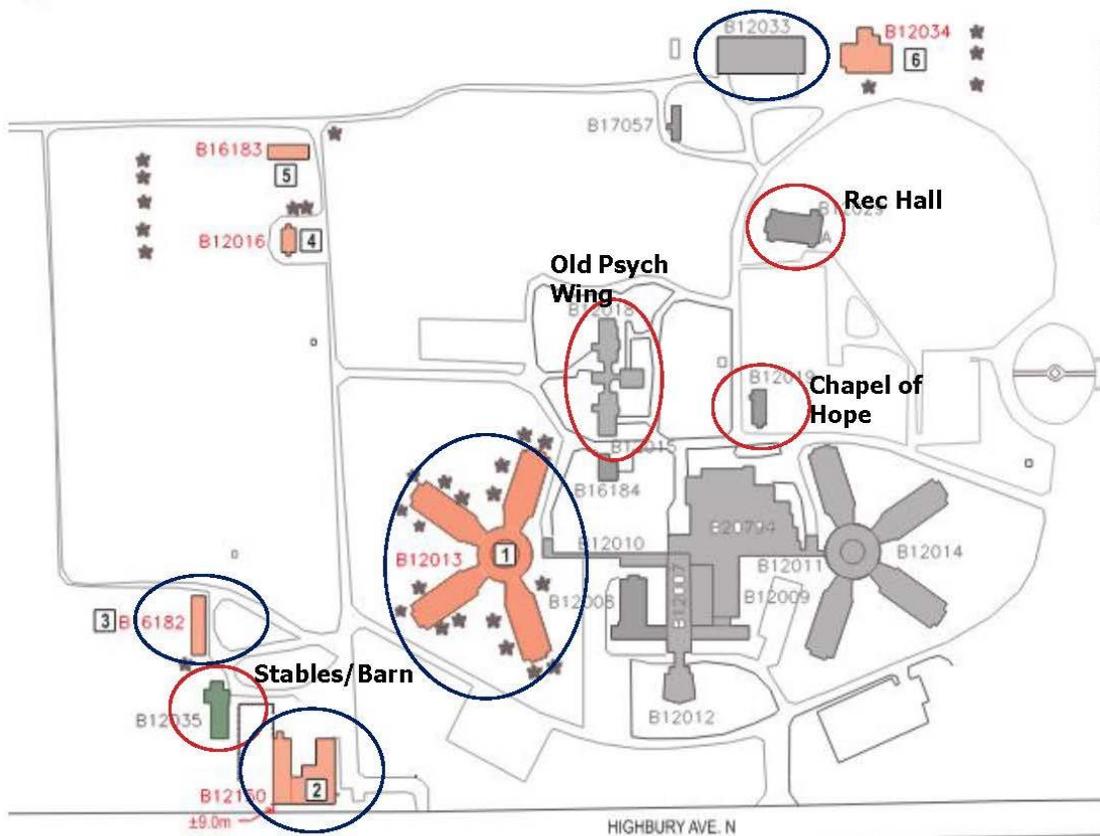
LON-22003808-A0

Mr. Michael Bierbaum  
Old Oak Properties  
150 Dufferin Ave Suite 200,  
London, ON N6A 5N6

Attention: Mr. Bierbaum

## Pre-Construction Analysis 850-890 Highbury Avenue

EXP Services Inc. (EXP) was retained by Old Oak to provide our opinion on the pre-construction condition and location of the existing heritage designated buildings relative to the proposed buildings to be demolished. The site plan provided below shows the 4 heritage designated buildings to be maintained below;



Site Plan with Heritage Buildings Circled in Red and closest building for demolition in black.

## **Buildings Reviewed**

### **B12035 (Stables/Barn):**



31.7m (104 ft) to south structure demolition activity.



18m (60ft) to north structure demolition activity.

This structure is a wood framed structure, with brick façade. the closest structure is 18m(60ft) to the north/east. Machinery being used to demolish surrounding structures, will reportedly be limited to excavators with claws.

### **B12018 (Infirmary):**



No structures on north, south or east elevations



18m (60ft) to west structure demolition activity. And 37m(120ft) to north/west structure demolition activity.

This structure is a 2 story, wood framed structure with brick/wood façade. the closest structure is 18m(60ft) to the west, with the largest demolition occurring 37m(120ft) to the north west. Machinery being used to demolish surrounding structures, will reportedly be limited to excavators with claws.

### B12019 (Chapel of Hope)



36m (118ft) to south west structure demolition activity.



30m (98ft) to west structure demolition activity.

This structure is a 1 story, gothic revival structure. It is a wood framed structure with brick façade. The closest structure is 30m to the west and is a one story wing of a proposed building to be demolished. Machinery being used to demolish surrounding structures, will reportedly be limited to excavators with claws.

### B12029 (Rec Hall):



East elevation – closest structure is +95m (315ft). no structures on south or north elevation.



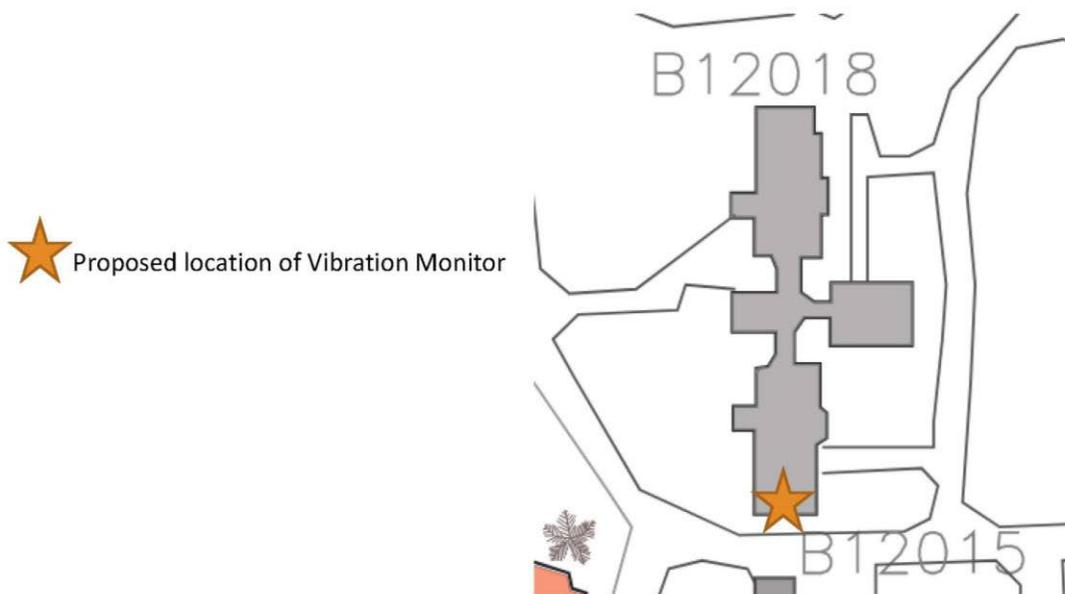
West elevation – no structures present.

The Rec hall is a 2-story, wood framed structure with brick façade and large fenestrations on all elevations. Machinery being used to demolish surrounding structures, will reportedly be limited to excavators with claws.

## Conclusions and Recommendations

Based on the above findings, it is our professional opinion that the following buildings will require pre-construction and post-construction surveys: B12035 (Stables/Barn), B12019 (Chapel of Hope) and B12029 (Rec Hall). The demolition activity proposed is not anticipated to effect the super structure of the building, however EXP believes it would be prudent to document the pre-construction conditions prior to demolition activity, to establish the baseline conditions.

It is EXP's opinion that Building B12018 (Infirmary), based on its size and construction type, along with proximity to other buildings will require a pre-construction survey and crack monitoring gauges installed, and a post-construction survey. EXP believes that the demolition activity in relatively close proximity may affect finishes and/or façade components. A vibration monitor is recommended to be installed at a strategic location to verify the level of movement may potentially be induced. Vibration monitoring should also occur specifically during backfilling and/or compaction activities after demolition has been carried out.



The opinions above are based on proximity to adjacent buildings, building construction and conditions observed.

Typically, any structure within 100ft of any demolition, vibration and/or construction activity, below grade, should be monitored.

EXP recommends obtaining baseline vibration profiles to ensure that local roadway traffic is accounted for. This should be done prior to demolition activities commence. Attached is the Standard Operating Procedure for vibration level monitoring.

EXP Services Inc  
Client: Old Oa  
850-890 Highbury Ave, O.  
Project Number: LON-22003808-A  
Date: May 2, 202

We trust that this letter is satisfactory for your present requirements and we look forward to assisting you in the completion of this project. Should you have any questions, please contact the undersigner at your convenience.

Yours very truly,

EXP Services Inc.



Anthony Travaglini, P.Eng..  
Team Lead  
Building Science



Andrew Holford, P.Eng..  
Division Manager, Cambridge  
Buildings and Materials Division

Attachments: Vibration Monitoring Standard Operation Procedures Protocol and Detection Limits

**Appendix E – Images**



Figure 1. Building #1 (B12013) North Pavilion Building, facing east – Zelinka, Mar 2022



Figure 2. Building #1 (B12013) North Pavilion Building, facing east – L Dent, May 2022



Figure 3. Building #1 (B12013) North Pavilion Building, facing south-east – Zelinka, Mar 2022



Figure 4. Building #1 (B12013) North Pavilion Building, facing east – L Dent, May 2022



Figure 5. Building #1 (B12013) North Pavilion Building, facing north-west – L Dent, May 2022



Figure 6. Building #1 (B12013) North Pavilion Building, facing north-west – L Dent, May 2022



Figure 7. Building #2 (B12150) Ontario Government Building, facing west – L Dent, May 2022



Figure 8. Building #2 (B12150) Ontario Government Building, facing south – L Dent, May 2022



Figure 9. Building #2 (B12150) Ontario Government Building, facing north-east – Zelinka, Mar 2022



Figure 10. Building #2 (B12150) Ontario Government Building, facing north-east – Zelinka, Mar 2022



Figure 11. Building #3 (B16182) Tractor Barn, facing north – Zelinka, Mar 2022



Figure 12. Building #3 (B16182) Tractor Barn, facing east – Zelinka, Mar 2022



Figure 13. Building #3 (B16182) Tractor Barn, facing south-east – Zelinka, Mar 2022



Figure 14. Building #3 (B16182) Tractor Barn, facing west – Zelinka, Mar 2022



Figure 15. Building #4 (B12016) Granary, facing north – Zelinka, Mar 2022



Figure 16. Building #4 (B12016) Granary, facing east – Zelinka, Mar 2022



Figure 17. Building #4 (B12016) Granary, facing south – Zelinka, Mar 2022



Figure 18. Building #4 (B12016) Granary, facing south-west – Zelinka, Mar 2022



Figure 19. Building #5 (B16183) Soccer Shed, facing north-east – L Dent, May 2022



Figure 20. Building #5 (B16183) Soccer Shed, facing south-west – L Dent, May 2022



Figure 21. Building #6 (B17057) Potting Shed, facing south-west – M. Greguol, May 2022



Figure 22. Building #6 (B17057) Potting Shed, facing south – M. Greguol, May 2022



Figure 23. Building #6 (B17057) Potting Shed, facing north – M. Greguol, May 2022



Figure 24. Building #6 (B17057) Potting Shed, facing north-east – M. Greguol, May 2022



Figure 25. Building #7 (B12033) Laundry Building, facing east – Zelinka, Mar 2022



Figure 26. Building #7 (B12033) Laundry Building, facing north – Zelinka, Mar 2022



Figure 27. Building #8 (B12034) Powerhouse, facing south – L Dent, May 2022



Figure 28. Building #8 (B12034) Powerhouse, facing north-east – L Dent, May 2022

**SCHEDULE "A"**

To By-law No. L.S.P.-3321-208

CON 1 Pt Lot 8 S/S Oxford E and N/S Dundas 160.35 AC

**SCHEDULE "B"**

To By-law No. L.S.P.-3321-208

**Reasons for Designation**

London Psychiatric Hospital (850 Highbury Avenue)

Historical Reasons

The first asylum in southwestern Ontario was set up in 1860 at Fort Malden, Amherstburg, as a branch of the Toronto Asylum, which was already overcrowded. Dr. Henry Landor was appointed superintendent of Fort Malden, a former military barracks converted into an asylum to house inmates and incurables. After Confederation in 1867, politicians decided to build an asylum two miles outside the London city limits. The Asylum was modeled on Thomas Kirkbride's landmark Pennsylvania Asylum. The London Asylum for the Insane opened at the present site November 18, 1870 on 300 acres of farmland. The hospital grew in size and by 1914 there were 1,130 patients. In 1968 the hospital was renamed the London Psychiatric Hospital. The hospital was joined to St. Thomas Psychiatric Hospital to operate under a single administration in 1995. The original main hospital building was demolished in 1975.

Dr. Richard Maurice Bucke was the second superintendent of the London Asylum for the Insane (1877 to 1902). Acting on his convictions that the mentally ill respond favourably to humanitarian and sympathetic treatment, he elaborated on the efforts of his predecessor, Dr. Henry Landor, to provide therapeutic activity for patients by making the asylum into a working farm. Bucke provided improved farm facilities and he created grounds that were more ornamental. He implemented an elaborate plan for the beautification of the grounds, in keeping with his theory that beautiful surroundings were conducive to mental health and provided many social occasions. He also reduced the use of alcohol and mechanical constraints as means of controlling patients. His innovative ideas are reflected in the buildings and grounds of the London Psychiatric Hospital.

Architectural Reasons

Tree-lined Avenue (entrance off Dundas Street)

Built under Bucke's supervision, (circa 1900) the original entrance to the hospital grounds is a two-lane avenue with a centre walkway lined with eight rows of elm trees. (Three rows of trees on either side of the lanes and one row on either side of the walkway) Some trees have been replaced with coniferous varieties but the form remains the same. It forms a magnificent vista north from Dundas Street to where the original hospital building stood and is still on axis with the 1902 Infirmary building further back. This was the site for patient picnics on Sundays.

Infirmary Building

Also known as the 1902 Building, Exam Building, Bucke Research Institute, Outpatient Department and Admitting Hospital, this tall Victorian three storey yellow brick building with a hip roof, is a classical example of balance and symmetry. The central surgical block is attached by two passageways to mirror-image side pavilions, each featuring a gabled projection and cupola. This classical organization is appropriately accompanied by numerous classical details like the corner quoins, the plain pediment over the front entrance, voussoirs over windows and a semi-circular window on the second level above the front entrance. Huge skylights provided light for the surgical suite on the third floor. Entrance steps have closed brick railings.

Recreation Hall

This two storey brown brick building was built around 1920 and was used to host recreational activities for patients including a basement level swimming pool (now filled in) and a stage for performances. The building has gable ends with a wide plain frieze and molding with return eaves over broad pilasters at the south end and a pediment at the north end. There are four small wings, two at each end, with pediment gables. The metal roof has two ventilators. The auditorium windows on the sides are large and tall, and are set in semi-circular headed brick panels, and each has 40

panes arranged in nine sections. The double door centre entrance way has an eight-light transom, windowed doors, small lanterns to each side, high wide front steps, and a canopy supported by chains.

#### The Chapel

The Chapel of Hope was built by patients in 1884. Originally built as an Interdenominational chapel, it was later only a Catholic place of worship since the Protestant congregation had grown so large. In 1965 it was again made into an Interdenominational chapel. This Gothic revival brick structure has seven stone-capped buttresses on each side. It has four small dormers on each side of the gable roof, each featuring a trillium shaped stained glass window. There are seven Gothic arch shaped stained glass windows on each side of the building and a large stained glass window behind the altar. The front entrance roof peak is capped with a carved stone ornament as is the two smaller side entrances.

#### Horse Stable

The 1894 horse barn located on the hospital grounds is close to Highbury Avenue and Oxford Street. It is the last remaining building of the farmyard built by Bucke. Built of white brick, white washed at the base and with a slate roof, the barn is the last of three original buildings. It was obviously intended to be functional rather than decorative but its almost monumental size, its nearly regular fenestration, its classical proportions and the picturesque effect produced by the ventilation cupolas make it a strikingly handsome building, as well as a meaningful symbol of the last vestige of the hospital's significant agricultural past.

## **Appendix G – Heritage Easement Agreement – London Psychiatric Hospital, North Parcel (Jan 16, 2019); Schedule B1, B2 and B3**

### **STATEMENT OF CULTURAL HERITAGE VALUE AND INTEREST**

#### **DESCRIPTION OF HISTORIC PLACE:**

The former London Psychiatric Hospital is located at 850 Highbury Avenue North on a 26.3-hectare (65-acre) parcel of land in the City of London. The rectangular-shaped property is bounded by Highbury Avenue North, Oxford Street East, Dundas Street East and a Canadian Pacific Railway spur line. The Former Hospital Lands contain a complex of 23 buildings and a number of landscape features. Four of the buildings have been identified as having provincial heritage value: the Chapel of Hope (1884), Horse Stable (1894), Infirmary (1902), and the Recreation Hall (ca.1920). A number of landscape features have been as identified having provincial heritage value. These include remnants of a ring road and a circular drive, open space, remnants of an ornamental landscape containing mature plantings of black walnut trees and the grand, tree-lined Allée. The facility opened in 1871 as the London Asylum for the Insane and operated under a number of names over the course of its history including the Ontario Hospital London, London Psychiatric Hospital and Regional Mental Health Care Centre.

#### **STATEMENT OF PROVINCIAL SIGNIFICANCE FOR THE LONDON PSYCHIATRIC HOSPITAL**

The London Psychiatric Hospital represents the theme of mental health treatment. Large government-run institutions such as the one in London transformed treatment of individuals with mental illness to a province-wide system. Four public asylums had opened at Toronto, London, Kingston and Hamilton by 1871. Until the middle of the 20<sup>th</sup> century, institutionalization of individuals with mental illness and developmental disabilities was a common practice and form of treatment. These institutions were self-sufficient, located in rural areas adjacent but outside of urban areas where patients<sup>1</sup> lived and received treatment. The rural location of the London Psychiatric Hospital was part of “moral therapy,” an approach to the care and treatment of mental illness popular in the mid to late nineteenth century. Moral therapy promoted activities such as gardening, woodworking, games, sewing and reading in addition to medical care. Religion was also an important aspect of moral therapy and Superintendent R.M. Bucke had the Chapel of Hope constructed using patient labour, which was also part of the treatment. As mental health care and treatments evolved, the grounds of the London Psychiatric Hospital transformed. The practice of moral therapy and use of the Kirkbride Plan (i.e. all activities take place in one centralized building) was replaced by the idea that specialized facilities for each activity were needed for patients and staff. It was at this time that the Infirmary Building was constructed as part of Superintendent R.M. Bucke’s modernization of the facility. The ideals of moral therapy led to the development of occupational therapy after the First World War.

The London Psychiatric Hospital is the only mental health facility in Ontario that has a standalone chapel. The Chapel of Hope was a core to providing moral therapy treatment. The London Psychiatric Hospital is associated with an era of mental health care when the government was constructing self-sufficient institutions built in strategic locations throughout the province. The large, segregated, self-sufficient institutional campus represents a rare aspect of Ontario’s history and is no longer used to treat individuals with mental illness.

The Allée with mature trees and the large imposing Victorian-era Infirmary contribute to the property’s visual and aesthetic importance. The Infirmary is monumental in size and the most substantial building remaining on site. Its prominent features include the tall chimneys, central block and symmetrical wings. The Infirmary’s haunting Victorian architecture has allured photographers and videographers who capture the intrinsic aesthetic beauty of the building. The horse stable also contributes to the aesthetic importance of the property and is the last remaining building associated with the property’s agricultural past. It retains a significant amount of its original design aesthetic including its distinctive ventilators. The large scale of the building and quality of materials of the stable show the importance of agriculture to the London Psychiatric Hospital.

Superintendent Richard Maurice Bucke (1837-1902), was a significant figure and contributor to mental health treatment in Canada. Bucke held the post of Superintendent from 1877 until his death in 1902 and made several important contributions to patient treatment and the design and layout of London Psychiatric Hospital. Bucke developed recreational and occupational therapy programming as part of treatment, eliminated the use of restraints and ended the use of alcohol as a treatment – all progressive reforms for his time. Superintendent Bucke also had a significant impact on the design and layout of the site. Many of the significant heritage features

<sup>1</sup> The accepted term for a recipient of mental health services is “client”. For the purposes of this report, which is a discussion of the history of the site, patient will be used unless discussing present-day client care.

that remain today were built under his tenure and were due to his influence, including the Chapel of Hope, Stable, Infirmary and the Allée. Bucke is also a controversial figure and the source of great debate among historians and mental health professionals for his encouragement and use of gynaecological surgeries on women for treatment of mental illness.

## **BACKGROUND:**

### *Historic Value:*

Prior to the 19<sup>th</sup> century, people with mental illnesses were housed in jails, workhouses or the family home and many had no choice but to live on the streets. The Victorian era saw social change, and came to depend upon institutions to solve the social problems of the day. Large institutions were supposed to be places of refuge where patients were separate from the rapidly changing outside world. The London Psychiatric Hospital followed the Kirkbride Plan and moral therapy treatment – patients were to be placed in a natural environment with a significant amount of farm and parkland. When opened in 1871, the London Psychiatric Hospital was located on 300 acres just outside city limits. The City of London was chosen as the location for a new institution partially due to the influence of John Carling – Ontario's first commissioner of public works. He directed the construction of the institutions on land he had sold to the government in 1870.

The institution was self-sufficient and significant farming operations were located on the northern portions of the site with stables, greenhouses, orchards, fields full of crops and a root house for storage. While various employment opportunities were available at the London Psychiatric Hospital, patient labour was used as part of moral therapy treatment and as a way of keeping costs down. In the early years patient labour was separated by gender – men worked in the field and tended to the animals while women worked in the laundry, cleaned and sewed. There were numerous clubs, sporting events, annual picnics and other special occasions for patients and staff thus giving the London Psychiatric Hospital a sense of community.

Religion was an important part of moral therapy treatment and the new chapel was constructed by patient labour as part of their treatment plan. The Chapel was built in 1884 at the behest of Dr. Bucke who petitioned the provincial government to fund its construction. Regular church services were part of treatment at the London Asylum with religious services held in the general recreation facilities prior to the Chapel's construction. The London Psychiatric Hospital is the only mental health facility in Ontario that has a stand-alone Chapel.

The Infirmary or Exam Building, completed in 1902 was intended to house patients who needed more enhanced medical care and offered dormitories and individual rooms for patients and common rooms and sunrooms. Superintendent Bucke toured similar facilities in the United States and helped design the building plan with provincial architect Francis R. Heakes. In 1908 the building was converted to use as a reception hospital to house new and short-term patients. These short-term patients might stay for a few months to a few years, and had access to advanced treatments such as showers, massages and continuous baths.

Following the First World War, a large number of Canadian veterans were admitted to London Psychiatric Hospital suffering from psychological effects of the war. They were treated for "shell-shock" for which symptoms are now associated with post-traumatic stress disorder. Overcrowding was an issue at the London Psychiatric Hospital and by 1924 it accommodated almost 1200 patients. Maintaining a peaceful and idyllic setting for patients was difficult for the superintendents due to the overcrowding. Many common and sun rooms were used as wards to accommodate patients instead of places of rest and relaxation. R.M Bucke is the most well-known and controversial superintendent at the London Psychiatric Hospital for his encouragement and use of gynecological surgeries on women. Some argue the surgeries were an attempt by Bucke to find a successful treatment for his patients – but there seems to be little merit of such surgeries on mentally ill women. Upon his death, the use of gynecological surgery came to an end at London Psychiatric Hospital. The London Psychiatric Hospital is also associated with eight superintendents who were the chief administrators and medical directors of the London Psychiatric Hospital from 1870-1970. They had an array of responsibilities including supervising staff, medical services, training nurses, therapies, property and facilities maintenance and medical study of all patients. .

These institutions evolved to providing occupational and vocational therapies. In the early 1960s, new medications were developed to treat mental illness thereby starting the de-institutionalization process. While these drugs might not cure patients suffering from mental illness, they helped reduce and control symptoms allowing patients to be discharged and to live in the community. The move away from institutionalization to community living made these large, self-sufficient facilities obsolete.

### *Architectural Value:*

### **Chapel of Hope**

The Chapel of Hope was built in 1884 by patient labour under instruction by Superintendent Bucke. It is a 1 ½ storey buff-brick structure in the Gothic Revival style and features two chimneys at the east and west elevation. The gable roof is interrupted with four dormers on the north and south elevations with trefoil shaped windows. The side walls feature seven gothic-arched stained glass windows separated by buttresses. The stained glass window over the altar features a combination of religious and London Psychiatric Hospital images.

### **Horse Stable**

The Horse Stable was built in 1894 under the direction of Superintendent Bucke and the scale and quality of materials shows the importance of agriculture to the self-sufficiency and practice of moral therapy at London Psychiatric Hospital. It is a large two-storey buff brick building. There are two intersecting gable roof sections and five ventilators along the apex to provide ventilation and give the building a distinct silhouette. The segmental arched window openings (bricked over) have brick voussoirs and most have stone sills. The eaves have tongue and groove soffits. A large second storey board and batten door provides access to the hay loft on the building's west elevation .

### **The Infirmary**

The Infirmary is an imposing building with a combination of architectural styles popular in the Victorian-era including Beaux-arts Classicism, Edwardian Classicism and Colonial Revival. The Infirmary is constructed of local buff brick with a central administration block with two recessed symmetrical wards on either side (one for men and one for women). The three-storey central block sits on a raised basement. It has a hipped roof with a central skylight to the operating theatre and tall distinctive chimneys. The main front entrance is topped with a pediment supported by pilasters, a large rounded arched window and two smaller rounded-arched windows and a dentilled cornice. The symmetrical wards are connected to the central block by a narrow corridor. The wards feature Colonial Revival influence seen in the projecting central bay with a pediment and coins, ventilators, dormer windows and dentilled cornice. The sun porches at the end of each wing were originally in the shape of a trapezoid. The current ones are rectangular and date from 1945. The rear (north) elevation of the Infirmary is simplified with projecting bays, dormer windows and tall chimneys. All of the window openings are flat-arched and many of the double-hung wood-sash windows survive. The exception is a singular rounded-arch window on both ward façades above an off-centered entrance door.

### **Recreation Hall**

The Recreation Hall was constructed in 1920 and is located directly east of the Chapel of Hope. It was constructed in a Classical Revival style of reddish-brown brick laid in common bond. It features a symmetrical façade frontispiece – a central block and two flanking wings. The central block features a pediment with an oculus window, a central rectangular shaped tripartite window flanked with 6-paned window. The flanking wings feature a rounded-arched window. The brickwork that surrounds the windows is dark brown and extends well beyond the base of the window. Each of the six multi-paned rectangular wood windows are divided into three parts on the side-walls and set within a shallow rounded-arched niche. The austere rear elevation features coining and a singular rounded-arched window in the gable.

### *Contextual Value:*

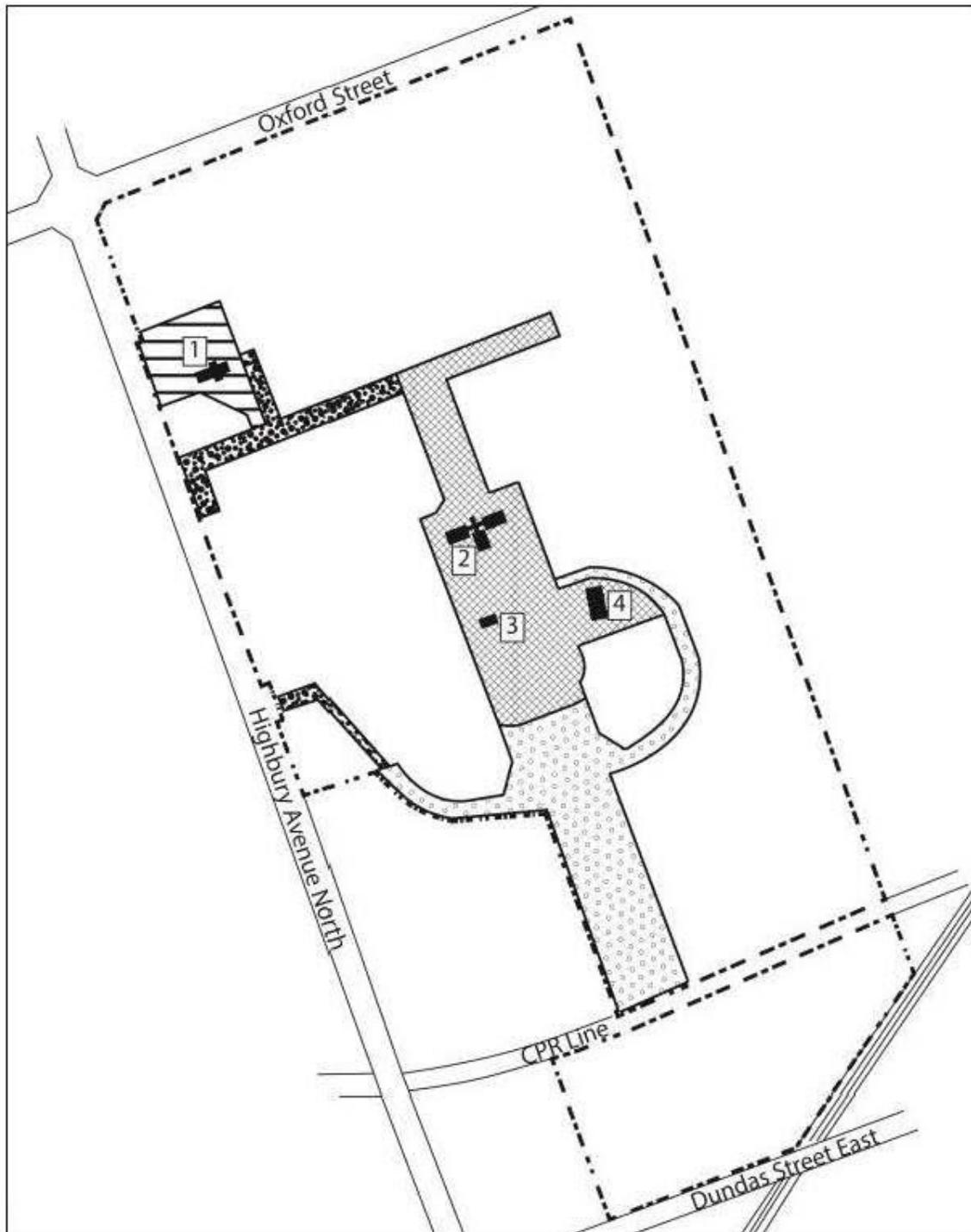
The London Psychiatric Hospital is deliberately setback from the main street to provide a serene and rural setting – core to moral therapy and the Kirkbride Plan. The historic main entrance to the Former Hospital Lands is off Dundas Street East where the Allée leads visitors from the street and into the complex of institutional buildings. The Former Hospital Lands were originally surrounded by a rural farming landscape. They are now bordered by three extremely busy thoroughfares (Highbury Avenue North, Oxford Street East and Dundas Street East) and the surrounding neighbourhood has evolved to become the home to several business and industries along Highbury Avenue North and Dundas Street East and a residential subdivision to the east.

### *Archaeological Value:*

The London Psychiatric Hospital has archaeological value due to the below ground resources associated with the evolution mental health care. The main building, airing yard, portions of the root house represent the era in the 19<sup>th</sup> century when use of the Kirkbride Plan and self-sufficiency was the norm at these large-scale government run mental health institutions.

**SITE SKETCH SHOWING**

1. THE APPROXIMATE LOCATION AND CONFIGURATION OF THE PROTECTED LANDS AND THE ACCESS LANDS ON THE FORMER HOSPITAL LANDS
2. THE APPROXIMATE LOCATION AND CONFIGURATION OF THE ALLÉE AND RING ROAD ZONE ON THE PROTECTED LANDS
3. THE APPROXIMATE LOCATION OF BUILDINGS ON THE PROTECTED LANDS



SKETCH NOT TO SCALE

SKETCH NOT A PLAN OF SURVEY

**LEGEND**

- |   |                              |    |                   |
|---|------------------------------|----|-------------------|
|  | Access Lands                 | 1. | Horse Stable      |
|  | Allée and Ring Road and Zone | 2. | Infirmary         |
|  | Campus Zone                  | 3. | Chapel of Hope    |
|  | Horse Stable Zone            | 4. | Recreational Hall |

--- Boundaries of the Former Hospital Lands

## SCHEDULE "B3"

### DESCRIPTION OF THE HERITAGE FEATURES

The Heritage Features referred to in this Agreement are comprised of the exteriors of the Buildings on the Protected Lands which include, but are not limited to, the following highlighted elements which contribute to their heritage value:

#### The Horse Stable:

- General massing and two intersecting gable roof sections
- "t"-shaped footprint
- Local buff brick (also called white brick)
- Five roof ventilators
- Brick chimney (east elevation)
- Location of existing segmental-arched window and door openings
- Brick voussoirs and stone sills above and below window openings
- Board and batten upper access doors to hay loft (west elevation)

#### Chapel of Hope:

- Local buff brick construction
- Gable roof topped with a finial
- Double-lancet stained glass windows
- Large stained glass window above the altar depicting religious imagery and scenes from the London Psychiatric Hospital
- Bull's eye window with quatrefoil muntin in the gable end
- Seven bay side walls with buttresses
- Trefoil dormers
- Chimneys

#### The Infirmary:

- Local buff brick construction
- Symmetrical composition - tall three-storey central administration block on a raised basement centre block flanked by two identical wards with rectangular wood verandahs
- Main front entrance topped with a pediment supported by pilasters, a large rounded arched window and two smaller rounded-arched windows and dentilated cornice
- Tall chimneys and skylights atop the hipped roof of the central block
- Dentilated cornice around the entire building
- Double-hung wood-sash windows
- Flat arch buff-brick lintels and stone sills
- Louvered ventilators atop the flanking wards
- Pediments, dormer and Bull's eye windows of the wards
- The single rounded-arched window of the wards façade
- Decorative buff-brick quoins at the end walls and separating the slightly projecting bays of the wards
- The simplified rear (north) elevation with projecting bays, dormers and chimneys
- Sun porches at the end of each ward

#### Recreation Hall:

- Reddish-brown brick construction
- Symmetrical façade frontispiece – a central block and two flanking wings.
- Central block with pediment, oculus window, a central rectangular shaped tripartite window flanked with 6-paned window
- Flanking wings feature a rounded-arched window with decorative dark-brown brickwork extending well beyond the base of the window.
- Side walls with six multi-paned rectangular wood windows divided into three parts and set within a shallow rounded-arched niche
- Raised basement with multi-paned windows
- Projecting bays on the side wall with a pediment, quoins, entrance door and six-over-six wood-sash windows
- Rear elevation features quoins and a rounded-arched window in the gable

## DESCRIPTION OF CULTURAL HERITAGE LANDSCAPE FEATURES

The provincially significant cultural heritage landscape on the Protected Lands is composed of three zones:

1. **The Allée and Ring Road Zone:** This zone contains the grand tree-lined Allée that stretches from the historic entrance at Dundas Street East northward to the circular drive and ring road that connects the Infirmary, the Chapel of Hope and the Recreational Hall. With its open spaces and rows of mature trees, it evokes a designed rural setting and framed vista for the key institutional buildings of the Hospital which are set back from the main entrance off Dundas Street East.
2. **The Campus Zone:** This zone contains three (3) buildings associated with the London Psychiatric Hospital of provincially significant heritage value: the Infirmary, the Chapel of Hope and the Recreational Hall as well as associated open spaces, landscape and plantings. These elements are located within a ring road at the end of a long Allée stretching south to Dundas Street.
3. **The Horse Stable Zone:** This zone is comprised of open space, mature trees and unobstructed views of all sides of the horse stable.

### **The Cultural Heritage Landscape Features of the Allée and Ring Road Zone**

The Cultural Heritage Landscape Features of the Allée and Ring Road Zone include, but are not limited to, the following highlighted elements:

- The 470-metre tree-lined Allée that extends from the CPR Line and intersects with the circular drive
- Circular drive with internal green space and east/west access to the ring road
- Remnants of the ring road
- Mature trees that border the ring road on both sides

### **The Cultural Heritage Landscape Features of the Campus Zone**

The Cultural Heritage Landscape Features of the Campus Zone include, but are not limited to, the following highlighted elements:

- The location of the provincially significant buildings: Chapel of Hope, Infirmary and Recreation Hall within the landscape
- Their deliberate setback of the from the Dundas Street East to provide a serene and rural setting
- Strategically planted trees including the row of black walnut trees along east/west interior roadway leading to the Horse Stable
- North/south tree-lined roadways framing a view of the north (rear) elevation of the Infirmary
- The open space of the lawn with mature plantings directly south of the Infirmary

### **The Cultural Heritage Landscape Features of the Horse Stable Zone**

The Cultural Heritage Landscape Features of the Horse Stable Zone include, but are not limited to, the following highlighted elements:

- Mature trees including sugar maples and walnuts
- Surrounding open space providing unobstructed views of all four elevations of the Horse Stable

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers, MPA, P. Eng.,  
Deputy City Manager, Planning and Economic Development  
**Subject:** 1503 Hyde Park Road  
Public Participation Meeting  
**Date:** May 30, 2022

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of 2575707 Ontario Corp. (c/o Business Network Associates) relating to the property located at 1503 Hyde Park Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 14, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Business District Commercial (h-91\*BDC1/BDC2) Zone, **TO** a Holding Business District Commercial Special Provision (h-91\*BDC1(\_)/BDC2) Zone.
- (b) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
  - i) Provide sufficient common outdoor amenity space based on the number of units proposed and/or provide detailed design and program solutions for the area.
  - ii) Review alternative vehicular access arrangements as opposed to the shared vehicular access point with 1435 Hyde Park Road.
  - iii) Consider additional landscaping and use of planters along this section of Hyde Park Road consistent with Urban Design's first submission comments to ensure that planters are aligned parallel to the street with a 0.15m curb to clearly define the clearway.

## Executive Summary

### Summary of Request

The applicant is requesting to rezone 1503 Hyde Park Road (the "subject lands") to permit an 8-storey, mixed-use apartment building with 130 dwelling units and retail/commercial uses on the ground floor.

Special provisions are requested to permit a reduced residential and non-residential parking rate; a reduced minimum interior and rear yard depth; an increase in the maximum permitted height; a maximum density of 150 units per hectares; and to establish built form standards.

A holding provision is recommended until an overall servicing strategy for adjacent properties to the north (1018 Gainsborough Road) have been approved.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to permit the development of the subject lands for an 8-storey mixed-use apartment building with 130 residential units and 792.5 square metres of retail/commercial space on the ground floor.

## Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, City Building policies, and the Main Street Place Type policies;
3. The recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor designation and is in keeping with the Hyde Park Community Plan and Urban Design Guidelines;
4. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood;
5. The recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary with an appropriate form of development.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The subject lands are located on the east side Hyde Park Road, approximately 215 metres south of Gainsborough Road in the Hyde Park Planning District. The immediate surrounding land uses include 3-storey cluster townhouse dwellings to the east, a retail store to the south (Peavey Mart), and undeveloped commercial lands to the north. On the west side of Hyde Park Road are residential uses in the form of single detached dwellings.

Currently, the subject lands are vacant and undeveloped (see figures 1 & 2, below). The subject lands are generally flat in topography with a slight downward slope at the northeast corner of the site. An easement exists on the north edge of the site for a water service line servicing lands to the north.



**Figure 1. View of the Subject Lands, facing Northeast from Hyde Park Road (August, 2021)**



**Figure 2. View of the Subject Lands, facing Southeast from Hyde Park Road (November, 2021)**

## **1.2 Planning History**

The property known as 1503 Hyde Park Road consisted of a large block of land spanning from Hyde Park Road to Coronation Drive prior to 2007. The original block included the parcels now referred to as 1503 Hyde Park Road and 1020, 1030 & 1040 Coronation Drive which are currently located directly east of the subject lands. Through the Hyde Park Community Plan process, and subsequent 1989 Official Plan Amendment (OPA 193), the lands now referred to as 1503 Hyde Park Road were designated Main Street Commercial Corridor, while the remaining lands (1020, 1030 & 1040 Coronation) were designated Multi-Family, High Density Residential.

## **1.3 Current Planning Information**

- Official Plan Designation – Main Street Commercial Corridor (MSCC) and Multi-Family, High Density Residential (MFHDR)
- The London Plan Place Type – Main Street
- Existing Zoning – Holding Business District Commercial (h-91\*BDC1/BDC2)

## **1.4 Site Characteristics**

- Current Land Use – Vacant
- Frontage – 112.7 metres
- Depth – ~80.0 metres
- Area – 9,307.8 square metres (0.93 hectares)
- Shape – Irregular

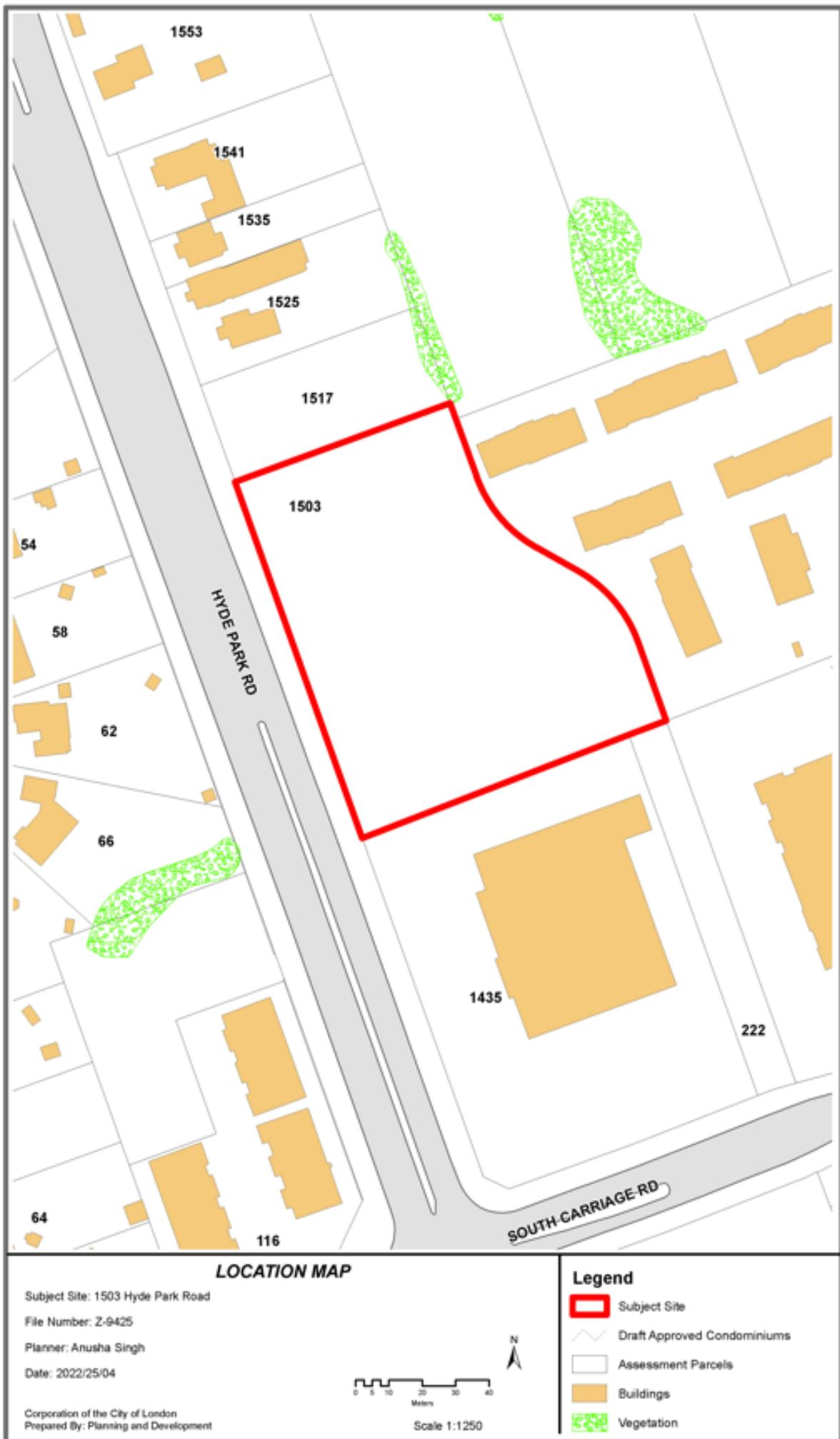
## **1.5 Surrounding Land Uses**

- North – Vacant lands; retail; office
- West – Single detached dwellings
- East – Townhouses
- South – Retail store (Peavey Mart)

## **1.6 Intensification**

The proposed development represents intensification within the Built-Area Boundary through the addition of 130 new residential units. The site is located outside of the Primary Transit Area (PTA).

## 1.7 Location Map



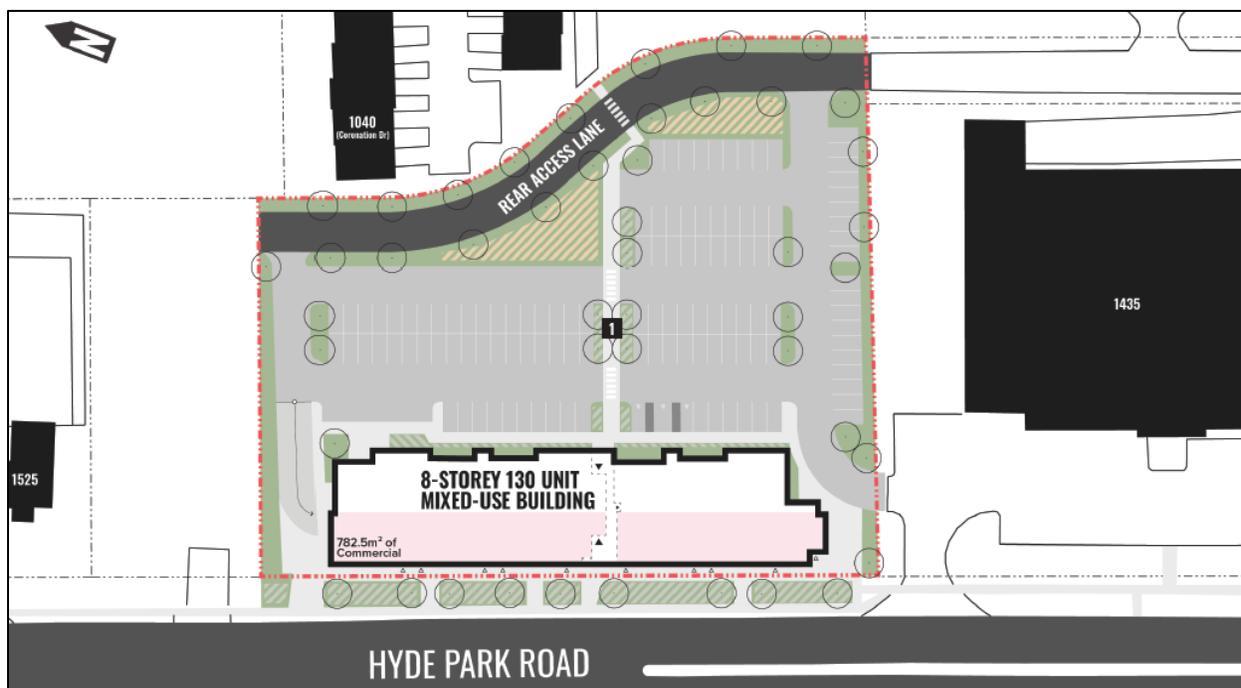
## 2.0 Description of Proposal

### 2.1 Development Proposal

*First Submission – October 25, 2021*

The proposed 8-storey (27.5 metres) mixed-use apartment building will contain 130 residential dwelling units and a total commercial gross floor area of 782.5 square metres. 123 on-site surface parking spaces are proposed behind the building to serve residential and commercial uses, plus an additional 41 underground parking spaces. Vehicular access to the site is to be provided off of Coronation Drive by a rear access lane flanking the east lot line, which is intended to line up with the existing rear service lane for the planned future redevelopments to the north. A secondary shared right-in right-out vehicular access is proposed from Hyde Park Road via the existing access off the adjacent commercial property to the south (1435 Hyde Park Road). Finally, an east-west pedestrian pathway is proposed to intersect the middle of the site, linking the lands to the east to Hyde Park Road.

A rendering of the proposed development is shown on Figure 3 (below).



**Figure 3. Simplified Site Concept Plan (First Submission)**



**Figure 4. Rendering of the Proposed Development, facing Southeast from Hyde Park Road (First Submission)**

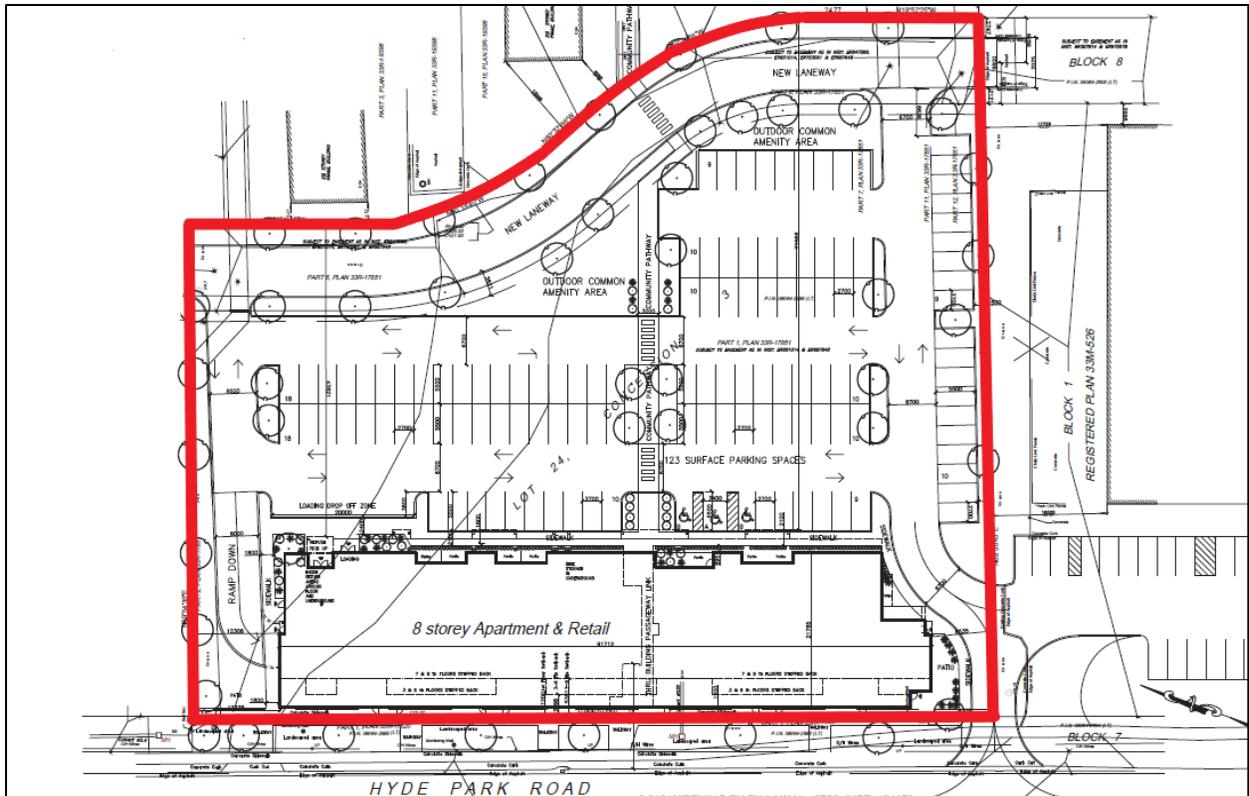
*Second Submission – February 18, 2022*

In response to Urban Design staff comments, the Applicant submitted a revised site concept plan, rendering, and section drawing to staff illustrating the following changes to the proposed building design and location:

<b>First Submission (Oct 25, 2021)</b>	<b>Second Submission (Feb 18, 2022)</b>
Single-story podium	Two-storey podium
A front yard setback of 1.2m for the first 6 floors; step back of 2.0m above the 6 <sup>th</sup> floor.	A setback of 1.2m for the first two floors (podium), a varying step-back between 2.1m and 4.1m from the podium for the 3rd-6th floors; a consistent step-back of 4.1m from the podium for the 7th and 8th floors
Upper building parapets uniform in height	Upper building parapets have varied in height to again break up the apparent building volume
No windows at building ends	Windows added at building ends
Consistent colouring along podium	Alternative colour has been added to center of building (entrance)
Driveway from Hyde Park Road wholly located over southerly neighbour’s property (1435 Hyde Park Road)	Driveway has been adjusted and moved down the center of the property line between the two properties



**Figure 5. Revised Rendering of the Proposed Development, facing Northeast from Hyde Park Road (Second Submission)**



**Figure 6. Revised Site Concept Plan (Second Submission)**

*Third Submission (Final) – March 17, 2022*

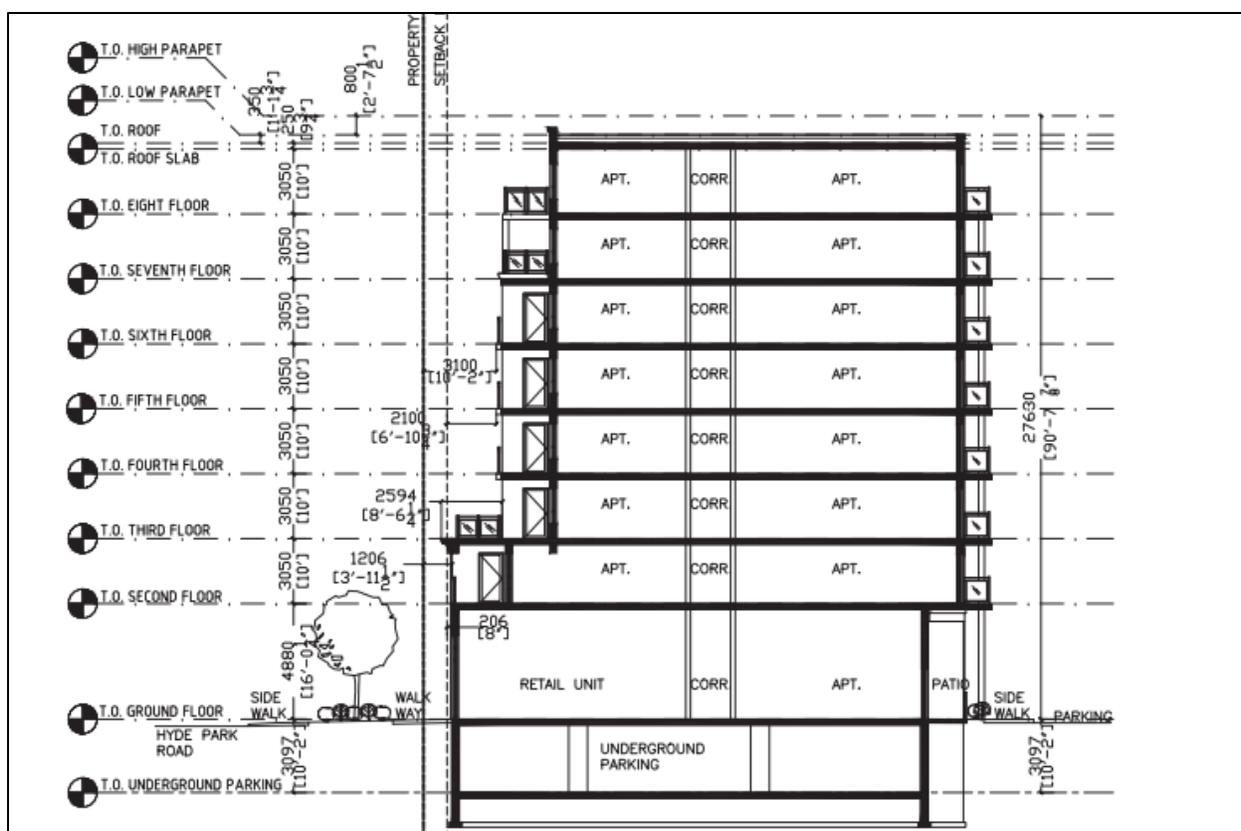
Following a second meeting with Urban Design staff, the Applicant submitted a third and final submission with an updated rendering showing the following minor building design revisions:

- Lighter colours for the 7<sup>th</sup> and 8<sup>th</sup> storeys;
- A simplified/contemporary cornice line (on the 2<sup>nd</sup>-storey) and roof line.
- Revised setbacks and step-backs from the Hyde Park ROW

No changes were proposed to the site concept plan that was submitted through the second submission.



**Figure 7. Revised Rendering of the Proposed Development, facing Northeast from Hyde Park Road (Third Submission)**



**Figure 8. Step-Back and Setbacks from the Hyde Park ROW for the Proposed Development, Section Drawing (Third Submission)**

### 3.0 Relevant Background

#### 3.1 Planning History

No previous planning applications.

#### 3.2 Requested Amendment

The applicant is requesting an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from a Holding Business District Commercial (h-91\*BDC1/BDC2) Zone to a Holding Business District Commercial Special Provision (h-91\*BDC1(\_)/BDC2) Zone to permit an 8-storey mixed-use apartment building with 130 dwelling units for a total density of 150 units per hectares.

Special provisions are requested to permit:

- a minimum interior and rear yard depth of 1.0m per 1.0m of main building height measured from the lot line abutting a residential zone, whereas a minimum of 3.0m plus 1.2m for each 3.0m of building height above the first 3.0m is required;
- a reduced residential parking rate of 1 space/unit, whereas a minimum of 1.25 spaces/unit is required;
- a reduced non-residential parking rate of 1 space/25m<sup>2</sup> of gross floor area, whereas a minimum of 1 space/15m<sup>2</sup> of gross floor area is required;
- a maximum height of 27.5m, whereas a maximum height of 12.0m is permitted;
- a maximum density of 150 units per hectare;
- the minimum width of the ground floor façade facing the lot line shall be greater than or equal to 75% of the measurement of the front lot line;
- and the primary entrance for the residential uses shall be designed and oriented towards Hyde Park Road and the following setbacks and step backs shall be implemented along all portions of the façade facing the front lot line:
  - Setback for 1st and 2nd storeys from the front lot line (min/max): 1.0 metres – 2 metres
  - Step back for the 3rd to 6th storeys (min): 2.0 metres plus the setback established for the 1st and 2nd storeys

- Step back for the 7th and 8th storeys (min): 4.0 metres plus the setback established for the 1st and 2nd storeys.
- Balconies to project 2.1m into the 7 and 8 storey setbacks.

### **3.3 Community Engagement (see more detail in Appendix A)**

Staff received four (4) comments during the public consultation period, which will be addressed under Section 4 of this report. The comments can be summarized as follows:

- Inappropriate building height at this location and impact on the privacy of neighbouring properties to the east and west;
- Concerns about the proximity of the building to Hyde Park Road;
- Insufficient on-site parking; and
- Concerns about accessing the site from Hyde Park Road using a shared internal driveway located on the neighbouring property.

### **3.4 Policy Context (see more detail in Appendix B)**

#### **Provincial Policy Statement, 2020**

The *Provincial Policy Statement, 2020* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

#### **The London Plan**

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

The London Plan 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. Relevant Key Directions are outlined below, as follows:

**Key Direction #5:** The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing and revitalizing our downtown, main streets, and urban neighbourhoods;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- 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 (Directions 2, 3, 4 and 6).

Key Direction #7: The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Integrating affordable forms of housing in all neighbourhoods (Direction 10).

The subject lands are located within the Main Street Place Type on \*Map 1 – Place Types of The London Plan. Main Streets are some of London’s most cherished historical business areas that contain a mix of residential and commercial uses that were initially established to serve surrounding neighbourhoods (903). The London Plan envisions the regeneration of historic Main Streets throughout our city. The important cultural heritage resources of these streets are to be conserved, while allowing for sensitive repurposing, intensification, and infill. These streets will contribute significantly to our image and identity as a city and will support the regeneration and continued vitality of the neighbourhoods that surround them (905). The proposed development aims to fulfil the above noted vision of the Place Type through remaining supportive and complimentary to the historic Main Street hamlet crossroads at Hyde Park and Gainsborough Roads.

The Main Street Place Type also contemplates a broad range of residential, retail, service, office, and institutional uses (908\_1). Mixed-use buildings are encouraged, as is the location of retail and service uses at grade, with residential and non-service office uses directed to the rear of buildings and to upper floors (908\_).

In addition to the above-noted policies, consideration has been given to the general policies of the Our Strategy, Our City, City Building and Design sections of The London Plan.

### **Official Plan (1989)**

The subject lands are primarily designated Main Street Commercial Corridor (MSCC), with portion at the rear designated Multi-Family, High Density Residential (MFHDR) in accordance with Schedule ‘A’ of the 1989 Official Plan.

The Main Street Commercial Corridor (MSCC) designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. These corridors are intended to provide for the redevelopment of vacant, underutilized or dilapidated properties for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development while maintaining a similar setback and character to the existing uses (4.4.1.1). The main permitted uses in the Main Street Commercial Corridors (4.4.1.4.) include a wide range of commercial, office, institutional and residential uses created through the development of mixed-use buildings.

Specific policies for the Hyde Park Community Planning Area state the long-term intent is to foster and encourage the development of a pedestrian/street oriented commercial area for Hyde Park and indicate new development should be designed and approved consistent with the design guidelines in the Hyde Park Community Plan (3.5.12 and 4.4.1.13.4).

### **Hyde Park Community Plan and Urban Design Guidelines (2001)**

The subject lands are identified as being in the Hyde Park Hamlet Area within the Hyde Park Community Plan. The Community Plan supports the transformation of the existing mix of auto-oriented and pedestrian-oriented commercial uses in the Hyde Park hamlet to a commercial “village” with the creation of a pedestrian scale commercial focal point. The Urban Design Guidelines identify the hamlet of Hyde Park as a high activity area that will feature streetscaping and building orientation to create a pedestrian friendly, mixed-use area where people can live, work and shop (2.0). The Urban Design Guidelines encourage the location of buildings close to the street with parking located at the side or rear, as well as the creation of new streets/lanes and interconnected parking lots behind commercial buildings to reduce traffic congestion (6.1). Building design elements should be scaled appropriately to animate the street and create a consistent edge, while providing for variety, irregularity, and uniqueness in location and design

(Section 6.0)

### **Zoning By-law Z.-1**

The subject lands are currently zoned holding Business District Commercial (h-91\*BDC1/BDC2). The BDC Zone is typically applied to corridors with a main street character and provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses. The h-91 holding provision requires that a site plan be approved, and a development agreement be entered into which incorporates urban design concepts established through the Zoning amendment review process.

## **4.0 Key Issues and Considerations**

### **4.1 – Issue and Consideration # 1: Use**

#### *Provincial Policy Statement, 2020*

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development whilst promoting their vitality and regeneration (1.1.3). Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

#### *The London Plan*

The subject site is within the Main Street Place Type which allows for a broad range of residential, retail, service and office uses. Mixed-use buildings are encouraged, as is the location of retail and service uses at grade, with residential and non-service office uses directed to the rear of buildings and to upper floors (908\_).

#### *1989 Official Plan*

The Main Street Commercial Corridor designation permits a wide range of retail/commercial uses along with residential uses created through the conversion of existing buildings, or through the development of mixed-use buildings where residential uses are permitted above the first floor (Section 4.4.1.4).

Chapter 19 of the Official Plan states that the boundaries between land use designations as shown on Schedule "A" - the Land Use Map, are not intended to be rigid, except where they coincide with physical features such as streets, railways, rivers or streams (19.1.1i)). Council may permit minor departures from such boundaries if it is of the opinion that the general intent of the Plan is maintained, and that the departure is advisable and reasonable (19.1.1i).

As there are no physical boundaries between the existing MSCC and MFHDR designations, it is recommended that Council interpret the site to be designated MSCC in its entirety. The proposed development has been designed in a manner that is

appropriate and sympathetic to the neighbouring properties to the east, with the mixed-use apartment building fronting onto Hyde Park Road and parking and an access lane located at the rear. Planning staff are satisfied that the proposed boundary interpretation meets the general intent of the Plan and is advisable and reasonable.



**Figure 9: 1989 Official Plan Designations for 1503 Hyde Park Road (shows MSCC designation and small portion of MFHDR designation)**

Analysis:

Consistent with the PPS and conforming to the intent of the 1989 Official Plan and The London Plan, the recommended mixed-use apartment building will provide for the development of an underutilized site with a land use that is currently permitted and compatible with the surrounding lands at an intensity and height that is suitable for its location within the Hyde Park Village. Moderately intensive development at this location is also considered appropriate as the mixed-use residential/commercial building will take advantage of the surrounding resources, infrastructure, public service facilities, and will be transit supportive. The proposed 8-storey mixed-use building contributes to a mix of housing types and provides choice and diversity in housing options for both current and future residents.

The proposed development will help set a positive tone and encourage additional investment within the main street areas of the Hyde Park Community while maintaining an appropriate land use pattern within a settlement area.

**4.2 – Issue and Consideration #2: Intensity**

*Provincial Policy Statement, 2020*

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment where it can be accommodated. The PPS also takes into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3) and is supportive of development standards which facilitate intensification, redevelopment, and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social,

health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure, public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

### *The London Plan*

Although The London Plan does not limit densities as part of the policy framework it does include criteria for the development of more intensive land uses. The Main Street Place Type ensures that buildings are designed to fit in scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment. Buildings will be a minimum of either two storeys or eight metres in height and will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted. Individual buildings will not contain any more than 2,000m<sup>2</sup> of office space (910\_).

While the proposed 8 storey mixed-use apartment building does not conform to the maximum height limitations, with bonusing, in the Main Street Place Type it has been noted that these policies are informative but are not determinative and cannot be relied on for the review of the requested amendment as the policy framework for this site is in a period of transition between the 1989 Official Plan and The London Plan.

Despite The London Plan policies not being in force and effect, the proposed development is considered to implement the planned vision of the Main Street Place Type that aims to help establish an appropriate form and scale of development while complementing the character of the area.

### *1989 Official Plan*

The scale of development (Section 4.4.1.7.) is also important in the Main Street Commercial Corridor when redeveloping or infilling commercial uses. The corridor aims to maintain a setback and orientation that is consistent with adjacent uses. Residential densities within the corridor should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations. Excluding provisions for bonusing, net residential densities within the Multi-family, High Density Residential designation will normally be 150 units per hectare (100 units per acre) when located outside of the Downtown and Central London (Section 3.4.3.). Specific heights are not established by the Official Plan policies, but policies addressing large sites outside of the Downtown and Central London area provide some guidance by indicating high-rise structures shall be oriented, where possible, closest to activity nodes and points of high accessibility with building heights decreasing as the distance from an activity node increases (Section 3.4.3).

### Analysis:

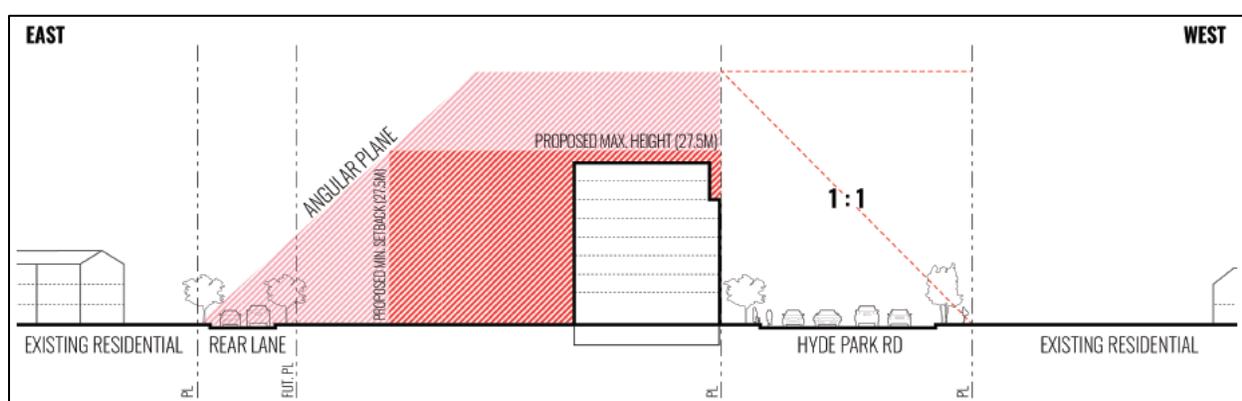
The currently underutilized lands at 1503 Hyde Park Road have access to full municipal services and are a part of the central node for the Hyde Park Village which is identified through Official Plan policy as an area for mixed-use development and residential intensification. The property lies within a broader area characterized by a mix of various housing forms ranging from single detached dwellings to low and high-rise apartment buildings. The subject lands are of a size to accommodate a significant development and provide a built form that responds to the existing and planned context. The proposed intensity will efficiently use land, resources, the surrounding infrastructure, and public services facilities where they exist or will be developed.

