Agenda Including Addeds
Planning and Environment Committee

13th Meeting of the Planning and Environment Committee

July 25, 2022, 4:00 PM

Council Chambers

Please check the City website for additional meeting detail information

Meetings can be viewed via live-streaming on YouTube and the City Website

Members

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

The City of London is committed to making every effort to provide alternate formats and communication supports for Council, Standing or Advisory Committee meetings and information, upon request. To make a request for any City service, please contact accessibility@london.ca or 519-661-2489 ext. 2425. To make a request specific to this meeting, please contact PEC@london.ca

Pages

1. Disclosures of Pecuniary Interest

2. Consent

2.1. 1st Report of the Ecological Community Advisory Committee 4

a. (ADDED) 2nd Report of the Ecological Community Advisory Committee *64*

2.2. 3rd Report of the Community Advisory Committee on Planning 69

2.3. Heritage Alteration Permit Application - Elizabeth Street Infrastructure Renewal Project in the Old East Heritage Conservation District 74

2.4. Request for Designation under Part IV of the Ontario Heritage Act - 514 Pall Mall Street 89

2.5. Heritage Alteration Permit Application - 45 Bruce Street, Wortley Village-Old South Heritage Conservation District 107

2.6. 1345 Cranbrook Road and 1005 Longworth Road - Exemption from Part-Lot Control (P-9488) 119

2.7. Building Division Monthly Report - May 2022 129

3. Scheduled Items

3.1. Public Participation Meeting - Not to be Heard before 4:00 PM - 414 and 418 Old Wonderland Road (39CD-22501) 137

3.2. Public Participation Meeting - Not to be Heard before 4:00 PM - 254 Hill Street - Demolition Request for a Heritage Listed Property 155

3.3. Public Participation Meeting - Not to be Heard before 4:00 PM - 432 Grey Street - Request to Remove the Fugitive Slave Chapel from a Heritage Designated Property 226

a. M. Temme 253

b. H. Neary 254

c. (ADDED) N. Steele *255*

d. (ADDED) G. Hodder *256*

e. (ADDED) C. and A. Cameron *257*

f. (ADDED) J. Hunten *258*

g. (ADDED) C. Cadogan, Chair, London Black History Coordinating Committee *259*

h. (ADDED) M. Hamilton, Professor, Department of History, Western University *261*

i. (ADDED) E. A. Quinn, Emerita Professor of History, Hartwick College *266*

j. D. Brock, President, The London and Middlesex Historical Society *267*

3.4. Public Participation Meeting - Not to be Heard before 4:30 PM - 18 Elm Street (Z-9496) 268

a. (ADDED) Staff Presentation *297*

3.5. Public Participation Meeting - Not to be Heard before 4:30 PM - 538 Southdale Road East (Z-9480) 307

a. (ADDED) Staff Presentation *344*

3.6. Public Participation Meeting - Not to be Heard before 5:00 PM - Parking Standards Review (OZ-9520) 353

a. (ADDED) Staff Presentation *411*

b. (ADDED) AM Valastro *419*

3.7. Public Participation Meeting - Not to be Heard before 5:30 PM - 2009 Wharncliffe Road South (OZ-9348) 420

a. Staff Presentation 474

b. (ADDED) Revised By-law *480*

3.8. Public Participation Meeting - Not to be Heard before 5:30 PM - 3510-3524 Colonel Talbot Road (Z-9491) 492

a. Staff Presentation 527

b. (ADDED) G. Dietz *534*

3.9. Public Participation Meeting - Not to be Heard before 6:00 PM - 672 Hamilton Road - Demolition Request for a Heritage Listed Property 535

3.10. Public Participation Meeting - Not to be Heard before 6:00 PM - 1067, 1069, and 1071 Wellington Road (OZ-9263 / Z-9264) 585

a. (ADDED) Revised By-law *656*

b. (ADDED) Staff Presentation

3.11. Public Participation Meeting - Not to be Heard before 5:00 PM - 574 Southdale Road East (Z-9481)

Note: Refer to Item 3.5 for Staff Report and Presentation

4. Items for Direction

5. Deferred Matters/Additional Business

6. Confidential (Enclosed for Members Only)

6.1. Land Acquisition / Solicitor-Client Privileged Advice / Commercial and Financial Information / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiation

A matter pertaining to a proposed land donation and pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value; and a position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality

7. Adjournment

Ecological Community Advisory Committee

Report

The 1st Meeting of the Ecological Community Advisory Committee
June 16, 2022
Advisory Committee Virtual Meeting
Please check the City website for current details

Attendance

PRESENT: S. Levin (Chair), P. Almost, P. Baker, T. Hain, S. Hall, B. Krichker, K. Lee, M. Lima, R. McGarry, S. Miklosi, K. Moser, G. Sankar, S. Sivakumar and V. Tai and H. Lysynski (Committee Clerk)
ABSENT: S. Evans
ALSO PRESENT: G. Barrett, I. de Ceuster, K. Edwards, S. Butnari, J. MacKay and M. Shepley
The meeting was called to order at 4:01 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Chair and Vice-Chair

That S. Levin and S. Hall BE ELECTED Chair and Vice Chair, respectively, for the term ending November 30, 2022.

2. Scheduled Items

2.1 Planning and Economic Development Orientation

That it BE NOTED that the attached presentation from G. Barrett, Director, Planning and Development, related to a Service Area Overview, was received.

2.2 Class ‘C’ Environmental Assessment - Western Road – Sarnia Road/Philip Aziz Avenue Intersection

That it BE NOTED that the presentation, as appended to the Added Agenda, from J. Pucchio, AECOM, related to the Western Road / Sarnia Road / Philip Aziz Avenue Environmental Assessment, was received.

3. Consent

3.1 Notice of Public Meeting - 689 Oxford Street West

That it BE NOTED that the Public Meeting Notice, dated June 1, 2022, from T. Macbeth, Senior Planner, with respect to a Notice of Revised Application and Public Meeting related to the property located at 689 Oxford Street West, was received.

4. Sub-Committees and Working Groups

None.

5. Items for Discussion

5.1 Notice of Planning Application - 307 Sunningdale Road East

That a Working Group BE ESTABLISHED, consisting of S. Levin (lead), P. Almost, S. Hall and B. Krichker, relating to the property located at 307 Sunningdale Road East; it being noted that the Ecological Community Advisory Committee (ECAC) received a Notice of Planning Application for a Zoning By-law Amendment related to the property located at 307 Sunningdale Road East; it being further noted that the ECAC received the attached presentation from I. de Ceuster, Planner I, with respect to this matter.

5.2 Notice of Planning Application - 4452 Wellington Road South

That it BE NOTED that the Public Meeting Notice, 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.

5.3 Wetlands in London, Ontario: Lessons Learned from 905 Sarnia Wetland and Recommendations for the future - Draft 2

That, the Wetlands in London, Ontario: Lessons Learned from 905 Sarnia Road Westland and Recommendations for the future - Draft 2 BE REFERRED to the Civic Administration for review.

5.4 Goldfish Brochure

That it BE NOTED that S. Hall will liaise with B. Samuels to update the proposed Goldfish brochure.

6. (ADDED) Deferred Matters/Additional Business

6.1 (ADDED) Notice of Planning Application - 2331 Kilally Road and 1588 Clarke Road

That it BE NOTED that the Public Meeting Notice, dated June 13, 2022, from L. Mottram Senior Planner, with respect to a revised Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments related to the properties located at 2331 Kilally Road and 1588 Clarke Road, was received.

6.2 (ADDED) Future Meeting Dates and Times

That the following actions be taken with respect to the future meeting dates and time of the Ecological Community Advisory Committee (ECAC):

a) H. Lysynski, Committee Clerk, BE REQUESTED to include an item on the July 21, 2022 agenda relating to potential dates and times for future meetings; and,

b) the next ECAC meeting be scheduled for Thursday, July 21, 2022 at 4:00 PM.

7. Adjournment

The meeting adjourned at 7:00 PM.

Ecological Community Advisory Committee Orientation

Planning and Development

Gregg Barrett, AICP
Director, Planning and Development

June 16, 2022

Who are we?

Planning and Development
Planning and Economic Development

- Long Range Planning, Research and Ecology
- Subdivisions and Development Inspections
- Current Planning
- Community Planning, Urban Design and Heritage

Why do we Plan?

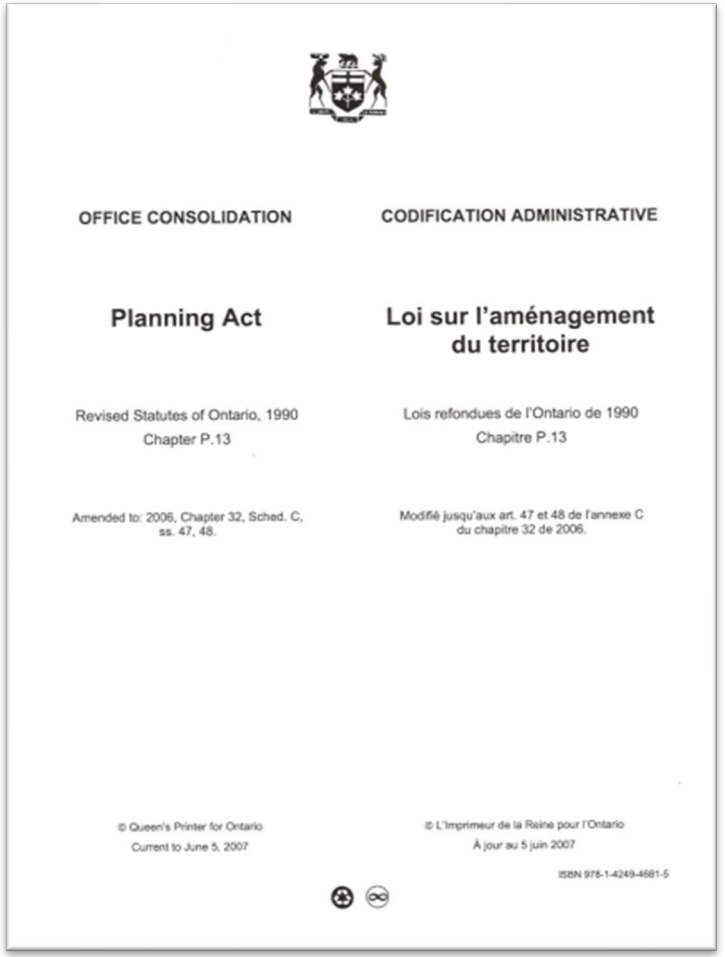
- Establish priorities for growth and development
- Establish a “vision” for how we want to grow
- Establish policies for the long term protection of agricultural lands
- Establish policies for the long term protection of the natural heritage system
- Establish policies to support sustainable and resilient development
- Establish policies for how we will consider changes to our policies
- Establish policies for how we will consult with the Public

Competing Perspectives

We Have Limitations

Planning Act

- Outlines what a municipality can do to plan land use
- Gives cities planning tools to:
  - Allow for the subdivision of land
  - Regulate land uses
  - Regulate site planning & design (with limitations)



OFFICE CONSOLIDATION

CODIFICATION ADMINISTRATIVE

Planning Act

Loi sur l'aménagement du territoire

Revised Statutes of Ontario, 1990
Chapter P.13

Lois refondues de l'Ontario de 1990
Chapitre P.13

Amended to: 2006, Chapter 32, Sched. C, ss. 47, 48.

Modifié jusqu'aux art. 47 et 48 de l'annexe C du chapitre 32 de 2006.

© Queen's Printer for Ontario
Current to June 5, 2007

© L'Imprimeur de la Reine pour l'Ontario
À jour au 5 juin 2007

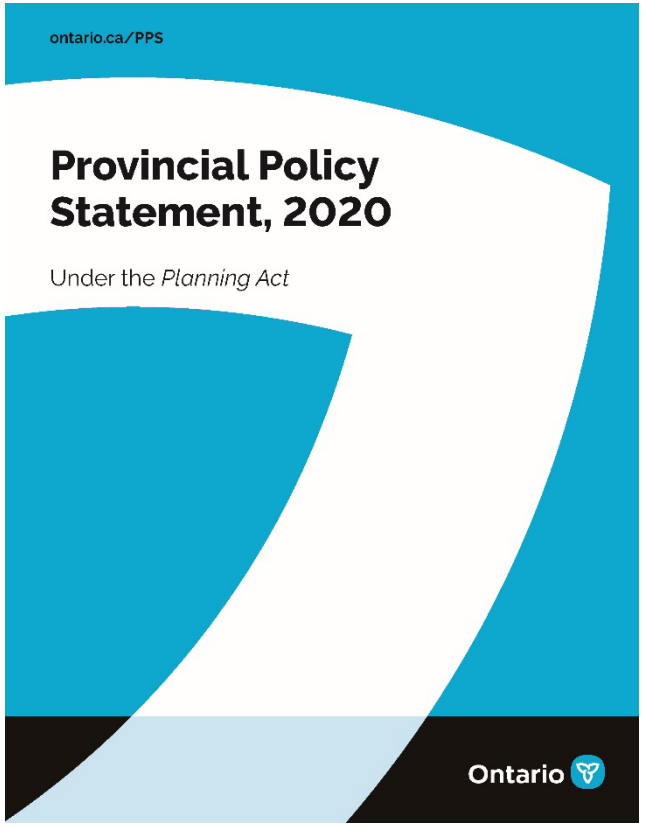
ISBN 978-1-4249-4681-5

Planning Act Does Not Allow

- Planning by relationship or by tenure
- Planning by socio-economic status
- Planning for “nothing” on a site
- Positive obligations
- Detailed control over operations

Provincial Policy Statement (PPS)

- Planning Act REQUIRES that all municipalities make planning decisions that are consistent with the PPS
- PPS lays out provincial interests



Planning Tools

- Official Plans
- Zoning By-laws
- Site Plan By-laws

Official Plan

- The Planning Act requires municipalities to enact an Official Plan
- Maps & Policies
- Provides the vision for how the City will develop over time
- Anticipates ongoing changes in land use, but gives a policy framework for how proposed changes will be evaluated to achieve the long term vision

Official Plan

- All properties are given a land use designation
- Policies within that designation guide the evaluation of planning applications
- ALL BY-LAWS AND PUBLIC WORKS MUST CONFORM WITH THE OFFICIAL PLAN
- The Official Plan can be changed

Zoning By-law

- Regulates the use and development of lands
- Must be in conformity with the Place Types and policies of the Official Plan
- Applies zone boundaries and prescribes Regulations for each Zone, such as:
  - Permitted uses
  - Minimum setbacks
  - Maximum building height
  - Maximum building coverage
  - Landscape Open Space
  - Parking requirements

Changing the Zoning By-law

- Amendments to the Zoning By-law must be in conformity with the Official Plan
- Zoning By-law Amendments can be approved together with and Official Plan Amendment and/or a Plan of Subdivision
- All amendment applications include Notice and provision for public input, including a public participation meeting before the Planning and Environment Committee (PEC)
- Final decision is made by Municipal Council, and Council's decision is subject to appeal to the Ontario Land Tribunal (OLT)

Plan of Subdivision

- Plans of subdivision regulate the division of land, and determine such things as lotting patterns, street layouts, and the installation of infrastructure
- Plans of subdivision are often submitted after a Secondary Plan has been adopted by Municipal Council
- Plans of Subdivision must be in conformity with the Place Types and policies of the Official Plan, and be consistent with any applicable Secondary Plan
- Applications for subdivision approval include Notice and provision for public input, including a public participation meeting before the Planning and Environment Committee (PEC)

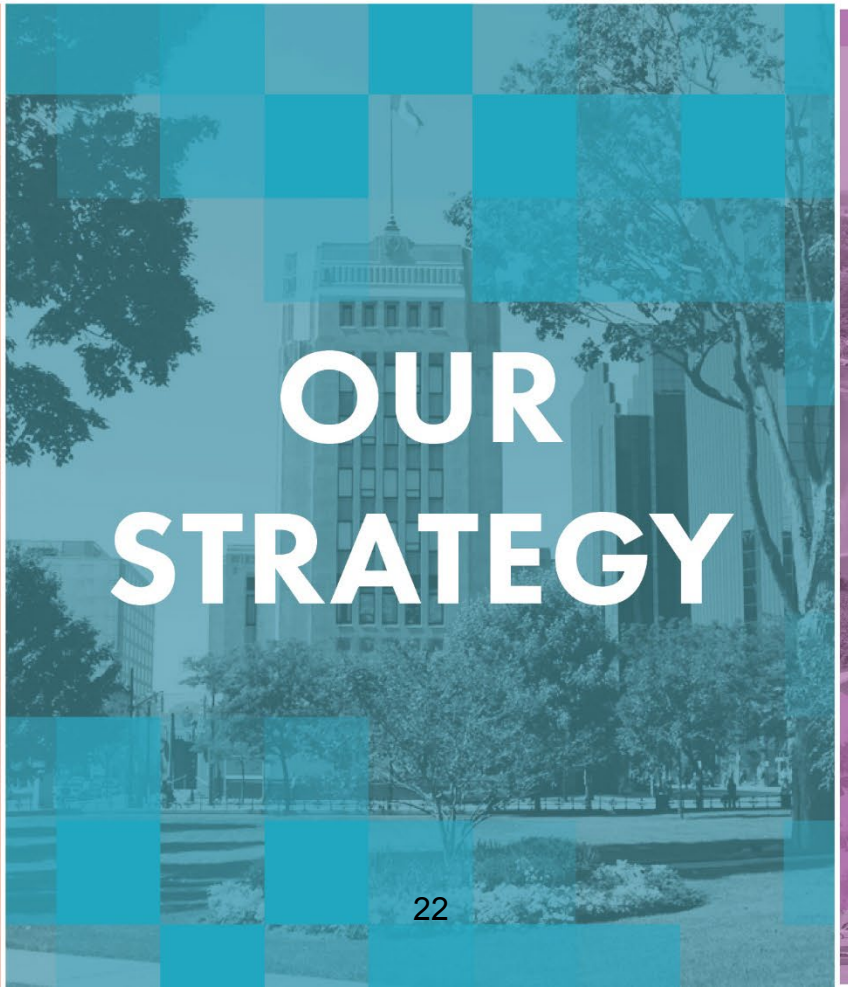
THE LONDON PLAN

EXCITING. EXCEPTIONAL. CONNECTED.

STRUCTURE OF THE PLAN

- OUR CHALLENGE
- OUR STRATEGY
- OUR CITY
- CITY BUILDING POLICIES
- PLACE TYPE POLICIES
- ENVIRONMENTAL POLICIES
- SECONDARY PLANS
- OUR TOOLS
- APPENDIX 1 - MAPS

STRUCTURE OF THE PLAN



THE LONDON PLAN APPROACH

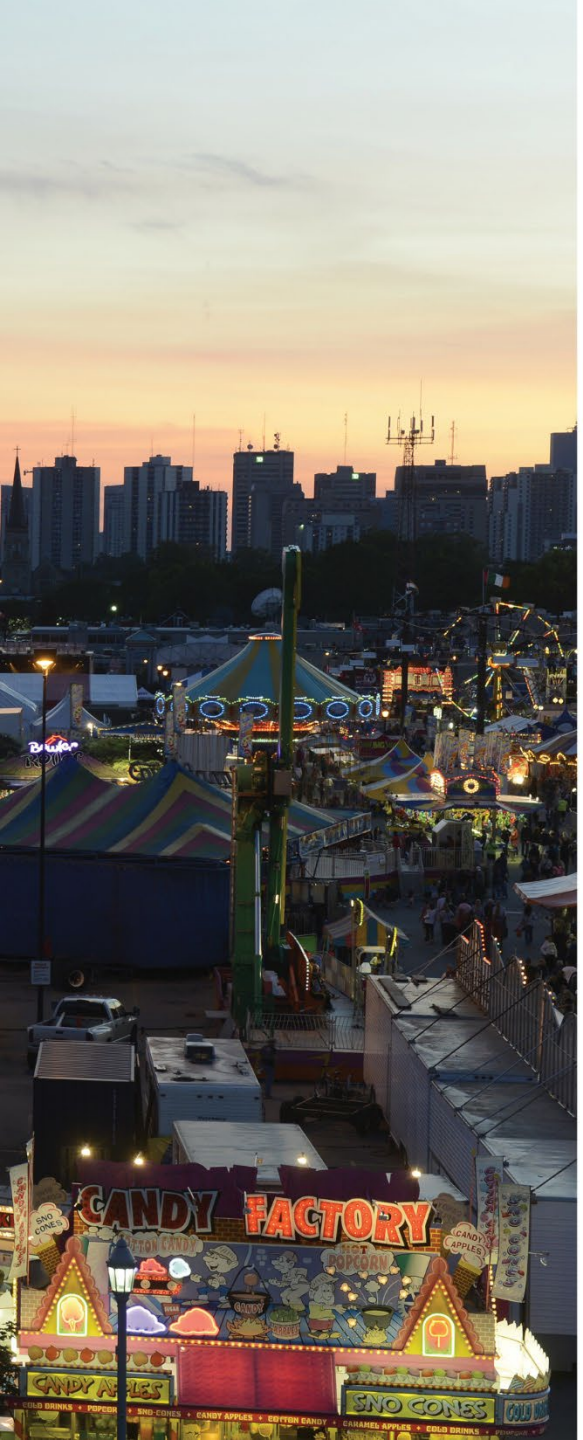
BASED ON A VISION, VALUES & KEY DIRECTIONS

London 2035:

Exciting,
Exceptional,
Connected

VALUES

1. BE ACCOUNTABLE
2. BE COLLABORATIVE
3. DEMONSTRATE LEADERSHIP
4. BE INCLUSIVE
5. BE INNOVATIVE
6. THINK SUSTAINABLE



THE LONDON PLAN APPROACH

KEY DIRECTIONS

#1 Plan strategically for a prosperous city

#2 Connect London to the surrounding region

#3 Celebrate and support London as a culturally rich, creative and diverse city

#4 Become one of the greenest cities in Canada

#5 Build a mixed-use compact city

#6 Place a new emphasis on creating attractive mobility choices

#7 Build strong, healthy and attractive neighbourhoods for everyone

#8 Make wise planning decisions

THE LONDON PLAN APPROACH

GROUNDED IN A CITY STRUCTURE CONCEPT

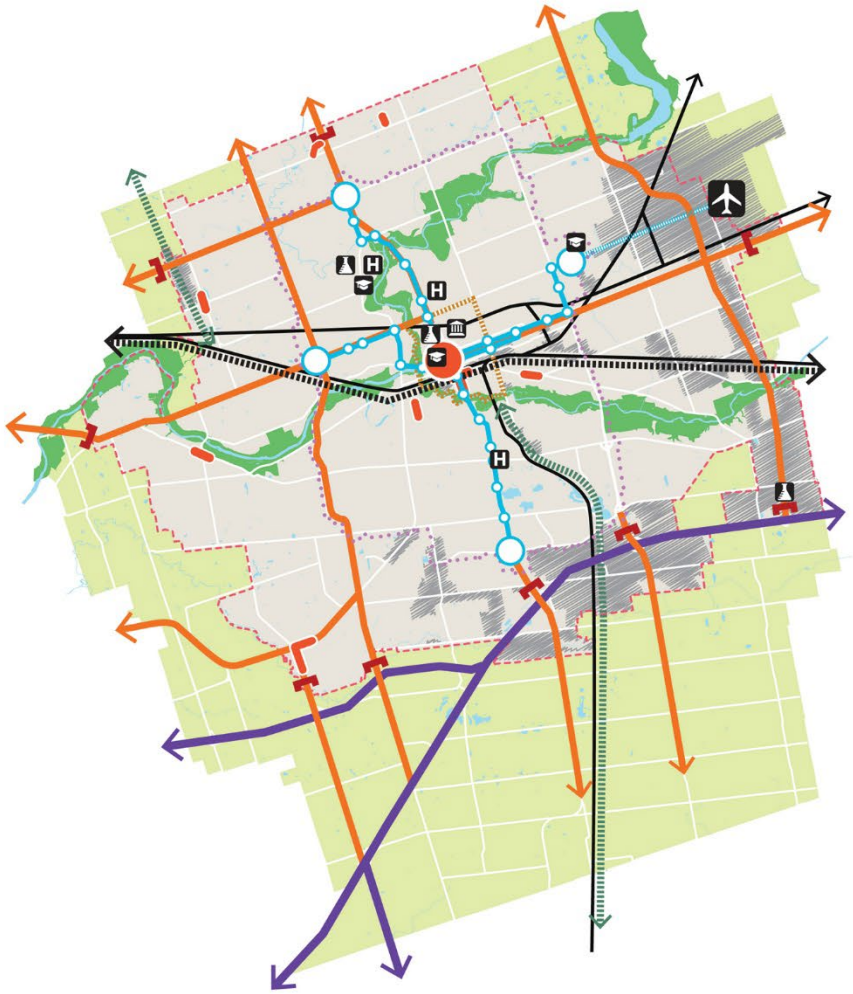
#1 The growth framework

#2 The green framework

#3 The mobility framework

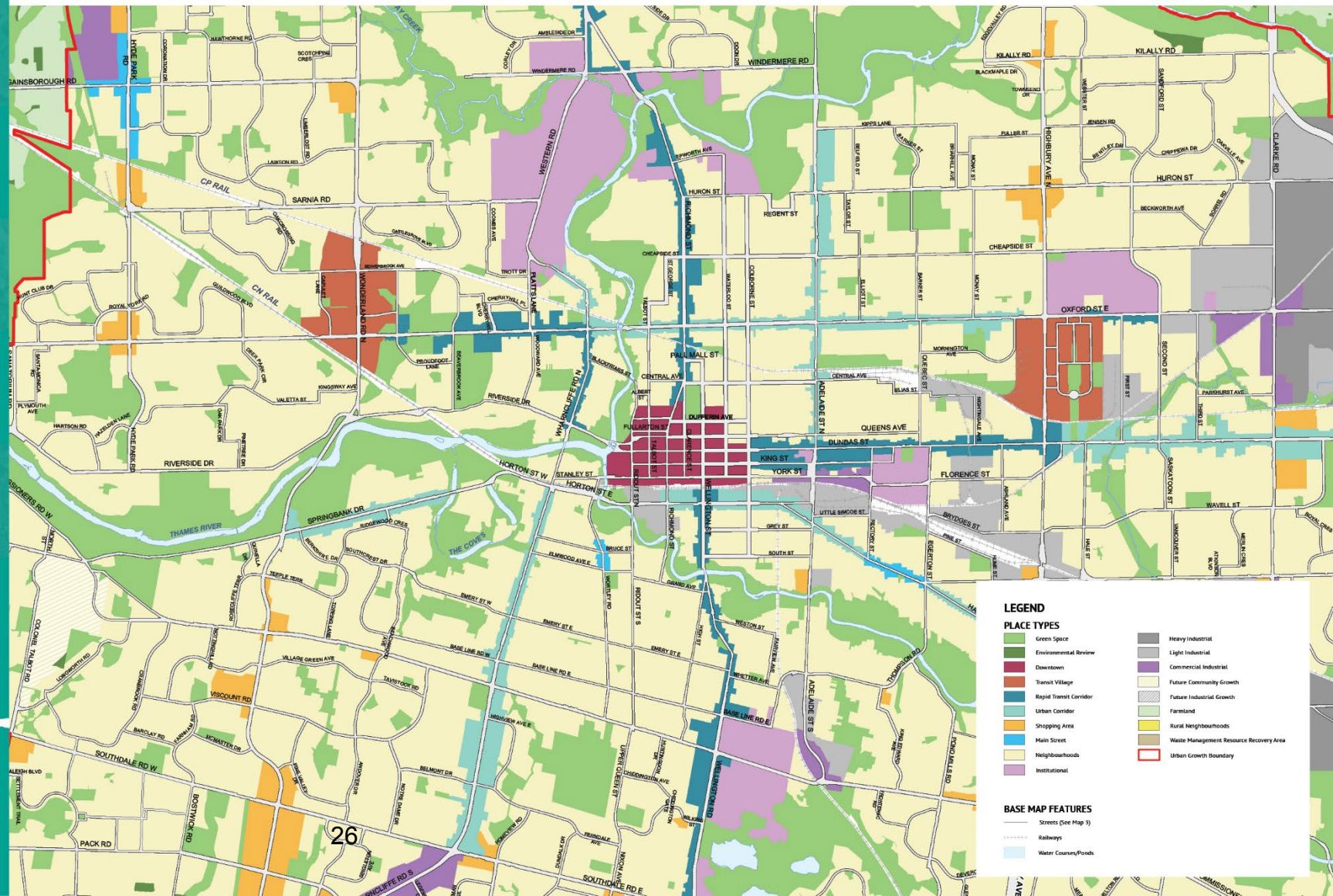
#4 The economic framework

#5 The community framework



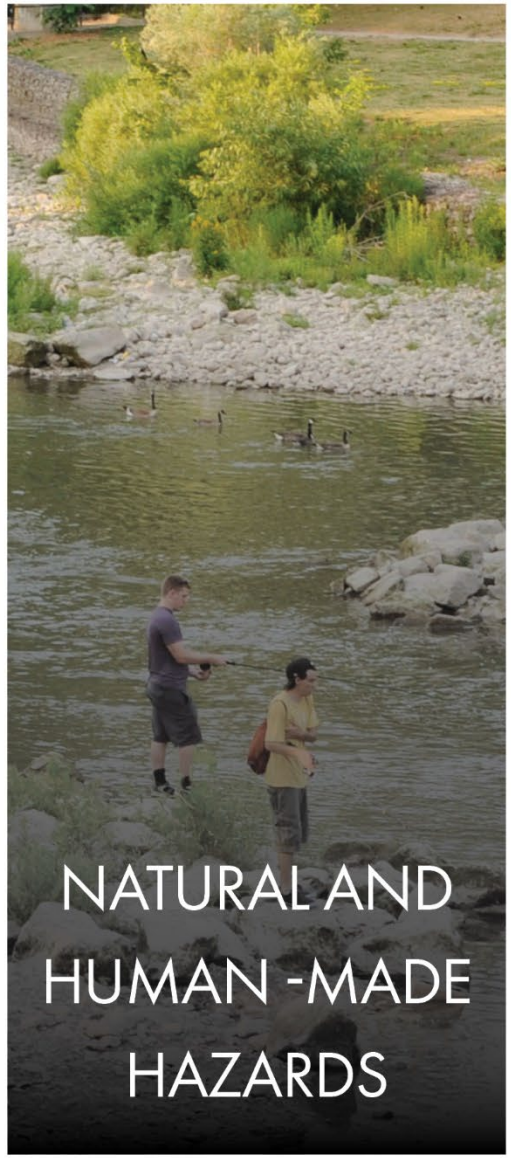
STRUCTURE OF THE PLAN

PLACE TYPE POLICIES



ENVIRONMENTAL POLICIES

STRUCTURE OF THE PLAN



Approach

- Natural Heritage and Natural Hazards policies found in 3 parts of *The London Plan*:
    - Natural Heritage;
    - Natural and Human-Made Hazards;
    - Natural Resources.
- Natural Heritage System is a Landscape, Features, and Functions Approach.
- Policies mirror language of PPS.

Natural Heritage System

- What Are We Trying to Achieve?
  - Ensure NHS is protected, conserved, enhanced, and managed for present and future generations:
    - Healthy terrestrial and aquatic ecosystems in subwatersheds.
    - Identification, protection, rehabilitation, and management of features and ecological functions.
    - Groundwater quality and quantity.
    - Connectivity and linkages.
    - Biodiversity.
    - Maintenance and enhancement.
    - Monitoring climate change and NHS resiliency.
    - Appropriate recreation based on ecological sensitivity.

Natural Heritage System

- How Are We Going to Achieve This?
  - Public ownership and acquisition
  - Stewardship, management and rehabilitation
  - Ecological Buffers
  - Environmental Studies
  - Subwatershed Plans
  - Watershed Report Cards
  - Policies and Mapping

Natural Heritage System

- Components of the NH System
  - In Green Space Place Type:
    - Fish Habitat
    - Habitat of Endangered Species and Threatened Species
    - Provincially Significant Wetlands and Wetlands
    - Significant Woodlands and Woodlands
    - Significant Valleylands
    - Significant Wildlife Habitat
    - Areas of Natural and Scientific Interest
    - Water Resource Systems
    - Environmentally Significant Areas
    - Upland Corridors
    - Naturalization Areas
    - Other lands as identified through an environmental study

Natural Heritage System

- Components of the NH System
  - In Environmental Review Place Type:
    - Unevaluated Wetlands
    - Unevaluated Vegetation Patches (≥ 0.5 ha)
    - Valleylands
    - Potential Environmentally Significant Areas

Natural Heritage System

- Permitted Uses and Activities
  - No negative impact on ecol. features/functions
  - Conservation, mitigation, rehabilitation
  - Forestry management, limited infrastructure
  - Public ownership/acquisition
  - Passive recreation
- How Will We Protect the NHS?
  - Stewardship
  - Ecological Buffers
  - Conservation Master Plans
  - Environmental Management Guidelines
  - Subject Lands Status Reports
  - Environmental Impact Studies
  - Environmental Assessment
- Specific Policies for the Place Type

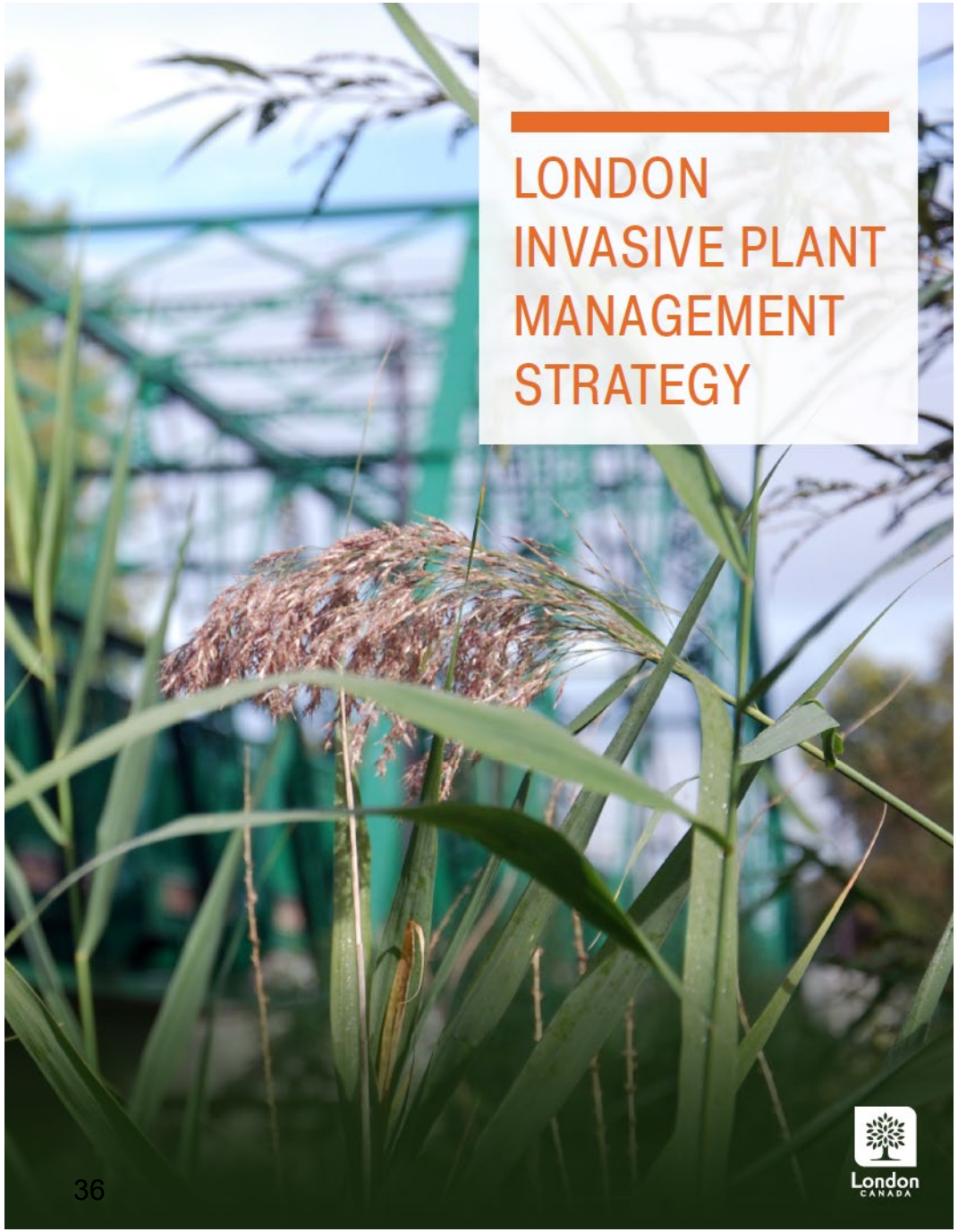
EIS Trigger Distance

TABLE 13 - AREAS REQUIRING ENVIRONMENTAL STUDY

Component of Natural Heritage System	Trigger Distance Requiring Environmental Study and Area of Adjacent Lands
• Fish Habitat • Habitat of Endangered Species and Threatened Species • Locations of Endangered Species and Threatened Species • Provincially Significant Wetlands • Unevaluated Wetlands • Significant Woodlands • Significant Valleylands and Valleylands • Significant Wildlife Habitat • Areas of Natural and Scientific Interest • Environmentally Significant Areas	120m
• Woodlands • Significant groundwater recharge areas, wellhead protection areas and highly vulnerable aquifers • Upland Corridors • Wetlands	30m
• Environmental Review lands	As appropriate

Natural Heritage Conservation and Stewardship

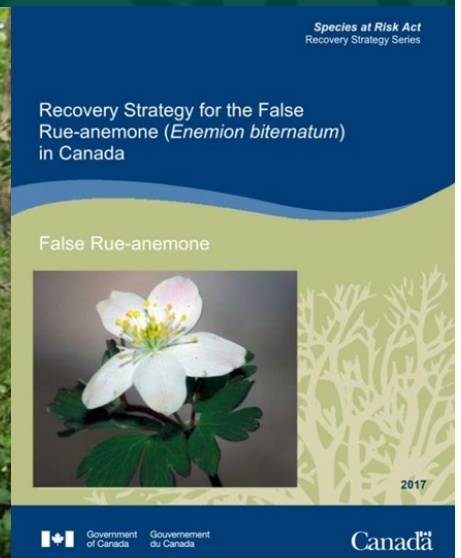
Invasive Species Management



Phragmites Management and Monitoring

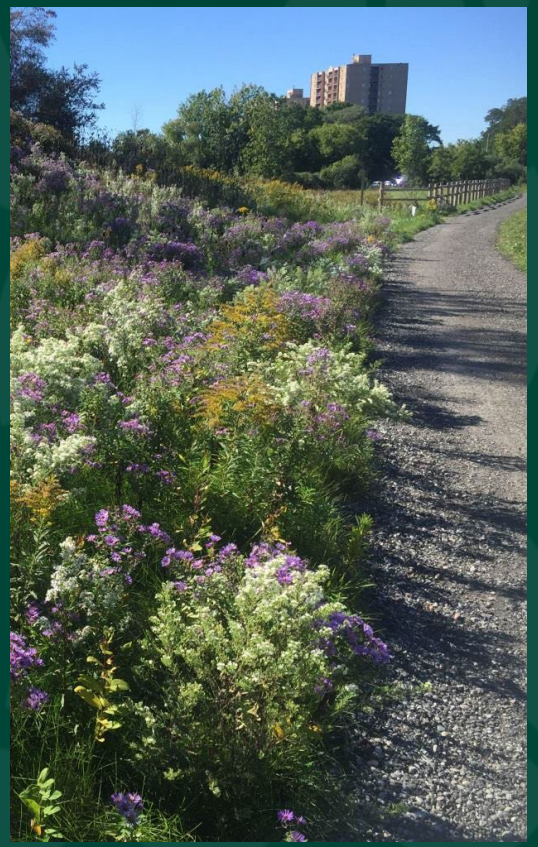
- Phragmites reporting/mapping tool on Service London site
- City Environmentally Significant Areas (735 hectares of land) by City funded ESA team ongoing since 2014
- 30 kilometers of City roadways in Lower Thames Valley Subwatershed partnership with LTVCA/City Roadside Ops
- Thames River at Fanshawe Dam working downstream
- Storm Water Management Ponds Phragmites control by Sewer Operations Section
- EA/EIS recommendations for Phragmites control in Development Agreements, Subdivision Agreements and EA recommendations
- Ongoing - Parks Operations, Urban Forestry Park and Woodland invasive species management projects
- Private Lands (90% City) provide a list of contractors

Species at Risk (SAR) Recovery



- City is recognized for innovative work, SAR habitat protection, contributions to Federal Recovery Strategy for the False Rue-anemone (*Enemion biternatum*) in Canada
- ***Ontario Nature Award 2016*** for City's leadership, exceptional ESA and SAR habitat protection.
- ***Service to the Environment Award 2017*** from Ontario Association of Landscape Architects for City's Guidelines for Management Zones and Trails in ESAs – providing protection for SAR.
- Ontario Invasive Plant Council identifies **City of London** as a ***provincial leader in Invasive Species Management – key to protection of SAR***.
- City contributes funding for ***recovery work for reptile SAR in City owned ESAs***.

Habitat Protection



Westminster Ponds ESA
Pollinator Habitat and Trail

- Policies and Programs that Protect & Enhance Habitat:
  - **Urban Agriculture Strategy**
  - **London Community Gardens** -17 Community Gardens
  - **Adopt a Park** program and **Adopt a Street** Program
  - **By-laws** permit naturalizations, perennial gardens and wildflower gardens on private property including planting of pollinator species such as milkweed.
  - **Urban Forest Strategy, Tree Planting Strategy**
  - **London Plan** *Promote London as a pollinator sanctuary, considering how we can create and support environments that are conducive to pollinators in all of the planning and public works we are involved with, recognizing the important role that pollinators play in our long-term food security.*
  - **London Invasive Plant Management Strategy**
  - **The Growing Naturally Program**
  - **City of London Pollinator Update 2019**

ECAC Mandate

Provide advice on the following matters:

- Natural areas, environmental features and applicable policies which may be suitable for identification and/or recognition in the Official Plan;
- Management and enhancement of the Natural Heritage System, including Official Plan Policy, Environmental Management Guidelines and other policies and practices;
- To provide advice as part of the development of Conservation Master Plans for London's ESAs and in Subwatershed Studies;
- Reports, projects and processes that may impact the NHS, including Secondary Plans, natural heritage studies, EIS, Subject Land Status reports, Environmental Assessments, etc.;
- Projects (including City-led) occurring within the Official Plan trigger distance for an EIS;
- Technical advice, at the request of Municipal Council, its Committees or the Civic Administration on environmental matters which are relevant to the City's Official Plan or NHS;
- Any matter which may be referred to the Committee by Municipal Council, its Committees or Civic Administration

Concluding Points

- Protection and conservation of the natural heritage system key element of The London Plan
- Green and Healthy City policies address matters of sustainability and resiliency
- Official Plan policies provide the framework for London's future growth and development
- ECAC has a role in providing advice on matters related to the protection and conservation of the City's Natural Heritage System

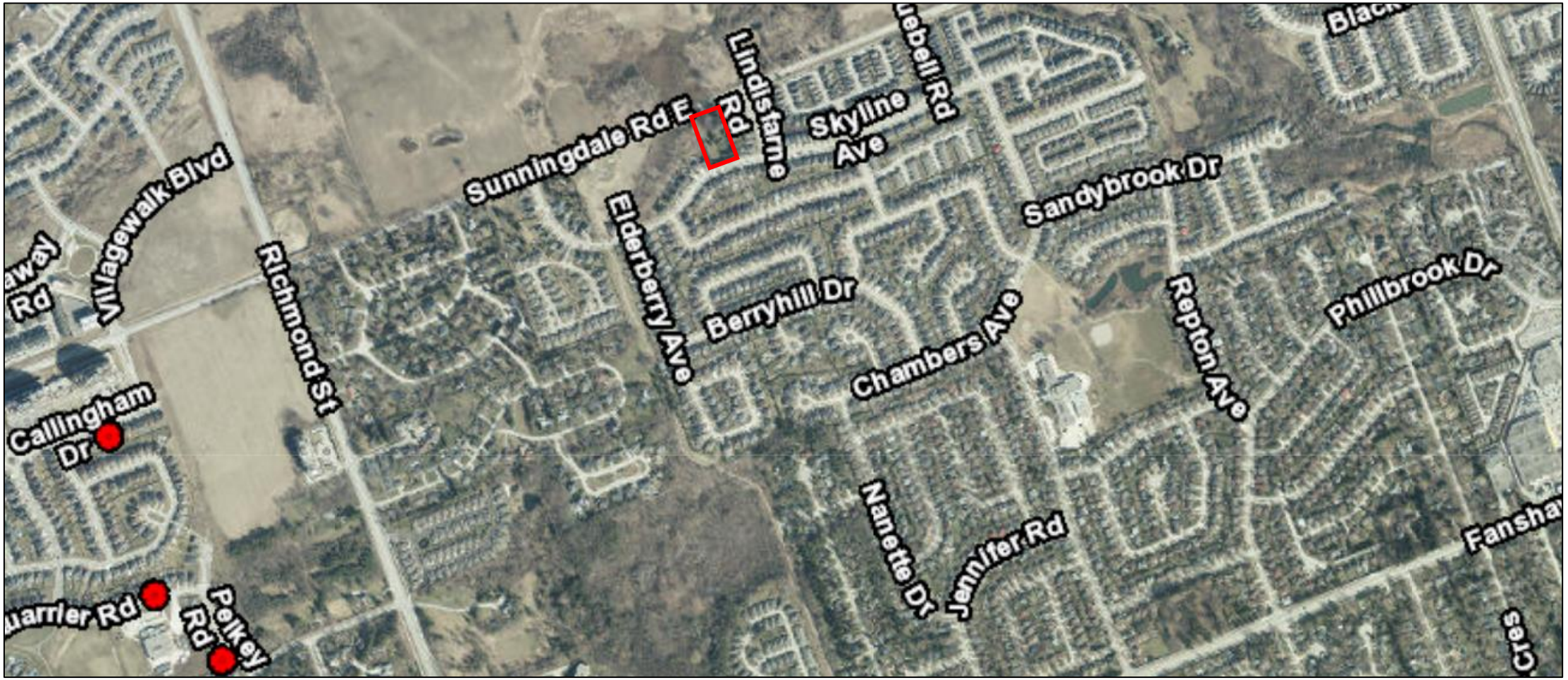
Questions?

Zoning Application- Z-9498

307 Sunningdale Road East

Ecological Community Advisory Committee – June 16, 2022

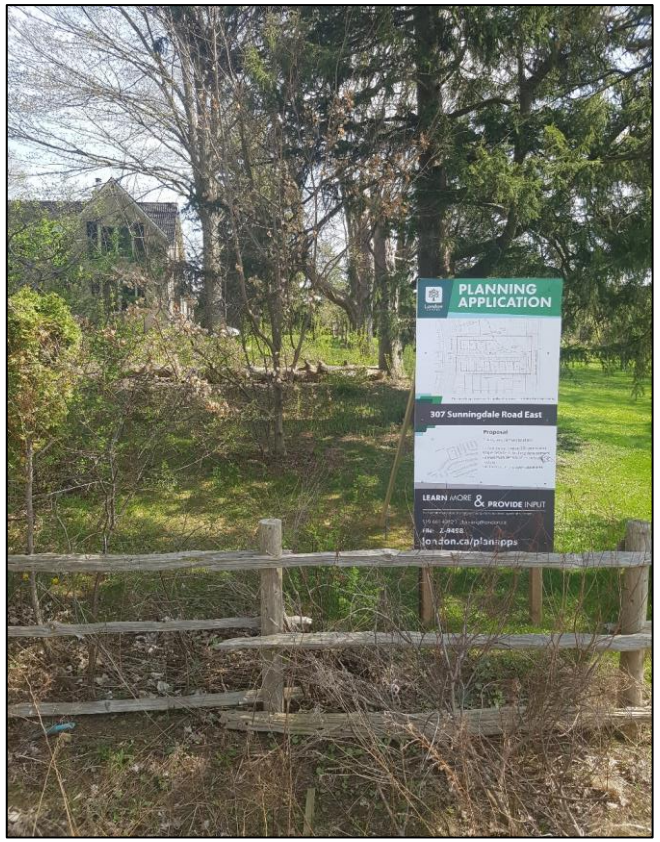
Context


Sunningdale Rd E
Lindistarne Rd
Skyline Ave
Sandybrook Dr
Elderberry Ave
Berryhill Dr
Chambers Ave
Repton Ave
Phillbrook Dr
Richmond St
Villagewalk Blvd
Callingham Dr
Nanette Dr
Jennifer Rd
Pelkey Rd

Property at a Glance

- **Municipal Addresses**
  307 Sunningdale Road East
- **Area**
  0.6 hectares (1.7 acres)
- **Frontage**
  60.3 m (198.00 ft)
- **Use**
  Single Detached Dwelling

Property at a Glance



Subject Site, looking south from Sunningdale Road East.

Property at a Glance

Subject Site, looking north from Skyline Avenue.

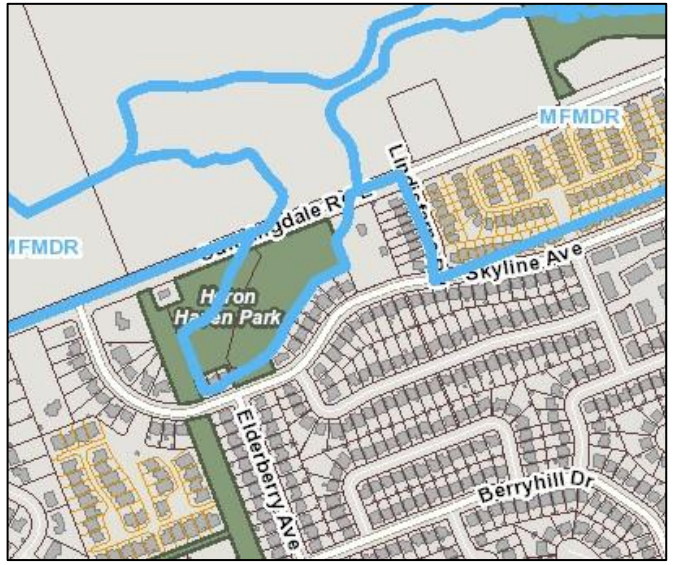
Surrounding Uses

Heron Haven Park.

Low rise dwellings.

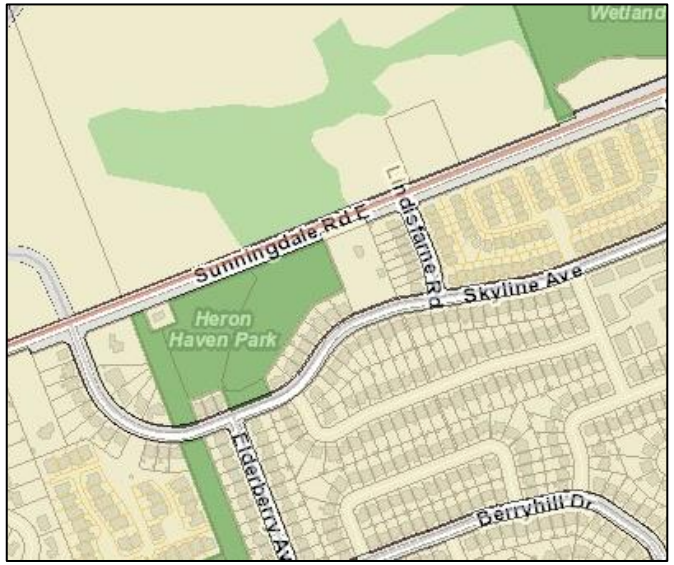
Drewlo's holdings.

Property at a Glance



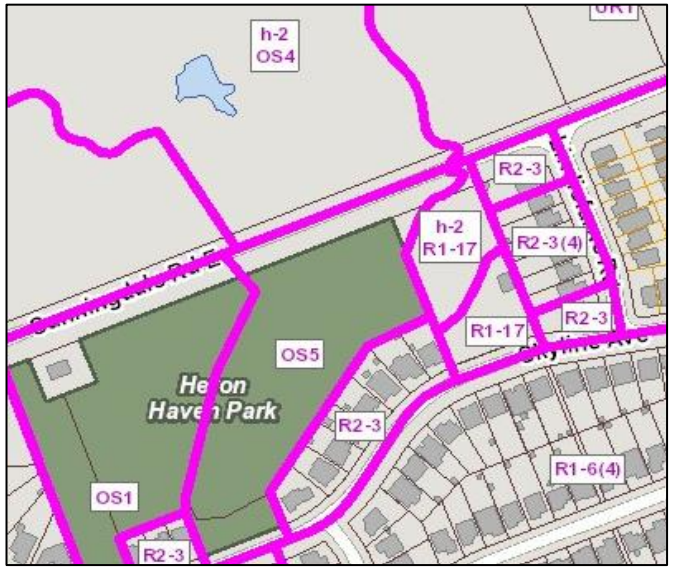
Low Density Residential & Open Space

- Single detached, semi-detached, and duplex dwellings; multiple-attached dwellings, such as row houses or cluster houses subject to the LDR and residential intensification policies.
- Residential density of 30 UPH (3.2.2.(i); 75 UPH via residential intensification (3.2.3.2.).
- OS lands include public open spaces, flood plain lands, natural hazards lands, evaluated Natural Heritage System recognized by Council as being of city-wide, regional or provincial significance, and lands that contribute to important ecological functions (8A.2.1.).



Neighbourhoods (Neighbourhood Connector)

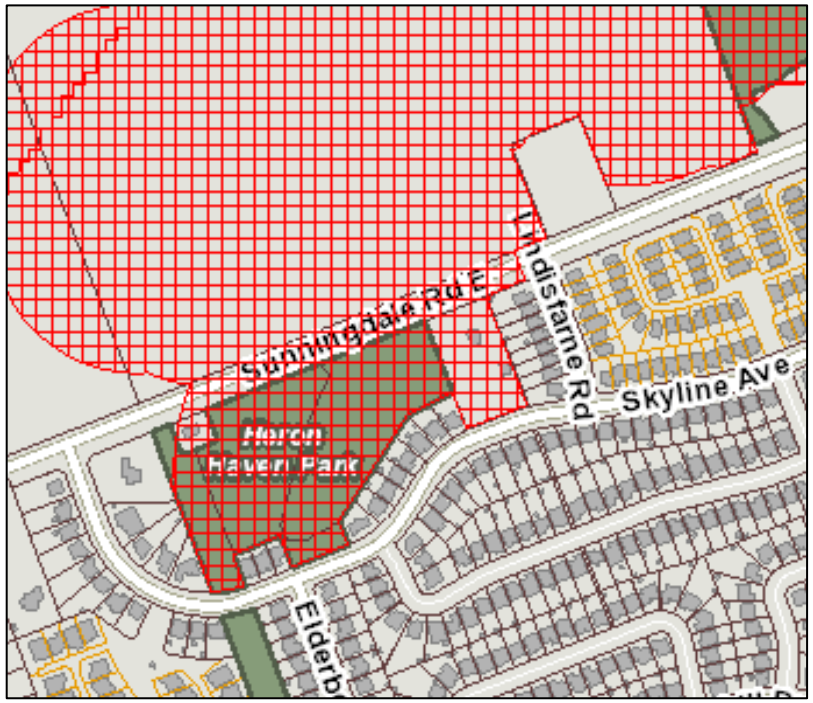
- Broadest range of uses, including single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations, group homes, triplexes, small-scale community facilities (Table 10).
- Intensity between 1 and 2.5 storeys (Table 11).
- Use and intensity for lots that have frontage on two or more streets of different classifications but not located at an intersection established by the lower-order street (*920_6.a.).



Open Space/Holding Residential R1 (OS5/h-2 · R1-17/R1-17)

- *OS5 – restrictive zone permitting conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots (z-1-051390)*
- *H-2 – "…* an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London…"
- *R1-7* - applied to large existing lots in these rural areas.

Property at a Glance



UTRCA Regulated Area

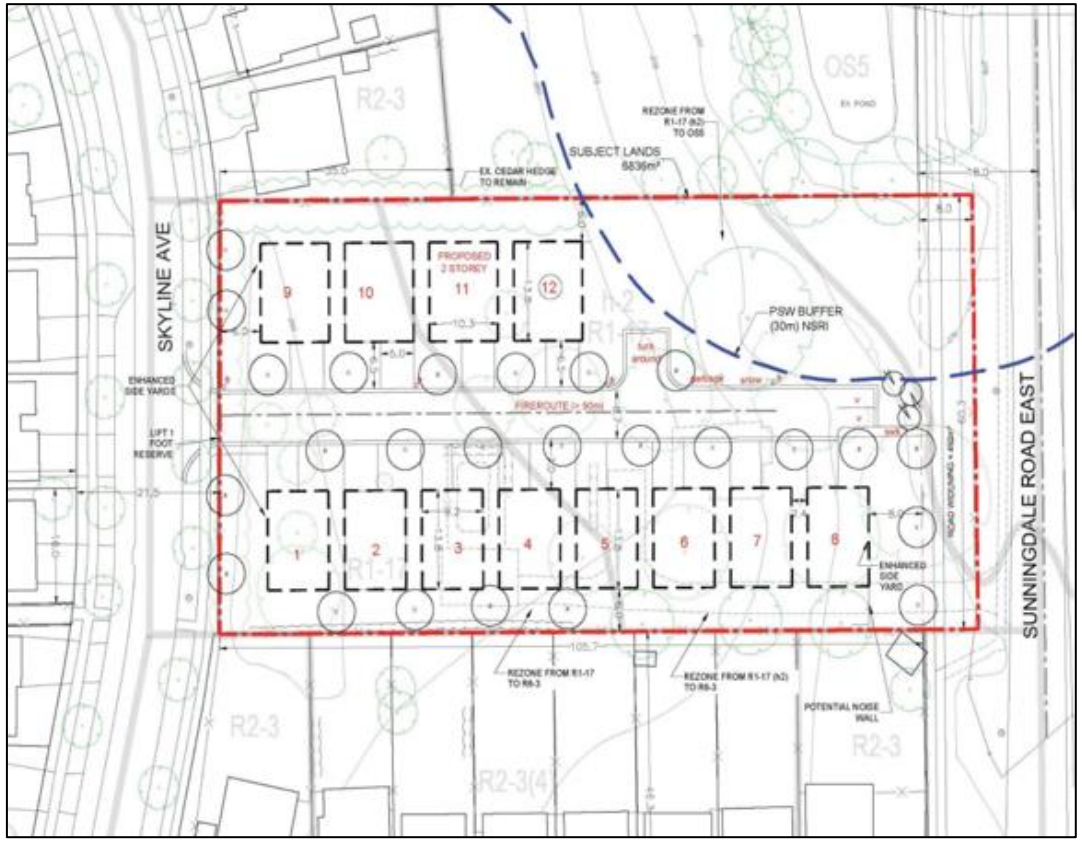
- Conservation Authorities Act (Section 28) allows the UTRCA to ensure that proposed development have regard for natural hazard features.
- UTRCA implements the regulation by issuing permits for works near watercourses, valleys, wetlands or shorelines where required.
- Property owner must obtain permission before beginning any construction, reconstruction, altering use or size etc. in a regulated area.

Map 5 – Natural Heritage, the London Plan

- Map 5 of the London Plan shows an ‘Unevaluated Vegetation Patch’ cutting across the northwest corner of the subject lands.
- Provincially Significant Wetlands and Significant Valleylands are located within the adjacent Heron Haven Park to the west, forming part of a network extending north across Sunningdale Road and then southeast towards Adelaide Street North.

Development Proposal

- Facilitate the development of single-detached, semi-detached, and duplex dwellings with a density of 25 units per hectare.
- 12 single detached dwellings.
  - All 2 storeys.
  - Building footprints ranging from 127 m² to 142 m².
  - Proposed dwellings oriented towards the internal driveway.
- Private internal driveway accessed from Skyline Drive.
- Pedestrian access through to Sunningdale Road East.

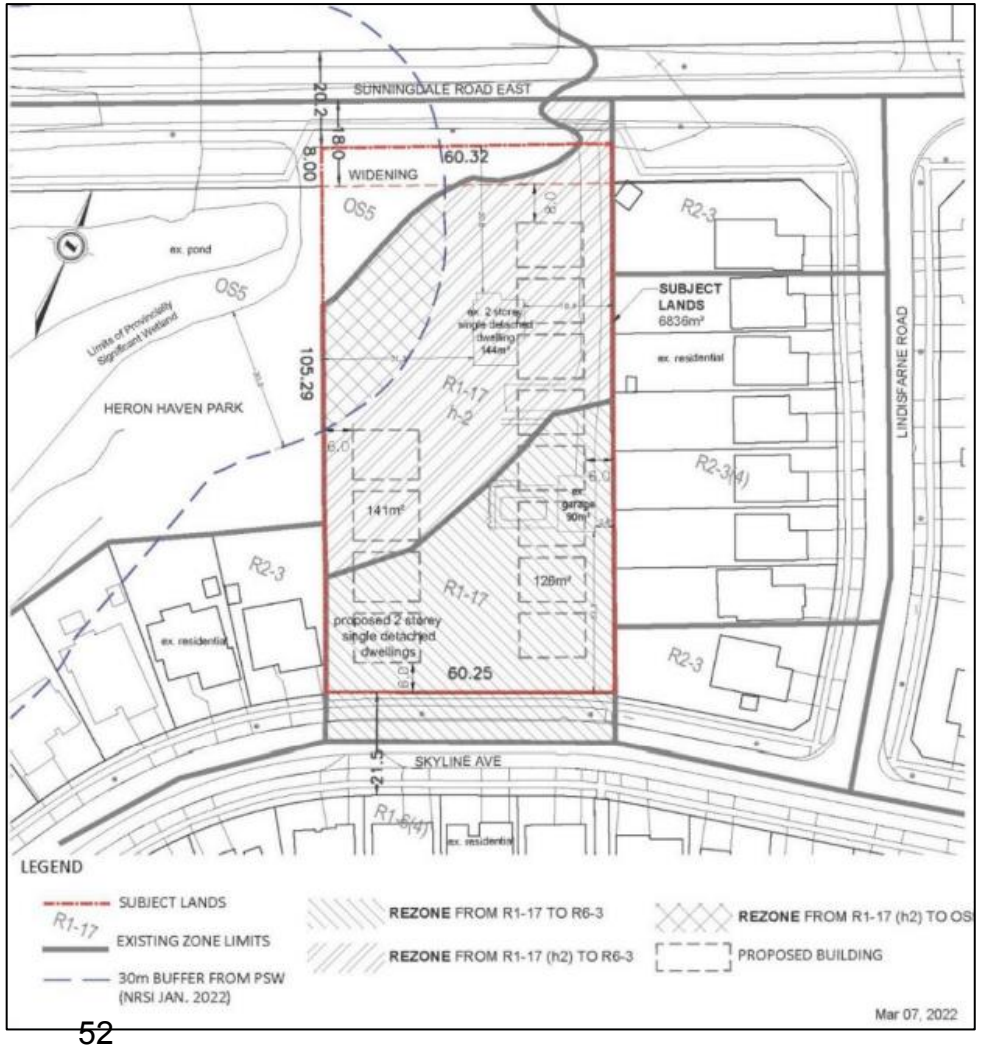


Proposed Zoning Amendment

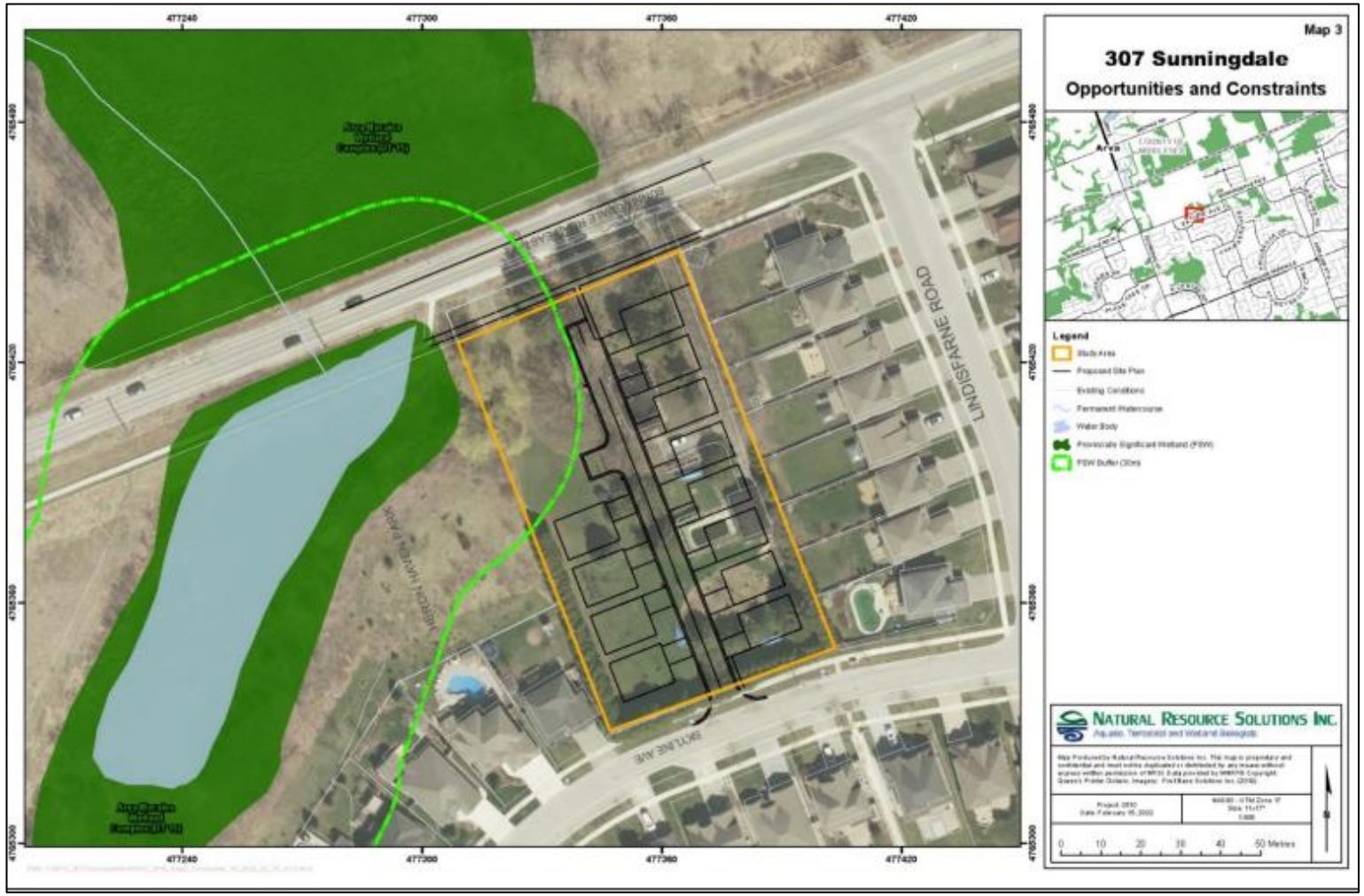
Requested Amendment:

FROM a OS5/R1-17 TO a R6-2/OS1 with a maximum residential density of 19 UPH.

The h-2 holding provision is proposed to be removed from the northern portion of the site through the completion of the required EIS.



Buffer Provincially Significant Wetland



30-metre Buffer PSW

Departmental Comments

Heritage:

- No heritage/archaeological issues.

Tree Preservation:

- There are numerous city owned trees in adjacent road allowances of Sunningdale Road East and Skyline Avenue, the site abuts a Tree Protection Area/Park and there are numerous trees on the site.
- Tree Preservation Plan not accepted

Transportation (TBC):

- Widening to 18m from centre line, Sunningdale Road Improvements anticipated in 2025

Parks Planning & Design:

- The City requires parkland dedication in the form of land as defined in By-law CP-9
- The proposed development area reflects a parkland dedication of 0.04 ha of table land (calculated at 1ha per 300 units). Following the completion of the required Environmental Impact Study PP&D Section may wish to acquire all natural heritage lands at hazard rate 1:27. Balance of the dedication to be taken as Cash in Lieu.

UTRCA:

- The northwesterly portion of the parcel falls within Conservation Authority Regulated Area and any development will require a permit or Letter of Clearance from the Upper Thames River Conservation Authority.

Public Comments

Five public comments received during

Tree Loss:

- Loss of mature trees.
- Cedar Hedgerow trees on east, south and west border → habitat for bird species

Vehicular Access, Parking & Traffic:

- Concern about proposed private road onto Skyline Avenue, preference entrance onto Sunningdale Road E.
- Potential loss of on-street parking south side of Skyline Avenue
- Increased traffic, more dangerous for children.

Heritage:

- Consider heritage designation for farmhouse → repurpose old house by splitting in apartments

Stormwater management:

- Concern how stormwater management is addressed in relation to PSW

Issues & Discussion

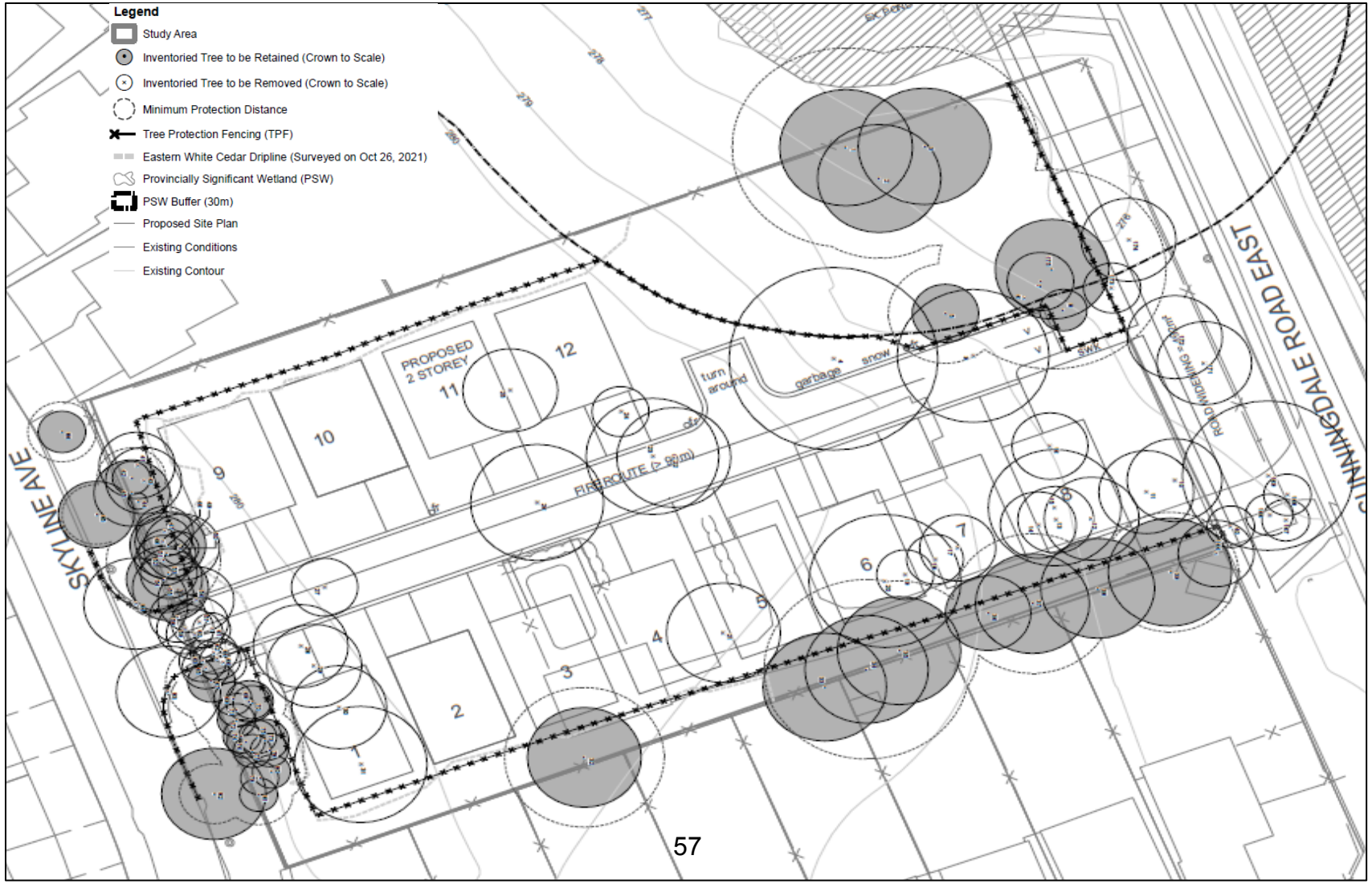
- No major policy concerns with the proposed use, intensity or form.

- Natural Heritage Considerations →Tree Preservation Plan not accepted:
  - Minimum Protection Distances (critical root zones) of 8 boundary trees will sustain damage from proposed development.
  - Cedar trees on east & west property line need to be further assessed.
  - Consent from owner of off-site tree/ consent from co-owner boundary trees required.
  - Proposed removal of City trees on Skyline Ave & Sunningdale Rd.

- Revision Conceptual Grading Plan required:
  - Roof runoff should be directed to controlled areas of property, to prevent surface water issues on City owned lands.
  - Ensure that stormwater flows are self-contained on site. through the northeast corner of site onto adjacent exist. Private residential property.

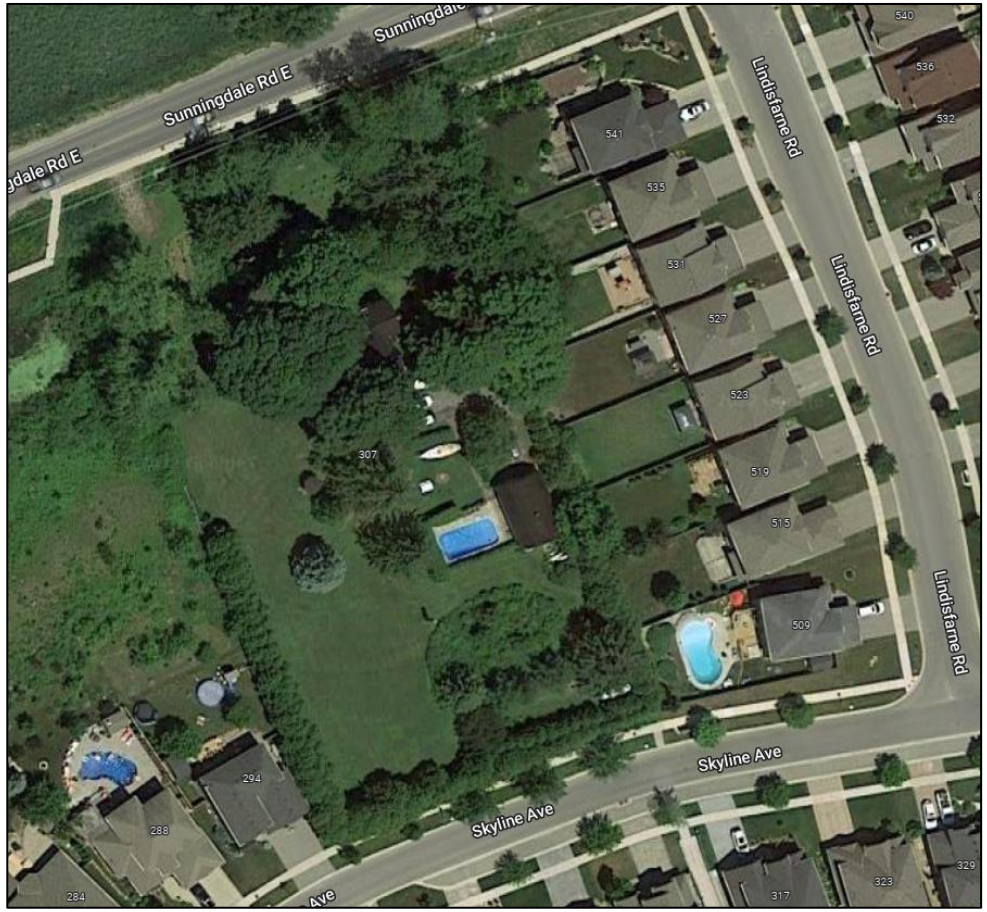
- Imperial Oil pipeline in vicinity recommends 20m. setback

Tree Preservation Plan



Conclusion

- Working through issues with applicant:
  - Revised Tree Preservation Plan
  - Revised Conceptual Grading Plan
- Outstanding Comments
- Targeting PEC August 22, 2022 (Subject to change)



Ecological Community Advisory Committee

Report

The 2nd Meeting of the Ecological Community Advisory Committee
July 21, 2022
Advisory Committee Virtual Meeting
Please check the City website for current details

Attendance

PRESENT: S. Levin (Chair), P. Almost, P. Baker, S. Evans, T. Hain, S. Hall, K. Lee, M. Lima, R. McGarry, S. Miklosi, G. Sankar, S. Sivakumar and V. Tai and H. Lysynski (Committee Clerk)

ABSENT: B. Krichker and K. Moser

ALSO PRESENT: C. Creighton, J. MacKay and M. Shepley

The meeting was called to order at 4:30 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 1st Report of the Ecological Community Advisory Committee

That it BE NOTED that the 1st Report of the Ecological Community Advisory Committee, from the meeting held on June 16, 2022, was received.

4. Sub-Committees and Working Groups

4.1 Working Group Comments - 307 Sunningdale Road East

That, the attached, revised Working Group comments BE FORWARDED to the Civic Administration for review and consideration.

4.2 4452 Wellington Road South

That the Working Group comments relating to the property located at 4452 Wellington Road South BE FORWARDED to the Civic Administration for review and consideration.

5. Items for Discussion

5.1 Wetland Relocation in London (905 Sarnia Road)

That it BE NOTED that the Ecological Community Advisory Committee heard a verbal update from the Civic Administration and held a general discussion with respect to the lessons learned from the wetland relocation at 905 Sarnia Road.

5.2 Representation on the Bird Friendly Development Stakeholder Table

That it BE NOTED that the Ecological Community Advisory Committee held a general discussion with respect to the ECAC representation on the Bird Friendly Development Stakeholder Table.

5.3 Future Meeting Dates/Time

That, H. Lysynski BE DIRECTED to circulate a poll to the committee members to assist in scheduling the meeting date and time; it being noted that the Ecological Community Advisory Committee will not be meeting in August.

5.4 Notice of Planning Application - 1470-1474 Highbury Avenue North

That the Notice of Planning Application dated June 8, 2022, with respect to the properties located t 1470-1474 Highbury Avenue North, BE POSTPONED until the Ecological Community Advisory Committee is provided with the Environmental Impact Assessment associated with the application.

5.5 (ADDED) 942 Westminster Drive

That it BE NOTED that the Notice of Planning Application dated July 6, 2022, relating to the property located at 942 Westminster Drive, was received.

6. Adjournment

The meeting adjourned at 5:23 PM.

Proposed Residential Land Development/Subdivision
307 Sunningdale Road E., London, ON

Zoning (rezoning) Planning Act Applications' review comments for the submitted Environmental Impact Assessment (EIS), Hydrogeological Assessment Final Report and Conceptual Grading Plan that were received by EEPAC June 22, 2022.

Reviewers: Pat Almost, Susan Hall and Berta B. Krichker, Sandy Levin

Submitted to July 21, 2022 ECAC meeting

Overview - *ECAC Review Comments for the proposed Rezoning Planning Act Applications to Minimize and Mitigate potential ecological/environmental adverse impacts and specifically related to the identified existing Arva Moraine Wetland Complex Provincially Significant Wetland (PSW), environmental areas that are located on the subject site or on adjacent areas and all within the Stoney Creek Sub-watershed; water resources management related to the protection of existing conditions that associated with proposed Residential Land Development/Subdivision at* 307 Sunningdale London (this property is within the UTRCA regulated area) *as follows:*

ECAC's primary recommendation that a holding provision be applied to this site that can only be lifted when a Geotechnical Study has been approved by the City and the UTRCA.

Rationale: ECAC is skeptical that the post development conditions can meet the infiltration requirements over the long term due to the site conditions.

- The final Hydrogeological Report identifies that further additional infiltration testing is recommended to be conducted to refine the soil conductivity and the estimate rate of infiltrations. Also this report stated that 'during construction activities the groundwater dewatering is likely to be required in the northern portion of the site where the groundwater elevations are found to be highest.' Therefore, at the detailed design stage, **the developer's consultant engineer must be required to demonstrate and to ensure that this dewatering will not adversely impact the water levels in PSW.** Although the preliminary water balance assessment are included in the Hydrogeological Report, based on the above presented information, the final water balance evaluation for the subject site becomes the most important and critical assessment and **the City must have confirmation on this water balance assessment upon the completion of the Storm/drainage and SWM servicing detailed report and a supported Geotechnical report.**

Additional comments/recommendations

Rezoning Application Special provisions for the Subject Lands

ECAC recommends *that the proposed Rezoning Application for the subject properties should include the special provisions, which will request that the proposed detailed design for the proposed subject site will incorporate the specific provisions to: preserve and maintain the existing PSW wetland, identify the required natural buffers/setbacks for the wetland and all environmental areas, identify measures/protocols to protect Significant Wildlife Habitat , Fish Habitat, Habitat of Threatened and Endangered Species, Potential Naturalization Areas and Nests of NBCA-protective birds, erosion sediment control, as well as possible substantial dewatering process and MECP, MNRP, UTCA and potential DFO approvals requirements and water discharges that will be in compliance with the Stoney Creek Subwatershed system requirements, MECP, MNRP, DFO, UTRCA and City's standards and requirements for this system.* ***ECAC requests the opportunity to review of the requested detailed design documents, and specifically the Storm/Drainage and SWM Servicing detailed report and the recommended Geotechnical report.***

The proposed Rezoning Application for the subject properties should include, but should not be limited to, the special provisions, required to deliver the following: ensure the protection to maintain existing wetland ecological, water resources functions and features, existing SWH, Habitat of Threatened and Endangered Species, or other species that require protections identified in EIS; reaffirm sufficient buffers/setbacks to maintain and protect existing ecological/environmental functions, features of the existing wetland and identified environmental areas, as well as stipulated prohibitions of any potential encroachments into these significant ecological/environmental areas that are adjacent to this land development; develop and submit the Geotechnical Report and the detailed design Grading/Drainage and SWM Servicing Plan that will include, but not be limited to, the storm/drainage utilities and SWM services to deal with the water quality, quantity control, the water balance and the robust effective erosion sediment control protection control and be in compliance with the Stoney Creek Sub-watershed, MECP, MNRF, UTRCA and City's standards and requirements for this system.

The existing environmental/ecological conditions, functions and features of the Existing Arva Moraine Complex PSW and adjacent environmental areas shall be maintained and protected and every necessary

effort should be implemented to minimize any potential adverse impacts on PSW and natural area adjacent and at the subject site

Ensure that the existing PSW ecological/environmental conditions will be preserved and the proposed rezoning and proposed land development will not adversely impact the existing environmental conditions of the PSW adjacent lands. Ensure that the existing wetland ecological/environmental, water resources functions and features will be preserved and maintained at the pre-development level (shall be no loss of wetland features and functions), as well as every effort will be employed to minimize potential adverse impacts that may occur as a result of the proposed land development and construction activities associated with this proposed development. EIS and all servicing reports shall include all required references and modifications/changes that will incorporate the recommended wetland preservations.

Taking in consideration all critical factors, the following factors such as:

- The provincial and City's policies and requirements stipulated there shall be no loss of wetland features and functions, the existing wetland must be maintained and preserve the existing environmental/ecological conditions, functions and features.

- and provide required protections of all Wildlife Habitat, including the Significant Wildlife Habitat (SWH), habitat of Threatened and Endangered Species, or other;

- This PSW is located immediately adjacent to the Stoney Creek system and needs to function in correlation with the Stoney Creek system;

ECAC recommends that the existing wetland be preserved and ensure that the existing wetland ecological/environmental, water resources functions and features will be preserved and maintained, no loss of wetland features and functions would occur. EIS and all servicing reports shall include all required references for the proposed recommendations and justifications be incorporated. The proposed land development planning and servicing design components will incorporate all required works and measures to protect the existing ecological,/environmental and water resource conditions for the subject and surrounded lands.

Buffers Setbacks for Existing Wetland and Identified Environmental Areas

Ensure that the sufficient natural buffer/setbacks will be identified and implemented in accordance with City's EMG, London Plan, the UTRCA and provincial guidelines regulations, requirements to protect and maintain the existing wetland functions and features, as well as maintain all identified environmental areas that need to be protected at the subject site and encroachments into PSW or other environmental area during and post construction periods shall be prohibited. EIS and other submitted applicable reports will need to reflect all support information associated with clarifications of required setback from the subject development to all identified environmental areas and wetland to ensure no adverse impacts on the existing wetland functions and features (shall be no loss of wetland features and functions) related to the ecological and water resources system, adjacent lands and surface/subsurface/groundwater functions, features, connections and correlation with the Stoney Creek system functions and performances.

ECAC recommends the proposed natural buffers/setbacks for each required areas will be identified and be sufficient, based on the existing provincial, UTRCA and City's requirements and regulations. The technical justifications need to be provided to support the setback recommendations for this development and the proposed buffers/set backs need to be identified between the proposed development the existing wetland and all identified significant environmental areas. All encroachments on the Buffers Setback areas be prohibited.

The recommended *buffers/setbacks requirements shall be consistent with the City's London Plan Policies and requirements, completed and accepted by the City Council Subwatershed and Municipal Class EA studies for the subject area, MECP, MNRP and UTRCA Acts, Regulations and requirements. In accordance with the OWRA definitions, storm drainage and SWM systems, including the SWM Facilities, are consider to be a sewer systems.*

SWH, Habitat of Threatened and Endangered Species, or other Required Protection

Ensure that the existing species, specifically the Significant Wildlife Habitat (SWH), Habitat of Threatened and Endangered Species, or other species (that require protection) will be protected and all required measures, MNRF, DFO applicable ecological protocols will be implemented for handling these works for the subject lands. EIS needs to include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that will be implemented.

Habitat for several species that are protected under the Endangered Species Act identified within Study area. Specifically protections of Fish Habitat and aquatic life are important within the Stoney Creek.

ECAC recommends that all identified **SWH, Habitat of Threatened and Endangered Species, or for other required protection species will be:**

- **confirmed in the detailed field review prior to completing the final design report submission for the proposed development; and**

- ***protected by identifying all required measures and required ecological MNRF, DFO and UTRCA protocols that will be implemented for handling these works for the subject lands, ensuring no adverse impacts on the species and the health of their habitat. EIS shall include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that are recommended to be implemented.***

ECAC recommends that the lands at the northwest part of the property be zoned OS5 and conveyed to the City. If the lands are not conveyed to the City, that there be a requirement in the Condo Agreement that the lands be managed in their natural state and not to be manicured and invasive species controlled.

Ecological Community Advisory Committee

Report

The 2nd Meeting of the Ecological Community Advisory Committee
July 21, 2022
Advisory Committee Virtual Meeting
Please check the City website for current details

Attendance

PRESENT: S. Levin (Chair), P. Almost, P. Baker, S. Evans, T. Hain, S. Hall, K. Lee, M. Lima, R. McGarry, S. Miklosi, G. Sankar, S. Sivakumar and V. Tai and H. Lysynski (Committee Clerk)

ABSENT: B. Krichker and K. Moser

ALSO PRESENT: C. Creighton, J. MacKay and M. Shepley

The meeting was called to order at 4:30 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 1st Report of the Ecological Community Advisory Committee

That it BE NOTED that the 1st Report of the Ecological Community Advisory Committee, from the meeting held on June 16, 2022, was received.

4. Sub-Committees and Working Groups

4.1 Working Group Comments - 307 Sunningdale Road East

That, the attached, revised Working Group comments BE FORWARDED to the Civic Administration for review and consideration.

4.2 4452 Wellington Road South

That the Working Group comments relating to the property located at 4452 Wellington Road South BE FORWARDED to the Civic Administration for review and consideration.

5. Items for Discussion

5.1 Wetland Relocation in London (905 Sarnia Road)

That it BE NOTED that the Ecological Community Advisory Committee heard a verbal update from the Civic Administration and held a general discussion with respect to the lessons learned from the wetland relocation at 905 Sarnia Road.

5.2 Representation on the Bird Friendly Development Stakeholder Table

That it BE NOTED that the Ecological Community Advisory Committee held a general discussion with respect to the ECAC representation on the Bird Friendly Development Stakeholder Table.

5.3 Future Meeting Dates/Time

That, H. Lysynski BE DIRECTED to circulate a poll to the committee members to assist in scheduling the meeting date and time; it being noted that the Ecological Community Advisory Committee will not be meeting in August.

5.4 Notice of Planning Application - 1470-1474 Highbury Avenue North

That the Notice of Planning Application dated June 8, 2022, with respect to the properties located t 1470-1474 Highbury Avenue North, BE POSTPONED until the Ecological Community Advisory Committee is provided with the Environmental Impact Assessment associated with the application.

5.5 (ADDED) 942 Westminster Drive

That it BE NOTED that the Notice of Planning Application dated July 6, 2022, relating to the property located at 942 Westminster Drive, was received.

6. Adjournment

The meeting adjourned at 5:23 PM.

Proposed Residential Land Development/Subdivision
307 Sunningdale Road E., London, ON

Zoning (rezoning) Planning Act Applications' review comments for the submitted Environmental Impact Assessment (EIS), Hydrogeological Assessment Final Report and Conceptual Grading Plan that were received by EEPAC June 22, 2022.

Reviewers: Pat Almost, Susan Hall and Berta B. Krichker, Sandy Levin

Submitted to July 21, 2022 ECAC meeting

Overview - *ECAC Review Comments for the proposed Rezoning Planning Act Applications to Minimize and Mitigate potential ecological/environmental adverse impacts and specifically related to the identified existing Arva Moraine Wetland Complex Provincially Significant Wetland (PSW), environmental areas that are located on the subject site or on adjacent areas and all within the Stoney Creek Sub-watershed; water resources management related to the protection of existing conditions that associated with proposed Residential Land Development/Subdivision at* 307 Sunningdale London (this property is within the UTRCA regulated area) *as follows:*

ECAC's primary recommendation that a holding provision be applied to this site that can only be lifted when a Geotechnical Study has been approved by the City and the UTRCA.

Rationale: ECAC is skeptical that the post development conditions can meet the infiltration requirements over the long term due to the site conditions.

- The final Hydrogeological Report identifies that further additional infiltration testing is recommended to be conducted to refine the soil conductivity and the estimate rate of infiltrations. Also this report stated that 'during construction activities the groundwater dewatering is likely to be required in the northern portion of the site where the groundwater elevations are found to be highest.' Therefore, at the detailed design stage, **the developer's consultant engineer must be required to demonstrate and to ensure that this dewatering will not adversely impact the water levels in PSW.** Although the preliminary water balance assessment are included in the Hydrogeological Report, based on the above presented information, the final water balance evaluation for the subject site becomes the most important and critical assessment and **the City must have confirmation on this water balance assessment upon the completion of the Storm/drainage and SWM servicing detailed report and a supported Geotechnical report.**

Additional comments/recommendations

Rezoning Application Special provisions for the Subject Lands

ECAC recommends *that the proposed Rezoning Application for the subject properties should include the special provisions, which will request that the proposed detailed design for the proposed subject site will incorporate the specific provisions to: preserve and maintain the existing PSW wetland, identify the required natural buffers/setbacks for the wetland and all environmental areas, identify measures/protocols to protect Significant Wildlife Habitat , Fish Habitat, Habitat of Threatened and Endangered Species, Potential Naturalization Areas and Nests of NBCA-protective birds, erosion sediment control, as well as possible substantial dewatering process and MECP, MNRP, UTCA and potential DFO approvals requirements and water discharges that will be in compliance with the Stoney Creek Subwatershed system requirements, MECP, MNRP, DFO, UTRCA and City's standards and requirements for this system.* ***ECAC requests the opportunity to review of the requested detailed design documents, and specifically the Storm/Drainage and SWM Servicing detailed report and the recommended Geotechnical report.***

The proposed Rezoning Application for the subject properties should include, but should not be limited to, the special provisions, required to deliver the following: ensure the protection to maintain existing wetland ecological, water resources functions and features, existing SWH, Habitat of Threatened and Endangered Species, or other species that require protections identified in EIS; reaffirm sufficient buffers/setbacks to maintain and protect existing ecological/environmental functions, features of the existing wetland and identified environmental areas, as well as stipulated prohibitions of any potential encroachments into these significant ecological/environmental areas that are adjacent to this land development; develop and submit the Geotechnical Report and the detailed design Grading/Drainage and SWM Servicing Plan that will include, but not be limited to, the storm/drainage utilities and SWM services to deal with the water quality, quantity control, the water balance and the robust effective erosion sediment control protection control and be in compliance with the Stoney Creek Sub-watershed, MECP, MNRF, UTRCA and City's standards and requirements for this system.

The existing environmental/ecological conditions, functions and features of the Existing Arva Moraine Complex PSW and adjacent environmental areas shall be maintained and protected and every necessary

effort should be implemented to minimize any potential adverse impacts on PSW and natural area adjacent and at the subject site

Ensure that the existing PSW ecological/environmental conditions will be preserved and the proposed rezoning and proposed land development will not adversely impact the existing environmental conditions of the PSW adjacent lands. Ensure that the existing wetland ecological/environmental, water resources functions and features will be preserved and maintained at the pre-development level (shall be no loss of wetland features and functions), as well as every effort will be employed to minimize potential adverse impacts that may occur as a result of the proposed land development and construction activities associated with this proposed development. EIS and all servicing reports shall include all required references and modifications/changes that will incorporate the recommended wetland preservations.

Taking in consideration all critical factors, the following factors such as:

- The provincial and City's policies and requirements stipulated there shall be no loss of wetland features and functions, the existing wetland must be maintained and preserve the existing environmental/ecological conditions, functions and features.

- and provide required protections of all Wildlife Habitat, including the Significant Wildlife Habitat (SWH), habitat of Threatened and Endangered Species, or other;

- This PSW is located immediately adjacent to the Stoney Creek system and needs to function in correlation with the Stoney Creek system;

ECAC recommends that the existing wetland be preserved and ensure that the existing wetland ecological/environmental, water resources functions and features will be preserved and maintained, no loss of wetland features and functions would occur. EIS and all servicing reports shall include all required references for the proposed recommendations and justifications be incorporated. The proposed land development planning and servicing design components will incorporate all required works and measures to protect the existing ecological,/environmental and water resource conditions for the subject and surrounded lands.

Buffers Setbacks for Existing Wetland and Identified Environmental Areas

Ensure that the sufficient natural buffer/setbacks will be identified and implemented in accordance with City's EMG, London Plan, the UTRCA and provincial guidelines regulations, requirements to protect and maintain the existing wetland functions and features, as well as maintain all identified environmental areas that need to be protected at the subject site and encroachments into PSW or other environmental area during and post construction periods shall be prohibited. EIS and other submitted applicable reports will need to reflect all support information associated with clarifications of required setback from the subject development to all identified environmental areas and wetland to ensure no adverse impacts on the existing wetland functions and features (shall be no loss of wetland features and functions) related to the ecological and water resources system, adjacent lands and surface/subsurface/groundwater functions, features, connections and correlation with the Stoney Creek system functions and performances.

ECAC recommends the proposed natural buffers/setbacks for each required areas will be identified and be sufficient, based on the existing provincial, UTRCA and City's requirements and regulations. The technical justifications need to be provided to support the setback recommendations for this development and the proposed buffers/set backs need to be identified between the proposed development the existing wetland and all identified significant environmental areas. All encroachments on the Buffers Setback areas be prohibited.

The recommended *buffers/setbacks requirements shall be consistent with the City's London Plan Policies and requirements, completed and accepted by the City Council Subwatershed and Municipal Class EA studies for the subject area, MECP, MNRP and UTRCA Acts, Regulations and requirements. In accordance with the OWRA definitions, storm drainage and SWM systems, including the SWM Facilities, are consider to be a sewer systems.*

SWH, Habitat of Threatened and Endangered Species, or other Required Protection

Ensure that the existing species, specifically the Significant Wildlife Habitat (SWH), Habitat of Threatened and Endangered Species, or other species (that require protection) will be protected and all required measures, MNRF, DFO applicable ecological protocols will be implemented for handling these works for the subject lands. EIS needs to include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that will be implemented.

Habitat for several species that are protected under the Endangered Species Act identified within Study area. Specifically protections of Fish Habitat and aquatic life are important within the Stoney Creek.

ECAC recommends that all identified **SWH, Habitat of Threatened and Endangered Species, or for other required protection species will be:**

- **confirmed in the detailed field review prior to completing the final design report submission for the proposed development; and**
- ***protected by identifying all required measures and required ecological MNRF, DFO and UTRCA protocols that will be implemented for handling these works for the subject lands, ensuring no adverse impacts on the species and the health of their habitat. EIS shall include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that are recommended to be implemented.***

ECAC recommends that the lands at the northwest part of the property be zoned OS5 and conveyed to the City. If the lands are not conveyed to the City, that there be a requirement in the Condo Agreement that the lands be managed in their natural state and not to be manicured and invasive species controlled.

Community Advisory Committee on Planning
Report

3rd Meeting of the Community Advisory Committee on Planning
July 13, 2022
Advisory Committee Virtual Meeting
Please check the City website for current details

Attendance

PRESENT: K. Waud (Acting Chair), S. Ashman, M. Bloxam, I. Connidis, G. de Souza Barbosa, J. Dent, A. Johnson, S. Jory, J.M. Metrailler, M. Rice, M. Wallace, M. Whalley and M. Wojtak and J. Bunn (Committee Clerk)

ABSENT: S. Bergman and J. Wabegijig

ALSO PRESENT: R. Armistead, L. Dent, J. Fullick, K. Gonyou, D. Gough, M. Greguol, J. Kelemen and A. Mustard-Thompson, E. Skalski

The meeting was called to order at 5:00 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

M. Wallace discloses a pecuniary interest in clause 3.3 of the 3rd Report of the Community Advisory Committee on Planning, having to do with a Notice of Application - Revisions to Application for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 2331 Kilally Road and 1588 Clarke Road, by indicating that the applicant is a member of the association that employs him.

2. Scheduled Items

2.1 Western Road / Sarnia Road / Philip Aziz Avenue Environmental Assessment

That it BE NOTED that the presentation, dated July 13, 2022, from J. Pucchio, AECOM, with respect to the Western Road/Sarnia Road/Philip Aziz Avenue Environmental Assessment, was received.

3. Consent

3.1 2nd Report of the Community Advisory Committee on Planning

That it BE NOTED that the 2nd Report of the Community Advisory Committee on Planning, from the meeting held on June 15, 2022, was received.

3.2 Notice of Planning Application - Draft Plan of Subdivision and Zoning By-law Amendment - 1156 Dundas Street

That the following actions be taken with respect to the Notice of Application, dated June 15, 2022, from M. Johnson, Senior Planner, with respect to a Draft Plan of Subdivision and Zoning By-law Amendment, related to the property located at 1156 Dundas Street:

a) the above-noted Notice BE RECEIVED; and,

b) the attached communication, from D. Devine, with respect to affordable housing matters related to new developments, BE

FORWARDED to the Planning and Environment Committee for consideration with dealing with the Application.

3.3 Notice of Planning Application - Revisions to Application for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments - 2331 Kilally Road and 1588 Clarke Road

That it BE NOTED that the London Community Advisory Committee on Planning (CACP) has reviewed the Notice of Planning Application, dated June 13, 2022, from L. Mottram, Senior Planner, with respect to Revisions to an Application for a Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments, related to the properties located at 2331 Kilally Road and 1588 Clarke Road, and the CACP reiterates the comments of the London Advisory Committee on Heritage (LACH), from its meeting held on July 14, 2021, related to this matter; it being noted that the communication, as appended to the Added Agenda for item 3.2 of this report, from D. Devine, was received with respect to this matter.

3.4 Notice of Planning Application - Zoning By-law Amendment - 2810 Roxburgh Road

That it BE NOTED that the Notice of Planning Application, dated June 29, 2022, from A. Singh, Planner I, with respect to a Zoning By-law Amendment, related to the property located at 2810 Roxburgh Road, was received.

3.5 Notice of Study Completion - Oxford Street West and Gideon Drive Intersection Improvements

That it BE NOTED that the Notice of Study Completion, dated June 23, 2022, from K. Johnson, City of London and H. Huotari, R.V. Anderson Associates Limited, with respect to the Oxford Street West and Gideon Drive Intersection Improvements, was received.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, from its meeting held on June 29, 2022, was received.

5. Items for Discussion

5.1 Request to Remove the Fugitive Slave Chapel from the Heritage Designated Property at 432 Grey Street to the Fanshawe Pioneer Village

That it BE NOTED that the London Community Advisory Committee on Planning (CACP) received a report, dated July 13, 2022, with respect to a request to remove the Fugitive Slave Chapel from the Heritage Designated Property located at 432 Grey Street to the Fanshawe Pioneer Village and the CACP supports the staff recommendation.

5.2 Request for Designation for the property located at 514 Pall Mall Street under Part IV of the Ontario Heritage Act by J. Hassan and R. Benner

That it BE NOTED that the London Community Advisory Committee on Planning (CACP) received a report, dated July 13, 2022, with respect to a request for designation for the property located at 514 Pall Mall Street

under Part IV of the Ontario Heritage Act by J. Hassan and R. Benner, and the CACP supports the staff recommendation.

5.3 Heritage Alteration Permit Application by The Corporation of the City of London for the Elizabeth Street Infrastructure Renewal Project in the Old East Heritage Conservation District

That it BE NOTED that the London Community Advisory Committee on Planning (CACP) received a report, dated July 13, 2022, with respect to a Heritage Alteration Permit Application by The Corporation of the City of London for the Elizabeth Street Infrastructure Renewal Project in the Old East Heritage Conservation District, and the CACP supports the staff recommendation.

5.4 Heritage Alteration Permit Application by A. Franze at 45 Bruce Street, Wortley Village-Old South Heritage Conservation District

That it BE NOTED that the London Community Advisory Committee on Planning (CACP) received a report, dated July 13, 2022, with respect to a Heritage Alteration Permit Application by A. Franze for the property located at 45 Bruce Street in the Wortley Village-Old South Heritage Conservation District, and the CACP supports the staff recommendation.

5.5 Demolition Request by the Roman Catholic Episcopal Corporation of the Diocese of London for the Dwelling on the Heritage Listed Property at 672 Hamilton Road

That it BE NOTED that the London Community Advisory Committee on Planning (CACP) received a report, dated July 13, 2022, with respect to a demolition request by the Roman Catholic Episcopal Corporation of the Diocese of London for the dwelling on the Heritage Listed Property located at 672 Hamilton Road, and the CACP supports the staff recommendation; it being noted that the CACP encourages the property owner to salvage materials from the demolition for reuse and notes its disappointment that multi-family housing is being removed for a parking lot.

5.6 Demolition Request for Heritage Listed Property at 254 Hill Street by Level Contracting Inc.

That it BE NOTED that the London Community Advisory Committee on Planning (CACP) received a report, dated July 13, 2022, with respect to a demolition request for the Heritage Listed Property located at 254 Hill Street by Level Contracting Inc., and the CACP supports the staff recommendation; it being noted that the CACP encourages City Planning to be flexible, where possible, related to parking requirements, where such may assist in allowing for more housing within the city.

5.7 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated July 13, 2022, was received.

6. Adjournment

The meeting adjourned at 7:47 PM.

Good afternoon

Thank you for again allowing me the opportunity to submit important information for the committee to take into consideration when moving forward with several items on today's agenda.

I'd like to begin by referencing a few of the planning applications on today's agenda. Specifically consent item 3.2 - 1156 Dundas Street as well as consent item 3.3 - 2331 Kilaly Street and 1588 Clarke Road. I see in these proposed developments there will be a variety of single and multi-residential Rental Properties. These developments COULD be a significant help towards easing the rental cost and homeless crisis, London is currently facing. I stress that they COULD be a significant help, but only if London develops, and enforces some form of "rent safe" program. This program must also include a set of standards for the required 5% of their total units, which must be offered at affordable cost. This standard must be based on current incomes of lower income earning citizens and basic need costs. These figures should be updated accordingly to the fluctuation of inflation. While I understand it is not right to demand property owners offer " federally defined affordable prices", it is fully within the power of council to ensure a property owner's idea of affordable is truly affordable to the citizens of London. If council continues to deny the need for this program, property owners will continue to rob renters blind even when it comes to the 5% of their units that must be rented as affordable.

This is already happening across London, not only with outside investors, but sadly with local property owners as well. One example of such a property owner is the person who has put forth the application which was in the June 15th agenda under consent item 3.2 - 84-86 St. George Street and 175-197 Ann Street. In addition to the properties mentioned in the application, this applicant also owns the number of buildings along John Street. All of which he focuses on renting to college and university students. I have a family member who has been a long-term tenant for a number of years now, during which time she has watched as he raises the rental prices with each new set of students. He is very tardy and negligent in terms of maintenance and repair and has been overheard saying things like "they are only students no need to rush."

During a recent conversation between the property owner and my family member, the property owner mentioned his plans for the proposal before you today. He stated that he had " agreed" to rent 20 of the new units at affordable prices. When asked if he was explaining this as an offer for my family member to have first chance of a new unit at affordable price, he replied by pointing out that she currently has possibly one of the lowest rents in the area. He then explained that he plans to rent his market priced units starting at $1700, and the 20 "affordable units" he will be starting at $1300. These units are generally quite a bit smaller than an average single bedroom apartment making it impossible for students to share the accommodations as well as the cost. His reason for such excessively high rent is nothing more than "it's the downtown core, you want cheap rent, live outside the core".

The current average cost for a decent sized single bedroom unit in London starts at around $1380, but as long as counsel refuses to set, and enforce standards that benefit the tax paying citizens but chooses to continue to focus on the cost to property owners so they will, "keep building here", property owners such as this will continue to push rental prices higher and higher while incomes remained stagnant.

If council wants to make accommodations for developers so they will continue to build here, they need to focus on the developers who want to develop large higher wage paying companies. Give them all the allowances they need. Hopefully, it will lead to better paying job opportunities. But please, the low-income citizens of London, who are currently struggling to keep a home and have their basic daily needs, are begging you to please get control of London's Rental Properties.

I have mentioned in a past council meeting that a study has shown many young adults, after completing their postsecondary educations at one of the many great colleges and universities here in London, are finding it too difficult to obtain high enough paying employment to be able to afford to live in London. Therefore, they're taking their newly acquired educations and skills and leaving London to find better paying employment and affordable housing costs elsewhere.

With that said, I hope I have manage to provide enough solid reasons to help you all fully understand why it is so important for council to start putting the needs of our citizens as your priority, over worrying about the cost to the greedy property owners, or even the initial administration costs to begin and enforce a rent safe program. Costs that will be offset once a program is up and running, provided London is accountable in enforcing the program on a daily basis.

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 the Corporation of the City of London for the Elizabeth Street Infrastructure Renewal Project, in the Old East Heritage Conservation District**
Date: **July 25, 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 for the Elizabeth Street alterations, within the Old East Heritage Conservation District, **BE PERMITTED**.

Executive Summary

Elizabeth Street is located within the Old East Heritage Conservation District and will be reconstructed in 2023. As part of the project, the road width of Elizabeth Street is proposed to be narrowed from 7.5m in width to 6.5m in width. This will result in a wider boulevard, which supports the heritage character and the "green ribbon" of the Old East Heritage Conservation District. No negative impacts are anticipated to the Old East Heritage Conservation District, or its cultural heritage resources, as a direct result of the proposed Elizabeth Street Infrastructure Renewal Project.

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

Elizabeth Street is a north-south street between Dundas Street and Central Avenue, mostly located within the Old East Heritage Conservation District (Appendix A). Elizabeth Street continues north of the Canadian Pacific Railway to Oxford Street East. The portion of Elizabeth Street pertinent to this report is focused on its intersection with Queens Avenue, within the Old East Heritage Conservation District.

1.2 Cultural Heritage Status

Elizabeth Street is located within the Old East Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.-3383-111, passed on September 10, 2006.

1.3 Description

Elizabeth Street was established, in part, by Registered Plan 212 (3rd), registered on August 5, 1856. It was the first residential survey subdividing the land granted to Nobel English in Lot 12, Concession I, former London Township.

Located within land owned by Noble English (Lot 12, Concession I, London Township), the residential area of the Old East Heritage Conservation District was developed from the 1860s into the 1930s. The first survey, between Adelaide Street North and Elizabeth Street, was completed in 1856 and established the blocks that would be carried through the rest of the area. Following the death of Nobel English, his family continued to subdivide the land in to building lots for development.

Elizabeth Street was named for Elizabeth Forsythe English, the wife of Nobel English. Many of the original street names in the Old East Heritage Conservation District were named for the family of Nobel English, including English Street and Elias Street.

Elizabeth Street is an existing roadway, approximately 7.5m in width. It is finished with an asphalt road surface and concrete curbs and cutters, with full municipal services. There is a narrow grass boulevard between the curb and the existing concrete sidewalk.

1.4 Elizabeth Street/Lyle Street Infrastructure Renewal Project

The City is reconstructing Elizabeth Street, from Dundas Street to Queens Avenue, as well as Lyle Street from King Street to Dundas Street. This project includes:

- Full water main replacement
- Full sanitary replacement
- Catch basin replacement and storm sewer replacement

In addition to the underground infrastructure replacement, the surface infrastructure will also be replaced.

Construction is anticipated to occur in spring to late-fall 2023, with some follow up work expected in spring 2024.

1.5 Heritage Alteration Permit Application (HAP22-038-L)

Heritage Alteration Permit approval is triggered by the surface components of the Elizabeth Street Infrastructure Renewal Project (noted in Section 1.4), namely:

- Narrow the road asphalt, from the existing 7.5m to the proposed 6.5m, which results in having to adjust the existing curb lines of Elizabeth Street.

To comply with the requirements of the *Old East Heritage Conservation District Plan*, the Corporation of the City of London has submitted a Heritage Alteration Permit application for the proposed alterations to Elizabeth Street. The complete Heritage Alteration Permit application was received on June 21, 2022.

1.5.1 Description of Proposed Changes

The narrower road configuration will allow for two-way vehicular traffic but will also act as a measure to reduce the travel speed for vehicular traffic along Elizabeth Street. The adjustment of the curb lines will result in increased green space in the boulevard between the curb line and the sidewalk.

The west side boulevard of Elizabeth Street is proposed to be widened by approximately 0.5m, for a total boulevard width of 1.5m. The east side boulevard of Elizabeth Street is proposed to be widened by approximately 0.5m for a total boulevard width of 1.0m. The widened boulevards will be reinstated with grass (sod).

There is a significant silver maple tree in the side yard boulevard of the property at 687 Queens Avenue (east side of Elizabeth Street). The goal is to retain this silver maple tree. To continue to retain this tree, the alignment of the east sidewalk on Elizabeth Street will be maintained.

Intersection improvements to incorporate sidewalk ramps and tactile plates for *AODA* (*Accessibility for Ontarians with Disabilities Act*) compliance.

Additionally, throughout the project:

- Green space, or gardens where existing, on the boulevards will be maintained wherever possible.

- Standard street signs (green with white text) within the project area will be replaced with Heritage Conservation District street signs (blue with white text, bump out portion on top).
- Street names will be stamped into the concrete sidewalk.
- Street lighting more appropriate to the heritage character of the Old East Heritage Conservation District.

1.6 Community Consultation

As part of the Infrastructure Renewal Project, there have been several points of community consultation:

- Project Notice Letter #1 was mailed to affected properties within and adjacent to the project design and construction limits, as well as the Old East Village Community Association and Old East Village Business Improvement Association on May 25, 2021. A residents' survey was included in the Project Notice and residents were invited to complete the survey and provide their input. Two responses were received.
- On February 3, 2022, a Project Update Letter was mailed to affected properties within and adjacent to the project design and construction limits, as well as the Old East Village Community Association and Old East Village Business Improvement Association, informing that the construction project had been rescheduled to 2023.

As the overall project design advances, a property owner letter will be mailed to properties within and adjacent to the project design and construction limits as well as the Old East Community Association and Business Improvement Association to update the project progress (typically late October). This letter will include a link to a dedicated project website where residents and property owners can view project presentations.

2.0 Discussion and Considerations

Cultural heritage resources are to be conserved and impacts evaluated as per fundamental policies in the *Provincial Policy Statement* (2020), the *Ontario Heritage Act*, *The London Plan*. More specific, area-based policies and guidelines – part of the *Old East Heritage Conservation District Conservation Plan & Conservation Guidelines* – contain policies establishing intention and specific guidelines that provide direction on how to achieve the conservation of cultural heritage resources, heritage attributes, and character.

2.1 *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."

2.2 *Ontario Heritage Act*

Section 42(1) 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*).

Furthermore, Section 41.2(1) requires that Municipal Council shall not carry out any public work in a Heritage Conservation District that is contrary to the objectives set out in the applicable Heritage Conservation District Plan.

2.3 *The London Plan*

The London Plan is the City of London's Official Plan. The policies of *The London Plan* found in the Key Directions and Cultural Heritage chapter support the conservation of London's cultural heritage resources.

Policy 61_5 of *The London Plan*, "Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features."

Policy 62_9 of *The London* Plan notes the municipality's primary initiatives to "Ensure new development is a good fit within the context of an existing neighbourhood," and Policy 554_3 to "ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources." To help ensure that new development is compatible, Policies 554_3, 565_, and 594_ of *The London Plan* provides the following direction:

> Policy 554_3 Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.
>
> Policy 565_ New development, redevelopment, and all civic works are projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources.
>
> Policy 594_
> 1. *The character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district.*
> 2. *The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area.*
> 3. *Regard shall be had at all times to the guidelines and intent of the heritage conservation district plan*.

2.4 *Old East Heritage Conservation District Plan & Conservation Guidelines*

The Old East Heritage Conservation District was designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.3383-111 and came into force and effect on September 10, 2006. The *Old East Heritage Conservation District Plan & Guidelines* provides policies and guidelines to help manage change for the nearly 1,000 properties located within its boundaries.

The goals and objections of the designation of the Old East as a Heritage Conservation District are found within Section 3.2 of the *Old East Heritage Conservation District Conservation Plan*. The streetscape goals and objectives are:

> *Maintain and enhance the visual, contextual and pedestrian oriented character of Old East's streetscapes and public realms by:*
> - *Recognizing that the area's heritage includes streets, parks, trees, open spaces, monuments, street furniture, signs and all manner of items that contribute to the visual experience of a community, whether public or privately owned.*

- *Maintain existing street trees, vegetation, boulevard, or develop replacement programs where necessary.*
- *Minimize the visual impact of vehicle parking on the streetscape.*

To achieve these objectives, policies are established in the *Old East Heritage Conservation District Plan*; street trees (Section 5.2), boulevards (Section 5.3), signage (Section 5.5), lighting (Section 5.6), street furniture (Section 5.7), and vehicle parking (Section 5.8).

The street trees are emphasized as an "inseparable element that defines the overall character of the district" (Section 5.2.1, *Old East Heritage Conservation District Conservation Plan*). Policy recommendations in Section 5.2.3 emphasize the importance of tree planting to maintain the streetscape with appropriate species of a minimum size (100mm calliper diameter at breast height). Specifically regarding infrastructure projects,

> *Any road-works or general construction that will impact the root zones of the existing mature street trees should be executed under the supervision of municipal forestry staff, or outside consultants, such as certified arborists or registered professional foresters, with the opportunity to review engineering plans and provide and implement tree preservation/protection measures. Trees should be inspected during and after construction to ensure tree protection measures were in place and maintained, and that post construction conditions within the root protection zone have been restored to equal or better conditions.*

Appropriate planting species are found in Section 5.2.3 of the *Old East Heritage Conservation District Conservation Plan*:

- Norway Maple
- Silver Maple
- Sugar Maple
- Baumann Horsechestnut
- Native Basswood
- Little Leaf Linden
- Homestead Hybrid Elm
- Pioneer Hybrid Elm
- Sapporo Autum Gold Hybrid Elm

There are additional species of potentially appropriate plant material (for residential landscapes) in Section 5.4 of the *Old East Heritage Conservation District Conservation Guidelines*.

The policies of Section 5.3 of the *Old East Heritage Conservation District Conservation Plan* highlight the importance of the boulevards which "serve as a green ribbon that strings the urban fabric of the district together." The policies state:

- All boulevards should be maintained as green space, serving as an important buffer between vehicular and pedestrian space within the streetscape.
- The paving of boulevard in hard surface material is highly discouraged. Where boulevards have been hard surfaced (e.g. portions of Dufferin Avenue), it is recommended that they be restored to green space at the time any street reconstruction or other infrastructure improvements are undertaken.
- Plant materials other than turf grass may be appropriate.

The policies of Section 5.5 (Signage) include reference to the City's Heritage Conservation District street sign program, which is partially implemented in the Old East Heritage Conservation District.

The policies of Section 5.6 (Lighting) notes that the current "cobra head" lighting fixture mounted on the wood hydro poles are not sensitive to the heritage character of the Old East Heritage Conservation District. The policies of Section 5.6 recommend the replacement of the "cobra head" light fixtures with fixtures that are more appropriate as well as the burial of overhead wires.

Section 5.7 of the *Old East Heritage Conservation District Conservation Plan* provides recommendations for street furniture. No street furniture is anticipated as part of the Elizabeth Street infrastructure renewal project.

The policies of Section 5.8 of the *Old East Heritage Conservation District Conservation Plan* continue to discourage vehicle parking in the front yard and boulevard.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Consistent with the Objectives of the Old East Heritage Conservation District Plan?

Section 41.2(1) of the *Ontario Heritage Act* requires that no public work be carried out that is contrary to the objectives of a Heritage Conservation District Plan. The proposed alterations for the Elizabeth Street Infrastructure Renewal Project have been reviewed and no conflict was identified with the objectives of the *Old East Heritage Conservation District Conservation Plan*.

No direct impacts to any private properties within the Old East Heritage Conservation District arising from the Elizabeth Street Infrastructure Renewal Project are proposed. All cultural heritage resources within the project area will be conserved and no permanent adverse impacts are anticipated.

4.2 Impacts to Street Trees

A street tree assessment and inspection were completed by the project arborist (consultant) and the City's Arborist and Forestry Supervisor. Twenty-six (26) trees were assessed; zero (0) have been identified as requiring removal due to structural or health considerations combined with construction impacts or infrastructure conflict. Final tree removal and impacts related to the Elizabeth Street Infrastructure Renewal Project will be confirmed through Detailed Design.

Retained street trees will be protected with fencing during construction, and, where warranted, provided with enhanced trunk protection.

4.3 Impacts to Boulevards

The boulevards in the Old East Heritage Conservation District are an important heritage attribute and the policies of the *Old East Heritage Conservation District Conservation Plan* support the retention and preservation of the grass boulevards.

The proposed narrowing of Elizabeth Street will maintain and widen the existing boulevards. This is anticipated to have a positive impact on the Old East Heritage Conservation District by increasing the area suitable to support the "green ribbon" along the streetscape and provide additional potential opportunities for small street trees.

The increase in the boulevard width is insufficient to support the parking of vehicles, either perpendicular or parallel to Elizabeth Street, in private driveways.

4.4 Heritage Conservation District Program Implementation

Within the limits of the Elizabeth Street Infrastructure Renewal Project, the City will continue to implement the Heritage Conservation District Street Signage program using the existing design for the Old East Heritage Conservation District. This will include replacement of street signs that do not comply with the Heritage Conservation District Street Signs standard (e.g., standard green and white street sign) or those signs which have gone missing since their installation.

Additionally, the street names will be stamped into the sidewalks that are replaced as part of the Elizabeth Street Infrastructure Renewal Project. This should continue to be implemented only in London's Heritage Conservation Districts.

4.5 Street Lighting

Since the approval of the Heritage Alteration Permit for the English Street Infrastructure Renewal Project (HAP20-060-L; 2020), the Streetworks SDL Springdale fixture has been added to the City's Pre-Approved Street Lighting Fixtures list. This fixture is more sympathetic to the heritage character of the Old East Heritage Conservation District than the existing "cobra head" fixtures while complying with the City's design and technical requirements.

4.7 Coordination with Dundas Street Old East Village Reconstruction

The Elizabeth Street Infrastructure Renewal Project will integrate with the recently completed Dundas Street/Old East Village Reconstruction.

Conclusion

Infrastructure Renewal Projects within London's Heritage Conservation Districts do not typically require Heritage Alteration Permit approval when there is no alteration to the road width or paved surfaces, as these projects replace "like with like." From time to time, changes arising from an infrastructure project may be considered which could have a potential impact on the cultural heritage values or heritage attributes of the cultural heritage resources. For the Elizabeth Street Infrastructure Renewal Project, no adverse impacts are anticipated as a direct result of the proposed alterations. The narrowing of Elizabeth Street south of Queens Avenue is anticipated to continue to support and maintain the heritage character of the Old East Heritage Conservation District by conserving and increasing the "green ribbon" of the streetscape and providing opportunities for additional street trees. The proposed alterations comply with the objectives of the *Old East Heritage Conservation District Conservation Plan* and support, maintain, and enhance the conservation of the Old East Heritage Conservation District.

The Elizabeth Street Infrastructure Renewal Project also supports the continued implementation of the Heritage Conservation District street sign program, the stamping of street names in the sidewalks within a Heritage Conservation District, and the installation of more sympathetic street lighting. The Heritage Alteration Permit application for the Elizabeth Street Infrastructure Renewal Project should be permitted.

5.1 Acknowledgments

This report was prepared with the assistance of Josh Robinson, Technologist II, Water Engineering.

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**

Appendix A Location
Appendix B Images
Appendix C Elizabeth Street Infrastructure Renewal Project drawings

Appendix D Preferred Street Lighting Fixture

Selected Sources

City of London. Property File.
City of London. *Old east Heritage Conservation District Plan* and *Old East Heritage Conservation District Guidelines*. 2006.
City of London. *Register of Cultural Heritage Resources*. 2019.
City of London. *The London Plan*. 2022, consolidated.
Ministry of Municipal Affairs and Housing. *Provincial Policy Statement.* 2020.
Ontario Heritage Act. 2019, c. 9. Sched. 11.

Appendix A – Location

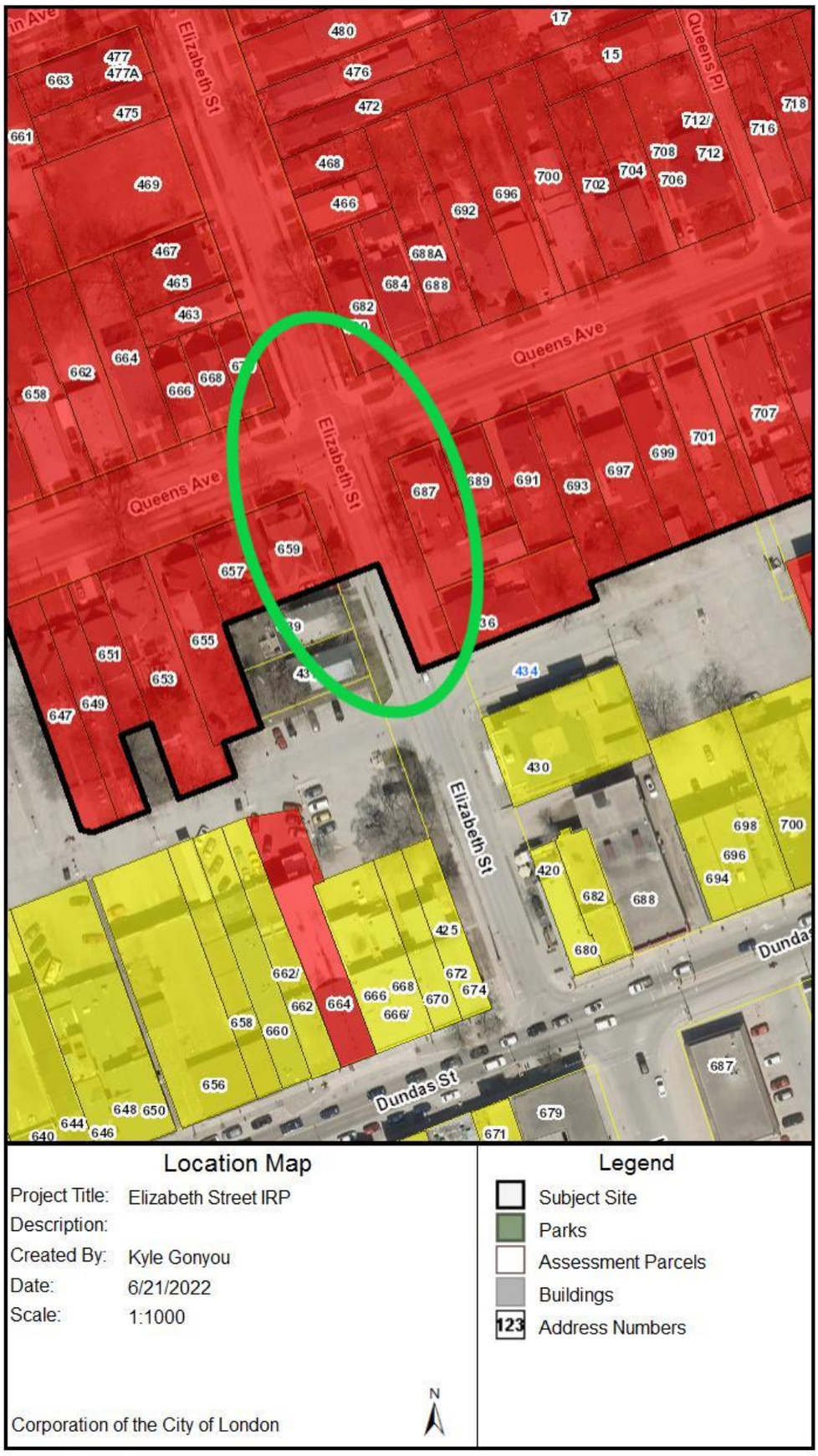


Figure 1: Location map, showing the Old East Heritage Conservation District (in red), with a green circle identifying the area of interest in the Elizabeth Street Infrastructure Renewal Project.

Appendix B – Images

Image 1: Photograph of Elizabeth Street, looking north towards the intersection with Queens Avenue.

Image 2: Photograph of Elizabeth Street, looking south towards the intersection with Queens Avenue.

Image 3: Photograph showing the Old East Heritage Conservation District Street Sign.

Image 4: Photograph showing the street name stamping, recently completed at Grosvenor Street and Waterloo Street in the Bishop Hellmuth Heritage Conservation District.

Appendix C – Elizabeth Street Infrastructure Renewal Project drawings

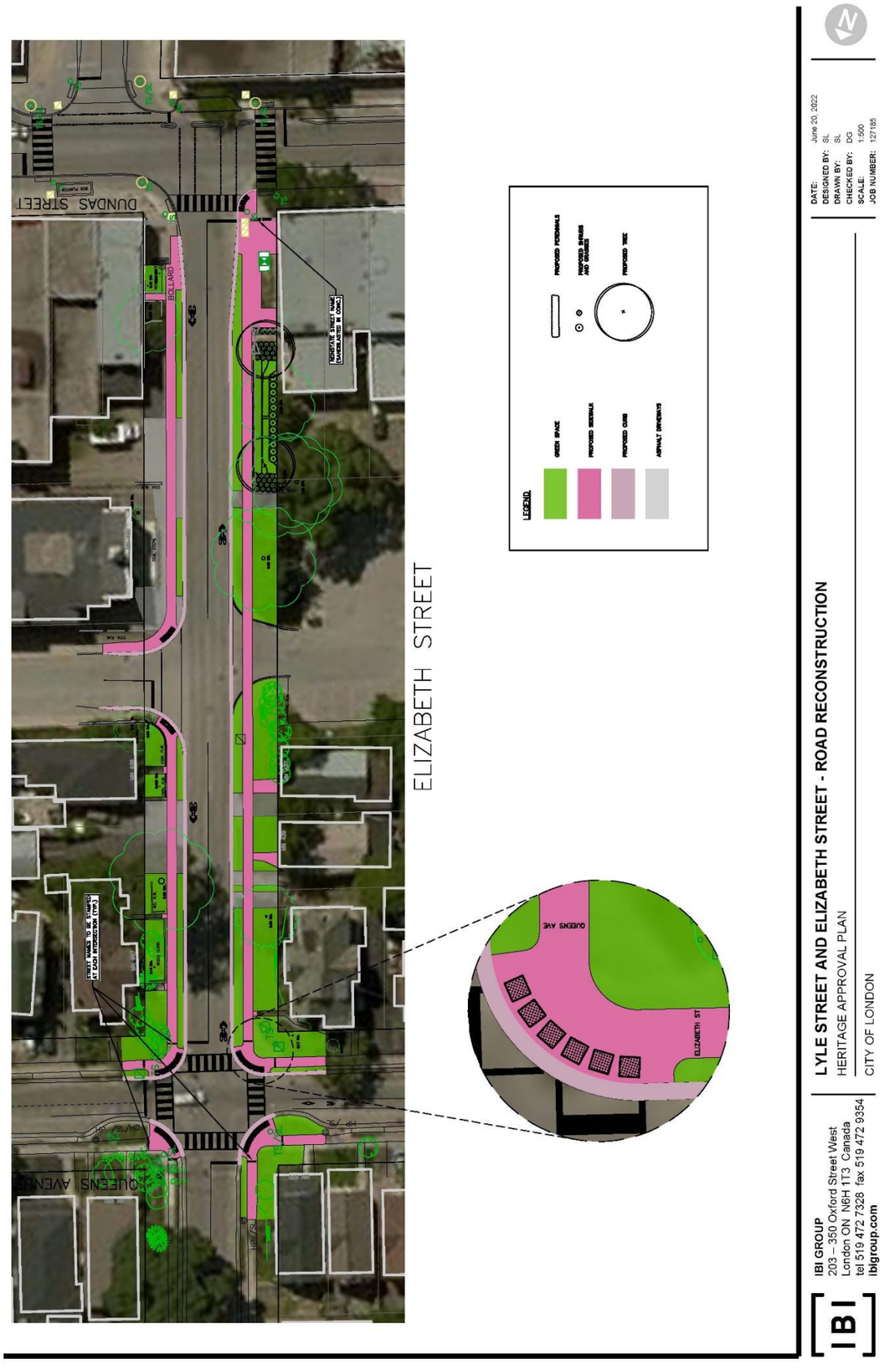
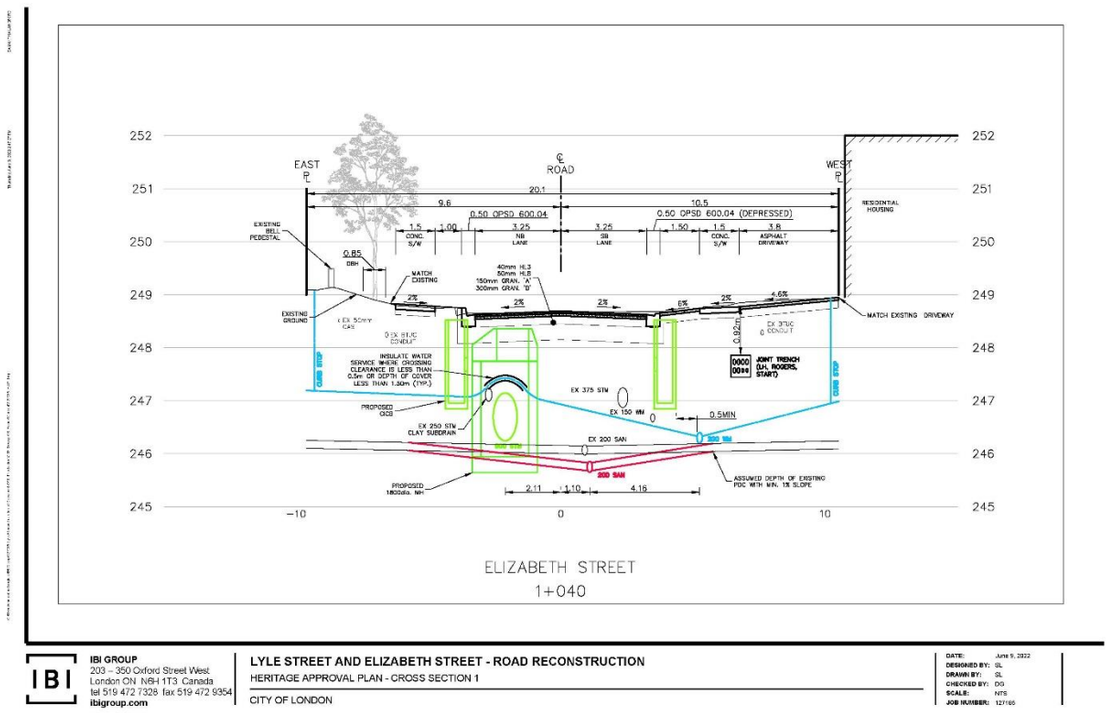


Figure 2: Plan of the proposed Elizabeth Street Infrastructure Renewal Project, within the Old East Heritage Conservation District.

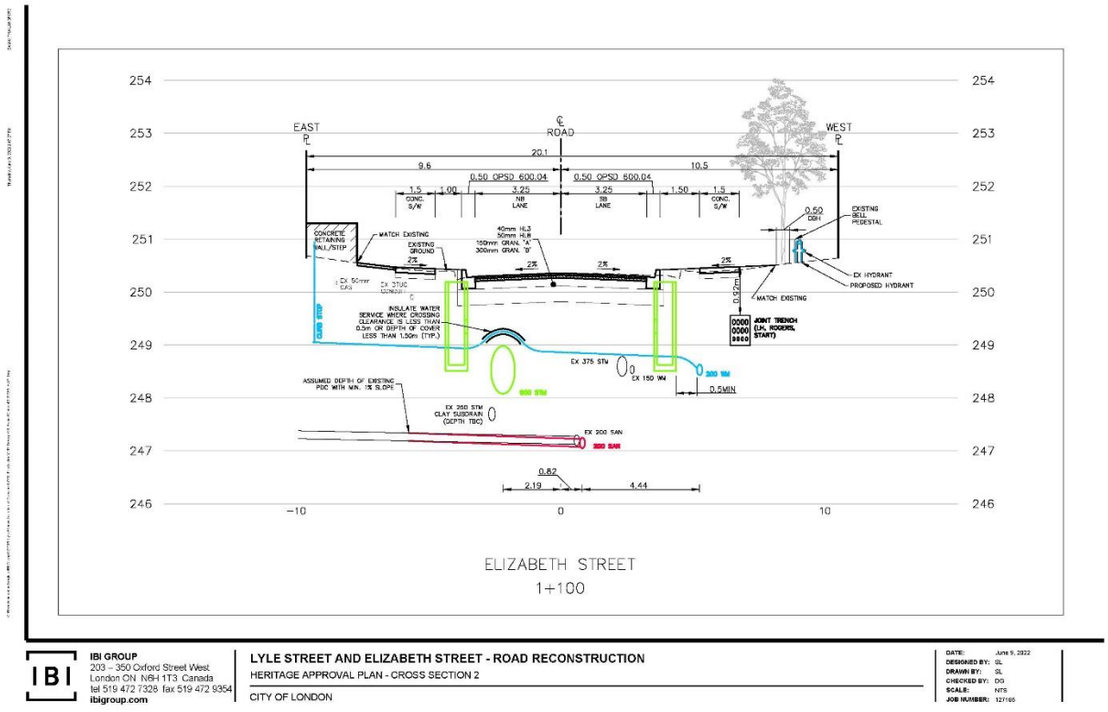


IBI GROUP
203 – 350 Oxford Street West
London ON N6H 1T3 Canada
tel 519 472 7328 fax 519 472 9354
ibigroup.com

LYLE STREET AND ELIZABETH STREET - ROAD RECONSTRUCTION
HERITAGE APPROVAL PLAN - CROSS SECTION 1
CITY OF LONDON

DATE: June 9, 2022
DESIGNED BY: SL
DRAWN BY: SL
CHECKED BY: DG
SCALE: NTS
JOB NUMBER: 127166

Figure 3: Cross-section of the proposed Elizabeth Street infrastructure Renewal Project.



IBI GROUP
203 – 350 Oxford Street West
London ON N6H 1T3 Canada
tel 519 472 7328 fax 519 472 9354
ibigroup.com

LYLE STREET AND ELIZABETH STREET - ROAD RECONSTRUCTION
HERITAGE APPROVAL PLAN - CROSS SECTION 2
CITY OF LONDON

DATE: June 9, 2022
DESIGNED BY: SL
DRAWN BY: SL
CHECKED BY: DG
SCALE: NTS
JOB NUMBER: 127166

Figure 4: Cross-section of the proposed Elizabeth Street infrastructure Renewal Project.

Appendix D –Street Lighting Fixture

Streetworks

SDL Springdale

Decorative Luminaire

Product Features

Light ARchitect™

Interactive Menu

- Ordering Information page 2
- Product Specifications page 2
- Energy and Performance Data page 3

Product Certifications

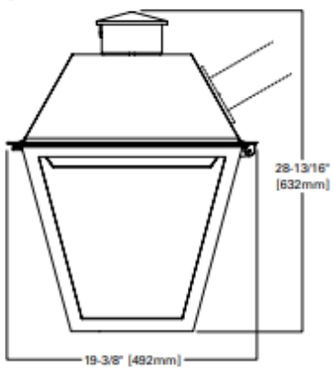
UL CERTIFIED · 3G VIB · IP66 · ida[1] · ISO CERTIFIED · 5 YEAR

Quick Facts

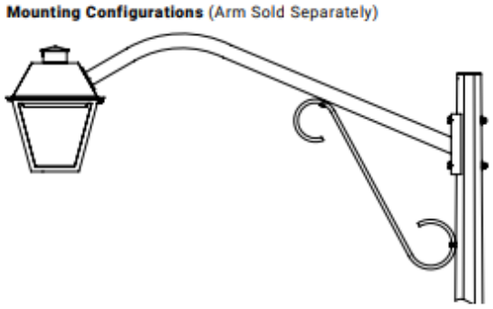
- Lumen packages ranging from 2,000 lumens to 11,000 lumens
- Offered in 2700K, 3000K, 4000K, and 5000K CCTs
- Type II, III, IV, and V distributions availabe
- Integrated control options via 7-pin receptacle
- Field adjustable dimming controller available

Dimensional Details

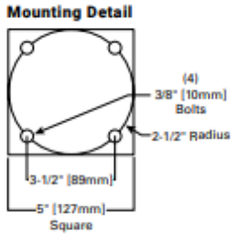
SDL



Mounting Configurations (Arm Sold Separately)



Mounting Detail



NOTE: 1. IDA Certified (3000K CCT and warmer only, fixed mounting options)

COOPER Lighting Solutions

PS50620921 page 1
June 1, 2022 3:04 PM

Figure 5: Product information on the Streetworks SDL Springdale LED Arm Mount from Cooper Lighting, the preferred street lighting fixture for the Old East Heritage Conservation District. This fixture can be affixed to the existing hydro poles or other poles.

Image 5: Photograph of the new heritage sympathetic light fixture, contrasted to the standard “cobra” light fixtures, being installed on English Street. The “cobra” light fixtures will be removed.

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: **Request for Designation for property at 514 Pall Mall Street under Part IV of the *Ontario Heritage Act* by J. Hassan and R. Benner**
Date: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the request for designation of the property at 514 Pall Mall Street, the following actions **BE TAKEN**:

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

b) Should no objections to Municipal Council's notice of intention to designate be received, a by-law to designate the property at 514 Pall Mall Street to be of cultural heritage value or interest for the reasons outlined in Appendix D of this report **BE INTRODUCED** at a future meeting of Municipal Council within 90 days of the end of the objection period.

IT BEING NOTED that should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared.

IT BEING FURTHER NOTED that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal.

Executive Summary

At the request of the property owner, an evaluation of the property at 514 Pall Mall Street was undertaken using the criteria of O. Reg 9/06. The building on the property was constructed in about 1927 as a horse stable, garage, and in the home building trade – representing an important theme in the transition of horse-based transportation to automobiles. It was adapted for residential purposes and artist studios by the current property owners while retaining physical elements articulating the building's past. The evaluation determined that the property is a significant cultural heritage resource that merits designation pursuant to Part IV of the *Ontario Heritage Act*.

Linkage to the Corporate Strategic Plan

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

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

Analysis

1.0 Background Information

1.1 Property Location

The property at 514 Pall Mall Street is located on the north side of Pall Mall Street between Miles Street and William Street in London, Ontario (Appendix A). The property at 514 Pall Mall Street is a "flag shaped lot." The parcel has a narrow street frontage, serving as the driveway, which leads to the bulk of the property where the building is

located on the interior of the block. The property has limited visibility from the surrounding streets.

1.2 Cultural Heritage Status

The property at 514 Pall Mall Street is not listed on the City of London's Register of Cultural Heritage Resources or designated under the *Ontario Heritage Act*.

1.3 Description

The building on the property at 514 Pall Mall Street is a two-storey structure, with a distinct one-storey garage wing (Appendix B). The two-storey structure is built on a concrete slab with a wood (cedar) post-and-beam style construction. Concrete is exposed as the flooring of the first floor, and the wood posts and beams are exposed in several prominent locations on the interior. The building has a shed or pent roof, with a single slope downward to the east. The exterior of the building was originally corrugated metal but is now wood board and batten installed in 1986-1988. Steel roof replaced the original tar paper roof of the building. Fourteen "horse stall" painted wood windows, with a three-over-three fenestration pattern, are located on the ground floor of the east and west façades. The other windows of the building were replaced in 1986-1988. There is a sunroom addition to the east, and exterior stairs were replaced on the west façade. The one-storey garage wing features a large doorway and a gable roof. The rear (north) façade of the garage wing retains its original corrugated metal exterior cladding.

The property retains two stone carriage mounting steps, as well as several other improvements including a tile-clad fishpond.

1.4 Property History

1.4.1 Early Euro-Canadian History

The Euro-Canadian history of the property at 514 Pall Mall Street can be traced back to the mid-nineteenth century. The property was included in the "New Survey" that was used in the 1840 Annexation of the Town of London, increasing the Town's boundaries to the Huron Street and Adelaide Street North, and the Thames River. In 1849, the property was purchased by David Dawson. In 1887, David Dawson sold the property to Thomas D. Smith, who lived nearby at 540 Pall Mall Street. It appears that Thomas D. Smith built the house at 518 Pall Mall Street in about 1894 and the house at 516 Pall Mall Street before 1907, both as rental properties. These properties were sold separately by Thomas D. Smith in 1918 and 1919, respectively.

In 1924, Thomas D. Smith sold the remainder of the property, including part of what is now 514 Pall Mall Street, to Harry Boss for $1,700. Harry Boss was recorded in the 1927 City Directory as a "teaming contr" [contractor]. A teaming contractor or teamster is a term for a truck driver or a person who drives teams of draft animals, like horses. Information available from the Tax Assessment Rolls in 1927 describe a building, valued at $2,900, a two-storey structure (see Figure 2, Appendix C). Other available documentation, such as the Fire Insurance Plans or aerial photographs, do not include evidence of a building at this location prior to 1927 (see Appendix C).

In about 1935, a mechanic's garage, operated by Douglas Hetherington, was recorded on the City Directory. It was likely that the garage wing was constructed about this time. Through this additional use documented in the historical record, the transition from horse-based transportation of Harry Boss as a teamster to the mechanic's garage servicing automobiles can be understood. Former purpose-built horse stables were adapted to service automobiles. This theme is supported by other documentation of the transition in transportation modes. For example, motor trucks were introduced by the Post Office in about 1930 and Silverwood's Dairy continued to use horses for its delivery roots until the early 1960s (Brock 2011, 224; 283). Also, in late March 1937, the last of the City's Garbage Department horses was sold at auction, as motorized vehicles had been introduced the previous year (Brock 2011, 236).

In 1949, Harry Boss sold the property to J. W. Roy James. He then transferred the property, in 1956, to Roy James Holding Limited. A large yard and building complex for Roy James Construction was located between William Street and Adelaide Street

North, immediately south of the Canadian Pacific Railway. It is likely that the property at 514 Pall Mall Street supported the operations at this larger yard. Roy James Construction was a home builder in the mid-twentieth century. Further research into the Roy James Construction company is required to understand the company's impact and influence of home building in London.

Prior to Roy James Holding Limited selling the property in 1981, it appears to have acquired a tenant, Parke Woodworking. Parke Woodworking was owned by David W. Parke, who established at this location in about 1957. Parke Woodworking was known for its sash window manufacturing capabilities. David W. Parke purchased the property from Roy James Holding Limited in 1981.

The property was purchased by its current property owners, Jamelie Hassan and Ron Benner, in 1986. The building was adapted for residential purposes and artist studio in 1986-1988. The original tar paper roof was replaced by a steel roof; the exterior corrugated metal siding was replaced by wood board and batten cladding. Other improvements were made by the property owners, including the ceramic tile pond and outbuilding. Since 1990, the property has historical associations with the Embassy Cultural House, as its archival repository. Additional property was added to the parcel at 514 Pall Mall Street, from the rear of properties at 516 Pall Mall Street and 518 Pall Mall Street, in 2002 and 2009.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

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

2.1.1 *Provincial Policy Statement*

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

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

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

2.1.2 *Ontario Heritage Act*

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

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

Heritage Alteration Permit approval is required for any changes or alterations that are likely to affect any of the heritage attributes of a heritage designated property, pursuant to Section 33, *Ontario Heritage*. A Heritage Alteration Permit application may be approved, approved with terms and conditions, or refused. Designation under the *Ontario Heritage Act* obliges processes should a demolition request for any building or structure on a heritage designated property be received, or a request to repeal the heritage designating by-law.

2.1.2.1 Ontario Regulation 9/06

Ontario Regulation 9/06 establishes criteria for determining the cultural heritage value or interest of individual properties. These criteria are reinforced by Policy 573_ of *The London Plan*. These criteria are:

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

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*.

2.2 *The London Plan*

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

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1 Request for Designation

In July 2020, the City received a request from the property owners of 514 Pall Mall Street to consider the designation of the property pursuant to Part IV of the Ontario Heritage Act. The Heritage Planner completed historical research, encountering many challenges due to COVID-19 related research limitations and a challenging property history. A professional title search was retained to assist in the property-based research. An evaluation of the property was completed using the criteria of O. Reg. 9/06, and a Statement of Cultural Heritage Value or Interest was prepared. The Stewardship Sub-Committee of the London Advisory Committee on Heritage (LACH)/Community Advisory Committee on Planning (CACP) was consulted throughout the research process. A draft Statement of Cultural Heritage Value or Interest was

included on the Stewardship Sub-Committee Agenda for its meeting on April 27, 2022 and June 29, 2022.

4.2 Cultural Heritage Evaluation

The property at 514 Pall Mall Street was evaluated using the criteria of Ontario Regulation 9/06 (see Section 2.1.2.1 above). The evaluation is included below.

Table 1: Evaluation of the property at 514 Pall Mall Street using the criteria of O. Reg. 9/06

Criteria		Evaluation
The property has design value or physical value because it,	Is a rare, unique, representative, or early example of a style, type, expression, material, or construction method	The building at 514 Pall Mall Street is a rare building type, construction method, and materials of a horse stable in London. The two-storey building has a shed or pent-style roof. The building is constructed of cedar posts.
	Displays a high degree of craftsmanship or artistic merit	The property at 514 Pall Mall Street displays a high degree of artistic merit in the hand-painted ceramic tile-clad rectangular pond on the west side of the building, designed by Jamelie Hassan.
	Demonstrates a high degree of technical or scientific achievement	The property at 514 Pall Mall Street does not demonstrate a high degree of technical or scientific achievement.
The property has historical value or associative value because it,	Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community	The property at 514 Pall Mall Street is historically associated with the theme of transportation in London as the building was originally constructed as a horse stable that transitioned into a mechanic's garage, and subsequently adapted for residential purposes and artist studios. Physical evidence of the building's origins as a horse stable are found in the structure of the building and particularly in the fourteen horse stall windows.
	Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	The adaptive reuse of the property at 514 Pall Mall Street contributes to an understanding of the community where the form, scale, type, and construction method of the building has allowed it to adapt to changing needs since its construction. The attributes of the building articulating its former uses as a stable, garage, and home building/wood working shop were retained in its conversion to residential purposes including artist studios.
	Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community	The property at 514 Pall Mall Street reflects the ideas of artists Jamelie Hassan and Ron Benner who are significant to the community. The adaptive reuse of the building at 514 Pall Mall Street, from its horse stable/mechanic's garage origins to its residential purposes and artist studios, was completed by Jamelie Hassan and Ron Benner in 1986-1988.
The property has contextual	Is important in defining, maintaining, or supporting the character of an area	The location and setting of the building at 514 Pall Mall Street, set deeply in the block bounded by Pall Mall Street,

value because it,		William Street, Piccadilly Street, and Miles Street, articulates the origins of the property in contract to its residential surroundings.
	Is physically, functionally, visually, or historically linked to its surroundings	The property is not physically, functionally, visually, or historically linked to its surrounding in a significant way.
	Is a landmark	The property at 514 Pall Mall Street is not recognized as a landmark.

4.3 Comparative Analysis

Historic horse stables are rare in London, particularly in the urban area of the city. There are two known examples of horse stables:

- Horse Stable at the former London Psychiatric Hospital (850 Highbury Avenue North) – individually heritage designated and subject to Ontario Heritage Trust easement
- Livery Stable at Lilley's Corner (620 Marshall Street) – heritage listed property

The important legacy of horse-based transportation was recognized in the heritage designation of Fire Hall No. 4 (807 Colborne Street, By-law No. L.S.P.-3462-151) and implied in the heritage designation of Fire Hall No. 5 (155 Adelaide Street North, By-law No. L.S.P.-3286-80).

The building at 514 Pall Mall Street represents a different aspect of the horse-based transportation era, as the building was used by a teamster in a commercial operation. While the Livery Stable was a commercial operation, it was developed to support the needs of the travelling public. The Horse Stables at the former London Psychiatric Hospital reflect the agricultural functions of the former hospital and are therefore different in history and character.

4.4. Integrity

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

The conservation and retention of physical evidence of the building's past demonstrate the sensitive approach that the property owner have taken in the adaptive reuse of the building. While converted to a new use and with changes made to some materials of the building's finishes, the building at 514 Pall Mall Street still retains sufficient physical features, as heritage attributes, to articulate the cultural heritage values attributed to it.

4.5 Consultation

As an owner-initiated designation, the property owners have been engaged in the evaluation processes for the property. The property owner facilitated two site visits with the Heritage Planner. The property owner has also reviewed and concurred with the Statement of Cultural Heritage Value or Interest for the property at 514 Pall Mall Street.

Lastly, in compliance with the requirements of Section 29(2) of the *Ontario Heritage Act*, the Community Advisory Committee on Planning, as the City's municipal heritage committee, was consulted at its meeting on July 13, 2022.

Conclusion

The property at 514 Pall Mall Street is a significant cultural heritage resource that is valued for its physical or design values and its historical or associative values. Contextually, its contrast to the surrounding residential area articulates its non-

residential origins. The property represents the theme of transportation, particularly in the transition from horse-based transportation to automobiles. The adaptive reuse of the building at 514 Pall Mall Street retained the form, scale, type, and construction method of the building. The physical attributes which articulate its former use as a stable, garage, and home building/wood working shop were conserved as it was converted to residential purposes including artist studios. The adaptive reuse of the building at 514 Pall Mall Street has demonstrated the ideas of Jamelie Hassan and Ron Benner as artists who are significant to the community.

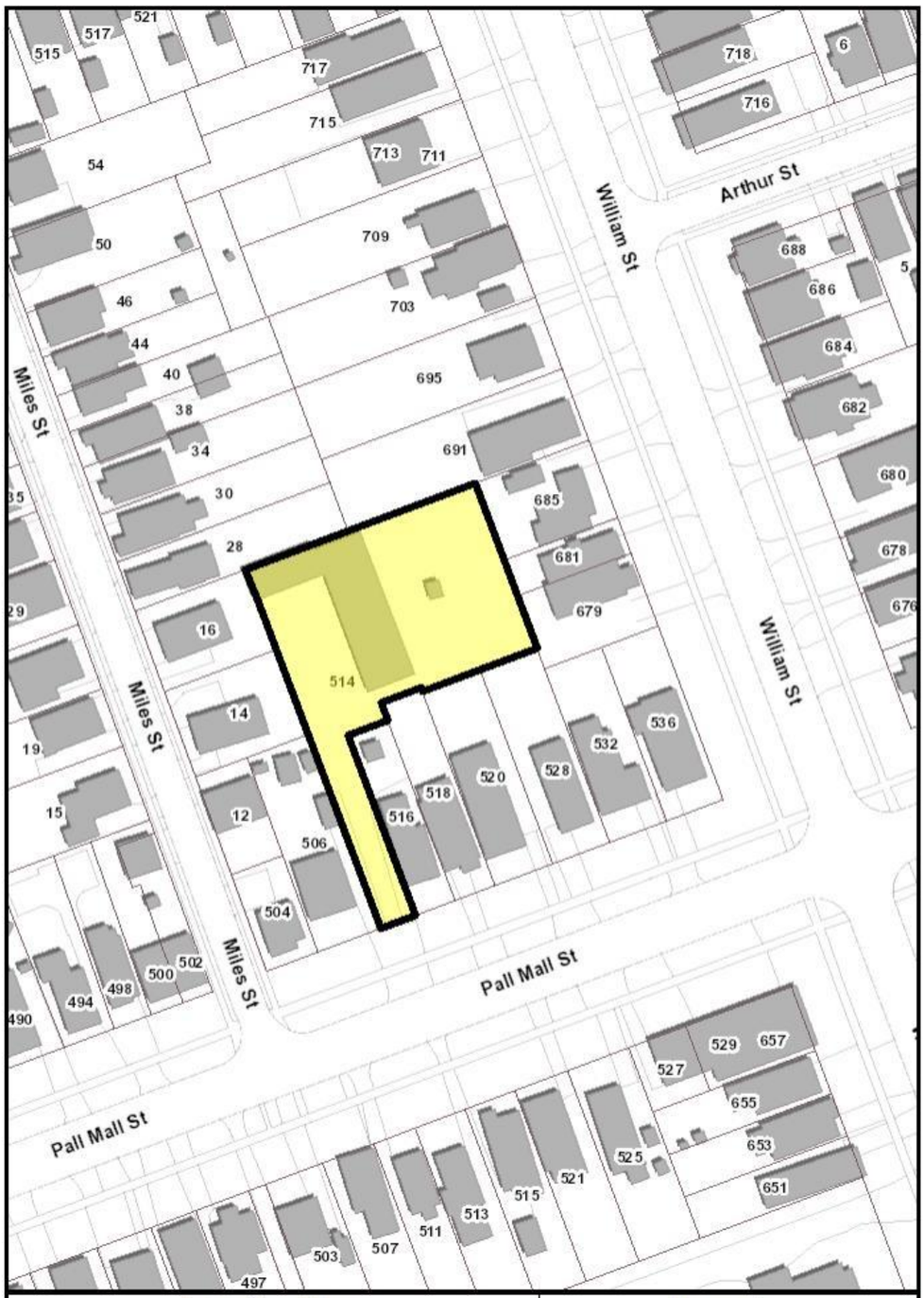
The property at 514 Pall Mall Street has been evaluated and has met the criteria for designation. The property at 514 Pall Mall Street merits designation pursuant to Part IV of the *Ontario Heritage Act*.

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 Documentation
Appendix D Statement of Cultural Heritage Value or Interest – 514 Pall Mall Street

Selected Sources
Brock, D. *Fragments from the Forks*. 2011.
Census. Various years.
City Directory. Various years.
City of London. Property File.
City of London. *Register of Cultural Heritage Resources*. 2019.
City of London. *The London Plan*. 2022, consolidated.
Land Registry Records.
Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation*. 2006.
Ministry of Municipal Affairs and Housing. *Provincial Policy Statement.* 2020.
Ontario Heritage Act. 2019, c. 9. Sched. 11.

Appendix A – Property Location



Location Map		Legend
Project Title:	514 Pall Mall Street	Subject Site
Description:		Parks
Created By:	Kyle Gonyou	Assessment Parcels
Date:	6/23/2022	Buildings
Scale:	1:1000	123 Address Numbers
Corporation of the City of London	N	

Appendix B – Images

Image 1: View of the property at 514 Pall Mall Street from Pall Mall Street.

Image 2: View of the building at 514 Pall Mall Street from its driveway, looking northeast.

Image 3: View of the east façade of the building at 514 Pall Mall Street.

Image 4: Detail of four of the horse stall windows on the east façade of the building at 514 Pall Mall Street. There are fourteen horse stall windows on the building, articulating its origins as a stable.

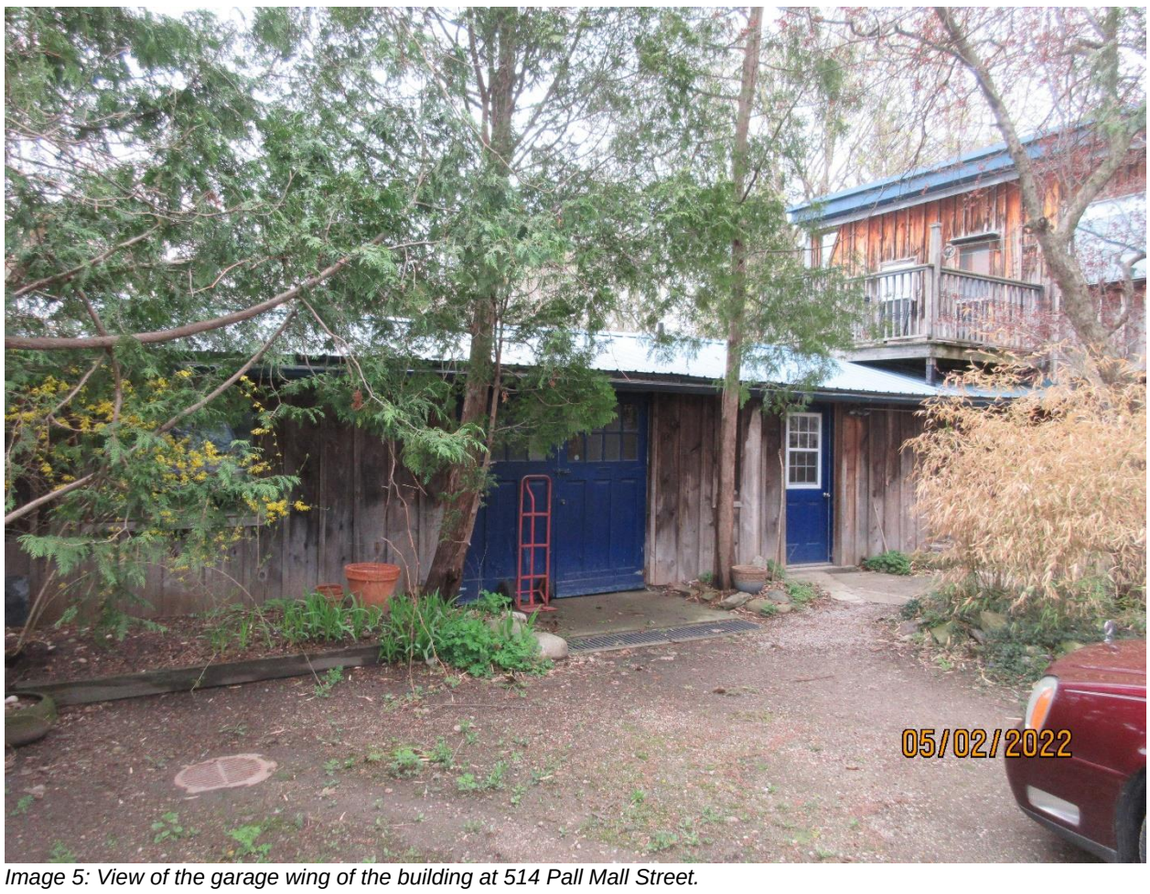


Image 5: View of the garage wing of the building at 514 Pall Mall Street.

Image 6: One of the two carriage stones at 514 Pall Mall Street. The carriage stone is in the garden.

Image 7: The second carriage stone at 514 Pall Mall Street, located along the driveway.

Image 8: View of the ceramic tile-clad pond in the garden at 514 Pall Mall Street. The tiles were designed and painted by Jamelie Hassan.

Appendix C – Documentation

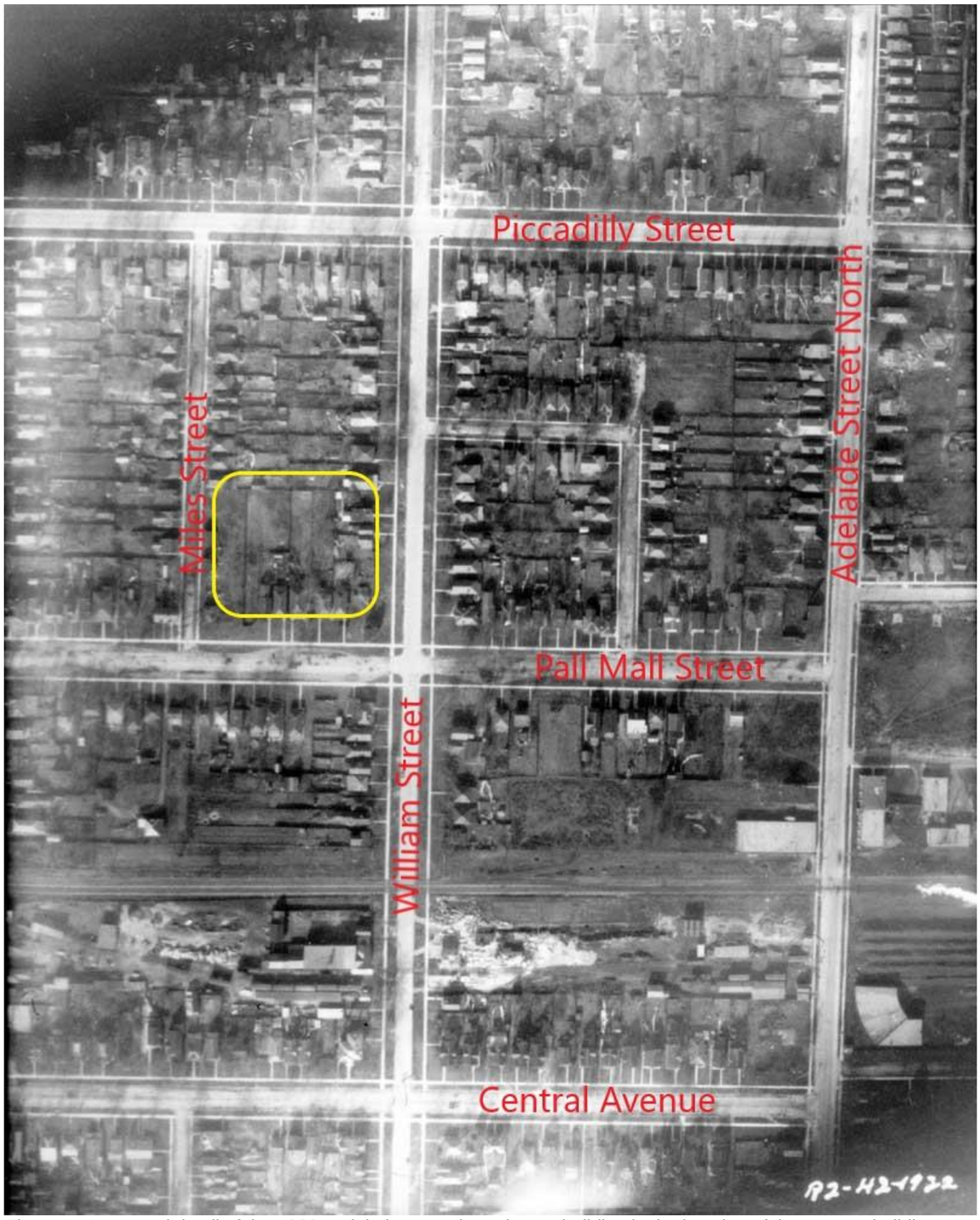
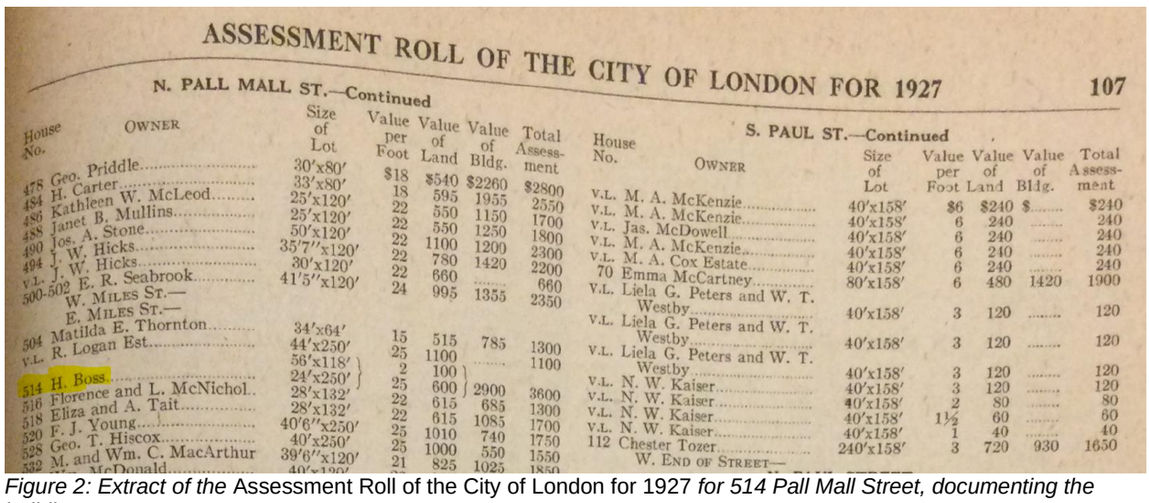


Figure 1: Annotated detail of the 1922 aerial photograph, noting no building in the location of the present building at 514 Pall Mall Street. Courtesy Maps and Data Centre, Western Archives.



ASSESSMENT ROLL OF THE CITY OF LONDON FOR 1927 107

N. PALL MALL ST.—Continued

House No.	Owner	Size of Lot	Value per Foot	Value of Land	Value of Bldg.	Total Assessment
478	Geo. Priddle	30′x80′	$18	$540	$2260	$2800
484	H. Carter	33′x80′	18	595	1955	2550
486	Kathleen W. McLeod	25′x120′	22	550	1150	1700
488	Janet B. Mullins	25′x120′	22	550	1250	1800
490	Jos. A. Stone	50′x120′	22	1100	1200	2300
494	J. W. Hicks	35′7″x120′	22	780	1420	2200
V.L.	J. W. Hicks	30′x120′	22	660	.....	660
500-502	E. R. Seabrook	41′5″x120′	24	995	1355	2350
	W. Miles St.—					
	E. Miles St.—					
504	Matilda E. Thornton	34′x64′	15	515	785	1300
V.L.	R. Logan Est.	44′x250′	25	1100	.....	1100
		56′x118′	2	100		
514	H. Boss	24′x250′	25	600	2900	3600
516	Florence and L. McNichol	28′x132′	22	615	685	1300
518	Eliza and A. Tait	28′x132′	22	615	1085	1700
520	F. J. Young	40′6″x250′	25	1010	740	1750
528	Geo. T. Hiscox	40′x250′	25	1000	550	1550
532	M. and Wm. C. MacArthur	39′6″x120′	21	825	1025	1850

S. PAUL ST.—Continued

House No.	Owner	Size of Lot	Value per Foot	Value of Land	Value of Bldg.	Total Assessment
V.L.	M. A. McKenzie	40′x158′	$6	$240	$.....	$240
V.L.	M. A. McKenzie	40′x158′	6	240	.....	240
V.L.	Jas. McDowell	40′x158′	6	240	.....	240
V.L.	M. A. McKenzie	40′x158′	6	240	.....	240
V.L.	M. A. Cox Estate	40′x158′	6	240	.....	240
70	Emma McCartney	80′x158′	6	480	1420	1900
V.L.	Liela G. Peters and W. T. Westby	40′x158′	3	120	.....	120
V.L.	Liela G. Peters and W. T. Westby	40′x158′	3	120	.....	120
V.L.	Liela G. Peters and W. T. Westby	40′x158′	3	120	.....	120
V.L.	N. W. Kaiser	40′x158′	3	120	.....	120
V.L.	N. W. Kaiser	40′x158′	2	80	.....	80
V.L.	N. W. Kaiser	40′x158′	1½	60	.....	60
V.L.	N. W. Kaiser	40′x158′	1	40	.....	40
112	Chester Tozer	240′x158′	3	720	930	1650
	W. End of Street—					

Figure 2: Extract of the Assessment Roll of the City of London for 1927 *for 514 Pall Mall Street, documenting the building.*

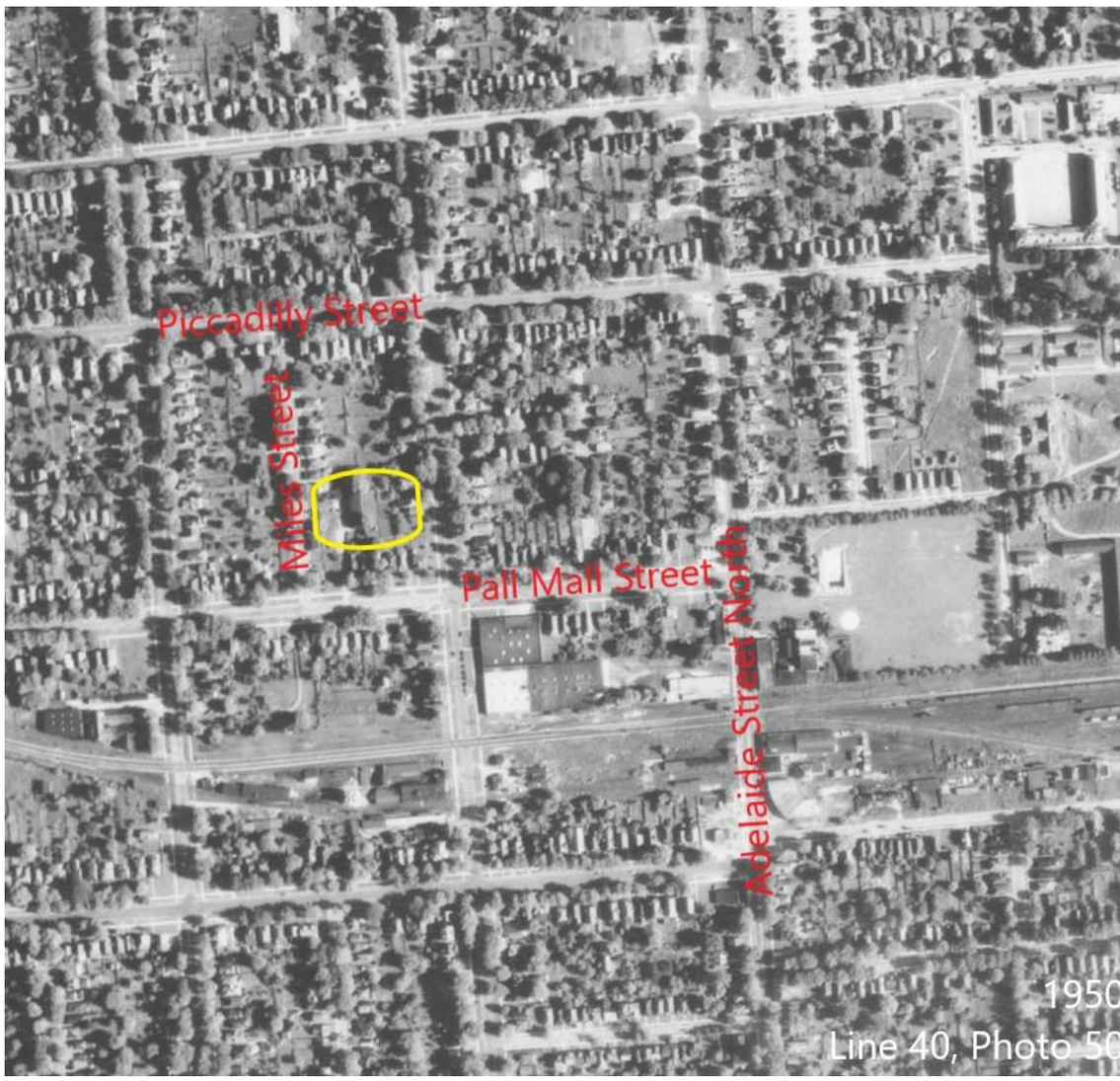


Figure 3: Annotated 1950 aerial photograph, showing the present building at 514 Pall Mall Street. Courtesy Maps and Data Centre, Western Archives.

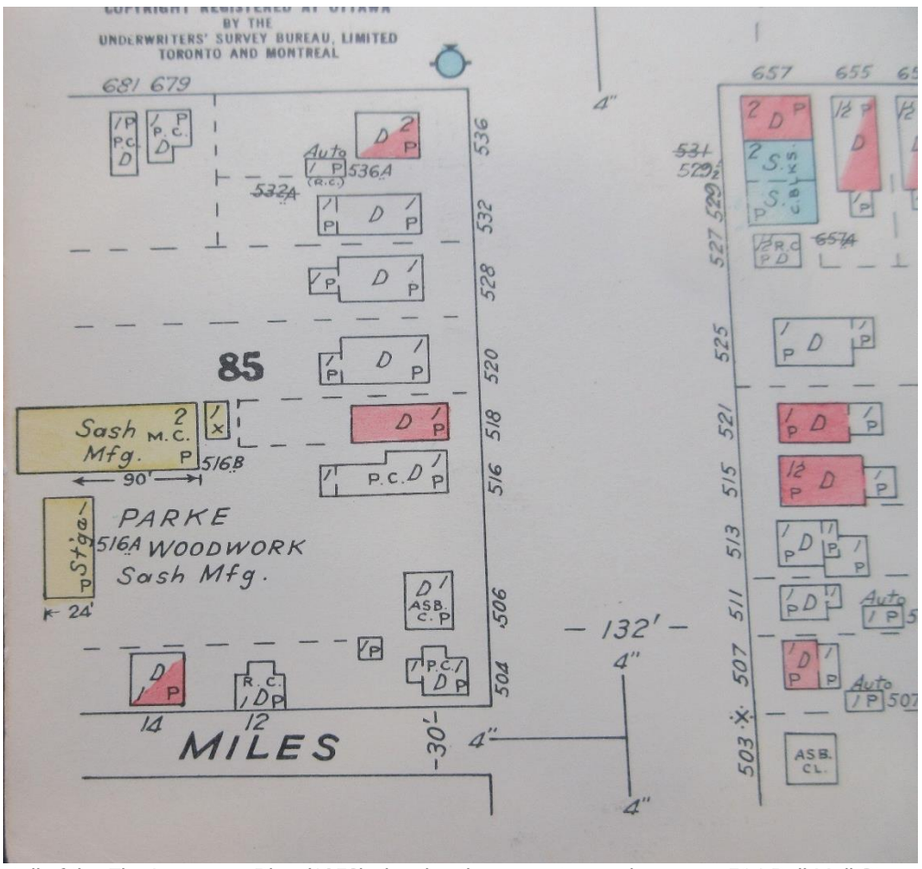


Figure 4: Detail of the Fire Insurance Plan (1958) showing the property now known as 514 Pall Mall Street – the buildings associated with Parke Woodwork (sash manufacturing). Courtesy Archives and Special Collections, Western University.

Appendix D – Statement of Cultural Heritage Value or Interest

Legal Description
PT LTS 11 & 12 W. WILLIAM ST. BEING PT 1 33R9955 LONDON DESCRIPTION AMENDED 1994/01/07

PIN
08278-143

Description of Property
The property at 514 Pall Mall Street is located on the north side of Pall Mall Street, between Miles Street and William Street, in London, Ontario. The property is located within the Piccadilly neighbourhood, to the southwest of the major intersection of Adelaide Street North and Oxford Street East.

The parcel at 514 Pall Mall Street is a flag-shaped lot, with a driveway from Pall Mall Street leading to the building located on the property in the interior of the block. The property is surrounded by residential properties and is the only property of non-residential origins on the block although it has a residential function today. The current extent of the property at 514 Pall Mall Street was acquired from the rear portions of two properties also fronting onto Pall Mall Street.

The building on the property at 514 Pall Mall Street is a two-storey structure, with a distinct one-storey garage wing. The two-storey structure is built on a concrete slab with a wood (cedar) post-and-beam style construction. Concrete is exposed as the flooring of the first floor, and the wood posts and beams are exposed in several prominent locations on the interior. The building has a shed or pent roof, with a single slope downward to the east. The exterior of the building was originally corrugated metal but is now wood board and batten installed in 1986-1988. Steel roof replaced the original tar paper roof of the building. Fourteen “horse stall” painted wood windows, with a three-over-three fenestration pattern, are located on the ground floor of the east and west façades. The other windows of the building were replaced in 1986-1988. There is a sunroom addition to the east, and exterior stairs were replaced on the west façade. The one-storey garage wing features a large doorway and a gable roof. The rear (north) façade of the garage wing retains its original corrugated metal exterior cladding.

The property retains two stone carriage mounting steps, as well as several other improvements including a tile-clad fishpond.

Statement of Cultural Heritage Value or Interest
The property at 514 Pall Mall Street is of significant cultural heritage value or interest because of its physical or design value and its historical or associative value.

Built circa 1927, the building located at 514 Pall Mall Street is a rare building type in London which demonstrates the physical or design value of the property. Constructed as a horse stable, the building was built and owned by Harry Boss, teamster. A “teamster” is a person who drives teams of draft animals, including horses. Teamsters were an important part of the pre-automobile transportation industry, where teams of horses would be used to transport goods and people across the city. The building was subsequently used by Douglas Hetherington as an automobile repair garage. The stables are believed to have served as a staging yard for the home building industry in London, articulated by the property’s subsequent ownership by J. W. Roy James, Roy James Holding Ltd., and Parke Woodwork Ltd. until 1986 when it was purchased by Ron Benner and Jamelie Hassan. Physical evidence of the building’s origins as a horse stable are evident in the fourteen “horse stall” windows that have been retained. The “horse stall” windows are at horses’ head height (approximately chest height) and articulate some of the original horse stalls of the building. The horse-based transportation theme of the property is emphasized by the stone carriage mounting steps in the yard. The post and beam style construction method and use of industrial materials contribute to the physical or design value of the property as an increasingly

rare construction method that was once common for utilitarian structures at the time of its construction.

The property at 514 Pall Mall Street is directly associated with the theme of transportation in London contributing to the property's historical or associative values. Its building type as a horse stable contributes to an understanding of pre-automobile transportation in London. While horses were still used for home deliveries into the 1960s, the transition to automobiles for parcel post and garbage trucks began in the 1930s – signalling the end of the horse-power era. In about 1935, a one-storey mechanic's garage was also built on the property at 514 Pall Mall Street, continuing the property's associations with the theme of transportation in London.

The adaptive reuse of the property at 514 Pall Mall Street contributes to an understanding of the community. The form, scale, type, and construction method have allowed the building to adapt to changing needs since its construction. This was further demonstrated when the building was adapted for residential purposes and artist studios in 1986-1988 by the current property owners. The attributes of the building articulating its former uses as a stable, garage, and home building/wood working shop were retained in its conversion to residential purposes including artist studios.

The property has direct associations with Jamelie Hassan and Ron Benner as property owners since 1986. Both artists have exhibited across Canada and internationally and their works are included in major public collections including Museum London, the Art Gallery of Ontario, and the National Gallery of Canada. Jamelie Hassan is a Canadian multidisciplinary artist, lecturer, writer, and independent curator. Her artistic achievements have been recognized by a Governor General's Award in Visual and Media Arts (2001), including her activism, curatorial work, and contributions to the artist-run centre movement in Canada. The hand painted ceramic tile pond on the property at 514 Pall Mall Street directly demonstrates and articulates her artistic perspective. Ron Benner is an internationally recognized Canadian artist whose longstanding practice investigates the history and political economies of food cultures and is in the forefront of environmental issues and art with his garden installations. The adaptive reuse of the former commercial/industrial building at 514 Pall Mall Street demonstrates the ideas of Jamelie Hassan and Ron Benner as artists who are significant to the community.

The property has historical or associative values as the archival repository for the records of the Embassy Cultural House, which is a significant association to the cultural community in London. The Embassy Cultural House was co-founded by Jamelie Hassan, Ron Benner, and Eric Stach, in 1983 and operated until 1990 at the Embassy Hotel (732 Dundas Street). Additionally, Jamelie Hassan was a founding member of the Forest City Gallery (1973), an artist-run centre, and Ron Benner was an early member of the board of the Forest City Gallery (1975), demonstrating their significance to the community and role in fostering London's cultural community.

Heritage Attributes
Heritage attributes which support and contribute to the cultural heritage value or interest of the property at 514 Pall Mall Street include:

- Physical attributes of the building related to its rare building type, construction methods, and materials:
    - Two-storey building, including:
        - Form, scale, and massing
        - Shed or pent-style steel roof
        - Cedar post, mostly 8" x 6", and beam construction of the two-storey building, exposed in many portions of the interior
        - Board and batten wood exterior cladding
        - Exposed concrete flooring
    - One-storey garage building, including:
        - Form, scale, and massing
        - Gable roof clad with corrugated steel
- Physical attributes of the property related to the historic theme of transportation:

    - The fourteen painted wood “horse stall” windows, with a three-over-three fenestration pattern, approximately 36” wide by 32” in height with panes of glass approximately 9-½” wide by 11-½” in height set in the wood frame at approximately chest height (horse head height)
        - Nine of which are located on the east elevation
        - Five of which are located on the west elevation
    - Rectangular painted wood garage-style door of the one-storey garage building
    - Two stone carriage mounting steps located on the property
- Physical attributes of the property demonstrating the work or ideas of Jamelie Hassan, artist:
    - Hand-painted ceramic tile-clad rectangular pond on the west side of the building
- The location and setting of the building, set deeply in the block bounded by Pall Mall Street, William Street, Piccadilly Street, and Miles Street, articulating the origins of the property in contrast to its residential surroundings

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 A. Franze at 45 Bruce Street, Wortley Village-Old South Heritage Conservation District**
Date: **Monday July 25, 2022**

Summary of 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 remove the brick chimney on the heritage designated property at 45 Bruce Street, within the Wortley Village-Old South Heritage Conservation District, **BE REFUSED**.

Executive Summary

The property at 45 Bruce Street is a significant cultural heritage resource, designated as a part of Wortley Village-Old South Heritage Conservation District. The brick chimney, a heritage attribute located on the west side of the dwelling partially collapsed in March 2022, and additional materials were subsequently removed by the property owner further lowering the existing height of the chimney. A Property Standards Officer visited the property in March 2022 and subsequently issued a Property Standards Order to repair and maintain the chimney. The property owner has submitted a Heritage Alteration Permit application seeking approval to remove the chimney. The Heritage Alteration Permit application should be refused as the removal of the brick chimney is not consistent with the policies and guidelines of the Wortley Village-Old South Heritage Conservation District or the Property Standards Order issued for the property.

Linkage to the Corporate Strategic Plan

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

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

Analysis

1.0 Background Information

1.1 Location

The property at 45 Bruce Street is located on the south side of Bruce Street between Brighton Street and Edward Street (Appendix A).

1.2 Cultural Heritage Status

The property at 45 Bruce Street is located within the Wortley Village-Old South Heritage Conservation District, which was designated pursuant to Part V of the Ontario Heritage Act by By-law No. L.S.P.-3439-321 in 2015. The property is identified as a "C"-rated property within the Wortley Village-Old South Heritage Conservation District Plan and Guidelines, indicating that the property may have been altered but still contributes to the overall streetscape.

1.3 Description

The dwelling on the property at 45 Bruce Street is a one-and-a-half storey cottage with a hipped roof and a central gable peak, constructed primarily of buff brick with architectural detailing found elsewhere on the south side of Bruce Street. The dichromatic brickwork that can be seen on the side elevations of the dwelling are similar to the adjacent dwellings at 41, 43, and 47 Bruce Street. A front addition on the dwelling clad with vinyl siding obscures the historic front façade of the dwelling and what is likely detailing similar to the adjacent properties. Contextually, the adjacent properties all include identical scale, massing, and styles, as well as details including the dichromatic brickwork, the hipped roofs with central gable peaks, as well as buff brick chimneys on the west sides of the dwellings.

The property is not only physically related to its neighbours but appears to be historically linked to the adjacent properties as well. William Westcott purchased Lot 19, Block A of Plan 343 in the early 1880s. On this lot, he constructed 41 Bruce Street, along with 43 Bruce Street with his wife Elizabeth B. (Cole) Westcott. They lived at 41 Bruce Street, and later moved into 43 Bruce Street when it was completed. Lot 18, which would eventually be the lot on which 45 Bruce Street was constructed was also purchased by Elizabeth Westcott in the 1880s. She held the lot, and eventually sold it to William Copp, a local builder responsible for building the properties at 44 and 46 Bruce Street on the north side of the street. Copp appears to have constructed the dwelling or worked with Westcott to construct at 45 Bruce Street (along with 47 Bruce Street) in an identical style and form in 1892. Copp retained ownership of the property at 45 Bruce Street leasing it John MacPherson, a local who was the first occupant of the property.

Although the front addition is a later alteration that obscures some of the details of the dwelling, the property still contributes to the collection of Westcott and Copp dwellings that were constructed in the late-19th century on this portion of Bruce Street.

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*

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 Wortley Village-Old South Heritage Conservation District

The *Wortley Village-Old South Heritage Conservation District Plan and Guidelines* include policies and guidelines related to alterations to properties located within the Wortley Village-Old South Heritage Conservation District. The policies of Section 5.10.1 of the *Wortley Village-Old South Heritage Conservation District Plan and Guidelines* require that Heritage Alteration Permit approval must be obtained for alterations to heritage attributes visible from the street or public space, including the removal of chimneys.

The guidelines included within Section 8.3.1 (Alterations) and Section 9.3.3 (Chimneys and Parapet Walls) of the *Wortley Village-Old South Heritage Conservation District Plan*

and Guidelines provide direction on alterations to heritage properties, and guidance on the alterations to chimneys:

8.3.1.1 (Alterations – Recommended Practice and Design Guidelines)

a) Research the original style and appearance of the building to determine "authentic limits" of restoration or alteration so that the appropriate style is maintained.
b) In the absence of historical data, use forensic evidence available from the building itself to suggest appropriate restoration or alteration.
c) Seek similar properties (same age, same design, same builder, same architect) for evidence of details that may still exist as samples for reconstruction.
d) Avoid "new" materials and methods of construction if the original is still available. In some cases, after careful research, substitute materials may perform better than original materials, but beware of using materials that have not been tested for years in a similar application.

9.3.3 (Chimneys and Parapet Walls)

- Avoid removing original chimneys, even if they are no longer functional, as they provide a design element that contributes as a heritage attribute to the heritage property. If the chimney is no longer used, it should be capped and sealed by a knowledgeable tradesperson.

2.2 Heritage Alteration Permit (HAP22-037-L)

A complaint from the community in mid-March 2022 brought to the City's attention that the chimney on the dwelling located at 45 Bruce Street had partially collapsed as a result of its deteriorating condition. Approximately one week later, the City was alerted that another portion of the chimney was removed bringing the chimney down closer to the roof line.

Subsequently, a Property Standards Officer visited the property to conduct a site inspection and issued a Property Standards Order advising that the current condition of the property does not conform with the standards prescribed in the City of London Property Standards By-law CP-24. The schedule of repairs set in the order note that the chimney was in a state of disrepair and needed to be maintained to address the non-conformance with the Property Standards By-Law. The order directed that "Appropriate measures shall be taken to ensure that the Chimney is repaired and maintained."

Lastly, the order directed that for properties that are designated pursuant to the *Ontario Heritage Act,* Section 2.7 of the Property Standards By-law is applicable and Heritage Alteration Permit approval is required.

A complete Heritage Alteration Permit application was received by the City on June 6, 2022, seeking approval to remove the chimney in its entirety. Pursuant to Section 42(4) of the *Ontario Heritage Act*, Municipal Council must make a decision on the property within 90 days or the request is deemed permitted. The 90-day period for this application expires on September 4, 2022.

The Community Advisory Committee on Planning (CACP) was consulted on this Heritage Alteration Permit application at its meeting held on July 13, 2022.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

The property at 45 Bruce Street contributes to the cultural heritage value of the Wortley Village-Old South Heritage Conservation District. As one of four nearly identical brick cottages on Bruce Street, the property is historically and contextually linked to its surroundings. Although the dwelling has been altered primarily with a front addition that has obstructed its original historic appearance, the building's form and remaining details still retain heritage attributes. The brick chimney on the dwelling is a heritage attribute of the property.

Removal of a chimney visible from the street on a heritage-designated property located within the Wortley Village-Old South Heritage Conservation District is identified as a class of alteration that requires Heritage Alteration Permit approval.

Due to deteriorating property standards, the existing chimney on the dwelling at 45 Bruce Street partially collapsed and was further dismantled, lowering the overall height of the chimney.

The review of the proposed chimney removal included within this Heritage Alteration Permit application considers the direction in Section 8.3.1.1 and Section 9.3.3 of the *Wortley Village-Old South Heritage Conservation District Plan and Guidelines*. The direction directs chimneys be repaired rather than removed. If the chimney is no longer functional and is a design element that contributes as a heritage attribute, the chimney is to be capped and sealed.

The proposed chimney removal would result in adverse impacts to the heritage attributes of the property and the Wortley Village-Old South Heritage Conservation District. Further, removing the chimney would not address the Property Standards Order to repair and maintain the chimney. The applicant is encouraged to retain, repair, and/or cap the chimney in order to conserve the heritage attribute of the property.

Conclusion

The proposed chimney removal at the heritage-designated property at 45 Bruce Street is not consistent with the policies and guidelines of the Wortley Village-Old South Heritage Conservation District Plan and Guidelines, nor does it address the Property Standards Order issued to the property owner. An application that seeks to retain, repair, and/or cap the chimney would conserve the heritage attributes of the property and would better address the existing property standards for the property. The application seeking approval to remove the chimney in its entirety should not be approved.

Prepared by:	**Michael Greguol, 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 A – Property Location

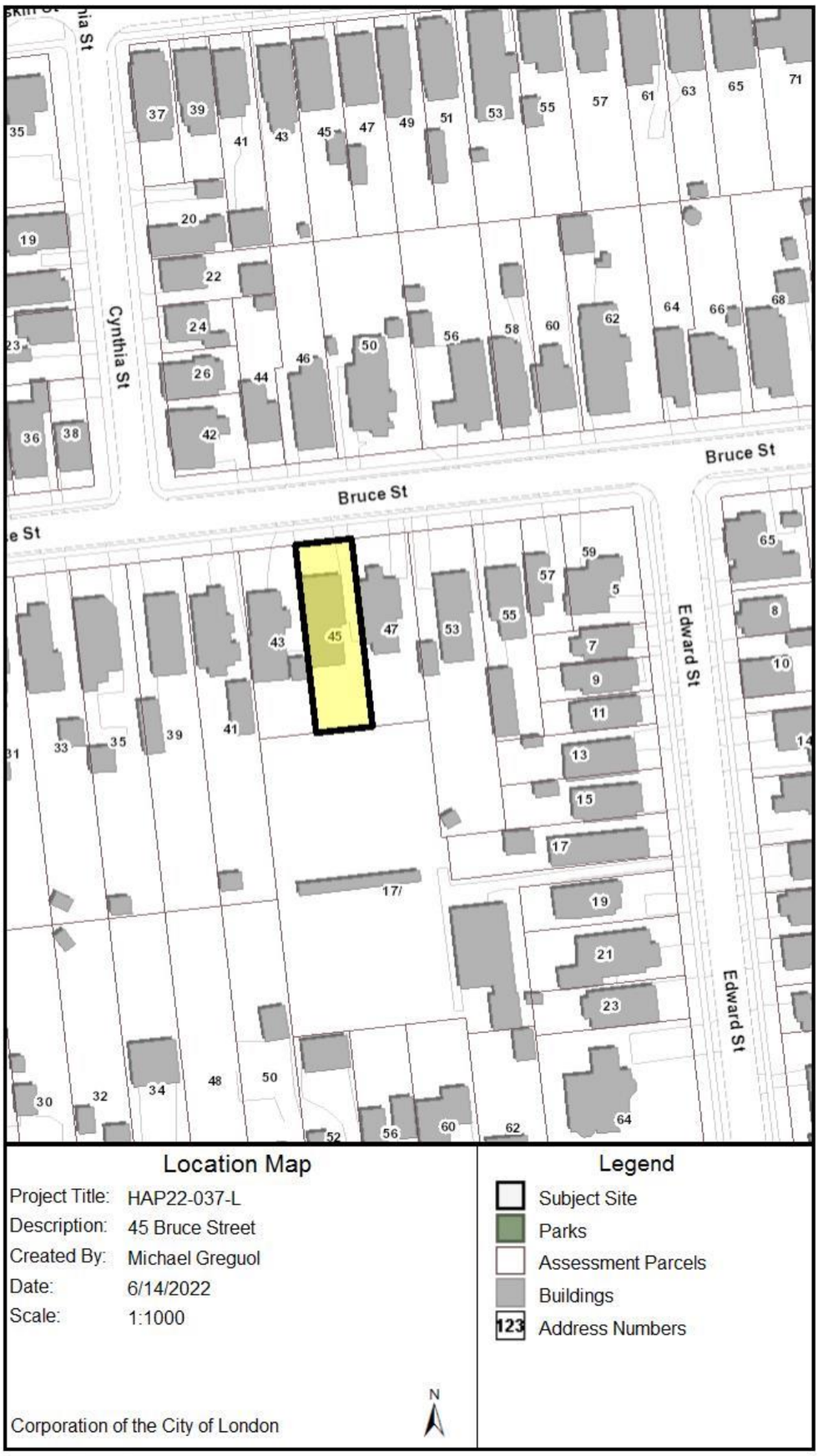


Figure 1: Location map of the subject property at 45 Bruce Street, located within the Wortley Village-Old South Heritage Conservation District.

Appendix B – Images

Image 1: Photograph showing the subject dwelling at 45 Bruce Street (centre) within its context on Bruce Street. Note, the adjacent properties at 47 Bruce Street (left) and 43 Bruce Street (right) share similar design and details (2022).

Image 2: Photograph showing the dwelling at 41 Bruce Street, one of the four nearly identical dwellings on the south side of Bruce Street, located within the Wortley Village-Old South Heritage Conservation District (2020).

Image 3: Photograph showing 41 Bruce Street (centre) and 43 Bruce Street (left), two of the four nearly identical dwellings on the south side of Bruce Street, located within the Wortley Village-Old South Heritage Conservation District (2022).

Image 4: Photograph showing the dwelling at 43 Bruce Street, one of the four nearly identical dwellings on the south side of Bruce Street, located within the Wortley Village-Old South Heritage Conservation District (2020).

Image 5: Photograph showing the dwelling at 47 Bruce Street, one of the four nearly identical dwellings on the south side of Bruce Street, located within the Wortley Village-Old South Heritage Conservation District (2016).

Image 6: Photograph of the subject dwelling at 45 Bruce Street. Note, the front elevation has is obscured by a later addition that has been clad in vinyl, however, the dwelling still retains its cultural heritage value and various heritage attributes, including the scale and mass, and design details including the roof shape, gable peak, brick details visible on side elevations, and brick chimney (2016).

Image 7: Photograph of the subject dwelling at 45 Bruce Street, shortly after the partial collapse of the chimney (2022).

Image 8: Photograph of the subject dwelling at 45 Bruce Street, shortly after the partial collapse of the chimney. Note, the decorative dichromatic brick on the side elevations of the dwelling can be observed in this photograph as well as on the adjacent properties (2022).

Image 9: Photograph showing the partially collapsed chimney on the subject dwelling at 45 Bruce Street (2022).

Image 10: Photograph showing the chimney further removed on the subject dwelling at 45 Bruce Street. Note, the chimney was further lowered shortly after the initial partial collapse (2022).

Image 11: Photograph of the chimney following its further removal in March 2022.

Image 12: Photograph of the subject dwelling and lowered chimney in June 2022, following submission of the Heritage Alteration Permit application.

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: Craig Linton (Norquay Developments)
1345 Cranbrook Road and 1005 Longworth Road
Meeting on: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application by Craig Linton (Norquay Developments) for lands located at 1345 Cranbrook Road and 1005 Longworth Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to exempt Blocks 28 & 29, Plan 33M-657 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 Blocks 28 & 29 in Registered Plan 33M-657 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 eight (8) single detached dwellings with frontage on Cranbrook Road and Longworth Road.

Rationale of Recommended Action

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

Linkage to the Corporate Strategic Plan

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

Analysis

1.0 Background Information

The site consists of two vacant blocks within a registered plan of subdivison (Blocks 28 & 29 Plan 33M-657). These blocks were previously graded and serviced for future development and there exists little to no vegetation at present. A large stand of mature trees exists on adjacent lands to the west, and to the north is gently rolling topopgaphy consisting of open fields with scattered patches of vegetation. Further to the west and north is a former gravel pit that is inactive and in the process of being filled in. Single detached homes exist to the east and south within the developed Phases 1 & 2 portions of the Highland Ridge (Crestwood) subdivision.

1.1 Previous Reports Related to this Matter

May 9, 2022 – Report to Planning and Environment Committee – 1345 Cranbrook Road and 1005 Longworth Road – Application for Exemption from Part Lot Control - Craig Linton (Norquay Developments) (File No. P-9488).

May 9, 2022 – Report to Planning and Environment Committee – 1345 Cranbrook Road and 1005 Longworth Road – Application for Zoning By-law Amendment - Craig Linton (Norquay Developments) (File No. Z-9487).

October 15, 2012 – Report to Planning and Environment Committee – Highland Ridge Subdivision Phase 2 - recommending special provisions for a Subdivision Agreement between the Corporation of the City of London and Highland Ridge Land Corp. (File No. 39T-07503).

November 26, 2007 – Report to Planning Committee – 890 Southdale Road West – Highland Ridge Land Corporation – Crestwood Phase 2 - Application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (39T-07503/OZ-7345/O-7379)

1.2 Planning History

On March 26, 2007, Highland Ridge Land Corporation submitted a draft plan of subdivision application for a 4.7 ha. (11.6 acre) parcel of land located north of Southdale Road W., east of Colonel Talbot Road. A revised plan was submitted for approval on May 29, 2007. The proposed subdivision plan included 28 single detached dwelling lots, two open space blocks and three park blocks, served by an extension of Longworth Road and Cranbrook Road, and a secondary collector road.

Following a public participation meeting at Planning Committee on November 26, 2007, Council adopted Official Plan and Zoning By-law amendments for the subdivision on February 5, 2008. On March 6th, 2008, the owner (Highland Ridge Land Corp. appealed the failure by the Approval Authority to draft approve the plan of subdivision within 180 days of submitting the application (the Approval Authority could not make a decision within the prescribed period as the OPA had not yet come into effect).

The Official Plan Amendment (OPA 432) and Zoning By-law Amendment were appealed to the OMB by an area resident, citing concerns with the impact of the proposed development on Provincially Significant Wetlands and woodlands in the area, and flooding in the area. This appeal was subsequently resolved and withdrawn prior to the hearing date. The Ministry of Municipal Affairs was added as a party to the hearing based on concerns that the proposed plan of subdivision could negatively impact the adjacent aggregate operations.

The OMB, in its decision dated June 4, 2009, approved an amended Official Plan amendment, Zoning By-law amendment and draft plan of subdivision which excluded lots within 150 metres of the limits of aggregate extraction. Blocks 28 & 29 of the Highland Ridge Land Corp. (also known as Crestwood West Subdivision - Phase 2) lands have been held out of development since the Phase 2 lands were registered as Plan 33M-657 on April 4, 2013.

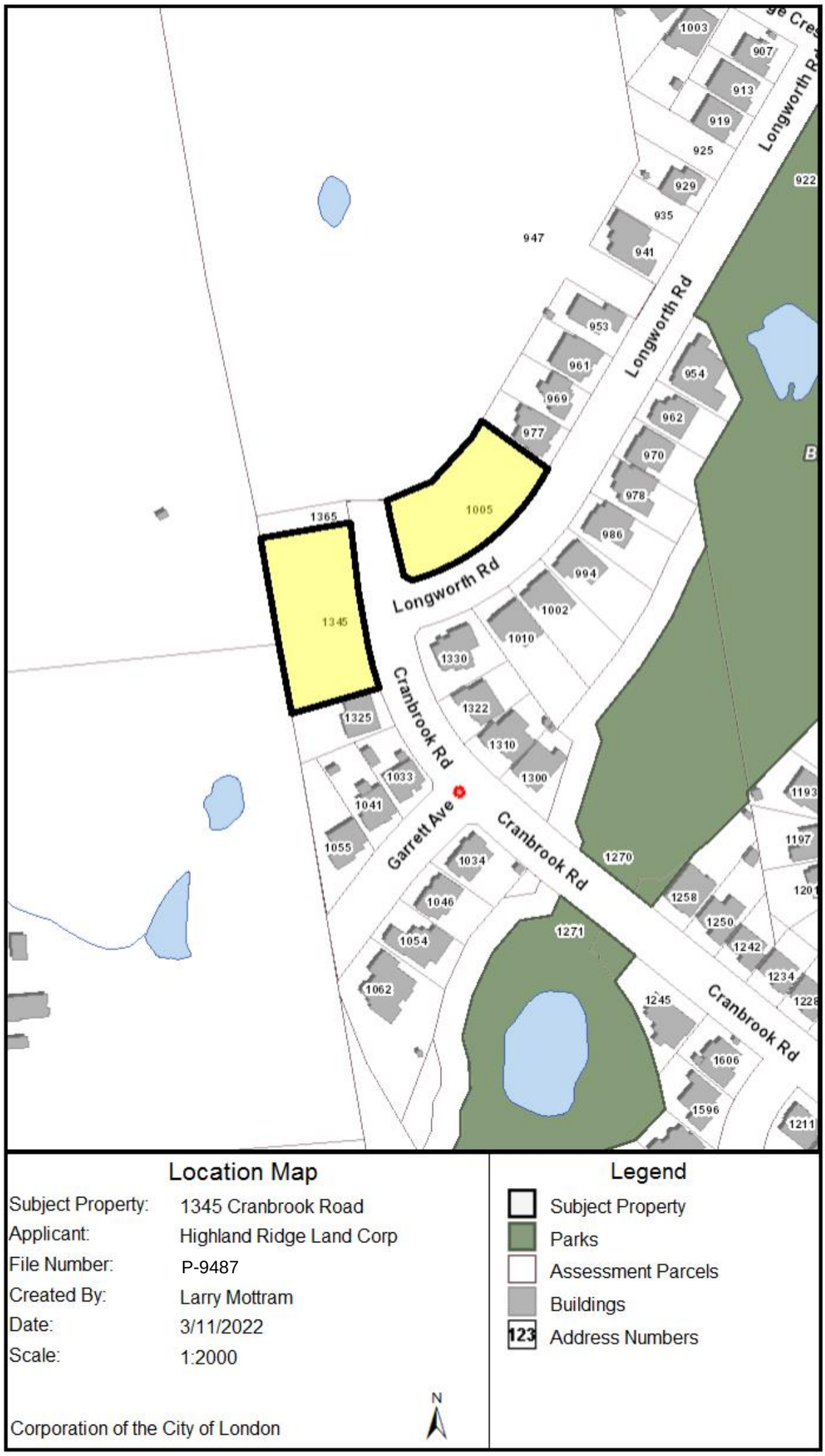
1.3 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Residential R1 Special Provision (R1-8(10)) and strip of Open Space OS5 along west side of Block 29

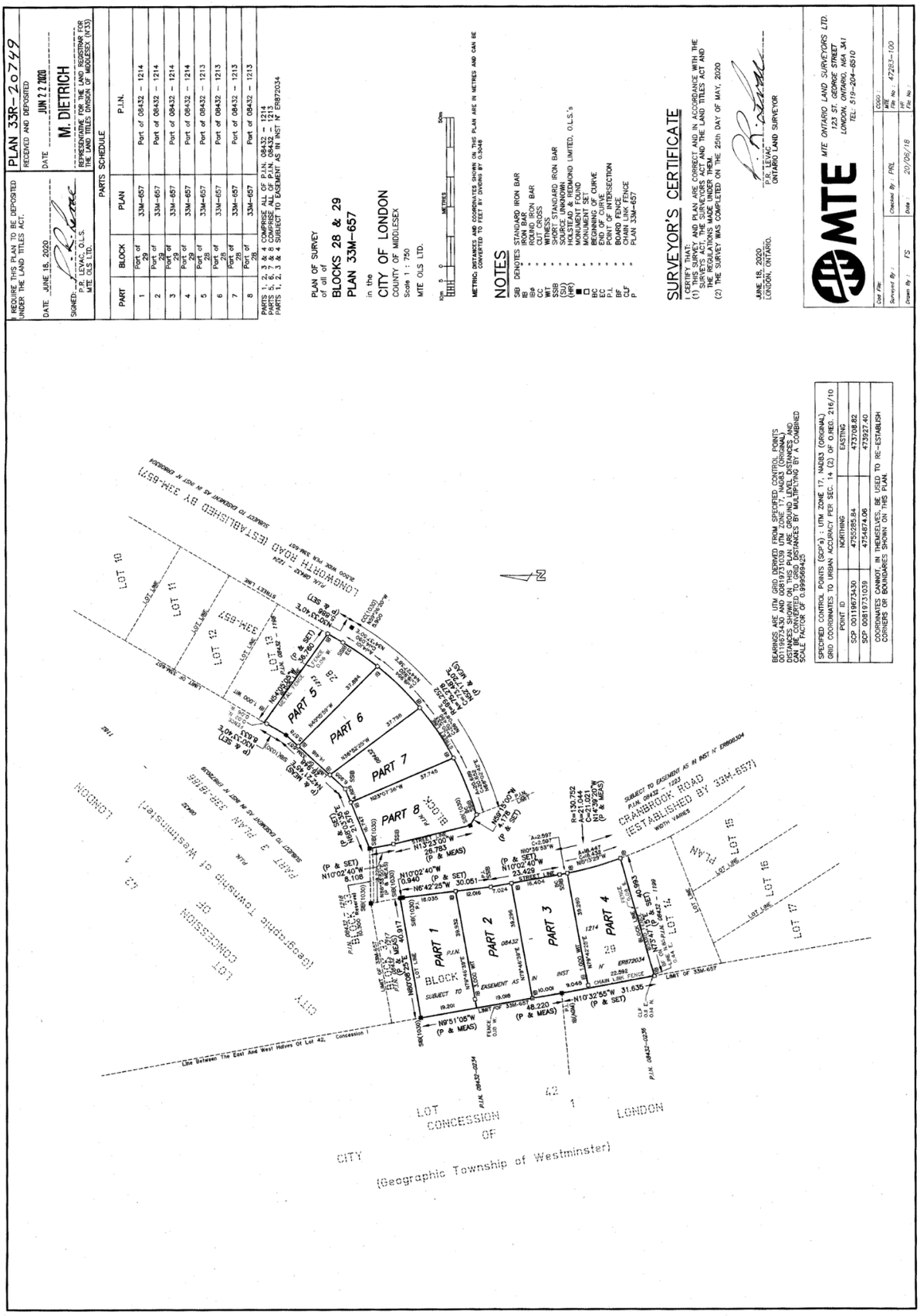
1.4 Site Characteristics

- Current Land Use – vacant
- Frontage – Block 28 approx. 81 metres on Longworth Road; Block 29 approx. 75 metres on Cranbrook Road
- Depth – Block 28 approx. 37 metres; Block 29 approx. 41 metres
- Area – Block 28 approx. 3,043 sq.m.; Block 29 approx. 2,585 sq.m.
- Shape – Irregular

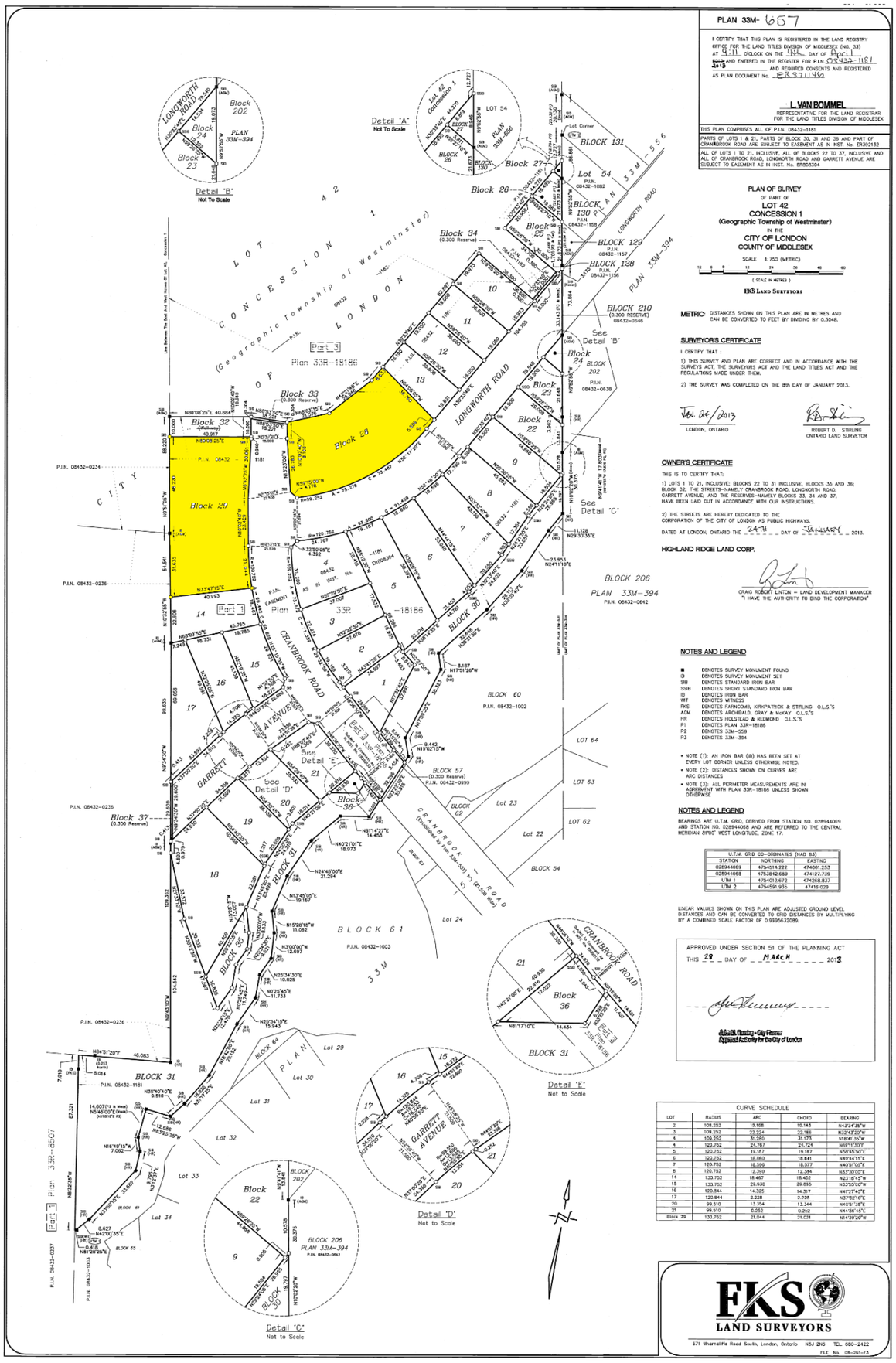
1.5 Location Map



1.6 Proposed Lotting Plan (Parts 1 to 8)



1.7 Highland Ridge Land Corp. Subdivision (Registered Plan 33M-657)



The subject lands are highlighted in yellow.

1.8 Surrounding Land Uses

- North – vacant lands for future development
- East – residential single detached dwellings
- South – residential single detached dwellings
- West – open space and former gravel pit

2.0 Discussion and Considerations

2.1 Community Engagement

There is no legislated Community Engagement component to an Exemption from Part-Lot Control. A notice of the request for exemption from part-lot control and a list of standard draft conditions was circulated to internal departments, such as Engineering and Building Division.

2.2 Policy Context

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

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

On May 24, 2022, Municipal Council resolved that, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Craig Linton (Norquay Developments), to exempt lands located at 1345 Cranbrook Road and 1005 Longworth Road, legally described as Blocks 28 & 29, Plan 33M-657, 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 May 9, 2022 BE INTRODUCED at a future Municipal Council meeting, to exempt Block 28 & 29, Plan 33M-657 from the Part-Lot Control provisions of subsection 50(5) of the said *Act;* it being noted that these lands are subject to a registered subdivision agreement; and further noting that the applicant has applied for a zoning by-law amendment to change the zoning of the subject lands from an Urban Reserve UR2 Zone to a Residential R1 (R1-8) Zone in Zoning By-law No. Z.-1 to permit 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 Blocks 28 & 29, Plan 33M-657, as noted in clause a) above:

(Note: The way in which the conditions were satisfied is indicated in italics below each condition)

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

Acknowledged by applicant's e-mail response dated May 27, 2022.

ii. That appropriate zoning shall be in effect for the subject blocks, prior to passage of the Part-Lot Control By-law;

A zoning amendment was approved by Municipal Council on May 24, 2022 and is now in force and effect (By-law No. Z.-1-223030).

iii. The applicant submit a draft reference plan to the City 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;

A draft reference plan has been submitted for review and deposited at the land registry office as Reference Plan No. 33R-20749.

iv. 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;

A digital file of the reference plan to be deposited has been submitted which is referenced to the NAD83 UTM horizontal control network for the City of London mapping program.

v. 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;

Approval has been received for utility design and servicing requirements from London Hydro.

vi. The applicant submit to the City 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;

Revised subdivision lot grading plans and servicing drawings have been reviewed and accepted.

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

The applicant has entered into an amending subdivision agreement.

viii. 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;

Acknowledged by applicant's e-mail response dated May 27, 2022.

ix. 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;

Municipal addressing has been assigned to each proposed lot satisfactory to the City.

x. 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;

Acknowledged by applicant's e-mail response dated May 27, 2022.

xi. 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;

The approved reference plan has been deposited at the land registry office as Plan No. 33R-20749.

xii. The applicant shall obtain clearance from the City that requirements V), VI) and VII) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan;

Acknowledged by applicant's e-mail response dated May 27, 2022.

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

The City will enact a by-law to re-establish Part Lot Control upon receiving notice from the applicant that conveyance of all registered part lots has occurred. The Exemption from Part Lot Control by-law is for a period not to exceed three (3) years.

xiv. The applicant shall register on title and include in all Purchase and Sale Agreements for the lot at the northeast corner of Cranbrook Road and Longworth Road, identified as Part 8 on the draft reference plan, a requirement that the purchaser/home builder provide concept plans and elevations prior to the application for a building permit which demonstrate that both elevations facing the streets (the front and exterior side elevations) are designed as front elevations. Both elevations should be constructed to have a similar level of architectural details (materials, windows (size and amount) and design features, such as but not limited to porches, wrap-around materials and features, or other architectural elements that provide for street-oriented design) and limited chain link or decorative fencing along no more than 50% of the exterior side-yard abutting the exterior side-yard frontage, to the satisfaction of the City.

Clause to be included in Purchase and Sale Agreement as acknowledged by applicant's e-mail response dated May 27, 2022.

Conclusion

Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control to establish lot lines for the single detached dwellings which is appropriate to allow for the sale of these units to home builders and future homeowners. 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:	**Larry Mottram, MCIP, RPP** **Senior Planner, Subdivisions and Condominiums**
Reviewed by:	**Bruce Page, MCIP, RPP** **Manager, Subdivision Planning**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**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 Planning and Development.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

July 18, 2022
SM/GB/BP/LM/lm

Appendix A

Bill No. (Number to be inserted by Clerk's Office)
202__

By-law No. C.P.-_____

A by-law to exempt from Part-Lot Control, lands located at 1345 Cranbrook Road and 1005 Longworth Road, legally described as Block 28 & 29 in Registered Plan 33M-657.

WHEREAS pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and pursuant to the application request from Craig Linton (Norquay Developments), it is expedient to exempt lands located at 1345 Cranbrook Road and 1005 Longworth Road, legally described as Blocks 28 & 29 in Registered Plan 33M-657, from Part Lot Control;

AND WHEREAS the applicant has applied for a zoning by-law amendment to change the zoning of the subject lands from an Urban Reserve UR2 Zone to Residential R1 Special Provision (R1-8(10)) Zone, and the zoning as amended is in full force and effect;

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

1. Blocks 28 & 29 in Registered Plan 33M-657, located at 1345 Cranbrook Road and 1005 Longworth Road, 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 Special Provision (R1-8(10)) 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 August 2, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading - August 2, 2022
Second Reading – August 2, 2022
Third Reading - August 2, 2022

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**
May 2022

Date: **July 25, 2022**

Recommendation

That the report dated May 2022 entitled “Building Division Monthly Report May 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 May 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 May 2022. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of May 2022”, as well as respective “Principle Permits Reports”.

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – May 2022

Permits Issued to the end of the month

As of May 2022, a total of 1,686 permits were issued, with a construction value of $588.1 million, representing 868 new dwelling units. Compared to the same period in 2021, this represents a 15.32% decrease in the number of building permits, with a 18.51% decrease in construction value and an 56.27% decrease in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of May 2022, the number of building permits issued for the construction of single and semi-detached dwellings was 318, representing an 40.23% decrease over the same period in 2021.

Number of Applications in Process

As of the end of May 2022, 1,005 applications are in process, representing approximately $1.7 billion in construction value and an additional 3,015 dwelling units compared with 1,136 applications, with a construction value of $736 million and an additional 1,506 dwelling units in the same period in 2021.

Rate of Application Submission

Applications received in May 2022 averaged to 23.7 applications per business day, for a total of 498 applications. Of the applications submitted 52 were for the construction of single detached dwellings and 6 townhouse units.

Permits issued for the month

In May 2022, 453 permits were issued for 164 new dwelling units, totaling a construction value of $107.4 million.

Inspections – Building

A total of 2,553 inspection requests were received with 2,527 inspections being conducted.

In addition, 7 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,553 inspections requested, 98% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 649 inspection requests were received, with 529 inspections being conducted.

An additional 64 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 649 inspections requested, 99% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 1,262 inspection requests were received with 1,387 inspections being conducted related to building permit activity.

An additional 9 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,262 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

2020 Permit Data

To the end of May 2020 , a total of 1,239 permits were issued, with a construction value of $284.9 Million, representing 499 new dwelling units. The number of single/semi detached dwelling units was 291.

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 May 2022. Attached as Appendix "A" to this report is a "Summary Listing of Building Construction Activity" for the month of May 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

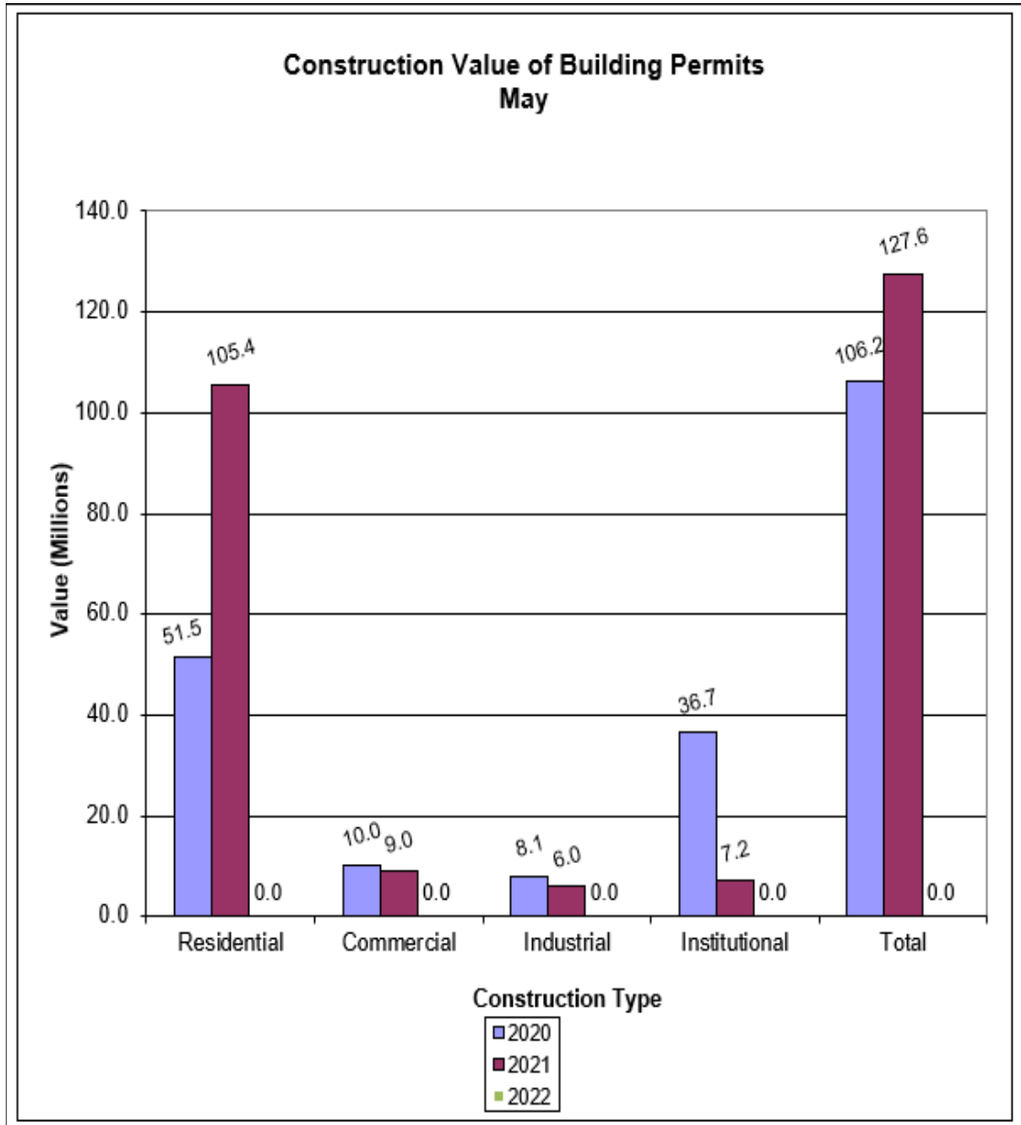
APPENDIX "A"

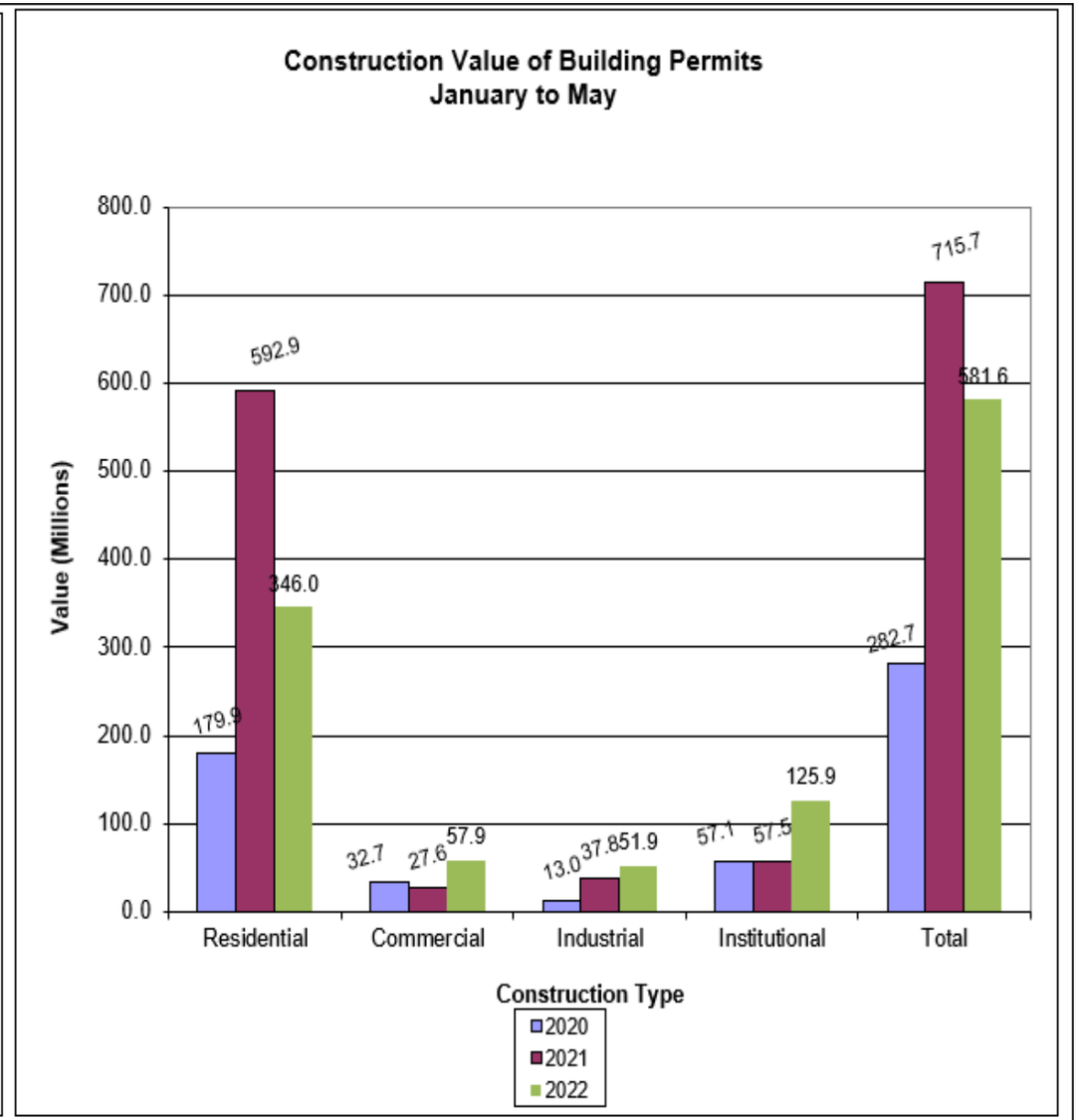
CITY OF LONDON

SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF May 2022

	May 2022			to the end of May 2022			May 2021			to the end of May 2021			May 2020			to the end of May 2020		
CLASSIFICATION	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	75	38,429,141	75	318	158,232,781	318	104	48,871,900	104	531	240,681,900	531	90	36,294,400	90	291	122,237,760	291
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0	0	1	223,500	1	0	0	0	0	0	0
TOWNHOUSES	11	13,356,567	40	56	58,698,584	210	33	30,923,100	126	99	88,858,800	346	4	2,226,600	9	40	26,642,885	105
DUPLEX, TRIPLEX, QUAD, APT BLDG	1	6,500,000	32	6	85,195,538	264	1	17,000,000	61	7	225,260,000	1,054	2	10,374,000	67	2	10,374,000	67
RES-ALTER & ADDITIONS	215	12,562,403	17	746	43,829,245	76	197	8,637,735	9	730	37,830,006	53	74	2,563,950	3	434	20,640,373	18
COMMERCIAL -ERECT	0	0	0	5	34,650,000	0	3	2,140,000	0	17	5,668,500	0	2	1,500,000	0	4	2,810,500	0
COMMERCIAL - ADDITION	1	1,979,900	0	3	2,929,900	0	0	0	0	3	310,000	0	0	0	0	2	2,001,800	0
COMMERCIAL - OTHER	29	2,146,090	0	123	20,288,086	0	31	6,813,050	0	145	21,574,304	0	54	8,516,925	0	161	27,874,231	0
INDUSTRIAL - ERECT	0	0	0	0	0	0	1	3,000,000	0	4	18,792,500	0	0	0	0	2	3,436,700	0
INDUSTRIAL - ADDITION	2	27,468,626	0	6	51,090,946	0	2	2,540,000	0	4	3,346,560	0	2	7,500,000	0	4	7,918,800	0
INDUSTRIAL - OTHER	4	120,900	0	13	848,200	0	2	447,000	0	12	15,691,800	0	2	566,770	0	17	1,685,607	0
INSTITUTIONAL - ERECT	1	1,646,231	0	3	99,646,231	0	0	0	0	1	12,000,000	0	1	32,000,000	0	2	32,575,000	0
INSTITUTIONAL - ADDITION	0	0	0	0	0	0	0	0	0	3	1,963,386	0	1	1,400,000	0	2	3,400,000	0
INSTITUTIONAL - OTHER	9	1,616,368	0	31	26,229,605	0	14	7,202,000	0	42	43,500,450	0	3	3,305,001	0	39	21,136,201	0
AGRICULTURE	0	0	0	2	290,000	0	0	0	0	1	150,000	0	0	0	0	1	100,000	0
SWIMMING POOL FENCES	48	1,559,011	0	150	5,473,873	0	41	1,020,981	0	202	5,615,510	0	26	596,334	0	67	1,929,040	0
ADMINISTRATIVE	11	14,000	0	44	718,000	0	12	15,000	0	37	207,000	0	7	36,000	0	19	88,000	0
DEMOLITION	7	0	6	37	0	30	3	0	2	30	0	21	5	0	4	24	0	18
SIGNS/CANOPY - CITY PROPERTY	2	0	0	3	0	0	1	0	0	5	0	0	0	0	0	1	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	37	0	0	140	0	0	22	0	0	117	0	0	12	0	0	127	0	0
TOTALS	453	107,399,236	164	1,686	588,120,988	868	467	128,610,765	300	1,991	721,674,216	1,985	285	106,879,980	173	1,239	284,850,897	499

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
May
Value (Millions)
140.0
120.0
100.0
80.0
60.0
40.0
20.0
0.0
105.4
127.6
106.2
51.5
36.7
10.0
9.0
8.1
6.0
7.2
0.0
0.0
0.0
0.0
0.0
Residential
Commercial
Industrial
Institutional
Total
Construction Type
2020
2021
2022


Construction Value of Building Permits
January to May
Value (Millions)
800.0
700.0
600.0
500.0
400.0
300.0
200.0
100.0
0.0
592.9
715.7
581.6
346.0
179.9
282.7
125.9
32.7
27.6
57.9
13.0
37.8
51.9
57.1
57.5
Residential
Commercial
Industrial
Institutional
Total
Construction Type
2020
2021
2022

City of London - Building Division

Principal Permits Issued from May 1, 2022 to May 31, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 3	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 5 BEDROOM, FINISHED BASEMENT, COVERED DECK, A/C, ENERGY STAR, MVLCP 958 LEVEL 1 UNIT 24, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	531,922
REMBRANDT HOMES REMBRANDT HOMES	1061 Eagletrace Dr 9	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 4 BEDROOM, FINISHED BASEMENT, COVERED DECK, A/C, ENERGY STAR, MVLCP 958 LEVEL 1 UNIT 27, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	549,678
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1080 Upperpoint Ave H	Erect-Townhouse - Condo Erect new 1 STOREY, 5 UNIT Townhouse - Condo BLOCK H - DPNS 1, 3, 5, 7, 9 - SOILS REPORT REQUIRED	5	1,459,403
Stackhouse Developments (London) Inc	1150 Fanshawe Park Rd E	Install-Apartment Building INSTALL SITE SERVICES		300,000
REMBRANDT MEADOWLILLY INC REMBRANDT MEADOWLILLY INC	1224 Blackwell Blvd	Install-Townhouse - Cluster SDD Install site services.		1,500,000
1212763 Ontario Limited	1298 Trafalgar St	Alter Retail Store CM - FIT UP FOR RETAIL STORE (PET VALUE)	0	150,000
2560334 ONTARIO LMT UPTOWN COMMERCIAL CENTRE 2560334 ONTARIO INC O/A UPTOWN COMMERCIAL CENTRE	135 Villagewalk Blvd	Alter Retail Store CM - INTERIOR FIT UP FOR VETERINARY OFFICE ***SHELL PERMIT ONLY: PERMIT 21-025648 IS STILL OPEN FOR BASE BUILDING***	0	219,830
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1395 Riverbend Rd	Install-Apartment Building Install site services.		500,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1572 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD ,1 STOREY, 2 CAR GARAGE, 2 BEDROOM, FINISHED BASEMENT, NO DECK, A/C, HOT2000, 33R-20077 LOT 29 PLAN 33M721, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	452,278
1179392 ONTARIO LIMITED	183 Dundas St	Alter Police Station, w/o Detention Quarters IS - INTERIOR ALTERATION FOR POLICE STATION WITHOUT DETENTION QUARTERS.	0	500,000
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1965 Upperpoint Gate H	Erect-Townhouse - Condo ERECT TOWNHOUSE CONDO BLOCK H, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, DPN 38, 39, 40 &41	4	1,316,051
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1965 Upperpoint Gate N	Erect-Townhouse - Condo ERECT 4 UNIT TOWNHOUSE BLOCK N, DPN'S 34, 36, 38, 40.	4	793,200
	20 Argyle Street	Alter Duplex INTERIOR ALTERATION TO BOTH EXISTING UNITS.	0	115,000

City of London - Building Division

Principal Permits Issued from May 1, 2022 to May 31, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
WESTHAVEN HOMES (2008) INC. WESTHAVEN HOMES (2008) INC.	2835 Sheffield Pl 7	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 5 BEDROOM, PARTIALLY FINISHED BASEMENT, NO DECK, NO A/C, SB-12 A1, MVLCP LEVEL 1 UNIT 27, HRV 7 DWHR REQUIRED SOILS REPORT REQUIRED	1	562,735
WESTHAVEN HOMES (2008) INC. WESTHAVEN HOMES (2008) INC.	2835 Sheffield Pl 9	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 5 BEDROOM, PARTIALLY FINISHED BASEMENT, NO DECK, NO A/C, SB-12 A1, MVLCP949 LEVEL 1 UNIT 28, HRV 7 DWHR REQUIRED	1	562,735
Old Oak Properties Inc	3343 Morgan Ave	Install-Apartment Building Install site services.		180,000
LHSC LHSC - LONDON HEALTH SCIENCES CENTRE	339 Windermere Rd	Alter University REPLACE EXISTING OUTDOOR COOLING TOWER	0	155,868
YORK DEVELOPMENTS YORK DEVELOPMENTS	3425 Grand Oak Cross	Install-Townhouse - Cluster SDD INSTALL SITE SERVICES		2,474,028
2219008 ONTARIO LIMITED 2219008 ONTARIO LIMITED	3425 Grand Oak Cross	Install-Townhouse - Cluster SDD INSTALL SITE SERVICES		2,474,028
2749282 Ontario Inc	3557 Colonel Talbot Rd A	Erect-Townhouse - Condo ERECT 2 STOREY, 12 UNIT TOWNHOUSE BLOCK A, DPNs 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24	12	3,539,471
2749282 Ontario Inc	3557 Colonel Talbot Rd B	Erect-Townhouse - Condo ERECT 2 STOREY, 9 UNIT TOWNHOUSE BLOCK B, DPNs 1, 3, 5, 7, 9, 11, 13, 15, 17	9	2,586,866
CAPREIT APARTMENTS INC CAPREIT APARTMENTS INC	450 Sandringham Cres	Alter Apartment Building INTERIOR ALTERATIONS FOR NEW RESIDENTIAL SUITE	1	186,505
	720 Apricot Dr 12	Erect-Townhouse - Cluster SDD ERECT CLUSTER SDD, 2 STOREY, 2 CAR GARAGE, 5 BEDROOM, FINISHED BASEMENT, COVERED DECK, A/C, SB-12 A5, 39CD-21511 39T-15503 Blk 46, HRV & DWHR REQUIRED SOILD REPORT REQUIRED	1	1,002,228
	7445 Silver Creek Cres			150,000
LHSC LHSC - LONDON HEALTH SCIENCES CENTRE	800 Commissioners Rd E	Alter Hospitals CONSTRUCTION OF STEEL PLATFORM WITHIN THE CEILING SPACE OF TWO CLINICAL AREAS (B2 & B5 AREA)	0	250,000
LHSC LHSC - LONDON HEALTH SCIENCES CENTRE	800 Commissioners Rd E	Alter Hospitals Renovations to convert office space into a kidney research dialysis room with revisions to the plumbing, drainage and air systems	0	520,000

City of London - Building Division

Principal Permits Issued from May 1, 2022 to May 31, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
	825 Dundalk Dr 7	Alter Townhouse - Condo RESTORE INTERIOR TO REPAIR FIRE DAMAGE AND REPLACE 2-PLY 2x8 JOIST MEMBER ABOVE KITCHEN	0	101,600

Total Permits 27 Units 41 Value 23,133,426

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

Commercial building permits issued - subject to Development Charges under By-law C.P. -1551-227

OWNER
Motivity Land Inc.

Commercial Permits regardless of construction value

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 Vacant Land Condominium on the Submission by Four Fourteen Inc. for 414 and 418 Old Wonderland**
Public Participation Meeting on: July 25, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Four Fourteen Inc., relating to the property located at 414 and 418 Old Wonderland:

(a) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 414 and 418 Old Wonderland; and,

(b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 414 and 418 Old Wonderland.

Executive Summary

Summary of Request

This is a request by Four Fourteen Inc., to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval. The plan consists of 29 dwelling units, within multiple townhouses with a new private road providing access from Old Wonderland Road. The applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

The purpose and effect is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium or the Site Plan Approval applications.

Rationale of Recommended Action

i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development.

ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies.

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

November 22, 2017 - B.025/17 – Application for Consent was granted for 414 Old Wonderland Road to sever from a larger parcel of land under separate ownership.

July 26, 2021 – Planning and Environment Committee - Four Fourteen Inc. regarding the property located at 414 and 418 Old Wonderland - Zoning By-law Amendment Application - Z-9293.

December 13, 2021- Planning and Environment Committee - Four Fourteen Inc. regarding the property located at 414 and 418 Old Wonderland – public meeting with for Site Plan Approval - File SPA20-103.

April 19, 2022 - Planning and Environment Committee – Four Fourteen Inc. regarding the property located at 414 and 418 Old Wonderland - Application for Removal of Holding Provision (H-9482).

1.2 Planning History

In 2017, an Application for Consent (B.025/17) was submitted for the severance and conveyance of surplus lands for the purpose of future infill development with access from the abutting lands along Berkshire Drive. As part of this application, a Minor Variance (A.093/17) was submitted and granted for reduced lot frontages and lot areas to facilitate the severance. In 2017, both applications were granted.

In 2020, the City received a Zoning By-law Amendment application (Z-9293) to facilitate the proposed development of cluster townhouses and cluster stacked townhouses with a total of 29 units and 49 parking stalls. Revisions were received throughout the process to address concerns relating to parking requirements and setback reductions. Additional revisions were received to clearly identify the woodland and compensation area that was zoned special provision Open Space (OS5(19)).

On July 26, 2021, a Public Participation Meeting was held before the Planning and Environment Committee, which recommended approval of the proposed Zoning By-law amendment. The Zoning By-law Z.-1 was amended from a Residential R1 (R1-10) zone and an Urban Reserve (UR1) zone to a special provision Holding Residential R5 (h-5*R5-7(20)) zone and a special provision Open Space (OS5(19)) zone. The resolution of Council noted the requirement for board-on-board fencing along the east, north and south property boundaries that not only exceed the standards of the Site Plan Control By-law but also for screening/privacy qualities; ensuring naturalization with feature restoration and compensation to be completed by the landowner in accordance with the mitigation measures in the recommendations of the Environmental Impact Study and City Ecologist; ensuring the development agreement is clear that the restoration and compensation areas are to be protected in a natural state and not manicured; and the creation of a small berm along the edges of the storage area to direct flows back to the road surface and not towards the pond feature to the north. The holding provision (h-5) was included as a requirement for a public site plan meeting as part of the site plan review process.

On November 23, 2020, a Site Plan Control Application (SPA20-103) was received by the City of London. The Site Plan Control application and Zoning By-law Amendment application were submitted and reviewed concurrently. A public site plan meeting was held before Planning Committee on December 13, 2021.

On April 19, 2022, a report to remove the remove the h-5 holding provision to ensure that development takes a form compatible with adjacent land uses was brought to the Planning and Environment and Committee and passed by Council on May 3, 2022 for the subject lands.

1.3 Property Description

The subject property is located on the east side of Old Wonderland Road, south of Springbank Drive, and north of Teeple Terrace. The site has frontage along Old Wonderland Road of approximately 42.7 metres and a total area of 0.65 hectares. The subject lands are presently undeveloped. The subject lands are surrounded by low-density residential development uses to the north, west, and south. The lands to the east are also undeveloped.

A natural heritage feature consisting of a woodland and wetland is located north of the subject lands. An Environmental Impact Study (EIS) was submitted and accepted by the City's Ecologist through the Zoning By-law amendment application. The accepted EIS established an appropriate development limit which ensures that the proposed development will not have an adverse impact on these areas.

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

- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – special provision Holding Residential R5 (R5-7(20)) zone and a special provision Open Space (OS5(19)) Zone

1.5 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 42.7 metres (140.0 feet)
- Depth – 121.8 metres (399.6 feet)
- Area – 5,763 square metres (62,032 square feet)
- Shape – Irregular

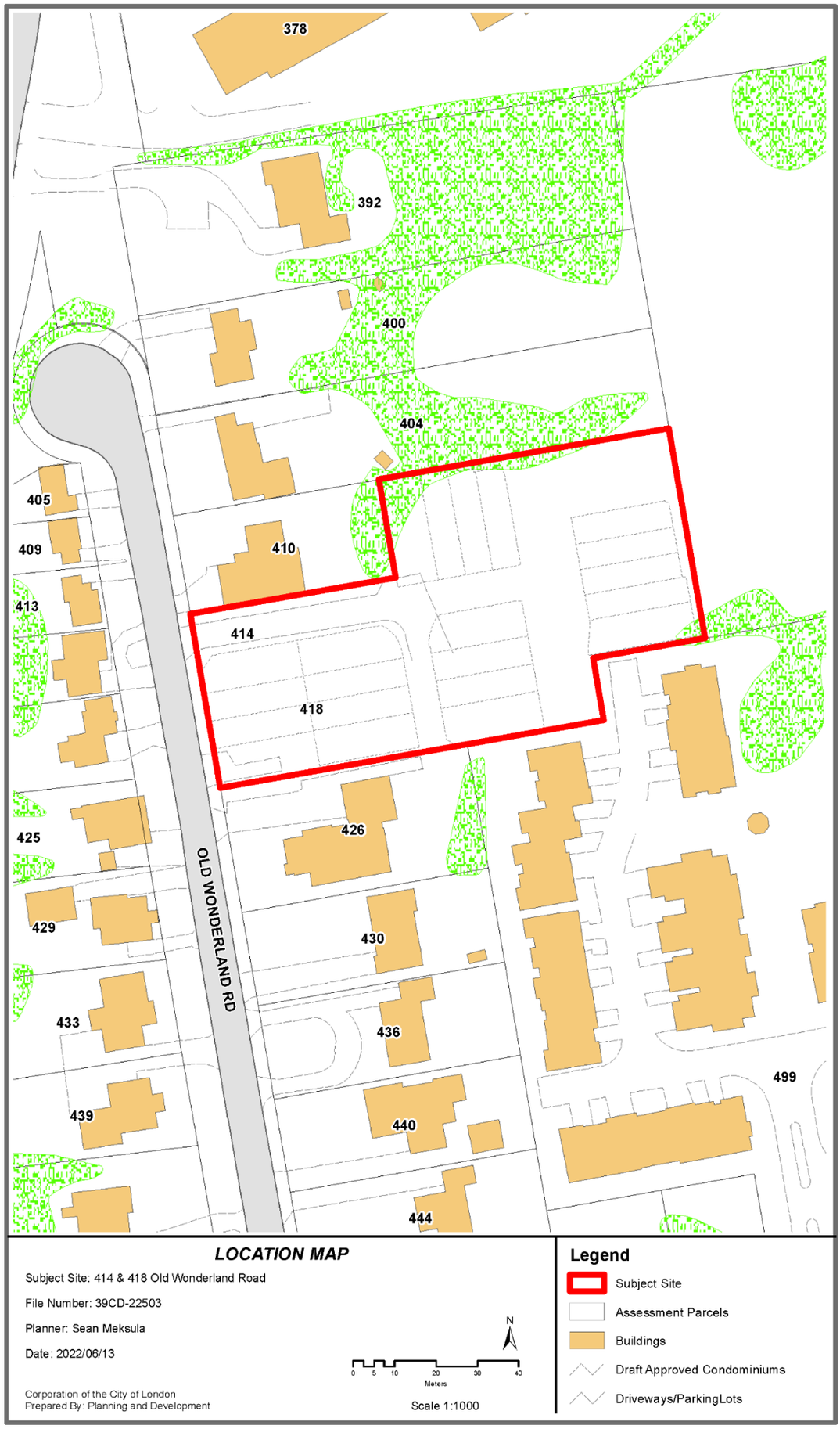
1.6 Surrounding Land Uses

- North – Existing single detached dwellings, apartment buildings, woodland, wetland
- East – Vacant residential land, cluster townhouses
- South – Existing single detached dwellings and cluster townhouses
- West – Existing single detached dwellings, cluster residential

1.7 Intensification

- The proposed development of 29-units is within the Primary Transit Area boundary and constitutes infill development.

1.8 LOCATION MAP



2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development consists of three (3) townhouse blocks and two (2) stacked townhouse blocks for a total of 29-units (50 units per hectare). The proposed site plan includes a total of 53 parking spaces. The three (3) townhouse blocks contain two parking spaces per unit – one in the garage and one in the driveway. Through the Zoning By-law amendment application, a special provision for parking was approved to allow one parking space for the stacked townhouses. Parking for the stacked townhouses is proposed with one car in the driveway and/or garage and one within the common parking area. One (1) barrier-free visitor parking stall is required along with two (2) standard visitor parking stalls.

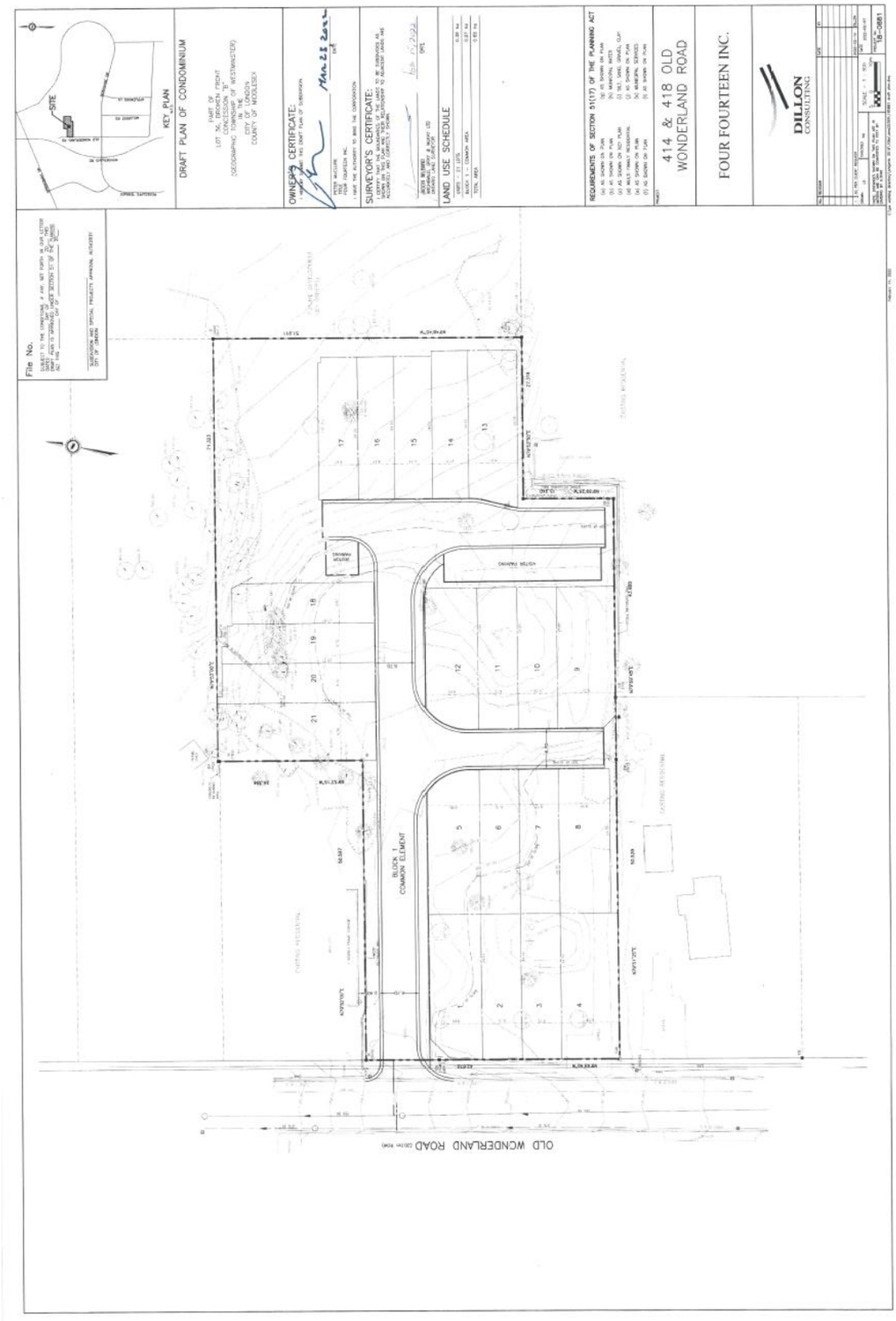


Figure 1: Proposed Vacant Land Condominium

A common amenity space is proposed along the north property boundary within the special provision Open Space (OS5(19)) zone.

An application for Site Plan Approval (SPA20-103) has also been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are under review and will be informed by any comments received through the VLC public participation meeting.

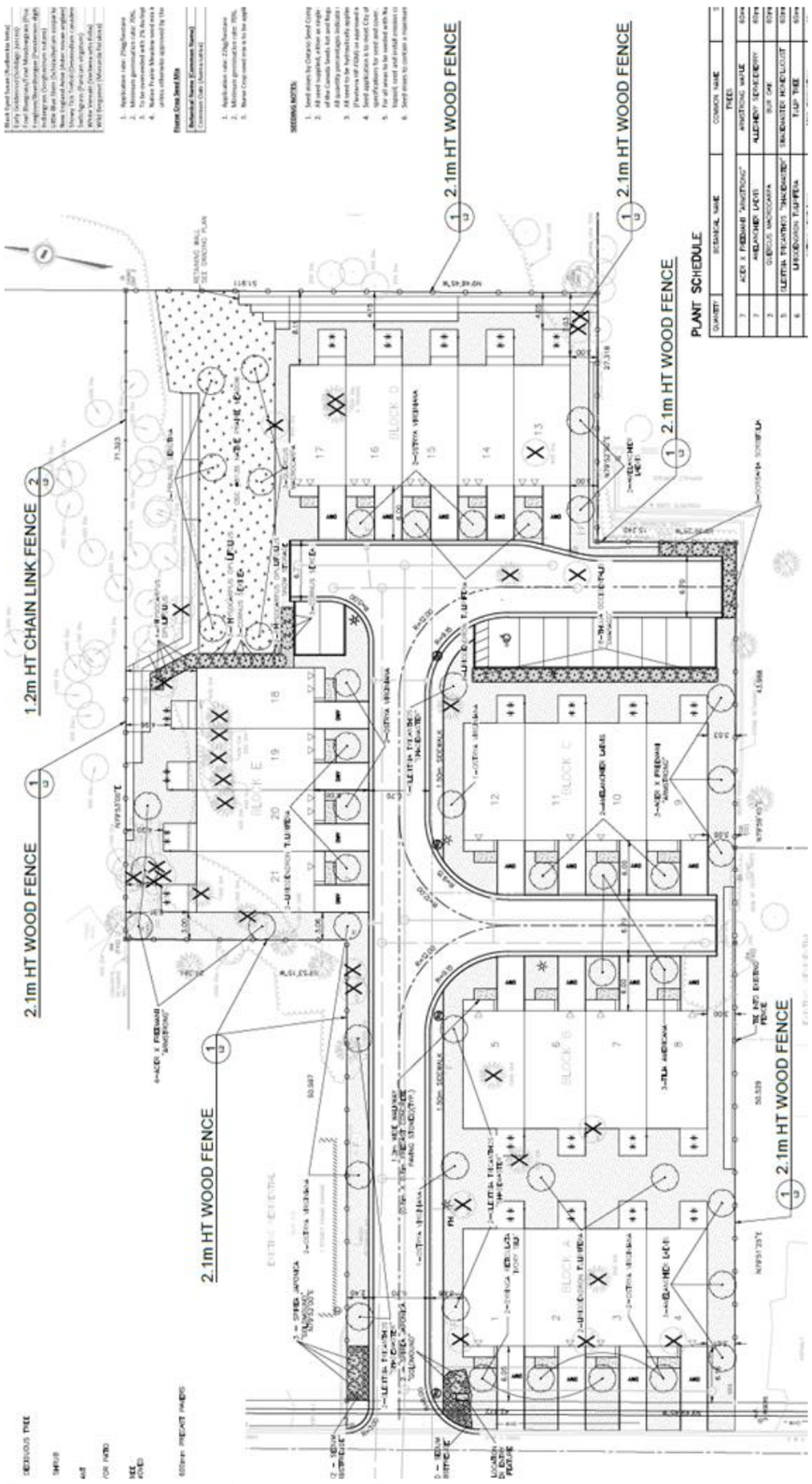


Figure 2: Concept Landscape Plan

Figure 3: Concept Elevation

Figure 4: Concept Elevation

Figure 5: Concept Elevation

3.0 Financial Impact/Considerations

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

3.1 Community Engagement (see more detail in Appendix A)

The requested draft plan of vacant land condominium was circulated to the public on May 4, 2022 and advertised in the Londoner on May 5, 2022. At the time of preparation of this report, one response was received from the public in response to the Notice of Application and The Londoner Notice.

- The 29 townhouses will place a great burden on this fragile eco system.
- Because of the unique attributes of this property, the townhomes will be too detrimental to the adjacent land.
- The pollution created in the construction of those units would be burden enough let alone a whole neighbourhood inserted into this area.

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

3.3 Policy Context (See more detail in Appendix B)

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) and land use planning policies and must consider:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and
3. Protecting Public Health and Safety.

The Provincial Policy Statement, Section 1.1, Managing and Directing Land Use to Achieve Efficient and Resilient Development encourages healthy, liveable and safe communities which are sustained by accommodating a range of residential types to meet long-term needs (1.1.1.b)). The PPS directs settlement areas to be the focus of growth and development with land use patterns based on a mix of land uses and densities which efficiently use land and resources (1.1.3.2.a)). Further, land use patterns within the settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2). Direction is also provided to planning authorities to permit and facilitate all housing options required to meet the social, health, economic, and well-being requirements of current and future residents (1.4.3.b).

The proposed development would facilitate the construction of 29 new residential units within an existing settlement area and provide for diverse housing options within the existing neighbourhood.

The Provincial Policy Statement provides policies on protecting natural heritage, water, cultural heritage and archaeological resources for their economic, environmental and social benefits (2.0). Section 2.1 of the PPS provides policies relating to natural heritage and directs natural features and areas to be protected for the long term (2.1.1). Within significant wetlands or significant woods, development and site alteration shall not be permitted (2.1.4 and 2.1.5). The PPS further seeks to protect the significant wetlands and woodlands unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1.5). In terms of the subject lands, there is a natural heritage feature on the adjacent northerly lands. The PPS provides direction where development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions (2.1.8).

Through the Zoning By-law Amendment application and Site Plan Control application process, an Environmental Impact Study (EIS) was received and accepted by City staff. Based on implemented recommendations of the EIS and the design of the development, the proposed VLC will not have negative impacts on the natural features on the abutting lands.

The proposed development is consistent with the PPS.

The London Plan

The site is located within the Neighbourhoods Place Type in The London Plan. The policies of this Place Type, as well as the Our Strategy, City Building and Design, and Our Tools policies, have been applied in the review of this application.

The London Plan provides Key Directions that encourage a mixed-use compact City by planning to achieve a compact, contiguous pattern of growth by looking “inward and upward” through infill and intensification of various types and forms to take advantage of existing services and facilities (59_2 and 59_4). The Key Directions in The London Plan provide direction to build strong, healthy and attractive neighbourhoods for everyone by protecting, recognizing and enhancing neighbourhood character and environmental features (61_5). Directions for building a mixed-use compact City also include ensuring a mix of housing types are provided within our neighbourhoods so that they are complete and support aging in place (59_5). The London Plan Key Directions also include ensuring that new development is a good fit within the context of the existing neighbourhood (62_9). The proposed development provides for appropriate intensification on an existing, underutilized piece of land within the City boundaries that utilizes existing services and facilities in the area. Further, the proposed development will not have any negative impacts on the abutting environmental features.

The subject lands are located within the Neighbourhoods Place Type with frontage along a Neighbourhood Street, as identified in *Map 1 – Place Types and *Map 3 – Street Classifications. Permitted uses along the Neighbourhoods Place Type include a range of residential uses including single detached; semi-detached; duplexes; converted dwellings; townhouses; secondary suites; home occupations and group homes with a minimum height of one (1) storey and a maximum height of two and a half (2.5) storeys in accordance with Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type and *Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type. The proposed stacked townhouses at the rear of the subject lands are a permitted use as per the Zoning By-law Z.-1. The proposed development represents residential intensification within an existing neighbourhood which is encouraged to achieve aging in place, a diversity of built form, affordability, and the effective use of lands within neighbourhoods (937_).

Map 5 – Natural Heritage of The London Plan identifies a small portion of woodlands on the site and woodlands to the north. The Natural Heritage policies of The London Plan are intended to protect the natural heritage features and areas over the long term by establishing requirements for the identification and protection of the Natural Heritage System including, but not limited to, environmental impact studies (1309_). Development or site alteration on lands adjacent to features of the Natural Heritage System shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions (1433_). As part of the Zoning By-law Amendment application, an Environmental Impact Study was submitted and reviewed by City staff. Through this process, the Environmental Impact Study was accepted, and a development limit was established to not impact the adjacent feature.

The proposed development is consistent with The London Plan.

Z.-1 Zoning By-law

The subject lands are located within a special provision Residential R5 (R5-7(20)) zone

which permits the use of the lands for cluster townhouse dwellings and cluster stacked townhouse dwellings. Special provisions for the site regulate a minimum interior yard depth for the second storey decks of 3.0 metres; a minimum rear yard depth for the second storey decks of 3.0 metres; a parking rate for the stacked townhouses of 1.0 spaces per unit; and a setback to the Open Space (OS5) zone of 0.0 metres. A special provision Open Space (OS5(19)) zone also applies to the subject lands which permits conservation lands; conservation works; passive recreation uses such as hiking trails and multi-use pathways; and managed woodlots.

As proposed, the Vacant Land Condominium Application conforms to the provisions of the Zoning By-law Z.-1.

Vacant Land Condominium Application

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

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- Agreement, and in the Condominium Declaration and Description.
- A traffic noise impact assessment has been completed and mitigation measures will be incorporated through site design and warning clauses in the Development Agreement, and in the Condominium Declaration and Description.
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA22-001) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

4.0 Key Issues and Considerations

Natural Heritage Features and Tree Preservation

Provincial Policy Statement, 2020 (PPS)

The PPS protects natural features and areas for the long term. Development and site alteration shall not be permitted in significant wetlands or significant woodlands. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements. Development and site alteration shall not be permitted on lands adjacent to these natural heritage features and areas unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. (2.1 Natural Heritage – 2.1.1, 2.1.4, 2.1.5, 2.1.7 and 2.1.8).

The London Plan

Map 5 – Natural Heritage of The London Plan identifies a small portion of woodlands on the site and woodlands to the north.

The Natural Heritage policies are intended to protect the natural heritage features and areas over the long term by establishing requirements for the identification and protection of the Natural Heritage System by a number of means including, but not limited to, environmental impact studies (Policy 1309_). The Natural Heritage Policies indicate that not all components of the Natural Heritage System are necessarily mapped on Map 5 and that in the review of any planning and development application, an initial review of the lands shall be undertaken to confirm the presence or absence of any natural features and areas that may be present that have not been mapped to determine if further evaluation of the feature is required (Policy 1316_).

Analysis:

An Environmental Impact Study (EIS) was submitted as part of the zoning by-law amendment application and later revised to address comments provided by the City's Ecologist and the Environmental and Ecological Planning Advisory Committee. City staff generally support the implementation of the recommendations of the EIS. These recommendations generally include:

- Incorporating buffer setbacks from the woodland, however minor encroachments may be considered provided a compensation area was provided;
- A 25m setback from the pond feature located on the adjacent property to the north to allow for the protection from aquatic disturbances and to provide water quality protection, however a minor encroachment will occur for the retaining wall provided a compensation area was provided and disturbed vegetation is restored;
- A landscaping and planting plan be submitted along with the compensation area included and monitoring and maintenance measures for the buffer and enhancement areas;
- A stormwater management design to include managing stormwater during the construction and revegetation process, and quantity control, storage and infiltration measures;
- The development of a tree preservation plan to be developed in conjunction with the grading plan and the preparation of a landscape plan at detailed design for the naturalization/restoration area utilizing native species at a replacement rate of 2:1;
- Identification in future site plan documentation of the adjacent woodland and pond feature for protection and management of the naturalization area on site specific to natural heritage protection;
- Restricting the time frames for vegetation clearing to avoid disturbance of the migratory bird breeding season;

- Restricting the time frames for removal of candidate bat roosting trees and installation of bat boxes as necessary to meet Ministry of Natural Resources and Forestry and City of London requirements;
- Limit the use of lighting where possible to avoid lighting entering into the woodland;
- Installation of wildlife exclusion fencing and escape routes to direct wildlife away from the construction;
- Construction crew education on wildlife;
- If necessary, an environmental monitoring plan be carried out through the duration of construction;
- Installation of sediment and erosion control fencing along the development limit and regular inspections to keep construction equipment and spoil away from the slope on the property, vegetation to be protected and prevent erosion and sedimentation;
- Erosion and sediment control measures be regularly monitored including inspections;
- Reseeding of disturbed areas as soon as possible to maximize erosion protection and discourage natural seeding of invasive species; and
- Homeowner education.

The Upper Thames River Conservation Authority also reviewed and approved the Water Balance report, the results of which were co-ordinated with the revised EIS.

The zoning of the north portion of the property for the woodland and compensation area provides a suitable naturalization/restoration area. The setbacks established for the development limits from an environmental perspective to protect the woodland and pond feature to the north of the proposed condominium.

At the site plan stage, the above recommendations and mitigation measures detailed in the EIS have been incorporated into the plan. The plan also includes detailed restoration and monitoring plans for the naturalization/restoration area of the lands zoned Open Space Special Provision (OS5(19)).

The implementation of zoning regulations and mitigation measures appropriately address and mitigate potential impacts on the natural heritage features for this development.

Tree Preservation

A Tree Preservation Plan was submitted with the previous zoning by-law amendment application to address matters raised by City of London staff.

City staff have reviewed the submitted Tree Preservation Plan from the perspective of the Zoning By-law amendment application and had no concerns with the proposed protection plan through the rezoning application. A detailed restoration planting and re-naturalization and monitoring plan have been incorporated into the site plan.

Conclusion

The application for Approval of Vacant Land Condominium is considered appropriate, consistent with the Provincial Policy Statement, and conforms to The London Plan. The proposed vacant land condominium in the form of cluster townhouses also complies with the City's Z.-1 Zoning By-law. An Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Draft Plan of Vacant Land Condominium. The proposed Site Plan and elevations will result in an appropriate development that is compatible with the neighbourhood.

Prepared by:	**Sean Meksula, MCIP, RPP** **Senior Planner, Subdivision Planning**
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/sm
Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2022\39CD-22503 - 414 and 418 Old Wonderland (SM)\02 Draft Approval\DRAFT_39CD-22503 - 414 and 418 Old Wonderland (SM).docx

Appendix A – Community Engagement

Public liaison: On May 4, 2022, Notice of Application was sent to 438 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 5, 2022. A "Planning Application" sign was also posted on the site.

Responses: 1written reply was received.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 29 residential units. Consideration of a proposed draft plan consisting of 29 multiple-attached dwelling units and a common element for private access driveway and services to be registered as one Condominium Corporation. Application has also been made for approval for Site Plan Approval, file SPA20-103.

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

39CD-22503 I oppose development
May 30, 2022

File: 39CD-22503

Dear Mr. Meksula;

This letter is sent in opposition to the proposed development of 414 and 418 of Old Wonderland Road.