Although the proposed 8-storey building (27.5 metres) is greater than the maximum permitted height in The London Plan, Planning staff are satisfied that the proposed increase in height is in keeping with the direction of the 1989 Official Plan and will not result in any significant privacy or shadowing impacts on the neighbouring properties to the east and west given the proposed built form and location of the building (note: an in-

depth analysis of the proposed built form will be provided in the following section below).



**Figure 10. Sun/Shadow Study – Summer & Winter Solstice**



**Figure 11. East-West Section Diagram**

A sun/shadow study prepared by ACI Wright Architects Inc. was submitted in support of the application forecasting potential shadows on the surrounding area. Apart from the winter solstice when shadows are at their largest and longest, the shadows associated with the proposed development are contained on-site for most of the day (see Figure 10, above). Figure 10 shows that although shadowing on the neighbouring property to the north will be present around 8am during the winter solstice, by 10am and through to the rest of the day, the proposed building will not cause any significant shadowing impacts on neighbouring properties and any impact that is generated in this regard can be considered minor in nature based on images shown above.

Furthermore, a significantly enhanced rear yard depth ranging between 43 metres to 71 metres (as captured in the proposed site-specific special provisions) ensures that any adverse impacts on the east abutting cluster townhouses are minimized and that the scale of development fits with the surrounding neighbourhood. As illustrated by the east-west section diagram prepared by the Applicant (Figure 11, above), all components of the proposed building have been designed to be well within a 45-degree angular plane measured from the shared lot line with the adjacent cluster townhouse development to provide for a gradual transition in building height over the rear yard depth or distance. In addition to the enhanced rear yard depth, the proposed development exceeds the required minimum yard depth of 0 metres for properties abutting a non-residential zone under the existing BDC1/BDC2 Zone, with a proposed north and south interior side yard depth of approximately 8.0 metres and 12.0 metres, respectively.

The subject lands are sufficiently sized to accommodate all necessary site functions such as parking facilities, loading, garbage, and snow storage. Private outdoor amenity space in the form of balconies is proposed for each unit, as well as a common outdoor amenity area flanking the rear access lane.

Further, the proposed density of 150 units per hectare is in keeping with the newer, approved developments, in the immediate surrounding area (such as 1018 and 1028 Gainsborough Road and 1634-1656 Hyde Park Road). The subject lands are also directly serviced by bus route 19 along Hyde Park Road, as well as separated north-south bike lanes. Finally, the proposed mixed-use apartment building will contribute to a mix of housing types and provide choice and diversity in housing options for both current and future residents.

The proposed development is of a suitable intensity for the site and is consistent with the PPS and the in-force policies of the City's Official Plans.

### **4.3 – Issue and Consideration #3: Building Form and Location**

#### Provincial Policy Statement, 2020

The PPS is supportive of development standards which facilitate intensification, redevelopment, and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form, and by conserving features that help define character (1.7.1 e)).

#### The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7\_ ; 66\_) and encourages growing “inward and upward” to achieve compact forms of development (59\_ 2; 79\_). As well, all planning and development applications are to conform to the City Design policies of The London Plan (911\_1).

The Main Street Place Type ensures that new developments are well-designed and integrated with the character and design of the associated Main Street (911\_2). Developments should place a priority on the pedestrian experience and public realm through site layout, building location, and design (911\_5). Buildings should be located at or along the front property line in order to create a street wall that sets the context for a comfortable pedestrian environment, and surface parking will be located at the rear of interior side yard of a building (911\_4; 911\_9).

#### 1989 Official Plan

The main planning objectives of the MSCC designation are to ensure that when implementing its broad range of permitted uses, the scale, setback, and character of new development is compatible with adjacent development (4.4.1.1. i)). In order to achieve these objectives, the MSCC has specific urban design objectives to help develop these corridors appropriately. These policies include encouraging the rehabilitation and renewal of MSCCs and the enhancement of any distinctive functional or visual characteristics; enhancing the pedestrian nature of MSCCs by providing for high quality façade design, accessible and walkable sidewalks, street furniture, and proper lighting; and encouraging transit-oriented development (4.4.1.2.). MSCCs shall be developed and maintained in accordance with the urban design guidelines in Chapter 11, the Commercial Urban Design Guidelines and specific policy areas (4.4.1.9).

#### Analysis:

Consistent with the PPS, the proposed intensification of the subject lands will optimize the use of land and public investment in infrastructure within a developed area of the

City and would contribute to achieving more compact and efficient forms of growth and development.

The proposed development has been evaluated from a form-based perspective and found to be compatible and a good fit with the surrounding neighbourhood context. The following is a detailed analysis of the site and building design:

- **Building Orientation and Location:** The proposed building is sited with minimal setbacks from Hyde Park Road, creating a strong street wall and setting the context for a comfortable pedestrian environment. Planning staff are requesting a special provision be included to permit a minimum/maximum front yard depth of 1.0 metres (minimum) to 2.0 metres (maximum) to ensure that sufficient space is provided to account for door swings and awnings. The main building entrance and individual entrances for the retail/commercial units will front directly onto the right-of-way, animating the streetscape. As noted above, the proposed rear (east) and interior side yard depths far exceed the minimum yard depth requirements in the BDC1/BDC2 Zone variations to ensure that ample space is provided between the proposed building and the existing townhouses to the east, and the office/commercial uses to the north and south. The proposed building is also contained within a 45-degree angular plane (1:1 ratio) from the right-of-way and from the rear lot line, ensuring that shadows and overlook onto the low-density residential neighbours to the east and west are minimized.

Safety concerns have been brought up by members of the public as a result of the reduced front yard setback. In order to adequately address these, it is recommended that the applicant consider additional landscaping and use of planters along this section of Hyde Park Road consistent with Urban Design's first submission comments to ensure that planters are aligned parallel to the street with a 0.15m curb to clearly define the clearway.

- **Parking and Vehicular Access:** Both surface and underground parking are proposed as part of this application, with surface parking being located at the rear of the building to limit visual impacts of the parking lot on Hyde Park Road. The location of the ramp to the underground parking is located on the north side of the building, providing greater separation between the proposed building and the commercial uses to the north. The primary vehicular access to and from the site is proposed at the rear and is intended to align with the existing service lane off of South Carriage Road. A secondary driveway access off of Hyde Park Road is proposed which is to be partially located over the neighbouring property to the south (1435 Hyde Park Road). Additional comments with respect to the proposed parking reduction and shared vehicular access is provided under sections 4.3 and 4.4 below.
- **Built Form and Design:** To enhance the pedestrian nature of the Main Street, the Applicant initially proposed a special provision to establish a minimum step-back of 2.0m above the 6<sup>th</sup> storey. A special provision is also proposed to establish a minimum ground floor façade width of 75% the measurement of the lot frontage. The site design includes an east-west pedestrian pathway that bisects the subject lands, connecting the sidewalk along Hyde Park Road to the internal pedestrian pathway leading to Coronation Drive.

Following their review of the Applicant's first submission, Urban Design staff and the Urban Design Peer Review Panel (UDPRP) provided comments highlighting several key areas for improvement to ensure that a more appropriately scaled built form was achieved, as summarized below:

- Break down the massing and length of the upper levels of the building;
- Improve streetscape presence in the design of the lower floors and provide sufficient step-backs from Hyde Park Road;
- Improve the pedestrian circulation from the streets and around the building and provide enhanced landscaping and variation in paving materials to reinforce the pedestrian thoroughfare;
- Reduce the gap in the street wall created by the setback from the underground parking garage access;

- Consider allocating additional space along the Hyde Park facade to outdoor patios and/or amenity areas;
- Provide a landscape/hardscape treatment that is consistent with other recently approved developments in the area.

The Applicant met with Planning and Urban Design staff on two separate occasions to develop and provide for a more appropriate design solution. Revised drawings were submitted to staff on February 18, 2022, and on March 17, 2022 with the following changes:

- The ground floor and second floor were unified as one distinctive podium by moving the lower cornice to the 2<sup>nd</sup> floor from 1<sup>st</sup> floor and making windows similar between both floors;
- The upper building parapets were varied in height to break up the length of the roofline and building volume;
- The use of step-backs at various elevations were provided in order to provide interest and break up the massing of the building. More specifically, the first two floors were setback from the Hyde Park Road right-of-way with a 1.0m minimum and a 2.0 metre maximum setback, the third to sixth floors had a step-back of 2.0 metres plus the setback established for the first and second floors, and the seventh and eighth floors had a step-back of 4.0 metres plus the setback established for the first and second floors;
- An alternative colour was added to the centre of building to break up the overall building volume, while also creating a focal point for the apartment entrance and pedestrian link.
- Balconies were permitted to project 2.1m into the 7 and 8 storey setbacks

With respect to outdoor patio space, the Applicant is proposing patio spaces at the north and south ends of the building. With respect to the proposed 12.0m street wall gap created by the setback from the underground parking garage ramp, the Applicant has expressed challenges with re-locating the ramp due to the existing servicing easement at the rear of the property. However, the proposed special provision to establish a minimum ground floor façade width relative to the lot frontage is intended to provide for an appropriate built edge along Hyde Park Road. Suggestions regarding improvements to the landscape/hardscape treatments and pedestrian circulation are to be incorporated into the recommendation as matters to be considered in greater detail through the Site Plan review process.

Planning and Urban Design staff are satisfied that their concerns have been appropriately addressed through the above-noted changes and the proposed step-backs are to be “locked-in” as part of this amendment through the use of special provisions. Overall, City staff are of the opinion that the proposed mixed-residential development is appropriate and sensitive to the abutting lands and provides a form of compatibility that aligns with the design, density, height, and scale of the adjacent land uses and surrounding neighbourhood. The Applicant is commended for incorporating a built form that establishes a built edge along Hyde Park Road; active ground floor commercial/retail units with individual entrances facing the street; a pedestrian connection through the building that connects the walkway between Coronation Drive and Hyde Park Road; an appropriate transition to single family homes towards the east; and locating the majority of parking underground and internal to the site away from the public street frontage. City staff will continue to work with the Applicant at the Site Plan stage to incorporate appropriate building and site design features in the final approved drawings and development agreement.

### **4.3 – Issue and Consideration #3: Parking Reduction**

The proposed development will provide a total of 164 parking spaces to serve the residential use and to serve the retail/restaurant uses. The 130 residential parking

spaces are equivalent to a parking rate of 1.0 space/unit, whereas the minimum parking rate requirement is 1.25 spaces/unit in the Zoning By-law. A reduced minimum parking rate for all permitted non-residential uses of 1/25<sup>2</sup> is also proposed, or the equivalent of 34 parking spaces based on a non-residential gross floor area of 782m<sup>2</sup>.

The Applicant has indicated that restaurant and retail uses are proposed on the ground floor. Under the existing Zoning By-law, restaurant uses have the most onerous minimum parking rate of 1/10 m<sup>2</sup>.

Transportation Planning and Design staff requested a Parking Reduction Study be provided by the applicant to justify and demonstrate that the requested parking reduction would not create adverse impacts. The Parking Study provided to City staff study found that the requested reduced parking rate is within the value range of the parking requirements sampled from other similar approved developments in the surrounding area (1674 Hyde Park Road, 1600/1622 Hyde Park Road, and 1076 Gainsborough Road). The Study indicated that upon review of the Institute of Transportation Engineers (ITE) rates for the commercial and residential uses, the proposed parking supply is expected to be adequate. Finally, it should also be noted that the site is directly serviced by London Transit Route 19 'Downtown – Stoney Creek' with an existing transit stop located adjacent to the Peavey Mart and at the intersection of Hyde Park Road with South Carriage Road. Development Services staff are of the opinion that the reduced parking rate is a common and acceptable modern standard for sites located on higher-order streets and is in keeping with recent development approvals within the Hyde Park Village.

#### **4.4 – Issue and Consideration #4: Vehicular Access & Traffic**

The proposed development includes a shared driveway, partially located over the neighbouring property to the south (1435 Hyde Park Road), which is intended to serve as a secondary access to the subject lands from Hyde Park Road. The neighbouring property owner to the south has reached out to City staff on numerous occasions expressing concerns about the proposed shared driveway. There is an existing development agreement registered on title for the lands at 1435 Hyde Park Road (ER411018), which includes a clause stating that “the Owner shall enter into an agreement with the owner of the lands abutting to the north (1503 Hyde Park Road) at such time as those lands develop to provide for the joint use of common internal driveways, as required”.

Planning staff have corresponded with the concerned neighbour noting that matters related to the site layout, including access design and location, will be addressed at the future Site Plan review stage. The Applicant is encouraged to continue engaging in discussion with the neighbouring property owner to come to an agreeable solution for both parties. Site Plan Approval will not be issued until such time that the Applicant can demonstrate that appropriate access to the site can be provided.

With respect to traffic, a Transportation Impact Assessment prepared by Crozier & Associates Inc. was submitted in support of the current application. The findings in the assessment indicate that the proposed development is expected to have a negligible impact on the surrounding road network, with movements continuing to operate under capacity during all peak hours in 2026 future background traffic conditions. Transportation staff did not express any concerns with respect to the proposed access to the site from Hyde Park Road.

#### **4.5 – Issue and Consideration #5: Holding Provision – Servicing**

Should a municipal storm and sanitary sewer be located over the rear access lane to service properties on Gainsborough Road, combined services easements would be required at the time of the Site Plan review process and confirmed with Geomatics.

Although an outlet for the site currently exists, a holding provision is being recommended as part of this application until an overall servicing strategy for adjacent properties has been approved. The Applicant has been advised to contact the owners of 1018 Gainsborough Road to coordinate design and construction for servicing through the rear access lane.

## **5.0 Conclusion**

The requested amendment to permit an 8-storey mixed residential/commercial development 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, City Building policies, and the Main Street Place Type. The recommended amendment is in conformity with the policies of the 1989 Official Plan, including but not limited to the Main Steet Commercial Corridor designation. The recommended amendment will facilitate the development of an underutilized vacant site located within the Built-Area Boundary with a land use, intensity, and form that is appropriate for the site and compatible with the surrounding context, and in keeping with the Hyde Park Community Plan and Urban Design Guidelines.

**Prepared by:** Anusha Singh  
Planner I

**Reviewed by:** Mike Corby, MCIP, RPP  
Manager, Planning Implementation

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

**Submitted by:** Scott Mathers, MPA, P. Eng.  
Deputy City Manager, Planning and Economic  
Development

## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2022

By-law No. Z.-1-22\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1503 Hyde Park Road.

WHEREAS 2575707 Ontario Corp. (c/o Business Network Associates) has applied to rezone an area of land located at 1503 Hyde Park Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1503 Hyde Park Road, as shown on the attached map comprising part of Key Map No. A101, from a holding Business District Commercial (h-91\*BDC1/BDC2) Zone to a holding Business District Commercial Special Provision (h-91\*BDC1(\_)/BDC2(\_)) Zone. Section 25.3 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provisions:

h-91\*BDC1(\_)/BDC2 1503 Hyde Park Road

a)	Regulations	
	• Parking Standard for Apartment Buildings (Minimum)	1 space per unit
	• Parking Standard (Minimum)	1 per 25 square metres
	• Density (Maximum)	150 units per hectare
	• Height (Maximum)	8-storeys or 27.5 metres
	• Rear and Interior Side Yard Depth (Minimum)	1.0 metre per 1.0 metre of main building height, measured from the lot line abutting a residential zone
	• Front Yard Setback (1st and 2nd storeys)	1.0m (min) 2.0m (max)
	• Step-backs	Step back for the 3rd to 6th storeys (min): 2.0 metres plus the setback established for the 1st and 2nd storeys.  Step back for the 7th and 8th storeys (min): 4.0 metres plus the setback established for the 1st and 2nd storeys.

Balconies may be permitted to project 2.1m into the required 7 and 8 storey setbacks.

- The primary entrance for the residential uses shall be designated and oriented towards Hyde Park Road;
- The minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 75% of the measurement of the front lot front line.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

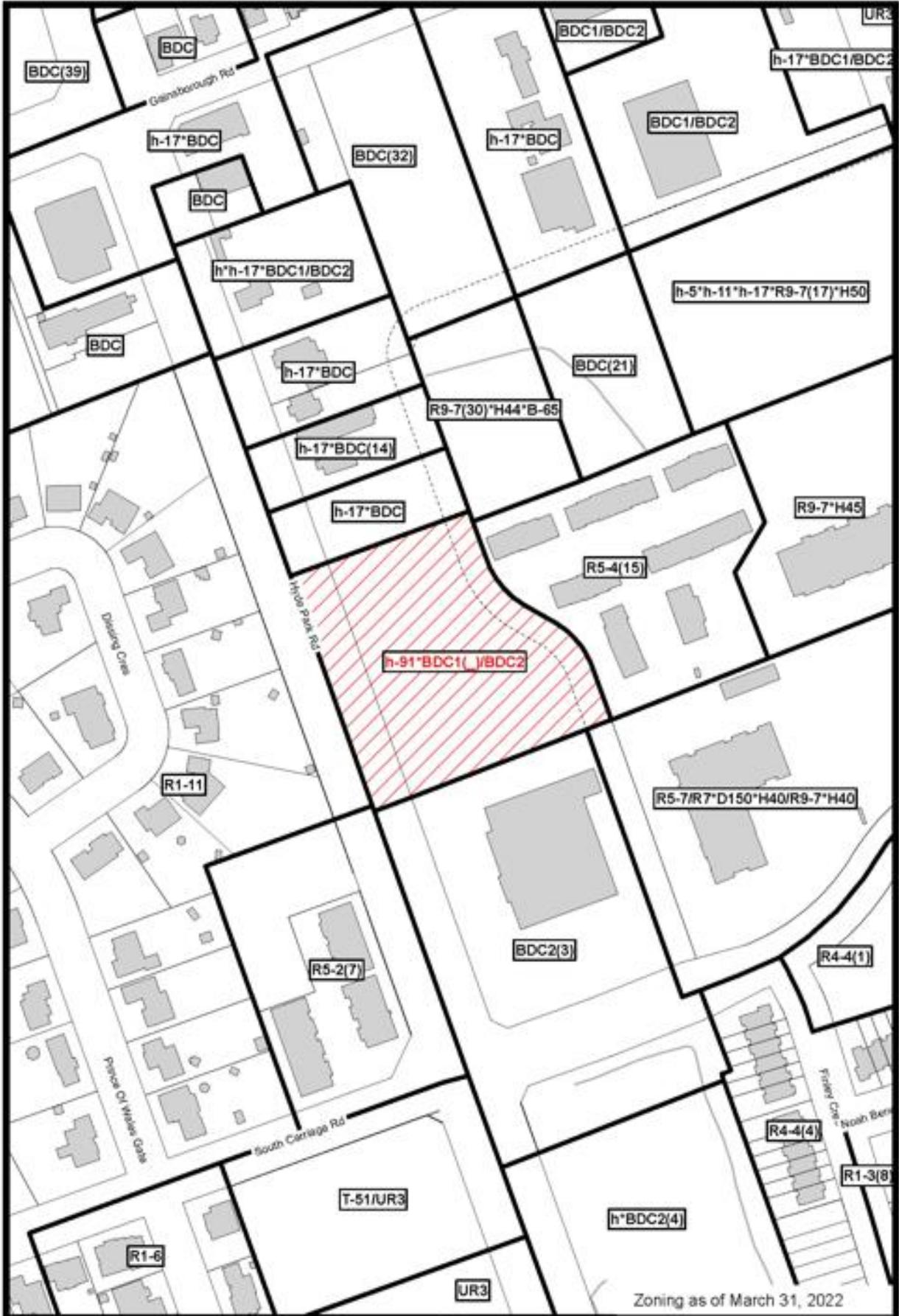
PASSED in Open Council on June 14, 2022

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading – June 14, 2022  
Second Reading – June 14, 2022  
Third Reading – June 14, 2022

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



File Number: Z-9425

Planner: AS

Date Prepared: 2022/04/25

Technician: ZZ

By-Law No: Z.-1-

SUBJECT SITE 

1:2,127

0 10 20 40 60 80 Meters 



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On November 4, 2021, Notice of Application was sent to all property owners with 120 m of the property. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 11, 2021. A “Planning Application” sign was also posted on the site.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit an 8-storey (27.5 metres) mixed-use building with 130 dwelling units and 782.5m<sup>2</sup> of commercial gross floor area on the ground floor. Possible change to Zoning By-law Z.-1 **FROM** a holding Business District Commercial (h-91\*BDC1/BDC2) Zone **TO** a holding Business District Commercial Special Provision (h-91\*BDC1( )/BDC2) Zone. Special provisions are required to permit a reduced rear and interior side yard depth; reduced residential and commercial parking rate; increased height; a density of 150 units per hectare; and to establish additional built form standards.

**Responses:** Four (4) comments were received (see below).

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Dear Josh Morgan,

I have reviewed and studied the building proposal as made available by the developer at 1503 Hyde Park Road.  
[www.six-ik.ca/1503hp](http://www.six-ik.ca/1503hp)

I have some serious concerns regarding the placement of the proposed building so close to the sidewalk on Hyde Park Road. I’m hoping you can take to time to review it thoroughly as well.

After having studied the proposal and architectural renderings I have several objections.

1) The building is much too close to busy 4 lane Hyde Park Road (right next to the sidewalk). First off: who would want to live in an apartment so close to a high-speed noisy road (I know I certainly wouldn’t). Secondly it makes for an oddly disproportionate street scape. Other buildings such as Peavey mart are set rightly much further back away from the road. Placing an 8 story building so far forward (entirely in front of where The Peavey maart building starts) makes it jut out and visually domineering. This is disruptive to the visual flow as seen when driving up or down Hyde Park Road. There is no reasoning given for placing it so far forward while having plenty of space behind the building to place it into the center of the building lot. Placing it so far forward also takes away all privacy the residents of the single family homes on the west side of Hyde Park road have. There would be little infringement on anyone’s privacy if the building were placed further towards the middle of the building lot.

2) There is not nearly enough parking. Bike racks do not compensate for lack of parking in the wintertime whatsoever. Most Canadians use their bikes recreationally and not for going to work or shopping. Most residents will have more than one car so that each partner can get to work. Let us not forget that most modern families in Canada are double income. Hyde Park road only has one bus line that runs once every half hour, certainly not a central artery of available linked public transit. Where will customers of the restaurant and businesses be able to park? Customers, residents and visitors will be parking their cars at Peavey Mart and the adjacent streets. This would be a burden on neighbors in the area.

3). The businesses on the lower floor have little to no space in front of their entryway. If COVID has demonstrated anything it is that businesses need easily accessible outdoor patio space. The proposed restaurant has a small patio space on the north side but certainly not large enough to have it be profitable if indoor dining is banned again. The small businesses in front facing Hyde Park road would only have a walkway. Certainly

no coffee shop or eatery would rent here without patio space. Businesses would have little to no flexible space in case another pandemic (and the associated restrictions) where to happen again.

I'm very disappointed in the lack patio and outdoor green space at the front of the proposed building.

Thanks for your time and consideration,  
Joe Beukeboom

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Thank you for the planning application information provided regarding the proposed development at 1503 Hyde Park Road. Further to the comments we provided to the developer's consultant for the June 7 and upcoming Nov. 25 virtual info sessions in writing, we would like to reiterate our concerns to the City of London Planning Department and Elected Officials.

We are supportive of the London Plan for the Hyde Park Mainstreet area, and the developers supporting information for the street facing facade, ground floor multi use spaces and the overall lot layout. We however do not support the developer's request to increase the building height from the current zoning (12 m to 27.5m), or 8 storeys from the London Plan supported range of 2 to 4 storeys. This is not consistent with the London Plan, or the scale of the existing and future surrounding land uses (i.e. the 12 story apartment building being further back near Coronation Dr., then the 3 story townhomes, then back up again for the proposed 8 storeys at street face, next to a 2-3 storey Peavy Mart building to the south and future 2-4 storey buildings as per the London Plan at street face to the north, and single family residential across the road to the west).

This development should be consistent with the London Plan and existing/future buildings including the proposed 4 storey building at the southwest corner of Hyde Park Rd. and South Carriage Rd which we support. The developer can still achieve the London Plan's increased density objective by proposing a larger building footprint with 4 storeys which is something we could support.

We would request delegation status at the public meeting to present area resident concerns with this application as a result.

John Haasen, PMP, CET  
Senior Vice President,  
Project Delivery Excellence, Canada

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I am not so naive but to know that the developers will get what they want in this city. I would like to express in writing my concern with the hi-rise proposed for 1503 Hyde Park Road.

I have 4 concerns:

-excessive increased traffic in an already overused expressway corridor.

-excessive light/noise pollution and loss of privacy to the surrounding single family towns and townhomes that were previously accepted in this neighbourhood. Our home is across the street from this proposed building and despite our efforts to plant many trees, the ap't tenants will be looking down into our backyard.

- the new site access between the hi-rise parking and the Peavy store (#1 on the map) is an accident waiting to happen. The exit from this site should totally be from the back of the premises. With the highway style driving now experienced on the 4 lanes of Hyde Park, there will be death at that exit for sure. Have we not experienced enough death in Hyde Park the last couple of years?

-lastly, the proximity of the building to the street does not allow any room for error. We have had cars crash through the fence and into our backyard because of road ice many times since we have lived here.

One further comment. . . .the homeless! If we allow the developers to continue to build high end condos without any investment in our homeless population, we have failed as human beings. Twist their arms for some type of commitment to help solve this problem. They can afford to pitch in.

Sincerely,

Jun and Hazel Celestino  
50 Dissing Cr

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I am the owner of 1435 Hyde Park Road, the site immediately to the south of 1503 and have the following comments regarding their rezoning application. I would mention at the outset that I did not receive any notice of this application from the city, and in fact only recently learned about it from a third party. I am responding to it as quickly as reasonably possible.

While I am generally in favour of intensification of the area, and the concept of the proposed development, it appears as though several of the design features of the building have rendered the site unworkable on its own.

The on-site parking is unduly limited and the width of the building does not permit an access to Hyde Park Road.

It appears as if the applicant is proposing to use my access for its development. I have not agreed to this and have several objections. My property is leased on a long-term basis to a commercial tenant and I do not wish to interfere with that business by sharing the access with another property. Parking is also an issue because the shared access will lead customers to assume that both sites are under the same ownership, and will lead to vehicles being parked on my site (including overnight, given the residential use) that belong on the applicant's lands. There is no practical way to monitor and enforce this, in my experience. My site plan agreement references a proposal to agree with the owner of 1503 to share "internal driveways". There is no reference to sharing my access, and there are no terms or details as to what should go into our agreement. It is in effect an "agreement to agree", which has little practical worth.

Further, the land use thinking and policy for the area have changed significantly in the past 15 years. The applicant's use is much different from what was originally contemplated and merging the two sites may no longer make sense. 1503 has more frontage on Hyde Park Road than my site. There is no explanation as to why it cannot have its own direct access (at the north end of the site, which had been the de facto access for decades), except to observe that its proposed building has used the entire width of the property in order to maximize its commercial return, and in so doing requires access from a neighbour.

The owner has reached out to me in the past couple of weeks to work out a solution. This should have been done much sooner, but nevertheless I am interested in determining whether a redesigned joint access further to the north is possible. This would involve the drafting of a joint access agreement, determining costs, surveying, obtaining planning consent, consent from my tenant, other shareholders of my company, mortgagee, and other items. I don't know at this stage whether this can be achieved, but I am willing to investigate this in good faith with the owner of 1503 (Brigel Patel). Nevertheless, it should be noted that the rezoning proposal is necessarily connected with the building design and site plan, and I do not think the rezoning proceed until the crucial item of access is resolved.

I would request that the zoning decision be deferred until the owner of 1503 and myself

have determined whether or not a joint access agreement can be reached.

John Lean  
Pres. Greenleaf Properties Limited

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## **Agency/Departmental Comments**

### **Site Plan**

- The proposed outdoor common amenity space should be large enough to accommodate all units on site. There are concerns with the current size given the number of units. The previous concept site plan submitted and reviewed for SPC provided an adequate amenity space given the number of proposed units
- Landscape planting islands are required every 15 parking stalls in accordance with the Site Plan Control By-law
- Bicycle parking is to be provided for the retail/commercial uses in accordance with the Zoning By-law
- For the Commercial parking – 35 stalls are required with the rounding – the total proposed is 164 making them deficient by 1 space given the proposed parking rate of 1 space per 23m<sup>2</sup>.
- One additional BF parking stall is required based on the proposed parking rates (1 + 3% = 6).
- The commercial bicycle parking is to be shown on the concept site plan (this can occur through the SPA process and is more-so a note at this point in time)
- As per the Site Plan Control By-law, a minimum of 1.5m is required between the laneway and any proposed parking

### **Urban Design**

#### *First Submission*

- The applicant is commended for providing a site and building design that incorporates the following design features; provides a built form that establishes built edge along Hyde Park Road; includes active ground floor commercial/retail units with individual entrances facing the street; provides a pedestrian connection through the building that connects the walkway between Coronation Drive and Hyde park Road; provides for appropriate transition to single family homes towards east; and locating majority of the parking underground and internal to the site and away from the public street frontage.
- The site is fully located within the Hyde Park Community Plan Area and the Main Street Place Type. The London Plan contemplates the mixed-use apartment buildings within the Main Street Place Type and the form policies allow a maximum height of up to 4 storeys or 6 storeys with bonus.
- If the applicant can justify the requested change in heights for the proposal, please find below the improvements in the design, consistent with the previous staff and UDPRP comments to be considered in establishing appropriate zoning regulations (i.e. setbacks, public walkway connections) and as direction to the Site Plan authority.
  - Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
  - Include a 1-2m setback from the Hyde Park Road in order to avoid encroachment of building elements such as canopies, opening of doors, etc.
    - The setback of 1.2m along the Hyde Park Road for the first floor is acknowledged and ensure that no building elements encroach beyond property line.
  - Explore opportunities to further enhance the building facade to reduce the slab-like appearance of the building and the apparent length and bulkiness of the building along the street frontage by incorporating defined pedestrian street wall, setbacks and further vertical articulation including reliefs, changes to roof profiles, colour and material usage.

- Consider breaking up the apparent length of the building by incorporating vertical articulation elements that extends up from the ground.
- Provide an adequate setback of minimum 3m above the 4<sup>th</sup> or 5<sup>th</sup> Storey along the street frontage in order to provide for a more human-scale environment along the street.
- Further define a one- to two-storey high pedestrian streetwall through articulation, material application and differentiating these floor from those above to provide an intimate pedestrian scale along Hyde Park Road.
- Consider providing darker and visually heavier materials on the bottom lower floors and lighter ones on the top to minimize the apparent mass of upper stories. Also provide greater emphasis on the passageway and the lobby entrance by providing larger opening
- Provide enhanced articulation along the ground floor retail in terms of size of canopies, signage and space for patios to further animate the street edge.
- Provide enhanced articulation on North and South elevations by increasing the amount of the openings on the blank portions of the façade as it is highly visible from the North and South approaches of Hyde Park Road.
- Provide a primary entrance to the lobby on the street-facing elevation and differentiate this entrance from the individual units through an increased proportion of glazing and appropriately scaled building mass.
- Ensure that the proposed passageway is significant enough to be read as an important pedestrian linkage. It can be achieved by emphasizing the proposed passage way through increased size of the opening in terms of height and width, appropriately sized building mass, canopies or vertical articulation in terms of relief, material change etc. This articulation in massing could help define the location of principal/primary residential entrances from the street-facing frontage visible and distinguishable from other unit entrances.
  - Ensure that the passageway is wide enough, a minimum of 5m through the entirety of the building and accessible by the public at all times.
- Design the space between the building and the ROW so it is generally consistent with the design that has been implemented for other developments in the Hyde Park Community Plan Area.
  - Provide a main sidewalk along the curb edge with a 2m clearway between the curb and the start of planters. This should include a 0.25m exposed aggregate band on either side of a 1.5m concrete sidewalk.
  - Provide a secondary sidewalk along the face of the building.
  - Provide large planting beds for trees between both sidewalks with individual walkways to the ground floor entrances.
  - Ensure the planters are aligned parallel to the street with a 0.15m curb to clearly define the clearway. Include two trees per planter with other assorted low laying plantings.
- Incorporate a larger usable outdoor amenity space programmed along with the pedestrian laneway for the number of units proposed.
  - Remove some of the parking stalls towards South West of the proposed walkway to increase the outdoor amenity area.

#### *Second and Third Submission*

- Break down the massing and length of the upper levels of the building (more articulation, varying the setbacks, varying the heights or breaking it into 2 buildings or an L-shape to make it less long/massive along Hyde Park rd.
- Better streetscape presence in the design of the lower (1-3) floors and a sufficient step-back to create a human-scale environment. More material and articulation variation. Residential lobby on the street-facing façade that is differentiated from the commercial units
- Improved pedestrian circulation from the streets and around the buildings.

- Require that the primary entrance for the residential uses shall be designed and oriented towards Hyde Park Road and the following setbacks and step backs shall be implemented along all portions of the façade facing the front lot line:
  - Setback for 1st and 2nd storeys from the front lot line (min/max): 1.0 metres – 2 metres
  - Step back for the 3rd to 6th storeys (min): 2.0 metres plus the setback established for the 1st and 2nd storeys
  - Step back for the 7th and 8th storeys (min): 4.0 metres plus the setback established for the 1st and 2nd storeys

### **Urban Design Peer Review Panel (UDPRP)**

- The Panel commends the design team for a clear, detailed and comprehensive narrative surrounding the design strategy of how the site layout, massing and form was composed.
- The Panel suggests the design team consider allocating additional space along the Hyde Park facade to outdoor patios and/or amenity areas, while offering a sense of relief in the length of the building. Incorporating additional signage, architectural awnings or canopies was suggested as a means to encourage the hospitality and retail elements of the space.
- The Panel recommends the design team explore opportunities to further enhance and/or upgrade the ground floor retail uses of the building through exaggerated canopies, additional signage and enhanced landscaping to make the space more inviting and user friendly. In addition, opportunities to incorporate retail uses throughout the corners of the building should also be considered as a means to bring more animation to the streetscape and activate the site.
- The Panel recommends additional vertical elements, or extending some of the existing vertical cuts to grade be incorporated into the building elevations to aid in reducing the slab like volume of the building.
- The Panel acknowledges the forethought and attention given to creating a pedestrian link through the building to connect to the new laneway and neighbourhood at the rear. To enhance the user experience and highlight the presence of this key pedestrian linkage, the Panel suggests the design team consider highlighting this connection with design elements such as an alternate building material, canopy, relief in the façade, or by increasing the size of the building opening.
- The Panel suggests the pedestrian link from the rear of the building to the new laneway be strengthened with enhanced landscaping and variation in paving materials to reinforce this pedestrian thoroughfare and make the connection through the building to Hyde Park Road more pronounced.
- The Panel recommends the design team consider opportunities to close or reduce the proposed 12m gap in the street wall created by the setback from the underground parking garage access.
- The Panel suggests the design team consider varying the roof profile, heights and changes in plane at the primary façade to enhance the building architecture.
- The Panel recommends articulating and/or enhancing the sidewalls of the building in a more interesting manner, potentially through alterations in height and/or materiality.
- The Panel recommends the design team further consider the relationships between building colour and composition. Provided the prominence of the darker material along the upper floors, combined with the lighter masonry base, it was suggested that this bold contrast maybe too strong and results in a top-heavy proportion. The Panel suggests the design team consider bringing the darker material to the ground at strategic points to anchor the building back into the site.
- The Panel commends the applicant for providing significant amenity space adjacent the new laneway while expressing concerns that the awkward siting may require detailed and creative landscape solutions to resolve successfully. The Panel recommends providing detailed program solutions to these design opportunities in future applications.

## **Transportation**

### *First Submission*

- Right-of-way dedication of 18.0 m from the centre line be required along Hyde Park Rd.
- Parking reduction justification study is required.
  - Bicycle parking incentive as outlined in Section-4.19 of the City's Zoning By-law only applies to non-residential uses. Based on this development can only receive an incentive of maximum 7 parking spaces (10% of total requirement for retail and restaurant), which leads to a total parking requirement of 217 spaces;
  - New parking requirement is 217 spaces and based on proposed, the deficiency is 53 parking spaces or 32.32%. Please update report reflecting new numbers.
  - Update Table-9 to identify how many parking spaces are proposed for each individual land uses and the rate of the proposal;
  - A review of Table-10 identifies that majority of surrogate sites are supported by parking reduction criteria that this site does not benefit from (eg. on-street parking availability, higher service transit areas, etc.). Further it's hard to determine if there is an existing conditions issues which the number of parking spaces which were apparently approved. Therefore a field survey would be required for these examples to be used to support reduced parking rates and more details on other supportive parking reduction criteria applies to each site (ie. proximity to transit etc). While the City of London does not currently have published Parking Utilization Study Guidelines, the Mississauga TOR for Parking Utilization studies for Site Specific Applications may be referenced.
  - Regarding the TIA, the City should continue to monitor Hyde Park @ Gainsborough intersection for signal optimization.
- Detailed comments regarding access design and location will be made through the site plan process.

### *Second Submission*

- Note that the study should use ITE Mid rise code (221) only for parking reductions purposes only. The comparison between low, mid and high rise has a substantial difference in the number of studies (i.e. mid rise vs high rise) thus its differences in values, and it is not acceptable, an update in this item will be required with its respective rate (Mid rise). Note that the parking spots as per ITE are 170 average rate and 165 fitted curve, however we are using the City of London parking requirements (163 parking sports) for this application.
- There are 123 surface parking, therefore there must be 41 underground parking spots. An explanation about how surface parking will be managed for residential vs commercial/visitors will be required.
- Additionally, they need to confirm if the 99 long term bike facilities are secure to apply the 10% reduction plus a 2% incentive due to excess. Also they could easily get an additional 4% here with bike maps in lobby and one-pager travel info upon move-in.

## **Engineering**

Hi Monica,

I've taken a look at the servicing report and can conclude my original comments more or less the same. I feel that the holding provision should remain until the following has been demonstrated by the applicant:

1. Sanitary Outlet
  - Provide a copy of the existing easement agreement with 1020, 1030, 1040 Coronation Drive
  - Provide a design sheet of the as-built sewers through these properties demonstrating there is sufficient capacity to convey flow from all 4 properties.

## 2. Storm Outlet

- Confirmation on how the site will be serviced by storm sewer. It was noted in previous correspondence that the applicant work with the owners of 1018 Gainsborough Rd to determine a servicing strategy as the rear access lane will serve a servicing corridor for this property.

If there are questions from the applicant, please let me know. Again, I do not have sufficient information to waive the holding provision at this time.

### **Wastewater**

- The applicant is requesting a density of 150units/ha for the subject site that is approximately 1ha in size, creating an equivalent population of about 240 people. Accepted area plans have accounted for this density and capacity is not a concern.
- There are currently storm and sanitary stubs provided at the SE corner of the subject lands. However, there are ongoing discussions regarding the servicing strategy of the properties on Gainsborough Road, and the fate/need for the Rear Access Lane that would be along the east edge of the property. Should a municipal storm sewer and sanitary sewer be routed down this rear private access lane to service the Gainsborough Rd. properties, combined services easements would be required/should be confirmed to be in place with Geomatics. As part of this potential sewer routing and future potential installation, SED would like to see service connections to these new sewers in the Rear Access Lane and the existing services be terminated at the west property limit of 1040 Coronation Dr.
- Although an outlet for the site currently exists, a holding provision is recommended until an overall servicing strategy for adjacent properties has been approved. It is advised the applicant contact the owners of 1018 Gainsborough (Bluestone) to coordinate design and construction for servicing through the rear access lane.

### **Stormwater**

#### *Site Specific Comments*

- As per record drawing (29548), the site at  $C=0.75$  is tributary to the existing storm sewer on Coronation Drive/South Carriage Rd. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
- Stormwater servicing for this site shall be consistent with the strategy developed through the West Coronation Subdivision (39T-13505), the Functional SWM Servicing Report prepared by MTE, and shall have regard for the previously approved site plans for 1040 & 1030 Coronation Drive.
- The proposed land use of medium density residential/commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- The number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options are outlined in the Stormwater Design Specifications & Requirements Manual.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that

the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.

- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Additional SWM related comments will be provided upon future review of this site.

#### *General comments for sites within Stanton Drain Subwatershed*

- The subject lands are located in the Stanton Drain Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

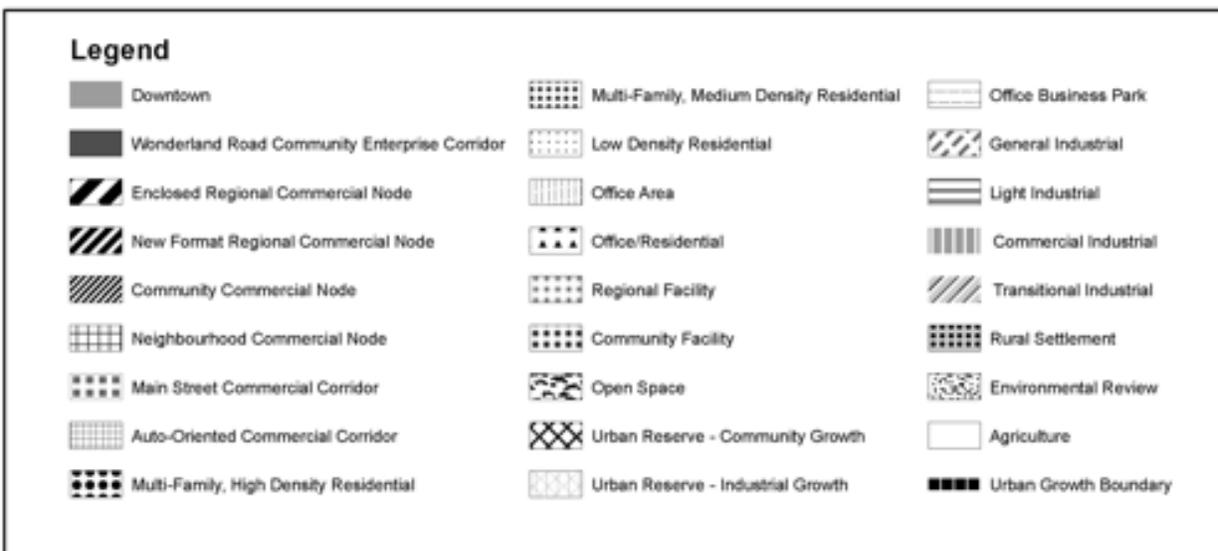
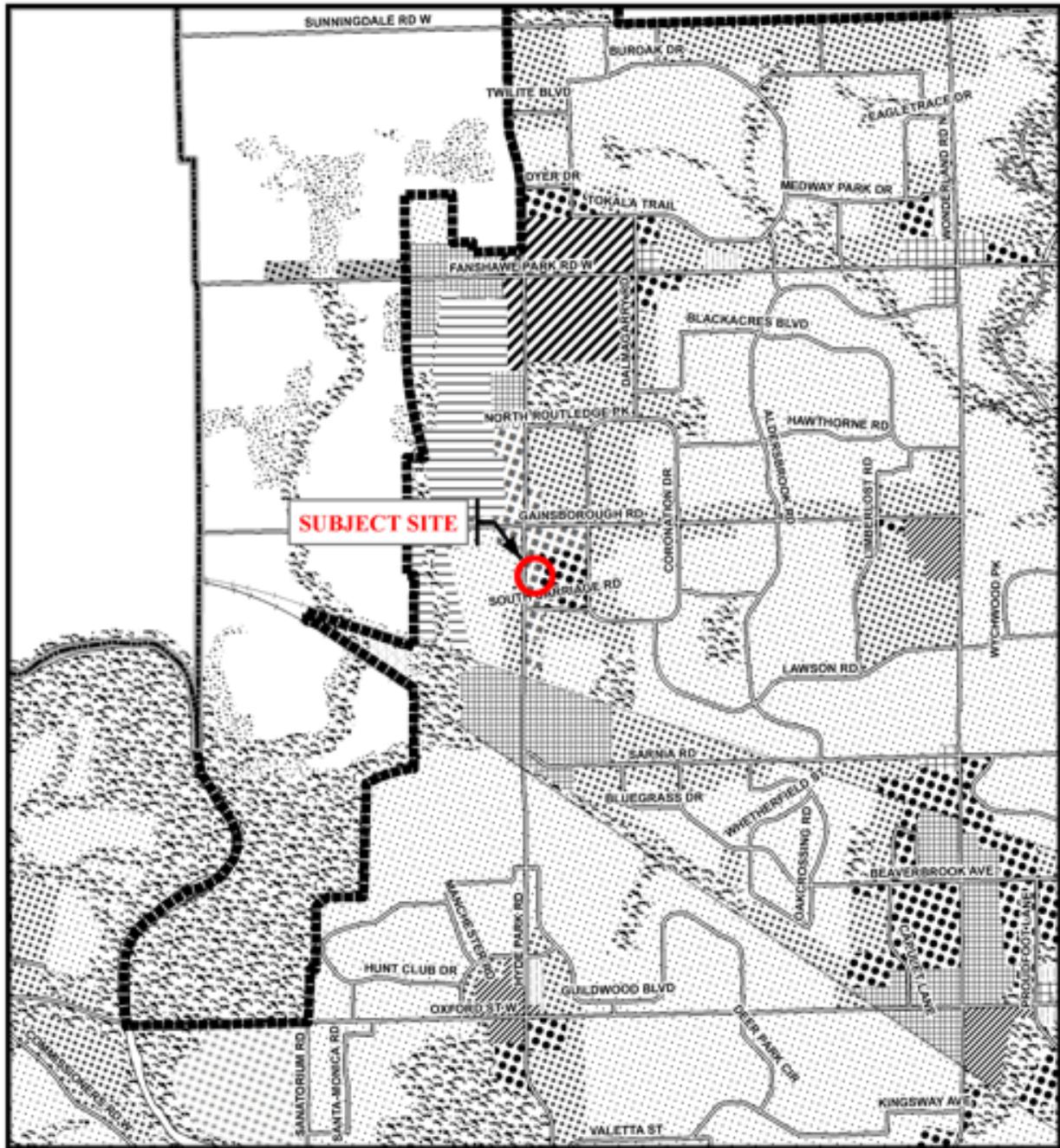
#### **Water**

- Water to service this site is available from the 450mm municipal watermain on the west side of Hyde Park Road.
- No connections are permitted to the 900mm watermain on Hyde Park Road.
- There is a 300mm watermain on this property servicing the property to the rear (1040 Coronation Drive). With or without any further use of this main to service this site, it must be addressed in such a fashion as to ensure that a regulated drinking water system is not created.

## **Appendix C – Relevant Background**

### **Additional Maps**

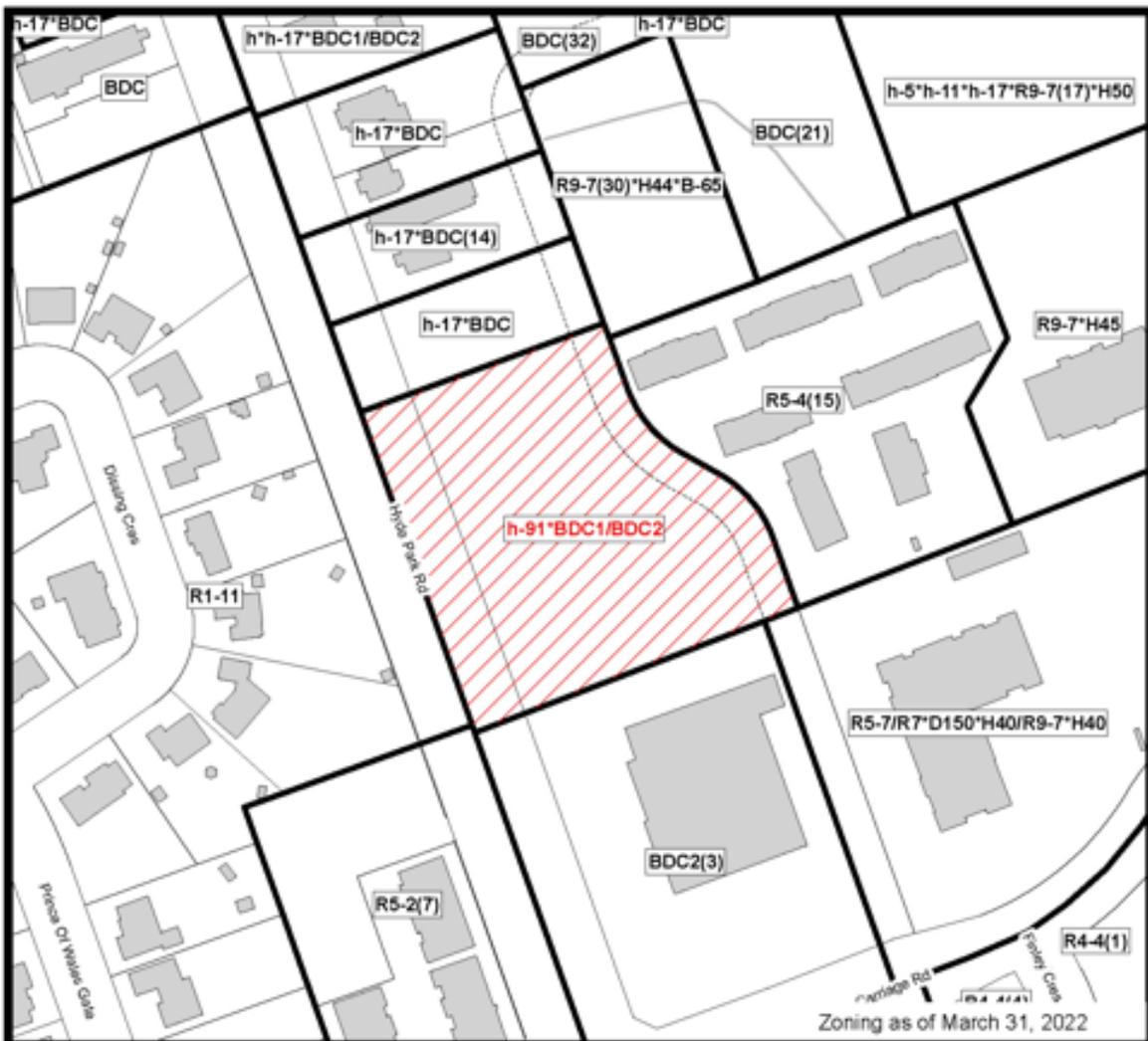




<p><b>CITY OF LONDON</b> Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-9425</p> <p>PLANNER: AS</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/04/25</p>
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1989 Official Plan – Schedule A – Land Use



Zoning as of March 31, 2022



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



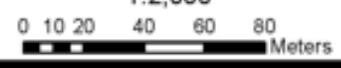
FILE NO:  
Z-9425

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MAP PREPARED:  
2022/04/25

rc

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

Zoning By-law Z.-1 – Zoning Excerpt

# 1503 HYDE PARK ROAD

## PROJECT SUMMARY

[www.siv-ik.ca/1503hp](http://www.siv-ik.ca/1503hp)

**Developer:** 2575707 Ontario Corp. c/o Business Network Associates



## Concept At-A-Glance

### USE



**RESIDENTIAL UNITS**



**COMMERCIAL SPACE**

### PARKING



**VEHICLE SPACES**  
(41 UNDERGROUND SPACES  
AND 123 SURFACE SPACES)



**SECURE BICYCLE  
PARKING SPACES**

### HEIGHT & DENSITY



**8  
STOREYS**  
(27.5m)



**147.8  
UNITS PER  
HECTARE**

### DESIGN FEATURES

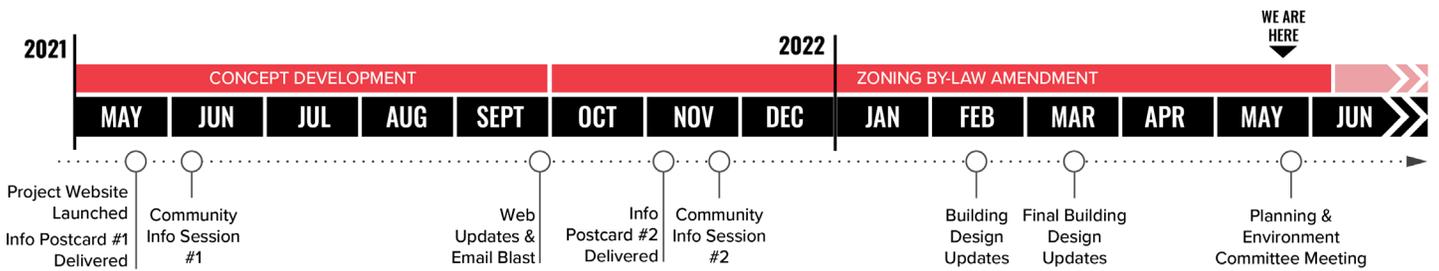


PRESCRIBED  
STEPBACKS AT  
**THIRD** AND  
**SEVENTH**  
STOREYS



**ENHANCED  
MAIN STREET  
STREETSCAPING**

# Timeline



## Community Engagement by the Numbers



**POSTCARDS SENT TO HOUSEHOLDS (X2)**



**UNIQUE WEBPAGE VIEWS**



**VIRTUAL INFORMATION SESSIONS HELD**



## Key Themes Heard and Our Response

### Height

- The height, shape and location of the building have been designed to minimize shadow impacts.
- Pursuing an 8-storey development which is lower than what the 1989 Official Plan policies would allow for at this location.
- Significant building step-backs have been incorporated to provide visual relief to the building height from Hyde Park Road.

### Architectural Design

- The building has been designed in accordance with Hyde Park Community Urban Design Guidelines.
- The street-facing facade includes high quality brick and stone and generous sized windows.
- Balconies along the street create recesses and projections to break up the look of the massing.

### Parking

- Parking study was completed to determine appropriate parking supply.
- Proposed proposed parking ratio is in keeping with recently approved mixed use development in the Hyde Park area.

### Support for Retail

- Commercial units are included on the ground floor which will include a mix of small retail, personal service and restaurant uses.

### Contact Us

[www.siv-ik.ca](http://www.siv-ik.ca) | [info@siv-ik.ca](mailto:info@siv-ik.ca)

**From:** Haasen, John

**Sent:** Thursday, May 26, 2022 12:31 PM

**To:** Wu, Monica <[mwu@london.ca](mailto:mwu@london.ca)> **Cc:** Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>

**Subject:** [EXTERNAL] RE: RE: 1503 Hyde Park Development

Monica/Anusha, I am following up on the ongoing resident concerns with respect to this applications and the phone message I left with Anusha today. Please confirm how we can present to the committee on May 30 our concerns on an individual or collective basis as advised previously as highlighted in yellow below. Our concerns have been expressed in writing and verbally at the June , 2021 and November 25, 2021 public mtgs as highlighted in yellow below. In addition I provide the following for the City's consideration when reviewing and ruling on this application. Thank you. John

All, further to the planning application and public meeting for the proposed development behind you on the east side of Hyde Park Road May 30, 2022 (next Monday), I took a walk around today to provide some context to our concerns that should be relayed to the City when you request that each of you present at the meeting, or if you would like me to on your behalf. See my comments below and the pictures attached. We definitely should be arguing to stay within the 2 to 4 storey's as per the London Plan and Zoning By-Law. John

- IMG147 shows the south side of the proposed development behind Jim's and Rosina's place (66 Dissing Crescent). The 3 storey mark would be just above the lowest power line; the 4 storey mark halfway between the second power line and the first connectors; the 5 storey mark would be at the fourth power line; the 6 the storey would be at the top power line; then add 2 more storey's on top of that for the 8 they are requesting. With the tree coverage on the property you may be fine up to 4 storeys.
- IMG 148 shows the midpoint of the proposed development behind Mark and Barb's place (62 Dissing Crescent). The 3 storey mark would be just above the lowest power line; the 4 storey mark halfway between the second power line and the first connectors or at the street light mast heads; the 5 storey mark would be at the fourth power line; the 6 the storey would be at the top power line; then add 2 more storey's on top of that for the 8 they are requesting. With the tree coverage on the property you may be fine for 2-4 storey's but anything above this will be a problem, in addition to noise refraction from the building overtop the noise wall
- IMG 149 shows the mid to north portion of the proposed development behind Danny and Tanya's place (58 Dissing Crescent). The 3 storey mark would be just above the lowest power line; the 4 storey mark halfway between the second power line and the first connectors or at the street light mast head; the 5 storey mark would be at the fourth power line; the 6 the storey would be at the top power line; then add 2 more storey's on top of that for the 8 they are requesting. Anything above 2 storeys will be a problem in addition to noise refraction from the building overtop the noise wall
- IMG 151 shows the north portion of the proposed development behind Paul's place (54 Dissing Crescent). The 3 storey mark would be just above the lowest power line; the 4 storey mark halfway between the second power line and the first connectors or at the street light mast head; the 5 storey mark would be at the fourth power line; the 6 the storey would be at the top power line; then add 2 more storey's on top of that for the 8 they are requesting. With the tree coverage on the property you may be fine up to 4 storeys.

IMG 152 shows Mark/Barb's (62 Dissing Crescent) and Danny/Tanya's places (58 Dissing Crescent) from where the proposed building face will be on the east side of the road at about the lower 2<sup>nd</sup> story mark. **As you can see even a 2-4 storey building as allowed for by the London Plan and current zoning will have an impact on our properties. 8 storeys is completely out of the question and is exacerbated by the building being at the street face vs being well back from the roadway like the other 2 apartment building just south and east of this proposed one.**

**John Haasen**

**From:** Haasen, John

**Sent:** Sunday, November 21, 2021 12:45 PM

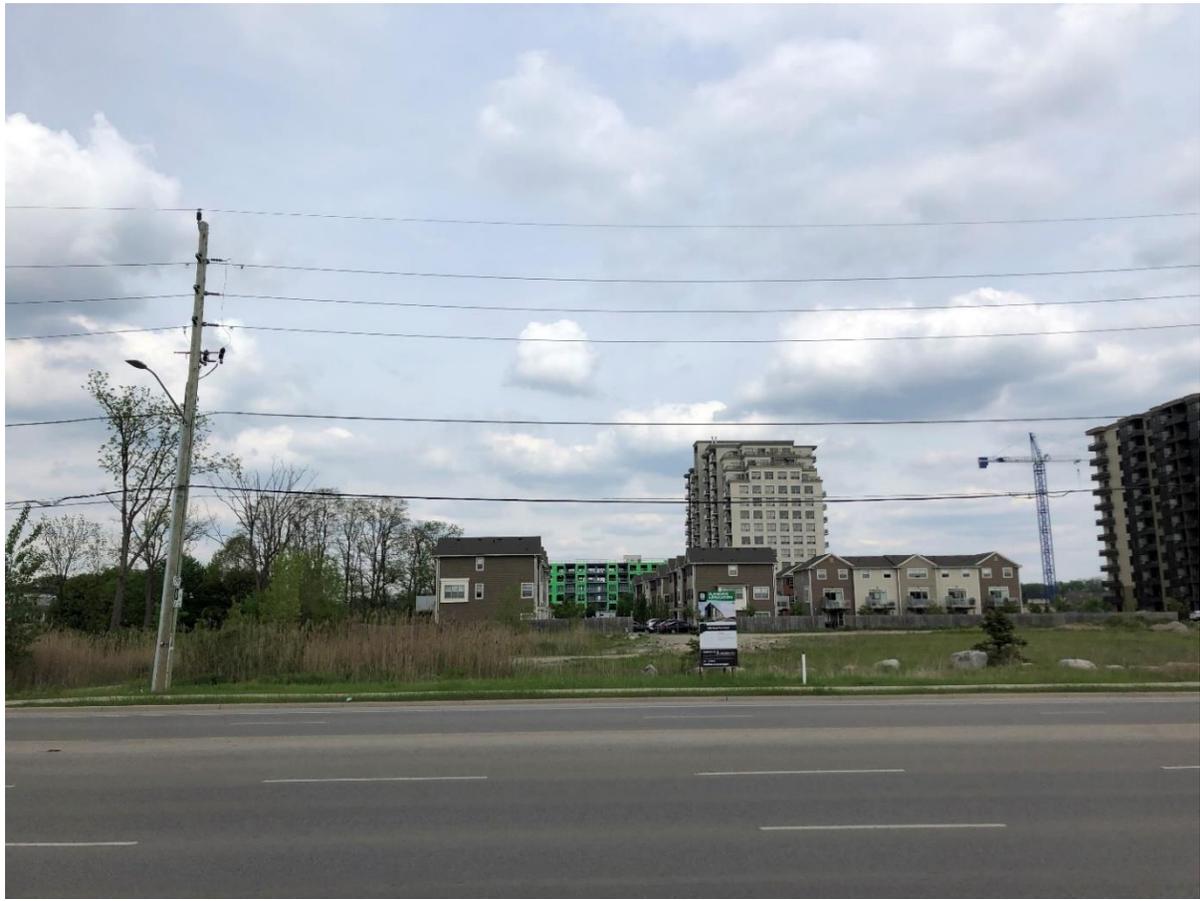
**To:** Wu, Monica <[mwu@london.ca](mailto:mwu@london.ca)>; Barrett, Gregg <[GBarrett@London.ca](mailto:GBarrett@London.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>

**Subject:** [EXTERNAL] RE: 1503 Hyde Park Development

Thank you for the planning application information provided regarding the proposed development at 1503 Hyde Park Road. Further to the comments we provided to the developer's consultant for the June 7 and upcoming Nov. 25 virtual info sessions in writing, we would like to reiterate our concerns to the City of London Planning Department and Elected Officials. We are supportive of the London Plan for the Hyde Park Mainstreet area, and the developers supporting information for the street facing facade, ground floor multi use spaces and the overall lot layout. We however do not support the developer's request to increase the building height from the current zoning (12 m to 27.5m), or 8 storeys from the London Plan supported range of 2 to 4 storeys. This is not consistent with the London Plan, or the scale of the existing and future surrounding land uses (i.e. the 12 story apartment building being further back near Coronation Dr., then the 3 story townhomes, then back up again for the proposed 8 storeys at street face, next to a 2-3 storey Peavy Mart building to the south and future 2-4 storey buildings as per the London Plan at street face to the north, and single family residential across the road to the west). This development should be consistent with the London Plan and existing/future buildings including the proposed 4 storey building at the southwest corner of Hyde Park Rd. and South Carriage Rd which we support. The developer can still achieve the London Plan's increased density objective by proposing a larger building footprint with 4 storeys which is something we could support. **We would request delegation status at the public meeting to present area resident concerns with this application as a result.**

**John Haasen, PMP, CET**









## Report to Planning and Environment Committee

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

**From:** Scott Mathers, MPA, P.Eng  
Deputy City Manager, Planning and Economic Development

**Subject:** Application By: Old Oak Properties Inc.  
Legacy Village - 850 Highbury Avenue North  
Public Participation Meeting  
Official Plan Amendment  
Former London Psychiatric Hospital Lands

**Meeting on:** May 30, 2022

## Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following action be taken based on the application of Old Oak Properties Inc. relating to the property located at 850 Highbury Avenue North, and with respect to housekeeping amendments to the approved London Psychiatric Hospital Secondary Plan:

- (a) the proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting on June 14, 2022 to **DELETE** the London Psychiatric Hospital Secondary Plan in its entirety and **ADOPT** the London Psychiatric Hospital Secondary Plan, attached hereto as Appendix "A", Schedule "1".

**IT BEING NOTED** that the specific policy changes to the existing London Psychiatric Hospital Secondary Plan, that will result from the deletion of the existing plan and adoption of the new revised plan, are attached hereto as Appendix 'B' for reference.

## Executive Summary

### Summary of Request

Proposed revised amendment to the Official Plan to update the London Psychiatric Hospital Lands Secondary Plan (LPHSP) to change the designation of the property from the Transit-Oriented Corridor, Village Core, Academic Area, Residential Area, Open Space, and Heritage designation to the Transit-Oriented Corridor, Village Core, Residential Area, Open Space, and Heritage designation to permit a mixed-use low, medium and high-density development with a range of residential, commercial, heritage, community and other uses on the lands of the former London Psychiatric Hospital.

Multiple amendments are being proposed that will affect multiple policies and schedules of the plan. This includes increases to the height and density permissions along Oxford Street East and Highbury Ave. North, removal of the Academic Area designation of the plan, changes to the urban design, heritage, and transportation policies of the plan, elimination of minimum density requirements and the addition of single detached dwellings as a permitted use for low density areas of the plan, and changes to the planned connectivity network both within the plan and to adjacent neighbourhoods.

Through discussions between City staff and the applicant, a modified amendment to the Secondary Plan is recommended. The modified amendment allows for the requested increases in density, while ensuring that development will conserve and protect the significant heritage resources, allow for efficient use of land and municipal infrastructure, and support the creation of a walkable, pedestrian friendly mixed-use neighbourhood.

## **Purpose and the Effect of Recommended Action**

The purpose and effect is to amend the London Psychiatric Hospital Lands Secondary Plan to allow mixed-use low, medium and high-density development with a mix of residential, commercial, heritage, community and other uses on the lands of the former London Psychiatric Hospital.

## **Rationale of Recommended Action**

1. The proposed Secondary Plan amendment is consistent with the Provincial Policy Statement (PPS), 2020, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents.
2. The proposed official plan amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.

## **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**

**December 12, 2005** – Information report to Planning Committee regarding a process for planning the redevelopment of the London Psychiatric Hospital Lands.

**April 21, 2009** – Meeting to table the draft London Psychiatric Hospital Lands Area Plan Terms of Reference and circulate it for comment.

**June 22, 2009** – Public Meeting for consideration of the adoption of the London Psychiatric Hospital Lands Area Plan Terms of Reference.

**June 13, 2011** – Public Meeting for consideration of endorsement of the Secondary Plan and Stormwater Management Class Environmental Assessment.

**September 26, 2011** – Public Meeting for consideration of approval of the Secondary Plan and Stormwater Management Class Environmental Assessment.

**January 16, 2012** – Staff report seeking direction on the appeal of the Secondary Plan to the Ontario Municipal Board by the Fairmont Lawn Bowling Club.

**March 19, 2013** – Staff report on the progress of resolution of the OMB appeal.

**July 23, 2013** – Staff report on the decision issued by the OMB to change the wording of policy related to the location of the Lawn Bowling Club within the Secondary Plan.

**January 31, 2022** – Public Meeting for consideration of housekeeping amendments to the Secondary Plans to replace references to the 1989 Official Plan with references to the London Plan. (O-9346)

## 1.2 Planning History

Preparation of the London Psychiatric Hospital (LPH) Secondary Plan began in 2009 to guide development following the closure of the facility known at the time as the Regional Mental Health Care London (RMHC). In parallel with the Secondary Plan, Infrastructure Ontario (the property owner at the time) undertook a Storm/Drainage and SWM Servicing Works Municipal Class EA Study to identify the preferred solutions for providing storm drainage on the lands.

In October, 2011, Council adopted the LPH Secondary Plan which planned for the site to transition away from being a large institutional use to incorporate medium and high density residential uses as well as mixed use commercial-residential uses. Institutional uses were maintained on a portion of the plan area to allow for a possible expansion of Fanshawe College. The significant cultural heritage landscapes and buildings within the plan were also protected including the treed Allée running north-south, the Infirmary Building, Recreation Hall, Stables and Chapel.