I believe the plan for 29 townhouses will place a great burden on this fragile eco system. On June 8, 2021 I sent a letter to Ms. Riley requesting that a environmental assessment be conducted. I would be very interested to learn the results of the assessment.

The adjacent property is very unique with a pond and wetlands that are home to Frogs, Turtles, Mallards, Harlequin Ducks and Canada Geese nest in spring. Growing on the adjacent property is Ginseng, the pond has Calamus, Bullrushes are in the wetlands, Apple trees dot the landscape. The land is home to a number of animals such as Racoons, Skunks, Rabbits, Fox and the occasional deer passes through. The wetland is home to numerous families of Redwing Blackbirds. Near the wetlands is an old Cottonwood tree that is an Indigenous marker tree. Signalling to Indigenous travellers that this was a safe place to rest, and gather food and medicines. Because of the unique attributes of this property I feel the townhome's will be too detrimental to the adjacent land. Please find a link at the bottom for a description of the marker tree.

Yes this property at one time did have two houses where the condominiums are proposed but two houses is not the same as 29 homes. The pollution created in the construction of those units would be burden enough let alone a whole neighbourhood inserted into this area.

The land has been left to it's own devices for a number of years and is a much loved Oasis in the middle of the neighbourhood for both human and animal alike. Please look to develop in an area that does not boast a pond and wetland.

Thank you for taking the time to read my letter.
Respectfully;

Karen King

Agency/Departmental Comments:

No significant comments were received.

Appendix B – Policy Context

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

Provincial Policy Statement (PPS), 2020

The proposed development achieves objectives for efficient and resilient development and land use patterns. It represents new development taking place within the City's urban growth area, and within an area of the City that is currently building out. It also achieves objectives for promoting compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, supports energy conservation and efficiency, and avoids land use and development patterns which may cause environmental or public health and safety concerns.

The subject lands are within a registered plan of subdivision and are designated and intended for medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the subdivision approval process. Based on our review, the proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

The London Plan

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

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the "Neighbourhoods" Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, fourplex, townhouse and stacked townhouse dwellings, and low-rise apartment buildings, as the main uses. The proposed Draft Plan of Vacant Land Condominium in the form of cluster townhouse dwellings conforms with the Place Type policies.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Draft Plan of Vacant Land Condominium contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

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

5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
7. *Build quality public spaces and pedestrian environments that support walking.*

Key Direction #6 – Place a new emphasis on creating attracive mobility choices.

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*

Key Direction #7 - Building strong, healthy and attractive neighbourhoods for everyone

3. *Implement "placemaking" by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and public transit; contributes to a safe, healthy and connected community; and is designed to evoke a sense of neighbourhood character and sense of place.

City Building and Design Policies

202_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood's character and identity.

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

259_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

291_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.

***** *Policy subject to LPAT Appeal PL170100 – November 13, 2019*

The proposed condominium development consists of 29, 2.5-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with access from Old Wonderland Road. The development block fronts Old Wonderland Road and features a heavily landscaped planting strip along the north side of the road entrance. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the southern, nothern and easterly property boundaries (interfacing with the planned low density residential development and existing open space lands to the northwest. The plans and building elevations have been reviewed for compliance with the City's Placemaking Guidelines.

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

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

1. A strong neighbourhood character, sense of place and identity.
2. Attractive streetscapes, buildings, and public spaces.
3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.
4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.
5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.
6. Easy access to daily goods and services within walking distance.
7. Employment opportunities close to where we live.
8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

***** *Policy subject to LPAT Appeal PL170100 – November 13, 2019*

This proposal is generally in keeping with the Neigbhourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identify,

neighbourhood connectedness, diversity of housing choices and affordability, safe and convenient alternatives for mobility, close to neighbourhood parks and multi-use pathways planned as part of the subdivision approval process, and also within easy access to goods, services and employment opportunities.

Our Tools

1709_ The following policies will apply to consideration of an application for a vacant land condominium:

1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.
2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.
3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.
4. Only one dwelling will be permitted per unit.
5. At the time of registration, structures cannot cross unit boundaries.
6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and future public transit; contributes to a safe, healthy and connected community; and evokes a sense of neighbourhood character and sense of place.

Vacant Land Condominium Application

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

- This proposal is consistent with the objectives and policies of The London Plan, 1989 Official Plan, and Southwest Area Secondary Plan.
- Sewer and water services will be provided in accordance with the subdivision servicing drawings accepted by the City, and the approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster townhouses. Building elevation plans have been reviewed as part of the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.

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

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;

- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- Agreement, and in the Condominium Declaration and Description.
- A traffic noise impact assessment has been completed and mitigation measures will be incorporated through site design and warning clauses in the Development Agreement, and in the Condominium Declaration and Description.
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA22-001) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

Z.-1 Zoning By-law

The subject lands are located within a special provision Residential R5 (R5-7(20)) zone which permits the use of the lands for cluster townhouse dwellings and cluster stacked townhouse dwellings. Special provisions for the site regulate a minimum interior yard depth for the second storey decks of 3.0 metres; a minimum rear yard depth for the second storey decks of 3.0 metres; a parking rate for the stacked townhouses of 1.0 spaces per unit; and a setback to the Open Space (OS5) zone of 0.0 metres. A special provision Open Space (OS5(19)) zone also applies to the subject lands which permits conservation lands; conservation works; passive recreation uses which include hiking trails and multi-use pathways; and managed woodlots. Special provisions for the OS5(19) zone regulate a minimum lot area of 764.0 square metres. The OS5(19) zone was applied to the lands to establish the appropriate development limit, in accordance with the submitted EIS.

As proposed, the Vacant Land Condominium Application conforms to the provisions of the Zoning By-law Z.-1.

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 254 Hill Street, by Level Contracting Inc.**
Date: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the demolition request for the built resources on the heritage listed property at 254 Hill Street, that:

a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the built resources on the property;

b) The property at 254 Hill Street **BE REMOVED** from the *Register of Cultural Heritage Resources*, and;

c) The property owner **BE ENCOURAGED** to salvage buff brick during demolition for potential re-use in the current development proposal on the property or heritage conservation projects elsewhere in the City.

Executive Summary

A demolition request was received for the heritage listed property at 254 Hill Street. The subject property is listed on the City's *Register of Cultural Heritage Resources*. A demolition request for a building or structures on a heritage listed property triggers a formal review process pursuant to the requirements of the *Ontario Heritage Act* and the Council Policy Manual. A heritage impact assessment (HIA) was submitted with the demolition request for the property. The HIA determined that the property at 254 Hill Street does not retain historical/associative or contextual value and that although the built resource on the property may be a representative example of the Italianate style, it is a relatively vernacular interpretation of the style and there are stronger examples in the City. As well, due to its compromised structural integrity and the safety hazards of the existing structure, the suggested mitigation approach to demolition is documentation of the existing built resource and salvaging of materials from the structure. Staff have reviewed the heritage impact assessment and do not disagree with the conclusions of the HIA, and staff is not recommending designation of this property.

Linkage to the Corporate Strategic Plan

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

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

Analysis

1.0 Background Information

1.1 Property Location

The property at 254 Hill Street is located on the north side of Hill Street, between Clarence and Wellington Streets (Appendix A). The property is located "South of Horton", an area colloquially known as SoHo which as a long history in the City of London. SoHo maintains its character as a distinctive, early working-class neighbourhood, and retains many late 19th-to early 20th century buildings along with

newer infill development. The SoHo area has been identified in *Heritage Places 2.0* as a potential candidate for a future Heritage Conservation District.

1.2 Cultural Heritage Status

The property at 254 Hill Street is a heritage listed property, included on the City's *Register of Cultural Heritage Resources*. The property is of potential cultural heritage value. The listing of the property on the City's *Register* came into force and effect on March 26, 2007.

1.3 Description

The property at 254 Hill Street measures approximately 17m x 60m (56' x 197') (Appendix A). There are several vacant lots within the vicinity of the property as well as several newer infills and parking lots (Appendix B).

The building at 254 Hill Street is positioned at the crest of an embankment on the north side of Hill Street with a concrete drive located on the west side of the property. There is a wooden outbuilding (4m x 6m) located in the rear yard.

The building on the property is a two-storey, buff brick vernacular house exhibiting Italianate design elements with a low-pitched hip roof and overhanging eaves. There is a rear (north) projection with a medium pitched gable roof, and a small added entrance vestibule on the east side at the rear projection.

The front (south) elevation is framed by a continuous buff brick pilaster running along the corners of the elevation and just below the overhanging eave. A porch extends across the entire front elevation and is supported by concrete blocks and wooden posts. The primary entrance is from the porch which appears to be an original wooden door and surround unit comprised of sidelites, transom and wooden infill panels. Two rounded pilasters are positioned in the transom and mirror the door and sidelite geometry. The entrance is currently boarded-up.

Most all windows openings throughout consist of shallow-arch openings with brick voussoirs and wood sills. A singular arched window opening is located on the east elevation and contains a double row of brick voussoirs. Some existing window openings have been blocked in with brick, and openings on the first floor have been boarded up. Many of the window frames that are visible appear to be two-over-two (2/2) wooden frames; many of these have been installed with aluminum storms. The building on the property is currently vacant and is in a deteriorating condition.

Heritage planning staff conducted a site visit and photo-documented the property and built resources on June 29, 2022.

1.4 Property History[1]

254 Hill Street is located within the bounds of the original town plot of London near the southeast edge, on a short east-west road running from the Thames River to the border of the town plot at present-day Wellington Street. The road was named Hill Street on the survey map for the town plot and is shown running along a hill that stretched from Grey Street southeast to the end of Hill Street.

The property at 254 Hill Street is located "South of Horton," an area colloquially known as SoHo which has a long history in the City of London being located along the edges of the Downtown and the Thames River. The early development of SoHo is associated with London's Black community and later a Jewish community in the early 20th century.

Based on historical mapping and historic research undertaken as part of the heritage impact assessment (HIA), the building at 254 Hill Street was likely built 1861 to 1872. Job Cousins may have been the first occupant at 254 Hill Street. He was a pump maker and foreman who worked with his nephew John Cousins and with his brother James M. Cousins, who was the owner and founder of the family pump manufacturing business. James served as the mayor of London for one year in 1871 and was also known for a role in establishing the Western Fair.

Following Job Cousins, 254 Hill Street was briefly occupied by Randall Mark in 1893, and then by John Wheatcroft in 1895, who was employed as a baggageman with the

[1] This section is excerpted from Stantec, 2022 (pp11-16).

Grand Trunk Railway. By 1921, 254 Hill Street was occupied by John Gardner, who was the owner of the Union Taxi Service based at 651 Richmond Street. His daughter Lillian would remain at 254 Hill Street into the mid-20th century, residing there in 1955 with a Mrs. M. Corrin. According to land registry records, the Gardner family was no longer associated with 254 Hill Street by 1967. Based on a review of *Google Streetview*, the property was vacated and boarded between 2015 and 2019.

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).

"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 and Environment Committee.

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

2.1.2.1 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 understanding of a community or culture; or,
    iii. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. Contextual value:
    i. Is important in defining, maintaining or supporting the character of an area;
    ii. Is physically, functionally, visually or historically linked to its surroundings; or,
    iii. Is a landmark.

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet the criteria for designation, the demolition request should be granted. 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.

2.1.4 Register of Cultural Heritage Resources

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

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed properties. The property at 254 Hill Street is included on the *Register of Cultural Heritage Resources*.

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1. Demolition Request

Site plan consultation (SPC22-035) with the applicant occurred in March 2022 for a 3-storey apartment building which also includes the adjacent property at 248 Hill Street. The proposed development is predicated on the demolition of the listed built resources on the property at 254 Hill Street which requires Council approval. Written notice of intent to demolish the built resources on the property, along with a required heritage impact assessment (HIA), was received as a complete application by the City on June 16, 2022.

Municipal Council must respond to a notice of intention to demolish a building or structure on a heritage listed property within 60 days, or the request is deemed consented. During this 60-day period, the 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 demolition request for the property at 254 Hill Street expires on August 13, 2022.

4.1.1 Heritage Impact Assessment

A heritage impact assessment (Stantec Consulting Corp., dated June 9, 2022) was submitted as a part of the demolition request for the heritage listed property at 254 Hill Street (Appendix C). Heritage planning staff have reviewed the heritage impact

assessment and is satisfied with the report's (analysis, conclusions, and recommendations) and find the heritage research and evaluation to be sufficient to fulfill conditions for (SPC22-035).

The Heritage Impact Assessment found that: *the residence meets only one criterion of O. Reg 9/06 as a representative vernacular Italianate residence. It is one of more than 300 properties listed on the City's Register that are of the Italianate Style. The building is a vernacular example and does not contain decorative details common to many Italianate structures; there are stronger examples of the Italianate style in the City of London* (p35).

A structural condition evaluation (DC Buck Engineering, 2022) was also included as part of the heritage impact assessment. The report noted damage to the roof, and rotten floor sections and floor joists. In addition, much of the structure was noted to contain black mold (Appendix C). Conclusions and recommendations state that: *the existing structure at 254 Hill Street poses a safety hazard and should be removed* (p35).

Detailed documentation and salvage are often the preferred mitigation strategy where retention or relocation is not feasible or warranted. For 254 Hill Street, the HIA concluded that documentation and salvage would be an appropriate mitigation measure. This mitigation alternative is appropriate considering that there are similar and stronger remaining examples of Italianate architectural styles in the City of London and that the structure is likely not able to withstand relocation (Stantec, pp35-36)

4.2 Evaluation

Conclusions of the HIA are that the built resource on the subject property does not retain historical/associative or contextual value. The built resource may be representative of the Italianate style however, it is a relatively vernacular interpretation of the style. There are stronger examples of Italianate residences that contain additional architectural features not found at 254 Hill Street such as paired brackets, decorative cornices, window surrounds, and carved wooden trim that are common to the style.

Conclusions and recommendations state that: the main structure of the existing building is not sound and that its current condition is not safe and poses a hazard to any person entering the building and the surrounding buildings; the recommendation is that the existing structure be removed.

In-situ retention or relocation of the built resource on the property was not recommended due to its compromised structural integrity and the safety hazards of the existing structure. The suggested mitigation approach to demolition is documentation of the existing built resource and salvaging of materials from the structure. Salvaged items mainly include buff brick for possible retention into on-site features or incorporation into the new development.

Staff do not disagree with the conclusions of the HIA.

4.3 Consultation

In accordance with Section 27(1.3) of the *Ontario Heritage Act*, the Community Advisory Committee on Planning (CACP) is being consulted at is meeting on July 13, 2022, regarding this demolish request and a decision by Municipal Council is expected at the August 2, 2022, meeting.

It is a policy and practice of Municipal Council that the demolition of a heritage listed property shall be considered at a public participation meeting before the Planning and Environment Committee (PPM). This item will be heard at the July 25, 2022, PPM of the Planning and Environment Committee. Notification of the demolition request was sent property owners within 120m of the subject property on July 4, 2022, as well as to community groups including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League. Further, notice was also published in *The Londoner* on July 7, 2022. At the time of writing, no replies have been received regarding this demolition request.

Conclusion

A heritage impact assessment was submitted as a part of the demolition request for the heritage listed property at 254 Hill Street. The Heritage Impact Assessment found that the built resource on the subject property does not retain historical/associative or contextual value and that although it may be a representative example of the Italianate style, it is a relatively vernacular interpretation of the style and there are stronger examples in the City. Due to its compromised structural integrity and the safety hazards of the existing structure, the suggested mitigation approach to demolition is documentation of the existing built resource and salvaging of materials during demolition of the structure. Staff do not disagree with the conclusions of the HIA, and staff is not recommending designation of this property. The owner of the property is encouraged to consider salvage of the buff brick during demolition for possible retention into on-site features or incorporation into the new development.

Prepared by:	**Laura E. Dent, M.Arch, PhD, MCIP, RPP** **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

Sources

2022, March 7 – E-mail Correspondence to Leif Maitland, Site Development Planner, from Laura E. Dent, Heritage Planner. re: SPC22-035 – 248-254 Hill Street – Heritage Commenting.

Corporation of the City of London. n.d. Property files: 254 Hill Street Pack Road.

Corporation of the City of London. (2016, consolidated 2022, May 25). The London plan. London, ON: Author.

Corporation of the City of London. (2020, Dec 8). City of London Register of Cultural Heritage Resources. London, ON: Author.

DC Buck Engineering (2022, Feb 17). Inspection Report. Structural Condition Evaluation – 254 Hill Street. London, ON: Author.

Government of Canada. Parks Canada. *Standards and Guidelines for the Conservation of Historic Places in Canada*. 2010.

Ministry of Municipal Affairs and Housing. (2020). Provincial policy statement, 2020. Ontario: Queen's Printer for Ontario.

Ontario Heritage Act, (last amendment 2021, c. 4, Sched. 6, s.74). Retrieved from e-Laws website https://www.ontario.ca/laws/statute/90o18

Ontario Ministry of Culture. (2006). *Heritage resources in the land use planning process information sheet series*. "InfoSheet #5, Heritage impact assessments and conservation plans." Ontario: Queen's Printer for Ontario.

Ministry of Culture. (2006). *Ontario Heritage Toolkit: Heritage Property Evaluation*. Ontario: Queen's Printer for Ontario.

Stantec Consulting Ltd. (2022, Jun 9). Heritage Impact Assessment – 254 Hill Street, London, Ontario (final report). London, ON: Author. [Where applicable, see additional sources referenced in report].

Appendix A – Property Location

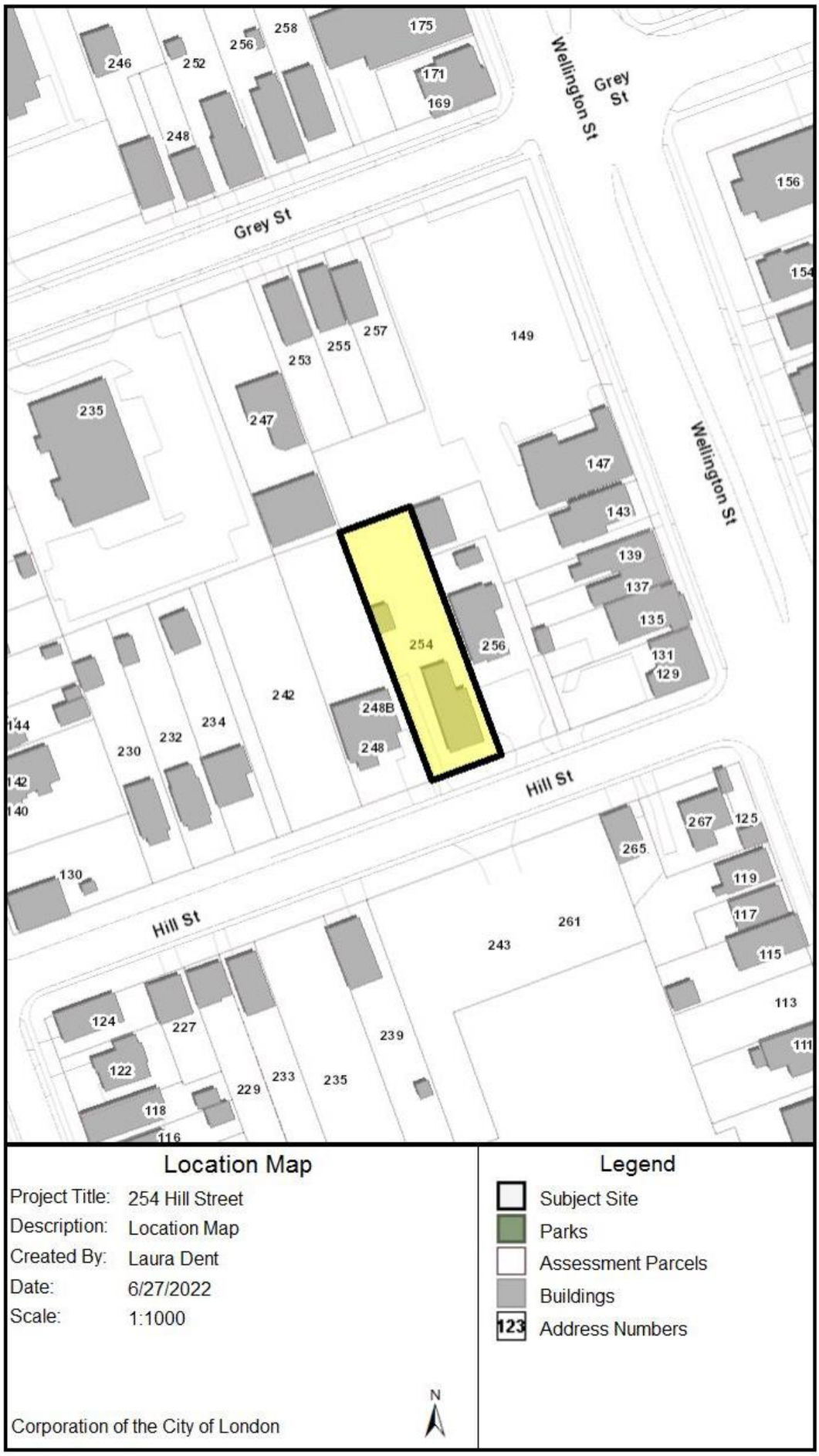


Figure 1: Location of the property at 254 Hill Street

Appendix B – Images

Image 1. Front elevation at 254 Hill Street – facing south

Image 2. South-west elevations at 254 Hill Street

Image 3. West elevation at 254 Hill Street

Image 4. Ancillary shed structure in rear yard – 254 Hill Street

Image 5. Rear (north) projection – 254 Hill Street (Stantec, 2022)

Image 6. East elevation showing rear (north) projection and added entrance vestibule

Image 7. East and south elevations featuring arched window and front porch

Image 8. Front elevation showing porch positioned across the full width of the residence

Image 9. Front entrance door surround with transom and sidelites

Image 10. Porch supported by concrete blocks and wooden posts

Image 11. Front elevation at 254 Hill Street showing positioning on embankment

Image 12. 254 Hill Street and adjacent property to the west at 248 Hill Street – both properties comprise the subject lands for the development proposal (SPC22-035)

Image 13. Detail of window opening – 2nd floor, west elevation – showing shallow arch with voussoirs and two-over-two (2/2) wooden window frame and wood sill

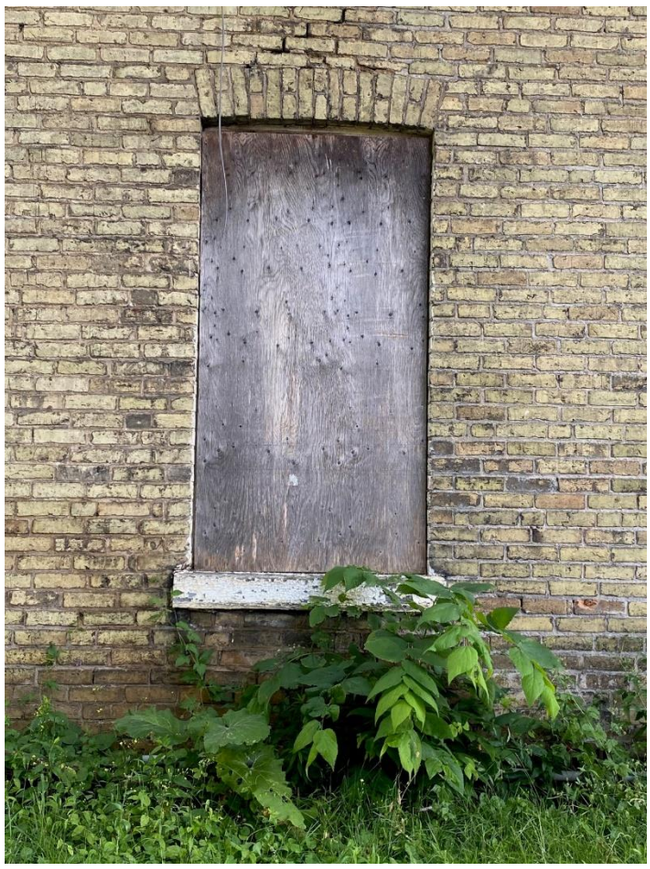


Image 14: Detail of boarded-up window opening – 1st floor, west elevation – showing shallow arch with voussoirs and two-over-two (2/2) wooden window frame and wood sill

Appendix C – Heritage Impact Assessment

Heritage Impact Assessment (Stantec Consulting Ltd., dated June 9, 2022) – *attached separately*

Heritage Impact Assessment—
254 Hill Street, London, Ontario

FINAL REPORT

June 9, 2022

Prepared for:

Level Contracting Inc.
432-509 Commissioners Road West
London, ON N6J 1Y5

Prepared by:

Stantec Consulting Ltd.
600-171 Queens Avenue
London, ON N6A 5J7

Project Number: 160940768

Executive Summary

Level Contracting Inc. (Level Contracting) retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment (HIA) for the property located at 254 Hill Street in the City of London (the City), Ontario. Level Contacting is proposing to construct a three-storey apartment building with a total of 23 units and a footprint of 4,928 square feet (457.9 square metres) on the property. . The new structure will be located in the west section of the property and will necessitate the demolition of the current structure at 254 Hill Street.

The *City of London Register of Cultural Heritage Resources* identified 254 Hill Street as a listed property and is described as an Italianate structure built prior to 1868 (City of London 2019). The City's Official Plan requires the preparation of an HIA for developments on or adjacent to listed properties.

The property at 254 Hill Street was determined to demonstrate design/physical value as a representative late 19th century vernacular Italianate style residence. The house is a modest representative example of the Italianate style of architecture, evident in its two-storey height, rectangular plan, brick construction, segmental and round arched windows with two-over-two sash double hung wood frame windows, brick voussoirs, wood sills, low-pitched hip roof, and single entrance door with sidelights and transom. The style and type of dwelling is a portrayal of a residential dwelling suited to London's emerging middle class in the 19th century.

An assessment of impacts resulting from the proposed undertaking at 254 Hill Street has determined that the proposed undertaking would result in direct impacts to the property through demolition. Based on the adverse impacts identified to this cultural heritage resource, the retention of the residence *in situ* is the preferred alternative method from a heritage perspective since the CHVI of the property would be retained in its entirety. However, retention of the residence is not feasible due to site plan requirements and the poor condition of the residence. A Structural Condition Evaluation concluded the existing structure at 254 Hill Street poses a safety hazard and should be removed. Where retention *in situ* is not feasible or preferred, relocation is often the next option considered to mitigate the loss of a heritage resource. However, the residence is in poor condition and is unlikely to withstand the relocation process. Therefore, relocation is not a viable mitigation measure.

Detailed documentation and salvage are often the preferred mitigation strategy where retention or relocation is not feasible or warranted. For 254 Hill Street, documentation and salvage would be an appropriate mitigation measure. This mitigation alternative is appropriate considering that there are similar and stronger remaining examples of Italianate architectural styles in the City of London and that the structure is likely not able to withstand relocation.

Documentation activities should be carried out through a full recording of the residence through photography, mapping, photogrammetry, and/or LiDAR scan. Documentation should be carried out in advance of any changes made to the property. Salvage activities should consist of the identification and recovery of re-useable materials by a reputable salvage company or charity, with materials retained to be repurposed on site through landscape and built features. Salvaged materials should include:

- Buff brick
- Segmental arch and round arch windows with brick voussoirs, woos sills, and 2/2 sash wood frame double hung windows

The Executive Summary highlights key points from the report only; for complete information and findings, the reader should examine the complete report.

Table of Contents

EXECUTIVE SUMMARY ..... **I**

PROJECT PERSONNEL ..... **V**

ABBREVIATIONS ..... **VI**

1.0 INTRODUCTION **1**

2.0 METHODOLOGY **4**
2.1 POLICY FRAMEWORK 4
2.1.1 Planning Act 4
2.1.2 The 2020 Provincial Policy Statement 4
2.1.3 City of London Official Plan 5
2.2 BACKGROUND HISTORY 5
2.3 FIELD PROGRAM 6
2.4 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST 6
2.4.1 Ontario Regulation 9/06 6
2.5 ASSESSMENT OF IMPACTS 7
2.6 MITIGATION OPTIONS 7

3.0 HISTORICAL OVERVIEW **9**
3.1 INTRODUCTION 9
3.2 PHYSIOGRAPHY 9
3.3 TOWNSHIP OF LONDON AND CITY OF LONDON 9
3.3.1 Survey and Settlement 9
3.3.2 19th Century Development 10
3.3.3 20th Century Development 13
3.4 PROPERTY HISTORY 14

4.0 SITE DESCRIPTION **21**
4.1 INTRODUCTION 21
4.2 LANDSCAPE SETTING 21
4.3 RESIDENCE 23

5.0 COMPARATIVE ANALYSIS **28**

6.0 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST **29**
6.1 INTRODUCTION 29
6.2 DESIGN OR PHYSICAL VALUE 29
6.3 HISTORIC OR ASSOCIATIVE VALUE 29
6.4 CONTEXTUAL VALUE 29
6.5 SUMMARY OF EVALUATION 30
6.6 STATEMENT OF CULTURAL HERITAGE VALUE 31
6.6.1 Description of Property 31
6.6.2 Cultural Heritage Value 31

6.6.3 Heritage Attributes 31

7.0 IMPACT ASSESSMENT 32
7.1 DESCRIPTION OF PROPOSED UNDERTAKING 32
7.2 ASSESSMENT OF IMPACTS 32
7.3 DISCUSSION OF IMPACTS 33

8.0 MITIGATION 34

9.0 RECOMMENDATIONS 37

10.0 CLOSURE 38

11.0 REFERENCES 39

LIST OF TABLES

Table 1 Evaluation of 254 Hill Street According to *Ontario Regulation 9/06* 30
Table 2 Evaluation of Potential Direct Impacts 32
Table 3 Evaluation of Potential Indirect Impacts 33

LIST OF FIGURES

Figure 1 Location of Study Area 2
Figure 2 Study Area 3
Figure 3 London Town Plot, 1826 17
Figure 4 Map of the City of London, 1855 18
Figure 5 Fire Insurance Plan, 1888 19
Figure 6 Fire Insurance Plan, 1922 20

LIST OF APPENDICES

APPENDIX A CONCEPT PLAN

APPENDIX B STRUCTURAL CONDITION EVALUATION

Project Personnel

Project Manager:	Lashia Jones, MA, CAHP
	Meaghan Rivard, MA, CAHP
Heritage Consultant:	Lashia Jones, MA, CAHP
	Meaghan Rivard, MA, CAHP
Report Writer:	Frank Smith, MA Lashia Jones, MA, CAHP
GIS Specialist:	Paul Moser
Administrative Assistant:	Priscilla Kwan
Quality Reviewer:	Jeffrey Muir, BA, CAHP
Independent Reviewer:	Tracie Carmichael, Ba, B.Ed.

Abbreviations

BA	Bachelor of Arts
CAHP	Canadian Association of Heritage Professionals
CHVI	Cultural Heritage Value or Interest
HIA	Heritage Impact Assessment
MA	Master of Arts
MHSTCI	Ministry of Heritage, Sport, Tourism and Culture Industries
N/A	Not Applicable
OHA	Ontario Heritage Act
O. Reg.	Ontario Regulation
PPS	Provincial Policy Statement

1.0 INTRODUCTION

Level Contracting Inc. (Level Contracting) retained Stantec Consulting Ltd. (Stantec) to prepare a Heritage Impact Assessment for the property located at 254 Hill Street in the City of London (the City), Ontario (Figure 1 and Figure 2). The Study Area is located on the north side of Hill Street and is located approximately 55 metres west of the intersection of Wellington Street and Hill Street. In accordance with Section 27 of the *Ontario Heritage Act* (OHA), the City maintains a register of properties that are of potential cultural heritage value or interest (CHVI). The *City of London Register of Cultural Heritage Resources* identified 254 Hill Street as a listed property and is described as an Italianate structure built prior to 1868 (City of London 2019).

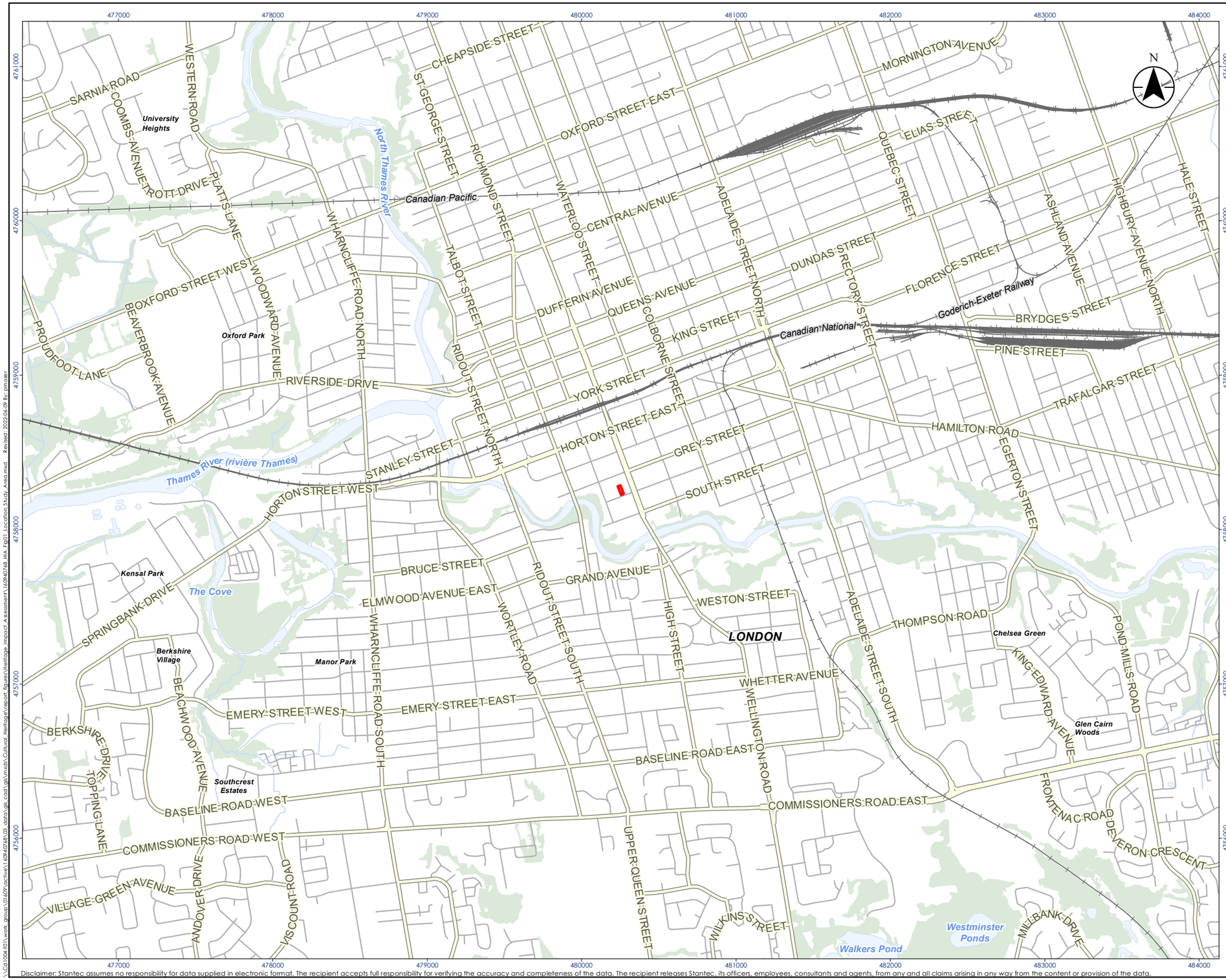
Level Contacting is proposing to construct on the property a three-storey apartment building with a total of 24 units and a footprint of 4,816 square feet (447.5 square metres). The new structure will be located at west end of the property and will necessitate the demolition of the current residence at 254 Hill Street to accommodate parking. The current concept plan for the site is included in Appendix A.

The purpose of the HIA is to respond to policy requirements regarding the conservation of cultural heritage resources in the land use planning process. Where a change is proposed within or adjacent to a protected heritage property, consideration must be given to the conservation of cultural heritage resources. The objectives of the report are as follows:

- Identify and evaluate the CHVI of the Study Area
- Identify potential direct and indirect impacts to cultural heritage resources
- Identify mitigation measures where impacts to cultural heritage resources are anticipated to address the conservation of heritage resources, where applicable

To meet these objectives, this HIA contains the following content:

- Summary of project methodology
- Review of background history of the Study Area and historical context
- Evaluation of CHVI
- Description of the proposed site alteration
- Assessment of impacts of the proposed site alterations on cultural heritage resources
- Review of development alternatives or mitigation measures where impacts are anticipated
- Recommendations for the preferred mitigation measures



Stantec

Legend
- Study Area
- Major Road
- Minor Road
- Railway
- Watercourse
- Waterbody
- Wooded Area
- Municipal Boundary, Lower

0 0.5 1 km
1:25,000 (At original document size of 11x17)

Notes
1. Coordinate System: NAD 1983 UTM Zone 17N
2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2021.

Project Location London, ON	160940768 REVA Prepared by PRM on 2022-06-09 Technical Review by FS on 2022-06-09

Client/Project
LEVEL CONTRACTING INC.
HERITAGE IMPACT ASSESSMENT
254 HILL STREET, LONDON, ONTARIO

Figure No.
1

Title
Location of Study Area

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

C:\Cad\04-01\work_group\01\active\160940768\GIS_data\gis_cad\gis\mxds\Cultural Heritage\report_figures\Heritage Impact Assessment\160940768_HIA_Fig01_Location_Study_Area.mxd Revised: 2022-06-09 By: pmoser

Stantec

Legend

- Study Area
- Waterbody

0 25 50 Meters

1:1,500 (At original document size of 11x17)

Notes

1. Coordinate System: NAD 1983 UTM Zone 17N
2. Base features produced under license with the Ontario Ministry of Natural Resources and Forestry © Queen's Printer for Ontario, 2021.
3. Orthoimagery © First Base Solutions, 2021, Imagery date 2020.

Project Location
London, ON

160940768 REVA
Prepared by PRM on 2022-06-09
Technical Review by FS on 2022-06-09

Client/Project
LEVEL CONTRACTING INC.
HERITAGE IMPACT ASSESSMENT
254 HILL STREET, LONDON, ONTARIO

Figure No.
2

Title
Study Area

\\Cd1004-f01\work_group\01659\active\160940768\03_data\gis_cad_vgi\mxds\Cultural_Heritage\Heritage_Impact_Assessment\160940768_HIA_Fig02_Study_Area.mxd Revised: 2022-06-09 By: pmoser

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

2.0 METHODOLOGY

2.1 POLICY FRAMEWORK

2.1.1 Planning Act

The *Planning Act* provides a framework for land use planning in Ontario, integrating matters of provincial interest in municipal and planning decisions. Part I of the *Planning Act* identifies that the Minister, municipal councils, local boards, planning boards, and the Municipal Board shall have regard for provincial interests, including:

> *(d) The conservation of features of significant architectural, cultural, historical or scientific interest*
>
> (Government of Ontario 1990)

2.1.2 The 2020 Provincial Policy Statement

The Provincial Policy Statement (PPS) was updated in 2020 and is intended to provide policy direction for land use planning and development regarding matters of provincial interest. Cultural heritage is one of many interests contained within the PPS. Section 2.6.1 of the PPS states that, “significant built heritage resources and cultural heritage landscapes shall be conserved”.

(Government of Ontario 2020)

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

Under the PPS definition, significant means:

> *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.*

Under the PPS, “protected heritage property” is defined as follows:

> *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.*
>
> (Government of Ontario 2020)

Under the PPS, "protected heritage property" is defined as follows:

> *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.*
>
> (Government of Ontario 2020)

2.1.3 City of London Official Plan

The property at 254 Hill Street is listed under the City's Official Plan, *The London Plan*, contains the following policy regarding development within or adjacent to designated and listed heritage properties:

> *586_ The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved.*

The London Plan also contains the following general objectives regarding cultural heritage resources:

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 on to our future generations.*
3. *Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.*

(City of London 2016)

2.2 BACKGROUND HISTORY

To understand the historical context of the property, resources such as primary sources, secondary sources, archival resources, digital databases, and land registry records were consulted. Research was also undertaken at the London Public Library Ivy Family London Room. Due to COVID-19 pandemic restrictions, access to some sources was limited or unavailable. To familiarize the study team with the Study Area, historical mapping from 1855, 1888, 1907, 1915, and 1922 was reviewed.

2.3 FIELD PROGRAM

A site assessment was undertaken on June 11, 2021, by Lashia Jones and Frank Smith, both Cultural Heritage Specialists with Stantec. The weather conditions were seasonably warm and clear. The site visit consisted of a pedestrian survey of the property. Interior access was not granted.

2.4 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST

2.4.1 Ontario Regulation 9/06

The criteria for determining CHVI is defined by *Ontario Regulation* (O. Reg.) *9/06*. In order to identify CHVI at least one of the following criteria must be met:

1. *The property has design value 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*
    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*
    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*
    c. *is a landmark*

(Government of Ontario 2006a)

2.5 ASSESSMENT OF IMPACTS

The assessment of impacts is based on the impacts defined in the Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) *Infosheet #5 Heritage Impact Assessments and Conservation Plans* (Infosheet #5). Impacts to heritage resources may be direct or indirect.

Direct impacts include:

- *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*

Indirect impacts do not result in the direct destruction or alteration of the feature or its heritage attributes, but may indirectly affect the CHVI of a property by creating:

- *Shadows 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 soil, and drainage patterns that adversely affect an archaeological resource*

(Government of Ontario 2006b)

In addition to direct impacts related to destruction, this HIA also evaluated the potential for indirect impacts resulting from the vibrations of construction and the transportation of project components and personnel. This was categorized together with land disturbance. Although the effect of traffic and construction vibrations on historic period structures is not fully understood, vibrations may be perceptible in buildings with a setback of less than 40 metres from the curbside (Crispino and D'Apuzzo 2001; Ellis 1987; Rainer 1982; Wiss 1981). For the purposes of this study, a 50-metre buffer is used to represent a conservative approach to delineate potential effects related to vibration. The proximity of the proposed development to heritage resources was considered in this assessment.

2.6 MITIGATION OPTIONS

In addition to providing a framework to assess the impacts of a proposed undertaking, the MHSTCI Infosheet #5 also provide methods to minimize or avoid impacts on cultural heritage resources. These include, but are not limited to:

- *Alternative development approaches*
- *Isolating development and site alteration from significant built and natural features and vistas*
- *Design guidelines that harmonize mass, setback, setting, and materials*
- *Limiting height and density*

- *Allowing only compatible infill and additions*
- *Reversible alterations*
- *Buffer zones, site plan control, and other planning mechanisms*

(Government of Ontario 2006b)

3.0 HISTORICAL OVERVIEW

3.1 INTRODUCTION

The Study Area is located on part of Lot 15, Concession C in the former Township of London, present-day City of London. It is situated on the north side of Hill Street approximately 55 metres west of the intersection of Wellington Street and Hill Street. The Study Area includes the municipal address 254 Hill Street. The legal description of the property is 'PLAN NIL PT LOT 2'. The following sections outline the historical development of the Study Area from the period of colonial settlement to the present-day.

3.2 PHYSIOGRAPHY

The Study Area is located in the Caradoc Sand Plain and London Annex physiographic region. This region is largely composed of flat sand plains extending from east London to the Strathroy area in the southwest. In its entirety, the region compromises approximately 482 square kilometres in southwestern Ontario. The land is generally flat with a few rolling hills. The Caradoc Sand Plain and London Annex within and adjacent to the City of London is a basin between 850 and 900 feet above sea level. As the glaciers of the Ice Age retreated, muddy water was discharged into the basin, creating beds of silt and sand. When the water retreated, gravelly alluvium was spread throughout the lower parts of the basin (Chapman and Putnam 1984: 146).

The City of London is located along the Thames River. The well-defined river channel runs through a shallow valley. This is demonstrated through a history of critical flooding in the City as it has developed on land that, in physiographical terms, belongs to the river. This watershed area has proven from its land use history to be rich soil for agriculture development (Chapman and Putnam 1984: 139). London itself developed into the commercial centre for southwestern Ontario because of its position along the river as an early travel route and the high alluvial terrace which offered good building sites (Chapman and Putnam 1984: 146).

3.3 TOWNSHIP OF LONDON AND CITY OF LONDON

3.3.1 Survey and Settlement

The present-day City of London is located on the traditional territory of the Attawandaron, Anishinaabeg, Haudenosaunee, and Lunaapeewak Indigenous peoples (City of London 2021). From the 17th century to 1763, present-day southwestern Ontario was part of France's sprawling colony of New France. In 1763, following France's defeat in the Seven Years War, it ceded nearly all of its colonial possessions in North America to Spain and Great Britain. Britain's Thirteen Colonies clustered along the Atlantic seaboard eagerly participated in the Seven Years War believing that removing France from the continent would open new lands west of the Appalachian Mountains to settlement. Instead, the British *Proclamation of 1763* closed most of former New France to colonization and transferred the Ohio Valley and present-day southwestern Ontario to the Province of Quebec. This contributed to rising tensions with the Thirteen

Colonies which culminated with the British recognition of the independence of the Thirteen Colonies as the United States of America in 1783 (Craig 1963: 2).

Approximately one quarter of the population of the Thirteen Colonies were Loyalists to the British Crown and during the American Revolutionary War and following independence, about 50,000 people emigrated from the United States for Great Britain or other colonies, including Canada (Craig 1963: 3). The Loyalist population in Canada wished to live under the customs and common law they were familiar with in the former Thirteen Colonies and Great Britain. To accommodate this, the *Constitutional Act* divided Quebec into Upper Canada in the south and Lower Canada in the north. French laws and customs would be preserved in Lower Canada while British laws and customs would be established in Upper Canada (Taylor 2007: 2). John Graves Simcoe was appointed Lieutenant Governor of Upper Canada and arrived in June 1792 with ambitious plans to mold the colony and its laws into "the very image and transcript of that of Great Britain" (Taylor 2007: 9).

Part of Simcoe's transformative plan for Upper Canada included the forks of the river called La Tranche by the French. Simcoe selected it as the site for the capital of Upper Canada in 1791. He renamed La Tranche to the Thames River and first selected the name Georgina for the capital. By 1792, Simcoe settled on the name London. Prominent merchants of Upper Canada, as well as Guy Carleton, Governor of Canada, objected to the proposed site because of its inaccessibility. The capital never moved to London and was eventually transferred from Newark (present-day Niagara-on-the-Lake) to York (present-day Toronto) (Armstrong 1986: 21; Mombourquette 1992: 5). Simcoe departed Upper Canada in 1796 and the Township of London and site for the capital remained unsettled (Mombourquette 1992: 25).

The first settler in London Township was Joshua Applegarth, who arrived in 1807, and attempted to cultivate hemp before switching to other crops (Page 1878: 5). Despite Simcoe's vision, the entire Township of London remained largely unsettled until after the War of 1812. The first land patent in the township occurred in 1812 when John Hale was granted land. In 1813, several lots were granted to Mahlon Burwell, as part payment to formally survey the township (Page 1878: 9). Burwell had arrived in London Township with Colonel Thomas Talbot in 1810 with plans to develop the township and much of southwestern Ontario. Talbot would eventually be instrumental in the development of 29 townships. Burwell began his survey of London Township just prior to the War of 1812. Before the outbreak of hostilities, he surveyed Concessions 1 through 6. After the war, Burwell resumed his work and completed the remainder of the survey by 1818 (London Township History Book Committee [LTHBC] 2001: 12). London Township was the largest township in Middlesex County. Aside from road allowances, the township contained 96,000 acres of land (Page 1878: 9). The first township meeting was held on January 4, 1819, in Joshua Applegarth's house (Armstrong 1986: 29).

3.3.2 19th Century Development

Settlement of the Township of London progressed steadily during the first decades of the 19th century under the stewardship of Colonel Talbot. In 1818, he recommended his relative, Richard Talbot, settle about 25 new families in London Township. These settlers had come from Ireland. In 1819, the population further increased when Colonel Talbot settled an additional 98 immigrants in London Township (LTHBC 2001: 14).

In November 1825, the London District courthouse and jail at Vittoria in Norfolk County were damaged by fire. District authorities, including Colonel Talbot, decided to move the district capital to a more central location, instead of rebuilding at Vittoria (Miller 1992: 7). In January 1826, the District Town for the London District was transferred from Vittoria to the Crown Reserve Land in London Township set aside for Simcoe's envisioned capital. In March 1826, Colonel Talbot solicited plans and cost estimates for the erection of a courthouse and jail in London (Brock 2011: 10).

Mahlon Burwell was instructed by Surveyor General Thomas Ridout to survey the town plot of London. Burwell completed his survey of the townsite in June 1826 (Armstrong 1986: 33; Brock 2011: 10; Miller 1992: 7). The borders of this survey were approximately present-day Queens Avenue to the north, the Thames River to the west, South Street to the south, and present-day Wellington Street to the east (Miller 1992: 9). The Study Area was located near the southeast edge of the original town plot on a short east-west road running from the Thames River to the border of the town plot at present-day Wellington Street. The road was named Hill Street on the survey map for the town plot and is shown running along a hill that stretched from Grey Street southeast to the end of Hill Street (Figure 3).

The first settler in London after the completion of the survey was Peter McGregor, who settled on the present-day southwest corner of King Street and Ridout Street (Brock 2011: 10). The new settlement experienced rapid growth and by 1832 the hamlet contained a courthouse, two churches, three hotels, six general stores, two doctors, two lawyers, and a newspaper. London had a population of about 300 and contained about 130 buildings, most of which were frame construction (Armstrong 1986: 35).

After the Upper Canada Rebellion of 1837, the British military decided to increase its presence in Upper Canada. London was selected as the site of an inland garrison. London was chosen because it was far enough from the American border to not be attacked easily, but also relatively close to Niagara, Windsor, and Lake Huron. The arrival of the army in 1838 resulted in a surge of economic growth and closely linked the community with the wider British Empire (Armstrong 1986: 59-60).

In 1840, the Town of London was incorporated (Brock 2011: 23). When the Town of London was incorporated, the boundaries of the town were extended north to present-day Huron Street and east to present-day Adelaide Street (Armstrong 1986: 67).

As the Town of London continued to develop, residents began to clamor for access to a railway. As early as 1831, merchants and farmers of London and London Township had proposed constructing a railway through the community. In the 1840s, planning began on a line that would run from Niagara to Detroit. The planned route would run through London and many prominent Londoners helped finance the project. The Great Western Railway was chartered in 1845 and construction on the London portion of the line began in October 1847. The ground-breaking ceremony in London was led by Colonel Talbot, who was then 77 years old and still deeply involved in the development of London. In December 1853, the first train pulled into London. (Armstrong 1986: 82-83).

London benefited greatly from the arrival of the railway, experiencing a boom and developing into a regional centre of industry and finance. Reflecting this growth, the Town of London was reincorporated as a city on January 1, 1855 (Armstrong 1986: 68). Historical mapping prepared in 1855 shows that most development in the City was clustered in the downtown core and north towards the British military garrison. The southwest end of the City contained industrial developments and some residences, mostly clustered along the Thames River and Great Western Railway tracks. The Study Area and all of Hill Street remained undeveloped (Figure 4).

Land value greatly increased in the City, with some property values increasing nearly 300% between 1849 and 1856. This boom was curtailed by the conclusion of the Crimean War in 1857. The end of the war started a depression in the entire British Empire. The impact of the depression was particularly hard on London. By 1860, three quarters of the businesses in the city had failed and the population dropped from 16,000 to 11,000. It would take almost three decades for land values in London to rebound (Armstrong 1986: 86-87). London's economy would begin to recover when the American Civil War (1861-1865) created demand for exports to help feed and supply the Union Army (Armstrong 1986: 99).

The Study Area is located in a neighbourhood of London known as SoHo (South of Horton Street) and was originally known as St. David's Ward, which was Ward One of the City (Eqbal 2020). The early development of SoHo is tied to London's Black community. Before the abolition of slavery in the United States in 1865, London was a destination for enslaved African Americans seeking freedom in Canada. By 1839, about 200 former enslaved Africans and their descendants lived in the City. London was situated far enough from the American border that slave catchers rarely attempted to kidnap fugitive slaves in the City, and therefore offered more safety than border towns such as Windsor or Niagara (Landon 1919: 140). By the late 1850s, the Black population of London reached about 300 (Landon 1919: 141). A portion of the population settled in SoHo and formed a Methodist church at 275 Thames Street, located just north of Horton Street (Miller 1992: 44). The African American residents of SoHo are considered to have constituted "...the foundation for what is now SoHo" (SoHo Community Association 2020). In general, African Canadians readily found work in London and were often able to purchase their own property (Landon 1919: 142-143). African Canadians did experience prejudice and discrimination in London, culminating in an attempt in the early 1860s to segregate London's school system. In 1862, by a vote of 10 to 3 the London School Board voted to create a separate school for Black children "when financially practicable." However, the vote was never acted upon and no segregated school was formed (Landon 1919: 146-147).

The City of London began a period of steady growth after 1861, with the population increasing from 11,200 in 1860 to 19,746 in 1881 (Armstrong 1986: 327; Dominion Bureau of Statistics 1953). It was during this period that development of SoHo began to intensify. The *Bird's Eye View of London* from 1872 shows much of SoHo's street grid was lined with residences, in contrast to the mostly unsettled land depicted in mapping from 1855. The mapping also shows that much of the north side of Hill Street had been developed, including 254 Hill Street (Plate 1). The SoHo neighbourhood was generally a working-class area, and many workers would have been employed at the nearby factories or the railway (Eqbal 2020). In 1875 the London General Hospital opened in SoHo on South Street. The hospital was expanded in subsequent years and was renamed Victoria Hospital in 1899. The hospital was an important component of the SoHo community until its closure in 2013 (London Health Sciences Centre 2021).

Plate 1: ***Bird's Eye View of London,*** **showing progression of settlement in the SoHo neighbourhood; the Study Area is denoted by an arrow (Glover 1872)**

During the late 19th development also accelerated along the outskirts of the City in the Townships of London and Westminster. The suburbs of London East, London West, and London South were all annexed by the City between 1885 and 1898 (Flanders 1977: 3; Armstrong 1986: 128-129). In 1891, the population of the City of London was recorded as 30,062, a result of growth and annexations (Dominion Bureau of Statistics 1953).

3.3.3 20th Century Development

In 1912, the City of London had a population of 49,102, which would increase to 69,742 in 1929 (Armstrong 1986: 163). During this period, many modern improvements arrived in the City. Main roads in the central part of the City were paved in asphalt, replacing cedar blocks (Armstrong 1986: 133). The Hydro Electric Power Commission (HEPC), under the leadership of Adam Beck, commenced to service London with hydroelectricity from Niagara in 1910 (Armstrong 1986: 136). The Public Utilities Commission was established in 1914 to manage the distribution of electricity, water, and city parks (Armstrong 1986: 168).

Within SoHo, a Jewish community began to develop. In 1927, the Hebrew School-Talmud Torah was built for London's Jewish community, many of which lived in SoHo. The Jewish community of London traces its origins to the Pogroms of the late 19th century, which led to many Jewish people fleeing eastern Europe for the United States and Canada. The building was used by the Jewish community of London into the mid-20th century (Eqbal 2020; Gladstone 2011).

Compared to other municipalities in Ontario, London fared relatively well during the Great Depression. Several major building projects were completed in London during the 1930s, including the underpass of Richmond Street under the CNR tracks and construction of the Dominion Public Building on Richmond Street. In 1932, only 8% of the population was unemployed, a much lower number than other cities in southern Ontario such as Toronto, Hamilton, and Windsor (Armstrong 1986: 185). Nonetheless, the effects of the Great Depression and Second World War curtailed growth in the City (Curtis 1992: 15).

After the war, the growth of London accelerated and large swaths of land in surrounding townships were suburbanized. In response, the City of London annexed large portions of London and Westminster Townships in 1961 (Meligrana 2000: 8). The population of the City of London was recorded as 169,569 in 1961, an increase of 78% since 1951 (Dominion Bureau of Statistics 1953; Dominion Bureau of Statistics 1962).

Infrastructure improvements carried out in the City during the 1960s included new railway overpasses at Adelaide Street, Highbury Avenue, and Quebec Street. In the 1970s, Queens Avenue and Dundas Street were extended over the Thames River and Wonderland and Hutton roads were connected via the new Guy Lombardo Bridge (Armstrong 1986: 213-214). As the population of London shifted to the suburbs during the mid-20th century it was becoming increasingly unnecessary to visit downtown London (Armstrong 1986: 234). By the 1970s, a revitalization plan was needed for the City's downtown. A cohesive vision for the city core did not develop and a mix of infill and new construction occurred during the 1970s, l[in]g the City Centre Complex, the London Centre Arcade, the new City Hall, and new federal building and courthouse (Armstrong 1986: 234, 238).

During the 1980s, the pace of growth in the City steadied. The population of the City in 1980 was 261,841 (Armstrong 1986: 327) and most new growth in London occurred at the south and north ends of the city as subdivision development accelerated (Miller 1992: 229). The City of London is continuing to grow and develop in the 21st century. In 2016, the City of London had a population of 383,822, an increase of 4.8% since 2011 (Statistics Canada 2019). SoHo has retained its character as a distinct neighbourhood within the City of London into the present-day and retains many late 19th to early 20th century buildings and newer infill, including the proposed redevelopment of the Victoria Hospital South Street campus (SoHo Community Association 2021).

3.4 PROPERTY HISTORY

As noted in Section 3.3.1, the Study Area is located within the bounds of the original town plot of London. Early development in London was clustered around the courthouse and gradually expanded (Tausky and DiStefano 1986: 12-13). Based on historical mapping and historical research, the community of SoHo began to undergo significant development in the 1860s, driven by the economic and population growth of London in the 1860s. The residence at 254 Hill Street was likely built sometime between the start of the

American Civil War in 1861 and when it appears on the *Bird's Eye View of London* in 1872. A date of construction prior to 1861 is unlikely as the structure does not appear in mapping from 1855 and London was in an economic depression during the 1850s, resulting in a population decrease in London between 1850 and 1860 (Figure 4).

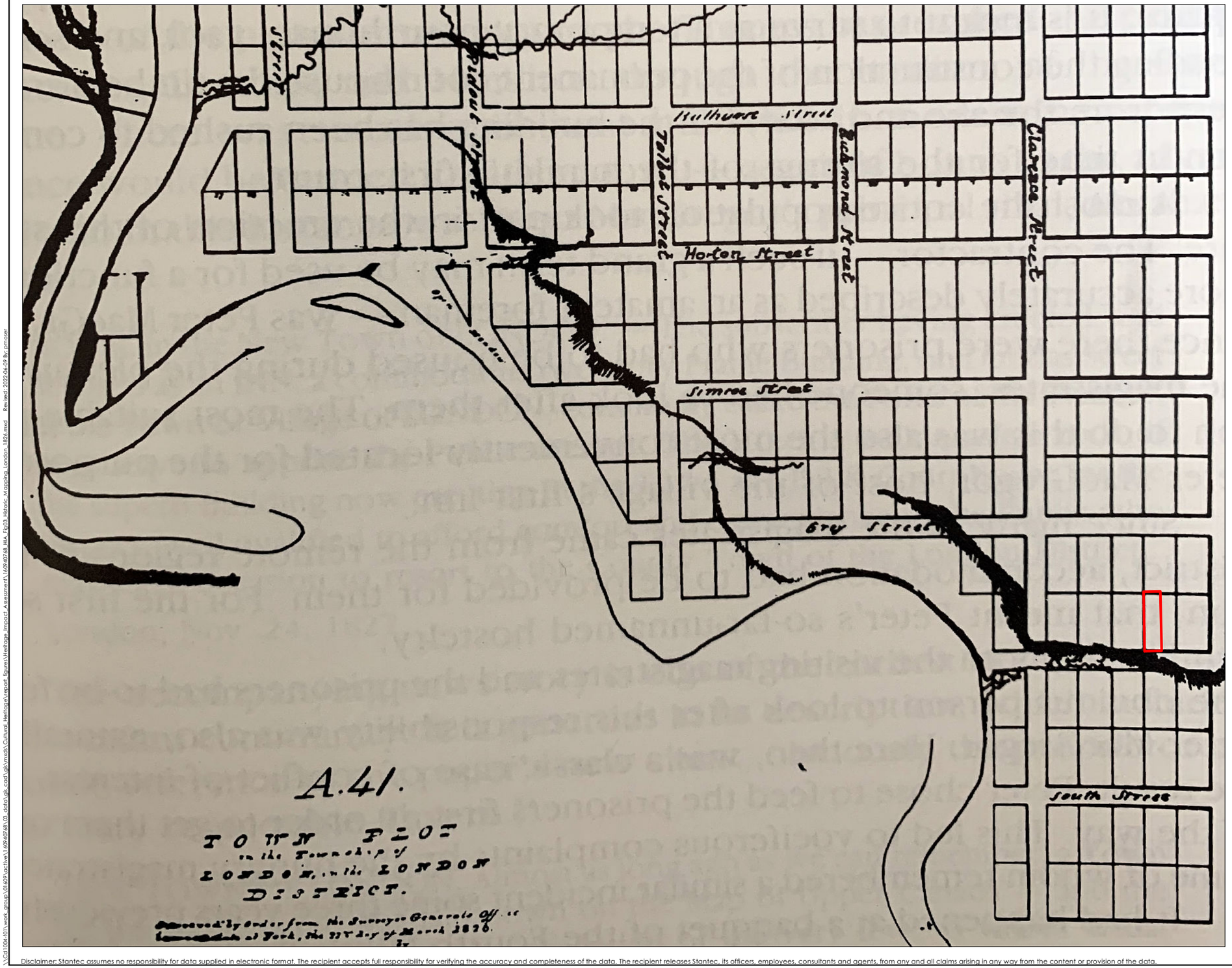
The first available City Directory to include a street listing was published in 1872 and listed Job Cousins as the occupant of the Study Area. While this directory does not include address numbers, the directory listed Job Cousins as residing at the second structure on the north side west of the intersection of Wellington Street and Hill Street, which is the location of 254 Hill Street (Cherrier and Kirwin 1872: 31). Job Cousins was a pump maker and foreman who worked with his brother James M. Cousins and nephew John Cousins (Hunter and Cullery 1856: 34; Cherrier and Kirwin 1872: 70). James M. Cousins arrived in London in the 1840s from Truro, Nova Scotia. He was the owner and founder of the pump manufacturing business that employed the Cousins family. James served as the mayor of London for one year in 1871 and was known for his role in establishing the Western Fair (Armstrong 1986: 326; London Free Press 1899). It is likely that Job followed James to London around the same time, as Job Cousins is listed in a City Directory as early as 1856 (Hunter and Cullery 1856: 34).

Job Cousins began to reside at 254 Hill Street after 1866 as the City Directory for 1866 to 1867 lists Job Cousins as residing on Wellington Street and the City Directory for 1864 to 1864 lists Job Cousins as residing on Simcoe Street between Talbot Street and Richmond Street (Murphy 1863 :23; Sutherland and Co. 1866: 42). Therefore, if the residence at 254 Hill Street was built for Job Cousins, this likely took place between 1868 and 1871. Job Cousins is not listed in the Census of 1871 but is listed in the Census of 1881. He was listed as a 56-year-old pump maker born in Nova Scotia. He lived with his wife Esther, age 48; son Walter, age 24; daughter Nettie, age 19; son John, age 18; daughter Alice, age 14; and son Frank, age 12 (Library and Archives Canada 1881).

Fire Insurance Mapping from 1888 depicts the Study Area as containing the only brick structure on Hill Street between Wellington Street and Clarence Street. The residence is depicted as having two brick sections comprising a compound shape which matches the present-day configuration of the residence. A frame addition was attached to the north elevation of the brick structure (Figure 5). The final year that Job Cousins is listed as the occupant of 254 Hill Street was 1892 (Might Directories 1892: 55). According to the obituary of James Cousins, Job relocated to Westminster Township (London Free Press 1899). Job Cousins died in December 1904 and is buried at Woodland Cemetery in London (Find-A-Grave 2021).

The residence at 254 Hill Street was briefly occupied by Randall Mark in 1893. Beginning In 1895, John Wheatcroft was listed as the occupant of 254 Hill Street. John Wheatcroft was employed as a baggageman with the Grand Trunk Railway (Might Directories 1895: 338). The Census of 1901 listed him as a 52-year-old born in England employed in the baggage profession. He lived with his wife Mary, age 51; son Albert, age 23; son Frederick, age 21; daughter Lilley, age 19; son Arthur, age 17; son Harry, age 15; daughter Maud, age 14; son George, age 12; and son Clifford, age 8 (Library and Archives Canada 1901). John and Mary Wheatcroft were members of the Brotherhood of Railroad Trainmen, a labor organization for rail employees. The London, Ontario based Victoria Lodge of the Ladies' Auxiliary of the Brotherhood was led by Mary Wheatcroft during 1900 (Railroad Trainmen's Journal 1900). Between 1911 and 1915, John Wheatcroft and his family moved from 254 Hill Street (Vernon Directories 1909; Vernon Directories 1915).

By 1921, the residence at 254 Hill Street was occupied by John Gardner. He was the owner of the Union Taxi Service based at 651 Richmond Street (Vernon Directories 1922: 315, 566; Library and Archives Canada 1921). The Census of 1921 lists John Gardner as a 54-year-old taxi driver born in England. He lived with his wife Caroline, age 48; son Paul, whose age is illegible; daughter Helen, age 29; and daughter Lillian, age 23 (Library and Archives Canada 1921). Fire insurance mapping from 1922 shows that the residence at 254 Hill Street remained a compound structure with a frame rear addition (Figure 6). Lillian Gardner would remain at 254 Hill Street into the mid-20th century, residing there in 1955 with a Mrs. M. Corrin (Vernon Directories 1955: 634). According to land registry records, the Gardner family was no longer associated with 254 Hill Street by 1967 (ONLand 2021). Based on a review of Google Streetview, the property was vacated and boarded sometime between 2015 and 2019.



Stantec

Legend

Study Area

Figure Not to Scale

Notes

1. Burwell, Mahlon. 1826. Town Plot in the Township of London in the London District.

Project Location
London, ON

160940768 REVA
Prepared by PRM on 2022-06-09
Technical Review by FS on 2022-06-09

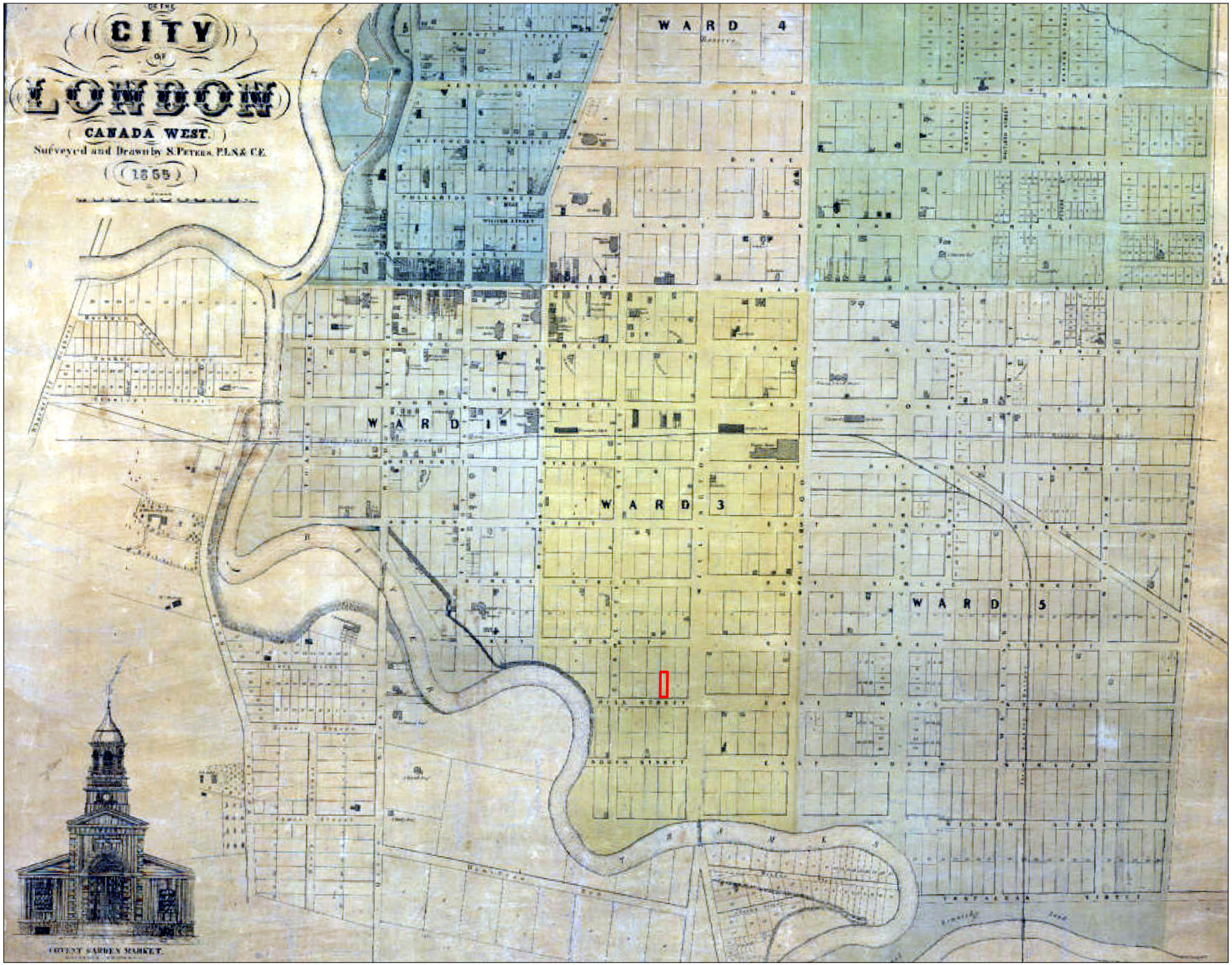
Client/Project
LEVEL CONTRACTING INC.
HERITAGE IMPACT ASSESSMENT
254 HILL STREET, LONDON, ONTARIO

Figure No.
3

Title
London Town Plot, 1826

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

\\Cd1004101\work_group\01609\active\160940768\03_data\gis_cad\gis\mxds\Cultural_Heritage\report_figures\Heritage_Impact_Assessment\160940768_HIA_Fig03_Historic_Mapping_London_1826.mxd Revised: 2022-06-09 By: pmoser



Stantec

Legend

Study Area

Figure Not to Scale

Notes

1. Peters, Samuel. 1855. Map of the City of London, Canada West.

Project Location
London, ON

160940768 REVA
Prepared by PRM on 2022-06-09
Technical Review by FS on 2022-06-09

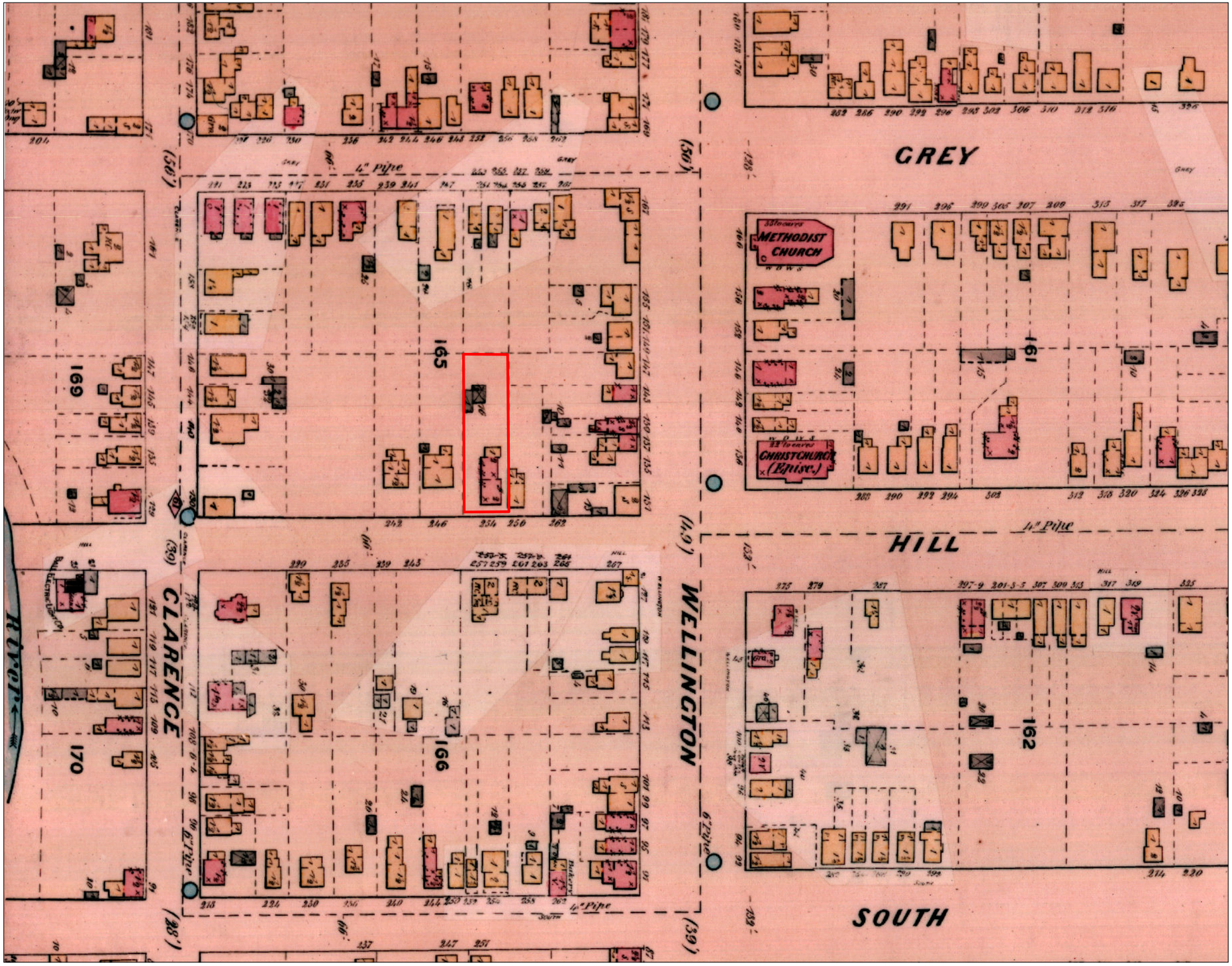
Client/Project
LEVEL CONTRACTING INC.
HERITAGE IMPACT ASSESSMENT
254 HILL STREET, LONDON, ONTARIO

Figure No.
4

Title
Map of the City of London, 1855

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

\\CA1004101\work_group\01609\active\160940768\gis_data\gis_cad\gis\mxds\Cultural Heritage\report figures\Heritage Impact Assessment\160940768_HIA_Fig04_Historic Mapping_London_1855.mxd Revised: 2022-06-09 By: pmoser



Stantec

Legend

Study Area

Figure Not to Scale

Notes

1. Goad, Charles. 1888. Insurance Plan of London Ontario, Sheet 28. Montreal: Charles E. Goad.

Project Location
London, ON

160940768 REVA
Prepared by PRM on 2022-06-09
Technical Review by FS on 2022-06-09

Client/Project
LEVEL CONTRACTING INC.
HERITAGE IMPACT ASSESSMENT
254 HILL STREET, LONDON, ONTARIO

Figure No.
5

Title
Fire Insurance Plan, 1888

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

\\CA1004-f01\work_groups\01609\active\160940768\03_data\gis_cad\gis\mxds\Cultural Heritage\report_figures\Heritage_Impact_Assessment\160940768_HIA_Fig05_Historic_Mapping_FIP_1888.mxd Revised: 2022-06-09 By: pmosier

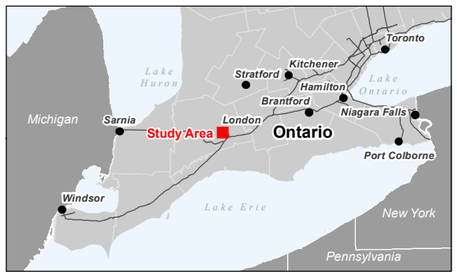
Legend

Study Area

Figure Not to Scale

Notes

1. Underwriters Survey Bureau. 1922. Key Plan of the City of London, Ontario, Sheet 28. Toronto: Underwriters Survey Bureau Limited.



Project Location
London, ON

160940768 REVA
Prepared by PRM on 2022-06-09
Technical Review by FS on 2022-06-09

Client/Project
LEVEL CONTRACTING INC.
HERITAGE IMPACT ASSESSMENT
254 HILL STREET, LONDON, ONTARIO

Figure No.
6

Title
Fire Insurance Plan, 1922

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

C:\Cad\04-01\work_group\01\active\160940768\GIS_data\gis_cad\gis\mxds\Cultural Heritage\report_figures\HeritageImpact_Assessment\160940768_HIA_Fig06_Historic_Mapping_FIP_1922.mxd Revised: 2022-06-09 By: pmosier

4.0 SITE DESCRIPTION

4.1 INTRODUCTION

As outlined in Section 2.3, a site visit was undertaken on June 11, 2021 by Frank Smith and Lashia Jones, both Cultural Heritage Specialists with Stantec. Weather conditions were sunny and seasonably warm. The site visit consisted of a pedestrian survey of the property.

4.2 LANDSCAPE SETTING

The property is located on the north side of Hill Street, approximately 55 metres west of the intersection of Wellington Street and Hill Street. Hill Street is a two-lane asphalt paved road between Clarence Street and Wellington Street. Both sides of the street contain concrete sidewalks with no grass medians. Wooden utility poles line the south side of the street and contain municipal streetlighting. The north side of Hill Street gently slopes upward towards the north and contains mid-19th to early 20th century residences, a vacant lot at 242 Hill Street, and modern infill at 256 Hill Street. The south side of Hill Street contains mid-19th to early 20th century residences and a large vacant lot at 243-261 Hill Street. The residences along this section of Hill Street are detached structures set on lots with lawns and mature trees, resulting in a suburban character for the area (Plate 2 and Plate 3).

The property at 254 Hill Street is landscaped with a lawn, concrete steps to the residence, partially overgrown concrete driveway, a backyard which is in the process of naturalizing, and a small outbuilding. The front lawn gently slopes north, and the residence is located at the highest point of the property. A set of concrete steps connects Hill Street with the residence (Plate 4). Located west of the residence is a concrete driveway which has been partially overgrown and is exhibiting cracking (Plate 5). Aside from a Black Walnut tree which straddles the property line between 254 and 248 Hill Street, the front yard contains no ornamental plants, shrubs, or trees aside from the lawn. While no ornamental trees or shrubs were present, young, naturally occurring, vegetation borders the residence and the lot line (Plate 6). The backyard is divided from the front yard by a wooden fence (Plate 7). The backyard contains a lawn which has reverted to meadow and vegetation in the early stages of ecological succession. The north border of the property is delineated by an overgrown wooden fence. The east border of the backyard is delineated by a wooden fence and chain link fence. Dense vegetation obscured the western border in the backyard (Plate 8). A small outbuilding is located just northwest of the residence. The outbuilding has a shed roof and is clad in asphalt shingles. The outbuilding has an entrance on the south elevation and a window opening on the east elevation (Plate 9).

Plate 2: Looking east on Hill Street

Plate 3: Looking west on Hill Street

Plate 4: Concrete steps and front lawn, looking north

Plate 5: Concrete driveway, looking north

Plate 6: Looking northeast at Black Walnut tree (left) and vegetation along house

Plate 7: Wooden fence, looking north

Plate 8: Naturalizing back yard, looking north

Plate 9: Outbuilding, looking northwest

4.3 RESIDENCE

The residence at 254 Hill Street is a two-storey structure with a compound plan. The principal mass contains a low-pitched hip roof with overhanging eaves and a brick chimney. The rear (north) projection contains a medium pitched gable roof. The exterior of the residence is buff brick with a Flemish bond pattern (Plate 10). Portions of the foundation of the residence is buff brick and other portions are not visible.

The front (south) elevation is framed by a continuous buff brick pilaster running along the corners of the elevation and just below the overhanging eave (Plate 11). The second storey contains three two-over-two (2/2) windows in segmental arch window openings, with wood frames, wood sills, and buff brick voussoirs (Plate 12). The first storey contains two boarded windows with segmental arch window openings, wood sills, and brick voussoirs (Plate 13). The main entrance contains a transom, sidelights, and a boarded door (Plate 14). The door is accessed via a porch. The porch is supported by concrete blocks and classically inspired wood columns and the brick exterior of the porch area has been painted (Plate 15).

The west elevation is divided into two sections. The southernmost section is part of the principal mass while the northern section is part of the gable roof projection (Plate 16). The principal section on the second storey contains a 2/2 window in a segmental arch opening with wood frames, wood sills, and a brick voussoir. This window also contains a modern storm window. The first storey contains a boarded window with a segmental arch opening, wood sills, and brick voussoir (Plate 17). The brick chimney projects outward on the west elevation south of the windows. The west elevation of the gable roof projection contains on the second storey two 2/2 windows in a segmental arch opening with wood frames, wood sills, and a brick voussoir. These windows also contain modern storm windows. The first storey contains a boarded window with a segmental arch opening, brick voussoir, and wood sill (Plate 18).

The north elevation is primarily comprised of the gable roof projection and only a small section of the principal mass is visible on the north elevation. The gable roof projection contains a narrow and boarded window opening with a segmental arch opening, brick voussoir, and wood sill on the first storey. The location of the former frame addition depicted in fire insurance mapping is evidenced by a section of brick

which does not match the colour of the rest of the residence (Plate 19). The north elevation of the principal mass contains on the second storey a 6/6 window in a segmental arch opening with wood frames, wood sills, and a brick voussoir (Plate 20). The window has a modern storm window. The first storey contains a boarded window opening with a segmental arch opening, brick voussoir, and wood sill (Plate 21).

The east elevation is divided into two sections. The southernmost section is part of the principal mass while the northern section is part of the gable roof projection (Plate 22). The principal mass contained on the second storey an arched window opening with a 2/2 window with a wood frame, wood sill, and brick voussoir (Plate 23). The window has a modern storm window. The gable projection contains a shed roof addition clad in modern siding with a modern window. The second storey contains two 2/2 windows with segmental arch window openings, wood frames, wood sills, and brick voussoirs (Plate 24). The first storey contains a boarded window with a segmental arch opening, brick voussoir, and wood sill. Between the window and shed roof addition is a bricked over former entrance with a brick voussoir (Plate 25)

A Structural Condition Evaluation of 254 Hill Street was undertaken by DC Buck Engineering in February 2022. The report noted damage to the roof, and rotten floor sections and floor joists. In addition, much of the structure was noted to contain black mold. A copy of the Structural Condition Evaluation is included in Appendix B.

Plate 10: Brick bond, looking east

Plate 11: South (main) elevation, looking north

Plate 12: Second storey windows of south elevation, looking north

Plate 13: Boarded windows, looking north

Plate 14: Main entrance, looking north

Plate 15: Close-up of concrete block and wood columns of porch

Plate 16: Looking southeast at the two sections of the west elevation

Plate 17: Windows of the principal section of the west elevation

Plate 18: Windows of the gable roof projection, looking east

Plate 19: North elevation of gable projection, looking south

Plate 20: Second storey window of north elevation of principal mass, looking south

Plate 21: First storey window of north elevation of principal mass, looking south

Plate 22: Looking west at east elevation

Plate 23: Arched window of east elevation, looking northwest

Plate 24: **Looking south showing second storey windows and shed roof addition of east elevation**

Plate 25: **Boarded window and bricked over doorway, looking west**

5.0 COMPARATIVE ANALYSIS

The residence is identified on the City's *Inventory of Cultural Heritage Resources* (The Register) as being of the Italianate architectural style; it is one of 348 Italianate structures on the Register. This includes various types of buildings such as commercial, single detached residential, semi-detached or rowhouse, and farmhouses. Unlike the Gothic Revival architectural style with the sub-set of the Gothic Cottage or L-shaped farmhouse, the Italianate style does not have clear distinctions between residential building types that would have been found in rural as compared to urban areas. The residence at 254 Hill Street shares similarities with 31 Askin Street, 220 Burwell Street, 99 Byron Avenue, 268 Clarence Street, 482 Colborne Street, 20 Prospect Avenue, and 789 Queens Avenue.

Overall, the Italianate style is common in London and accounts for 5.8% of listed and designated heritage resources. The residence at 254 Hill Street is a relatively vernacular interpretation of the style. The City of London contains better examples of Italianate residences that contain additional architectural features not found at 254 Hill Street, including paired brackets, decorative cornices, window surrounds, and carved wooden trim that are common to the style.

6.0 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST

6.1 INTRODUCTION

The criteria for determining CHVI is defined by O. Reg. 9/06 (see Section 2.4.1). If a property meets one or more of the criteria it is determined to contain, or represent, a cultural heritage resource. A summary statement of cultural heritage value will be prepared, and a list of heritage attributes which define the CHVI identified. Given the identification of a cultural heritage resource, consideration should be given to the effects of a proposed change on the heritage attributes of that property. The evaluation of 254 Hill Street according to O. Reg. 9/06 is provided below.

6.2 DESIGN OR PHYSICAL VALUE

The property at 254 Hill Street contains a representative example of a vernacular Italianate style residence, as demonstrated through rectangular plan, brick construction, segmental and round arched windows with 2/2 sash double hung wood frame windows, brick voussoirs, cast stone sills, low-pitched hip roof, and single entrance door with sidelights and transom. The dwelling does not contain decorative elements such as paired brackets, decorative cornices, window surrounds or carved wooden trim that were common to the style. The style and type of dwelling is a portrayal of a residential dwelling suited to London's emerging middle class in the 19th century.

6.3 HISTORIC OR ASSOCIATIVE VALUE

The property is associated with Job Cousins, a local pump maker who came to London from Truro, Nova Scotia, in in the mid-19th century. He worked with his brother James Cousins, who owned the pump making business. While James Cousins appears to have played a role in the development of the community by serving as Mayor in 1871 and establishing the Western Fair, there is no direct historical evidence to suggest that Job Cousins or his immediate family members residing at Hill Street played a significant role in this. As such, there are no indications that the family played a significant contribution to the evolution or pattern of settlement or development in the community, as per the MHSTCI application of this criteria. The property does not yield information that contributes to the understanding of a community or culture. Architect, builder, or designers for the property are not known and therefore the property does not meet this criterion.

6.4 CONTEXTUAL VALUE

The property at 254 Hill Street does not demonstrate contextual value. The setting around the property contains a mix of residential building types from the mid-to-late 19th century and early 20th century but does not demonstrate a defined or consistent character. The property does not demonstrate a strong material connection to its surroundings, as it is not part of a landscape or area that is strictly defined by the relationship between resources and physical features of an area. The property is not necessary to

fulfill a particular purpose in its surroundings (e.g., a barn on a farmstead, or a mill at an industrial site) and does not demonstrate a strong visual connection to elements in its surroundings. There is no significant historical connection between the property and its surroundings.

6.5 SUMMARY OF EVALUATION

Table 1 provides a summary of the findings of CHVI based on an evaluation according to O. Reg. 9/06.

Table 1 Evaluation of 254 Hill Street According to *Ontario Regulation 9/06*

Criteria of O. Reg. 9/06	Yes/No	Comments
Design or Physical Value		
Is a rare, unique, representative, or early example of a style, type, expression, material, or construction method	Yes	The residence on the property at 254 Hill Street is representative of the vernacular Italianate architectural style. This is demonstrated in its rectangular plan, low pitched hip roof, and segmental and round arched windows. Decorative elements common to the Italianate style, such as paired brackets at the eaves, decorative cornices, window surrounds or carved trim are not present.
Displays a high degree of craftsmanship or artistic merit	No	The residence does not demonstrate a high degree of craftsmanship or artistic merit. It uses materials and construction methods that are typical for the time period and building type and does not contain highly decorative elements that display craftmanship or artistic merit.
Demonstrates a high degree of technical or scientific achievement	No	The residence does not demonstrate a high degree of technical or scientific achievement. It uses technology and methods that were typical for the time period and the building type.
Historical or Associative Value		
Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community	No	The property does not have direct historical associations with a theme, event, belief, person, activity, or institution that is significant to a community. Extended family members of one property owner, Job Cousins, played a significant role in the development of the Western Fair, but there is no evidence to suggest that the residents of 254 Hill Street played a significant part.
Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	No	The property does not yield information that contributes to an understanding of a community or culture.
Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community	No	The architect, builder, or designer of the house is not known, and therefore the criteria is not satisfied.
Contextual Value		

Criteria of O. Reg. 9/06	Yes/No	Comments
Is important in defining, maintaining, or supporting the character of an area	No	The property is not important in defining, maintaining, or supporting the character of an area. While many of the properties on Hill Street appear to date to the later 19th to early 20th century, there are of various styles and do not demonstrate a strong or discernable character.
Is physically, functionally, visually, or historically linked to its surroundings	No	The property is no longer physically, visually, or historically linked to its surroundings. The property does not demonstrate a strong material connection to its surroundings, is not necessary to fulfill a particular purpose in its surroundings and does not demonstrate a strong visual connection to elements in its surroundings. There is no significant historical connection between the property and its surroundings.
Is a landmark	No	The property is not considered to be a landmark. It is one of several properties on Hill Street that were constructed in the later 19th to early 20th century.

6.6 STATEMENT OF CULTURAL HERITAGE VALUE

6.6.1 Description of Property

The property at 254 Hill Street is located on the north side of Hill Street, east of Wellington Street on a 0.2-acre lot. The property contains a late 19th century two-storey vernacular Italianate style dwelling constructed with buff brick, and with a low-pitched hip roof.

6.6.2 Cultural Heritage Value

The property at 254 Hill Street demonstrates design/physical value as a representative late 19th century Italianate style residence. The house is a modest representative example of the vernacular Italianate style of architecture, evident in its two-storey height, rectangular plan, brick construction, segmental and round arched windows with two-over-two sash double hung wood frame windows, brick voussoirs, wood sills, low-pitched hip roof, and single entrance door with sidelights and transom. The style and type of dwelling is a portrayal of a residential dwelling suited to London's emerging middle class in the 19th century.

6.6.3 Heritage Attributes

Heritage attributes representative of the Italianate style residence include:

- Two storey, rectangular plan
- Low pitched hip roof
- Buff brick common bond construction with brick pilasters at the front elevation corners and plain brick frieze
- Segmental arch and round arch windows with brick voussoirs, wood sills, and two-over-two sash wood frame double hung windows

- Single entrance with sidelights and transom

7.0 IMPACT ASSESSMENT

7.1 DESCRIPTION OF PROPOSED UNDERTAKING

Level Contacting is proposing to construct on the property a three-storey apartment building with a total of 23 units and a footprint of 4,928 square feet (457.9 square metres). The proponent is proposing to demolish the existing residence to allow for construction of the new apartment building and required site parking. The new structure will be located in the west section of the property. Conceptual landscaping modifications to the property include a parking area along the east and north edge of the property. The current concept plan for the site is included in Appendix A.

7.2 ASSESSMENT OF IMPACTS

The residence at 254 Hill Street has CHVI since it meets one criterion for determining cultural heritage value included in *O. Reg 9/06*. Accordingly, the assessment of potential impacts is limited to the heritage attributes of 254 Hill Street as outlined in Section 6.6.3. Impacts are defined by Info Sheet #5, as discussed in Section 2.5. Table 2 and Table 3 contain a discussion of impacts as defined in Info Sheet #5.

Table 2 Evaluation of Potential Direct Impacts

Direct Impact	Impact Anticipated	Relevance to 254 Hill Street
Destruction of any, or part of any, *significant heritage attributes* or features.	Yes	The proposed undertaking would result in demolition of the resource and its heritage attributes. **Therefore, mitigation measures are required.**
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance.	Not Applicable (N/A)	The proposed undertaking would result in demolition of the resource. **Therefore, this impact is not applicable.**

Table 3 Evaluation of Potential Indirect Impacts

Indirect Impact	Impact Anticipated	Relevance to 12035 Dixie Road
Shadows created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden	N/A	The proposed undertaking would result in demolition of the resource. **Therefore, this impact is not applicable.**
Isolation of a *heritage attribute* from its surrounding environment, context, or a *significant* relationship	N/A	The proposed undertaking would result in demolition of the resource. **Therefore, this impact is not applicable.**
Direct or indirect obstruction of *significant* views or vistas within, from, or of built and natural features	N/A	The proposed undertaking would result in demolition of the resource. **Therefore, this impact is not applicable.**
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	N/A	The proposed undertaking would result in demolition of the resource. **Therefore, this impact is not applicable.**
Land disturbances such as a change in grade that alters soil, and drainage patterns that adversely affect an *archaeological resource*	N/A	The proposed undertaking would result in demolition of the resource. **Therefore, this impact is not applicable.**

7.3 DISCUSSION OF IMPACTS

The proposed undertaking would result in direct impacts to the property at 254 Hill Street as it would result in the demolition of the structure and all heritage attributes of the residence. This is an irreversible impact, and no additional direct or indirect impacts are applicable.

8.0 MITIGATION

The property at 254 Hill Street was determined to have CHVI as it meets one criterion of *O. Reg. 9/06.* Specifically, the CHVI of the property is related to its design value as containing a representative example of a vernacular Italianate style residence. As identified in Table 2 and Table 3, the proposed undertaking has potential to result in a direct impact to the residence as demolition of the residence is proposed due to the poor condition of the residence and parking requirements for the new development. Accordingly, the mitigation options identified in Info Sheet #5 Mitigation Options (see Section 2.6) have been explored below.

8.1 INFO SHEET #5 MITIGATION OPTIONS

Consideration for each option is given both for the appropriateness of the mitigation in the context of the CHVI identified and the feasibility of the mitigation option. Also considered is an understanding of the surrounding context within which the property is located.

Alternative development approaches: Alternative development approaches were considered to incorporate the existing residence into the development plans and divide it into multiple apartment units. However, the poor condition of the existing resource and parking requirements makes this mitigation measure unfeasible. A Structural Condition Evaluation is contained in Appendix B. The evaluation concluded the existing structure at 254 Hill Street poses a safety hazard and should be removed.

Isolating development and site alteration from significant built and natural features and vistas: Isolating development was considered to incorporate the existing residence into the development plans and divide it into multiple apartment units. However, the poor condition of the existing resource makes this mitigation measure unfeasible. Given the condition of the residence, site topography, and parking requirements, the relocation of the residence within the existing site to isolate development is not feasible.

Design guidelines that harmonize mass, setback, setting, and materials: Design guidelines can be implemented that incorporate salvaged materials (if their condition is acceptable) which reflects the architectural style of the existing dwelling. This may include the use of buff brick, segmental and round arch window openings with voussoirs, two-over-two sash windows, a hipped roof, and plain brick friezes.

Limiting height and density: If the existing residence were to be demolished, limiting height and density would not be an applicable mitigation measure, as the heritage attributes of the property are limited to the existing structure.

Allowing only compatible infill: If the existing residence were to be demolished, allowing only compatible infill would not be an applicable mitigation measure, as the heritage attributes of the property are limited to the existing structure.

Reversible alterations: If the existing residence were to be removed, reversible alterations would not be an appropriate mitigation measure, as the heritage attributes of the property are limited to the existing structure.

Buffer zones, site plan control, and other planning mechanisms: Should demolition of the existing residence be pursued, site plan controls should be implemented to incorporate salvaged materials or design elements of the existing building into the proposed development.

8.2 RETENTION

Generally, retention *in situ* is the preferred option when addressing any structure where CHVI has been identified, even if limited. The benefits of retaining a structure must be balanced with site specific considerations. Not only must the level of CHVI be considered, so too must the structural condition of the heritage resource, the site development plan, and the context within which the structure would be retained and development occur around the structure.

Retention *in situ* with the proposal to redevelop frontage on Hill Street is challenged by site constraints and the poor condition of the resource. A Structural Condition Evaluation concluded the existing structure at 254 Hill Street poses a safety hazard and should be removed. Therefore, in the context of the proposed development, retention is not a feasible alternative.

In addition, the residence meets only one criterion of O. Reg 9/06 as a representative vernacular Italianate residence. It is one of more than 300 properties listed on the City's Register that are of the Italianate Style. The building is a vernacular example and does not contain decorative details common to many Italianate structures; there are stronger examples of the Italianate style in the City of London. Therefore, based on the poor condition of the structure, site constraints, and the presence of better examples of Italianate structures within the City, retention *in situ* is not considered the preferred mitigation option for 254 Hill Street.

8.3 RELOCATION

Where retention *in situ* is not feasible or preferred, relocation is often the next option considered to mitigate the loss of a heritage resource. As with retention, relocation of a structure must be balanced with the CHVI identified. Relocation removes the resource from its contextual setting but allows for the preservation of noteworthy heritage attributes. Relocation, therefore, should be considered only if the community wishes to preserve the structure for its design/physical value. The relocation of 254 Hill Street is likely not possible due to the poor condition of the resource. A Structural Condition Evaluation concluded the existing structure at 254 Hill Street poses a safety hazard and should be removed. Therefore, the structure is unlikely to withstand the relocation process. Based on the above discussion, relocation is not considered a viable mitigation option at 254 Hill Street.

8.4 DOCUMENTATION AND SALVAGE

Detailed documentation and salvage are often the preferred mitigation strategy where retention or relocation is not feasible or warranted. Documentation creates a public record of the structure which provides researchers and the general public with a land use history, construction details, and photographic record of the resource. Through the selective salvage of identified heritage attributes and other materials, the CHVI of the property can be retained, albeit in a different context. Documentation and

salvage of heritage attributes in their current context and where feasible, allows for reuse. Documentation should be undertaken prior to any changes made to the property.

For 254 Hill Street, documentation and salvage would be an appropriate mitigation measure. This mitigation alternative is appropriate considering that there are similar and stronger remaining examples of Italianate architectural styles in the City of London and that the structure is likely not able to withstand relocation.

Although documentation and salvage would not lessen the impact of demolition, it would seek to record the CHVI identified ,making the building available for future study. Documentation activities should be carried out through photography, mapping, photogrammetry, and/or LiDAR scan. Documentation should be carried out in advance of any changes made to the property.

Materials salvaged from the structure should be retained and incorporated into on-site features, such as entrance gates, landscape walls, garden beds, site furniture, or incorporation into the new development. Salvaged items should include:

- Buff brick
- Segmental arch and round arch windows with brick voussoirs, wood sills, and two-over-two sash wood frame double hung windows

9.0 RECOMMENDATIONS

An assessment of impacts resulting from the proposed undertaking at 254 Hill Street has determined that the proposed undertaking would result in direct impacts to the property through demolition. Based on the adverse impacts identified to this cultural heritage resource, the retention of the residence *in situ* is the preferred alternative method from a heritage perspective since the CHVI of the property would be retained in its entirety. However, retention of the residence is not feasible due to site plan requirements and the poor condition of the residence. A Structural Condition Evaluation concluded the existing structure at 254 Hill Street poses a safety hazard and should be removed. Where retention *in situ* is not feasible or preferred, relocation is often the next option considered to mitigate the loss of a heritage resource. However, the residence is in poor condition and is unlikely to withstand the relocation process. Therefore, relocation is not a viable mitigation measure.

Detailed documentation and salvage are often the preferred mitigation strategy where retention or relocation is not feasible or warranted. For 254 Hill Street, documentation and salvage would be an appropriate mitigation measure. This mitigation alternative is appropriate considering that there are similar and stronger remaining examples of Italianate architectural styles in the City of London and that the structure is likely not able to withstand relocation.

Documentation activities should be carried out through a full recording of the residence through photography, mapping, photogrammetry, and/or LiDAR scan. Documentation should be carried out in advance of any changes made to the property. Salvage activities should consist of the identification and recovery of re-useable materials by a reputable salvage company or charity, with materials retained to be repurposed on site through landscape and built features. Salvaged materials should include:

- Buff brick
- Segmental arch and round arch windows with brick voussoirs, wood sills, and two-over-two sash wood frame double hung windows

The documentation and salvage work should be carried out under the direction of a Cultural Heritage Specialist in good professional standing with the Canadian Association of Heritage Professionals (CAHP).

9.1 DEPOSIT COPIES

To assist in the retention of historic information, copies of this report should be deposited with local repositories of historic material as well as with municipal and regional planning staff. Therefore, it is recommended that this report be deposited at the following location:

London Public Library
251 Dundas Street
London, ON N6A 6H9

10.0 CLOSURE

This report has been prepared for the sole benefit of Level Contracting Inc. and may not be used by any third party without the express written consent of Stantec Consulting Ltd. Any use which a third party makes of this report is the responsibility of such third party.

We trust this report meets your current requirements. Please do not hesitate to contact us should you require further information or have additional questions about any facet of this report.

STANTEC CONSULTING LTD.

Meaghan Rivard MA, CAHP
Senior Heritage Consultant
Tel: (519) 645-3350
Cell: (226) 268-9025
meaghan.rivard@stantec.com

Tracie Carmichael BA, B.Ed.
Managing Principal, Environmental Services
Cell: (226) 927-3586
tracie.carmichael@stantec.com

11.0 REFERENCES

Armstrong, Frederick H. 1986.*The Forest City: An Illustrated History of London, Canada.* Windsor: Windsor Publications.

Brock, Daniel J. 2011. *Fragments From The Forks: London Ontario's History.* London: London & Middlesex Historical Society.

Chapman, L.J. and D.F. Putnam. 1984. *The Physiography of Southern Ontario*. Third edition. Toronto: Ontario Ministry of Natural Resources.

Cherrier and Kirwin. 1872. *London Directory for 1872-73.* Montreal: Cherrier and Kirwin.

City of London. 2016. *The London Plan.* Electronic Document: https://london.ca/government/council-civic-administration/master-plans-strategies/london-plan-official-plan. Last accessed: July 6, 2021.

City of London. 2019. *City of London Register of Cultural Heritage Resources.* Electronic Document: https://london.ca/sites/default/files/2020-10/Register-2019-AODA.pdf. Last Accessed: July 6, 2021.

City of London. 2021. *City of London Land Acknowledgement.* Electronic Document: https://london.ca/city-london-land-acknowledgement. Last Accessed: July 6, 2021.

Craig, Gerald R. 1963. *Upper Canada: The Formative Years.* Don Mills: University of Toronto Press.

Crispino, M. and M. D'Apuzzo. 2001. Measurement and Prediction of Traffic-induced Vibrations in a Heritage Building. *Journal of Sound and Vibration* 246 (2): 319-335.

Curtis, Bruce E. 1992. *The Boundary Adjustment Process: The Case of Arbitration in the Greater London Area.* Electronic Document: https://localgovernment.uwo.ca/resources/docs/research_papers/1992/Curtis,%20Bruce%20-%201992.pdf. Last Accessed: July 23, 2021

Dominion Bureau of Statistics. 1953. *Ninth Census of Canada, 1951, Volume 1—Population.* Ottawa: Edmond Cloutier.

Dominion Bureau of Statistics. 1962. *1961 Census of Canada, Series 1.1, Population.* Ottawa: Dominion Bureau of Statistics.

Ellis, Patricia. 1987. Effects of Traffic Vibration on Historic Buildings. *The Science of the Total Environment* 59: 37-45.

Eqbal, Amelia. 2020. *London Neighbourhood Histories: SoHo—Built to Last, with Room to Grow.* Electronic Document: https://londonfuse.ca/london-neighbourhood-histories-soho. Last Accessed: July 7, 2021.

Find-A-Grave. 2021. *Job Cousins.* Electronic Document: https://www.findagrave.com/memorial/221100133/job-cousins. Last Accessed: July 13, 2021.

Flanders, Douglas. 1977. *The South London Planning District: A Report for the Local Advisory Committee for Architectural Conservation in London, Ontario.* On File at London Public Library.

Gladstone, Bill. 2011. *A History of the Jewish Community of London, Ontario.* Toronto: Now and Then Books.

Glover, E.S. 1872. *Bird's Eye View of London, Ontario, Canada.* Cincinnati: Strobridge & Co. Lith.

Government of Ontario. 1990. *Planning Act, R.S.O. 1990, CHAPTER P.13*. Electronic Document: https://www.ontario.ca/laws/statute/90p13. Last accessed: July 6, 2021.

Government of Ontario. 2006a. *Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest, Under the Ontario Heritage Act*. Electronic document: https://www.ontario.ca/laws/regulation/060009. Last accessed: July 6, 2021.

Government of Ontario. 2006b. InfoSheet #5 in *Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005.* Ministry of Heritage, Sport, Tourism, and Culture Industries Toronto: Queen's Printer for Ontario.

Government of Ontario. 2020. *Provincial Policy Statement, 2020.* Electronic Document: https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf. Last Accessed: July 6, 2021.

Hunter and Cullery. 1856. *Directory of London, C.W.* London: Hunter and Cullery.

Landon, Fred. 1919. Fugitive Slaves in London Before 1860. In *Ontario's African-Canadian Heritage, Collected Writings of Fred Landon, 1918-1967.* 2009 compilation. Toronto: Natural Heritage Books.

Library and Archives Canada. 1881. *Census of Canada 1881,* District 170, Sub-District C, Reel C-13270.

Library and Archives Canada. 1901. *Census of Canada 1901,* District 86, Sub-District A, Reel T-6480.

Library and Archives Canada. 1921. *Census of Canada 1921,* District 101, Subdistrict 5, Item 2389936.

London Health Sciences Centre. 2021. *Our History.* Electronic Document: https://www.lhsc.on.ca/about-lhsc/our-history. Last Accessed: July 7, 2021.

London Township History Book Committee. 2001. *London Township: Volume 1: A Rich Heritage 1796-1997.* Aylmer: London Township History Book Committee.

Meligrana, John F. 2000. The Politics of Municipal Annexation: The Case of the City of London's Territorial Ambitions during the 1950s and 1960s. *Urban History Review 291: 3-20.*

Might Directories. 1892. *London City and Middlesex County Directory, 1892.* London: Might's Directory Co.

Might Directories. 1895. *The London City and Middlesex County Directory.* Toronto: Might Directory Co.

Miller, Orlo.1992. *London 200: An Illustrated History.* London: Chamber of Commerce.

Mombourquette, John. 1992. London Postponed, John Graves Simcoe and His Capital in the Wilderness. In *Simcoe's Choice, Celebrating London's Bicentennial.* Edited by Guy St-Denis, pp. 1-30.

Murphey, Wrigley S. *City of London Directory for 1863-4.* London: Thomas Evans.

ONLand. 2021. *Pt Lt 2, N/W Hill St, Being W ½ ; London.* On File at Stantec.

Page. H.R. & Co. 1878. *Illustrated Historical Atlas of the County of Middlesex:* Toronto: Correll, Craig & Co. Lith. Toronto.

Railroad Trainmen's Journal. July to December 1900. *Railroad Trainmen's Journal.* Electronic Document: https://books.google.ca/books?id=s9rNAAAAMAAJ&pg=PA625-IA25&lpg=PA625-IA25&dq=254+hill+street+london+ontario&source=bl&ots=Gfx0WjgRn1&sig=ACfU3U2scK4ZHnP_LqnGtfY0UWHpSgzn3A&hl=en&sa=X&ved=2ahUKEwiqqcH_sOHxAhULQ80KHWnbAI8Q6AEwB3oECBUQAw#v=onepage&q=254%20hill%20street%20london%20ontario&f=false. Last Accessed: July 13, 2021.

Rainer, J.H. 1982. Effects of Vibrations on Historic Buildings. *The Association for Preservation Technology* XIV (1) 2-10.

SoHo Community Association. 2020. *Hear, Here: Stories from the Fugitive Slave Chapel.* Electronic Document: https://soholondon.ca/hear-here-stories-from-the-fugitive-slave-chapel/. Last Accessed: July 7, 2021.

SoHo Community Association. 2021. *Updates.* Electronic Document: https://soholondon.ca/updates/. Last Accessed: July 7, 2021.

Statistics Canada. 2019. *Census Profile, 2016 Census, London, City.* Electronic Document: https://www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/Page.cfm?Lang=E&Geo1=CSD&Code1=3539036&Geo2=PR&Code2=47&Data=Count&SearchText=North&SearchType=Begins&SearchPR=01&B1=All. Last Accessed: January 6, 2021.

Sutherland and Co. 1866. *London General and Business Directory.* Woodstock: Sutherland and Co.

Tausky, Nancy Z. and Lynne D. DiStefano1986. *Victorian Architecture in London and Southwestern Ontario.* Toronto: University of Toronto Press.

Taylor, Alan. 2007. The Late Loyalists: Northern Reflections of the Early American Republic. *Society for Historians of the Early American Republic* 27 (1) (Spring 2007):1-34.

Vernon Directories. 1909. *Vernon's City of London Directory 1909-1910.* Hamilton: Henry Vernon & Son.

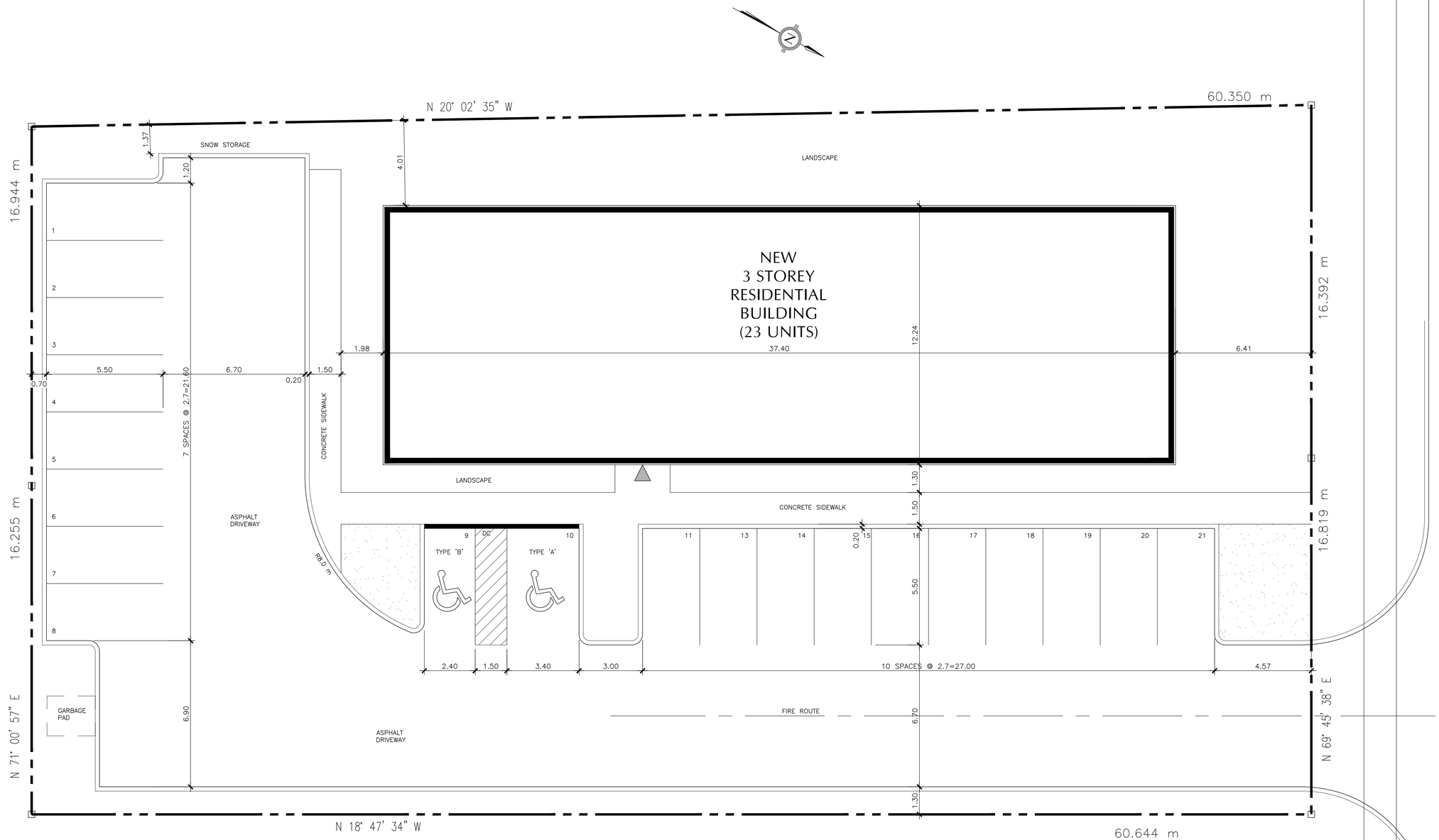
Vernon Directories. 1915. *Vernon's City of London Directory 1915.* Hamilton: Henry Vernon.

Vernon Directories. 1922. *Vernon's City of London Directory 1922.* Hamilton: Henry Vernon.

Vernon Directories. 1955. *Vernon's City of London Directory 1955.* Hamilton: Henry Vernon.

Wiss, J.F. 1981. Construction Vibrations: State-of-the-Art. *Journal of Geotechnical Engineering Division* 107: 167-181.

APPENDIX A
Concept Plan



SITE DATA - CURRENT ZONING - R10-3

REGULATION	REQUIRED	PROVIDED
LOT AREA	1,000 m2	1,992.0 m2 (0.19 ha)
LOT FRONTAGE (MINIMUM)	30.0m	33.49m
LOT DEPTH (MINIMUM)	NO PROVISION	60.4 m
FRONT YARD(MINIMUM/MAXIMUM)	6.0m	6.41 m
REAR YARD DEPTH (MINIMUM)	7.0m	16.58 m
SIDE YARD SETBACK	4.5 m	*4.0 m (NEW)
LANDSCAPED OPEN SPACE (MINIMUM)	498 m2 (25%)	693.2 m2 (34.7%)
LOT (BLDG.) COVERAGE (MAXIMUM)	40% (796.0 m2)	457.9 m2 (22.9%)
BUILDING HEIGHT (MAXIMUM)	N/A	9.0m
DENSITY (MAXIMUM)	250 UNITS PER HECTARE (250 x 0.19= 47 UNITS)	23 UNITS

NOTE:
ALL AREAS ABOVE ARE APPROXIMATE AND WILL BE CONFIRMED WHEN SURVEY IS COMPLETED

BUILDING DATA

AREA: 457.9 m2
RESIDENTIAL BUILDING
(23 RESIDENTIAL UNITS).

*PARKING REQUIREMENTS:
REQUIRED: 23
PROVIDED: 21

BARRIER FREE PARKING REQUIREMENTS:
REQUIRED:
4% OF REQUIRED PARKING SPACES = 23 x 4% = 1 SPACE

REQUIRED TYPE 'A' SPACES = 1 SPACE

PROVIDED:
TYPE 'A' SPACES = 1 SPACE
TYPE 'B' SPACES = 1 SPACE

ORCHARD DESIGN STUDIO INCORPORATED
(519) 620-9414

I, Kelly Bassett, review and take responsibility for the design work on behalf of our firm and have the qualifications and meet the requirements set forth in Division C-3.2.4 of the Building Code to be a Designer. I am a registered member of the Ontario Association of Architects. Firm BCIN: 28613 Individual BCIN: 21598

Signature

STATUS: SITE PLAN APPROVAL
PLOTTED: JUNE-2021
SCALE: 1:100
DWN BY: JP
DATE: JUNE 2021
REV:

PROJECT: Apartment Building
248-254 Hill Street, London, Ontario

TITLE: SITE PLAN

SHEET No. A 1.1

FILE: Site Plan-248-254 HILL STREET-BY: SAVIC

APPENDIX B Structural Condition Evaluation

DCBUCK
· ENGINEERING ·

Inspection Report

If you do not receive all pages please contact 1-226-270-9921

Date:	**Thursday, February 17, 2022**	**Project: No.**	**207022**
To:	**Level Contracting**		
Attn:	**Jose Pinheiro**		
Re:	**Structural Condition Evaluation – 254 Hill Street**		

No. of Pages: **4**

See attached,

1. Inspection Report

Distribution:

PER: Dwayne C. Buck, P.Eng

Inspection Report

To: Level Contracting
London, Ontario

Re: Structural Condition Evaluation
254 Hill Street
London, Ontario

Attn: Jose Pinheiro

Project No. 207022

Date: Thursday, February 17, 2022

DC Buck Engineering Corp was contacted to provide an evaluation of the structural condition of the building at the above mentioned site due to vacant condition. The following was observed at the site;

Background:

1. The building consists of a two storey single residential building with exterior load bearing brick wall and wood frame floor and roof construction on poured concrete foundations.
2. The inspection of the property was completed by the Principal Engineer at DC Buck Engineering Corporation, Dwayne C. Buck, P.Eng.
3. The building was visually inspected to confirm the current conditions of the building due to it being vacant and exposed to the elements.
4. The building was visually inspected from the interior of the building.

Observations:

1. The building consists of two storeys and all rooms were visually inspected.
2. The building does not have any utilities for heat or hydro.
3. Sections of roof are open and allowing the elements to penetrate into the main building structure on both floors. The floor structure has rotten sections on the second floor and the main floor including the floor sheathing and the floor joists. Some sections are not safe and areas of hazardous falling are present.
4. Multiple floor joists in the basement areas were observed to have significant rot and it is appearing that the lateral support of the top of the foundation is compromised due to the rot in the joists.
5. Most areas of the building are covered in black mold.

Insert site photo's

Evaluation comments;

1. Based on the visual inspection it is my opinion that the existing building main structure is not sound. The structure in its current condition is not safe and does pose a hazard to any person entering the building and the surrounding buildings.
2. It is my recommendation that the existing structure be removed.
3. All work to be completed by qualified contractors.

We trust this report is adequate for your use for the review of the existing building conditions. If you require any further information regarding this matter, please contact the under signed at your convenience.

Yours Truly,
DC Buck Engineering Corp.

LICENSED PROFESSIONAL ENGINEER
D.C. BUCK
100054470
PROVINCE OF ONTARIO
17-Feb-22

Dwayne C. Buck, P.Eng

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: **Request to Remove the Fugitive Slave Chapel from the Heritage Designated Property at 432 Grey Street to the Fanshawe Pioneer Village**
Public Participation Meeting
Date: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 34 of the *Ontario Heritage Act* seeking consent to remove the Fugitive Slave Chapel building from the heritage designated property at 432 Grey Street and relocate the building to the Fanshawe Pioneer Village, at 2609 Fanshawe Park Road East, **BE APPROVED** with the following term and condition:

a) Prior to the removal of the building, a Conservation Plan shall be prepared by the applicant and submitted to the satisfaction of the Director, Planning and Development, articulating how the heritage attributes of the Fugitive Slave Chapel will be conserved following its removal from the property at 432 Grey Street.

Executive Summary

The Fugitive Slave Chapel is a significant cultural heritage resource. The Fugitive Slave Chapel is a physical, tangible evidence of the past for an underrepresented community in London. The conservation of the Fugitive Slave Chapel is vitally important.

The current location of the Fugitive Slave Chapel at 432 Grey Street is designated under the *Ontario Heritage Act*. To prevent its demolition, the Fugitive Slave Chapel was relocated in 2014 to 432 Grey Street, a property owned by the British Methodist Episcopal Church.,

While some preliminary restoration activities have been initiated, it has not been possible to carry out the extensive restoration that the Fugitive Slave Chapel requires. In 2021, the British Methodist Episcopal Church and the Fanshawe Pioneer Village announced that they entered discussion to explore the feasibility of relocating the Fugitive Slave Chapel to the Fanshaw Pioneer Village.

Following a year of due diligence and fundraising, the Fanshawe Pioneer Village has accepted the gift of the Fugitive Slave Chapel from the British Methodist Episcopal Church with conditions. As outlined in its application, the Fanshawe Pioneer Village is committed to the conservation of the Fugitive Slave Chapel. Technical studies have been completed to demonstrate confidence that the building can be relocated one more time. Fanshawe Pioneer Village proposes to restore the Fugitive Slave Chapel to its appearance circa 1850, when it was most heavily used by the community and best reflects its cultural heritage value.

At this time, relocation of the Fugitive Slave Chapel to the Fanshawe Pioneer Village is the best approach to conserve this significant cultural heritage resource for future generations.

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 Fugitive Slave Chapel is located at 432 Grey Street. The property is located on the north side of Grey Street between Colborne Street and Maitland Street (Appendix A) and it is owned by the British Methodist Episcopal Church. The British Methodist Episcopal Church also owns the adjacent heritage designated property at 432 Grey Street, Beth Emanuel Church.

The property at 432 Grey Street is in the SoHo neighbourhood. Historically, the SoHo area has been associated with Black settlement in London, the former South Street hospital complex, early mills and industry, and has historic associations with other ethnic communities in London.

1.2 Cultural Heritage Status

The property at 432 Grey Street is designated under Part IV of the *Ontario Heritage Act* by By-law No. L.S.P.-3480-98 (Appendix B). Notice of Intent to Designate was issued on November 26, 2018, and the heritage designating by-law passed in 2019. The heritage designating by-law for the property at 423 Grey Street is registered on the title of the property. The Fugitive Slave Chapel is the primary heritage attribute of the heritage designated property at 432 Grey Street (see Appendix B).

The property at 275 Thames Street on which the Fugitive Slave Chapel was formerly located was previously designated under the *Ontario Heritage Act* prior to the building's relocation to the property at 432 Grey Street in 2014. Preceding its designation, the property was listed on the *Inventory of Heritage Resources* since 1987. In 1986, the London Public Library's Historic Sites Committee marked the property with a plaque (see Image 2, Appendix C).

1.3 Description

The Fugitive Slave Chapel is a one-storey, wood-framed structure built in the vernacular style (Appendix C). The building was constructed in approximately 1848. The building originally functioned as a place of worship for the congregation of the African Methodist Episcopal Church (later renamed the British Methodist Episcopal Church) at its original location at 275 Thames Street. The building was sold in 1869 when the congregation moved to the Beth Emanuel Church (430 Grey Street). The building was subsequently converted to residential purposes.

The Fugitive Slave Chapel has been vacant since its relocation to the property at 432 Grey Street in 2014.

1.4 History

For a detailed history of the Fugitive Slave Chapel and its former location at 275 Thames Street, please refer to the history in Appendix D of this report courtesy of historian Hilary Bates Neary.

1.4.1 Recent History

In 2013, Aboutown Transportation Ltd., then the owner of the property at 275 Thames Street, made a request to demolish the buildings at 275, 277, and 281 Thames Street. To prevent the demolition of the building at 275 Thames Street, the Fugitive Slave Chapel, Municipal Council designated the property pursuant to Part IV of the *Ontario Heritage Act* on December 3, 2013.

In response to the threat of demolition, the Fugitive Slave Chapel Preservation Project (Chapel Committee) was established. The Fugitive Slave Chapel Preservation Project

worked to improve community awareness and garner support for the project, raise funds, and plan for the building's restoration.

Following consent from Municipal Council, the Fugitive Slave Chapel building was relocated from 275 Thames Street to 432 Grey Street in November 2014. Municipal Council directed that a City-initiated Zoning By-law Amendment be commenced to expedite the relocation of the building to the property at 432 Grey Street (Z-8200). The Fugitive Slave Chapel was moved to a vacant parcel adjacent to the Beth Emanuel Church, owned by the British Methodist Episcopal Church, which had historic connections to the Fugitive Slave Chapel as a "descendent church." The relocation of the Fugitive Slave Chapel was, in part, supported by a $60,000 grant from Municipal Council for the provision of a foundation and basement and the associated Building Permit application fees. Those funds were exhausted in 2014-2015.

On August 3, 2021, the British Methodist Episcopal Church and the London & Middlesex Heritage Museum (Fanshawe Pioneer Village) announced they have entered preliminary discussions to explore the feasibility of relocating the Fugitive Slave Chapel to the Fanshawe Pioneer Village. A Steering Committee of the Fanshawe Pioneer Village was struck to guide this consideration. The members of the Steering Committee are:

- Anne Baxter, Board Member, Fanshawe Pioneer Village
- Carl Cadogan, Chair, London Black History Coordinating Committee
- Tim Castle, Board Member, Fanshawe Pioneer Village
- Mary Ann Colihan, former Board Member, Fanshawe Pioneer Village
- Nikesha Evans, Congress of Black Women of Canada
- Silence Genti, London Black History Coordinating Committee
- Genet Hodder, Chapel Committee Member
- Alexandra Kane, Black Lives Matter
- Christina Lord, London Black History Coordinating Committee & Congress of Black Women of Canada
- Deborah Meert-Williston, Board Member, Fanshawe Pioneer Village
- Dawn Miskelly, Executive Director, Fanshawe Pioneer Village
- Hilary Neary, Chapel Committee Member
- Thomas Peace, Board Chair, Fanshawe Pioneer Village
- Norm Steele, Chapel Committee Member
- Harold Usher, Community Member and former City Councillor

Throughout 2021 and into 2022, the Steering Committee worked to engage with the community to understand if there was support for the potential relocation of the Fugitive Slave Chapel to the Fanshawe Pioneer Village. This included a virtual town hall and a drop-in session at the Covent Garden Market.

At its meeting on April 12, 2022, Municipal Council allocated $71,000 from the Community Investment Reserve Fund to assist with the relocation of the Fugitive Slave Chapel from its current location at 432 Grey Street to the Fanshawe Pioneer Village. It was cited that a commitment of municipal funding, in addition to community fundraising, was important to successfully leverage additional funds through the federal Canada Cultural Spaces Fund for restoration work.

1.5 Request to Remove the Fugitive Slave Chapel

Since its relocation to the property at 432 Grey Street, the Fugitive Slave Chapel has been owned by the British Methodist Episcopal Church. Between 2014 and 2021, efforts were made to restore the Fugitive Slave Chapel building. Given the costs and other constraints not previously considered, it was not possible to proceed with the restoration. The condition of the building has continued to deteriorate.

Since the British Methodist Episcopal Church and the Fanshawe Pioneer Village announced that they have entered preliminary discussions to explore the feasibility of relocating the Fugitive Slave Chapel to the Fanshawe Pioneer Village, due diligence has been underway. This work has been guided by the Steering Committee, and has

included fundraising, communications, education/interpretation, move and restoration, and any *Ontario Heritage Act* considerations. Fanshawe Pioneer Village established its own fundraising threshold to proceed with the proposed relocation.

On June 21, 2022 a request to remove the building, known as the Fugitive Slave Chapel, from the heritage designated property at 432 Grey Street was received pursuant to Section 34, *Ontario Heritage Act*. The authorized applicant, the Fanshawe Pioneer Village, has proposed to remove the Fugitive Slave Chapel from its current location at 432 Grey Street and relocate it to the Fanshawe Pioneer Village at 2609 Fanshawe Park Road East. In submitting the application, the Fanshawe Pioneer Village has indicated that it satisfied, to a sufficient degree, its own due diligence in accepting the gift of the Fugitive Slave Chapel.

The Fanshawe Pioneer Village has a long-term lease agreement with the Upper Thames River Conservation Authority, who owns the Fanshawe Conservation Area where the Fanshawe Pioneer Village is located.

As outlined in its application, the Fanshawe Pioneer Village is committed to the conservation of the Fugitive Slave Chapel. Following a year of due diligence and fundraising, the Fanshawe Pioneer Village has accepted the gift of the Fugitive Slave Chapel from the British Methodist Episcopal Church with conditions.

As part of the request to remove the building, the following was received as part of the application:

- Donation Agreement, signed by the British Methodist Episcopal Church (“donor”) and London & Middlesex Heritage Museum (Fanshawe Pioneer Village) (“recipient”)
- Structural Review of the Fugitive Slave Chapel – Building Relocation (Gordon Debbert, P. Eng, POW Peterman Consulting Engineers, June 12, 2022) (Appendix E)
- Fanshawe Pioneer Village, Conservation Policy (2018) and Site Operating Procedures (2022)
- Letters of support
- The Fugitive Slave Chapel Preservation Project reports (2015, 2017)
- Structural and Related Matters, Fugitive Slave Chapel (James Knight & Associates Professional Engineers, November 7, 2016)
- The “Rip Off” of Room A, The Fugitive Slave Chapel (Tara Jenkins, August 28, 2015)
- Preliminary Condition Assessment – Structural (James Knight & Associates Professional Engineers, March 10, 2015)
- Conservation Plan, The Fugitive Slave Chapel (Tara Jenkins, December 14, 2014)

1.6 Previous Reports

Report to Planning and Environment Committee. “Demolition Requests – Heritage Properties, Aboutown Transportation Limited, 275, 277 & 281 Thames Street.” April 23, 2013.

Report to Planning and Environment Committee. “275, 277 & 281 Thames Street Status Update.” June 18, 2013.

Report to Planning and Environment Committee. “City of London Zoning Review 432 Grey Street.” Z-8200. August 20, 2013.

Report to Planning and Environment Committee. “Notice of Intent to Designate 275 Thames Street.” September 24, 2013.

Report to Planning and Environment Committee. “Fugitive Slave Chapel Update.” December 10, 2013.

Report to the London Advisory Committee on Heritage. “Heritage Alteration Application by City of London, 275 Thames Street (Fugitive Slave Chapel).” May 14, 2014.

Report to the London Advisory Committee on Heritage. “Repeal of by-law L.S.P.-3432-10, 275 Thames Street.” October 14, 2015.

Report to the Planning and Environment Committee. “Repeal of By-law L.S.P.-3432-10, 275 Thames Street.” February 1, 2016.

Report the London Advisory Committee on Heritage. “Request for Designation of 432 Grey Street by the Trustees of the London Congregation of the British Methodist Episcopal Church in Canada.” September 12, 2018.

Report to the Planning and Environment Committee. “Passage of Heritage Designating By-law for 432 Grey Street.” March 18, 2019.

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).

“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 designate properties to be of cultural heritage value or interest and establishes processes for decision making for changes or alterations that may affect a property’s heritage attributes.

A property may be designated pursuant to Section 29 (or Part IV) of the *Ontario Heritage Act* if it meets the criteria for designation. The Province has mandated criteria for the evaluation of property to determine if they merit designation under the *Ontario Heritage Act*. Section 29, *Ontario Heritage Act*, also establishes consultation, notification, process requirements, as well as objection and appeal rights. 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).

Following the designation of a property pursuant to Section 29, *Ontario Heritage Act*, approvals may be required for alterations likely to affect the property’s heritage attributes (Section 33, *Ontario Heritage Act*), demolition or removal of a building or structure from the heritage designated property (Section 34, *Ontario Heritage Act*), or the repeal of the heritage designating by-law (Section 31 or Section 32, *Ontario Heritage Act*).

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 that was required to be registered under clause 29(12)(b) or subsection 29(19), as the case may be.*

Following the receipt of a complete application, Section 34(4.2), *Ontario Heritage Act*, directs that Municipal Council, following consultation with its municipal heritage committee, shall,

i. Consent to the application,
ii. Consent to the application, subject to terms and conditions as may be specified by the council, or,
iii. Refuse the application.

Notice of the decision is required to be served on the property owner and the Ontario Heritage Trust and published in the newspaper. A property owner may appeal the refusal or the terms and condition on the consent to the Ontario Land Tribunal within 30-days of Municipal Council's decision.

The Community Advisory Committee on Planning (CACP) serves as the municipal heritage committee pursuant to Section 28, *Ontario Heritage Act*.

The requirements for a complete application are prescribed in Section 6, *Ontario Regulation 385/21*.

After a decision under Section 34(4.2), *Ontario Heritage Act,* on the demolition or removal of a building or structure on a heritage designated property, Section 7, *Ontario Regulation 395/21* establishes "required steps" that must be taken. The "required steps" will be completed should Municipal Council consent to, or consent to with terms and conditions, the removal of the building.

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. Policy 554_2, states, "…In all of the planning and development we do, and the initiatives we take as a municipality, we will: conserve London's cultural heritage resources so they can be passed onto future generations."

Policy 566_, *The London Plan*, states,

> *Relocation of cultural heritage resources is discouraged. All options for on-site retention must be exhausted before relocation may be considered.*

Policy 567_, *The London Plan*, states,

> *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.*

Policies 572_ and 573_, *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. Policy 587_, *The London Plan*, requires obtaining the necessary approvals under the *Ontario Heritage Act* for the alteration, removal, or demolition of a heritage designated property.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Cultural Heritage Value or Interest

The *Ontario Heritage Act* designation of the Fugitive Slave Chapel at its former and present locations served to prevent the demolition of the building but also to recognize its significant cultural heritage value.

The Fugitive Slave Chapel is a significant cultural heritage resource. The Fugitive Slave Chapel retains its cultural heritage value, including the heritage attributes identified in its heritage designating by-law (see Appendix B). With the goal to conserve the Fugitive Slave Chapel for future generations, intervention is necessary.