On November 3, 2011, an appeal was submitted by Bob Malpass on behalf of the Fairmont Lawn Bowling Club. Following a prehearing conference held on April 17, 2012 and on Council's direction of December 11, 2012, a settlement was reached between the City, Infrastructure Ontario and the Lawn Bowling Club.

The Ontario Municipal Board hearing to resolve the appeal was conducted by teleconference on January 22, 2013. The Decision issued on March 13, 2013, changed the wording of the policy pertaining to the future location of the Lawn Bowling Club to clarify that the policies would also allow it to remain in its current location.

The London Plan was adopted by City Council as the City's new Official Plan on June 23, 2016 and approved by the province on December 28, 2016. The London Plan envisioned the former LPH lands developing as a Transit Village, a high-density, mixed-use, transit-oriented community along the eastern leg of the planned bus rapid transit corridor. The London Plan was appealed by numerous parties and remains partially under appeal (Local Planning Appeal Tribunal case number PL170100). Many of the policies, including most of the ones related to the Transit Village Place Type are now in force and effect.

On February 15, 2022, Council adopted housekeeping changes to the other Secondary Plans to remove references to the 1989 Official Plan, its policies and designations, and replaced them with references to the London Plan, its place types, and policies (O-9346). In the staff report for this amendment it was noted that changes to the London Psychiatric Hospital Secondary Plan will be addressed through this Official Plan Amendment.

## 1.3 Property Description

The subject lands are located at 850 Highbury Avenue North and consist of the lands associated with the former London Psychiatric Hospital (LPH) with a total area of approximately 58 hectares (144 acres). The LPH lands feature four buildings that have provincial heritage value: the Chapel of Hope, the Horse Stable, the Infirmary, and the Recreation Hall. In addition, a number of landscape features have been identified as having provincial heritage value including a north-south Treed Allée and a central ring road lined with mature trees. There are also several buildings on the lands including a complex of hospital buildings built in the 60s that do not have significant heritage value.

The lands are bounded on the west by Highbury Avenue; to the north by Oxford Street West; to the east by existing residential dwelling, an industrial park and a Canadian Pacific Railway (CPR) spur line; and to the south by the CPR main line. The federal government owns lands located to the southwest of the subject lands on the north side of the CPR main line adjacent to Highbury Avenue. These lands, as well as others to the south the CPR main line were included within the London Psychiatric Hospital Secondary Plan but are not included as part of the subject lands for these applications.

The northern portion of the subject lands are largely open space currently used for sports fields.

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

- The London Plan Place Type – Transit Village, Green Space
- (1989) Official Plan Designation – Multi-Family High Density Residential; Multi-Family Medium Density Residential; Regional facility; Office/Residential; and Open Space
- London Psychiatric Hospital Secondary Plan – Transit-Oriented Corridor, Village Core, Academic Area, Heritage, Residential, and Open Space
- Existing Zoning – Regional Facility (RF) Zone

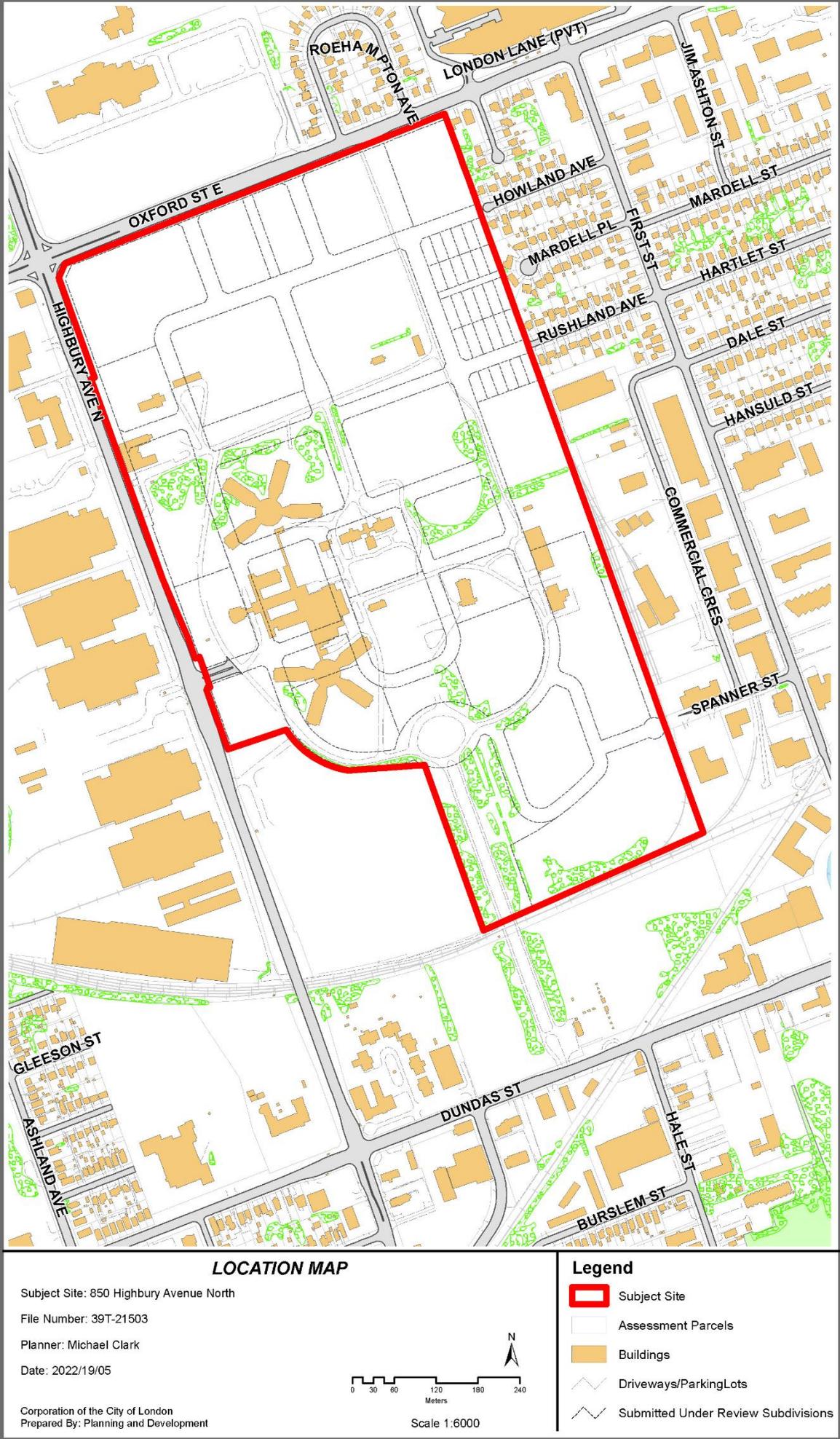
#### **1.5 Site Characteristics**

- Current Land Use – former hospital including heritage buildings and landscapes, open space
- Frontage (approx.) – 700m on Highbury Avenue and 600m on Oxford Street East (Rapid Transit Boulevards); 20m on each of Howland Avenue, Rushland Avenue, and Spanner Street (Neighbourhood Streets),
- Area – approx. 58.15 ha (143.7) acres)
- Shape – Irregular

#### **1.6 Surrounding Land Uses**

- East – existing low density residential, 14 storey residential apartment building, light industrial, rail spur
- South – CP railway, Salvation Army London Village (Child Care Centre, Respite Centre, Alzheimer's Centre), London Lawn Bowling Association, vacant lands
- West – office and light industrial uses, Canada Post London Processing centre and Administration building, Oxbury Centre retail plaza
- North – John Paul II Catholic Secondary School, low density residential, Fanshawe College

1.7 Location Map



Housekeeping amendments are also being considered for the entire London Psychiatric Hospital Secondary Plan which includes the lands known municipally as 840 & 850 Highbury Avenue North, and 1340 & 1414 Dundas Street.

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The London Psychiatric Hospital Lands are proposed to be redeveloped as a mixed use high, medium and low density community which is centred around the historic medical campus and landscaped treed Allée which bisects the subject lands. The proposed redevelopment will support the provision of the east link of the bus rapid transit system planned along Highbury Avenue North and Oxford Street East adjacent to the site.

The original proposed concept plan consisted of 126 single detached dwellings; five (5) medium density residential blocks, two (2) medium density residential/mixed-use blocks, seven (7) high density residential/mixed use blocks, and one (1) institutional block; four (4) heritage blocks; one (1) parkland block, one (1) storm water management block, four (4) open space blocks; one (1) private road block, two (2) road widening blocks and one (1) future development block; all served by the extension of Rushland Avenue, Howland Avenue and eight (8) new streets.

The original proposed concept plan incorporated the following key features:

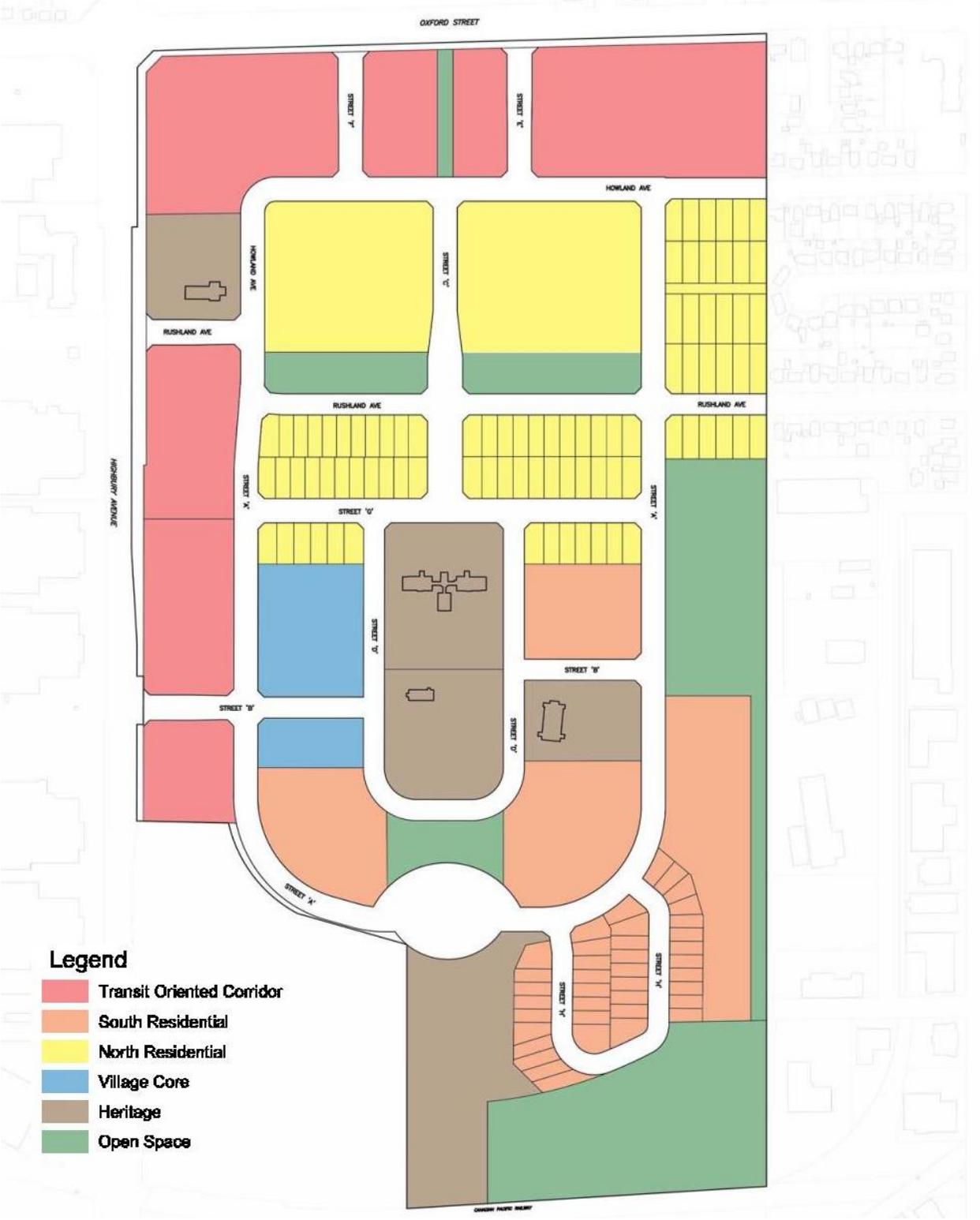
- High-density mixed used blocks along Highbury Avenue North and Oxford Street South which permit buildings between 6 and 22 storeys in height with commercial uses at grade or in the podiums of buildings, and residential uses above.
- A mixed-use village core centrally located within the development near the main entrance from Highbury Avenue which permits buildings between 2 and four storeys in height intended to act as a main street commercial core for the neighbourhood.
- Several heritage areas are designated for protection including the Infirmary Building, Chapel of Hope and Recreation Hall from the former London Psychiatric Hospital adjacent to the village core. The ground boulevard Treed Allée which extends north from Dundas Street to the central heritage campus is also protected, as well as the former Horse Stables in the northwest along Highbury Avenue.
- The central heritage campus is proposed to be surrounded on the south, east and north by several medium density residential blocks, and areas of low density residential development.
- A network of open space are proposed along the east side of the secondary plan to provide a area for stormwater management, a pathway network, and public parkland. To the north of the central heritage campus, an open space corridor is proposed to protect the portions of the heritage easement, provide a linkage to the Horse Stable, and mirror the Treed Allée to the south.



### 2.3 Proposed Revised Amendment to LPHSP Schedule 2: Character Areas Land Use Designation

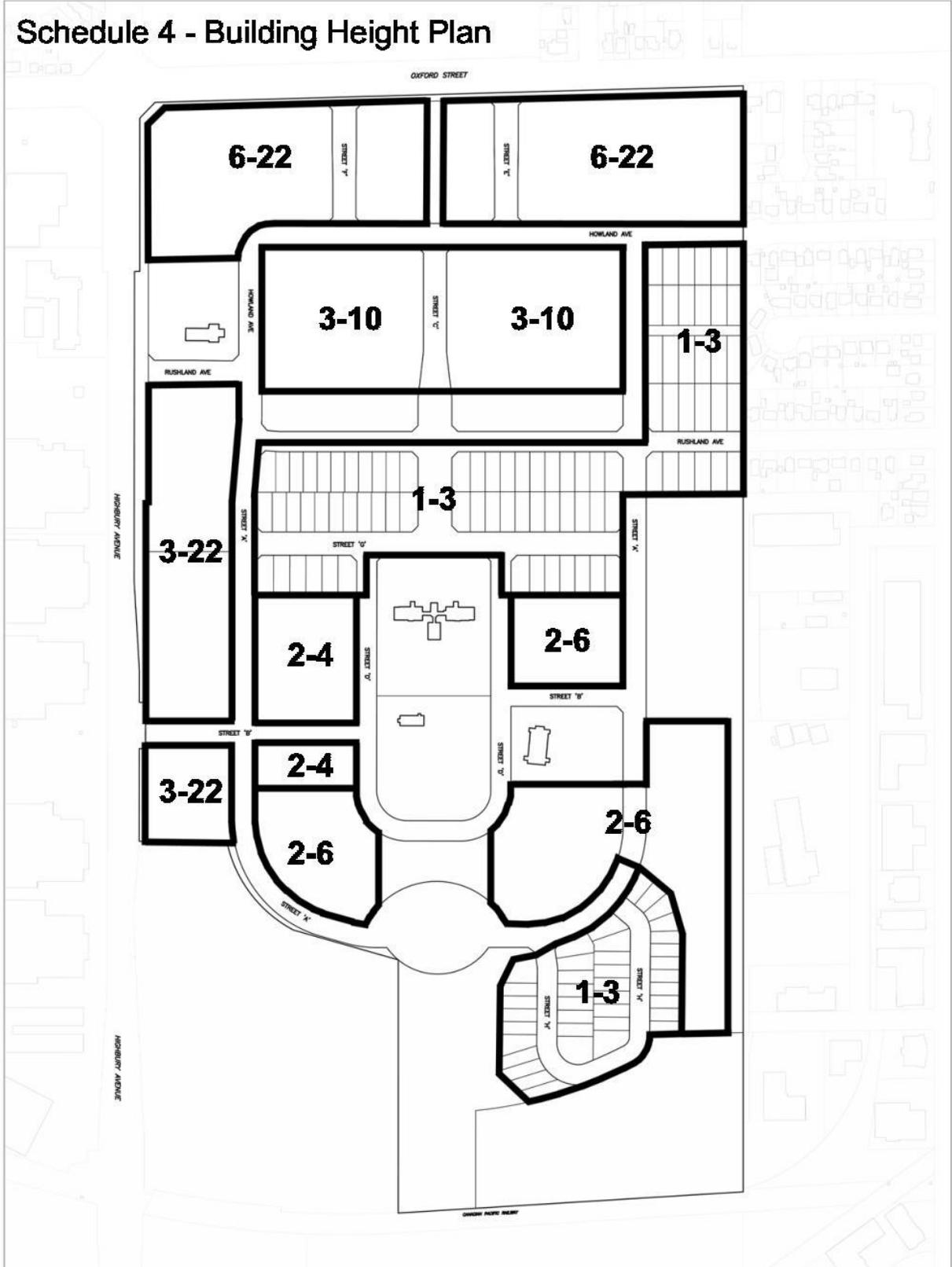
Amendment are proposed to the schedules of the Secondary Plan including Schedule 2 – Character Land Use Designations. Through the proposed amendment, the Village Core Designation along Highbury Avenue North is proposed to be redesignated to Transit-Oriented Corridor Designation. The portions of the planned extension to the central Treed Allée are proposed to be redesignated from Heritage to Open Space and Residential Area. The proposed road network to the north of the central heritage campus is shifted to accommodate single detached dwellings, as well as medium density residential blocks. In the southeast corner of the subject lands a planned connection to Spanner Street is proposed to be removed, and the road network and development areas are reconfigured.

### Schedule 2 - Character Area Land Use Designations



**2.4 Proposed Revised Amendment to LPHSP Schedule 4:  
Building height Plan**

Through an amendment to Schedule 4, it is proposed that the following heights are permitted: 6-22 storeys along Oxford Street, 3-10 storeys on the residential blocks to the south, 3-22 storeys along Highbury Avenue, 2-4 storeys east and west of the central heritage campus, and 1-3 storeys on the rest of the residential area.



## **2.5 Application Submission and Revisions**

The applicant submitted the following reports in support of requested amendments to the London Psychiatric Hospital Secondary Plan and Zoning By-Law, and approval of a Draft Plan of Subdivision on February 26, 2021:

1. Final Proposal Report;
2. Heritage Impact Assessment;
3. Tree Assessment Report – Preliminary Findings

The submitted reports were reviewed by City Staff, the UTRCA, LACH, and EEPAC and other commenting agencies. Several issues were identified including:

- The Heritage Impact Assessment did not assess the impacts of the proposed development on the identified heritage resources
- No Noise and Vibration Study was provided to justify the land use changes proposed near adjacent industrial uses and the railway
- A Transportation Impact Assessment is required to justify the removal of street connections to the east, and the location and function of the proposed intersections with Highbury Avenue North and Oxford Street West
- Servicing Reports including a Hydraulic Analysis were required to assess the ability of existing and planned infrastructure to accommodate the proposed increased density and population within the Secondary Plan, and how various phases of the development will be serviced.

The applicant provided a revised Official Plan amendment on March 31, 2022, and earlier supplemental submissions in the fall and winter of 2021/2022 which included:

1. LPH Revised Draft Plan
2. LPH SP – Redlined Text Amendments (consolidated 2022-03-31)
3. LPH SP Amendment Schedules
4. Preliminary Phasing Figure for OPA
5. Transportation Impact Assessment (2022-03-17)
6. Noise and Vibration Impact Study (2022-03-28)
7. Hydraulic Analysis (2022-02-18)
8. Geotechnical & Hydrogeological (2022-03-16)
9. OPA Comment Response Letter
10. Outstanding Information - Chart Responses (March 2022)
11. Revised Heritage Impact Assessment (2022-01-31)
12. Stage 2 Archaeological Assessments and Ground Penetrating Radar Survey

## **2.6 Final Revised Concept Plan**

The revised submission was circulated on April 4, 2022 and reviewed by City staff and commenting agencies. Several issues were identified regarding the compatibility with adjacent land uses, conservation of heritage buildings and landscapes, the lack of urban design guidelines or concept plans for all development blocks, and the addition of low

density residential uses. Through discussion with the applicant, the following revised concept plan was submitted (See Figure 2.6).

The final revised concept plan consists of 30 lots for single detached dwellings; eight (8) medium density residential blocks, two (2) medium density residential/mixed-use blocks, eight (8) high density residential/mixed use blocks, and one (1) institutional block; four (4) heritage blocks; one (1) parkland block, one (1) storm water management block, four (4) open space blocks; one (1) private road block, two (2) road widening blocks and one (1) future development block; all served by the extension of Rushland Avenue, Howland Avenue, Spanner Street and eight (8) new streets.

The final revised concept plan incorporates the following key features:

- High-density mixed used blocks along Highbury Avenue North and Oxford Street South which permit buildings between 3 and 22 storeys in height with commercial uses at grade or in the podiums of buildings, and residential uses above. Further east along Oxford Street and south along Highbury Avenue the maximum permitted heights drop to 16 storeys. On Highbury Avenue adjacent to the Village Core entrance, the maximum permitted heights shall be limited to 12 storeys.
- A mixed-use village core centrally located within the development near the main entrance from Highbury Avenue which permits buildings between two and four storeys in height intended to act as a main street commercial core for the neighbourhood.
- Several heritage areas are designated for protection including the Infirmary Building, Chapel of Hope and Recreation Hall from the former London Psychiatric Hospital adjacent to the village core. The ground boulevard Treed Allée which extends north from Dundas Street to the central heritage campus is also protected, as well as the former Horse Stables in the northwest along Highbury Avenue.
- To the north of the central heritage campus heritage corridors are proposed to protect extend the Treed Allée along the central axis of the plan, as well as portions of the heritage easement within an east-west corridor terminating near the Horse Stables.
- The central heritage campus is proposed to be surrounded on the south, east and north by several medium density residential blocks.
- One area of low – medium density residential development is planned in the northeast portion of the plan, adjacent to the existing residential neighbourhood to the east. Other areas of single detached dwellings have been removed and replaced with medium density residential blocks.
- A network of open spaces are proposed along the east side of the Secondary Plan area to provide an area for stormwater management, a pathway network, and public parkland.
- The planned extension to Spanner Street is maintained to provide connectivity from the Secondary Plan area to the existing employment lands to the east.
- Development to the east of the Treed Allée has been reconfigured to provide active street frontage along the Allée and prevent residential uses from rear-lotting on to it.
- At the request of the Thames Valley District School Board, a potential school block has been identified in the north-east quadrant of the plan. The southern portion of the block is designated as heritage to protect the cultural heritage easement over the lands. The northern portion is designated for medium density residential uses, if the lands are developed as a school then it is expected that the building will be located in the north-east corner, and the heritage portions of the block will be protected.

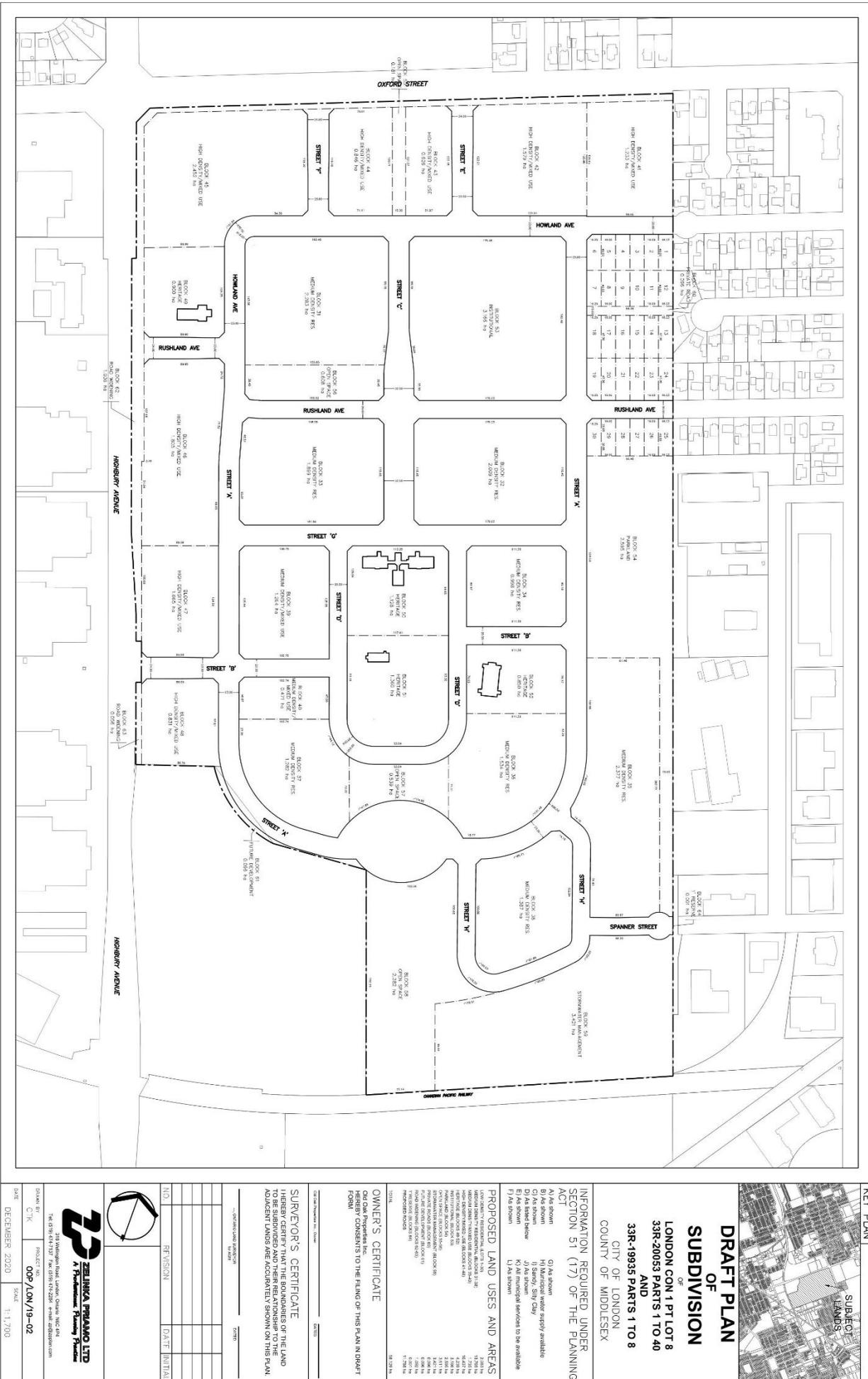


Figure 2.6 – Revised Concept Plan

## 2.7 Community Engagement (see more detail in Appendix C)

### *Public Circulation*

The original application was circulated on March 10, 2021 and a Notice of Revised Application was circulated on April 4, 2022. Through the public circulation process comments from six (6) members of the public, including three (3) letters and emails were received about the proposed Official Plan Amendment. The comments received by Staff are attached to Appendix "C". Comments/concerns received from the community are summarized as follows:

- Concerns by the adjacent industrial uses regarding the encroachment of sensitive residential land uses in the southeast corner of the secondary plan, and the limitations that this would place on the operation of the industrial uses.
- Concern from a member of the public that a majority of the site would be developed as single detached dwellings and other low density uses.
- Inquiries were received from other members of the public seeking more information about the proposed development

## 2.8 Policy Context (see more detail in Appendix D)

### Planning Act, R.S.O. 1990, c. P.13

The *Planning Act, 1990* requires that the City of London Council, in carrying out its responsibilities under the Act, must have regard to matters of provincial interest (Section 2), including:

- the protection of ecological systems, including natural areas, features and functions;
- the protection of the agricultural resources of the Province;
- the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- the orderly development of safe and healthy communities;
- the adequate provision of a full range of housing, including affordable housing;
- the appropriate location of growth and development;
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- the promotion of built form that,
  - i. is well-designed,
  - ii. encourages a sense of place, and
  - iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

The *Planning Act* enabled Municipalities to include policies that identify and delineate existing or planned higher order transit stations as 'protected major transit station areas' in their Official Plan (Section 16, subsection 15). Where an Official Plan contains these policies, they must also:

- (a) identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the area;

- (b) identify the authorized uses of land in the major transit station area and of buildings or structures on lands in the area; and
- (c) identify the minimum densities that are authorized with respect to buildings and structures on lands in the area.

The London Plan, as will be discussed below, identifies that the Transit Village Place Type is considered protected major transit station areas under the *Planning Act*. The Plan also contains policies that identify the minimum densities that are authorized within the area, the permitted uses of land and the planned minimum number of residents and jobs per hectare.

The *Planning Act* also requires that all decisions of the City of London Council shall be consistent with the policy statements issued under the Planning Act by the Province that are in effect on the date of the decision (Section 3, subsection 5a).

### **Provincial Policy Statement, 2020**

The Provincial Policy Statement (PPS) provides direction and guidance to City Council in regard to land use planning. All decisions of the City of London Council must be consistent with the PPS.

#### 1. Building Strong Healthy Communities

The long-term prosperity and social well-being of Ontario depends upon planning for strong, sustainable and resilient communities for people of all ages, a clean and healthy environment, and a strong and competitive economy. The PPS identifies that strong health communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs(1.1.1). The integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning is promoted to optimize investments in transit and achieve cost effective development patterns.

The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development and appropriate land use patterns within settlement areas shall be established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and is transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. (1.1.3.3).

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

The PPS requires that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle and will be available to meet the current and projected needs of the community (1.6 Infrastructure and Public Service Facilities).

## 2. Wise Use and Management of Resources

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

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

Section 2.2 Water, 2.2.1 “Planning authorities shall protect, improve or restore the quality and quantity of water by [...] identifying water resource systems [and] maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features.

## 3. Protecting Public Health and Safety

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. Accordingly, Section 3.0 of the PPS states a number of policies designed to direct development away from natural and human-made hazards where there is an unacceptable risk (1) to public health or safety or (2) of property damage.

In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

### **The London Plan**

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

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

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

### **Transit Village Place Type**

The subject lands are located in the Transit Village Place Type which permits a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses and encourages mixed-use buildings. Transit Villages are intended to be second only to the Downtown in terms of the mix of uses and intensity of development that is permitted. They are intended to be major mixed-use destinations

with centrally located rapid transit stations which will form focal points to the Transit Village neighbourhood.

Buildings within the Transit Village Place Type will be a minimum of either two storeys or eight metres in height and will not exceed 15 storeys in height. Bonus Zoning beyond this limit, up to 22 storeys, may be permitted where it is demonstrated to be appropriate (\*813\_). Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this place type is fully utilized, and promoting mixed-use forms of development. Permitted building heights will step down from the core of the Transit Village to any adjacent Neighbourhoods Place Types.

All Transit Villages are identified as Protected Major Transit Station Areas. To support the planned bus rapid transit planned along Highbury Avenue and Oxford Street, the place type should be planned to achieve a minimum number of 150 residents and jobs combined per hectare. The minimum building height shall be 2 storeys (8 metres) and the maximum height shall be 22 metres.

### **1989 Official Plan**

The subject lands are designated a combination of: Multi-Family, High Density Residential; Multi-Family, Medium Density Residential; Regional facility; Open Space; and Office/Residential on Schedule A of the 1989 Official Plan. The subject lands are included within the London Psychiatric Hospital Secondary Plan on Schedule D of the 1989 Official Plan. The land use designations follow the designations within the Secondary Plan that are discussed in greater detail below.

### **London Psychiatric Hospital Lands Secondary Plan**

The subject lands comprise the majority of the lands within the London Psychiatric Hospital Secondary Plan (LPHSP). The LPHSP designates the subject lands as Transit Oriented Development, Academic Area, Residential, Village Core, Heritage and Open Space on Schedule B of the Secondary Plan.

The LPHSP was approved prior to the adoption of the London Plan, and before the lands were envisioned to form one of the four Transit Villages in the City. The purpose of the Secondary Plan was to establish a vision, principles and policies for the evolution of the former Provincial mental health facility property and adjacent lands to a vibrant residential community which incorporates elements of sustainability, mixed use development, heritage conservation, walkability and high quality urban design.

The Secondary Plan provides a greater level of detail than the general policies in the Official Plan. The Secondary Plan serves as a basis for the review of planning applications and constitutes Official Plan policy which will be used in conjunction with the other policies of the Official Plan.

### **Community Structure Plan**

The Community Structure Plan on Schedule 1 of the Secondary Plan sets out the overall structural elements for the LPH Secondary Plan area. There are several key elements that form the basis of the Community Structure Plan:

- **Cultural Heritage Landscape:** The central area, including the Treed Allée and the landscaped surrounding the Infirmary Building, Chapel, and Recreation Hall have played an important role in the preparation of this plan and will be conserved through the development of the LPH Secondary Plan. More intensive development shall be directed to property around the perimeter of the lands, particularly along Highbury Avenue North and Oxford Street East.

- **Heritage Landmarks:** Significant cultural heritage resources to be conserved within the landscape include the Central Treed Allée, Infirmary Building (1902), Chapel of Hope (1884), Horse Stable (1894), and Recreation Hall (1920).
- **Edges and Interfaces:** Major arterial roads (Oxford Street East, Dundas Street and Highbury Avenue North) clearly define the community's edges on three sides. New development should transition to the established patterns of the community to the east.
- **Nodes:** A central node will be located between the terminus of the Treed Allée at the Infirmary Building and Highbury Avenue North. This node will function as the centrepiece of the community and should accommodate a range of uses. Two mixed use nodes are also to be established on Highbury Ave. at the intersections with Oxford St. and Dundas St.
- **Linkages and Transportation System:** Pedestrian, cycling and vehicular access will be provided through new streets extending to Highbury Avenue North, Oxford Street and the lands to the east to establish an urban street grid. Transit service is expected to continue along the three flanking arterial roads supported by transit nodes in these locations.
- **Building Height Plan:** Development is envisioned to be of a generally high-rise form along the flanking arterial roads. Mid-rise forms are envisioned within and approaching the central node. Development patterns on the balance of the lands are expected to be predominantly low and/or mid-rise.
- **Urban Design Priorities:** The Plan supports a well-connected urban street grid pattern, with a clearly defined neighbourhood centre. The north-south Treed Allée shall remain a key organizing element for future road patterns.

### Character Areas Land Use Designations

The Secondary Plan includes several land use designations which work with the general policies to form the overall structure of the Secondary Plan. These include: Village Core, Transit Oriented Corridor Area, Academic Area, Residential Area, Heritage Area, and the Open Space Area.

#### **1. Village Core Designation**

This area is to be the main focal point for neighbourhood level services within a comfortable walking distance for most residents. The Village Core is to be a walkable urban mixed-use "mainstreet" with a pedestrian scale. Sites internal to the neighbourhood (east of the lots on the Highbury Avenue North frontage), will be of a mid-rise height. Structures along Highbury Avenue North will be street oriented and of a high-rise height.

Uses within the Village Core shall include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, seniors residences and small scale office. Single-detached, semi-detached and duplex dwellings are not permitted. In addition, non-residential uses may be located on the ground floor. Secondary uses are also permitted on the ground floor of residential buildings. The built form shall be of a mid-rise to high-rise height.

#### **2. Transit-Orientated Corridor Designation**

The purpose of the Transit-Oriented Corridor designation is to focus residential and commercial uses along transit routes. Transit-Oriented Corridors are intended to allow for the creation of a band of residential and mixed use development at medium and high densities to support transit along Highbury Avenue North, Oxford Street East and Dundas Street. It is not intended that this designation will be applied within the internal portions of the community and any expansions or additions to this designation shall front onto an arterial road.

Permitted uses at major intersections include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, seniors residences and small scale offices. Secondary uses are also permitted on the ground floor of residential buildings. The built form shall be of a mid-rise to high-rise height. Other lands along Highbury Avenue North, permit transit-oriented, mid to high-rise, residential development that is not mixed use in nature.

### **3. Academic Area Designation**

The Academic Area designation was applied to lands in the northeast corner of the Secondary Plan area, southwest of the main Fanshawe College campus and provided a long term opportunity for an academic institution to expand their facilities. The designation permits space for offices, classrooms, recreational activities and residential uses for students. It is intended that the Academic Area will provide opportunities for an academic institution to develop purpose built residential housing for students.

### **4. Residential Area Designation**

It is intended that this designation will support an urban housing stock, with height and intensity generally increasing with greater distance from the central cultural heritage landscape. Residential areas are to accommodate a diversity of dwelling types, building forms, heights and densities, in order to use land efficiently, provide for a variety of housing prices and to allow members of the community to “age-in-place”. In the Residential Area Designation north of the Infirmary Building, the primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan will be permitted, with the exception of: single detached dwellings, duplexes, semidetached dwellings, rooming and boarding houses and cluster townhouses. On the lands to the south of the Infirmary Building, the primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan will be permitted. Development will only be permitted at a minimum density of 30 units per hectare up to approximately 75 units per hectare on the northern lands. Lower densities may be permitted to the south.

### **5. Heritage Area Designation**

The Heritage Area designation includes the cultural heritage landscape as well as the individual heritage buildings and their landscape setting that exist on the LPH lands. These buildings, and the heritage landscape, will be conserved. Conservation allows for alterations to a property and buildings, if it can be demonstrated that the significant heritage attributes of the heritage resource are not negatively impacted by the change.

The areas identified within the Heritage Area designation are to be conserved and wholly integrated into the design of the neighbourhood. The Heritage Area designation includes cultural open space, which is part of the cultural heritage landscape. This includes the historic Allée and the planned ‘Village Green’ which provide a major pedestrian corridor and opportunities for programmable events.

The restoration and sensitive adaptation of significant heritage buildings for contemporary urban uses is encouraged. The Infirmary Building should be considered for office and/or institutional uses, which may include an interpretive centre. The continued use of the Chapel of Hope as a place of worship, and the Recreation Hall for community uses is preferred. The stable should be adapted for food or farming-related uses such as a market, restaurant and/or educational centre. The Cultural Heritage Landscape is intended to be used for passive recreational uses and programmable events.

### **6. Open Space Designation**

The Open Space designation will apply to open space areas of the Secondary Plan that are intended for active and passive recreation, stormwater management, and the protection of natural heritage / environmental features. Lands to the east of the central heritage buildings are intended for an active recreation uses including sports fields to serve the local community. The lands in the southeast corner of the Secondary Plan are intended for stormwater management to the north of the CP Rail line. The Open Space

lands to the south of the CP Rail Line, outside the subject lands, are intended to protect and provide buffers for the environmental features here.

Several amendments to the London Psychiatric Hospital Secondary Plan will be required to bring the vision for the lands in-line with the vision for the lands in the London Plan as a high density, mixed use Transit Village.

### **Z.-1 Zoning By-Law**

The lands are currently within the Regional Facility (RF) Zone. This Zone provides for and regulates large institutional type facilities which serve a regional function. These uses are primarily large scale, attracting large numbers of people on a regular basis, and may create impacts on adjacent land uses. The RF Zone permits a variety of large institutional uses including: Universities, Hospitals, Places of Worship, Stadia, as well as Elementary and Secondary Schools.

Rezoning will be required to appropriate zones for the mixed uses that are envisioned on the subject lands including medium and high density residential, mixed use commercial-residential, heritage, and open space zones.

## **2.9 Subdivision Analysis**

The London Psychiatric Hospital Secondary Plan outlines several principles and objectives that were used to guide the development of the plan, and will be used to evaluate amendments to it. In addition, supporting principles are found within the City Building Policies of the London Plan.

### **Principles and Objectives of the Secondary Plan**

The preparation of this Secondary Plan was guided by a series of principles that are described below. Any amendments to this Secondary Plan shall be consistent with these principles.

- **Retention of Cultural Heritage:** Retain as much of the identified cultural and heritage resources of the area as possible by creating a distinct urban community that builds upon the heritage significance of the property.
- **Creation of a Distinct Community:** Create inclusive and diverse residential neighbourhoods a high level of urban design which have a mix of uses including residential, open space, public uses, local commercial uses, office uses, and mixed uses focused around the unique open space system.
- **Providing for a Range of Housing Choices:** Provide for a mix of housing types and designs that achieve compact residential development which makes effective use of land, services, community facilities and related infrastructure.
- **Environmental Sustainability:** Achieve high standards of environmental sustainability by integrating the community into the greater city through walking/biking trails, fostering walkable neighbourhoods, encouraging LEED developments and seeking out other opportunities for sustainability.
- **Transportation System:** Walking and bicycling should be the primary means of transportation within the community, while providing for broader connections to the City-wide transportation network.
- **Financial Viability/Sustainable Development:** The Community shall be developed in logical phases to be efficient and financially responsible, and implement a Stewardship Plan to identify how key heritage and provincially significant features will be maintained.

### 3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There will be an increase in the operating and maintenance costs once the City assumes the planned public roads and other infrastructure and public facilities in the planned subdivision. The City will also be responsible for the long-term capital renewal costs associated with these works.

### 4.0 Key Issues and Considerations

London Plan policies currently under appeal are denoted with a “\*”, these policies and tables are not currently in force and effect, but must still be given consideration in the review of the proposed amendments.

#### 1. Increases in Density and Height

The London Psychiatric Hospital Secondary Plan (LPHSP), which includes all of the subject lands as well as additional lands along Highbury Avenue North and Dundas Street East, originally envisioned a moderate increase in the densities and heights permitted in the 1989 Official Plan.

The LPHSP permits a variety of medium and high density residential development across several land use designations. The Transit Oriented Corridor designation permits the highest and densest development, with a typical maximum density of 150 units per hectare, and 10 storeys. Development may be permitted to exceed these maximums through a site specific zoning amendment and site plan application, and the associated urban design review. Other medium density residential and mixed-use designations, including the North Residential and Village Core designations, permit up to 75 units per hectare, with a maximum height of 4-10 storeys, transitioning down from Transit Oriented Corridor towards the heritage buildings in the centre of the subject lands. The LPHSP planned for an ultimate population of approximately 6,000 people when fully built out.

The London Plan, envisioned these lands as a Transit Village, one of the densest, mixed use areas of the City, which is planned to be serviced by rapid transit. The London Plan envisions Transit Villages to be the second highest order of density after the downtown area designation. Transit Village Place Types are designated as Protected Major Transit Station Areas (PMTSAs) consistent with the *Planning Act, 1990*. The London Plan identified that the minimum height is 2 storeys or 8m and the maximum permitted height is 22 storeys for PMTSAs (815C\_).

\*Table 8 (currently under appeal) of the London Plan identifies that the minimum height is 2 storeys or 8m, the standard maximum height is 15 storeys, and the maximum height permitted is 22 storeys with a site specific zoning by-law amendment.

#### Proposed Amendment

The proposed revised amendments to the secondary plan would increase the maximum permitted heights to those similar to the heights permitted in the Transit Village Place Type (see Figure 4.1 below). The revised Official Plan Amendment application proposed the following changes to the permitted heights:

- To increase the maximum possible heights within the Transit-Oriented Corridor to 22 along the entire frontages of Highbury Avenue North and Oxford Street East.
- To the south of the Transit-Oriented Corridor on Oxford Street East, two medium density blocks which permit up to 10 storeys in height were proposed to be slightly enlarged.
- The permitted heights across the rest of the North Residential area were proposed to be reduced from 2-4 storeys to 1-3 storeys.



- A new medium density block within the South Residential areas was proposed along the eastern edge of the secondary plan to permit buildings of 2-6 storeys in height.
- The permitted heights within a low density residential block adjacent to the Treed Allée were proposed to remain as 1-3 storeys.

#### Staff Revised Recommendation

The majority of the proposed increases in maximum heights (yellow, orange, and red highlighted areas above in Figure 4.1) are generally consistent with the vision of the London Plan for these lands to be a transit oriented, high density, mixed use area. Through discussions with the applicant, it has been agreed that the maximum permitted heights within the Transit-Oriented Corridor will gradually transition from a maximum of 12 storeys near the Village Core, to 16 storeys and then 22 storeys closer to the intersection of Highbury Ave. and Oxford St. A similar transition is proposed in the northeast corner of the subject lands where heights are proposed to be transition from a maximum of 16 storeys to the 22 storeys permitted closer to Highbury Ave. and Oxford St. Proposed policy language in the policies of the LPHSP will include provisions to ensure a gradual and sensitive transition from low density residential areas to the east, protect views of heritage buildings and landscapes, and to provide podiums along public streets to create a more inviting pedestrian environment.

It is recommended that a table of permitted heights be added to the secondary plan to supplement the Height Plan and clearly identify the heights permitted in each designation.

It is recommended that the following revised Land Use Designation (Figure 4.2), Sub Area Designations (Figure 4.3), and Building Height (Figure 4.4) schedules be adopted as part of the Secondary Plan amendment. All of the revised schedules of the Secondary Plan recommended for adoption are included within Appendix 'A' Schedule "1".

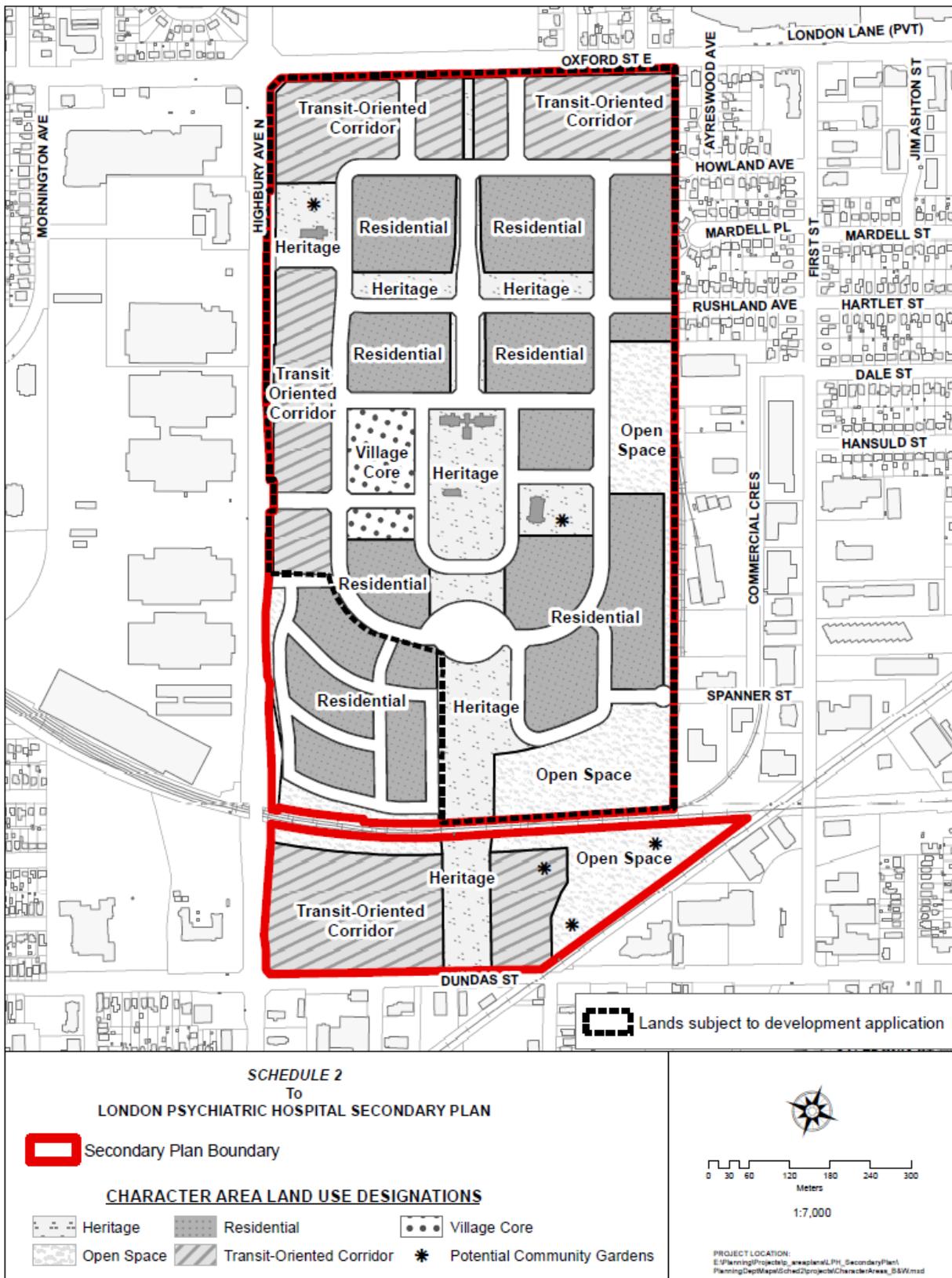


Figure 4.2 – Revised Amendment to Schedule 2: Character Area Land Use Designations

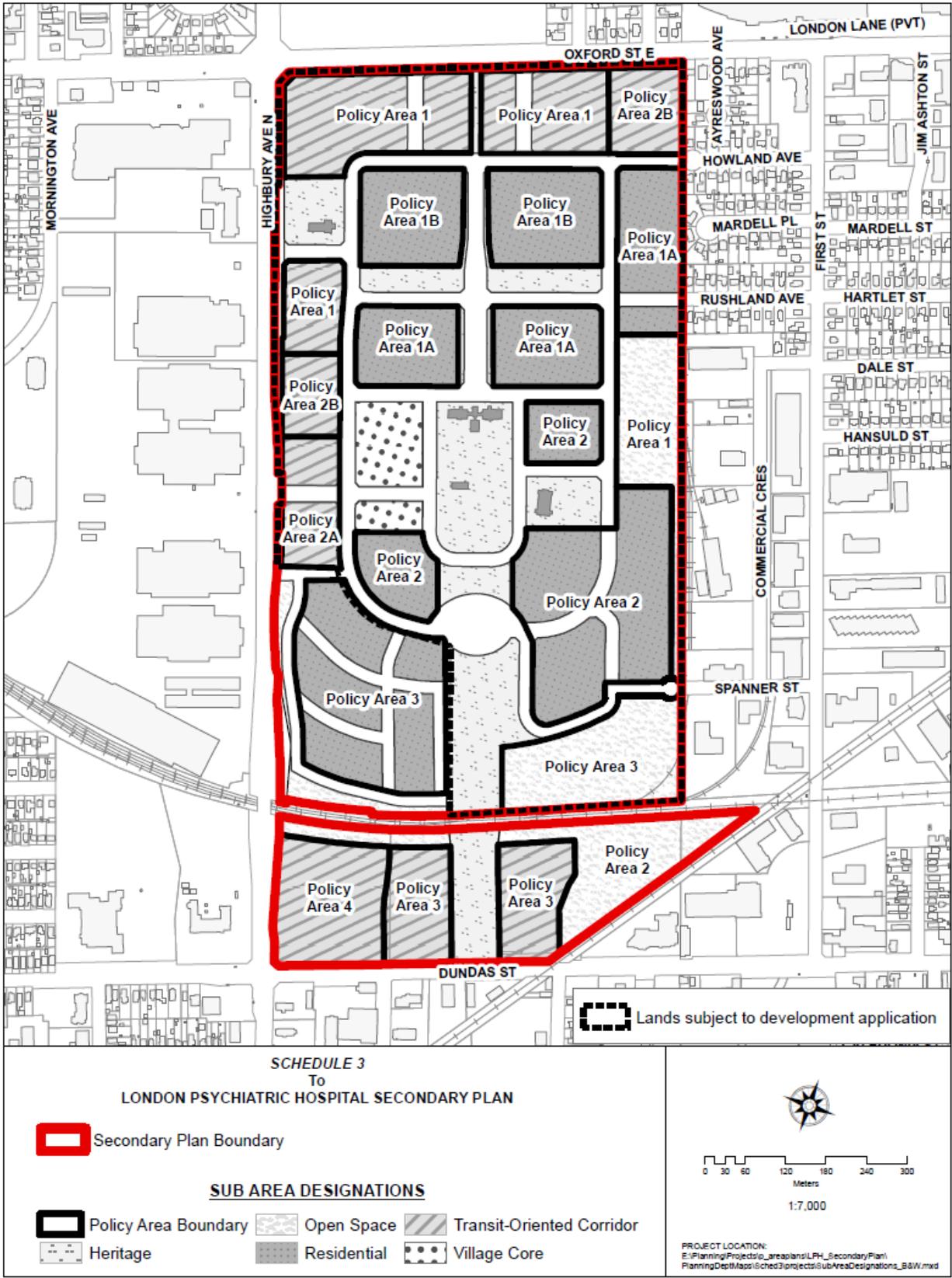


Figure 4.3 – Revised Amendment to Schedule 3: Sub Area Designations

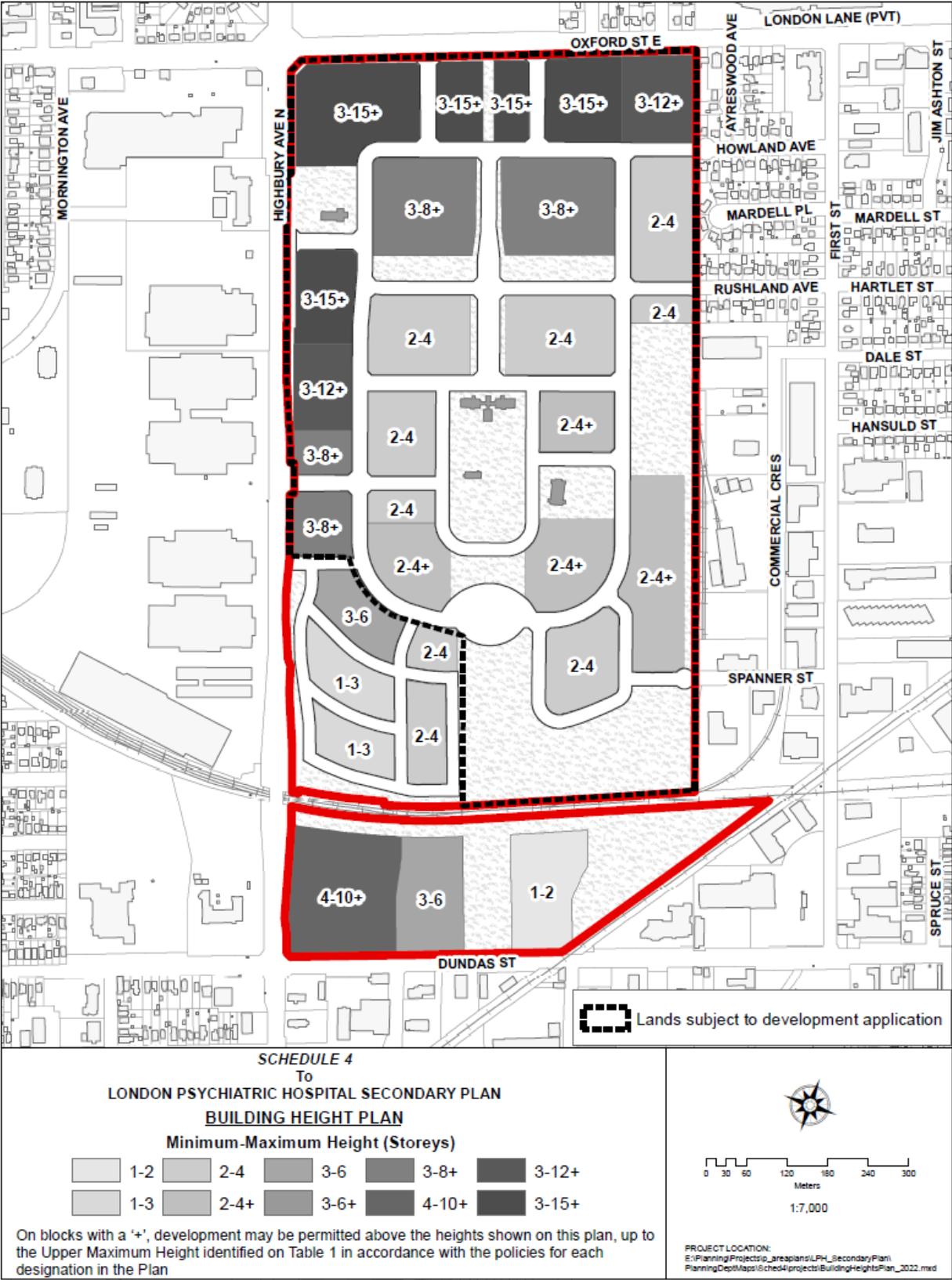


Figure 4.4 – Revised Amendment to Schedule 4: Building Height Plan

## **2. Minimum Density Requirements and Low Density Uses**

The LPHSP and The London Plan both include minimum density requirements for the subject lands. The LPHSP Schedule 4 include minimum height requirements for every designation including 6 storeys within the Rapid Transit Corridor, 3 storeys within adjacent portions of the Village Core and Residential designations, and 2 storeys on the majority of the rest of the subject lands. The only area permitted to have a minimum height of 1 storey was the residential area in the southeast corner of the subject lands. Other policies throughout the plan also prohibit low density development such as: policies prohibiting standalone commercial uses (20.4.3.2.1 ii) within the Village Core designation; or policies only permitting “mid to high rise” apartment and other uses within the Transit-Oriented Corridor designation. Within the Residential Policy Area 1 – North Residential Neighbourhood, to the north of the central heritage campus, it is explicitly stated that “development shall not be permitted at a residential density of less than 30 units per hectare”, while a lower density of greater than 15 units per hectare is permitted within the South Residential Neighbourhood.

The London Plan addresses minimum densities in a number of ways. Minimum building heights are specified through \*Table 8 of the London Plan, as well as in associated policies for each place type, such as the minimum 2 storeys or 8m for the Transit Village place type (\*813\_1).

Through London Plan Amendment 30 (LPA30, passed by Council on December 8, 2020 and currently in force and effect) all transit villages are identified as Protected Major Transit Station Areas as defined under the *Planning Act, 1990*. As part of LPA 30 it is required that Transit Villages are planned to achieve a minimum of 150 residents and jobs combined per hectare across each Transit Village (815B\_), and that they have a minimum building height of two storeys or eight metres (815C\_). For individual developments it is specified that “the minimum density is 45 units per hectare for residential uses or a floor area ratio of 0.5 for non-residential uses” (815D\_).

### **Proposed Amendment**

The proposed amendment to the Secondary Plan included several changes to policies that would have impacted the minimum density permitted for development and permit single detached dwellings and single storey commercial developments in several areas throughout the Secondary Plan. The amendment proposed that the minimum permitted heights within portions of the Residential Area Designation to the north and south of the central heritage campus be reduced from two storeys to one storey. The applicant had also proposed to remove the 30 units per hectare minimum density requirement from the Residential Policy Area 1 – North Residential Neighbourhood designation. In addition, it was proposed that Single Detached Dwelling, Semi-Detached Dwellings, and Cluster Townhouse dwellings be added to the permitted uses within the North Residential Neighbourhood. Within the Village Core designation, the applicant to proposed to add language that “Small scale stand alone commercial uses could be considered.”

The lands within the London Psychiatric Hospital Secondary Plan are planned to have a high level of municipal services and infrastructure including the highest order of public transit. Reducing the permitted heights and densities on a significant portion of the Transit Village, and permitting low density standalone commercial uses will not make efficient use of municipal infrastructure and services. Single and semi-detached dwellings and townhouses may be appropriate to provide a sensitive transition between the existing low density residential community to the east and the medium and higher density uses within the Transit Village, however, they are not appropriate within the heart of the Transit Village.

### **Staff Revised Recommendation**

Based on discussions with the applicant it is proposed that within the North Residential designation the minimum densities be maintained at 30 units per hectare, and that single detached dwellings only be permitted on the lands adjacent to the Neighbourhoods Place Type to the east of the plan. The South Residential Neighbourhood designation currently

has a required minimum density of 15 units per hectare, and permitted heights of 1-3 storeys in some areas. It is proposed that the minimum density be increased to 25 units per hectare to bring the minimum densities more in line with the vision for the Transit Village. It is recommended that all residential areas of the subject lands are required to have a minimum height of two storeys, and a maximum height of at least four storeys. Additional heights up to six storeys may be permitted on some portions of the South Residential Neighbourhood (See Figure 4.4 above).

### **3. Significant Built and Cultural Heritage Landscape Resources**

The property is subject to a Heritage Conservation Easement Agreement between Old Oak and the Ontario Heritage Trust and is also designated under Part IV of the Ontario Heritage Act (By-law No. L.S.P.-3321-208). A separate Strategic Conservation Plan has been prepared for the property to guide future development at the site, identify conservation strategies, outline requirements for monitoring and maintenance, and provide a framework for when Heritage Alteration Permits and Heritage Impact Assessments.

Four of the heritage buildings have been identified as having provincial heritage value:

- Chapel of Hope (built 1884),
- Horse Stable (built 1894),
- Infirmary (built 1902), and
- the Recreation Hall (built ca. 1920).

A number of cultural heritage landscape features have been identified as having provincial heritage value:

- The Allée and Ring Road Zone: the grand tree-lined Allée that stretches from the historic entrance at Dundas Street East northward to the circular drive and ring road that connects the Infirmary, the Chapel of Hope and the Recreational Hall.
- The Campus Zone: zone located within the ring road that contains three (3) LPH heritage buildings (the Infirmary, the Chapel of Hope and the Recreational Hall), as well as associated open spaces, landscape and plantings
- The Horse Stable Zone: This zone is comprised of open space, mature trees and unobstructed views of all sides of the horse stable

The submitted Heritage Impact Assessment (HIA) reviews the proposed changes to the London Psychiatric Hospital Secondary Plan (LPHSP) and their impacts on the significant built heritage resources and cultural heritage landscapes. It is identified that there is a potential for land disturbances related to demolition activities for all of the heritage buildings during development, and mitigation measures are recommended. There is also a potential for the development around the Horse Stable to have isolation impacts on the heritage building. The proposed stormwater and sanitary trunk sewer upgrades, and the Street A changes, have the potential to directly impact trees within the Allée and Ring Road Zone. There will be an anticipated impact to the view from the north of the Horse Stable Zone with the high density/mixed use blocks proposed for the corner of Oxford Street and Highbury Avenue. In addition, there is potential for indirect impacts from land disturbances for buildings, sugar maples and black walnuts related to the proposed construction activities. Some measures are recommended to mitigate these potential direct and indirect impacts.

The HIA also reviewed the proposed policy changes within the Secondary Plan and found that no impacts to the heritage and cultural heritage landscape features due to the proposed amendment were anticipated. Following a review of the revised Official Plan Amendment and the supporting revised Heritage Impact Assessment City staff still had some outstanding concerns including:

- The revised Heritage Impact Assessment is sufficient to meet the requirements for a complete application for the Official Plan Amendment, however, further heritage impacts from the associated Zoning By-Law Amendment and Draft Plan of Subdivision will need to be addressed during the review of those applications.
- Portions of the Heritage Easement that are shown within the Open Space designation should remain in, or be designated as Heritage, not Open Space
- Potential impacts on the Horse Stable Zone are identified including isolation and obstruction of views due to the proximity of high density development, however, the mitigation measures to address these impact are not sufficient and further measures will need to be recommended and addressed when the Zoning By-Law Amendment and Draft Plan of Subdivision are considered.
- The HIA states that no impacts are identified due to the proposed revisions to the LPHSP, and no mitigation measures are suggested. City staff are of the opinion there remains impacts to the heritage areas and zones, such as the proposed changes to policy and schedules of the plan that would permit development o back on to the Treed Allée and cut off public access. City Staff are of the opinion that these impacts are not sufficiently mitigated through the measures identified in the HIA.

#### Staff Revised Recommendation

Through subsequent discussions with the applicant, it was agreed to revise the proposed amendment to ensure that the open space portions of the heritage easement and the northern portions of the north-south axis of the Treed Allée are designated as Heritage instead of Open Space. The applicant has also agreed to revise the road network and development blocks in the southeast portion of the subject lands to maintain public access and views into the Treed Allée. The restriction of single detached dwellings to limited areas of the Secondary Plan will also help mitigate potential tree loss from driveways and other impacts on the cultural heritage landscapes.

#### **4. Compatibility with Industrial Uses and Rail Lines**

The subject lands are bounded on the south by the CP rail main line, and to the east by a spur line and several commercial/industrial uses. Section 20.4.4.3 of the London Psychiatric Hospital Secondary Plan identifies that noise studies are required as part of a complete application to confirm compliance with provincial regulations.

A Noise and Vibration Impact Study was prepared by the applicant to assess the impact of road and rail traffic, and activities at the commercial and industrial facilities on the proposed development.

The Noise and Vibration Study identified that mitigation measures would be required on the subject lands due to the impacts from the CP Rail main and spur lines, the adjacent industrial uses, and traffic on Highbury Ave. and Oxford St. To mitigate the noise from industrial and rail uses to the east of the subject lands a new single loaded medium density residential building is proposed to be built to act as a noise barrier. The study recommends that the building be at least 13 m in height and constructed such that there are no windows for noise-sensitive spaces facing the plastic facility. The study recommends that a required safety berm along the southern limit of the subject lands, adjacent to the CP rail principal line, is proposed to be extended along the spur line to the east to help mitigate noise impacts on other portions of the proposed development.

In addition, the completed study recommends that many of the development blocks on the southern and eastern portions of the subject lands are designated as a Class 4 area under the Ministry of the Environment and Climate Change's (MOECC) NPC-300. Class 4 areas require that a noise impact assessment is conducted, and mitigation measures are identified that verifies the applicable sound level limits will be met. It is recommended that agreements for noise mitigation, and appropriate warning clauses to warn potential purchasers are registered on title of all affected properties.

Through the consideration of the zoning by-law amendment, draft plan of subdivision and other future applications for site plan approval, further mitigation measures will be implemented based on the recommendations of an accepted Noise and Vibration Study once the design and layout of the affected areas has been determined. Consultation with Parks Planning and CP Rail will be required to determine that the proposed mitigation measures will satisfy the safety requirements of the rail line and the functionality of the park and pathway.

## **5. Spanner Street Connection**

The existing Secondary Plan envisioned the extension of at least three streets into the subject lands including Howland Avenue and Rushland Avenue in the northern portion of the plan and Spanner Street to the south. The proposed revised Official Plan Amendment included the Howland Avenue and Rushland Avenue connections to the neighbourhood to the east, but the planned Spanner Street connections was proposed to be removed. The Transportation Impact Assessment submitted in support of the revised amendment did not address the removal of the Spanner Street connection.

City transportation design and planning staff identified concerns with the removal of the Spanner Street connection due to the limitations on connectivity between the two areas, and the continued lack of appropriate access and turn-arounds for emergency services and City operations vehicles.

Currently Spanner Street to the east of the Secondary Plan is located within a light industrial employment area. Maintaining the planned Spanner Street connection would ensure adequate connectivity between residential areas and employment lands, as well as provide greater connectivity with the surrounding transportation network.

### **Staff Revised Recommendation**

Through discussions with the applicant, the proposed amendment has been revised to show the connection to Spanner Street. Through the future revisions to the draft plan of subdivision it is expected that the applicant will provide a turnaround at the end of Spanner Street, as well as a future road block to allow for the extension of Spanner Street in the future.

## **6. Municipal Servicing Infrastructure Capacity**

The proposed development would significantly increase the planned densities and population that was planned to be accommodated on the subject lands. The former Psychiatric Hospital was serviced by a network of private sewers across the property, however, new sewers built to City standards will be required to service the proposed development.

The existing LPHSP envisioned a population of approximately 6,000 people across the entire Secondary Plan area. The original proposed planning applications envisioned a population of approximately 14,000 people on the subject lands (not including the other lands within the Secondary Plan area). The revised submission envisioned a population of approximately 11,000 people within the subject lands once fully built out. The existing municipal water and sanitary services that will serve the subject lands provide the most significant constraints on the population that can be accommodated on the subject lands.

### **Sanitary Servicing**

The existing sewers on both Dundas Street and Highbury Avenue North both ultimately flow to the Vauxhall Wastewater Treatment Plant (WWTP). The densities and population proposed exceed the City of London design specifications and will place a significant strain on the City's growth servicing and wastewater treatment capacity projections, and could displace extensive planning efforts that have already been developed and implemented by WasteWater Operations.

The sewers on Highbury Avenue North are planned to be upgraded as part of the construction of the east link of the bus rapid transit. It is proposed that the first phase of the development, the blocks along Highbury Avenue North, will be serviced by the planned upgraded sewers on Highbury Avenue, while the balance of the subject lands will be serviced via an easement to south to the sewer on Dundas Street. It is anticipated that future phases of development on the south side of the CP Rail line will establish the servicing corridor in a block.

### Water Servicing

The first phase is proposed to be serviced via the internal street network out to Highbury Avenue North. Currently there is an existing 400mm watermain on Highbury Avenue N and an existing 300 mm watermain on Oxford Street adjacent to the site. The City of London plans to upgrade the 300mm watermain on Oxford Street fronting the site to a 400mm watermain. Water engineering have no concerns with the indicated population of approximately 11,000 people identified in the revised application. With respect to Draft Plan Submission and Zoning, the applicant will be required to update the previously submitted FPR (2021) to address outstanding comments.

### Stormwater Servicing

Stormwater Engineering Division staff did not identify any concerns with the proposed official plan amendment. The London Psychiatric Hospital Lands Stormwater Servicing Class Environmental Assessment (Stantec, 2011) has expired and will be updated through the City's detailed design and sizing of the stormwater management (SWM) pond. It is noted that flows from the first phase of development will flow to Highbury Avenue, and will require on site SWM control and interim SWM facilities to control major flows. The development of phases 2 and 3 of the LPHSP will be subject to the SWM facility being constructed and operational. As part of a complete application for a revised zoning by-law amendment and draft plan of subdivision, the applicant shall be required to prepare a: revised/updated FPR; updated/revised Geotechnical Report; and updated/revised Hydrogeological Report including a preliminary water balance strategy.

## **7. Affordable Housing and the Removal of Bonussing Policies**

The Province changed the Planning Act through Bill 108 (the More Homes More Choice Act, 2019) so that bonussing agreements can no longer be approved after September, 2022.

Consistent with recent decision at the Ontario Land Tribunal on the appeals of the London Plan, language that required bonussing agreements to be entered into in order to achieve the maximum heights has been update. Under the proposed amendments to the secondary plan, development will only be able to achieve the maximum heights permitted in each designation through a site specific zoning amendment where exceptional design is provided and reviewed consistent with the urban design policies of the Secondary Plan and London Plan.

Inclusionary Zoning (IZ) is a potential new tool the City of London is considering that would require affordable units to be included in certain new market-rate housing developments. Provincial legislation states that IZ may only be permitted within areas of a city designated as "Protected Major Transit Station Areas" (PMTSAs).

On December 8, 2020 Municipal Council adopted a London Plan amendment to designate PMTSAs in the London Plan, including the London Psychiatric Hospital Transit Village. The Ministry approved the City's PMTSA policies and mapping on May 28, 2021 and it is in force. City staff are currently undertaking an Inclusionary Zoning review prior to any potential amendments to the London Plan or Zoning By-law for addition of new IZ policies or regulations.

It is anticipated that the IZ Review will identify a similar outcome to the current practice of Bonus Zoning, which allows developers to apply for additional height or density in exchange for the provision of public benefits such as affordable housing units.

Consistent with the policies of the London Plan and other recent secondary plan, amendments are recommended which identify that it is an objective of the plan that a minimum of 25% of all new residential development within the entire plan area meet the Provincial definition of affordable housing. The City will work with other government agencies, the not-for-profit sector, and private developers and may utilize tools such as inclusionary zoning to facilitate the provision of affordable housing.

Staff have recommended that the Secondary Plan policies be updated to identify that the plan is within a Protected Major Transit Station Area, and that tools such as Inclusionary Zoning may be utilised to secure the provision of affordable housing units within the Plan.

## **8. Urban Design**

The proposed amendments include many medium and high-density mixed-use areas in various phases of the development where the permitted heights are proposed to be increased. To date concept plans have not been prepared for many of the development areas. A high standard of urban design is required to ensure that the principles and objectives of the plan are achieved including the conservation of heritage designated buildings and landscapes; support of public transit, walking and active transportation; and the creation of a distinctive community.

To support the proposed increased building heights and densities, the urban design section of the plan is recommended to be expanded and enhanced to provide clear guidance for the development of high-rise, mid-rise and low-rise development. Further recommendations are provided for the ground floors of buildings including commercial and residential buildings, as well as loading areas.

The recommended urban design policies have been based on similar policies in the London Plan and other Transit Village Secondary Plans which have been approved recently. These policies require that podiums are provided for buildings of five (5) or more storeys tall that correspond to the street classification and surrounding context. Floors within the tower portion of high-rise buildings greater than eight (8) storeys in height are required to have a maximum floor area of 1,000 square metres, and the length to width ratio is not permitted to exceed 1:1.5 to minimize shadowing and visual impacts on surrounding properties and open space.

In order to minimize the number of driveways that cross sidewalks and improve the pedestrian environment, single detached dwellings are prohibited in the majority of the Secondary Plan Area. Where low-rise forms of housing such as townhouses are to be permitted, they are encouraged to be developed in a cluster form with garages located the rear of buildings and accessed from common private driveways. Design policies are included to require street oriented development that prohibits parking in the front yard of developments to support the creation of a walkable, pedestrian friendly neighbourhood.

## **9. Removal of Institutional / Education Designation**

At the time of the preparation of the existing LPHSP, Fanshawe College had expressed interest in acquiring lands as its nearby main campus was running out of land resources for further expansions. The LPHSP designated a significant portion of the north easterly lands as institutional, and created 'Academic Area' policies to support the expansion of Fanshawe College onto the subject lands. Since the LPHSP was approved, however, Fanshawe has expanded beyond its main campus to include additional off-site satellite campuses in the Downtown Core, further east along Oxford Street East, and in the former Westervelt College building in South London. At the time of purchase, the property owner approached Fanshawe College regarding their desire to acquire lands for future expansion; and it was determined that there was no longer interest from Fanshawe College in these lands. No comments or concerns with the proposed removal of the Academic Area policies have been received from Fanshawe College.

The Thames Valley District School Board has requested that a block for a potential elementary school be planned for within the subject lands. This block has been included within the Residential Policy Area 1 - North Residential Neighbourhood designation in the

Secondary Plan. Policies within the North Residential Neighbourhood have been added to encourage the school to be designed with consideration for the dense urban nature of the transit village, the priority for walking and active transportation, and the need to conserve the cultural heritage landscapes.

### **10. Housekeeping Amendments**

Included in the proposed amendments are housekeeping changes to the London Psychiatric Hospital Secondary Plan similar to updates recently adopted for other secondary plans in London which remove references from the 1989 Official Plan, and replace them with references to the London Plan. These housekeeping changes have been made throughout the entire plan, including policies affecting lands known municipally as 840 Highbury Avenue North, and 1340 & 1414 Dundas Street, which are not subject to the proposed development applications.

### **11. Other Lands in the London Psychiatric Hospital Secondary Plan**

Significant changes are proposed to the Transit-Oriented Corridor and Residential Area designations through the submitted secondary plan amendment. These designations also apply to lands beyond the proposed development, on lands known municipally as 840 Highbury Avenue North, 1340 Dundas Street, and 1414 Dundas Street. Some of these parcels are under separate ownership and the redevelopment of these lands were not considered through these applications.

As the redevelopment of these lands has not been reviewed and considered by the City, commenting agencies, and the public, no changes to the permitted uses, densities and heights for these areas are currently recommended. As part of the housekeeping amendments, the lands located at 840 Highbury Avenue North, and 1340 & 1414 Dundas Street are recommended to be redesignated to their own sub-policy areas where appropriate on Schedule 3 which maintain the existing policies for each designation.

## **Conclusion**

The proposed amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs. The proposed changes to the London Psychiatric Hospital Secondary Plan are consistent with the London Plan and will implement the vision for the subject lands as a high density, mixed-used, walkable transit village. No outstanding significant concerns have been identified with the proposed Official Plan Amendment. Other concerns related to the design of specific development blocks, servicing and street alignment will be addressed through associated applications for Zoning By-Law Amendment and Draft Plan of Subdivision that will be considered at a future public meeting.

**Prepared by:** Michael Clark, MA  
Planner, Subdivision Planning

**Reviewed by:** Bruce Page, MCIP, RPP  
Manager, Subdivision Planning

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

**Submitted by:** Scott Mathers, MPA, P.Eng  
Deputy City Manager,  
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections  
cc: Michael Pease, Manager, Site Plans

OZ-9324  
M. Clark

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## Appendix A – London Psychiatric Hospital Secondary Plan Amendment

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

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend The London  
Psychiatric Hospital Secondary Plan.

**WHEREAS** Old Oak Properties have applied to redesignate an area of land located at 850 Highbury Avenue North within the London Psychiatric Hospital Secondary Plan area, as shown on the map attached to this by-law, as set out below;

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

1. The London Psychiatric Hospital Secondary Plan, 2011 is deleted, and The London Psychiatric Hospital Secondary Plan, as contained in Schedule 1 attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the Planning Act, R.S.O. 1990, c.P.13.

PASSED in Open Council on June 14, 2022.

Ed Holder  
Mayor

Michael Schulthess  
City Clerk

First Reading - June 14, 2022  
Second Reading - June 14, 2022  
Third Reading - June 14, 2022

OZ-9324  
M. Clark

**Schedule "1"**

# Contents

<b>1.0</b>	<b>Introduction .....</b>	<b>3</b>
1.1	Purpose and Use .....	3
	Vision.....	3
1.2	Principles of the Secondary Plan.....	3
<b>2.0</b>	<b>Community Structure Plan .....</b>	<b>6</b>
2.1	Cultural Heritage Landscape .....	6
2.2	Heritage Landmarks .....	7
2.3	Edges and Interfaces .....	8
2.4	Nodes and Corridors .....	8
2.5	Linkages and Transportation System .....	8
2.6	Building Height Plan and Table .....	9
2.7	Urban Design Priorities .....	9
<b>3.0</b>	<b>Character Area Land Use Designations.....</b>	<b>10</b>
3.1	General.....	10
3.2	Framework of Heights.....	11
	Table 1 – Summary of Minimum and Maximum Permitted Heights by Designation.....	11
3.3	Village Core Designation .....	12
3.4	Transit-Orientated Corridor Designation .....	13
3.4.1	Transit- Oriented Corridor Policy Area 1 – Highest Intensity.....	14
3.4.2	Transit- Oriented Corridor Policy Area 2 – High-rise .....	15
3.4.3	Transit- Oriented Corridor Policy Area 3 – Mid-rise .....	16
3.4.4	Transit-Oriented Corridor Policy Area 4 – Dundas & Highbury .....	18
3.5	Residential Area Designation .....	19
3.5.1	Residential Policy Area 1 – North Residential Neighbourhood .....	20
3.5.2	Residential Policy Area 2 – South Neighbourhood .....	21
3.6	Heritage Area Designation .....	24
3.7	Open Space Designation .....	27
3.7.1	Open Space Policy Area 1 – Public Parkland.....	27
3.7.2	Open Space Policy Area 2 – Natural Heritage/Environmental .....	28
3.7.3	Open Space Policy Area 3 – Stormwater Management.....	28
<b>4.0</b>	<b>General Policies .....</b>	<b>29</b>
4.1	Heritage and Archaeology.....	29
4.2	Housing .....	29
4.3	Noise/Land Use Compatibility.....	30
4.4	Sustainable/“Green” Development .....	31
4.5	Community Parkland.....	33
4.6	Parkland Dedication .....	33
4.7	Natural Heritage.....	34
4.8	Stormwater Management.....	35
4.9	Transportation .....	36
4.10	Protected Major Transit Station Area .....	37
4.11	Forestry .....	37

<b>5.0</b>	<b>Urban Design</b> .....	<b>38</b>
5.1	General.....	38
5.2	High-Rise Buildings.....	41
5.3	Mid-Rise Buildings.....	41
5.4	Low Rise Buildings.....	42
5.5	Ground Floor Design .....	42
5.5.1	Ground Floor Commercial Design.....	42
5.5.2	Ground Floor Residential Design .....	43
5.5.3	Back of House and Loading Areas .....	43
<b>6.0</b>	<b>Implementation</b> .....	<b>44</b>
6.1	Implementation of the Plan .....	44
6.2	Municipal Works .....	44
6.3	Official Plan Amendments.....	44
6.4	Zoning.....	44
6.5	Plans of Subdivision/Plans of Condominium/ Consents to Sever .....	44
6.6	Site Plan Approval .....	44
6.7	Urban Design Policies.....	45
6.8	Guideline Documents.....	45
6.9	Phasing, Financing and Monitoring.....	45
6.10	Height Plan.....	45
6.11	Interpretation.....	45
<b>7.0</b>	<b>Schedules</b> .....	<b>46</b>
	Schedule 1: Community Structure Plan .....	46
	Schedule 2: Character Area Land Use Designations .....	47
	Schedule 3: Sub Area Designations.....	48
	Schedule 4: Building Height Plan .....	49
	Schedule 5: Street Hierarchy Plan.....	50
	Schedule 6: Pedestrian and Cycling Network .....	51
	Schedule 7: Cultural Heritage Framework .....	52
	Schedule 8: Urban Design Priorities.....	53
	Schedule 9: Potential Noise and Vibration Impact Area.....	54

## 1.0 Introduction

The London Psychiatric Hospital (LPH) Secondary Plan is applied to the Transit Village Place Type on the east side of Highbury Avenue North between Oxford Street East and Dundas Street and is generally bounded on the east side by a CNR spur line and comprises approximately 77 hectares (180 acres) of land. The majority of the lands were under public ownership and used as a mental health facility since the 1870's. The majority of the lands were owned, at the time of the adoption of this Secondary Plan, by the Government of Ontario with the remainder owned by the Government of Canada, the Salvation Army, the Diocese of London and a private landowner.

### 1.1 Purpose and Use

The purpose of the Secondary Plan is to establish a vision, principles and policies for the evolution of the former Provincial mental health facility property and adjacent lands to a vibrant residential community which incorporates elements of sustainability, mixed use development, heritage conservation, rapid transit support, walkability and high quality urban design. This Secondary Plan provides a greater level of detail than the general policies in *The London Plan*. The Secondary Plan serves as a basis for the review of planning and development applications and constitutes *London Plan* policy which will be used in conjunction with the other policies of *The London Plan*.

The goals, objectives, policies and maps of *The London Plan* shall apply to all lands within the study area, except in instances where more detailed or alternative direction is provided in the Secondary Plan, in which case the Secondary Plan shall prevail.

The text and schedules of the London Psychiatric Hospital Secondary Plan constitutes part of *The London Plan*. The Schedules form part of the Secondary Plan and have policy status whereas other maps, graphs, tables, illustrations and photographs included in this Secondary Plan are provided for graphic reference, illustration and information.

### Vision

The redevelopment of the London Psychiatric Hospital Lands shall reflect the historic significance of the lands to create an urban village with a strong focus on rapid transit and pedestrians enhanced by ample public green spaces that link places to live, work and play. The community will embrace sustainable development principles that place priority on multi-modal transportation choices integrated with a diverse range of land uses, lifestyle and cultural opportunities.

### 1.2 Principles of the Secondary Plan

The preparation of this Secondary Plan has been guided by a series of principles that are described below. Any amendments to this Secondary Plan shall be consistent with these principles.

#### i) Principle 1: Retention of Cultural Heritage

Conserve the identified cultural and built heritage resources of the area and ensure their long-term sustainable management.

#### Objectives to achieve this principle are:

- a) Celebrate the area's built and cultural heritage.

- b) Create a distinct urban community that builds upon the heritage significance of the property.
- c) Create a strong sense of place that relates to the heritage character of the property.
- d) Conserve heritage designated buildings and landscapes.
- e) Ensure the long-term sustainable management of trees and vegetation within the cultural heritage landscape.
- f) Encourage sustainable re-use of heritage buildings.

**ii) Principle 2: Creation of a Distinct Community**

Create inclusive and diverse residential neighbourhoods which have a mix of uses and a high level of urban design.

**Objectives to achieve this principle are:**

- a) Provide for a range of land uses including residential, open space, public uses, local commercial uses, office uses, and mixed use buildings.
- b) Foster a sense of community interaction by connecting neighbourhoods with public uses and the open space system.
- c) Provide for the extension of necessary public services and facilities to support the community.
- d) Enhance recreational opportunities throughout the neighbourhoods.
- e) Identify opportunities for places and activities that foster community identity.
- f) Ensure the Treed Allée remains a focal point for the Community.
- g) Enhance the public realm, including streetscapes, public spaces and infrastructure.
- h) Integrate the new community with surrounding neighbourhoods.
- i) Focus the design of roads and future development around significant built features.
- j) Ensure the design of roads and buildings is appropriately scaled to and in character with significant built features.
- k) Design the community street pattern to create or enhance view corridors and vistas of public spaces and significant built features.

**iii) Principle 3: Providing for a Range of Housing Choices**

Provide for a mix of housing types and designs.

**Objectives to achieve this principle are:**

- a) Provide for a range and mix of housing types in order to achieve a balanced residential community.
- b) Encourage housing developments and designs that achieve compact residential development.
- c) Achieve an urban form which makes effective use of land, services, community facilities and related infrastructure.
- d) Ensure that the community caters to the needs of all ages, stages of life and income groups.
- e) Provide opportunities for live-work opportunities to reduce the need for commuting and improve community safety.

- f) Provide housing opportunities to accommodate people with special needs, students and seniors.
- g) Provide affordable housing opportunities.

**iv) Principle 4: Environmental Sustainability**

Achieve high standards of environmental sustainability.

**Objectives to achieve this principle are:**

- a) Seek out opportunities for sustainability.
- b) Integrate the Community into the greater city through rapid/public transit and walking/biking trails to reduce the need to use private vehicles.
- c) Create an interconnected open space system.
- d) Enhance livable neighbourhood ideals using public green spaces as a significant design feature and by fostering walkable neighbourhoods.
- e) Minimize the production of greenhouse gases through sustainable building and site design.
- f) Encourage the planting of vegetation to improve air quality.
- g) Encourage community wide recycling.
- h) Protect species at risk and rare species.

**v) Principle 5: Transportation System**

Access to rapid transit will be a defining characteristic of the Community. Walking and bicycling should be the primary means of transportation within the community, while providing for broader connections to the City-wide transportation network.

**Objectives to achieve this principle are:**

- a) provide convenient access to transit stations, with the highest intensity uses located along the transit corridors.
- b) Provide a traditional grid street network to encourage walkability within the community.
- c) Give priority to pedestrian movement.
- d) Establish a high degree of connectivity within the Community and between existing and new neighbourhoods.

**vi) Principle 6: Financial Viability/Sustainable Development**

The Community shall be developed in logical phases to be efficient and financially responsible.

**Objectives to achieve this principle are:**

- a) Extend infrastructure in a logical and cost-effective manner.
- b) Establish key heritage and community features through the earliest phases of development.
- c) Ensure a Stewardship Plan is in place to identify how the Provincially significant features are to be maintained and identify suitable sources of funding.

## 2.0 Community Structure Plan

The Community Structure Plan is illustrated in Schedule 1 of this Plan and sets out the overall structural elements for the LPH Secondary Plan area. The elements identified in this section of the Plan are intended to assist with implementing the vision for the built form, public realm and neighbourhood street pattern. Development proposed through planning applications for the LPH lands shall implement the following community structure objectives:

- i) The designated heritage buildings, the Treed Allée and the cultural heritage landscape and its significant features shall be conserved;
- ii) Development patterns shall generally reflect an urban grid street network with a high level of connectivity. The central north-south axis shall serve as a key organizing element;
- iii) The Treed Allée shall be closed to vehicular traffic and used as public open space;
- iv) A landscaped pedestrian corridor shall be provided between the Allée and the Infirmary building;
- v) Each heritage building shall be provided with its own landscaped setting. A larger setting shall be established around the Horse Stable to provide agricultural context and maintain open views of the building;
- vi) Remnants of the historic circulation pattern, including the traffic circle and portions of the ring road, shall be integrated with the new street networks. Where possible, the existing mature trees that flank these roads shall be retained;
- vii) Five primary gateways to the lands shall be created, located centrally along each of Oxford Street East, Highbury Avenue North and Dundas Street. The Dundas Street gateway will be pedestrian only and should help anchor the Treed Allée. The central Oxford Street East gateway will be pedestrian only and will maintain the vista into the heart of the Community. Access to transit stations should be coordinated with adjacent gateways where possible;
- viii) Street connections shall be provided to Howland Avenue, Rushland Avenue and Spanner Street in the neighbourhood to the east so that new roads may extend east-west through the lands;
- ix) Pedestrian and cycling routes shall link the central node to rapid transit stations and parkland;
- x) A central mixed-use activity node and commercial core will be located around the centre of the lands, incorporating the existing heritage buildings;
- xi) The intersections of Highbury Avenue North with Oxford Street East and Dundas Street shall be developed as intensive, transit-oriented mixed-use nodes; and,
- xii) Development shall generally be most intensive along Oxford Street East, Dundas Street and Highbury Avenue North. Development heights and densities shall respond appropriately within proximity to lower scale land uses

### 2.1 Cultural Heritage Landscape

Schedule 7 of this Secondary Plan identifies the cultural heritage landscape. This landscape has played an important role in the preparation of this plan and will be conserved through the development of the LPH Secondary Plan. Originally known as the London Asylum, the 19<sup>th</sup> Century London Psychiatric Hospital complex may be one of the most significant sites in the history of mental health in Canada. Part of this significance derives from its association with Dr. Richard Bucke (superintendent, 1877-1902), who championed 'moral treatment' in the care of mental health patients.

Based on the approved Strategic Conservation Plan prepared in support of this Secondary Plan more intensive development shall be directed to property around the perimeter of the lands, particularly along Highbury Avenue North and Oxford Street East, with a shallower landscaped “bowl” in the middle of the lands. Within this central area, the Infirmary Building, the Chapel, and the entrance avenue retain their heritage character and rich landscape setting. The access and circulation routes shall build on the historic road patterns which will also maximize opportunities for the retention of mature trees.

Development proposed through planning applications for the London Psychiatric Hospital Secondary Plan area will need not only to conserve the significant heritage buildings, but also the unique cultural heritage landscape. Maintaining the integrity of the significant cultural heritage landscape will be a priority in the review of land use planning applications. The therapeutic landscape setting and its physical and visual relationships to historic buildings must be conserved to allow for meaningful interpretation of the cultural heritage resources.

Other landscape features to be considered in the review of all planning applications include:

- i) The large traffic circle, with its landscaped island, located at the terminus of the Treed Allée;
- ii) Remnants of the historic ring road circulation pattern which encircled the original hospital complex, between the Allée and the Infirmary building;
- iii) The westerly access to the lands which extends inward from Highbury Avenue North, connecting the internal circular patterns and the external grid;
- iv) The row of mature trees which line the southern edge of the central ring road;
- v) The lesser Allée which extends northward from the rear of the Infirmary building, continuing the central north-south axis as an ordering element for the lands; and
- vi) Mature specimen trees which line historic circulation routes and frame the “pleasure grounds”.

## 2.2 Heritage Landmarks

The majority of the London Psychiatric Hospital lands have been recognized as a cultural heritage landscape of Provincial significance. Further, several features on the lands, including the Central Treed Allée, the Infirmary Building, the Recreation Hall, the Chapel of Hope, and the Horse Stable, are all designated by the City of London under Part IV of the *Ontario Heritage Act*. These cultural heritage resources shall be conserved. Specific policies relating to development within and adjacent to the cultural heritage landscape and its associated significant features are outlined throughout this Secondary Plan. Significant cultural heritage resources to be conserved within the landscape include:

**Central Treed Allée:** an entry avenue consisting of two one-way roads and a wide median containing a pedestrian walk is lined with several parallel rows of trees. While originally planted with elms, the Allée today consists of a variety of tree species, both coniferous and deciduous. The Allée forms a magnificent vista north from Dundas Street into the lands and terminating at the Infirmary building.

**Infirmary Building (1902):** this symmetrical, three storey Victorian yellow brick building is aligned on axis with the entrance avenue. A central surgical block, complete with a rare surviving operating room, is connected by two passageways to east and west patient wings. Large skylights provided light for the surgical suite on the third floor. Each patient wing features large sun rooms along the side building flankages.

**Chapel of Hope (1884):** built by patients as an interdenominational chapel, it is one of the only free-standing chapel buildings within a psychiatric hospital site in Ontario. The chapel is a one-and-a-half storey brick structure with a gable roof, built in the Gothic Revival style.

**Horse Stable (1894):** built of buff-coloured brick with a slate roof, the Horse Stable is the last of three original agricultural buildings. While the building was functional, the picturesque effect produced by its classical proportions and ventilation cupolas also make it a handsome landmark building. The stable is a meaningful symbol of the hospital's significant agricultural past, recalling the importance of farm work to patient therapy and community self-sufficiency.

**Recreation Hall (1920):** this two-storey brown brick building was used to host recreational activities for patients, including a basement swimming pool (now filled in) and a stage with a balcony. The auditorium space features large tall windows on each side, and a double door centre entrance which faces north.

Schedule 7 of this Plan identifies the heritage features designated under the *Ontario Heritage Act*.

### 2.3 Edges and Interfaces

A Civic Boulevard (Dundas Street) and Rapid Transit Boulevards (Oxford Street East and Highbury Avenue North) clearly define the community's edges on three sides, to the north, south and west. New development should build upon and integrate established patterns found in the abutting neighbourhood to the east. This adjacent neighbourhood should transition into the study area and function as an extension of the new community. An industrial cluster is also located immediately to the east, separated from the community by a rail spur. There may be opportunities to integrate these lands to provide direct access to employment lands and ensure the neighbourhoods are connected if they transition from industrial to residential uses over time. Necessary connections to allow for this potential shall be protected.

### 2.4 Nodes and Corridors

A central node will be located in the area between the terminus of the Allée, the Infirmary building, and Highbury Avenue North. This node will function as the centrepiece of the community and should accommodate a range of uses including convenience commercial establishments that cater to the daily needs of residents or serve as community gathering places. The central node will be pedestrian-oriented and include public amenity space.

Two mixed-use nodes are to be established around the intersections of Highbury Avenue North with Oxford Street and to the north, and Dundas Street to the south. Both of these nodes should continue to serve as major transit hubs, and shall be pedestrian-oriented with increased densities to support this role. The adjacent corridors along Highbury Avenue North and Oxford Street East shall also be developed as mixed use, pedestrian oriented, with increased densities to support these nodes.

### 2.5 Linkages and Transportation System

The overall transportation system of a community is an integral component in creating a strong sense of place. This type of system is known as a place-based transportation system, which promotes connectivity through the community and to the larger city. It also promotes opportunities for healthy movement to various activities with a priority on providing a high quality pedestrian experience.

Pedestrian, cycling and vehicular access will be provided through new streets extending from both Highbury Avenue North and Oxford Street East. New streets will extend east-west throughout the lands supporting an urban street grid pattern. Specifically, Howland Avenue, Rushland Avenue and Spanner Street are to be connected and extended through the lands.

Two possible future street connections to the east, between Rushland Avenue and Spanner Street are also illustrated, to recognize that the industrial cluster may evolve over time and that long-term connection opportunities should be identified and planned for.

The existing Treed Allée driveways will be closed to vehicular traffic and serve only as pedestrian corridors. Other elements of the historic circulation pattern such as the traffic circle and portions of the ring road will be integrated with new street networks. Retaining elements of this historic pattern will reinforce the significance of the central node.

These routes focus on moving people between the central node and transit hubs. The Allée/linear park will serve as the backbone of this circulation system and will provide a pedestrian/cycling connection across the Canadian Pacific Rail line. This central pedestrian spine will extend through the centre of the lands, from Dundas Street to Oxford Street East. Secondary routes will extend to the northeast and northwest from the central node, towards the Fanshawe College and the Oxford/Highbury transit nodes respectively. A pedestrian/cycling corridor is also shown along the Canadian Pacific Rail line which will contribute to establishing an east-west connection between the area's park systems, including Kiwanis Park to the south and McCormick/Carling Heights parks to the west.

Transit service is expected to significantly improve with the planned rapid transit along the two flanking Rapid Transit Boulevards. Three existing and planned transit nodes are illustrated on Schedule 1 of this Plan. Transit service, internal to the lands, is not anticipated as established bus routes already travel around the perimeter of the lands and are within comfortable walking distance to and from all parts of the Secondary Plan Area.

## **2.6 Building Height Plan and Table**

Development is envisioned to be of a generally high-rise form along the flanking Civic Boulevard and Rapid Transit Boulevards. Mid-rise forms are envisioned within and approaching the central node. Development patterns on the balance of the lands are expected to be predominantly low and/or mid-rise. More precise height ranges are identified in Schedule 4 and Table 1 of this Plan.

## **2.7 Urban Design Priorities**

Schedule 8 of this Plan shows urban design priorities. The Plan supports a well-connected urban street grid pattern, with a clearly defined neighbourhood centre. The intent is to create an urban village that reflects London's traditional urban development patterns, focusing on the lands' significant built heritage and cultural landscape features.

Historically, the psychiatric hospital campus was organized around a central north-south axis, extending up the Allée and through the symmetrical hospital buildings. This north-south axis shall remain a key organizing element for future road patterns.

### 3.0 Character Area Land Use Designations

The following character areas form land use designations unique to the LPH Secondary Plan as shown on Schedule 2. These areas have separate identified character elements, which are defined in the character area policies. The character areas and general policies of this Plan work together to form the overall structure of the Secondary Plan.

i) Village Core

The Village Core is to form the main street, mixed-use “heart” of the LPH community and is to be pedestrian-oriented.

ii) Transit Oriented Corridor Area

This area is to support the transit functions along the assigned corridors with intense mixed-use development. The character in this area is to be pedestrian-oriented.

iii) Residential Area

The Residential Area designation is applied to areas of this plan that will contain a variety of residential building types.

iv) Heritage Area

The Heritage Area designation applies to areas that contain heritage buildings and cultural heritage resources and will focus on protection and conservation of these resources.

v) Open Space Area

The Open Space Area is to provide for passive and active recreational opportunities within the community. These areas will also serve as a buffer for the industrial uses that exist to the east of the Secondary Plan area.

### 3.1 General

- i) The following uses are permitted anywhere within the plan area: community facilities such as community centres, schools and libraries; transit facilities, public and private parks, and private streets.
- ii) New single detached dwellings and semi-detached dwellings are not permitted except for limited areas within the Residential Area Designation as specified in Section 3.4.
- iii) New auto-oriented, restricted automotive uses and service stations are not permitted.
- iv) No more than 20,000m<sup>2</sup> of office space will be permitted in the plan area, and no more than 5,000m<sup>2</sup> of office space will be permitted in any individual building.

### 3.2 Framework of Heights

- i) It is useful to summarize the height that is permitted within each of the various designations of this plan, to provide a general understanding of how the Community Structure Plan will be implemented through the assignment and implementation of these designations. Table 1 provides this summary.
- ii) Zoning on individual sites may not allow for the full range of heights permitted within a designation. To provide flexibility, height limits have been described in building storeys rather than a precise metric measurement. For clarity, this is meant to convey the number of usable above-grade floors in a building. In some cases, minimum heights are to be measured by the lesser of storeys or metres. This alternative measure has been provided to allow for greater flexibility through implementation.

Table 1 – Summary of Minimum and Maximum Permitted Heights by Designation

Designation	Policy Area	Minimum Height (storeys or m)	Standard Maximum Height (storeys)	Upper Maximum Height (storeys)
Transit Oriented Corridor	1	3 storeys or 9m	15	22
	2A	3 storeys or 9m	8	12
	2B	3 storeys or 9m	12	16
Village Core	n/a	2 storeys or 8m	4	-
Residential Area	1A	2 storeys or 8m	4	-
	1B	3 storeys or 9m	8	12
	2	2 storeys or 8m	4	6

**Notes:**

1 – The heights shown on this table will not necessarily be permitted on all sites within the relevant designations of this Secondary Plan.

2 – The Upper Maximum height may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the criteria specified in the policies for the designation have been met.

3 - Transit Oriented Policy Areas 3 & 4, and Residential Policy Area 3 are not currently subject to this table. Appropriate minimum and maximum heights should be considered and added to this table through a future amendment to this secondary plan.

### 3.3 Village Core Designation

#### i) Function and Purpose

The Village Core is located half-way between Dundas Street and Oxford Street East within the western portion of the secondary planning area. This area is to be the main focal point for neighbourhood level services within a comfortable walking distance for most residents. The Village Core will serve to transition from the high-rise built form along Highbury Avenue North to the low-rise built form internal to the neighbourhood. This area will provide for a mix of uses and civic functions, such as public/private gathering spaces.

#### ii) Character

The Village Core is to be a walkable urban mixed-use “mainstreet” with a pedestrian scale. The built form will be primarily street oriented on all public rights-of-way within this area. Sites internal to the neighbourhood (east of the lots on the Highbury Avenue North frontage), will be of a mid-rise height. Structures along Highbury Avenue North will be street oriented and of a high-rise height. Schedule 4 shows the heights to be achieved within the sub-areas of the Village Core. Public rights-of-way in the Village Core Area will be of an urban character, primarily designed to support walking and street-oriented retail. Boulevards will consist entirely of hard surface treatment and provide opportunities for landscaping, such as street trees and furniture, to create a vibrant urban main street context.

#### iii) Permitted Uses

- a) A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.
- b) Mixed-use buildings are the preferred form of development with active ground floor commercial uses and residential uses above.
- c) New stand-alone, single-tenant commercial buildings are not permitted.

#### iv) Built Form and Intensity

- a) Building floorplates shall be designed to accommodate retail or commercial uses at grade with residential uses located at, or above, grade.
- b) The maximum permitted heights shall be up to 4 storeys and the minimum permitted heights shall be 2 storeys or 8 metres, as identified in Schedule 4 and Table 1 of this Plan. The proposed development will provide a transition between the heritage area surrounding the Infirmary building and the higher-rise built form along Highbury Avenue North.
- c) The ground floor of the residential units within the Village Core designation shall be designed and constructed in a manner which ensures flexibility and adaptability over time for commercial uses. In no instance shall the entire building be used exclusively for a non-residential use.
- d) Large windows, patio space and canopies are encouraged to be incorporated into the building’s ground level. Rooftop patios and balconies are encouraged and shall be considered as amenity areas for residents within mixed use buildings.

e) Buildings should be designed with defined spaces for signage that respects the building's scale, architectural features and the established streetscape design objectives.

v) Transportation

a) It is intended that the primary mode of transportation within the Community will be by walking or cycling. Parking shall not be allowed within the front yard of any buildings within the Village Core designation. A limited amount of parking may be provided in the rear yard of live-work uses for the associated residential component of these uses.

b) Internal drop-off/pick-up facilities, including short term and long term bicycle parking, shall be provided internal to the site.

vi) Applications To Expand, Add or Modify

Applications to add or to expand the Village Core Designation, will be evaluated based on the following criteria, in addition to all other policies included in this Secondary Plan:

a) A demonstrated demand/need to extend or add to the designation, considering the supply of land within the designation that is not currently developed;

b) A location that is contiguous with the existing Village Core Policy designation; and,

c) A location that will benefit the Cultural Heritage Landscape as the major focal point for the community.

d) The Evaluation Criteria for the Planning and Development Applications policies in the Our Tools part of The London Plan shall apply.

### 3.4 Transit-Orientated Corridor Designation

i) Function and Purpose

The purpose of the Transit-Oriented Corridor designation is to focus residential and commercial uses along transit routes consistent with the role of the Transit Village and the Province of Ontario's "Transit Supportive Guidelines". It is also consistent with the emphasis on walking and bicycling for this Community. Transit-Oriented Corridors are intended to allow for the creation of a band of residential and mixed-use development at medium and high densities to support transit along Highbury Avenue North, Oxford Street East and Dundas Street. More substantial amounts of retail development, at grade, will be directed to the intersections with a rapid transit station. Stand-alone commercial uses will not be permitted.

The Transit-oriented Corridor designation is made up of four sub-areas, as follows:

a) Highest Intensity;

b) High-rise;

c) Mid-rise; and,

d) Dundas & Highbury.

ii) Character

The Transit Oriented Corridor is to be a walkable urban mixed use "mainstreet". The built form will be primarily street-oriented on all public rights-of-way within this area. This area will be characterized by higher intensity built form to support transit. Public rights-of-ways in the

Transit-Oriented Corridor Area will be of an urban character, primarily designed to support walking and street oriented retail. Boulevards should consist entirely of hard surface treatment and provide opportunities for landscaping, such as street trees and furniture, to create a vibrant urban main street context.

iii) Transportation

Internal drop-off/pick-up facilities, including short term and long term bicycle parking, shall be provided internal to the site.

iv) Applications To Expand, Add or Modify

Applications to expand the Transit-Oriented Corridor Designation will be evaluated using all of the policies of this Secondary Plan. It is not intended that this designation will be applied within the internal portions of the community and any expansions or additions to this designation shall front onto a Civic Boulevard or Rapid Transit Boulevard.

### 3.4.1 Transit- Oriented Corridor Policy Area 1 – Highest Intensity

i) Intent

This designation is applied to the major intersection of Highbury Avenue North at Oxford Street East, and portions of the adjacent corridors along Oxford Street East and Highbury Avenue North and will support the greatest level of commercial and residential use intensity in the Plan.

ii) Permitted Uses

Permitted uses in the Transit-Oriented Corridor Policy Area 1 designation shall include:

- a) A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.
- b) Development will be required to take the form of mixed-use buildings with active ground floor commercial uses and residential uses above. Some commercial uses or other secondary uses may also be permitted within the podium of the building.
- c) New single-storey, stand-alone commercial, retail and other non-residential buildings are not permitted.

iii) Built Form and Intensity

- a) Within the Transit-Oriented Corridor Designation Policy Area 1, the maximum permitted heights for High-Rise buildings shall be up to 15 storeys, and the minimum permitted heights shall be 3 storeys, as shown on Schedule 4 and Table 1 of this Plan.
- b) Heights exceeding 15 storeys, up to 22 storeys, may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:
  - 1. The development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.

2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.
  3. Conformity with the Urban Design policies of this Plan and City Design policies of The London Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing standards for the planning area; and
  4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.
- c) The frontage of buildings located on Dundas Street, Highbury Avenue North and Oxford Street East, shall be designed to accommodate secondary uses at grade.
  - d) Corner sites or areas connecting to parking facilities are encouraged to incorporate forecourts or mid-block connections that may be private, but provide for public access and amenity.
  - e) Large windows, patio space and canopies are encouraged to be incorporated into the building's ground level. Rooftop patios and balconies are encouraged and shall be considered as amenity areas for residents within mixed use buildings.
  - f) Buildings should be designed with defined spaces to accommodate signage that respects the building's scale, architectural features and the established streetscape design objectives.

### 3.4.2 Transit- Oriented Corridor Policy Area 2 – High-rise

#### i) Intent

This designation is applied to Highbury Avenue North frontage near the Village Core Designation and along Oxford Street East frontage near the Rapid Transit Corridor Place Type to provide for transit-oriented, mid to high-rise, mixed-use development that will support a transition to the more intense development within Policy Area 1 designations.

The Transit-Oriented Corridor Policy Area 2 – High Rise is further divided into two sub areas, as shown on Schedule 3 of this Plan:

- a) Policy Area 2A: lands on the north and south side of the main Highbury Avenue North entrance to the London Psychiatric Hospital Lands
- b) Policy Area 2B: lands to the north of the main Highbury Avenue North entrance, as well as the lands in the northeast corner of the Secondary Plan, adjacent to the Rapid Transit Corridor Place Type.

#### ii) Permitted Uses

Permitted uses in the Transit-Oriented Corridor Policy Area 2 designation shall include:

- a) A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.
- b) Development will be required to take the form of mixed-use buildings with active ground floor commercial uses and residential uses above. Some commercial uses or other secondary uses may also be permitted within the podium of the building.
- c) New single-storey, stand-alone commercial, retail and other non-residential buildings are not permitted.

iii) Built Form and Intensity

- a) The maximum and minimum heights the maximum permitted heights within Policy Area 2 are as shown on Schedule 4 and Table 1 of this Plan:
1. Within the Transit-Oriented Corridor Policy Area 2A the maximum permitted heights shall be 8 storeys, and the minimum permitted heights shall be 3 storeys; and
  2. Within the Transit-Oriented Corridor Policy Area 2B the maximum permitted heights shall be 12 storeys, and the minimum permitted heights shall be 3 storeys.
- b) Within the Transit-Oriented Corridor Policy Area 2A, heights exceeding 8 storeys up to 12 storeys; and within Policy Area 2B, heights exceeding 12 storeys up to 16 storeys, may be permitted through a site specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:
1. The development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.
  2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.
  3. A high level of urban design shall be demonstrated through the preparation of a concept plan of the site which exceed the prevailing standards; and
  4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.
- c) The frontage of buildings located on Highbury Avenue North and Oxford Street East, shall be designed to accommodate secondary uses at grade
- d) Corner sites or areas connecting to parking facilities are encouraged to incorporate forecourts or mid-block connections that may be private, but provide for public access and amenity.

**3.4.3 Transit- Oriented Corridor Policy Area 3 – Mid-rise**

i) Intent

This designation is applied to the north side of Dundas Street to provide for transit-oriented mid-rise residential development that is mixed use in nature. Adjacency to the Treed Allée is a primary consideration in the review of all planning applications.

ii) Permitted Uses

Permitted uses in the Transit-Oriented Corridor Policy Area 3 include multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged. This Policy Area is divided by the Treed Allée with specific policies for each side.

West of the Treed Allée secondary uses will also be permitted only on the ground floor of those residential buildings fronting onto Dundas Street, including, but not limited to: personal services, food stores, retail stores, financial institutions, convenience stores, day care centres, pharmacies, studios and galleries, specialty food stores, fitness and wellness establishments and small scale office uses with a maximum total gross floor area for the site of 2,000 m<sup>2</sup>.

East of the Treed Allée the secondary uses noted above (for west of the Allée) may be permitted in a stand-alone commercial building. Multiple stand-alone commercial buildings shall not be permitted. A lawn bowling facility, and community gardens (as shown in Schedule 2), may also be permitted within this designation.

(Amended by OMB Decision - approved 13/03/13 Case PL111239)

iii) Built Form and Intensity

- a) Net residential densities will normally be less than 75 units per hectare.
- b) A greater building height will be supported on the west side of the Allée as shown on Schedule 4 of this Plan. A residential density exceeding 75 units per hectare may be permitted through a site specific zoning by-law amendment and site plan application, and the associated urban design review. A request for an increase in density shall also be subject to the following criteria:
  - 1. The development is to be designed and occupied for seniors housing, or shall include provision for unique attributes and/or amenities that may not normally be provided for in lower density projects having a public benefit; such as, but not limited to, enhanced open space and recreational facilities, innovative forms of housing and architectural design features;
  - 2. Parking facilities shall be designed to minimize the visual impact off-site and provide for enhanced amenity and recreation areas for the residents of the development;
  - 3. Conformity with the City Design polices of *The London Plan* and this Secondary Plan shall be demonstrated through the preparation of a concept plan of the site that exceed the prevailing standards for the planning area; and,
  - 4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.
- c) Development adjacent to the Allée, shall be oriented to the Allée.
- d) Corner sites or areas connecting to parking facilities are encouraged to incorporate forecourts or mid-block connections that may be private, but provide for public access and amenity.
- e) The frontage of buildings located on Dundas Street shall be designed to accommodate secondary uses at grade and oriented to Dundas Street.
- f) Large windows, patio space and canopies are encouraged to be incorporated into the building's ground level. Rooftop patios and balconies are encouraged and shall be considered as amenity areas for residents within mixed use buildings.
- g) Buildings should be designed with defined spaces to accommodate signage that respects the buildings scale, architectural features and the established streetscape design objectives.

iv) Transportation

- a) At the Site Plan stage, arrangements for shared private driveway access from Dundas Street shall be required, to minimize the number of driveways and to ensure properties adjacent to the Canadian Pacific Railway are not landlocked.

### 3.4.4 Transit-Oriented Corridor Policy Area 4 – Dundas & Highbury

#### i) Intent

This designation is applied to the major intersection of Highbury Avenue North and Dundas Street and will support the greatest level of commercial use intensity in the Plan.

#### ii) Permitted Uses

Permitted uses in the Transit-Oriented Corridor Policy Area 4 designation shall include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, and seniors residences. In addition, small scale office uses with a maximum total floor area of 2,000 m<sup>2</sup> or less within each building, will be permitted. Secondary uses will also be permitted only on the ground floor of those buildings fronting onto Dundas Street or Highbury Avenue North, including, but not limited to: personal services, food stores, retail stores, financial institutions, convenience stores, day care centres, pharmacies, studios and galleries, specialty food stores and fitness and wellness establishments.

#### iii) Built Form and Intensity

- a) Net residential densities will normally be less than 150 units per hectare.
- b) A residential density exceeding 150 units per hectare may be permitted through a site specific zoning by-law amendment and site plan application, and the associated urban design review where the following criteria have been met:
  - 1. The development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.
  - 2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.
  - 3. A high level of urban design shall be demonstrated through the preparation of a concept plan of the site which exceed the prevailing standards; and
  - 4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.
- c) The frontage of buildings located on Dundas Street and Highbury Avenue North, shall be designed to accommodate secondary uses at grade.
- d) The built form shall be of a mid-rise to high-rise height as shown in Schedule 4 of this Plan.
- e) Corner sites or areas connecting to parking facilities are encouraged to incorporate forecourts or mid-block connections that may be private, but provide for public access and amenity.

- f) Large windows, patio space and canopies are encouraged to be incorporated into the building's ground level. Rooftop patios and balconies are encouraged and shall be considered as amenity areas for residents within mixed use buildings.
- g) Buildings should be designed with defined spaces to accommodate signage that respects the building's scale, architectural features and the established streetscape design objectives.

### 3.5 Residential Area Designation

#### i) Function and Purpose

It is intended that this designation will support an urban housing stock, with height and intensity generally increasing with greater distance from the central cultural heritage landscape. Residential areas are to accommodate a diversity of dwelling types, building forms, heights and densities, in order to use land efficiently, provide for a variety of housing prices and to allow members of the community to "age-in-place". These residential areas will accommodate a significant population density which will help to support the services offered in the Village Core and the provision of transit along the Transit-Oriented Corridors. Planning applications to significantly reduce the residential height and intensity of these areas would undermine these objectives and should not be supported. The Residential Area designation is made up of two sub areas:

- a) North Residential Neighbourhood; and,
- b) South Residential Neighbourhood.

#### ii) Character

This designation will have a variety of setbacks, depending on the built form intensity. Generally, the area will be urban in nature but will not allow for the mix of uses located in other strategic locations within the community. Buildings are to be street-oriented with the principle entrance facing the street. Public rights-of-way will be of an urban character, primarily designed to support walking for both utility and recreation.

#### iii) Elementary School

It has identified that an elementary school may be required within the London Psychiatric Hospital Secondary Plan. The preferred location shall be within the Residential Area Designation. The design of the school should reflect the dense urban nature envisioned for this Transit Village. It is encouraged that:

- a) The school shall be designed to complement and conserve the cultural heritage landscape;
- b) Alternative school design standards should be considered including multi storey school buildings;
- c) Parking requirements should consider the number of planned residential dwellings within close proximity to the school; and
- d) The school should be designed consistent with section 1.2 Principles of this Plan, including that walking, bicycling and active transportation should be the primary means of transportation within the community.

### 3.5.1 Residential Policy Area 1 – North Residential Neighbourhood

#### i) Intent

The Residential Policy Area 1 designation will provide for higher-intensity residential uses than the Residential Policy Area 2 designation. The North Residential Neighbourhood is in close proximity to Fanshawe College. Accordingly, certain policies have been established to avoid the potential for near-campus neighbourhood issues.

The Residential Policy Area 1 – North Residential Neighbourhood is further divided into two sub areas, as shown on Schedule 3 of this Plan:

- a) Policy Area 1A: a lower density area north of the Infirmary building and south of the east-west cultural heritage landscape, and the lands adjacent to the existing residential community to the east
- b) Policy Area 1B: a higher density area to the north of the east-west cultural heritage landscape and south of the Transit Oriented Corridor designation

#### ii) Permitted Uses

Townhouses, low-rise apartment buildings, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged will be permitted. Single detached, semi-detached and duplex dwellings may also be permitted on the lands immediately adjacent to the Neighbourhood Place type to the east of the Secondary Plan. Ground floor commercial uses within mixed-use residential buildings are encouraged within Policy Area 1B, standalone commercial buildings shall not be permitted.

#### iii) Built Form and Intensity

- a) The maximum and minimum heights the maximum permitted heights within Policy Area 1 are as shown on Schedule 4 and Table 1 of this Plan:
  - 1. Within the Residential Policy Area 1A the maximum permitted heights shall be 4 storeys, and the minimum permitted heights shall be 2 storeys; and
  - 2. Within the residential Policy Area 1B the maximum permitted heights shall be 8 storeys, and the minimum permitted heights shall be 3 storeys.
- b) Within Residential Policy Area 1B, heights exceeding 8 storeys up to 12 storeys, may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:
  - 1. The development shall include provisions for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.
  - 2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.

3. Conformity with the Urban Design policies of this Plan and City Design policies of The London Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing standards for the planning area; and
  4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.
- c) Development shall not be permitted at a residential density of less than 30 units per hectare Residential Policy Area 1A and 45 units per hectare for Residential Policy Area 1B.
  - d) No dwelling unit shall contain more than 3 bedrooms, excluding apartment units. Where an Additional Residential Unit is provided consistent with the policies of the London Plan, a total of up to five (5) bedrooms may be permitted between all units on the lot.
  - e) Plans of subdivision shall accommodate a diversity of building types. A variety of townhouse forms including 2-storey townhouses, 3-storey townhouses and stacked townhouses is encouraged. Townhouses shall be limited to a maximum of 8 attached units to ensure breaks in the street wall. Developments proposed through site plan applications will provide variety and interest by varying façade designs, building materials, fenestration, and colour from townhouse block to townhouse block.
  - f) Garages on townhouses shall not project beyond the front wall of the dwelling (Front porches do not constitute the front wall).
  - g) In areas where higher/more intense built form is to be located near lower-rise forms, the built form with greater height/intensity is to be designed with massing and articulation that provides for a transition between the lower-rise form and the higher-rise form.
  - h) Townhouses and ground level apartment units are encouraged to provide design elements that support activity in the front setback. These may include, but are not limited to, front porches.
  - i) Built form that is 3-storeys or greater and is not a townhouse unit located at a corner site shall provide for a building entrance, massing, articulation and height that pronounces the corner.
  - j) Townhouses located at corner sites are to incorporate design features that assist with signifying its location at a corner site. These features may include, but are not limited to, wrap around front porches and height elements.
  - k) Balconies above the third storey and rooftop patios shall not be permitted.
  - l) Built form located at the termination of vistas/view corridors, as identified on Schedule 8, are to incorporate architectural design elements and massing that enhances the terminal view. Garages shall not terminate a vista/view corridor.
  - m) Built form located adjacent to those areas identified in Schedule 7 as part of the cultural heritage landscape or as heritage buildings are to incorporate architectural elements and massing that is compatible with the heritage context.
  - n) Corner sites or areas connecting to parking facilities are encouraged to incorporate forecourts (at the corner) or mid-block connections that may be private, but provide for public space amenity.

### 3.5.2 Residential Policy Area 2 – South Neighbourhood

- i) Intent

The Residential Policy Area 2 designation will provide for slightly lower-intensity residential uses than the Residential Policy Area 1 designation. Residential development will be oriented towards, and be considerate of, the cultural heritage landscapes, and will be designed to mitigate noise impacts from adjacent transportation corridors and land uses.

ii) Permitted Uses

Townhouses, low-rise apartment buildings, emergency care facilities, converted dwellings, small-scale nursing homes, and rest homes and homes for the aged will be permitted. Single-detached and semi-detached dwellings may be permitted south of Street 'A' and east of the Treed Allée. Additional Residential Units, consistent with the policies of the London Plan, should be incorporated into the design of all single detached and semi-detached dwellings.

iii) Built Form and Intensity

- a) The maximum and minimum heights the maximum permitted heights within Policy Area 2 are as shown on Schedule 4 of this Plan: the maximum permitted heights shall be 4 storeys, and the minimum permitted heights shall be 2 storeys.
- b) Within Residential Policy Area 2, on areas shown on Schedule 4 of this Plan, heights exceeding 4 storeys up to 6 storeys, may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:
  1. The development shall include provisions for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.
  2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.
  3. Conformity with the Urban Design policies of this Plan and City Design policies of The London Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing standards for the planning area; and
  4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.
- c) Development shall not be permitted at a residential density of less than 25 units per hectare for any area of the Residential Policy Area 2.
- d) No dwelling unit shall contain more than 3 bedrooms, excluding apartment units. Where an Additional Residential Unit is provided consistent with the policies of the London Plan, a total of up to five (5) bedrooms may be permitted between all units on the lot.
- e) Plans of subdivision shall accommodate a diversity of building types. A variety of townhouse forms including 2-storey townhouses, 3-storey townhouses and stacked townhouses is encouraged. Row houses shall be limited to a maximum of 8 attached units to ensure breaks in the street wall. Developments proposed through site plan applications will provide variety and interest by varying façade designs, building materials, fenestration, and colour from townhouse block to townhouse block.

- f) Built form adjacent to the Treed Allée within the Heritage Area, shall be oriented towards the Allée in applicable locations.
- g) Garages on detached dwellings and townhouses shall not project beyond the front wall of the dwelling.
- h) In areas where higher intensity built form is to be located near single detached dwellings the built form with greater height/intensity is to be designed with massing and articulation that transitions between the lower-rise form and the higher-rise form.
- i) Single detached dwellings and townhouses are encouraged to provide design elements that support activity in the front yard setback. These may include, but are not limited to, front porches.
- j) Single detached dwellings and townhouses located at corner sites shall incorporate design features that assist with signifying their location at a corner site. These may include, but are not limited to, wrap around front porches, windows and height elements.
- k) Built form that is 3 storeys or greater and is not a townhouse unit located at a corner site shall provide for a building entrance, massing, articulation and height that pronounces the corner.
- l) Townhouses located at corner sites shall incorporate design features that assist with signifying its location at a corner site. These may include, but are not limited to, wrap-around front porches, windows and height elements.
- m) Built form located at the termination of vistas/view corridors, as identified on Schedule 8, shall incorporate architectural design elements and massing that enhances the terminal view. Garages on all building types are not to terminate a vista/view corridor.
- n) Built form located adjacent to those areas identified in Schedule 7 as part of the cultural heritage landscape or as heritage buildings shall incorporate architectural elements and massing that is compatible with the heritage context.

iv) Transportation

- a) In the portions of the South Neighbourhood, driveway access to dwelling units may be limited. Areas in which no driveway access is permitted are identified as “Restricted Driveway Access” on Schedule 8 of this Plan. Areas in which limited driveway access is permitted are identified as “Limited Driveway Access” on Schedule 8 of this Plan. In limited access areas a shared driveway to multi-unit development may be permitted; however individual driveways to lower density units shall not be permitted.
- b) Parking for the single-detached, semi-detached, and duplex residential units should be located in an enclosed garage on the front within the building envelope or to the rear in an enclosed attached or detached garage or surface space.

v) Development next to Railway

The following policies will apply related to noise mitigation measures:

- a) Low density housing forms such as, single detached, semi-detached and duplex dwellings should be oriented so that outdoor amenity space is located away from and protected from the rail line.
- b) Buffers/noise walls shall be landscaped and/or treated in creative and artistic ways that result in attractive mitigation solutions.

- c) Where possible, non-habitable portions of buildings, such as stairwells and service areas, are to be oriented towards the rail line. Where non-habitable portions of the building may be visible from existing or future recreational opportunities, screening of these areas is to integrate with the building's architecture.
- d) All noise policies within the general policies of this Secondary Plan and *The London Plan*.

### 3.6 Heritage Area Designation

#### i) Function and Purpose

The Heritage Area designation includes the cultural heritage landscape as well as the individual heritage buildings and their landscape setting that exist on the LPH lands. These buildings, and the heritage landscape, will be conserved. Conservation allows for alterations to a property and buildings, if it can be demonstrated that the significant heritage attributes of the heritage resource are not negatively impacted by the change. The conservation and re-use of the potting shed, vegetable shorting shed and central heating plant is encouraged but not required.

The following policies apply to areas identified on Schedule 7 - Cultural Heritage Framework of this Plan. The buildings and features to be conserved include:

- a) Treed Allée;
- b) Recreation Hall;
- c) Chapel of Hope;
- d) Infirmary Building;
- e) Horse Stable; and,
- f) Cultural Heritage Landscape.

#### ii) Character

The areas identified within the Heritage Area designation are to be conserved and wholly integrated into the design of the neighbourhood. The Heritage Area designation includes cultural open space, which is part of the cultural heritage landscape. This includes the historic Allée and the planned 'Village Green' which provide a major pedestrian corridor and opportunities for programmable events.

As these elements and/or features form part of the public realm, the surrounding character of the area will respond, in architectural design, to these features and/or elements. All development adjacent to the Heritage Area designation will be developed with sensitivity to the cultural heritage landscape and its component parts. Important views and vistas, as shown on Schedule 8, will be conserved and will remain unobstructed by development. Permitted building heights will be lowest adjacent to the cultural heritage landscape and greatest in locations further from the cultural heritage landscape.

#### iii) Permitted Uses

The restoration and sensitive adaptation of significant heritage buildings for contemporary urban uses is encouraged. The Cultural Heritage Landscape is intended to be used for passive recreational uses and programmable events. Consideration for low impact recreational uses, such as soccer fields, which do not require significant built structures may also be considered. In

the area surrounding the Horse Stable, educational facilities related to horticulture or agriculture and/or community gardens, as shown on Schedule 2, may also be permitted.

iv) Public Realm

- a) The Heritage Area, and the associated cultural heritage landscape is to form part of the public realm. Developments adjacent to the areas identified as Heritage Areas are to orient the built form towards these features and/or the public right-of-way that bounds them. Specific urban design policies for the interface between heritage areas and new development are found in Section 5.0 Urban Design, of this plan.
- b) Within heritage open space areas a tree management and planting strategy shall be established in order to conserve and sustain the significant landscape setting.
- c) Vegetation and greenspace contribute significantly to the cultural heritage landscape and provide a setting for its significant features. The following landscape features shall be established and/or conserved:
  1. The historic central Treed Allée including its parallel row of trees;
  2. An open greenspace extending from the Allée to the Infirmary Building;
  3. An open space buffer to the north, south and west of the Stable of sufficient size to retain the building's agricultural setting;
  4. Manicured lawns with specimen trees adjacent to the Infirmary Building, Chapel and Recreation Hall;
  5. Where possible, priority trees to be conserved include the ring of trees which surround the traffic circle, the row of trees which line the southern edge of the historic ring road, the two parallel rows of trees that extend northward from the rear of the Infirmary and the rows of trees which line both sides of the road that extends east-west through the site, south of the Horse Stable, as shown on Schedule 5; and,
  6. Existing trees will also be retained where they flank street alignments. These trees are a key defining element of the cultural landscape and must be managed. New buildings and streets must provide appropriate drip line setbacks.
- d) The therapeutic landscape setting and its physical and visual relationships to the historic buildings shall be conserved and monitored to allow for meaningful interpretation of the cultural heritage resources. The following measures shall be taken to facilitate interpretation of the site:
  1. The establishment of an interpretive centre to tell the story of the site and of mental health care in Canada. A possible location for such a use is the administrative wing of the Infirmary building;
  2. The creation of an interpretive walk, which would tell the story of the site and explain the function of the therapeutic landscape as people move through it;
  3. A prominent street within the property should be named after Dr. Richard Bucke (superintendent, 1877-1902), if possible; and,
  4. Interpretive signage, public art, way finding strategies and other techniques may be considered.

- e) As trees mature and require replacement, new trees should be planted close to the original position. Within the Allée, the replacement trees must be added in the same north/south alignment in order to maintain the existing definitive rows. Replanting of trees shall be based on the variety of species historically planted on the site, with the exception of ash trees. There should continue to be a variety of larger native and non-native trees, deciduous and coniferous species, that will create scale, provide shade and frame views. Tree replacement shall be consistent with Section 4.11 of this plan.
  - f) New development on the west and east sides of the Allée shall be set back a minimum of 5 metres from the limit of the root zone (drip line). The design for new infrastructure on the site including new streets and utilities shall be planned to minimize excavation or filling within the root zones of the major vegetation features. This may require the adoption of alternative road design standards along streets to be lined by existing trees. A detailed tree preservation plan showing tree protection measures shall be required for any development applications on lands abutting the Allée or the Priority Tree Retention Areas as shown on Schedule 5. For clarity, “development” includes roads and driveways.
  - g) Archaeological assessments will be required in accordance with applicable Provincial policy prior to site redevelopment, to the satisfaction of the Ministry of Tourism and Culture. Of particular interest on the LPH lands, is the possibility of unmarked patient burial grounds associated with the asylum.
- v) Built Form and Intensity
- a) Significant alterations or additions to the heritage buildings affecting their form and massing or diminishing their cultural value shall not be permitted. Minor additions or alterations, which are visually distinguishable from and subordinate to the historic structure may be permitted. Permission is subject to approval by the City of London and/or the Province of Ontario in accordance with Provincial policy and procedures.
  - b) As shown on Schedule 8, visual access shall be maintained between the Infirmary Building and the Allée, as well as between the Infirmary Building and the Chapel of Hope. The Infirmary will continue to form the view terminus from the southern extent of the community. Height restrictions are shown on Schedule 4 of this Plan.
- vi) Transportation
- a) The Allée shall be closed to vehicular traffic and will be used for linear park space, orientated to pedestrian leisure, cycling and passive recreation.
  - b) Remnants of the historic ring road alignment should be retained and form the basis of circulation patterns around the centre of the site. Priority shall be given to retaining the historic alignment of the southern half of the ring road which will also facilitate retention of many of the trees which line this portion of the road. A large traffic circle shall be retained at the terminus of the Allée.
  - c) Large surface parking lots shall not be permitted within this designation. Underground parking in close proximity to these areas is encouraged.
- vii) Stewardship and Sustainability

The redevelopment or adaptive reuse of lands or structures designated as Provincially Significant and the development of adjacent lands shall be in accordance with the approved Strategic Conservation Plan (SCP). The SCP shall be a stewardship plan completed in accordance with Provincial policies and procedures which identifies how these Provincially Significant features are to be maintained, the costs associated with the maintenance and identify sources of funding to cover the maintenance costs.

### 3.7 Open Space Designation

#### i) Function and Purpose

The Open Space designation will apply to open space areas of the Secondary Plan that are intended for active and passive recreation. The Open Space designation is made up of three sub-areas:

- a) Public parkland;
- b) Natural heritage/environment; and
- c) Stormwater management.

#### ii) Character

There are two distinct character types for the public parkland open space areas identified in this plan:

- a) Open Space Adjacent to Railway Spur - This area will have an active recreation character. The primary design focus will be to accommodate recreation sporting events. Ancillary opportunities for passive recreation are also to be integrated into the open space's character.
- b) Open Space Adjacent to Canadian Pacific Main line - This open space will have an urban park type character. It will allow for trails/paths and opportunities for passive recreation. The space is to integrate, through design, with the railway corridor that exists in the centre of the Secondary Plan area. Opportunities exist for public art and more extensive hardscaping.

#### iii) Public Realm

- a) Public rights-of-way in the Open Space Designation will be primarily designed to support walking for both utility and recreation.

### 3.7.1 Open Space Policy Area 1 – Public Parkland

#### i) Intent

This policy applies to the lands on the eastern edge of the Secondary Plan which are intended for active recreation uses including sporting fields. In addition, this open space serves as a separation buffer between residential uses in the Plan and the industrial uses currently located to the east of the LPH lands.

#### ii) Permitted Uses

Permitted uses include active parkland, athletic fields, and other outdoor recreational fields.

#### iii) Built Form and Intensity

- a) Buildings in this designation will generally consist of out-buildings or built form that serves the users of the open space.
- b) Buildings shall be designed to be compatible with the surrounding architectural character of the cultural heritage landscape and heritage buildings, subject to policy 4.10 v) of this Plan.

iv) Transportation

Parking is to be generally supplied on-street. Small surface parking areas may be developed within the open space designation that support the permitted uses. The design of these parking facilities shall incorporate the use of sustainable materials and will minimize stormwater run-off.

### 3.7.2 Open Space Policy Area 2 – Natural Heritage/Environmental

i) Intent

This policy applies to lands in the southeast corner of the Secondary Plan area between the two railway lines, to protect the existing wetland and provide adequate buffers between this environmental feature and development. Any changes proposed for the wetland shall be subject to the Natural Heritage policies contained in the Environmental Policies part of *The London Plan*.

ii) Permitted Uses

It is intended that these environmental features shall be protected and conserved. Community gardens may be permitted as shown on Schedule 2, provided that the locations will not have a negative impact on the cultural heritage landscape, surrounding natural features and or ecological functions of the area.

iii) Special Policies

No development shall occur within a 30 metre buffer around the wetland until an Environmental Impact Study (EIS) is submitted and required development setbacks are determined. In addition, a study may be required to confirm any requirement for the protection of locally significant plant species in the vicinity of the wetland.

### 3.7.3 Open Space Policy Area 3 – Stormwater Management

i) Intent

This policy area is intended to serve as the stormwater management area for the entire Community. Should detailed stormwater management design studies, at the functional design stage, determine that a larger area is required, modifications to the adjacent road network and block pattern may be required. An Official Plan Amendment may be required subject to the Interpretation Policies as set out in Section 6.11 of this Plan.

Conversely, if it is determined that a smaller area is needed, the surplus lands may be developed for multi-family medium density residential purposes. This is provided that sufficient developable area is available to accommodate the aforementioned use. In addition, an Official Plan amendment shall be required.

ii) Permitted Uses

These lands will be used for a stormwater management facility.

### iii) Special Policies

- a) The stormwater management facility shall be designed and developed in accordance with an approved Stormwater Management Class Environmental Assessment.
- b) The stormwater management facility located on these lands shall be integrated with the Community park network. If through further study, it is determined that the stormwater management facility should discharge to the wetland feature to the south, an Environmental Impact Study shall be undertaken to address lands surrounding the stormwater management facility.

## 4.0 General Policies

### 4.1 Heritage and Archaeology

- i) Prior to the development of the London Psychiatric Hospital property or the demolition of any of the buildings or structures on the property, the approval of the Province of Ontario in accordance with Provincial policies and guidelines may be required.
- ii) The entire Secondary Plan area is identified as containing possible archaeological resources. Archaeological assessment reports will be required for all development within the Secondary Plan area.

### 4.2 Housing

- i) Housing Mix and Affordability

The LPHSP represents an opportunity to contribute to the supply of affordable housing and assist the City in meeting its target for provision of affordable housing. Development within the plan area will contribute to providing accessible, affordable, and quality housing options that people will want to live in. It is the objective of this Plan that a minimum 25% of all new residential development within the entire plan area meet the Provincial definition of affordable housing. The City will work with other government agencies, the not-for-profit sector, and private developers to promote innovative housing forms, development techniques, and incentives that will facilitate the provision of affordable housing. The following policies shall also apply to all lands within the LPHSP:

- a) Provide for a range and mix of housing types, including affordable forms of housing, to achieve a balanced residential community.
- b) Almost all new housing units within the LPHSP will be in forms other than single detached dwellings.
- c) Provide live/work opportunities for people to live near current or future jobs in the plan area.
- d) New mid-rise and high-rise developments shall include a mixture of unit sizes and configurations, including a mix of bachelor, 1, 2, and 3-bedroom units.
- e) Grade-related multi-level units, townhouse-style units and live/work units should be incorporated into the base of mid-rise and high-rise residential development along appropriate street frontages to promote walkability, activation and different dwelling style choices.