With the current condition of the building and the inability of the current property owner to invest in its restoration, a new approach is required. At this opportune time, taking no action would be irresponsible.

4.2 Ownership

The Fugitive Slave Chapel is presently owned by the British Methodist Episcopal Church. As articulated in the Donor Agreement, the ownership of the Fugitive Slave Chapel will transfer from the British Methodist Episcopal Church to the Fanshawe Pioneer Village upon its arrival at its destination. Thereafter, the Fanshawe Pioneer Village will be responsible for the care and maintenance of the Fugitive Slave Chapel, including its restoration. However, this transfer of ownership is contingent on Municipal Council's consent of the removal of the building from its present location at 432 Grey Street pursuant to Section 34(1)(2), *Ontario Heritage Act*.

The Fanshawe Pioneer Village is a long-term tenant of the Fanshawe Conservation Area, which is owned by the Upper Thames River Conservation Authority. The current agreement extends to 2058. The long-term lease provides the stability necessary to operate a heritage village museum and to maintain its built heritage resources.

4.2 Commitment to Conservation

As outlined in its application, the Fanshawe Pioneer Village is committed to the restoration of the Fugitive Slave Chapel. Following a year of due diligence and fundraising, the Fanshawe Pioneer Village has accepted the gift of the Fugitive Slave Chapel from the British Methodist Episcopal Church with conditions.

The Fanshawe Pioneer Village has met their own financial threshold to accept the gift of the Fugitive Slave Chapel from its current owners, the British Methodist Episcopal Church, offering confidence that the required restoration will be completed.

The Fanshawe Pioneer Village, through its Conservation Policy, Site Operating Procedures, and other museum standards, has the capacity and expertise to protect and preserve the Fugitive Slave Chapel. Since its establishment in 1959, the Fanshawe Pioneer Village has been the steward of London and Middlesex County's significant built heritage resources. The collection of the Fanshawe Pioneer Village includes artifacts and objects, as well as relocated historic building and replica buildings. Some of the relocated historic buildings include the Jury House, the Peel House, the Denfield General Store, and Trinity Anglican Church.

Through their work in engaging with the community, a consensus has been reached that the Fanshawe Pioneer Village is an appropriate location to move the Fugitive Slave Chapel. To support the interpretation of the Fugitive Slave Chapel, the Fanshawe Pioneer Village has established an education and interpretation committee to ensure that the Fugitive Slave Chapel, and Black histories more generally, are interpreted accurately and in consultation with appropriate community partners.

The Fanshawe Conservation Area, including the Fanshawe Pioneer Village, is listed on the City of London's Register of Cultural Heritage Resources. The demolition or removal of a building or structure on the property at 1424 Clarke Road (2609 Fanshawe Park Road East) should trigger the formal review process pursuant to the Council Policy Manual and Section 27(9), *Ontario Heritage Act*.

4.3 Proposed Relocation

In situ preservation is the preferred approach for most cultural heritage resources. Retaining a cultural heritage resource in its original location can often be the best or most appropriate way to conserve its context. However, there are situations where relocating a cultural heritage resource is the most responsible course of action when considering its long-term conservation.

4.3.1 Can the Fugitive Slave Chapel withstand another move?

As the Fugitive Slave Chapel has been relocated once already, there are concerns whether the structure itself can withstand another move.

To answer this question, Gordon Debbert, P. Eng., Structural Engineer, was retained to review the structure and offer an opinion as to whether the structure can be relocated to the Fanshawe Pioneer Village (see Appendix E). His report concluded,

> *In our opinion, this building can be moved safely, provided the following recommendations are followed*.

Fanshawe Pioneer Village has stated that Continental Building Movers will be retained to complete the move. Continental Building Movers moved the building in 2014. Stabilization needs to occur before the building's move; however, restoration is not expected to commence until its relocation.

Further details will be required as part of the Building Permit application to facilitate the removal and relocation. However, the Structural Review demonstrates the degree of confidence necessary to support the proposed removal of the Fugitive Slave Chapel.

4.3.2 Proposed Location within the Fanshawe Pioneer Village

The Fugitive Slave Chapel is proposed to be located between the Log Schoolhouse (replica 1840s, built 1974) and the Blacksmith Shop (replica 1860s, built 1959). This location situates the Fugitive Slave Chapel chronologically, following the museum's timeline of built heritage (see Figure 2, Appendix A).

Tom Peace, Board Chair, Fanshawe Pioneer Village, noted:

> *Placing the building beside the schoolhouse also allows for better interpretation of race and schooling in nineteenth century southwestern Ontario, as well as building opportunities for institutional partnerships with Buxton National Historic Site and Uncle Tom's Cabin Historic Site.*

And,

> *Setting the building back from the road provides space for outdoor interpretation and clearly signals the building's cultural significance to visitors. With the building backing onto Victoria Park – the museum's central outdoor gathering space – the back of the Chapel will also be prominently positioned for museum programming.*

See Figure 3, Appendix A, showing a sketch of the proposed site for the Fugitive Slave Chapel.

4.3.3 Former Location at 432 Grey Street

Following the removal of the Fugitive Slave Chapel from its present location at 432 Grey Street, the former location will be backfilled, leveled, and landscaped. The property will remain under the ownership of the British Methodist Episcopal Church, who will be responsible for the property's remediation. The property could become used as a community garden.

4.3.4 Former Location at 275 Thames Street

It should be noted that the former location of the Fugitive Slave Chapel, at 275 Thames Street, is a registered archaeological site (AfHh-398). Stage 1-2 and Stage 3 (in part) archaeological assessment was completed prior to the removal of the building in 2014. However, further Stage 4 archaeological assessment is still required at 275 Thames Street.

The current property owner is aware of the archaeological site located at 275 Thames Street.

4.4 Restoration of the Fugitive Slave Chapel

The Fanshawe Pioneer Village proposes to restore the Fugitive Slave Chapel to its appearance in circa 1850. It was during this period that the Fugitive Slave Chapel was most heavily used by the community and best reflects its cultural heritage value.

To support this period restoration approach, a Conservation Plan is required. The Conservation Plan must demonstrate that the heritage attributes, as identified in the heritage designating by-law (see Appendix B), are conserved. The Conservation Plan needs to include drawings, with materials and finishes appropriate for the restoration of the Fugitive Slave Chapel to its appearance in the 1850s. The retention and stabilization of original material must be prioritized, and compatible new materials added where necessary.

The Fugitive Slave Chapel is not anticipated to exhibit artifacts. There are no artifacts that have been directly connected to or originating from the building during the time it was used by the Black community. Interpretive efforts are anticipated to include images and text panels, and reproduction artifacts and furnishings where possible.

4.5 Long-Term Conservation of the Fugitive Slave Chapel

At the Fanshawe Pioneer Village, the Fugitive Slave Chapel will continue its associations with:

- The early development of Black communities in London and Middlesex
- Its connection to the Underground Railroad
- The emergence in London of a branch of the African Methodist Episcopal Church, alter the British Methodist Episcopal Church
- One of the oldest extant structures used as a church in London and the first African Methodist Episcopal church in London
- Local, regional, national, and international Black histories

While the Conservation Plan will focus on the short-term restoration of the Fugitive Slave Chapel, the long-term conservation will rely on its integration into the Fanshawe Pioneer Village's general maintenance and preservation schedule. To maintain and protect the built heritage resources within its collection, buildings in the Fanshawe Pioneer Village follow the Museum's Conservation Policy and Site Operating Procedures.

The Fanshawe Pioneer Village intends for the Fugitive Slave Chapel to be open to the public without staff interpretation required, but with the intention of interpretation by staff for the foreseeable future. Interpretive panels will be prepared by the Fanshawe Pioneer Village. It is anticipated that the Fanshawe Pioneer Village may use the "African Methodist Episcopal Church" name to identify the building in the future.

4.5.1 Other Examples in Ontario

In the application, three examples were cited as references for the proposed relocation of the Fugitive Slave Chapel to the Fanshawe Pioneer Village:

- Buxton National Historic Site (21975 A D Shadd Road, Merlin, Ontario)
- Uncle Tom's Cabin Historic Site (29251 Uncle Tom's Road, Dresden, Ontario)
- Oro African Methodist Episcopal Church (1645 Line 3 North, Oro-Medonte, Ontario)

Both the Buxton National Historic Site and Uncle Tom's Cabin Historic Site have similar community focus, both are fundamentally different from the urban context of London's Fugitive Slave Chapel. This difference emphasizes the significance of the Fugitive Slave Chapel provincially.

The Oro African Methodist Episcopal Church shares similarities with the Fugitive Slave Chapel: both are roughly of the same style, age, dimension; both were built in the late 1840s (1848 in London and 1849 in Oro-Medonte); and both have been relocated from their original locations. The Oro African Methodist Episcopal Church is more deeply tied to the Black immigration following the American Revolution, again reflecting a different history than the Fugitive Slave Chapel. In 2016-2017, the Oro African Methodist Episcopal Church was restored to its appearance when it closed in the 1920s, whereas the Fugitive Slave Chapel is proposed to be restored to what it is believed to have appeared in the 1850s when it was most heavily used by the community.

4.6 Commemoration of Thames Street and the Original of the Fugitive Slave Chapel Location

During consideration of the staff recommendation to repeal the heritage designating by-law for the property at 275 Thames Street, following the relocation of the Fugitive Slave Chapel to 432 Grey Street, Municipal Council directed that,

> *the Civic Administration be requested to report back with possible options as to how the neighbourhood on Thames Street between Stanley Street and Horton Street can be formally recognized as "The Hollow" and in doing so, not hinder any future development of the area; it being noted that this recognition may take form of naming the neighbourhood.*

Culture Services, Heritage Planning staff, and local heritage researchers are currently collaborating on the research and design of cultural heritage interpretive signage for the neighbourhood. The installation location of the signage has not yet been determined. However, the City is considering locations that would not prevent future development in the area. Currently the proposed content will reference the history of the neighbourhood's residents as well as significant eras in the history and development of the area, including Indigenous histories, Black settlement, the industrialization of the area, the mid/late-20th century, and the present era. Potential naming of the neighbourhood had yet to be determined. The Steering Committee of the Fanshawe Pioneer Village for the Fugitive Slave Chapel and the Education Sub-Committee of the Community Advisory Committee on Planning will be consulted on the cultural heritage interpretive signage. The signage is anticipated to be completed in 2023.

4.7 Consultation

4.7.1 Community Support

Gauging community interest and support in the potential relocation of the Fugitive Slave Chapel was a major component of the work undertaken by the Fanshawe Pioneer Village, including its Board of Directors and Steering Committee. This included a virtual town hall and a public drop-in session in 2021.

As part of the request to relocate the Fugitive Slave Chapel to the Fanshawe Pioneer Village, several letters of support were received. Letters of support were received from:

- London Black History Coordinating Committee
- Congress of Black Women of Canada – London Chapter
- Karen Vecchio, Member of Parliament, Elgin-Middlesex-London
- Janet Collins, Past President, Congress of Black Women of Canada – London Chapter
- Harold Usher, Community Member and former City Councillor
- Genet Hodder, Chapel Committee Member

4.7.2 Community Advisory Committee on Planning

The Community Advisory Committee on Planning (CACP), as the municipal heritage committee, was consulted at its meeting on July 13, 2022, consistent with the requirements of Section 34(4.2), *Ontario Heritage Act*.

4.8 Next Steps

Should Municipal Council consent to the request to remove the Fugitive Slave Chapel from its current location at 432 Grey Street, the Fanshawe Pioneer Village could continue in its project to relocate the building. This includes:

- Completing the Conservation Plan
- Prepare and issue tender for site and foundation, and construction and restoration
- Engage with Black History Interpretation Committee for input on exhibit plan development and content
- Building Permit
- Site preparation (foundation)
- Coordinate with building moving company, including stabilization
- Complete Donation Agreement
- Remove the Fugitive Slave Chapel and relocate to the Fanshawe Pioneer Village
- Restoration work (prioritize exterior finishes to seal the building envelope before winter)
- Finalize exhibit plan, installation

This work is anticipated to take approximately 12 months.

Following the removal of the Fugitive Slave Chapel from the heritage designated property at 432 Grey Street, staff are required to bring forward a subsequent report regarding the property's heritage designation per Section 7, *Ontario Regulation 385/21*.

Conclusion

The Fugitive Slave Chapel is a significant cultural heritage resource. The Fugitive Slave Chapel is a physical, tangible evidence of the past for an underrepresented community in London. The conservation of the Fugitive Slave Chapel is vitally important.

Preservation in situ is generally the most preferred; however, relocation is sometimes a necessary intervention to conserve a significant cultural heritage resource. The Fugitive Slave Chapel has been relocated once before, in 2014, to save it from demolition. While some preliminary restoration activities have been initiated, it has not been possible to carry out the extensive restoration that the Fugitive Slave Chapel requires.

The Fanshawe Pioneer Village has proposed to remove the Fugitive Slave Chapel from its present location at 432 Grey Street and relocate it to the Fanshawe Pioneer Village. There is community consensus that this is an appropriate relocation, and that the Fanshawe Pioneer Village is a responsible steward of built heritage resources. The Fanshawe Pioneer Village has met their own financial threshold to accept the gift of the Fugitive Slave Chapel from its current owners, the British Methodist Episcopal Church, offering confidence in the completion of the required restoration. Technical studies have demonstrated the confidence of the successful relocation of the Fugitive Slave Chapel. A Conservation Plan should be prepared that demonstrates how the heritage attributes of the Fugitive Slave Chapel are preserved in the period restoration.

At this time, relocation of the Fugitive Slave Chapel to the Fanshawe Pioneer Village is the best approach to conserve this significant cultural heritage resource for future generations.

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 Schedule B, By-law No. L.S.P.-3480-98
Appendix C Images
Appendix D History of the Fugitive Slave Chapel (Hilary Bates Neary)
Appendix E Structural Review of the Fugitive Slave Chapel – Building Relocation (Gordon Debbert, P. Eng, POW Peterman Consulting Engineers, June 12, 2022)

Selected Sources

Corporation of the City of London. *2019-2023 Strategic Plan*.
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*. 2022 (consolidated).
Government of Canada. Parks Canada. *Standards and Guidelines for the Conservation of Historic Places in Canada*. 2010.
Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation*. 2006.
Ontario Heritage Act. 2019, c. 9. Sched. 11.
Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*. Queen's Printer for Ontario. 2020.

Appendix A – Property Location

Figure 1: Map showing the current location of the Fugitive Slave Chapel at 432 Grey Street.

Figure 2: Map of the Fanshawe Pioneer Village. The Fugitive Slave Chapel is proposed to be located between the Log Schoolhouse (Location 4) and the Blacksmith Shop (Location 5), along the First Concession in the Fanshawe Pioneer Village. Courtesy Fanshawe Pioneer Village.

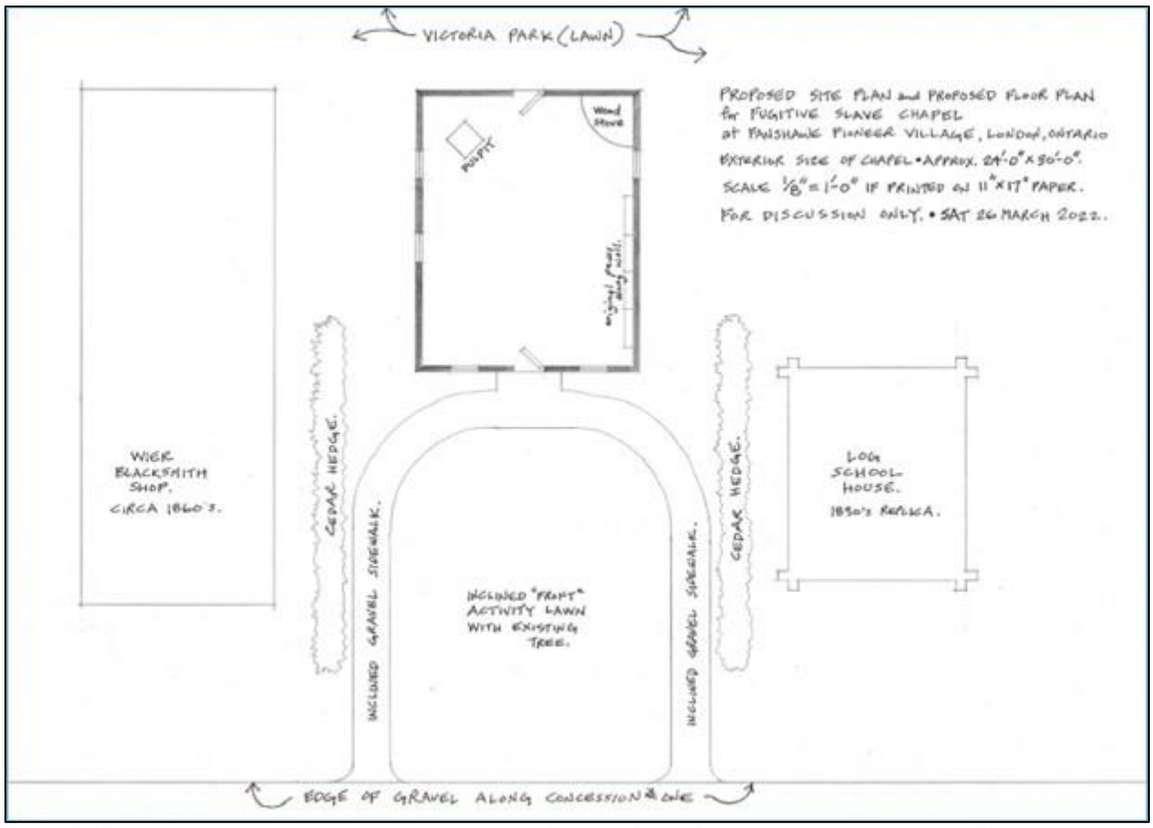


Figure 3: Sketch showing the proposed site plan for the Fugitive Slave Chapel, set between the Log Schoolhouse and the Blacksmith Shop in the Fanshawe Pioneer Village. Courtesy Fanshawe Pioneer Village.

Appendix B – Schedule B, By-law No. L.S.P.-3480-98

SCHEDULE "A"
To By-law No. L.S.P.-3480-98

Legal Description
Part Lot 13, N/E Grey Street, Plan 178(E) as in LC74719, London

SCHEDULE "B"
To By-law No. L.S.P.-3480-98

Description of Property
The property at 432 Grey Street is located on the north side of Grey Street between Colborne and Maitland Streets. It is adjacent to 430 Grey Street, which is the location of Beth Emanuel British Methodist Episcopal Church (c1868). The building on the property at 432 Grey Street (known as the Fugitive Slave Chapel) was originally located at 275 Thames Street, part of Lot 26, south of Bathurst Street, in the City of London. It is a 1-storey, wood-framed structure, dating from 1853-1855, and built in the vernacular style. The building originally functioned as a place of worship for the African Methodist Episcopal Church congregation (at 275 Thames Street), and was later sold in 1869 and converted to a residential use. The building was relocated to 432 Grey Street in 2014.

Statement of Cultural Heritage Value or Interest
The property at 432 Grey Street is of significant cultural heritage value because of its physical or design values, its historical or associative values, and its contextual values.

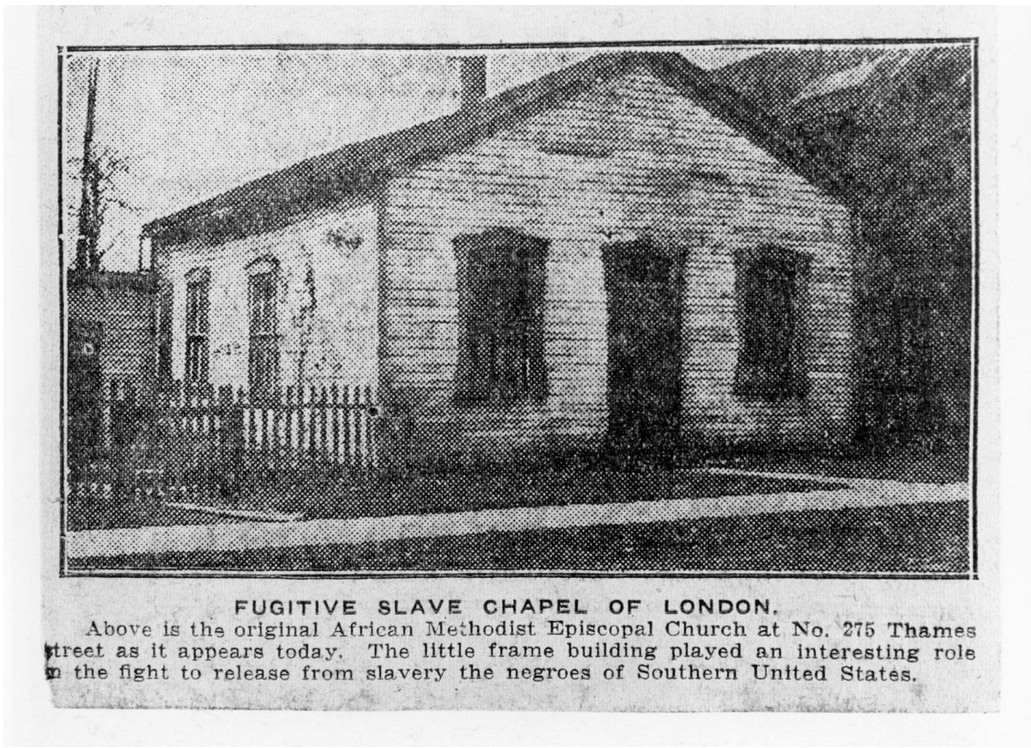
The cultural heritage interest of the property and building at 432 Grey Street is based on its associations with: 1) the early development of the Black community in London; 2) its later connections to the Underground Railway; and, 3) the emergence in London of a branch of the African Methodist Episcopal Church – later renamed the British Methodist Episcopal Church. The building, originally used for the intended purpose as a house of worship, also marks one of the oldest extant structure used as a church in London and is the first African Methodist church in London. The building's construction dates from the mid-1800s and reflects wood-framing using bent structural system and assembly. Its current location historically links the building to its surroundings in SoHo as an area where – in the late 1800s – a more prosperous Black community relocated from the Thames Street area. Situated adjacent to Beth Emanuel Church at 430 Grey St, together both buildings represent two eras of a common history of the Black community in London.

Heritage Attributes
The heritage attributes which support or contribute to the cultural heritage value or interest of the property at 432 Grey Street include:

- The one-storey vernacular cottage style building form with pitched-end gable roof;
- A symmetrical front façade with a single centered door and two evenly spaced window openings;
- Original exterior materials dating to the time of construction; including (but not limited to) all wood elements used on the exterior, bent structural system and assembly; and,
- One open, non-divided interior space or room.

Figure 4: Schedule B from By-law No. L.S.P.-3480-98, Statement of Cultural Heritage Value or Interest for 432 Grey Street, including the identification of the property's heritage attributes.

Appendix C – Images



FUGITIVE SLAVE CHAPEL OF LONDON.

Above is the original African Methodist Episcopal Church at No. 275 Thames street as it appears today. The little frame building played an interesting role in the fight to release from slavery the negroes of Southern United States.

Image 1: Photograph of the Fugitive Slave Chapel included in The London Advertiser *in 1926.*

Image 2: The Fugitive Slave Chapel, at its former location at 275 Thames Street, on August 11, 1986, at the unveiling of the plaque installed by the London Public Library's Historic Site Committee. Courtesy of The London Free Press. *The plaque was subsequently lost.*

Image 3: The Fugitive Slave Chapel at its former location at 275 Thames Street on April 16, 2013.

Image 4: The Fugitive Slave Chapel being set into its present location at 432 Grey Street on November 12, 2014.

Image 5: The Fugitive Slave Chapel was covered in tarps. Photograph taken on July 27, 2017.

Image 6: The Fugitive Slave Chapel (centre), at 432 Grey Street, on June 27, 2022. Beth Emanuel Church, at 430 Grey Street, is to the left.

Image 7: Photograph showing the proposed location of the Fugitive Slave Chapel, on the First Concession in the Fanshawe Pioneer Village between the Blacksmith Shop (left) and the Log School (right). Courtesy Fanshawe Pioneer Village.

Image 8: Photograph showing the proposed location of the Fugitive Slave Chapel in the Fanshawe Pioneer Village. The Log School is to the left, with the Blacksmith Shop to the right. The Log Barn is opposite the proposed location of the Fugitive Slave Chapel.

Appendix D – History of the Fugitive Slave Chapel

This history of the Fugitive Slave Chapel is courtesy of Hilary Bates Neary.

When the trustees of the African Methodist Episcopal (AME) Church purchased property on Pt Lot 26, south Bathurst Street in 1847, they were able to do so without a mortgage. The trustees themselves – William Hamilton, Benjamin Harris, John Osburne, Henry James, Henry Logan, Thomas Wingate, and George Winemiller, were all members of London's Black community, and at least two of them were listed in the (incomplete) 1842 census. Research into land records, assessment rolls, census returns, and city directories show that over the decades following the purchase of the church site, these trustees built substantial lives for themselves and their families. Their occupations included those of grocer, plasterer, cooper, laborer, and wood sawyer. Many of them owned as well as rented out property. Thus, they possessed the skills and experience necessary not only to govern a church organization, but also, likely with the assistance of other members of the congregation, to build a church structure itself.

Based on the above, the Trustees lost little time in the building of their small church. In his May 8, 1926, article about this church in *The London Advertiser*, E.J. Carty suggests that some Londoners thought the church might not have been built until the first Anti-Slavery Society was formed in 1852, and that other "oldtimers" claimed it was there previous to 1850. The latter date seems more correct, and the year 1848 is when we have dated the building's initial construction. The AME Church trustees were concerned with building a worship space for their own well-established Black community, whereas the efforts of the Anti-Slavery Society were focused not only upon advocacy to rid the world of slavery, but also upon ameliorating the condition of Black newcomers to London who came in great numbers after the passing of the U.S. *Fugitive Slave Act* of 1850.

In 1848, the *Oberlin Evangelist*, the journal of Oberlin College, Ohio, published a table of the populations and locations of schools and churches "of the coloured people of Canada West." London was listed as having a population of three hundred Black people, with three Black churches – two Methodist and one Baptist. One of the Methodist churches is undoubtedly the AME Church on Thames Street.

The AME Church is mentioned in most of the city directories published in this period. In Railton's Directory for 1856-57, the church is located on Thames Street near Horton Street, and the pastor - Reverend William Stewart – in noted with the Sabbath meeting times (11am and 6pm), Wednesday prayer meetings (7pm), and class meetings (Friday 7pm). The church is mentioned in the 1863-4 Directory in a special section for "Coloured Congregations". *The London Advertiser* directory for 1864-5 lists the Methodist Episcopal (Colored) "on Thames Street – Rev. Rawlings, Pastor" (page 195). Earlier in that volume is also listed "British Methodist Episcopal Church (Colored), Right Rev. Willis Nazrey, General Superintendent, Chatham. C.H. Rollins [sic], London."

It is highly likely that these are references to the same church. The AME Church in Canada had separated from its American roots in 1856, forming the British Methodist Episcopal Church, with Rev. Willis Nazrey as its first Bishop. The church on Thames Street is listed in Sutherland's London Directory, 1866, and Anderson's for 1868-69. In May 1869, the Trustees of now the British Methodist Episcopal Church sold the Thames Street property to James Seale, a cooper, and a new and larger church was built for the growing Black Methodist community of London at 430 Grey Street. Mackintosh & Co's London Directory for 1871-72 notes this new location (page 84): "Bethemanuel Church, for colored people only. Hours of service 10 1/2am and 6pm. East Grey Street."

Thomas Wingate, cooper, one of the trustees of the AME Church when the property was purchased in 1847, mentioned that church on his 1861 census form. Wingate owned part of Lot 26 North Bathurst Street, a block north of the AME Church. On his census form he noted that the coloured church was valued at $600 and could seat 130 people. Surely these facts were a source of pride to someone who had been involved in the church from its beginnings.

The instrument describing the sale of the property on Thames Street listed the "Trustees duly appointed of 'The British Methodist Episcopal Church' in the said City of London formerly called 'The African Methodist Episcopal Church'", who were William Simons (plasterer), Aaron Gibbs (yeoman), Calis Sanders (laborer), Cornelius Butler and John J. Evans (both of London Township, yeomen), Henry Williams and Joseph Bush Gordon (both of London, yeomen). It declared that the "Trustees for the said Church hold the property hereinafter described and have agreed by and with the assent of the Congregation and the Authorities of the church to sell the same to assist in building a larger and more convenient place of Worship."

Several of these Black trustees had been in London as early (if not earlier) than 1854. Some can be found in the 1861 census. At least two of them farmed small allotments on the fringe of the city. One trustee, Cornelius Butler, was listed as a Minister in the 1871 census. These trustees were likely as representative of the Black community in London in 1869, as had their fellows in 1847 when the AME Church property was acquired.

The property on Thames Street in 1847 was in the heart of "the Hollow", where many Black Londoners lived before being able to afford to buy or rent property in a more salubrious part of the city. When they had earned adequate means, many Blacks migrated slightly east to what is now referred to as SoHo, an area less threatened by the threat of spring floods on the Thames, less swampy and thus less mosquito ridden. The new BME Bethemanuel Church to be built on Grey Street with funds realized from the sale of the property on Thames Street reflected these changes in the fortunes of London's Black community.

Returning to the property history on Thames Street. The dimensions of the original property of the AME Church were 30' frontage on Thames Street by 110' depth. On 1 September 1858, William Clark (patentee of all of Lot 26), sold a piece just south of the AME Church property to Benjamin Harris, cooper, one of the trustees. Its frontage on Thames Street was 23'. Harris sold that land to James Seale, cooper, on 5 April 1866. On 15 May 1869, the trustees of the now British Methodist Episcopal Church, sold their 30'x110' property also to James Seale. Almost a year later, on 9 May 1870, Seale sold both pieces of land to Solomon Johns, cooper. Thus, the land on which the building at 275 Thames Street sat is described in subsequent land records as having the dimensions 53'x110'.

It was important to determine that the current building sat upon the original footprint of the land sold in 1847 to the AME Church trustees. The Insurance Plan for Feb 1912 (corrected to 1922) certainly makes this plain, as the north side of the house seems to be virtually on the property line. Before Solomon Johns purchased the 53'x110' property in 1870, however, there was a dwelling on the southern 23'x110' part of that lot. The London Assessment Rolls for 1860 and 1861, when Benjamin Harris (trustee) owned that narrow lot, listed a tenant, Mrs. Johnson there. And in 1869, after James Seale had purchased the lot from Harris, a tenant, Francis Lahay was living there. In the 1870 Rolls, Seale was assessed for both 25' and 50' [sic]. In 1871, and for many years thereafter, the new owner, Solomon Johns was assessed for 50', or 52', or 53'.

Using London Assessment Rolls and city directories we have determined ownership between Solomon Johns in 1870 and that of the last owner before the property was purchased by Aboutown (Thomas Mancari). Solomon Johns was listed at 275 Thames Street in the Rolls (until 1890) and the directories (until 1896-97) but in 1900, Elizabeth Mosely, (widow with a family of 7), was his tenant there. The house was then lived in almost entirely by tenants during the ownership of Robert A. Ross (grocer) 1903-1906, Joseph Coulson Judd (barrister) and then Eliza Ann Ward (widow) 1906-1939, Elizabeth Spicknell (married woman) 1939-1942, Mely Spinochia (married woman) 1942-1943, Frances Roberta Calcutt (married woman) 1943-1944, and finally Angus Campbell, a retired farmer, who bought it in April 1944, and sold it to Thomas Mancari a month later. One tenant, William Willox, a carpenter, who ran a small business doing general repairs, lived there (according to directories) from 1907 until well into the 1930s. Thomas Mancari, a laborer, who for a time worked as a janitor for London Life, was

listed as resident at 275 Thames Street from 1945 until 2000. We did not check the directories between 2000 and 2010, when there was no return for 275 Thames Street.

Chain of Title, part Lot 26, S. Bathurst St., currently 275 Thames Street

1. Patent, 8 Sept. 1847, Crown to William Clark, all ½ acre.
2. #104, B&S, 14 Oct 1847, WC to Wm Hamilton et al (trustees, AME Church), 30x110, £22.10s, African Methodist Church.
3. #9225, B&S, 1 Sept 1858, WC to Benjamin Harris (cooper), 23x110.
4. #3865, 2B&S, 5 April 1866, BH to James Seale (cooper), 23x110, $50.
5. #6113, B&S, 15 May 1869, trustees BME Church to James Seale (cooper), 30x110, $100.
6. #6599, B&S, 9 May 1870, JS to Solomon Johns, (cooper), 30x110 and 23x110, $300.
7. #9104, B&S, 17 July 1903, SJ to Robert A. Ross, (grocer), 53x110, $500.
8. #11195, B&S, 6 April 1906, RR to Joseph Coulson Judd (barrister), 53x110, $700.
9. #11199, B&S, 10 April 1906, JCJ to Eliza Ann Ward (widow), 53x110, $700.
10. #34003, Grant, 13 April 1939, execs EAW to Elizabeth Spicknell (niece of EAW) 53x110, $1.00.
11. #35359, B&S, 23 Mar 1942, execs ES to Mely Spinochia (married woman), 53x110, $400.
12. #356074, B&S, 20 July 1943, MS to Frances Roberta Calcutt (married woman), 53x110, $900.
13. #36645, B&S, 17 April 1944, FRC to Angus Campbell (retired farmer & Rozilla, wife), 53x110, $1700.
14. #36699, Grant, 22 May 1944, AC to Thomas Mancari (carpenter, & Lillian, wife), 53x110 $300.00 and mortgage of $1475.00.

Appendix E – Structural Review

Structural Review of the Fugitive Slave Chapel – Building Relocation (Gordon Debbert, P. Eng, POW Peterman Consulting Engineers, June 12, 2022)

POW PETERMAN
consulting engineers

BUILDING SOLUTIONS
Heritage • Worship
Institutional • Municipal
Commercial

Reference: 22-05-4034 June 12, 2022

Dawn Miskelly
Executive Director
Fanshawe Pioneer Village -
London & Middlesex Heritage Museum
2609 Fanshawe Park Rd. E
London ON N5X 4A1

RE: Structural Review of the Fugitive Slave Chapel – Building Relocation

As you requested, we visited the Fugitive Slave Chapel on Grey Street, London, to review the structure and offer an opinion as to whether or not it can be relocated to the Fanshawe Pioneer Village. Our review was visual only and included the taking of measurements and photographs to evaluate the structure for relocation. The current building owner and a representative of Continental Movers accompanied us on our review.

The Fugitive Slave Chapel is a historically significant building that was relocated to Grey Street from 275 Thames Street several years ago by Continental Movers. The chapel is a single-storey wood framed structure with a simple gable roof and three rooms (Photographs 1 & 2). The current foundations are relatively new cast-in-place concrete with a basement and basement walkout. The basement area and walkout were boarded up and not accessible, other than through a small opening in the wood frame floor joists. The floor joists span north south and are supported on a structural steel (HSS – hollow structural section) centre beam. Each of the four sides of the foundation walls have two boarded up slots in the top of foundation wall that were used to extract the support beams (Photograph 3) used in the move to the Grey street location.

The exterior tongue and groove siding was in fair to good condition (Photographs 4 & 5). All exterior openings other than the south entrance door were boarded up with ¾" plywood that was weathered, but in fair condition. The floor plates of the walls have been reinforced with 2x8 members; likely prior to the previous building relocation. Screening on the exterior wall was observed in some of the small sheathing penetrations.

On the interior, the plaster finish is generally in poor condition (Photograph 6). The wood lathe itself is generally in poor to fair condition with several areas of broken and missing lath members and some wood rot. Wood stud framing appeared to be in fair to good condition with a few areas of localized damage. The main room on the east side extends from the front to the rear of the building and has several boarded-up windows, sheathed in plywood (Photograph 7). The ceiling sheathing was in fair condition with a penetration into the attic space. The plaster was loose in a large area in the middle of the ceiling in this room. The north-west room was in similar condition, however there was a pile of debris approximately 8-20" deep on the floor of the room (Photograph 8). The south-west room was used for storing several of the building windows. (Photograph 9).

Phone: (519) 425-5000
Fax: (519) 425-5001
Division of PPA Engineering Technologies Inc.
www.pow.ca

Conclusions and Discussion:

Based on our on-site review, we offer the following discussion and opinions:

1) Our discussion with continental movers confirmed that they moved the building to the current site and the slots in the foundation walls were located in the locations required to insert their lifting beams. The lifting system used two main beams with penetrations to insert two lateral beams, thereby providing two point supports on each of the four walls. In general Continental Movers indicated that the building appeared to be in similar condition as it was during the previous move.
2) The exterior sheathing was generally intact and it, in combination with the interior wood lath should be sufficient to provide the lateral bracing for the building during the move; given that all of the wall openings were also sheathed in plywood.
3) The reinforcement of the floor plates was substantial and in very good condition. This will facilitate the lifting of the structure with little differential movement, should it be done at the 8 lifting points indicated by the slots in the foundation walls.
4) ***In our opinion, this building can be moved safely, provided the following recommendations are followed.***

Recommendations:

Based on the foregoing, we offer the following recommendations.

1) The penetration in the ceiling joists and through the floor joists should have temporary sheathing installed prior to the move to restore the ceiling and floor diaphragm. This should consist of 4'x8' sheets of ¾" plywood fastened to the joists with 2" screws at 6" on centre.
2) The debris in the north-west room should be removed prior to the move.
3) The mover should take reasonable care and use similar methods that they used several years ago when they moved the building to Grey Street.

We trust that the foregoing is sufficient for you to obtain the required moving permits. If you have any questions regarding the foregoing, please contact the undersigned at your convenience.

Yours Truly,
POW PETERMAN
Consulting Engineers

Gordon W. Debbert, P. Eng.
Consulting Structural Engineer

https://debbert-my.sharepoint.com/personal/gord_debberteng_com/Documents/Projects 2022/22-05-4032 church move/Fugitive Slave Chapel Review.docx

PHOTOGRAPHS

Photographs 1 & 2: South Elevation

Photographs 3 : Slots in top of foundation wall to install beams for lifting the building.

Photographs 4 & 5: West and North Elevations

Photographs 6 & 7: Interior wood lathe and plaster wall sheathing. Main room (east side)

Photographs 8 & 9: North-west and South-West rooms.

From: Maureen Temme
Sent: Monday, July 18, 2022 12:02 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] July 25 PEC meeting ... Heritage Alteration Permit for Fugitive Slave Chapel to move to Fanshawe Pioneer Village

Planning and Environment Committee,

A Heritage Alteration Permit for the Fugitive Slave Chapel to move to Fanshawe Pioneer Village is expected to be on the July 25/22 PEC agenda. Please add the note below to the addeds of this topic. You have my permission for this. Sincerely, **Maureen Temme**, 66 Palmer Street, London, N6H 1P7

Planning and Environment Committee,

Over several years the City, community organizations, and heritage-interested persons have worked to preserve the Fugitive Slave Chapel. Through this work, an agreement has been reached with Fanshawe Pioneer Village to take on the building and proceed with much needed work.

Please approve any permits required - Heritage Alteration Permit at this time - to allow this important work to go ahead. Fanshawe Pioneer Village and other community organizations are ready to work together, and it will be great to see things proceeding as soon as possible.

Sincerely,

Maureen Temme

66 Palmer Street, London

From: Hilary Neary
Sent: Monday, July 18, 2022 12:39 PM
To: PEC <pec@london.ca>
Cc:
Subject: [EXTERNAL] Heritage Alteration Permit for "Fugitive Slave Chapel"

Dear members of London's Planning and Environment Committee:

I write in support of the application of the Fanshawe Pioneer Village for a Heritage Alteration Permit for the "Fugitive Slave Chapel" now at 432 Grey Street. Granting that permit will enable the moving of that historic building to the village where it will be restored, preserved and become the means of interpreting the Black history of this area to Londoners and visitors alike.

My involvement with this building goes back several decades. I am a member of the Historic Sites Committee of the London Public Library Board, the body that erected a plaque to commemorate the African Methodist Episcopal Church at 275 Thames Street, the first identity of the chapel that became the British Methodist Episcopal Church in 1856, and which has been locally known as the Fugitive Slave Chapel for many years.

When the owner of the property sought a demolition permit from the City of London in 2013 I researched the land-use history of the chapel for Don Menard, then the heritage planner for London. The chapel was moved to the Beth Emanuel property in 2014 and the following year I joined the steering committee of the Fugitive Slave Chapel Preservation Project and was involved in the tear-down of layers inside and out. I also expanded my earlier research on the history of the building, its church and people to lay a foundation for its eventual role as an interpretive centre for the Black history of the area. My membership continued when the FSCPP became simply the Chapel Project and as we worked with the church to build community support and devise a governance structure that would enable fundraising for the chapel restoration. Now that the project is in the capable hands of the board of the Fanshawe Pioneer Village I am continuing my advocacy for the preservation of this building and its future educational role.

For many years and in the face of many challenges, the citizens and municipal council of London have shown strong support for the preservation of this historic and beloved chapel. Its survival is extraordinary considering how few structures built c.1848 have survived our climate and the propensity for demolishing and building anew. The Fanshawe Pioneer Village has a valued reputation for restoration and preservation of historic structures and much experience in interpreting the heritage of this region through its living museum. I believe that moving the AME/BME church/Fugitive Slave Chapel to the village is the best possible outcome for its future. I urge the Planning and Environment Committee to recommend that a Heritage Alteration Permit be granted to the board of the Fanshawe Pioneer Village.

Sincerely
Hilary Bates Neary
93 Regent Street
London, N6A 2G3

From: Norman Steele
Sent: Tuesday, July 19, 2022 12:38 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Letter of support for " The Fugitive Slave Chapel " relocation from 432 Grey St. to Fanshawe Pioneer Village.

To the Members of the PEC Committee,

As per subject line:

Thank you for this opportunity to share with you my unequivocal support for the relocation of " The Fugitive Slave Chapel " to Fanshawe Pioneer Village and it's restoration there.

For many years now I have been actively involved as a volunteer in the preservation and restoration of " The Fugitive Slave Chapel ".

As part of the volunteer committee I have come to the conclusion that the relocation of this very significant part of London's history and the Black community is to Fanshawe Pioneer Village, for the following reasons:

1] Restoration process and oversight.

2] Greater public awareness once opened.

3] Education.

4] Stewardship.

5] Maintenance.

6] Sustainability.

The Chapel will fit in very nicely with the other historical buildings at the Pioneer Village and will provide a better setting for the telling of the history of the Black settlement in London and Middlesex County.

It will also better lead into the much larger picture of the Black settlement in southwestern Ontario.

What connections it had with the U.S. Civil War and those escaping slavery up to that time through the Underground Railroad and those involved like Harriet Tubman, Fredrick Douglas and the Quakers just to mention a few.

There are many more stories and lessons to be learned that are waiting to be told once " The Chapel " is moved, restored and opened at Fanshawe Pioneer Village.

Sincerely,

Norman G. Steele

From: Genet Hodder
Sent: Monday, July 18, 2022 10:03 AM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Letter of Support--Chapel Relocation

To Members of the PEC Committee,

This letter is to encourage your support for relocating the slave chapel building from its current location at 432 Grey Street to Fanshawe Pioneer Village.

As a long-time member and chair of the community-based Chapel Committee and formerly the Fugitive Slave Chapel Preservation Project, I believe that this will be the best location for the historic chapel, providing a permanent and secure home for the oldest surviving building related to London and area's Black history.

The restoration of this building within the pioneer village will provide a context for telling the history of Black settlement in London and Middlesex County, connecting it to the larger picture of Black settlement in southwestern Ontario in the years leading up to the U.S. Civil War. These stories are waiting to be told to people today and for generations to come.

I urge you to support moving the chapel building from its current location to Fanshawe Pioneer Village.

Genet Hodder

Chair, Chapel Committee

From: Allister Cameron
Sent: Tuesday, July 19, 2022 12:56 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Slave chapel - waiting for consent

PEC Committee:

Please support the request to move the Slave Chapel building to Fanshawe Pioneer Village. We have hosted Exchange Students from Lions clubs from many different countries and always bring them to Fanshawe village. I would certainly enjoy having the former slave chapel in the village. Thank you for seriously considering this request.

Carolyn and Allister Cameron

Wednesday, July 20, 2022

Planning and Environment Committee,

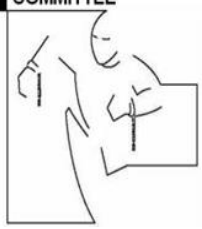
Please approve a Heritage Alteration Permit so that the "Fugitive Slave Chapel" may be moved from its current location to Fanshawe Pioneer Village. Proceeding with this permit, a move, and and needed work on the building is necessary *as soon as possible* to save this important cultural treasure. The dedication of many community organizations has come to this point, and all anticipate working toward a good outcome.

Sincerely,

Janet Hunten

66 Palmer Street, London, N6H 1P7

LONDON BLACK HISTORY COORDINATING COMMITTEE



July 19, 2022

Planning & Environment Committee
The City of London
300 Dufferin Avenue
London, ON
N6B 1Z2

Re: ***The Fugitive Slave Chapel Project***

Dear Committee Members:

The ***London Black History Coordinating Committee*** was formed out of a desire to increase awareness of Black History and Heritage, and Black History Month activities in the London area and to highlight the contributions of London's diverse Black community. LBHCC is dedicated to providing educational programs, activities and services that increases public understanding and awareness of the diversity and history of London's Black community.

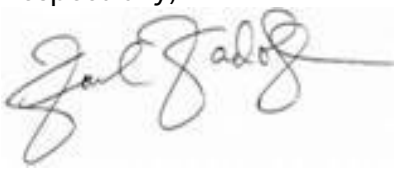
2022 marked the 20th anniversary of our committee. During the last twenty years, the LBHCC has organized events and has been the 'clearing house' for other events organized by other groups from the Windsor area to the London/Middlesex community. As a volunteer led and run organization, LBHCC partners with others to present and deliver programs not only during February/Black History Month but other times of the year.

Black History did not start and end with Slavery, but those four hundred years were important as it demonstrated in real, concrete and very poignant ways, the resilience and strength of people of African descent, wherever they may have ended up in the diaspora. ***The Fugitive Slave Chapel*** is an important part of that history in London and moving it to Fanshawe Pioneer Village will ensure our history is part of the broader history of London. A restored Chapel will also ensure that students and the public will have a real interpretation of the history of Black settlers who helped build our urban and rural communities for more than two hundred years. The Chapel will also fit in with the other historical buildings at the Pioneer Village and will provide a better setting for the telling of the history of the Black settlement in London and Middlesex County.

Our members are in support of the Heritage Alteration Permit to remove the building known as the Fugitive Slave Chapel from the property at 432 Grey Street, for relocation and restoration at Fanshawe Pioneer Village. This is an important journey for all of us and we are excited to be part of this work.

On behalf of the LBHCC, we hope you will support this move and join with so many others in supporting this exciting and very worthwhile project. But more importantly, we hope that you can recognize that London's Black History is London's history, Canada's history and for those reasons, is critical to preserve, protect and to promote now and in the future.

Respectfully,



Carl Cadogan, Chair
London Black History Coordinating Committee
C/O London Cross Cultural Learner Centre
505 Dundas Street
London, Ontario
N6B 1W4

July 21, 2022

Michelle A. Hamilton
Professor, MA & Minor Public History Programs
Department of History
University of Western Ontario CANADA

Dear London Councillors and Member of the Planning and Environment Committee,

As a local historian, a History professor at Western University, and a former member of the Board of Fanshawe Pioneer Village and a current member of the Village's Planning Committee, I write to strongly endorse the move of the Fugitive Slave Chapel from its location on Grey Street to the Village.

The move of the chapel from Thames Street to Grey was met with great hope from the heritage community, the SoHo community, and London's Black community in 2014. Restoration began but halted. Eight years later, the chapel's condition is precarious. I visited the chapel in February of this year with other historians and members of the Village committees. There were sections of the structure through which a person could put their hand inside standing on the outside. I include a few of the photographs I took that day to demonstrate.

It is now or never. Ideally, the chapel should remain on Grey Street next to its sister church Beth Emanuel. But that is no longer realistic. Fanshawe Village presents the only way forward to preserve this building. Moreover, Fanshawe has the expertise to not only care for the building, but also transform the inside into an exhibit and teaching space about Black history in this area, a largely unknown topic for most Londoners. The Fugitive Slave Chapel will attract new visitors to the Village, and also bring Black history to the elementary school curriculum through the city's popular Museum School, the Village's regular visits from classes, summer camps, and other programming for families.

For these reasons I support the necessary alteration of the heritage designation of the Fugitive Slave Chapel so that it may move to Fanshawe Pioneer Village.

Sincerely,

Michelle A. Hamilton, PhD

Enc: 4 pictures

From: Quinn, Edythe Ann
Sent: Thursday, July 21, 2022 5:25 PM
To: PEC <pec@london.ca>
Cc: Edythe Quinn
Subject: [EXTERNAL] From Edythe Ann Quinn, Ph.D., Letter supporting Chapel Project Steering Committee acquiring HAP for moving "Fugitive Slave Chapel" to Fanshwe Pioneer Village.

21 July 2022

To the Planning and Environment Committee

London, Canada

I am writing in support of the Chapel Project Steering Committee's efforts to acquire a Heritage Alteration Permit (HAP) in the process of moving the Fugitive Slave Chapel to the Fanshawe Pioneer Village.

This Chapel is of great historical and spiritual importance to African Canadian history in London and, by inclusion, to the history of white, antislavery allies in London who offered support to the Freedom Seekers. Through the outstanding research and writings of the late Professor Fred Landon and the Journal articles of the London and Middlesex Historical Society, the Chapel's history has been well documented. What is extraordinary here is the existence of the Chapel itself, understandably in need of restoration and preservation at an appropriate site, accessible to the public to appreciate and honor its history

Why am I, an Emerita Professor of History in the United States, supporting this worthy project? I have focused my career as a New Social Historian on the community and religious history of Blacks in New York, from 1790 through the early 20th century. Also, I have experience in gaining National Historic Site registration for an A.M.E. Zion Church foundation and its Black community burying ground in Westchester County, NY, (1834-1890s).

For my in-progress manuscript concerning Abolition and the Underground Railroad at sites in Westchester County, New York, Medina County, Ohio, and Ontario, I am researching the social and religious history of Freedom Seekers and their white allies in London. I have been very fortunate in receiving research assistance from the London and Middlesex Historical Society, from its president, Dan Brock, and others.

Thus, I recognize the incredible value in this historical, African Canadian Chapel and the need to preserve and maintain it at an appropriate location.

Therefore, I am writing in support of the Chapel Project Steering Committee in acquiring a Heritage Alteration Permit in the process of moving the Fugitive Slave Chapel to the Fanshawe Pioneer Village.

Thank you very much for your attention to my letter.

Sincerely,

Edythe Ann Quinn, Ph.D.
Emerita Professor of History
Hartwick College, Oneonta NY

From:
Sent: Thursday, July 21, 2022 9:24 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Fugitive Slave Chapel

The London & Middlesex Historical Society

Postal Station B, Box 303

London, ON

N6A 4W1

Dear Members of the Planning and Environment Committee,

The London & Middlesex Historical Society wholeheartedly supports the transfer of the Fugitive Slave Chapel from its present site on Grey Street to Fanshawe Pioneer Village.

For the past few years, this historical and cultural building has sat neglected and a victim to the elements.

One has only to look at the structures at Fanshawe Pioneer Village to see the possibilities open to the Fugitive Slave Chapel if removed to that site.

In short, The potential preservation and interpretive use of the building is far greater at Fanshawe Pioneer Village than at its present site.

Yours sincerely,

Dan Brock,

President

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: **Housing Development Corporation, London**
18 Elm Street
Date: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Housing Development Corporation, London relating to the property located at 18 Elm Street:

(a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend The London Plan **TO** add a special policy to Map Special Policy Areas applicable the subject lands, and **TO** add a special policy to the Neighbourhoods Place Type applicable to the subject lands;

(b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend Zoning By-law No. Z.-1, in conformity with The London Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Neighbourhood Facility (NF) Zone **TO** a Residential R8 Special Provision Bonus (R8-4(_)●B(_)) Zone; and a Open Space 1 Special Provision (OS1(_)) Zone;

(c) It being noted that the applicant applied to amend the Official Plan, 1989; however, that Official Plan has subsequently been repealed.

Executive Summary

Summary of Request

The request is for a specific policy area within The London Plan and a zoning amendment, which includes a bonus zone at 18 Elm Street to provide for a four storey 41-unit mixed use apartment building with community uses at grade.

Purpose and the Effect of Recommended Action

The recommended action provides for the development as proposed through:

1. A specific policy within The London Plan to allow for a mixed use apartment building with community uses at grade, up to 4-storeys in height subject to a bonus zone.
2. A base zone to allow community uses and an apartment building up to 13.0m in height.
3. A bonus zone to allow up to 100uph and 14.5m in height subject to the provision of a minimum of 800 sq. m. of community uses.

Rationale of Recommended Action

1. The proposed amendment is consistent with the PPS, 2020 through the provision of affordable housing on an infill site which makes efficient use of existing infrastructure;
2. The proposed amendment conforms to the policies of The London Plan, including but not limited to the key directions and general vision policies of the Neighbourhoods Place Type; and,

3. The proposed amendment would conform to the requested policies of the Multi-Family – Medium Density Residential designation were the Official Plan, 1989 not repealed and the requested amendment made.

Analysis

1.0 Site at a Glance

1.1 Property Description

The site is a 0.79 ha former school site which is vacant following demolition of the former school building. Frontage is provided along Elm Street, which has a street classification of Neighbourhood Street and that is located 290m east of the Hamilton, Egerton and Trafalgar intersection. The abutting residential uses are one to two-storeys in height. The nearest park is Silverwoods Park a 300m walk to the north and east.

Immediately to the south of the subject lands is Hamilton Road, which is a street classification of Civic Boulevard and the spine of an Urban Corridor Place Type. The abutting property contains a place of worship (specifically the Holy Cross Santa Cruz church). This urban corridor contains a variety of commercial uses and has recently undergone a comprehensive zoning study which established a Business District Commercial zoning framework to support mixed use development along the corridor.

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

- The London Plan Place Type – Neighbourhoods
- 1989 Official Plan Designation – Low Density Residential
- Existing Zoning – Neighbourhood Facility (NF) Zone

1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 110m
- Depth – 73m
- Area – 7,952 sq.m.
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – Low density residential (primarily single detached)
- East – Low density residential (primarily single detached) and a municipal laneway along the northern portion
- South – Place of worship and commercial corridor uses
- West – Low density residential (primarily single detached)

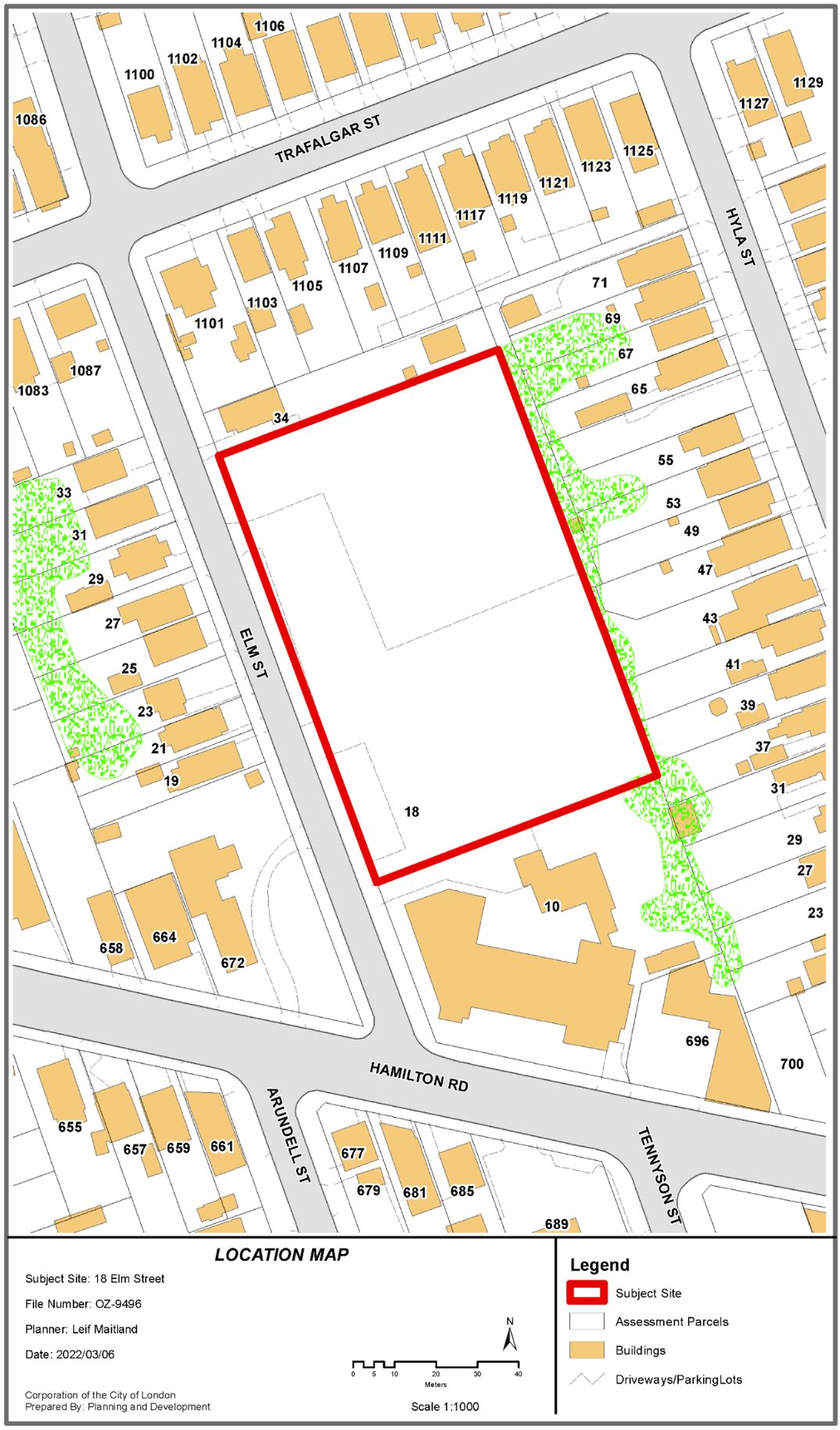
1.5 Intensification

- The proposal provides for 42 units of intensification within the built area boundary.

1.6 Affordable Housing

- The proposal provides for 42 units of affordable housing.

1.7 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The development proposal is for a 42 unit-apartment 4-storey mixed-use building with community facility and daycare uses at grade. The development relies on a partnership with Ontario Aboriginal Housing Services (OAHS) to implement an Indigenous-led approach that will offer affordable rents, wraparound tenant services. The development also includes the dedication of the northern portion of the site for a City park.

The subject lands are approximately 0.79 hectares in size and have been cleared of the 3-storey former school building. The cleared site is proposed for to be split with 0.58-hectare dedicated to the mixed-use development and 0.21-hectare provided as parkland conveyance to the City of London.

The proposed building design uses “T”-shaped building four storeys in height with a step back provided to decrease the apparent massing to the rear. Two amenity areas are provided at grade in addition to the parking area. One of the areas is located on the northerly portion of the lands and is in association with the daycare centre. The other area is a plaza in the southerly portion of the lands and is intended for both the residents and the proposed community centre portion of the building.

The development will include 42 affordable rental dwelling units, consisting of one-, two, three- and four-bedroom units, with approximately 1,300 square metres of non-residential ground floor space. The mixed-use development would equate to 97 units per hectare (subject to 3.4.1.a of the ZBL), whereby the residential density component of the calculated density equates to maximum 75 units per hectare.

3.0 Relevant Background

3.1 Planning History

This application is the first planning application specific to the subject lands. There is an active site plan approval application, made May 17, 2022 by the same applicant which informs the development of the bonus zone.

The Hamilton Road Community Improvement Plan (CIP) was established in 2016 to support redevelopment in the area. Most recently in July 2021 through O-9330 the CIP was updated to include metrics. The plan identifies new indoor community facility space and park spaces as an opportunity to be reviewed.

A Hamilton Road zoning study (OZ-8997) was completed in January 2020 following the establishment of the Hamilton Road CIP. This Zoning study established a Business District Commercial (BDC) Zone with a heigh limit of 13m along the length of Hamilton Road to facilitate redevelopment. The new zoning has also been applied to residential lots behind those facing Hamilton Road which do not have a Hamilton Road address or frontage. The BDC Zone now includes 19 and 21 Elm Street among others, recognizing that redevelopment may extend beyond the smaller lots facing Hamilton Road.

3.2 Requested Amendment

Three amendments have been requested through the application:

The London Plan

1. A site-specific amendment to policy 961 and to Map 7 of The London Plan to provide for the proposal is requested, whereby:
   In the Neighbourhoods Place Type at 18 Elm Street, a mixed-use, low-rise, four-storey, 42-unit apartment building may be permitted on the southern portion (0.58 ha) of the Site. In addition to the primary residential use, ground floor community facility type uses, including a childcare centre, a community centre and/or other similar institutional uses may be permitted up to a cumulative maximum gross floor area of 1,4000 m2. A neighbourhood-scale Urban Park will be developed on the north portion (0.21 ha) of the Subject Lands.

The Z.-1 Zoning By-law

1. As the Z.-1 Zoning By-law applies to the proposal on the south portion of the Site, the existing Neighbourhood Facility (NF) Zone be amended to a Residential R8 Special Provision ● Bonus (R8-4(_)●B(_)) Zone, wherein:
    a) Special provisions to the requested Residential R8 (R8-4(_)) Zone would include:
    Regulations
        i. Additional Permitted Uses: Mixed-Use building containing a maximum of 42 Residential Units, a Child Care Centre, a Community Centre and/or other similar Institutional Uses;
        ii. Maximum Cumulative Gross Floor Area for all Child Care Centre, Community Centre and/or other similar Institutional Uses: 1,400 m^2;
        iii. Front Yard Setback: 4.0 metres;
        iv. North Interior Side Yard Setback: 4.0 metres;
        v. Height: 14.3 metres
        vi. Parking Standard for all uses in a Mixed-Use Apartment Building: 46 parking spaces.
2. A Bonus B(_) Zone that would provide for a built density of 100 units per hectare (with a maximum of 42 dwelling units) in return for a specialized affordable rental housing model providing for wraparound tenant and community services and supports.
3. As the Z.-1 Zoning By-law applies to the parkland conveyance on the north portion of the site, the existing Neighbourhood Facility (NF) Zone be amended to an Open Space 1 Special Provision (OS1(_)) Zone, wherein:
    a) Special provisions to the Open Space 1(OS1(_)) would include:
    Regulations
        i. Minimum Lot Area: 2000 m^2.

The City of London Official Plan (1989)

1. Amend Schedule A, Land Use, to change the designation of the Subject Lands from a Low Density Residential Designation to a Multi-Family Medium Density Residential Designation.
2. A site-specific amendment to Section 10.1.3 of the City of London Official Plan to provide for the proposal is requested, whereby:
In the Multi-Family Medium Density Residential designation at 18 Elm Street, a mixed-use, low-rise, four-storey, 42-unit apartment building may be permitted on the southern portion (0.58 ha) of the Site. In addition to the primary residential use, ground floor community facility type uses, including a childcare centre, a community centre and/or other similar institutional uses may be permitted up to a cumulative maximum gross floor area of 1,4000 m2. A neighbourhood-scale Urban Park will be developed on the north portion (0.21 ha) of the Subject Lands.

3.3 Community Engagement (see more detail in Appendix C)

Three public comments were received prior to the completion of the report. Concerns noted by the respondents include privacy, noise, crime, tree preservation, building location and massing, and public access to proposed day care use. One commenter provided unequivocal support for the development of affordable housing and listed no concerns with the development. The concerns noted are addressed further in the analysis provided in section 4 below.

3.4 Policy Context

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 provides over-arching guidance on panning work within the province of Ontario. Policy 1.1.1 of the PPS supports the development of healthy, livable and safe communities by requiring a mix of residential types and institutional uses. Policies 1.1.3.3 and 1.1.3.6 of the PPS require municipalities to identify appropriate locations for infill such as that proposed and to ensure proposed densities make efficient use of infrastructure, respectively.

The London Plan
The subject lands are designated as Neighbourhoods Place Type within The London Plan and are adjacent to the Urban Corridor designation applicable to Hamilton Road. As a site fronting onto a neighbourhood street the base permissions within The London Plan are for single-detached and some multi-family forms, excluding the low-rise apartment form requested, to a maximum of 2.5 storeys. The community uses requested through the application are permitted within the Place Type although they would be directed to other street classifications.

Housing Stability Action Plan
The City of London has prepared a Housing Stability Action Plan, sub-titled, the Roadmap to 3,000 Affordable Units Action Plan which is of note given the applicant's intent to develop the site for affordable housing. The applicant – Housing Development Corporation, London has been delegated responsibility to deliver affordable housing by council as its service manager for affordable housing.

4.0 Key Issues and Considerations

4.1 Compatibility of Use, Intensity and Form

The primary questions around this application relate to use, intensity and form and the relative compatibility of the proposed mixed-apartment building on the available vacant former school site within a low-rise neighbourhood and adjacent to a primary corridor with a mix of commercial, institutional and residential uses.Both official plans provide analytic frameworks to determine compatibility.

The proposal must demonstrate compatibility when reviewed under the applicable policies of The London Plan for Neighbourhoods and more specifically as an example of infill development.

As an infill development the proposal is required to meet the requirements of policy 953 within the Neighbourhoods Place Type. Through the location of the buildings access points, both pedestrian and vehicular, the development directs access traffic to the southern portion of the property furthest away from the low-rise residential uses surrounding it. The building's massing is concentrated along the front of the street to minimize shadow impacts on abutting neighbours. The building provides a cut out to the rear to transition height to the east and is limited to one storey above the steeple of the church adjacent to the south. The previous school building has demonstrated that similar mass and scale is in keeping with the neighbourhood.

Although the proposed development can demonstrate compatibility within the neighbourhood following an evaluation guided by the policies of The London Plan it does not meet the specific regulatory policies applicable to the site. The site itself is located a Neighbourhood Street though it abuts a property on a Civic Boulevard. As the height and use permissions within the Neighbourhoods place type are tied to the street classification, the applicant would be entitled to greater permissions simply by merging with the site to the south. Were the site merged prior to the drafting of The London Plan it would likely been given the same permissions as the property to the south with is within the Urban Corridor place type and provides greater permissions still.

The specific permissions applicable to sites within the Neighbourhoods place type are provided through Table 10 of The London Plan and would limit the development under the existing permissions to a duplex use. The policies would require Elm Street to be a neighbourhood connector to avail of the low rise apartment and community facility-permissions sought. Policy 930 indicates that the community facilities sought within the Neighbourhood Place Type specifically include day cares and community centres although again would direct them to a neighbourhood connector. Table 11 limits the subject lands to 2.5 storeys (less than the 3 previously on site) but would permit up to 6 storeys on the adjacent lands to the south. The applicant has requested a site specific policy for the lands which would provide for the development and is discussed further in 4.3 below.

The proposed application has also been reviewed under the policy framework of the 1989 Official Plan given the 1989 OP was in effect at the time of the application submission. Section 3.1.1. of the 1989 Official Plan identifies a number of general objectives for all residential land use designations, which include:

- Residential designations shall support the provision of a choice of dwelling types according to location, size, affordability, tenure, design and accessibility so that a broad range of housing requirements are satisfied;
- Residential designations shall encourage infill residential development in residential areas were exiting land uses are nor adversely affected and where development can utilize municipal services and facilities;
- Residential designations shall support the provision of services and amenities that enhance the quality of the residential environment; and,
- Residential designations shall promote residential development that makes efficient use of land and services.

The proposal supports each of these objectives individually, by adding to the housing options within the neighbourhood and providing amenities both needed by the neighbourhood and lost through the school closure. The proposal is an example of infill and uses existing services efficiently. Importantly the mixed-use portion by providing space for community uses returns to the community some of the space lost through the removal of the school.

Chapter 3 Residential Land Use Designations also includes section 3.7 which is provided to guide the evaluation of planning impacts when reviewing changes in land use regulation.

The proposal is for a primarily residential use within a residential area. The height is one storey greater than the previous building on the site and has been designed to reduce the impact of the building's mass through locating the majority of the mass to the front of the site, using a single hallways to the rear and recessing a portion of the fourth flour where the building approaches its neighbours. The community uses proposed will be similar but likely of lesser impact than the school previously located on the site. The parcel is one of few rectangular larger lots which can provide for the needed uses within the neighbourhood. It is located one parcel from the Hamilton Road corridor and near Trafalgar both of which provide public transit options. Vehicular access to the site is limited to a single entrance located at the furthest point on the site from adjacent residential uses.

The proposal can demonstrate compatibility with the neighbourhood as evaluated under the policies of the Official Plan, 1989. An appropriateness of the requested amendments to provide for the development is discussed in 4.2 below.

4.2 Official Plan, 1989

The application received requested an amendment to the Official Plan, 1989 to: re-designate the subject lands for Multi-Family Medium Density Residential to permit a greater density and establish a Special Policy Area to allow for the community uses. Although as of May 25, 2022 the Official Plan, 1989 has been repealed, as the application was made prior to that date consideration for the plan must be made as it was in force in effect at the time of the application. Given that is has since been repealed however no amendments will be made to the Official Plan, 1989.

The application did request a change in designation for the subject lands from Low Density Residential designation to a Multi-Family Medium Density Residential designation on the site. As demonstrated above the proposal is able to demonstrate compatibility in accordance with the analytic framework provided by the Official Plan, 1989. The objectives for the Multi-Family Medium Density Residential designation specifically indicate the purpose of the designation is to:

> Support the development of multi-family, medium density residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit, shopping, public open space, recreation facilities and other urban amenities.

As the proposal includes desired community amenities, has convenient access to public transit and is at a location where it is able to enhance the residential area in which it is located. The proposal demonstrates compatibility with the policies of the Official Plan, 1989 and a re-designation to Multi-Family Medium Density Residential Would be appropriate. Furthermore, the proposal would be able to implement the requested Multi-Family Medium Density Designation were the Official Plan, 1989 still in force and effect.

The application also provided justification for the subsequent bonus zone request under the policies of the Official Plan, 1989, in effect at the time of application. The application is able to demonstrate compliance with the policies of 19.4.4 – Bonus Zoning, by serving the identified objectivea for bonus zones, specifically: affordable housing, enhanced provision of landscaped open space, day care facilities and accessible design. Furthermore the required site plan approval process (underway) will provide the agreements necessary to ensure any bonusable elements are acquired through the development.

4.3 The London Plan Specific Policy Area

The proposed development though compatible with the surrounding neighbourhood is not directly supported by The London Plan Place Type polices directly applicable to the site. Recall the site is on a neighbourhood street, a location providing the most stringent base permissions for height and uses (limiting the site to a duplex and 2.5 storeys for the site under the existing policy) despite its adjacency to an Urban Corridor Place Type.

The applicant has requested an amendment which would create a specific policy area to allow for the use. The requested language for the specific policy area is:

> In the Neighbourhoods Place Type at 18 Elm Street, a mixed-use, low-rise, four-storey, 42-unit apartment building may be permitted on the southern portion (0.58 ha) of the Site. In addition to the primary residential use, ground floor community facility type uses, including a childcare centre, a community centre and/or other similar institutional uses may be permitted up to a cumulative maximum gross floor area of 1,4000 m2. A neighbourhood-scale Urban Park will be developed on the north portion (0.21 ha) of the Subject Lands.

A specific policy area is the mechanism to provide for the mixed-use apartment building on the subject lands given that compatibility has been demonstrated. The language of the requested amendment however is overly prescriptive and provides a level of detailed regulation more appropriate to a zoning by-law. The policy also does not tie the increased height requested to the provision of bonusable items as laid out below. As the following alternate language is recommended as a specific policy area to apply to the subject lands at 18 Elm Street:

> In the Neighbourhoods Place Type at 18 Elm Street, a mixed-use apartment building with community uses at grade may be permitted. Subject to the provisions of an established bonus zone, the mixed-use apartment building permitted may be up to 4-storeys in height.

In establishing a specific policy area policies 1729 – 1734 of the Our Tools section must be considered. These policies are provided to determine whether a specific policy area is appropriate for a given site. With regards to the requested amendment, the establishment of a specific policy for the area maintains the integrity of the place type providing a transition of uses from the urban corridor it abuts to the south. The uses proposed are a unique configuration resulting from the unique (to the neighbourhood) situation of a school closure, which creates an unusually large redevelopment block for

infill. The uses are all permitted within the place type, but not at the location under the standard policy framework and as such require a specific policy area to ensure these desired uses are located within the place type at this location.

4.4 Implementing Zone

The applicant has requested a Residential R8 Special Provision Bonus (R8-4(_)●B(_)) Zone. Leaving aside the provisions of the bonus zone (as addressed below) the requested implementing zone is Residential R8 a zone, a zone to provide for low-rise apartment buildings of a medium density which reflects the proposed development. The proposal specifically requests the R8-4 zone variation which relies on 30m of frontage (proposal is 79.9) and a lot area of 1000 sq.m (proposal is 5775) both of which the proposed site can easily accommodate.

Special provisions requested support the proposed non-residential uses to be included in the development, the proposed scale of the mixed-use building and the parking associated with the development.

The first special provisions are for the Community Centre and Day Care Centre uses which are a the non-residential portion of the proposed mixed-use concept. As established previously these uses have demonstrated compatibility with the site and as such the requested additional provisions are recommended. Recognizing that the primary purpose of the proposed development is residential the applicant has requested a 1400 sq.m. limit on the community uses proposed within the development. The requested limit is appropriate and a special provision that would limit the Day Care Centre and Community Centre uses to a combined 1400 sq.m. is recommended.

The second group of special provisions relate to the size of the proposed building and seek a maximum setback of 4.0m for the northern interior side yard and front yard and a height maximum of 14.3m. The northern interior side yard would face the future park and as such is has no effective impact on residential neighbours when compared to the 4.8m interior side yard that is otherwise required. The front yard setback requirement without special provision is 8.0m and a reduction to 4.0m has been requested by the applicant. The reduction allows the massing of the building to come to the street reducing shadow impacts on residential neighbours to the east. It also allows for a larger interior courtyard which is intended to function both as a community centre associated outdoor space and as amenity for residents of the building. The final requested special provision is for an increase in maximum height to 14.3m from the 13.0m otherwise required in the zone. This would have the effect of allowing a four-storey building in place of the 3-storey building previously on site and permitted under the proposed implementing zone. The applicant has provided bonusable elements to justify the additional height and as such the increased height should be considered as part of a bonus zone. It is recommended that the two decreased yard setbacks be approved as special provisions under the R8-4 zone variation. It is recommended that the requested height special provision not be included under the requested R8-4 zone variation and that consideration for the increase height be considered as part of the requested bonus zone.

The applicant has requested a blanket parking standard for all uses within the proposed mixed-use apartment building of 46 parking spaces. The applicant has provided an assessment from F.R. Berry & Associates on the parking rate proposed. In the assessment they note that once the parking requirements for non-residential services were removed the effective parking ratio for apartment units is 0.81 parking spaces per unit. They note further that in addition to being well served by transit, the development's proposed purpose as affordable housing makes it anticipable that parking take-up would be less than that currently required for apartments under the Zoning By-law. This explanation is considered sufficient and a parking requirement of 46 spaces for the proposed development is recommended.

The requested R8-4 special provision zone variation is recommended with all but one of the requested special provisions, that for increased height. However, the requested

height increase is recommended for consideration under the bonus zone, which is also requested by the applicant.

4.5 Bonus Zone

The establishment of a bonus zone relies on the provision of facilities, services or matters of public benefit in exchange for additional height and density permissions related to an associated development. In this particular instance the density proposed of 97uph is greater than that otherwise would be permitted within the requested zone. The height requested is 14.3m to allow for four storeys when the base zoning requested would limit the building to 13.0m and the policy would limit the height to 2.5 storeys otherwise at this location.

To accommodate the additional height and density the proposed development offers two primary public benefits: 1 – provision of affordable housing and 2 - a Day Care Centre and Community Centre as community uses. Both of these are facilities identified through previous study as needed elements within the community through the Hamilton Road Area CIP review which considered both the threat of school closings and the opportunities associated with new community spaces in the list of Identified Community Improvement Needs.

The Hamilton Road Area CIP identified the need for more interior community/social spaces as an area for improvement within the corridor, considering the search for opportunities to acquire this space ongoing work. The community facility and day care centre replace the public space recently lost with the demolition of the prior school building which now lost to the community. The proposal provides a significant amount of community facility and day care space dedicating the vast majority of the ground floor to the two community uses.

Affordable housing is a necessity across the City as noted in The London Plan and City of London's Housing Stability Action Plan 2019-2024 which identifies the creation of new housing stock as a priority. The current proposal provide 42-units of affordable housing at a variety of bedroom counts to support different family arrangements. Although previous amendments should not dictate the decisions of subsequent applications it is worthy of note that the proposal is not for market rate housing seeking to bonus based on a portion of affordable housing, but the development proposed is to be developed entirely as affordable housing.

Having established the public benefits provided the question of the relationship of the provided facilities to the requested additional height and density remains. It is of note that with the community facility uses removed the building would be 3-storeys in height and 75 uph in density and fit within the base Residential R8 Zone. Subject to the policies of the Official Plan, 1989 an increase through bonusing in Multi Family Medium Density areas is limited to 100 uph which the proposal meets and is implemented through the proposed bonus zone regulations. In this case the additional permissions provided through the bonus zone are directly required to allow for the public benefits to be provided. As such a bonus zone for the additional height and density in exchange for the community facilities is recommended.

4.6 Site Plan Matters

As a bonus zone incorporates schedules which direct the future site plan approval by including a complete set of site plan and elevations it is important to review site plan matters through the Official Plan and Zoning By-law Amendment to ensure the applied zone is implementable at the site plan approval stage.

On May 17, 2022 a complete Site Plan Approval Application was submitted by the applicant. This application reflects the materials provided to support the Official Plan and Zoning By-law amendments with additional detail needed for site plan approval review.

Prior to site plan application the proposal was reviewed by the Urban Design Peer Review Panel and a memo addressing the panel's comments was included as part of

the complete application received (see appendix E for full comments and applicant response). The elevations received with the site plan application were of a high standard, addressed previous comments provided through consultation and by the urban design peer review panel. The elevations received were acceptable and as such can form schedules in support of the bonus zone without concern regarding their implementation.

Engineering comments provided at first submission were of a technical nature and did not require a change to the design approach taken for the site. First submission landscape comments were primarily related to the tree preservation plan provide, noting that permission is required for any shared trees proposed for removal or at risk of damage. It was also noted that many of the shared trees are of non-native or invasive species and not particularly healthy.

The site plan review included comments regarding vehicular circulation on the south of the site however it was noted that the applicant was maximizing the potential amenity area both for residents and the community centre use. A number of minor comments including a need for details on bicycle parking and clarification on waste management means the plans were not able to be accepted at first submission but could be addressed through refinements to the existing design.

Through the community feedback received a number of primarily site plan related matters were raised including building massing, privacy, noise, building location and preservation of the trees along the eastern property boundary.

As noted above the location and massing of the building is designed to reduce the scale of the structure adjacent to the residential neighbours. The building shape also situates the majority of the units toward the front of the property providing separation to reduce noise and potential overlook from future residents of the development.

The applicant’s proposal maintains the existing trees and fence as requested by the neighbours with removals limited to those trees which are invasive or unhealthy. Keeping this screen should maintain the existing level of privacy and noise experienced by the neighbours. Additional screening measures including walls (not permitted by the fence by-law) and large conifer plantings would hamper the success of the existing hedgerow.

Additional site plan elements under consideration include lighting, garbage and recycling pick-up. Lighting was reviewed at first submission and no light trespass is shown on the provided plans. The applicant did receive one comment regarding up-lighting from fixtures used near the front of the site. Garbage and recycling is provided for through an internal garbage room with a designate put out location. The specific put-out location is under review from waste management to ensure trucks can service the proposed location.

More information and detail are available in the appendices of this report.

5.0 Conclusion

The development proposal under review is brought by the City's service manager for affordable housing to provide 42-units of affordable housing and small-scale community facilities on a former school site. Policies are generally supportive of these uses which are of identified need both broadly through city-wide policies of The London Plan and specifically and local by reviews completed on the Hamilton Road neighbourhood. The proposal is able to demonstrate its compatibility with the neighbourhood when reviewed against the applicable official plan policies. The requested amendments are, with minor revisions, recommended to facilitate the development of the proposal.

Prepared by:	**Leif Maitland** **Site Development Planner, Planning and Development**
Submitted by:	**Michael Pease, MCIP RPP** **Manager, Site Plans**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers, MPA, P.Eng.** **Deputy City Manager, Planning and Economic Development**

July 18, 2022
cc: Heather McNeely, Manager, Current Development
Ismail Abushehada, Manager, Development Engineering
\\FILE1\users-x\pdda\Shared\ADMIN\1- PEC Reports\2022 PEC Reports\1_Current Cycle (July 25)\FINAL - 18 Elm St OZ-9496 (LM).docx

Appendix A

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

By-law No. C.P.-2016-____

A by-law to amend The London Plan for the City of London, 2016 relating to 18 Elm Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. 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 August 2, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

AMENDMENT NO.
to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To establish a specific policy area for the subject lands at 18 Elm Street on Schedule "A", Map 7 – Specific Policy Areas, to The London Plan for the City of London.

2. To add a policy in The Neighbourhoods Place Type of The London Plan for the City of London to allow for the use as proposed and requested.

B. LOCATION OF THIS AMENDMENT

3. This Amendment applies to lands located at 18 Elm Street in the City of London.

C. BASIS OF THE AMENDMENT

The proposed development demonstrates compatibility with its surrounding context and allows for uses that would otherwise be permitted within the Place Type.

D. THE AMENDMENT

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

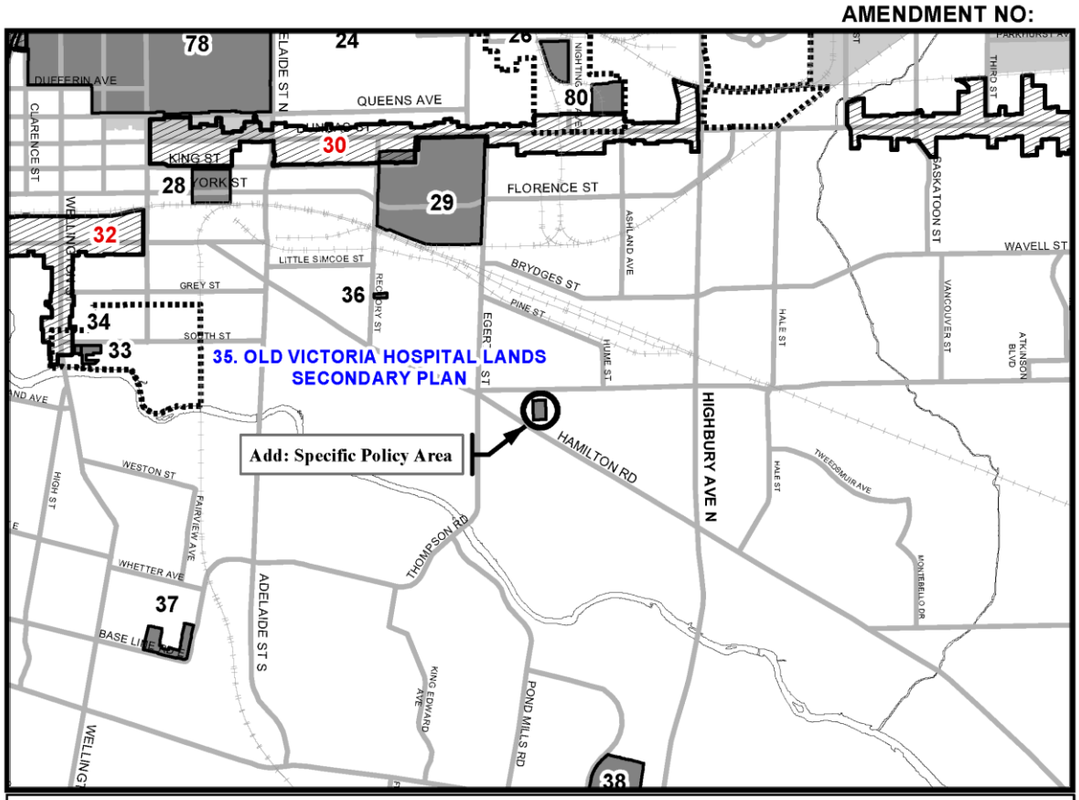
The London Plan is hereby amended as follows:

1. Map 7 – Specific Policy Areas, of The London Plan for the City of London Planning Area is amended by adding a specific policy area for those lands located at 18 Elm Street in the City of London, as indicated on "Schedule 1" attached hereto from.

2. The Neighbourhoods Place Type of The London Plan for the City of London is amended by adding the following as a new policy in the appropriate alphabetical location, following policy 1059:

18 Elm Street
1058A_ In the Neighbourhoods Place Type at 18 Elm Street, a mixed-use apartment building with community uses at grade may be permitted. Subject to the provisions of an established bonus zone, the mixed-use apartment building permitted may be up to 4-storeys in height.

AMENDMENT NO:



LEGEND

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

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE 1
TO
THE LONDON PLAN

AMENDMENT NO. _____

PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

FILE NUMBER: OZ-9496
PLANNER: LM
TECHNICIAN: RC
DATE: 6/17/2022

Document Path: E:\Planning\Projects\p_officialplan\workconsol00\amendments_LondonPlan\OZ-9496\OZ-9496_AMENDMENT_Map7_SpecialPolicyAreas_b&w_8x11.mxd

Appendix B

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 18 Elm Street.

WHEREAS Housing Development Corporation, London have applied to rezone an area of land located at 18 Elm Street, as shown on the map attached to this by-law, as set out below;

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

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 18 Elm Street, as shown on the attached map from a Neighbourhood Facility (NF) Zone **TO** a Residential R8 Special Provision Bonus (R8-4(_)●B(_)) Zone; and an Open Space 1 Special Provision (OS1(_)) Zone.

2) Section Number 4.3 of the General Provision is amended by adding the following Bonus Zone:

B - _ 18 Elm Street

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a 4-storey mixed-use apartment building with 42 units and a minimum of 800 sq.m. of community uses which substantively implements the Site Plan and Elevations attached as Schedule "1" and Schedule "2" to the amending by-law.

The bonus provided is for additional height and density is based on the provision of community uses.

The following special regulations apply within the bonus zone:

a) Additional Special Regulations

i)	Height (max)	14.5 m
ii)	Density (max)	100 uph
iii)	Day Care and Community Centre combined GFA (min)	800 sq.m.

3) Section Number 12.4 of the Residential R8 Zone is amended by adding the following Special Provisions:

R8-4(_) 18 Elm Street

b) Additional Permitted Uses

i) Day Care Centre
ii) Community Centre

c) Regulations

i)	Gross Floor Area non-residential uses (max)	1400 sq.m.
ii)	Front Yard Setback (min)	4 m
iii)	North Interior Sideyard Setback (min)	4 m

iv) Parking spaces for all uses in a mixed-use apartment building
46 spaces

4) Section Number 36.4 of the Open Space is amended by adding the following Special Provisions:

OS1(_) 18 Elm Street

a) Regulations

i) Minimum Lot Area (min) 2000 sq.m.

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.

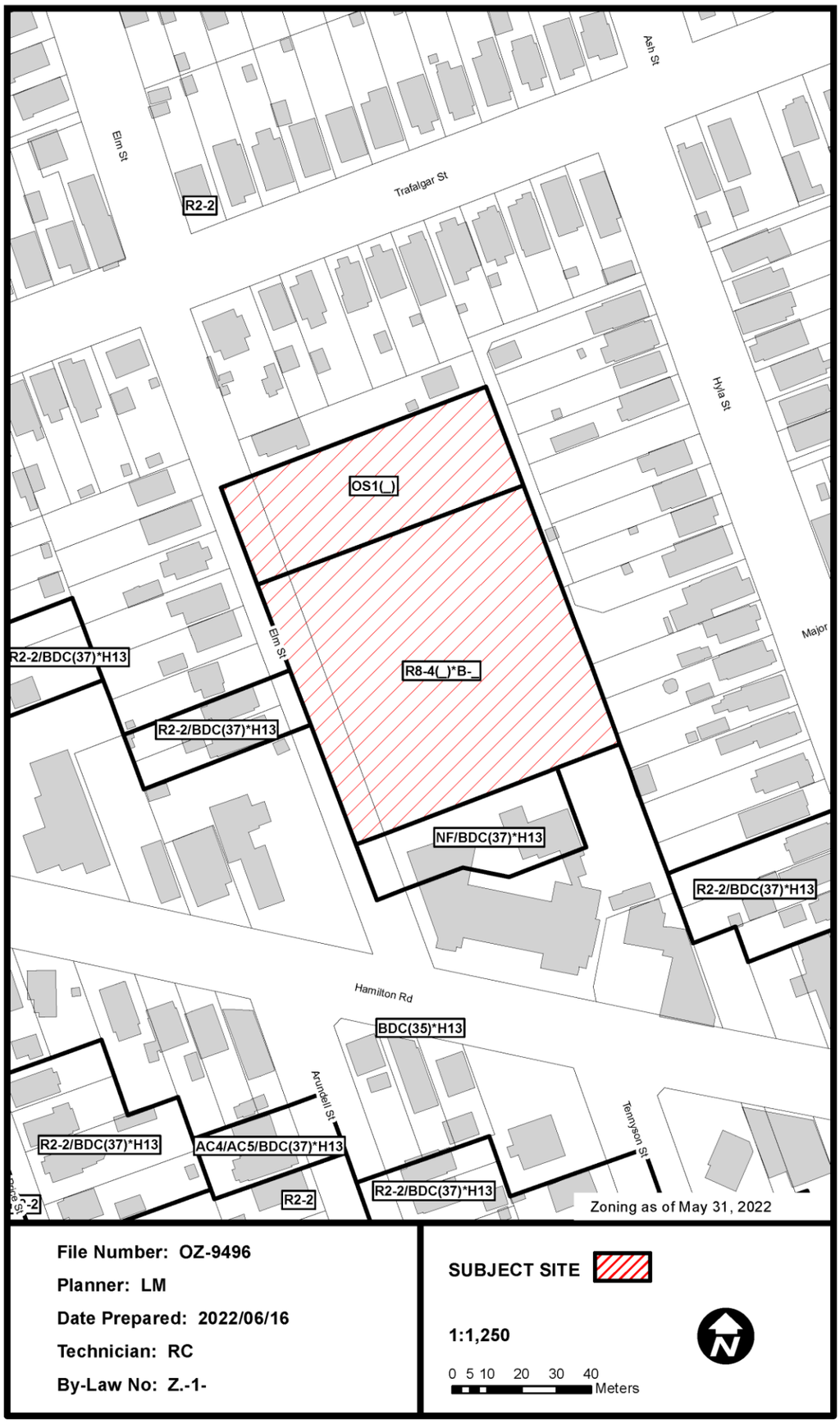
PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

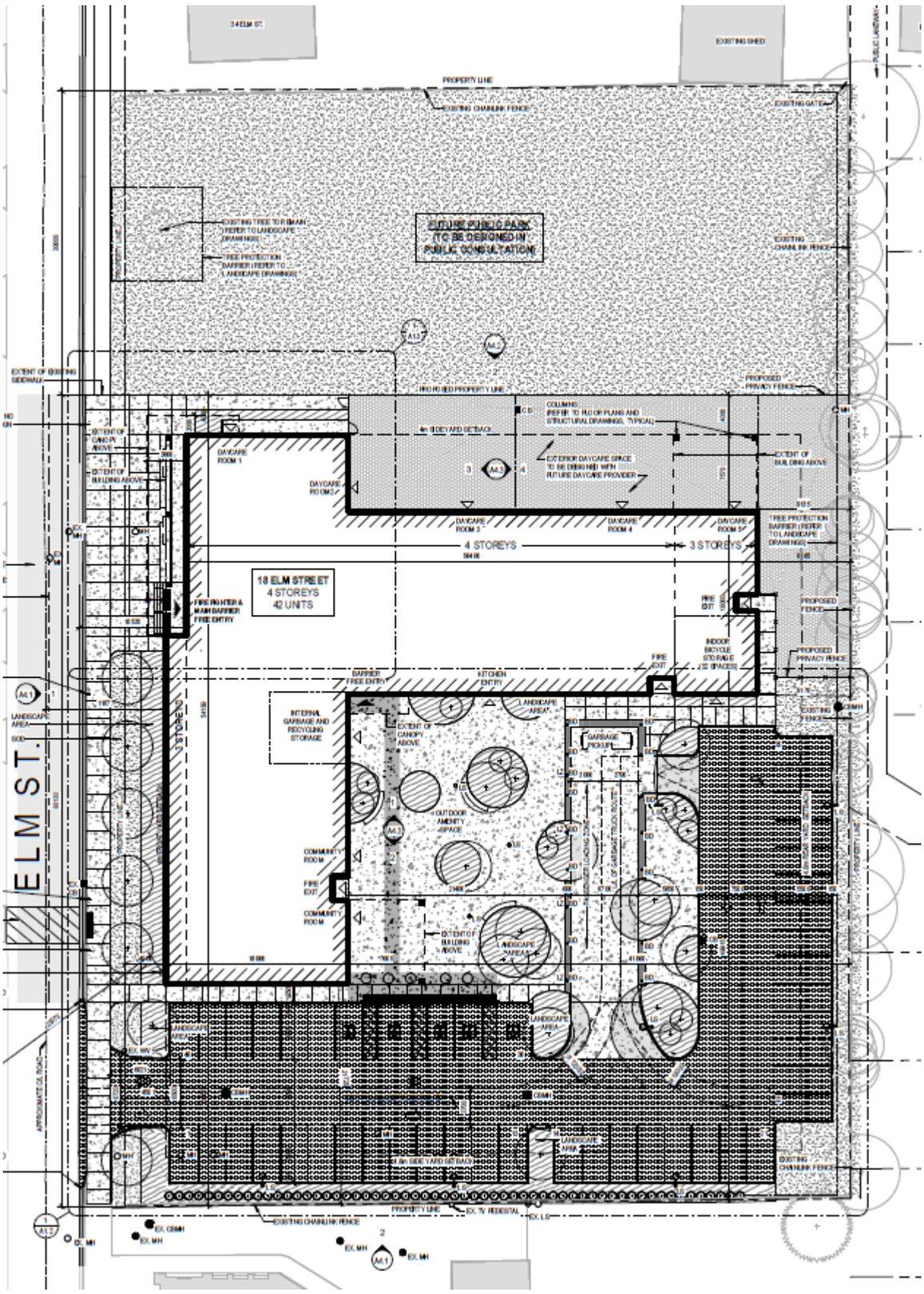
Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

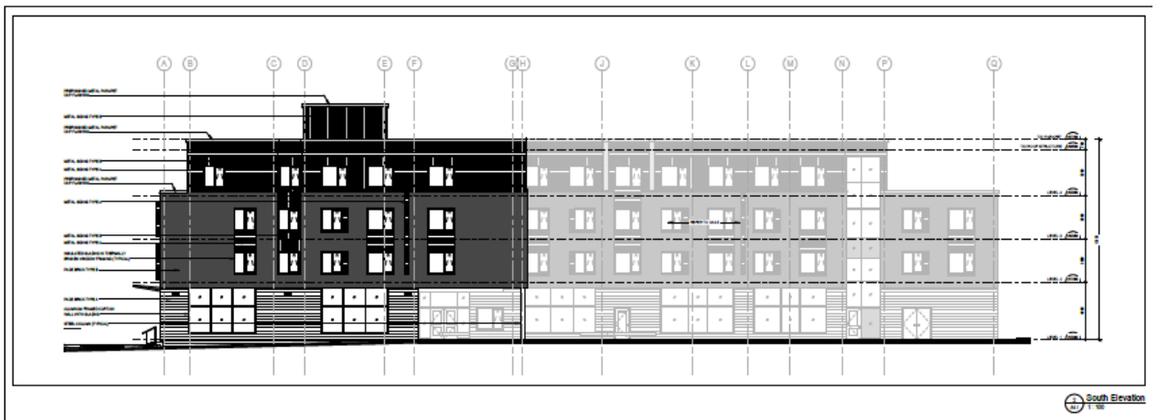
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)

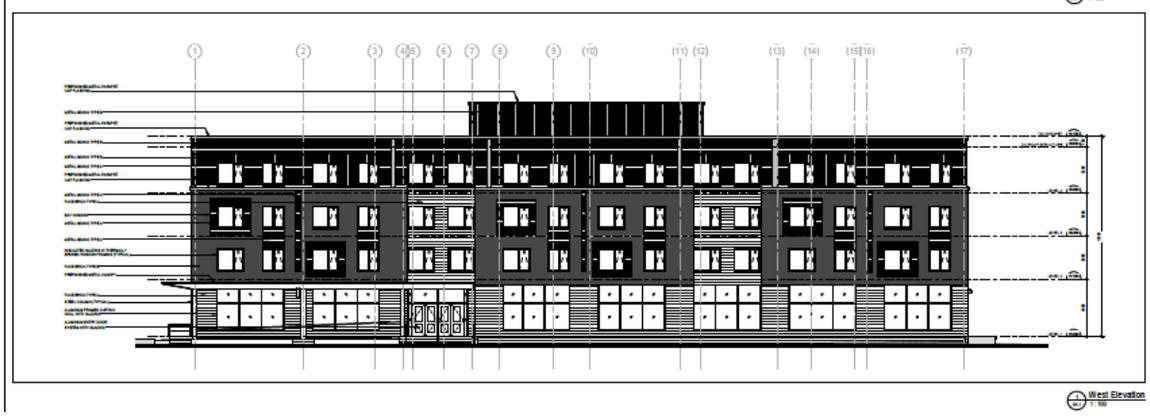


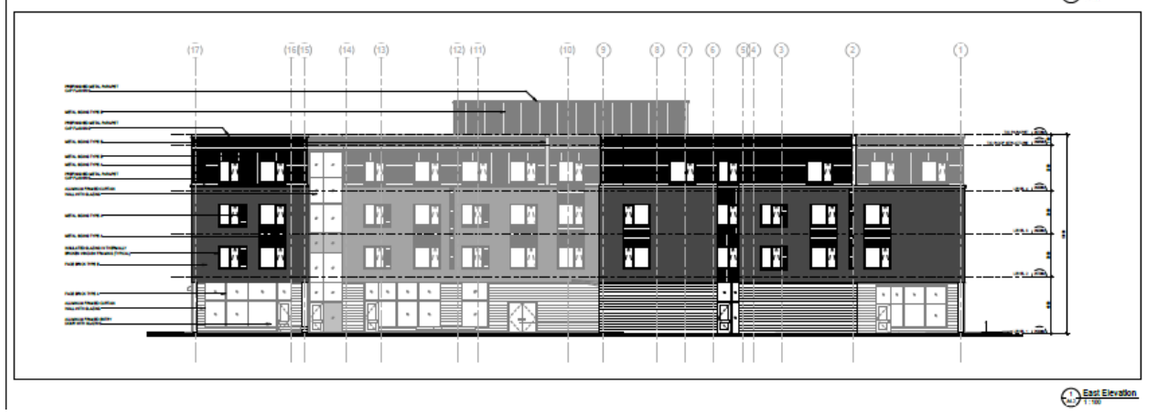
Bonus Zone Schedule 1 – Site Plan



Bonus Zone Schedule 2 – Elevations







Partial West Elevation
Partial East Elevation
Partial North Elevation
Partial South Elevation

Appendix C – Public Engagement

Community Engagement

Public liaison: On April 21, 2022 Notice of Application was sent to 167 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 21, 2022 A "Planning Application" sign was also posted on the site.

3 replies were received

Nature of Liaison: 18 Elm Street – The purpose and effect of this Official Plan and zoning change is to permit a 4-storey mixed use apartment building with 42 units, 1300 sq. m of non-residential community uses on the ground floor including a day care. A bonus zone with permission for 100 units per hectare of density in exchange for a specialized affordable housing approach including supports through a bonus zone is proposed as is the establishment of the northern portion of the site as a public park through an Open Space zone. Possible amendment to the Official Plan from Low Density Residential to Medium Density Multi-Family Residential. Possible amendments to The London Plan and The Official Plan to provide site specific provision to allow for the development.. Possible change to Zoning By-law Z.-1 FROM an Neighbourhood Facility (NF1) TO a Residential R8 special provision ● Bonus (R8-4(_)●B(_)) Zone and an Open Space special provision (OS1(_)) Zone File:OZ-9496 Planner: L. Maitland.

Concerns Identified in Public Responses:
Privacy, noise, crime, tree preservation, building location and massing, and public access to proposed day care use.

Responses to Public Liaison Letter and Publication in "The Londoner"

To: Zelinka Priamo Ltd
Attention: Shradha Arun

In regards to the Virtual Meeting on 01 June 2022, and the proposed apartment building on Elm St; My wife & I will be unable to attend due to work.

My Neighbour is not on the internet and will also not be able to attend. However I have talked to neighbours who live behind the building, on Hyla Street, and our concerns and solutions are very similar. I would like to submit them to you, before your plans are presented to the city council.

I received your diagram of the plans for the apartment building, but it shows very little information about what action would be taken to help the community who live behind the property.

Our concerns are mostly around 4 issues; privacy, noise, crime, and conservation. A row of tall spruce trees by our property lines would help provide year round privacy from a huge apartment building in our backyards. Tall spruce trees would also help with noise pollution.

A new 50 car parking lot behind your house would be upsetting to most homeowners, but this idea of spruce trees would be helpful. Cutting the bottom limbs off the trees would also provide a more secure, safer and open parking lot.

We believe a tall privacy wall would help with the noise of revving engines, diesel engines, loud mufflers, motorcycles and car doors slamming shut through the day and night. A tall privacy wall would also help owners feel safer from crime and trespassing in an already a low income and high crime neighbourhood.

We would like to see very good security cameras installed and a brightly lit parking lot to discourage criminal activity.

Lastly, conservation of the trees behind our properties is very important to me and my neighbours. There is a chain link fence between the border of our properties and the property on Elm Street. Removing this fence may damage or destroy the growing trees we have. Please confirm these trees will not be damaged and the fence will not be removed if there is possible damage to our trees.

Since many people in the community will be unable to attend the Virtual meeting on 01Jun2022, we would expect a letter confirming the minutes of the meeting and the important information that was discussed.

Thank you for your attention to this matter.

Mark Baertsoen 39 Hyla St London ON

Hello

My apologies, I misread and thought that we had till May 29th to express concerns regarding the development at 18 Elm St. London. I hope it's okay to send this email still.

I have a few questions
1. The height of the building. We had been led to believe that the building would not be any taller than the height of the former school, and it looks like this building would be at least one floor higher

2. The current design seems to be right up on the sidewalk and that has me concerned. Elm St is a street with crossing lights at both Hamilton and Trafalgar making it an ideal sidewalk for those wanting access to bus service and having a building opening up so close to the sidewalk seems a bit tight to me.

3. I see it will be zoned for day care. Is that for residents of the complex only, or will it be open to the public. If it is open to the public, having the sidewalk a space between the road and the sidewalk would be a excellent idea for those who might be driving to bring the children to the daycare and not have them blocking the already narrow street.

Thank you
Maria Marques Di Cicco. 236 Ellerslie Rd, London ON

Good afternoon Leif and Councillor Van Holst. I am writing you today as a private citizen of London, I own a home in Fairmont at 34 Algonquin Crescent.

I could not be more strongly in favour of this proposal. Please keep me apprised of this process as it unfolds and add me to whichever mailing list I need to be on to make sure that I'm notified of the eventual meeting date as I would like to appear as a delegation in support of the application.

Have a great weekend

Alex

Alex Vandersluis 34 Algonquin Crescent, London ON

Agency/Departmental Comments

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.

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.

Parks Planning: Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- Parkland dedication will be satisfied through the dedication of the 0.21 ha park and will be finalized through the site plan approval process.
- The 0.21ha park will be constructed as a Neighbourhood Park (not an Urban Park) as described in the City of London Design Specifications Requirements Manual timing of park construction is to be determined and may require further public consultation and detailed design.

Water Engineering: Water is available to the site via a 150mm water service stub off of the municipal 150mm PVCO watermain on Elm Street.

Ecology: There are currently no ecological planning issues related to this property and/or associated study requirements

Appendix D – Policy Context

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

Provincial Policy Statement, 2020 – Policies 1.1.1, 1.1.3.3, 1.1.3.6

The London Plan – Policies 937-940, 953, 1729-1734, Table 10, Table 11

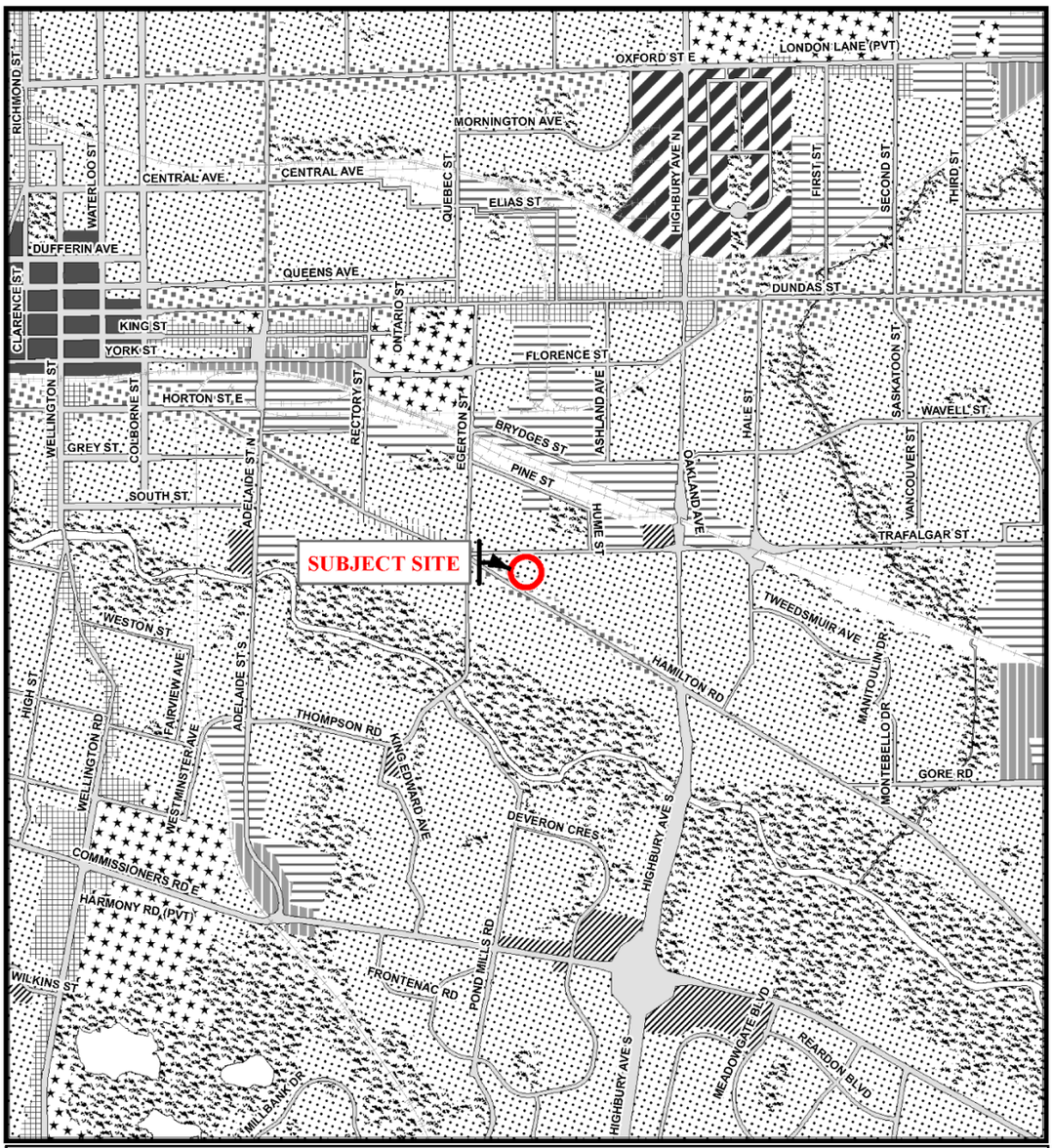
The City of London Official Plan, 1989 – Policies 3.1.4, 3.3, 3.7, 19.4.4

Hamilton Road Area Community Improvement Plan – Categories of Identified Community Improvement Needs, Action items 1.4, 4.2, 6.9.

The Housing Stability Action Plan

Appendix E – Relevant Background

Additional Maps



Legend

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

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

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

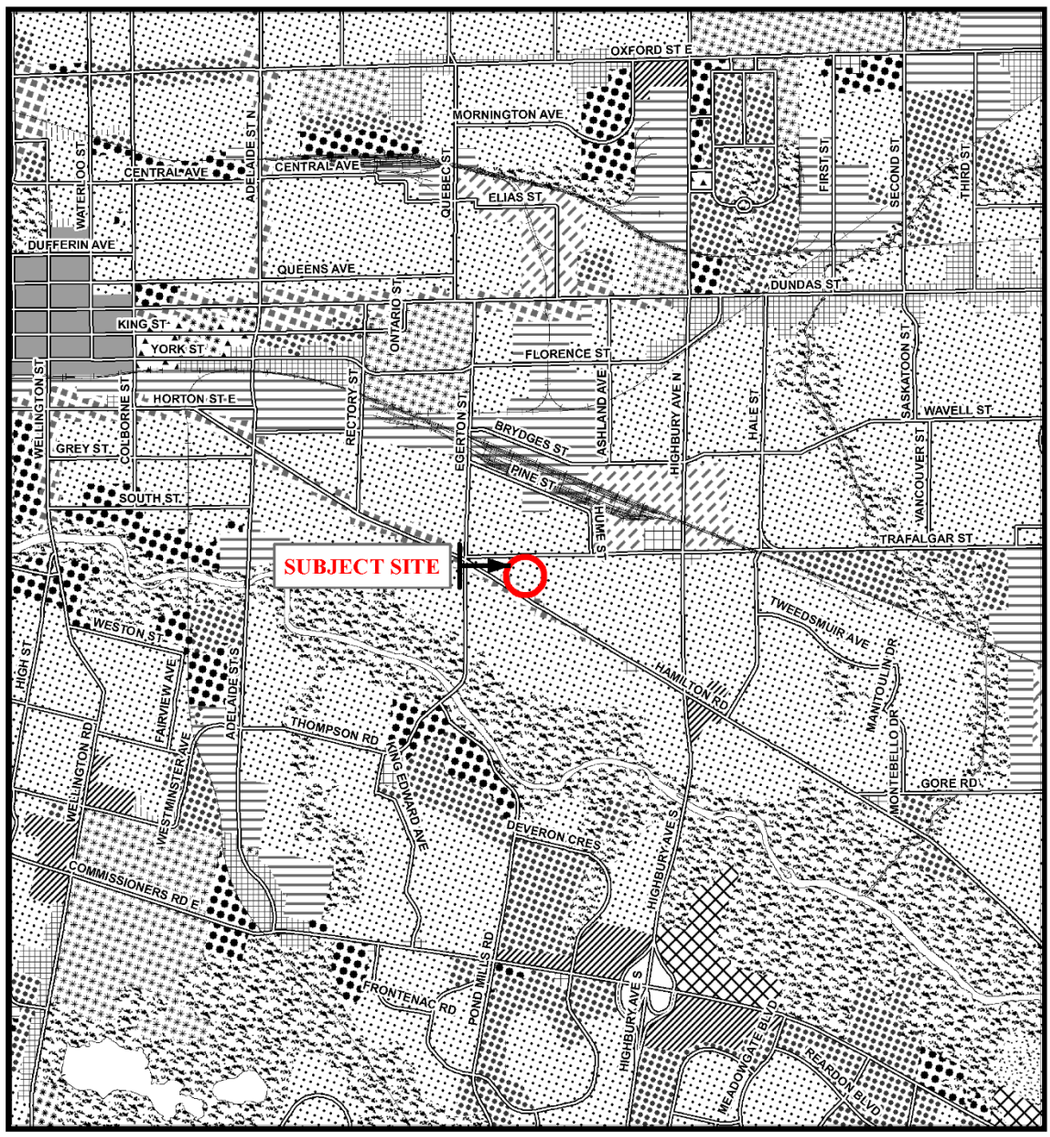
PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	OZ-9496
Planner:	LM
Technician:	RC
Date:	June 16, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\OZ-9496-Map1-PlaceTypes.mxd



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

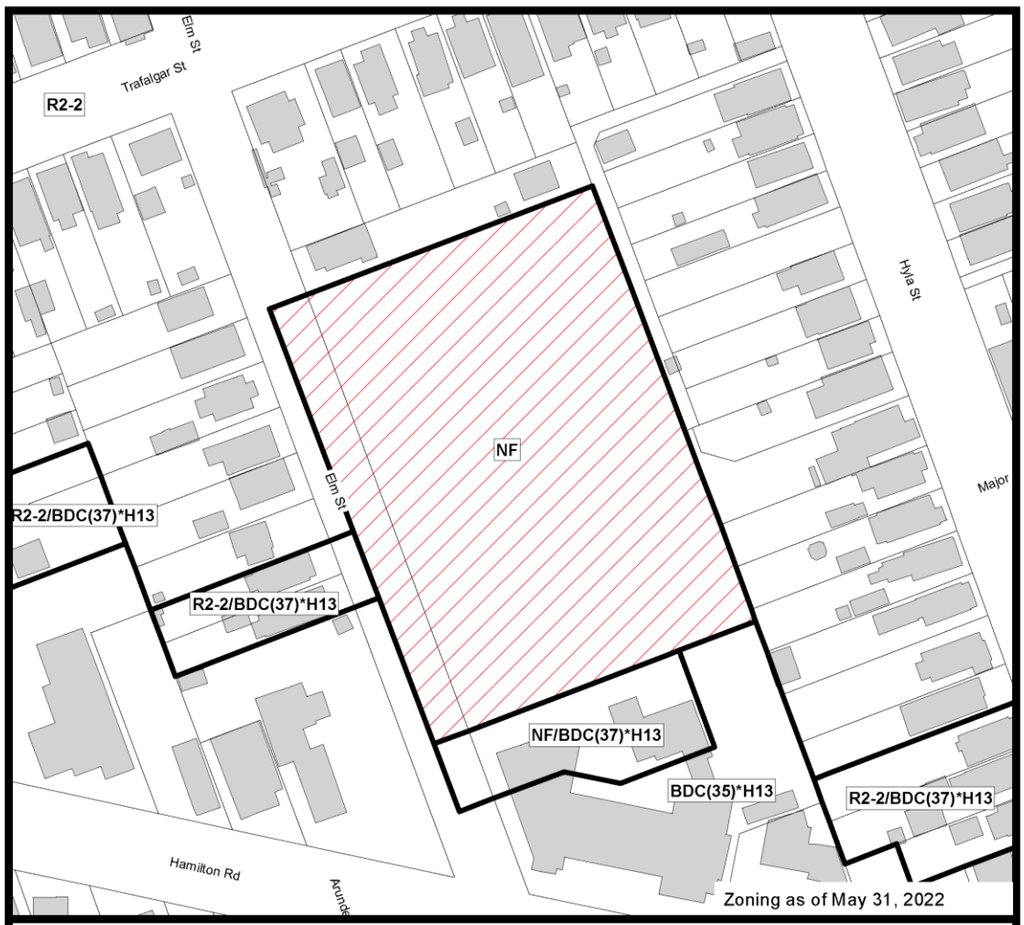
PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 155 310 620 930 1,240 1,550
Meters

FILE NUMBER:	OZ-9496
PLANNER:	LM
TECHNICIAN:	RC
DATE:	2022/06/16

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO:
OZ-9496 LM

MAP PREPARED:
2022/06/16 RC

1:1,250
0 5 10 20 30 40
Meters

Urban Design Peer Review Panel Comments – Applicant Response

Address of Development Site: 18 Elm Street
Date of Panel Meeting: 03-16-2022 **Comment:**
The UDPRP commends the design team for a thoughtful, detailed and comprehensive design proposal. The Panel sincerely appreciates the sophistication and high degree of deign development evident within this development application and associated presentation.
Applicant Response:
Noted.

Comment:
The UDPRP perceived the outdoor amenity space as an exciting and dynamic space. However it was thought this space should continue and flow through the pick-up / drop-off lane. This could be possibly done as a woonerf by using bollards and tactile warning pavers to delineate the edges of the vehicular way, while the paving material could continue through the laneway.
Applicant Response:
The applicant appreciates this idea of a continuous courtyard / drop-off area with carefully delineated edges. The courtyard design will be updated to incorporate these comments for the Site Plan submission.

Comment:
Acknowledging that the layout and composition of outdoor daycare space is largely tenant driven, the applicant is encouraged to look at opportunities to breakdown the numerous fences creating individualized play areas and instead create larger, programmable “flex-space”.
Applicant Response:
As allowed by the Day Nurseries Act, the applicant will endeavor to work with the as yet to be secured day care operator, to incorporate these comments, creating individualized play areas within a larger “flex-space”.

Comment:
The UDPRP applauds the design team for providing a commendable streetscape design along the Elm Street frontage. The powerful three meter landscape strip was envisioned to provide ample softening and contrast to the hard lines of the buildings architecture. The foundation plantings, rhythmic spacing of street trees and canopy overhang were thought to emphasize the building entrance along the main street, providing a clear wayfinding cue for building users.
Applicant Response:
Noted.

Comment:
The UDPRP understands from the applicants presentation that garbage pick-up will be by means of garbage bins stored internal to the building and brought outside to the garbage pick-up location on pick-up day. As such, the applicant is encouraged to reconsider the location of the garbage room currently located directly adjacent the entrance vestibule. The Panel also speculated that if the garbage truck route could be reduced or combined with the driving isle in the parking area then potential conflicts with the adjacent “island” amenity area could be avoided.

Applicant Response:
The applicant acknowledges the location of the garbage room is not ideal in consideration of the courtyard design, but the applicant is also of the belief that this arrangement is a very good outcome for the given site and program. The residential component of the building will only have access to the central circulation/vestibule after hours. Therefore, the garbage room must be located adjacent to this circulation area in order to be reasonably accessible to tenants using the garbage chute and elevator. It is also the only location in the building accessible to the three different occupancies at all times of day. The outdoor garbage pickup location is the result of extensive landscape, parking and loading studies, the result of which has significantly maximized landscape space and minimized parking and drive aisles for the required number of parking spaces. Reduced/alternative/combined pickup locations would result in the truck having to back out of the site across the public sidewalk.

Comment:
The applicant is encouraged to rethink the location of the drop-off area and garbage pick-up. These elements were thought to detract from the otherwise wonderful courtyard and outdoor amenity space. It was thought that the drop of area could be located along the South facade and the displaced parking could be placed across from the single loaded parking isle.
Applicant Response:
Noted and appreciated. Parking, drop-off and garbage pickup locations have been reviewed extensively with the intent of maximizing landscape amenity space. The applicant has tested the drop off on the south face of the building. This solution results in an overall reduction of landscape space and increased paved surface exclusively for vehicular use. It displaces parking to landscape space and requires a drive aisle exclusively to allow vehicles to circulate through the site to the drop off. A hammerhead turn within the space of the drive aisles is not expected to serve the drop-off adequately.

Comment:
Although the UDPRP acknowledges that the public park will likely be designed and constructed by the City of London, it should be noted that the applicant and City should explore different sized play areas to enable use of different play equipment, catering to different age groups. Having plant beds straddle the North property line adjacent the park was thought to be undesirable due to ongoing maintenance and ownership concerns. The Panel suggests providing some form of pronounced landscape edge to delineate the separation of public park from private property and buffer the transition.
Applicant Response:
The applicant agrees with the received comments. It is the applicants understanding that the park will be designed collaboratively with the City, however, once the land is deeded to the City, the park will be in the control of the City Parks Department. For Site Plan, the overlapping border planting will be eliminated. A secure edge will be provided between the park and daycare, and the building entry corner will be developed with the intent of creating a conceptual address on the park. A proposed park design will not be provided for Site Plan.

Form Completed By: _Tim Wickens_

18 Elm Street
OZ-9496

Housing Development Corporation, London.

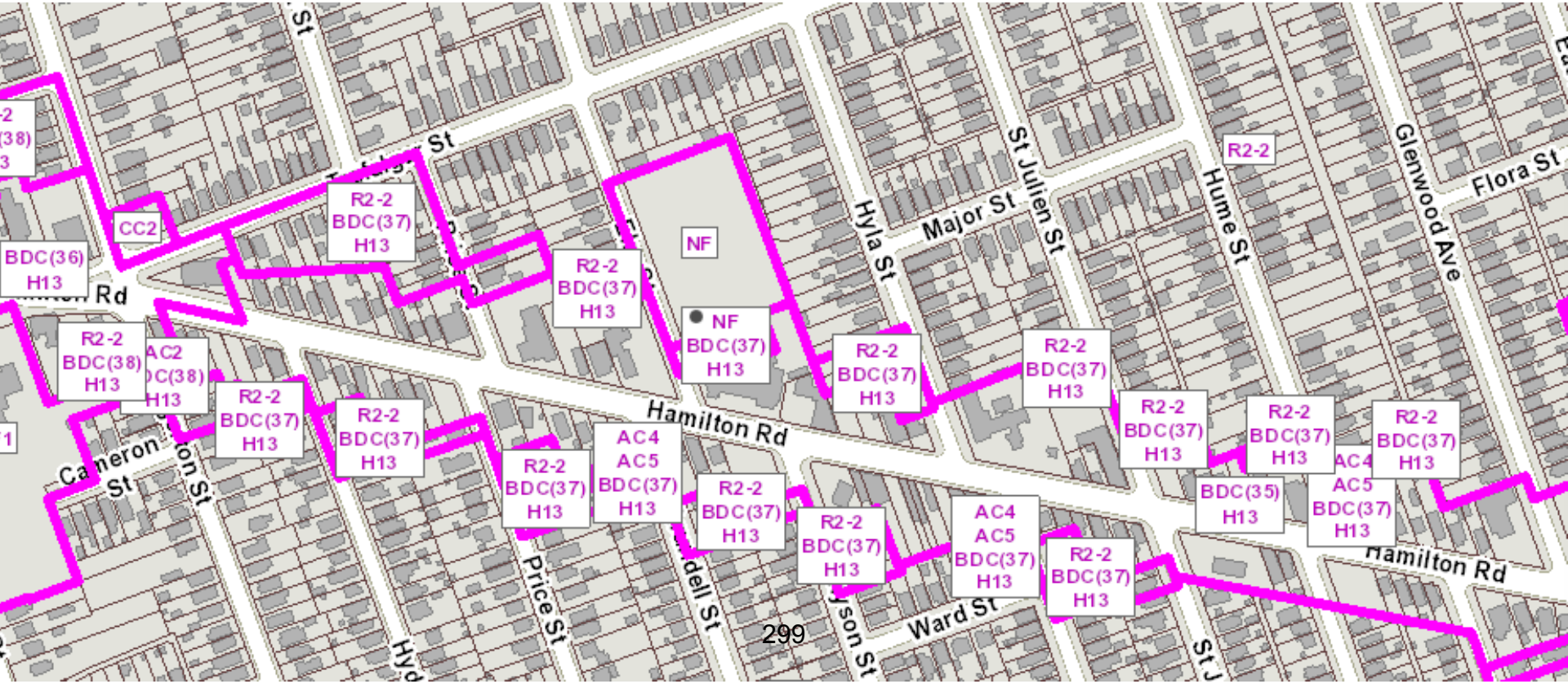
PEC July 25, 2022

Site Context

- Vacant school site – now demolished.
- Frontage – 110m
- Depth – 73m
- Area – 0.79 ha

- Zoned: Neighbourhood Facility
- Neighbourhoods Place Type

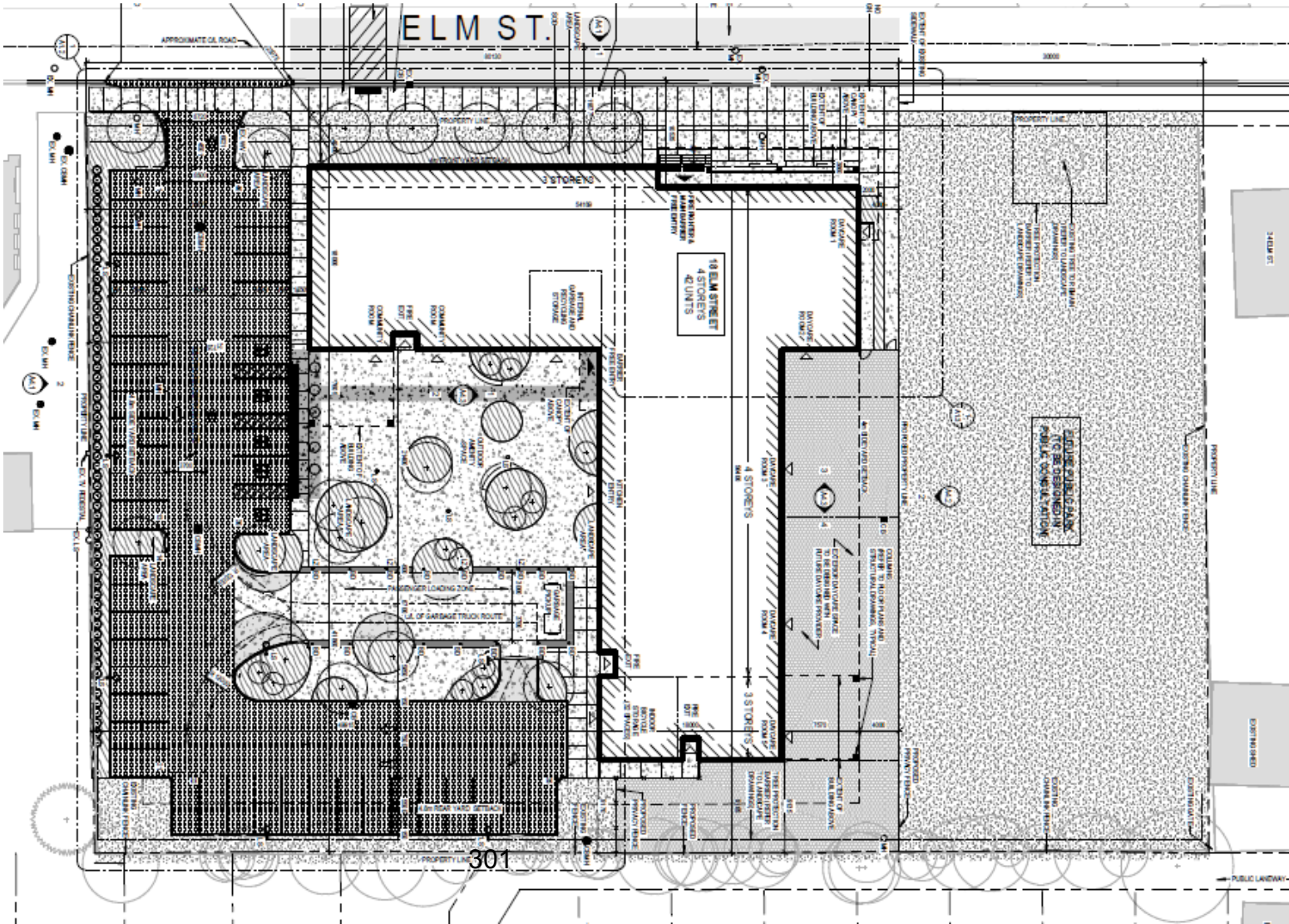
Site Location



Proposed Development

- 42 unit-apartment 4-storey mixed-use to be affordable.
- Housing Development Corporation partnership with Ontario Aboriginal Housing Services (OAHS)
- 1300 sq.m of community facility and day care uses.
- 0.21 ha to be dedicated for a park

Site Plan


ELM ST.
3 STOREYS
18 ELM STREET
4 STOREYS
42 UNITS
4 STOREYS
3 STOREYS
FUTURE PUBLIC PARK
TO BE DESIGNED IN
PUBLIC CONSULTATION
PROPERTY LINE

Applications – Official Plan

- Specific Policy Area

In the Neighbourhoods Place Type at 18 Elm Street, a mixed-use apartment building with community uses at grade may be permitted. Subject to the provisions of an established bonus zone, the mixed-use apartment building permitted may be up to 4-storeys in height.

Applications – Zoning By-law

- Residential R8-4 Zone
  a) Additional Permitted Uses: Day Care Centre, Community Centre
  b) Gross Floor Area non-residential uses (max): 1400 sq.m.
  c) Front Yard Setback (min): 4 m
  d) North Interior Sideyard Setback (min): 4 m
  e) Parking spaces for all uses in a mixed-use apartment building: 46 spaces

Applications – Zoning By-law

- Bonus Zone
  a) Height (max): 14.5 m
  b) Density (max): 100 uph
  c) Day Care and Community Centre combined GFA (min): 800 sq.m.

- OS Zone
  a) Minimum Lot Area (min): 2000 sq.m.

SPA22-043

- Application accepted May 17, 2022
- Second Submission Received July 12, 2022
- Site Plan and Elevations acceptable at second submission.

Recommendation

- Approval of the Official Plan Amendment to permit the development.
- Approval of the Bonus R8-4 Zone to permit a 42-units mixed use apartment building, 4-storeys in height with community uses at grade.
- Approval of the OS Zone to establish the park.

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: **538 Southdale Road East (Z-9480/Mansion Homes Inc./RRW Holdings Inc.)**
and
574 Southdale Road East (Z-9481/Mansion Homes Inc./ 1191097 Ontario Limited)
Public Participation Meeting
Date: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the applications of Mansion Homes Inc. relating to the properties located at 538 and 574 Southdale Road East:

(a) the proposed by-law attached hereto as Appendix "A-1" for 538 Southdale Road East **BE INTRODUCED** at the Municipal Council meeting on August 2, 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 Residential R3 (R3-2) Zone **TO** a Residential R5 Special Provision (R5-7(_)) Zone;

(b) the proposed by-law attached hereto as Appendix “A–2” for 574 Southdale Road East **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend Zoning By-law Z-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R3 (R3-2) Zone **TO** a Residential R5 Special Provision (R5-7(_)) Zone; and,

(c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues for 538 and 574 Southdale Road East through the site plan review process:
i) Integrate existing, healthy, mature trees into proposed landscaped areas;
ii) Infill any gaps abutting property boundaries with trees, fencing and/or other measures to buffer new development from existing uses;
iii) Provide enhanced architectural treatment/details on the side facades to add visual interest as these facades are highly visible from the street;
iv) Provide a minimum 1.5 metre buffer between all paved areas and the property lines to allow perimeter tree plantings; and,
v) Provide a minimum 1.5 metre setback along the west property line for screening between the driveway and the private residence to the west.

Executive Summary

Summary of Request

These two applications for 538 and 574 Southdale Road East are in close proximity to one another and are very similar in nature. Therefore, this report evaluates both sites given their similarities but includes two separate recommended zoning by-law amendments.

538 Southdale Road East

The applicant requested a zoning by-law amendment to allow a 3.5 storey stacked “back-to-back” townhouse with 12 units and 12 surface parking stalls. Special provisions

were requested to allow a reduced lot frontage, reduced front yard, reduced side yard setbacks at the front of the property, increase in density from 60 to 75 units per hectare and a reduction in parking to one space per unit.

574 Southdale Road East

The applicant requested a zoning by-law amendment to allow two, 3 storey stacked townhouse buildings with a total of 14 units and 14 parking stalls. Special provisions were requested to allow a reduced front yard, reduced side yard setbacks at the front of the property, increase in density from 60 to 70 units per hectare and a reduction in parking to one space per unit.

Purpose and the Effect of Recommended Actions

The purpose of these applications is to permit a form of residential intensification close to a Rapid Transit Corridor on lands that have been targeted for intensification in the 1989 Official Plan and in The London Plan. The recommendation is for a Residential R5 Special Provision (R5-7 (_)) Zone on both sites.