- f) Each site-specific development proposal will be assessed on its ability to contribute to objective that 25% of all new units meet the Province’s definition of affordable housing.
- g) Affordable housing units within market housing buildings shall be integrated with shared lobbies and amenities.
- h) The indoor and outdoor communal amenity spaces included in new developments should support a variety of age groups, including children, adults, seniors and families.
- i) Secure and convenient storage areas are encouraged for strollers, mobility aids and other equipment to support the needs of a diverse population.
- j) Available tools and provisions under the Planning Act, such inclusionary zoning, will be used to secure affordable housing units at the time of development applications.
- k) The utilization of innovative design features, construction techniques, or other tenure arrangements for residential developments, to broaden the provision of affordable housing will be encouraged.

ii) Seniors and Special Populations Housing

The City may pre-zone specific areas of Village Core, Transit-Oriented Corridor and Residential Area designations to permit small scale nursing homes, homes for the aged, rest homes, and continuum-of-care facilities. These zones should be in close proximity to the “Village Core” designation. Additional permitted uses may be restricted to ensure development of such facilities within the LPH lands.

iii) Providing for Positive Near Campus Housing

To provide for positive forms of near campus housing and to mitigate the potential for issues that can occur in near-campus neighbourhoods the following policies will apply:

- a) Special policies in the Residential Area designation limit the number of bedrooms per unit and limit single-detached and semi-detached dwellings to the south neighbourhood of the Plan and the lands immediately adjacent to the Neighbourhood Place type to the east. This will be implemented through the City’s zoning by-law.

### 4.3 Noise/Land Use Compatibility

i) Rail Noise

The Secondary Plan area is bisected by two rail lines. Rail noise shall be addressed subject to policies of *The London Plan* as well as the following:

- a) Buffers, berms and/or noise walls shall be landscaped and/or treated in creative and artistic ways that result in attractive mitigation solutions.
- b) The design of buildings should orient non-habitable portions of the building towards the rail line. Where non-habitable portions of the building may be visible from existing or future recreational opportunities, screening of these areas is to integrate with the building’s architecture.
- c) Low density housing forms such as, single detached, semi-detached and duplex dwellings should be oriented so that outdoor amenity space is located away from and protected from the rail line.

- d) Prior to final approval, planning applications will require completion of noise studies to confirm compliance with provincial regulations. A noise study shall be required as part of a complete application.
- e) All noise policies within the general policies of this Secondary Plan.

ii) Noise from Industrial Uses

To mitigate the potential for noise conflicts between the proposed community and the industrial area east of the LPH lands, the Secondary Plan's Land Use Schedule identifies an 'Open Space' area adjacent to the abutting industrial lands. The Open Space designation acts, in part, as a noise mitigation measure. Any residential development that is contemplated in proximity to this industrial area shall have regard for the Ministry of Environment, Conservation and Parks Land Use Compatibility Guidelines. To address potential noise impacts from the adjacent industrial area, the following additional policies apply:

- a) On lands within a 300 metre area of influence measured from the west property lines of 535 and 539 Commercial Crescent, and in the presence of a Class II or Class III industrial use at 539 Commercial Crescent and the associated use of the railway siding at 535 Commercial Crescent, sensitive land uses shall be prohibited unless a "Feasibility Analysis" which meets Ministry of Environment, Conservation and Parks guidelines has been completed and the development proposal meets all of the recommendations of the analysis for setbacks and mitigation. At a minimum the "Feasibility Analysis" shall address the issues of point source and/or fugitive noise emissions for the entire 300m area of influence, and ground borne vibration within 75 metres of the west property line of 535 and 539 Commercial Crescent. Sensitive land uses may include any building or associated amenity area (i.e. may be indoor or outdoor space) which is not directly associated with the industrial use, where humans or the natural environment may be adversely affected by emissions generated by the operation of a nearby industrial facility. Such uses include, but are not limited to residences, senior citizen homes, schools, day care facilities, hospitals, churches and other similar institutional uses. For draft plans of subdivision, and draft plans of condominium, the Feasibility Analysis shall be requested and submitted as part of a complete application.
- b) Where, as a result of the completion of a Feasibility Analysis, there are irreconcilable noise and vibration incompatibilities, the development of sensitive land uses shall be prohibited until such time as the Class II or Class III industrial use ceases to exist. Should that occur policies in policy 4.3 ii) will no longer apply.
- c) Reduction of the 300 metre area of influence will be supported only through the submission of a study which addresses the entire area of influence and all study methodology, conclusions and recommendations are acceptable to the City of London.
- d) Noise studies, where required, will form part of a complete application and any recommendations from those studies shall be implemented.

#### 4.4 Sustainable/"Green" Development

i) Principles

The LPH Secondary Plan is based on a conceptual design which maximizes the potential for sustainable development throughout. This is achieved through such features as mixed use

development, a modified grid road system, enhanced connectivity to transit and the cultural heritage landscape and open space system.

Sustainable design elements shall be incorporated into municipal facilities located within the LPH Secondary planning area. Through planning applications, proponents should design development to:

- a) Reduce the consumption of energy, land and other non-renewable resources;
- b) Minimize the waste of materials, water and other limited resources;
- c) Create livable, healthy and inclusive environments; and,
- d) Reduce greenhouse gases.

ii) Policies

As part of a complete application for development within the LPH Secondary Plan a report shall be submitted explaining how the proposed development has incorporated the following goals and objectives:

- a) New development should strive to minimize the production of greenhouse gases through sustainable building and site design.
- b) Subdivisions plans should endeavor to achieve LEED Neighbourhood Development certification.
- c) Alternative energy sources are encouraged including solar and appropriately sized rooftop mounted wind collectors. Such technologies should be sensitively incorporated into buildings and community design.
- d) Where appropriate, buildings should be oriented to maximize opportunities for passive solar gain.
- e) A range of residential dwelling types are to be provided that support life-cycle housing and provide opportunities to age-in-place. This may include seniors housing.
- f) Landscaped areas will be maximized and trees will be planted on the right-of-way, and on development sites, to reduce the urban heat-island effect, improve air quality, moderate sun and wind, and improve ground water infiltration.
- g) Opportunities will be explored for the integration of urban agriculture into parks, buildings and landscapes.
- h) New development will incorporate existing mature trees into landscape schemes where possible and appropriate measures should be taken to keep these trees healthy.
- i) Alternative roadside drainage techniques, the use of pervious paving methods, enhanced use of organic cover, and/or the adoption of “road diets” to reduce impervious coverage are to be accommodated where possible.
- j) Quality materials that are durable and have high levels of energy conservation will be chosen for buildings.
- k) The employment of building technologies such as “greenroofs” is encouraged. Alternately, the use of reflective roof surface materials with high solar and thermal reflectivity to reduce the “heat island” effect is also desired.
- l) The incorporation of food production opportunities is encouraged throughout the site. This includes but is not limited to community gardens, private gardens, greenhouses, roof-top gardens and edible landscaping programs.

## 4.5 Community Parkland

Active parkland, cultural parkland and natural parkland are the three components which are recognized by the Open Space designation in this Secondary Plan. Active parkland includes such uses as sports fields. Cultural parkland includes the central Allée corridor and the Horse Stables. Natural parkland includes the wetland in the southeast corner of the Community. Parkland may be either under public or private ownership. Open space is a necessary component of a thriving community and this Secondary Plan provides ample open space particularly in the central and eastern portions of the Plan area.

### i) Active Parkland

The Parks and Recreation chapter of *The London Plan* contains the policies which address active parkland. The following additional policies will also apply:

- a) Trail development should be focused along the central corridor through the community extending from Dundas Street to Oxford Street East (and beyond) which will include the Treed Allée, Infirmary and central median area.
- b) The pathway network shown on Schedule 6 may be treated as pedestrian walkways for the purposes of municipal land dedication under the Planning Act. Lands included in the pathway network in excess of 5m in width may be recognized as parkland.
- c) Additional public urban squares and/or parkettes will be acquired at the time of development through outstanding parkland dedication or in accordance with a Community Parkland Implementation Plan. Urban squares and parkettes will generally have a minimum size of 2,500m<sup>2</sup>. Generally, one public square and/or parkette shall be provided in each quadrant of the Secondary Plan.

### ii) Cultural Parkland

The 'village green', surrounding the Infirmary Building, and the Allée provide an opportunity for beautiful and unique parkland within the City of London, similar to Victoria and Springbank Parks. These spaces could include an amphitheatre for community concerts, or a large public square ideal for music festivals, community picnics and 'art in the park' events. They would also provide a major pedestrian and cycling linkage within the overall Community parkland network.

## 4.6 Parkland Dedication

The City of London Policy Manual provides Council direction regarding parkland dedication. In addition to the Parkland Conveyance & Levy By-Law, parkland dedication will be achieved through the City's parkland dedication policies the Parkland Acquisition and Dedication policies in the Our Tools part of *The London Plan* and following additional policies:

- i) The components of the Community Parkland identified in Section 4.5 and shown as Open Space on Schedule 3 of this Secondary Plan shall be dedicated to the City for public park purposes. Some portions of the Heritage designation as shown Schedule 3 may be dedicated to the City for public park purposes. Some components of Cultural Parkland may serve other public uses, such as institutional and/or academic, in which case the land may be conveyed to the public proponent of said use.
- ii) A more detailed Community Parkland Implementation Plan shall be prepared to address matters pertaining to parkland dedication that would otherwise be achieved through a typical

subdivision agreement, including the range of uses that are permitted within these parkland components, the anticipated maintenance protocols required, the determination of dedication ratios for the cultural parkland and natural parkland components, the phasing of dedication, brownfields remediation, access and servicing. This Implementation Plan shall be completed by the owner and adopted by City Council in accordance with the Guidelines Documents section in the Our Tools part of *The London Plan*, prior to the disposition of the community parkland components. Should the City and applicable property owner both agree, one or more components of the parkland may be transferred to the City or another public proponent in advance of the preparation of the Community Parkland Implementation Plan.

- iii) In association with the Implementation Plan, an analysis of funding sources shall be identified to address the ongoing maintenance of these parkland components including such measures as cash-in-lieu payments, development charge payments, condominium 'common element' fees and other suitable mechanisms to ensure a sustainable source of funding.

#### 4.7 Natural Heritage

The Natural Heritage chapter of *The London Plan* includes the City's natural heritage policies. A Phase 2 Natural Heritage Study and Environmental Management Plan was completed as part of the Secondary Plan process. The recommendations of that study are implemented through the following special policies:

- i) Species at Risk – Chimney Swift
  - a) The use and/or redevelopment of the Infirmary will be permitted provided the chimneys are maintained and disturbance to species and the habitat are avoided;
  - b) Further consultation with the Ministry of Natural Resources and Forestry (MNR) and the Canadian Wildlife Service will occur during subsequent phases of development to identify, refine and assess the significance of any foraging habitat within the Secondary Plan Area and to determine appropriate measures to mitigate impacts on this habitat;
  - c) Additional monitoring of Chimney Swift activity within the Secondary Plan Area will be undertaken through consultation with the MNR and Canadian Wildlife Service, with possible participation by Bird Studies Canada, to monitor Chimney Swift activity and determine whether additional structures or habitats are being used by Chimney Swift (roosting, nesting, foraging) within the Secondary Plan Area;
  - d) No development, grading, construction or other disturbance occur within 50 metres of the Infirmary during the breeding bird season when the Chimney Swift species is present;
  - e) Any tree and vegetation removal, or any disturbance to any bird nest on the Infirmary building will be avoided during the breeding bird window of between May 1st and July 31st in accordance with the Migratory Bird Convention Act; and,
  - f) An Environmental Impact Study shall be prepared in support of any development within 120 metres of the Infirmary that includes monitoring surveys to determine the location and significance of Chimney Swift foraging habitat and whether additional structures are being used by Chimney Swifts for roosting or nesting, and which recommends appropriate mitigation measures to avoid disturbance to the existing Chimney Swift populations as a result of land use activities within or adjacent to the Infirmary.
- ii) Tree Protection

- a) A Tree Preservation Plan shall be prepared for all development applications to identify trees to be retained and removed, as well as measures to protect individual species during construction and grading activities against inadvertent damage.
- b) Pruning or removal of key specimen trees within the cultural heritage landscape shall be limited to removal of dead, diseased or hazardous trees or where retention of specific trees is not feasible due to future development locations or grading requirements.
- c) Grading and construction activities adjacent to any key specimen trees within the cultural heritage landscape shall maintain appropriate setbacks to avoid damage to the limbs and/or root zone, including those trees located within the Treed Allée. Specific setbacks will be determined through the required Tree Preservation Plan.
- d) Prior to development adjacent to the Treed Allée a woodland management plan shall be prepared to ensure the long term conservation of this cultural woodland community, with consideration for removal of damaged or unhealthy trees, replacement with suitable native species and strategic replanting/management of this feature to maintain the woodland community in the absence of natural regeneration and successional growth.
- e) Protection of existing trees, where possible, shall be a priority in the implementation of the new Community road network.

iii) Wetland

- a) The wetland buffer and surrounding open space area north of the existing unevaluated wetland, identified on Map 5 – Natural Heritage of *The London Plan* will be naturalized. Exceptions may be permitted for a community garden.
- b) Invasive and exotic tree and shrub species will be removed and managed across the LPH lands, but specifically within the wetland and surrounding area.
- c) Local rare plant species impacted by a proposed development will be transplanted to suitable habitat adjacent to the wetland, buffers or open space areas on the lands that are to be retained.
- d) An Environmental Impact Statement (EIS) will be prepared in support of any future development within 30 metres of the wetland. The EIS will include a fall botanical survey, summer odonata and herptile survey, delineation of wetland boundaries per the Ontario Wetland Evaluation System protocol and corresponding evaluation of wetland significance.
- e) A water balance study will be completed in association with the EIS for any development adjacent to the wetland to determine the existing hydrological conditions supporting this wetland feature (surface water/groundwater) and to confirm that any proposed grading, construction or stormwater management (SWM) will maintain the hydrological conditions necessary to support the wetland feature and its associated ecological/hydrological functions.

## 4.8 Stormwater Management

The optimal stormwater management solution for the London Psychiatric Hospital Lands to meet future development needs, satisfy all applicable design constraints, and maintain or improve the condition of Pottersburg Creek, was included in the London Psychiatric Hospital Lands Municipal Environmental Assessment Study (Stantec, September 14, 2011). As part of the assessment, special meetings were held to notify the stakeholders of the commencement of the project, identify the alternative solutions,

present the preferred alternative and to receive public and agency input. Opportunities were reviewed to optimize the location of the storm/drainage and stormwater management servicing solution, while maintaining engineering design standards, and considering the social/cultural, natural environment, technical, planning, and economic implications. The solution accepted by Council is incorporated into *The London Plan* as part of this Secondary Plan.

Any recommendations arising from the integrated London Psychiatric Hospital Lands Municipal Environmental Assessment Study shall be implemented. Any development of the LPH lands shall also be consistent with the Storm Drainage and Stormwater Management policies in the Civic Infrastructure chapter of *The London Plan*.

#### 4.9 Transportation

Proposed streets within the Plan consist of both Neighbourhood Connectors and Neighbourhood Streets that establish the community structure, provide connections to two flanking Rapid Transit Boulevards and provide new connections to the adjacent neighbourhood. Use of the transit network, cycling and walking are to be supported through design. Street development shall be in accordance with the Transportation policies specific to individual land use designations, applicable urban design policies in Section 4.10 of this plan and the following policies:

- i) Enhanced design streets as shown on Schedule 5, shall be designed to support pedestrian-oriented development patterns, with strong relationships to the cultural heritage landscape;
- ii) On street frontages identified as “Restricted Driveway Access” on Schedule 8, no driveways shall be permitted;
- iii) On street frontage identified as “Limited Driveway Access” on Schedule 8, only driveways or laneways providing access to common parking areas or parking structures located to the rear of buildings shall be permitted;
- iv) The use of Common Elements Condominiums should be considered for the ownership, use and maintenance of common laneways and driveways;
- v) In areas shown as “Priority Tree Retention Areas” on Schedule 5, alternative road cross sections, utility placement and construction standards may need to be considered to protect the long term health of trees. Within these areas, in addition to the Tree Preservation Plan required by policy 4.7 ii), a tree management and planting strategy shall be established in order to conserve and sustain the significant landscape setting;
- vi) Traffic calming measures shall be implemented to the satisfaction of the City to slow or restrict traffic movements and place a priority on pedestrian movements;
- vii) Traffic controls, including the provision of signalized intersections and turning movement restrictions shall be implemented as determined by the final approved Transportation Impact Assessment;
- viii) At the subdivision and/or site plan application stage, consideration should be given to the provision for the conveyance and construction of “Possible Future Streets” as shown on Schedule 5 to create future opportunities for connectivity between neighbourhoods should the industrial area evolve to other uses;
- ix) At the subdivision and/or site plan application stage, Rapid Transit corridors including “transit only” lanes along Oxford Street East and Highbury Avenue North shall be protected in accordance with City requirements;

- x) At the subdivision and/or site plan application stage, any land required to accommodate additional through lanes or turn lanes as determined by the Transportation Master Plan, subsequent studies recommended by the Transportation Master Plan or a detailed transportation impact analysis shall be protected in accordance with City requirements;
- xi) Design guidelines, including right-of-way cross sections, urban street infrastructure and facilities, plantings, surface treatments, parking and service and utility placement, may be prepared to provide further guidance for the development of public rights-of-way to support pedestrian and cyclist friendly environments for using the public streets, public transit, public parking, cycling and pedestrian networks;
- xii) The utilization of on-street parking facilities, may be incorporated into the design of the public right-of-way surrounding the central green to protect this cultural heritage feature from large surface parking areas; and,
- xiii) On-street parking lay-bys will be a maximum length of 100m measured from start of parking lay-by to start of the next parking lay-by.
- xiv) All long-term bike facilities shall be provided in an easily accessible secure indoor location, located on the ground floor or first floor in below grade vehicle parking, and at established grade (avoid access with steps or steep incline).

#### 4.10 Protected Major Transit Station Area

Transit Villages like the London Psychiatric Hospital Transit Village are designated as Protected Major Transit Station Areas (PMTSA) in The London Plan, and second only to the downtown for permitted intensity. A higher-level of intensity is envisioned for development in this plan area to support the provision of higher-order transit.

- i) The minimum overall intensities for Transit Villages identified in the PMTSA policies of The London Plan shall apply for the entire London Psychiatric Hospital Secondary Plan area, with the exception of: the minimum and maximum heights for all designations in this Plan, and the minimum densities for the Residential Area Designation, for the where the policies of this plan shall prevail.
- ii) Large development sites and/or sites that have partial development proposed shall delineate the extent of the development block(s) as part of a Conceptual Master Development Plan to establish a calculable area to apply the minimum standards identified in the Protected Major Transit Station Area policies for tracking purposes.

#### 4.11 Forestry

The following policies shall facilitate tree replacement consistent with the London Plan and the Heritage Easement Agreement:

- i) The policies of the London Plan 339\_4b (one replacement tree for every ten cm of diameter) shall apply to all areas of the Secondary Plan outside of the Heritage Easements and Zones shown in the Strategic Conservation Plan.
- ii) Within the Heritage Easements and Zones shown in the Strategic Conservation Plan a replacement rate of two trees for every ten cm of diameter shall be applied.

## 5.0 Urban Design

### 5.1 General

The following policies will apply to all designations within the Secondary Plan area:

i) Gateways

Buildings located adjacent to areas identified as “Gateways” on Schedule 8 shall incorporate corner massing elements and the building’s main entry at the corner, so as to signify the entrance to the community.

ii) Built Form

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

- a) Where built form is situated on more than one public right-of-way, the building’s main entrance shall be oriented to the highest order public right-of-way, as identified in Schedule 5. Civic Boulevards and Rapid Transit Boulevards will serve as the highest order right-of-way. The built form shall incorporate articulation and massing in a coherent architectural manner adjacent to all public rights-of-way. This policy does not apply where the built form is adjacent to an area identified as a gateway on Schedule 8. The Gateways policy (5.0 i)) shall apply in this situation.
- b) Built form shall be street-oriented on all public rights-of-way, with buildings located at or near the property line and front entrances and active uses oriented to the street.
- c) Buildings shall be designed to form a well-defined and continuous street edge with high quality architectural features.
- d) Articulation and massing in a coherent architectural manner shall be applied to distinguish the built form’s base, middle and top.
- e) A diversity of material types, with texture, applied to the base, middle and top of the building(s) is encouraged.
- f) Buildings shall be oriented so that their amenity spaces do not require sound attenuation walls and that noise impacts on adjacent buildings are minimized.
- g) The built form shall avoid long expanses of pitched roofs.
- h) Buildings with a height over 3 storeys shall incorporate architectural massing that avoids the use of pitched roofs.
- i) Long expanses of flat and blank facades are to be avoided.
- j) Built form identified as Priority View Terminus, on Schedule 8 Urban Design Priorities, of this Plan, shall act as a focal point for the view corridor. This can be achieved through the siting, massing, materiality and articulation of the building.
- k) The height and massing of new buildings should fit within a 45 degree angular plane, starting at 7m above grade and measured from the property boundary of lands in the Neighbourhoods Place Type. This is intended to provide a sympathetic transition from lower to higher development forms. All elements of fit and transition must be accommodated within the development site.

- l) All buildings shall be designed to express three defined components: a base, middle and top. Alternative design solutions that address the following intentions may be permitted:
  - 1. the base shall establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, awnings, porches, canopies, lighting, and the use of materials that reinforce a human scale.
  - 2. the middle shall be visually cohesive with, but distinct from, the base and top.
  - 3. the top shall provide a finishing treatment, such as a roof or a cornice treatment, and will serve to hide and integrate mechanical penthouses.
- m) New development will be designed and massed to minimize the impacts of shadows on parks, Privately owned public spaces(POPS), the public realm, and outdoor communal and private amenity spaces.
- n) The design of buildings should form a well-defined and continuous street wall to support a pedestrian-oriented environment.
- o) Buildings should have articulated façades that create a human-scale rhythm along streetscapes. No extensive blank walls should be visible from the public or private street and public open space.
- p) Usable outdoor amenity spaces that activate the front yard setback, including porches, stoops, courtyards, patios and plazas are encouraged.
- q) Buildings located at corner sites and intersections shall address and frame the corner with building entrance(s), massing, articulation, and height.
- r) In addition to the connections shown on Schedule 5, Street Hierarchy Plan, mid-block pedestrian and active transportation connections should be provided between buildings to facilitate pedestrian and cyclist permeability through the area.
- s) Building design should minimize privacy impact and not limit the future development potential of adjacent properties through adequate setbacks, massing orientation and window and balcony locations

iii) Public Realm

- a) Where possible on-street parking may be provided in commercial mixed-use areas within this Secondary Plan.
- b) Provision is to be made for street trees and an appropriate planting environment along all streets within this plan.
- c) Where permitted, utilities shall co-locate under the sidewalk to provide optimal growing space for trees. In addition, above- grade utility boxes/features are to be minimized and/or clustered. The preference is for these services to be placed below grade.
- d) Public Realm Design Guidelines, including right-of-way cross sections, may be prepared to provide further guidance for the development of public rights-of-ways in all designations of this plan.
- e) Landscape walls for the purposes of identifying or delineating community/subdivision entrances shall not be permitted.
- f) Decorative street and pedestrian level light standards are to be used to differentiate the Village Core Area. These light standards will reflect and complement the historic features of

the Community and will be similar to those used throughout the entire Secondary Plan area, but with enhanced elements.

iv) Transportation

- a) Driveway access shall be restricted and/or limited in certain locations as identified in Schedule 8 of this Plan and defined in Section 4.9 of this Plan.
- b) Subject to more specific or contradictory transportation policies in the applicable Character Area policies, off-street parking for all uses other than single detached, semi-detached, duplex and townhouse dwellings, shall be located underground or to the rear of the site (behind the building), in a structure or surface parking field. If these options are not possible, then surface parking can be considered in the interior side yard, provided design measures are used to mitigate the parking field from the public realm. Parking is not permitted between the building line and the public right-of-way.
- c) Garages for new Low-rise buildings should be located at the rear of buildings and accessed from a private driveway to minimize pedestrian-vehicle conflicts, create a pedestrian-oriented public realm and ensure vehicles do not dominate the streetscape. Garages should be integrated into the building design and shall not project beyond the main building façade. Underground parking is preferred where feasible. .
- d) Appropriate buffering shall be provided between parking areas and “back of building” functions, and adjacent land uses.

v) Heritage

Where all non-heritage designations interface with the Heritage Designation of this Plan the following policies shall apply:

- a) Utilities located within and/or adjacent to lands in the Heritage Designation shall be placed below-grade so as not to interfere with the cultural heritage landscape.
- b) Where no public right-of-way exists, buildings shall be located at or near the property line adjacent to the cultural heritage landscape area in order to frame the space and include active facades along that interface.
- c) Buildings shall be aligned parallel to the cultural heritage landscape area with the building’s main entrances addressing the Heritage Area Designation
- d) On-site surface or structured parking is not permitted between the building line and the property line adjacent to the cultural heritage landscape area.
- e) Building heights adjacent to the Heritage Area designation shall be in accordance with Schedule 4 Building Height Plan, of this Plan.
- f) Built form adjacent to the Heritage Area designation shall be designed to be compatible with the character (articulation, massing, landscaping and materials) of the cultural heritage landscape and heritage buildings within the heritage designation of this Plan.
- g) New construction adjacent to heritage buildings should be compatible with, but visually distinguishable from and subordinate to the heritage resource. The heritage building must be identifiable as a landmark, with new construction forming the background.
- h) New development should incorporate materials and finishes that are predominant in the remaining and already demolished site buildings. Colours and materials should be selected that enhance or harmonize with the historic buildings.

- i) The use of salvaged building materials in landscaping, public art and/or new building construction is encouraged should any existing structures be demolished.

## 5.2 High-Rise Buildings

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

- i) For the purpose of this Secondary Plan, High-rise buildings are buildings that are nine (9) storeys in height or taller.
- ii) High-rise buildings should have a minimum 5m stepback at the podium (the third, fourth, or fifth storey, proportional to the street type and consistent with adjacent existing context), to provide a pedestrian scale environment at the street wall, limit the visual impact of the building at street level, and mitigate shadow and wind impacts on the public realm.
- iii) High-rise buildings should be designed with slender towers that allow shadows to move quickly, minimize the obstruction of views and limit the visual mass and overlook as experienced from nearby properties and the public realm.
- iv) High-rise buildings should have a maximum tower floor plate of 1,000 square metres above the podium, with the length to width ratio not exceeding 1:1.5 to minimize shadowing and visual impact from all approaches.
- v) Towers shall not have any blank façades.
- vi) Tower design and orientation is encouraged to provide privacy for occupants through techniques such as angling and offsetting towers.
- vii) High-rise buildings should have a minimum separation distance of 25 metres between towers. This separation distance is intended to:
  - a) Minimize the impacts of shadows and loss of sunlight on surrounding streets, open spaces, and nearby properties.
  - b) Provide access to natural light and a reasonable level of privacy for occupants of high-rise buildings.
  - c) Enhance the provision of pedestrian-level views of the sky between tall buildings particularly as experienced from adjacent streets, pedestrian connections, and open spaces.
  - d) Minimize the impacts of uncomfortable wind conditions on streets, pedestrian connections, open spaces, and surrounding properties.
- viii) The tower portions of High-rise buildings should be setback a minimum of 12.5 metres from the interior property line of any adjacent site that could accommodate high-rise development, or from the centre line of any public or private street, to protect and preserve the development potential of adjacent properties.
- ix) The top portion of the tower shall be designed to create an integrated and attractive finish to the building and contribute to the quality and character of the skyline. The top portion of the tower shall integrate the mechanical penthouse and be distinctive from the rest of the building through the use of stepbacks, articulation, change in materials or other architectural features.

## 5.3 Mid-Rise Buildings

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

- i) For the purpose of this Secondary Plan, Mid-rise buildings are buildings five (5) storeys in height up to and including eight (8) storeys in height.

- ii) Mid-rise buildings should have a minimum 3m stepback at the podium (the third, fourth, or fifth storey, proportional to the street type and consistent with adjacent existing context), to provide a pedestrian-scale environment at the street wall, limit the visual impact of the building at street level, and mitigate shadow and wind impacts on the public realm.
- iii) Mid-rise buildings, particularly those on the south side of a public or private street should incorporate additional setbacks, or terracing to mitigate shadow impacts and provide better sunlight penetration at street level.

## 5.4 Low Rise Buildings

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

- i) For the purpose of this Secondary Plan, Low-rise buildings include forms such as single detached dwellings, townhouses, stacked townhouses and low-rise apartment buildings up to and including four (4) storeys in height.
- ii) Garages for new Low-rise buildings should be located at the rear of buildings and accessed from a private driveway to minimize pedestrian-vehicle conflicts, create a pedestrian-oriented public realm and ensure vehicles do not dominate the streetscape. Garages should be integrated into the building design and not project beyond the main building façade. Underground parking is preferred where feasible
- iii) Townhouse units should be limited to no more than eight (8) horizontally-attached units to ensure adequate breaks in the street wall to provide permeability and access.
- iv) Cluster developments shall be oriented with active street frontages with front doors directly facing and accessing public streets and public open spaces. Vehicular access should be provided through rear and internal driveways.

## 5.5 Ground Floor Design

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

- i) Buildings and main entrances shall be oriented toward and front onto public and private streets, public parks and open spaces. Main building entrances shall not front onto surface parking lots.
- ii) Buildings will have attractive and active frontages onto public and private streets. Blank walls, parking, services, and utilities should not be visible from public and private streets.
- iii) Buildings with frontages along Highbury Avenue, Oxford Street and Dundas Street shall have their massing, siting and principal entrances oriented to those existing street(s) to establish an animated pedestrian-scale environment. 'Back of house' activities such as loading areas are not permitted along the Highbury Avenue, Oxford Street and Dundas Street frontages and should be accommodated internal to the site and/or buildings.

### 5.5.1 Ground Floor Commercial Design

- i) Where a ground floor commercial use is provided, a minimum of 50% of the building frontage should include active, pedestrian-generating uses. Non-active uses, such as lobbies to upper levels and professional offices may be permitted for the remaining building frontage. Where possible, non-active uses should be provided along lower order street frontages. Large expanses

of blank walls should be avoided along street frontages and located on the back of the building where required.

- ii) New non-residential (commercial) development will be located close to public and private streets, while providing a modest setback for building elements, such as canopies, patios, plazas, public or private forecourts, and doors. Greater building setbacks are permitted to accommodate patios spaces, publicly accessible plazas, and courtyards.
- iii) Entrances to retail and commercial units, and lobbies that provide access to uses above the ground floor, will be at grade (flush) and accessible directly from the public or private road in order to activate the sidewalk. Minor grade separations may be considered by exception and accommodated with ramps on constrained sites.
- iv) Non-residential ground floors should be designed to be tall enough to avoid conflicts with overhead elements such as signage, canopies and awnings, and to increase visual connection from interior spaces to the outdoors.
- v) Glazing should be transparent and maximized for non-residential uses located on the ground floor.

### 5.5.2 Ground Floor Residential Design

- i) Where a residential ground floor is provided, a minimum of 50% of the building frontage should include direct access to individual units from the adjacent sidewalks. Residential lobbies, and small scale, non-residential uses may be permitted for the remaining building frontage. Large expanses of blank walls should be avoided along street frontages and located on the back of the building where required.
- ii) New residential development will be located close to public and private streets, while providing a modest setback to accommodate building elements, such as landscape buffers, porches, canopies, courtyards and steps.
- iii) The ground floor of residential buildings within the designations that permit mixed uses should be designed with the flexibility to accommodate future conversion to nonresidential uses, such as providing a raised floor over the slab that can be removed to provide additional ground floor height in the future.
- iv) Where residential units are provided at-grade, the setback will be sufficient to accommodate direct entryways and private amenity spaces for residential units, including any walkways, steps, porches, private courtyards and landscaping areas.

### 5.5.3 Back of House and Loading Areas

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

- i) Loading docks and back of house areas should be located away from all public streets to not detract from a pedestrian-oriented streetscape.
- ii) Loading docks and back of house areas should be enclosed, set back from the street edge and provide a screening and buffer area. The use of landscaping and building massing should be used to screen the loading docks and back of house areas. Service entrance widths should be limited to the minimum required to be functional.

- iii) Waste storage areas should be located inside buildings to mitigate their visual and odour impacts. Where outside waste disposal areas are necessary, they will be enclosed in materials complementary to the main building and screened with landscaping.

## 6.0 Implementation

### 6.1 Implementation of the Plan

The London Psychiatric Hospital Secondary Plan shall be implemented utilizing the following implementation mechanisms:

- i) All municipal works shall be consistent with the policies of this Plan;
- ii) Heritage preservation and conservation shall be consistent with this Plan; and,
- iii) All planning applications shall be consistent with the policies of this Plan.

### 6.2 Municipal Works

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

- i) Road development, including the east link of the Bus Rapid Transit;
- ii) Sewer, water and wastewater infrastructure;
- iii) Stormwater management facilities in accordance with the recommendations arising from the London Psychiatric Hospital Lands Municipal Environmental Assessment Study (Stantec, September 14, 2011);
- iv) Parks; and,
- v) Public facilities.

### 6.3 Official Plan Amendments

- i) Any amendment to the text or Schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the Schedules of this Plan may require amendments to the associated maps of *The London Plan*.
- ii) Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of *The London Plan*.

### 6.4 Zoning

- i) Any applications for amendment to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of *The London Plan*.
- ii) Consideration of other land uses through a Zoning By-law amendment shall be subject to the Planning and Development Applications policies as described in the applicable place type of *The London Plan*. The Zoning By-law may restrict the size of some uses.

### 6.5 Plans of Subdivision/Plans of Condominium/ Consents to Sever

Any applications for subdivision, condominium, or consent to sever, shall be subject to the policies of this Secondary Plan and applicable policies of *The London Plan*.

### 6.6 Site Plan Approval

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

## 6.7 Urban Design Policies

All development within the London Psychiatric Hospital Secondary Plan boundaries shall be subject to the urban design policies contained in this Plan, in addition to applicable policies in *The London Plan*.

## 6.8 Guideline Documents

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

## 6.9 Phasing, Financing and Monitoring

The London Psychiatric Hospital lands shall be developed with the following objectives:

- i) It is desirable for the Village Core to be developed, at least in part, as early as possible in the development phasing process, such that the vision for the Community can be established;
- ii) The logical and efficient extension of servicing will be the primary driver for the overall phasing of community development.

## 6.10 Height Plan

The height plan, as shown on Schedule 4 and summarized in Table 1, is a fundamental component of the overall vision for the Secondary Plan. While an Official Plan amendment may be sought to amend this height plan, changes, including applications for bonus zoning, will only be made where:

- i) The objectives of the community structure plan are preserved;
- ii) The cultural heritage landscape is not negatively impacted;
- iii) Land use conflicts with adjacent uses are not created due to the proposed increase in heights;
- iv) Important views and vistas are not obstructed or inappropriately impacted.

## 6.11 Interpretation

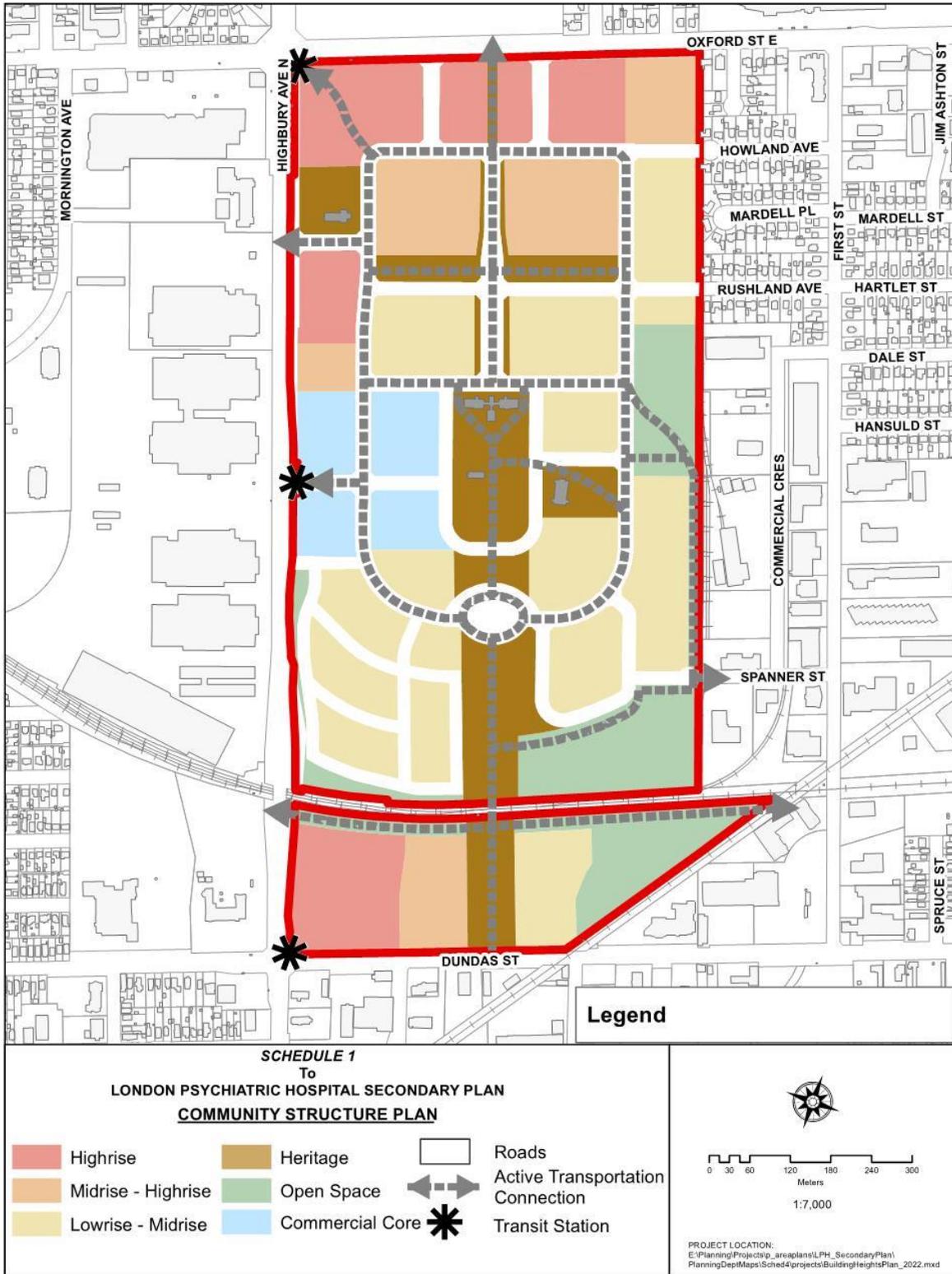
The How to Use The London Plan section in the Our Challenge part of *The London Plan* provides for the interpretation of *The London Plan* place type boundaries and these policies apply to this Secondary Plan.

Schedule 5 shows the street hierarchy plan. This plan establishes a road pattern that represents the foundation for the Community. It establishes the framework for the layout of land uses, the preservation of the cultural heritage landscape and the establishment of the village core.

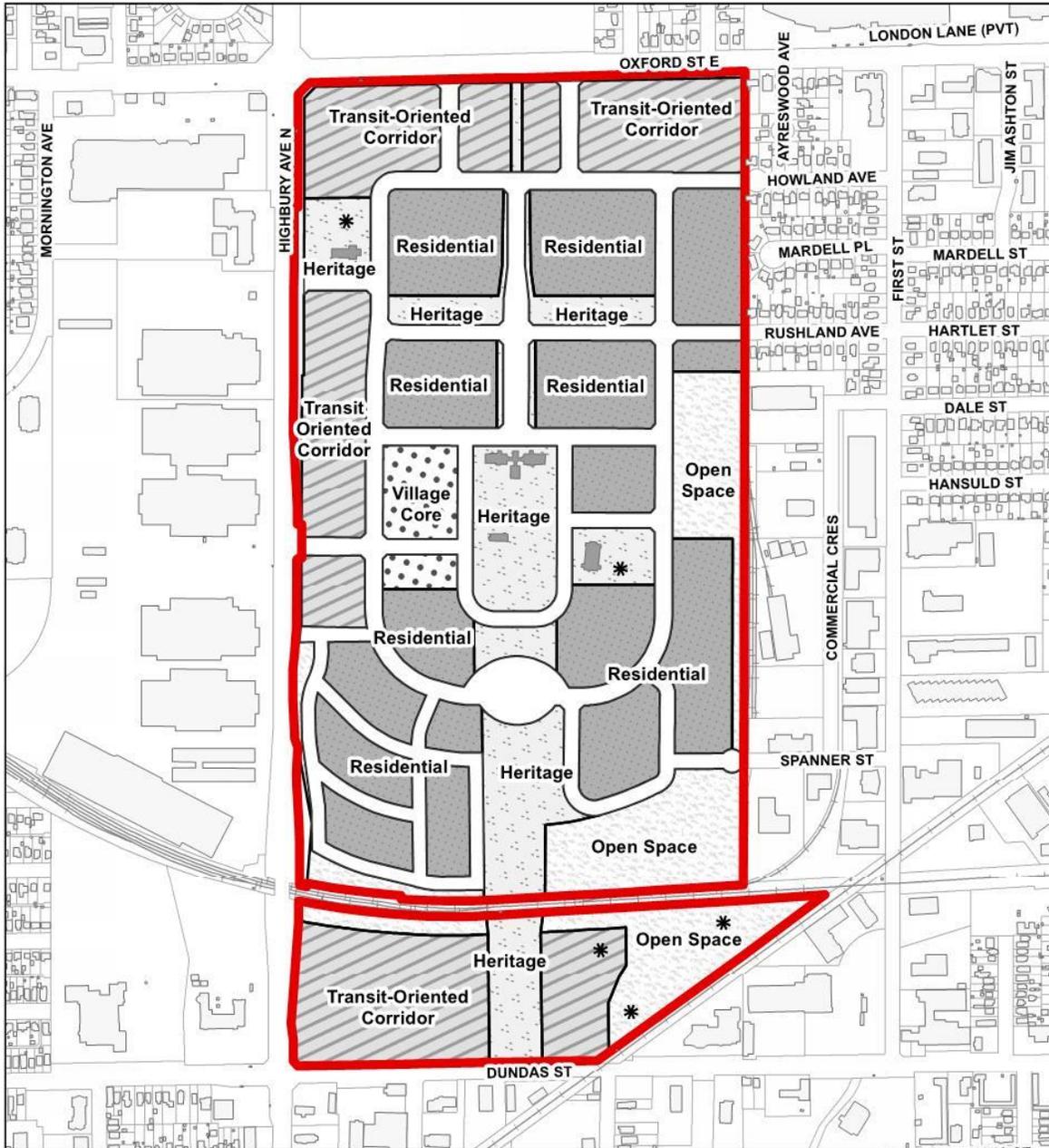
As Schedule 5 of the Secondary Plan specifically identifies the alignment of roads, and recognizing that these roads may need to be slightly shifted to address constraints and opportunities identified through future subdivision process, minor changes in these road alignments can be made without amendment to the Plan. Substantive changes to any road alignments will require an Official Plan amendment and shall only be allowed where the underlying principles of the Community Structure Plan and the Street Hierarchy Plan are not undermined.

# 7.0 Schedules

## Schedule 1: Community Structure Plan



## Schedule 2: Character Area Land Use Designations

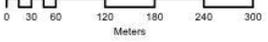


**SCHEDULE 2**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**

 Secondary Plan Boundary

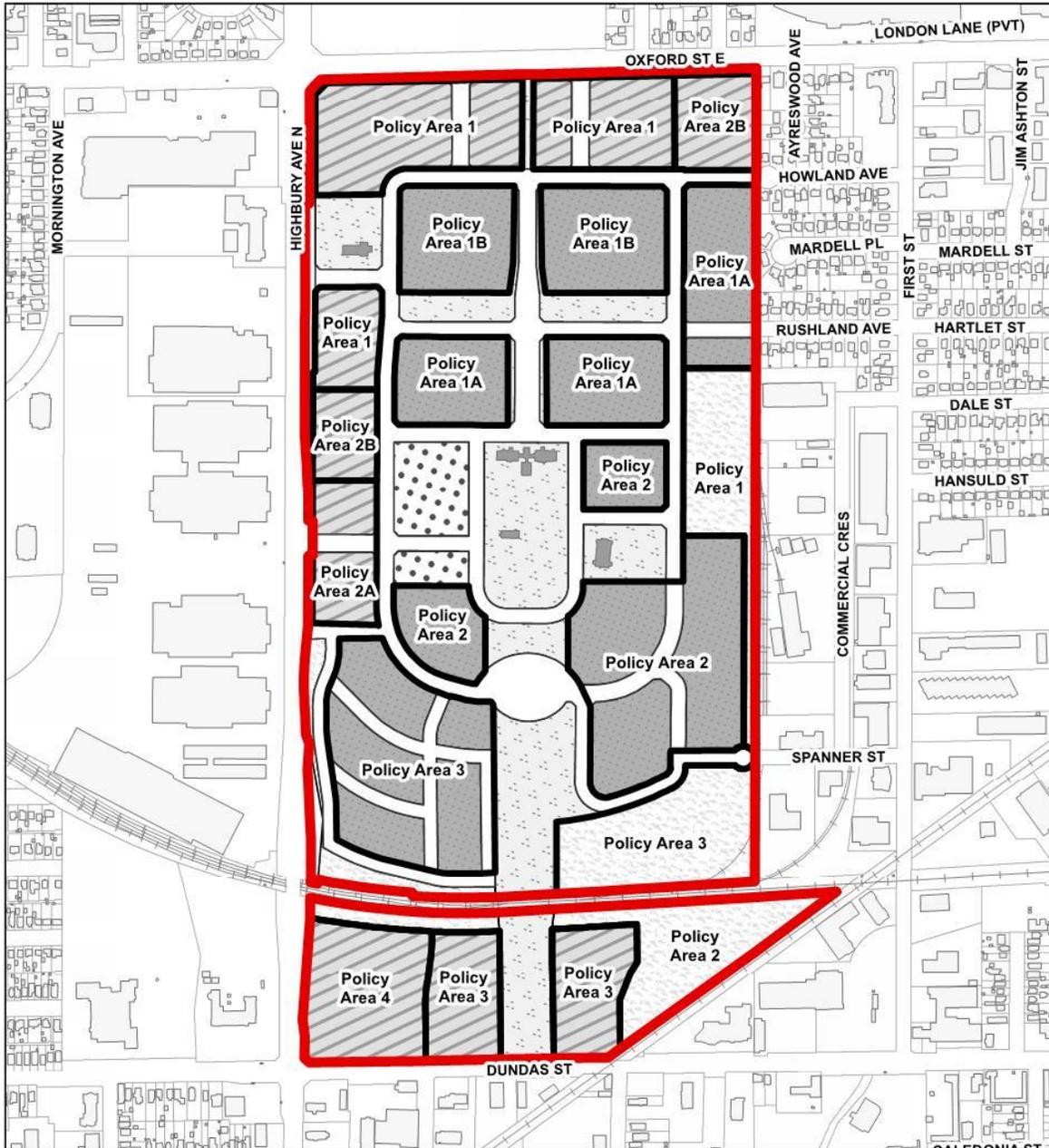
**CHARACTER AREA LAND USE DESIGNATIONS**

 Heritage	 Residential	 Village Core
 Open Space	 Transit-Oriented Corridor	 Potential Community Gardens


  

  
 1:7,000

PROJECT LOCATION:  
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# Schedule 3: Sub Area Designations

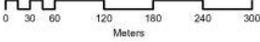


**SCHEDULE 3**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**

 Secondary Plan Boundary

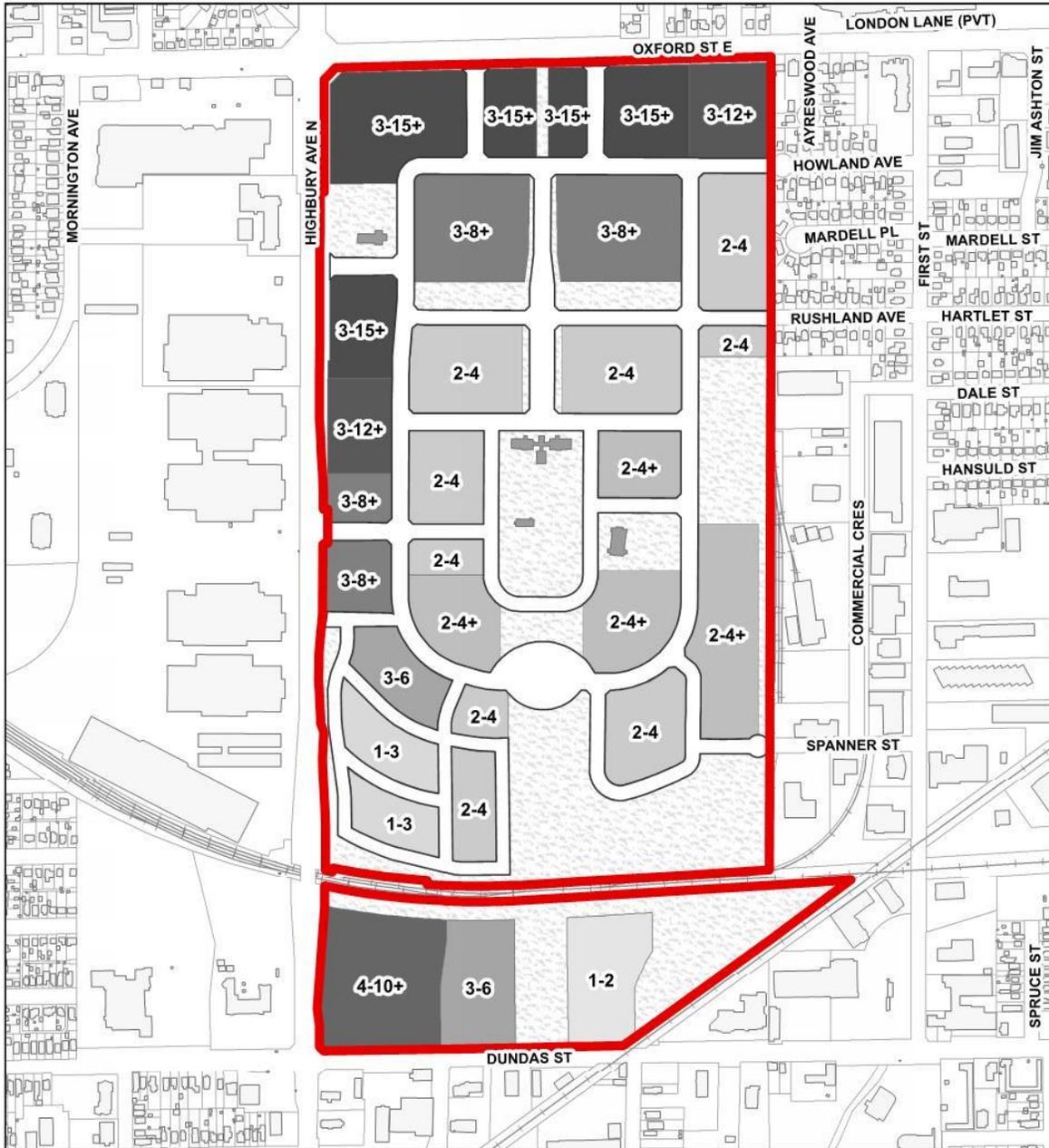
**SUB AREA DESIGNATIONS**

 Policy Area Boundary	 Open Space	 Transit-Oriented Corridor
 Heritage	 Residential	 Village Core


  

  
 1:7,000

PROJECT LOCATION:  
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# Schedule 4: Building Height Plan

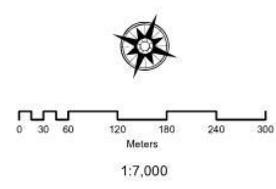


**SCHEDULE 4**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**BUILDING HEIGHT PLAN**

**Minimum-Maximum Height (Storeys)**

1-2	2-4	3-6	3-8+	3-12+
1-3	2-4+	3-6+	4-10+	3-15+

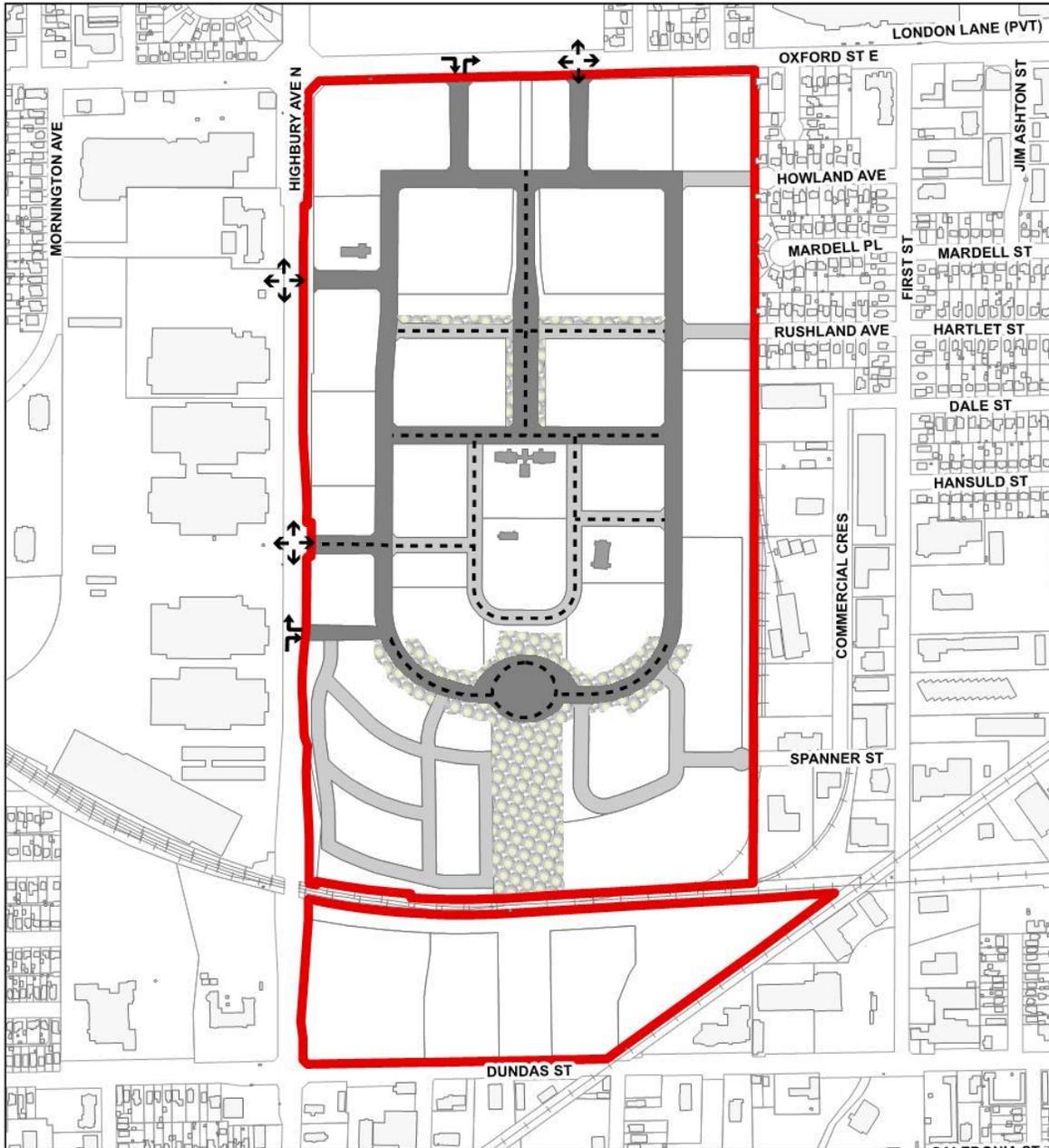
On blocks with a '+', development may be permitted above the heights shown on this plan, up to the Upper Maximum Height identified on Table 1 in accordance with the policies for each designation in the Plan



0 30 60 120 180 240 300  
Meters  
1:7,000

PROJECT LOCATION:  
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PlanningDept\Maps\Sched4\projects\BuildingHeightsPlan\_2022.mxd

# Schedule 5: Street Hierarchy Plan



**SCHEDULE 5**  
 To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**STREET HIERARCHY PLAN**

-  Neighbourhood Connector
-  Neighbourhood Street
-  Priority Tree Retention Area
-  Enhanced Design Street
-  Permitted Turning Movements

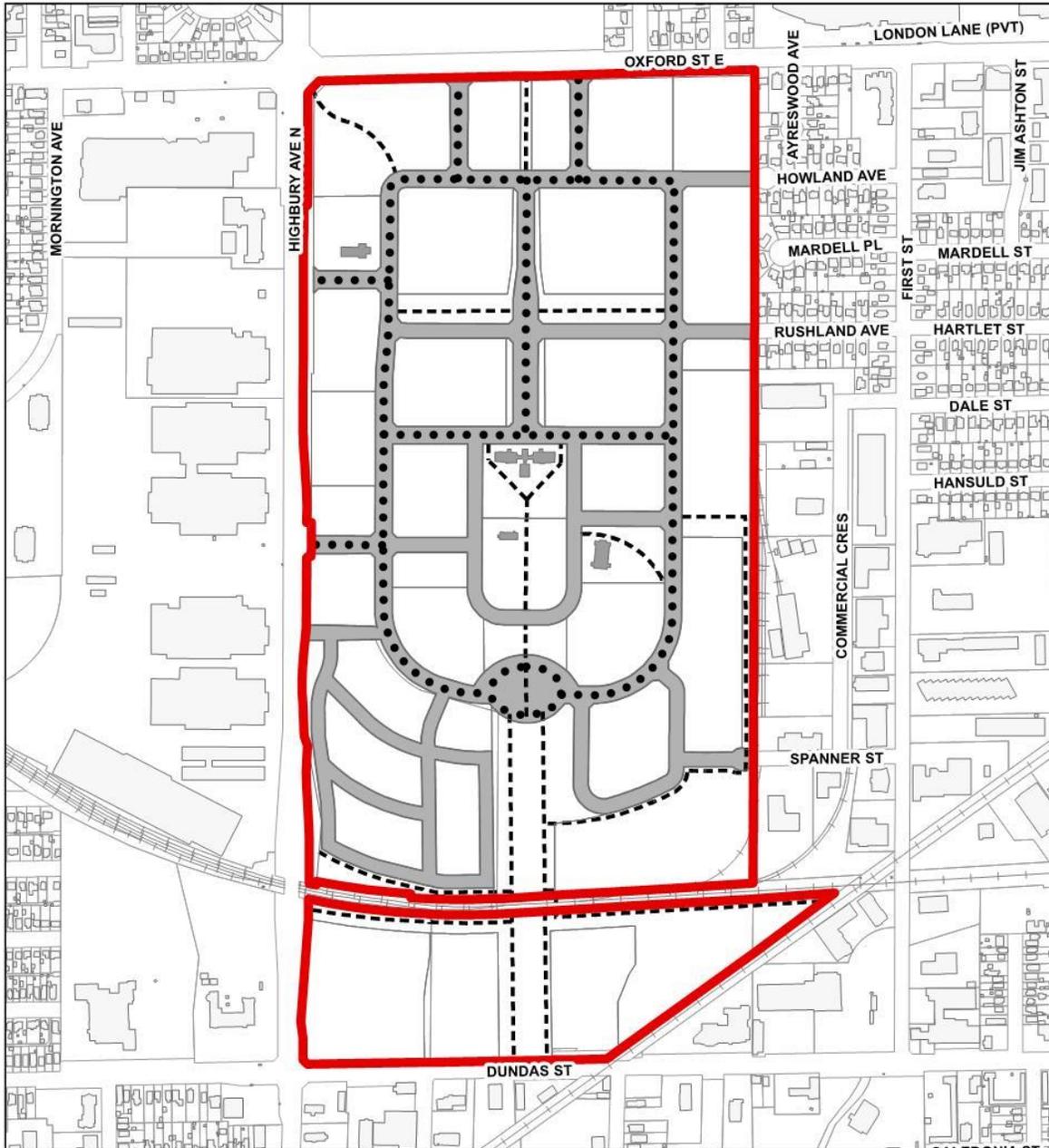


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PROJECT LOCATION:  
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# Schedule 6: Pedestrian and Cycling Network



**SCHEDULE 6**  
 To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**PEDESTRIAN AND CYCLING NETWORK**

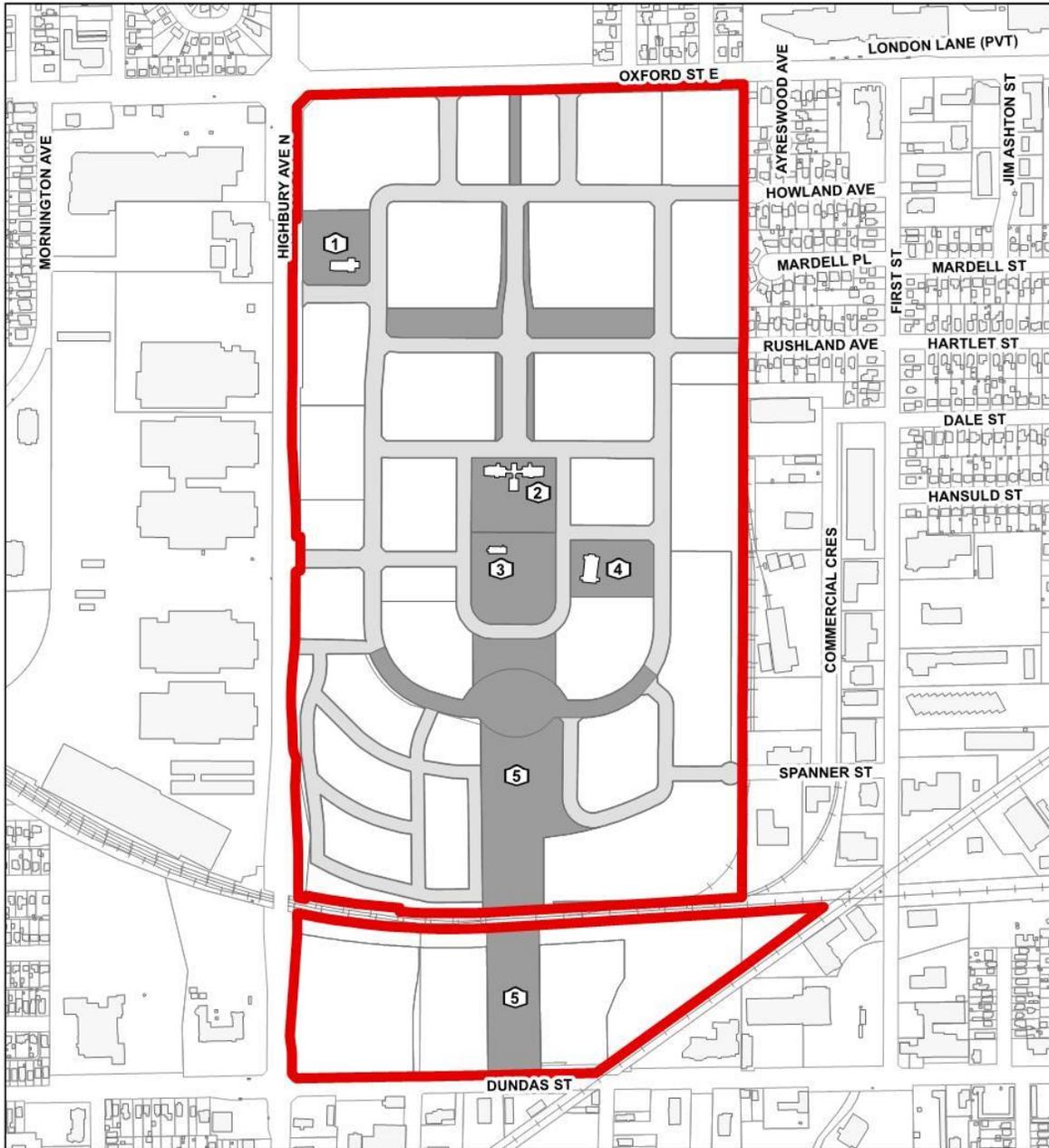
-  Buffered Bike Lane
-  Multi-use Pathway



1:7,000

PROJECT LOCATION:  
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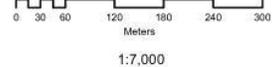
# Schedule 7: Cultural Heritage Framework



**SCHEDULE 7**  
 To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**CULTURAL HERITAGE FRAMEWORK**

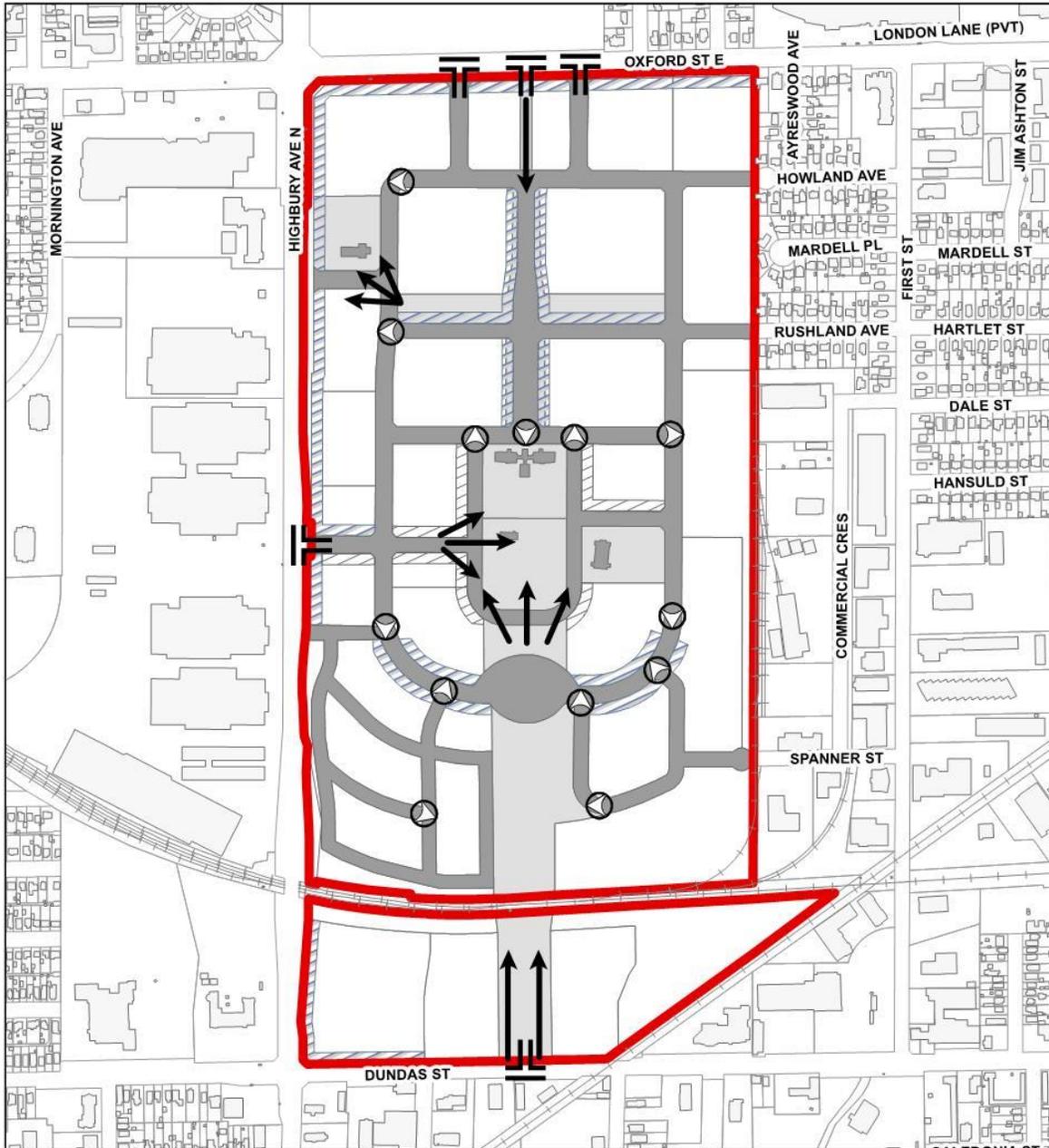
- ① Horse Stable
  - ② Infirmary Building
  - ③ Chapel of Hope
  - ④ Recreation Hall
  - ⑤ Central Treed Allée
- Buildings to be Conserved*

Significant Cultural Heritage Landscape to be Conserved



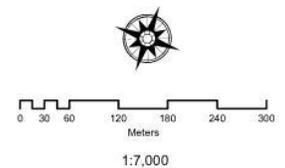
PROJECT LOCATION:  
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# Schedule 8: Urban Design Priorities



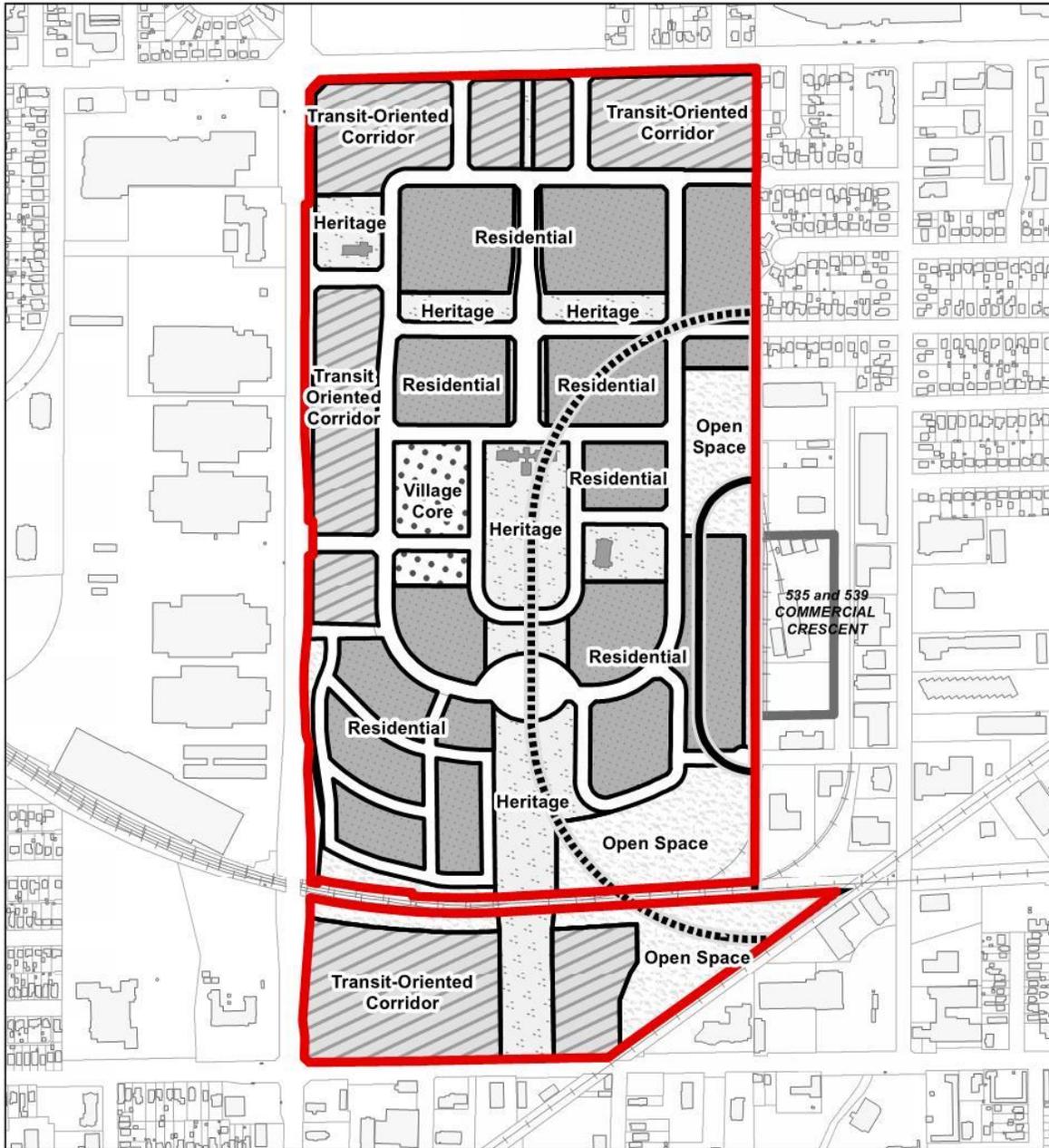
**SCHEDULE 8**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**URBAN DESIGN PRIORITIES**

- |   |                            |   |                       |
|---|----------------------------|---|-----------------------|
|  | Restricted Driveway Access |  | Significant Vista     |
|  | Limited Driveway Access    |  | Gateway               |
|  | Priority View Terminus     |  | Possible Future Roads |



PROJECT LOCATION:  
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PlanningDept\Maps\Sched\projects\UrbanDesign\_B&W.mxd

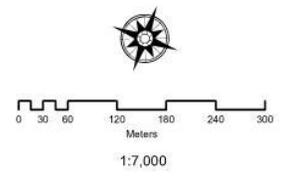
# Schedule 9: Potential Noise and Vibration Impact Area



**SCHEDULE 9**  
 To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**POTENTIAL NOISE AND VIBRATION IMPACT AREA**

-  75 Metre Area of Influence for Vibration
-  300 Metre Area of Influence for Noise

*NOTE: Residential and other sensitive landuses subject to feasibility analysis in accordance with Section 4.3 of the Secondary Plan*



PROJECT LOCATION:  
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**AMENDMENT NO.  
to the**

**THE LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

To amend the London Psychiatric Hospital Secondary Plan to bring it into alignment with the vision of a Transit Village under the London Plan.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands known municipally as 850 Highbury Avenue North, generally bounded by the Highbury Avenue North to the west, Oxford Street East to the north, a CP spur line to the east, and the CP principal line to the south. This amendment also includes housekeeping updates to the entire London Psychiatric Hospital Secondary Plan which impact the lands known municipally as 840 & 850 Highbury Avenue North, and 1340 & 1414 Dundas Street .