Rationale of Recommended Action

1. The recommended amendments are consistent with the Provincial Policy Statement (PPS), 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 amendments conform to the in-force Neighbourhood policies of The London Plan, including but not limited to the use, intensity and form of future development anticipated along a Civic Boulevard;
3. The recommended amendments conform to the Multi-Family, Medium Density Residential policies of the 1989 Official Plan, including but not limited to the permitted height and density of future development; and,
4. The recommended amendments facilitate the development of sites within the Built Area Boundary and the Primary Transit Area in The London Plan with an appropriate form of infill development.

Linkage to the Corporate Strategic Plan

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

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 within the Urban Growth boundary and avoiding the development of rural lands. This includes efficient use of existing urban lands and infrastructure. It also includes aligning land use planning to facilitate transit-supportive developments and encourage active transportation.

Analysis

1.0 Sites at a Glance

1.1 Property Descriptions

The two properties are located on the north side of Southdale Road East just west of Wellington Road South (800 and 600 metres away) between Nixon Avenue and Verulum Street. The subject properties are separated by five properties. Both properties are located in the White Oaks Planning District.

538 Southdale Road East

574 Southdale Road East

Both sites are relatively flat with some mature trees primarily around he perimeter.

Southdale Road East is classified as a Civic Boulevard in The London Plan and carries approximately 24,500 vehicles per day. Public sidewalks are available on both sides of Southdale Road East.

Southdale Road East looking east from Nixon Medical Centre

1.2 Current Planning Information for Both Sites

- 1989 Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Residential R3 (R3-2) Zone

1.3 Site Characteristics

	538 Southdale Road East	574 Southdale Road East
Existing Use	Undeveloped	Single family detached
Frontage	29.9 metres	32.4 metres
Depth	55.1 metres	63.1 metres
Area	1647 m²	2050 m²
Shape	Rectangular	Rectangular

1.4 Surrounding Land Uses

- North – Single family residential subdivision (VLA subdivision)
- East – Single family residential
- South – Single family residential subdivision protected by a noise wall
- West – Single family residential, two home occupations, 3 storey medical dental clinic

Winblest Ave at Easy Street looking east **Winblest Ave looking west**

1.5 Intensification (combined 26 units)

Both sites are within the Primary Transit Area and Built-Area Boundary and represent intensification with the number of units proposed to be increased from two to twenty-six.

1.6 Location Map

2.0 Discussion and Considerations

2.1 Development Proposals and Requested Amendments

In January 2021 both applications were submitted to the City by the same owner/developer. They are very similar with slight differences in proposed building form and the total number of units proposed for each property.

538 Southdale Road East

This proposal includes a 3.5 storey stacked back-to back townhouse which includes 12 units. The applicants are requesting a Residential R5 Special Provision (R5-7 ( ) Zone to permit stacked townhouses with special provisions to reduce the lot frontage from 30 metres to 29.9 metres, the front yard from 8 metres to 1.5 metres, the east interior side yard from 6 metres to 1.9 metres, the parking from 18 spaces to 12 spaces and increase the permitted density from 60 units per hectare to 75 units per hectare.

574 Southdale Road East

The proposal includes a 3 storey, 8 unit and a 3 storey, 6 unit stacked townhouse building. Similar to the above proposal for 538 Southdale Road East, the applicant has requested a Residential R5 Special Provision (R5-7 ( ) Zone with special provisions to reduce the front yard from 8 metres to 1.5 metres, the west interior side yard from 6 metres to 5.4 metres, the east interior side yard from 6 metres to 3 metres, the required parking from 21 spaces to 14 spaces and increase the permitted density from 60 units per hectare to 70 units per hectare.

Comparative Statistics of Both Proposals

	538 Southdale Road East	574 Southdale Road East
Lot Area	1844 m²	2042 m²
Lot Frontage	29.9 m	32.4 m
Front Yard	2.2 m	1.5 m
Side Yard	West- 10 m/East -1.86 m	West- 5.3 m/East- 3 m
Rear Yard	28.5 m	7.36 m
Landscaped Open Space	32%	41 %
Lot Coverage	29%	27%
Height	12 m	10 m
Density	74 units/ha	68 units/ha
Parking	12	14

3.0 Relevant Background and Analysis

3.1 Approach to Report

The two applications are very similar and are in close proximity (separated by five properties) to one another. The 1989 Official Plan designation (Multi-Family, Medium Density Residential), The London Plan Place Type (Neighbourhoods) and the existing zoning (Residential R3-2) are the same for both. The applicant and agent are also the same. In addition, because they are so close to one another, the public notification area for each property overlaps and some neighbouring residents commented on both applications. Therefore, in planning staff's opinion it was determined to combine the review and report preparation in an effort to avoid duplication of reports and be more efficient and analyze both sites in one report.

There are slight differences in the two proposals, one is back-to-back stacked townhouses while the other is two separate groups of stacked townhouse buildings.

Because of this slight difference, and because these proposals are on two distinctly separate properties, planning staff have prepared two separate zoning by-law amendments and determined to hold two separate public meetings based on a single report.

The approach is intended to save the public's time, the committee's time and staff time in the preparing, evaluating and considering the requested amendments. If there are objections or a potential appeal to the Ontario Land Tribunal to either one or the other site, it will allow that to occur without delaying the other amendment.

3.2 Community Engagement (see more detail in Appendix B)

As indicated in Appendix "B" public notices were sent on March 10, 2022 to 161 addresses for the two sites. The notification areas for both sites overlapped so some residents commented on both sites or the site closest to them. Londoner notice was provided the same day. In addition, the agent/applicant held a joint community meeting for both sites on January 10, 2022, before the applications were submitted, at which six residents attended. Separate community meetings for each site were also held in March 2022 by the agent/applicant and were attended by five residents each.

The concerns raised were similar to concerns raised in the consideration of other infill applications in the City; introduction of a new housing form in an existing neighbourhood, height, density, loss of trees, more noise, more garbage, more light, drainage, rear yard depth, not enough parking and the setting of a precedent for future development. These resident concerns will be discussed and evaluated later in Section 4.

3.3 Policy Context

Provincial Policy Statement, 2020

General Policies

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. Healthy, liveable and safe communities are sustained by accommodating an appropriate affordable and market-based range and mix of residential, and promoting the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimize transit investments, and standards to minimize land consumption and servicing costs (1.1.1. b) and e)).

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).

Use Policies

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached dwellings, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)).

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).

Intensity Policies

The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

Form Policies

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by

promoting a well-designed built form (1.7.1e)).

Summary

The two proposals meet the intent of the PPS policies by introducing a more intense form of residential intensification within the City built-up area in close proximity to transit and other services.

The London Plan

General Policies

The London Plan is the new Official Plan for the City of London (Council adopted June 23, 2016, approved by the Ministry with modifications on December 28, 2016, and in force and effect on May 20, 2022.)

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. Relevant Key Directions are outlined below.

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within the Primary Transit Area.
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

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

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

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

- Plan for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

Use Policies

The two subject sites are in the Neighbourhoods Place Type on Southdale Road East between Wellington Road South and Nixon Avenue. Southdale Road East is a Civic Boulevard, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. The permitted uses within the Neighbourhoods Place Type at this location include a range of low-rise residential uses, such as townhouses, stacked townhouses, triplexes, fourplexes, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

It is clear from the in-force policies that the direction is to promote intensification along corridors. Specifically, Policy 919_ 2 and 3 speaks to the range of uses and intensity permitted will be related to the classification of the street. Properties fronting onto major streets may allow for a broader range of uses and more intense forms of development than those fronting onto minor streets.

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix of unit types and should avoid the broad segregation of

different housing types, intensities, and forms. The development of the two proposed stacked townhouse buildings would contribute to the long term mix of housing types available in the area.

Intensity Policies

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. The maximum permitted height is 4 storeys in a Neighbourhood Place Type on a Civic Boulevard, with the potential to bonus up to 6 storeys. (*Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (*83_, *937_, *939_ 2. and 5., and *953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_). Subject to the City Structure Plan and Residential Intensification policies in the Neighbourhoods Place Type, infill and intensification in a variety of forms will be supported to increase the supply of housing in areas where infrastructure, transit, and other public services are available and accessible (506_). The Plan identifies appropriate locations and promotes opportunities for intensification and redevelopment, to specific areas such as higher order streets.

The intensity of development must also be appropriate for the size of the lot (*953_3.).

Form Policies

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953_ 2.a. to f.). The Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

Summary

The two proposals meet the intent of the London Plan policies by introducing a new, more intense housing form, at a height lower than the maximum permitted, along a major transportation corridor in the City.

The 1989 Official Plan

Use Policies

The subject site is designated Multi-Family, Medium Density Residential in accordance with Schedule ‘A’ of the 1989 Official Plan. The designation permits primarily multiple attached dwellings such as row houses or cluster houses, low-rise apartment buildings, emergency care facilities, converted dwellings and small-scale nursing homes, rest homes and homes for the aged.

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (3.1.1 ii).

Secondary permitted uses, that are considered integral to, or compatible with, medium density residential development including group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments and office conversions may be permitted according to the provisions of Section 3.6.

Intensity/Form Policies

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of …. high density residential development. (Section 3.3.3)

Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally, height limitations will not exceed four storeys… (Section 3.3.3 i)

Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre) (Section 3.3.3 ii).

Summary

In many respects the Multi-Family, Medium Density designation in the 1989 Official Plan and the Neighbourhood Place Type in The London Plan permit a similar form of development. The two proposals also conform to the 1989 Official Plan designation.

4.0 Key Issues and Analysis

4.1 Planning Approach along the Southdale Road East Corridor

Since the late 1980's the planning approach along the north side of Southdale Road East between Wellington Road South and Nixon Avenue has been the same; the area has been identified as an area of redevelopment for mid-rise, medium density residential development. Under the previous 1989 Official Plan it was designated Multi-Family, Medium Density Residential and under The London Plan it is identified as a Neighbourhoods Place Type, both of which allow a similar range of uses at similar heights. The London Plan does not control density. The lots along this corridor are quite deep, ranging from 50 metres to 65 metres (175 ft to 210 feet). The single family residential lots on Winblest Avenue to the rear are a similar depth.

The London Plan policy approach is to encourage street-oriented, transit friendly development along this corridor. By moving the new development closer to the street it allows for a greater separation distance between new development on Southdale Road and the backs of existing single family dwellings on Winblest Avenue.

Even though this has been identified as an area for intensification for over 30 years there is currently no medium density residential development in that area. The corridor is comprised of a mix of different ages, forms and styles of single detached dwellings. The only building that approximates the intent, scale and orientation of future development is the Nixon Medical Centre to the west at Nixon Avenue.

Nixon Medical Centre – 510 Southdale Road East (at Nixon)

This newer building establishes the intended setback and “street wall” for future development along the corridor. Both of the proposals for 538 and 574 Southdale Road East are consistent with this setback and form.

4.2 Discussion of Neighbourhood Concerns

Through the public consultation process the agents/applicant and Planning staff heard a number of concerns from neighbouring residents. These concerns are similar to concerns related to infill development in other existing built-up areas in the City. A discussion and analysis of these concerns follows.

4.2.1 Issue and Consideration # 1 – Setting a Precedent for Future Development

A number of residents expressed concerns about these proposals setting a precedent for future higher intensity residential development. As indicated above, both the 1989 Official Plan and The London Plan, which has recently come into force and effect, provide for and encourage this form of development. Although the corridor is now comprised of single detached dwellings, it has been planned for a higher intensity form of residential development up to a maximum of 6 storeys in height. The two proposals are consistent with the future policy direction, proposed to be 3 storeys and 3.5 storeys in height. Through reduced front yard setback for new development and retaining as much vegetation as possible, especially in the rear yard, it is hoped that there will be sufficient distance and buffering between the existing single family neighbourhood and the new stacked townhouses.

4.2.2 Issue and Consideration # 2 - - Introduction of a New Housing Form into an Existing Neighbourhood

Table 10 (Range of Permitted Uses in the Neighbourhoods Place Type) of The London Plan indicates the following primary uses are permitted along a Civic Boulevard; stacked townhouses, fourplexes, low rise apartments, and emergency care establishments. Consistent with the PPS, The London Plan and the 1989 Official Plan, the recommended stacked townhouses will contribute to the existing range and mix of housing types in the area, which consists almost exclusively of one and two-storey single detached dwellings. A broader variety of housing forms can be found farther west along Southdale Road East west of Nixon Avenue.

The proposed 26 stacked townhouses (replacing 2 units) will provide choice and diversity in housing options for both current and future residents. No new roads or public infrastructure are required to service the site, making efficient use of land and existing services. The property has suitable access to open space, community facilities and shopping areas and is within reasonable walking distance of the planned Rapid Transit System on Wellington Road South. While the recommended stacked townhouses have a different intensity and built form than the surrounding neighbourhood, the analysis of intensity and form below demonstrates that the stacked townhouses can be developed

on the subject lands in a way that is appropriate for the site and adjacent neighbourhood.

4.2.3 Issue and Consideration # 3 - Height

The maximum permitted height in the existing Residential R3 (R3-2) Zone applied to both sites is 12 metres (39.4 ft.), the same height as the maximum height in the requested zone for 538 Southdale Road. The proposal at 574 Southdale Road has only 10 metre height. The difference is that current development hasn't been built to the maximum allowed. Although the housing form is different, the maximum height is the same. The maximum allowed under the Neighbourhoods Place Type is 6 storeys, with bonusing, or approximately 20 metres. No bonusing has been requested for either site. Neither proposal is proposed to exceed 12 metres of height.

In addition, the height of the proposed stacked townhouses is similar to the Nixon Medical Centre to the west which is 3 storeys in height.

4.2.4 Issue and Consideration # 4 - Density

There were a number of public concerns raised about the proposed density of the two developments. The two proposals have requested increases in density from 60 units per hectare to 75 units per hectare (538 Southdale Road) and 70 units per hectare (574 Southdale Road East). The Multi-Family, Medium Density Residential designation in the 1989 Official Plan allows a maximum density of 75 units per hectare, similar to the requested density. The London Plan does not regulate on the basis of density, it regulates by use, intensity and form. The first wo criteria are discussed above. Form deals with the size and configuration of the building envelope in which development occurs. The number of units inside that envelope does not matter as long as other zoning regulations are met (eg. Parking). The form of development proposed on the properties is appropriate.

4.2.5 Issue and Consideration # 5 – Rear Yard Depth

Neighbours are concerned that the new buildings will be too close to the existing single family residential neighbourhood to the north. The lots on Southdale Road are between 50 metres and 65 metres deep. If the proposed buildings are set close to the street there will be an increased separation distance between the rear of the new development and the backs of the single family residential buildings on Winblest Avenue (approximately 30 metres). The normal setback under the current Residential R3 (R3-2) Zone is 6.0 – 7.5 metres. At 538 Southdale they are providing a 30 metres rear yard and the Z-1 requirement is only 12.0 metres. At 574 Southdale they are providing 7.2 metres and the requirement is 10.0 metres. The agents have indicated that they intend to make sure the built forms fit within a 45 degree angular plane to address planning/design arguments around fit/compatibility.

The retention of existing mature trees in the rear yards of 538 and 574 Southdale Road, and the addition of new trees, could also help to screen new development from the existing neighbourhood.

In addition, the applicants are planning to install a new privacy fence on three sides of each property.

4.2.6 Issue and Consideration # 6 – Loss of Trees

The use of landscaping, fencing and separation distances are helpful to screen development and soften the impacts of new construction. Tree Assessment Reports have been prepared for both sites and the City Landscape Architect has reviewed both. All the trees are to be removed except for four trees at 574 Southdale Road East. Trees were recommended to be removed as a result of a conflict with the proposed development location. The final tree retention strategy will be established at the site plan approval stage and staff will endeavour to retain as many existing healthy trees as

part of the new developments landscaped/amenity areas and have new trees planted in vacant spaces.

4.2.7 Issue and Consideration # 7 – Parking

Concerns were raised about the amount of traffic that would be generated by this development and whether there was enough on-site parking. Residents in the area are concerned about negative impacts on the neighbourhood in terms of increased traffic and safety, on-street parking and the lack of sidewalks on Easy Street.

As part of the complete application, no traffic study (TIA) was required by Transportation. Transportation has reviewed both applications and offer no concerns at the zoning by-law amendment stage but they indicated that " *detailed comments regarding access design and location will be made through the site plan process."*

Additionally, Easy Street and Winblest Avenue are classified as Neighbourhood Streets in The London Plan. These streets serve a small number of dwelling units in the area, thus its traffic volumes are low. Neighbourhood (local) streets are typically intended to accommodate traffic volumes of approximately 1000 vehicles per day; however, this threshold varies by location, length of road, types of developments etc.

Residents were also concerned about the reduction in parking, and possible overflow parking on local streets as a result.

4.2.8 Issue and Consideration #8 – More Noise
4.2.9 Issue and Consideration #9 – More garbage
4.2.10 Issue and Consideration #10 – More light

All of these issues raised in the public comments are related to the number of people living on the property. It was expressed that the more people that live on the property, the more these concerns could become issues.

It is staff's opinion that through increased setbacks, building location, landscaping, fencing, and other matters to be addressed as part of the site plan approval process that these concerns can be addressed, and they have been reflected in the staff recommendation of matters for the Site Plan Approval Authority to consider.

4.2.11 Issue and Consideration #11 - Drainage

One resident was concerned that the water that usually drained from his property would no longer drain south after construction of the two new residential buildings. A grading and drainage plan is required to be submitted at the Site Plan Approval stage of the development process and will be reviewed at that time.

4.3 Appropriateness of Zoning By-law Amendment Special Provision Requests

The applicants have requested the following special provisions to the normal Residential R5 (R5-7) Zone regulations. They are;

538 Southdale

1. Reduction of Lot Frontage Minimum from 30 metres to 29 metres;
2. Reduction of Front Yard Minimum from 8 metres to 1.5 metres;
3. Reduction of Interior Side Yard Minimum from 6.0 metres to 1.8 metres for the first 30 metres and 3.0 metres for the remainder;
4. Increase in Maximum Permitted Density from 60 to 75 units per hectare; and,
5. Decrease Minimum Parking Requirement from 18 to 12 spaces.

574 Southdale

1. Reduction of Front Yard Minimum from 8 metres to 1.5 metres;
2. Reduction of Interior Side Yard Minimum from 6.0 metres to 1.8 metres for the first 30 metres and 3.0 metres for the remainder;

4. Increase in Maximum Permitted Density from 60 to 70 units per hectare; and,
4. Decrease Minimum Parking Requirement from 21 to 14 spaces.

Rationale for Special Provisions

1. Front Yard

Special provisions are required to allow the buildings to be moved close to Southdale Road East to create a more transit friendly development and provide more separation distance between the back of the new residential buildings and the backs of the existing single detached dwellings on Winblest Avenue. The 1.5 m minimum still allows some landscaping and a possible joint sidewalk to be installed. By reducing this requirement it minimizes the amount of front sidewalk needed to connect to the City sidewalk.

There is no exterior side yard regulation required for either of these properties because they don't abut a street on their sides.

2. Interior Side Yard Depth

A special provision is needed to allow street orientated buildings closer to the lot lines at the front of the property with normal setbacks to the rear. It is anticipated, over time, that similar development will occur on properties on either side of the subject properties. If a consistent setback is established then walls would abut walls at the front of the structure and windows to windows to the rear of the structure. The 1.8 metres separation still allows trees to be planted. A minimum of 1.5 metres is generally needed to plant a tree. A privacy fence is also to be built along the property line. In the consideration of the final site plan increases in separation and vegetation are desirable.

3. Rear Yard

The rear yard setback is important because of the proximity of single family homes to the rear. If the new structure is built to the maximum height of 12 metres and 10 metres, a 12 metre (538) and 10 metres (574) rear yard would be required. The proposed building at 574 Southdale Road is deficient by 2.8 metres but through a combination of moving the new buildings closer to the front of the property, including more amenity space in the rear yard, retaining as many existing trees, or planting new trees, new development can be buffered from existing houses to the north by increasing the rear yard to 10 metres.

4. Density

The London Plan, which is currently in force and effect, does not address density but concentrates on use, intensity and form. The number and size of units within the building form is highly variable and was deemed to be less important now. However, Zoning By-law Z-1 implements the 1989 Official Plan which did address density. Until a new zoning by-law is developed to implement The London Plan special provisions are needed for these sites and others to address the issue of density.

5. Parking Reduction

The were a number of concerns raised about on-site parking spilling out onto neighbouring streets. Both proposals require a considerable reduction in the required parking. The proposed parking reduction is 6 spaces (from 18 to 12) at 538 Southdale and 7 spaces (from 21 to 14) at 574 Southdale. Conversely, this is intended to be a transit friendly form of development where cars may not be needed. These developments are well served by transit, so less parking may be required.

Providing one space per unit is reasonable given the neighbours concerns and the City's long term intent to create a more transit, pedestrian and cycling-friendly City where there is less reliance on the private automobile. The City is currently reviewing its overall parking standards with a view to reducing them. Cities such as Edmonton have recently eliminated parking standards and have allowed the market to determine the amount of parking required.

5.0 Conclusion

The Multi-Family, Medium Density Residential designation in the 1989 Official Plan and the Neighbourhoods Place Type in the London Plan both contemplate redevelopment along major arterial roads such as Southdale Road East which support transit. However, care has been taken to ensure that impacts on abutting single family residential areas are minimized. Through increased rear yard setbacks, limited setbacks from Southdale Road East, retention of as many existing trees as possible and new fencing, Planning staff feel that these impacts will be minimized and the recommended zoning by-law amendments are appropriate.

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Neighbourhoods Place Type. n The recommended amendment will facilitate the development of an underutilized site within the Built-Area Boundary and the Primary Transit Area with a land use, intensity, and form that is appropriate for the site.

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

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.

July 18, 2022

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

D:\11 - Current Planning\DEVELOPMENT APPS\2022 Applications 9472 to\Applications\Southdale Road East 538 (MW-CP) - Z-9480\08-PEC\Report\PEC-Report-(CP) original -538 and 574 Southdale E-July 25 2022.docx

Appendix A

Ap**pendix "A-1"**

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

2022
By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 538 Southdale Road East.

WHEREAS RRW Holdings Inc. has applied to rezone an area of land located at 538 Southdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 538 Southdale Road East, as shown on the attached map comprising part of Key Map No. A107, from a Residential R3 (R3-2) Zone to a Residential R5 Special Provision (R5-7(_)) Zone.

2) Section 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:

) R5-7(_)

a) Regulations

i) Lot Frontage (Minimum) 29 metres

ii) Front and Exterior Side Yard
(Minimum) 1.5 metres
(Maximum) 4.5 metres (where more than one building is to be developed on a lot, the maximum front and exterior side yard depth shall only apply to the building nearest to the lot line shared with the street)

iii) Interior and Rear Yard Depth (Minimum)

Interior (First 30 metres of Lot Depth): 1.8 metres when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres when the wall of a unit contains windows to habitable rooms

Interior (remainder): 3.0 metres when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres when the wall of a unit contains windows to habitable rooms.

Rear: 1.0 metres per 1.0 metres of main building height but in no case less than 6.0 metres.

iv) Density (Maximum) 75 units per hectare

v) Parking (Minimum) 1 space per unit

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

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

PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

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

Appendix "A-2"

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

By-law No. Z.-1-19_____
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 574 Southdale Road East.

WHEREAS Mansion Homes (1991097 Ontario Inc) have applied to rezone an area of land located at 574 Southdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 574 Southdale Road East, as shown on the attached map comprising part of Key Map No. A107, from a Residential R3 (R3-2) Zone to a Residential R5 Special Provision (R5-7(_)) Zone.

2) Section 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:

) R5-7(_)

a) Regulations

i) Front Yard and Exterior Side Yard Depth
(Minimum) 1.5 metres
(Maximum) 4.5 metres (where more than one building is to be developed on a lot, the maximum front and exterior side yard depth shall only apply to the building nearest to the lot line shared with the street)

ii) Interior and Rear Yard Depth
(Minimum)

Interior (First 30 metres of Lot Depth): 1.8 metres when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres when the wall of a unit contains windows to habitable rooms

Interior (remainder): 3.0 metres when the end wall of a unit contains no windows to habitable rooms, or 5.4 metres (west) and 3.0 metres (east) when the wall of a unit contains windows to habitable rooms.

Rear: 1.0 metres per 1.0 metres of main building height but in no case less than 6.0 metres.

iii) Density (Maximum) 70 units per hectare

iv) Parking (Minimum) 1 space per unit

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

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

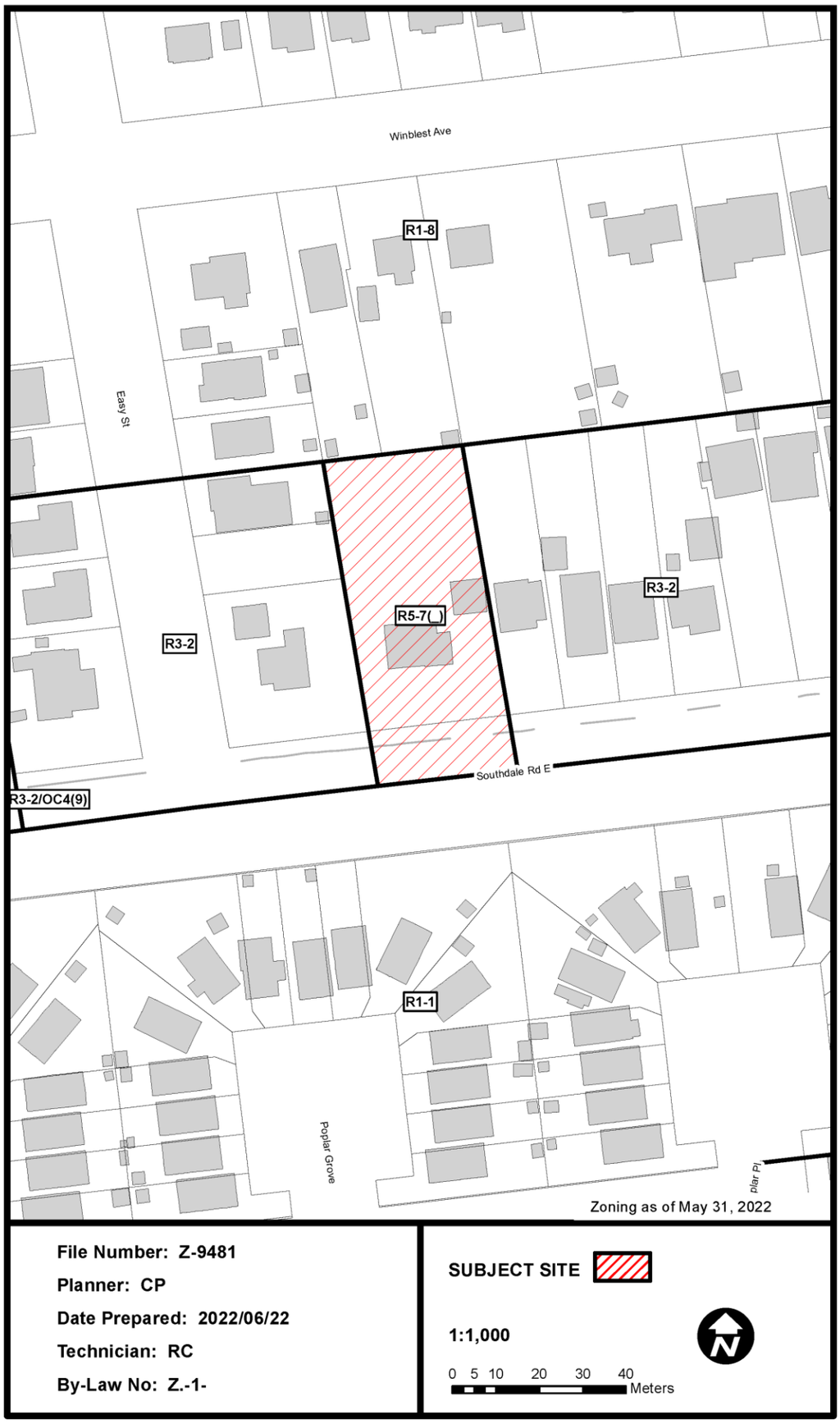
PASSED in Open Council on August 2, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On March 10, 2022 both applications were liaised to all property owners within 120 metres of the two property boundaries. There was some overlap between the two circulation areas. Notice of Application was sent to 161 (some overlap) 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 10, 2022 for both sites. A "Planning Application" sign was also posted on both sites.

The applicant's held a joint community meeting for both sites virtually on January 10, 2022 at which six members of the public were involved. On March 24, 2022 (538 Southdale) and March 30, 2022 (574 Southdale) individual community meetings were held for each site and five members of the public were involved in each one.

In total, 16 replies were received (some duplication of public involved)

Nature of Liaison:

538 Southdale Road East

- A 3.5-storey stacked back-to-back townhouse building containing 12 dwelling units.
- Special provisions are required to permit reduced front, exterior, and interior yard depths; an increased rear yard depth; a reduced parking rate; and an increased density.

574 Southdale Road East

- Two, 3-storey stacked townhouse buildings containing a total of 14 dwelling units.
- Special provisions are required to permit reduced front, exterior, and interior yard depths; an increased rear yard depth; a reduced parking rate; and an increased density.

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

Concern for:

1. Proposed housing forms do not fit into existing neighbourhood*:*

   No other stacked townhouse forms in the neighbourhood. One example that does "fit" is 608 Southdale Road. Design will "stick out like a sore thumb". Alter the character of the neighbourhood.

2. Height of Development*:*

   Keep heights that "fit" in with the neighbourhood. Impact on privacy of neighbouring properties.

3. Density of Development*:*

   More dense than other housing forms in the area.

4. Loss of trees*:*

   Home for wildlife, especially birds. Keep as many existing trees as possible to block view of new housing.

5. Noise

   More noise from an increase in number of people living on the property.

6. Additional Light from New Units

7. Drainage

   Impact of drainage on neighbouring properties. Loss of trees which soak up water.

8. Precedent for Further Development

   Majority of homes in the area are single floor dwellings. Request for 3 or 4 storeys will lead to requests for 6 storeys.

9. Garbage

   More garbage from more people

10. Lack of Parking

    Not enough visitor parking so more on-street parking. More traffic on side streets- no sidewalks, safety of children walking to school.

11. Reduction of Rear Yard

    Brings units closer to existing houses.

Responses to Public Liaison Letter and Publication in "The Londoner" for 538 and 574 Southdale Road East

538 Southdale Road East	**574 Southdale Road East**
Larry Dann- 541 Winblest Ave.	Karen Carter
Jarret Bruinsma – 581 Winblest Ave.	Jarret Bruinsma – 581 Winblest Ave.
John Collins – 537 Winblest Ave.	Vic and Joanne Danyla-573 Winblest Ave.
Cassondra Skinner – 806 Easy Street	
Emily and Ken Roadhouse-589 Winblest Ave	Emily and Ken Roadhouse – 589 Winblest Ave.
Cindy Sturgeon	Cindy Sturgeon
Randy and Linda McNaught-572 Winblest Ave.	Randy and Lind McNaught-572 Winblest Ave.
Werner Omer- 811 Easy Street	Werner Omer- 811 Easy Street
Thu Lenovo-548 Southdale Rd. E.	
Edna Eggett- 566 Southdale Road East	
Hans Peters-522 Winblest Ave.	
Chuck Carter	
Jason Collins	

Summary of Public Comments on 538 and 574 Southdale Road East

NAME	ADDRESS	DATE	COMMENTS
Larry Dann	541 Winblest Ave	15/03/22	My name is Larry Dann and I live behind this property at 541 Winblest Ave. I am strongly against this development and the bylaw changes. Do you know how many of the 12 units proposed are 1 bedroom or 2 bedroom? Are these units to be sold or rented?
Jarret Bruinsma	581 Winblest Ave	20/03/22	I am writing to you today to express my concerns about the proposed development at 538 Southdale Road East. As a nearby resident, I am worried about the extra tall height of the proposed structure, as well as the very high density of dwelling units that are proposed. With both of these items comes noise and light concerns. This proposal does not fit into the existing neighbourhood surroundings, as the vast majority of homes are single floor dwelllings, with a few one and a half story and the odd two-story mixed in. I would urge the city to keep new developments to a height that fits with the existing neighbourhood and does not tower above them. A good example of a more recent development that fits with the existing neighbourhood well can be found at 608 Southdale Road East. Where once there was a single family home, the developer worked with the existing zoning, and made a single story four unit building that blends in with the neighbourhood. I urge the city to prohibit the rezoning of the land at 538 Southdale Rd East, and instead seek a proposal within the existing zoning and height/setback requirements. I have spoked to many neighbours in the area, and they are all opposed to the current proposal. I ask that the city consider the concerns of the existing residents over the desires of outside developer's profits. Even allowing a four unit building to be constructed within the current zoning still increases the density of the property four-fold.
Jarret Bruisma	581 Winblest Ave	20/03/22	I am writing to you today to express my grave concern with the proposed development at 574 Southdale Road East. As a property owner that is directly near this development, I am very concerned. The added height, and special accommodations proposed by this developer will have severe impacts on the surrounding neighbourhood. The structure proposed is vastly taller, and much more dense than anything else in the surrounding area. I urge the city not to re-zone this parcel or allow added height and setback accommodations. A good example of a recent redevelopment can be found at 608 Southdale Road East. This redevelopment worked within the existing zoning, while building a structure that blends seamlessly into the surrounding neighbourhood.
John Collins	537 Winblest Ave	22/03/22	I wish to point out my concerns with the development of the property at 538 Southdale Rd E. First very concerned about the drainage of water from my property, due to the raising of the land due to construction. For right now I have water laying in my back yard that use to drain into 538 Southdale Rd East (538). But it is now laying in my property

			due to the long grass for the property acting as a dam. has not been maintained for a year plus. Put a drainage tile (Black 4" O drainage tile) along or even in my back yard to the (538) Southdale Rd. drainage ditch would end that concern. As for the height and density of the property. This is going cause concern of privacy, noise due to 12 families living in an area that is designated dual housing. Lack of green area for children. This appears to be an increase from the planning decision back on March 4, 2020. Nothing in regarding noise caused by 12 apts. That contain how many people? Fencing, tree preservation {accidents happen with a front-end loader}.
Cassondra Skinner	806 Easy Street	24/03/22	I'm writing to you to voice my concerns over the proposed development at 538 Southdale Road East. It's been on my mind for quite some time now, but it's been hard to put my words together, so please forgive me. First of all, I'm NOT against any kind of development. I do realize that London needs more housing and that we have a crisis. I'm thankful that we were able to buy our first home a few years ago after many, many years of renting. We looked at many properties, but we settled on this location because of the neighborhood. It was established, obviously working class, diverse, not sterile like so many newer builds, has many trees, and just felt like home. We have great neighbors, we're quiet, and we feel safe. The amount of birds that we have, including a good amount of hawks, is incredible. The trees as well as the smaller (lower) size of our homes contributes to that, which leads me to the proposed development. Again, I am NOT against development in some scale. The proposed unit is for 12 stacked unit townhouses at three storeys (10m). That's much bigger than what is already here. Currently, the existing home is a smaller single storey home with a large backyard and trees and almost all homes are one and one and a half storeys. The majority of the trees on said property will be coming down, including a very large and very healthy (I believe) cottonwood that the wildlife depends on. The only trees left in the plan are smaller, scrubby looking trees. (funny enough, the postcard shows the proposed development surrounded by lush trees- all trees on surrounding properties.) What will happen with drainage? Trees soak up a lot of water, but housing and pavement do not. I know my property doesn't butt up against to proposed site, but I'm still concerned for my neighbors, whose properties do. However, I'm close enough that it could be an issue with it being that large of a scope. If I remember correctly, there are to be 4 guest parking spaces. That's not enough to accommodate visitors without the surrounding streets be affected. Easy St, where I live, isn't that wide. We can't really handle extra parking. We've also become a bit of a raceway at times. Veralum has speed bumps, so people have decided that they can speed down our road as a way to avoid Veralum and Nixon. It's not constant, but if you add the two together it's an accident waiting to happen. It already can be an issue pulling out of

			your driveway only have someone turn from Southdale at high speed as you're pulling out. (I wouldn't say no to speed bumps, but that's another topic.) I am also EXTREMELY concerned that rezoning the proposed property will lead to more and more development at higher density, taller. Again, I'm not against any kind of development. I do realize it's going to happen. Large does not fit in with this neighborhood and it will negatively affect the wildlife here. And once a 3 storey building is in, why not 6? Will the tenants of current rentals in close proximity to the proposed development lose their homes when the owners realize that they, too, can build something bigger and charge more? When instead of a four-plex they can have 12 or 14 and charge more? And once you lose green space and trees, you don't get them back. Current zoning already allows for a four-plex. What would I like to see? I'd be more onboard if it was only going to be 2 storeys, if the developer HAS to plant some trees in the back and side. It will take decades for them to grow, but at least it's something. I'd like for the development to fit in with the existing neighborhood. The proposed building looks fine, but it's too tall for this neighborhood. (side note, what's on the postcard that was sent by the developer doesn't exactly match their website.) They already know the zoning of this area, why can't they work within those bounds? That was established BEFORE they had interest in the area. Please, do NOT rezone our neighborhood!
Cindy Sturgeon		24/03/22	I am writing in concern for the proposed development at 538 and 574 Southdale Rd E. I live in the direct neighbourhood for the last 25 years. I do not think the city should allow the properties to be re zoned or to allow them to be that tall as it will not fit into the design of the houses that are already there and have been there for years upon years. The design for these condo type housing will create parking issues as I'm sure they will park on the side streets and cause problems for owners to park in front of their house or on their street plus more traffic and concerns for the people that walk and bike. The design is to modern for this area and would stick out like a sore thumb. They are way to big for the small property they want to build on. Our neighbourhood is quiet. People have lived here for 20+ years mostly single family homes bringing this type of dwellings into the area would not make sense and cause havoc. I'm sure I am not the only one concerned with these proposed dwellings. Nice idea just wrong neighbourhood.
Emily & Ken	589 Winblest Ave	22/03/22	We are writing to express concerns about the proposed RRW Holdings Inc./Siv-ik Planning & Design developments at 538 Southdale Road East and 574 Southdale Road East.

Roadhouse			While we can appreciate the desire for redevelopment, infilling and increased density, both proposals would require rezoning to allow 12-14 new stacked townhouse units rather then the 4-plexes that are already allowed (and were previously proposed) on the properties. Increased rental density would mean increased noise, traffic and other concerns. We are opposed to the requested Zoning By-law Amendment Application that would increase density so drastically. Allowing three storey buildings in an area where most homes are 1-1.5 storeys, with many built in the 1940s and 1950s, would alter the character of our neighbourhood drastically. Quite frankly, these extra tall buildings would stick out like an eyesore. As residents on Winblest Avenue, these balconies would allow residents a bird's eye view into our neighbours' and our own yards. We are opposed to any increased height limits at these proposed developments. What's more, the distance to the fence-line on these proposed developments is a concern from both a privacy and safety perspective. We are opposed to any reduction to current residential setback limits at these proposed developments. Street parking in the neighborhood is already a concern, particularly during tax season, with many visitors crowding our residential streets to visit the local tax office. Speeding and cut-through traffic also continues to be a concern, despite the addition of speed bumps on Verulum Street. Both development proposals allow for minimal parking on-site. Our street lacks sidewalks and with 4 young children, increased traffic and non-residents parking on our street would represent an increased safety hazard for our family and our neighbours. At the very least, these developments should be required to be self sufficient, with enough parking for all resident needs to be addressed on-site. Street parking by non-residents brings unwanted garbage issues, increased foot traffic across lawns and is generally a nuisance to residents. We are opposed to the minimal parking allotments at these proposed developments. Increased density does not need to stand out. There are numerous examples of lower density infill lots within the City where reasonably designed units blend seamlessly into the neighbourhood – take for example the four unit accessible housing complex at 608 Southdale Road East that works within existing zoning by-laws. If these developments are permitted to be built we have major concerns about the precedent for other parcels in the area to be redeveloped in a similar manner. We look forward to the opportunity to comment on a revised development plan from RRW Holdings Inc./Siv-ik Planning & Design that better suits the character of this neighbourhood and meets the current zoning by-laws.
Karen Carter		23/03/22	We have lived in our house for nearly 40 years and our backyard is directly behind this property. This proposal for these 3 story buildings are much taller then anything in this residential area. It will infringe on our privacy

			and neighbours. The parking is limited so we all know that Easy St and our Winblest Ave will be effected. We have young kids who live around here and there are no sidewalks so they use the roads to ride bikes and walk. We urge the city not to allow these three story buildings where we only have one story or story and a half homes. We would be okay with a recent development like the one at 608 Southdale Rd E this would fit into the area . Increased density does not have to stand out but should be done in away that fits into the neighborhood. I hope you take this into consideration. I am sure you would not want this 3 storey high density building in your backyard.
Randy & Linda McNaught	572 Winblest Ave	22/03/22	My wife & I are 40 year home owners at 572 Winblest Ave., London, ON. We have been informed by “siv-ik” planning/design of a plan to develop 2 sites at 538 & 584 Southdale Rd., E., between Nixon Ave & Verulam St. One site has had the single family home demolished and the 2nd site has yet to be raised. In viewing the artists concept drawing and a short desciption of the project we, along with our neighbours, have serious issues with allowing this project to alter the current existing zoning (R-3) to proceed to devlopment. This type of buildings will increase the population density in an area of single family homes that date back to post World War 2 under the Veterans’ Land Act. In fact, this entire 3 block by 3 block area was set aside for returning veterans of World War 2 to build their homes and raise families in a quiet & open setting. Similar VLA areas in this area of London are also to be found on the S.E. corner of Southdale Rd., E., & Wellington Rd., S. (Dearness Dr., Willow Dr.) Our concerns are as follows: - Area is currently zoned to allow UP TO a 4-plex building - Proposed building with be 10 metres high (extra tall) 3 storeys and will allow 12-14 apartment units - Minimal parking ON-SITE of the development with reduced ‘free space’ around the buildings in order to achieve the increased density - Reduced limits to property lines, allowing for a larger than normal building footprint. Extra tall building structures will reduce the privacy of several single family homes that border these properties. As a result there will be a loss of privacy and enjoyment of owned land for neighbouring homeowners in their back & side yards. We hope that the City of London will not allow these two project to go forward as proposed.
Werman Omer	811 Easy Street	23/03/22	This is Werman Omer located at 811 Easy Street London ON contacting you in regards to the proposed redevelopment at 538 & 574 southdale Rd east. I wish to voice my concerns over such a decision as the consequences of approving these plans would negatively impact the current residents of the neighborhood such as

			more street parking, likely more children running on said streets as there are little to no sidewalks in the neighborhood to begin with and lastly the massive impact all these additional homes will have on the plumbing/sewer infrastructure in the area. As someone who's worked in the home restoration business for 6 years and using Windsor as a precedent, I can say with confidence that the number of claims due to flooding or sewer back ups will increase as it typically does when additional homes are built in already developed areas since the high influx of new homes end up over burdening the current plumbing systems in place. Every year in Windsor the city allows new homes to be built in or beside existing neighborhoods/areas WITHOUT updating the plumbing infrastructure and every year those areas suffer flooding damage from either rainfall or sewer back ups. I would ask you please reconsider your desicison to approve these new redevelopment plans as it would be in the best interest of the community to DENY these plans, thank you for your time.
Thu Lenovo	548 Southdale Road E	27/03/22	On March 24, 20022 I attended the zoom meeting concerning the 538 Southdale E property and the proposed development of a 3.5 story condo-type building on the property. I am sending my questions and reactions to the proposed development as outlined in the meeting. In recent years there have been many rezoning requests changing land usage from residential into business areas. There is a hairdresser directly to the east of me, a new landscaping business to the west of me, a medical clinic at Ernest and Southdale. Now there is a planned 3.5 story condo-type building, to house 12-14 apartment units. To say the least, it has changed the profile of our neighbourhood. The proposed buildings are quite a bit taller than residences in the surrounding area. It makes one wonder about possible privacy issues. • Due to the higher density of people, we need to ensure that adequate parking will be available. The planners are suggesting there will be 16 places available on the property. If there is an overflow the nearest area left for parking would be on Ernest which is a main thoroughfare and impossible to park on. Or, the people will have to park on streets running parallel to Southdale. • During the meeting there were concerns about drainage issues with the clay composition of the earth in back, some destruction of existing trees and other concerns were voiced by those attending the meeting. At this point in time the developers were unable to provide concrete promises as to how these concerns would be met. Understandably it is still early on in the process but these need to be addressed before work can go ahead on the project. They weren't very specific about this. It would also be helpful if they have to remove some existing trees to replace them before construction is completed. These should be mature trees because as we know trees take time to mature. • Realizing that we must all progress to suit the times, multiple dwellings are probably the way of the future. However, there are ways to blend

			seamlessly into the neighbourhood and work within existing zoning (e.g. recent development at 608 Southdale Rd. E., where a single family home was redeveloped into a four-unit accessible housing complex). Increased density does not have to stand out but can be done in a way that suits the neighbourhood. Note: Applicant requested two week extension to provide comments for 574 Southdale Road E due to timing of community consultation meeting. Comments pending…
Vic & Joanne Danyla	573 Winblest Ave	30/03/22	It was a pleasure speaking to you this morning. We live on property that abuts the rear property line of 574 Southdale Road East. We are concerned about the request to increase the density to 70 units (currently) per hectare. The current zoning permits single family to fourplex dwellings; which would be in-line with existing uses along the adjacent Southdale Road corridor and the neighbourhood to the north. The density increase to stacked town housing on such a relatively small property does not complement the existing neighbourhood. If this application were to be approved with all the special provisions included; it would set a precedent for future prospective developers. Other similar smaller parcels along the immediate Southdale Road corridor and to the north could then potentially be redeveloped in an inconsistent manner. There are some other redevelopment choices that should be considered with respect to 574 Southdale Road East and several other properties along the northside of that road. Those uses would include small scale community facilities and medical / dental type services. Some are already in place such as a 4-unit accessible housing complex at 608 Southdale Road East; which is an asset to the community at-large.
Edna Eggett	566 Southdale Road E	23/03/22	Very opposed to building going up. Niece calling on aunt Edna's behalf.
Zen (?) Duda		28/03/22	
Hans Peters	522 Winblest Ave	23/03/22	Garbage and parking main concern. Walks by both properties all the time – seems impossible for garage to be picked-up. Not enough space for garbage truck to go on property, and too close to the road to put any garbage for 14 units (over 50 people potentially) and not enough parking for cars. When it's not going to work, the builder is going to say the City gave us permission.
Chuck Carter		24/03/22	
Jason Collins	Southdale Road?		Not to be confused with John Collins. Has major concerns.

Agency/Departmental Comments

Urban Design

538 Southdale Road East

- *Provide full elevations with colours, materials, and dimensions labelled. Further urban design comments will be provided upon the receipt of the elevations and through the site plan process.*
    - *Provide enhanced architectural treatment/details on the side facades to add visual interest as they are highly visible from the street.*
- *Provide at least a 1.5m buffer between all paved areas and the property lines to allow for perimeter tree plantings.*

574 Southdale Road East

- *Provide full elevations with colours, materials, and dimensions labelled. Further urban design comments will be provided upon the receipt of the elevations and through the site plan process.*
    - *Provide enhanced architectural treatment/details on the side facades to add visual interest as they are highly visible from the street.*
- *Consider opportunities for shared entrances with adjoining properties for future developments.*
- *Provide at least a 1.5m buffer between all paved areas and the property lines to allow for perimeter tree plantings.*

Urban Design Peer Review Panel Comments – Applicant Response

Address of Development Site: **538 Southdale Road E**
Date of Panel Meeting: 04-20-2022

Comment:
The Panel is generally in support of the rezoning application; however, encourage the applicant to return to the Panel once the development is at the detailed design and site plan submission stage.

Applicant Response:
The Project Team agrees with the Panel's support for the Zoning By-law Amendment application. The proposed Zoning By-law will provide a framework for ground-oriented, medium density residential development in the form of cluster townhouses and stacked townhouses up to a maximum of 12.0 metres in height (4-storeys) and a maximum density of 75 units per hectare. The proposed Residential R5 Special Provision (R5-7(_)) Zone includes special regulations to account for the unique context of the project site and implement applicable form-based policy directions of the Official Plan.
A "Concept Plan" has been provided in conjunction with the application to facilitate early design review and elicit comments from the UDPRP that can (and will) be considered by the Team and the City during the future Site Plan Control application process.

Comment:
The Panel suggests that the applicant conduct a streetscape character study to determine an appropriate landscape/streetscape design for the neighbourhood and future developments. This could include analyzing the benefits of a continuous 'boulevard' between sidewalk and residential entrances versus numerous private pedestrian connections between the sidewalk and residential entrances.

Applicant Response:
The proposed zone and special regulations are structured to facilitate an appropriate range of desirable site design and built form outcomes, however, the zone is not tied to a specific development/landscape design. In this regard, the proposed Zoning By-law Amendment maintains significant flexibility to address site and building design details through the future Site Plan Control application process. Further regard for the streetscape presence and landscape design will be considered at that time in combination with all other detailed design elements of the project.

Comment:
The Panel notes a significant portion of the main frontage is dedicated to the driveway. While the Panel acknowledges that the driveway must meet minimum drive aisle widths, they encourage the applicant to soften the hardscape with higher quality paving materials and vegetation where possible.

Applicant Response:
The site and building design details will be determined and addressed through the future Site Plan Control application process. The project team would support reduced paving width requirements for the primary access, recognizing the valid desire to "soften" the entrance and the low volume of vehicular traffic anticipated to use this driveway. Further collaboration with City of London Staff will be required to achieve the reduced entryway/access width. A 1.5m planting strip has been accounted for on the west edge of the site to address the City of London's Site Plan Control design requirements.

Comment:
The Panel commends the applicant for an overall pleasing design; however, recommends more attention be placed to articulating the West elevation given it is a prominent view into the site.

Applicant Response:
The project design team appreciates the Panel's nod to the conceptual design represented in the current artist's rendering/concept. The Team will seek to incorporate added articulation in the west façade, recognizing its high visibility, through the future detailed design and Site Plan Control process. Modifications to the material treatment and fenestration pattern may also be explored to help add visual interest.
Comment:
The Panel encourages the applicant to refine the proposed building design so that the main floor apartments are accessible (barrier free) for both tenants and visitors. Consider reducing the number of steps required to enter the building and providing an accessible sloped sidewalk at all building entrances.

Applicant Response:
The proposed Zoning By-law provides sufficient flexibility for additional ground floor unit configurations and design treatments to be explored.

Address of Development Site: **574 Southdale Road E**
Date of Panel Meeting: 04-20-2022

Comment:
The Panel is generally in support of the rezoning application; however, encourage the applicant to return to the Panel once the development is at the detailed design and site plan submission stage.

Applicant Response:
The Project Team agrees with the Panel's support for the Zoning By-law Amendment application. The proposed Zoning By-law will provide a framework for ground-oriented, medium density residential development in the form of cluster townhouses and stacked townhouses up to a maximum of 12.0 metres in height (4-storeys) and a maximum density of 70 units per hectare. The proposed Residential R5 Special Provision (R5-7(_)) Zone includes special regulations to account for the unique context of the project site and implement applicable form-based policy directions of the Official Plan.
A "Concept Plan" has been provided in conjunction with the application to facilitate early design review and elicit comments from the UDPRP that can (and will) be considered by the Team and the City during the future Site Plan Control application process.

Comment:
The Panel suggests that the applicant conduct a streetscape character study to determine an appropriate landscape/streetscape design for the neighbourhood and future developments. This could include analyzing the benefits of a continuous 'boulevard' between sidewalk and residential entrances versus numerous private pedestrian connections between the sidewalk and residential entrances.

Applicant Response:
The proposed zone and special regulations are structured to facilitate an appropriate range of desirable site design and built form outcomes, however, the zone is not tied to a specific development/landscape design. In this regard, the proposed Zoning By-law Amendment maintains significant flexibility to address site and building design details through the future Site Plan Control application process. Further regard for the streetscape presence and landscape design will be considered at that time in combination with all other detailed design elements of the project.

Comment:
The Panel notes a significant portion of the main frontage is dedicated to the driveway. While the Panel acknowledges that the driveway must meet minimum drive aisle widths, they encourage the applicant to soften the hardscape with higher quality paving materials and vegetation where possible.

Applicant Response:
The site and building design details will be determined and addressed through the future Site Plan Control application process. The project team would support reduced paving width requirements for the primary access, recognizing the valid desire to "soften" the entrance and the low volume of vehicular traffic anticipated to use this driveway. Further collaboration with City of London Staff will be required to achieve the reduced entryway/access width. A 1.5m planting strip has been accounted for on the west edge of the site to address the City of London's Site Plan Control design requirements.

Comment:
The Panel notes that splitting the development into two stand-alone buildings will provide more flexibility for interior unit layouts given that natural light will come from both facades. However, consider providing rear entrances for the at-grade units along Southdale Road, and more significant 'front yards' for the units at the rear of the site.

Applicant Response:
Through the conceptual design process we have sought to balance the amount/configuration of private amenity space with a need to be sensitive to the context of the area. In this regard, we've sought to ensure that all built elements fit within a 45 degree angular plane measured from the north property line. As a result, the ground floor units on the north building have substantial "rear yard" amenity space. Spacing between the surface parking area and the south building face of the northern building is more limited but allows for sufficient depth for pedestrian circulation and low plantings to help soften the edge condition. Further modifications to the unit orientation/entrances for the southern building will be explored in conjunction with the building/floorplan design during the Site Plan Control process.

Parks Planning and Design - Both Sites

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

Landscape Architect

538 Southdale Road East

The City requested a Tree Health Assessment Report following the demolition of the existing building to satisfy "Condition 9 of the Notice of Provisional Consent Decision for B.050/19 – 538 Southdale Road East".

Condition 9 requires that "A tree preservation report shall be completed prior to demolition of the building and tree protection shall be in place during demolition". A tree preservation report and drawing was completed by RKLA in July 2020 for this property. The recommendations for tree removal and tree preservation measures therein were related to the proposed site plan. Recommendations for tree preservation measures specifically during demolition were not provided.
The following report includes tree health data from the original.

The applicant will need to include with their SP Application:

a. *Letter consent from Urban Forestry to remove 2 boulevard trees, as identified in report*
b. *Permit to remove off-site distinctive Tree #3 from 530 Southdale issued by Urban Forestry, as identified in report*

Ensure that a minimum 1.5m setback is provided along the west property line to provide screening between the driveway and the private residence to the west. A tree is being removed from the neighbours lot, screening is required.

574 Southdale Road E.

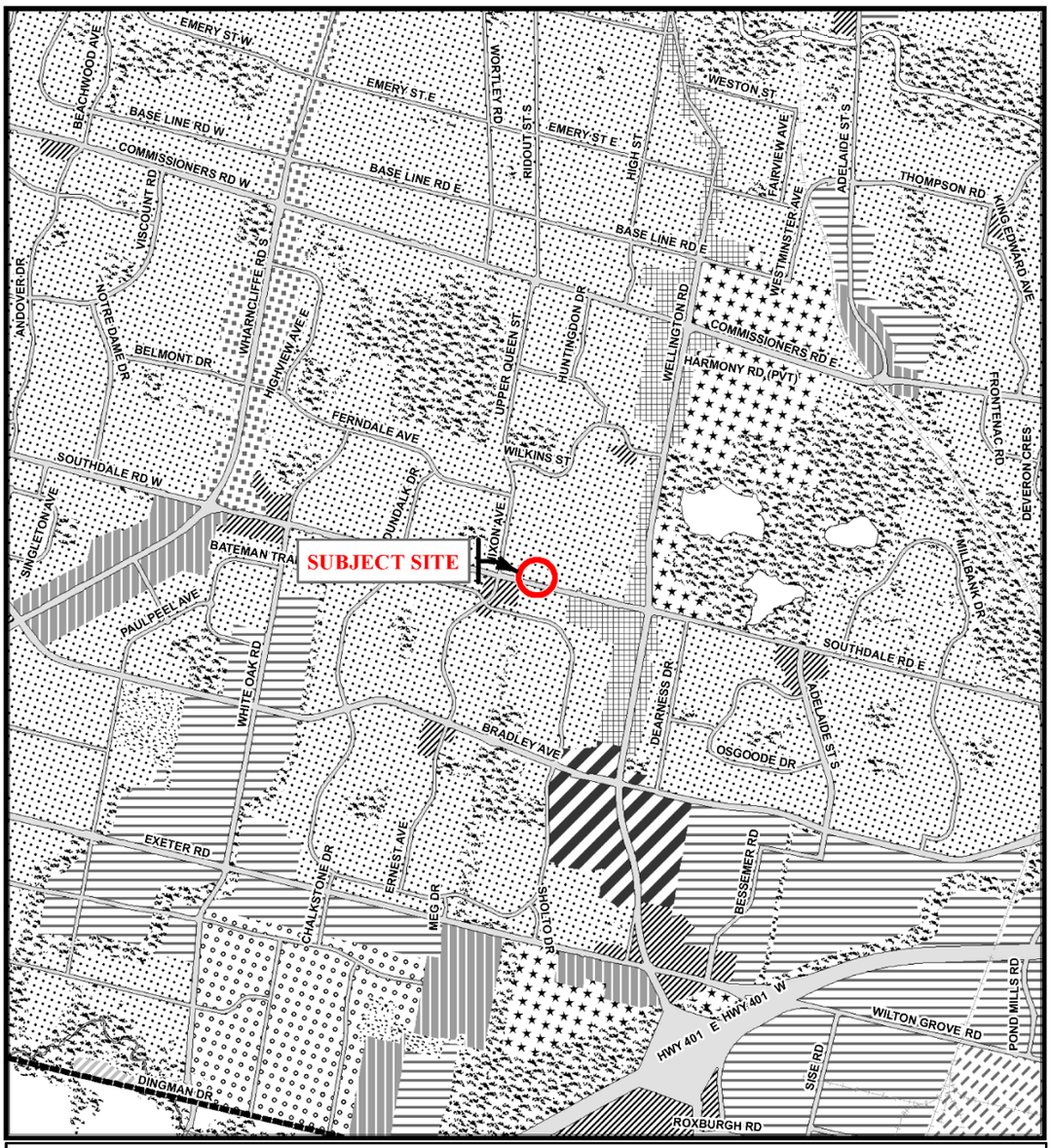
The City Landscape Architect has reviewed the Tree Assessment Report for ZBA prepared by RKLA in January 2022 for 574 Southdale Rd E and provides the following comments consistent with the Official Plan, applicable by-laws, City design requirements and specifications.

1. *The Tree Assessment Report is complete and acceptable. No rare or endangered species were identified.*
2. *Confirm that tree #3 is growing completely onsite and does not have any portion of its trunk, from the root-collar to where the first branch appears, crossing the property line shared with the City of London. Every tree whose trunk is growing on the boundary between adjoining lands is the common property of the owners of the adjoining lands and is protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. If the tree is determined to be a boundary tree, Forestry Operations will need to be contacted to request the tree to be removed. Contact Forestry Dispatcher at trees@london.ca.*
3. *Ensure that sufficient setback is provided along east property line to provide sufficient soils to support the required Site Plan tree planting and driveway screening to private residence to east. Minimum 1.5m.*

Prior to construction, the Owner's qualified consultant will verify that all tree protection fencing has been installed as per the Tree Preservation Plan [TPP] and will provide periodic inspections to ensure it has been maintained during construction.

Appendix C – Relevant Background

London Plan Excerpt



Legend

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

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

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services

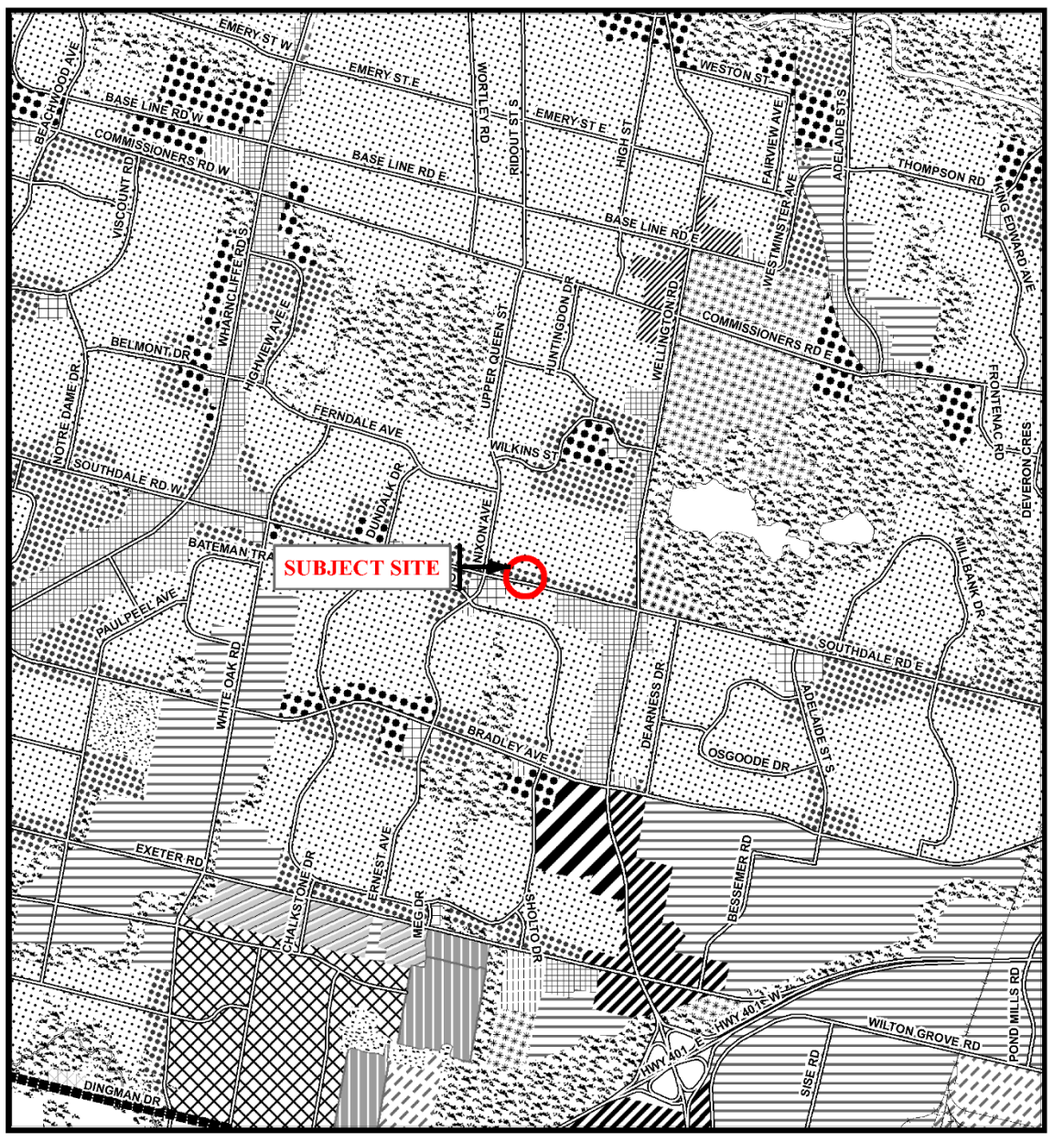
Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	Z-9480 & Z-9481
Planner:	CP
Technician:	RC
Date:	June 21, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9480-Z-9481-Map1-PlaceTypes.mxd

1989 Official Plan Excerpt



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

FILE NUMBER:	Z-9480 & Z-9481
PLANNER:	CP
TECHNICIAN:	RC
DATE:	2022/06/21

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z-1 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

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

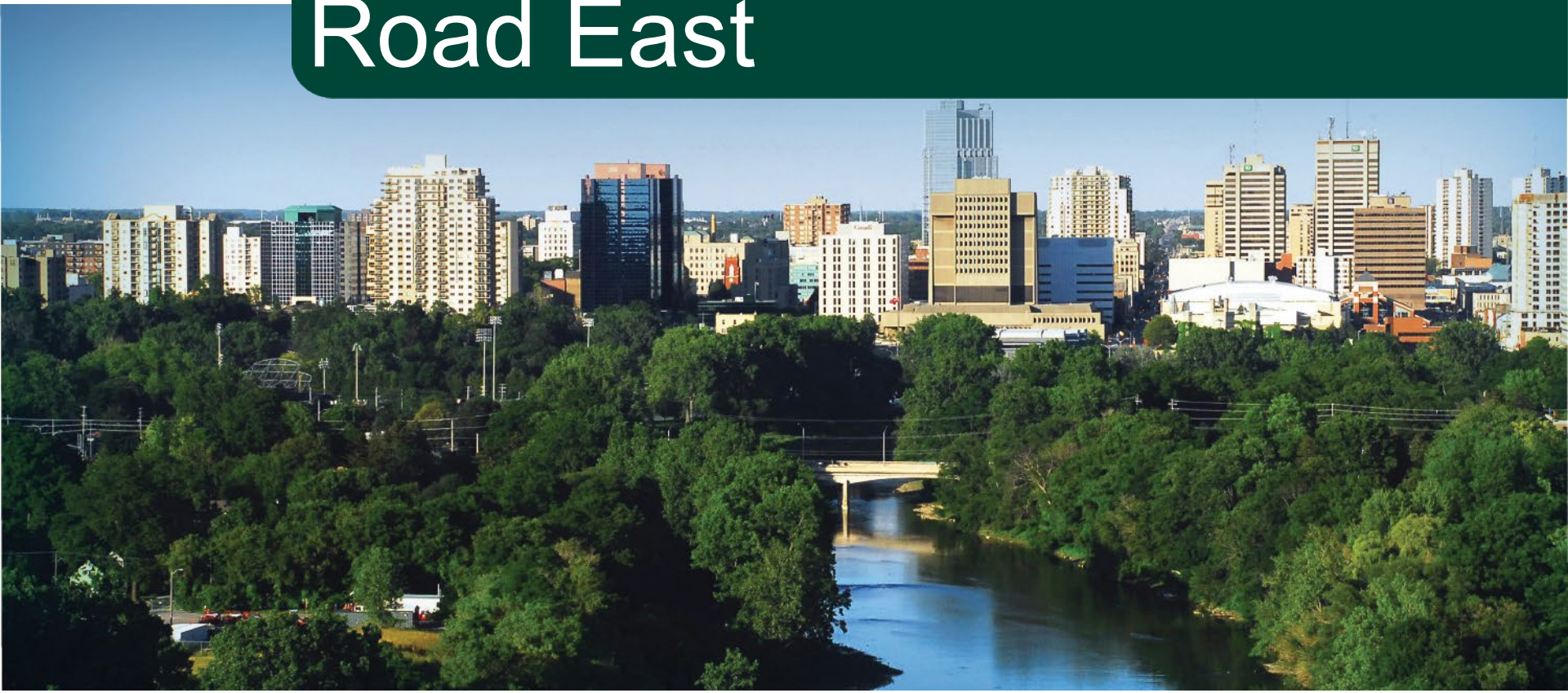
FILE NO: Z-9480 & Z-9481 CP

MAP PREPARED: 2022/06/22 RC

1:1,250

0 5 10 20 30 40 Meters

538 and 574 Southdale Road East

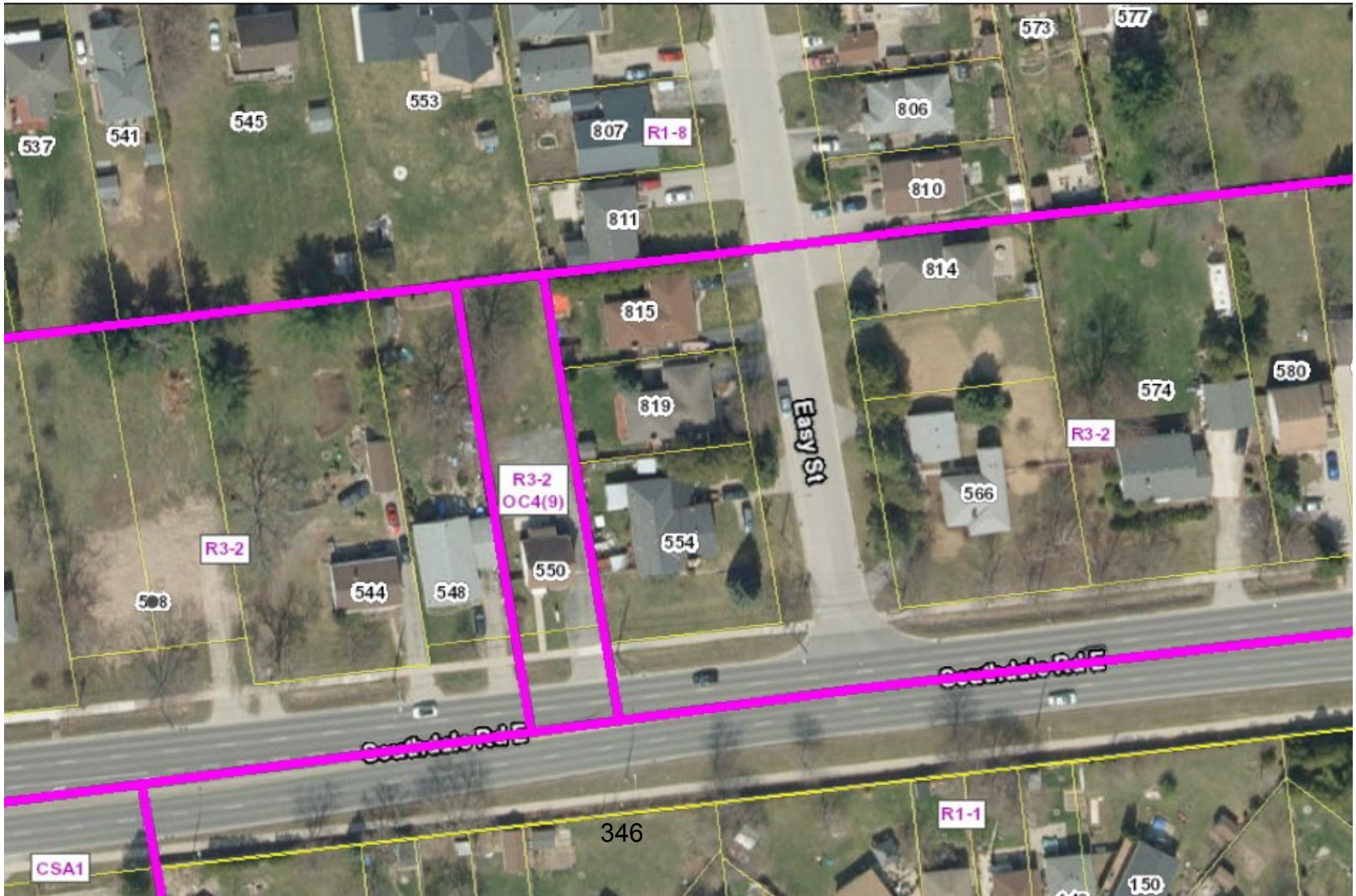


Planning and Environment Committee
July 25, 2022
Z-9480/Z-9481(Mansion Homes)

Existing Policies and Situations

- **London Plan** – Neighbourhoods – allows 4 storeys on Civic Boulevard
- With bonusing allows up to 6 storeys- no bonusing requested for these sites
- **1989 Official Plan** – Multi-Family Medium Density Residential – allows 4 storeys and 75 u/ha
- **Zoning By-law Z-1** – Residential R3 (R3-2)
- Maximum height is 12 metres which is the same as requested zones.
- **Existing land uses**
  - 538- vacant and 574-Single Family Detached
- **Surrounding land uses** – single family neighbourhood to the north

Sites – 538 and 574 Southdale Road East



The Proposals

- **538 Southdale Road East**

- **574 Southdale Road East**

Proposal Stats

538 Southdale

- 3.5 storey, back-to back stacked townhouses with 12 units
- 28.5 metre rear yard – 12 metres required
- 32% landscaped open space
- 29 % lot coverage
- 12 metre height- same as existing zone

574 Southdale

•3 storey, 8 unit stacked townhouse block and 3 storey, 6 unit stacked townhouse block –Total-14 units

• 7.36 metre rear yard – 10 metres required

• 41% landscaped open space

• 27% lot coverage

• 10 metre height-lower than existing zone

Zoning Request

538 Southdale

- Residential R5-7( )
- Height- 4 storeys (12m)
- Density- 75 u/ha(60)
- Frontage- 29.9 m (30m)
- Front Yard- 1.5 m min(8m)
- Front Yard- 4.5 m max(8m)
- Interior Side Yard-1.8m (6m)
- Parking- 12 (18)

574 Southdale

- Residential R5-7 ( )
- Height-4stys (12m)
- Density-70 u/ha (60)
- Front Yard- 1.5m min(8m)
- West Interior Side Yard-5.4m(6m)
- East Interior Side Yard-3m (6m)
- Parking- 14 (21)

Issues-Infill Development

Agency/Department Issues

- **UD-align townhouse blocks with street, side wall design**

Public Issues – 161 letters sent, 15 comments

1. Height
2. Density
3. Noise
4. Light
5. Does not fit in existing neighbourhood
6. Loss of trees
7. Precedent
8. Parking
9. Drainage
10. Garbage

Recommendation

- **APPROVAL**

1) Two site specific by-laws

2)Requested Special Provisions

3)Site Plan Issues to be Addressed

- **Integrate existing, healthy mature trees into proposed landscaped areas**
- **Infill any gaps abutting property boundaries with trees to buffer**
- **Enhanced architectural details on side facades**
- **A minimum 1.5 metre buffer between all paved areas to allow tree plantings and screening**
- **Concentrate the majority of the amenity space in the rear yard**

Reasons for Recommendation

- Good sites for intensification – identified since late 1980's
- Conforms to both London Plan Place Type and 1989 Official Plan
- Existing frontage along Southdale a mixture of housing styles and forms. Needs a consistent design/form approach. Proposals a good option. Urban Design Peer Review Panel Agreed.
- Proposal setback close to street and away from Single family neighbourhood behind
- Close to grocery store, medical centre and transit stop.
- Retention of some of existing tree cover and new plantings important to buffer to the north.
- Rear yard depth important as well for buffering.

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: **Parking Standards Review**
Date: **Public Participation Meeting**
July 25, 2022.

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the Parking Standards Review:

(a) The proposed by-law, attached hereto as Appendix "B: **BE INTRODUCED** at the Municipal Council meeting to be held on August 2, 2022, **TO AMEND** The London Plan, the Official Plan for the City of London, 2016 to clarify that minimum parking requirements shall not apply within the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types.

(b) The proposed by-law, attached hereto as Appendix "A: **BE INTRODUCED** at the Municipal Council meeting to be held on August 2, 2022, **TO AMEND** Zoning By-law No. Z.-1, Section 4.19 (in conformity with the Official Plan, as amended above) to remove minimum parking requirements in the Downtown Transit Village, Rapid Transit Corridor, and Main Street Place Types; reduce minimum parking requirements in other parts of the City; and modify other regulations including bicycle and accessible parking requirements.

Executive Summary

Summary of Request

This report includes an analysis of the City of London's current approach to parking regulation and recommends that that Municipal Council adopt new, reduced parking requirements in Zoning By-law Z.-1, Section 4.19. The recommended amendments include changes to the current off-street parking standards for automobiles and bicycles. An amendment to the London Plan is also recommended to reflect that there shall be no minimum Parking Standards for the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types.

This review was initiated in 2021 as part of the ReThink Zoning Process and to consider changes to the existing parking standards approach in Zoning By-law Z.-1. The previous report provided two alternative approaches to off-street parking regulations. Option 2 from that report is now being recommended for approval. Option 2 includes a hybrid approach where minimum parking requirements are removed in some Place Types and significantly lowered in others. The recommended amendment would improve choice for Londoners, support the Climate Emergency Action Plan, and help to achieve a compact, contiguous pattern of growth in our city. As part of the Parking Standards Review, the existing standards for accessible parking will be maintained and bicycle parking requirements will be increased.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is for Municipal Council to adopt a hybrid approach to off-street parking standards. The *Parking Standards Review Recommendation Report* is based on studies conducted since 2021. The recommended Zoning By-law amendments reflect public engagement, stakeholder feedback, staff's analysis, and review of parking requirements in other Canadian municipalities.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. The *Parking Standards Recommendation Report* supports the City's commitment to reducing and mitigating climate change by transforming buildings and development (Area of Focus 3). Action 2.a of the *Climate Emergency Action Plan* sets out to reduce or eliminate parking minimums, which will help reduce the Greenhouse Gas (GHG) emissions in the City of London by making more efficient use of available parking spaces and encouraging alternate modes of transportation to private automobiles.

Linkage to the Corporate Strategic Plan

The review of parking standards contributes to implementing the Strategic Plan through the Building a Sustainable City areas of focus. Updating the off-street parking standards in London will help to balance the need for parking with an oversupply of parking, and ultimately contribute to building more sustainable and healthy neighbourhoods.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

April 19, 2022 – PEC – Parking Standards Review Information Report

November 22, 2021 – PEC – Parking Standards Review Background Report

December 4, 2017 – City of London – Downtown Parking Strategy

1.2 Applicable Legislation and Policy

The *Planning Act* is the applicable legislation for planning matters in Ontario. It requires the City of London to have an Official Plan and permits the City to regulate development through zoning in order to implement the Plan. Parking requirements are included within municipal zoning by-laws.

The Provincial Policy Statement, 2020 (PPS) provides policy direction related to land use planning and development, all planning decisions in Ontario shall be consistent with the PPS. The PPS sets out that infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs, and planning authorities should promote green infrastructure to complement infrastructure. The PPS requires that a land use pattern, density, and mix of uses should be promoted that minimizes the length and number of vehicle trips and support current and future use of transit and active transportation.

The London Plan was approved by City Council in June of 2016 as the City's new official plan and provides a vision for how London will grow over the next twenty years. The London Plan directs growth to strategic locations with an emphasis on growing 'inwards and upwards' to achieve a compact form of development (policy 79). As part of the City Building Section, the London Plan provides for different parking policies that regulate the location, configuration and size of parking areas to support the planned vision of each Place Type and enhance the experience of pedestrians, transit-users, cyclists, and drivers. The London Plan states that the Zoning By-law will establish automobile parking standards that ensure excessive amounts of parking are not required. Requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction (policy 271).

The current Zoning By-Law Z.-1 was approved in 1993 to implement the policies of the 1989 Official Plan, which has now been repealed and replaced by the London Plan. Zoning is a regulatory tool that establishes the rules for development on individual

properties. Zoning directs what types of buildings and activities are permitted (use), how much of a building or activity is permitted (intensity), and where and how those buildings should be situated or designed (form). All City by-laws, including zoning by-laws, must conform with the policies of the Official Plan. Zoning by-laws are the primary method regulating the provision of automobile and bicycle parking in new or expanded development.

Section 4.19 of the Zoning By-law Z.-1 regulates the off-street parking requirements for London through minimum parking standards. This approach is similar to most municipalities in Ontario. Section 4.19 includes parking requirements for different land uses, and also includes Parking Standard Areas (PSAs) which may require different rates in different parts of the City.

The 1989 Official Plan and Zoning By-law no. Z.-1 both place an emphasis on land use, breaking the city up in zones that are based on land use classifications such as residential, commercial and industrial uses. The London Plan is considerably different from its predecessor in terms of planning approach, putting a greater emphasis on balanced consideration of use, intensity, and form. Instead of land use designations, the London Plan establishes a sense of place through different Place Types that apply to parts of the City.

1.3 Objectives of this Parking Standard Review

The objectives of the Parking Standards Review are consistent with *The London Plan* policies and the *Climate Emergency Action Plan* (CEAP). *The London Plan* sets out that "*The Zoning By-law will establish automobile parking standards, ensuring that excessive amounts of parking are not required. Requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction*" (LP_271). The London Plan also provides that "opportunities for sharing and consolidating parking to meet parking requirements will be *encouraged in the Downtown, Transit Village, and Shopping Area Place Types, and in transit station areas and commercial areas along Urban Corridors. Where sharing of parking occurs through a development agreement, a reduction in on-site parking requirements may be accommodated*" (LP_274). Further, CEAP section 2a outlines the objective to "*reduce or eliminate parking minimums within the Zoning By-law*" (Area of Focus 3, 2a).

The *Parking Standards Background Study* identified three possible approaches to parking regulation, including minimum requirements, maximum requirements, or open requirements (no minimum or maximum). It provided six key indicators of success that should be used to define a successful parking approach:

1. Do the parking standards support the City's objectives and policies of *The London Plan* and overall livability and quality of life?
2. Do the parking standards support the City's goals relating to the declaration of a Climate Emergency and necessary decrease of GHG in our City?
3. Do the parking standards support the City's objectives to manage outward growth by supporting infill and intensification, making it easier and more attractive for developers to provide strategic infill development?
4. Are the parking standards easy to understand and implement over time as land uses might change?
5. Will the Parking Standards lead to a reduction in rezoning and minor variance applications?
6. What other impacts of parking standards might exist, and can they be mitigated?

The recommended approach to establishing new parking regulations combines the removal of parking minimums in some Place Types and reduced parking minimums in other Place Types. This approach supports the key indicators of success as follows:

1. Do the parking standards support the City's objectives and policies of *The London Plan* and overall livability and quality of life? – The recommended hybrid

approach supports the City's objective and policies of *The London Plan* by establishing automobile parking standards in the Zoning By-law, ensuring that excessive amounts of parking are not required within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction (LP 271). Further it aligns with the objective that all parking areas will be designed to support the vision of the place type and enhance the experience of pedestrians, transit-users, cyclists and drivers (LP 270). The recommended parking standards purposely differentiate the parking approach for different areas in the City, and help to create more pedestrian and transit-oriented environments by mandating less space for off-street parking and thereby support a high quality of life in London.

2. Do the parking standards support the City's goals relating to the declaration of a Climate Emergency and necessary decrease of GHG in our City? – The recommended hybrid approach to off-street parking standards supports the City's commitment to reducing and mitigating climate change by transforming buildings and development (Area of Focus 3), in particular for new developments. Action 2.a of the *Climate Emergency Action Plan* sets out to reduce or eliminate parking minimums which will help reduce the GHG emissions in the City of London by making more efficient use of available parking spaces and encouraging alternate modes of transportation to private automobiles. The *2017 Community Energy and Greenhouse Gas Report* identified that transportation represented 49% of total emissions in London (of which 70% of emissions are from personal vehicles) and has been relatively unchanged since 2007.

   The recommended approach demonstrates leadership on climate action and mitigation by supporting more sustainable development and a reduction in GHG emissions in London. The lowered minimums and open option support active transportation and transit, a more efficient use of available parking spaces and a potential overall reduction of number of parking spaces.

3. Do the parking standards support the City's objectives to manage outward growth by supporting infill and intensification, making it easier and more attractive for developers to provide strategic infill development? – As outlined in the *Parking Standards Review Background Report*, excessive minimum parking standards discourage urban infill development and lead to urban sprawl because large parking areas lead to lower density patterns that are not conducive to walking, cycling and transit and increase auto-dependence. The recommended parking standards require less off-street parking space and allow for more efficient land use, therefore increasing the overall density of development and walkability of our neighbourhoods.

4. Are the parking standards easy to understand and implement over time as land uses might change? – The recommended parking standards have been simplified by removing the Parking Standard Areas (PSA), providing more consistent parking minimums and implementing parking 'tiers' of similar land uses. The City of London has started the process of preparing a new comprehensive Zoning By-law called *ReThink Zoning*. As land uses might change over time, the parking standards will be reviewed and updated if necessary to reflect changing land use patterns.

5. Will the Parking Standards lead to a reduction in rezoning and minor variance applications? – The recommended parking standards, including the introduction of the Open Option Parking Approach in the four most urban place types, will lead to a reduction in zoning and minor variance applications in our city. Between January 1, 2012, and December 31, 2021, a total of 295 Minor Variances were received relating to parking reductions. Out of the 1,696 total Minor Variances received in this 10-year period, 17.4% related to parking reductions. By implementing a more efficient and simplified development-

application process that no longer requires minimum parking in some Place Types, The City of London will receive fewer rezoning and minor variance applications related to parking reductions that require consideration by staff and the Committee of Adjustment.

6. What other impacts of parking standards might exist, and can they be mitigated? – Two major impacts that were mentioned during the Public Consultation for the Parking Standards Review are business-impacts and a potential for parking to spillover to nearby sites if not enough parking is provided. Both issues have been carefully considered during this process and based on Council's direction have led to the recommendation of a hybrid approach of the open option and lower minimums. More details are outlined in Section 2 of this report.

1.4 Connection to the Mobility Master Plan

The Mobility Master Plan project was initiated in fall, 2021 to help shape the future of transportation and mobility in London. It is a multi-year process that is schedule to be completed in early 2024.The draft vision for the Mobility Master Plan is that "By 2050, Londoners of all identities, abilities and means will have viable mobility options to allow them to move throughout the city safely and efficiently. The movement of people and goods will be environmentally sustainable, affordable, and supportive of economic growth and development."

This review of Parking Standards is separate from the Mobility Master Plan process but is aligned in its objectives to increase mobility options and support a transportation system that is more sustainable, equitable, safe, and efficient. The recommended parking requirements and their impact on the parking supply will support these objectives of the Mobility Master Plan.

2.0 Engagement and Initial Stakeholder Feedback

Consultations were held with stakeholders and the general public in February 2022 regarding the Parking Standards Review. Engagement initially focused on the framework for the project and necessity to update the existing standards. Later conversations were focused on the different alternatives to regulate parking as proposed in the *Parking Standards Review Information Report*, dated April 2022.

The ongoing COVID-19 Pandemic has necessitated changes to the types of engagement, and as a result this project has used mainly online methods. These sources included:

- Get Involved Website: https://getinvolved.london.ca/off-street-parking-standards with project updates, opportunities to ask questions and an online survey. The results of the Parking Standards Survey are attached as Appendix C.
- Social Media: An advertisement campaign was used on the existing City of London Facebook page to draw the general public to the Get Involved Website and online survey.
- Webinar: An online webinar or 'virtual town hall' was hosted on Thursday, February 24, 2022, to provide the general public with an opportunity to receive information and provide feedback on the Parking Standards Review. This Community Information Meeting was recorded and shared online for those unable to attend.
- Virtual meetings: A variety of online meetings were organised with stakeholders, community organisation and the development industry. The discussion was used to adjust the two proposed approaches to off-street parking regulations.
- Advisory Committees: The Parking Standards Review project was presented at the Transportation Advisory Committee (TAC) on February 22, 2022. Further, the recommended hybrid approach for off-street parking standards was presented to the Integrated Transportation Community Advisory Committee (ITCAC) on June 15, 2022, and the Accessibility Community Advisory Committee (ACAC) on June 23, 2022.

The results of the Parking Standards survey were presented in Appendix E of the *Parking Standards Review Information Report* and have also been attached as Appendix C of this report. Additionally, two public letters from the Urban League of London have been added as Appendix D, as well as public letters from Farhi Holdings Corporation (FHC) and the London Development Institute (LDI). All public engagement and comments have informed the revised parking standards contained in this *Parking Standards Review Recommendation Report*.

3.0 Parking Standards

3.1 Parking Standards Context

As discussed in the *Parking Standards Background Study* and *Parking Standards Review Information Report*, the current site-based approach with minimum parking standards has led to an oversupply of parking where large numbers of parking spaces must be provided. Negative effects of excessive parking include:

- Increasing GHG emissions and pollution from both driving and building of surface and structured parking;
- Making the design of walkable streets and neighbourhoods harder and often encouraging urban sprawl; and,
- Raising cost and reducing affordability and viability of (infill) housing development.

The *Parking Standards Background Study* identified three general approaches to parking regulation, including the following:

1. Minimum Parking Standards – requiring a minimum number of parking spaces to support specified land uses,
2. Maximum Parking Standards – requirement a maximum number of parking spaces to ensure there is not an oversupply, and
3. Open Parking Standards – eliminating parking requirements and allowing businesses and developers to determine how much parking to provide.

Minimum requirements are currently utilized in the Zoning By-law and are useful to ensure parking demand does not spill over from the site where a use is located to nearby properties or streets.

Maximum parking standards could be considered in London to ensure parking areas do not dominate site design or detract from the ability to achieve urban form objectives, and they would be particularly useful in certain place types that emphasize the use of transit or active transportation.

This Parking Standards Review was conducted during the COVID-19 Pandemic, which has had significant impacts on and changed many aspects of our lives including health, economy, safety, social relationships, education and recreation/entertainment. As a result, our transportation behaviour and public transit usage have been significantly affected, with different employment sectors shifting to a work-from-home model and many entertainment options closing down or shifting their operations to comply with public health measures. It is unclear how reliable a parking utilization study conducted during this time would be to predict future trends. Parking Maximums have a larger potential for impact on local businesses, as they would mandate a maximum amount, or ceiling of the amount of parking provided on site. Without reliable parking data, there is no clear direction for what an appropriate parking maximum would be.

Open parking requirements are another possible approach that could be implemented to achieve the City's objectives and policies of *The London Plan* related to City Design and Mobility and would also support actions related to the Climate Emergency. Under an open option approach, the amount of on-site parking provided for new developments will be determined by property owners, developers, and businesses based on market demand. Simply put, the underlying principle behind the open option is that businesses

and developers know their parking needs best and should have the flexibility to provide an appropriate parking supply.

It is important to note that lowering or removing parking minimums does not mean that no on-site parking will be provided. Developers and business-owners are still likely to provide the amount of parking that is appropriate based on market demand, but the City will no longer mandate an excessive amount of parking. Further, removing minimums in the most urban and well-connected Place Types provides additional flexibility for developers, which will increase the viability of infill housing development and lower building cost associated with constructing parking.

3.2 Public and Stakeholder Feedback on Possible Approaches

The feedback received from the public and stakeholders was generally supportive of the proposed options for off-street parking standards. Support was expressed for reducing off-street parking requirements, increasing bicycle parking requirements and maintaining the supply of accessible parking spaces. There was also some support to go beyond this, and either eliminate parking standards city-wide or to impose parking maximums.

Several concerns were raised with the complete elimination of parking minimums city-wide or parking maximums. These are outlined below:

- Concerns that removal of parking minimums city-wide would lead to an under-supply of parking for new developments. This would lead to spillover of parking into surrounding areas such as residential neighbourhoods or neighbouring developments. This concern has been addressed by maintain off-street parking minimums in a variety of Place Types including the Neighbourhood Place Type.
- Concern that removal of parking minimums would lead to more demand for street parking. This concern has been addressed by maintaining reduced parking minimums in different Place Types while eliminating minimums in the most urban Place Types that are well served with public transit.
- Concern that parking maximums would impact business-operations due to a lack of adequate parking. With too little parking provided on-site, customers would need to drive around looking for street-parking or would spill-over to surrounding sites. After careful consideration, this concern has been addressed by implementing the hybrid option of lowered minimums and the open option. Parking maximums are not recommended at this time but may be considered in a future review.
- Concern that changing the parking standards would lead to a lower amount of accessible off-street parking spaces. This concern has been addressed by demonstrating that the number of accessible parking standards required under the recommended approach would be similar to the previous standards.

3.3 Recommended Hybrid Approach for Off-Street Parking Standards

The recommended amendment to the Zoning By-law Z.-1 is to implement a hybrid approach (Option 2 - *Parking Standards Review Information Report*) that includes an open parking approach in more Urban Place Types, and reduces parking minimums in the rest of the city. In this approach an open approach would apply in areas planned to have a very urban character that emphasize pedestrian areas and have good access to transit, while other parts of the City would have minimum requirements that are reduced from the current standard. Table 1 shows the recommended approach for each Place Type in the Hybrid Approach.

Our Downtown will be the most highly connected location in the entire city, being a hub for rapid transit, rail, and the multi-use pathway along the Thames River (796). The Downtown will offer the city's premier pedestrian experience, and already requires no minimum parking for residential development.

The Transit Village Place Types will be exceptionally designed, high-density mixed-use urban neighbourhoods connected by rapid transit to the Downtown and each other. The Transit Villages will be providing a higher density of people living, working, and shopping in close proximity to high-quality transit service (808). Through pedestrian-oriented and cycling-supported development and design, Transit Villages will support a healthy lifestyle and encourage the use of the City's transit system to reduce overall traffic congestion within the city.

The Downtown will be connected to the Transit Villages through Rapid Transit Corridors. These corridors will be vibrant, mixed-use, mid-rise communities that border the length of our rapid transit services, and will be some of the most highly-connected neighbourhoods in our city (827). Most of these corridors will be fundamentally walkable streetscapes, with abundant trees, widened sidewalks, and development that is pedestrian- and transit-oriented.

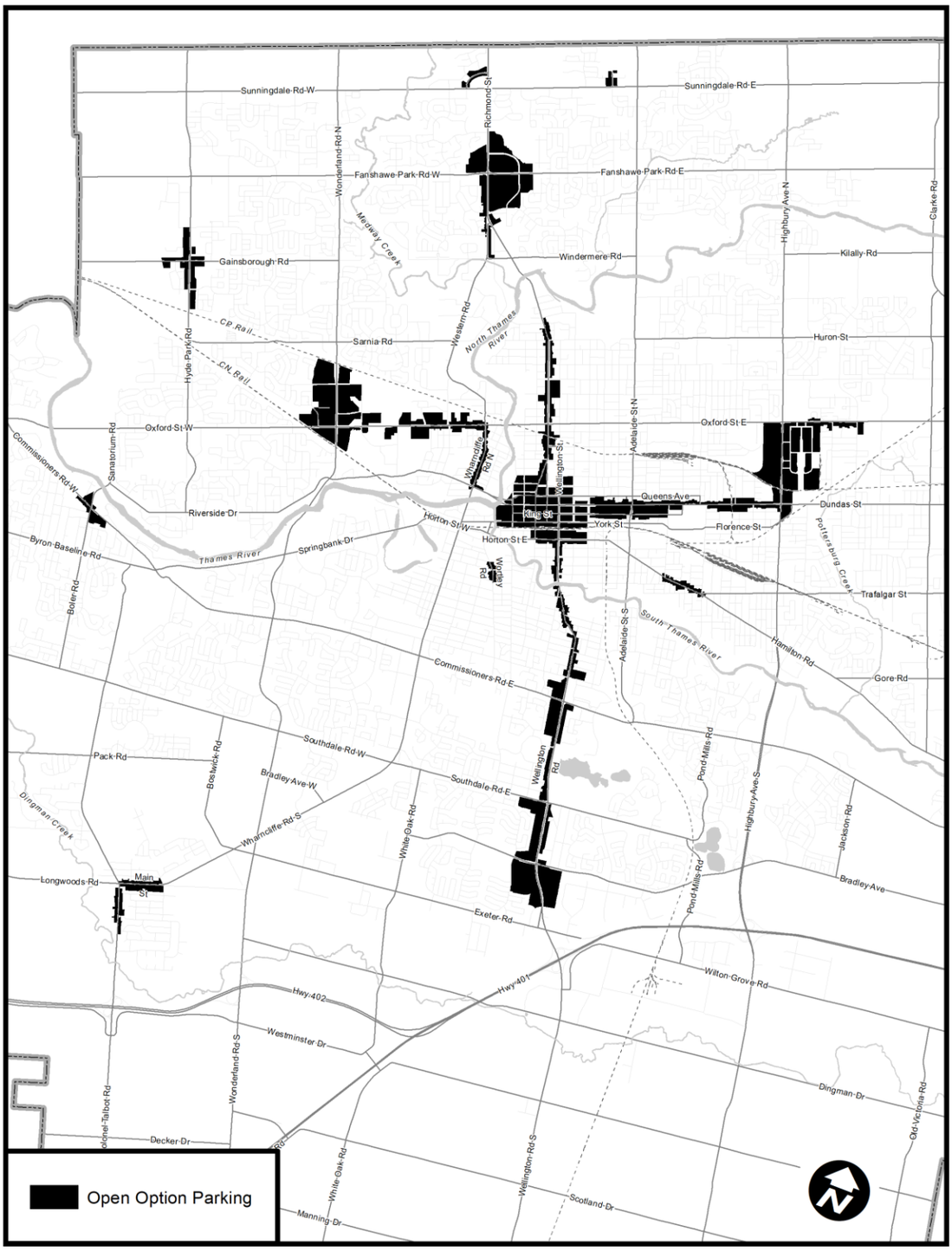
Finally, the Main Street Place Type includes some of London's most cherished historical business areas that contain a mix of residential and commercial uses that were initially established to serve surrounding neighbourhoods. *The London Plan* envisions both the creation of new Main Streets and the regeneration of historic Main Streets throughout the city (905). The Main Streets will be well connected with transit services and provide a pedestrian-oriented street environment.

Table 1: Parking Requirement by Place Type in Hybrid Approach.

No Minimum Parking Requirement	Reduced Minimum Parking Requirement
Downtown	Urban Corridor
Transit Village	Shopping Area
Rapid Transit Corridor	Neighbourhoods
Main Street	Future Community Growth
Urban Corridor – Main Street segments	Heavy Industrial
	Light Industrial
	Commercial Industrial
	Future Industrial Growth
	Commercial Industrial
	Institutional
	Green Space
	Environmental Review
	Farmland
	Rural Neighbourhood
	Waste Management Resource Recovery Area

As shown on *Figure 2* below, the areas where no minimum parking would be required include the Downtown, Transit Village, Rapid Transit Corridor and Main Street Place Types.

Figure 2: Recommended Place Types with open option parking.



3.4 Recommended Parking Standards for Residential Uses

Parking is one of the most significant factors that influences the form, design of our function and neighbourhoods. Parking is more than just a limited technical part of a larger development process, instead parking has a powerful effect on the environment, economic success, affordability, and resiliency of our city. The right parking regulations can work together with municipal investment in transit and active transportation infrastructure to promote mixed-use and compact development and reduce GHG emissions resulting from the movement of vehicles and more efficient use of available parking spaces.

To address the problem that minimum parking standards lead to an oversupply of parking (that go unused most of the time), it is recommended that the existing minimum parking ratios be significantly lowered. *Table 3* provides the existing parking standards for different residential unit-types, the column on the right outlines the recommended new minimum parking requirements:

Table 3: Existing and Recommended Residential Parking Standards

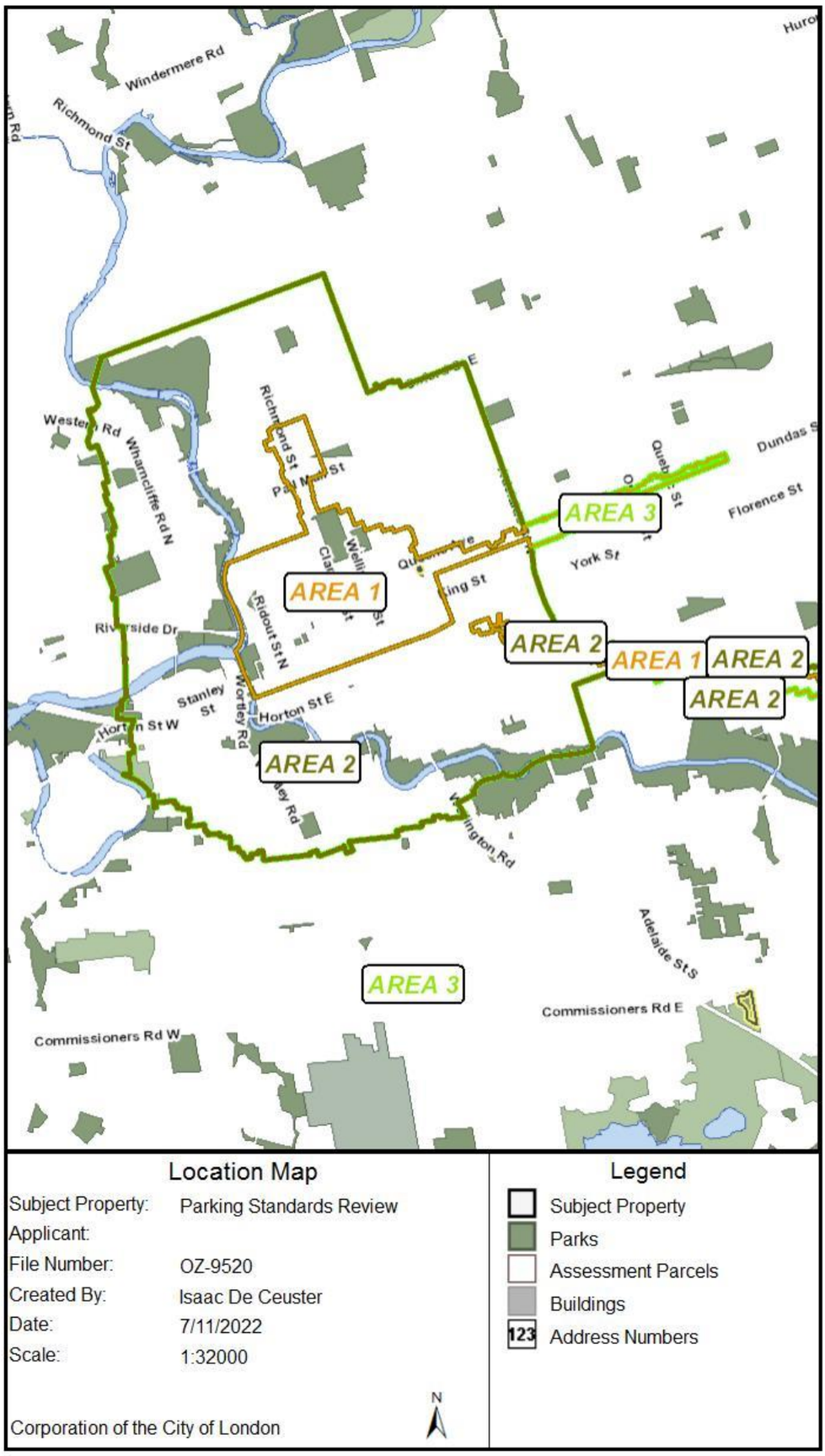
Use	Existing PSA 1	Existing PSA 2	Existing PSA 3	Recommended Minimum Parking Requirement
Single Detached and Semi-Detached	2 per unit	2 per unit	2 per unit	**1 per unit**
Townhouse, Cluster	1 per unit	1.25 per unit	1.5 per unit	**1 per unit**
Townhouse, Street	1 per unit	2 per unit	2 per unit	**1 per unit**
Townhouse, Stacked	1 per unit	1.25 per unit	1.5 per unit	**0.5 per unit**
Apartment	1 per unit	1 per unit	1.25 per unit	**0.5 per unit**
Duplex	1 per unit	1 per unit	1 per unit	**0.5 per unit**
Triplex	1 per unit	1 per unit	1 per unit	**0.5 per unit**
Fourplex	N/A	1 per unit	1 per unit	**0.5 per unit**
Converted Dwelling or Conversions of Existing Buildings to Residential Units	No additional parking required	1 per unit	1 per unit	**0.5 per unit**
Senior Citizen Apartment Building	0.25 per unit	0.25 per unit	0.25 per unit	**0.125 per unit***
Handicapped Persons Apartment Building	0.25 per unit	0.25 per unit	0.5 per unit	**0.125 per unit***
Lodging House	0.33 per unit	0.33 per unit	0.33 per unit	**0.125 per unit***

*The minimum off-street parking standards for Senior Citizen Apartment Buildings, Handicapped Persons Apartment Buildings and Lodging Houses have been revised since the Parking Standards Review Information Report received by PEC on April 19, 2022. The original proposed requirements of 0.25 spaces per unit has been lowered to a minimum requirement of 0.125 spaces per unit for Senior Citizen Apartment Buildings, Handicapped Persons Apartment Buildings and Lodging Houses to better align with other recommended residential parking reductions.

As described in Section 1.2 of this report, the existing Section 4.19 of the Zoning By-law Z.-1 includes Parking Standard Areas (PSAs) providing different rates for different parts of the City. The three existing Parking Standard Areas are outlined below:

- Parking Standard Area 1: Includes the Downtown Area, Dundas Street Corridor to Burbrook Place, Richmond Corridor to Oxford Street and the Hamilton Road Corridor between Adelaide Street and Highbury Avenue. Further a small portion of Commissioners Road West in Byron is also included in PSA 1.
- Parking Standard Area 2: Includes the area surrounding the Downtown, including Blackfriars, portions of the Hamilton Road Corridor (e.g., surrounding the Trafalgar Public School, Hyla Street and Pearl Street), North London (south of Victoria Street), SoHo, South London area (north of Tecumseh Avenue E) and Woodfield (west of Adelaide Street).
- Parking Standard Area 3: Includes all other (urban & rural) areas of the city.

Figure 4: Existing Parking Standard Areas in London.



The recommended amendment to the Zoning By-law Z.-1 would remove the existing Parking Standard Areas and replace them with a new hybrid approach that eliminates minimum parking requirements in the Downtown, Transit Village, Rapid Transit Corridor and Main Street Place Types; and reduces parking minimums in the rest of the city.

Therefore, the proposed new by-law would delete the three existing Parking Standard Areas and be replaced with one parking standard that applies to certain parts of the City. In most cases, the existing residential parking ratios have been reduced by half. These two examples underneath show how the ratios have been halved:

- A new single detached or semi-detached dwelling currently requires a minimum of 2 parking spaces per unit. The new recommended minimum parking requirement would be 1 parking space per unit for single detached or semi-detached dwellings.
- A new apartment or duplex currently requires a minimum of 1 (or 1.25 for an apartment in PSA-3) parking spaces per unit. The new recommended minimum parking requirement would be 1 space per unit for an apartment of duplex.

3.5 Recommended Parking Standards for Non-Residential Uses

The approach to implement reduced minimum parking standards for non-residential uses is similar to residential uses to avoid conflicts and address the concern of spill-over parking. Minimum Non-Residential Parking Standards in the Place Types with reduced minimums (e.g., Neighbourhoods, Shopping Area, Institutional, Industrial, Commercial Industrial, Urban Corridor etc.) are as follows:

Table 5: Existing and Recommended Non-Residential Parking Standards

Non-Residential Uses	Existing PSA 3	ITE Rate Examples (1 parking space per m^2)	Recommended Minimum Parking Requirement
Tier 1: Restaurant (Fast-Food Drive-in, Take-Out), Restaurant, Tavern	Ranging from 1 parking space per $6m^2$-$10m^2$	• Restaurant: range 1 per 4-8 m^2 • Tavern: 1 per 8 m^2	1 parking space per 20 m^2 gross floor area
Tier 2: Amusement Game Establishment, Automobile Repair Garage Establishment, Clinic and Outpatient Clinic, Clinic (Methadone), Liquor Beer and Wine Store, Patient Testing Laboratory, Personal Service Establishment, Taxi Establishment	Ranging from 1 parking space per $6m^2$-$20m^2$	• Amusement Game Establishment: 1 per 13 m^2 • Clinic: 1 per 18 m^2	1 parking space per 30 m^2 gross floor area
Tier 3: Abattoir, Arena, Assembly Hall, Auction Establishment, Automobile Body Shop, Automobile Rental, Automobile Sales & Service Establishment, Automobile Supply Store, Bake Shop, Bulk Beverage Outlet, Bulk Sales Establishment, Commercial Recreation	Ranging from 1 parking space per $30m^2$-$40m^2$	• Automobile Repair Garage: 1 per 55 m^2 • Bulk Beverage Outlet: 1 per 17 m^2 • Bulk Sales Est.: 1 per 19 m^2 • Convenience Store: 1 per 7 m^2 • Day Care: 1 per 28 m^2 • Department Store: 1 per 19 m^2 • Financial Institution: 1 per 13 m^2	1 parking space per 50 m^2 gross floor area

Non-Residential Uses	Existing PSA 3	ITE Rate Examples (1 parking space per m^2)	Recommended Minimum Parking Requirement
Establishment, Convenience Service Establishment, Convenience Store, Data Processing Establishment, Day Care Centre, Department Store, Duplicating Shop, Emergency Care Establishment, Farm Food and Products Market, Financial Institution, Food Store, Funeral Home, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Kennel, Laundromat, Office (Mental/Dental inc. converted), Pharmacy, Pharmacy (Methadone), Private Club, Post Office, Recreational Vehicle Sales and Service Establishment, Repair and Rental Establishment, Retail Store (all sizes), School (Commercial), Service and Repair Establishment, Shopping Centre, Video Rental Establishment		• Food Store: 1 per 18 m^2 • Hardware Store: 1 per 14 m^2 • Office (Dental): 1 per 22 m^2 • Pharmacy: 1 per 42 m^2 • Service Trade: 1 per 53 m^2	
Tier 4: Animal Hospital/Clinic, Artisan Workshop, Bakery, Brewing on Premises Establishment, Business Service Establishment, Dry Cleaning and Laundry Depot, Film Processing Depot, Gallery, Household Appliance Sales and Service, Industrial	Ranging from 1 parking space per $40m^2$-$80m^2$	• Animal Hospital: 1 per 33 m^2 • Business Service Est.: 1 per 71 m^2 • Dry Cleaning and Laundry Depot: 1 per 77 m^2 • Film Processing Depot: 1 per 77 m^2 • Household Appliance Sales and Service: 1 per 40 m^2 • Library: 1 per 37 m^2	1 parking space per 100 m^2 gross floor area

Non-Residential Uses	Existing PSA 3	ITE Rate Examples (1 parking space per m^2)	Recommended Minimum Parking Requirement
and Agricultural Equipment Sales and Service, Laboratory, Library, Museum, Music School, Office (all types except Mental/Dental), Public Recreation Facility, Public Use, Retail Warehousing, Salvage Yard, School (Community College & University), Service Industrial Use, Service Trade, Studio		• Museum: 1 per 28 m^2	
Tier 5: Agricultural Supply Establishment, Caterer's Establishment, Craft Brewery (excluding retail/restaurant area), Dry Cleaning and Laundry Plant, Farm Equipment Sales and Service Establishment, Industrial Mall, Printing Establishment, Terminal Centre, Vehicle Sales and Service Establishment, Wholesale Establishment	Ranging from 1 parking space per 80 m^2-200m^2	• Manufacturing Establishment: 1 per 66 m^2 • Vehicles Sales and Service Establishment: 1 per 41 m^2 • Warehouse Establishment: 1 per 155 m^2	1 parking space per 200 m^2 gross floor area
Tier 6: Advanced Manufacturing Industrial Uses, Advanced Manufacturing Educational Uses, Manufacturing Establishment, Warehouse Establishment	Ranging from 1 parking space per 200 m^2-500m^2	• Advanced Manufacturing Industrial Uses: 1 per 66 m^2	1 parking space per 500 m^2 gross floor area
Tier 7: Commercial Outdoor Recreation Facility, Private Zoo, Self Storage Establishment	1 parking space per 2,000 m^2	• Commercial Outdoor Recreational Facility: 1 per 426 m^2 • Self-storage Establishment: 1 per 929 m^2	1 parking space per 2,000 m^2 gross floor area

* This tiered parking standards table does not include all proposed standards. For all uses please refer to Zoning By-law Z.-1, table 4.19.3. and Table 6 in this report below.

The Parking Standards in Section 4.19 of the *Zoning By-law Z.-1* provide for a variety of irregular uses. Irregular means that the parking standards are not expressed in one space per square meter of Gross Floor Area (GFA), as outlined in 4.19.10. As an example, an Arena requires parking spaces based on the number of seats, not on the amount of GFA. The Parking Standard Areas for these irregular uses are contained in *Table 6.*

The approach to implement reduced minimum parking standards for these irregular uses is similar to residential and non-residential uses to avoid conflicts and address the concern of spill-over parking.

Table 6: Existing and Recommended Irregular Parking Standards (Exemptions to Tiers)

Use	Existing Standard PSA 2 (spaces per X)	Existing Standard PSA 3	Recommended new minimum Parking Standard
Agricultural Supply Establishment	1 per 30 m^2 for retail show room plus 1 per 200 m^2 for warehousing/ wholesaling		1 per 60 m^2 for retail show room plus 1 per 200 m^2 for warehousing/ wholesaling
Apartment Hotel	1 per unit	1.25 per unit	0.5 per unit
Arena (with seats)	1 per 8 seats	1 per 7 seats	1 per 12 seats
Artisan Workshop	1 per 100 m^2 for processing/ manufacturing plus 1 per 25 m^2 for retail area/restaurant	1 per 100 m^2 for processing/manufacturing plus 1 per 15 m^2 for retail area/restaurant	1 per 200 m^2 for processing/manufacturing plus 1 per 30 m^2 for retail area/restaurant
Assembly Hall	1 per 8 seats or 1 per 35 m^2 whichever is greater	1 per 7 seats or 1 per 25 m^2 whichever is greater	1 per 12 seats or 1 per 50 m^2 whichever is greater
Auditorium	1 per 8 seats	1 per 6 seats	1 per 12 seats
Automobile Sales, Ancillary to Automobile Repair Garage	1 per automobile, kept or displayed for sale	1 per automobile, kept or displayed for sale	0.5 per automobile, kept or displayed for sale
Automobile Service Station	6 per bay	6 per bay	3 per bay
Bed and Breakfast Establishment	1 per bedroom plus 2 spaces	1 per bedroom plus 2 spaces	0.5 per bedroom plus 1 space

Use	Existing Standard PSA 2 (spaces per X)	Existing Standard PSA 3	Recommended new minimum Parking Standard
Building Supply Outlet	1 per 30 m^2 for retail/showroom plus 1 per 200 m^2 warehousing /wholesaling	1 per 30 m^2 for retail/showroom plus 1 per 200 m^2 warehousing/ wholesaling	1 per 60 m^2 retail/showroom plus 1 per 400 m^2 warehouse/ wholesaling
Campground	N/A	2 spaces per camp site	1 space per camp site
Carwash	3 spaces	3 spaces	2 spaces
Community Centre and Hall	1 per 8 seats or 1 per 35 m^2 whichever is greater	1 per 7 seats or 1 per 25 m^2 whichever is greater	1 per 12 seats or 1 per 50 m^2 whichever is greater
Craft Brewery	1 per 100 m^2 for processing, plus 1 per 25 m^2 for retail area/restaurant	1 per 100 m^2 for processing, plus 1 per 15 m^2 for retail area/restaurant	1 per 100 m^2 for processing, plus 1 per 30 m^2 for retail area/restaurant
Custom Workshop	5 spaces	5 spaces	3 spaces
Driving Range	1.5 per tee	1.5 per tee	0.75 per tee
Farm Market	N/A	5 spaces	3 spaces
Fire Station	1 per 1.5 employees	1 per 1.5 employees	1 per 3 employees
Gas Bar	3 spaces	3 spaces	2 spaces
Golf Course	8 per tee	8 per tee	4 per tee
Green House	1 per 20,000 m^2	1 per 20,000 m^2	1 per 20,000 m^2
Group Home	2 spaces	2 spaces	1 space
Hospital	1.25 spaces per bed	3 spaces per bed	1 space per bed
Hotel	1.25 spaces per unit	1.25 spaces per unit	0.75 per unit
Miniature Golf Course	1.5 per tee	1 space per tee	0.5 space per tee
Mobile Home	1 per unit	1 per unit	1 per unit
Motel	1.25 per unit	1.25 per unit	0.75 per unit
Nursery	N/A	2 spaces	2 spaces
Nursing Home	1 per 3 beds	1 per 3 beds	1 per 3 beds
Open Storage	1 per ha (2.5 ac)	1 per ha (2.5 ac)	1 per ha (2.5 ac or 10,117.14 m^2)
Place of Worship	1 per each 4 persons place of worship capacity	1 per each 4 persons place of worship capacity	1 for each 8 persons place of worship capacity
Police Station	1 per 1.5 employees	1 per 1.5 employees	1 per 3 employees
Private Outdoor Recreation Club	1 per 700 m^2 of lot area for the first 10 ha (25ac), plus 1 per 5,000 m^2 of lot area over 10 ha (25 ac)	1 per 700 m^2 of lot area for the first 10 ha (25ac), plus 1 per 5,000 m^2 of lot area over 10 ha (25 ac)	1 per 1,000 m^2 of lot area area for the first 10 ha (25ac)
Racquet Facility	2 per court	2 per court	1 per court

Use	Existing Standard PSA 2 (spaces per X)	Existing Standard PSA 3	Recommended new minimum Parking Standard
Resource Extraction Operation	2 spaces	2 spaces	1 space
Rest Home	1 per 3 beds	1 per 3 beds	1 per 3 beds
Retail Warehousing	1 per 30 m^2 retail/showroom plus 1 per 200 m^2 for warehousing/ wholesaling	1 per 30 m^2 retail/showroom plus 1 per 200 m^2 for warehousing/ wholesaling	1 per 50 m^2 retail/showroom plus 1 per 400 m^2 warehouse/ wholesaling
Retirement Lodge	1 per 3 beds	1 per 3 beds	1 per 3 beds
Salvage Yard (With No Structures)	1 per hectare	1 per hectare	1 per hectare
Salvage Yard (With Structures)	1 per 30 m^2 for retail and showroom plus 1 per 200 m^2 for warehousing and wholesaling	1 per 30 m^2 for retail and showroom plus 1 per 200 m^2 for warehousing and wholesaling	1 per 50 m^2 for retail and showroom plus 1 per 400 m^2 for warehousing and wholesaling
School, Elementary	3 plus 1 per classroom	3 plus 1 per classroom	2 plus 1 per classroom
School, Private	3 per classroom	3 per classroom	1.5 per classroom
School, Secondary	3 per classroom	3 per classroom	1.5 per classroom
Supervised Residence	1 per 4 residents	1 per 4 residents	1 per 5 residents
Tennis Club	2 per court	2 per court	1 per court
Tennis Club (Outdoors)	2 per court	2 per court	1 per court

* This tiered parking standards table does not include all proposed standards. For all uses please refer to Zoning By-law Z.-1, table 4.19.3. and Table 5 in this report underneath.

ITE-Rate Examples

The recommended Parking Rates in *Table 5* provide a column with average ITE rates from the *Parking Generation Manual 5th Edition* (2019) by the Institute of Transportation Engineers. The manual contains parking supply ratios for different land uses, based on parking data across North America.

As outlined in the *Parking Standards Review Background Report*, parking demand cannot be captured in a set of static numbers as no location and associated parking demand is exactly the same. For this reason, the rates described above lean towards the lower end of what is expected for a specific use. There is increasing recognition that the ITE rates are based on outdated and underrepresented data, which tends to over-estimate the actual parking needs in our communities. Main issues with the ITE rates include a focus on the United States, limited amount of conducted studies, and use of outdated data from the 1980's-1990's.

For example, approximately half of the parking generation rates are based on 4 or less studies, and 22% of the ITE rates are based on a single study. Additionally, the ITE rates are sometimes based on studies conducted in the 1980's. Therefore, the ITE rates provided give an estimate of (suburban) parking demand for different uses but are not scientific or precise numbers for determining parking demand.

3.6 Barrier Free Parking

It is the intent of this amendment to maintain a similar number of required parking spaces for persons with disabilities. Accessible parking spaces are required in accordance with the *Accessibility for Ontarians with Disabilities Act* (AODA Act) and in must be captured within the zoning by-law. However, because the current zoning by-law standards base accessible parking requirements on a ratio to the standard parking requirement, a new approach is required.

The current Zoning regulations for accessible parking spaces are based on the *required* parking spaces, however the AODA Act bases its requirement on the number of *provided* parking spaces. Therefore, to ensure adequate accessible parking the zoning by-law has been updated to reflect the number of spaces provided as part of the proposed development and not the minimum zoning requirement.

The provincial standard requires two types of accessible or barrier-free parking spaces to be provided. The standards include minimum width requirements for the Type A, Type B and accessible aisle, as shown in Table 7 below.

Table 7: Types of Accessible parking spaces, with minimum width and access aisle.

Type	Minimum Width	Access Aisle Requirements (may be shared by 2 parking spaces)
Type A: Wider parking space with signage that identifies as 'van accessible'	3.4 metres	1.5 metres extending the full length of the parking space, marked with high tonal contrast diagonal lines
Type B, standard parking space	2.4 metres	

Section 4.19.10 c) outlines the accessible parking space requirements based on the total amount of provided parking as shown underneath. This section is summarized in Table 8.

Table 8: Accessible Parking Ratios – Legislated Requirements

Number of Parking Spaces	Number of Accessible Parking Spaces Required
12 or fewer	One parking space for the use of persons with disabilities, which meets the requirement of a Type A parking space.
13-100	4% of the total number of parking spaces for the use of persons with disabilities, in accordance with the following ratio, rounded up the nearest whole number: I. Where an even number of parking spaces for the use of persons with disabilities is provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirement of a Type A parking space and a Type B parking space must be provided. II. Where an odd number of parking spaces for the use of persons with disabilities is provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.

Number of Parking Spaces	Number of Accessible Parking Spaces Required
101-200	One parking space and an additional 3% of the total number of parking spaces for the use of persons with disabilities, rounded up to the nearest whole number.
201-1,000	Two parking spaces and an additional 2% of the total number of parking spaces for the use of persons with disabilities, rounded up to the nearest whole number.
More than 1,000	11 parking spaces and an additional 1% of the total number of parking spaces for the use of persons with disabilities, rounding up to the nearest whole number.

3.7 Bicycle Parking Standards

As shown in the *Parking Standards Background Study*, there is a clear relationship between the provision of parking spaces and alternative modes of transportation including public transit, walking and cycling. Fundamentally, when someone chooses an alternative mode of transportation to get around, they are not travelling in an automobile and thus do not require the use of a parking space at their destination. This obvious connection between alternative modes of transportation and parking can be used to decrease the use of personal automobiles by incentivizing the use of alternative modes.

The London Plan places a new emphasise on creating attractive mobility choices as alternative to the automobile and sets out that adequate bicycle parking facilities will be required for all development to encourage cycling as a viable form of transportation. Covered and secure forms of bicycle parking should be incorporated into multi-unit, residential, large-scale commercial or retail, institutional, and recreational developments (280). Further, the *Draft Climate Emergency Action Plan* includes action-item 2h) to "*Review and strengthen secure bike parking and storage in new development within the Zoning By-law*" as part of the Transforming Buildings and Development Area of Focus.

To encourage the use of bicycles as an alternative means of transportation, bicycle parking facilities must be provided at the residential base and at destination locations such as workplaces, commercial uses, and institutional facilities. Bicycle parking shall be provided in facilities that are convenient, safe, secure and functional for the intended use.

The current Zoning By-law requires bicycle parking to be provided at a minimum of 0.75 long-term spaces per unit in apartment buildings, and generally 7% of the required vehicle parking spaces for commercial uses. Some exceptions apply to the above requirements. Given the proposed recommended reductions or removal of parking requirements, its is proposed that new bicycle parking standards be applied that increase the overall amount of bicycle parking are not based on the number of vehicle parking spaces provided.

The City of Toronto currently uses this type of approach, typically requiring a minimum of 3 bicycle spaces plus 0.2-0.3 additional spaces for each 100 square meters of interior floor area of short-term bicycle space and 0.1-0.2 additional spaces for each 100 square meters of interior floor area of long-term bicycle space.

Section 4.19.15 of the Zoning By-law contains the revised bicycle parking standards. For residential development, apartment buildings and lodging houses (with 5 or more residential units) shall provide 1.0 bicycle parking space per residential unit, allocated as 0.9 long-term bicycle parking space per dwelling unit and 0.1 short-term bicycle space per unit. Residential care facilities shall provide a minimum of 3 short-term bicycle spaces plus 0.1 space for each 100 m^2 gross floor area. Additionally, the minimum number of long-term bicycle parking spaces to be provided is 0.1 for each 100 square meters of gross floor area for residential care facilities.

Similar to the non-residential parking standards, a tiered approach will be used to determine the minimum bicycle requirements for non-residential development. Bicycle

parking is not subject to the open option and will be required in all parts of the City. Recommended bicycle parking rates are described in *Table 9* below:

Table 9: Recommended Non-Residential Short-Term Bicycle Parking Standards

Non-Residential Uses	Recommended Minimum Short-Term Bicycle Parking Requirement
Tier 1: Arena (with and without seats), Assembly Hall, Auction Establishment, Auditorium Automobile Body Shop, Automobile Rental, Automobile Repair Garage Establishment, Automobile Sales & Service Establishment, Automobile Supply Store, Bake Shop, Bulk Beverage Outlet, Bulk Sales Establishment, Clinic and Outpatient Clinic, Clinic (Methadone), Commercial Recreation Establishment, Community Centre and Hall, Convenience Service Establishment, Data Processing Establishment, Day Care Centre, Department Store, Duplicating Shop, Emergency Care Establishment, Farm Food and Products Market, Financial Institution, Food Store, Funeral Home, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Hospital, Kennel, Laundromat, Liquor Beer and Wine Store, Office (Mental/Dental inc. converted), Patient Testing Laboratory, Personal Service Establishment, Pharmacy, Pharmacy (Methadone), Place of Worship, Private Club, Post Office, Recreational Vehicle Sales and Service Establishment, Repair and Rental Establishment, Restaurant (Fast-Food Drive-in, Take-Out), Restaurant, Retail Store (all sizes), School (Commercial), Service and Repair Establishment, Shopping Centre, Tavern, Taxi Establishment, Video Rental Establishment	3 spaces plus 0.3 spaces for each 100 m^2 gross floor area
Tier 2: Animal Hospital/Clinic, Artisan Workshop, Bakery, Brewing on Premises Establishment, Business Service Establishment, Carwash, Dry Cleaning and Laundry Depot, Film Processing Depot, Fire Station, Gallery, Gas Bar, Household Appliance Sales and Service, Industrial and Agricultural Equipment Sales and Service, Laboratory, Library, Museum, Music School, Office (all types except mental/dental), Police Station, Private Outdoor Recreation Club, Public Recreation Facility, Public Use, Retail Warehousing, Salvage Yard, School (Elementary, Community College, Private, Secondary & University), Service Industrial Use, Service Trade, Studio	3 spaces plus 0.2 spaces for each 100 m^2 gross floor area

Non-Residential Uses	Recommended Minimum Short-Term Bicycle Parking Requirement
Tier 3: Advanced Manufacturing Industrial Uses, Advanced Manufacturing Educational Uses, Automobile Sales - Ancillary to Automobile Repair Garage, Automobile Service Station, Building Supply Outlet, Caterer's Establishment, Commercial Outdoor Recreation Facility, Craft Brewery (excluding retail/restaurant area), Custom Workshop, Dry Cleaning and Laundry Plant, Farm Equipment Sales and Service Establishment, Group Home, Industrial Mall, Hotel, Manufacturing Establishment, Nursery, Nursing Home, Open Storage, Printing Establishment, Private Zoo, Rest Home, Retail Warehousing, Retirement Lodge, Self Storage Establishment, Supervised Residence, Terminal Centre, Vehicle Sales and Service Establishment, Warehouse Establishment, Wholesale Establishment	3 spaces plus 0.1 spaces for each 100 m^2 gross floor area
Apartment Hotel	1 space per unit
Bed and Breakfast Establishment	1 space per unit
Campground	3 spaces plus 0.2 space per camp site
Converted Dwelling	No bicycle parking required
Golf Course	3 spaces plus 0.2 spaces per tee
Miniature Golf Course	3 spaces plus 0.2 spaces per tee
Mobile Home	1 space per unit
Motel	1 space per unit
Racquet Facility	3 spaces plus 0.2 spaces per court
Tennis Club	3 spaces plus 0.2 spaces per court
Tennis Club (Outdoors)	3 spaces plus 0.2 spaces per court

Existing Site Plan Control requirements for bicycle parking are proposed to remain and are described in Table 10.

Table 10: Design Characteristics for Bicycle Parking Facilities (Table 14.1 Site Plan Control By-law).

Location	**Long-term Bicycle Parking:** Apartment buildings and lodging houses (with 5 or more residential units) shall be required to provide for long-term bicycle parking opportunities in an accessible, secure and weather protected area. Subject to design characteristics below, these spaces may be provided in the following locations: 1. in a bicycle room or bicycle compound located within a building or motor vehicle parking structure

	2. within an individual bicycle locker 3. within an accessory building Long term bicycle parking shall not be provided within a dwelling unit or a balcony thereof. **Short-term Bicycle Parking:** Short-term Bicycle parking spaces may be provided within an exterior space (covered or uncovered) designated for the parking of bicycles. Large scale developments may spatially disperse the required number of short-term bicycle parking spaces throughout the site.
Size of a Bicycle Parking Space	Minimum horizontal dimensions of 0.6 metres by 1.5 metres and a height or at least 1.9 metres.
Aisle Width	Where more than one row of bicycle parking spaces is provided, a minimum aisle width of 1.5 metres shall be provided.
Location for Accessibility	- Less than 15 metres from the entrance used by cyclists or if located within a building in a location easily accessible to bicycles - Should not be farther from the entrance than the closest motor vehicle parking space (excluding accessible parking spaces) - In a separately designated area that does not impede the movement of pedestrians - In an easy to find location directly visible from the street and if not directly visible from the street directional information signs shall be installed to direct cyclists to the bicycle parking facility
Location for Natural Surveillance	- Located within constant visual range of persons within the adjacent building or within well traveled pedestrian areas - Within unobstructed view from the adjacent municipal roadway
Security Lighting	Night lighting shall be provided in a manner to ensure that the entire bicycle parking area is well lit
Covered Bicycle Parking	If covered motor vehicle parking is provided, the required bicycle parking shall also be covered.

*Change room and shower facilities are encouraged to enhance the use bicycles for work-based travel.

3.8 Visitor Parking

Currently, Zoning By-law Z.-1 has no provisions for visitor or shared parking. Section 6.2 of The Site-Plan Control By-law sets out the following:

Visitor Parking: Multi-unit residential development including cluster detached dwellings developments with a total of three or more units shall provide a common area(s) for visitor designated and signed parking spaces. One (1) visitor parking space shall be provided for every ten (10) dwelling units. The number of visitor parking spaces may be included within the total number of parking spaces required by the applicable zoning by-law. Where feasible, visitor parking shall be centrally located to serve all units. These may be distributed in small clusters to better serve the complex. Driveways or parking spaces that are or may be perceived for the exclusive use in association with a dwelling unit will not be considered as a visitor parking space.

Based on analysis of other Municipalities in Ontario, this report is not recommending a change to the visitor parking ratios. The recommended visitor parking rates are already low and are also intended to ensure that sufficient parking spaces are available for vehicles that provide services to the development itself. A rate of 0.1 visitor parking spaces per dwelling unit, or 1 visitor parking space for every ten dwelling units is appropriate to serve visitors, as well as contractors and couriers.

Keeping the visitor parking ratio at the current rate addresses concerns about potential increases in on-street parking usage and spill-over parking in surrounding neighbourhoods. Additionally, the visitor parking spaces will continue to serve a role for service vehicles and couriers.

Visitor parking spaces will continue to be required through the Site Plan Control process for multi-unit residential development including cluster detached dwellings with a total of three or more units. There is no change proposed to visitor parking requirements where minimum parking standards apply.

3.9 Car-Share Parking

Car sharing as a type of car rental where people rent cars for short periods of time. It enables occasional use of a vehicle or access to different kinds of vehicles. Car sharing is an ideal option for people who regularly rely on walking, cycling and/or public transit for their daily transportation, but occasionally need access to a vehicle for out-of-town trips, moving large items or other special occasions. By paying membership to a car sharing service, you have access to a fleet of vehicles on an hourly basis when the need arises. Car share companies have been operating in London since 2014.

Reserving a space exclusively for a car-share vehicle would be in the public interest to support lower car use and car ownership (and therefore less parking). However, a lack of representative data due to the Covid-19 Pandemic on the use of car-sharing and associated car-share parking utilization limits the ability to set minimum car-share parking rates. Car-share in London will continue to be monitored, and updated through the *ReThink Zoning* process if necessary.

4.0 Recommended London Plan and Zoning By-law Amendments

4.1 London Plan Amendments

In order to make the recommended zoning change described in this report, minor amendments are also required to the London Plan in order to ensure that zoning conforms with the Plan.

To implement a hybrid parking regulation approach the following policies are recommended to be amended, with additions shown in underline and removals with strikethrough:

> *271_ The Zoning By-law will establish automobile parking standards, ensuring that excessive amounts of parking are not required. Requirements may be lower or may not apply within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction.*
>
> *274_ Opportunities for sharing and consolidating parking to meet parking ~~requirements~~ demand will be encouraged in the Downtown, Transit Village, and Shopping Area Place Types, and in transit station areas and commercial areas along Urban Corridors. Where sharing of parking occurs through a development agreement, a reduction in on-site parking requirements may be accommodated.*
>
> *365_ A Transportation Demand Management Program may be provided as part of a complete planning and development application to identify strategies and actions to reduce car dependence and support other transportation modes, and may support reduced parking requirements. ~~in support of lowered parking requirements or a Bonus Zone~~. The Transportation Demand Management Program may:*
>
> 1. *Be integrated with required transportation impact assessments submitted to support the proposed development.*

2. *Identify design and/or programmatic means to reduce single occupancy vehicle uses.*
3. *Identify the roles and responsibilities of the property owner with respect to each recommended program and its implementation.*
4. *Identify the operational and financial roles and responsibilities of the property owner including, but not limited to, program development, implementation and ongoing management and operations of the transportation demand management plan and/or program.*

802_4. There will be no minimum parking required for Downtown ~~residential~~ development.

4.2 Recommended Zoning By-law Amendment

The recommended amendment is included in Appendix B to replace portions of section 4.19 – Parking. This overview includes a description of changes made within each amended subsection of the Zoning By-law parking regulations.

4.19.4 – Yards where Parking Areas Permitted

Section 4.19.4 includes regulations for the location of parking areas. It permits parking in all yards for most non-residential zones, except for the Downtown Area, Business District Commercial, and Office Commercial zones where front yard parking is not permitted. For residential zones parking is only permitted in the front yard or exterior side yard on a driveways.

The recommended changes to this sub-section expand the areas where front yard parking is not permitted to include lands that are within the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types of the London Plan.

4.19.9 – Parking Standard Areas

The current zoning by-law includes 3 parking standard areas, where are identified in Section 4.19.9. Minimum parking rates vary across the parking standard areas with PSA 1 having the lowest requirement and PSA 3 having the highest.

The recommended amendment removes the parking standard areas and introduces a new approach where the minimum parking requirements do not apply to specified parts of the city. Those areas include lands that are within the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types of the London Plan.

4.19.10 – Parking Standards

Section 4.19.10 provides minimum parking requirements by land use across the city. This section is amended to provide a significantly reduced minimum parking requirement, and also reiterates that the minimum does not apply to the areas exempt from parking standards through section 4.19.9.

In general, the minimum parking requirement is reduced by half for most land uses. The section is also organized into tiers of land uses that have the same minimum parking requirement.

Section 4.19.10 also includes the minimum requirements for accessible parking spaces. These requirements are currently calculated as a ratio of the minimum requirement of the Zoning By-law, however since in some parts of the city minimum requirements are to be removed, a new approach is recommended that calculates the required accessible spaces based on the actual parking spaces that are provided. This approach is more consistent with the requirements of the Accessibility for Ontarians with Disabilities Act.

4.19.14 – Bicycle Parking Requirements & 4.19.16 – Number of Bicycle Parking Spaces

Bicycle parking requirements are included in the Zoning By-law and include 0.75 long-term parking spaces for residential uses with five or more units, and 7% of the parking requirement for most non-residential uses.

Part of reducing or eliminating vehicle parking spaces is the expectation that other modes will become more common, including cycling. Therefore, an increase in the number of bicycle parking spaces is included. Residential uses will require 1 bicycle parking space per unit, with a 9:1 ratio of those spaces needing to be long-term vs short term spaces. Non-residential uses will also require bicycle parking spaces, which may be short term. The minimum requirement is no longer tied to the automobile space requirement and instead a new table is added to identify bicycle parking requirements.

4.19.15 – Design Characteristics for Bicycle Parking

This section identifies that design requirements are to be included in the Site Plan Control By-law. While this is still the case, a definition for long term vs short term bicycle parking is added. This definition requires long term bicycle parking to be accessible, secure, and weather protected while short term parking may be provided outdoors.

5.0 Conclusion

The recommended amendment to Section 4.19 of the Zoning By-law Z.-1 includes:

- The removal of minimum parking requirements from the Downton, Transit Village, Rapid Transit Corridor, and Main Street Place Types
- Significant reductions in the minimum parking standard in other parts of the City of London
- Maintaining similar standards for accessible parking space requirements while changing the approach to base the requirement on spaces that are provided rather than required under the Zoning By-law; and
- Increases the number of bicycle parking spaces that are required.

The recommended amendment to the London Plan ensures that the recommended zoning changes conform with the Plan and enable lowering or eliminating off-street parking minimums.

The recommended amendments will improve choice for Londoners, support Climate Action, and help to achieve a compact, contiguous pattern of growth in our city. This Parking Standards Recommendation Report builds on the previous *Parking Standards Background Report*, and the *Parking Standards Review Information Report* and has been developed with community and stakeholder input.

Prepared by:	**Isaac de Ceuster, Planner I, Long Range Planning and Research**
Reviewed by:	**Justin Adema, MCIP, RPP** **Manager, Long Range Planning and Research**
Recommended by:	**Gregg Barrett, AICP** **Director, Planning and Development**
Submitted by:	**Scott Mathers, MPA, P. Eng.** **Deputy City Manager, Planning and Economic Development**

Cc: Kevin Edwards, manger, Long Range Planning, Research & Ecology

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

IDC/idc

Y:\Shared\policy\Parking Standards\Reports\Recommendation Report

Appendix A

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

By-law No. C.P.-XXXX-___

A by-law to amend The London Plan, the Official Plan for the City of London, 2016 relating to the Parking Standards Review.

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

1. Amendment No. (to be inserted by Clerk's Office) to the London Plan for the City of London, as contained in the text attached hereto and forming part of this by-law, is adopted

2. This by-law shall come into effect in accordance with subsection 17(38) of the Planning Act, R.S.O. 1990, c.P.13.

PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

AMENDMENT NO.
to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To amend the London Plan policies that direct the provision of off-street parking so as to clarify that minimum parking standards shall not apply within the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types.

B. LOCATION OF THIS AMENDMENT

This policy Amendment applies to lands within the City of London.

C. BASIS OF THE AMENDMENT

The City has undertaken a parking standards review that has recommended that minimum parking standards be eliminated from the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types; and also recommends that parking standards be reduced in other Place Types across the City. This amendment will ensure that the policies of the Plan will direct that recommendation and ensure that the recommended zoning regulations conform with the London Plan policies.

D. THE AMENDMENT

The London Plan, 2016, is hereby amended as follows:

1. The City Building policies of The London Plan are amended by deleting and replacing policies 271, 274, 365, and 802_4 with the following:

   271_ The Zoning By-law will establish automobile parking standards, ensuring that excessive amounts of parking are not required. Requirements may be lower or may not apply within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction.

   274_ Opportunities for sharing and consolidating parking to meet parking demand will be encouraged in the Downtown, Transit Village, and Shopping Area Place Types, and in transit station areas and commercial areas along Urban Corridors. Where sharing of parking occurs through a development agreement, a reduction in on-site parking requirements may be accommodated

   365_ A Transportation Demand Management Program may be provided as part of a complete planning and development application to identify strategies and actions to reduce car dependence and support other transportation modes, and may support reduced parking requirements. The Transportation Demand Management Program may:

   1. Be integrated with required transportation impact assessments submitted to support the proposed development.
   2. Identify design and/or programmatic means to reduce single occupancy vehicle uses.

3. Identify the roles and responsibilities of the property owner with respect to each recommended program and its implementation.
4. Identify the operational and financial roles and responsibilities of the property owner including, but not limited to, program development, implementation and ongoing management and operations of the transportation demand management plan and/or program.

802_4. There will be no minimum parking required for Downtown development.

Appendix B

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

By-law No. C.P.-XXXX-___

A by-law to amend The Zoning By-law Z.-1 for the City of London, 1993 relating to the Parking Standards Review Recommendation Report.

WHEREAS the City of London has initiated a Parking Standards Review to make general changes related to Parking Standards and Bicycle Parking Standards, as set out below;

AND WHEREAS this zoning by-law amendment conforms to the Official Plan;

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

1) Section 4.19.4 of Zoning By-law No. Z.-1 is amended by adding a new row to the table of yards in which required parking area is permitted as follows:

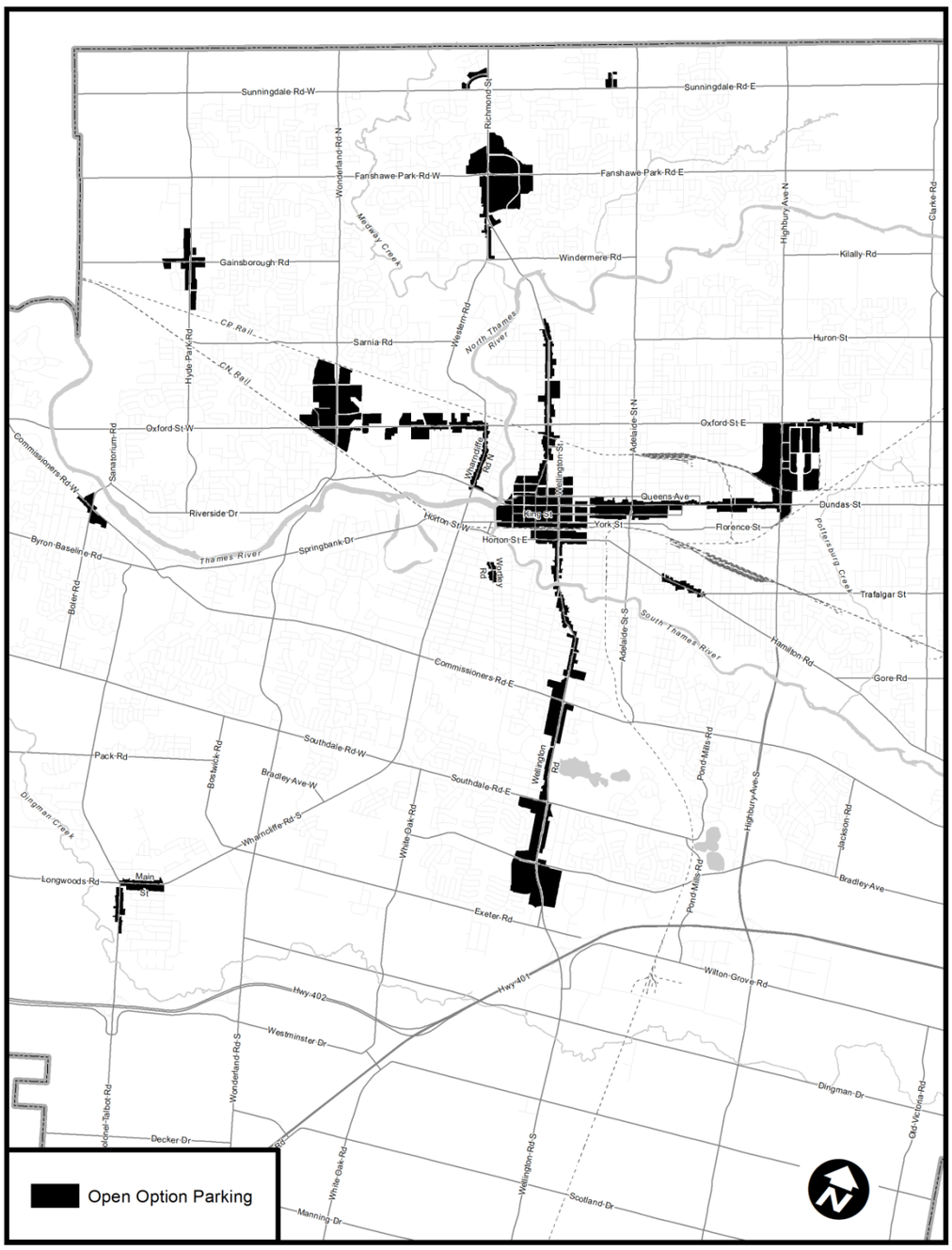
Zone Class	**Yard in Which Required Parking Area is Permitted**
Areas exempt from minimum parking standards shown on Figure 4.19	Parking not permitted in the front yard.

2) Section 4.19.9 of Zoning By-law No. Z.-1 is amended by deleting the existing text and replacing it with the following:

9) PARKING STANDARD AREAS

Minimum parking standards shall not apply within the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types in the London Plan as shown in Figure 4.19 below. These areas are not subject to the minimum parking requirements in Section 4.19.10.a) and Section 4.19.10.b)

Figure 4.19 – Areas Exempt from Minimum Parking Standards



3) Section 4.19.10 of Zoning By-law No. Z.-1 is amended by deleting the existing text and replacing it with the following:

10) PARKING STANDARDS

Except as otherwise provided herein, the owner or occupant of any lot, building or structure used or erected for any of the purposes set forth in this Subsection, shall provide and maintain, for the sole use of the owner, occupant or other persons entering upon or making use of the said lot, building or structure from time to time, parking spaces in accordance with the provisions of this Subsection. Unless otherwise specified, the standards are expressed in one space per square metre of Gross Floor Area (GFA). For the purpose of this Section, existing shall mean as of January 1, 1987.

a) Residential Development

Except for the Areas identified in Figure 4.19, the minimum requirements are as follows:

Residential Unit Type	Minimum Parking Requirement
Single Detached and Semi-Detached	1 per unit
Townhouse, Cluster	1 per unit
Townhouse, Street	1 per unit
Townhouse, Stacked	0.5 per unit
Apartment	0.5 per unit
Duplex	0.5 per unit
Triplex	0.5 per unit
Fourplex	0.5 per unit
Converted Dwelling or Conversions of Existing Buildings to Residential Units	0.5 per unit
Senior Citizen Apartment Building	0.125 per unit
Handicapped Persons Apartment Building	0.125 per unit
Lodging House	0.125 per unit

b) Non-Residential Development

Except for the Areas identified in Figure 4.19, the minimum requirements are as follows:

Non-Residential Uses	Minimum Parking Requirement
Tier 1: Restaurant, Restaurant (Fast-Food Drive-in, Take-Out), Tavern	1 per 20 m^2 gross floor area
Tier 2: Amusement Game Establishment, Automobile Repair Garage Establishment, Clinic and Outpatient Clinic, Clinic (Methadone), Liquor Beer and Wine Store, Patient Testing Laboratory, Personal Service Establishment, Taxi Establishment	1 per 30 m^2 gross floor area
Tier 3: Abattoir, Arena, Assembly Hall, Auction Establishment, Automobile Body Shop, Automobile Rental, Automobile Sales & Service Establishment, Automobile Supply Store, Bake Shop, Bulk Beverage Outlet, Bulk Sales Establishment, Commercial Recreation Establishment, Convenience Service Establishment, Convenience Store, Data Processing Establishment, Day Care Centre, Department Store, Duplicating Shop, Emergency Care Establishment, Farm Food and Products Market, Financial Institution, Food Store, Funeral Home, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Kennel, Laundromat, Office (Mental/Dental inc. converted), Pharmacy, Pharmacy (Methadone), Private Club, Post Office, Recreational Vehicle Sales and Service Establishment, Repair and Rental Establishment, Retail Store (all sizes), School (Commercial), Service and Repair Establishment, Shopping Centre, Video Rental Establishment	1 per 50 m^2 gross floor area

Non-Residential Uses	Minimum Parking Requirement
Tier 4: Animal Hospital/Clinic, Artisan Workshop, Bakery, Brewing on Premises Establishment, Business Service Establishment, Dry Cleaning and Laundry Depot, Film Processing Depot, Gallery, Household Appliance Sales and Service, Industrial and Agricultural Equipment Sales and Service, Laboratory, Library, Museum, Music School, Office (all types except Mental/Dental), Public Recreation Facility, Public Use, Retail Warehousing, Salvage Yard, School (Community College & University), Service Industrial Use, Service Trade, Studio	1 per 100 m^2 gross floor area
Tier 5: Agricultural Supply Establishment, Caterer's Establishment, Craft Brewery (excluding retail/restaurant area), Dry Cleaning and Laundry Plant, Farm Equipment Sales and Service Establishment, Industrial Mall, Printing Establishment, Terminal Centre, Vehicle Sales and Service Establishment, Wholesale Establishment	1 per 200 m^2 gross floor area
Tier 6: Advanced Manufacturing Industrial Uses, Advanced Manufacturing Educational Uses, Manufacturing Establishment, Warehouse Establishment	1 per 500 m^2 gross floor area
Tier 7: Commercial Outdoor Recreation Facility, Private Zoo, Self Storage Establishment	1 per 2,000 m^2 gross floor area
Agricultural Supply Establishment	1 per 60 m^2 for retail show room plus 1 per 200 m^2 for warehousing/wholesaling
Apartment Hotel	0.5 per unit
Arena (with seats)	1 per 8 seats
Artisan Workshop	1 per 200 m^2 for processing/manufacturing plus 1 per 30 m^2 for retail area/restaurant
Assembly Hall	1 per 8 seats or 1 per 50 m^2 whichever is greater
Auditorium	1 per 8 seats
Automobile Sales, Ancillary to Automobile Repair Garage	0.5 per automobile, kept or displayed for sale
Automobile Service Station	3 per bay
Bed and Breakfast Establishment	0.5 per bedroom plus 1 space

Non-Residential Uses	Minimum Parking Requirement
Building Supply Outlet	1 per 60 m^2 retail/showroom plus 1 per 400 m^2 warehouse/wholesaling
Campground	1 space per camp site
Carwash	2 spaces
Community Centre and Hall	1 per 8 seats or 1 per 50 m^2 whichever is greater
Converted Dwelling	No additional parking required
Craft Brewery	1 per 100 m^2 for processing, plus 1 per 30 m^2 for retail area/restaurant
Custom Workshop	3 spaces
Driving Range	1 per tee
Farm Market	3 spaces
Fire Station	1 per 2 employees
Gas Bar	2 spaces
Golf Course	4 per tee
Green House	1 per 20,000 m^2 gross floor area
Group Home	1 space
Hospital	1 space per bed
Hotel	1 per unit
Miniature Golf Course	1 space per tee
Mobile Home	1 per unit
Motel	1 per unit
Nursery	2 spaces
Nursing Home	1 per 3 beds
Open Storage	1 per ha (2.5 ac or 10,117.14 m^2)
Place of Worship	1 for each 8 persons place of worship capacity

Non-Residential Uses	Minimum Parking Requirement
Police Station	1 per 2 employees
Private Outdoor Recreation Club	1 per 1,000 m^2 gross floor area
Racquet Facility	2 per court
Resource Extraction Operation	1 space
Rest Home	1 per 3 beds
Retail Warehousing	1 per 50 m^2 retail/showroom plus 1 per 400 m^2 warehouse/ wholesaling
Retirement Lodge	1 per 3 beds
Salvage Yard (With No Structures)	1 per hectare
Salvage Yard (With Structures)	1 per 50 m^2 for retail and showroom plus 1 per 400 m^2 for warehousing and wholesaling
School, Elementary	2 plus 1 per classroom
School, Private	3 per classroom
School, Secondary	3 per classroom
Supervised Residence	1 per 5 residents
Tennis Club	2 per court
Tennis Club (Outdoors)	2 per court

c) Accessible parking spaces

Where parking spaces are provided, in any development, accessible parking spaces shall also be provided. Off street parking areas shall have a minimum number of accessible parking spaces as follows:

i) One parking space for the use of persons with disabilities, which meets the requirements of a Type A parking space, where there are 12 parking spaces or fewer; or

ii) Four per cent of the total number of parking spaces for the use of persons with disabilities, where there are between 13 and 100 parking spaces in accordance with the following ratio, rounding up to the nearest whole number:

   i. Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided; or

ii. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this paragraph, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space; or

iii) One parking space for the use of persons with disabilities and an additional three percent of parking spaces for the use of persons with disabilities, where there are between 101 and 200 parking spaces must be parking spaces for the use of persons with disabilities, calculated in accordance with the ratios set out in subparagraphs ii) 1 and 2), rounding up to the nearest whole number; or

iv) Two parking spaces for the use of persons with disabilities and an additional two per cent of parking spaces for the use of persons with disabilities, where there are between 201 and 1,000 parking spaces must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; or

v) Eleven parking spaces for the use of persons with disabilities and an additional one per cent of parking spaces for the use of persons with disabilities, where more than 1,000 parking spaces are provided must be parking spaces for the use of persons with disabilities in accordance with the ratio in subparagraphs ii) 1 and 2 rounding up to the nearest whole number; and

vi) The number of parking spaces for persons with disabilities shall be included as part of the total parking required for the site.

vii) For the purpose of this section a Type A parking space shall mean a wider accessible parking space which has a minimum width of 3,400 mm and signage that identifies the space as "van accessible;" and a Type B parking space shall mean an accessible parking space which has a minimum width of 2,400 mm

4) Section 4.19.14 of Zoning By-law No. Z.-1 is amended by deleting the existing text and replacing it with the following:

14) BICYCLE PARKING REQUIREMENTS

All required bicycle parking spaces shall be provided at the time of the erection of a building or addition thereto, expansion of a use, or when there is a change of use of a lot or a building. Bicycle parking spaces shall be maintained exclusively for the use for which they are required for as long as the use is in operation.

Where part of a bicycle parking space is required in accordance with this By-law, such part shall be considered one parking space for the purpose of calculating the total bicycle parking requirement for the use.

The minimum bicycle parking requirements are as follows:

a) Residential Development:

i) Apartment buildings and lodging houses (with five or more residential units) shall provide 1.0 bicycle parking space per residential unit, allocated as 0.9 long-term bicycle parking space per dwelling unit and 0.1 short-term bicycle space per unit.

ii) Residential Care Facilities shall provide a minimum of 3 short-term bicycle spaces plus 0.1 space for each 100 m^2 gross floor area. Residential Care Facilities shall also provide a minimum of 0.1 long-term bicycle parking spaces for each 100 square meters of gross floor area.

For the purpose of this section a Residential Care Facility shall include:

i. senior citizen apartment buildings
ii. nursing homes;
iii. rest homes;
iv. retirement lodges;
v. retirement homes;
vi. handicapped persons apartment buildings;
vii. continuum-of-care facility;
viii. chronic care facility;
ix. foster homes;
x. group home type 1 and type 2;
xi. supervised residence;
xii. correctional and detention centre;
xiii. emergency care establishment.

b) Residential Development Exemptions:

i) Notwithstanding clause 4.19.14.a) to the contrary, bicycle parking shall not be required for Conversions of existing space to residential units, Single detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; fourplex dwellings; townhouse dwellings; stacked townhouse dwellings; street townhouses; cluster townhouses; farm dwellings.

c) Non-Residential Development

Bicycle parking shall be required in accordance with the following:

Non-Residential Uses	**Minimum Short-Term Bicycle Parking Requirement**
Tier 1: Arena (with and without seats), Assembly Hall, Auction Establishment, Auditorium Automobile Body Shop, Automobile Rental, Automobile Repair Garage Establishment, Automobile Sales & Service Establishment, Automobile Supply Store, Bake Shop, Bulk Beverage Outlet, Bulk Sales Establishment, Clinic and Outpatient Clinic, Clinic (Methadone), Commercial Recreation Establishment, Community Centre and Hall, Convenience Service Establishment, Data Processing Establishment, Day Care Centre, Department Store, Duplicating Shop, Emergency Care Establishment, Farm Food and Products Market, Financial Institution, Food Store, Funeral Home, Garden Store, Hardware Store, Home and Auto Supply Store, Home Furnishings Store, Home Improvement Store, Hospital, Kennel, Laundromat, Liquor Beer and Wine Store, Office (Mental/Dental inc. converted), Patient Testing Laboratory, Personal Service Establishment, Pharmacy, Pharmacy (Methadone), Place of Worship, Private Club, Post Office, Recreational Vehicle Sales and Service Establishment, Repair and Rental Establishment, Restaurant (Fast-Food Drive-in, Take-Out), Restaurant, Retail Store (all sizes), School (Commercial), Service and Repair Establishment, Shopping Centre, Tavern, Taxi Establishment, Video Rental Establishment	3 spaces plus 0.3 spaces for each 100 m^2 gross floor area

Tier 2: Animal Hospital/Clinic, Artisan Workshop, Bakery, Brewing on Premises Establishment, Business Service Establishment, Carwash, Dry Cleaning and Laundry Depot, Film Processing Depot, Fire Station, Gallery, Gas Bar, Household Appliance Sales and Service, Industrial and Agricultural Equipment Sales and Service, Laboratory, Library, Museum, Music School, Office (all types except mental/dental), Police Station, Private Outdoor Recreation Club, Public Recreation Facility, Public Use, Retail Warehousing, Salvage Yard, School (Elementary, Community College, Private, Secondary & University), Service Industrial Use, Service Trade, Studio	3 spaces plus 0.2 spaces for each 100 m^2 gross floor area
Tier 3: Advanced Manufacturing Industrial Uses, Advanced Manufacturing Educational Uses, Automobile Sales - Ancillary to Automobile Repair Garage, Automobile Service Station, Building Supply Outlet, Caterer's Establishment, Commercial Outdoor Recreation Facility, Craft Brewery (excluding retail/restaurant area), Custom Workshop, Dry Cleaning and Laundry Plant, Farm Equipment Sales and Service Establishment, Group Home, Industrial Mall, Hotel, Manufacturing Establishment, Nursery, Nursing Home, Open Storage, Printing Establishment, Private Zoo, Rest Home, Retail Warehousing, Retirement Lodge, Self Storage Establishment, Supervised Residence, Terminal Centre, Vehicle Sales and Service Establishment, Warehouse Establishment, Wholesale Establishment	3 spaces plus 0.1 spaces for each 100 m^2 gross floor area
Apartment Hotel	1 space per unit
Bed and Breakfast Establishment	1 space per unit
Campground	3 spaces plus 0.2 space per camp site
Converted Dwelling	No bicycle parking required
Golf Course	3 spaces plus 0.2 spaces per tee
Miniature Golf Course	3 spaces plus 0.2 spaces per tee
Mobile Home	1 space per unit
Motel	1 space per unit
Racquet Facility	3 spaces plus 0.2 spaces per court
Tennis Club	3 spaces plus 0.2 spaces per court
Tennis Club (Outdoors)	3 spaces plus 0.2 spaces per court

d) Non-Residential Development Exemptions:

i) No bicycle parking requirement applies for the following uses specified in the Zoning By-law:

Abattoir; aggregate reprocessing; aggregate storage area; agricultural service establishment; agricultural supply establishment; agricultural use; agricultural use, intensive; agricultural use, non-intensive; agriculturally related commercial use; agriculturally related industrial use; batching plant, asphalt; batching plant, concrete; channel composting facility; construction and demolition recycling facility; crushing plant; driving range; drive-through facility; farm; farm cluster; farm equipment sales and service; farm foods and products market; farm market; feedlot; forestry use; grain elevator; greenhouse, commercial; in-vessel composting facility; kennel; landing strip; livestock; livestock facilities; managed woodlot; manure storage facilities; pit; propane transfer facility; quarry; resource excavation; residential and other source recycling facility; resource extraction operation; salvage yard; specialized recycling facility; stockpiling; travel plaza/truck stop; truck stop; theatre, drive-in; wayside pit or wayside quarry; windrow composting facility.

ii) No short-term bicycle parking requirement will apply to non-residential uses in all Downtown Area 1 and 2 Zones. Residential uses within all Downtown Area 1 and 2 Zones shall comply with Section 4.19.14.1 a) of this By-law.

5) Section 4.19.15 of Zoning By-law No. Z.-1 is amended by deleting the existing text and replacing it with the following:

15) DESIGN CHARACTERISTICS FOR BICYCLE PARKING

For the purpose of this By-law, associated design elements shall be provided in accordance with those provisions set forth under the City's Site Plan Control By-law.

For the purpose of this Section Long-Term Bicycle Parking shall mean bicycle parking that is indoors in an accessible, secure, and weather protected area. Short-Term Bicycle Parking may include outdoor spaces.

6) Section 4.19.16 of Zoning By-law No. Z.-1 is amended by deleting the subsection in its entirety.

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 August 2, 2022.

Ed Holder
Mayor

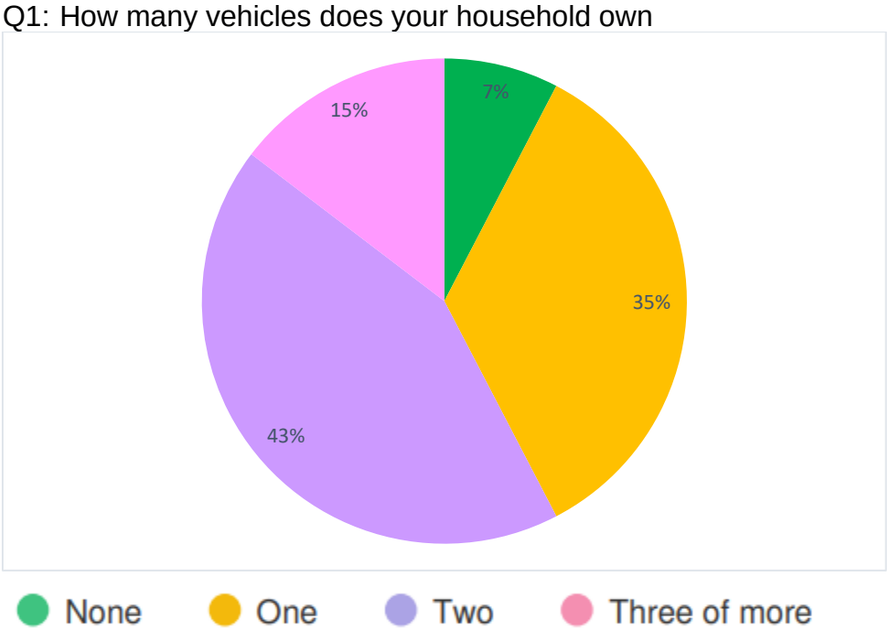
Catharine Saunders
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

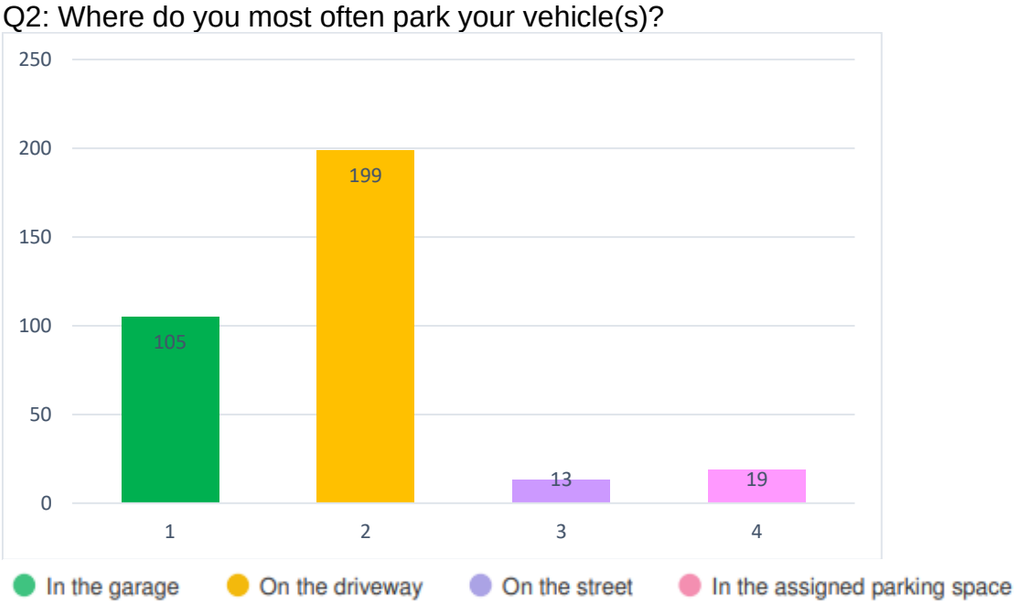
Appendix C – Results Parking Standards Survey

Results Parking Standards Survey January- February 2022.
Total received responses: 336

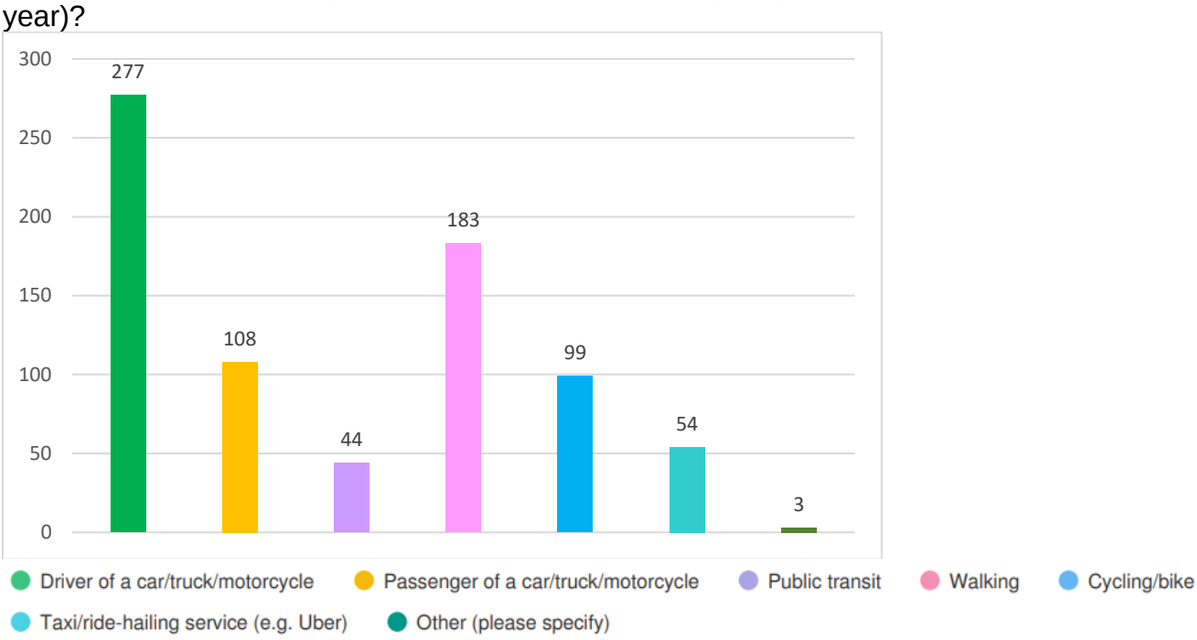
Q1: How many vehicles does your household own



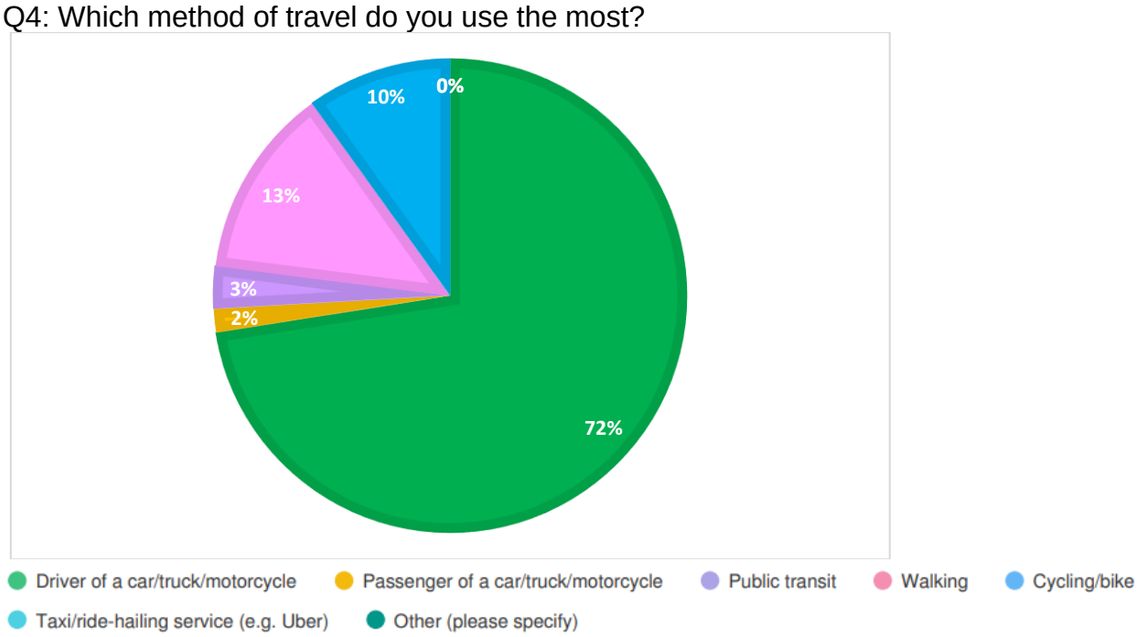
Q2: Where do you most often park your vehicle(s)?



Q3: Which of the following methods of travel do you regularly use (used in the past year)?

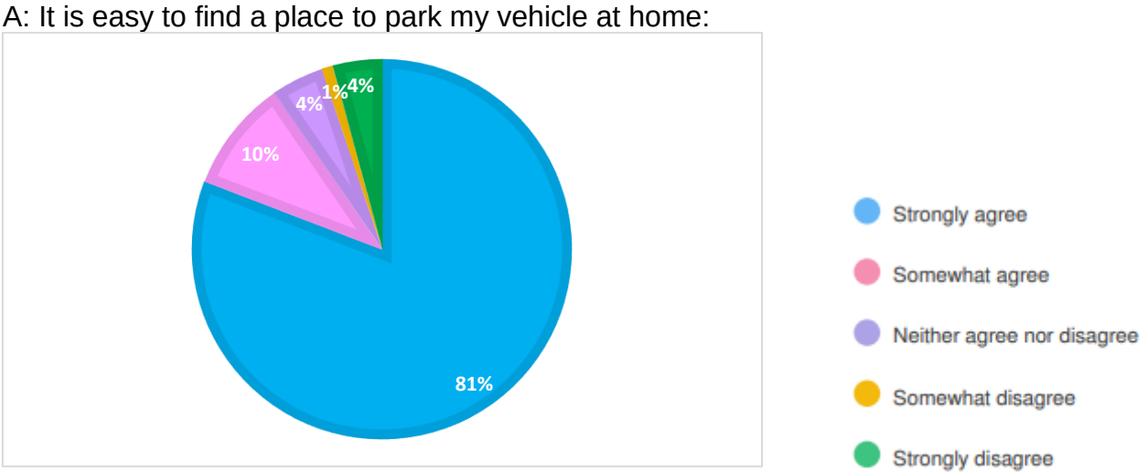


Q4: Which method of travel do you use the most?

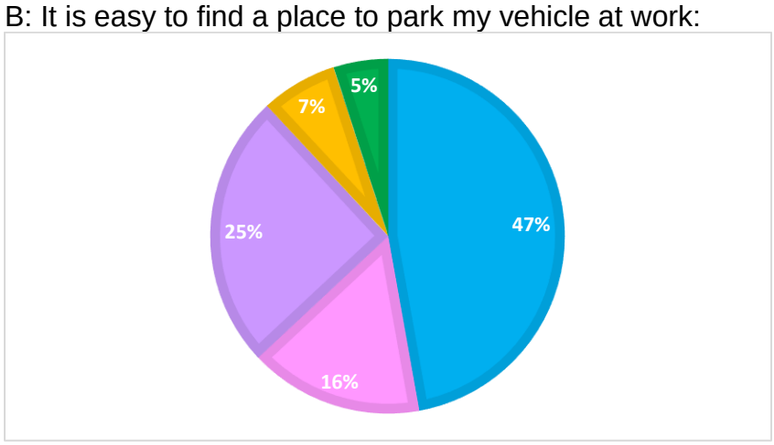


Q5: Please indicate whether you strongly disagree, somewhat disagree, somewhat agree, strongly agree with the following statements:

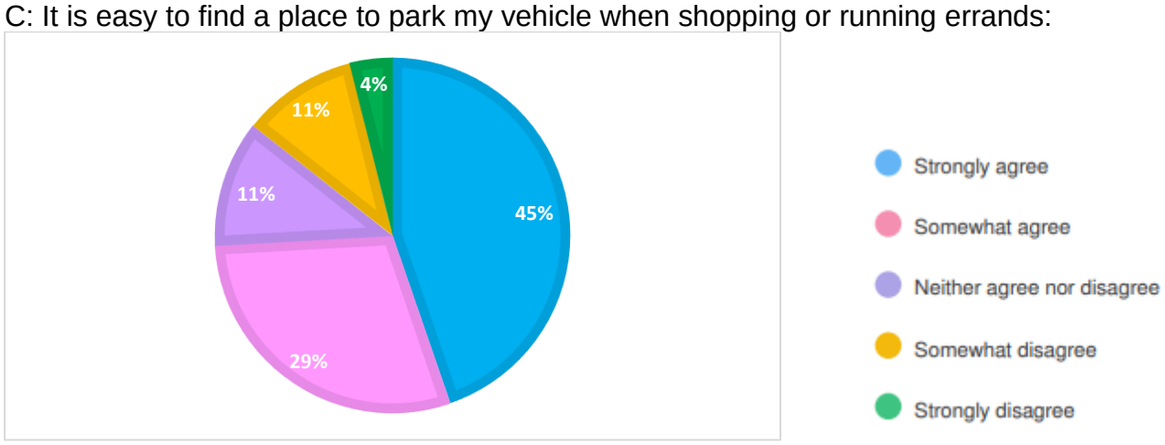
A: It is easy to find a place to park my vehicle at home:



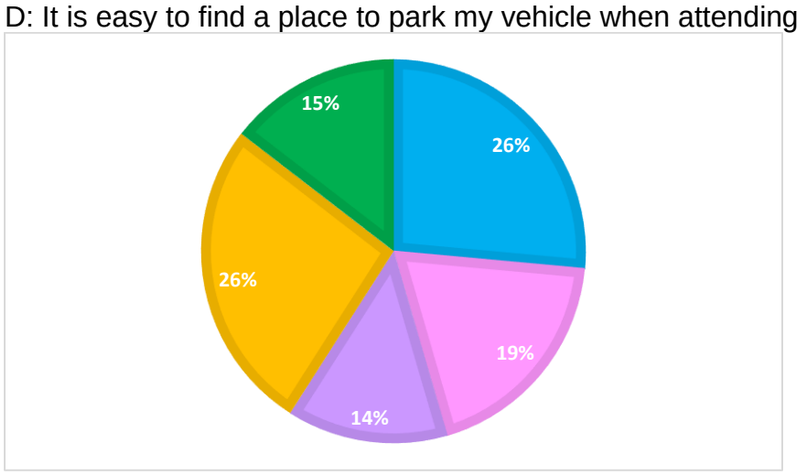
B: It is easy to find a place to park my vehicle at work:



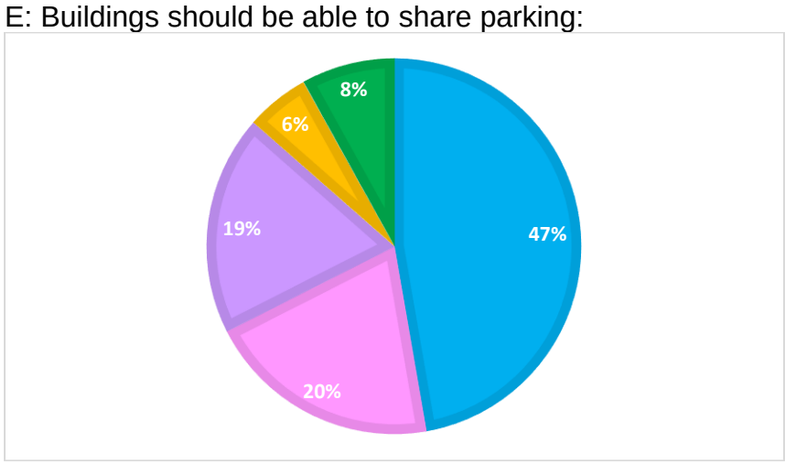
C: It is easy to find a place to park my vehicle when shopping or running errands:



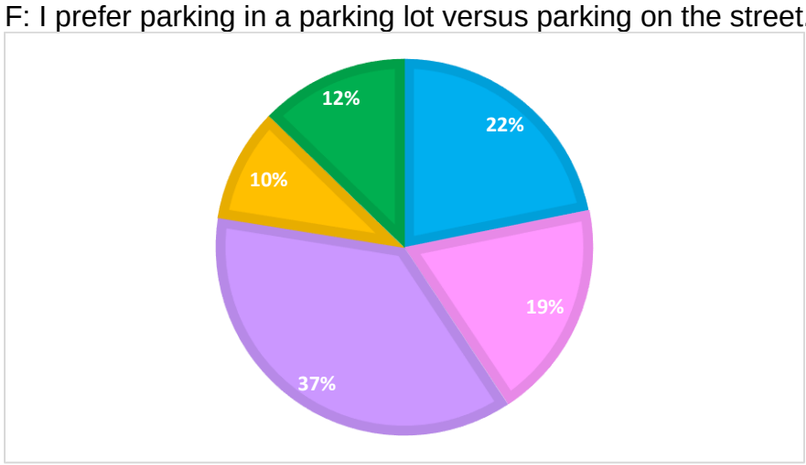
D: It is easy to find a place to park my vehicle when attending events:



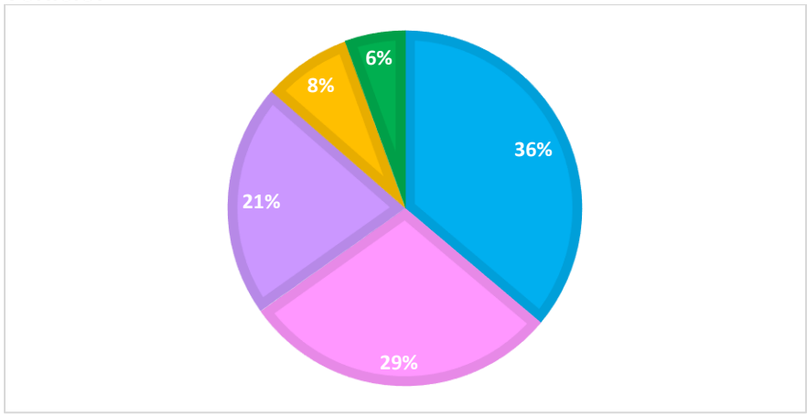
E: Buildings should be able to share parking:



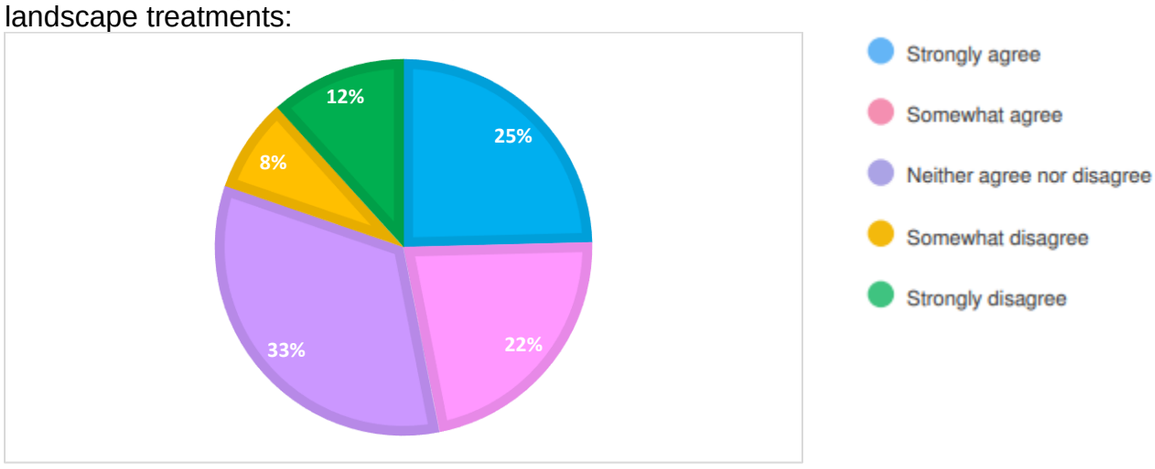
F: I prefer parking in a parking lot versus parking on the street.



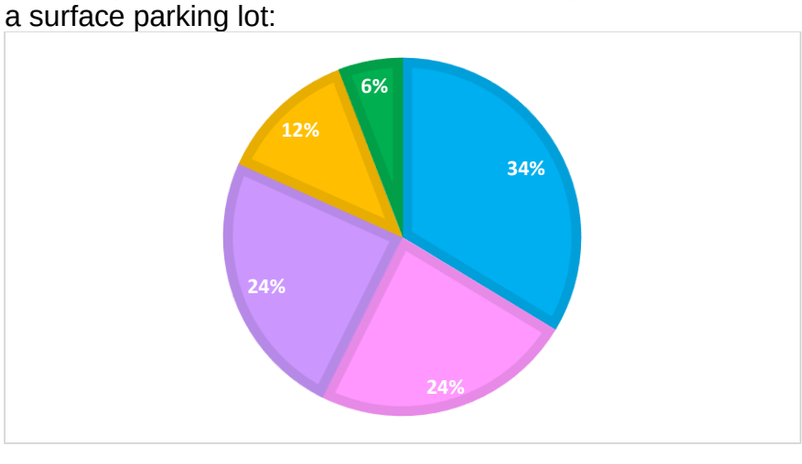
G: Providing sidewalks in large parking lots makes it easier/safer to get to and from my vehicle:



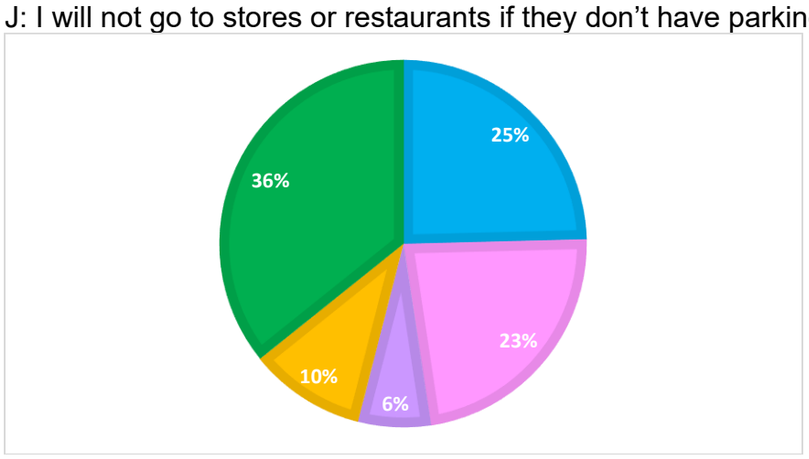
H: Surface parking located in highly visible areas should be screened by low walls and landscape treatments:



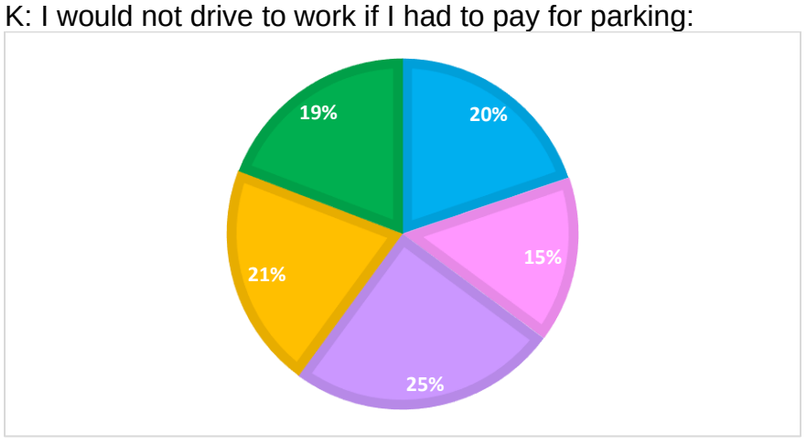
I: Underground parking or structured parking (parkade) has a more pleasing design than a surface parking lot:



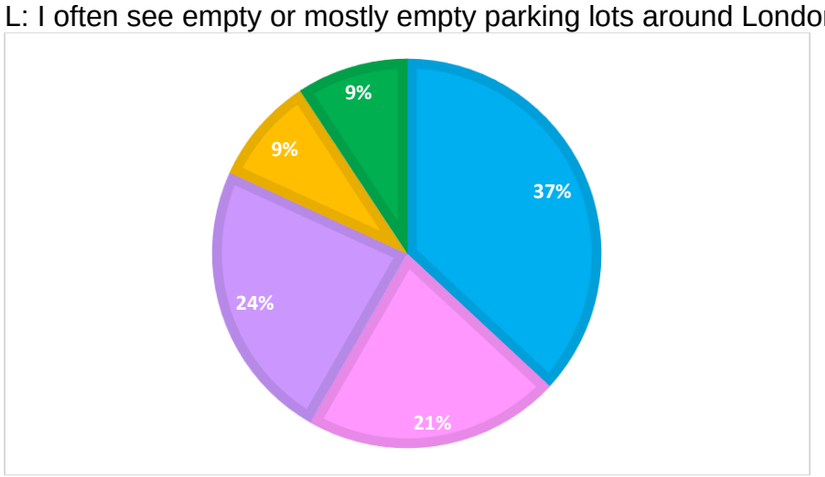
J: I will not go to stores or restaurants if they don't have parking:



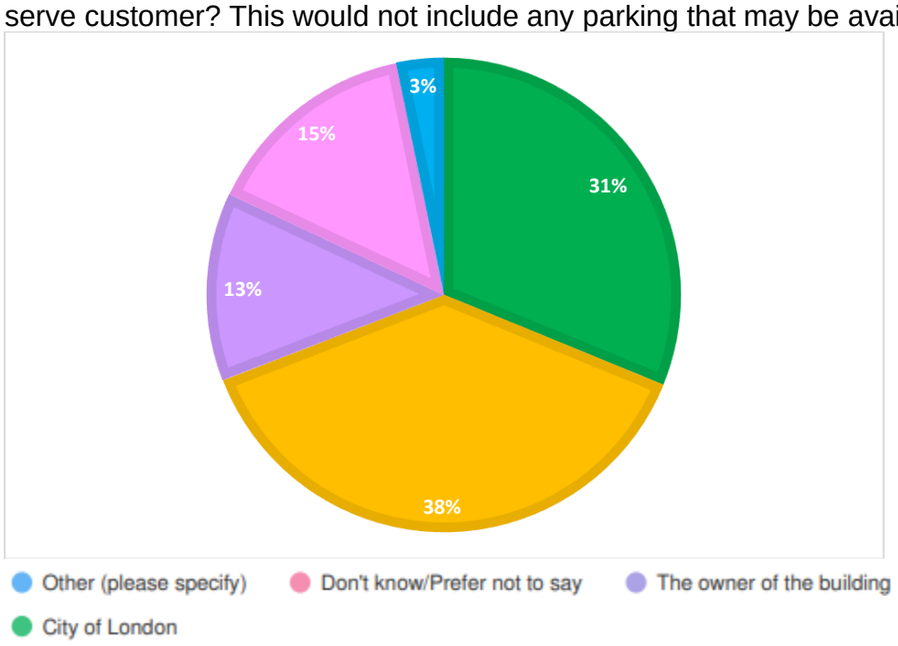
K: I would not drive to work if I had to pay for parking:



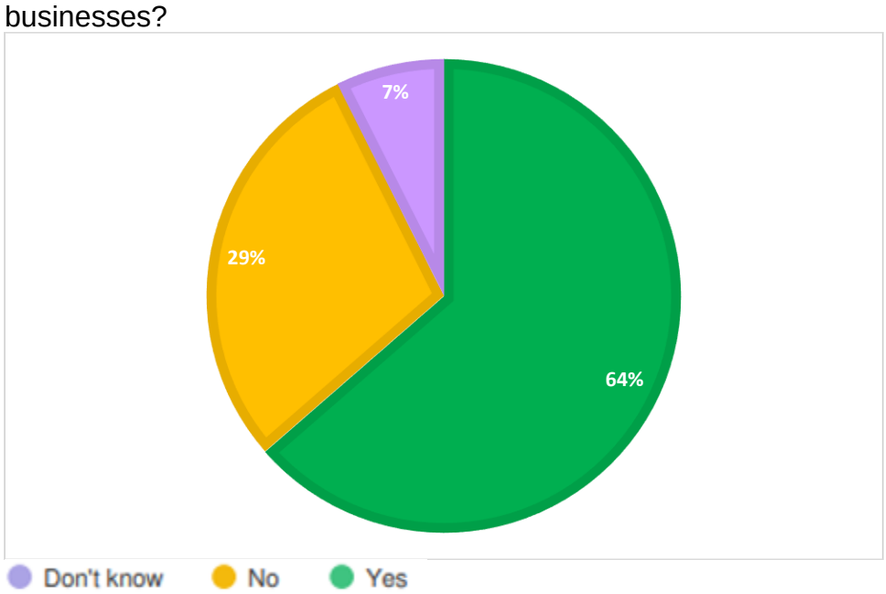
L: I often see empty or mostly empty parking lots around London:



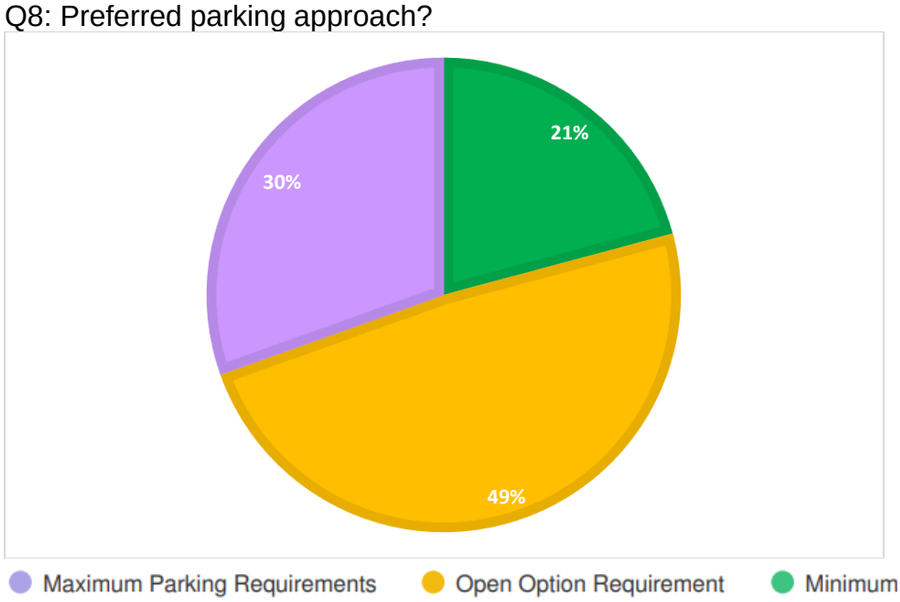
Q6: Who is best situated to decide how many parking spaces businesses must have to serve customer? This would not include any parking that may be available on the street.



Q7: Are you aware that the City of London's Zoning By-law sets a minimum number of required parking spaces that must be provided for new or redeveloped homes and businesses?



Q8: Preferred parking approach?



The demographic questions Q9-Q19 are not included in the Appendix, please contact Planning & Development for more information on the Parking Standards Review Survey.

Q20: Is there any other feedback you would like to add?

- Parking is important for community events.
- Restrict Parking lots!
- Along with car parking maximums we need bike parking minimums.
- Off-street parking standards should be implemented with the goal of maximizing our social lives and ensuring our overall well-being. London is far too car-dependent, and it stops me from living a fulfilling life like I can in other cities with better transportation plans.
- I frequently enjoy walking downtown to shop and eat. Surface lots are ugly and most often empty. It's not a good use of space.
- Enhance off-street parking and remove on-street parking please.
- Please remove parking minimums! New construction needs to have choice to include zero parking spaces in their developments.
- I would like to see driveways exceed more than 50% of the lot width.
- Very pleased to see this survey and know that our city might be realizing the damage that's been done to our public areas through vast oceans of pavement. Never have I been downtown when I could not access parking within one block of my destination.
- We are desperate for more active transportation infrastructure and less car infrastructure.
- Focus efforts on phasing out surface parking lots, especially in the Downtown. Such a waste of valuable land.
- The less we can all use cars but still complete our daily tasks, the better off we will all be.
- I would be so happy if London got rid of parking minimums. It is the best option for both the housing crisis and the climate crisis.
- If you want me to continue shopping downtown, parking must be supplied. I will never use public transit.
- Surface parking lots are probably the worst use of land. Housing or businesses or a park would be so much better.
- Please do as much as you can to make walking/biking/public transport a more appealing option for people.
- I think the current City of London minimum parking requirements are too high. There are businesses forced to construct large parking loots, even when they know that they will not use them. Then they sit unused just because they had to meet an arbitrary standard.
- Parking should not be dictated by the developers. The city needs to not be influenced by those only interested in making the most profit possible. Apartment dwellings should be charged for parking spots to decease automobile usage, but ample parking needs to be given to visitors to keep vehicles off the streets.
- Off street parking should be regulated by the business or developer.
- The first set of questions in this survey were overly simplistic. For example, pre-pandemic I took the bus a lot, but not at all since. Same with finding parking for events.
- Please add spaces for bike parking!
- More accessible parking.
- Residential areas of downtown, especially high-rises should allow for a bit of free visitor daytime parking e.g., 2 hours free. Out of town relatives shouldn't have to choose between refilling a meter every 2 hours or paying a 24-hour fee in a lot.
- The parking lots downtown make our city unattractive.
- Stop developers from not allowing extra parking for households that may have 4 or more family members with limited personal parking space.
- Off-street parking encourages people to use business. It must be flexible to allow variations for a particular use of a property.
- Cars will be around even as the younger generation considers driverless or 100% electric cars. So, taking the restricted and limited approach will just push cards to the street which make it more dangerous for everyone.

- Parking lots are eating up downtown London. They are underutilizing land and are depressing to see and unsafe to walk through.
- The city has too much parking. The issues aren't a lack of parking, people are unwilling to pay… and we should have to pay to park our cars. The land is too valuable. Invest in ways to make it easier to walk, cycle, and take public transportation, those are the next steps.
- Just need more and larger spaces. The new commercial and residential developments are really unsafe for parking. You can never have too much parking.
- The city needs to be bold and progressive in developing standards that put the environment and multi-modal transportation ahead of other interests.
- I would love to see an elimination or reduction in minimum spots/unit for new development as this would lead to better intensification/infill, and more green space.
- I look forward to seeing more greenery and sustainable design elements in parking lots going forward. These elements are visually appealing, environmentally beneficia, and have positive effects on everyone.
- Ger rid of minimums please. I'd prefer maximums but open is better than minimum.
- Ensuring more safe, secure bike parking would be great thing too.
- End parking minimums so we can strengthen our neighbourhoods and encourage more incremental development of the places we've loved for decades that are also much more financially productive for the city and create more jobs and encourage people to walk or bike or take transit.
- Eliminate parking minimums for housing particularly around Western University and Fanshawe as students have little need to drive and can't afford a car.
- Let's do better with less parking and encourage alternate means of transport.
- If there were enough free day long off-street parking downtown, more people would return. I personally try to avoid downtown London at all costs, because parking is a pain.
- Accessible parking spots are being taken by regular cars.

Appendix D – Public Engagement

Prescribed Agency and City Department Liaison: On June 9, 2022, Notice of Application was sent to prescribed agencies and City departments.

Agency/Departmental Comments

Upper Thames River Conservation Authority
From: Christine Creighton
Sent: Tuesday, June 14, 2022, 10:57 AM
Subject: OZ-9520 - Parking Standards Review- City of London- UTRCA Comments - No Objections

Hi Isaac,

Thank you for circulating the UTRCA. The Conservation Authority has no objections to this application.

Yours truly,
Christine

London Hydro
From: Liaisons and Easements, London Hydro
Sent: Wednesday, June 29, 2022, 10:04 AM
Subject: OZ-9520

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.

Hans Schreff, Manager – Development & Operations Support, London Hydro.

Public Letter Urban League London, received on July 7, 2022.

URBAN LEAGUE LONDON

Long Range Planning & Research
Planning & Development
City of London
300 Dufferin Ave
London, ON

July 7th 2022

Dear Planning & Development Staff and City Council,

Members of the Board of the League have been following the discussion regarding the updates to the Parking Standards with great interest. Members have emailed with staff, invited ULL members to stakeholder sessions, attended an external stakeholder meeting (Parking Standards Review Group-discussion) and submitted an open letter in March 2022 to share the Board's thoughts on Parking Minimums.

We want to reiterate - we are supportive of removing Parking Minimums city-wide, and urge staff and Council to reconsider the current proposal to only remove parking minimums in the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types (*and instead apply the removal city-wide*). We understand some concern from Council regarding the potential congestion of parking in residential areas but believe that it can be resolved at the site plan level between developers and staff.

Cities around North America are realizing it is time to act on revitalizing their urban planning decisions, while people are changing their relationships with their ideas of work, home and community. For example, the City of Kingston, ON, recently removed parking minimums, imposed parking *maximums* and offered a "cash-in-lieu" option for developers to pay into a municipal carshare program rather than build unnecessary parking spaces. By rethinking the prevalence of car spaces over community spaces, we can better promote our core and surrounding neighbourhoods as a place to gather and grow as a thriving big city.

1. We support **no parking minimums across the city,** not just in the Downtown Transit Village, Rapid Transit Corridor, and Main Street Place Types, for the same reasons stated in our original letter.
2. We encourage Council to let developers and city staff **determine an appropriate number of general parking spaces at the site plan level, depending on the building type and use.**
3. That being said, we noticed the bike parking and accessible parking spaces are tied in a formula to the number of parking spaces, and therefore if there are little to no parking spaces, there are little to no bike or accessible parking spaces as well. We'd encourage

staff to decouple the tethering of the calculation formula of bike parking and accessible parking to regular parking spaces.

a. **In both the bike parking and accessible parking situations, we believe a minimum of each type should apply across the city.**
b. We encourage a greater minimum parking space for accessible parking spaces, given our aging population.
c. We also encourage a greater minimum of bike parking spaces, given the shifting modes of transportation.

The League is also eager to provide input on the Parking Lot Urban Design Standards, which we understand will happen in the fall through the ReThink Zoning process. It is paramount that we create spaces that give a greater sense of safety, and security and, more importantly, add much-needed green space to the core. As Jane Jacobs has stated, "parking lots are inactive spaces that deaden everything around them."

All parking areas (both current and future) should be required to dedicate space to become part of the green corridor that links larger green spaces and the river. These spaces should include native plants only, which require less watering and maintenance and promote and aid pollinators. These stepping stone areas can also assist in various areas of the Climate Emergency Action Plan in lowering urban heat, improving water retention on land, reducing pollutants entering waterways, providing insect habitat and creating a better aesthetic and vibrancy for the downtown overall.

Sincerely,

Morena Hernandez
Board President
Urban League of London
Representing the views of the Board of Directors

Public Letter Urban League London, received on March 7, 2022.

URBAN LEAGUE LONDON

Long Range Planning & Research
Planning & Development
City of London
300 Dufferin Ave
London, ON

March 4th 2022

Dear Planning & Development Staff,

Members of the Board of the League have been following the discussion regarding the updates to the Parking Standards. Members have emailed with staff, invited ULL members to stakeholder sessions, attended an external stakeholder meeting ourselves (Parking Standards Review Group-discussion) and are submitting this open letter to share the Board's thoughts on Parking Minimums.

We are supportive of the Open Option Requirements, and urge staff to reduce parking space approvals during the planning approval process wherever possible. We also know, based on research, that people are moving towards using rideshare programs, walking and riding bicycles so the continued need for significant amounts of parking is waning. As well, due to the pandemic more Londoners are working from home and the need for parking in core areas has been reduced.

Cities around North America are realizing the time to act on the revitalization of their core areas is now, while people are changing their relationships with their ideas of work, home and community. By rethinking the prevalence of car spaces over community spaces we can better promote our core as a place to gather and grow as a thriving big city.

We are not in support of keeping parking minimums as they negatively impact our community in the following ways:

- Encourages private vehicle use (which increase GHG emissions)
- Negatively impacts transit ridership
- Makes designing walkable neighbourhoods more difficult
- Ignore additional costs of parking compared with lower costs associated with public transit
- Hampers infill and reduces density
- Harms the environment (heat islands, loss of biodiversity, increase urban flooding, etc)
- Loss of community spaces (parks, pocket parks, outdoor patios etc.)

The League is also eager to provide input on the Parking Lot Urban Design Standards. .. is paramount that we create spaces that give a greater sense of safety, security and, more importantly, add much needed green space to the core. As Jane Jacobs has stated "parking lots are inactive spaces that deaden everything around them."

To counter some of the negative impact that parking lots create, we need to reimagine how they can function to have some benefit. Stepping stones and pocket park areas are critical for local bird and insect populations. By insisting that parking lots move past their bare, heat creating surfaces we can decrease the urban heat footprint in our city drastically and help species thrive and survive. We know from the research that even small stepping stone spaces increase biodiversity and help birds and insects connect to larger green areas.

All parking areas (both current and future) should be required to dedicate space to become part of the green corridor that links larger green spaces and the river. In addition, these spaces should include native plants only to promote and aid pollinators. These stepping stone areas can also assist in various areas of the Climate Emergency Action Plan in lowering heat, improving water retention on land, reducing pollutants entering waterways, providing insect habitat and creating a better aesthetic for the downtown overall.

Sincerely,

Skylar Franke
Board President
Urban League of London
Representing the views of the Board of Directors

Public Letter Farhi Holdings Corporation, received on June 20, 2022

June 20th, 2022

Issacs de Ceuster
Planner, Long Range Planning & Research
Corporation of the City of London
206 Dundas St
London, ON N6A 1G7

ideceust@london.ca

Delivered via email only

Reference: Farhi Holdings Corporation (FHC) Comments Regarding the City of London Parking Standards Review

Mr. de Ceuster,

I am in receipt of your June 9th, 2022, notice regarding the City of London's new **Parking Standards Review** to "ensure that the off-street parking requirements meet current parking demand." I appreciate this opportunity to respond.

As a downtown London commercial and residential property owner over three decades, I can unequivocally say that the lack of long-term, off-street parking (reserved) for commercial tenants and their employees, serves as a deterrent for those who would otherwise do business out of the downtown.

At a time when the City is making a concerted effort to revitalize the Core and attract people to live, work and play in the downtown, (as detailed in its Core Area Action Plan), this Review is timely.

Feedback for the Parking Standards Review

Residential

The City should abandon its one-size-fits-all approach to by-laws directed at developers, in favour of a nuanced solution that accurately reflects modern and differentiating parking needs for residential versus commercial developments.

Farhi Holdings Corporation
Suite 201 - 620 Richmond Street N • London, ON, N6A 5J9
Tel: (519) 645 - 6666 • Toll Free: 1-866-91-FARHI • Fax: (519) 645-7735 • Web: farhi.ca

FHC recommends Open Parking Requirements – where regulations do not dictate minimum or maximum requirements. The market determines how much parking will be allotted for residential development projects.

Each Parking Standard Area (PSA) has variability in market demand for parking. Parking ratios are determined on a case-by-case basis depending on the scope of the development, target market, and other factors. For example, if a developer is building housing for students, the need for parking would be limited, as this group typically uses public transit as their primary means of transportation.

Commercial

Parking requirements for commercial tenants is entirely different. Currently, by-laws for the PSA 1 require 1 space per 45m2 of floor area. This needs to change. We recommend based on current market demand that the City change the by-law to require at least 2 spaces per 45m2 of floor area.

The City should also work with property owners to increase the permanent, reserved parking supply for long-term users to address the chronic shortage in PSA 1. The City should create and enforce a municipal requirement for developers, so that commercial parking users have dedicated, permanent parking for the duration of their lease. For FHC, all our parking lots are 100% reserved for our tenants, with long-term reserved parking agreements in place.

By providing flexibility for residential developments, long-term parking for commercial tenants may ostensibly be created, based on the location.

There has been a growing trend over the past five years, whereby commercial tenants require between four to ten parking spots per 1,000 square feet of office space, with minimal distance from vehicle to door (see **Appendix A**). Given the undersupply of reserved parking downtown, tenants are compelled to move elsewhere to accommodate need.

This ever-increasing demand for commercial parking has not been addressed in a results-based manner. For example, the downtown at one point was home to dozens of Federal and Provincial government offices accommodating hundreds of employees. Traditionally, government did not demand high parking ratios or a significant number of parking as a lease requirement. That changed over time, and these tenants continue to move to locations with reserved employee and customer parking. This is an ongoing trend that should have been stemmed early on.

Farhi Holdings Corporation
Suite 201 - 620 Richmond Street N • London, ON, N6A 5J9
Tel: (519) 645 - 6666 • Toll Free: 1-866-91-FARHI • Fax: (519) 645-7735 • Web: farhi.ca

I strongly urge the City to **act immediately on its 2014 London Downtown Parking Study** that recommends:

> "Engage the City Planning and Finance Departments in organizing By-Law amendments, CIP amendments, and offering of financial incentives globally to the private sector to stimulate parking garage construction. Use Cash-in-Lieu funds to provide incentives to the private sector to convert surface lots to garages with the immediate goal of **three new garages in the next 10 years** (Section 10.1.3, Pg 25)."

There is a collective frustration among property owners realtors, and commercial tenants, that this recommendation has not been implemented.

To Summarize

- Allow parking requirement flexibility for residential developments
- Create and enforce by-laws for residential developments to provide parking/space ratios adequate to serve long-term reserved parking needs for commercial tenants in PSA 1
- Act immediately on the 2014 London Downtown Parking Study

We have included below excerpts of emails I have received from realtors looking to find space for tenants. Attached, I have included letters from clients, voicing concerns like our own.

Feedback from prospective downtown tenants

> *". . . one of the most significant issues is the lack of affordable/accessible parking. Operating a commercial real estate brokerage within the city, we have seen many businesses come and go. Unfortunately, over the past few years we have found it very difficult placing our clients in downtown office space and usually the first issue is parking. Local companies need more parking than ever before. Increasingly we are locating our clients and potential tenants outside the core of the city as a direct result of a lack of parking . . . ."*

> *"I have clients looking for office/retail space in the downtown. I have viewed several properties and unable to find adequate parking. Do you have any such properties available? I am looking for 12,000 square feet immediately with a need for about 60-80 vehicles. Such spaces exist outside of downtown. . .."*

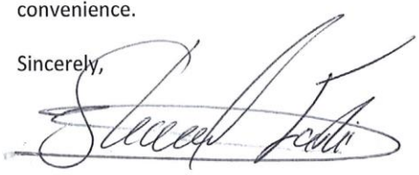
Farhi Holdings Corporation
Suite 201 - 620 Richmond Street N • London, ON, N6A 5J9
Tel: (519) 645 - 6666 • Toll Free: 1-866-91-FARHI • Fax: (519) 645-7735 • Web: farhi.ca

"Thank you and your team for the tour, my clients were impressed with the state of the building. The property looks to be in great shape, notwithstanding the "unfortunate" activity on the sidewalk. . . The main issue for them is the availability and proximity of parking. They are not interested in walking several blocks to access parking. . ."

"Just about everyone at (company name redacted) drives to work, so we would need approximately 225 parking spaces. Please let me know if you will be able to satisfy this requirement because I don't want to waste my client's time considering a downtown option if the parking issue can't be resolved."

Should you require additional information, please do not hesitate to contact us at your convenience.

Sincerely,



Shmuel Farhi
President, Farhi Holdings Corporation

Cc.

Justin Adema, MCIP, RPP

Manager Long Range Planning & Research

Gregg Barrett, AICP

Director, Planning & Development

Scott Mathers, MPA, P. Eng.,

Deputy City Manager, Planning and Economic Development

Farhi Holdings Corporation
Suite 201 - 620 Richmond Street N • London, ON, N6A 5J9
Tel: (519) 645 - 6666 • Toll Free: 1-866-91-FARHI • Fax: (519) 645-7735 • Web: farhi.ca

Public Letter London Development Institute, received on July 6, 2022

LONDON DEVELOPMENT INSTITUTE

July 6, 2022

Isaac de Ceuster
Planner
Planning and Development
City of London
300 Dufferin Ave.
6th Floor
London, Ontario
N6A 4L9

Re: Parking Standards Review

Dear Mr. de Ceuster

This letter is to confirm that the London Development Institute (LDI) has reviewed the proposed amendments to the London Plan and Zoning Bylaw Z.-1 regarding parking standards.

We have no issues with the proposed amendments at this time and will attend any future PPM regarding these changes.

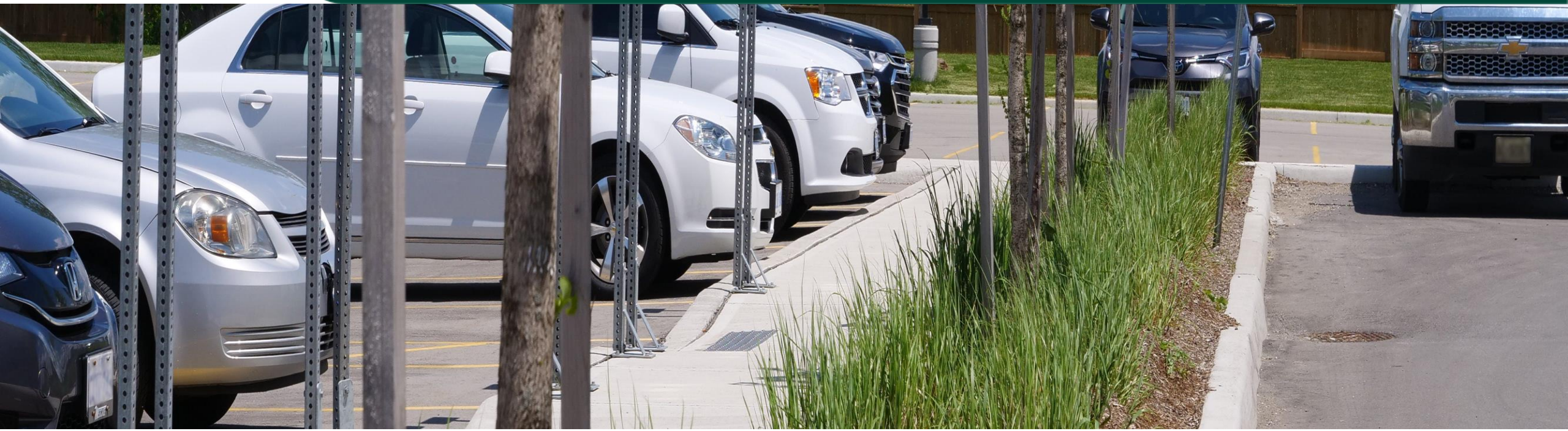
I want to thank you for providing the specific wording of the proposed changes as it was very helpful in our review of the proposed amendments.

Thank you again for including us in the consultation process.

Sincerely,

Mike Wallace
Executive Director

Parking Standards Review



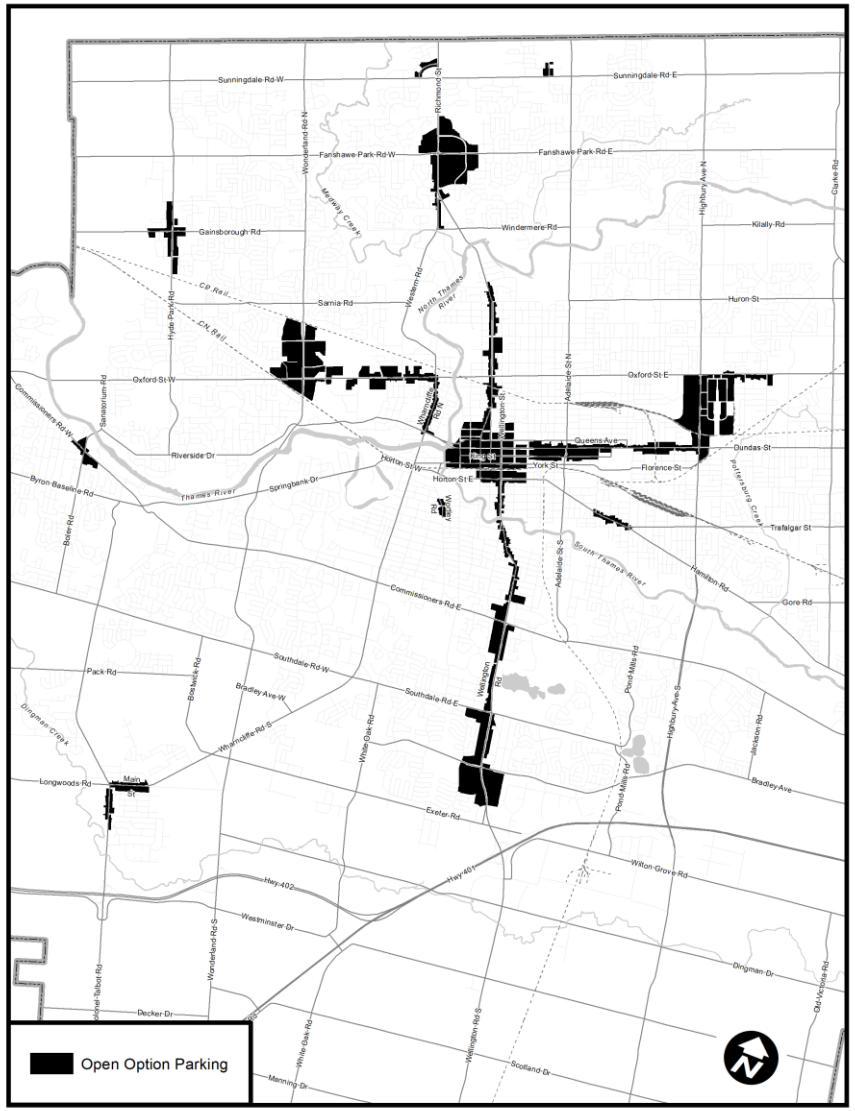
Public Participation Meeting – Planning and Environment Committee

July 25, 2022

Introduction

- Zoning By-law regulates the supply of off-street parking.
- Review was initiated in 2021 to consider changes to the existing off-street parking standards approach in ZBL Z.-1.
- Recommended amendment would:
  - Remove minimum parking standards in the Downtown, Transit Village, Rapid Transit Corridor and Main Street Place Types,
  - Reduce minimum parking requirements in other parts of the city by ~50%,
  - Increase minimum bicycle parking requirements, and
  - Modify accessible parking requirements
- Amendments are consistent with Action 2.a of the Climate Emergency Action Plan, which sets out to reduce or eliminate parking minimums which will help reduce the GHG emissions in the City of London by making more efficient use of available parking spaces and encouraging alternate modes of transportation to private automobiles

Parking Standards – Open Approach



- Open Option in most Urban Place Types;
  - Downtown,
  - Transit Village,
  - Rapid Transit Corridor, and
  - Main Street.

Residential Parking Standards

Use	Existing PSA 3 Requirement	Recommended Minimum Parking Requirement
Single Detached and Semi-Detached	2 per unit	**1 per unit**
Townhouse, Cluster	1.5 per unit	**1 per unit**
Townhouse, Street	2 per unit	**1 per unit**
Townhouse, Stacked	1.5 per unit	**0.5 per unit**
Apartment	1.25 per unit	**0.5 per unit**
Duplex, Triplex, Fourplex, Converted Dwellings	1 per unit	**0.5 per unit**
Senior Citizen Apartment Building	0.25 per unit	**0.125 per unit***
Handicapped Persons Apartment Building	0.5 per unit	**0.125 per unit***
Lodging House	0.33 per unit	**0.125 per unit***

Non-Residential Parking Standards

Non-Residential Uses	Example Non-Residential Use	Existing PSA 3	Recommended Min. Parking Requirement
Tier 1	Restaurant	6-10 m^2	**20 m^2**
Tier 2	Automobile Repair	6-20 m^2	**30 m^2**
Tier 3	Retail	30-40 m^2	**50 m^2**
Tier 4	Office	40-80 m^2	**100 m^2**
Tier 5	Industrial Mall	80-200 m^2	**200 m^2**
Tier 6	Manufacturing	200-500 m^2	**500 m^2**
Tier 7	Self Storage	2,000 m^2	**2,000 m^2**

Accessible Parking Requirements

- Recommended Zoning By-law Amendment will change accessible parking requirements to be based on provided parking spaces rather than required spaces:

> "*Where parking spaces are provided, in any development, accessible parking spaces shall also be provided. Off street parking areas shall have a minimum number of accessible parking spaces based on 4.19.10 C)*"

Bicycle Parking Standards

- Revised Bicycle Parking Standards are no longer based on the amount of provided vehicle parking spaces.
  - Residential development (with 5 or more units) shall provide 1.0 bicycle parking space per residential unit (currently 0.75 bicycle parking space per unit)
  - Non-residential development shall use a tiered approach to determine minimum bicycle requirements:

Non-Residential Uses	Example Non-Residential Use	Recommended Minimum Short-Term Bicycle Parking Requirement
Tier 1	Restaurant	3 spaces plus 0.3 spaces for each 100 m^2 GFA
Tier 2	Retail	3 spaces plus 0.2 spaces for each 100 m^2 GFA
Tier 3	Office	3 spaces plus 0.1 spaces for each 100 m^2 gross floor area

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the Parking Standards Review:

(a) The proposed by-law, attached hereto as Appendix “B: **BE INTRODUCED** at the Municipal Council meeting to be held on August 2, 2022, **TO AMEND** The London Plan, the Official Plan for the City of London, 2016 to clarify that minimum parking requirements shall not apply within the Downtown, Transit Village, Rapid Transit Corridor, and Main Street Place Types.

(b) The proposed by-law, attached hereto as Appendix “A: **BE INTRODUCED** at the Municipal Council meeting to be held on August 2, 2022, **TO AMEND** Zoning By-law No. Z.-1, Section 4.19 (in conformity with the Official Plan, as amended above) to remove minimum parking requirements in the Downtown Transit Village, Rapid Transit Corridor, and Main Street Place Types; reduce minimum parking requirements in other parts of the City; and modify other regulations including bicycle and accessible parking requirements.

From:
Sent: Thursday, July 21, 2022 11:58 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Parking Standards Review

Please add this letter to the PEC agenda with my consent.

Parking Standards Review

Dear Members of the Planning and Environment Committee:

The Parking Standards Review mentions 'greenhouse gas' (GHG) emissions more than once in the report and also references the Climate Action Emergency Plan many times yet it concludes that only minimum parking requirements be removed in areas of the city that are zoned for transient nodes and routes and the downtown. It then makes recommendations to reduce parking spaces for multi-family residential - and that's it.

All this work for basically maintaining the status quo. The City of Toronto just recently removed minimum parking requirements for all new development and here we are limping along, referencing GHG and then basically doing nothing.

This report reflects the malaise on Council on the issue of Climate Change. Why don't you do something? If you are a climate change denier, or feel that no action can be taken until other countries such as China act first or just simply don't care about climate change, then please stay home and get out of the way.

At the public participation meeting on the Climate Change Action Plan, Councillor Shawn Lewis went so far as to lecture people on 'how we will be disappointed'. That speech was telling anyone listening that Councillor Lewis does not intend to act on the climate emergency. And since we have hard drawn conservative voting 'block' on Council, I assume he was speaking for the 'block'. And blocking is exactly what you do. Please, if you are an obstructionist or can't seem to do your own research or contribute positively on this issue then stay silent and stay home. There is no reason to be here.

Otherwise please direct staff to remove all parking minimums across the city and adopt the recommendations into policy. This action requires little effort on your part.

Sincerely,
AnnaMaria Valastro

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: **2425293 Ontario Inc.**
2009 Wharncliffe Road South
Public Participation Meeting on: July 25, 2022

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of 2425293 Ontario Inc. relating to the property located at 2009 Wharncliffe Road South:

(a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend section 1565_5 of The London Plan, List of Secondary Plans - Southwest Area Secondary Plan, by **ADDING** a policy to section 20.5.9.4 “Bostwick Residential Neighbourhood – 2009 Wharncliffe Road South”, to permit a maximum mixed-use density of 176 units per hectare, through Bonusing;

(b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend Zoning By-law No. Z.-1, in conformity with the London Plan for the City of London as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** a Residential R9 Special Provision Bonus (R9-1(_)*B-(_)) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high-quality mixed use commercial/office and residential apartment building, with a maximum height of 22.5 metres (6 storeys), 372 square metres of first floor commercial/office uses, 45 dwelling units and a maximum mixed-use density of 176 units per hectare, which substantively implements the Site Plan, Renderings, Elevations and Views, attached as Schedule “1” to the amending by-law and provides for the following:

a) Exceptional Building and Site Design
   i) A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses along those frontages.
   ii) A built form that addresses the corner orientation at the intersection with Savoy Street.
   iii) A step-back and terracing of 2m minimum, above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).
   iv) A setback of 1-2m minimum, from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
   v) A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
   vi) Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
   vii) A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and

provide interest and human-scale rhythm along the street frontages.

viii) Locates majority of the parking underground, behind the building and screened away from the street.

Additional site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

i) Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.

ii) For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance include direct access from the commercial unit(s) fronting the street to the City sidewalk.

iii) Provide functional primary entrances (double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.

iv) Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area, by removing the central 'snow storage' area, consolidating the drive aisles and exploring opportunities for a drop-off/layby off of Savoy Street to allow more convenient access to a street-facing main entrance.

v) Ensure common outdoor amenity space at ground level.

b) Provision of Affordable Housing

i) A total of three (3) one-bedroom units will be provided for affordable housing;

ii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;

iii) The duration of affordability set at 50 years from the point of initial occupancy;

iv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;

v) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

Executive Summary

Summary of Request

The owner has requested an amendment to the Southwest Area Secondary Plan to add a specific policy to the Bostwick Residential Neighbourhood for the site, to permit a maximum mixed-use density of 176 units per hectare, with Bonusing.

The owner has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands from an Urban Reserve (UR4) to a Residential R9 Special Provision Bonus (R9-1(_)*B-(_)) Zone with the intent of constructing a six (6) storey, mixed use commercial/office and residential apartment building with 45 residential units and 372 square metres of commercial/office gross floor area at ground level. The requested base zone (R9-1(_)) would permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, and continuum-of-care facilities. Zoning special provisions were requested to include additional

permitted uses, limited to the first floor: Animal Clinic; Bake shops; Clinics; Convenience service establishments; Convenience Store; Financial institutions; Food stores; Laundromats; Medical/dental offices; Offices; Personal service establishments; Restaurants; Retail stores; Studios; a maximum height of 4 storeys or whereas the height is to be established on the zone map; a maximum density of 75 units per hectare; a reduced minimum front yard depth of 1.95 metres, whereas 10 metres is required; a reduced minimum exterior side yard depth of 1.41 metres, whereas 10 metres is required; and a reduced minimum parking requirement of 62 spaces, whereas 75 spaces are required.

The applicant requested the use of Bonus provisions to allow the increase in density whereas the applicable policies of the existing Medium Density Residential designation under the Southwest Area Secondary Plan for the Bostwick Residential Area would allow residential intensification up to a maximum of 75 units per hectare. The facilities, services and matters proposed by the applicant to support Bonus Zoning include the building design and affordable housing.

Purpose and Effect of Recommended Action

The recommended zoning is a Residential R9 Special Provision Bonus (R9-1(_)*B-(_)) Zone, providing for:

- a base zone that would apply in the event development occurs without the use of bonusing, to allow a four storey (18 metre) apartment building at a maximum density of 75 units per hectare with a reduced minimum front yard depth of 1.95 metres, and a reduced minimum exterior side yard depth of 1.41 metres to provide a suitable alignment towards Savoy Street and Wharncliffe Road South.

- a Bonus Zone to facilitate the development of the subject lands with a six (6) storey, mixed use commercial/office and residential apartment building with 372 square metres of commercial/office uses limited to the first floor, 45 residential units, and up to 62 parking spaces, of which 50 are to be provided in an underground parking structure. The Bonus Zone will establish a maximum density of 176 units per hectare.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type;
3. The recommended amendment conforms to the in-force policies of the Southwest Area Secondary Plan, including but not limited to the Medium Density Residential policies within the Bostwick Residential Neighbourhood;
4. The recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development; and
5. The recommended amendment secures units for affordable housing through the bonus zone

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. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is comprised of a lot located at the northwest corner of the intersection of Wharncliffe Road South and Savoy Street. The site has a frontage of 45.7 metres along Wharncliffe Road South, a depth of 60.9 metres along Savoy Street, and a total area of 0.28 hectares. The existing lot is currently developed with a single detached dwelling. The site is relatively flat.

Wharncliffe Road South is an arterial road/civic boulevard with an average annual daily traffic volume west of Dearness Drive of 20,500 vehicles per day. Savoy Street is a local road/neighbourhood connector.

Figure 1 - House at 2009 Wharncliffe Road (view from Savoy Street)

Figure 2 - House at 2009 Wharncliffe Road (view from Wharncliffe)

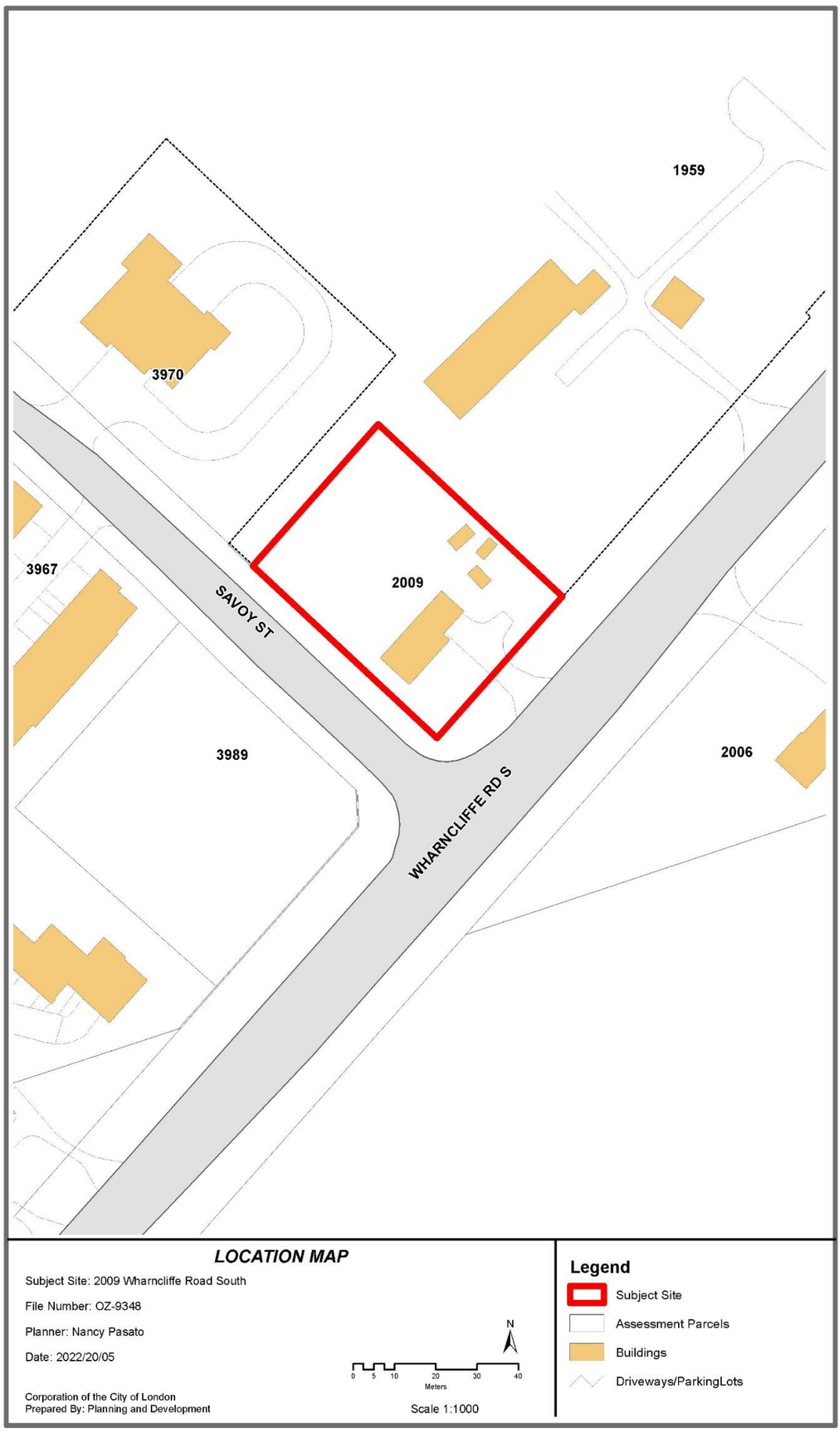
1.3 Current Planning Information (see more detail in Appendix E)

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type fronting a Civic Boulevard
- Southwest Area Secondary Plan (Bostwick Residential Neighbourhood) – Medium Density Residential
- Existing Zoning – Urban Reserve (UR4) Zone

1.4 Site Characteristics

- Current Land Use – one single detached dwelling
- Frontage – 45.7 metres
- Depth – 60.9 metres
- Area – 0.28 hectares
- Shape – rectangular

1.5 Location Map



1.6 Surrounding Land Uses

- North – fire hall
- East – vacant/farm uses
- South – vacant/single detached dwelling
- West – vacant/townhomes

1.7 Intensification

The proposed 45 residential units represent intensification within the Built-area Boundary. The site is located outside of the Primary Transit Area.

2.0 Discussion and Considerations

2.1 Original Development Proposal (March, 2021)

In March, 2021, the City accepted a complete application that proposed a nine (9) storey mixed use apartment building with 55 residential units and 477 square metres of commercial space on the ground floor, with 67 parking spaces, 11 of which were to be provided as surface parking and the remainder of which were to be provided in an underground parking structure. The proposed building was oriented to and situated close to Wharncliffe Road South. The original site concept is shown in Figure 3. The original building renderings are shown in Figures 4 and 5.

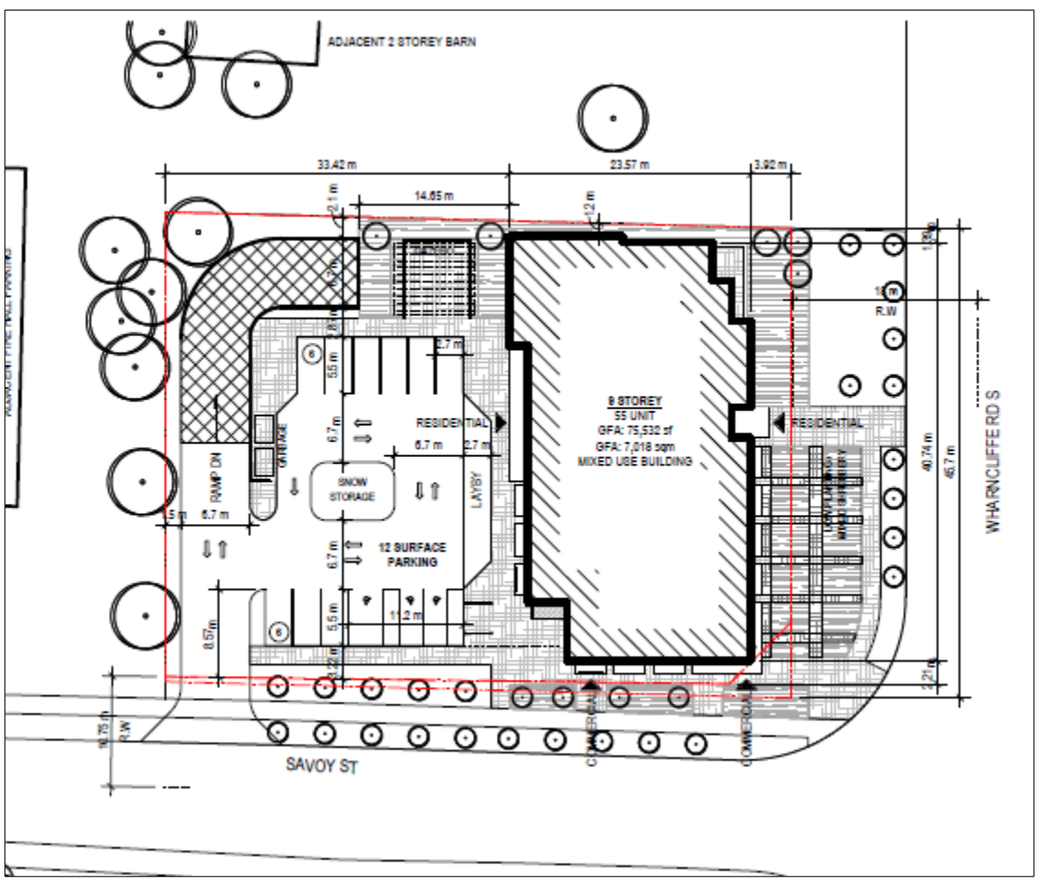


Figure 3 - Original Concept Plan (March 2021)

Figure 4 - View from intersection of Savoy Street and Wharncliffe Road (March 2021)

Figure 5 - View from Wharncliffe Road (March 2021)

2.2 Revised Development Proposal (Spring 2022, and June 2022)

In April, 2022, the applicant requested a revision to the application in response to concerns raised by City staff. The revised proposal is for a six (6) storey, mixed use apartment building with 40 residential units and 372 square metres of commercial/office space on the ground floor, 62 parking spaces, 12 of which are to be provided as surface parking and the remainder of which are to be provided in an underground parking structure. The revised site concept is shown in Figure 7. Revised building renderings are shown in Figures 8 and 9.

Key changes to the proposal include:

- A decrease in the height of the building, from 9 storeys to 6 storeys, and a decrease in the number of dwelling units from 55 to 40;
- A reduction in the mixed-use density from 216 units per hectare, to 159 units per hectare.

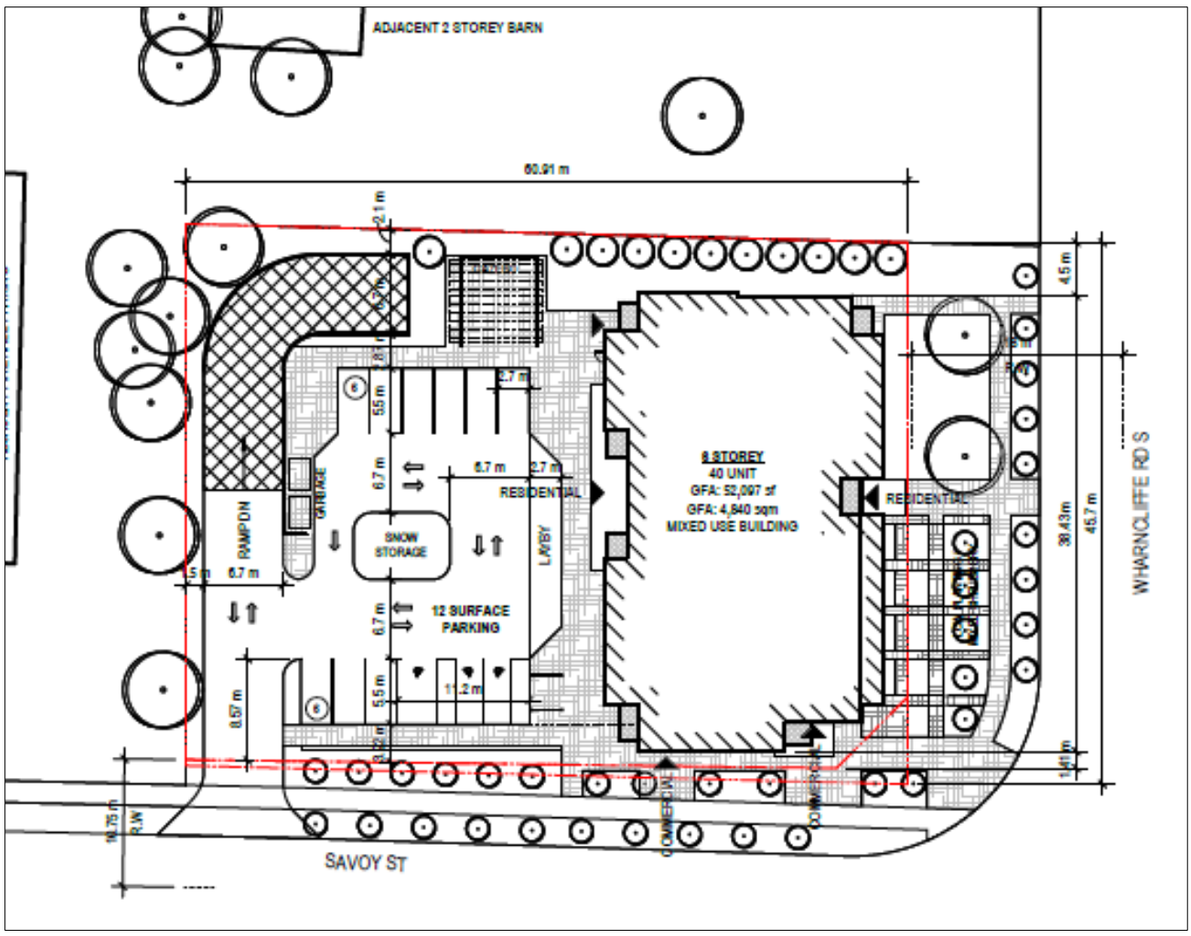


Figure 6 - Revised site concept (April 2022)

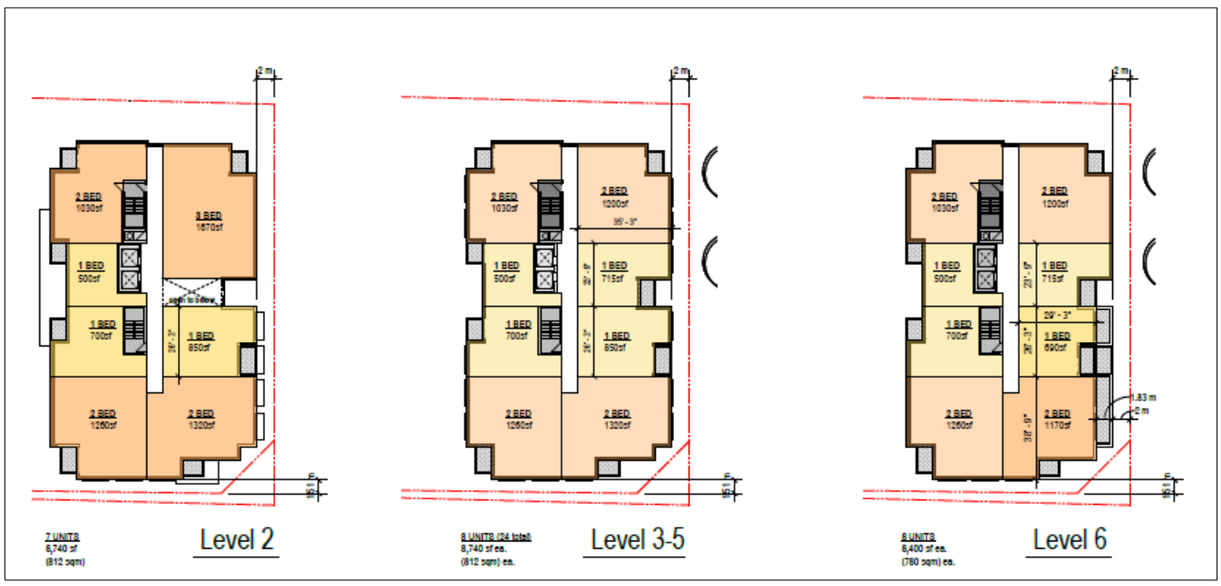


Figure 7 - Revised floor plans (April 2022)

Figure 8 - Revised view from intersection of Savoy Street and Wharncliffe Road

Figure 9 - Revised view from Wharncliffe Road

The applicant provided a revised architectural package in June 2022. There are no substantial changes to the site concept plan or drawing elevations and renderings. The revisions are to the floor plans, which now show an additional 5 residential units, which results in a revised mixed-use density of 176 units per hectare. The revised concept plan is shown in Figure 10, and floor plans are shown in Figure 11.

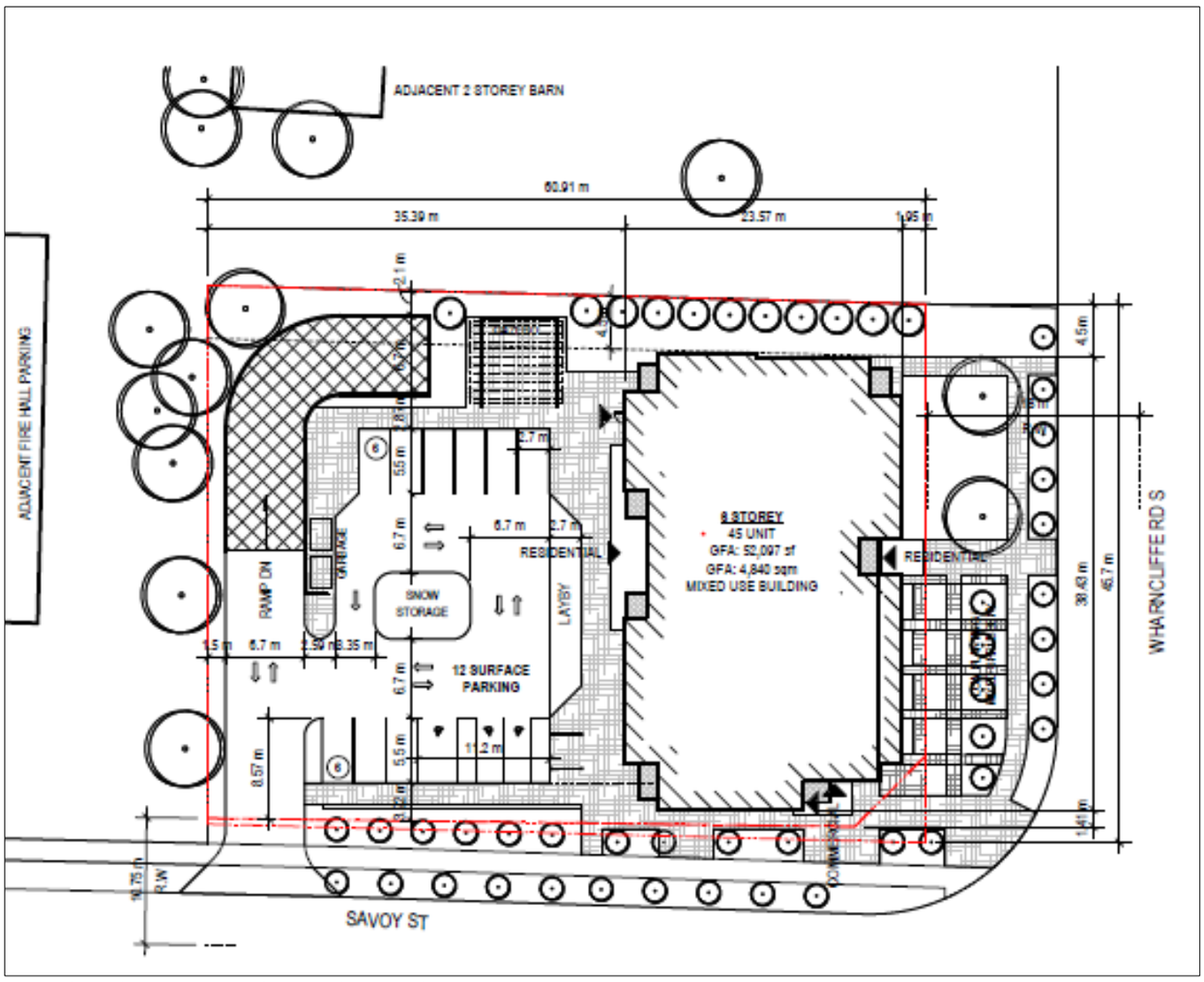


Figure 10 - Revised concept plan with 45 units

Figure 11 - Revised floor plans (June 2022)

2.4 Original Requested Amendment (March 2021)

The applicant originally requested to amend the 1989 Official Plan, the Southwest Area Secondary Plan and the London Plan to add a Specific Area Policy to permit a mixed-use building with a maximum height of 9-storeys, 477 square metres of commercial gross floor area, and a maximum mixed-use density of 216 units per hectare. The applicant also submitted a request to amend the zoning by-law on the subject site from a Urban Reserve (UR4) Zone, to a Business District Commercial Special Provision Bonus (BDC(_)*B-(_)) Zone. 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 in older parts of the City and in hamlets or small business areas in rural areas. Special provisions were requested for:

- a maximum front yard depth of 3.9 metres;
- a minimum interior side yard depth of 1.2 metres;
- a minimum parking rate of 1 space per residential unit;
- and a minimum parking rate of 1 space per 40 square metres of any permitted non-residential use.

A Bonus Zone was requested to permit a maximum density of 216 units per hectare and a maximum height of 9 storeys (31 metres). The facilities, services and matters proposed by the applicant to support Bonus Zoning included building design, and affordable housing.

2.5 Revised Requested Amendment (Spring 2022 and June 2022)

In Spring, 2022, the applicant revised their application in order to implement the revised concept plan and design response. The applicant was requesting a Residential R9 Special Provision Bonus (R9-7(_)*B-(_)) Zone, with revised zoning special provisions as follows:

- additional permitted uses, limited to the first floor: Animal Clinic; Bake shops; Clinics; Convenience service establishments; Convenience Store; Financial institutions; Food stores; Laundromats; Medical/dental offices; Offices; Personal service establishments; Restaurants; Retail stores; Studios; at a maximum gross floor area of 372 square metres;
- a reduced minimum front yard depth of 1.95m, whereas 10m is required;
- a reduced minimum exterior side yard depth of 1.41m, whereas 10m is required;
- a reduced minimum parking requirement of 62 spaces, whereas 75 spaces are required.

The requested Bonus Zone was revised to permit a maximum density of 159 units per hectare, and a maximum height of 6 storeys (22.5 metres).

As part of the Applicant’s resubmission in June, 2022, the applicant is now requesting a Residential R9 Special Provision Bonus (R9-1(_)*B-(_)) Zone, with revised zoning special provisions as follows:

- additional permitted uses, limited to the first floor: Animal Clinic; Bake shops; Clinics; Convenience service establishments; Convenience Store; Financial institutions; Food stores; Laundromats; Medical/dental offices; Offices; Personal service establishments; Restaurants; Retail stores; Studios (no change from April submission);
- a reduced minimum front yard depth of 1.95m, whereas 10m is required (no change from April submission);
- a reduced minimum exterior side yard depth of 1.41m, whereas 10m is required (no change from April submission);
- a reduced minimum parking requirement of 62 spaces, whereas 75 spaces are required (no change from April submission).

The requested Bonus Zone was revised to permit a maximum density of 176 units per

hectare (revised from April submission).

2.7 Community Engagement (see more detail in Appendix C)

Written responses were received from 4 households through the original application (March 2021) circulation.

The public's concerns generally dealt with the following matters:

- Lack of notification
- Traffic
- Changes to the area
- Too intense

Written responses were received from 1 person through the revised circulation May 2022).

The public's concerns generally dealt with the following matters:

- Too tall
- No apartments in Lambeth
- Against the application

2.8 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). 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

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal* (LPAT) (PL170700). The *Plan* was Council adopted and approved by the Ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*) throughout reports. Since that time, *The London Plan* has come into full force and effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT).

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within Primary Transit Area;

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

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

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

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

- Planning for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

The site is in the Neighbourhoods Place Type at the intersection of a Civic Boulevard (Wharncliffe Road South) with a Neighbourhood Connector (Savoy Street), as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within the Neighbourhoods Place Type at this location include a range of low rise residential uses, such as townhouses, stacked townhouses, triplexes, fourplexes, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). The minimum permitted height is 2 storeys, and the maximum permitted height is 4 storeys, with the potential to bonus up to six storeys. (Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

1989 Official Plan

The subject site is designated Multi-Family, Medium Density Residential in accordance with Schedule ‘A’ of the 1989 Official Plan. The Multi-Family, Medium Density Residential designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four storeys. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report, or subject to a site-specific zoning by-law amendment and/or bonus zoning provisions. Medium density development will not exceed an approximate net density of 75 units per hectare (30 units per acre).

Southwest Area Secondary Plan

The subject site is located within the Southwest Area Secondary Plan, Bostwick Residential Neighbourhood. The Bostwick Neighbourhood will provide for residential development with the highest intensity of all of the Residential Neighbourhood Areas in the Southwest Planning Area, to support activities in the Wonderland Boulevard Neighbourhood. The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood (20.5.9.i)). The residential areas will develop as traditional suburban neighbourhoods, with characteristics similar to those found in the older areas of the city, reflecting a compact development, a diversity of building types, and walkable amenities to enhance the day to day living experience (20.5.9.ii)).

The subject site is located with the Medium Density Residential designation. The primary permitted uses in the Multi-family, Medium Density Residential designation of the Official Plan will be permitted in the Low and Medium Density Residential designations, including low density forms such as single detached, semi-detached and

duplex dwellings, triplexes and fourplexes. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses such as parks, schools and churches, and live-work uses may be permitted within the Medium Density Residential Designation (20.5.9.1 ii)). Within the Medium Density Residential designation, new residential development shall have a minimum density of 35 units per hectare and a maximum density of 75 units per hectare. Building heights shall not exceed six storeys and shall be sensitive to the scale of development in the surrounding neighbourhood. A residential density exceeding 75 units per hectare (up to a maximum of 100 units per hectare) may be considered in accordance with Section 3.3.3 ii) of the Official Plan (20.5.9.1iii)b).

Generally, the objective of the Southwest Area Secondary Plan is to provide for a range of land uses including residential, open space, public, commercial, office and mixed-uses and community facilities. Mixed use developments are generally permitted within the Southwest Secondary Planning Area.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached dwellings, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The London Plan

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms. The development of the proposed six (6) storey mixed use apartment building would contribute to the existing mix of housing types currently available in the area.

The subject site is in the Neighbourhoods Place Type of The London Plan and is located at the intersection of a Civic Boulevard (Wharncliffe) and a Neighbourhood

Connector (Savoy). Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921_). At this location, a range of low-rise residential uses including single, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments, as well as mixed-use buildings are permitted.

Southwest Area Secondary Plan

The principles of the SWAP include providing for a range of land uses including residential, open space, public, commercial, office and mixed-uses and community facilities (20.5.1.4 a)). SWAP is based on a design in which one of the key goals is to maximize the potential for sustainable development, which can be achieved through such features as enhanced connectivity to transit, mixed-use development, a modified grid road system, and a connected open space system (20.5.3.2 i)).

The primary permitted uses in the Multi-family, Medium Density Residential designation of the 1989 Official Plan will be permitted in the Low and Medium Density Residential designations, which includes apartment buildings. A limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses such as parks, schools and churches, and live-work uses may be permitted within the Medium Density Residential Designation (20.5.9.1 ii)). Policies specific to the Bostwick Neighbourhood focus on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses such as parks, schools and churches, and live-work uses may also be permitted (20.5.9.1. ii)).

1989 Official Plan

The 1989 Official Plan supports the provision of a choice of dwelling types so that a broad range of housing requirements are satisfied (3.1.1 ii). The subject property is designated Multi-family, Medium Density Residential (MFMDR) in accordance with Schedule ‘A’ of the 1989 Official Plan. The MFMDR designation contemplates multiple-attached dwellings, such as row houses or cluster houses, low-rise apartments buildings, rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged. Development shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high-density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3).

Analysis:

Consistent with the PPS, The London Plan, and the Southwest Area Secondary Plan, the recommended mixed use low-rise apartment building will contribute to the existing range and mix of housing types in the area, which consists of mostly one and two-storey single detached dwellings, with townhouse units located to the west. The proposed use will provide choice and diversity in housing options for both current and future residents. No new roads or public infrastructure are required to service the site, making efficient use of land and existing services. The property has suitable access to nearby open space, community facilities and shopping areas as further detailed in Appendix D of this report. It is within walking distance of transit options along Wharncliffe and on Wonderland Road. While the recommended mixed use apartment building has a different intensity and built form than the existing surrounding development, the analysis of intensity and form below demonstrates that the apartment building can be developed on the subject lands in a way that is appropriate for the site and adjacent neighbourhood. Development of mixed-use forms with small-scale commercial or retail uses on the main floor and residential development above, is generally encouraged in

the SWAP.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The London Plan

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (83_, 937_, 939_ 2. and 5., and 953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height 4 storeys, with bonusing up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard. (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (953_3.).

Southwest Area Secondary Plan

Within the SWAP, specifically, the Bostwick Residential Neighbourhood, lands in the MDR designation shall have a minimum density of 35 units per hectare and a maximum density of 75 units per hectare. Building heights shall not exceed six storeys and shall be sensitive to the scale of development in the surrounding neighbourhood (20.5.9.1 iii) b)). A residential density exceeding 75 units per hectare (up to a maximum of 100 units per hectare) may be considered in accordance with Section 3.3.3 ii) of the Official Plan.

1989 Official Plan

Development in the Multi-Family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Normally height limitations will not exceed four storeys. Medium density development will not exceed an approximate net density of 75 units per hectare. Additional density up to a maximum of 100 units per hectare may be made without amendment to the Official Plan for developments which qualify for density bonusing (3.3). Locational criteria for development in Multi-family, Medium Density Residential development shall take into account surrounding land uses in terms of height, scale and setbacks, and the adequacy of municipal services. Traffic to and from the location should not have a significant impact on stable, low density residential areas, and the site or area should be of a suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses (3.3.2).

<u>Analysis:</u>

The evaluation of appropriate intensity should be relative to both the existing and planned function of surrounding land uses. The recommended six (6) storey mixed use apartment building would represent a suitable transition in intensity from the potential future redevelopment of neighbouring lands, adjacent development at 2-3 storeys (townhomes), and to the low density traditional suburban subdivision to the south and west. The subject lands have frontage on a Civic Boulevard (Wharncliffe Road), which is a higher-order street, to which higher-intensity uses are directed.

When consolidated, the subject lands are of a size and configuration capable of accommodating a more intensive redevelopment on an underutilized site within a settlement area. The proposed development is of an appropriate scale and height for its location along a major road. As the site is currently developed with one single detached dwelling, the proposed development represents an appropriate form of intensification through infill redevelopment. Consistent with the PPS, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. The increased intensity of development on the site will make use of existing and planned transit services, nearby recreational opportunities, local and regional institutional uses, and shopping, entertainment and service uses.

The subject lands are sited in an area where both the 1989 Official Plan, Southwest Area Secondary Plan and The London Plan direct and support some degree of residential intensification and redevelopment. While the proposal complies with the maximum height in the SWAP, the requested density of development exceeds that permitted by the Medium Density Residential designation of the SWAP.

More specifically, the proposed development of 45 new apartment units and 4 commercial units (for a total of 49 “units”) equates to 176 units per hectare and does not conform to the maximum permitted density of 100 units per hectare which may be achieved using the intensification policies, and the Bonusing provisions of the SWAP. Staff are satisfied that the subject site is an appropriate location for this form of development based on the above locational and evaluative criteria. Additional policy permissions are required to achieve a bonusable mixed-use density of 176 units per hectare within this designation. The London Plan does not contain policies that use density as a measure of intensity, but rather focuses on an appropriate form of development to inform intensity for a site. For this proposed development, the form is appropriate as per the SWAP (low rise apartment building) and can achieve the intensity without requiring major site special provisions (such as increased site coverage, decreased landscape opens space). It is for this reason that an amendment to the SWAP has been recommended.

Overall, the proposed development is not expected to contribute a significant amount of traffic to the existing road network or generate any unacceptable noise impacts on surrounding properties. A noise study was not required for the Zoning By-law amendment application but will be required at the site plan stage to address the mitigation of impacts of road noise on the new development. The proposed parking reduction is minor (6 spaces overall as per the requirements of the zoning by-law) and most parking is located in underground which will help to minimize surface parking issues and impacts on adjacent properties. It is not anticipated that overflow parking will affect local streets.

The proposed development will not generate noxious emissions and lighting details will be addressed at the site plan approval stage. It is a site plan standard that directional lighting fixtures be used to minimize light spill onto abutting properties. Garbage, storage inside the building is a standard requirement for apartment forms, while external garbage facilities where garbage is to be placed outside on collection day should be screened from the public realm. The proposed development situates the proposed apartment building as far from abutting properties as possible to reduce impacts of the proposed building height. In addition to the spatial separation between the buildings and the lot lines, the provision of a combination of privacy fencing and enhanced landscaping will help soften the property boundaries and provide screening from the proposed building to neighbouring properties. Minor shadowing may impact adjacent and nearby properties in the early morning or late afternoon, depending on the season.

Enhanced landscaping, articulated building design, and architectural details and materials to be implemented through Bonus Zoning are expected to have a positive visual impact on the area. There are no view corridors to significant features or landmarks to be affected by the proposed building. The development will result in the loss of some trees and canopy cover in order to achieve a more compact form of development within the built-up part of the City. At the site plan stage, a complete landscape plan will be developed to provide for new tree planting and screening from adjacent land uses.

Staff are also recommending a special policy within the SWAP to allow for additional density for this development. The requested intensity of development contemplated is recommended on the lands, subject to density bonusing and certain considerations at the site plan approval stage. 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.

Floor area limits for retail, services and offices uses are shown on Table 12 - Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type. The proposed 372m^2 of ground floor commercial/office uses are considered minor and appropriate, given the location of the development along a Civic Boulevard and Neighbourhood Connector.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing "inward and upward" to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953_ 2.a. to f.). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

Southwest Area Secondary Plan

All development shall be designed in a form that is to be compact, pedestrian oriented and transit friendly. Mixed-use developments are generally encouraged. A hierarchy of civic, institutional and commercial uses shall be established in locations which form part of mixed-use areas (rather than isolated in single-use complexes) which allow them to serve as focal points for the Planning Area as a whole (20.5.3.9 i)a),b)). Where commercial development is permitted it will be encouraged in a "main street" format where retail and service commercial uses are oriented to the street creating a pleasant, pedestrian shopping environment, whether in stand-alone stores or in the ground floor of mixed-use buildings (20.5.3.9.iii)b)). Buildings on corner lots at the intersections of

arterial and collector roads shall be sited and massed toward the intersection (20.5.3.9.iii)c)).

1989 Official Plan

Development within the recommended Multi-family, Medium Density Residential designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high-density residential development. Normally height limitations will not exceed four storeys.

Analysis:

Consistent with the PPS and conforming to the recommended amendment to the SWAP, the proposed intensification of the subject property would optimize the use of land and public investment in infrastructure in the area. Located within the Built Area Boundary, it is a target of the London Plan that a minimum of 45% of all new residential development will be achieved within this area. The redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed mixed-use apartment building represents a more compact form of development than the single detached dwelling that currently occupies the site.

The location and massing of the proposed building is consistent with urban design goals as the building is situated close to the intersection of Wharncliffe Road and Savoy Street, defining the street edge and encouraging a street-oriented design with ground floor commercial entrances facing the street. The building design includes building articulation, rhythm, materials, fenestration, and balconies along both street frontages.

The parking area is located behind the building and does not extend into the exterior side yard beyond the building façade. Adequate space is provided along the sides and front of the parking lot and the ramp to the underground parking to provide for appropriate screening of the parking from the street.

The proposed building is taller than the nearby single detached dwellings and townhomes to the northwest but will not be as tall as the future development to be located to the north of the site (9 storey apartment buildings). As previously discussed, the proposed building placement provides for a suitable separation between the development and nearby community facility (fire hall) and future development ranging from townhomes to apartment buildings to the north. Sufficient space is available to provide for appropriate fencing and/or vegetative screening.

R9-1 Zone Considerations for Intensity

Bonus zones are usually paired with a base zone that establishes the maximum regulations within which development must occur if the requirements of the more permissive Bonus (B-_) Zone are not met. The original R9-7 Zone request would permit a maximum density of 150 units per hectare without bonusing and is not an appropriate base zone. The Residential (R9-1) Zone would allow a maximum density of 75 units per hectare, which more closely aligns with the policies of the SWAP within the MDR designation. The Residential R9 Zone variations also rely on maximum heights established on a site-specific basis. In the event future development is contemplated without the use of bonus zoning, City staff recommend a maximum permitted height that is the lesser of 18 metres or four (4) storeys. This is reflected in the recommended special provision to the Residential R9 (R9-1) Zone to ensure an attempt is not made to construct a fifth storey with residential occupancy. The recommended 4 storeys is in line with the maximum permitted height within the London Plan.

A reduced front yard setback of 1.95m and reduced exterior side yard setback of 1.41m whereas 10m is required for both was requested by the Applicant. These special provisions are recommended to ensure that any development will provide a suitable alignment towards Wharncliffe Road and Savoy Street and direct development away from the existing and planned residential uses to the north and west, while also allow sufficient room for patios, additional landscaping, overhangs and door openings. In addition, the reduced front and exterior side yard depths were included in the special

provisions for the base R9 (R9-1) as it is also considered an appropriate yard depth if the property develops without benefit of the recommended Bonus Zone.

4.4 Issue and Consideration #4: Bonusing

The London Plan

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (1650_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy 1652_. A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below.

1652_1: Exceptional site and building design:

- Building design and site layout incorporate architectural themes and design elements that creates a strong street wall and sets the context for a comfortable pedestrian environment.

Comments from Urban Design staff and the Urban Design Peer Review Panel highlighted various considerations supporting the use of Bonus Zoning to achieve greater height and intensity for the development. They include the following:

a) Exceptional Building and Site Design
    i) A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses along those frontages.
    ii) A built form that addresses the corner orientation at the intersection with Savoy Street.
    iii) A step-back and terracing of 2m minimum, above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).
    iv) A setback of 1-2m minimum, from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
    v) A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
    vi) Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
    vii) A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
    viii) Locates majority of the parking underground, behind the building and screened away from the street.

Additional site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

vi) Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.
vii) For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance

include direct access from the commercial unit(s) fronting the street to the City sidewalk.

viii) Provide functional primary entrances (double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.

ix) Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area, by removing the central 'snow storage' area, consolidating the drive aisles and exploring opportunities for a drop-off/layby off of Savoy Street to allow more convenient access to a street-facing main entrance.

x) Ensure common outdoor amenity space at ground level.

b) Provision of Affordable Housing

vi) A total of three (3) one-bedroom units will be provided for affordable housing;

vii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;

viii) The duration of affordability set at 50 years from the point of initial occupancy;

ix) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;

x) These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

These have been included as requirements of the Bonus Zone in conjunction with the site concept, building elevations, renderings and other drawings attached to the recommended zoning by-law amendment. The proposed development is of a suitable form to meet high level urban design goals. Implementation of the required Bonus Zone elements and targeted refinements of the site and building design will result in a development that is compatible with, and a good fit, with the existing and planned context of the area.

1652_12: Affordable housing:

- *Under Type 2 Bonus Zoning, additional height or density may be permitted in favour of affordable housing.*

The applicant worked with the Housing Development Corporation (HDC) London through the application process for the provision of affordable housing. The HDC has recommended the following:

- A total of three (3) one-bedroom units will be provided for affordable housing;
- Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- The duration of affordability set at 50 years from the point of initial occupancy;
- The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- These conditions to be secured through an agreement registered on title with associated compliance requirements and remedies

1989 Official Plan

Under the provisions of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3. iv)). Chapter 19.4.4. ii) of the

1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning. The applicant's bonus proposal meets the objective of providing affordable housing and exceptional urban design, as detailed above.

Bonus Zone Considerations for Intensity
With respect to the policies of the SWAP, the applicant has applied for a mixed-use density of 176 units per hectare which exceeds the maximum of 75 units per hectare contemplated by the Medium Density Residential designation of the SWAP. The SWAP contains policies on density that default to the density considerations under the 1989 Plan.

The proposed 45 units in a six (6) storey building, as shown in the site concept, elevations and renderings submitted with the revised application, are considered appropriate on the subject site and within the surrounding area. The proposed six (6) storey building has been designed in a manner which will fit within the existing and planned scale and character of the surrounding streetscape.

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

4.5 Issue and Consideration #5: Agency Concerns

Floodplain and Dry Access
Through the review of the application, the Upper Thames River Conservation Authority (UTRCA) confirmed the site is not regulated and a Section 28 permit is not required for the proposed development. However, while UTRCA staff confirmed there were no objections to the application from a regulatory perspective, conceptual floodline mapping for the Dingman Subwatershed (dated October 2021) was provided to City staff for review. Based on this conceptual mapping, the site would have no flood-free access through the surrounding road network. As a result, the proposed development would be inconsistent with PPS policy 3.1.2 which states "development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards."

Through discussions with the UTRCA, it was determined that flood-free access (based on the conceptual October 2021 mapping) to Wharncliffe Road will become available via future roads constructed through the subdivisions to the north and west. Based on the current approved Map 6 (Hazards and Natural Resources) within the London Plan, safe and dry access is available. On this basis, and since both the 2018 and 2021 mapping are conceptual at this time, staff are satisfied that flood-free access is currently available to the site.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to The London Plan, including but not limited to the Key Directions and the Neighbourhoods Place Type. Further, the recommended amendment is in conformity with the Southwest Area Secondary Plan, including but not limited to the Medium Density Residential designation. The recommended amendments will facilitate the development of the subject lands with a range of uses, intensity, and built form that is appropriate for the site.