**C. BASIS OF THE AMENDMENT**

Old Oak Properties has applied for an amendment to London Psychiatric Hospital Secondary Plan regarding an area of land located at 850 Highbury Avenue North. These lands form the majority of land within the London Psychiatric Hospital Secondary Plan area.

In addition, a housekeeping amendment is proposed facilitate the transition to The London Plan and refine wording, formatting and mapping in the London Psychiatric Hospital Secondary Plan.

The London Plan identifies four Transit Villages, which are intended to be exceptionally designed, high density, mixed-use urban neighbourhoods connected by transit to the Downtown and to each other. The lands are identified as one of the Transit Villages in The London Plan, referred to as the "London Psychiatric Hospital Transit Village". It is anticipated that the area will undergo redevelopment through infill and intensification over time to realize the vision of the Transit Village Place Type.

The Secondary Plan provides a greater level of detail and more specific guidance for the London Psychiatric Hospital Transit Village than the general policies of the Official Plan. The Secondary Plan establishes a vision, principles and policies for the future development of a Transit Village that is unique to the community surrounding the former London Psychiatric Hospital. The Secondary Plan encourages a compact development form with a broad range of uses that are integrated with transit, conserving heritage buildings and landscapes, while planning for new parks, and connections to ensure a balanced community.

The Secondary Plan will be used in the consideration of all applications including Official Plan amendments, zoning by-law amendments, site plans, consents, minor variances and condominiums within the Planning Area.

**D. THE AMENDMENT**

The London Psychiatric Hospital Secondary Plan, 2011 is hereby amended as follows:

London Psychiatric Hospital Secondary Plan, 2011, is deleted in its entirety, and The London Psychiatric Hospital Secondary Plan, as contained in Schedule 1, is adopted.

**Appendix B – Reference Table of Changes to the Secondary Plan**

Chapter	Section	Modification	Summary of change
Cover page		<del>20.4</del>	Section 20.4 refers to the LPH Secondary Plan in Section 20 – Secondary Plans of the 1989 Official Plan.
Table of Contents		<p><del>20.4.1</del> <b>1.0 Introduction</b></p> <p><del>Vision</del></p> <p><del>Principles</del></p> <p><u>1.1 Purpose and Use</u></p> <p><u>1.2 Principles of the Secondary Plan</u></p> <p><del>20.4.2</del> <b>2.0 Community Structure Plan</b></p> <p><u>2.1 Cultural Heritage Landscape</u></p> <p><u>2.2 Heritage Landmarks</u></p> <p><u>2.3 Edges and Interfaces</u></p> <p><u>2.4 Nodes</u></p> <p><u>2.5 Linkages and Transportation System</u></p> <p><u>2.6 Building Height Plan <del>and Table</del></u></p> <p><u>2.7 Urban Design Priorities</u></p> <p><del>20.4.3</del> <b>3.0 Character Area Land Use Designations</b></p> <p><u>3.1 General</u></p> <p><u>3.2 Framework of Heights</u></p> <p><u>3.3 Village Core <del>Area</del> Designation</u></p> <p><u>3.4 Transit-Oriented Corridor <del>Area</del> Designation</u></p> <p><del>3.4 Academic Area Designation</del></p> <p><u>3.5 Residential Area Designation</u></p> <p><u>3.6 Heritage Area Designation</u></p> <p><u>3.7 Open Space <del>Area</del> Designation</u></p> <p><del>20.4.4</del> <b>4.0 General Policies</b></p> <p><u>4.1 Heritage and Archaeology</u></p> <p><u>4.2 Housing</u></p> <p><u>4.3 Noise/Land Use Compatibility</u></p> <p><u>4.4 Sustainable/"Green" Development</u></p> <p><u>4.5 Community Parkland</u></p> <p><u>4.6 Parkland Dedication</u></p> <p><u>4.7 Natural Heritage</u></p> <p><u>4.8 Stormwater Management</u></p> <p><u>4.9 Transportation</u></p> <p><u>4.10 Protected Major Transit Station Area</u></p> <p><u>4.11 Forestry</u></p>	<p>Renumbering of each section is required to remove the references to 20.4 of the 1989 Official Plan.</p> <p>Sections 20.4.1 and 20.4.3 have several headings that are not identical to those in the sections.</p>

Chapter	Section	Modification	Summary of change
Table of Contents (cont')		<p><del>20.4.4.10</del> <b>5.0 Urban Design</b></p> <p><u>5.1 General</u></p> <p><u>5.2 High Rise Buildings</u></p> <p><u>5.3 Mid Rise Buildings</u></p> <p><u>5.4 Low Rise Buildings</u></p> <p><u>5.5 Ground Floor Design</u></p> <p><u>5.6 Back of House and Loading Areas</u></p>	The urban design policies are moved to their own section, and new subsections are added.
		<p><del>20.4.5</del> <b>6.0 Implementation</b></p> <p><u>6.1</u> Implementation of the Plan</p> <p><u>6.2</u> Municipal Works</p> <p><u>6.3</u> Official Plan Amendments</p> <p><u>6.4</u> Zoning</p> <p><u>6.5</u> Plans of Subdivision/Plans of Condominium/Consents to Sever</p> <p><u>6.6</u> Site Plan Approval</p> <p><u>6.7</u> Urban Design Policies</p> <p><u>6.8</u> Guidelines Documents</p> <p><u>6.9</u> Phasing, Financing and Monitoring</p> <p><u>6.10</u> Height Plan</p> <p><u>6.11</u> Interpretation</p> <p><del>20.4.6</del> <b>7.0 Schedules</b></p> <p>Schedule 1: Community Structure Plan</p> <p>Schedule 2: Character Area Land Use Designation</p> <p>Schedule 3: Sub Area Designations</p> <p>Schedule 4: Building Height Plan</p> <p>Schedule 5: Street Hierarchy Plan</p> <p>Schedule 6: Pedestrian and Cycling Network</p> <p>Schedule 7: Cultural Heritage Framework</p> <p>Schedule 8: Urban Design Priorities</p> <p>Schedule 9: Potential Noise and Vibration Impact Area</p> <p><del>Schedule 10: Preferred Storm/Drainage and SWM Servicing Works Solution</del></p>	<p>Renumbering of each section is required to remove the references to 20.4 of the 1989 Official Plan.</p> <p>Sections 20.4.1 and 20.4.3 have several headings that are not identical to those in the sections.</p> <p>Sections 20.4.7 and 8 that refer to the 1989 Official Plan map schedule and policies are deleted in its entirety to reflect the formatting approach of more recent secondary plans.</p>

Chapter	Section	Modification	Summary of change
		<p><del>20.4.7 Official Plan Extracts – Schedules</del>  <del>Schedule A: Land Use Plan</del>  <del>Schedule B: Natural Heritage Features</del>  <del>Schedule B2: Natural Resources and Natural Hazards</del>  <del>Schedule C: Transportation Corridors</del>  <del>Schedule D: Planning Areas</del></p> <p><del>20.4.8 Official Plan Extracts – Policies</del></p>	
	All chapters	<p>Throughout this Plan, a multilevel list is organized as follows:</p> <p>i)  a)  1.  •  -</p> <p>Bullets (•) are replaced with numbers (1, 2, 3,...) to facilitate easier references to the policies and reflect the formatting approach of more recent secondary plans and the London Plan.</p>	
Introduction	20.4.1	<del>20.4.1</del> <u>1.0</u> Introduction	20.4.1 is replaced with 1.0 on the top.
Introduction	20.4.1.1 through 20.4.1.9	<p><del>20.4.1.1 Introduction</del>  <del>20.4.1.2 1.1 Purpose and Use</del>  <del>20.4.1.3 1.2 Principles of the Secondary Plan</del>  <del>20.4.1.4 Retention of Cultural Heritage</del>  <del>20.4.1.5 Creation of a Distinct Community</del>  <del>20.4.1.6 Providing for a Range of Housing Choices</del>  <del>20.4.1.7 Environmental Sustainability</del>  <del>20.4.1.8 Transportation System</del>  <del>20.4.1.9 Financial Viability/Sustainable Development</del></p>	<p>Sections under new Section 1.0 are renumbered to appropriate numbers.</p> <p>The heading for “Section 20.4.1.1” is deleted to avoid repeated heading (“Introduction”).</p> <p>S. 20.4.1.4 through 20.4.1.9 are principles and are organized as a list of roman numerals (i, ii, iii,...)</p>
Introduction	20.4.1.1	<p>[First paragraph]  The London Psychiatric Hospital (LPH) Secondary Plan is applied to the <u>Transit Village Place Type area</u> on the east side of Highbury Avenue North between Oxford Street East and Dundas Street and is generally bounded on the east side by a CNR spur line and comprises approximately 77 hectares (180 acres) of land.</p>	

Chapter	Section	Modification	Summary of change
Introduction	20.4.1.2	[First paragraph] The purpose of the Secondary Plan is to establish a vision, principles and policies for the evolution of the former Provincial mental health facility property and adjacent lands to a vibrant residential community which incorporates elements of sustainability, mixed use development, heritage conservation, <u>rapid transit support</u> , walkability and high quality urban design. This Secondary Plan provides a greater level of detail than the general policies in <u>The London Plan</u> , the City of London Official Plan. The Secondary Plan serves as a basis for the review of planning <u>and development</u> applications and constitutes <u>Official Plan London Plan</u> policy which will be used in conjunction with the other policies of <del>the Official Plan</del> <u>The London Plan</u> .	Add language that rapid transit support is a key element of the plan.  Removal of the references to 1989 Official Plan
Introduction	20.4.1.2	[Second paragraph] The goals, objectives, policies and <u>schedules maps</u> of <del>the City's Official Plan</del> <u>The London Plan</u> shall apply to all lands within the study area, except in instances where more detailed or alternative direction is provided in the Secondary Plan, in which case the Secondary Plan shall prevail.	Removal of the 1989 Official Plan Schedules allows for transition to the London Plan Maps.
Introduction	20.4.1.2	[Third paragraph] The text and schedules of the London Psychiatric Hospital Secondary Plan constitutes <del>Section 20.4 of the City of London Official Plan part of</del> <u>The London Plan</u> .	Removal of Section 20.4 of the 1989 Official Plan allows for transition to the London Plan
Introduction	20.4.1.2	[Final Paragraph] <del>Upon the adoption of the new Official Plan for the City of London (The London Plan) the 1989 Official Plan will no longer be in force and effect. Given that there are policy references in this Secondary Plan to the 1989 Official Plan, the referenced policies will need to be carried forward after the 1989 Official Plan is replaced by the new Official Plan. The policies that are required to fully implement the Secondary Plan have been incorporated into a new chapter and made part of this Secondary Plan. This does not make any changes to the purpose or intent of the policies contained within this Secondary Plan, or to the policies of the 1989 Official Plan. The attached policies from the 1989 Official Plan that are referenced in this Secondary Plan are necessary to be retained in order to understand, interpret and implement this Secondary Plan.</del>	Removal of the final paragraph facilitates implementation of the London Plan policies. The 1989 Official Plan polices are attached into Section 20.4.8 which should be deleted in its entirety.
Vision		The redevelopment of the London Psychiatric Hospital Lands shall reflect the historic significance of the lands to create an urban village with a strong <u>focus on rapid transit and pedestrians</u> <del>focus</del> enhanced by ample public green spaces that link places to live, work and play. The community will embrace sustainable development principles that place priority on multi-modal transportation choices integrated with a diverse range of land uses, lifestyle and cultural opportunities.	Add rapid transit focus to the vision.

Chapter	Section	Modification	Summary of change
Introduction	20.4.1.4 Principles of the Secondary Plan	<b>i) Principle 1: Retention of Cultural Heritage</b> <del>i) Principle</del> <del>Retain as much of Conserve</del> the identified cultural and <u>built</u> heritage resources of the area <del>as possible and ensure their long-term sustainable management.</del> <b>ii) Objectives to achieve this principle are:</b>	The formatting is changed to reflect the approach of more recent secondary plans.
Introduction	20.4.1.4 Principles of the Secondary Plan e)	<del>Conserve</del> <u>Ensure the long-term sustainable management of trees and vegetation within</u> the cultural heritage landscape	
Introduction	20.4.1.5	<b>ii) Principle 2: Creation of a Distinct Community</b> <del>i) Principle</del> Create inclusive and diverse residential neighbourhoods which have a mix of uses and a high level of urban design. <b>ii) Objectives to achieve this principle are:</b>	The formatting is changed to reflect the approach of more recent secondary plans.
Introduction	20.4.1.5	a) Provide for a range of land uses including residential, open space, public uses, local commercial uses, office uses, <u>and</u> mixed use buildings <del>where possible and regional educational uses.</del>	Remove regional educational uses.
Introduction	20.4.1.6	<b>iii) Principle 3: Providing for a Range of Housing Choices</b> <del>i) Principle</del> Provide for a mix of housing types and designs. <b>ii) Objectives to achieve this principle are:</b>	The formatting is changed to reflect the approach of more recent secondary plans.
Introduction	20.4.1.7	<b>iv) Principle 4: Environmental Sustainability</b> <del>i) Principle</del> Achieve high standards of environmental sustainability. <b>ii) Objectives to achieve this principle are:</b>	The formatting is changed to reflect the approach of more recent secondary plans.
Introduction	20.4.1.7 b)	Integrate the Community into the greater city through <u>rapid transit and</u> walking/biking trails to reduce the need to use private vehicles.	Add reference to rapid transit integration.
Introduction	20.4.1.7 e)	<del>Minimize the production of greenhouse gases through sustainable building and site design. Encourage LEED approved developments.</del>	
Introduction	20.4.1.8	<b>v) Principle 5: Transportation System</b> <del>i) Principle</del> <u>Access to rapid transit will be a defining characteristic of the community.</u> Walking and bicycling should be the primary means of transportation within the community, while providing for broader connections to the City-wide transportation network. <b>ii) Objectives to achieve this principle are:</b>	Recognise the importance of rapid transit to the community  The formatting is changed to reflect the approach of more recent secondary plans.

Chapter	Section	Modification	Summary of change
Introduction	20.4.1.8 a) – c)	<u>a) provide convenient access to the transit stations, with the highest intensity uses located along the transit corridors.</u> <del>a) b)</del> Provide a traditional grid street network to encourage walkability within the community. <del>b) c)</del> Give priority to pedestrian movement. <del>e) d)</del> Establish a high degree of connectivity within the Community and between existing and new neighbourhoods.	Add reference to rapid transit.
Introduction	20.4.1.9	<b>vi) Principle 6: Financial Viability/Sustainable Development</b> <b>i) Principle</b> The Community shall be developed in logical phases to be efficient and financially responsible. <b>ii) Objectives to achieve this principle are:</b>	The formatting is changed to reflect the approach of more recent secondary plans.
Community Structure Plan	20.4.2	<del>20.4.2 2.0</del> Community Structure Plan	20.4.2 is replaced with 2.0 on the top.
Community Structure Plan	20.4.2.1 through 20.4.2.8	<del>20.4.2.1—Community Structure Plan</del> <del>20.4.2.2 2.1</del> Cultural Heritage Landscape <del>20.4.2.3 2.2</del> Heritage Landmarks <del>20.4.2.4 2.3</del> Edges and Interfaces <del>20.4.2.5 2.4</del> Nodes <del>20.4.2.6 2.5</del> Linkages and Transportation System <del>20.4.2.7 2.6</del> Building Height Plan <del>20.4.2.8 2.7</del> Urban Design Priorities	Subsections under new Section 2.0 are renumbered to appropriate numbers.  The heading for Section 20.4.2.1 is deleted to avoid repeated heading and to be consistent with formatting of more recent secondary plans.
Community Structure Plan	20.4.2.1 Community Structure Plan vii)	Five primary gateways to the lands shall be created, located centrally along each of Oxford Street East, Highbury Avenue North and Dundas Street. The Dundas Street gateway will be pedestrian only and should help anchor the Treed Allée. The central Oxford Street East gateway will be pedestrian only and will maintain the vista into the heart of the Community. <u>Access to transit stations should be coordinated with adjacent gateways where possible.</u>	
Community Structure Plan	20.4.2.1 Community Structure Plan ix)	<del>Delete policy ix) in its entirety, and renumber the following policies.</del>	Remove reference to future connections, as all planned connections are shown on the plan.
Community Structure Plan	20.4.2.1 Community Structure Plan x)	Pedestrian and cycling routes shall link the central node to <u>rapid transit hubs stations</u> and parkland	Reference rapid transit stations.
Community Structure Plan	20.4.2.1 Community Structure Plan xi)	A central mixed-use activity node <u>and commercial core</u> will be located around the centre of the lands, incorporating the existing heritage buildings;	

Chapter	Section	Modification	Summary of change
Community Structure Plan	20.4.2.1 Community Structure Plan xii)	The intersections of <del>Oxford</del> /Highbury <u>Avenue North with Oxford Street East</u> and <del>Highbury</del> /Dundas <u>Street</u> shall be developed as intensive, transit-oriented mixed-use nodes; <u>and</u>	Add full street names.  Grammatical error (“and” is missing in the list)
Community Structure Plan	20.4.2.1 Community Structure Plan xiii)	Development shall generally be most intensive along Oxford Street East, Dundas Street and Highbury Avenue North and. <u>Development heights and densities shall respond appropriately within proximity to lower scale land uses.</u>	Add that heights and densities will respond to nearby low density uses.
Community Structure Plan	20.4.2.2 2.2 Cultural Heritage Landscape	[Second Paragraph] Based on the <u>approved Strategic</u> Conservation Plan prepared <del>for</del> <u>in support of</u> this Secondary Plan more intensive development shall be directed to property around the perimeter of the lands, particularly along Highbury Avenue North and Oxford Street East, with a shallower landscaped “bowl” in the middle of the lands.	Update name of Strategic Conservation Plan
Community Structure Plan	20.4.2.3 Heritage Landmarks	<b>Recreation Hall (1920):</b> this two-storey brown brick building was used to host recreational activities for patients, including a basement swimming pool (now filled in) and a stage with a balcony.	Addition of a hyphen
Community Structure Plan	20.4.2.4 Edges and Interfaces	<del>Major arterial roads A Civic Boulevard (Oxford Street East, Dundas Street and Highbury Avenue North) and Rapid Transit Boulevards (Oxford Street East and Highbury Avenue North)</del> clearly define the community’s edges on three sides, to the north, south and west. New development should build upon and integrate established patterns found in the abutting neighbourhood to the east. This adjacent neighbourhood should transition into the study area and function as an extension of the new community. An industrial cluster is also located immediately to the east, separated from the community by a rail spur. There may be opportunities to integrate these lands <u>in the long term to provide direct access to employment lands and ensure the neighbourhoods are connected</u> if they transition from industrial to residential uses over time. Necessary <del>future</del> connections to allow for this potential shall be protected.	The 1989 Official Plan road classifications are removed to transition to the London Plan street classifications.
Community Structure Plan	20.4.2.5 Nodes and Corridors	[Second Paragraph] Two mixed-use nodes are to be established around the intersections of <u>Highbury Avenue North with</u> Oxford <del>Street and /Highbury</del> to the north, and <del>Highbury</del> /Dundas <u>Street</u> to the south. Both of these nodes should continue to serve as <del>minor</del> <u>major</u> transit hubs, and shall be pedestrian-oriented with increased densities to support this role. <u>The adjacent corridors along Highbury Avenue North and Oxford Street East shall also be developed as mixed use, pedestrian oriented, with increased densities to support these nodes.</u>	Identify that the nodes and corridors are major, not minor transit hubs.  <u>Recommend modified amendment which recognises that Dundas &amp; Highbury will also remain as a major transit hub.</u>

Chapter	Section	Modification	Summary of change
Community Structure Plan	20.4.2.6 Linkages and Transportation System	[Final paragraph] Transit service is expected to <del>continue along the three</del> <u>significantly improve with the planned rapid transit along the two</u> flanking <del>arterial roads</del> <u>Rapid Transit Boulevards</u> . Three existing <del>and planned</del> transit nodes are illustrated on the <del>Community Structure Plan Schedule 1 of this Plan, as well as a potential new transit node on Highbury Avenue North.</del>	Removal of the 1989 Official Plan road classification reference.  Add reference to implementation of bus rapid transit.
Community Structure Plan	20.4.2.7 Building Height Plan	2.7 Building Height Plan <u>and Table</u> Development is envisioned to be of a generally high-rise form along the flanking <del>arterial roads</del> <u>Civic Boulevard and Rapid Transit Boulevards</u> . Mid-rise forms are envisioned within and approaching the central node. Development patterns on the balance of the lands are expected to be predominantly low and/or mid-rise. More precise height ranges are identified in Schedule 4 <u>and Table 1</u> of this Plan.	Removal of the 1989 Official Plan road classification reference. Add references to Table 1 – Minimum and Maximum Building Heights.
Character Area Land Use Designations	20.4.3	<del>20.4.3</del> <u>3.0</u> Character Area Land Use Designations	20.4.3 is replaced with 3.0 on the top.
Character Area Land Use Designations	20.4.3.1 through 20.4.3.7	<del>20.4.3.1 Character Areas—Secondary Plan Land Use Designations</del> <del>20.4.3.2 3.1 Village Core Designation</del> <del>20.4.3.2.1 Village Core Policy Area 1—Main Street/Live-Work</del> <del>20.4.3.2.2 Village Core Policy Area 2—Mixed Use Office</del> <del>20.4.3.2.3 Village Core Policy Area 3—Mixed Use Residential</del> <del>20.4.3.3 3.2 Transit-Oriented Corridor Designation</del> <del>20.4.3.3.1 3.2.1 Transit-Oriented Corridor Policy Area 1 – Mixed Use Highest Intensity</del> <del>20.4.3.3.2 3.2.2 Transit-Oriented Corridor Policy Area 2 – High-rise Residential</del> <del>20.4.3.3.3 3.2.3 Transit-Oriented Corridor Policy Area 3 – Mid-rise Mixed Use</del> <del>20.4.3.4 Academic Area Designation</del> <del>20.4.3.4.1 Academic Policy Area 1—Private Recreation</del> <del>20.4.3.4.2 Academic Policy Area 2—Academic Classrooms and Offices</del> <del>20.4.3.4.3 Academic Policy Area 3—Satellite Campus Residences</del> <del>20.4.3.5 3.3 Residential Area Designation</del> <del>20.4.3.5.1 3.3.1 Residential Policy Area 1 – North Residential Neighbourhood</del> <del>20.4.3.5.2 3.3.2 Residential Policy Area 2 – South Neighbourhood</del> <del>20.4.3.6 3.4 Heritage Area Designation</del> <del>20.4.3.7 3.5 Open Space Designation</del> <del>20.4.3.7.1 3.5.1 Open Space Policy Area 1 – Public Parkland</del> <del>20.4.3.7.2 3.5.2 Open Space Policy Area 2 – Natural Heritage /Environmental</del> <del>20.4.3.7.3 3.5.3 Open Space Policy Area 3 – Stormwater Management</del>	Subsections under new Section 3.0 are renumbered to appropriate numbers.  Sub areas of the Village Core, and the entire Academic Policy Area are removed, and subsequent sections are renumbered.  Revisit naming of sub areas
Character Area Land Use Designations	20.4.3.1 Character Areas	<del>20.4.3.1 Character Areas—Secondary Plan Land Use Designations</del>	S. 20.4.3.1 and its heading are removed to avoid repeated heading.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.1 Character Areas iii)	<p><del>Academic Area</del>  <del>The Academic Area is to facilitate the expansion of post-secondary academic institutions, both in terms of built form and open space in an orderly fashion. This will help to build an urban streetscape along Oxford Street East.</del></p>	Academic Area is deleted.
Character Area Land Use Designations	20.4.3.1 Character Areas	<p><u>3.1 General</u>  i) <u>The following uses are permitted anywhere within the plan area: community facilities such as community centres, schools and libraries; transit facilities, public and private parks, and private streets.</u>  ii) <u>New single detached dwellings and semi-detached dwellings are not permitted, except for limited areas within the Residential Area Designation as specified in Section 3.4.</u>  iii) <u>New auto-oriented, restricted automotive uses and service stations are not permitted.</u>  iv) <u>No more than 20,000m<sup>2</sup> of office space will be permitted in the plan area, and no more than 5,000m<sup>2</sup> of office space will be permitted in any individual building.</u></p>	Add general land use policies, including maintaining a limit on the amount of office space within the plan.
Character Area Land Use Designations	20.4.3.1 Character Areas	<p><u>3.2 Framework of Heights</u>  i) <u>It is useful to summarize the height that is permitted within each of the various designations of this plan, to provide a general understanding of how the Community Structure Plan will be implemented through the assignment and implementation of these designations. Table 1 provides this summary.</u>  ii) <u>Zoning on individual sites may not allow for the full range of heights permitted within a designation. To provide flexibility, height limits have been described in building storeys rather than a precise metric measurement. For clarity, this is meant to convey the number of usable above-grade floors in a building. In some cases, minimum heights are to be measured by the lesser of storeys or metres. This alternative measure has been provided to allow for greater flexibility through implementation.</u></p>	Add policies and table 1 which provide a clearer overview of the permitted heights within the plan.

Chapter	Section	Modification	Summary of change																																				
Character Area Land Use Designations	20.4.3.1 Character Areas	<p><b><u>TABLE 1 – SUMMARY OF MINIMUM AND MAXIMUM PERMITTED HEIGHTS BY DESIGNATION</u></b></p> <table border="1" data-bbox="666 305 1440 922"> <thead> <tr> <th><u>Designation</u></th> <th><u>Policy Area</u></th> <th><u>Minimum Height (storeys or m)</u></th> <th><u>Standard Maximum Height (storeys)</u></th> <th><u>Upper Maximum Height (storeys)</u></th> </tr> </thead> <tbody> <tr> <td rowspan="3"><u>Transit Oriented Corridor</u></td> <td><u>1</u></td> <td><u>3 storeys or 9m</u></td> <td><u>15</u></td> <td><u>22</u></td> </tr> <tr> <td><u>2A</u></td> <td><u>3 storeys or 9m</u></td> <td><u>8</u></td> <td><u>12</u></td> </tr> <tr> <td><u>2B</u></td> <td><u>3 storeys or 9m</u></td> <td><u>12</u></td> <td><u>16</u></td> </tr> <tr> <td><u>Village Core</u></td> <td><u>n/a</u></td> <td><u>2 storeys or 8m</u></td> <td><u>4</u></td> <td><u>n/a</u></td> </tr> <tr> <td rowspan="3"><u>Residential Area</u></td> <td><u>1A</u></td> <td><u>2 storeys or 8m</u></td> <td><u>4</u></td> <td><u>n/a</u></td> </tr> <tr> <td><u>1B</u></td> <td><u>3 storeys or 9m</u></td> <td><u>8</u></td> <td><u>12</u></td> </tr> <tr> <td><u>2</u></td> <td><u>2 storeys or 8m</u></td> <td><u>4</u></td> <td><u>6</u></td> </tr> </tbody> </table> <p><u>Notes</u></p> <p><u>1 – The heights shown on this table will not necessarily be permitted on all sites within the relevant designations of this Secondary Plan.</u></p> <p><u>2 – The Upper Maximum height may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the criteria specified in the policies for the designation have been met.</u></p> <p><u>3 - Transit Oriented Policy Areas 3 &amp; 4, and Residential Policy Area 3 are not currently subject to this table. Appropriate minimum and maximum heights should be considered and added to this table through a future amendment to this secondary plan.</u></p>	<u>Designation</u>	<u>Policy Area</u>	<u>Minimum Height (storeys or m)</u>	<u>Standard Maximum Height (storeys)</u>	<u>Upper Maximum Height (storeys)</u>	<u>Transit Oriented Corridor</u>	<u>1</u>	<u>3 storeys or 9m</u>	<u>15</u>	<u>22</u>	<u>2A</u>	<u>3 storeys or 9m</u>	<u>8</u>	<u>12</u>	<u>2B</u>	<u>3 storeys or 9m</u>	<u>12</u>	<u>16</u>	<u>Village Core</u>	<u>n/a</u>	<u>2 storeys or 8m</u>	<u>4</u>	<u>n/a</u>	<u>Residential Area</u>	<u>1A</u>	<u>2 storeys or 8m</u>	<u>4</u>	<u>n/a</u>	<u>1B</u>	<u>3 storeys or 9m</u>	<u>8</u>	<u>12</u>	<u>2</u>	<u>2 storeys or 8m</u>	<u>4</u>	<u>6</u>	Add policies and table 1 which provide a clearer overview of the permitted heights within the plan.
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Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.2 Village Core Designation	3.2 Village Core Designation i) Function and Purpose ii) Character <del>iii) Applications To Expand, Add or Modify</del> <del>3.2.1 Village Core Policy Area 1— Main Street/Live-Work</del> <del>i) Intent</del> ii) <del>iii)</del> Permitted Uses iii) <del>iv)</del> Built Form and Intensity iv) <del>v)</del> Transportation v) <del>vi)</del> Applications To Expand, Add or Modify	Reorganize Village Core Designation to not have any sub areas.
Character Area Land Use Designations	20.4.3.2 Village Core Designation i)	<del>The Village Core is made up of three sub-areas, as follows:</del> <del>a) Main Street/Live-Work;</del> <del>b) Mixed-Use Office; and,</del> <del>c) Mixed-Use Residential.</del>	Remove references to the sub areas
Character Area Land Use Designations	20.4.3.2 Village Core Designation iii)	<del>Applications To Expand, Add or Modify</del> <del>Applications to add or to expand the Village Core Designation, will be evaluated based on the following criteria, in addition to all other policies included in this Secondary Plan:</del> <del>a) A demonstrated demand/need to extend or add to the designation, considering the supply of land within the designation that is not currently developed;</del> <del>b) A location that is contiguous with the existing Village Core Policy Area 1 designation; and,</del> <del>c) A location that will benefit the Cultural Heritage Landscape as the major focal point for the community.</del> <del>d) Where applicable, Planning Impact Analysis Policies in Section 5.4 of the Official Plan shall apply.</del>	Section is moved to after the policies from the former Village Core Policy Area 1
Character Area Land Use Designations	20.4.3.2.1 Village Core Policy Area 1	<del>Village Core Policy Area 1— Main Street/Live-Work</del> <del>i) Intent</del> <del>The intent of the Village Core Policy Area 1 designation is to allow for the development of a live-work residential area within a pedestrian-oriented main street environment. The Village Core Policy Area 1 is located along the major east-west entrance into the community and abuts the central open space, providing for easy access to all residents and generating activity that will support this central community focal point.</del>	Removal of sub areas, and the 'intent' section as this is repetitive of the sections 3.2 i) and ii)

Chapter	Section	Modification	Summary of change
Character Area Land Use Designation	20.4.3.2.1 Village Core Policy Area 1 ii)	<p><del>ii) iii)</del> Permitted Uses</p> <p><u>a) A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.</u></p> <p><u>b) Mixed-use buildings are the preferred form of development with active ground floor commercial uses and residential uses above.</u></p> <p><u>c) New stand-alone, single-tenant commercial buildings are not permitted.</u></p>	Delete existing section and replace with language consistent with London Plan and recent Secondary Plans.
Character Area Land Use Designation	20.4.3.2.1 iii) Village Core Policy Area 1 a) – f)	<p><del>iii) iv)</del> Built Form and Intensity</p> <p>a) Building floorplates shall be designed to accommodate retail or commercial uses at grade with residential uses located at, or above, grade.</p> <p><del>b) Residential development shall not exceed a net density of 75 units per hectare.</del></p> <p><del>c) b) The maximum permitted heights shall be up to 4 storeys and the minimum permitted heights shall be 2 storeys or 8 metres, as identified in Schedule 4 and Table 1 of this Plan. The built form shall be of a low-rise height. Schedule 4 identifies the height limits within this area.</del> The proposed development will provide a transition between the heritage area surrounding the Infirmary building and the higher-rise built form along Highbury Avenue North.</p> <p><del>d) c)</del> The ground floor of the residential units within the Village Core <del>Policy Area 1</del> designation shall be designed and constructed in a manner which ensures flexibility and adaptability over time <u>for commercial uses</u>. In no instance shall the entire building be used exclusively for a non-residential use; <del>however, the entire building may be used for residential purposes.</del></p> <p><del>e) d)</del> Large windows, patio space and canopies are encouraged to be incorporated into the building's ground level. Rooftop patios and balconies are encouraged and shall be considered as amenity areas for residents within mixed use buildings.</p> <p><del>f) e)</del> Buildings should be designed with defined spaces for signage that respects the building's scale, architectural features and the established streetscape design objectives.</p>	<p>a) is deleted as uses are specified in ii) above.</p> <p>b) is deleted, densities are to be controlled through building height policies consistent with the approach taken in the London Plan and other recent secondary plans.</p> <p>c) is deleted and replaced with policies consistent with the approach taken in the London Plan and other recent secondary plans.</p> <p>d) reference to policy area is removed</p> <p>e) and f) are renumbered</p>
Character Area Land Use Designation	20.4.3.2.1 Village Core Policy Area 1 iv) a)	<p>a) It is intended that the primary mode of transportation within the Community will be by walking or cycling. Parking shall not be allowed within the front yard of any buildings within the Village Core <del>Policy Area 1</del> designation. A limited amount of parking may be provided in the rear yard of live-work uses for the associated residential component of these uses.</p> <p><del>a) Business parking will be directed to on-street locations.</del></p>	Remove reference to sub area, remove direction for on-street parking to allow for more flexibility in road design and encourage tree retention.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designation	20.4.3.2.1 Village Core Designation	<p><u>vi) Applications To Expand, Add or Modify Applications to add or to expand the Village Core Designation, will be evaluated based on the following criteria, in addition to all other policies included in this Secondary Plan:</u></p> <p><u>a) A demonstrated demand/need to extend or add to the designation, considering the supply of land within the designation that is not currently developed;</u></p> <p><u>b) A location that is contiguous with the existing Village Core Policy designation; and,</u></p> <p><u>c) A location that will benefit the Cultural Heritage Landscape as the major focal point for the community.</u></p> <p><u>d) <del>Where applicable, Planning Impact Analysis Policies in Section 5.4 of the Official Plan</del> The Evaluation Criteria for the Planning and Development Applications policies in the Our Tools part of The London Plan shall apply.</u></p>	Move policies to end of the Village Core Designation, remove reference to 1989 Official Plan policy.
Character Area Land Use Designation	20.4.3.2.2 - 20.4.3.2.3 Village Core Policy Area 2 & 3	Delete 'Village Core Policy Area 2 – Mixed Use Office' and 'Village Core Policy Area 3 – Mixed Use Residential' sections in their entirety including all headings, subheadings, and policies.	Remove unused sub areas of the Village Core designation.
Character Area Land Use Designation	20.4.3.3 Transit-Oriented Corridor Designation i)	<p>[First paragraph]</p> <p>The purpose of the Transit-Oriented Corridor designation is to focus residential and commercial uses along transit routes consistent with <u>the role of the Transit Village and</u> the Province of Ontario's "Transit Supportive Guidelines". It is also consistent with the emphasis on walking and bicycling for this Community. Transit-Oriented Corridors are intended to allow for the creation of a band of residential and mixed use development at medium and high densities to support transit along Highbury Avenue North, Oxford Street East and Dundas Street. More substantial amounts of retail development, at grade, will be directed to <del>arterial road</del> intersections <u>with a rapid transit station</u>. Stand-alone commercial uses will not be permitted</p>	<p>Add reference to Transit Village in the London Plan.</p> <p>Removal of the 1989 Official Plan road classification reference.</p>
Character Area Land Use Designation	20.4.3.3 Transit-Oriented Corridor Designation i)	<p>[Second paragraph]</p> <p>The Transit-oriented Corridor designation is made up of <del>three</del> <u>four</u> sub-areas, as follows:</p> <p>a) <del>Mixed Use Highest Intensity;</del></p> <p>b) High-rise <del>Residential;</del> <u>and,</u></p> <p>c) Mid-rise <del>Mixed Use;</del> <u>and</u></p> <p>d) <del>Dundas &amp; Highbury.</del></p>	Rename policy areas within the Transit-Oriented Corridor Designation to better describe their form and function.
Character Area Land Use Designation	20.4.3.3 Transit-Oriented Corridor Designation ii)	Public rights-of-ways in the Transit-Oriented Corridor Area will be of an urban character, primarily designed to support walking and street oriented retail. Boulevards <del>will</del> <u>should</u> consist entirely of hard surface treatment and provide opportunities for landscaping, such as street trees and furniture, to create a vibrant urban main street context.	Allow flexibility

Chapter	Section	Modification	Summary of change
Character Area Land Use Designation	20.4.3.3.1 Transit-Oriented Corridor Policy Area 1 i)	This designation is applied to the major intersections of Highbury Avenue North at <del>both Oxford Street East and Dundas Street</del> , <u>and portions of the adjacent corridors along Oxford Street East and Highbury Avenue North</u> and will support the greatest level of commercial <u>and residential</u> use intensity in the Plan.	Identify that the policy area extends along the rapid transit boulevards near the intersections.  Dundas & Highbury is moved to a new Policy Area with the existing policy framework.
Character Area Land Use Designation	20.4.3.3.1 Transit-Oriented Corridor Policy Area 1 ii)	Permitted uses in the Transit-Oriented Corridor Policy Area 1 designation shall include: <del>townhouses, stacked townhouses, mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, and seniors residences. In addition, small scale office uses with a maximum total floor area of 2,000 m2 or less within each building, will be permitted. Secondary uses will also be permitted only on the ground floor of those buildings fronting onto Dundas Street, Highbury Avenue North, or Oxford Street East, including, but not limited to: personal services, food stores, retail stores, financial institutions, convenience stores, day care centres, pharmacies, studios and galleries, specialty food stores and fitness and wellness establishments.</del> <u>a) A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.</u> <u>b) Development will be required to take the form of mixed-use buildings with active ground floor commercial uses and residential uses above. Some commercial uses or other secondary uses may also be permitted within the podium of the building.</u> <u>c) New single-storey, stand-alone commercial, retail and other non-residential buildings are not permitted.</u>	Update permitted use with similar language to that used in the London Plan and other recent secondary plans. Limit on office space is moved to general land use policies in Section 3.1.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designation	20.4.3.3.1 Transit-Oriented Corridor Policy Area 1 iii) a) – b)	<p><del>a) Net residential densities will normally be less than 150 units per hectare.</del></p> <p><del>b) A residential density exceeding 150 units per hectare may be permitted through a site specific zoning by-law amendment and site plan application, and the associated urban design review. Additional criteria for increasing density are specified in Section 3.4.3 ii) b – e) – Scale of Development, in the Official Plan.</del></p> <p><u>a) Within the Transit-Oriented Corridor Designation Policy Area 1, the maximum permitted heights for High-Rise buildings shall be up to 15 storeys, and the minimum permitted heights shall be 3 storeys, as shown on Schedule 4 and Table 1 of this Plan.</u></p> <p><u>b) Heights exceeding 15 storeys, up to 22 storeys, may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:</u></p> <ol style="list-style-type: none"> <li><u>1. The development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.</u></li> <li><u>2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.</u></li> <li><u>3. Conformity with the Urban Design policies of this Plan and City Design policies of The London Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing standards for the planning area; and</u></li> <li><u>4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.</u></li> </ol>	Replace density requirements with maximum and minimum height permissions using similar language to that used in the London Plan and other recent secondary plans.
Character Area Land Use Designation	20.4.3.3.1 Transit-Oriented Corridor Policy Area 1 iii) d)	<del>d) The built form shall be of a mid-rise to high-rise height as shown in Schedule 4 of this Plan.</del>	Language merged into a).
Character Area Land Use Designation	20.4.3.3.2 Transit-Oriented Corridor Policy Area 2	<del>20.4.3.3.2</del> <u>3.3.2</u> Transit- Oriented Corridor Policy Area 2 – High-rise <del>Residential</del>	Rename section.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designation	20.4.3.3.2 Transit-Oriented Corridor Policy Area 2 i)	<p>This designation is applied to Highbury Avenue North <u>frontage near the Village Core Designation and along Oxford Street East frontage near the Rapid Transit Corridor Place Type</u> to provide for transit-oriented, mid to high-rise, <del>residential</del> <u>mixed-use</u> development that <del>is not mixed use in nature will support a transition to the more intense development within Policy Area 1 designations.</del></p> <p><u>The Transit-Oriented Corridor Policy Area 2 – High Rise is further divided into two sub areas, as shown on Schedule 3 of this Plan:</u></p> <ul style="list-style-type: none"> <li><u>a) Policy Area 1A: lands on the north and south side of the main Highbury Avenue North entrance to the London Psychiatric Hospital Lands</u></li> <li><u>b) Policy Area 1B: lands to the north of the main Highbury Avenue North entrance, as well as the lands in the north east corner of the Secondary Plan, adjacent to the Rapid Transit Corridor Place Type.</u></li> </ul>	Identify Policy Area 2 as applying to the lands adjacent to the Village Core, and in the Northeast corner.
Character Area Land Use Designation	20.4.3.3.2 Transit-Oriented Corridor Policy Area 2 ii)	<p>Permitted uses in the Transit-Oriented Corridor Policy Area 2 designation shall include: <del>mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, and seniors residences.</del></p> <ul style="list-style-type: none"> <li><u>a) A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.</u></li> <li><u>b) Development will be required to take the form of mixed-use buildings with active ground floor commercial uses and residential uses above. Some commercial uses or other secondary uses may also be permitted within the podium of the building.</u></li> <li><u>c) New single-storey, stand-alone commercial, retail and other non-residential buildings are not permitted.</u></li> </ul>	Update permitted use with similar language to that used in the London Plan and other recent secondary plans.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designation	20.4.3.3.2 Transit-Oriented Corridor Policy Area 2 iii)	<p>Built Form and Intensity</p> <p><del>a) Net residential densities will normally be less than 150 units per hectare.</del></p> <p><del>b) A residential density exceeding 150 units per hectare may be permitted through a site specific zoning by-law amendment and site plan application, and the associated urban design review. Additional criteria for increasing density are specified in Section 3.4.3 ii) b-e) - Scale of Development, in the Official Plan.</del></p> <p><u>a) The maximum and minimum heights the maximum permitted heights within Policy Area 2 are as shown on Schedule 4 and Table 1 of this Plan:</u></p> <ol style="list-style-type: none"> <li><u>1. Within the Transit-Oriented Corridor Policy Area 2A the maximum permitted heights shall be 8 storeys, and the minimum permitted heights shall be 3 storeys; and</u></li> <li><u>2. Within the Transit-Oriented Corridor Policy Area 2B the maximum permitted heights shall be 12 storeys, and the minimum permitted heights shall be 3 storeys.</u></li> </ol> <p><u>b) Within the Transit-Oriented Corridor Policy Area 2A, heights exceeding 8 storeys up to 12 storeys; and within Policy Area 2B, heights exceeding 12 storeys up to 16 storeys may be permitted through a site specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:</u></p> <ol style="list-style-type: none"> <li><u>1. The development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.</u></li> <li><u>2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.</u></li> <li><u>3. Conformity with the Urban Design policies of this Plan and City Design policies of The London Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing standards for the planning area; and</u></li> <li><u>4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.</u></li> </ol> <p><u>c) The frontage of buildings located on Highbury Avenue North and Oxford Street East, shall be designed to accommodate secondary uses at grade</u></p> <p><del>d) ↪</del> Corner sites or areas connecting to parking facilities are encouraged to incorporate forecourts or mid-block connections that may be private, but provide for public access and amenity.</p>	Update permitted use with similar language to that used in the London Plan and other recent secondary plans.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.3.3 Transit-Oriented Corridor Policy Area 3 ii) b)	[first paragraph] Permitted uses in the Transit-Oriented Corridor Policy Area 3 include <u>multiple-attached dwellings, such as townhouses or cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged</u> <del>those primary uses permitted in the Multi-family, Medium Density Residential designation of the Official Plan.</del> -This Policy Area is divided by the Treed Allée with specific policies for each side.	Removal of the 1989 Official Plan policy section reference.
Character Area Land Use Designations	20.4.3.3.3 Transit-Oriented Corridor Policy Area 3 iii) b)	[Third bullet] <del>3.</del> Conformity with the <del>policies of Section 11.1 of the Official Plan</del> <u>City Design policies of The London Plan</u> and this Secondary Plan shall be demonstrated through the preparation of a concept plan of the site that exceed the prevailing standards for the planning area; and,	Removal of the 1989 Official Plan policy section reference.
Character Area Land Use Designations	20.4.3.3.3 Transit-Oriented Designation	<u>3.3.4 Transit-Oriented Corridor Policy Area 4 – Dundas &amp; Highbury</u>  <u>i) Intent</u> <u>This designation is applied to the major intersection of Highbury Avenue North and Dundas Street and will support the greatest level of commercial use intensity in the Plan.</u>  <u>ii) Permitted Uses</u> <u>Permitted uses in the Transit-Oriented Corridor Policy Area 4 designation shall include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, and seniors residences. In addition, small scale office uses with a maximum total floor area of 2,000 m<sup>2</sup> or less within each building, will be permitted. Secondary uses will also be permitted only on the ground floor of those buildings fronting onto Dundas Street or Highbury Avenue North, including, but not limited to: personal services, food stores, retail stores, financial institutions, convenience stores, day care centres, pharmacies, studios and galleries, specialty food stores and fitness and wellness establishments.</u>	Maintain existing policies from Transit Oriented Corridor Policy Area 1 for the lands at Dundas St & Highbury Ave. Description of where this is applied is updated. Permitted uses are updated to remove reference to 1989 Official Plan designations.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.3.3 Transit-Oriented Designation	<p><u>iii) Built Form and Intensity</u></p> <p><u>a) Net residential densities will normally be less than 150 units per hectare.</u></p> <p><u>b) A residential density exceeding 150 units per hectare may be permitted through a site specific zoning by-law amendment and site plan application, and the associated urban design review where the following criteria have been met:</u></p> <ol style="list-style-type: none"> <li><u>1. The development shall include provision for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.</u></li> <li><u>2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.</u></li> <li><u>3. A high level of urban design shall be demonstrated through the preparation of a concept plan of the site which exceed the prevailing standards; and</u></li> <li><u>4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.</u></li> </ol>	Reference to 1989 Official Plan is removed and criteria is included in the Secondary Plan.
Character Area Land Use Designations	20.4.3.3.3 Transit-Oriented Designation	<p><u>c) The frontage of buildings located on Dundas Street and Highbury Avenue North, shall be designed to accommodate secondary uses at grade.</u></p> <p><u>d) The built form shall be of a mid-rise to high-rise height as shown in Schedule 4 of this Plan.</u></p> <p><u>e) Corner sites or areas connecting to parking facilities are encouraged to incorporate forecourts or mid-block connections that may be private, but provide for public access and amenity.</u></p> <p><u>f) Large windows, patio space and canopies are encouraged to be incorporated into the building's ground level. Rooftop patios and balconies are encouraged and shall be considered as amenity areas for residents within mixed use buildings.</u></p> <p><u>g) Buildings should be designed with defined spaces to accommodate signage that respects the building's scale, architectural features and the established streetscape design objectives.</u></p>	
Character Area Land Use Designations	20.4.3.4 Academic Area Designation	Remove entire section	Remove entire Academic area section as Fanshawe College is not looking to expand in this area in the future.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.5 Residential Area Designation	<p><u>iii) Elementary School</u>  <u>It has identified that an elementary school may be required within the London Psychiatric Hospital Secondary Plan. The preferred location shall be within the Residential Area Designation. The design of the school should reflect the dense urban nature envisioned for this Transit Village. It is encouraged that:</u></p> <ul style="list-style-type: none"> <li><u>a) The school shall be designed to complement and conserve the cultural heritage landscape;</u></li> <li><u>b) Alternative school design standards should be considered including multi storey school buildings;</u></li> <li><u>c) Parking requirements should consider the number of planned residential dwellings within close proximity to the school; and</u></li> <li><u>d) The school should be designed consistent with section 1.2 Principles of this Plan, including that walking, bicycling and active transportation should be the primary means of transportation within the community.</u></li> </ul>	Add policies guiding the development of a school within the Residential Area Designation.
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 – North Residential i)	<p>The Residential Policy Area 1 designation will provide for higher-intensity residential uses than the Residential Policy Area 2 designation. The North Residential Neighbourhood is in close proximity to Fanshawe College <del>and the Academic Area designation</del>. Accordingly, certain policies have been established to avoid the potential for near-campus neighbourhood issues.</p> <p><u>The Residential Policy Area 1 – North Residential Neighbourhood is further divided into two sub areas, as shown on Schedule 3 of this Plan:</u></p> <ul style="list-style-type: none"> <li><u>a) Policy Area 1A: a lower density area north of the Infirmary building and south of the east-west cultural heritage landscape, and the lands adjacent to the existing residential community to the east</u></li> <li><u>b) Policy Area 1B: a higher density area to the north of the east-west cultural heritage landscape and south of the Transit Oriented Corridor designation</u></li> </ul>	<p>Remove reference to Academic Area Designation.</p> <p>Differentiate the lower and higher density areas within Policy Area 1.</p>

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 – North Residential ii)	<p><del>The primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan Townhouses, apartment buildings, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged will be permitted, with the exception of: single detached dwellings, duplexes, semi-detached dwellings, rooming and boarding houses and cluster townhouses. Convenience commercial uses and secondary permitted uses allowed in the Multi-family, Medium Density Residential designation shall not be permitted within these areas. Accessory dwelling units in single and semi-detached dwellings shall not be permitted. Single detached, semi-detached and duplex dwellings will only be permitted on the lands immediately adjacent to the Neighbourhood Place type to the east of the Secondary Plan in Policy Area 1A. Ground floor commercial uses within mixed-use residential buildings are encouraged within Policy Area 1B, standalone commercial buildings shall not be permitted.</del></p>	<p>Removal of the 1989 Official Plan land use designation reference</p> <p>This policy is revised to only list permitted uses.</p> <p>Exception for lower density uses is provided for lands adjacent to low density community to the east.</p>
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 – North Residential iii) a)	<p><u>Delete 20.4.3.5.1 iii) a) and replace with:</u></p> <p><u>a) The maximum and minimum heights the maximum permitted heights within Policy Area 1 are as shown on Schedule 4 and Table 1 of this Plan:</u></p> <p><u>1. Within the Residential Policy Area 1A the maximum permitted heights shall be 4 storeys, and the minimum permitted heights shall be 2 storeys; and</u></p> <p><u>2. Within the residential Policy Area 1B the maximum permitted heights shall be 6 storeys, and the minimum permitted heights shall be 3 storeys.</u></p> <p><u>b) Within Residential Policy Area 1B, heights exceeding 8 storeys up to 12 storeys, may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:</u></p> <p><u>1. The development shall include provisions for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.</u></p> <p><u>2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.</u></p> <p><u>3. Conformity with the Urban Design policies of this Plan and City Design policies of The London Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing standards for the planning area; and</u></p> <p><u>4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.</u></p> <p><u>c) Development shall not be permitted at a residential density of less than 30 units per hectare Residential Policy Area 1A and 45 units per hectare for Residential Policy Area 1B.</u></p>	<p>Policies restricting development based on density are replaced with policies requiring minimum and maximum heights for all development. A minimum density is maintain at 30 units per hectare.</p>

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 iii) b)	<del>b)-d)</del> No dwelling unit shall contain more than <u>three (3) bedrooms, excluding apartment units. Where an Additional Residential Unit is provided consistent with the policies of the London Plan, a total of up to five (5) bedrooms may be permitted between all units on the lot.</u>	Renumber policy. Allow additional bedrooms only where an Additional Residential Unit is provided.
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 iii) c)	<del>e)-e)</del> A variety of townhouses forms including 2-storey townhouses, 3-storey townhouses and stacked townhouses is encouraged. <del>Row houses</del> <u>Townhouses</u> shall be limited to a maximum of <del>6-8</del> attached units to ensure breaks in the street wall. Developments proposed through site plan applications will provide variety and interest by varying façade designs, building materials, fenestration, and colour from townhouse block to townhouse block.	Renumber policy, Addition of hyphens. The maximum number of units within a townhouse is increased from 6 to 8 units.
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 iii) d)-f)	<u>Renumber from d)-f) to f)-h)</u>	Renumber policies.
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 iii) g)	<del>g)-i)</del> Built form that is <del>3-3</del> -storeys or greater and is not a townhouse unit located at a corner site shall provide for a building entrance, massing, articulation and height that pronounces the corner.	Renumber policy, add hyphen.
Character Area Land Use Designations	20.4.3.5.1 Residential Policy Area 1 iii) h)-k)	<u>Renumber from h)-l) to j)-n)</u>	Renumber policies.
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential i)	The Residential Policy Area 2 designation will provide for slightly lower-intensity residential uses than the Residential Policy Area 1 designation. <u>Residential development will be oriented towards and be considerate of the cultural heritage landscapes, and will be designed to mitigate noise impacts from adjacent transportation corridors and land uses.</u>	Expand explanation of intent to recognise the key organising factors impacting development within the Policy Area.
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential ii)	Delete and replace the policies for “Permitted Uses” with the following: <u>Townhouses, low-rise apartment buildings, emergency care facilities, converted dwellings, small-scale nursing homes, and rest homes and homes for the aged will be permitted. Single-detached and semi-detached dwellings may be permitted south of Street ‘A’ and east of the Treed Allée. Additional Residential Units, consistent with the policies of the London Plan, should be incorporated into the design of all single detached and semi-detached dwellings.</u>	List uses that are permitted, instead of the ones that are not. Only permit single and semi-detached dwelling in limited areas and encourage that they also incorporate additional residential units.

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential iii) a)	<p><u>Delete 20.4.3.5.2 iii) a) and replace with:</u></p> <p><u>a) The maximum and minimum heights the maximum permitted heights within Policy Area 2 are as shown on Schedule 4 of this Plan: the maximum permitted heights shall be 4 storeys, and the minimum permitted heights shall be 2 storeys.</u></p> <p><u>b) Within Residential Policy Area 2, on areas shown on Schedule 4 of this Plan, heights exceeding 4 storeys up to 6 storeys, may be permitted through a site-specific zoning by-law amendment and site plan application, and the associated urban design review, where the following criteria have been met:</u></p> <ol style="list-style-type: none"> <li><u>1. The development shall include provisions for unique attributes and/or amenities that may not be normally provided in lower density projects for public benefit such as, but not limited to, enhanced open space and recreational facilities, innovative forms and housing and architectural design features.</u></li> <li><u>2. Parking facilities shall be designed to minimize the visual impact off-site, and provide for enhanced amenity and recreation areas for the residents of the development.</u></li> <li><u>3. Conformity with the Urban Design policies of this Plan and City Design policies of The London Plan shall be demonstrated through the preparation of a concept plan of the site that exceeds the prevailing standards for the planning area; and</u></li> <li><u>4. The final approval of zoning shall be withheld pending a public participation meeting on the site plan and the enactment of a satisfactory agreement with the City.</u></li> </ol> <p><u>c) Development shall not be permitted at a residential density of less than 25 units per hectare for any area of the Residential Policy Area 2.</u></p>	<p>Policies restricting development based on density are replaced with policies requiring minimum and maximum heights for all development.</p> <p>The minimum density is increased from 15 units per hectare to 25 units per hectare.</p>
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential iii) b)	<p><u>b)-d) No dwelling unit shall contain more than 3 bedrooms excluding apartment units. Where an Additional Residential Unit is provided consistent with the policies of the London Plan, a total of up to five (5) bedrooms may be permitted between all units on the lot.</u></p>	<p>Policy is renumbered, an exception to the bedroom limit similar to near campus neighbourhood policies is maintained, but an exception is granted for units within apartment buildings.</p>
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential iii) c)	<p><u>e)-e) Plans of subdivision shall accommodate a diversity of building types. A variety of townhouse forms including 2-2-storey townhouses, 3-3-storey townhouses and stacked townhouses is encouraged. Row houses Townhouses shall be limited to a maximum of 6-8 attached units to ensure breaks in the street wall. Developments proposed through site plan applications will should provide variety and interest by varying façade designs, building materials, fenestration, and colour from townhouse block to townhouse block.</u></p>	<p>Renumber policy, addition of hyphens.</p> <p>Maximum number of units in a townhouse is increased from 6 to 8 units.</p>

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential iii) d)	Renumber from d)-l) to f)-n)	Renumber policy.  g) Policy is maintained as is, the Treed Allée is the key feature in this area of the plan, views to the Allée are to be maintained. The trees will be maintained and managed over time consistent with the Strategic Conservation Plan and the Heritage Conservation Easement.
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential iii) m)	Delete policy, addressed through d) above.	Delete policy, number of bedrooms can be increased if additional residential unit is provided consistent with d) above.
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential iv) a)	a) In the portions of the South Neighbourhood <del>that about the “Cultural Heritage” designation,</del> driveway access to dwelling units may be limited. <u>Areas in which no driveway access is permitted are identified as “Restricted Driveway Access” on Schedule 8 of this Plan. Areas in which limited driveway access is permitted are identified as “Limited Driveway Access” on Schedule 8 of this Plan illustrates areas in which limited driveway access is permitted, and areas in which no driveway access is permitted.</u> In limited access areas a shared driveway to multi-unit development may be permitted; however individual driveways to lower density units shall not be permitted.	Correct name of the Heritage designation.  Clarify the language on restricted and limited access driveway areas.
Character Area Land Use Designations	20.4.3.5.2 Residential Policy Area 2 – South Residential v) d)	All noise policies within the general policies of this Secondary Plan and <del>the City of London Official Plan</del> <u>The London Plan</u> .	Removal of the reference to the 1989 Official Plan
Character Area Land Use Designations	20.4.3.6 Heritage Area i) e)	[Second paragraph] e) Horse Stable; <u>and,</u>	Punctuation

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.6 Heritage Area iii)	The restoration and sensitive adaptation of significant heritage buildings for contemporary urban uses is encouraged. <del>The Infirmary Building should be considered for office and/or institutional uses, which may include an interpretive centre. The continued use of the Chapel of Hope as a place of worship, and the Recreation Hall for community uses is preferred. The stable should be adapted for food or farming-related uses such as a market, restaurant and/or educational centre. The possible use of the stable for horticultural purposes associated with an established educational facility is encouraged.</del> The Cultural Heritage Landscape is intended to be used for passive recreational uses and programmable events. <u>Consideration for low impact recreational uses, such as sports fields, which do not require significant built structures may also be considered.</u> In the area surrounding the Horse Stable, educational facilities related to horticulture or agriculture and/or community gardens, as shown on Schedule 2, may also be permitted.	Remove speculative language.
Character Area Land Use Designations	20.4.3.6 Heritage Area iv) a)	Specific urban design policies for the interface between heritage areas and new development are found in Section <del>20.4.4.10</del> <u>5.0</u> Urban Design, of this plan.	Removal of the S.20.4 reference
Character Area Land Use Designations	20.4.3.6 Heritage Area iv) c)	[Forth and fifth bullets] <del>4.</del> Manicured lawns with specimen trees adjacent to the Infirmary Building, Chapel and Recreation Hall; <del>5.</del> Where possible, priority trees to be conserved include the ring of trees which surround the traffic circle, the row of trees which line the southern edge of the historic ring road, the two parallel rows of trees that extend northward from the rear of the Infirmary and the rows of trees which line both sides of the road that extends east-west through the site, south of the Horse Stable, as shown on Schedule 5; <u>and.</u>	Punctuation (removal of periods and addition of semicolons)
Character Area Land Use Designations	20.4.3.6 Heritage Area iv) d)	[Third bullet] <del>3.</del> A prominent street within the property should be named after Dr. Richard Bucke (superintendent, 1877-1902), if possible; <u>and.</u>	Addition of the word “and”
Character Area Land Use Designations	20.4.3.6 Heritage Area iv) e)	e) As trees mature and require replacement, new trees should be planted close to the original position. Within the Allée, the replacement trees must be added in the same north/south alignment in order to maintain the existing definitive rows. Replanting of trees shall be based on the variety of species historically planted on the site, with the exception of ash trees. There should continue to be a variety of larger native and non-native trees, deciduous and coniferous species, that will create scale, provide shade and frame views. <u>Tree replacement shall be consistent with Section 4.11 of this Plan.</u>	Add policies clarifying the replacement of trees within and outside of heritage areas of the plan. Policies are design to encourage development which prioritizes the preservation of mature trees within heritage areas.
Character Area Land Use Designations	20.4.3.6 Heritage Area vii) c)	Large surface parking lots shall not be permitted within this designation. <del>On-street</del> <u>Underground</u> parking in close proximity to these areas is encouraged.	

Chapter	Section	Modification	Summary of change
Character Area Land Use Designations	20.4.3.6 Heritage Area viii)	<del>Prior to the disposition</del> <u>The redevelopment or adaptive reuse</u> of lands or structures designated as Provincially Significant <u>and the development of adjacent lands shall be</u> in accordance with the <del>Final</del> approved <u>Strategic</u> Conservation Plan ( <u>SCP</u> ). <del>, December 2008, prepared by Julian Smith and Associates, The SCP shall be</del> a stewardship plan shall be completed in accordance with Provincial policies and procedures. <del>The stewardship plan shall identify which identifies</del> how these Provincially Significant features are to be maintained, the costs associated with the maintenance and identify sources of funding to cover the maintenance costs.	Update language referring to the role of the Strategic Conservation Plan.
Character Area Land Use Designations	20.4.3.7.1 Open Space Policy Area 1 iii) b)	Buildings shall be designed to be compatible with the surrounding architectural character of the cultural heritage landscape and heritage buildings, subject to <del>Section 20.4.4.10 (v)</del> <u>policy 4.10 v)</u> of this Plan.	Removal of the S. 20.4 reference
Character Area Land Use Designations	20.4.3.7.2 Open Space Policy Area 2 i)	Any changes proposed for the wetland shall be subject to the Natural Heritage policies contained in <del>Chapter 15 – Environmental Policies, of the Official Plan</del> <u>the Environmental Policies part of The London Plan.</u>	Removal of the 1989 Official Plan policy chapter reference
Character Area Land Use Designations	20.4.3.7.3 Open Space Policy Area 3 i)	[First paragraph] An Official Plan Amendment may be required subject to the Interpretation Policies as set out in Section <del>20.4.5.11</del> <u>6.11</u> of this Plan.	Removal of the S. 20 4 reference
General Policies	20.4.4	<del>20.4.4</del> <u>4.0</u> General Policies	20.4.4 is replaced with 4.0 on the top.
General Policies	20.4.4.1 through 20.4.4.10	<del>20.4.4.1</del> <u>4.1</u> Heritage and Archaeology <del>20.4.4.2</del> <u>4.2</u> Housing <del>20.4.4.3</del> <u>4.3</u> Noise/Land Use Compatibility <del>20.4.4.4</del> <u>4.4</u> Sustainable/“Green” Development <del>20.4.4.5</del> <u>4.5</u> Community Parkland <del>20.4.4.6</del> <u>4.6</u> Parkland Dedication <del>20.4.4.7</del> <u>4.7</u> Natural Heritage <del>20.4.4.8</del> <u>4.8</u> Stormwater Management <del>20.4.4.9</del> <u>4.9</u> Transportation <del>20.4.4.10</del> <u>5.0</u> Urban Design	Subsections under new Section 4.0 are renumbered to appropriate numbers (4.1 through 4.10).
General Policies	20.4.4.1 Heritage and Archaeology i)	Prior to <del>disposition</del> <u>the development</u> of the London Psychiatric Hospital property or the demolition of any of the buildings or structures on the property, the approval of the Province of Ontario in accordance with Provincial policies and guidelines may be required.	