Prepared by:	**Nancy Pasato, MCIP, RPP** **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**

Appendix A

By-law No. C.P.-XXXX-___

A by-law to amend The London Plan, the Official Plan for the City of London, 2016 relating to 2009 Wharncliffe Road South (within the Southwest Area Secondary Plan).

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

AMENDMENT NO.

to the

LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change Policy 1565_ List of Secondary Plans, 5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan), by adding a new special policy to Section 20.5.9, Bostwick Residential Neighbourhood, to permit a maximum mixed-use density of 176 units per hectare, through Bonusing.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 2009 Wharncliffe Road South in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, The London Plan and the Southwest Area Secondary Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise mixed use apartment building, located at the intersection of a high-order street and collector street at the edge of an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of the Neighbourhoods Place Type, providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

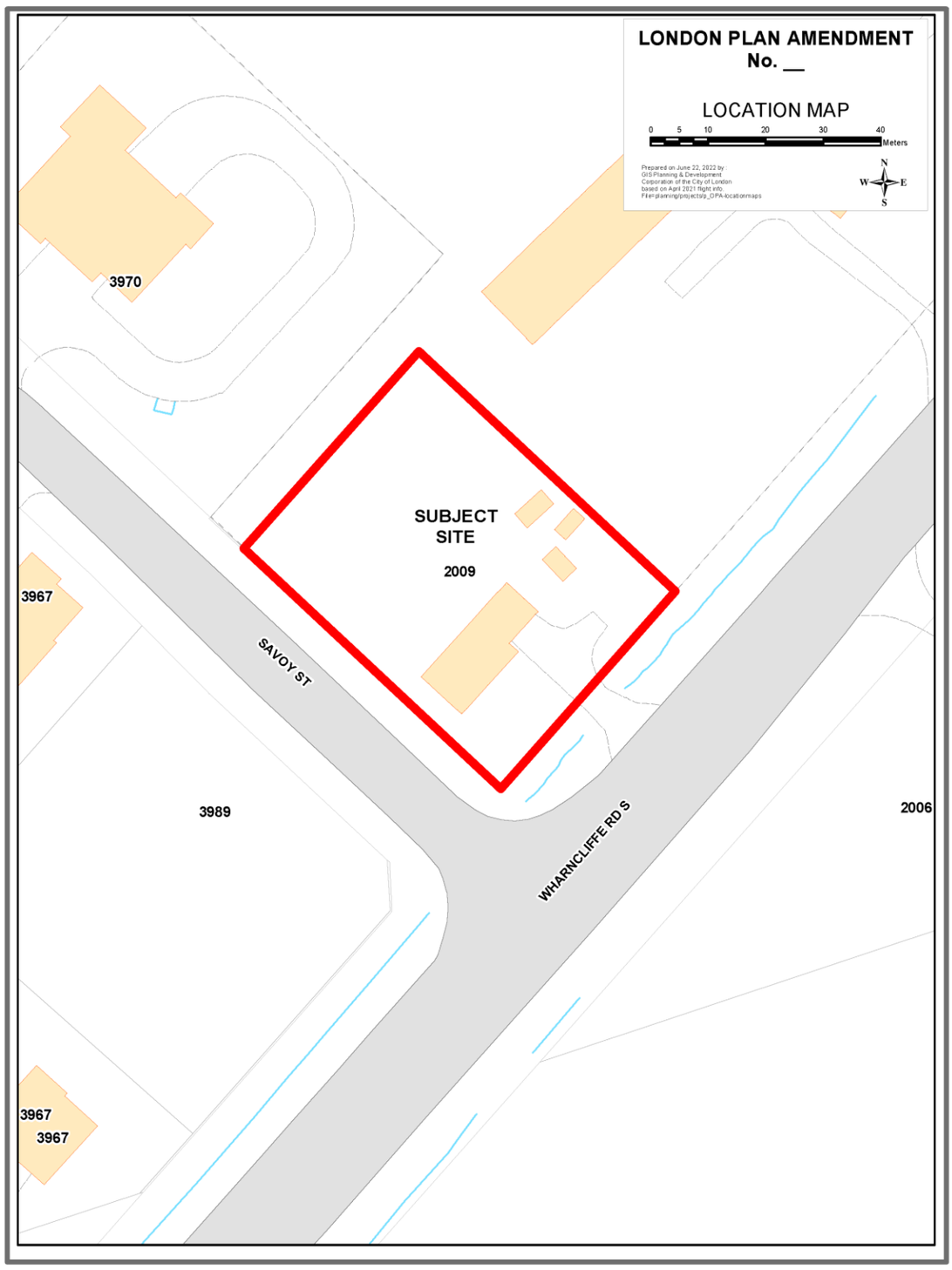
D. THE AMENDMENT

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

1. To change Policy 1535_5. Southwest Area Secondary Plan of the London Plan for the City of London, Section 20.5 (Southwest Area Secondary Plan), by adding a new special policy to Section 20.5.9, Bostwick Residential Neighbourhood, as indicated on “Schedule 1” attached hereto, as follows:

2009 Wharncliffe Road South

20.5.9.( ) At 2009 Wharncliffe Road South, a mixed commercial/office and residential apartment building may be permitted within the Medium Density Residential designation, at a maximum mixed-use density of 176 units per hectare, through Bonusing.


LONDON PLAN AMENDMENT
No. __
LOCATION MAP
0 5 10 20 30 40
Meters
Prepared on June 22, 2022 by :
GIS Planning & Development
Corporation of the City of London
based on April 2021 flight info
File=planning/projects/p_OPA-locationmaps
N
W E
S
3970
SUBJECT
SITE
2009
3967
SAVOY ST
3989
WHARNCLIFFE RD S
2006
3967
3967

Appendix B

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 2009 Wharncliffe Road South.

WHEREAS 2425293 Ontario Inc. have applied to rezone an area of land located at 2009 Wharncliffe Road South, as shown on the map attached to this by-law, as set out below;

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

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2009 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. A110, from an Urban Reserve (UR4) Zone **TO** a Residential R9 Special Provision Bonus (R9-1(_)*B-(_)) Zone.

2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B-_ 2009 Wharncliffe Road South

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed use commercial/office and residential apartment building, with a maximum gross floor of 372 square metres of commercial/office uses, limited to the first floor, a maximum height of 6 storeys measuring up to 22.5 metres and a maximum mixed use density of 176 units per hectare, in general conformity with the Site Plan, Renderings, Elevations and Views attached as Schedule "1" to the amending by-law, and provides for the following:

a) Exceptional Building and Site Design
   i) A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses along those frontages.
   ii) A built form that addresses the corner orientation at the intersection with Savoy Street.
   iii) A step-back and terracing of 2m minimum, above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).
   iv) A setback of 1-2m minimum, from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
   v) A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
   vi) Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
   vii) A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.

viii) Locates majority of the parking underground, behind the building and screened away from the street.

Additional site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

xi) Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.

xii) For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance include direct access from the commercial unit(s) fronting the street to the City sidewalk.

xiii) Provide functional primary entrances (double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.

xiv) Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area, by removing the central 'snow storage' area, consolidating the drive aisles and exploring opportunities for a drop-off/layby off of Savoy Street to allow more convenient access to a street-facing main entrance.

xv) Ensure common outdoor amenity space at ground level.

b) Provision of Affordable Housing

xi) A total of three (3) one-bedroom units will be provided for affordable housing;

xii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;

xiii) The duration of affordability set at 50 years from the point of initial occupancy;

xiv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Additional permitted uses, limited to the first floor

i) Animal Clinic

ii) Bake shops

iii) Clinics

iv) Convenience service establishments

v) Convenience Store

vi) Financial institutions

vii) Food stores

viii) Laundromats

ix) Medical/dental offices

x) Offices

xi) Personal service establishments

xii) Restaurants

xiii) Retail stores

xiv) Studios

b) Regulations

a) Regulations

i)	Gross Floor Area for Commercial and Office Uses (Maximum)	372 square metres (4004.2 square feet)
ii)	Density (Maximum)	176 units per hectare
iii)	Building Height (Maximum)	6 storeys up to 22.5 metres (73.8 feet)
iv)	Parking (Minimum)	62 spaces

(a) Section Number 13.4 of the Residential R9 (R9-1) Zone is amended by adding the following Special Provision:

) R9-1(_) 2009 Wharncliffe Road South

a) Additional permitted uses, limited to the first floor of an apartment building

i) Animal Clinic

ii) Bake shops

iii) Clinics

iv) Convenience service establishments

v) Convenience Store

vi) Financial institutions

vii) Food stores

viii) Laundromats

ix) Medical/dental offices

x) Offices

xi) Personal service establishments

xii) Restaurants

xiii) Retail stores

xiv) Studios

b) Regulations

i)	Front Yard Depth (Minimum)	1.95 metres (6.4 feet)
ii)	Exterior Side Yard Depth (Minimum)	1.4 metres (4.6 feet)
iii)	Height (Maximum)	the lesser of 18.0 metres, or 4 storeys

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.

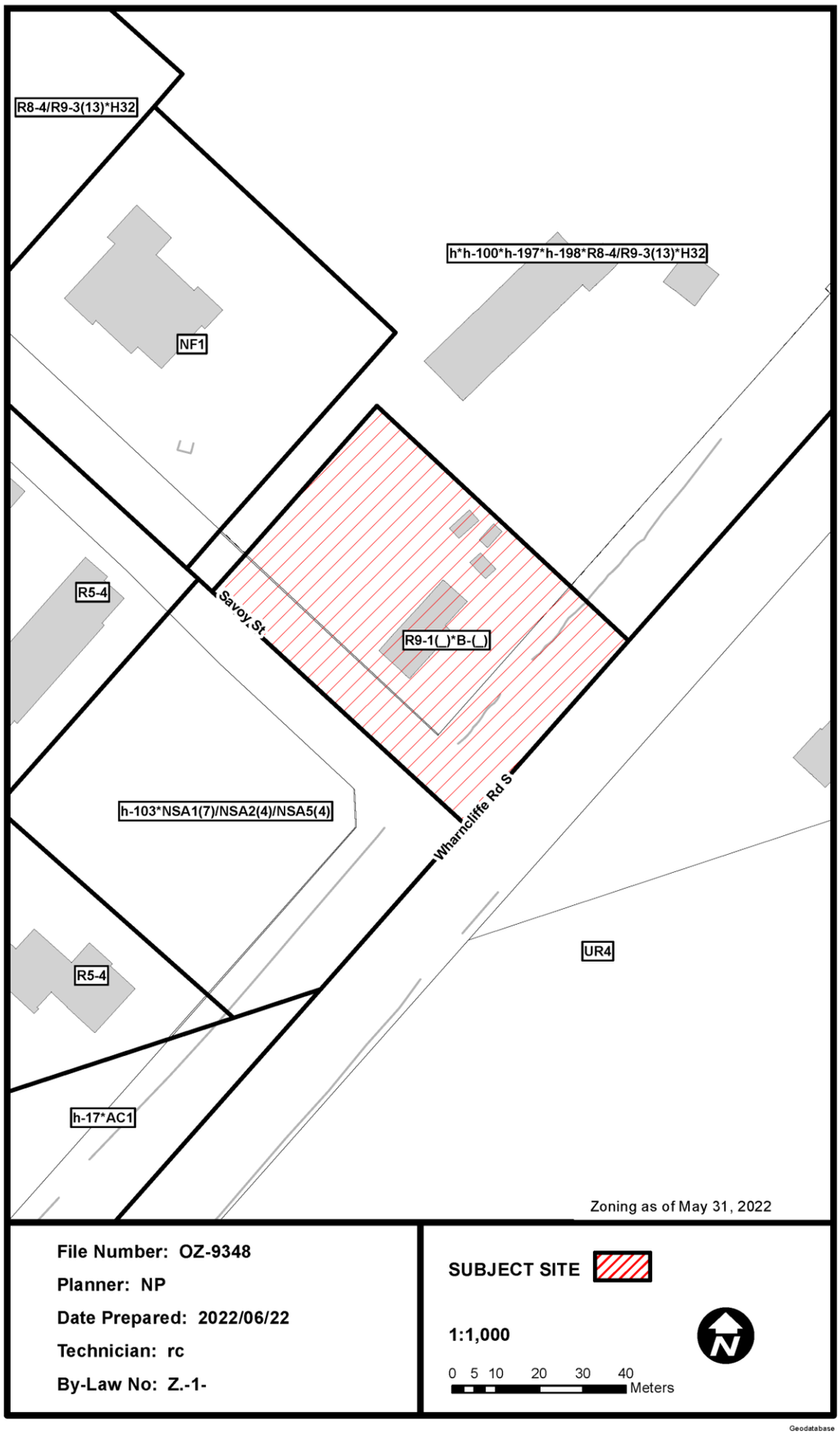
PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

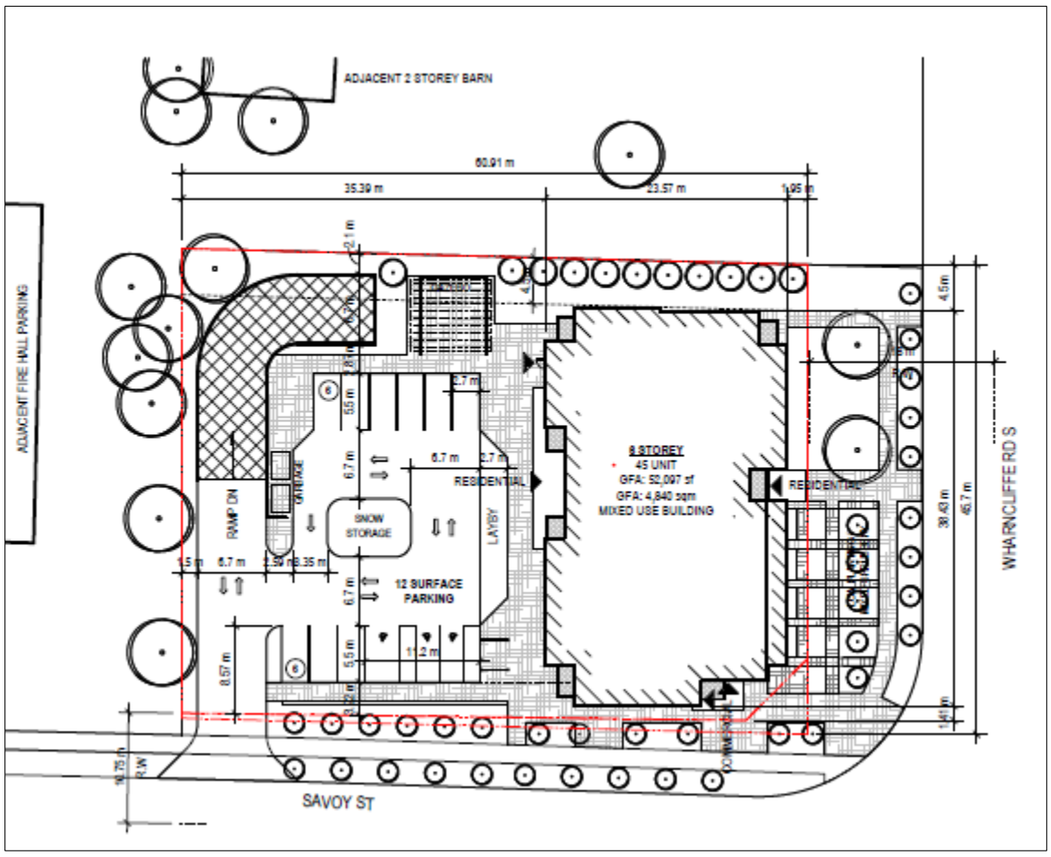
Michael Schulthess
City Clerk

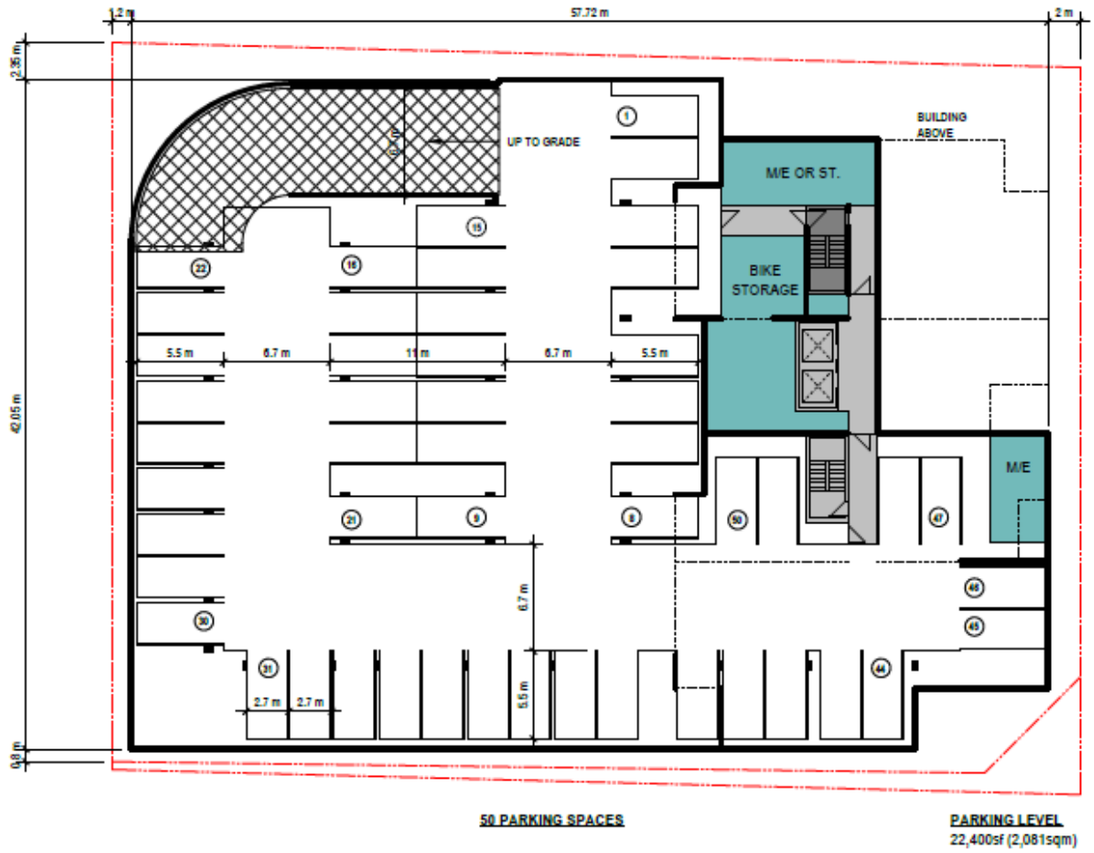
First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

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



Schedule “1”


ADJACENT 2 STOREY BARN
60.91 m
35.39 m
23.57 m
1.95 m
ADJACENT FIRE HALL PARKING
8 STOREY
45 UNIT
GFA: 52,097 sf
GFA: 4,840 sqm
MIXED USE BUILDING
RESIDENTIAL
RESIDENTIAL
RAMP DN
RAMP UP
SNOW STORAGE
LAYBY
12 SURFACE PARKING
WHARNCLIFFE RD S
SAVOY ST


57.72 m
UP TO GRADE
BUILDING ABOVE
M/E OR ST.
BIKE STORAGE
M/E
40.05 m
50 PARKING SPACES
PARKING LEVEL
22,400sf (2,081sqm)

35.44 m
23.47 m
2 m
PARKING BELOW
LEVEL 1
8,925sf (829sqm)
AMENITY
380sf
2 BED
1200sf
GARBAGE
BIKE STORAGE
AMENITY
480sf
LOBBY
OFFICE / MAIL
RAMP DN
OPENING
SNOW STORAGE
LAYBY
12 SURFACE PARKING
COMMERCIAL 2
2000sf
186 SQM
COMMERCIAL 1
2000sf
186 SQM
12.73 m
10.74 m
COMMERCIAL AREA
372 SQM = 4 UNITS TOWARDS DENSITY
COVERED SEATING
BIKE STAND
TREED BOULEVARD
EXISTING CITY SIDEWALK
SAVOY ST
WHARNCLIFFE RD S
ze

WHITE PANEL SIDING
LIGHT GREY BRICK
CHARCOAL STOREFRONT GLAZING
COMMERCIAL ENTRANCE
DARK GREY BRICK
RESIDENTIAL ENTRANCE
BROWN BRICK
RESIDENTIAL UNIT
MPR
MPH
Level 6
Level 5
Level 4
Level 3
Level 2
Level 1

BROWN BRICK
COLOURED SPANDREL
WHITE PANEL SIDING
CHARCOAL STOREFRONT GLAZING
ALUMINUM TRELLIS
DARK PANEL SIDING
WHITE PANEL SIDING
LIGHT GREY BRICK
DARK GREY BRICK
MPR 79' - 6"
MPH 69' - 6"
Level 6 57' - 0"
Level 5 46' - 6"
Level 4 36' - 0"
Level 3 25' - 6"
Level 2 15' - 0"
Level 1 0.00 m
WHARNCLIFFE RD S
COMMERCIAL ENTRANCE

WHITE PANEL SIDING
LIGHT GREY BRICK
MPR 79' - 6"
MPH 69' - 6"
Level 6 57' - 0"
Level 5 46' - 6"
Level 4 36' - 0"
Level 3 25' - 6"
Level 2 15' - 0"
Level 1 0.00 m
SAVOY ST
AMENITY ENTRANCE
ACCENT PANEL
RESIDENTIAL ENTRANCE
CHARCOAL STOREFRONT GLAZING
BROWN BRICK
DARK GREY BRICK

WHITE PANEL SIDING
DARK PANEL SIDING
BROWN BRICK
MPR 79' - 6"
MPH 69' - 6"
Level 6 57' - 0"
Level 5 46' - 6"
Level 4 36' - 0"
Level 3 25' - 6"
Level 2 15' - 0"
Level 1 0.00 m
DARK GREY BRICK
LIGHT GREY BRICK

SOUTH EAST

SOUTH WEST

NORTH WEST

NORTH EAST

SAVOY - WHARNCLIFFE INTERSECTION

LOOKING SOUTH - WHARNCLIFFE

SAVOY - REAR

Appendix C – Public Engagement

Community Engagement

Notice of Application (May 12, 2021):

On May 12, 2021, Notice of Application was sent to 180 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 May 13, 2021. “Planning Application” signs were also posted on the site.

Replies were received from 4 households, none of which could be identified as being from within the 120 metres circulation radius.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit the development of a 9-storey mixed-use apartment building containing 55 residential units and 477 square metres of commercial gross floor area. Possible Official Plan Amendments to the 1989 Official Plan, The London Plan, and the Southwest Area Secondary Plan to ADD site-specific policies to permit a mixed-use building with a maximum height of 9-storeys , 477 square metres of commercial gross floor area, and a maximum mixed-use density of 216 units per hectare. Possible change to Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone TO a Business District Commercial Special Provision Bonus (BDC(_)*B-_) Zone. Special provisions would permit a maximum front yard depth of 3.9 metres; a minimum interior side yard depth of 1.2 metres; a minimum parking rate of 1 space per residential unit; and a minimum parking rate of 1 space per 40 square metres of any permitted non-residential use. The proposed bonus zone would permit a maximum building height 31 metres and a maximum mixed-use density of 216 units per hectare, in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638_ to 1655_ of The London Plan. City Council may consider an alternative zone variation(s) to facilitate the requested development other than those identified above.

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

Concern for:

- Lack of notification
- Traffic
- Changes to the area
- Too intense

Revised Notice of Application (May 11, 2022):

On May 11, 2022, Notice of Revised Application was sent to 183 property owners and tenants in the surrounding area who were either within the 120 metre circulation radius, or who had provided comments and their Canada Post mailing address. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 12, 2022.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to permit the development of a 6-storey mixed-use apartment building containing 40 residential units and 372 square metres of commercial/office gross floor area. Possible Official Plan Amendments to the 1989 Official Plan, The London Plan, and the Southwest Area Secondary Plan to ADD site-specific policies to permit a mixed-use building with a maximum height of 6-storeys and a maximum mixed-use density of 159 units per hectare. Possible change to Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone TO a Residential R9 Special Provision Bonus (R9-7(_)*B-_) Zone. Special provisions would permit a minimum front yard depth of 1.95 metres, a minimum exterior side yard depth of 1.41 metres; a reduced minimum parking requirement of 62 spaces. The proposed Bonus zone would permit a maximum building height 22.5 metres and a maximum mixed-use density of 159 units per hectare, in return for eligible facilities,

services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638_ to 1655_ of The London Plan. City Council may consider an alternative zone variation(s) to facilitate the requested development other than those identified above.

Responses: No responses received.

Responses to both Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
Christian Criel 6649 Beattie Street London ON N6P 1T6	Teresa McGuire 2078 Westpoint Heights
	Elli Westeinde Chair of Lambeth Community Association.
	Sean Eden Land Development Planner Magnificent Homes 425 Newbold Street
	Dave Douglas 2195 Wharncliffe Road S London ON N6P 1K9

Responses provided through May 2021 circulation:

Re: Applicant 2425293 Ontario Inc request for planning approval

Here we go again this City proposing another generic superfluous mixed residential and commercial nine story building at the beginning of my subdivision.

First of all here is just another example of how this City communicates any proposed changes to residents in Foxwood Crossing a through a billboard posted on Wharncliffe Rd South. Instead of providing notification through a letter to residents who own their property we have to learn about this ludicrous proposal through noticing this billboard while driving by. Is this your way of ensuring that you will receive no resistance to your push to continue to over-developed this area. In fact I recently talked to a 'renter' who resides in Wonderland Path who advised me that she was notified of this proposal. So to get this straight planning advises renters who have no vested interest in the long-term development of this subdivision to possible future land changes but not to land owners and taxpayers.

I would also like to draw your attention to the fact that I have owned my property in this subdivision from its conception and there is written documentation confirming that I should be notified of any proposed changes to the subdivision 'plan'. Unfortunately, there has been a real disconnect regarding what the subdivision was suppose to be and what has actually occurred over the last 15 years. First of all the Site Plan (when I originally purchased my property in 2006) was to have one floor Condos in front, that changed to two story townhouse rentals. There was no Fire Station coming into the subdivision (this I also learned through a billboard) and attempted to challenge to no avail. Lately, the City has allowed the new 'Towns of Savoy' which will overwhelm this subdivision. Not only is there no room for parks or schools, but there is no traffic plan. Savoy street is the only way in and out of the subdivision and the sign that states 'future through street' just sits there with no sign that this goal will ever be achieved.

As stated earlier, I would like to be advised of any proposed changes and strongly disagree with the proposed Planning Application approval as put forth by 2425293 Ontario Inc. in relation to 2009 Wharncliffe Rd South OZ-9348

In regards to my submission I will be sending more information once I have the chance to sort through prior correspondence I have acquired over the years (earlier administration in the City of London at least had the decency to advise residents of any changes that could effect their overall housing decisions and quality of life, not obtain their information via a billboard or through the Londoner which I never received until just recently).

Teresa McGuire
2078 Westpoint Heights

Why does the city of London continue to entertain applications requesting variations to the "London Plan" when we already have a designated "Enterprise Zoning" on Wonderland Rd. which would permit such variations? When individuals want to cut a tree or improve their homes we are restricted by City bylaws and obstructed by City Staff while Developers constantly ask for changes and remove trees and woodlands which in turn lowers our confidence and respect for Council and City Hall.

Respectfully,

Elli Westeinde
Chair of Lambeth Community Association.

Responses provided through May 2022 circulation:

- Don’t want tall buildings in Lambeth
- Against application

Christian Criel
6649 Beattie Street

Departmental and Agency Comments – First Submission May 2021

Archaeological (August 5, 2021)
This memo is to confirm that I have reviewed the following and find the report’s (analysis, conclusions and recommendations) to be sufficient to fulfill the archaeological assessment requirements for (OZ-9348; SPC21-034):

Lincoln Environmental Consulting Corp. Stage 1-2 Archaeological Assessment of 2009 Wharncliffe Road South […] Middlesex County, Ontario (PIF P1289-0011-2020), January 2021.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that: “[n]o archaeological resources were identified during the Stage 2 archaeological assessment of the study area, and as such no further archaeological assessment of the property is recommended.” (p 2) An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received, dated Feb 19, 2021 (MHSTCI Project Information Form Number P1289-0011-2020, MHSTCI File Number 0013702).

Archaeological conditions can be considered satisfied for this application.

Engineering (June 17, 2021)
Sewer Engineering:

- There is a 200mm diameter municipal sanitary sewer on Savoy St. Foxwood Crossing Subdivision identified some external land east of Savoy for commercial uses with a design allocation of 100 people per hectare. As such the subject lands is 0.28 Ha would be allocated an equivalent population of 28 people.
- As per the SPC submission, SED noticed that the proposed number of units and commercial area differ from the proposal at the Pre-consultation and zoning

amendment stage. If the applicant would like to proceed with the updated population as per the SPC, SED will require a capacity study in order to assess downstream capacity on Beattie St. The owner's consultant engineer is to submit their maximum population and expected peak flows proposed based on the proposed Zone requested.
- A holding provision may be requested if the above cannot be demonstrated.

The following items are to be considered during the development application stage:

Storm Water Engineering:

Comments Specific to the Site

- The site is within the UTRCA's Dingman Creek Screening Area and therefore the applicant is encouraged to engage with UTRCA as early as possible to confirm any requirements/approvals for this site.
- The site falls within the Dingman Subwatershed. The Dingman EA requires the control hierarchy for the 25 mm event to be considered in new development design. This approach and LID design is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- As per As-con., 27292, the site is not tributary to the existing 300mm storm sewer on Savoy Street. Therefore, the consultant is to provide a SWM functional report indicating how the site is proposed to be serviced (e.g. on-site controls, LID, etc.).
- However, as per as-con 19341, the City cannot confirm a storm pdc exists to service the property
- As per the Drainage By-law, the consultant would be required to provide for a storm pdc ensuring existing peak flows from the 2 through 100 year return period storms are maintained pre to post development with any increase in flow being managed onsite. The servicing report should also confirm capacity in the existing sewers.
- 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 ground water elevation. Please note that the installation of monitoring wells 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 proposed land use of a 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.
- Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Dingman Creek Subwatershed

- 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.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP requirements, as well as current industry. 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 and drawings issued for construction.

Transportation:

- Right of way dedication of 18.00m from centre line required along Wharncliffe.
- Right of way dedication of 10.75m from centre line required along Wharncliffe.
- 6.0mx6.0m daylight triangles required at all the intersection at Wharncliffe Rd S and Savoy St.
- Detailed comments regarding access design and location will be made through the site plan process.

Water Engineering:

- Water is available from the 300mm watermain on Savoy St and the 600mm Conc watermain on Wharncliffe Rd. Water service connection to be determined through SP Consultation

London Hydro (May 15, 2021)

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Urban Design (July 26, 2021)

- Urban Design staff have reviewed the submitted site development concept and elevations for the zoning by-law amendment application at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and guidance provided by the Urban Design Peer Review Panel(UDPRP);
- The applicant is commended for providing a site and building design that incorporates the following design features: provides a continuous built form along Wharncliffe Road S defining the street edge and addressing the corner orientation at the intersection with Savoy Street; locates individual unit entrances along Wharncliffe Road South and Savoy Street; includes variety of materials, colour and rhythm to activate the pedestrian environment; locating majority of the parking underground, away from the street frontage and internal to the site and building.
- This site is located fully within the Neighbourhood Place Type in The London Plan***[TLP]*** along a Civic Boulevard and the Bostwick Residential Neighbourhood of Southwest Area Secondary Plan***[SWASP].*** Both ***TLP*** and ***SWASP*** contemplates the proposed form-medium density up to a maximum building height of 6 storeys and maximum density of 75 units per hectare (uph), with a possibility to go up to 100 uph ***[SWASP 20.5.9.1 iii b&c]*** and as such the form and site design polices of the plan apply:
    - Consider compact mid-rise forms(up to six storeys) as opposed to the proposed nine-storey built form to be in line with form and intensity policies of the ***TLP and SWASP.***
- Building Design:
    - Provide for a step back or terraces of minimum 3m above 3rd or 4th storeys along both street frontages, to create a human-scale streetwall.
    - Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.

    - For any ground floor commercial units, provide for a store-front design for any commercial units proposed along either street frontage. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance ***[SWASP 20.5.3.9 iii b]*** include direct access from the commercial unit(s) fronting the street to the City sidewalk.
    - Provide a height element and massing towards intersection to emphasize the south-west corner, and explore opportunities to location the primary residential lobby or a commercial units directed towards to intersection. Ensure adequate setbacks from the corner sight triangle to avoid encroachment of canopies, footings, etc.
    - Ensure adequate setbacks and buffer from neighbouring properties(particularly properties towards North East along Wharncliffe Road South) are provided to accommodate the viable redevelopment of the neighbouring properties.
        - Provide further articulation, relief and step-backs along the North Eastern Boundary
    - Explore opportunities to better screen and/or incorporate the mechanical penthouse into the design of the building.
- Site Design:
    - Consider redesigning the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area.
        - Explore opportunities to remove the central ‘snow storage’ area and consolidate the drive aisles.
        - Explore opportunities for a drop-off layby off of Savoy Street to allow more convenient access to a street-facing main entrance.
    - Explore opportunities to incorporate and strengthen the relationships between interior amenity areas and exterior amenity spaces (outdoor gazebo) and the streetscape along Wharncliffe Road South.
    - Provide for an urban (hardscaped) streetscape treatment in the ROW between the building and Wharncliffe Road S. Continue a modified version of the landscape treatment along the north portion of the Wharncliffe Road South frontage to provide for a more consistent streetscape as the properties redevelop along Wharncliffe Road South.
    - Screen surface parking exposed to Savoy Street with a combination of landscape walls and enhanced landscaping.

Urban Design Peer Review Panel (July 12, 2021) (see Appendix F)

UTRCA (November 23, 2021)
The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006).*

PROPOSAL
The applicant is proposing to construct a 9-storey mixed-use apartment building containing 55 residential units and 477 m2 of commercial gross floor area. The proposed development will be accessed via Savoy Street before connecting to Wharncliffe Road South.

CONSERVATION AUTHORITIES ACT
As shown on the attached mapping, the subject lands ***are not*** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The subject lands do not contain any natural hazard features and are not located within the regulation limit of the UTRCA.

RECOMMENDATION
As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required for the proposed development.
While the UTRCA has no objections to this application from a regulatory perspective, we recommend that City of London staff examine the updated floodline mapping for the Dingman Subwatershed, October 2021, when reviewing this application. A copy of this mapping has been attached for review.

It appears that there currently may not be flood-free access to these lands from the surrounding road network. As per policy 3.1.2 of the PPS, *development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards.* City Planning staff need to satisfy themselves that this requirement of the PPS has been met.

Departmental and Agency Comments – Revised Submission May 2022

Ecology (June 8, 2022)
This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.

Major issues identified
- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements
- None.

Notes
- None.

Engineering (June 21, 2022)
Engineering has no concerns related to the proposed rezoning. The below are comments that will need to be addressed as part of a future site plan application:

Sanitary Servicing

1. Sanitary servicing is available for the subject site via the municipal 200mm sanitary sewer on Savoy Street.

Water Servicing

2. Water is available for the subject site via the municipal 300mm watermain on Savoy Street.

Storm Water Management

3. The site is within the UTRCA's Dingman Creek Screening Area and therefore the applicant is encouraged to engage with UTRCA as early as possible to confirm any requirements/approvals for this site.
4. The site falls within the Dingman Subwatershed. The Dingman EA requires the control hierarchy for the 25 mm event to be considered in new development design. This approach and LID design is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual.
5. As per attached As-con., 27292, the site is not tributary to the existing 300mm storm sewer on Savoy Street. Therefore, the consultant is to provide a SWM functional report indicating how the site is proposed to be serviced (e.g. on-site controls, LID, etc.).
6. However, as per as-con 19341, the City cannot confirm a storm pdc exists to service the property

7. As per the Drainage By-law, the consultant would be required to provide for a storm pdc ensuring existing peak flows from the 2 through 100 year return period storms are maintained pre to post development with any increase in flow being managed onsite. The servicing report should also confirm capacity in the existing sewers.
8. 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 ground water elevation. Please note that the installation of monitoring wells 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.
9. The proposed land use of a 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.
10. Additional SWM related comments will be provided upon future review of this site.
11. 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.
12. 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.
13. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
14. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
15. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP requirements, as well as current industry. 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 and drawings issued for construction.

Transportation

16. Right of way dedication of 18.00m from centre line required along Wharncliffe.
17. Right of way dedication of 10.75m from centre line required along Wharncliffe.
18. 6.0mx6.0m daylight triangles required at all the intersection at Wharncliffe Rd S and Savoy St.
19. Detailed comments regarding access design and location will be made through the site plan process.

Parks Planning (June 9, 2022)
Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Site Plan (June 20, 2022)

- With the NE corner of the building which is labeled as a 2 bed on page 4 of the design package. This doesn't seem reflected in the elevations and I don't think it would function for residential. Given the shortage for amenity area (it's barely acceptable) using this as an internal amenity area for residents would be a good use of the space if their intention is not to use it as commercial space.
- The trees shown on the plan are, with the exception of the N property limit, outside the site boundaries. If the applicant cannot provide evidence that these trees are being proposed for planting by the landowners (including City) or an agreement is in place to have the applicant plant these, a larger setback for

building and site elements (3.0m of space is standard) is required to accommodate required tree planting.

Urban Design (June 13, 2022)
The design of the site should implement the following features as part of the bonus zone as demonstrated in the submitted plans, elevations and renderings.

- A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses like amenity areas along those frontages.
- A built form that addresses the corner orientation at the intersection with Savoy Street.
- A step-back and terracing of minimum 2m above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).
- A setback of minimum 1-2m from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
- A significant setback from the property to the North to provide a transition to the existing low-rise buildings.
- Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.
- A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.
- Common outdoor amenity space at ground level.
- Locates majority of the parking underground, behind the building and screened away from the street.

As this application contemplates a bonus zone, please include the following revisions and improvements consistent with the previous staff and panel comments:

- Please provide a detailed response to the Urban Design Peer Review Panel that explains how the Panel comments have been addressed.
- Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.
    - We acknowledge the principal entrances, ground-floor residential unit with walkway connections to city sidewalk along Wharncliffe Road South.
    - For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance [SWASP 20.5.3.9 iii b] include direct access from the commercial unit(s) fronting the street to the City sidewalk.
        - The store front design and higher proportion of vision glazing and increased ground floor height is acknowledged.
        - Provide functional primary entrances(double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.
- Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area.
    - Remove the central ‘snow storage’ area and consolidate the drive aisles and explore opportunities for a drop-off layby off of Savoy Street to allow more convenient access to a street-facing main entrance.

UTRCA (May 11, 2022)
Thank you for circulating the revised application. The UTRCA has nothing further to add to the comments that were provided on November 23, 2021 [attached].

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the Planning Act as per our Conservation Authority Board approved policies contained in Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006).

PROPOSAL
The applicant is proposing to construct a 9-storey mixed-use apartment building containing 55 residential units and 477 m2 of commercial gross floor area. The proposed development will be accessed via Savoy Street before connecting to Wharncliffe Road South.

CONSERVATION AUTHORITIES ACT
As shown on the attached mapping, the subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act. The subject lands do not contain any natural hazard features and are not located within the regulation limit of the UTRCA.

RECOMMENDATION
As indicated, the subject lands are not regulated by the UTRCA and a Section 28 permit application will not be required for the proposed development.
While the UTRCA has no objections to this application from a regulatory perspective, we recommend that City of London staff examine the updated floodline mapping for the Dingman Subwatershed, October 2021, when reviewing this application. A copy of this mapping has been attached for review.

It appears that there currently may not be flood-free access to these lands from the surrounding road network. As per policy 3.1.2 of the PPS, development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards. City Planning staff need to satisfy themselves that this requirement of the PPS has been met.

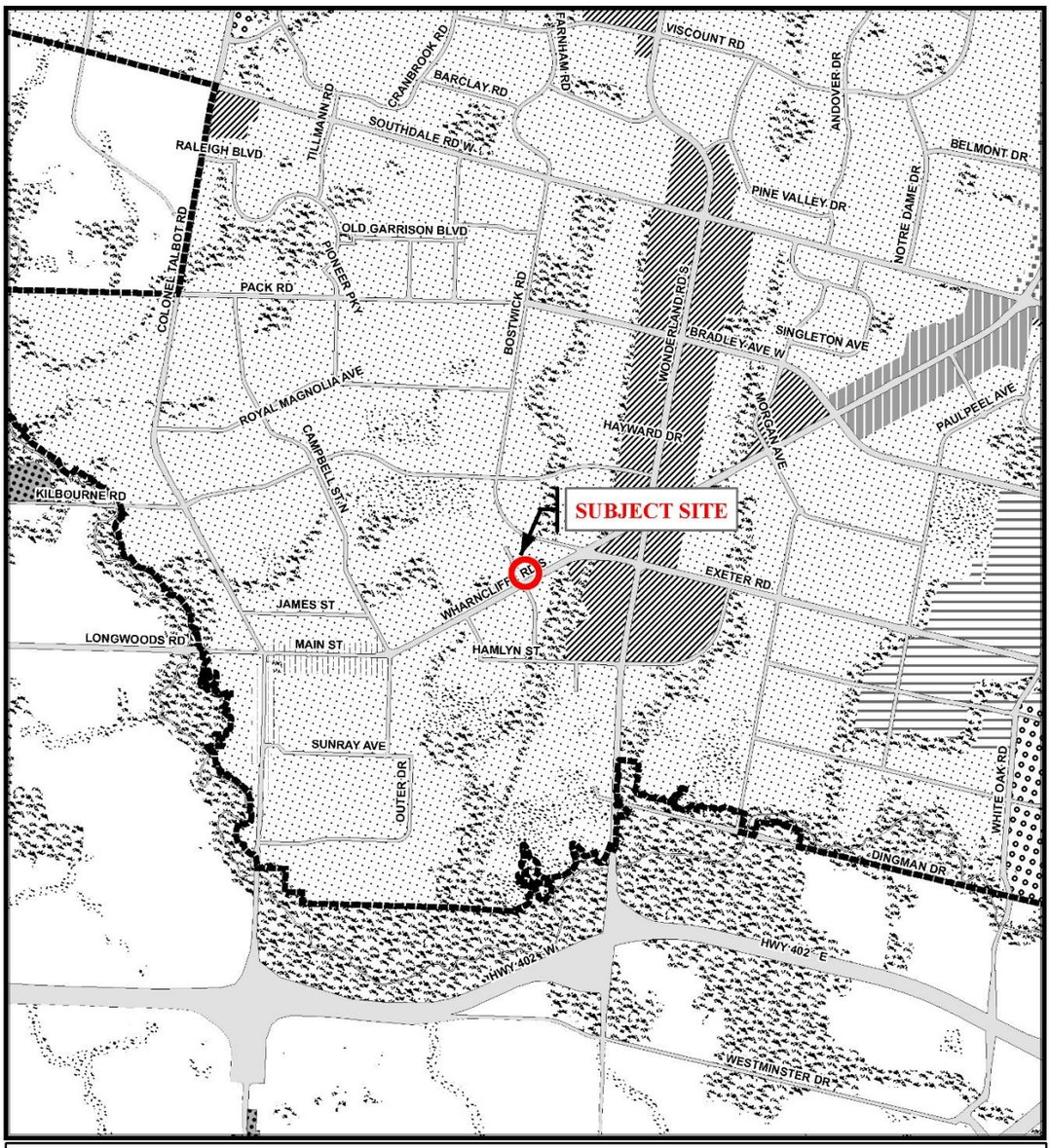
Should additional information be required pertaining to the flood depths and velocities affecting this neighbourhood, please contact Chris Tasker, Manager - Watershed and Information Management Unit.

<u>London Hydro (May 13, 2022)</u>
Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.

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

Appendix D – Relevant Background

The London Plan



Legend

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

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

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

CITY OF LONDON
Planning Services / Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services

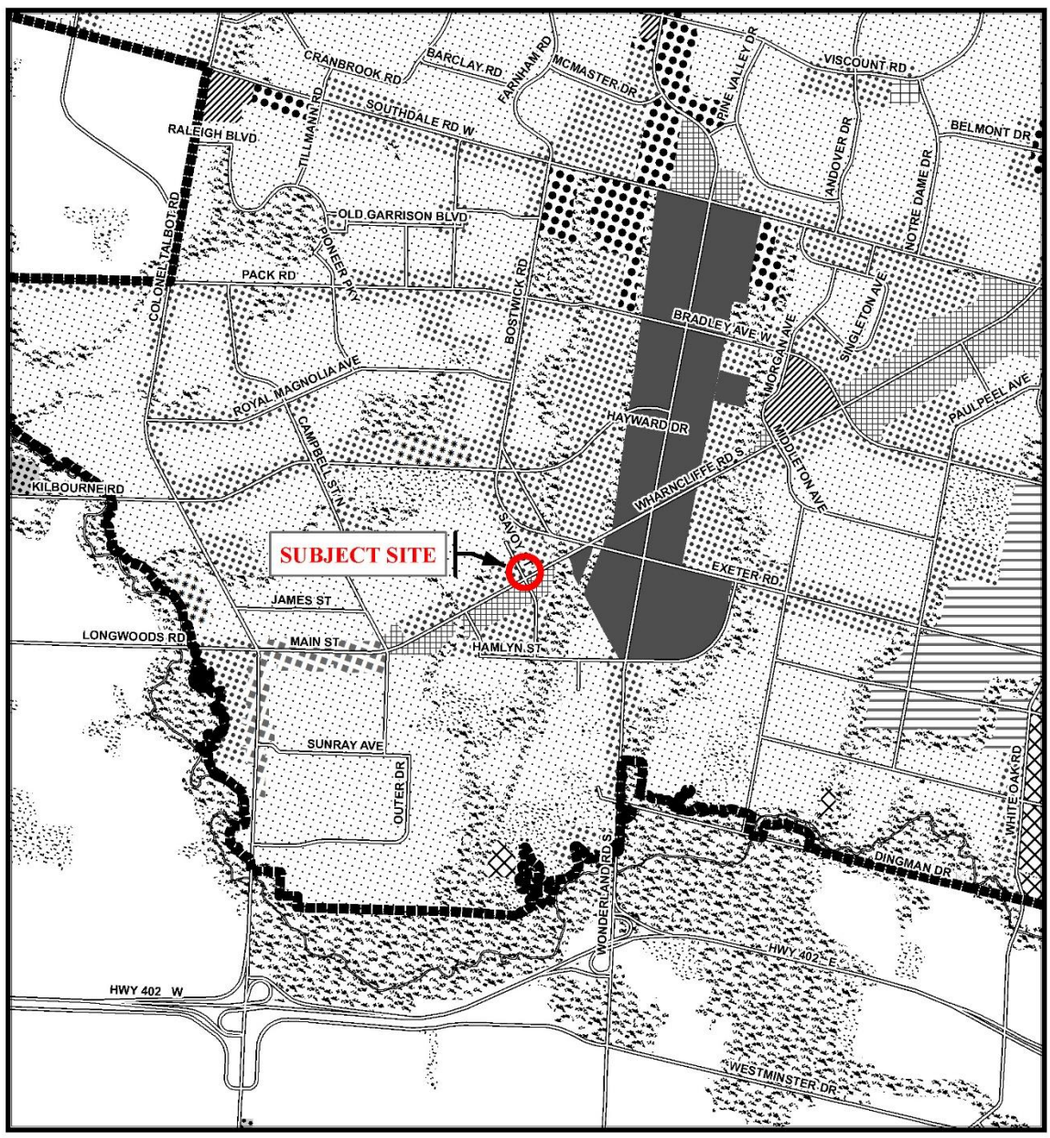
Scale 1:30,000

Meters

File Number:	OZ-9348
Planner:	NP
Technician:	RC
Date:	May 20, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\OZ-9348-Map1-PlaceTypes.mxd

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

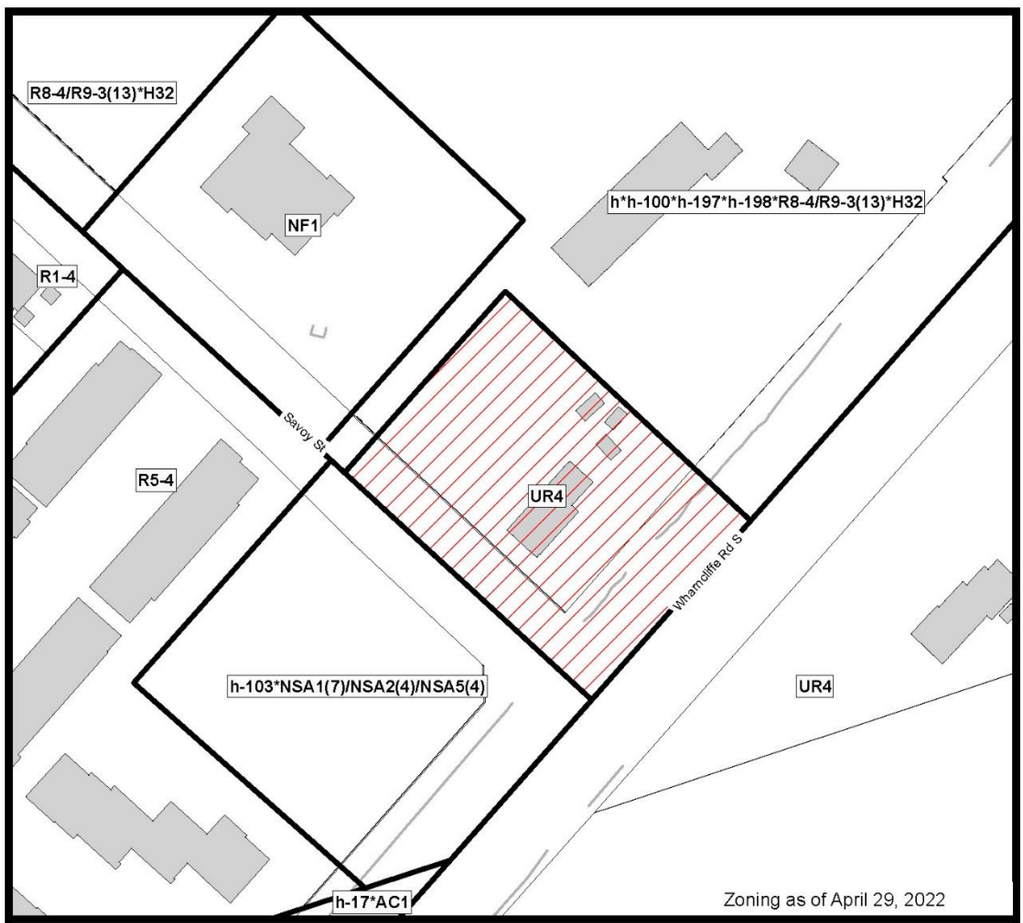
Scale 1:30,000

Meters

FILE NUMBER:	OZ-9348
PLANNER:	NP
TECHNICIAN:	RC
DATE:	2022/05/20

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO: OZ-9348 NP

MAP PREPARED: 2022/05/20 RC

1:1,250

0 5 10 20 30 40 Meters

Appendix E – Applicant's Reply to UDPRP Comments

Comment:
The panel commends the applicant for the submission of a comprehensive urban design brief, including clear and detailed graphic representations.
Applicant Response:
Noted, and thank you

Comment:
The panel commends the applicant for positioning the building to define the street edge and to address the exterior corner condition.
Applicant Response:
Noted, and thank you

Comment:
The panel commends the applicant for the use of colour and rhythm to activate the building's restrained massing.
Applicant Response:
Noted, and thank you

Comment:
The panel is concerned the minimal side yard setback and unarticulated mass of the north east corner indicates a possible future for Wharncliffe Road South of a monolithic nine storey street wall without relief between buildings/lots, and with little regard for step backs.
Applicant Response:
The setback of the building from the easterly side property line has been increased from 1.5 m to the required minimum interior side yard depth of 4.5 m. The height of the building has been reduced from 9-storeys to 6-storeys, to conform with the heights contemplated in the SWAP.

Comment:
The panel questions whether the proposed partial step back should instead occur on the northeast end of the Wharncliffe Road South frontage, and the vertical mass should serve to mark the southwest corner. With the step back occurring to the northeast, it may set a better precedent for, and integrate with a future urban street wall context that includes relief in the street wall through articulation.
Applicant Response:
The reduced height from 9-storeys to 6-storeys, the reduced footprint, along with enhanced articulation on all elevations, provides for a building that integrates appropriately and positively contributes to the existing and emerging streetscape.

Comment:
The panel questions the appropriateness of the snow storage design within the overall site plan.
Applicant Response:
The proposed centralized snow storage area is considered appropriately located to service the site. There are also areas on the periphery of the surface park area that could be used for storage, if needed. It is anticipated that in extreme snow events excessive amounts of snow would be transported off-site by a private contractor.

Comment:
The panel recommends the proponent continue the landscape treatment north along Wharncliffe Road South to contribute to the definition of the street wall and provide the foundation for a consistent streetscape as adjacent properties develop.
Applicant Response:
The latest site plan confirms that the Wharncliffe Road frontage, in addition to all property lines, is capable of providing for a comprehensive and robust landscape scheme. Detailed landscaping design will be further refined and reviewed through the future site plan approval process.

Comment:
Consideration should be given to further refining and strengthening the relationships and programming between interior and exterior amenity spaces, in particular the relationship between the interior amenity area, the streetscape, and the proposed outdoor gazebo.
Applicant Response:
The indoor amenity area has been relocated to the north easterly corner of the building, with a clear and direct pedestrian connection to the rear outdoor amenity. The rear amenity area provides safe and secured space for residents whilst being partially shielded from road noise by the proposed building. With the building being pulled back from the easterly property line, there are clear lines of sight from the outdoor amenity area through to Wharncliffe Road South, and there is sufficient space between the property line and the building to provide a pedestrian access, if desired.

Comment:
Opportunities for screening of the surface parking area from Savoy Street should be investigated by means of enhanced landscape treatments and/or provision of architectural landscape walls. Inclusion of deciduous trees and plant material within the surface parking area is also recommended to provide a vertical element to

soften/subdivide the parking area, transition to the 9-story building, and reduce the urban heat island effect.
Applicant Response:
The proposed surface packing area is relatively small and the inclusion of trees is not considered necessary or practical given that the area sits above the underground parking garage, where providing the required soil depths would be challenging. Notwithstanding this, the latest site plan confirms that the Savoy St frontage, in addition to all property lines, is capable of providing for a comprehensive and robust landscape scheme. Detailed landscaping design will be further refined and reviewed through the future site plan approval process.

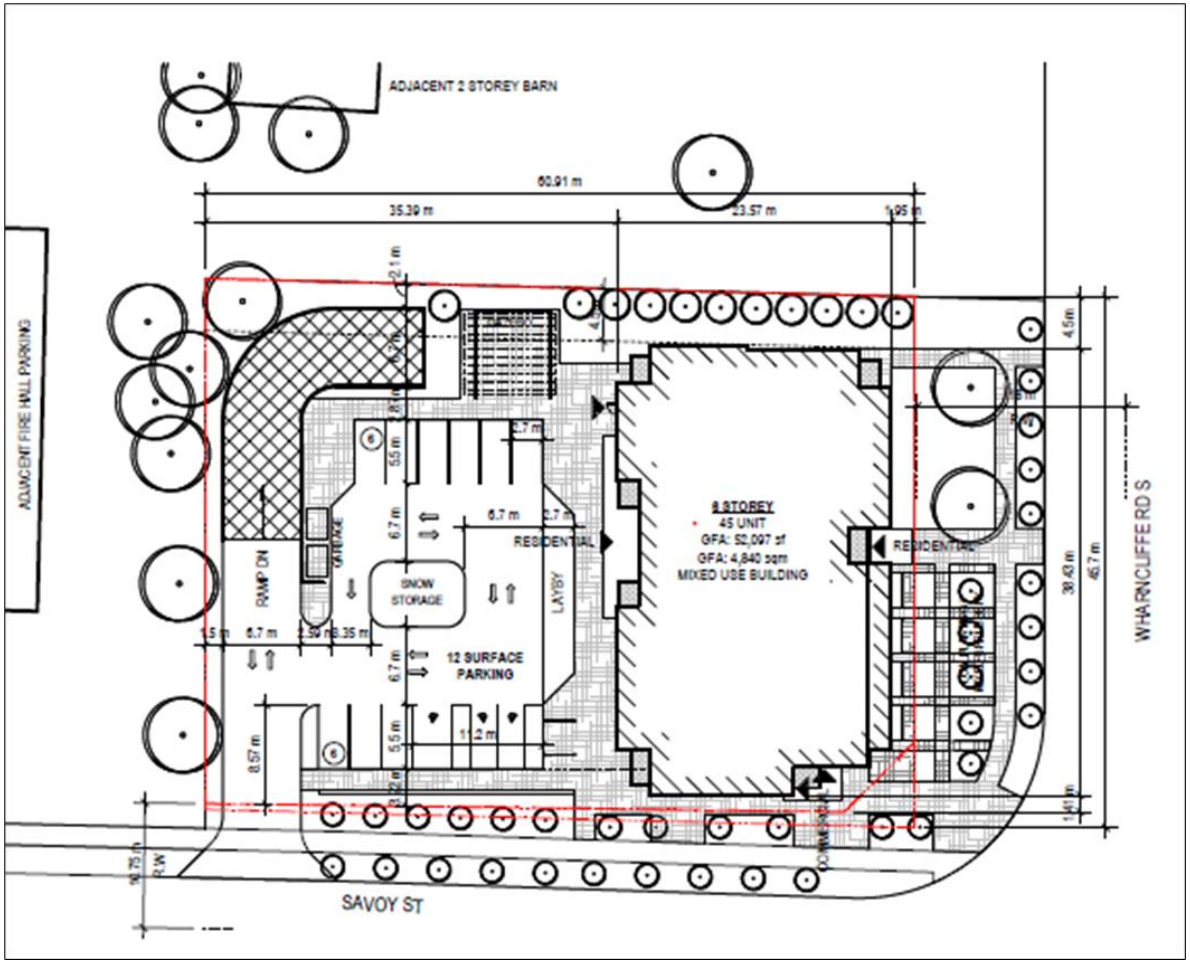
Slide 1 – OZ-9348 – 2009 Wharncliffe Road South

City of London

July 25, 2022

Slide 2 - Subject Site

Slide 3 - Proposed Development



Slide 4 – Proposed Development

Slide 5 – Policy Context

The London Plan

- Neighbourhoods Place Type on a Civic Boulevard and Neighbourhood Connector
- Permits low-rise apartments with a minimum height of 2-storeys and maximum height of 4-storeys, Bonusing permits up to 6 storeys
- Encourages compact forms of development and infill and intensification to manage outward growth

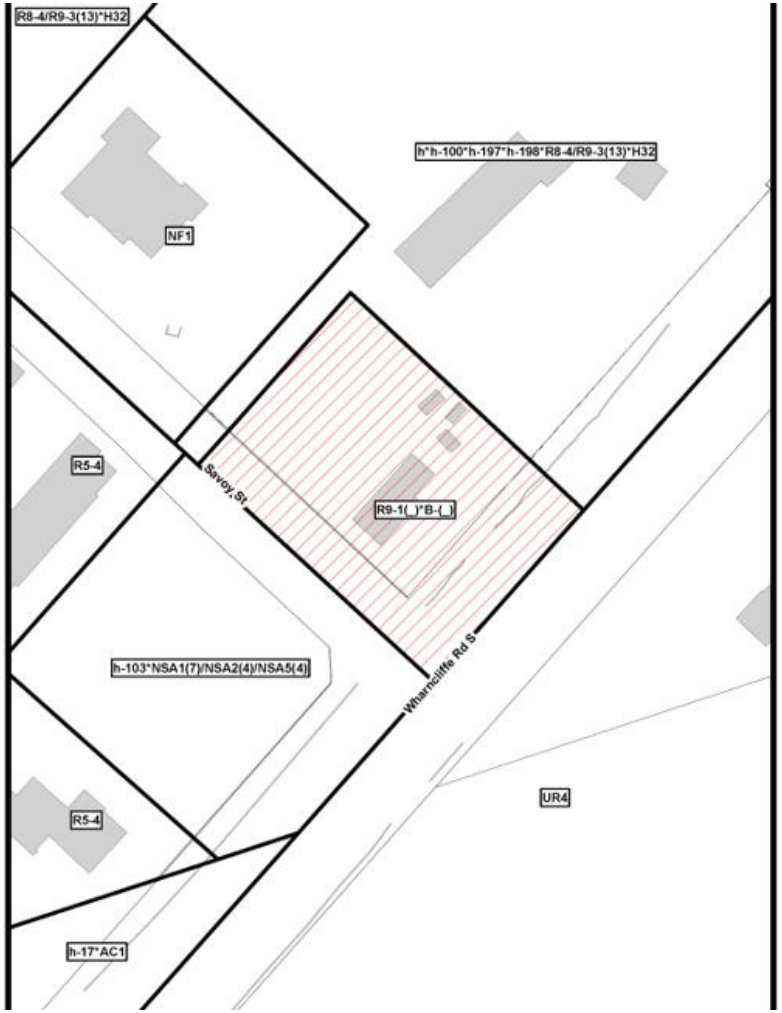
Southwest Area Secondary Plan (SWAP)

- Medium Density Residential - permits low rise apartments up to 6 storeys, at 75 units per hectare

1989 Official Plan

- Multi-Family Medium Density Residential - permits low rise apartments up to 75 units per hectare

Slide 6 - Recommendation



- London Plan amendment to the SWAP – special policy to permit to permit a maximum mixed-use density of 176 units per hectare, through Bonusing
- Zoning By-law amendment a Residential R9 Special Provision Bonus (R9-1(_)*B-(_)) Zone;

Bill No.
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 2009 Wharncliffe Road South.

WHEREAS 2425293 Ontario Inc. have applied to rezone an area of land located at 2009 Wharncliffe Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number ____ this rezoning will conform 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 2009 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. A110, from an Urban Reserve (UR4) Zone **TO** a Residential R9 Special Provision Bonus (R9-1(_)*B-(_)) Zone.

2) Section Number 4.3 4) of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

B-_ 2009 Wharncliffe Road South

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed use commercial/office and residential apartment building, with a maximum gross floor of 372 square metres of commercial/office uses, limited to the first floor, a maximum height of 6 storeys measuring up to 22.5 metres and a maximum mixed use density of 176 units per hectare, in general conformity with the Site Plan, Renderings, Elevations and Views attached as Schedule “1” to the amending by-law, and provides for the following:

a) Exceptional Building and Site Design

i) A built form located along the Wharncliffe Road South that establishes a built edge with primary building entrance, street oriented residential units and active uses along those frontages.

ii) A built form that addresses the corner orientation at the intersection with Savoy Street.

iii) A step-back and terracing of 2m minimum, above the 4th storey for the building along Wharncliffe Road South frontage and at the intersection providing a human-scale along the street(s).

iv) A setback of 1-2m minimum, from the property line along Wharncliffe Road South and Savoy Street to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.

v) A significant setback from the property to the North to provide a transition to the existing low-rise buildings.

vi) Articulated facades including recesses, projections, balconies and terraces to provide depth and variation in the built form to enhance the pedestrian environment.

vii) A variety of materials, textures and articulation along building façade(s) to highlight different architectural elements and provide interest and human-scale rhythm along the street frontages.

viii) Locates majority of the parking underground, behind the building and screened away from the street.

Additional site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

ix) Include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Wharncliffe Road South and Savoy Street in order to activate the street edge.

x) For the ground floor commercial units, provide for a store-front design with primary entrances facing Wharncliffe Road South and Savoy Street. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance include direct access from the commercial unit(s) fronting the street to the City sidewalk.

xi) Provide functional primary entrances (double doors) for the commercial units along both Wharncliffe and Savoy Street with walkways connecting the entrances to the City Sidewalk.

xii) Redesign the surface parking lot in an effort to reduce impermeable surfaces and leave space for a more functional and centrally-located common amenity area, by removing the central ‘snow storage’ area, consolidating the drive aisles and exploring opportunities for a drop-off/layby off of Savoy Street to allow more convenient access to a street-facing main entrance.

xiii) Ensure common outdoor amenity space at ground level.

b) Provision of Affordable Housing

i) A total of three (3) one-bedroom units will be provided for affordable housing;

ii) Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;

iii) The duration of affordability set at 50 years from the point of initial occupancy;

iv) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Additional permitted uses, limited to the first floor

i) Animal Clinic
ii) Bake shops
iii) Clinics
iv) Convenience service establishments
v) Convenience Store

vi) Financial institutions
vii) Food stores
viii) Laundromats
ix) Medical/dental offices
x) Offices
xi) Personal service establishments
xii) Restaurants
xiii) Retail stores
xiv) Studios

b) Regulations

i)	Gross Floor Area for Commercial and Office Uses (Maximum)	372 square metres (4004.2 square feet)
ii)	Density (Maximum)	176 units per hectare
iii)	Building Height (Maximum)	6 storeys up to 22.5 metres (73.8 feet)
iv)	Parking (Minimum)	62 spaces

3) Section Number 13.4 a) of the Residential R9 (R9-1) Zone is amended by adding the following Special Provision:

) R9-1(_) 2009 Wharncliffe Road South

a) Additional permitted uses, limited to the first floor of an apartment building

i) Animal Clinic
ii) Bake shops
iii) Clinics
iv) Convenience service establishments
v) Convenience Store
vi) Financial institutions
vii) Food stores
viii) Laundromats
ix) Medical/dental offices
x) Offices
xi) Personal service establishments
xii) Restaurants
xiii) Retail stores
xiv) Studios

b) Regulations

i)	Front Yard Depth (Minimum)	1.95 metres (6.4 feet)
ii)	Exterior Side Yard Depth (Minimum)	1.4 metres (4.6 feet)
iii)	Height (Maximum)	the lesser of 18.0 metres, or 4 storeys

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.

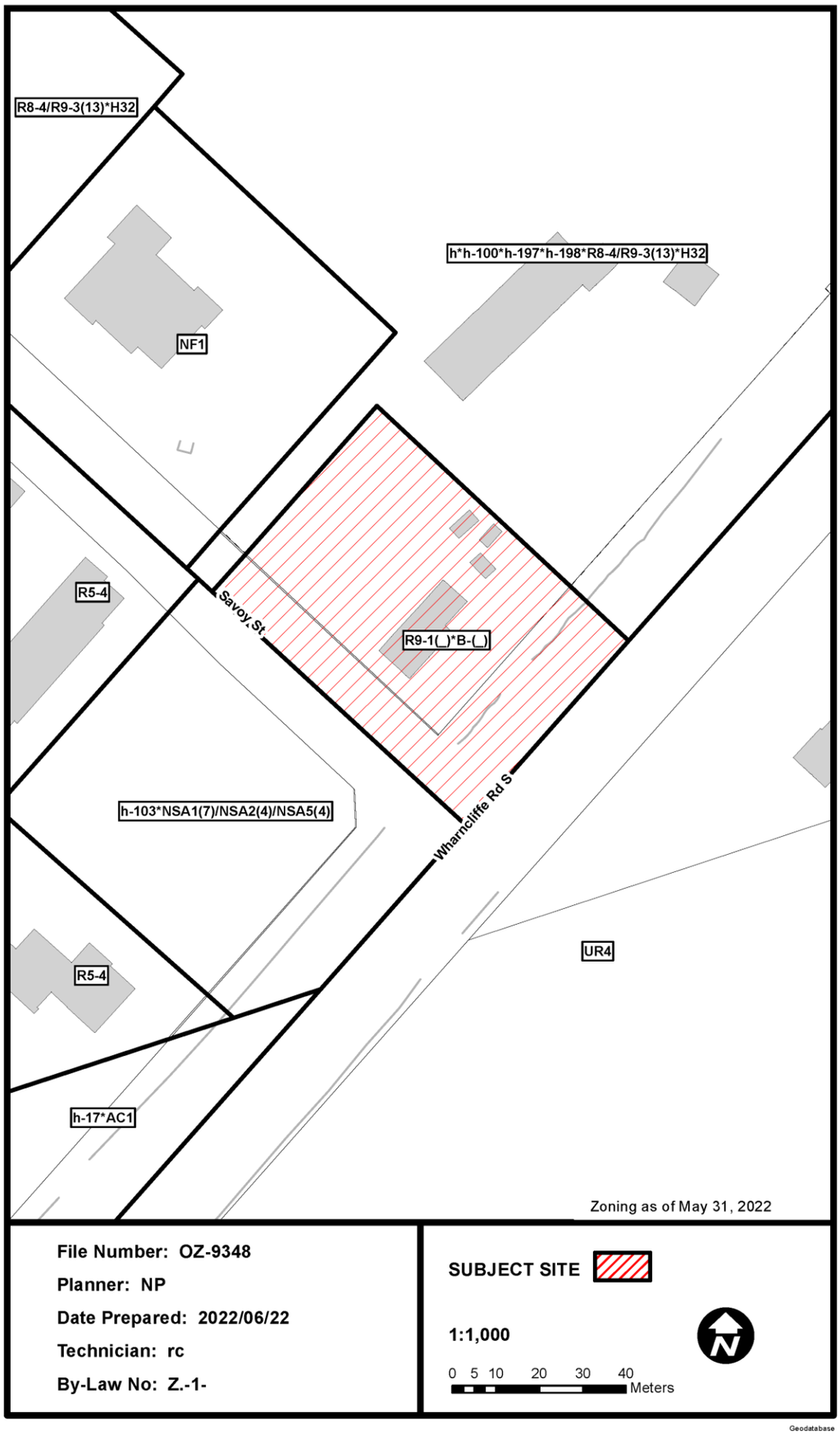
PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

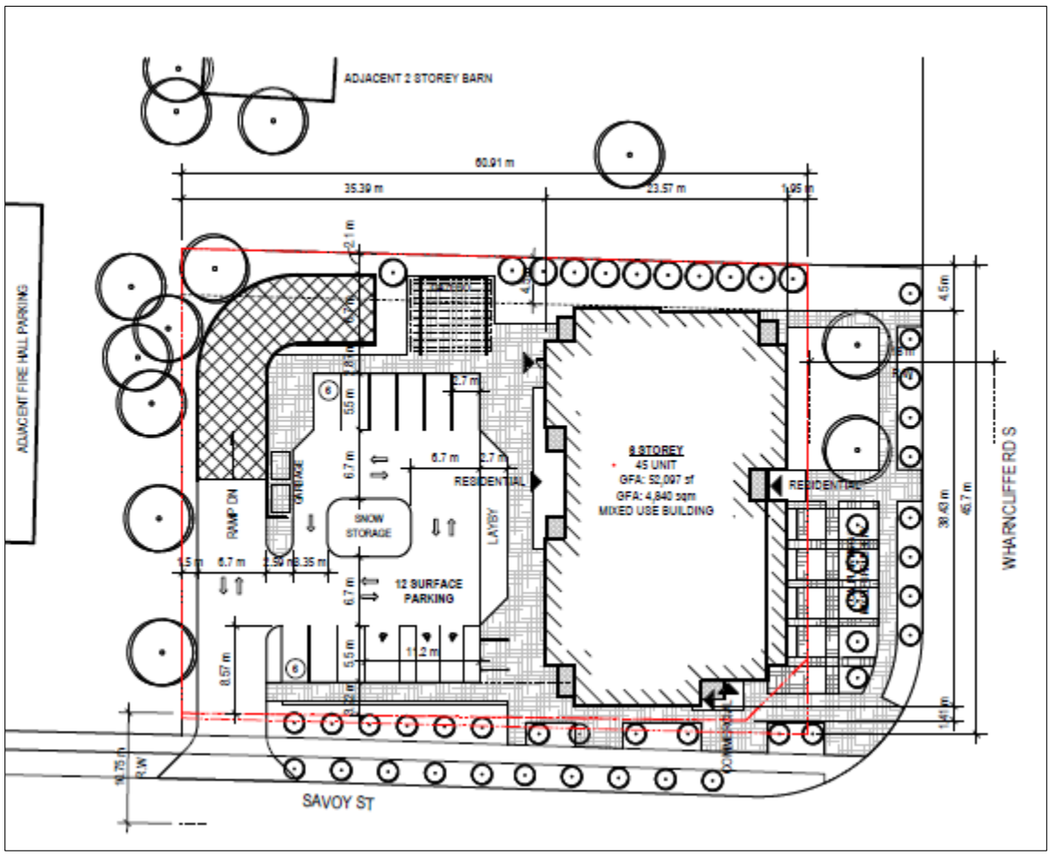
Michael Schulthess
City Clerk

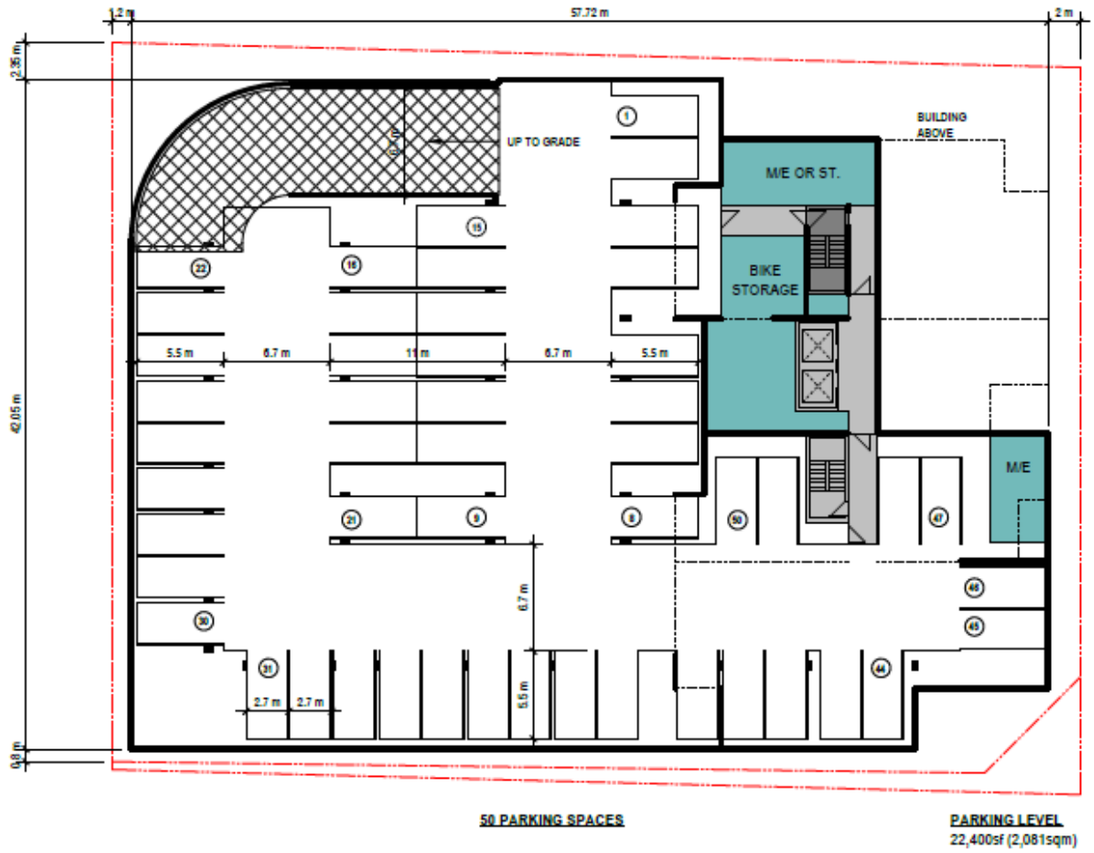
First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

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



Schedule “1”





50 PARKING SPACES

PARKING LEVEL
22,400sf (2,081sqm)

35.44 m
23.47 m
2 m
PARKING BELOW
LEVEL 1
8,925sf (829sqm)
AMENITY
380sf
2 BED
1200sf
GARBAGE
BIKE STORAGE
AMENITY
480sf
LOBBY
OFFICE / MAIL
COMMERCIAL 1
2000sf
186 SQM
COMMERCIAL 2
2000sf
186 SQM
COMMERCIAL AREA
372 SQM = 4 UNITS TOWARDS DENSITY
COVERED SEATING
12 SURFACE PARKING
SNOW STORAGE
RAMP DN
LAYBY
WHARNCLIFFE RD S
TREED BOULEVARD
EXISTING CITY SIDEWALK
SAVOY ST

WHITE PANEL SIDING
LIGHT GREY BRICK
CHARCOAL STOREFRONT GLAZING
COMMERCIAL ENTRANCE
DARK GREY BRICK
RESIDENTIAL ENTRANCE
BROWN BRICK
RESIDENTIAL UNIT
MPR
MPH
Level 6
Level 5
Level 4
Level 3
Level 2
Level 1

BROWN BRICK
COLOURED SPANDREL
WHITE PANEL SIDING
CHARCOAL STOREFRONT GLAZING
ALUMINUM TRELLIS
DARK PANEL SIDING
WHITE PANEL SIDING
LIGHT GREY BRICK
DARK GREY BRICK
COMMERCIAL ENTRANCE
WHARNCLIFFE RD S
MPR 79' - 6"
MPH 69' - 6"
Level 6 57' - 0"
Level 5 46' - 6"
Level 4 36' - 0"
Level 3 25' - 6"
Level 2 15' - 0"
Level 1 0.00 m
10' - 6" 3.05 m
12' - 6" 3.81 m
10' - 6" 3.2 m
10' - 6" 3.2 m
10' - 6" 3.2 m
10' - 6" 3.2 m
15' - 0" 4.57 m

WHITE PANEL SIDING
LIGHT GREY BRICK
AMENITY ENTRANCE
ACCENT PANEL
RESIDENTIAL ENTRANCE
CHARCOAL STOREFRONT GLAZING
BROWN BRICK
DARK GREY BRICK
SAVOY ST
MPR 79' - 6"
MPH 69' - 6"
Level 6 57' - 0"
Level 5 46' - 6"
Level 4 36' - 0"
Level 3 25' - 6"
Level 2 15' - 0"
Level 1 0.00 m
10' - 6" 3.05 m
12' - 6" 3.81 m
10' - 6" 3.2 m
10' - 6" 3.2 m
10' - 6" 3.2 m
10' - 6" 3.2 m
15' - 0" 4.57 m

WHITE PANEL SIDING
DARK PANEL SIDING
BROWN BRICK
DARK GREY BRICK
LIGHT GREY BRICK
MPR 79' - 6"
MPH 69' - 6"
Level 6 57' - 0"
Level 5 46' - 6"
Level 4 36' - 0"
Level 3 25' - 6"
Level 2 15' - 0"
Level 1 0.00 m
10' - 6" 3.05 m
12' - 6" 3.81 m
10' - 6" 3.2 m
10' - 6" 3.2 m
10' - 6" 3.2 m
10' - 6" 3.2 m
10' - 6" 4.57 m
79' - 6" 24.23 m

SOUTH EAST

SOUTH WEST

NORTH WEST

NORTH EAST

SAVOY - WHARNCLIFFE INTERSECTION

LOOKING SOUTH - WHARNCLIFFE

SAVOY - REAR

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: **2857082 Ontario Inc.**
3510-3524 Colonel Talbot Road
Public Participation Meeting
Date: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning & Development, with respect to the application of 2857082 Ontario Inc. relating to the property located at 3510-3524 Colonel Talbot Road,

the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** a Holding Residential R8 Special Provision (h-18*R8-4(_)) Zone;

IT BEING NOTED that the following urban design and site plan matters were raised during the application review process for consideration by the Site Plan Approval Authority:

i) Encourage the applicant to return to the Panel once the development is at the detailed design and site plan submission stage;
ii) Relocate the transformer to a less prominent location away from the street frontage along Pack Road;
iii) Ensure parking areas visible from the street are screened in order to reduce their visual impact along both streetscapes;
iv) Provide safe and effective direct pedestrian linkages to Colonel Talbot Road and Pack Road from the building;
v) Provide an appropriately sized and located common outdoor amenity area for the number of units proposed;
vi) The proposal should take into consideration any existing significant mature trees on the site and along property boundaries.
vii) Ensure that the proposed building/built form is oriented to both Colonel Talbot Road and Pack Road and establishes a pedestrian-oriented built edge with street oriented units;
viii) Ensure the building is appropriately scaled and located on the site to provide visual interest and enclose the street;
ix) Extend the building façade along the perimeter of both Colonel Talbot Road and Pack Road to have a more efficient use of land and foster an enclosed pedestrian-oriented streetscape;
x) Ensure that the proposed building has regard for its corner location. The massing/ articulation or other architectural features should emphasize the intersection;
xi) Ensure development is designed in a main street format with buildings at the street edge with high proportions of vision glazing and principal entrances oriented to the street;
xii) Locate the principal residential building entrance (lobby) at the intersection of Colonel Talbot Road and Pack Road or an alternative location close to intersection along either of the public streets. Differentiate the residential lobby entrance from the commercial unit entrances with architectural features such as canopies, signage, lighting, increase in glazing, double doors, framing, materials, etc.;

xiii) Commercial units proposed along Colonel Talbot Road should be designed with a human-scale rhythm and include a store-front design with high proportion of vision glass, appropriately scaled signage, canopies and lighting, double doors, and an increased ground floor height;
xiv) Ensure the top of the building is designed and distinguished through an articulated roof form, step-backs, cornices, material change and/or other architectural details and explore opportunities to screen/integrate the mechanical and elevator penthouses into an architecture of the building;
xv) Setback for parking needs to be sufficient to allow for tree plantings.

Executive Summary

Summary of Request

The owner has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject lands to permit the construction of a mixed-use (commercial/office and residential) apartment building with a maximum height of four (4) storeys, 435 square metres of commercial/office space on the first floor, and a maximum mixed-use density of 87 units per hectare. The requested Holding Residential R8 Special Provision (h-18*R8-4(_)) Zone would permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhouses, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities.

The requested zoning special provision would permit: bake shop, commercial recreation establishment, convenience store, food stores, office - business, office – service, office – professional, personal service establishments, pharmacy, retail store, and restaurant as additional permitted uses restricted to the first floor, provide for a maximum of 435 square metres of total gross floor area for commercial/office uses; and permit a reduced minimum front and exterior side yard depth of 1.0 metres, whereas 8 metres is required; a maximum height of 15.0 metres, whereas 13.0 metres maximum is required; a density of 87 units per hectare, whereas 75 units per hectare maximum is permitted; and 60 parking spaces maximum, whereas 75 parking spaces are required.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a mixed-use four (4) storey, 37-unit apartment building with a maximum of 60 surface parking spaces. Special provisions establishing a minimum front and exterior side yard depth of 1.0 metres; a maximum height of 15.0 metres (or 4 storeys); a mixed-use density of 87 units per hectare; and non-residential uses shall be located on the ground floor and shall occupy no more than 435 square metres of total gross flood area. The recommendation also includes site design matters that were raised during the application review process.

Rationale of Recommended Action

1. The recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020, which encourages development to occur within settlement areas and land use patterns that provide for a range of uses and opportunities that will meet the needs of current and future residents;

2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Neighbourhood Place Type, City Building and Design, Our Tools, and all other applicable *London Plan* policies;

3. The recommended amendment conforms to the policies of the Southwest Area Secondary Plan, Schedule 9, North Lambeth Residential Neighbourhood.
4. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood.

Linkage to the Corporate Strategic Plan

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

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. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is comprised of two lots located at the southeast corner of the intersection of Colonel Talbot Road and Pack Road. The site has a frontage of 86 metres along Colonel Talbot Road, a depth of 56 metres along Pack Road, and a total lot area of 4874 square metres. The site currently consists of two single detached residential dwellings and a detached accessory structure that would be demolished and removed. The remaining lands are generally flat and consist of manicured lawn.

Colonel Talbot Road is an arterial road/civic boulevard with an average annual daily traffic volume of 13,000 vehicles per day. Pack Road is also an arterial road/civic boulevard with an average daily traffic volume of 2,500 vehicles per day. The intersection is signalized with dedicated left turn lanes on Colonel Talbot Road in both directions. Public sidewalks are currently available along the west side of Colonel Talbot Road and on the north side of Pack Road.

The surrounding neighbourhoods consist primarily of low density residential/single detached housing, open space, and future residential development. The subject property is also directly adjacent to a plan of subdivision (39T-16509) that is planned for residential development to the east, and a registered plan of subdivision (39T-14504) that is currently under construction to the west.

Figure 1 – Street view of 3510 Colonel Talbot Road (view from corner of Colonel Talbot Road and Pack Road)

Figure 2 – Street view of 3524 Colonel Talbot Road (view from Colonel Talbot Road)

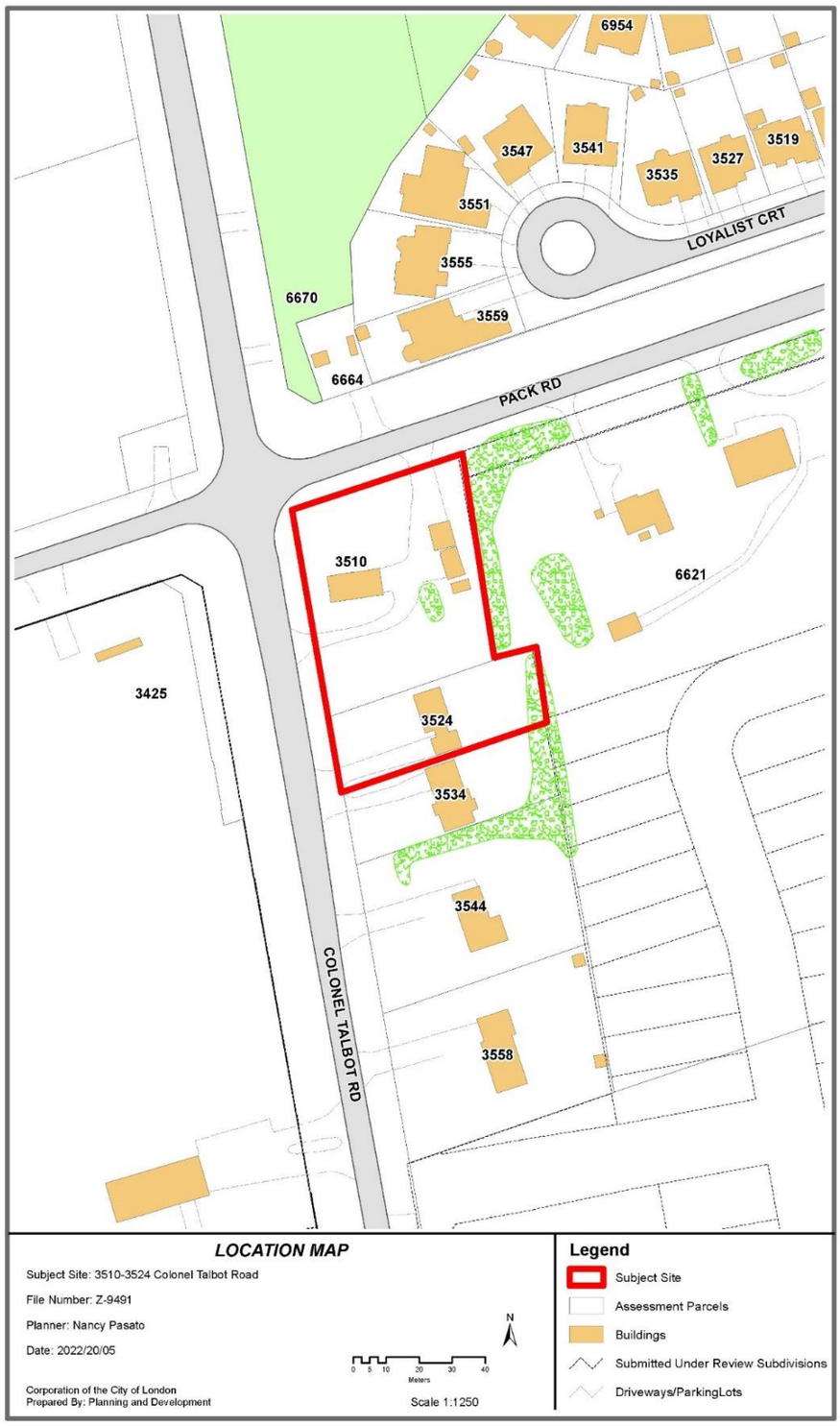
1.3 Current Planning Information (see more detail in Appendix E)

- 1989 Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods Place Type fronting two Civic Boulevards
- Southwest Area Secondary Plan (North Lambeth Residential Neighbourhood) – Medium Density Residential
- Existing Zoning – Urban Reserve (UR4) Zone

1.4 Site Characteristics

- Current Land Use – two single detached dwellings
- Frontage – 86 metres (Colonel Talbot Road)
- Depth – 56 metres
- Area – 4874 square metres
- Shape – rectangular/irregular

1.5 Location Map



1.6 Surrounding Land Uses

- North – SWM/residential
- East – existing/future residential
- South – existing/future residential
- West – future commercial/residential

2.0 Discussion and Considerations

2.1 Development Proposal

In March 2022, the applicant submitted a zoning by-law amendment application for a four (4) storey, mixed use apartment building with 37 residential units and 430 square metres of commercial/office space on the ground floor, with a total of 63 parking spaces, to be provided through surface parking, at a mixed-use density of 87 units per hectare. The concept is shown in Figure 3. Building rendering and elevations are shown in Figures 4, 5, 6 and 7.

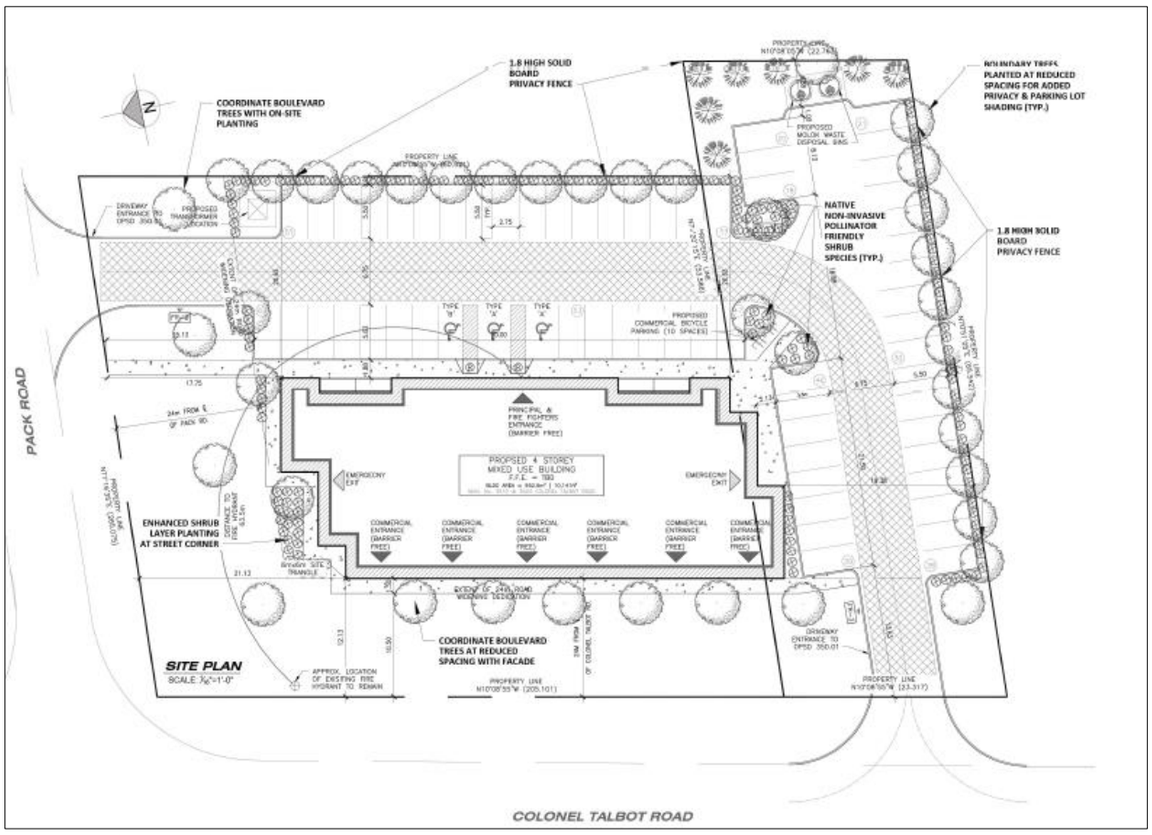


Figure 3 – Original Site Concept

Figure 4 - Building Rendering looking southeast from Colonel Talbot Road

Figure 5 - West Elevation along Colonel Talbot Road

Figure 6 - East elevation

Figure 7 - South and North elevation

Based on comments from staff, the applicant submitted a revised site concept plan, shown as Figure 8. This revised plan includes a small increase in the commercial/office area (from 430 square metres to 435 square metres), front and exterior yard setback from Colonel Talbot and Pack Road of 1.0m (previous concept showed 0 m setback), increased parking area setbacks from the south (3.0m), a 1.5m parking area setback to the east property line (previously 0 metres), 60 parking spaces, and additional amenity area.

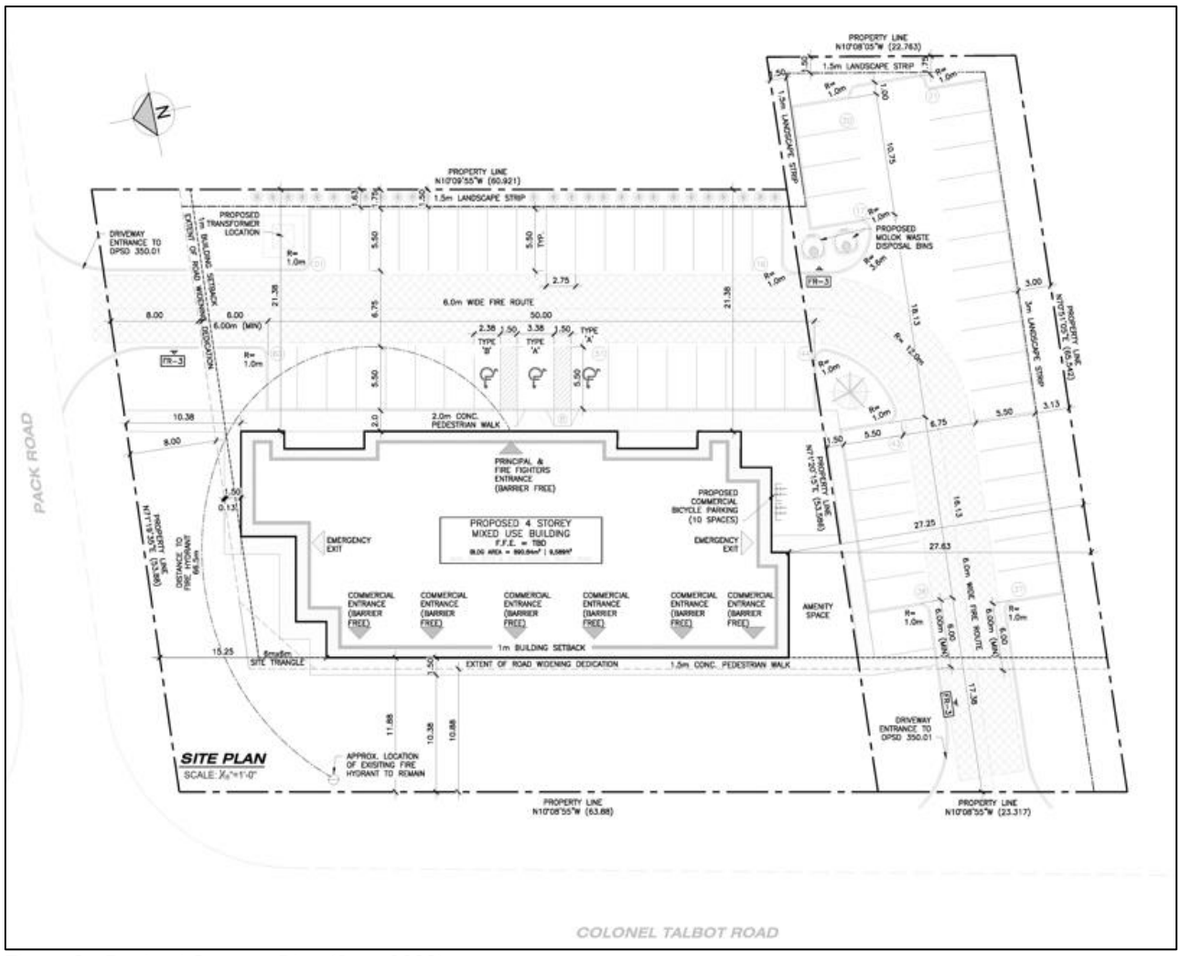


Figure 8 - Revised Concept Plan (June 2022)

2.5 Requested Amendment

The applicant is requesting a Residential R8 Special Provision (R8-4(_)) Zone, with special provisions as follows:

- additional permitted commercial uses limited to the first floor, up to a maximum of 435 square metres of ground flood space;
- a maximum mixed-use density of 87 units per hectares, whereas 75 units per hectare maximum is permitted;
- a maximum height of approximately 15.0 metres, whereas 13.0 metres maximum is required (up to a maximum of 4 storeys);
- a reduced minimum front and exterior side yard depth of 1.0 metres, whereas 8 metres is required; and
- 60 parking spaces maximum, whereas 75 parking spaces are required.

2.6 Community Engagement (see more detail in Appendix C)

Written responses were received from, or on behalf of, 1 household (two individuals).

The public's concerns generally dealt with the following matters:

- The development not being appropriate for the area
- Privacy
- Construction impacts
- Traffic
- Noise
- Impact on property values
- Environmental impacts/bird impact
- Grading concerns/stormwater

2.4 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The London Plan

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4 and 5).

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

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

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

- Planning for sustainability – balance economic, environmental, and social considerations in all planning decisions. (Key Direction #8, Direction 1).

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms.

1989 Official Plan

The subject site is designated Multi-Family, Medium Density Residential in accordance with Schedule ‘A’ of the 1989 Official Plan. The Multi-Family, Medium Density Residential designation permits multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four (4) storeys.

Southwest Area Secondary Plan

The subject site is located within the Southwest Area Secondary Plan North Lambeth Residential Neighbourhood. The North Lambeth Neighbourhood will provide for residential development of an intensity that is generally higher than achieved in other areas of the city but, is less than the intensity of the Bostwick Neighbourhood. The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood (20.5.10 i)). The residential areas will develop as traditional suburban neighbourhoods, with characteristics similar to those found in the older areas of the city, reflecting a compact development, a diversity of building types, and walkable amenities to enhance the day to day living experience (20.5.10.ii)).

Generally, the objective of the Southwest Area Secondary Plan is to provide for a range of land uses including residential, open space, public, commercial, office and mixed-uses and community facilities. Mixed use developments are generally permitted within the Southwest Secondary Planning Area.

3.0 Financial Impact/Considerations

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

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached dwellings, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). 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).

The subject site is in the Neighbourhoods Place Type at the intersection of two Civic Boulevards (Colonel Talbot and Pack Road), as identified on Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses within the Neighbourhoods Place Type at this location include a range of residential uses, such as stacked townhouses, fourplexes, and low-rise apartments. Secondary permitted uses at this location also include mixed-use buildings. (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type). Service uses identified include neighbourhood-oriented services such as, but not limited to, personal services, restaurants, small-scale recreational uses, and public services (926_).The minimum permitted height is two (2) storeys, and the maximum permitted height is four (4) storeys. (Table 11 – Range of Permitted Heights in Neighbourhoods Place Type).

The subject site is located with the Medium Density Residential designation in the Southwest Area Secondary Plan (SWAP). New development within the North Lambeth Neighbourhood will focus on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings. In addition to residential development, a limited range of convenience and personal service commercial uses, small-scale eat-in restaurants, civic and institutional uses such as parks, schools and churches, and live-work uses may also be permitted.

The subject site is designated Multi-Family, Medium Density Residential (MDR) in

accordance with Schedule ‘A’ of the 1989 Official Plan. The MDR designation contemplates multiple-attached dwellings, such as low-rise apartments buildings. Where there is a conflict or inconsistency between the parent policies or maps of The London Plan and/or the 1989 Official Plan and the policies or maps of a secondary plan, the secondary plan policies or maps will prevail in accordance with policy 1558_of The London Plan and policy 19.2.1iii) of the 1989 Official Plan.

Consistent with the PPS, The London Plan, and the Southwest Area Secondary Plan, the recommended mixed use low-rise apartment building will contribute to the existing range and mix of housing types in the area, which consists of mostly one and two-storey single detached dwellings to the north and west. The recommended zoning would permit medium density residential development in the form of a low-rise mixed-use apartment building containing 37 residential units and 435 square metres of commercial/office space on the ground floor, with a total of 60 parking spaces, at a mixed-use density of 87 units per hectare, and at a maximum height of four (4) storeys (15 meters/49.2 feet) through the recommended Special Provision Zone. Development of mixed-use forms with small-scale commercial or retail uses on the main floor and residential development above, is generally encouraged in the SWAP. The proposed apartment development would contribute to a mix of housing choices in a compact form and is street oriented, which also contributes to an active street front along both Colonel Talbot Road and Pack Road, creating a safe pedestrian environment that promotes connectivity. The recommended zoning is considered appropriate and provides a range of uses and dwelling types to the area.

4.2 Issue and Consideration #2: Intensity

The PPS is supportive of development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). Densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height 4 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard. (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (953_3.).

The SWAP also permits medium-density development with a maximum height of four (4) storeys and at a maximum density of 75 units per hectare. These policies are similar to the policies contained within the 1989 Official Plan.

The requested height of four (4) storeys is in keeping with the policies of The London Plan, but not the permitted density identified in the SWAP. Although the density is greater that what is permitted, the proposed height is considered appropriate for this location. The subject lands are of a size and configuration capable of accommodating a more intensive redevelopment.

More specifically, the proposed development of 37 new apartment units and 435 square metres of commercial/office space on the ground floor equates to 87 units per hectare. This is in keeping with the special policy within the SWAP which applies to these lands located on the east side of Colonel Talbot Road. Policy 20.5.4.1 iii) Residential Development Intensity Adjacent to Arterial Roads permits development at a minimum density of 30 units per hectare and a maximum density of 100 units per hectare. Building heights shall be a minimum of two storeys and a maximum of nine storeys. This policy is intended to focus intense, medium density housing forms along transit-oriented corridors. This would also support alternative modes of transportation, such as walking and bicycling.

The recommended base Residential R8 Special Provision (R8-4(*)) Zone includes provisions for additional density, height, and zoning considerations to implement the above policy, including parking facilities designed to minimize the visual impact, providing for enhanced amenity and recreation areas for the residents of the

development through rooftop patios, locating the building close to the street and ensuring a street-oriented building with functional front and main entrances to the building facing the street, and providing for safe and accessible pedestrian connections for the public and an enhanced pedestrian environment.

Floor area limits for retail, services and office uses are shown on Table 12 - Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type. The proposed 435m^2 of ground floor commercial/office uses are considered minor and appropriate, given the location of the development along a Civic Boulevard and Neighbourhood Connector.

4.3 Issue and Consideration #3: Form

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953_ 2.a. to f.). Similar to the Planning Impact Analysis criteria within the 1989 Official Plan, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (1578_).

Development within the Medium Density Residential designation of the 1989 Official Plan and the SWAP shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development. Normally height limitations will not exceed four storeys. Appendix D of this report includes a complete Planning Impact Analysis addressing matters of both intensity and form.

The proposed R8-4(_) Zone requires a minimum lot area of 1000 square meters and a minimum lot frontage of 30 meters. These requirements are satisfied as the lands are approximately 4874 square meters and there are approximately 86.7 meters of lot frontage on Colonel Talbot Road.

The proposed development would be located close to the road, contributing to an active street front and pedestrian scale, while also increasing the separation between the building and the adjacent properties. The design contributes to a development form that will create an active street front and appropriate pedestrian scale. The recommended Zoning and Special Provisions would facilitate an alternative and appropriate form of development that will add new housing to the area.

Consistent with the PPS and conforming to the SWAP, 1989 Official Plan and The London Plan, the recommended use for subject property would optimize the development of the land and public investment in infrastructure in the area. Located within a developing area of the City, the development contributes to achieving more compact forms of growth in a homogenous area. The proposed apartment building represents a more compact form of development and efficient use of land and resources than the single detached dwellings that currently occupy the site.

The location and massing of the proposed building is consistent with urban design goals. The building is proposed to be situated close to the intersection of Pack Road and Colonel Talbot Road, defining the street edge and encouraging a street-oriented design, with ground floor entrances facing the streets.

The parking area is located to the east and south of the building and does not extend into the exterior side yard beyond the building façade. Additional setbacks for the parking area along the southern property edge (3.0m) are recommended to ensure there is enough area to plant robust tree plantings, as per the landscape plan, and to protect trees/root zones located on the adjacent properties.

The proposed building is taller than the surrounding single detached dwellings. As previously discussed, the proposed building placement provides for a suitable separation between the proposed development and existing homes, mitigating compatibility concerns including loss of privacy. Sufficient space is available to provide for appropriate fencing and/or vegetative screening along the south and east property boundary.

Comments from Urban Design staff highlighted various considerations:

Site Layout

- This proposal should take into consideration the road widening allowance and ensure that any proposed sidewalk, entrances and canopies do not encroach.
- Relocate the transformer to a less prominent location away from the street frontage along Pack Road.
- To minimise visual impact of parking and make efficient use of land, relocate surface parking underground while allowing space for a greater amount of street-facing facades and appropriately sized amenity space.
- Ensure parking areas visible from the street are screened using a combination of landscaping and low-rise masonry walls (max. 0.75m, including exposed footings) in order to reduce their visual impact along both streetscapes.
- Provide safe and effective pedestrian linkages to Colonel Talbot Road and Pack Road.
    - Provide connections from the pedestrian walkway abutting the building with the road widening sidewalks and intersection for direct pedestrian access from the public sidewalk.
- Provide an appropriately sized and located common outdoor amenity area for the number of units proposed.
- Include all requirements of the Site Plan Control By-Law in the site design, in particular as it relates to parking (landscape islands, parking setbacks) and garbage collection/loading areas (location).
- The proposal should take into consideration any existing significant mature trees on the site and along property boundaries.

Building Design

- Ensure that the proposed building/built form is oriented to both Colonel Talbot Road and Pack Road and establishes a pedestrian-oriented built edge with street oriented units.
    - Ensure the building is appropriately scaled and located on the site to provide visual interest and enclose the street.
    - Extend the building façade along the perimeter of both Colonel Talbot Road and Pack Road to have a more efficient use of land and foster an enclose pedestrian-oriented streetscape.
- Ensure that the proposed building has regard for its corner location. The massing/ articulation or other architectural features should emphasize the intersection.
- Ensure development is designed in a main street format with buildings at the street edge with high proportions of vision glazing and principal entrances oriented to the street.
- Locate the principal residential building entrance (lobby) at the intersection of Colonel Talbot Road and Pack Road or an alternative location close to intersection along either of the public streets. Differentiate the residential lobby entrance from the commercial unit entrances with architectural features such as canopies, signage, lighting, increase in glazing, double doors, framing, materials, etc.

- Consider flexibility in ground floor space programming to incorporate mixed uses such as street oriented residential or/and commercial units to be able to respond to the market conditions while maintaining the street orientation.
- Commercial units proposed along Colonel Talbot Road should be designed with a human-scale rhythm and include a store-front design with high proportion of vision glass, appropriately-scaled signage, canopies and lighting, double doors, and an increased ground floor height.
    - Consider delineating commercial unit signage to further provide human scaled rhythm and a defined separation of space/uses.
- Ensure the top of the building is designed and distinguished through an articulated roof form, step-backs, cornices, material change and/or other architectural details and explore opportunities to screen/integrate the mechanical and elevator penthouses into an architecture of the building.

Comments from the Urban Design Peer Review Panel highlighted the following:

- The Panel is generally in support of the rezoning application; however, encourage the applicant to return to the Panel once the development is at the detailed design and site plan submission stage
- The Panel notes that the internal pedestrian sidewalk is absent along the South façade of the building. The Panel suggests that the sidewalk continue along this façade, with adequate clearances for landscaping to create a less intimidating pedestrian experience.
- The Panel notes that the building sits on a highly visible ‘gateway site’, situated at the edge of the city. The building should respond to this landmark opportunity with a memorable and unique design.
- The Panel notes that the setback to the surface parking lot along the South property line is insufficient and would require the removal of existing trees and landscape long this edge. The Panel is concerned that this would create an inefficient privacy buffer between the residential property to the South, as well as create unfavourable wind conditions. Consider reducing the building footprint and shifting the building to the North to retain the existing South tree line and provide an adequate landscape buffer.
- The Panel notes some inconsistencies between drawings and renderings in reference to the corner condition. The Panel recommends that additional attention be given to animate the corner, such as wrapped balconies, a differentiation in height, and/or relocating the residential/retail entrance.

Comments from site plan on the revised concept include the following:

- Long-term bicycle parking is required. Short-term bicycle parking should be located further forward on the site to service the commercial uses and on a hard surface.
- Setback for parking needs to be sufficient to allow for tree plantings, 3.0m is considered a minimum standard.
- Parking peninsulas should be included in accordance with the SPCBL with tree plantings both within the parking are and within the peninsulas already provided.
- The plan should anticipate the location of the future City sidewalk.
- As an apartment building a garbage room and put-out location should be provided.
- A communal amenity area for residents of the building located away from the City right—of-way is required.

A reduced front and exterior side yard (1.0 m minimum) is recommended as part of the special provisions for the site, to place the building closer to the street in support of urban design goals. The requested reductions are considered appropriate in their context and are recommended as part of the R8-4 Zone.

4.4 Issue and Consideration #4: Neighbourhood & Agency Concerns

Comments provided on the application focused on impacts to adjacent properties, including:

- Privacy
- Construction impacts
- Traffic
- Noise
- Impact on property values
- Environmental impacts
- Grading concerns/stormwater

Privacy and Overlook
Members of the public expressed concerns about the height of the building leading to loss of privacy from people looking out their windows or using their terraces or balconies.

The proposed building setback from the south property line is 27.63m. The applicant is providing a 3.0m setback from the property line to the parking area along the south property line, to ensure robust plantings and trees can be accommodated as additional mitigation, as per the proposed landscape plan. The additional setback will also help to protect trees on the adjacent property by providing an adequate setback for the critical root zones. A 1.8m board on board fence is also proposed along the property line to further protect the adjacent property. No balconies are proposed along the southern building façade.

Construction Impacts
Comments on construction impacts adjacent to existing homes was made. Construction impacts will be temporary, and all traffic associated with construction will be limited to the main roads (Colonel Talbot/Pack).

Traffic Impacts and Parking Reduction
Concerns on the impact of this development on traffic were also raised.

As per the Transportation Impact Assessment provided for this application, it is forecast that the proposed development will generate 17 new trips in the AM peak hour (5 in and 12 out) and 73 trips during the PM peak hour (37 in and 36 out). Colonel Talbot Road and Pack Road are both Civic Boulevards that are intended to carry a higher amount of traffic volumes.

A parking justification analysis was undertaken as part of the Transportation Impact Assessment. It concluded the following:

- Based on the parking requirements in the City's Zoning By-Law, 79 parking spaces would be required for the development.
- A review of Zoning By-Law parking requirements from other municipalities showed that other municipalities have lower requirements for an apartment use, commonly at or near 1 space per unit.
- Similarly, it was found that the parking rates for commercial uses are commonly 1 space per 30m^2 in other municipalities.

Through the application review process it was determined that the recommended parking rate of 1 space per residential unit and 1 space per 30m^2 of commercial/office space, for a total of 51spaces is reasonable for the proposed development.

Noise
Nearby property owners were concerned with the level of noise being generated by the apartment use. The proposed development is not expected to negatively impact the surrounding adjacent properties. Activity areas associated with the residential and commercial uses will be concentrated within the building. Noise impacts are expected to be negligible and more consistent with noise patterns expected of a residential area.

Environmental Concerns
Residents indicated that destruction of many trees will occur on multiple properties, which will affect the environment overall. As per the tree preservation plan, several trees are to be removed from the subject site. However, any adjacent trees on adjacent

properties cannot be removed, and additional setbacks to ensure protection of adjacent critical root zones will be addressed at site plan. Additionally, all tree removals must take place between September 1 and April 1st to avoid disturbing nesting migratory birds. Trees may be removed outside this window only if a qualified bird specialist has been determined there are not nesting birds in the trees. This requirement is in accordance with the Migratory Birds Convention Act, 1994.

Grading and Impact on Stormwater Flows
Members of the public have expressed concerns about the impact of development with its inherent additional hard surfacing and increased surface runoff, and its affect on adjacent properties.

As part of the site plan process, grading will be addressed, and any surface or stormwater runoff will need to be contained on the subject lands. Stormwater is proposed to be contained in an underground storage tank. Further review of this solution will occur at site plan.

Archaeological Assessment
A Stage 1 and 2 Archeological Assessment was done for the subject lands. Although the report does not recommend any further study (Stage 3 and 4), heritage planning requires both the archaeological assessment and ministry compliance letter to be provided prior to sign off. The Ministry letter has not yet been received. In order to advance the application, a holding provision (h-18) is being added to ensure no site disturbance until all documents (including the Ministry sign off letter) have been provided, to the satisfaction of the City.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Neighbourhoods Place Type. Further, the recommended amendment is in conformity with the 1989 Official Plan and the Southwest Area Secondary Plan, including but not limited to the Medium Density Residential designation within the North Lambeth Neighbourhood. The recommended amendment will facilitate the development of new dwelling types within a newly developing area, with a land use, intensity, and form that is appropriate for the site.

Prepared by:	**Nancy Pasato, MCIP, RPP** **Senior Planner, Development Services**
Submitted 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 3510-3524 Colonel Talbot Road.

WHEREAS 2857082 Ontario Inc. have applied to rezone an area of land located at 3510-3524 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3510-3524 Colonel Talbot Road, as shown on the attached map comprising part of Key Map No. A112, from an Urban Reserve (UR4) Zone **TO** a Holding Residential R8 Special Provision Bonus (h-18*R8-4(_)) Zone.

2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

) R8-4(_) 3510 & 3524 Colonel Talbot Road

a) Additional permitted uses, limited to the first floor

i) Bake shop

ii) Commercial recreation establishment

iii) Convenience store

iv) Food stores

v) Office, business

vi) Office, service

vii) Office, professional

viii) Personal service establishments

ix) Pharmacy

x) Retail store

b) Regulations

i) Front and Exterior Side Yard Depth (Minimum) 1.0 metres (3.3 feet)

ii) Front and Exterior Side Yard Depth (Maximum) 3.0 metres (9.8 feet)

iii)	Height (Maximum)	the lesser of 15.0 metres, or 4 storeys
iv)	Density	87 units per hectare
v)	Gross Floor Area for Additional Permitted Uses (Maximum)	435.0 square metres (4682.3 square feet)
vi)	Parking (Minimum)	60 spaces
vii)	Notwithstanding the Site Plan Control By-law, setback for the parking area from south property line shall be 3.0 metres (9.8 feet).	
viii)	The primary entrance of commercial units shall be oriented to adjacent streets.	

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

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

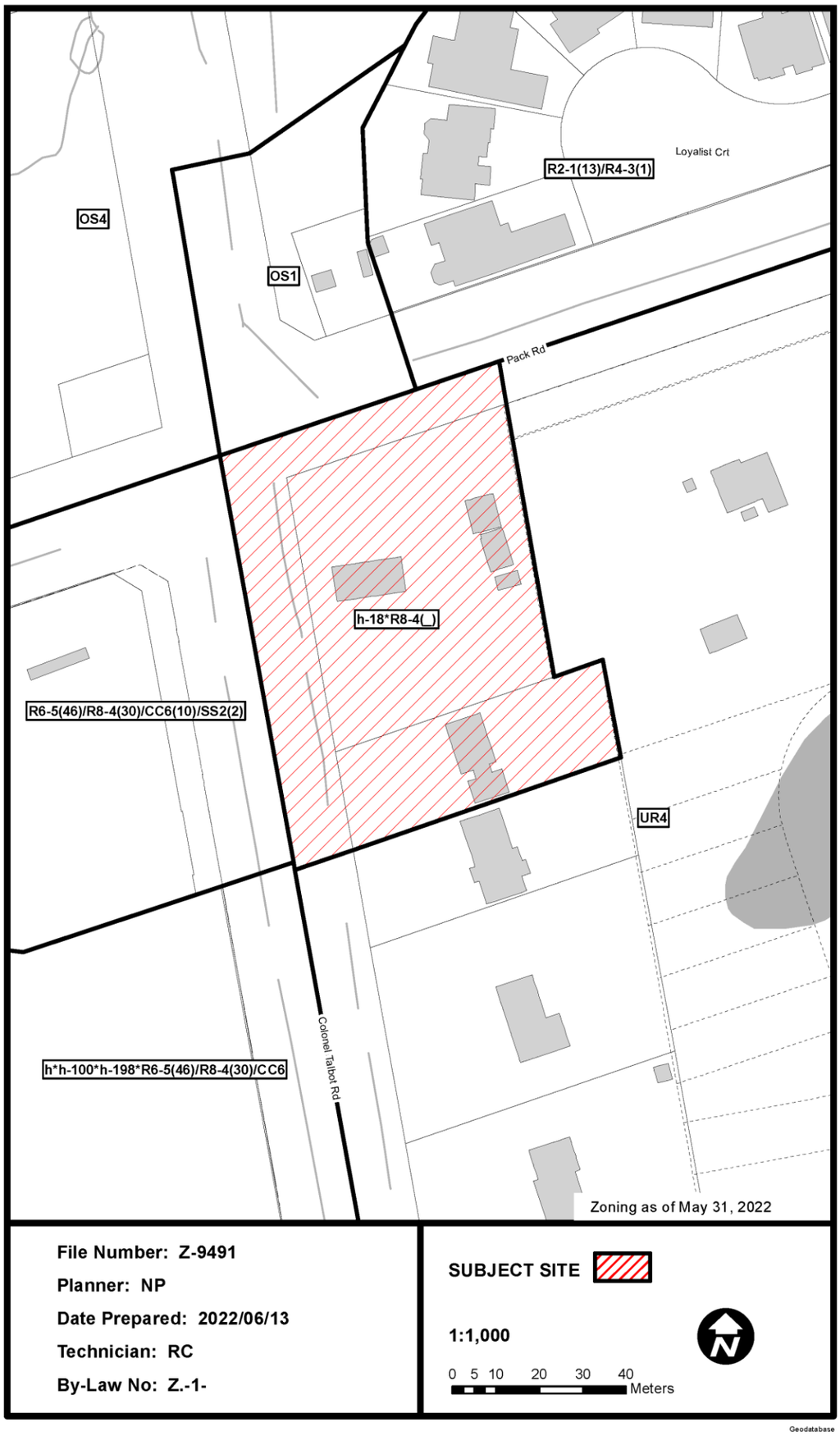
PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

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



File Number: Z-9491

Planner: NP

Date Prepared: 2022/06/13

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:1,000

0 5 10 20 30 40 Meters

Geodatabase

Appendix C – Public Engagement

Community Engagement

Notice of Application (April 13, 2022):

On April 14, 2022, Notice of Application was sent to 22 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 April 14, 2022. “Planning Application” signs were also posted on the site.

Replies were received from, or on behalf of 1 household.

Nature of Liaison: The purpose and effect of this zoning change is to permit a mixed-use (commercial/office and residential) apartment building with a height of 4 storeys, 37 residential units, and 430 square metres of commercial/office on the first floor. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR4) Zone **TO** a Residential R8 Special Provision (R8-4(_)) Zone. Permitted Uses would include: apartment buildings; handicapped person’s apartment buildings; lodging house class 2; stacked townhousing; senior citizen apartment buildings; emergency care establishments; continuum-of-care facilities. The proposed special provisions would permit additional permitted uses such as: bake shop; commercial recreation establishment; convenience stores; food stores; office – business, service and professional; personal service establishments; pharmacy; retail store; restaurant; a reduced minimum front and exterior side yard depth of 0m whereas 8m is required; a maximum height of 15m whereas 13m maximum is required; a density of 87 units per hectare, whereas 75 units per hectare maximum is permitted; 63 parking spaces maximum whereas 75 parking spaces are required; a parking area setback of 0m from the ultimate road allowance; a parking area setback of 0.8m from the internal property line and non-residential uses shall be located on the ground floor and shall occupy no more than 435m^2 of total gross floor area. The City may also consider additional considerations such as a different base zone, the use of holding provisions, and/or additional special provisions.

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

Concern for:

- Privacy
- Construction impacts
- Traffic
- Noise
- Impact on property values
- Environmental impacts
- Grading concerns/stormwater

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

Telephone	Written
	Scott Miller 3534 Colonel Talbot Road
	Sapphire Miller 3534 Colonel Talbot Road

Scott Miller
3534 Colonel Talbot Road

I am requesting any additional information on the progress or status of planning application Z-9491 for 3510- 3524 Colonel Talbot Rd.

Please also provide information on when a public hearing on this application is available and when an appeals process can begin.

As a concerned citizen of the proposed area this project will negatively impact the area and the continued enjoyment of those who use it.

I am writing to express opposition to the application for land use change at 3510 Colonel Talbot Rd. This development is causing undue hardships to my family and the use of my property as well as financial difficulties from decreasing property value.

I am opposed this development as it will deliver excessive noise to the surrounding area. As a family with two young children who nap during the day as well as someone who works from home this will be difficult to deal with and something we were not expecting when we moved to the property.

Additionally the dust and debris created by a construction project of this scale will be excessive and not tolerated by my elderly grandmother with respiratory problems who will be living very close to this development.

Also I am opposed to the indicated traffic plan. One while during construction the excessive number of vehicles and heavy trucks will make it very difficult to access my adjoining property. After construction finishes there is to be a no left turn sign off Colonel Talbot Rd. As my only property entrance is from Colonel Talbot Rd. This make it extremely difficult to access my property and places undue difficulty in having only access from Colonel Talbot north bound.

Under outside review this application and subsequent development has decreased my property value significantly. In one estimation from qualified agents I have seen a decrease of $50,000 to $80,000. This is not acceptable.

The plan also calls for the destruction of many trees on both properties. The large willow tree at the rear of the property is home to many birds as well as others who use it and the pond behind the property during migration. It's elimination as well as construction activities will negatively impact the ecosystem in the Lambeth area. Please consult with the migratory bird act before removal. Also the tree removal plan as two trees indicated for removal not on the applicant's property these can not come down.

I would also like to request additional information as the files provided for public review do not include critical information such as a grading plan. Grading and proper drainage in this area is sensitive and I fear the addition of a large building and associated hardscapes from parking lots sidewalks and others will negatively impact adjoining properties which do not have modern foundation drainage. Also I would like to know if it is the city or developers decision to raise the final grade of the property to street level or keep final grading at current levels below street level on Colonel Talbot Rd. If being raised this could even further dramatically effect the use to other properties.

I hope Council will agree that this development does not suit the area and will negatively impact the health and wellness of residents in neighboring communities. Please halt the development of this project.

Sapphire Miller
3534 Colonel Talbot Road

I am writing to express my concern regarding the application for rezoning on the Southeast corner of Colonel Talbot Road and Pack Road. I live in the property that will be adjacent to the proposed 4 storey apartment building. Allowing this rezoning and building is significantly impacting our property value as well as our quality of life.
A large apartment building with mixed use commercial on the main floor will greatly reduce the privacy of my property. Once built, the balconies for the apartments will overlook my front yard and my back yard. It will also increase traffic, noise and congestion significantly in this area. I know that the demolition of the existing homes as

well as the construction of the apartment building will take months, if not years. There will be significant noise and debris from the building process that will impact the enjoyment of my home and yard. I have two small children who are likely to be disturbed by the noise.

My husband and I are in the process of attempting to sell our home. We have had 12+ showings and every single potential buyer has stated that they do not want to place an offer due to the threat of the development next door. This is making it impossible to sell our home for the value that we should be able to get.

Is the city or the developer planning to compensate us as property owners for the loss of enjoyment, loss of value and mental exhaustion that this potential rezoning and development is already costing us?

I would like to be included in any public meetings, hearings or requests for input regarding this development. I wish to have my voice and concerns heard.

Departmental and Agency Comments

Urban Design (May 4, 2022)

- This site is located fully within the Neighbourhood Place Type in The London Plan [TLP] at the intersection of two Civic Boulevards and North Lambeth Neighbourhood of the Southwest Area Secondary Plan [SWASP]. TLP and SWASP contemplates the proposed form(Mixed-use medium density up to 6 storeys with bonus) on sites located within the Neighbourhoods Place Type along Civic Boulevards and as such the form and site design polices of the plan(s) apply:
- This proposal should take into consideration of the road widening allowance and ensure that any proposed sidewalk, entrances and canopies do not encroach.
- Relocate the transformer to a less prominent location away from the street frontage along Pack Road.
- To minimise visual impact of parking and make efficient use of land, relocate surface parking underground while allowing space for a greater amount of street-facing facades and appropriately sized amenity space [TLP 275_], [SWASP 20.5.3.9 iii g].
- Ensure parking areas visible from the street are screened using a combination of landscaping and low-rise masonry walls (max. 0.75m, including exposed footings) in order to reduce their visual impact along both streetscapes. [SWASP 20.5.3.9 iii g]
- Provide safe and effective pedestrian linkages to Colonel Talbot Road and Pack Road [SWASP 20.5.4.1 iii a].
    - Provide connections from the pedestrian walkway abutting the building with the road widening sidewalks and intersection for direct pedestrian access from the public sidewalk.
- Provide an appropriately sized and located common outdoor amenity area for the number of units proposed.
- Include all requirements of the Site Plan Control By-Law in the site design, in particular as it relates to parking (landscape islands, parking setbacks) and garbage collection/loading areas (location).
- The proposal should take into consideration any existing significant mature trees on the site and along property boundaries.
- Ensure that the proposed building/built form is oriented to both Colonel Talbot Road and Pack Road and establishes a pedestrian-oriented built edge with street oriented units.[SWASP 20.5.3.9 i a]
    - Ensure the building is appropriately scaled and located on the site to provide visual interest and enclose the street. (SWASP 20.5.3.9 iii a)
    - Extend the building façade along the perimeter of both Colonel Talbot Road and Pack Road to have a more efficient use of land and foster an enclose pedestrian-oriented streetscape.

- Ensure that the proposed building has regard for its corner location. The massing/ articulation or other architectural features should emphasize the intersection [SWASP 20.5.3.9 iii c].
- Ensure development is designed in a main street format with buildings at the street edge with high proportions of vision glazing and principal entrances oriented to the street. (SWASP 20.5.3.9 iii b)
- Locate the principal residential building entrance (lobby) at the intersection of Colonel Talbot Road and Pack Road or an alternative location close to intersection along either of the public streets. Differentiate the residential lobby entrance from the commercial unit entrances with architectural features such as canopies, signage, lighting, increase in glazing, double doors, framing, materials, etc.
- Consider flexibility in ground floor space programming to incorporate mixed uses such as street oriented residential or/and commercial units to be able to respond to the market conditions while maintaining the street orientation.
- Commercial units proposed along Colonel Talbot Road should be designed with a human-scale rhythm and include a store-front design with high proportion of vision glass, appropriately-scaled signage, canopies and lighting, double doors, and an increased ground floor height.
    - Consider delineating commercial unit signage to further provide human scaled rhythm and a defined separation of space/uses.
- Ensure the top of the building is designed and distinguished through an articulated roof form, step-backs, cornices, material change and/or other architectural details and explore opportunities to screen/integrate the mechanical and elevator penthouses into an architecture of the building.

Urban Design Peer Review Panel (April 20, 2022) (see Appendix F)

Site Plan (June 13, 2022)

- Long-term bicycle parking is required. Short-term bicycle parking should be located further forward on the site to service the commercial uses and on a hard surface.
- Setback for parking need to be sufficient to allow for tree plantings, 3.0m is considered a minimum standard.
- Parking peninsulas should be included in accordance with the SPCBL with tree plantings both within the parking are and within the peninsulas already provided.
- The plan should anticipate the location of the future City sidewalk.
- As an apartment building a garbage room and put-out location should be provided.
- A communal amenity area for residents of the building located away from the City right—of-way is required

Parks Planning (May 3, 2022)

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

Ecologist Planning (May 2, 2022)

- Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation, including, but not limited to, Unevaluated Wetlands.

Upper Thames River Conservation Authority (April 26, 2022)

- 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, the UTRCA has no objections to this application and a Section 28 permit application is not required.

Landscape Architect (Tree Prevention) (May 9, 2022)

- The proposed development poses some risk of injury to three CoL boulevard trees and will require the removal of one city tree to construct an access drive. All trees located on City of London Boulevards (including their root zones) are protected from any activities which may cause damage to them or cause them to be removed. To request the removal of the city tree and to cause injury to the roots of the 3 City Trees, contact Forestry Dispatcher at trees@london.ca with details of your request. Consent must be obtained from Forestry Operations prior to removals. The consent from Forestry Operations and proof of payment will need to be supplied to the City as part of the Site Plan Application process.
- The critical root zones of trees #24 and 28 will be encroached upon with the proposed tree protection fencing. Based on the trees' sizes, no excavation should occur within 3.6m of the trees' trunks. This would require the tree protection fencing to be moved slightly to the north from the property line shared with 3534 Colonel Talbot Rd.

Engineering (May 4, 2022)

The following items are to be considered during a future development application stage:

Sewers:

- If Planning, Council and DS are supportive SED fundamentally has no issue with the increase above allocated going to the 600 mm dia trunk. I would caution SP approval should not happen until after they have proper zoning in place. And once zoning is in place and you accept the SPA let me know the final population so SED can make appropriate updates and track it

Stormwater:

1. As per attached as-con 30178, the site (at C=0.50) is tributary to the existing 600mm storm sewer stub on Colonel Talbot Road. In order to service the proposed site the applicant will be required to extend the sewers on Colonel Talbot Road to the South limit of their site; these works shall be in accordance with City Standards.
2. Recognizing that there are no storm sewers currently established for the proposed site on Colonel Talbot Road, and that extending the sewers would be costly and unfair; per the Drainage By-Law, section 5.2, where no storm sewer is accessible the applicant shall provide a dry well or storm water retention system which is certified by a Professional Engineer to the satisfaction of the City Engineer.
3. Alternatively to the previous comment, if the adjacent subdivision 39T-16509 (3614, 3630 Colonel Talbot Rd and 6621 Pack Road – Phase 1) is developed prior to this site, servicing of the site may be coordinated through the engineering design of the proposed subdivision, ensuring that this site is considered as an external area as provided in Appendix G of the subdivision FPR.
4. The design and construction of SWM servicing works for the subject land shall be in accordance with:
    a. The SWM criteria and targets for the Dingman Creek Subwatershed,
    b. Any Municipal Class Environmental Assessment in the area,
    c. The City Design Requirements for on-site SWM controls which may include but not be limited to quantity/quality and erosion controls, and
    d. The City's Waste Discharge and Drainage By-Laws; the Ministry of the Environment Planning & Design Manual; as well as all applicable Acts, Policies, Guidelines, Standards and Requirements of all approval agencies.
5. The design of the SWM servicing work shall include but not be limited to such aspects as on-site SWM controls design, possible implementation of SWM Best Management Practices (e.g. Low impact Development "LID" features), grading and drainage design (minor, and major flows), storm drainage conveyance from external areas (including any associated easements), hydrological conditions, etc.

6. 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.
7. If the number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirm how the water quality may be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) as practical with a target of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devises.
8. Additional comments may be provided upon future review of the site.
9. The site falls within the Dingman Subwatershed. The Dingman EA requires the control hierarchy for the 25 mm event to be considered in new development design. This approach and LID design is included in the Section 6 Stormwater Management of the Design Specifications & Requirements manual.
10. 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.
11. 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.
12. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
13. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
14. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP (formerly MOECC) standards and requirements. 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.The Stormwater Engineering Division staff have reviewed the above noted application and have some additional comments beyond those previously provided (see attached):
15. Based on the Dingman Subwatershed study, the runoff control hierarchy for the 25mm event is to be achieved for sites within the Subwatershed. The consulting engineer is to ensure that any proposed option of LID solutions are to be in compliance with the LID screening Tools Section 6.5.2.2 Stormwater Management of the Design Specifications & Requirements Manual.
16. As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. 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 convey the 250 year storm event.