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.2 Housing i)	<p><del>Housing Mix and Affordability Affordable Housing</del></p> <p>The LPHSP <del>lands provide represents</del> an opportunity to contribute to the supply of affordable housing and <del>may</del> assist the City in meeting its target for provision of affordable housing. <u>Development within the plan area will contribute to providing accessible, affordable, and quality housing options that people will want to live in. It is the objective of this Plan that a minimum 25% of all new residential development within the entire plan area meet the Provincial definition of affordable housing. The City will work with other government agencies, the not-for-profit sector, and private developers to promote innovative housing forms, development techniques, and incentives that will facilitate the provision of affordable housing. The following policies shall also apply to all lands within the LPHSP-lands:</u></p>	Update Affordable Housing policies to reflect policies of recent secondary plans and the London Plan.
General Policies	20.4.4.2 Housing i) a)	<p>a) <u>Provide for a range and mix of housing types, including affordable forms of housing, to achieve a balanced residential community.</u></p> <p>b) <del>Almost all 35% of the</del> new housing units <del>on the LPH lands</del> within the LPHSP will be in forms other than single detached dwellings.</p> <p>c) <u>Provide live/work opportunities for people to live near current or future jobs in the plan area.</u></p> <p>d) <u>New mid-rise and high-rise developments shall include a mixture of unit sizes and configurations, including a mix of bachelor, 1, 2, and 3-bedroom units.</u></p> <p>e) <u>Grade-related multi-level units, townhouse-style units and live/work units should be incorporated into the base of mid-rise and high-rise residential development along appropriate street frontages to promote walkability, activation and different dwelling style choices.</u></p>	Update Affordable Housing policies to reflect policies of recent secondary plans and the London Plan.
General Policies	20.4.4.2 Housing i) b) – d)	<p><del>b)-f) Each site-specific development proposal will be assessed on its ability to contribute to objective that 25% of all new units meet the Province’s definition of affordable housing. Where appropriate, density bonusing will be considered for proposals that have an affordable housing component above 25% of the total dwelling count in any one development.</del></p> <p><del>e)-g) Affordable housing units within market housing buildings shall be integrated with shared lobbies and amenities. Opportunities for affordable housing shall be integrated into neighbourhoods and developments that also provide for regular market housing.</del></p> <p><del>d) A wide range of unit sizes within multiple-unit buildings will be encouraged in discussions with development proponents</del></p>	Update Affordable Housing policies to reflect policies of recent secondary plans and the London Plan. Remove reference to bonussing.

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.2 Housing i)	<p><u>h) The indoor and outdoor communal amenity spaces included in new developments should support a variety of age groups, including children, adults, seniors and families.</u></p> <p><u>i) Secure and convenient storage areas are encouraged for strollers, mobility aids and other equipment to support the needs of a diverse population.</u></p> <p><u>j) Available tools and provisions under the Planning Act, such inclusionary zoning, will be used to secure affordable housing units at the time of development applications.</u></p> <p><u>k) The utilization of innovative design features, construction techniques, or other tenure arrangements for residential developments, to broaden the provision of affordable housing will be encouraged.</u></p>	Update Affordable Housing policies to reflect policies of recent secondary plans and the London Plan.
General Policies	20.4.4.2 Housing ii)	The City may pre-zone specific areas of <del>the Multi-Family, Medium Density Village Core, Transit-Oriented Corridor and</del> Residential <u>Area</u> designations to permit small scale nursing homes, homes for the aged, rest homes, and continuum-of-care facilities. These zones should be in close proximity to the “Village Core” designation. Additional permitted uses may be restricted to ensure development of such facilities within the LPH lands.	The Transit Village Place Type permits a broad range of residential, retail, service, hospitality, institutional, etc. Village Core, Transit-Oriented Corridor and Residential designations permit these uses in the Secondary Plan.
General Policies	20.4.4.2 Housing iii)	<p>iii) Providing for Positive Near Campus Housing</p> <p>To provide for positive forms of near campus housing and to mitigate the potential for issues that can occur in near-campus neighbourhoods the following policies will apply:</p> <p><del>a) Provision will be made for purpose-built dormitories within the Satellite Campus Residences Policy Area, in close proximity to Fanshawe College.</del></p> <p><del>b) a) Special policies in the Multi-Family, Medium Density Residential Area D designation</del> limit the number of bedrooms per unit and limit single-detached and semi-detached dwellings to the south neighbourhood of the Plan <u>and the lands immediately adjacent to the Neighbourhood Place type to the east.</u> This will be implemented through the City’s zoning by-law.</p>	Removal of policies related to Academic Area, Removal of the 1989 Official Plan land use designation reference, add permission for single detached and semi-detached dwellings adjacent to Neighbourhood Place Type to the east.
General Policies	20.4.4.3 Noise/Land Use Compatibility i)	The Secondary Plan area is bisected by two rail lines. Rail noise shall be addressed subject to policies of <del>the Official Plan</del> <u>The London Plan</u> as well as the following:	Removal of the reference to the 1989 Official Plan
General Policies	20.4.4.3 Noise/Land Use Compatibility i) e)	All noise policies within the general policies of this Secondary Plan <del>and the City of London Official Plan.</del>	Removal of the reference to the 1989 Official Plan  The reference to the London Plan is repeated (see 20.4.4.3.i) above)
General Policies	20.4.4.3 Noise/Land Use Compatibility ii)	Any residential development that is contemplated in proximity to this industrial area shall have regard for the Ministry of Environment, <u>Conservation and Parks’ (MOE)</u> Land Use Compatibility Guidelines.	Housekeeping change to reflect the transition to the Ministry of the Environment, Conservation and Parks

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.3 Noise/Land Use Compatibility ii) a)	On lands within a 300 metre area of influence measured from the west property lines of 535 and 539 Commercial Crescent, and in the presence of a Class II or Class III industrial use at 539 Commercial Crescent and the associated use of the railway siding at 535 Commercial Crescent, sensitive land uses shall be prohibited unless a "Feasibility Analysis" which meets Ministry of Environment, <u>Conservation and Parks</u> guidelines has been completed and the development proposal meets all of the recommendations of the analysis for setbacks and mitigation.	Housekeeping change to reflect the transition to the Ministry of the Environment, Conservation and Parks
General Policies	20.4.4.3 Noise/Land Use Compatibility ii) b)	Should that occur policies in <del>Section 20.4.4.3 (ii) policy 4.3 ii)</del> will no longer apply.	Removal of the S. 20.4 reference
General Policies	20.4.4.4 Sustainable / "Green" Development i) c)	Create livable, healthy and inclusive environments; <u>and,</u>	Grammatical error
General Policies	20.4.4.4 Sustainable / "Green" Development ii) a)	New <u>buildings development</u> should strive to <u>minimize the production of greenhouse gases through sustainable building and site design.</u> <del>achieve LEED certification.</del>	
General Policies	20.4.4.4 Sustainable / "Green" Development ii) f)	Landscaped areas will be maximized and trees will be planted on the right-of-way, <u>and</u> on development sites, <del>and on buildings and structures</del> to reduce the urban heat-island effect, improve air quality, moderate sun and wind, and improve ground water infiltration.	
General Policies	20.4.4.4 Sustainable / "Green" Development ii) h)	New development will incorporate existing mature trees into landscape schemes <u>where possible</u> and appropriate measures should be taken to keep these trees healthy.	

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.5 Community Parkland	Active parkland, cultural parkland and natural parkland are the three components which are recognized by the Open Space designation in this <del>Community</del> <u>Secondary</u> Plan. Active parkland includes such uses as sports fields. Cultural parkland includes the central Allée corridor and the Horse Stables. Natural parkland includes the wetland in the southeast corner of the Community. Parkland may be either under public or private ownership. <del>It is anticipated that there will be approximately 6,000 people living in this community at full build-out.</del>	Typological error
General Policies	20.4.4.5 Community Parkland i)	<del>Chapter 16 of the Official Plan</del> <u>The Parks and Recreation chapter of The London Plan</u> contains the policies which address active parkland. The following additional policies will also apply:	Removal of the 1989 Official Plan policy section reference
General Policies	20.4.4.5 Community Parkland i) a)	Trail development should be focused along the central corridor through the community extending from Dundas Street to Oxford Street East (and beyond) which will include the <del>Grand</del> <u>Treed</u> Allée, Infirmary and central median area.	There is a reference to the “Grand Allee” only in this policy, while the reference to the “Treed Allee” is primarily used throughout the Secondary Plan.
General Policies	20.4.4.6 Parkland Dedication	In addition to the Parkland Conveyance & Levy By-Law, parkland dedication will be achieved through the City’s parkland dedication policies in <del>Section 16.3.2 of the Official Plan</del> <u>the Parkland Acquisition and Dedication polices in the Our Tools part of The London Plan</u> and following additional policies:	Removal of the 1989 Official Plan policy section reference
General Policies	20.4.4.6 Parkland Dedication i)	The components of the Community Parkland identified in Section <del>20.4.4.5</del> <u>4.5</u> and shown as Open Space <del>and Heritage</del> on Schedule 3 of this Secondary Plan shall be dedicated to the City for public park purposes. <del>Some portions of the Heritage designation as shown Schedule 3 may be dedicated to the City for public park purposes.</del>	Removal of the S. 20.4 reference.  The components of the Community Parkland are recognized by the Open Space designation, not together with the Heritage designation.
General Policies	20.4.4.6 Parkland Dedication i) b)	The pathway network shown on Schedule 6 may be treated as pedestrian walkways for the purposes of municipal land dedication under the Planning Act. Lands included in the pathway network in excess of 5m in width <del>will</del> <u>may</u> be recognized as parkland.	
General Policies	20.4.4.6 Parkland Dedication ii)	This Implementation Plan shall be completed by the owner and adopted by City Council in accordance with <del>Section 19.2.2 of the Official Plan</del> <u>the Guidelines Documents section in the Our Tools part of The London Plan</u> , prior to the disposition of the community parkland components. Should the City and <del>Province</del> <u>the applicable property owner</u> both agree, one or more components of the parkland may be transferred to the City or another public proponent in advance of the preparation of the Community Parkland Implementation Plan.	Removal of the 1989 Official Plan policy section reference  Remove reference to the Province as the property owner.
General Policies	20.4.4.7 Natural Heritage	<del>Section 15.2 of the Official Plan</del> <u>The Natural Heritage chapter of The London Plan</u> includes the City’s natural heritage policies.	Removal of the 1989 Official Plan policy section reference

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.7 Natural Heritage i) b), c)	b) Further consultation with the Ministry of Natural Resources <del>and Forestry (MNRF)</del> and the Canadian Wildlife Service will occur during subsequent phases of development to identify, refine and assess the significance of any foraging habitat within the Secondary Plan Area and to determine appropriate measures to mitigate impacts on this habitat; c) Additional monitoring of Chimney Swift activity within the Secondary Plan Area will be undertaken through consultation with the MNRF and Canadian Wildlife Service, with possible participation by Bird Studies Canada, to monitor Chimney Swift activity and determine whether additional structures or habitats are being used by Chimney Swift (roosting, nesting, foraging) within the Secondary Plan Area;	Housekeeping change to reflect the transition to the Ministry of Natural Resources and Forestry
General Policies	20.4.4.7 Natural Heritage iii) a)	The wetland buffer and surrounding open space area north of the existing unevaluated wetland, identified on <del>Schedule B1—Natural Heritage Features, of the City of London Official Plan Map 5 – Natural Heritage of The London Plan</del> will be naturalized. Exceptions may be permitted for a community garden.	Removal of the 1989 Official Plan map schedule reference
General Policies	20.4.4.7 Natural Heritage iii) d)	The EIS will include a fall botanical survey, summer odonata and <del>herpetile</del> <del>herptile</del> survey, delineation of wetland boundaries per the Ontario Wetland Evaluation System protocol and corresponding evaluation of wetland significance.	Typological error (“herpetile”)
General Policies	20.4.4.8 Stormwater Management	[First paragraph] The solution accepted by Council is incorporated into <del>the Official Plan</del> <del>The London Plan</del> as part of this Secondary Plan.	Removal of the reference to the 1989 Official Plan
General Policies	20.4.4.8 Stormwater Management	[Second paragraph] Any development of the LPH lands shall also be consistent with <del>Official Plan policies in Section 17.6 the Storm Drainage and Stormwater Management policies in the Civic Infrastructure chapter of The London Plan.</del>	Removal of the 1989 Official Plan policy section reference
General Policies	20.4.4.9 Transportation	Proposed streets within the Plan consist of both <del>Secondary Collector and Local Streets Neighbourhood Connectors and Neighbourhood Streets</del> that establish the community structure, provide connections to two flanking <del>arterial roads</del> <del>Rapid Transit Boulevards</del> and provide new connections to the adjacent neighbourhood. Use of the transit network, cycling and walking are to be supported through design. Street development shall be in accordance with the Transportation policies specific to individual land use designations, applicable urban design policies in Section <del>20.4.4.10</del> <del>4.10</del> of this plan and the following policies:	Removal of the 1989 Official Plan road references and the S. 20.4 reference.
General Policies	20.4.4.9 Transportation v)	Within these areas, in addition to the Tree Preservation Plan required by <del>Section 20.4.4.7 (ii) policy 4.7 ii)</del> , a tree management and planting strategy shall be established in order to conserve and sustain the significant landscape setting;	Removal of the S. 20.4 reference
General Policies	20.4.4.9 Transportation vi)	<del>Special design treatments</del> <del>Traffic calming measures</del> shall be implemented <del>in areas shown as “Potential Traffic Calming” to the satisfaction of the City</del> to slow or restrict traffic movements and place a priority on pedestrian movements.;	Punctuation. Locations for traffic calming are removed from the Secondary Plan, will be determined at the Draft Plan of Subdivision stage of development.

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.9 Transportation vii)	Traffic controls, including the provision of signalized intersections and turning movement restrictions shall be implemented <del>as shown on Schedule 5</del> <u>as determined by the final approved Transportation Impact Assessment.</u>	Traffic controls will be determined by the final approved TIA
General Policies	20.4.4.9 Transportation viii)	<del>At the subdivision and/or site plan application stage, consideration should be given to the provision for the conveyance and construction of "Possible Future Streets" as shown on Schedule 5 to create future opportunities for connectivity between neighbourhoods should the industrial area evolve to other uses;</del>	Delete policy, all future connections are shown as planned streets on Schedule 5.
General Policies	20.4.4.9 Transportation x), xi) xii)	x) At the subdivision and/or site plan application stage, any land required to accommodate additional through lanes or turn lanes as determined by the Transportation Master Plan, subsequent studies recommended by the Transportation Master Plan or a detailed transportation impact analysis shall be protected in accordance with City requirements.; xi) Design guidelines, including right-of-way cross sections, urban street infrastructure and facilities, plantings, surface treatments, parking and service and utility placement, may be prepared to provide further guidance for the development of public rights-of-way to support pedestrian and cyclist friendly environments for using the public streets, public transit, public parking, cycling and pedestrian networks.; xii) The utilization of on-street parking facilities, <del>both angled and parallel, shall may</del> be incorporated into the design of the public right-of-way surrounding the central green to protect this cultural heritage feature from large surface parking areas.; <del>and,</del>	Punctuation (removal of periods and addition of semicolons for consistency with the other clauses)
General Policies	20.4.4.9 Transportation xiii)	<del>Long stretches of on-street parking shall be broken up with landscaped "bump-outs" On-street parking lay-bys will be a maximum length of 100m measured from start of parking lay-by to start of the next parking lay-by.</del>	
General Policies	20.4.4.9 Transportation	<del>xiv) All long-term bike facilities shall be provided in an easily accessible secure indoor location, located on the ground floor or first floor in below grade vehicle parking, and at established grade (avoid access with steps or steep incline).</del>	

Chapter	Section	Modification	Summary of change
		<p><u>4.10 Protected Major Transit Station Area</u>  <u>Transit Villages like the London Psychiatric Hospital Transit Village are designated as Protected Major Transit Station Areas (PMTSA) in The London Plan, and second only to the downtown for permitted intensity. A higher-level of intensity is envisioned for development in this plan area to support the provision of higher-order transit.</u></p> <p><u>i) The minimum overall intensities for Transit Villages identified in the PMTSA policies of The London Plan shall apply for the entire London Psychiatric Hospital Secondary Plan area, with the exception of: the minimum and maximum heights for all designations in this Plan, and the minimum densities for the Residential Area Designation, for the where the policies of this plan shall prevail.</u></p> <p><u>ii) Large development sites and/or sites that have partial development proposed shall delineate the extent of the development block(s) as part of a Conceptual Master Development Plan to establish a calculable area to apply the minimum standards identified in the Protected Major Transit Station Area policies for tracking purposes.</u></p>	<p>Policies identifying the secondary plan as a Protected Major Transit Station Area are added.</p>
		<p><u>4.11 Forestry</u>  <u>The following policies shall facilitate tree replacement consistent with the London Plan and the Heritage Easement Agreement:</u></p> <p><u>i) The policies of the London Plan 339 4b (one replacement tree for every ten cm of diameter) shall apply to all areas of the Secondary Plan outside of the Heritage Easements and Zones shown in the Strategic Conservation Plan.</u></p> <p><u>ii) Within the Heritage Easements and Zones shown in the Strategic Conservation Plan a replacement rate of two trees for every ten cm of diameter shall be applied.</u></p>	<p>Agreed upon Tree replacement policies are moved to the general policies section.</p>
<p>General Policies</p>	<p>20.4.4.10  Urban Design</p>	<p><b><u>20.4.4.10 5.0 Urban Design</u></b>  <u>5.1 General</u>  <u>5.2 High Rise Buildings</u>  <u>5.3 Mid Rise Buildings</u>  <u>5.4 Low Rise Buildings</u>  <u>5.5 Ground Floor Design</u>  <u>5.6 Back of House and Loading Areas</u></p>	<p>Urban design section is moved from General Policies to its own section, 5.0 and several new sub sections are added based on the policies from other recent secondary plans and the London Plan Policy.</p>
<p>General Policies</p>	<p>20.4.4.10  Urban Design</p>	<p><u>5.1 General</u>  i) Gateways  a) Buildings located adjacent to areas identified as “Gateways” on Schedule 8 shall incorporate corner massing elements and the building’s main entry at the corner, so as to signify the entrance to the community.</p>	<p>Add heading and remove numbering.</p>

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.10 Urban Design ii)	<u>The Built Form policies guide the development of new buildings in the LPH Secondary Plan area. These policies provide policy direction on building typologies and design as a framework for how the area will develop into an exceptionally-designed, high-density urban neighbourhood and provide effective transition to ensure development is an appropriate fit with existing heritage and adjacent low-rise residential uses.</u>	Add introductory paragraph.
General Policies	20.4.4.10 Urban Design ii) a)	Where built form is situated on more than one public right-of-way, the building's main entrance shall be oriented to the highest order public right-of-way, as identified in Schedule 5. <del>Arterial roads-Civic Boulevards and Rapid Transit Boulevards</del> will serve as the highest order right-of-way. The built form shall incorporate articulation and massing in a coherent architectural manner adjacent to all public rights-of-way. This policy does not apply where the built form is adjacent to an area identified as a gateway on Schedule 8. The Gateways policy ( <del>20.4.4.10 (i) 5.1 i)</del> ) shall apply in this situation.	Removal of the 1989 Official Plan road reference and the S. 20.4 reference
General Policies	20.4.4.10 Urban Design ii) b)	Built form shall be street-oriented on all public rights-of-way, with buildings located at or near the property line and front entrances <u>and active uses</u> oriented to the street.	
General Policies	20.4.4.10 Urban Design ii) i) – k)	<del>i) Buildings with a height of 10 storeys or less shall provide articulation and massing in a coherent architectural manner to the built form's base, middle and top. j) Buildings with a height of 11 storeys or greater shall incorporate a podium at the base of 3 to 4 stories in height. The floorplate size for any tower above the top floor of the podium shall have a maximum floorplate area of 1200 m2. k) For east-west streets, where possible, ensure adequate sunlight is provided for sidewalks by building within a 45 degree angular plane from the opposite sidewalk</del>	Policies are deleted and moved into the policies for High Rise and Mid Rise buildings.
General Policies	20.4.4.10 Urban Design ii) l) – m)	<del>l) i) Long expanses of flat and blank facades are to be avoided. m) j) Built form identified as Priority View Terminus, on Schedule 8 Urban Design Priorities, of this Plan, shall act as a focal point for the view corridor. This can be achieved through the siting, massing, materiality and articulation of the building.</del>	Renumbering
General Policies	20.4.4.10 Urban Design ii) n)	<del>n) Built form adjacent to views and vistas identified in Schedule 8 Urban Design Priorities of this Plan, shall enhance and frame the view corridor through the massing and articulation of the building.</del>	
General Policies	20.4.4.10 Urban Design ii)	<u>k) The height and massing of new buildings should fit within a 45 degree angular plane, starting at 7m above grade and measured from the property boundary of lands in the Neighbourhoods Place Type. This is intended to provide a sympathetic transition from lower to higher development forms. All elements of fit and transition must be accommodated within the development site</u>	

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.10 Urban Design ii)	<p><u>l) All buildings shall be designed to express three defined components: a base, middle and top. Alternative design solutions that address the following intentions may be permitted:</u></p> <ol style="list-style-type: none"> <li><u>1. the base shall establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, awnings, porches, canopies, lighting, and the use of materials that reinforce a human scale.</u></li> <li><u>2. the middle shall be visually cohesive with, but distinct from, the base and top.</u></li> <li><u>3. the top shall provide a finishing treatment, such as a roof or a cornice treatment, and will serve to hide and integrate mechanical penthouses.</u></li> </ol> <p><u>m) New development will be designed and massed to minimize the impacts of shadows on parks, Privately owned public spaces(POPS), the public realm, and outdoor communal and private amenity spaces.</u></p> <p><u>n) The design of buildings should form a well-defined and continuous street wall to support a pedestrian-oriented environment.</u></p> <p><u>o) Buildings should have articulated façades that create a human-scale rhythm along streetscapes. No extensive blank walls should be visible from the public or private street and public open space.</u></p> <p><u>p) Usable outdoor amenity spaces that activate the front yard setback, including porches, stoops, courtyards, patios and plazas are encouraged.</u></p> <p><u>q) Buildings located at corner sites and intersections shall address and frame the corner with building entrance(s), massing, articulation, and height.</u></p> <p><u>r) In addition to the connections shown on Schedule 5, Street Hierarchy Plan, mid-block pedestrian and active transportation connections should be provided between buildings to facilitate pedestrian and cyclist permeability through the area.</u></p> <p><u>s) Building design should minimize privacy impact and not limit the future development potential of adjacent properties through adequate setbacks, massing orientation and window and balcony locations</u></p>	
General Policies	20.4.4.10 Urban Design iii) a)	<p><u>Where possible On-street parking will may be provided along all streets in commercial mixed-use areas</u> within this Secondary Plan.</p>	
General Policies	20.4.4.10 Urban Design iv) a)	<p>Driveway access shall be restricted and/or limited in certain locations as identified in Schedule 8 of this Plan and defined in <del>20.4.4.9</del> <u>Section 4.9</u> of this Plan.</p>	Removal of the S. 20.4 reference

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.10 Urban Design iv) c)	<p><del>Off-street parking for single detached, semi-detached, duplex and townhouse dwellings, may include the following</del></p> <p><del>1. As set out in b) above, with the exception of interior side yard parking; or,</del></p> <p><del>2. In an enclosed attached garage located at the front of the dwelling or to the rear of the dwelling in an enclosed attached or detached garage or surface space—</del></p> <p><del>Garages located at the front of the dwelling are not to project beyond the front wall of the dwelling. (Front porches do not constitute the front wall).</del></p> <p><u>Garages for new Low-rise buildings should be located at the rear of buildings and accessed from a private driveway to minimize pedestrian-vehicle conflicts, create a pedestrian-oriented public realm and ensure vehicles do not dominate the streetscape. Garages should be integrated into the building design and shall not project beyond the main building façade.</u></p> <p><u>Underground parking is preferred where feasible</u></p>	Replace with language from Masonville Secondary Plan
General Policies	20.4.4.10 Urban Design v) b)	Where no public right-of-way exists, buildings shall be located at or near the property line adjacent to the cultural heritage landscape area in order to frame the space <u>and include active facades along that interface.</u>	
General Policies	20.4.4.10 Urban Design	<p><u>5.2 High-Rise Buildings</u></p> <p><u>The following policies apply to new high-rise development in the LPH Secondary Plan area:</u></p> <p><u>i) For the purpose of this Secondary Plan, High-rise buildings are buildings that are nine (9) storeys in height or taller.</u></p> <p><u>ii) High-rise buildings should have a minimum 5m stepback at the podium (the third, fourth, or fifth storey, proportional to the street type and consistent with adjacent existing context), to provide a pedestrian scale environment at the street wall, limit the visual impact of the building at street level, and mitigate shadow and wind impacts on the public realm.</u></p> <p><u>iii) High-rise buildings should be designed with slender towers that allow shadows to move quickly, minimize the obstruction of views and limit the visual mass and overlook as experienced from nearby properties and the public realm.</u></p> <p><u>iv) High-rise buildings should have a maximum tower floor plate of 1,000 square metres above the podium, with the length to width ratio not exceeding 1:1.5 to minimize shadowing and visual impact from all approaches .</u></p> <p><u>v) Towers shall not have any blank façades.</u></p> <p><u>vi) Tower design and orientation is encouraged to provide privacy for occupants through techniques such as angling and offsetting towers.</u></p>	Add new sub section regarding High-Rise Buildings

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.10 Urban Design	<p><u>vii) High-rise buildings should have a minimum separation distance of 25 metres between towers. This separation distance is intended to:</u></p> <p><u>a) Minimize the impacts of shadows and loss of sunlight on surrounding streets, open spaces, and nearby properties.</u></p> <p><u>b) Provide access to natural light and a reasonable level of privacy for occupants of high-rise buildings.</u></p> <p><u>c) Enhance the provision of pedestrian-level views of the sky between tall buildings particularly as experienced from adjacent streets, pedestrian connections, and open spaces.</u></p> <p><u>d) Minimize the impacts of uncomfortable wind conditions on streets, pedestrian connections, open spaces, and surrounding properties.</u></p>	Add new sub section regarding High-Rise Buildings including policies for tower separation.
General Policies	20.4.4.10 Urban Design	<p><u>viii) The tower portions of High-rise buildings should be setback a minimum of 12.5 metres from the interior property line of any adjacent site that could accommodate high-rise development, or from the centre line of any public or private street, to protect and preserve the development potential of adjacent properties.</u></p> <p><u>ix) The top portion of the tower shall be designed to create an integrated and attractive finish to the building and contribute to the quality and character of the skyline. The top portion of the tower shall integrate the mechanical penthouse and be distinctive from the rest of the building through the use of stepbacks, articulation, change in materials or other architectural features.</u></p>	Add new sub section regarding High-Rise Buildings including policies for tower setbacks and the tops of towers.
General Policies	20.4.4.10 Urban Design	<p><u>5.3 Mid-Rise Buildings</u></p> <p><u>The following policies apply to new mid-rise development in the LPH Secondary Plan area:</u></p> <p><u>i) For the purpose of this Secondary Plan, Mid-rise buildings are buildings five (5) storeys in height up to and including eight (8) storeys in height.</u></p> <p><u>ii) Mid-rise buildings should have a minimum 3m setback at the podium (the third, fourth, or fifth storey, proportional to the street type and consistent with adjacent existing context), to provide a pedestrian-scale environment at the street wall, limit the visual impact of the building at street level, and mitigate shadow and wind impacts on the public realm.</u></p> <p><u>iii) Mid-rise buildings, particularly those on the south side of a public or private street should incorporate additional setbacks, or terracing to mitigate shadow impacts and provide better sunlight penetration at street level.</u></p>	Add new sub section regarding the urban design of Mid-Rise Buildings

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.10 Urban Design	<p><u>5.4 Low-Rise Buildings</u>  <u>The following policies apply to new mid-rise development in the LPH Secondary Plan area:</u></p> <ul style="list-style-type: none"> <li><u>i) For the purpose of this Secondary Plan, Low-rise buildings include forms such as single detached dwellings, townhouses, stacked townhouses and low-rise apartment buildings up to and including four (4) storeys in height.</u></li> <li><u>ii) Garages for new Low-rise buildings should be located at the rear of buildings and accessed from a private driveway to minimize pedestrian-vehicle conflicts, create a pedestrian-oriented public realm and ensure vehicles do not dominate the streetscape. Garages should be integrated into the building design and not project beyond the main building façade. Underground parking is preferred where feasible</u></li> <li><u>iii) Townhouse units should be limited to no more than eight (8) horizontally-attached units to ensure adequate breaks in the street wall to provide permeability and access.</u></li> <li><u>iv) Cluster developments shall be oriented with active street frontages with front doors directly facing and accessing public streets and public open spaces. Vehicular access should be provided through rear and internal driveways.</u></li> </ul>	Add new sub section regarding the urban design of Low-Rise Buildings
General Policies	20.4.4.10 Urban Design	<p><u>5.5 Ground Floor Design</u>  <u>Improving the pedestrian experience is a priority of the Secondary Plan which requires thoughtful attention to the design of the ground floor. Creating active building façades increases activity and encourages passive surveillance which will in turn, help the Secondary Plan area evolve into a walkable, pedestrian friendly neighbourhood.:</u></p> <ul style="list-style-type: none"> <li><u>i) Buildings and main entrances shall be oriented toward and front onto public and private streets, public parks and open spaces. Main building entrances shall not front onto surface parking lots.</u></li> <li><u>ii) Buildings will have attractive and active frontages onto public and private streets. Blank walls, parking, services, and utilities should not be visible from public and private streets.</u></li> <li><u>iii) Buildings with frontages along Highbury Avenue, Oxford Street and Dundas Street shall have their massing, siting and principal entrances oriented to those existing street(s) to establish an animated pedestrian-scale environment. 'Back of house' activities such as loading areas are not permitted along the Highbury Avenue, Oxford Street and Dundas Street frontages and should be accommodated internal to the site and/or buildings.</u></li> </ul>	Add new sub section regarding the ground floor design of buildings

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.10 Urban Design	<p><u>5.5.1 Ground Floor Commercial Design</u></p> <p><u>i) Where a ground floor commercial use is provided, a minimum of 50% of the building frontage should include active, pedestrian-generating uses. Non-active uses, such as lobbies to upper levels and professional offices may be permitted for the remaining building frontage. Where possible, non-active uses should be provided along lower order street frontages. Large expanses of blank walls should be avoided along street frontages and located on the back of the building where required.</u></p> <p><u>ii) New non-residential (commercial) development will be located close to public and private streets, while providing a modest setback for building elements, such as canopies, patios, plazas, public or private forecourts, and doors. Greater building setbacks are permitted to accommodate patios spaces, publicly accessible plazas, and courtyards.</u></p> <p><u>iii) Entrances to retail and commercial units, and lobbies that provide access to uses above the ground floor, will be at grade (flush) and accessible directly from the public or private road in order to activate the sidewalk. Minor grade separations may be considered by exception and accommodated with ramps on constrained sites.</u></p> <p><u>iv) Non-residential ground floors should be designed to be tall enough to avoid conflicts with overhead elements such as signage, canopies and awnings, and to increase visual connection from interior spaces to the outdoors.</u></p> <p><u>v) Glazing should be transparent and maximized for non-residential uses located on the ground floor.</u></p>	Add new sub section regarding the ground floor design of commercial uses in buildings
General Policies	20.4.4.10 Urban Design	<p><u>5.5.2 Ground Floor Residential Design</u></p> <p><u>i) Where a residential ground floor is provided, a minimum of 50% of the building frontage should include direct access to individual units from the adjacent sidewalks. Residential lobbies, and small scale, non-residential uses may be permitted for the remaining building frontage. Large expanses of blank walls should be avoided along street frontages and located on the back of the building where required.</u></p> <p><u>ii) New residential development will be located close to public and private streets, while providing a modest setback to accommodate building elements, such as landscape buffers, porches, canopies, courtyards and steps.</u></p> <p><u>iii) The ground floor of residential buildings within the designations that permit mixed-uses should be designed with the flexibility to accommodate future conversion to nonresidential uses, such as providing a raised floor over the slab that can be removed to provide additional ground floor height in the future.</u></p> <p><u>iv) Where residential units are provided at-grade, the setback will be sufficient to accommodate direct entryways and private amenity spaces for residential units, including any walkways, steps, porches, private courtyards and landscaping areas.</u></p>	Add new sub section regarding the ground floor design of residential uses in buildings

Chapter	Section	Modification	Summary of change
General Policies	20.4.4.10 Urban Design	<p><u>5.5.3 Back of House Loading Areas</u>  <u>Loading areas are a necessary component of existing and future commercial and residential uses which are an integral part of this Secondary Plan. The following policies are required for new back of house and loading areas:</u></p> <p>i) <u>Loading docks and back of house areas should be located away from all public streets to not detract from a pedestrian-oriented streetscape.</u></p> <p>ii) <u>Loading docks and back of house areas should be enclosed, set back from the street edge and provide a screening and buffer area. The use of landscaping and building massing should be used to screen the loading docks and back of house areas. Service entrance widths should be limited to the minimum required to be functional.</u></p> <p>iii) <u>Waste storage areas should be located inside buildings to mitigate their visual and odour impacts. Where outside waste disposal areas are necessary, they will be enclosed in materials complementary to the main building and screened with landscaping.</u></p>	Add new sub section regarding the ground floor design of residential uses in buildings
Implementation	20.4.5 Implementation	<p><u>20.4.5 6.0 Implementation</u>  <u>6.1 Implementation of the Plan</u>  <u>6.2 Municipal Works</u>  <u>6.3 Official Plan Amendments</u>  <u>6.4 Zoning</u>  <u>6.5 Plans of Subdivision/Plans of Condominium/ Consents to Sever</u>  <u>6.6 Site Plan Approval</u>  <u>6.7 Urban Design Policies</u>  <u>6.8 Guideline Documents</u>  <u>6.9 Phasing, Financing and Monitoring</u>  <u>6.10 Height Plan</u>  <u>6.11 Interpretation</u></p>	
Implementation	20.4.5.2 Municipal Works i)	i) Road development, <u>including the east link of the Bus Rapid Transit;</u>	
Implementation	20.4.5.3 Official Plan Amendments i)	Any amendment to the text or Schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the Schedules of this Plan may require amendments to the associated <del>schedules of the Official Plan—Schedules “A”—Land Use, “B1”—Natural Heritage Features, “B2”—Natural Resources and Natural Hazards, “C”—Transportation Corridors and “D”—Planning Areas maps of The London Plan.</del>	Removal of the 1989 Official Plan map schedule references
Implementation	20.4.5.3 Official Plan Amendments ii)	Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of <del>the City of London Official Plan</del> <u>The London Plan.</u>	Removal of the reference to the 1989 Official Plan

Chapter	Section	Modification	Summary of change
Implementation	20.4.5.4 Zoning i)	Any applications for amendment to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of <del>the City of London Official Plan</del> <u>The London Plan</u> .	Removal of the reference to the 1989 Official Plan
Implementation	20.4.5.4 Zoning ii)	Consideration of other land uses through a Zoning By-law amendment shall be subject to <del>a Planning Impact Analysis- the Planning and Development Applications policies</del> as described in the applicable <del>designation of the Official Plan</del> <u>place type of The London Plan</u> . The Zoning By-law may restrict the size of some uses.	Removal of the 1989 Official Plan policy reference.
Implementation	20.4.5.5	Any applications for subdivision, condominium, or consent to sever, shall be subject to the policies of this Secondary Plan and applicable policies of <del>the City of London Official Plan</del> <u>The London Plan</u> .	Removal of the reference to the 1989 Official Plan
Implementation	20.4.5.6	Any applications for site plan approval shall be subject to the policies of this Secondary Plan and applicable policies of <del>the City of London Official Plan</del> <u>The London Plan</u> .	Removal of the reference to the 1989 Official Plan
Implementation	20.4.5.7	All development within the London Psychiatric Hospital Secondary Plan boundaries shall be subject to the urban design policies contained in this Plan, in addition to applicable policies in <del>the Official Plan</del> <u>The London Plan</u> .	Removal of the reference to the 1989 Official Plan
Implementation	20.4.5.10	The height plan, as shown on Schedule 4 <u>and summarized in Table 1</u> , is a fundamental component of the overall vision for the Secondary Plan.	Add reference to Table 1.
Implementation	20.4.5.11	[First paragraph] <del>Section 19.1 of the Official Plan</del> <u>The How to Use The London Plan section in the Our Challenge part of The London Plan</u> provides for the interpretation of <del>Official Plan designation</del> <u>The London Plan place type</u> boundaries and these policies apply to this Secondary Plan.	Removal of the 1989 Official Plan policy section reference and land use designation reference.
Schedules	20.4.6	<del>20.4.6</del> <u>7.0</u> Schedules	20.4.6 is replaced with 7.0 on the top.
Schedules	20.4.6 Schedule 1	Amend Schedule 1 to reflect update Community Structure Plan	
Schedules	20.4.6 Schedule 2	Amend Schedule 2 to redesignate the Academic Area to Transit-Oriented Corridor and Residential Area, and redesignate Highbury Avenue North portion of the Village Core to Transit-Oriented Corridor	
Schedules	20.4.6 Schedule 3	Amend Schedule 3 to identify new sub-policy areas.	
Schedules	20.4.6 Schedule 4	Amend Schedule 4 to reflect permitted heights in the London Plan	
Schedules	20.4.6 Schedule 5	Amend Schedule 5 to reflect the updated road network, and by replacing “Secondary Collector Street” and “Local Streets” with “Neighbourhood Connectors” and “Neighbourhood Streets”, respectively.	Removal of the 1989 Official Plan road classification references on Schedule 5
Schedules	20.4.6 Schedule 6	Amend Schedule 6 to reflect the updated road, pedestrian and active transportation network	
Schedules	20.4.6 Schedule 7	Amend Schedule 7 to reflect the updated road network and development plan	

<b>Chapter</b>	<b>Section</b>	<b>Modification</b>	<b>Summary of change</b>
Schedules	20.4.6 Schedule 8	Amend Schedule 8 to reflect the updated road network and development plan	
Schedules	20.4.6 Schedule 9	Amend Schedule 8 to reflect the updated road network and development plan	
Schedules	20.4.6 Schedule 10	Delete Schedule 10.	Removal of the stormwater servicing strategy plan as the SWM pond is conceptually identified on land use schedules, and detailed servicing will be determined at the draft plan stage.
Official Plan Extracts	20.4.7	This section is deleted in its entirety.	Removal of the 1989 Official Plan map schedules
Official Plan Extracts - Policies	20.4.8	This section is deleted in its entirety.	Removal of the 1989 Official Plan policies

## Appendix C – Public Engagement

### Community Engagement

**Public liaison:** On March 10, 2021, Notice of Application was sent to 110 property owners in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on March 11, 2021. A “Planning Application” sign was also posted on the site. On April 4, 2022, Notice of Revised Application was sent to 114 property owners in the surrounding area. Notice of Revised Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on April 5, 2022.

Eight (8) replies were received

**Nature of Liaison:** The purpose and effect of these applications would be the creation of a mixed-use plan of subdivision.

The applicant has submitted a revised Draft Plan of Subdivision (39T-21503) and Official Plan Amendment (OZ- 9324). The original Notice of Application for these and the associated Zoning By-Law Amendment was published in the Londoner on March 11, 2021.

1. Consideration of a revised Draft Plan of Subdivision consisting of 126 single detached dwellings, four (4) medium density residential blocks, two (2) medium density residential/mixed-use blocks, seven (7) high density residential/mixed use blocks, four (4) heritage blocks, one (1) institutional block, one (1) parkland block, one (1) storm water management block, four (4) open space blocks, one (1) private road blocks, one (1) future development block and two (2) road widening blocks all served by the extension of Rushland Avenue, Howland Avenue and eight (8) new streets.
2. Possible revised amendment to the Official Plan to amend the London Psychiatric Hospital Lands Secondary Plan (LPHSP). The proposed amendment will seek to bring the existing LPHSP policies more inline with the permissions of the Transit Village Place Type of The London Plan which would permit greater heights and densities. Multiple amendments are being proposed that will affect multiple policies of the plan. This includes the addition of low-density residential uses, changes to the urban design, heritage, and transportation policies of the plan, elimination of minimum density requirements for low density areas of the plan, increases to the height and density permissions of other areas of the plan, removal of the institutional section of the plan, and changes to the planned street network both within the plan and to adjacent neighbourhoods.

Larger scale amendments include the following:

- Removal of sections 20.4.3.2.2 Village Core Policy Area 2 – Mixed Use Office, 20.4.3.2.3 Village Core Policy Area 3 - Mixed Use Residential, 20.4.3.3.2 Transit-Oriented Corridor Policy Area 2 - High-rise Residential, 20.4.3.4 Academic Area Designation, 20.4.3.4.1 Academic Policy Area 1 – Private Recreation, 20.4.3.4.2 Academic Policy Area 2 – Academic Classrooms and Offices, 20.4.3.4.3 Academic Policy Area 3 – Satellite Campus Residences.
- Addition of single storey commercial uses as a permitted use within the Village Core, removal of bonussing provisions, and the expansion of the Urban Design policies, including specific policies for High Rise Buildings, Mid-Rise Buildings, Low-Rise Buildings, Ground Floor Design, and Back of House and Loading areas
- Amendments to Schedule 1 – Community Structure Plan, Schedule 2 - Character Area Land Use Designations, Schedule 3 - Sub Area Designations, Schedule 4 – Building Height Plan, Street 5 – Street Hierarchy Plan,

Schedule 6 – Pedestrian and Cycling Network, Schedule 7 – Cultural Heritage Framework, and Schedule 8 – Urban Design Priorities.

- Amendments throughout the Secondary Plan to replace references to the 1989 Official Plan, its land use designations, and street classifications with references to the London Plan.
3. Possible Amendment to Zoning By-law Z.-1 to change the zoning from a Regional Facility (RF) Zone to:
- a Residential R1 (R1-5) Zone to permit single detached dwellings;
  - a Residential R6 (R6-3) Zone to permit cluster single detached, semi detached and duplex dwellings;
  - a Residential R5 Special Provision/Heritage (R5-7(\_)/HER) Zone to permit cluster townhouse dwellings and cluster stacked townhouse with a special provision to permit a maximum density 150uph. The heritage zone provides for and regulates buildings, structures and lands that have been designated under the Ontario Heritage Act;
  - a Residential R5/R7 Special Provision/Heritage (R5-7(\_)/R7\*H15\*D150/HER) Zone to permit cluster townhouse dwellings, cluster stacked townhouse dwellings, senior citizen apartment buildings, handicapped persons apartment buildings, nursing homes, retirement lodges, continuum-of-care facilities and emergency care establishments with a special provision to permit a maximum density of 150uph. The heritage zone provides for and regulates buildings, structures and lands that have been designated under the Ontario Heritage Act;
  - a Neighbourhood Shopping Area Special Provision/Residential R5 Special Provision (NSA3(\_)/R5-7(\_)) Zone to permit a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents with a special provision for a maximum height of 12 metres and density of 150uph for mixed-use apartment buildings with the NSA3 Zone. The R5-7 zone will permit cluster townhouse dwellings and cluster stacked townhouse dwellings with a special provision to permit a maximum density 150uph;
  - a Community Facility/Heritage (CF2/CF3/HER) Zone to permit institutional type uses which provide a city-wide or community service function. The heritage zone provides for and regulates buildings, structures and lands that have been designated under the Ontario Heritage Act;
  - a Community Facility/Residential R8/Heritage (CF2/CF3/R8-4/HER) Zone to permit institutional type uses which provide a city-wide or community service function. The heritage zone provides for and regulates buildings, structures and lands that have been designated under the Ontario Heritage Act. The R8-4 zone will permit apartment buildings, lodging house class 2, stacked townhousing, emergency care establishments and continuum-of-care facilities;
  - a Residential R5/R8/R9 Special Provision (R5-7(\_)/R8-4(\_)/R9-7(\_)) Zone to permit cluster townhouse dwellings, cluster stacked townhouse dwellings, apartment buildings, lodging house class 2, stacked townhousing, emergency care establishments and continuum-of-care facilities. A special provision will be applied to each zone to permit a maximum density of 200uph and a special provision to permit a maximum height of 30m will be applied to the R8-4 and R9-7 zones;
  - a Business District Special Provision/Residential R5/R9 Special Provision (BDC(\_)/R5-7(\_)/R9-7(\_)) Zone to permit a mix of retail, restaurant, neighbourhood facility, office and residential uses, cluster townhouse dwellings, cluster stacked townhouse dwellings, apartment buildings, lodging house class 2, stacked townhousing, emergency care establishments and continuum-of-care facilities. A special provision will be applied to each zone to permit a maximum density of 400uph and a special provision to permit a maximum height of 85m will be applied to the BDC and R9-7 zones;

- a Business District Commercial/Community Facility/Heritage (BDC/CF2/CF3/HER) Zone to permit a mix of retail, restaurant, neighbourhood facility, office and residential uses. The CF zones will permit institutional type uses which provide a city-wide or community service function. The heritage zone provides for and regulates buildings, structures and lands that have been designated under the Ontario Heritage Act; and
- an Open Space (OS1) will permit future parkland/open space corridors.

The City is also considering the following amendments:

- Special Provisions in zoning to implement the urban design requirements and considerations of the London Psychiatric Hospital Secondary Plan; and
- Adding holding provisions for the following: urban design, water looping, municipal services, and phasing.

File: 39T-21503/OZ-9324 Planner: M. Clark (City Hall)

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

- Concerns by the adjacent industrial uses regarding the encroachment of sensitive residential land uses in the southeast corner of the secondary plan, and the limitations that this would place on the operation of the industrial uses.
- Concern from a member of the public that a majority of the site would be developed as single detached dwellings and other low density uses.
- Inquiries were received from other members of the public seeking more information about the proposed development

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

Telephone	Written
Paula Lombardi, Partner, Siskinds	John Vareka 814 Dufferin Ave, London Ontario
Cheril Nash	Kevin Eby Eby GMPS 69 Dunbar Road South Waterloo, Ontario
	Jacob Peretz JDA Investments Inc. 535 Commercial Crescent London, Ontario
	William Pol, MCIP, RPP Principal Planner Pol Associates Inc. 94 Rollingwood Circle London ON N6G 1P7



July 9, 2021

Mike Corby  
Development Services, City of London,  
300 Dufferin Avenue, 6th Floor,  
P.O. BOX 5035  
London, ON  
N6A 4L9

**Re: Proposed Redevelopment of the Former London Psychiatric Hospital  
Old Oak Properties  
City File Nos.: 39T-21503/OZ-9328**

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Dear Mr. Corby

I have been retained by JDA Investments Inc. (JDA), the owner of lands known municipally as 535 and 539 Commercial Crescent in the City of London. The purpose of this retainer is to review the proposed redevelopment of the London Psychiatric Hospital (LPH) lands as anticipated through the joint Official Plan Amendment (OPA) / Zoning By-law Amendment Applications (City File No: OZ-9328) and Draft Plan of Subdivision Application (City File No. 39T-21503) submitted by Old Oak Properties (the Applicant) in relation to the JDA lands. JDA has also retained an acoustical consultant to assist in this review.

Key to consideration of planning applications is the need to ensure compatibility of any proposed development with surrounding land uses. As it relates to the redevelopment of the former LPH lands, this means, among other things, ensuring residential uses within the areas of influence of the long-standing industrial operations at 535 and 539 Commercial Crescent are only permitted if noise and vibration associated with these operations are appropriately assessed and addressed in a manner that will not unduly impact the industrial operations on these properties. Operations on these properties include the delivery, processing and redistribution of raw materials by truck and rail.

Although JDA's interest in these applications is primarily focused on protecting the industrial operations on the land it owns, the long-term viability of the industrial area containing the JDA lands is also at risk and needs to be included in any assessment process. Industrial areas, particularly those with access to rail sidings, need to be protected from encroachment by sensitive uses. Such areas are extremely difficult, if not impossible, to replace once compromised.

**Applicable Policy**

LPH Secondary Plan *Policy 20.4.4.3 Noise/Land Use Compatibility ii) Noise from Industrial Uses* speaks specifically to the need to ensure compatibility of any sensitive uses, including new residential uses, on the former LPH lands with the industrial operations at 535 and 539 Commercial Crescent, stating:

*To mitigate the potential for noise conflicts between the proposed community and the industrial area east of the LPH lands, the Secondary Plan's Land Use Schedule identifies an 'Open Space' area adjacent to the abutting industrial lands. The Open Space designation acts, in part, as a noise mitigation measure. Any residential development that is*

contemplated in proximity to this industrial area shall have regard for the Ministry of Environment (MOE) Land Use Compatibility Guidelines. To address potential noise impacts from the adjacent industrial area, the following additional policies apply:

**a. On lands within a 300 metre area of influence measured from the west property lines of 535 and 539 Commercial Crescent, and in the presence of a Class II or Class III industrial use at 539 Commercial Crescent and the associated use of the railway siding at 535 Commercial Crescent, sensitive land uses shall be prohibited unless a "Feasibility Analysis" which meets Ministry of Environment guidelines has been completed and the development proposal meets all of the recommendations of the analysis for setbacks and mitigation.** At a minimum the "Feasibility Analysis" shall address the issues of point source and/or fugitive noise emissions for the entire 300 m area of influence, and ground borne vibration within 75 metres of the west property line of 535 and 539 Commercial Crescent. Sensitive land uses may include any building or associated amenity area (i.e. may be indoor or outdoor space) which is not directly associated with the industrial use, where humans or the natural environment may be adversely affected by emissions generated by the operation of a nearby industrial facility. Such uses include, but are not limited to residences, senior citizen homes, schools, day care facilities, hospitals, churches and other similar institutional uses. **For draft plans of subdivision, and draft plans of condominium, the Feasibility Analysis shall be requested and submitted as part of a complete application.**

**b. Where, as a result of the completion of a Feasibility Analysis, there are irreconcilable noise and vibration incompatibilities, the development of sensitive land uses shall be prohibited until such time as the Class II or Class III industrial use ceases to exist. Should that occur policies in Section 20.4.4.3 (ii) will no longer apply.**

**c. Reduction of the 300 metre area of influence will be supported only through the submissions of a study which addresses the entire area of influence and all study methodology, conclusions and recommendations are acceptable to the City of London.**

**d. Noise studies, where required, will form part of a complete application and any recommendations from those studies shall be implemented.** [emphasis added]

LPH Secondary Plan Policy 20.4.4.3 Noise/Land Use Compatibility, i) Rail Noise addresses the issue of noise associated with rail transportation, stating:

*... Rail noise shall be addressed subject to policies of the Official Plan as well as the following: ...*

**d) Prior to final approval, planning applications will require completion of noise studies to confirm compliance with provincial regulations. A noise study shall be required as part of a complete application.** [emphasis added]

#### **Policy Analysis**

Policy 20.4.4.3 ii) a) creates conditions within the areas of influence (identified on LPH Secondary Plan Schedule 9) that must be satisfied before the designations established on Schedules 2 through 4 of the LPH Secondary Plan can be implemented. If these conditions cannot be satisfied, Policy 20.4.4.3 ii) b)

requires that “**development of sensitive land uses shall be prohibited** until such time as the Class II or Class III industrial use [at 535 and 539 Commercial Crescent] ceases to exist.” [emphasis added].

As a result, the current designations applicable to lands within the areas of influence are **only conditional designations**, as the acceptability of and permission for the establishment of sensitive uses within these areas (the principle of development) has yet to be established given the continued existence of the industrial operations at 535 and 539 Commercial Crescent. The mechanism for establishing the principle of development for sensitive uses within the areas of influence as provided for in the LPH Secondary Plan is through the submission of a “Feasibility Analysis” demonstrating there are no “irreconcilable noise and vibration incompatibilities” with the industrial operations.

The existence of these conditional designations in the LPH Secondary Plan significantly complicates the current planning process as it is impossible, with any reasonable certainty, to determine the type, quantum, location and form of development within the areas of influence until such time as the “Feasibility Analysis” is submitted and approved. This is complicated further by the LPH Secondary Plan requiring the “Feasibility Analysis” to be submitted “as part of a complete application” for a draft plan of subdivision applicable to the lands.

This policy framework has the potential to operate in a way that is functionally flawed.

A plan of subdivision is a mechanism provided through the *Planning Act* to subdivide land into parcels. It is not a process through which the principle of development is established, or specific use of land is determined. That is the purpose of the Official Plan and Zoning By-law.

Further, the submission of the Feasibility Analysis and noise studies are required to inform the resolution of fundamental land use planning questions within the areas of influence and the remainder of the former LPH lands, the combination of which are intended to be comprehensively planned and developed. These questions include:

- location and geometry of roadways;
- location and required capacity of infrastructure;
- location of areas of open space;
- the type, quantum, location and form of land uses to be permitted; and
- the principle of development of sensitive land uses within the 70 m (vibration) and 300 m (noise) areas of influence identified in Policy 20.4.4.3 ii) a) and Schedule 9 of the LPH Secondary Plan.

The vast majority of these fundamental land use planning questions are Official Plan or Zoning By-law issues, and as a result, the information derived from the “Feasibility Analysis” is required to inform any decisions relating to OPA applications or amendments to the Zoning By-law affecting mapping or policies applicable both within and potentially outside the areas of influence. It is also required to inform any decisions regarding the future use of lands in the areas of influence should “irreconcilable noise and vibration incompatibilities” between the industrial operations and sensitive uses be determined to exist.

The noise component of the “Feasibility Analysis” will also help inform determination of any noise mitigation measures required outside of the area of influence established in the Official Plan, as provincial guidelines require consideration of noise impacts from Class III industrial facilities up to 1,000 meters away.

It is well-worth noting that my client's predecessor (under the name Ravago Company) previously raised the issue of the appropriateness of these conditional designations during the processing of the LPH Secondary Plan in 2011.

**Proposed Process**

As confirmed by our recent email exchanges, the applicant has yet to submit a "Feasibility Analysis" as required by Policy 20.4.4.3 ii) a). Likewise, no noise studies (which would typically form a component of a "Feasibility Analysis") were submitted as required by Policies 20.4.4.3 i) d) and ii) d). Given the submission of the "Feasibility Analysis" and noise studies are specifically required by policies in the LPH Secondary Plan "as part of a complete application", the submission of these studies concurrent with the associated applications is a matter of Official Plan conformity and cannot be waived or postponed through the pre-consultation process. Any such action would require the prior approval of an OPA eliminating the requirement. As a result, it is unclear on what basis staff accepted the applications as "complete".

Notwithstanding these requirements in the Official Plan, the Zelinka Priamo Final Proposal and Planning Justification Report (Zelinka Priamo Justification Report) submitted in support of the applications, **fails to address (or even reference) the requirement for the "Feasibility Analysis"** required by Policy 20.4.4.3 ii) a).

In fact, the only reference to either noise or vibration in the Zelinka Priamo Justification Report is in Section 16.2, which reads:

It is expected that a noise assessment report will be required for those blocks located closest to adjacent arterial roads (Highbury Avenue North and Oxford Street East) as well as the CP Rail corridor and existing industrial properties. **The noise assessments will be completed upon approval of concept plans during the Site Plan Approval process** since more accurate information will be required regarding building orientation and site grading. The noise assessments will determine the level of noise pollution stemming from the movement of traffic along Highbury Avenue North, Oxford Street East and the CP Rail corridor as well as stationary noise from the industrial properties, and will indicate possible options for their abatement. [emphasis added]

Delay in the submission of noise assessments to the site plan approval process would completely exempt single-detached development from any review of noise issues. Zelinka Priamo's Justification Report effectively acknowledges this, as it notes in Section 3 m) that the proposed single-detached lots are "not subject to site plan approval". Based on the Zelinka Priamo Justification Report, it appears the Applicant's consultant has a fundamental misunderstanding of the policy framework under which these applications **must** be considered.

Based on previous discussions, it would now appear that the City has requested submission of the "Feasibility Analysis" and is proposing to consider the OPA application separately prior to consideration being given to the implementing draft plan of subdivision and amendment to the Zoning By-law. I understand part of the purpose of addressing the OPA ahead of the other applications is that the quantum of development proposed by the applications may not be supportable based on the availability of servicing capacity to the site. I certainly support this process, as this information is required to properly inform the processing of the draft plan of subdivision and amendment to the Zoning By-law.

However, I also understand that the City is being encouraged by the Applicant not to require submission of the "Feasibility Analysis" until after consideration of the OPA application. In the absence of the "Feasibility Analysis" there is no means of determining whether sensitive uses, including residential uses, will be permitted on what appears to be approximately one third of the former LPH lands (those lands located within the areas of influence).

If the purpose of processing the OPA ahead of the draft plan of subdivision and amendment to the Zoning By-law is to determine where, what and how much development should be permitted on the former LPH lands, can such decisions be transparently and effectively made if there is no understanding as to the potential impacts of adjacent industries on sensitive land uses as required by provincial guidelines and policies in the LPH Secondary Plan? It also leaves the City guessing as to the appropriate location of land uses, sizing of infrastructure and configurations of roads on the lands outside the areas of influence, as these lands ultimately need to interface with the lands on which planning decisions can't be made prior to the completion of the "Feasibility Analysis".

#### Summary

The submission of the "Feasibility Analysis" and noise studies was a mandatory requirement of a complete application. This information is required to answer some of the most fundamental land use planning questions arising from the proposed redevelopment of the LPH lands. This is exactly why the requirements for complete applications were established. I would note that although the policy in the LPH Secondary Plan requires the submission of the "Feasibility Analysis" concurrent with submission of the draft plan of subdivision, Section 19.16 of the applicable 1989 Official Plan would have authorized the City to require its submission as part of a complete OPA application as well.

In the absence of the "Feasibility Analysis" neither the City nor JDA have enough information to provide properly informed comments on the OPA application. If the submission of the "Feasibility Analysis" is delayed until after consideration of the OPA application, the potential exists that the existence of any "irreconcilable noise and vibration incompatibilities" determined through that process would trigger the need for a subsequent OPA application to remedy the situation. This would be a completely unnecessary and avoidable outcome that would both jeopardize the overall comprehensive planning being undertaken for the former LPH lands, but also unnecessarily encumber JDA with the need to respond to yet another planning process.

It is my opinion that the "Feasibility Analysis" and the required noise studies need to be completed and JDA given a reasonable opportunity to respond prior to consideration of the OPA application.

Thank you for the opportunity to provide comments. I look forward to the opportunity to discuss this with you further. Could you please provide me with any future memorandums, reports and/or notices of meetings relating to the Applications.



Kevin Eby, RPP

Cc: Jacob Peretz, President JDA Investments Inc.  
Aaron Platt, Davies Howe LLP

**EBY** Growth Management Planning Services Ltd  
69 Dunbar Road South, Waterloo, Ontario N2L2E2  
Phone: 226 929-0080

May 6, 2022

Mike Corby  
Development Services, City of London,  
300 Dufferin Avenue, 6th Floor,  
London ON PO BOX 5035 N6A 4L9

**Re: Proposed Redevelopment of the Former London Psychiatric Hospital  
Old Oak Properties  
Files 39T-21503/OZ-9328**

Dear Mr. Corby

I have been retained by JDA Investments Inc. (JDA) to assist in the review of the impacts of the proposed redevelopment of the London Psychiatric Hospital (LPH) lands (Applications 39T-21503/OZ-9328 - Old Oak Properties) on lands owned by JDA located at 535 and 539 Commercial Crescent in the City of London. In particular, I have been tasked with reviewing any issues related to land use compatibility between the proposed residential development and the long-standing industrial operations that take place on the JDA property and are facilitated by a decades-old rail spur.

I have now had the opportunity to review the noise and vibration issues associated with the resubmission of planning studies relating to the redevelopment of the former LPH lands with JDA's noise consultant and offer the following comments for your consideration. In reviewing the proposed official plan amendment, I would note that the provisions of Section 4.3 reducing the area of exclusion of residential uses from the JDA lands only applies when a feasibility study is submitted and "all study methodology, conclusions and recommendations are acceptable to the City of London". The comments provided herein are based on City's staff confirming the Noise Study meets this condition.

**Introductory Note Regarding Numbering of Lots and Blocks**

There is inconsistent numbering of the lots and blocks on the draft plan of subdivision and some of the accompanying documents. For example, the parkland block directly adjacent to the JDA property is labeled on the draft plan of subdivision as Block 145 and on the preliminary phasing figure for the OPA as Block 146. *Any references to lots and blocks in this letter refer to the numbering on the draft plan of subdivision.* However, I suggest the materials be revised to ensure congruity and to avoid inadvertent errors in any planning instruments or agreements that rely on those materials.

**Context**

Key to consideration of planning applications is the need to establish compatibility with surrounding land uses. In the case of the redevelopment of the former LPH lands, this means ensuring noise and vibration issues associated with the industrial operations at 535 and 539 Commercial Crescent are

appropriately addressed to avoid undue limitations on that long-standing industrial use. Operations on these properties include the delivery, processing (sorting) and redistribution of raw materials by truck and rail.

Many of the concerns expressed in our previous comments have been addressed through the submission of the Former London Psychiatric Hospital (LPH) Lands Subdivision Noise and Vibration Impact Study by RWDI - March 28, 2022 (Noise Study). The completion of this Noise Study provides the information and noise mitigation measures within the LPH lands necessary to allow the planning process for these lands to proceed with the necessary degree of certainty for all parties through the official plan amendment stage.

While there are some additional issues remaining to be addressed through the zoning by-law amendment, plan of subdivision and site plan processes, subject to any updates to the Noise Study (including the one referenced below regarding impulse noise) and appropriately securing and implementing the recommendations of the Noise Study, JDA no longer has a concern with the principle of development for the proposed uses being established through the official plan amendment process. As the proposed development moves through the planning process, the concepts for noise mitigation, including the use of Class 4, may need to be expanded and/or modified to address changes to the regulatory environment should they occur.

#### **Technical Concern with the Noise Study**

One technical concern noted with the Noise Study is that it does not appear to have addressed impulse noise along the spur lines in the area. It is unclear whether this would affect the overall recommendations but can be addressed through an update to the Noise Study prior to approval of the zoning by-law amendment and plan of subdivision. Such updates are discussed further below.

#### **Vibration**

There appear to be no concerns related to vibration.

#### **Use of a Class 4 Designation**

One of the key recommendations of the Noise Study is the establishment of a Class 4 designation for specific lots and blocks in the proposed development. JDA agrees with the use of a Class 4 designation provided it being established in a manner that is easily identifiable to purchasers and future residents of these lots and blocks. Redevelopment of these lands through the use a Class 4 designation creates an on-going relationship between future purchasers / residents of the affected lots and blocks and any industrial use located on the JDA lands that those future purchasers / residents will have no ability to alter in the future. This needs to be clearly understood up front.

I recommend the Class 4 designation be approved by Council and included on one of the Official Plan schedules being incorporated into the London Plan through the OPA. The Class 4 status of the lands should also be incorporated into the future zoning amendment implementing the changes to the official plan being considered at this time.

### **Need for Exemption Under the City of London Sound By-Law**

There does not appear to be an exemption established City of London Sound By-law applicable to sound levels otherwise regulated by the By-law but permitted within a Class 4 designation. Prior to proceeding with the approval of the zoning by-law and plan of subdivision for the LPH lands, a general exemption (or an exemption specific to the LPH lands) for noise levels otherwise permitted within a Class 4 designation must be established in the Sound By-law. Otherwise, the intended relief granted by the Class 4 designation will have little efficacy and create unnecessary risk for industrial operations.

### **Requirement to Enter into Agreement Pursuant to the Industrial and Mining Lands Compensation Act**

The future conditions of draft approval of the plan of subdivision should include a requirement that the owner of the LPH lands enter into an Industrial and Mining Lands Compensation Act Agreement registered on title to ensure future protection of the industrial operations on the JDA Lands.

The requirement for this agreement, as well as the amendment to the City of London Sound By-law referenced above, should be secured through Holding provisions applicable to any lands to which the Class 4 designation applies. If any changes to the supporting London Plan policies are required to permit the use of Holding for this purpose, such changes should be made through the official plan amendment.

### **Updates to the Noise Study**

Given the staging of the planning process, both in terms of when applications will be going forward for approval and the extended period over which the development will occur, updates to the Noise Study should be required as part of each subsequent stage of the planning process to ensure the most up to date information regarding the redevelopment proposal and the industrial operations is available for consideration as regulations in the zoning by-law, conditions of draft approval, and requirements of site plan approval are established or released. The requirements for an incremental review of the Noise Study should also be incorporated appropriately in the London Plan through the proposed official plan amendment.

### **Holding Provisions**

While not applicable at this stage in the process, I would highlight the important role that the future residential building on Block 148 and the required berm along the spur line play in mitigation of noise from industrial uses located on JDA lands on other lots and blocks throughout the proposed plan of subdivision. Construction of the residential building on Block 148 and the required berm along the spur line need to be completed before any lots and blocks that would otherwise be affected by unacceptable noise levels be allowed to proceed. Any zoning of the affected properties should be subject to Holding provisions requiring the construction of the residential building on Block 148 to the specifications in the Noise Study and the required berm along the spur line before development on the affected lots and blocks is permitted. This requirement for Holding provisions should similarly be identified and secured through the proposed official plan amendment.

### **Conditions of Draft Approval of the Plan of Subdivision / Zoning By-law Regulations**

It is our understanding that only the approval of the official plan amendment is being considered at this time and that opportunities for further review and comment will be available to JDA throughout the

remainder of the planning process. We look forward to working cooperatively with applicant and the City of London throughout these additional processes to ensure the concerns of all parties are adequately addressed in as expeditious a manner as possible.

Please feel free to contact me at your convenience if you wish to discuss any of the issues raised herein. As you proceed to finalize your report, I would also be willing / appreciate the opportunity to review with you any measures proposed to address the issues raised to ensure no last-minute surprises occur that may inadvertently slow down the process.



Kevin Eby, RPP, PLE

Cc: Jacob Peretz, President JDA Investments Inc.  
Aaron Platt, Davies Howe

OZ-9324  
M. Clark

From: John Vareka

Sent: Wednesday, March 9, 2022 11:15 AM

To: Clark, Michael <mclark@london.ca>

Subject: Re: [EXTERNAL] 850 highbury plan

Thanks Michael, [...]

I've rode my bike through the area a few times and its such an amazing space with so much cool potential for the city/area. I'm really hoping it won't all become single family homes (some early free press articles mentioned a large number of them which is why i had wanted to ask) - i've been watching a lot of this persons videos (link is to the 'missing middle' topic) but he has introduced many interesting topics to me:

<https://www.youtube.com/watch?v=CCOdQsZa15o>

Thanks again,

John

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May 16, 2022

Mr. Mike Clark Planner  
Development Services  
City of London  
300 Dufferin Avenue 6<sup>th</sup> Floor  
London ON PO BOX 5035 N6A 4L9  
Via e-mail: [mcorby@london.ca](mailto:mcorby@london.ca)

Dear Mr. Clark,

**RE: 850 Highbury Ave North File 39T-21503/OZ-9328; Old Oak Properties**

Pol Associates Inc. has reviewed the notice dated April 14, 2022 regarding proposed Official Plan and Zoning By-law amendments for the above noted lands. We are retained by Taurus Stampings Inc. at 515 First Street London regarding the above noted file. Taurus Stampings Inc. has been in operation for more than 100 years contributing to the industrial success of the City. They make an important contribution to the economy by making and supplying parts to various local industries. There is and extensive industrial employment area east of the subject lands with a variety of important industrial facilities. We are requesting the land use planning justification and mitigation measures the City and the Developer are proposing to ensure the location of sensitive land uses less than 1000 m from the property limit will not negatively impact the next 100 years of operation at this location.

Taurus Stampings Inc. is a Class III industrial use creating vibration, and noise emissions as part of its normal operation. It has capacity to operate 24 hours per day seven days per week. The property is located approximately 165 m east of the nearest proposed single detached dwellings and a shorter distance to the nearest open space area proposed for 850 Highbury Avenue and as shown on the schedules. These sensitive land uses may be impacted by emissions from the plant. In April 2021, Taurus Stamping requested information from your office regarding this application and has not received a response for the studies and mitigation measures.

London Plan policies *NOISE, VIBRATION AND SAFETY* Sensitive Land Uses Near Noise Generators, Vibration Generation and Safety concerns Policy 1766 – 1771 set out the requirements for approving sensitive land uses near Class III industrial uses. We are

OZ-9324

M. Clark

requesting the necessary studies be completed in advance of any approval to ensure there is no noise, vibration or safety impact on the proposed sensitive land uses.

Prior to approval of sensitive land uses within 1000m of Taurus Stampings Inc. we are requesting documentation by a qualified independent consultant confirming that sensitive land uses may be located within the area of influence without impact from nearby industrial land uses. We are concerned that encroachment of sensitive land uses may limit the future operation of the stamping plant, 24 hours per day 7 days per week operating with open doors and emitting noise and vibration. We look forward to reviewing any studies completed by qualified consultants.

A representative of Pol Associates Inc. will be making a presentation at the public meeting May 30, 2022 on behalf of Taurus Stamping 515 First Street. PLEASE include Pol Associates Inc. on any future notices and mailings regarding this file. Contact me should you have any questions.

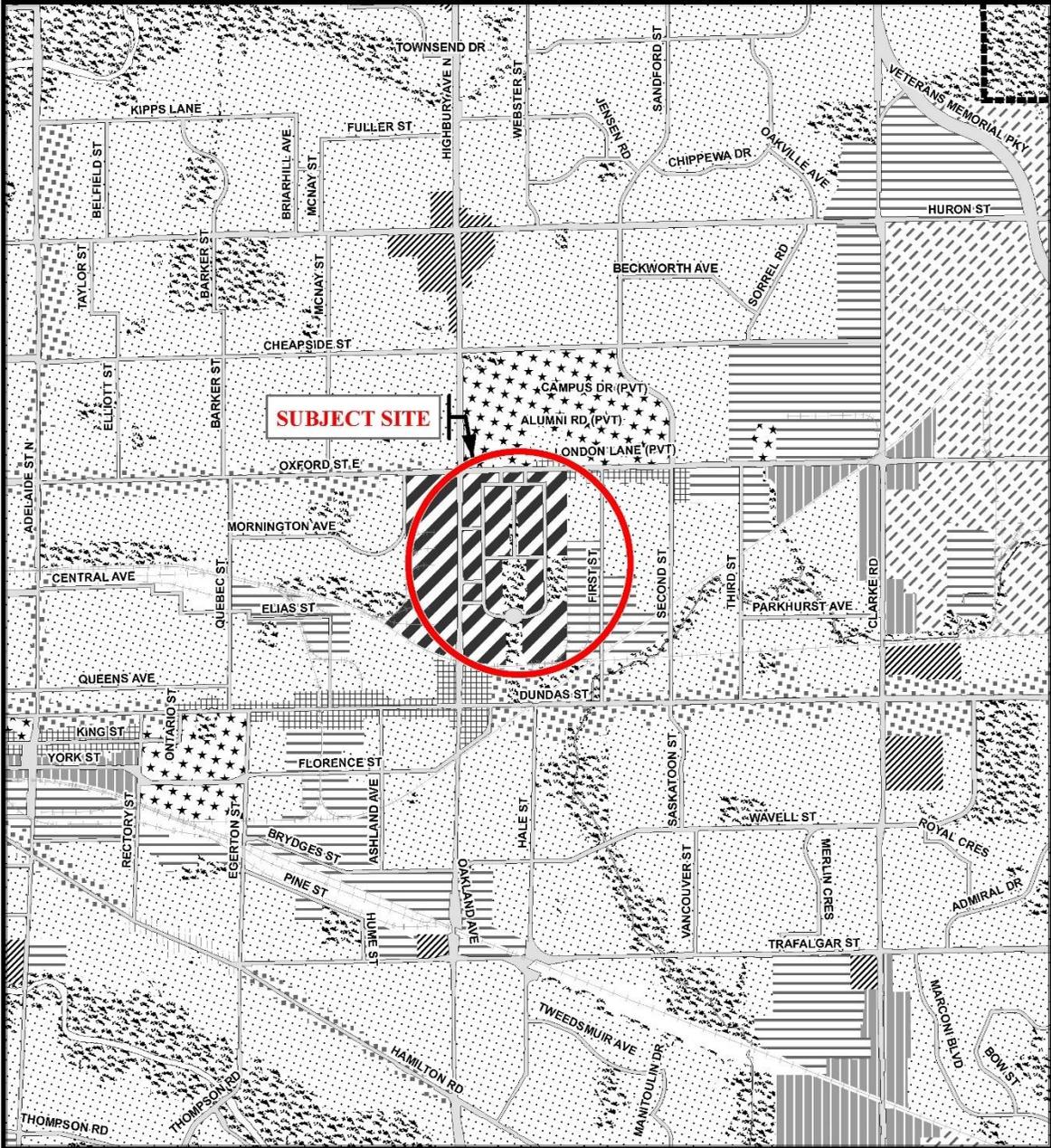
Sincerely,

William Pol, MCIP, RPP  
Principal Planner  
Pol Associates Inc.

cc. Mr. Pat Ballantyne, President Taurus Stamping Inc.

**Appendix D – Relevant Background**

**London Plan Excerpt**



**Legend**

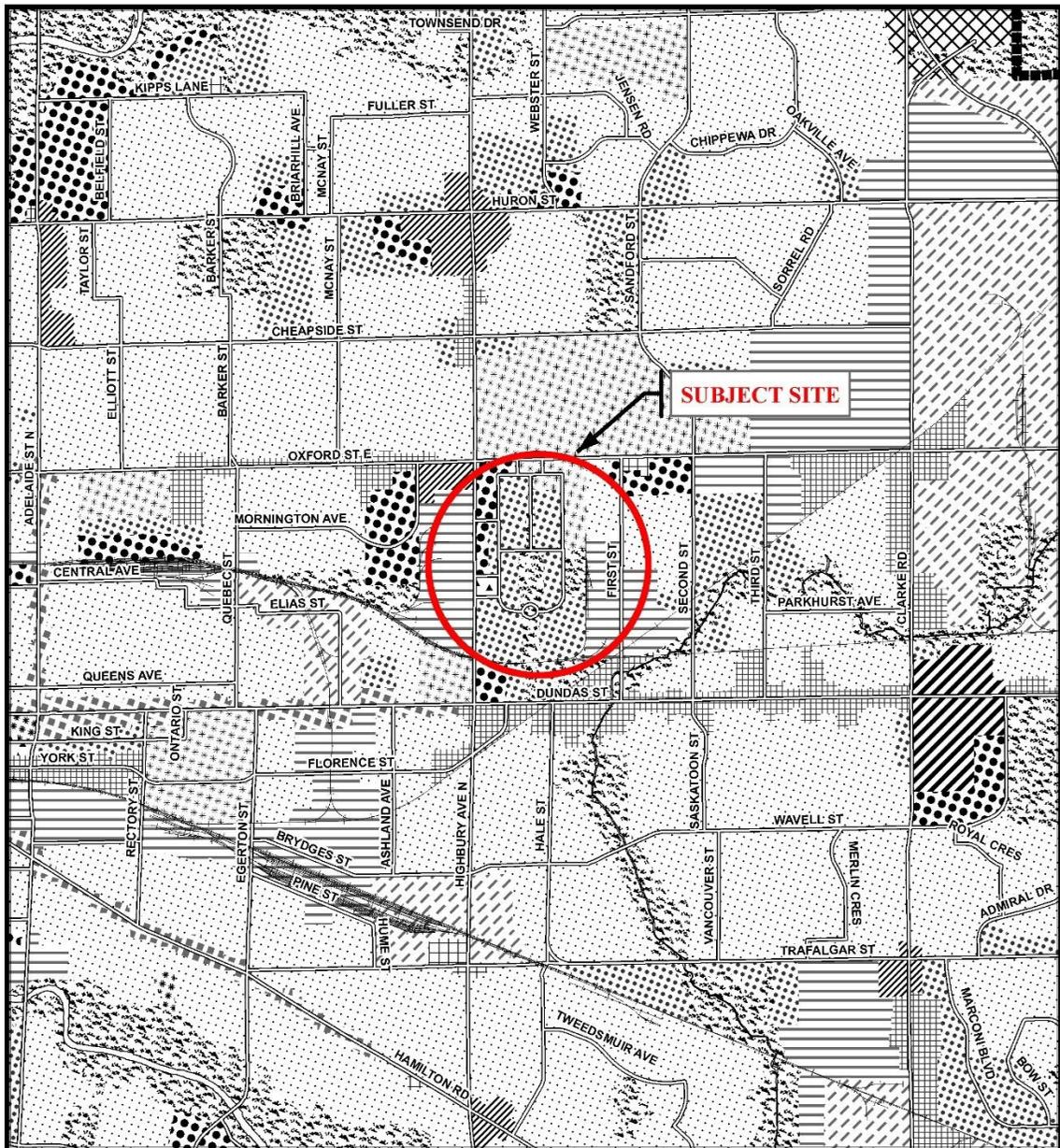
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street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

<p><b>CITY OF LONDON</b> Planning Services / Development Services</p> <p><b>LONDON PLAN MAP 1 - PLACE TYPES -</b></p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>File Number:</b> 39T-21503 / OZ-9324</p> <p><b>Planner:</b> MC</p> <p><b>Technician:</b> RC</p> <p><b>Date:</b> February 2, 2022</p>
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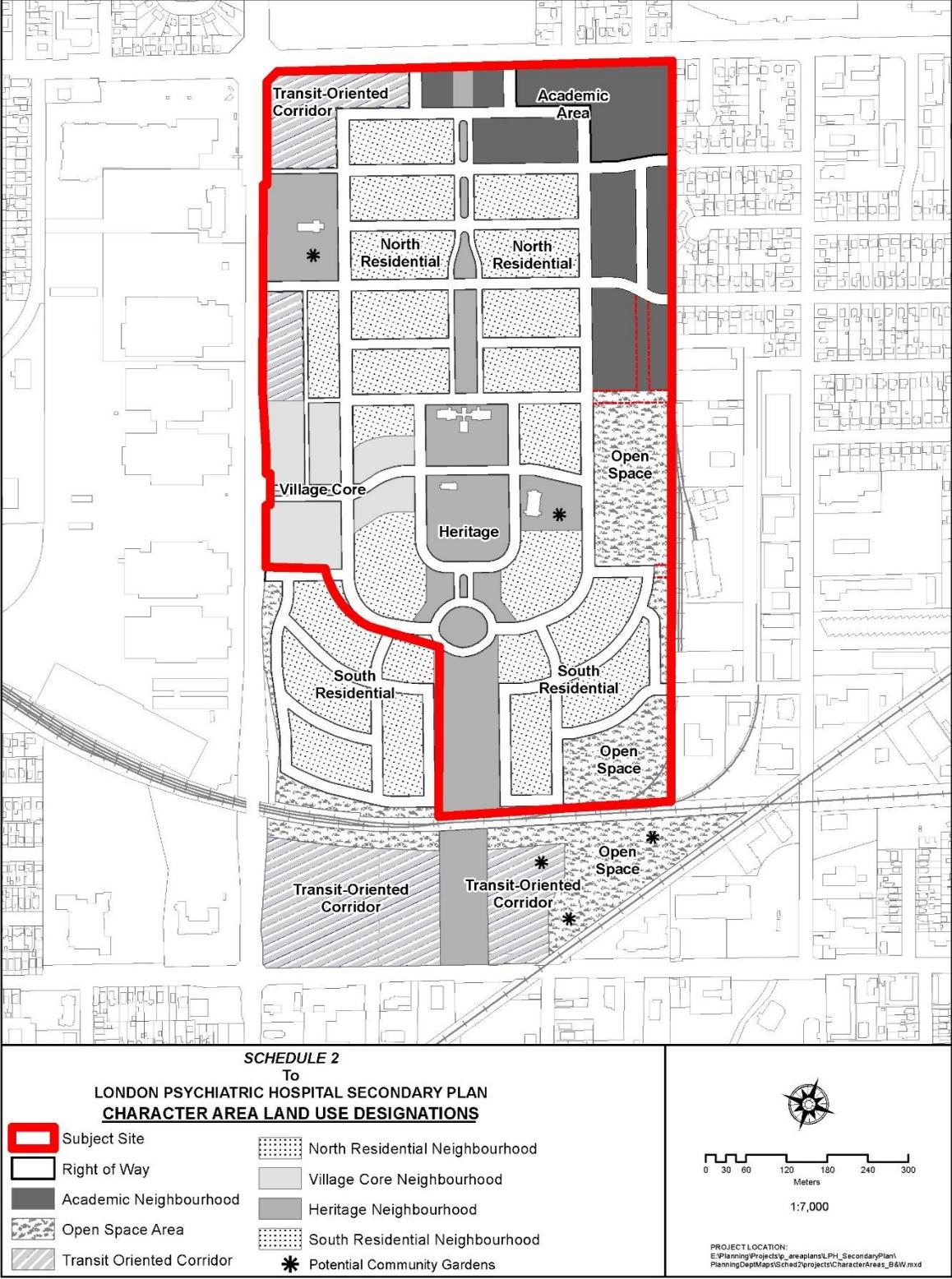
1989 Official Plan Excerpt



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

<p><b>CITY OF LONDON</b> Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -  PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 Meters	<p>FILE NUMBER: 39T-21503 / OZ-9324 PLANNER: MC TECHNICIAN: RC DATE: 2022/02/02</p>
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London Psychiatric Hospital Secondary Plan – Schedule 2 Excerpt





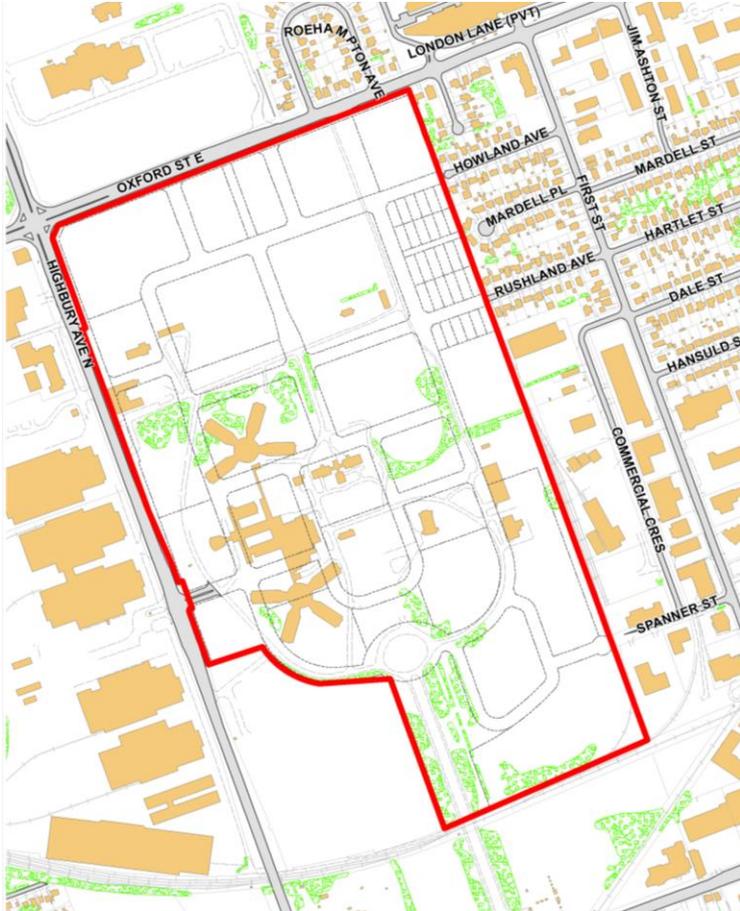


# 850 Highbury Avenue North London Psychiatric Hospital



**Proposed Official Plan Amendment  
Applicant: Old Oak Properties Inc.  
File No: OZ-9324**

# Development Proposal, Site Location and Context



## Proposal:

- Amend the London Psychiatric Hospital Lands Secondary Plan to allow mixed-use low, medium and high-density development with a mix of residential, commercial, heritage, community and other uses.
- Housekeeping updates to the Secondary Plan to remove references to the 1989 Official Plan

## Site Characteristics:

**Land Use:** vacant former hospital buildings, heritage buildings and landscapes, open space and sports fields

**Frontage:** 700m - Highbury Ave.; 600m Oxford St.; 20m - Howland Ave., Rushland Ave., and Spanner St.

**Area:** 58.15 hectares (143.7 acres)

**Shape:** irregular

## Surrounding Properties:

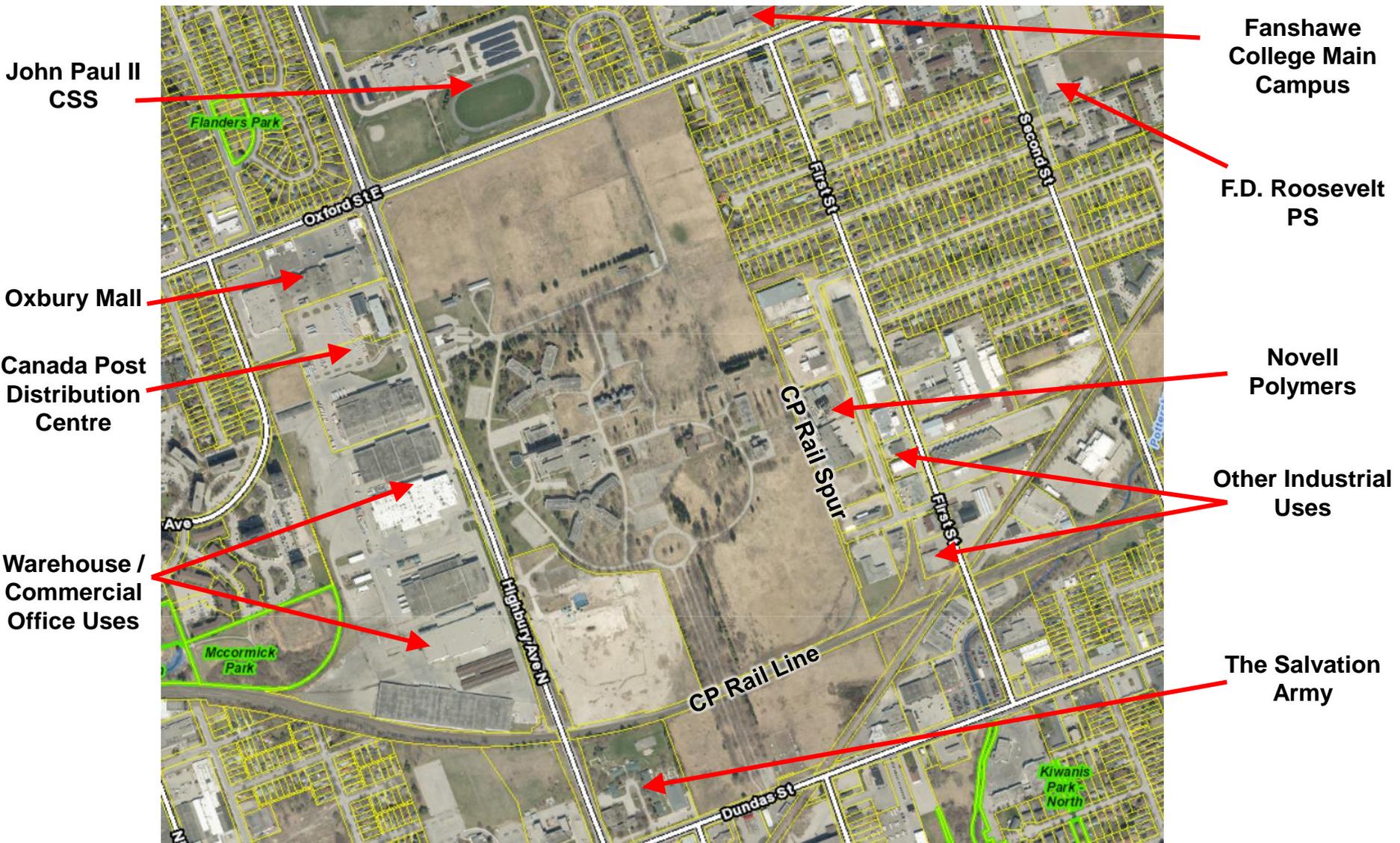
**North:** high school, Fanshawe College

**South:** Humane Society, Salvation Army, CPR Main Line

**East:** residential, industrial, CPR Spur Line

**West:** Office, warehouse, commercial industrial

# Aerial Photo



John Paul II  
CSS

Oxbury Mall

Canada Post  
Distribution  
Centre

Warehouse /  
Commercial  
Office Uses

Fanshawe  
College Main  
Campus

F.D. Roosevelt  
PS

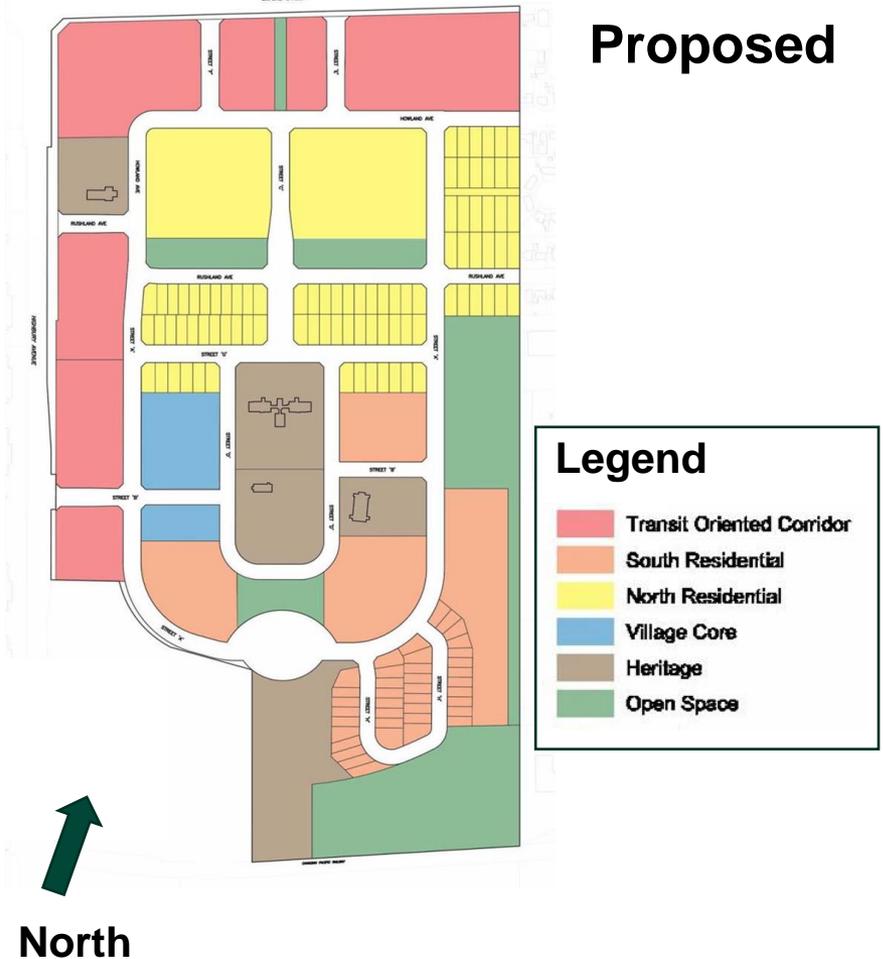
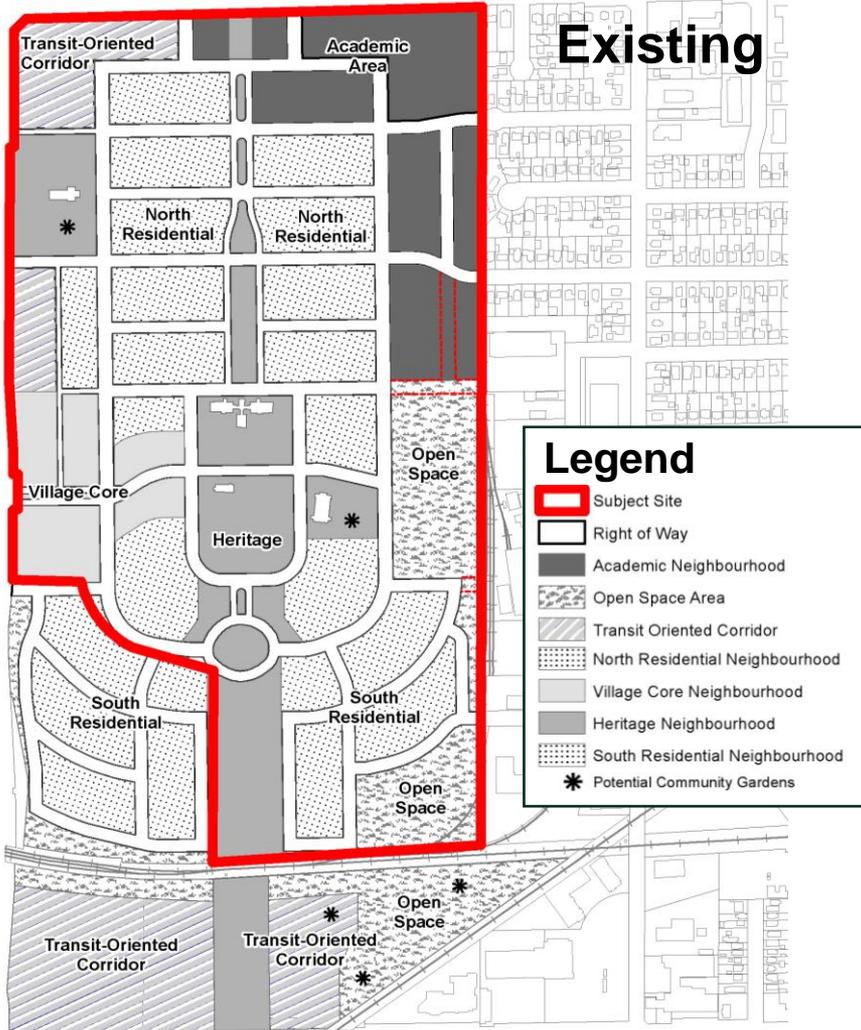
Novell  
Polymers

Other Industrial  
Uses

The Salvation  
Army

# Proposed Revised Amendment LPH Secondary Plan

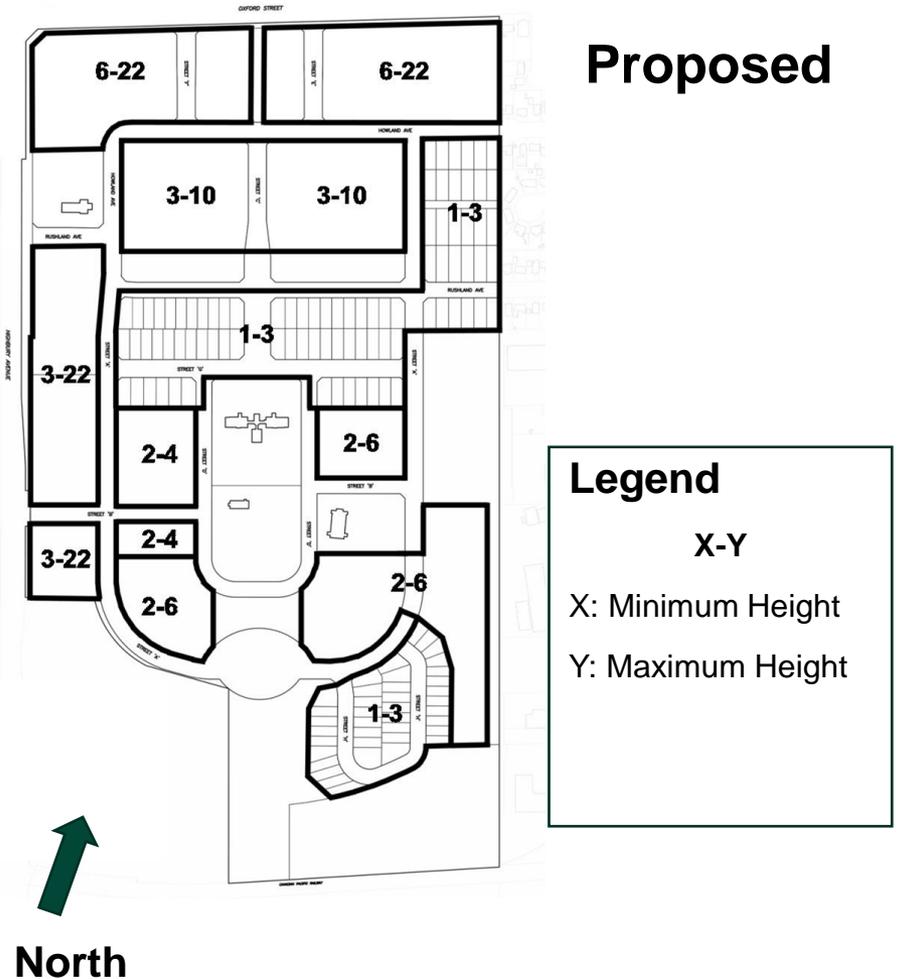
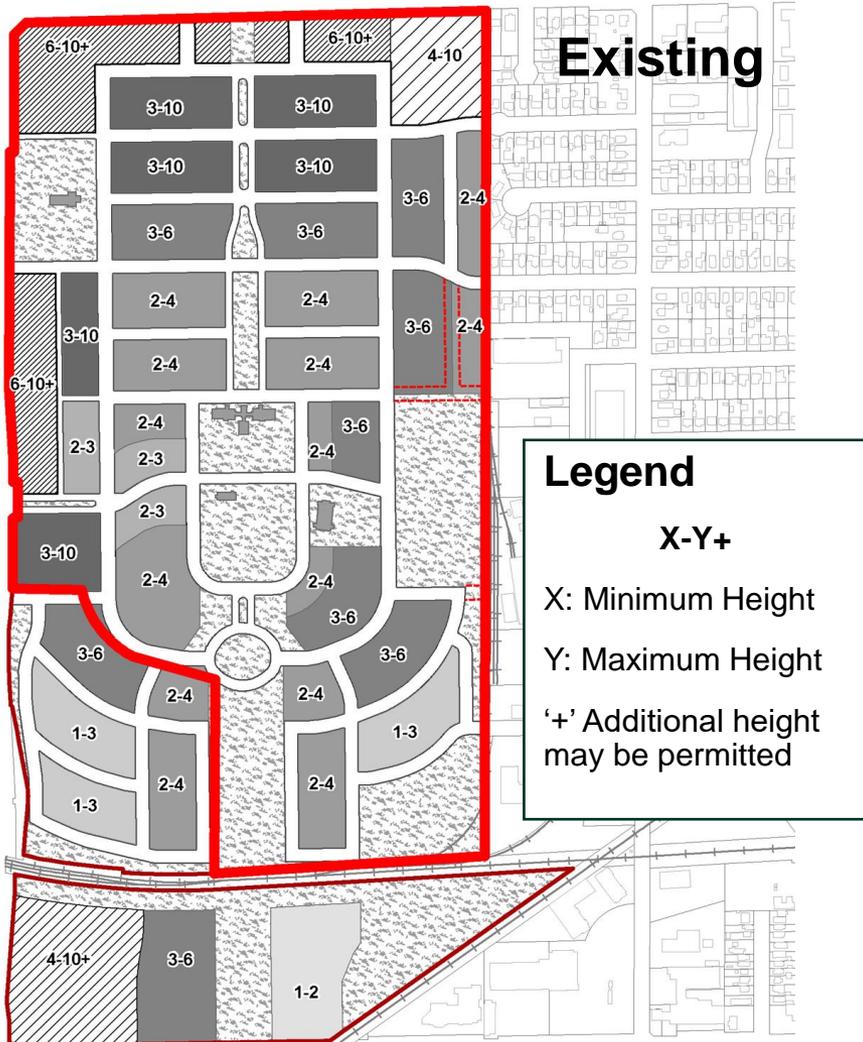
## Schedule 2: Character Areas Land Use Designations





# Proposed Revised Amendment LPH Secondary Plan

## Schedule 4: Building Height Plan





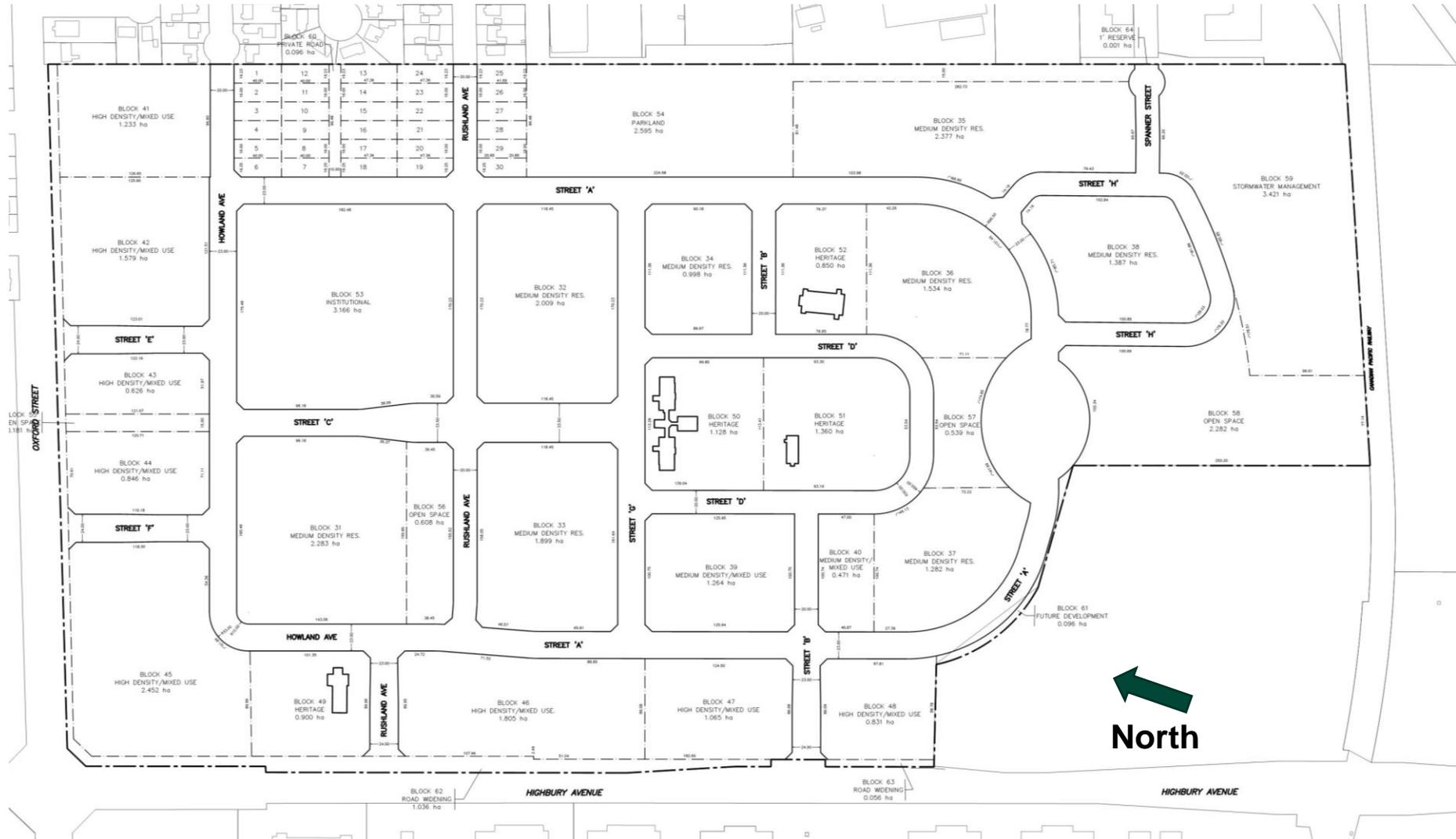
# Issues and Considerations

Following the submission of the revised Official Plan Amendment, several outstanding issues were identified by department staff and commenting agencies, including:

1. Removal of the planned connection to Spanner Street
2. Removal of minimum density requirements, and additional of low density residential uses
3. Increases in heights adjacent to the village core
4. Changes to road network adjacent to the heritage protected Treed Allée and Infirmary Building



# Revised Conceptual Development Plan



# Issues and Considerations

- **Issue: Increases in Heights and Density**
  - Requested amendment would permit 22 storeys in height on all blocks along Highbury Avenue and Oxford Street
  - Through discussions with staff, a revised amendment is recommended which would permit up to 22 storeys on the blocks closest to Oxford St. and Highbury Ave. intersection through site specific zoning. From there the maximum permitted height would decrease on blocks further south and east from the intersection.

# Issues and Considerations

- **Issue: Removal of Minimum Heights and Density**
  - Requested amendment would remove many of the minimum density requirements for the residential portions of the plan, as well as added single storey, stand-alone commercial uses and single detached dwellings as permitted uses.
  - Based on discussions with the applicant, revised language within the plan is recommended to maintain or increase the minimum densities required throughout of the plan, to not permit the standalone commercial uses, and limit the development of single detached dwellings.

# Issues and Considerations

- **Issue: Significant Built and Cultural Heritage Landscape Resources**
  - A number of cultural heritage landscape features and heritage buildings associated with the former London Psychiatric Hospital have been identified as having provincial heritage value.
  - Proposed amendments would redesignate portions as Open Space and permit rear lot development along the Treed Allée.
  - A revised amendment is recommended which maintains the heritage designation on all lands subject to the heritage easement, and requires development to front on to the Treed Allée.

# Issues and Considerations

- **Issue: Compatibility with Industrial and Rail Uses**

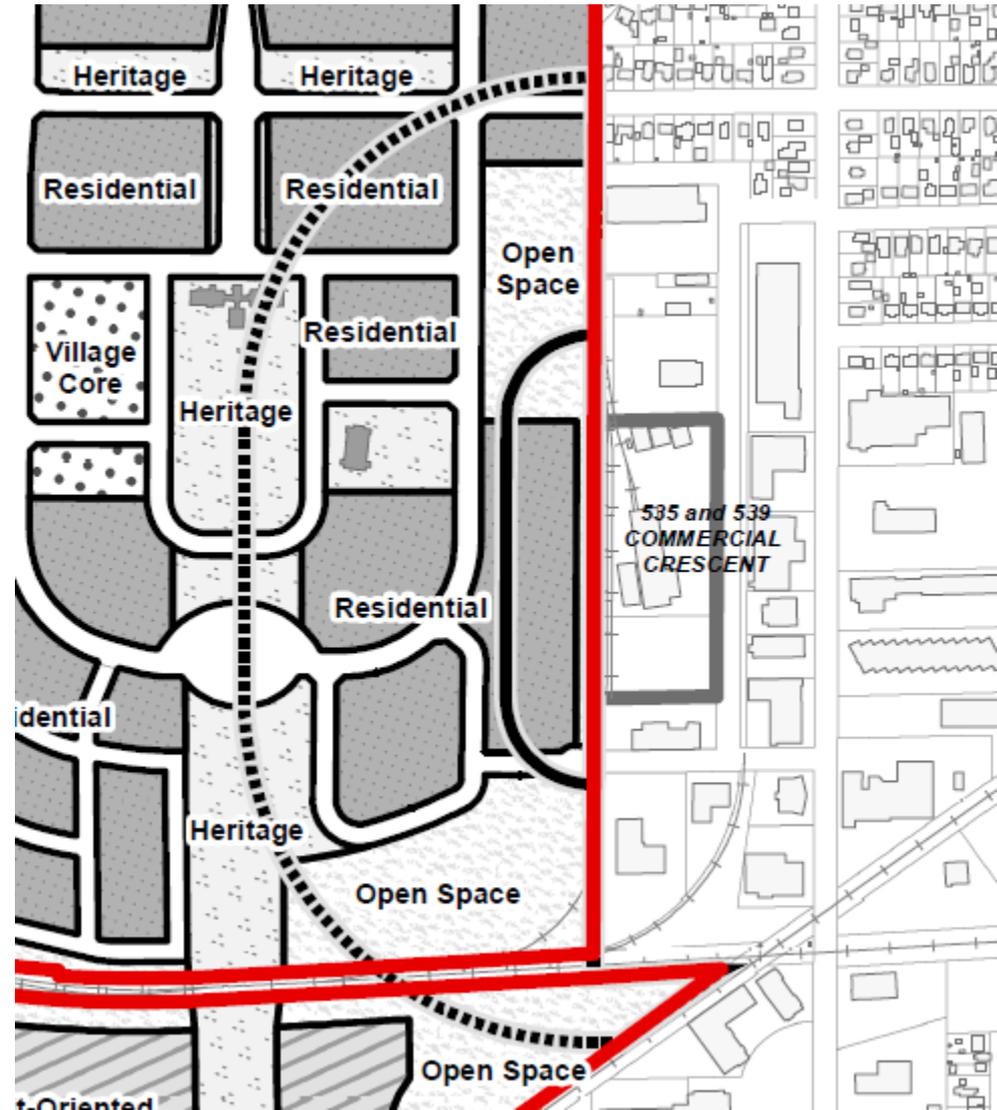
- Concerns were received from the adjacent industrial uses regarding the encroachment of sensitive residential land uses in the southeast corner of the secondary plan, and the limitations that this would place on the continued operation of the industrial uses.
- The proposed revised amendment included a new medium density residential area to permit a single loaded residential building to act as a noise barrier, following discussions with staff, additional changes were made to remove all single detached dwellings from this area and replace with medium density blocks.
- The completed noise study identifies that several potential mitigation measures may be required including a noise berm, using site design to protect sensitive indoor and outdoor spaces, force air ventilation, brick veneers, designation of a class 4 area, and warning clauses. Detailed mitigation measures will be identified during ZBA & DPS.

# Issues and Considerations

- **Issue:**  
**Compatibility with Industrial and Rail Uses**

SCHEDULE 9  
To  
LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN  
POTENTIAL NOISE AND VIBRATION IMPACT AREA

- ( 75 Metre Area of Influence for Vibration
- ( 300 Metre Area of Influence for Noise

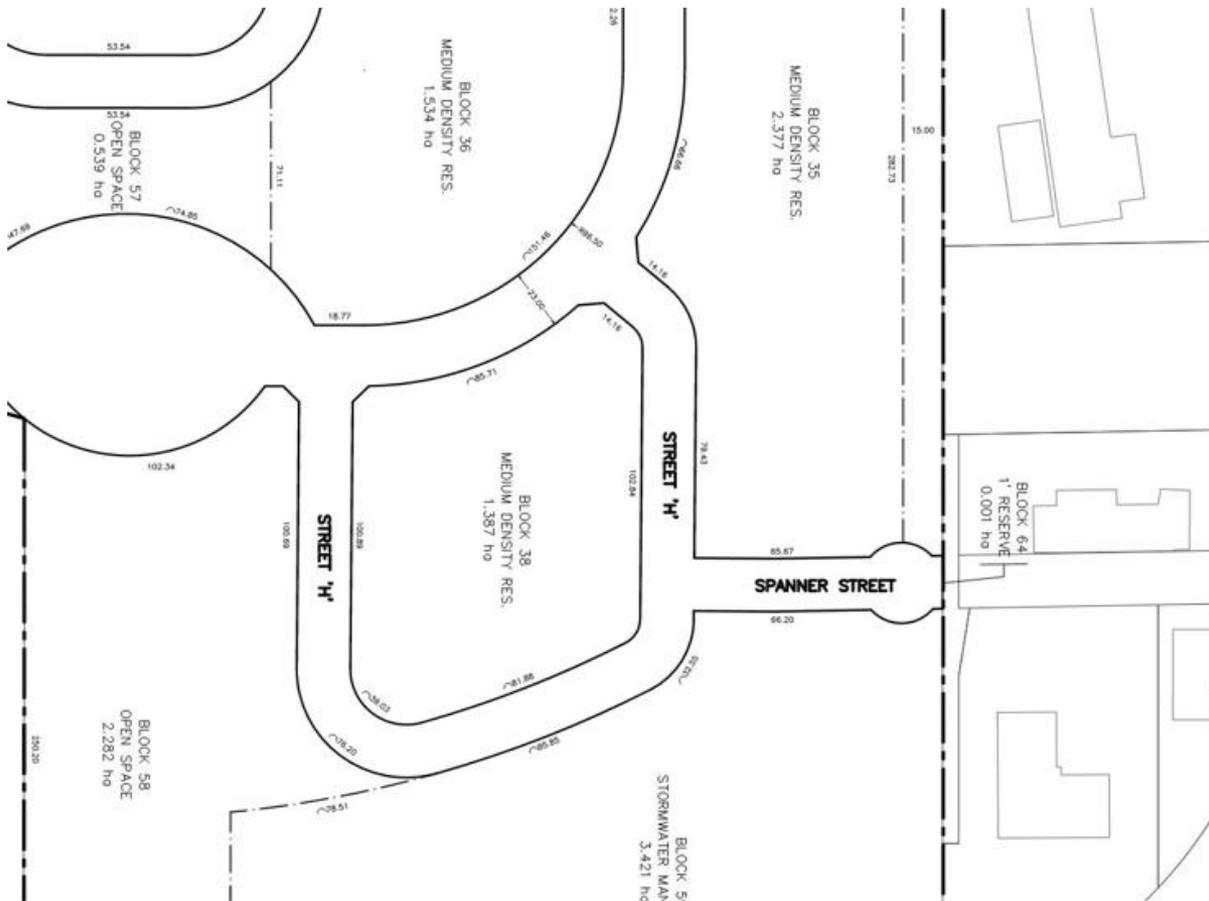


# Issues and Considerations

- **Issue: Spanner Street Connection**

- The existing Secondary Plan includes a planned connection to Spanner Street, currently a commercial industrial area
- The revised proposed amendment would have removed this planned connection and had a residential crescent with no access to Spanner Street.
- Transportation and Planning staff have concerns with removing this connection due to inadequate existing conditions for vehicles to turnaround on Spanner Street, and the loss of connectivity between the Secondary Plan area and the adjacent neighbourhood.
- The recommended revised amendment agreed upon with the applicant, includes an ultimate connection to Spanner Street.

- **Issue: Spanner Street Connection**



# Issues and Considerations

- **Issue: Municipal Servicing Infrastructure Capacity**
  - The revised amendment envisions a population of approximately 11,000 people on the subject lands, almost double the 6,000 planned across all of the existing Secondary Plan area.
  - Engineering staff have identified that the planned amendments to the Secondary Plan are supportable, but that additional detailed plans and drawings will be required prior to consideration of the associated Zoning By-Law Amendment and Draft Plan of Subdivision.

# Issues and Considerations

- **Issue: Affordable Housing and the Removal of Bonussing Policies**
  - The Province changed the Planning Act through Bill 108 (the More Homes More Choice Act, 2019) so that bonussing agreements can no longer be approved after September, 2022.
  - In the recommended amendment, policies requiring bonussing to reach the maximum permitted heights have been replaced with policies requiring site specific zoning by-law amendments.
  - Policies from the London Plan and other recent Secondary Plans have been added regarding the identification of the lands as a PMTSA where Inclusionary Zoning could be implemented in the future, and with objectives for the provision of Affordable Housing in the plan.

# Issues and Considerations

- **Issue: Urban Design**

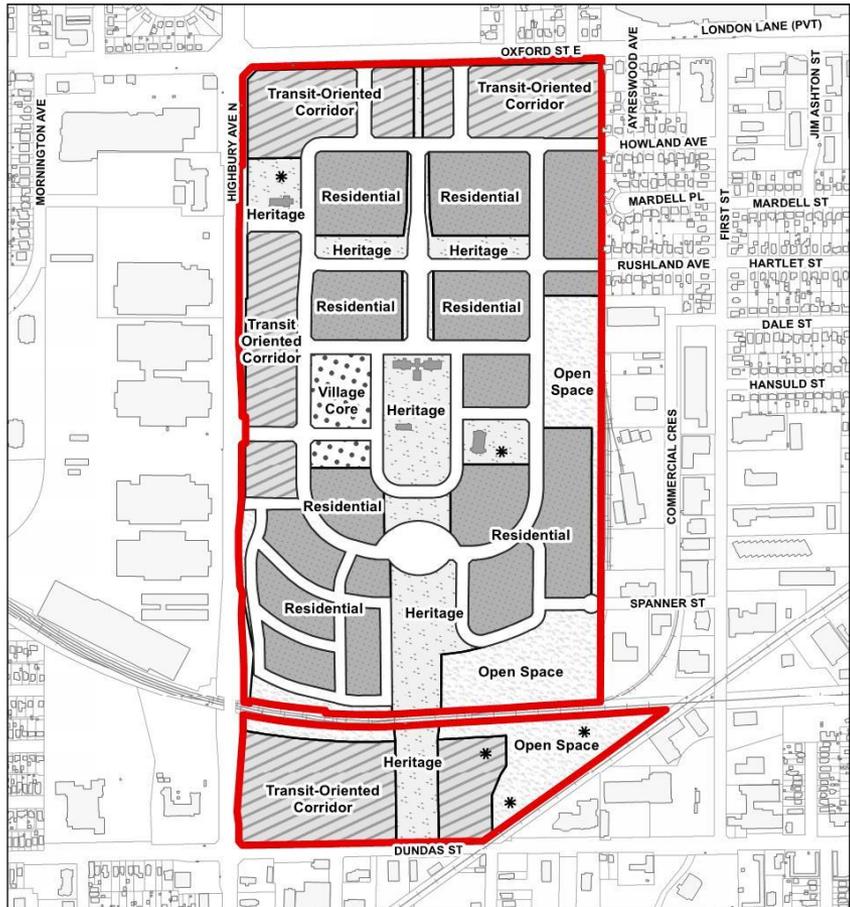
- The proposed amendments include many medium and high-density mixed-use areas in various phases of the development where the permitted heights are proposed to be increased.
- To support the proposed increased building heights and densities, the urban design section of the plan is recommended to be expanded and enhanced to provide clear guidance for the development of high-rise, mid-rise and low-rise development.

# Issues and Considerations

- **Issue: Housekeeping Amendments**

- As the 1989 Official Plan has now been repealed and is no longer the City of London's Official Plan, references to the old plan have been replaced with references to the new London Plan.
- These updates have been done throughout the plan, including to sections applying to properties outside of the subject lands
- So as not to change the permitted uses, heights and densities on lands not subject to the current development applications, but within the Secondary Plan, these lands have been moved to separate Land Use Designations with the existing policies of the plan.

# Recommended Amendment to LPH Secondary Plan



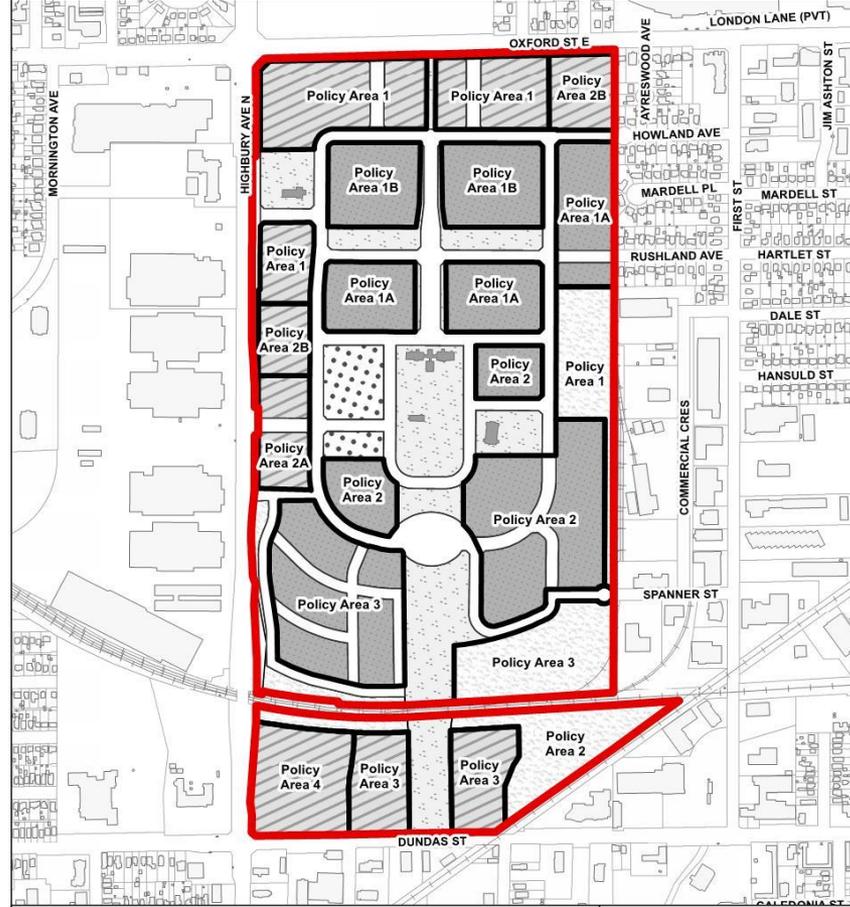
**SCHEDULE 2**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**

 Secondary Plan Boundary

**CHARACTER AREA LAND USE DESIGNATIONS**

 Heritage	 Residential	 Village Core
 Open Space	 Transit-Oriented Corridor	 Potential Community Gardens

PROJECT LOCATION  
E:\Planning\Projects\amendment\_LPH\_SecondaryPlan  
Planning\OpMap\Sched2\project\CharacterArea\_B3W.mxd



**SCHEDULE 3**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**

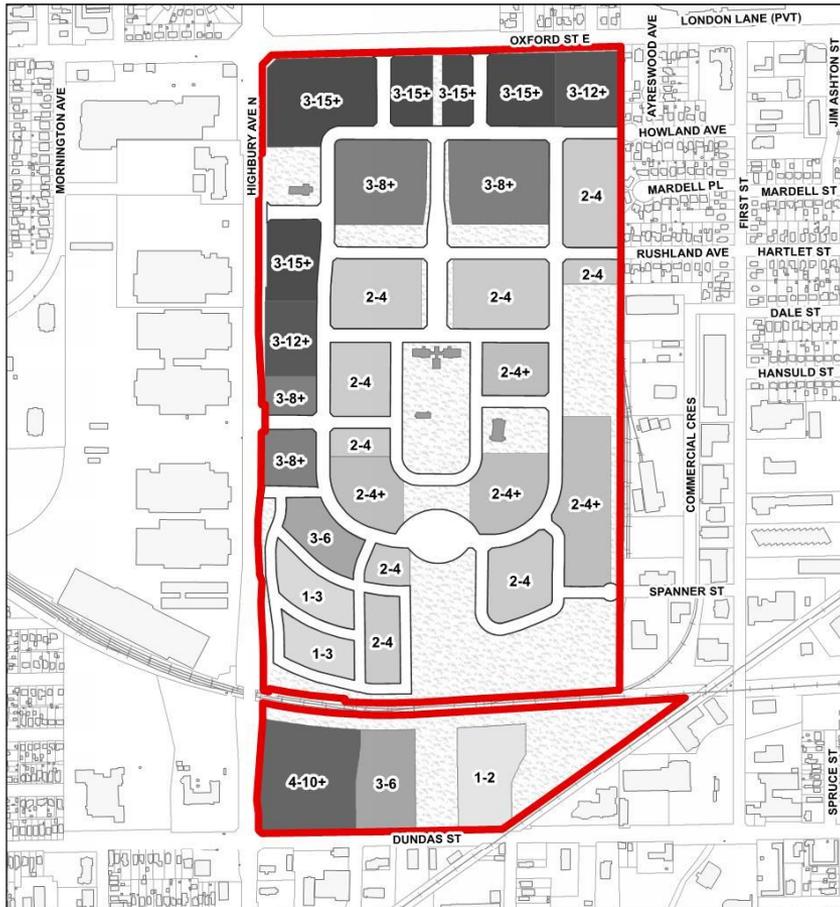
 Secondary Plan Boundary

**SUB AREA DESIGNATIONS**

 Policy Area Boundary	 Open Space	 Transit-Oriented Corridor
 Heritage	 Residential	 Village Core

PROJECT LOCATION  
E:\Planning\Projects\amendment\_LPH\_SecondaryPlan  
Planning\OpMap\Sched3\project\SubAreaDesignations\_B3W.mxd

# Recommended Amendment to LPH Secondary Plan

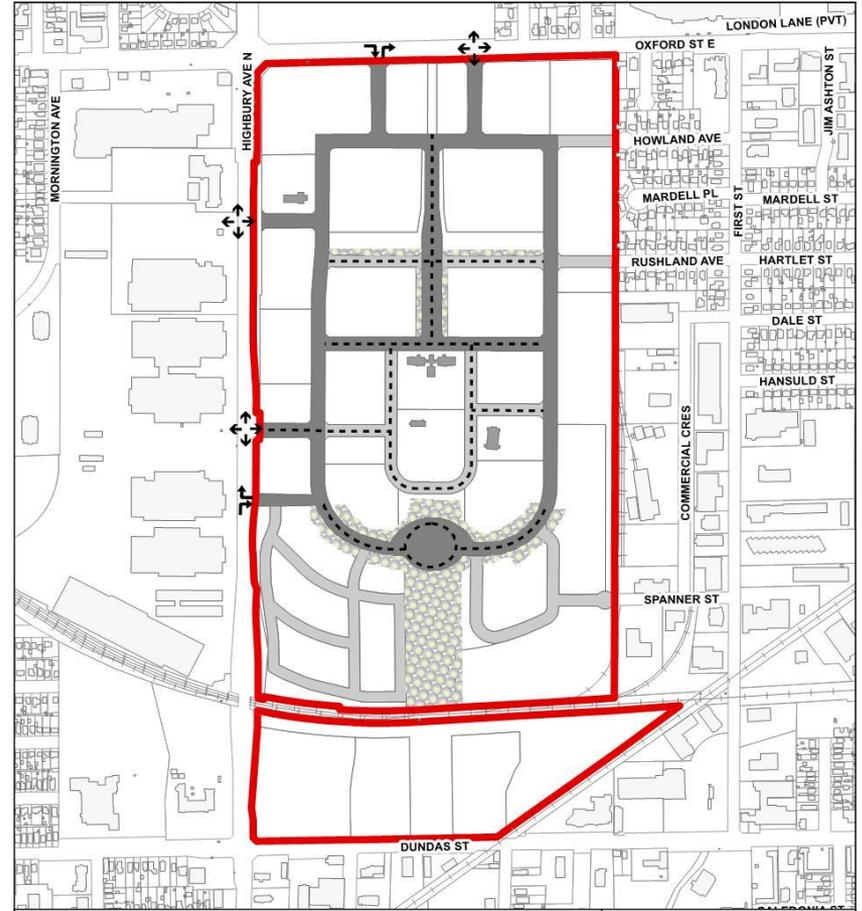
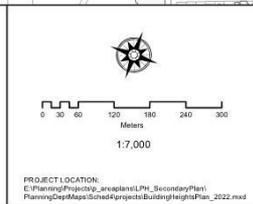


**SCHEDULE 4**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**BUILDING HEIGHT PLAN**

**Minimum-Maximum Height (Stores)**

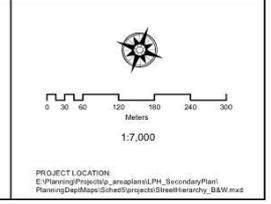
1-2	2-4	3-6	3-8+	3-12+
1-3	2-4+	3-6+	4-10+	3-15+

On blocks with a '+', development may be permitted above the heights shown on this plan, up to the Upper Maximum Height identified on Table 1 in accordance with the policies for each designation in the Plan



**SCHEDULE 5**  
To  
**LONDON PSYCHIATRIC HOSPITAL SECONDARY PLAN**  
**STREET HIERARCHY PLAN**

Neighbourhood Connector	Enhanced Design Street
Neighbourhood Street	Permitted Turning Movements
Priority Tree Retention Area	





# Recommendation

- The recommended Official Plan amendment is appropriate and consistent with the Provincial Policy Statement, and in keeping with the intent of The London Plan and the 1989 Official Plan.

# Community Advisory Committee on Planning Report

1st Meeting of the Community Advisory Committee on Planning  
May 26, 2022  
Virtual Meeting

Attendance PRESENT: S. Bergman (Chair), S. Ashman, M. Bloxam, I. Connidis, G. de Souza Barbosa, J. Dent, A. Johnson, S. Jory, J. Metrailler, M. Rice, J. Wabegijig, M. Wallace, K. Waud, M. Whalley and M. Wojtak and J. Bunn (Committee Clerk)

ALSO PRESENT: K. Gonyou, M. Greguol and B. Westlake-Power

The meeting was called to order at 12:00 PM.

## 1. Call to Order

### 1.1 Disclosures of Pecuniary Interest

M. Wallace discloses pecuniary interests in clauses 2.3 and 3.1 of the 1st Report of the Community Advisory Committee on Planning, having to do with a Demolition Request for Non-Designated Built Resources on the Heritage Designated Property located at 850 Highbury Avenue North - the former London Psychiatric Hospital Lands by Old Oak Properties and the Public Meeting Notice - Official Plan Amendment - 850 Highbury Avenue North, by indicating that the applicant is a member of the association that employs him.

J. Dent discloses a pecuniary interest in clause 6.3 of the 1st Report of the Community Advisory Committee on Planning, having to do with the Notice of Study Commencement - Meadowlily Road Area - Municipal Class Environmental Assessment, by indicating that his employer is involved in the file.

### 1.2 Election of Chair and Vice Chair

That S. Bergman and K. Waud BE ELECTED Chair and Vice Chair, respectively, for the term ending September 30, 2022; it being noted that the Community Advisory Committee on Planning held a general discussion related to rotating the responsibility of the role and appointment of the Chair.

## 2. Scheduled Items

### 2.1 Heritage Planning Orientation

That it BE NOTED that the presentation, as appended to the Agenda, dated May 26, 2022, from K. Gonyou, M. Greguol and L. Dent, Heritage Planners, with respect to a Heritage Planning Orientation, was received.

### 2.2 Demolition Request for Heritage Listed Property located at 180 Simcoe Street by Richmond Corporate Centre Inc.

That the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to the Demolition Request for Heritage Listed Property located at 180 Simcoe Street by Richmond Corporate Centre Inc. and the CACP supports the staff recommendation and the findings of the Heritage Impact Assessment; it being noted that

the CACP recommends the preservation of trees to mitigate potential impacts to adjacent cultural heritage resources.

- 2.3 Demolition Request for Non-Designated Built Resources on the Heritage Designated Property located at 850 Highbury Avenue North - the former London Psychiatric Hospital Lands by Old Oak Properties

That the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to the Demolition Request for Non-Designated Built Resources on the Heritage Designated Property located at 850 Highbury Avenue North - the former London Psychiatric Hospital Lands by Old Oak Properties and the CACP supports the staff recommendation.

### **3. Consent**

- 3.1 Public Meeting Notice - Official Plan Amendment - 850 Highbury Avenue North

That it BE NOTED that the Public Meeting Notice, dated May 11, 2022, from M. Clark, Planner I, with respect to an Official Plan Amendment related to the property located at 850 Highbury Avenue North, was received.

- 3.2 Public Meeting Notice - Zoning By-law Amendment - 537 Crestwood Drive

That it BE NOTED that the Public Meeting Notice, dated May 12, 2022, from A. Riley, Senior Planner, with respect to a Zoning By-law Amendment related to the property located at 537 Crestwood Drive, was received.

- 3.3 Public Meeting Notice - Zoning By-law Amendment - 258 Richmond Street

That it BE NOTED that the Public Meeting Notice, dated May 11, 2022, from A. Singh, Planner I, with respect to a Zoning By-law Amendment related to the property located at 258 Richmond Street, was received.

- 3.4 Notice of Planning Application - Zoning By-law Amendment - 6092 Pack Road

That it BE NOTED that the Notice of Planning Application, dated April 20, 2022, from S. Filson, Site Development Planner, with respect to a Zoning By-law Amendment related to the property located at 6092 Pack Road, was received.

- 3.5 Revised Notice of Planning Application - Zoning By-law Amendment - 599-601 Richmond Street

That it BE NOTED that the Revised Notice of Planning Application, dated May 5, 2022, from A. Riley, Senior Planner, with respect to a Zoning By-law Amendment related to the properties located at 599-601 Richmond Street, was received.

- 3.6 Notice of Planning Application - Official Plan and Zoning By-law Amendments - 4452 Wellington Road South

That it BE NOTED that the Notice of Planning Application, dated May 11, 2022, from N. Pasato, Senior Planner, with respect to Official Plan and Zoning By-law Amendments related to the property located at 4452 Wellington Road South, was received.

- 3.7 Notice of Revised Planning Application - Draft Plan of Subdivision - 723 Lorne Avenue and 25 Queens Place

That it BE NOTED that the Notice of Revised Planning Application, dated April 21, 2022, from A. Curtis, 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.

#### **4. Sub-Committees and Working Groups**

- 4.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, from the meeting held on April 27, 2022, was received.

#### **5. Items for Discussion**

- 5.1 Heritage Alteration Permit Application by E. Placzek at 525 Dufferin Avenue, East Woodfield Heritage Conservation District

That the Planning and Environment Committee BE ADVISED that the London Community Advisory Committee on Planning (CACP) received a report, dated May 26, 2022, with respect to a Heritage Alteration Permit Application by E. Placzek at 525 Dufferin Avenue, East Woodfield Heritage Conservation District and the CACP supports the staff recommendation.

- 5.2 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated May 26, 2022, from the Heritage Planners, was received.

- 5.3 Future Meeting Dates of the Community Advisory Committee on Planning - Discussion

That it BE NOTED that the Community Advisory Committee on Planning established a general meeting day and time of the second Wednesday of each month at 5:00 PM.

#### **6. Deferred Matters/Additional Business**

- 6.1 (ADDED) Notice of Planning Application - Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 954 Gainsborough Road

That it BE NOTED that the Notice of Planning Application, dated May 19, 2022, from A. Curtis, Planner I, with respect to a Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments related to the property located at 954 Gainsborough Road, was received.

6.2 (ADDED) Notice of Public Meeting - Kensington Bridge Environmental Assessment

That it BE NOTED that the Notice of Public Meeting, dated May 24, 2022, from K. Grabowski, City of London and J. Pucchio, AECOM Canada Ltd., with respect to the Kensington Bridge Environmental Assessment, was received.

6.3 (ADDED) Notice of Study Commencement - Meadowlily Road Area - Municipal Class Environmental Assessment

That it BE NOTED that the Notice of Study Commencement, dated May 3, 2022, from V. Pugliese, MTE Consultants Inc. and K. Graham, City of London, with respect to the Meadowlily Road Area Municipal Class Environmental Assessment, was received.

**7. Adjournment**

The meeting adjourned at 2:29 PM.