<u>London Hydro (April 14, 2022)</u>

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability. London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Appendix D – Policy Context

3.7 Planning Impact Analysis	
Criteria	**Response**
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the SWAP and Official Plan, and contributes to a variety of housing forms within the neighbourhood.
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site concept achieves an intensity that allows for other on-site functions such as visitor and accessible parking, emergency services and landscaped open space.
The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There is no vacant land in the area which is already designated and/or zoned for the proposed use.
The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site is located close to shopping areas, offices, commercial and service uses, numerous parks both existing and planned, and future transit services.
The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	The City is experiencing an affordable housing crisis. Although no affordable housing units are proposed through this development, the creation of alternative housing forms (apartment units) contributes to the overall mix of dwelling units and prices in the area.
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The scale/height of the proposed 4 storey apartment building is mitigated by the placement of the building toward the front of the property and the extensive setback of the building from the interior side yard of the property. Impacts on adjacent properties, such as overlook and light penetration, would be mitigated through a combination of yard depth, appropriate space for landscape screening, and photometric analysis/mitigation at the site plan approval stage.
The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	Landscaping and screening opportunities through vegetation will be considered at a future Site Plan Approval stage, including enhanced landscaping along the property edges. The proposed landscape plan will retain some trees on the site, while others will need to be removed.
The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets,	As noted in the Intensity analysis in this report, traffic impacts of this development will be negligible in relation to the anticipated function of the collector and arterial streets/Civic Boulevard.

on pedestrian and vehicular safety, and on surrounding properties;	
The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The applicant is commended for providing a built form that establishes a built edge along Colonel Talbot Road and Pack Road and provides for an active edge along Colonel Talbot Road with building and business entrances fronting the street. The placement of the building adjacent to the street provides for a significant setback from the property to the east and south, with enhanced landscaping along the property edges; includes a common outdoor amenity space and rooftop patio.
The potential impact of the development on surrounding natural features and heritage resources;	Not applicable.
Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;	Not applicable.
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;	The requested amendment is consistent with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law will be considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage through the site plan approval process.
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	Enhanced tree planting and landscaping in combination with privacy fencing and building massing treatments are expected to mitigate minor adverse impacts on the surrounding land uses.
Impacts of the proposed change on the transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development.

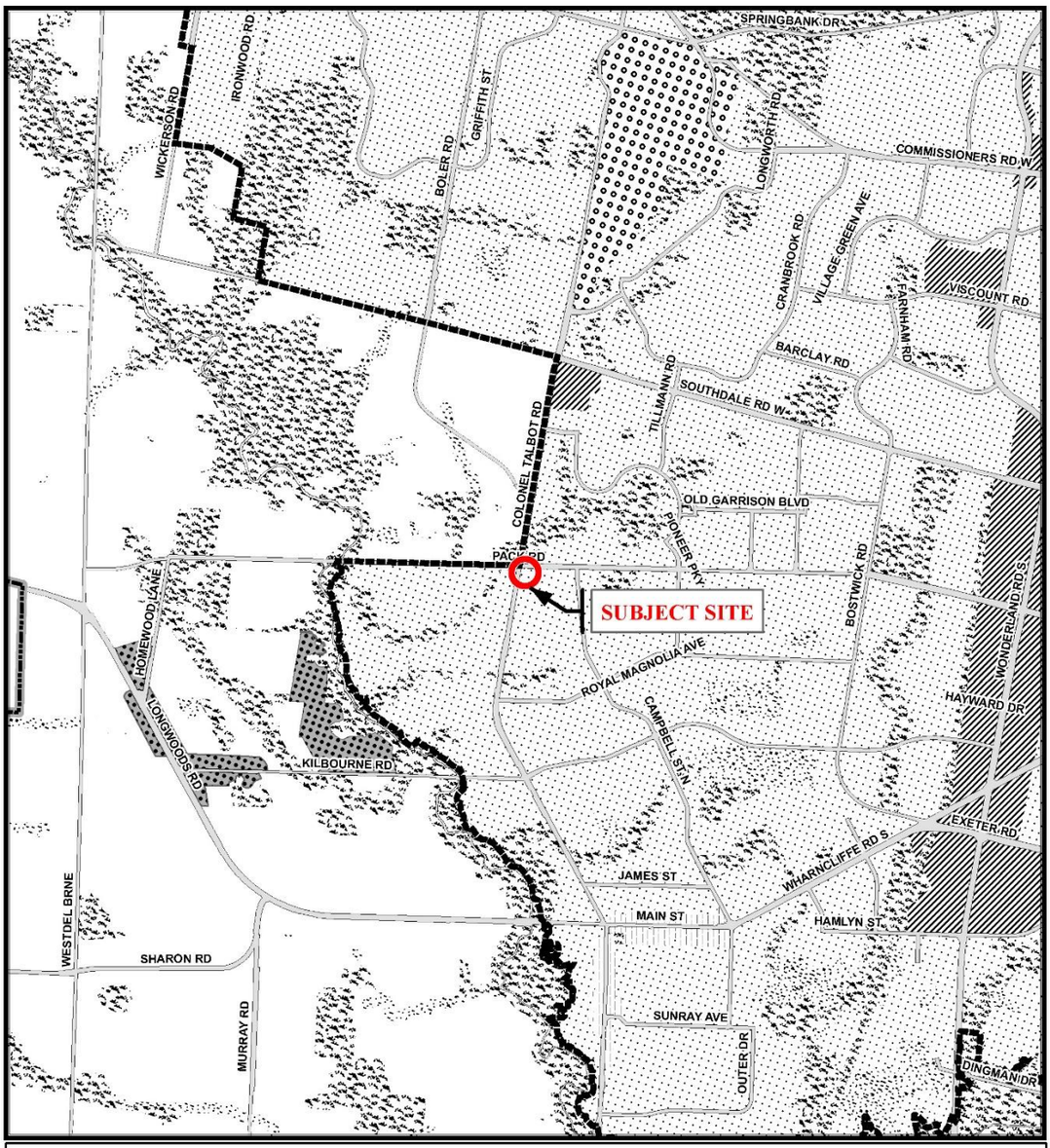
1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	**Response**
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it provides for efficient development and land use patterns and 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. There are no significant natural or cultural heritage resources requiring protection and no natural or man-made hazards to be considered.
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal provides for residential intensification within the Urban Growth Boundary and supports Key Directions related to the creation of a mixed-use compact City and strong, healthy and attractive neighbourhoods. The massing and scale of the proposed building can be appropriately integrated into the community through the application of the relevant City Design policies at the site plan approval stage.
Conformity with the policies of the place type in which they are located.	The proposed 4 storey apartment building provides for the use and intensity of development contemplated within the Neighbourhoods Place Type at the intersection of two Civic Boulevards.
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site will be fully serviced by municipal water, sanitary and storm sewers.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Further consideration of traffic controls related to the proposed driveways will occur at the site plan approval stage.
Noise	The proposed development is not expected to generate any unacceptable noise impacts on surrounding properties. A noise study was not required for the Zoning By-law amendment application but will be required at the site plan stage

	to address the mitigation of impacts of road noise on the new development.
Parking on streets or adjacent properties.	The proposal includes a slight reduction in the required parking spaces, however it is not anticipated that overflow parking will be required on local streets.
Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed development will not generate noxious emissions.
Lighting	Lighting details will be addressed at this site plan approval stage. It is a site plan standard that any lighting fixture is to minimize light spill onto abutting properties.
Garbage generated by the use.	Garbage facilities should be screened, storage inside the building is a standard requirement for apartment forms, with garbage to be placed outside on collection day.
Privacy	The proposed development situates the proposed apartment building as far from abutting properties as possible. In addition to the spatial separation between the buildings and the lot lines, the provision of a combination of privacy fencing and enhanced landscaping to soften the property boundaries and provide screening to the neighbouring single detached lot will help screen views from the proposed building to neighbouring properties.
Shadowing	Minor shadowing may impact adjacent and nearby properties in the early morning or late afternoon, depending on the season.
Visual Impact	Enhanced landscaping, articulated building design, and architectural details and materials to be implemented through site plan are expected to have a positive visual impact on the area.
Loss of Views	There are no view corridors to significant features or landmarks to be affected by the proposed building.
Trees and canopy cover.	The development will result in the loss of some trees and canopy cover in order to achieve a more compact form of development. At the site plan stage, a complete landscape plan will be developed to provide for new tree

	planting and screening from adjacent land uses.
Cultural heritage resources.	Not applicable.
Natural heritage resources and features.	Not applicable.
Natural resources.	Not applicable.
Other relevant matters related to use and built form.	Not applicable.

Appendix E – Relevant Background

The London Plan



Legend

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

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

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services

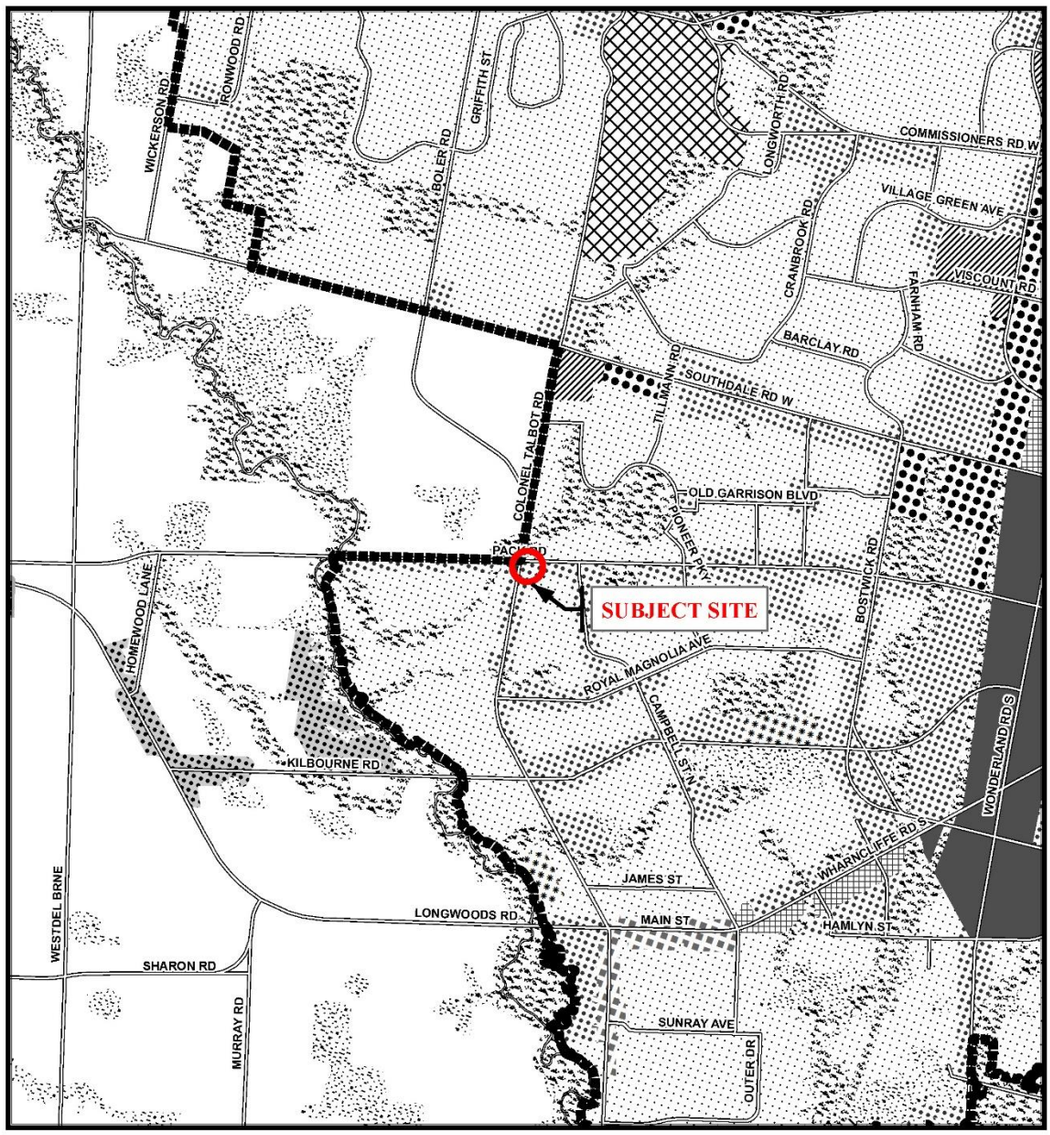
Scale 1:30,000

Meters

File Number:	Z-9491
Planner:	NP
Technician:	RC
Date:	May 20, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9491-Map1-PlaceTypes.mxd

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A - LANDUSE -

PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER:	Z-9491
PLANNER:	NP
TECHNICIAN:	RC
DATE:	2022/05/20

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Zoning By-law Z.-1 – Zoning Excerpt

COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO: Z-9491 NP

MAP PREPARED: 2022/05/20 RC

1:1,500

0 5 10 20 30 40 Meters

Appendix F – Applicant's Reply to UDPRP Comments

Comment:
The Panel is generally in support of the rezoning application; however, encourage the applicant to return to the Panel once the development is at the detailed design and site plan submission stage.
Applicant Response:
Noted.

Comment:
The Panel notes that the internal pedestrian sidewalk is absent along the South façade of the building. The Panel suggests that the sidewalk continue along this façade, with adequate clearances for landscaping to create a less intimidating pedestrian experience.
Applicant Response:
The preliminary site plan has been revised to demonstrate and accommodate a sidewalk connection along the south side of the building.

Comment:
The Panel notes that the building sits on a highly visible 'gateway site', situated at the edge of the city. The building should respond to this landmark opportunity with a memorable and unique design.
Applicant Response:
We believe the building design provided fits within the current residential landscape but also contributes to the growing commercial development in this area. The below design attributes support our point of view. • Strong connection to the property corner through a 4 storey masonry wall anchoring the building. • Strong connection to each street from the corner through bold projecting 4 storey forms, each with their own design styles, all the while anchored to a more traditional tri-part façade elevation treatment. • Colonel Talbot street side has a strong 4 storey series of projecting & recessed forms creating pleasant visual interest, light & shadows. • Both building sides have strong block form roof parapets that project/recess that provide visual interest and prevent a long monotonous façade. • Pack Road façade is designed more to address common materials found in the residential subdivision across the road to the north/east. • Façade masonry materials will be high caliber and noticeable.

Comment:
The Panel notes that the setback to the surface parking lot along the South property line is insufficient and would require the removal of existing trees and landscape long this edge. The Panel is concerned that this would create an inefficient privacy buffer between the residential property to the South, as well as create unfavourable wind conditions. Consider reducing the building footprint and shifting the building to the North to retain the existing South tree line and provide an adequate landscape buffer.

Applicant Response:
The Site Plan has been revised to extend the landspace strip along the south boundary limit to 3m. Further planting details may be reviewed at the Site Plan Control phase. The landscape strip is able to accommodate a privacy fence and planting, which would aid in reducing the perceived privacy and wind concerns.
Comment:
The Panel notes some inconsistencies between drawings and renderings in reference to the corner condition. The Panel recommends that additional attention be given to animate the corner, such as wrapped balconies, a differentiation in height, and/or relocating the residential/retail entrance.
Applicant Response:
At the Zoning stage, the preliminary building design is still being contemplated. Additional architectural details may be evaluated at the site plan design stage as further design elements are contemplated for the functionality of the site and building.

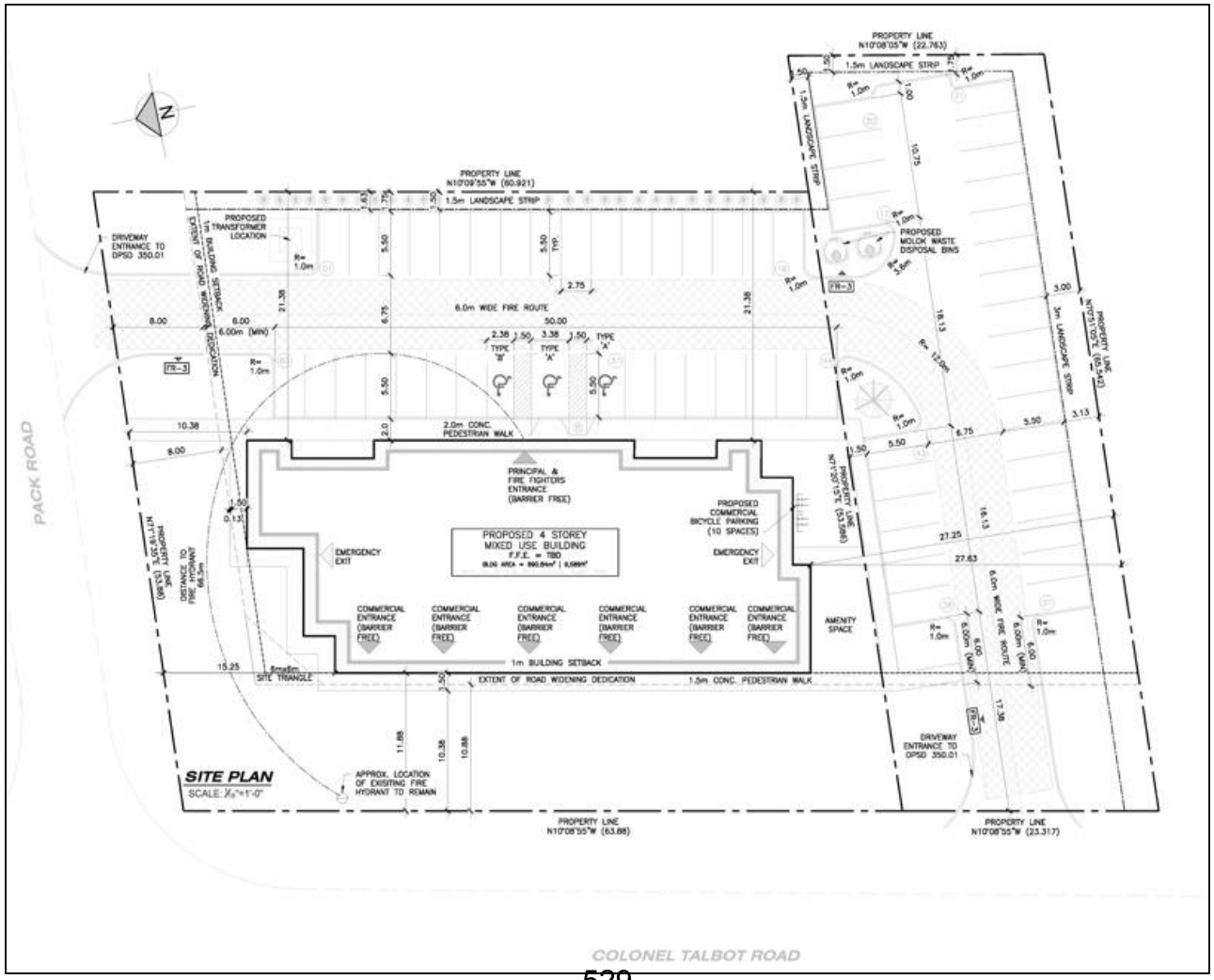
Slide 1 – Z-9491 – 3510-3524 Colonel Talbot Road

City of London

July 25, 2022

Slide 2 - Subject Site

Slide 3 - Proposed Development



Slide 4 – Proposed Development

Slide 5 – Policy Context

The London Plan

- Neighbourhoods Place Type on two Civic Boulevards
- Permits low-rise apartments with a minimum height of 2-storeys and maximum height of 4-storeys
- Encourages compact forms of development and infill and intensification to manage outward growth

Southwest Area Secondary Plan (SWAP)

- Medium Density Residential - permits low rise apartments up to 6 storeys, at 75 units per hectare

1989 Official Plan

- Multi-Family Medium Density Residential - permits low rise apartments up to 75 units per hectare

Slide 6 – Neighbourhood & Concerns

- *Privacy*
- *Construction impacts*
- *Traffic*
- *Noise*
- *Impact on property values*
- *Environmental impacts*
- *Grading concerns/stormwater*
- *Holding provision for archaeological*

Slide 7 - Recommendation

Thank you for the opportunity to provide feedback on the zoning change application for 3510 and 3524 Colonel Talbot Road.

My name is Glen Dietz, and I live at 3559 Loyalist Court and am a neighbour to these properties, on the opposite side of Pack Road.

I have 2 types of concerns about the approval for the zoning changes that are being requested. The first and most important is related to the traffic hazards that will be caused if the application as it is proposed is approved.

The site concept that was included in the public meeting notice shows no traffic rest9rictions for entering or exiting from the property, which indicates there could be entry from either the northbound or southbound lanes on Colonel Talbot Road, and exit points to either the northbound or southbound lanes on Colonel Talbot Road. This will create a traffic hazard for both those entering and exiting the property and for drivers travelling northbound on Colonel Talbot Road when vehicles attempt to make a left had turn into this property if entry is not restricted to right hand turn in, right hand turn out access.

Similarly, entry and exit from the driveway facing Pack Road, will encourage cross lane traffic if access to the property is not restricted to right hand turn in and right hand turn out.

Both Colonel Talbot Road and Pack Road are single lane arterial roads, and both roads have a high traffic volume at peak traffic periods. If left hand turns are allowed into, and out of this property it will create disruptions to traffic flow and it will increase the incidence of vehicle collisions and personal injury.

The location of the driveway facing Colonel Talbot Road is a further concern since it is almost directly in line with an entry and exit point for a gas station, car wash, convenience store and fast food resteraunt on the opposite side of Colonel Talbot Road. Having additional traffic merging onto Colonel Talbot Road at the same location will increase the risk of collisions and risk of personal injury.

The gas station was required to install a ‘porkchop’ median to restrict traffic entering their property to a right in, right out access, and the property located at 3519 and 3524 Colonel Talbot Road should be expected to do this as well.

The development plans for the area surrounding this site will result in hundreds of new residential properties being constructed in the future. However details about the development of properties along Colonel Talbot Road have not yet been unveiled, so I have further concerns about how many additional properties along the Colonel Talbot Road corridor may require access points which create cross traffic hazards, so I would like to see a raised medial installed to separate the northbound and southbound traffic on Colonel Talbot Road to address this type of safety hazard being created.

My second concern about the zoning change request is related to the volume of traffic that will result if the application for exceeding the zoning density is approved. The developer is asking for approval to erect 37 housing units, 6 commercial units and 75 parking spots. This is 6 more housing units and 15 more parking spots than is allowed with the zoning. This will increase traffic, especially in peak hours and cause disruptions to traffic and increased risk of collisions if traffic access restrictions are not put in place.

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 by the Roman Catholic Episcopal Corporation of the Diocese of London for the Dwelling on the Heritage Listed Property at 672 Hamilton Road**

Public Participation Meeting
Date: **Monday July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the demolition request for the dwelling on the heritage listed property at 672 Hamilton Road:

a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the dwelling on the property;

b) The property at 627 Hamilton Road **BE REMOVED** from the Register of Cultural Heritage Resources; and

c) The property owner **BE ENCOURAGED** to salvage historic materials and building elements prior to the demolition such as the carved wood details, columns between the windows, woodwork in the gable above the porch, and other decorative woodwork for potential re-use or heritage conservation projects elsewhere in the City.

Executive Summary

A demolition request was received for the heritage listed property at 672 Hamilton Road. The subject property is listed on the City of London's Register of Cultural Heritage Resources. A demolition request for a building or structures on a heritage listed property triggers a formal review process pursuant to the requirements of the *Ontario Heritage Act* and the Council Policy Manual. A Heritage Impact Assessment was submitted with the demolition request for the property, which determined that the property at 627 Hamilton Road did not meet the criteria of Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest, and therefore does not have significant cultural heritage value or interest. Staff have reviewed the Heritage Impact Assessment and do not disagree with the conclusion of the Heritage Impact Assessment, but note that further historical research on the land ownership history should have been completed to inform the Ontario Regulation 9/06 evaluation of the property.

Linkage to the Corporate Strategic Plan

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

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

Analysis

1.0 Background Information

1.1 Property Location

The property located at 672 Hamilton Road is located on the north side of Hamilton Road, between Price Street and Elm Street (Appendix A). The property is located in the former London Township, annexed by the City of London in 1912.

1.2 Cultural Heritage Status

The property at 672 Hamilton Street is a heritage listed property. The property is considered to be of potential cultural heritage value. The listing of the property on the Register of Cultural Heritage Resources came into force and effect on March 26, 2007.

1.3 Description

The dwelling located on the property at 672 Hamilton Road is a two-storey frame dwelling with a gambrel roof. It is designed in the Dutch Colonial style, an architectural style common in London and elsewhere in Ontario in the late-19th and early-20th centuries. The style was part of a larger "Colonial Revival" movement that saw a return to colonial North American styles being built in Ontario as a "self-conscious attempt to recall the architecture of the first colonies in North America" (Kyles, www.ontarioarchitecture.com). One of the defining features of the Dutch Colonial style is a high gambrel roof. Porches or stoops were also commonly included on Dutch Colonial dwellings (Blumenson,146).

The subject dwelling at 672 Hamilton Road is a frame structure with a red brick veneer on the exterior of the first storey. The exterior of the front facade's second storey is clad with a mix of wood scalloped and shingle imbrication. The second storey of the side facades are composed primarily of the shingled portion of the gambrel roof walls. A set of three sash windows are centered on the second storey below a row of wood brackets and a simple frieze. The set of three windows are separated by engaged turned columns. The front verandah extends the entirety of the dwelling and includes a set of four concrete block plinths that support what were likely decorative posts. The posts appear to have been replaced with simple 4" x 4" posts supporting the verandah roof. The railing system has also been replaced and consist of dimensional lumber and metal spindles. A gable peaked pediment is located in the centre of the porch roof and includes a decorative carved wood detail. The windows and doors on the front elevation were covered at the time of the staff site visit.

The dwelling also includes a series of additions. Two single storey shed roof additions with vinyl cladding are located at the rear of the dwelling. These additions have also been constructed to connect with a larger gable roof structure that is clad with horizontal clapboard wood siding. The wood-clad addition has an appearance that would be seemingly found in a rural setting. Based on a review of historic mapping and aerial photograph this portion of the additions were constructed between 1926-1957.

1.4 History

1.4.1 Early Euro-Canadian History

672 Hamilton Road is located on what was historically known as Lot 10, Concession B in the Broken Front in London Township. The first complete London Township survey was undertaken beginning in 1810, by Deputy Provincial Surveyor Mahlon Burwell. The Burwell survey extends north from the Thames River and focusses on the first six concessions laying out the grid of lots and concessions. The survey was interrupted by the outbreak of War in 1812, however, by 1819 Crown patents were being given to settlers (Lutman and Hives, 53-54).

The Crown grant for Lot 9, Concession B in London Township was granted to Simon Butler in 1826. It is unclear where Butler settled, however, by 1840 he and his wife sold 200 acres to William Geary. Shortly thereafter, Geary sold 100 acres to Samuel H. Park

in 1843.[a] The lot was purchased, sold, and subdivided various times throughout the mid-19th century. The land transactions include familiar names such as George Goodhue and Benjamin Cronyn, the latter noted by John Lutman as one of several wealthy Londoners, London Township farmers, and non-resident speculators who purchased and subdivided lots outside of London. Lots in London East and beyond were typically smaller (as a result of subdivision) and often were not yet developed, making them good candidates for land speculation. The names and subsequent land transactions for Lot 10, Concession B demonstrate this claim (Lutman and Hives, 58).

Historic mapping (*Sketch of Part of the London Township,1850; Tremaine's Map of the County of Middlesex, 1862; Illustrated Historical Atlas of the County of Middlesex, 1878*) depicts gradual development extending eastwards from London to London East, however, the mapping shows the historic Lot 10, Concession B as undeveloped, and not substantially subdivided until the 1870s or 1880s. In October 1883, William E. Mann obtained a portion of Lot 10, Concession B. By May of 1884, William E. and his brother George T. Mann had retained John Moore to prepare a plan to subdivide and register building lots, on which 672 Hamilton Road would be constructed (See Section 1.4.2). William and George Mann were the managers of John Mann & Sons, a London branch of a Brantford-based business dealing in coal, coke, wood, cement, fire brick, fire clay, calcined plaster, amongst other products. The business was located for a time on the southwest corner of York Street and Burwell Street (Brock, 127).

Hamilton Road is an early historic road that linked London Township and the former Westminster Township. The road may have been an extension of an older Indigenous trail. In the 1840s the road was improved under the direction of Hamilton Hartley Kilally, Commissioner of Public Works (Baker and Neary 2003, 52-53).

Building on the industrial growth and gradual residential development extending eastwards, London East was annexed by the City of London in 1874 to Adelaide Street, and then again to Egerton Street in 1885. With the continued industrial growth by the various oil refineries and manufacturing facilities, the areas north and south of Hamilton Road continued to be developed for residential purposes, while Hamilton Road emerged as a commercial area. London East was further annexed in 1912 to Highbury Avenue including the suburbs of Ealing and Pottersburg (Lutman and Hives, 66-72). As a residential suburb, Ealing is described generally as including the areas south of Trafalgar Street, west of Highbury Avenue and north of the Thames River. Its post office first opened in 1880 at the corner of Trafalgar Road and Hamilton Road (Grainger, 295).

1.4.2 672 Hamilton Road

A "Plan of Part of Lot No. 10, Concession B, London Township as subdivided into building lots" was prepared by John M. Moore in May 1884 for William E and George. T Mann. The Plan was registered as Plan 404 in the Registry Office for the County of Middlesex on June 30, 1884.

672 Hamilton Road is located on Lots 21-23 on the Plan 404. The lots include the two corner lots on the northeast corner of Hamilton Road and Elm Street, and the first lot on the east side of Elm Street, north of Hamilton Road. The dwelling is constructed on Lot 21, and Lot 22 at the corner has never been built upon. Based on staff review of Land Registry Records for Lots 21-23, Plan 404, City Directories, as well as aerial photographs and historic mapping, it is likely that the dwelling was constructed around 1910, as opposed to the c.1895 date suggested within the Register of Cultural Heritage Resources.

Although Plan 404 was registered as early as 1884, it appears that the development of the lots on the north side of Hamilton Road between Price Street and Elm Street was slow. Following the registration of the Plan, the Lot was conveyed to John Mann, the father of William and George Mann, as were all Lots on Plan 404. Lots 21-23 were sold

[a] The historic Lot 10, Concession B in the Broken Front in London Township is approximately 100 acres. The early land transactions include remarks that indicate that Lot 10 was combined with Lot 9, Concession B in early transactions to total 200 acres. A note on the Land Registry records, evidently added in 1878, clarifies that the lots were examined together, but were later corrected.

to a Henry Chester Mann, presumably of the same relation, for $1.00 in 1904, and then back to John Mann for the same price in 1905. The first sale of these Lots outside of the family took place in 1910, when John Mann sold the lots to a William L. Fagan, who appears to have held the land for a short period of time before selling to William Barnes later in the same year. Barnes, a contractor may have been the original occupant of the dwelling at 672 Hamilton Road (known originally as 666 Hamilton Road) but again by 1913 sold the property.

The dwelling was occupied by C.M. McKerlie by 1917, also listed as a contractor, and later noted in the City Directory as a "labourer" for the Grand Trunk Railway. The property appears to have remained in the McKerlie family, passing first to Abbie McKerlie (widow of C.M.), and later to a William Harold McKerlie. William, a wholesale confectioner and his wife Mary owned the property and lived in the dwelling until the late 1960s. Since then, the property has had various owners.

The property was most recently purchased by the Roman Catholic Episcopal Corporation of the Diocese of London (Diocese of London), following the closure of the Holy Cross Catholic School.

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).

"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.

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

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

A property is required to meet one or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*. Should the property not meet the criteria for designation, the demolition request should be granted. 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.

2.1.4 Register of Cultural Heritage Resources

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

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed properties. The property at 672 Hamilton Road is included on the Register of Cultural Heritage Resources.

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1. Demolition Request

Written notice of intent to demolish the dwelling and rear additions/structures on the property at 672 Hamilton Road, along with the required Heritage Impact Assessment was received as a complete application by the City on June 24, 2022.

Municipal Council must respond to a notice of intention to demolish a building or structure on a heritage listed property within 60 days, or the request is deemed consented. During this 60-day period, the 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 demolition request for the property at 672 Hamilton Road expires on August 23, 2022.

4.1.1 Heritage Impact Assessment

A Heritage Impact Assessment (a+LiNK Architecture Inc., dated June 14, 2022) was submitted as a part of the demolition request for the heritage listed property at 672 Hamilton Road. Staff are not satisfied with site-specific historic research completed as a part of the HIA. The site-specific property history is a crucial component of a cultural heritage evaluation as it informs the application of the evaluation criteria of Ontario Regulation 9/06, Criteria for Determining Cultural Heritage Value or Interest. To supplement the research for the property, staff have completed historic property research for the property in order to provide a staff recommendation.

4.2 Comparison

To better understand the context of this property, staff completed a comparative analysis of properties of a similar age, style, and details included on the Register of Cultural Heritage Resources. A search of the Register of Cultural Heritage Resources returns over 60 properties that are identified as “Dutch Colonial” and many more that include “gambrel” roof forms. The following properties were identified as some of the finer examples of Dutch Colonial Revival styles in London, as well as other styles that exhibit similar design characteristics, including the gambrel roof. Photographs of a selection of these properties are included in Appendix B.

The following properties were identified as comparison properties:

- 7 Cherry Street (1909) – Blackfriars/Petersville Heritage Conservation District;
- 380-382 Dufferin Street (1893) – West Woodfield Heritage Conservation District;
- 274 Huron Street (1880) – Listed;
- 142 Kent Street (c.1892) – Part IV Designated
- 512 Maitland Street (1895) – West Woodfield Heritage Conservation District;
- 514 Maitland Street (1895) – West Woodfield Heritage Conservation District;
- 20-30 Mount Pleasant Avenue (1900-1913) – Blackfriars/Petersville Heritage Conservation District;
- 429 Piccadilly Street (c.1912) – Listed;
- 986 Richmond Street (c.1908) – Part IV Designated;
- 1117 Richmond Street (1919) - Listed
- 72 Rogers Avenue (1909) – Blackfriars/Petersville Heritage Conservation District;
- 204 St. James Street (1915) – Listed

When compared to other Dutch Colonial or similar style dwellings, 672 Hamilton Road generally does not display a high degree or craftsmanship, nor does it appear to be a rare, unique, representative, or an early example of a style, type, expression, material, or construction method. Finer examples of these details can be found on the heritage listed and heritage designated properties in London noted above.

4.3 Consultation

Pursuant to Council Policy for the demolition of heritage listed properties, notification of the demolition request was sent to property owners within 120m of the subject property on July 4, 2022, as well as community groups including the Architectural Conservancy

Ontario – London Region Branch, the London & Middlesex Historical Society, and the Urban League of London. Notice was also published in *The Londoner.*

4.4 Evaluation

Staff have reviewed the cultural heritage evaluation completed as a part of the Heritage Impact Assessment that was submitted with the demolition request for the property at 672 Hamilton Road.

As noted above, staff are not satisfied with the property research completed for the purposes of the HIA, and as a result have completed historic research to inform a staff recommendation on the evaluation within the report.

The Heritage Impact Assessment found that the property at 672 Hamilton Road does not meet the criteria of Ontario Regulation 9/06, and therefore, the property is not a significant cultural heritage resource and does not merit designation pursuant to the *Ontario Heritage Act*. Staff do not disagree with the conclusion of the HIA.

Conclusion

A Heritage Impact Assessment was submitted as a part of the demolition request for the heritage listed property at 672 Hamilton Road. Staff do not disagree with the conclusion of the Heritage Impact Assessment, which found the property does not merit designation pursuant to the Ontario Heritage Act.

The owner of the property is encouraged to consider salvage of building elements prior to demolition such as the carved wood details, columns between the windows, woodwork in the gable above the porch, and other decorative woodwork.

Prepared by:	**Michael Greguol, 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	Historical Documentation and Research Materials
Appendix D	Heritage Impact Assessment

Sources

Baker, M. and H. Bates Neary. *London Street Names*. 2003.
Blumenson, John. *Ontario Architecture: A Guide to Styles and Building Terms, 1784 to the present*. 1989.
Brock, Dan. *Fragments from the Forks*. 2011.
Corporation of the City of London. *Register of Cultural Heritage Resources*. 2019.
Corporation of the City of London. *2019-2023 Strategic Plan*.
Corporation of the City of London. *The London Plan*. 2019 (consolidated).
Goad's Fire Insurance Plans.

Grainger, Jennifer. *Vanished Villages of Middlesex*. 2002.
Kirkwood, Carrie. *A Collection from the Hamilton Road Area*. 1997.
Kirkwood, Carrie. *The Hamilton Road Collection Volume 2: More memories from Old East*.
Land Registry Records, Land Registry Office #33.
Lutman, John H. and Christopher L. Hives. *The North and the East*. 1982.
Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation.* 2006.
Ontario Heritage Act. 2019, c.9, Sched. 11. Retrieved from https://www.ontario.ca/laws/statute/90o18.
Page, H.R. & Co. *Illustrated Historical Atlas of Middlesex County.* 1878
Smith, W.H. *Smith's Canadian Gazetteer*. 1846.
Tremaine's Map of the County of Middlesex, *Canada West*. 1862.

Appendix A – Property Location

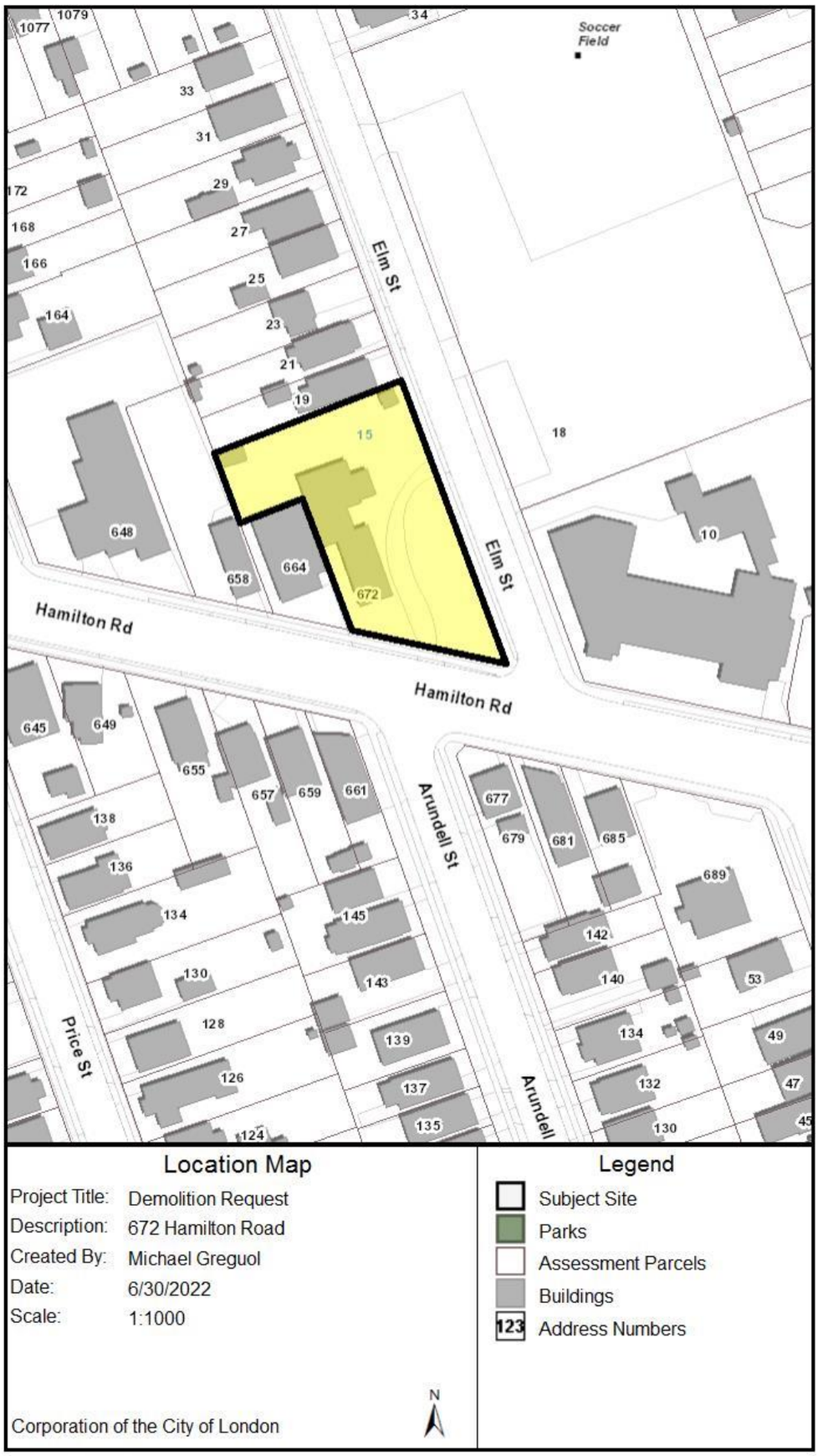


Figure 1: Location of the subject property at 672 Hamilton Road.

Appendix B – Images

Image 1: Photograph of the subject dwelling located at 672 Hamilton Road.

Image 2: Photograph showing porch details on the subject dwelling at 672 Hamilton Road.

Image 3: Photograph showing porch details on the dwelling at 672 Hamilton Road. Note, the posts and railing system have been replaced.

Image 4: Photograph showing detail of the wood columns located between the set of windows on the front elevation of the dwelling. Note, the second column from the left appears to have been replaced.

Image 5: Photograph of the east (side) elevation of the dwelling at 672 Hamilton Road.

Image 6: Photograph of the sides and rear elevation showing the rear additions.

Image 7: Photograph showing the rear additions on the subject property at 672 Hamilton Road.

Image 8: Photograph showing the rear additions on the subject property at 672 Hamilton Road.

Image 9: Photograph looking west along Hamilton Road, showing the subject property within its context.

Image 10: Photograph looking east from the rear of the subject dwelling, showing the Holy Cross Church on the opposite side of Elm Street.

Image 11: Photograph showing the property at 142 Kent Street for comparison purposes. This property demonstrates design characteristics of both the Dutch Colonial and Queen Anne Revival styles. The property is designated pursuant to Part IV of the Ontario Heritage Act.

Image 12: Photograph showing the property at 429 Piccadilly Street for comparison purposes. This property is listed on the Register of Cultural Heritage Resources.

Image 13: Photograph of the dwelling at 986 Richmond Street for comparison purposes. This property is designated pursuant to Part IV of the Ontario Heritage Act.

Image 14: Photograph of the property at 514 Maitland Street for comparison purposes. This property is designated pursuant to Part V of the Ontario Heritage Act as a part of the West Woodfield Heritage Conservation District.

Appendix C – Historical Documentation and Research

Image 15: Sketch of Part of London Township, 1850. The intersection on the left side of the image depicts Egerton running north to its intersection with Trafalgar Street (running east-west), and Hamilton Road, running diagonally across this image. The lot lines for Lot 10, Concession B are not shown, however the area south of and north of Hamilton Road is noted as "Oak Plains".

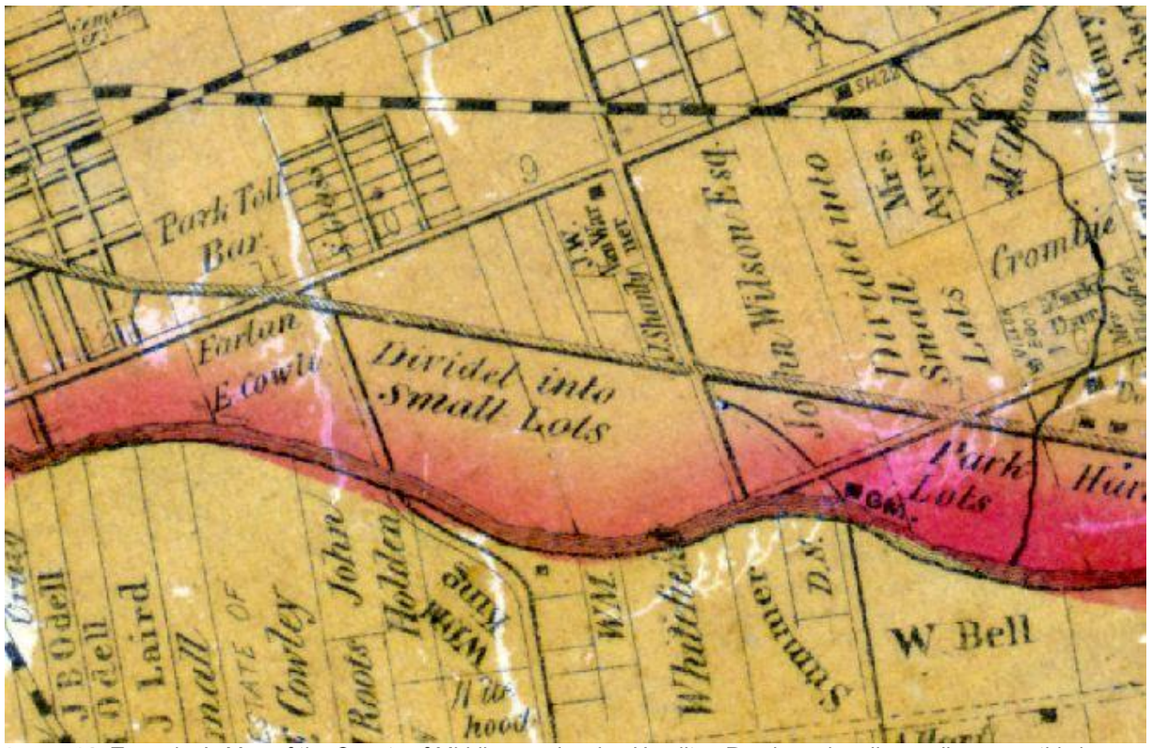


Image 16: Tremaine's Map of the County of Middlesex, showing Hamilton Road running diagonally across this image. Lots 10, Concession B is noted as "Divided into Small Lots" consistent with the land transaction records.

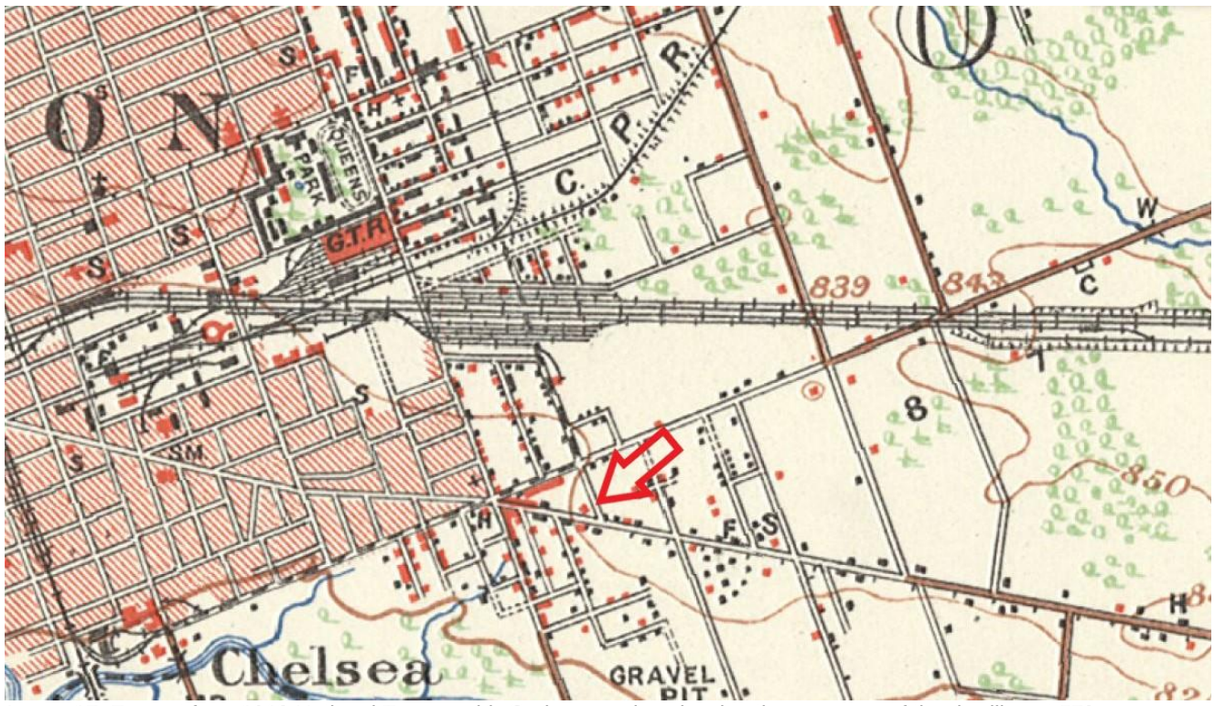


Image 17: Excerpt from 1913 National Topographic Series mapping showing the presence of the dwelling at 572 Hamilton Road by 1913.

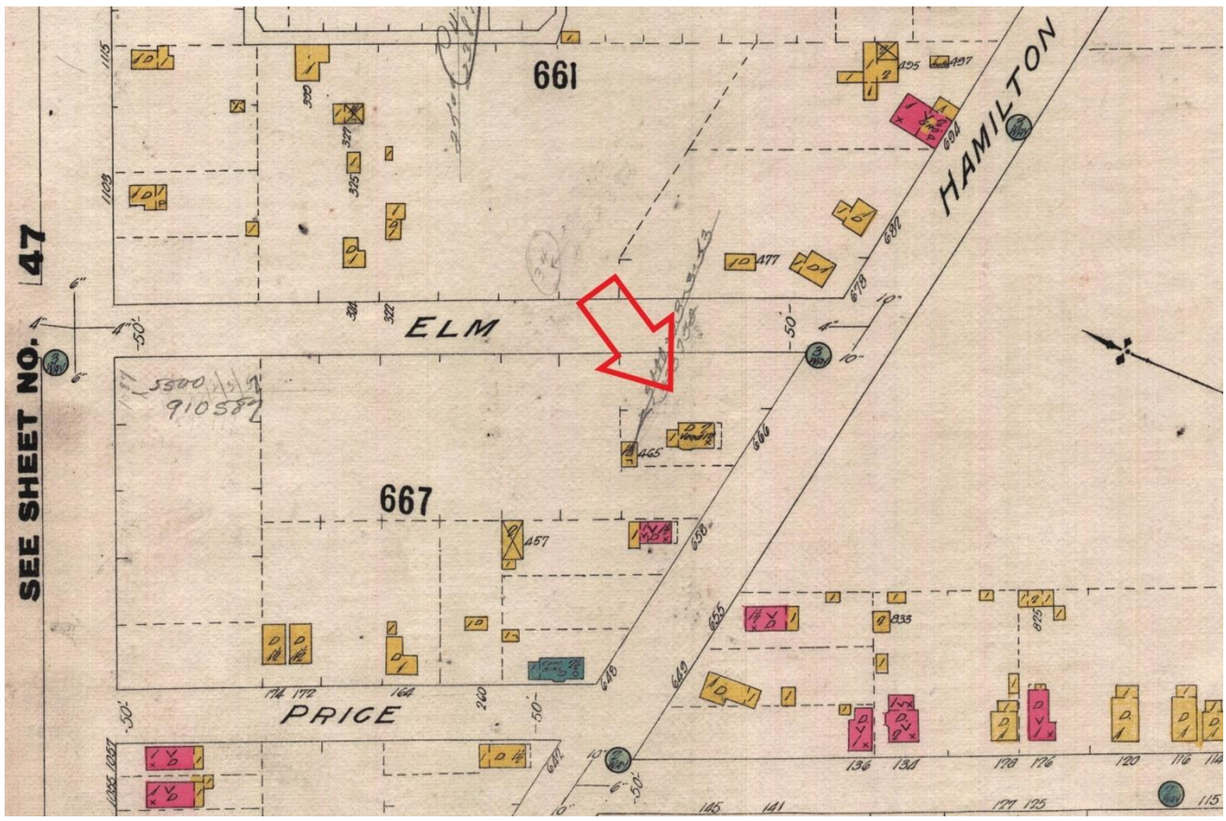


Image 18: Excerpt from 1912 Revised 1915 Fire Insurance Plan showing the 672 Hamilton Road. Note that at this time, the property's municipal address was 666 Hamilton Road. The dwelling is shown as a 2-storey frame dwelling with "Veneer" noted on the plan, indicating that the red brick is a veneer.

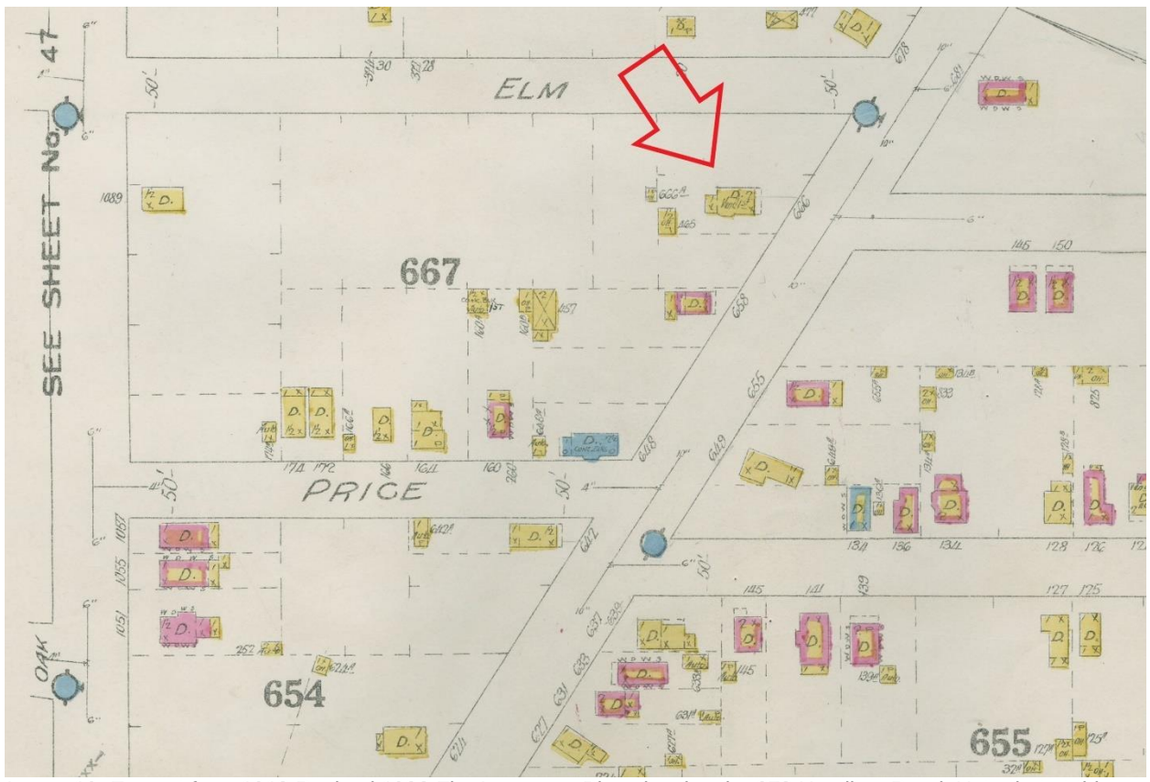


Image 19: Excerpt from 1912 Revised 1922 Fire Insurance Plan showing the 672 Hamilton Road. Note that at this time, the property's municipal address was 666 Hamilton Road. The dwelling is shown as a 2-storey frame dwelling with "Veneer" noted on the plan, indicating that the red brick is a veneer.

Image 20: 1922 Aerial Photograph showing the subject property at 672 Hamilton Road. Note that the rear additions have not yet been constructed.

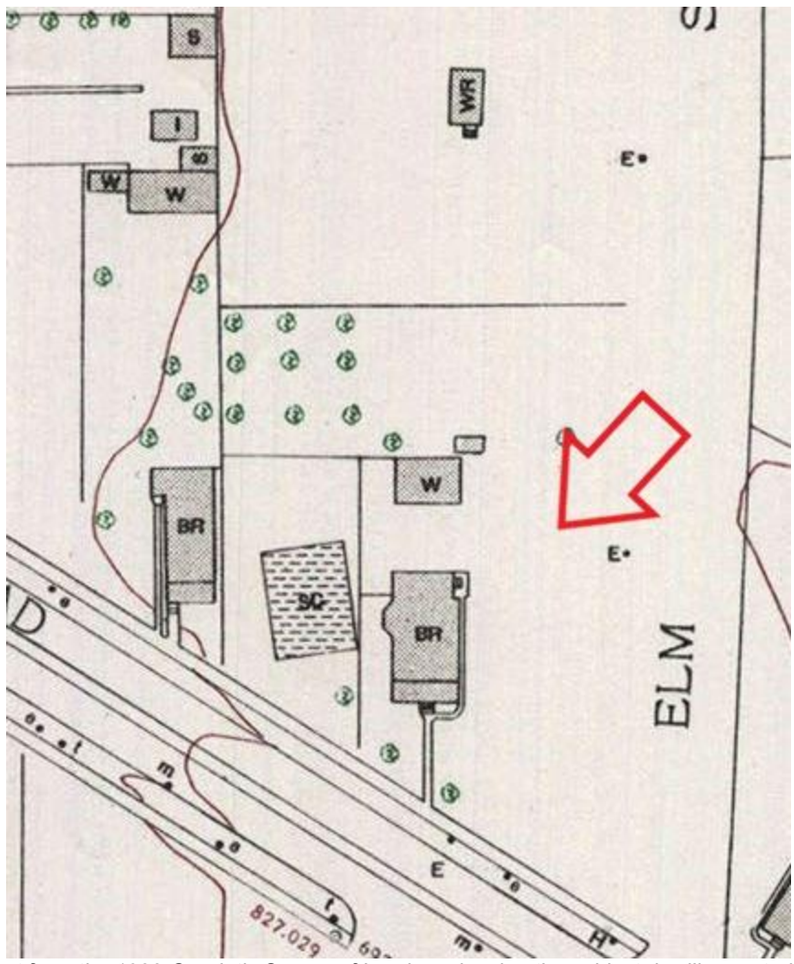


Image 21: Excerpt from the 1922 Geodetic Survey of London, showing the subject dwelling, noted as "BR" for brick dwelling. A wooden shed is also depicted at the rear of the dwelling.

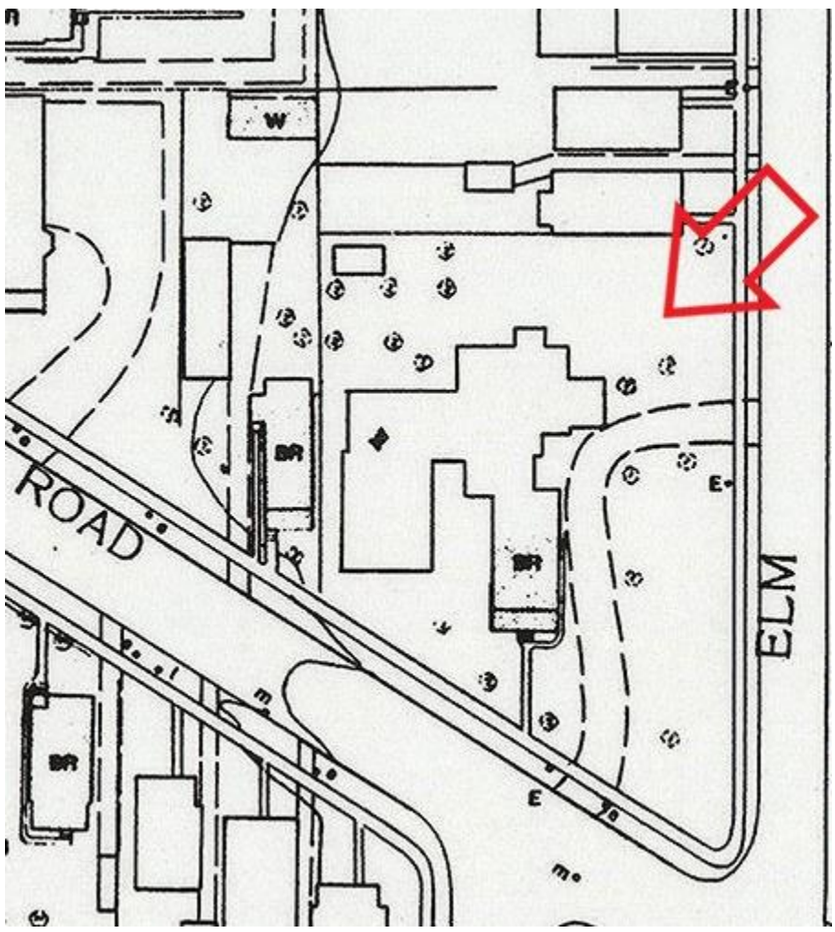


Image 22: Excerpt from the 1957 Geodetic Survey of London, showing the subject dwelling. Note that by this time a series of additions had been constructed. Curiously, the additions are depicted as constructed into the adjacent commercial property at 664 Hamilton Road. The current structures are not attached.

Appendix D – Heritage Impact Assessment

Heritage Impact Assessment (a+LiNK Architecture Inc., dated June 14, 2022) – *attached separately*

HERITAGE
IMPACT
ASSESSMENT

672 Hamilton Road

London, Ontario

Date:
June 14, 2022

Prepared for:
The Roman Catholic Episcopal Corporation
of the Diocese of London in Ontario.
Holy Cross Santa Cruz Catholic Church
10 Elm Street
London, ON N5Z 2K2

Prepared by:
a+LiNK Architecture Inc.
126 Wellington Road
London, ON N6C 4M8
T: 519.649.0220
W: www.alinkarch.ca

a+LiNK
architecture inc.
preserve + create + sustain

a+LiNK architecture inc.
preserve + create + sustain

126 WELLINGTON ROAD
LONDON ON N6C 4M8
519.649.0220
www.aLiNKarch.ca

June 14, 2022

Project No. 2213

Margaret Braga
Holy Cross Santa Cruz Catholic Church
10 Elm Street
London, ON N5Z 2K2

Re: Heritage Impact Assessment Report
Property at 672 Hamilton Road
London, Ontario

Dear Maragaret Braga,

Attached is the Heritage Impact Assessment Report for built heritage resource at the 672 Hamilton Road property, located in the area of Hamilton Road just southeast of downtown London. This is in regards to the proposed redevelopment on the Listed heritage property as identified on the City of London's Register of Cultural Heritage Resources, in association with the property owner, The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario, and the request for a Heritage Impact Assessment required for the propsed development.

We look forward to the opportunity to present this report to the City as you may require. Please do not hesitate to contact us with any questions or comments regarding this report.

Sincerely,

Ed van der Maarel
Partner, Principal Architect + Heritage Consultant
dipl. Arch., OAA, dipl. Arch.Tech., CAHP, OAHP

Alica Lesniak
Intern Architect (OAA)
B.Arch., BES.

TABLE OF CONTENTS

HERITAGE IMPACT ASSESSMENT + CULTURAL HERITAGE EVALUATION REPORT

1. SUMMARY AND RECOMMENDATIONS 1
2. INTRODUCTION 3
3. POLICIES AND TERMS OF REFERENCE 4
4. DESCRIPTION OF SITE 7
5. HISTORICAL CONTEXT 12
6. CULTURAL HERITAGE EVALUATION 19
7. PROPOSED DEVELOPMENT 20
8. IMPACTS AND MITIGATION 23
9. RESOURCES 27

1. SUMMARY AND RECOMMENDATIONS

The owner, The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario, proposes to remove the residence located at 762 Hamilton Road to provide parking for the Holy Cross Santa Cruz Catholic Church's parishioners.

The proposed redevelopment at 672 Hamilton Road is located on the same property as a LISTED built heritage resource found on the City of London's Register of Cultural Heritage Resources. A Heritage Alteration Permit is required for the proposed development, and as part of this process, a Heritage Impact Assessment (HIA) is needed to review the potential impact of the proposed development on the Listed built heritage resource.

The listed property at 672 Hamilton Road is located just southeast of the downtown core, an a main arterial road that runs east-west. The property is located on the north side of Hamilton Street, just east of the intersection of Egerton and Trafalgar Streets, on a corner lot at Elm Street. The property is currently vacant and is adjacent to the Holy Cross Santa Cruz Catholic Church, which is located to the east of the property at 10 Elm Street.

The existing Listed property at 672 Hamilton Street currently has a 2 storey home which is listed under the Register of Cultural Heritage Resources. The red brick home was built circa 1895 and is in the Dutch Colonial architectural style. The house is set back from both streets, located closer to the wets property line adjacent to the existing commercial property. The house is currently divided into 3 rental units which are currently vacant. There is an existing driveway at the south east portion of the property that has access off of both Hamilton Road and Elm Street.

The new development proposes a parking lot on the property to provide the required parking for the church's congregation. The Holy Cross Santa Cruz Catholic Church previously had an agreement with the adjacent Holy Cross Catholic School for the use of their parking area to the north of the school. When the school was demolished in 2022, the church lost the use of the parking area. The property at 672 Hamilton Road was purchased by the church in order to provide an alternate parking area adjacent to the church. The intention of the proposed development is to demolish the listed heritage house at 672 Hamilton Road to provide the space for a parking lot.

The potential heritage impact of the proposed development at 672 Hamilton Road on the listed built heritage residence has been assessed and the mitigating approaches reviewed. Ultimately, both the property and home at 672 Hamilton Road have a minor contribution to the overall character of the area. This address lies within the Hamilton Road area which has a potential to become a Heritage Conservation District by The City of London in the future.

The proposal does not seek to interfere with the adjacent listed heritage properties, and provides buffer zones in the form of a landscaped greenspace buffers along the south and east property lines along Hamiton Road and Elm Street. There are no mature trees or significant natural features on the property that would be affected by the proposed development. Further the proposed parking area is clearly discernable from the original heritage buildings in the area, and is compatible with the existing fabric along hamilton Road.

Suggestions for other possible mitigation strategies related to potential impacts are further outlined in Section 7 of this report.

This proposal creates harmony between new and old, protects the cultural heritage value of the ajacent listed built heritage resources, blends in with the existing streetscape and provides for the growing congregation of the Holy Cross Santa Cruz Catholic Church which is at the centre of the Hamilton Road community.

2. INTRODUCTION

a+LiNK architecture inc. was retained by the representative of the owner, Margaret Braga of the Holy Cross Santa Cruz Catholic Church (HCSCCC), to provide a Heritage Impact Assessment (HIA) for the property located at 672 Hamilton Road, London, Ontario, in regards to the proposed parking development on the property. This report has been prepared by Ed van der Maarel, Partner, Principal Architect and Heritage Consultant (OAA, CAHP) and Alicia Lesniak, Intern Architect (OAA). The report is being submitted as requested by the City of London.

The purpose of the Heritage Impact Assessment is to analyze the impact of the proposed development on the heritage value of the property and the surrounding area. As the property at 672 Hamilton Road is LISTED on the Register of Cultural Heritage Resources, July 2, 2019 within the City of London, an evaluation of its potential for Cultural Heritage Value (and designation under Part IV of the Ontario Heritage Act) is necessary. There are also several nearby and adjacent properties that are listed, or designated under Part IV of the OHA, and on the Register of Cultural Heritage Resources. The built heritage residence at 672 Hamilton Road is a 2 storey, red coloured brick historic home built circa 1895, and representative of the Dutch Colonial architectural style. A new development on the site proposed in the form of a parking area will impact the existing listed built heritage by requiring its demolition. This report will both provide background and baseline information on the existing property and built heritage at 672 Hamilton Road, evaluate its potential for cultural heritage value, and assess the possible impacts and mitigation strategies of the proposed new redevelopment on this and adjacent properties.

This document outlines the observations of the proposed design and the impact of the redevelopment on the listed heritage property at 672 Hamilton Road. The document also provides insight into the context of the property, history and summarizes mitigation strategies that have been met by the proposal or suggested for implementation.

Disclaimer:
The area of focus for this report includes the history and value of the properties located at 672 Hamilton Road (the location of the proposed development). At the time of the report, the information that was available on the specific history of these properties has been included. A brief summary of the history of the area and some information on the history of the property has also been included in Section 5.0: Historical Context of this report. This information has been provided to serve as background for the HIA, but also as a baseline from which to evaluate the cultural heritage value of the properties at a high level, and assess the potential impact of the proposed development on these properties.

3. POLICIES AND TERMS OF REFERENCE

The Provincial and Municipal authorities have set in place a number of policies and terms of reference for the purpose of protecting, preserving, and integrating cultural heritage resources within Ontario cities. The following Policies and Terms of Reference have been used in the preparation of this Heritage Impact Assessment Report:

1. The Planning Act and Provincial Policy Statement (PPS) 2014, 2020

The Provincial Policy Statement (PPS) is the statement of the government's policies on land use planning. It applies province-wide and provides clear policy direction on land use planning to promote strong communities, a strong economy, and a clean and healthy environment.

The PPS is issued under Section 3 of the Planning Act and is utilized by municipalities to develop their official plans and to provide guidance and information in regards to planning matters. Specifically, and in regards to cultural heritage , the Planning Act has provisions respecting the province's cultural heritage. The PPS provides general guidance for municipalities for planning and development of communities in a number of ways by; encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

Section 2.6 of the Act, specifically 2.6.1, 2.6.3, 2.6.4 and 2.6.5 provides municipalities with rules as to the cultural resources within the community.

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.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

2.6.5 Planning authorities shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.

The PPS 2020 further provides definition to municipalities in regards to the terms used to describe cultural heritage.

Built heritage resource**:** means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

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 under the Ontario Heritage Act. This 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.

Cultural heritage landscape**:** means a defined geographical area that may have been modified by human activity

and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

***Heritage attributes*:** means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property).

***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.

Since the property is LISTED under the City of London's Register of Cultural Heritage Resources, a Heritage Impact Assessment (and Cultural Heritage Evaluation) is required, and the PPS 2014/2020 provides the tools necessary as a Terms of Reference for the document.

2. The Ontario Heritage Act (OHA)

The Ontario Heritage Act, R.S.O, 1990, c.0.18 is the legislation for the conservation of significant cultural heritage resources in Ontario. The criteria within the Ontario Regulation 9/06 of the Ontario Heritage Act provided the tools to determining the cultural heritage value of a property. This regulation provides the criteria which property may meet. The regulation is utilized in the Cultural Heritage Evaluation of the property at 672 Hamilton Road as a component of this Heritage Impact Assessment to determine if the property holds heritage value worthy of potential designation in the municipality of London. This Heritage Impact Assessment (HIA) will refer to these policies to determine the cultural heritage value, potential impacts, mitigation approaches and recommendations.

3. The London Plan

The London Plan, Minister Approved, December 28, 2016, '*constitutes the Official Plan for the City of London, prepared and enacted under the authority of the provisions of Part III of the Planning Act, R.S.O. 1990, c. P.13. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city.*'

The London Plan provides for provincial interest and is designed to include the requirements of the Provincial Policy Statement (PPS) 2020. Section 24 of the Planning Act, R.S.O. 1990, c. P. 13, identifies that "no public work shall be undertaken and no by-law shall be passed for any purpose that does not conform with this Plan. This includes for approvals of planning and development applications such as official plan amendments, Zoning by-law Amendments, plans of condominium, site plans, consents to sever, and minor variances.
While 'The London Plan' is organized in nine (9) parts, Part 4 specifically outlines 'Cultural Heritage' in its City Building Policies. However other Parts, ie. Part 7 Secondary Plans contribute to the Planning Process and the

preservation and integration of the City's cultural heritage.

The specific direction provided in The London Plan is to: *"Protect our built and cultural heritage, to promote our unique identity and develop links to arts and eco-tourism in the London region"* and *"Protect what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features."*

The London Plan and its Policies apply to the proposed development site and therefore the preservation of the City's cultural heritage must align with these policies.

4. City of London HIA + HCD Terms of Reference - Other

The City of London does not have specific Terms of Reference for the preparation of Heritage Impact Assessments. Generally, municipal Terms of Reference are based on Provincial Policy Statements' Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the PPS. This document has provided the general terms of reference for this report.

The site is not within a Heritage Conservation District (HCD) and therefore presently there are no guidelines required for review and adherence. However, there are several listed and designated heritage properties within the area and along Hamilton Road, all considered part of the Hamilton Road area, ranking it as a high priority in the Heritage Places 2.0 report, and therefore making it a likely component for an HCD. These aspects will be considered in the heritage assessment of the property, and the impacts of the proposed development on the area as a whole given its likelihood for designation as an HCD under Part V of the OHA.

4. DESCRIPTION OF SITE

4.1 SURROUNDING CONTEXT

The property at 672 Hamilton Road is located in the central region of the City of London, just east of the downtown core in the area known as Hamilton Road. The neighbourhood is predominantly low rise commercial and residential uses as well as institutional, educational and spiritual structures. The subject property is offered numerous amenities and benefits of living an urban lifestyle that is walkable, connected, and desirable. The spatial analysis map illustrates the community context within 400m, 800m and 2km radii, representing straight line walking distances of approximately 5, respectively. Key features include:

The Thames River and Open Space
To the south of the site is the south branch of the Thames River and its river valley corridor. The ribbon of green space is linked with multi-use trails that for walking, biking, roller blading, among other activities. South Branch Park is located just south of the site, off of Egerton Street. A community garden, hiking trail and playground activates this space and provides a community gathering space. Further east of the Thames River is Saint Julien Park and East London Soccer Club.

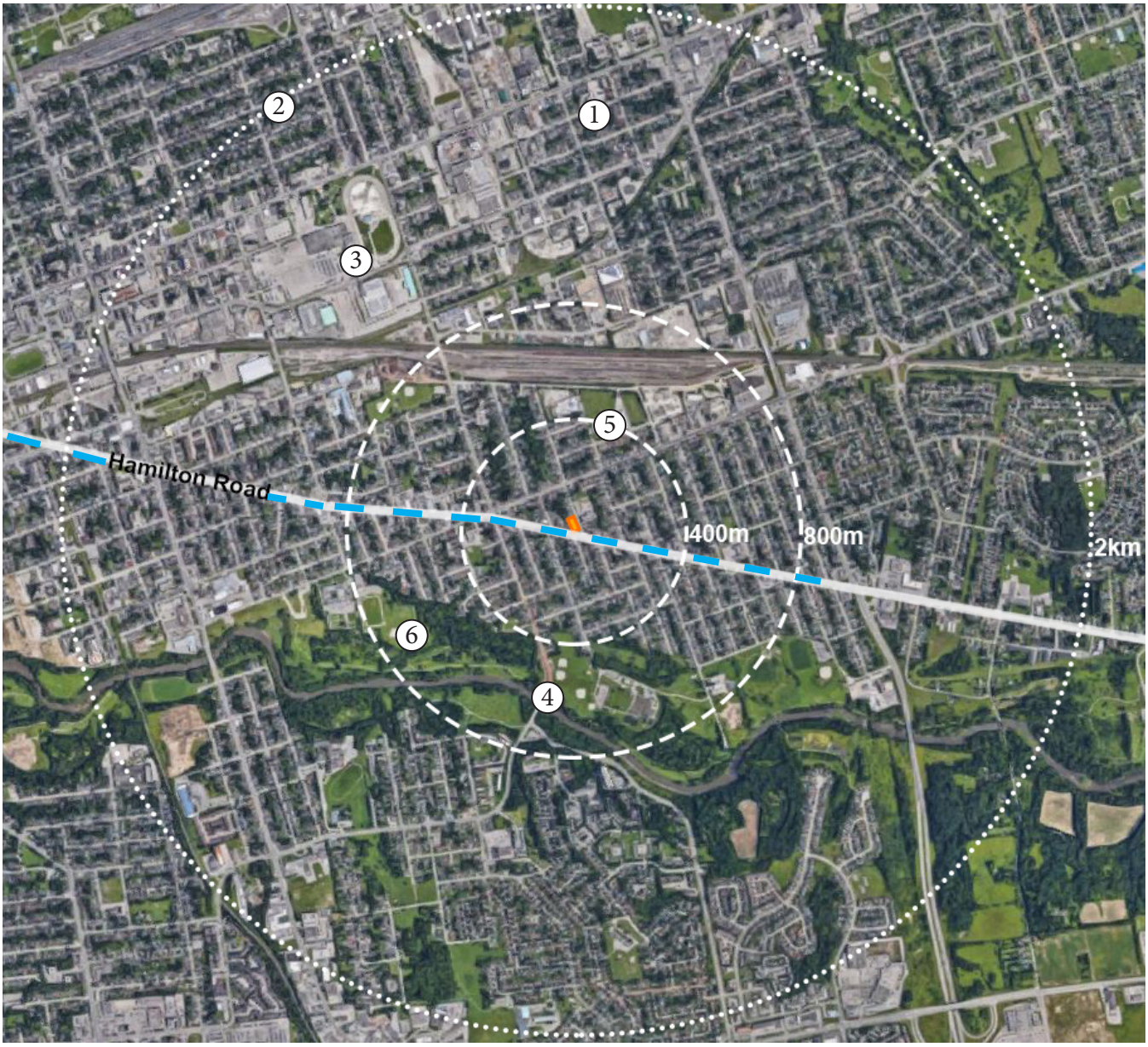
Hamilton Road
The Site is located on the north side of Hamilton Road which is a four lane arterial roadway that serves as an important route into the City's Downtown. It offers many commercial retail and services, such as restaurants, bars, service and retail shops. The arterial is also a frequent bus transit corridor with bus stop facilities within 100m of the site, providing access to Route #5 to the Downtown and Wonderland Commercial Corridor and out to Byron.

Cultural Amenity
Downtown London is located to the west of the subject property. To the north is the Western Fair District Agriplex and the historic district of Old East Village. The Silverwoods Park Arena and Community Pool to the north-east hosts various community activities.

Neighbourhood
The conventional modified grid pattern road network that extends from the Downtown is cut by the strong diagonal of Hamilton Road. This angled spine creates an irregular but rhythmic pattern of building facades along both sides of Hamilton Road. The buildings follow the conventional grid, which results in a staggered line of building facades. The properties along Hamilton Road are predominantly low rise commercial and residential uses as well as institutional, educational and spiritual buildings. Most front yards are used for driveway access/parking and are inconsistently/minimally landscaped.

Most of the homes on the north and south side of Hamilton Road have been built between the late 1800's and the early 1900's. The majority of these home were built in a variety of styles,including the Ontario Cottage, Edwardian, Vernacular and Queen Anne style, with several properties in the vicinity being Listed in the City of London's Register of Cultural Heritage Resources.

4. DESCRIPTION OF SITE



LISTED PROPERTY - 672 Hamilton Road

Main Streets (Hamilton Rd)

#5 Bus Route

1 East London

2 Old East Village

3 Western Fair

4 The Thames River Trail

5 Silverwoods Park Arena & Pool

6 South Branch Community Garden

Map 1: The Ridgeway. Basemap, Google Images, Aug 2021.

4. DESCRIPTION OF SITE

4.3 PROPERTY CONTEXT

The property at 672 Hamilton Road is the location of the proposed development. This is a LISTED on the City of London Register of Cultural Heritage Resources.

672 Hamilton Road

The property at 672 Hamilton Road is located on the north side of Hamilton Road. The property at 672 Hamiton Road consists of 2,015 m2 of land area comprised of an existing residential building previously utilized as a multi-rental unit residence, with a large garage/storage building attached to the rear of the residence. The house has a large front yard at Hamilton Road and is set back significantly from Elm Street, along the east property line. The house, previously housing three rental units, is currently vacant. There is an existing driveway that runs along the south east portion of the property that provides access from both Hamilton Road and Elm Street.

Map 2: 672 Hamilton Road. Basemap, Google Images, March 2022.

4. DESCRIPTION OF SITE

672 Hamilton Road is a 2 storey residence, with locally made red-coloured brick designed in the Dutch Colonial architectural style. Typical of this style, a high gambrel roof encloses the entire second floor of the house, resulting in sloped walls on the long sides that are clad with roof shingles, continuing from the roof. The double-pitch roof has been replaced with asphalt shingles (not in the heritage style). The eaves at both the upper and lower gambrel roof portions are minimal. The end facades of the gambrel roof are clad in wood shakes, painted white. The south facade has a combination of square and half cove shakes. This facade has a large three-section window that has been trimmed out with decorative detailing.

The red brick at the bottom portion of the house is laid in a common bond pattern with a soldier course above the windows. There is a projected bay with windows on the bricked portion of the west facade. Above this, the sloped wall of the gambrel curves inwards at both sides of an upper window. A shallow roof skirt runs across this facade just above the window and trimmed out with cornice detailing.

Photo #1 - House on 672 Hamilton Road: View from Hamilton Rd. looking north at front facade.

Photo #2 - House on 672 Hamilton Road: View from Elm St. looking west towards house and outbuildings.

The house has a covered front porch accessed by a set of steps up and leading to the front door. The porch roof has a low slope with a small gable roof feature on the south (main) elevation, facing the street. The gable roof forms a pediment which has detailed scrollwork on the facade with a series of dentils below it. The wooden railings and support posts appear not to be original and have most likely been replaced.

Most of the windows and doors appear to have been replaced and are not original to the home. The double-hung style of the windows is somewhat reminiscent of the heritage style of the original residence. The foundation appears to be constructed of rusticated stone as well as the low front porch facing Hamilton Road.

The house has been added onto at the rear over the years, connecting to the original wood-frame outbuilding at the rear of the property.

The interior of the house has been reorganized from its original layout as a single family home to accommodate three apartment units (now vacant).

4. DESCRIPTION OF SITE

Photo #3 - Streetview of Hamilton Road looking north-west along Hamilton Road. 672 Hamilton Road is located at the right side of the photo . Source: Google Maps Streetview, Aug. 2021

Photo #4 - Streetview of Hamilton Road looking south-east along Hamilton Road. Listed property at 655 Hamilton Road is located to the right of the photo. Source: Google Maps Streetview, Aug. 2021.

5. HISTORICAL CONTEXT

5.1 CONTEXTUAL HISTORY

Hamilton Road is an east-west route running diagonally to the grid network, connecting the downtown core to the southeast city limits. Its name references its 19th century history as a road used by early travellers from Woodstock and Hamilton entering London via Hamilton Road in order to avoid the swampy portions of Dundas Street. As a result, many hotels,restaurants and service stations sprung up to service the needs of these travellers.

After the establishment of the first oil wells in North America in Lambton County in 1857, Hamilton Road became an industrial hub with many refineries. London's first refinery was established in 1863, but by the end of the 1860s, there were dozens of refineries around Hamilton Road. In the mid-1880's, due to many fires and pollution, the refineries moved out of the area and other industrial and commercial uses took their place. As well, many residential lots were developed to provide housing for the local industries' workers.

In 1885, this area along Hamilton Road, east of Adelaide, became established as the Village of London East. The annexation of London East into the City of London in 1995, followed by the area east of Egerton Street being annexed in 1912, resulted in further development of this area. . The majority of the new construction was wood-frame single family dwellings as well as some masonry buildings along Hamilton Road for commercial uses.

Image 5.1: Map of Hamilton Road area (potential heritage conservation district), City of London. Source: Heritage Places 2.0, August 2019.

Image 5.2: Map of Hamilton Road area including subject property. *1892 Rev. 1907 (London), Fire Insurance Plan of the City of London, Ontario.* Source: Western Archives of Western University, accessed March 2022.

Cultural Heritage Register

A mix of industry, small businesses, and family homes, the Hamilton Road community has a rich history. Encompassing the stretch of Hamilton Road from Adelaide to Highbury, the housing in this area is remarkably diverse due to the collection of homes built from the late 19th century to the post-World War II era in varying styles. There is a high concentration of cultural heritage resources within the Hamilton Road Area. There are over 150 Listed and Designated properties on the City of London Register of Cultural Heritage Resources. The most notable properties that are individually Designated under Part IV of the Ontario Heritage Act within the area closest to the subject property are:

- 88 Egerton Street (c.1914), first occupant was W.Clarke Rumble of Barton and Rumple Carworks.
- 77 Price Street (c.1875), occupant Henry Stratford, a plasterer.

5. HISTORICAL CONTEXT

A snapshot from the Register (Image #5.3, below) illustrates the variety of historic styles and periods of the listed properties in the vicinity of the 672 Hamilton Road. The listed properties on Hamilton Road were built between 1890 and 1958, particularly on the south side of the street:

2618	Hamilton Road	612 Hamilton Rd	1885	Ontario Cottage		Listed		November 24, 2020
2619	Hamilton Road	645 Hamilton Rd	1949			Listed		November 24, 2020
2620	Hamilton Road	655 Hamilton Rd	c1900	Queen Anne		Listed		March 26, 2007
2621	Hamilton Road	658 Hamilton Rd	c1890			Listed		November 24, 2020
2622	Hamilton Road	664 Hamilton Rd	1924			Listed		November 24, 2020
2623	Hamilton Road	672 Hamilton Rd	c1895	Dutch Colonial		Listed	666 Hamilton Rd 672 Hamilton Rd	March 26, 2007
2624	Hamilton Road	689 Hamilton Rd	1947			Listed		November 24, 2020
2625	Hamilton Road	709 Hamilton Rd	c1940			Listed		November 24, 2020
2626	Hamilton Road	721-725 Hamilton Rd	c1930	Vernacular	Ernest Block	Listed	721 Hamilton Rd 721/ Hamilton Rd 723 Hamilton Rd 725 Hamilton Rd	March 26, 2007
2627	Hamilton Road	735 Hamilton Rd	1958			Listed		November 24, 2020
2628	Hamilton Road	737 Hamilton Rd	c1930			Listed		November 24, 2020

Image 5.3: Listed Heritage Properties along Hamilton Road, listed March 26, 2007. ***City of London: Register of Cultural Heritage Resources, July 2, 2019***. Source: City of London.

This list also indicates that not many of the original houses built in the 1800's remain along this stretch of Hamilton Road. As Hamilton Road developed, more businesses moved in to support the local neighbourhoods. As a result, many of the residential uses were replaced with commercial buildings around the mid-1900's.

5.2 ADJACENT LISTED PROPERTIES

Images 5.4&5.5: 689 Hamilton Road - Griff's gas & service station circa 1947.

As mentioned in Section 5.1, there are several Listed properties adjacent to 672 Hamilton Street (Refer to Image 5.3 for list from the Register). The property directly to the west, at 664 Hamilton Road, and was Listed with the City of London in November 2020. The original one storey masonry building was built in 1924, with one storey wood-frame and concrete block additions at the rear. The property was originally run as a garage and is currently operating under a commercial use (Da Ponte's Custom Draperies Inc.). 655 and 658 Hamilton Road are to the west of the property and were built close to the same time, at 1890 and 1900 respectively. 655 is a one and a half storey brick clad wood frame dwelling built in the Queen Anne style. Many of the original features of the heritage house remain, including decorative trim, cladding and brickwork. This property was Listed with the City of London in March 2007. The property at 658 Hamilton Road is a buff brick clad, two + one storey wood frame residential building. The house is in poor condition with many of the original heritage attributes removed, replaced or covered up. To the east of the subject property, located on the southwest of Hamilton Road and Tennyson Street, is the Listed property at 689 Hamilton Road. The original two storey concrete block building was built in 1947 and functioned as an Esso gasoline service station (Griff's). Owned and operated by Frank Griffith, this location was both his business and his residence. In 1958 this location changed ownership and was renamed as the Jack Vine Shell Station. In the 1970's the property changed once again, with the original building remodelled to accommodate a restaurant use named Scott's Chicken Villa. This changed to a Kentucky Fried Chicken up until 2019/2020 when it closed permanently. This property is curently vacant.

5. HISTORICAL CONTEXT

Photo #5: 664 Hamilton Road. Built in 1924. ***City of London: Register of Cultural Heritage Resources, July 2, 2019***. Source: City of London.

Photo #6: 658 Hamilton Road. Built in 1890. ***City of London: Register of Cultural Heritage Resources, July 2, 2019***. Source: City of London.

Photo #7: 655 Hamilton Road. Built in 1900 (Queen Anne style). ***City of London: Register of Cultural Heritage Resources, July 2, 2019***. Source: City of London.

Photo #8: 689 Hamilton Road. Built in 1947. ***City of London: Register of Cultural Heritage Resources, July 2, 2019***. Source: City of London.

5. HISTORICAL CONTEXT

5.3 LISTED PROPERTY HISTORY

672 Hamilton Road

The 2 storey wood-frame building originally numbered as 666 Hamilton Road was built just before the turn of the century, in 1895. The red brick clad house with gamrel roof form was built in the Dutch Colonial architectural style. In the period between 1892 and 1907, there were only three residences on the north side of the street spanning from Price Street to Elm Street, including addresses 648, 658 and 666 Hamilton Road. There were also three residences on the south side of the street, including 649, 655 and 661, between Price and Arundell Streets.

As mentioned in the previous Section 5.1, Hamilton Road served as an early route into the town of London for travellers from towns to the east in the late 19th century. The house at 666 Hamilton Road (now know as 672 Hamilton) was builtin the late 1890's when the land previously owned by oil refineries were developed for residential use. To service the needs of these travellers many gas and service stations as well as hotels and taverns sprung up along Hamilton Road. As a result of this rich history, the Hamilton Road area has a mix of industrial, commercial and residential uses in a variety of historic styles.

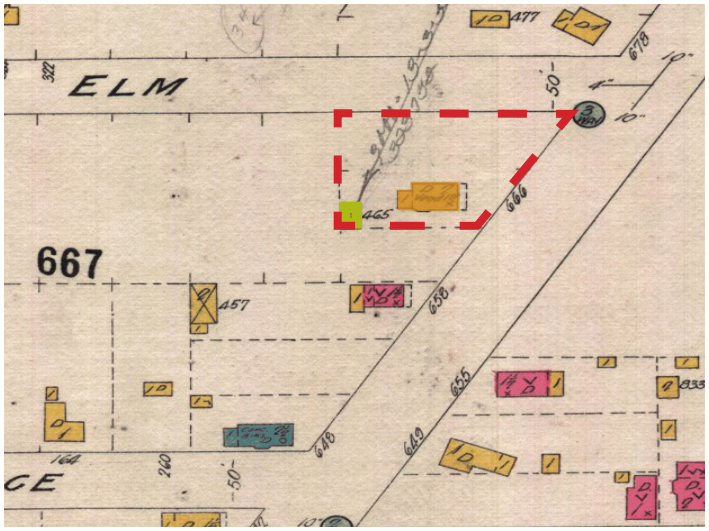


Image 5.6: Map of a portion of Hamilton Road, highlighting 666 Hamilton Road(orange) and outbuilding (green). ***1912 Rev. 1915 (London), Fire Insurance Plan of the City of London, Ontario***. Source: Western Archives of Western University, accessed March 2022.

The house at 672 Hamilton Road (formerly 666) seems to have been residential dwelling since it was built in 1895. There is no record of ownership before 1971, with the London Directories showing residential owners/occupants from 1971-2013.

As noted in the Register, the architectural style of the heritage house is Dutch Colonial. The Dutch Colonial Revival style evolved in the late 1800's to mid- 1900's and were common in Southern Ontario. The main feature of this style is the gambrel roof, with the upper portion of the roof having a fairly shallow slope while the bottom portion becomes much steeper. The upper storey of the house typically lies within the bottom portion. In addition to the roof shape, this heritage building's style features a two-storey symmetrical design, decorative shingles and entry porch. Where this house is not typical in the Dutch Colonial style is in its orientation, with the gable end of the roof shape facing the front and a seperate roof form over the front porch. Typically the upper storey roof extends down to overhang the front porch running lengthwise along the house.

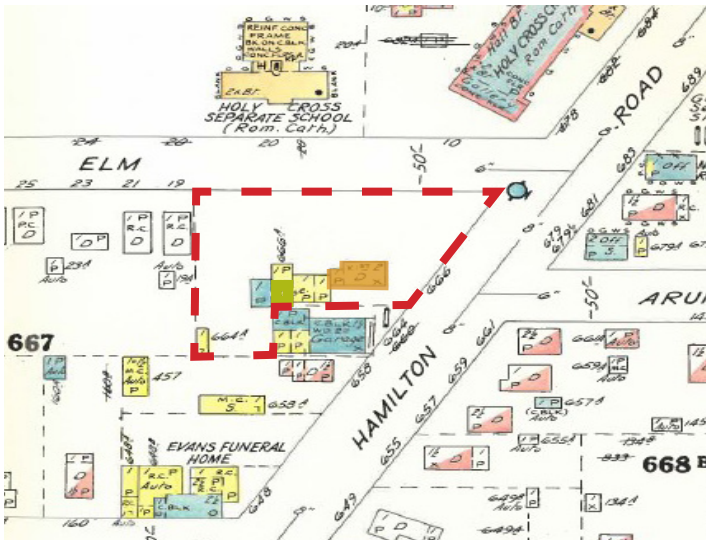


Image 5.7: Map of a portion of Hamilton Road, highlighting 666 Hamilton Road, original house (orange) and outbuilding (green). ***1958 (London), Fire Insurance Plan of the City of London, Ontario***. Source: Western Archives of Western University, accessed March 2022.

Heritage Attributes and Elements at 672 Hamilton Road:

Photo #9: Details typical of the Dutch Colonial Revival Style:

- Patterned painted wood shakes, alternating with square and half cove profiles.
- A grouping of a set of three double-hung windows with decorative pilasters and window trim. No divided lites in the windows.
- Decorative wood brackets with frieze board along underside of skirt roof.
- The white paint with dark trim was typical for this style in the 1900's. The original paint scheme would have been darker for its era.

Photo #10:

- Decorative wood scrollwork and trim at porch roof pediment.
- Decorative wood brackets with frieze board along underside of porch roof, matching those above at the skirt roof.

Photo #11:

- Brick bay with double hung sash windows
- Curved wall detail with inset for window at upper storey, at lower portion of gambrel roof.

6. CULTURAL HERITAGE EVALUATION

The Ontario Heritage Act, R.S.O, 1990, c.0.18 is the legislation for the conservation of significant cultural heritage resources in Ontario. The criteria within the Ontario Regulation 9/06 of the Ontario Heritage Act provides the tools to determining the cultural heritage value of a property. This regulation is utilized in the Cultural Heritage Evaluation of the property at 672 Hamilton Road as a component of this Heritage Impact Assessment to determine if the property holds heritage value or interest.

1. The property has **design value or physical value** because it,		
i. it is a rare, unique, representative or early example of a style, type, expression, material, or construction method,	No	The Dutch Colonial style of the house was very common in southern Ontario at the turn of the century. This house, however, is not of the truest form of this architectural type therefore it is not a good representative example.
ii. displays a high degree of craftsmanship or artistic merit, or	No	The historic decorative features remaining on the house are not of a high degree of craftsmanship.
iii. demonstrates a high degree of technical or scientific achievement.	No	N/A
2. The property has **historical value or associative value** because it,		
i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	No	It has no significant associations.
ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or	No	It does not directly contribute to the commercial and industrial nature of the area in the early part of the twentieth century.
iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	No	The builder/designer is unknown.
3. The property has **contextual value** because it,		
i. is important in defining, maintaining or supporting the character of an area,	No	The area has been transformed over the years so that much of the historical stock was either demolished or significantly altered.
ii. is physically, functionally, visually or historically linked to its surroundings, or	No	There is no link to its surrounding context.
iii. is a landmark. O. Reg. 9/06, s. 1 (2).	No	N/A

Conclusion:

Since the property at 672 Hamilton Road does not meet any of the criteria of the Cultural Heritage Evaluation under OHA O.Reg 9/06 it is not considered to be a heritage property of cultural significance.

7. PROPOSED DEVELOPMENT

The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario (RCECDLO) is the owner of this property, which is across the street from the Holy Cross Santa Cruz Catholic Church (HCSCCC). The proposal is seeking to allow for a new surface parking area on the site of the existing listed heritage building to accommodate the needs of the church's congregation. In order to maximize the number of cars that can park on the site, HCSCCC requires the removal of the existing heritage building and additions.

Background

The Holy Cross Santa Cruz Catholic Church is located at 10 Elm Street, at the corner of Hamilton Street. The brick-clad masonry building was built in 1950 as a Roman Catholic church, then known as the Holy Cross Church. The church replaced the chapel formerly on this site and was built to accommodate the large number of Portuguese immigrants that started arriving in this area in the early 1950's. Today, the Holy Cross parish has a growing membership with strong ties to it's surrounding community. Over the years, the HCSCCC had an agreement with the neighbouring Holy Cross Catholic School for the use of their parking lot for their parishioners during the weekends. This agreement worked well for the two properties until the school was demolished in 2020 and the site was no longer accessible.

Property Description

- The Subject Property has a total area of 21,806 sf (2025.8 sm), with a frontage of 118.5 feet (36.12 metres) along Hamilton Road.
- This is a corner lot at the northwest side of Elm Street and Hamilton Road.
- The property is currently accessed from a driveway off of both Hamilton Road and Elm Street.
- Bus transit services are provided along Hamilton Road, which is a main arterial roadway connecting to the downtown.
- The zoning for this property is BDC (35) H13: Business District Commercial, which allows buildings up to a height of 13m. Commercial parking lots are permitted (f).
- There are no existing mature trees on the property. There is hedge at the east property line towards the rear of the lot.

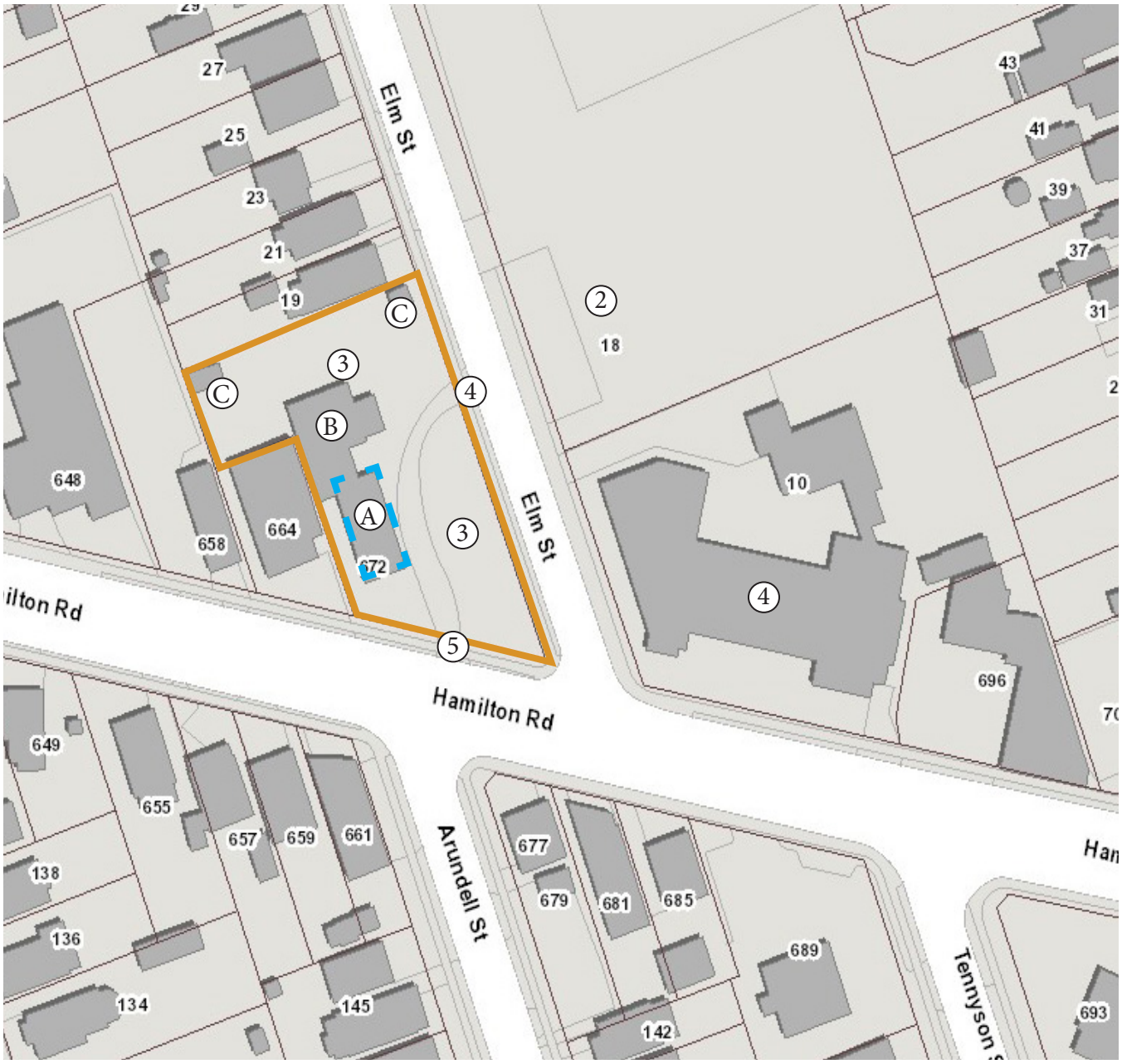
Proposed Development

- The proposed development would see the existing heritage building, along with the smaller additions off to the rear, to be demolished to allow for the space for a new parking area.
- The new parking areas would be accessed off of the existing driveway off of Elm Street. The existing driveway access off of Hamilton Road would be removed.
- Additional landscaping buffers would be provided along the south and east property lines facing Hamilton Road and Elm Street respectively. This would provide screening from the new parking areas to the street.

Cultural Heritage Response

The intention of the proposed development is to demolish the existing heritage house to provide the space required for a new parking lot for the church's congregation. The existing building has been vacant for several years and has fallen into disrepair. Although some of the features of the Dutch Colonial house at the exterior remain, much of it's historical character have been lost due to alterations and lack of maintenance. The majority of the remaining property is vacant, with no mature trees that would be affected by the proposed development.

7. PROPOSED DEVELOPMENT



PROPERTY - 672 Hamilton Road

Outline of original 1895 house

(A) Existing LISTED building - to remain

(B) 1-storey additions - to be demolished

(C) Existing shed - to be demolished

(1) Holy Cross Santa Cruz Catholic Church

(2) Holy Cross Catholic School (Demolished - 2020)

(3) New parking area

(4) Existing driveway access - to remain

(5) Existing driveway access - to be removed

Image 6.1: Site plan showing 672 Hamilton Road property and Holy Cross Santa Cruz Catholic Church. Source: London City Map, City of London, Ontario, Canada. March 2022.

7. PROPOSED DEVELOPMENT

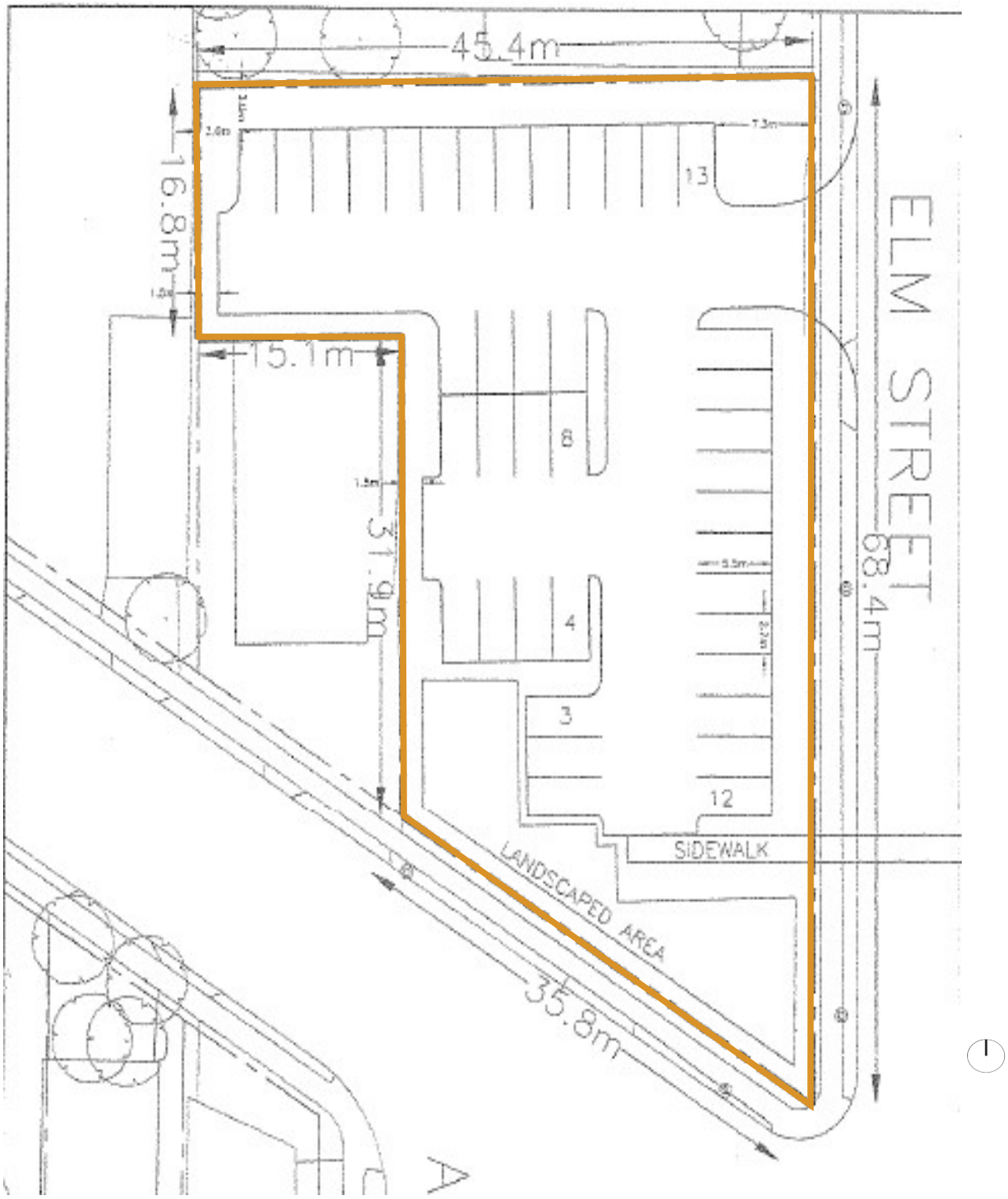


Image 7.2: Concept plan showing the proposed parking layout on the 672 Hamilton Road property Source: Zelinka Priamo Ltd., Concept Plan 1 dated September 2019.

8. IMPACTS AND MITIGATION

8.1 TREATMENT OF HERITAGE RESOURCES

The proposal by The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario requires the demolition of the listed heritage residence at 672 Hamilton Road in its entirety to accommodate for a new parking area for the Holy Cross Santa Cruz Catholic Church's congregation. The original Dutch Colonial home is in poor condition due to being vacant for several years and not receiving regular maintenance. The heritage character of the building has been further affected by the additions to the rear of the house which were built in the mid to late 1900's.

The removal of the existing building is required to maximize the number of parking spaces on the property required by the church. The majority of the site is undeveloped, with not mature trees or natural features. The existing house is set back from Hamilton Road and does not form a continuous streetface with the adjacent properties along the street. Although the proposed development will have a direct impact on the cultural heritage resource, the removal of the listed heritage residence at 672 Hamilton Road would have a minor impact on its surroundings as it is a stand-alone property that has no connection to the adjacent properties. The heritage fabric in the surrounding area has deterioriated over the years, resulting in a scarcity of historically significant stock.

More detail on the mitigation approaches that have been implemented and should be considered will be outlined in the following sub-section 7.2 Mitigation Approaches.

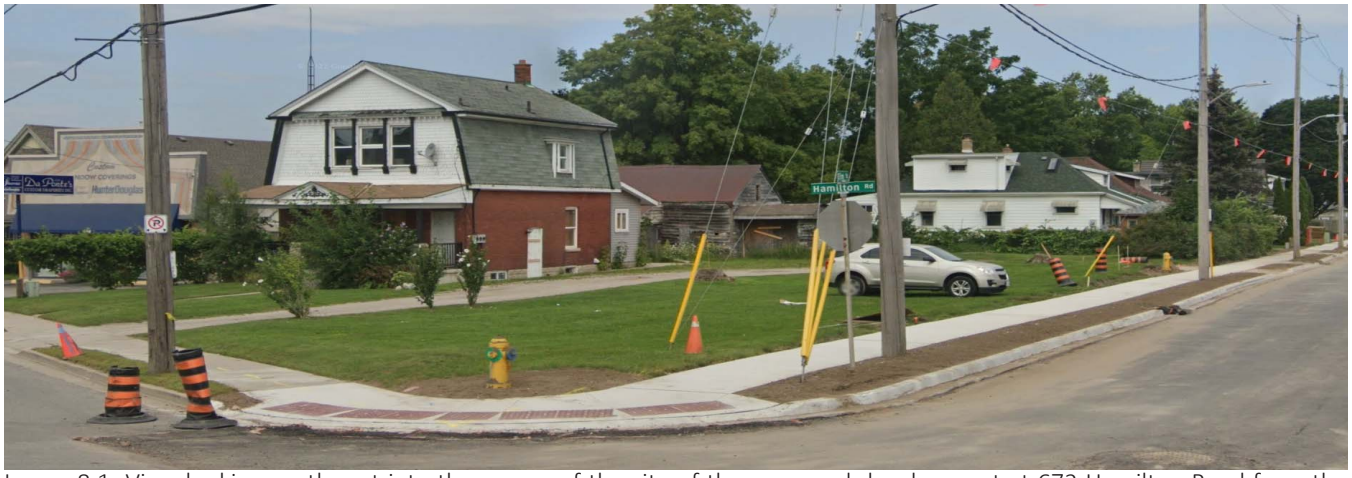


Image 8.1: View looking northwest into the corner of the site of the proposed development at 672 Hamilton Road from the corner of Hamilton Road and Elm Street. Source: Google Maps Streetview, Aug. 2021

8.2 IMPACTS OF PROPOSED DEVELOPMENT

An impact assessment of the proposed development on the existing cultural heritage resource has been made following the principles laid out in The Provincial Policy Statement (PPS 2005) Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005.

The impact assessment as outlined in the *Ontario Heritage Tool Kit, Info Sheet #5 Heritage Impact Assessments and Conservation Plans (2006) is provided as follows:*

8. IMPACTS OF PROPOSED DEVELOPMENT

IMPACT		DESCRIPTION
DESTRUCTION	Destruction of any, or part of any, significant heritage attributes or features.	Proposed - the removal of the heritage resource is required for the proposed development
ALTERATION	Alteration must be sympathetic or is compatible, with the historic fabric and appearance;	Not applicable - no alteration is proposed due to complete removal of existing heritage building.
SHADOWS	Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;	Not applicable - The proposed development will not result in any adverse affects on adjecent heritage properties. No natural features or plantings have been identified on the site.
ISOLATION	Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;	Not applicable - all heritage attributes will be removed and no contextual value or significant relationships have been identified.
VIEWS & VISTAS	Direct or indirect obstruction of significant views or vistas within, from or of built and natural features;	Not applicable - no significant views or vistas have been identified.
LAND USE	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;	Not applicable - there is no proposed change in land use. Current zoning allows for proposed development.
LAND DISTURBANCE	Land disturbance such as a change in grade tht alters soils and drainage pattern that adversely affects an archaeological resource;	Not applicable - removal of existing building will not result in extensive ground disturbance. The proposed devlopment does not involve extensive excavations, minimizing disturbance to the surface area of the site.

8. IMPACTS OF PROPOSED DEVELOPMENT

8.3 MITIGATION APPROACHES

The Provincial Policy Statement (PPS 2005) Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005, was the resource utilized in the identification and development of the 'Mitigation Approaches' for the proposed development. Specifically, *Heritage Impact Assessments and Conservation Plans; Principles in The Conservation of Historic Properties* was the main source of terms of reference.

The principles listed below were identified from the *Heritage Tool Kit* and expanded to include specific mitigation approaches related to the proposed development.

MITIGATION		**DESCRIPTION**
ALTERNATIVE APPROACHES	Alternative development approaches;	An alternate approach to the proposed development is to retain the original structure, removing the additions and outbuildings to the rear to maximize the parking areas to the north and east sides of the existing house. *This house could possibly be utilized as a rental or Second Stage Housing for the church.*
NATURAL FEATURES & VISTAS	Isolating development and site alteration from significant built and natural features and vistas;	The proposed new development to provide surface parking would not result in any significant site alterations. There are currently no significant built or natural features on the site. *If the existing heritage structure were to remain, the proposed parking area would not adversely affect its features. The nature of the proposed development lends itself to isolating itself from the existing house.*
DESIGN GUIDLEINES	Design guidelines that harmonize mass, setback, setting and materials;	The design of proposed new parking lot would follow the design guidelines set out for this area. Setbacks and materials will be in keeping with the surrounding context.
HEIGHT & DENSITY	Limiting height and density;	The proposed development does not alter or affect the existing conditions of the property.
CAMPATIBILITY	Allowing only compatible infill and additions	There are no additions or infill proposed for this property. The proposed parking lot is compatible within the context of the neighbourhood as there are several corner lots with parking areas. *If the existing house was to be retained, the parking area would be compatible as it would not alter the historical features of the original structure.*

8. IMPACTS OF PROPOSED DEVELOPMENT

ALTERATIONS	Reversible alterations	Not applicable - no additions are proposed.
LANDSCAPE	Buffer zones, site plan control, and other planning mechanisms.	A number of buffer zones along the parking areas are proposed. The location of landscaped greenspace along the street edge provide screening from both streets. *If the existing house were to remain, screening in the form of trees and shrubs would be provided between the building and the parking areas.*

8.4 SUMMARY

The building is set back from the street thereby lacking a strong presence on the main street. The majority of the adjacent buildings along Hamilton Road have been converted for commercial use, with very few single-family residential buildings in this area. Most heritage properties have been altered to such an extent that the main street does not have a strong historical streetscape and lacks the rythm in its various forms and styles.

The main impetus for the proposed development was the demolition in 2020 of the Holy Cross Catholic School adjacent to the church. This heritage building had a strong presence in the neighbourhood and its removal has left an impact on the community. One of the major impacts was the loss of parking for the Holy Cross Santa Cruz church's congregation. The church aimed to find a solution to its parking needs by aquiring the neighbouring property at 672 Hamilton Road. Given the requirements of the proposed development relating to the maximized area of a parking lot on the existing site, the retention of the listed property at 672 Hamiton Road is not acheivable. The removal of the existing heritage building would have only a minor impact on the existing street fabric along Hamilton Road and the surrounding context.

An alternate proposal would be to retain the existing heritage home, removing the newer additions and out buildings to the rear of the house. The proposed parking areas may be located to the north and east of the remaining original structure. The resulting number of parking spaces would be less than originally planned, with less greenspace provided in order to acheive the maximum number of parking that the church requires. As well, the existing house is in very poor condition and would require extensive renovations to be habitable. The RCECDLO does not have any need for this house nor do they wish to become landlords. The extensive renovations required would not be financially self sustaining and the need for parking in this neighbourhood is a significant issue, especially for the church's aging congregation.

9. RESOURCES

Government Documents

1. Her Majesty the Queen in Right of Canada. *Standards and Guidelines for the Conservation of Historic Places in Canada*. 2010.
2. Ministry of Municipal Affairs and Housing. *Ontario Provincial Policy Statement, Under the Planning Act.* 2014, 2020.
3. Ontario Ministry of Culture. *Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement.* 'Info Sheet #5, Heritage Impact Assessments and Conservation Plans.' 2005.
4. Ontario Ministry of Culture. *Ontario Heritage Toolkit: Heritage Property Evaluation*. 2006.

Municipal Documents

1. City of London. *City of London Register of Cultural Heritage Resources*. July 2, 2019.
2. City of London. *Heritage Places 2.0: Potential Heritage Conservation Districts in the City of London*. August 2019.
3. City of London. *The London Plan.* Minister Approved December 28, 2016.
4. City of London. *Strategic Plan for the City of London 2015-2019.*

Other

1. Insurance Plans: Western Libraries (online) and the London Public Library - The London Room.
2. Map Images: *London, Ontario.* Jan 2021. Google Maps, https://www.google.ca/maps/place/London, ON

a+LiNK
architecture inc.
preserve + create + sustain

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: **Century Centre Developments Inc.**
1067, 1069 and 1071 Wellington Road
Public Participation Meeting
Date: **July 25, 2022**

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions **BE TAKEN** with respect to the application of Century Centre Developments Inc. relating to the property located at 1067-1071 Wellington Road:

(a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 2, 2022 to amend *The London Plan* to **ADD** a Specific Policy in the Transit Village Place Type to permit a maximum height of 27 storeys, and by **ADDING** the subject lands to Map 7 – Specific Area Policies.

(b) The recommended by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council on August 2, 2022 to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Associated Shopping Area (ASA1/ASA3) Zone **TO** a Business District Commercial Special Provision Bonus (BDC( )*B-( )) Zone.

The Bonus Zone shall be implemented through one or more agreements to facilitate a high-quality, mixed-use development of three buildings with 5 towers as follows: a building along Wellington Road with two 27 storey towers; a building along Montgomery Road with a 10 storey tower and a 20 storey tower, a building along Bradley Avenue with a 27 storey tower; and a maximum density of 566 units per hectare (1,272 units). The development will generally implement the Site Plan attached as Schedule "1" to the amending by-law except where the regulation is more specific and provide for the following:

1) High Level of Design Standards

The building design and site plan contained in Schedule "1" of the amending by-law is being bonused for features which serve to support the City's objectives of promoting a high standard of design to be implemented through a development agreement:

i) Building Height

Montgomery Road

a. A building height not exceeding 10-storeys in height for Tower C (currently facing Montgomery Road and the adjacent residential zone).

ii) Minimum Design Standards

Podium Features

a. Step-back along Wellington Road to enhance a pedestrian oriented street wall;
b. Abundant use of clear glass material and clear glazing with interior spaces visible from the outdoors, with overhead projecting canopies for all entrances and lining the pedestrian-oriented street wall frontages.
c. A significant break in the podium along Wellington Road as shown on the site plan at the midpoint of the building between Towers A and B,

to break up the long façade and promote a human scale, pedestrian oriented environment.

Tower Features

a. Step-back of the towers, from the podium to the greatest extent possible on all street facing facades;
b. A slender point-tower form for all towers not exceeding 1,050m^2 floorplate above the 8th storey;
c. Mitigation of building mass with a high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials and use of clear glass balcony barriers;
d. Further mitigation of building mass by varying and articulating the plane of all facades.

Building Cap Features

a. The use of building step-back at the top storey, with mechanical penthouse completely concealed in the building's top storey.

iii) Site Landscaping

All-season landscaping and foundation planting along any large expanses of walls facing public streets, internal drive aisles, and mid-block connections.

2) Provision of Affordable Housing

i) A total of 10% of the lift (93 affordable housing units based on 1,272 units) will be provided in the development, representative of the bedroom and unit mix of the overall building;
ii) The affordable housing units should be evenly distributed throughout the individual buildings to the greatest extent possible;
iii) Rents not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area (CMA) at the time of building occupancy; where AMR is defined at the one-bedroom, two-bedroom and three-bedroom rate for the London CMA at the time of building occupancy;
iv) The duration of affordability set at 50 years from the point of initial occupancy of the respective building;
v) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
vi) These conditions to be secured through an agreement entered on title with associated compliance requirements and remedies.

Executive Summary

Summary of Request

The requested amendment is to rezone the subject site to allow three, mixed-use buildings with five high-rise apartment towers ranging from 10-27 storeys in height with a total of 1,272 residential units, 1,800m^2 of office gross floor area, 810m^2 of retail gross floor area, a total of 1,375 parking spaces provided in underground and above-ground facilities and a maximum density of 566uph. Special provisions are requested to: establish Wellington Road as the frontage, permit dwelling units on the ground floor, a reduced rear yard depth, a minimum parking rate of 1 space per residential unit, a minimum parking rate of 1 space per 20 square metres of retail gross floor area, and a minimum bicycle parking rate of 0.5 spaces per residential unit.

Purpose and the Effect of Recommended Action

The recommended amendment will facilitate the proposed mixed-use development with high-rise towers and ground floor commercial and office uses. An amendment to *The London Plan* will permit greater heights of up to 27 storeys, and an amendment to the zoning by-law will change the Associated Shopping Area zone to a Business District Commercial zone and site-specific bonus zone. The bonus zone will be implemented through one or more agreements to facilitate the requested development in return for the provision of enhanced building design and affordable housing, and will include additional regulations to enhance the built form.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents, and by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes;

2. The recommended amendment conforms to the in-force policies of *The London Plan* including but not limited to, Our City, Key Directions, City Design and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;

3. The recommended amendment facilitates the development of an underutilized property in an appropriate form of development.

4. The recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock.

5. The recommended bonus zone for the subject site will provide public benefits that include affordable housing units and a quality design standard to be implemented through a subsequent site plan application.

Linkage to the Corporate Strategic Plan

The proposed development contributes to implementing the Strategic Plan through Building a Sustainable City and Strengthening Our Community. The development is well-located within a strategic location for growth and intensification within a Transit Village, with good access to local services, amenities, public transit and active transit. The proposed development and recommended refinements fit within, and enhance, the

surrounding community and the affordable housing units provided as part of the bonus zone increases the provision of local housing options and add to the affordable housing stock.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration, the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes intensification and efficient use of existing urban lands and infrastructure within strategic locations such as the downtown, transit villages and corridors. The site is within a prominent location within the south transit village and has convenient access to existing and future transit services. The proposed mixed-use development on this site will benefit from modal choices and walkable services, and will support the response to the Climate Emergency.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located north of Bradley Avenue, between Wellington Road and Montgomery Road. The site is approximately 2.29ha (5.66 ac) with frontage of approximately 147m along Wellington Road. There are three existing buildings containing a mix of commercial and office buildings with accessory parking. Existing vehicular access is provided by one full turns driveway from Wellington Road, one right-in/right-out driveway to Bradley Avenue and two full turns driveways to Montgomery Road. Wellington Road in this location is identified as a Rapid Transit corridor connecting the White Oaks Mall transit terminal to the Downtown.

Figure 1: Existing uses on site – view from Wellington Road

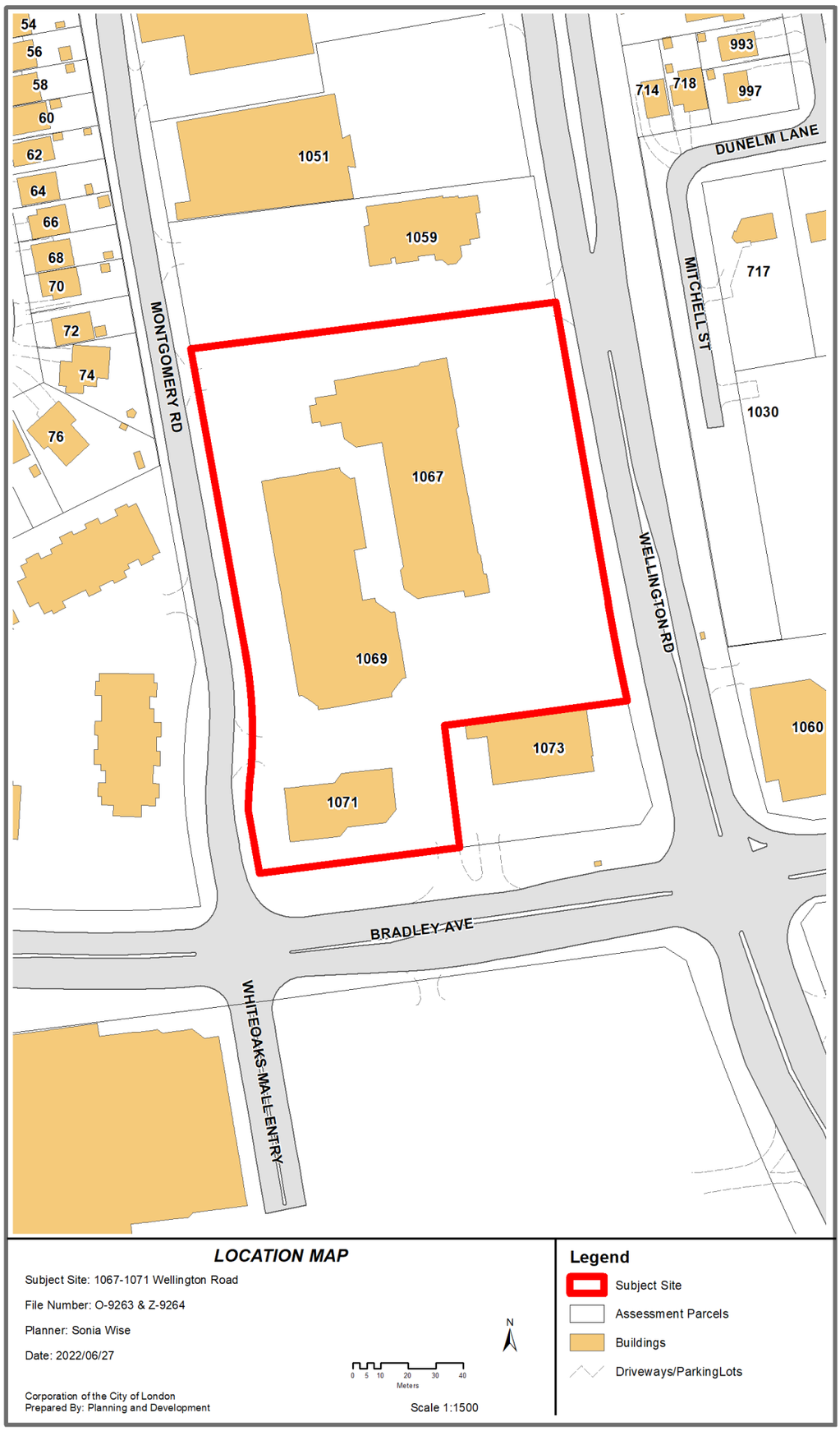
There are a mix of uses in the surrounding area, including low, medium and high density residential uses to the west and south, and commercial and office uses to the north, east and south. Existing low density residential uses primarily in the form of single detached dwellings are located to the northwest and northeast of the subject site. Medium density residential uses in the form of 2-3 storey townhouses are located to the west, and high-density residential uses in the form of 7 storeys and 15 storeys apartment buildings are located to the southwest. The enclosed regional shopping area of White Oaks Mall is located to the south, and the Wellington Road commercial corridor is located to the east and north.

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

- *The London Plan* Place Type – Transit Village
- Official Plan (1989) Designation – Auto Oriented Commercial Corridor

- Existing Zoning – Associated Shopping Area (ASA1/ASA3)

1.3 Location Map



1.4 Site Characteristics

- Current Land Use – Mixed commercial and office uses
- Frontage – subject site – 146.9m (482 ft) along Wellington Road
- Depth – varies
- Area – subject site – 2.29ha (5.66ac)
- Shape – irregular

1.5 Surrounding Land Uses

- North – commercial and retail uses
- East – mixed residential, park and commercial uses
- South – commercial and retail uses
- West – residential uses

1.6 Intensification

- 1,272 proposed residential units represents intensification within the Built-area Boundary and Primary Transit Area

2.0 Discussion and Considerations

2.1 Development Proposal (Current)

The requested amendment is for an Official Plan amendment to allow greater heights than permitted in *The London Plan*, and to rezone the subject site to allow three, mixed-use buildings with five high-rise towers ranging from 10-27 storeys in height with a total of 1,272 residential units, 1,800m^2 of office gross floor area, 810m^2 of retail gross floor area, a total of 1,375 parking spaces provided in underground and above-ground facilities and a maximum density of 566uph. Special provisions are requested to establish Wellington Road as the frontage, to permit dwelling units on the ground floor, for a reduced rear yard depth, a minimum parking rate of 1 space per residential unit, a minimum parking rate of 1 space per 20 square metres of retail gross floor area, and a minimum bicycle parking rate of 0.5 spaces per residential unit.

Figure 2: Rendering of Proposed Development from Northeast Perspective

Figure 3: Rendering of Proposed Development from Montgomery Road

2.1 Initial Development Proposal (Superseded)

The requested amendment was initially to rezone the subject site to allow three, mixed-use buildings with five high-rise towers ranging from 18-22 storeys in height with a total of 1,239 residential units, 1,895m^2 of office gross floor area, 950m^2 of retail gross floor area, a total of 1,334 parking spaces provided in underground and above-ground facilities and a maximum density of 555uph. Special provisions were requested to establish Wellington Road as the frontage, to permit dwelling units on the ground floor, a reduced rear yard depth, a minimum parking rate of 1 space per residential unit, a minimum parking rate of 1 space per 20 square metres of retail gross floor area, and a minimum bicycle parking rate of 0.5 spaces per residential unit.

2.2 Requested Amendment

An amendment to *The London Plan* is requested to increase the height of the development to 27 storeys whereas up to 22 storeys is the maximum considered for a transit village.

There was an initial request for an amendment to the Official Plan 1989 to align with the policies of *The London Plan*, however the base policies of the Official Plan 1989 contemplate the range of uses, increase to height and overall intensity requested. The Official Plan (1989) has been repealed in its entirety, and though it provides policy direction, no amendments to the plan are required.

The requested zoning is for a Business District Commercial Special Provision Bonus Zone to permit a wide range of commercial, service, office and retail uses, as well as the residential apartments. Special provisions include establishing Wellington Road as the frontage, permitting dwelling units on the ground floor, a reduced rear yard depth, a reduced parking rate for a minimum of 1 space per residential unit, a reduced parking rate for a minimum of 1 space per 20 square metres of retail gross floor area, and a minimum bicycle parking rate of 0.5 spaces per residential unit.

2.3 Community Engagement (see more detail in Appendix C)

A Notice of Application was circulated on September 30, 2020 and a revised Notice of Application and Public Meeting was circulated on June 8, 2022. A virtual Community Information Meeting was led by the applicant and held on December 1, 2020 to provide

the public with an opportunity to learn about the proposed development, provide input and have discussion.

Replies were received from 24 respondents .A high-level summary of the comments received during the application review process include the following:

- Traffic and Transportation: traffic flow on Bradley Ave, existing traffic is an issue and will get worse with development, Montgomery Road does not have any traffic calming and will have new driveways, concern with the traffic modelling data and projections, development still provides parking in a transit village, residents won't use transit, too many cars for too intensive a proposal
- Concern for school capacity for new residents
- Need more affordable housing
- Built these in a less intensive area, shift new development to the outskirts
- Strongly oppose the application
- Impacts of shadowing on existing neighbourhood
- Reduced property values, impacts on privacy
- Existing issues with cut-through traffic, illegal dumpster dumping
- More people will create more noise
- Support for the proposal and improvements to current vacancies

More detail and the community comments received is available in Appendix C.

3.0 Relevant Background

3.1 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages settlement areas (1.1.3) to be the main focus of growth and development. The PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns (1.1.1.a.). The proposed development represents an efficient built form in an existing settlement area that has access to existing infrastructure and services.

The PPS promotes the integration of land use planning, growth management, transit-supportive development and intensification to optimize transit investment and achieve cost-effective development patterns (1.1.1.e). The subject site is located along a Rapid Transit Corridor and within a Transit Village which provides convenient access for the proposed development to higher-order transit.

An appropriate range and mix of housing options and densities shall be provided by requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations. The site is appropriately located to support intensification within a Transit Village and along a Rapid Transit Corridor where there are existing London Transit Commission (LTC) services, and where future rapid transit is planned.

The PPS states that long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning (1.7.1.e). The proposed development and recommended regulations provide for an appropriately designed built form to respond to the surrounding context and establishes a sense of place associated with the Transit Village Place Type.

The London Plan

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal* (LPAT) (PL170700). The *Plan* was Council adopted and approved by the Ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*)

throughout reports. Since that time, *The London Plan* has come into full force and effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT).

The growth framework of the City Structure Plan establishes a clear hierarchy for development intensity inside the Urban Growth Boundary. It places a high level of importance on growing “inward and upward” (Policy 79_), while directing the most intensive forms of development to the Downtown, Transit Villages and at station locations along the Rapid Transit Corridors (Policy 86_*). The subject site is located within the Transit Village Place Type which contemplates a more compact built form and a diversity of uses to support the rapid transit system. Within the Transit Village Place Type, heights between 2-15 storeys is permitted, with a maximum upper limit of 22 storeys.

1989 Official Plan

The subject site is designated Auto-Oriented Commercial Corridor, which primarily permits a wide range of commercial, retail and service uses that cater to vehicle trips and single purpose shopping trips. The site is within the Wellington Road Corridor Specific Auto-Oriented Commercial Corridor, which permits a broader range of uses that are contemplated in the Community Commercial Node given the strong attraction of the area as a regional centre, including those uses within the Multi-Family, High Density Residential Designation (MFHDR). Net residential densities in the Multi-Family, High Density Residential designation will normally be less than 150 units per hectare outside of Central London (Section 3.4.3). In addition, residential development proposals have the ability to bonus for greater height or density in return for facilities, services and matters. The *Official Plan (1989)* contains criteria for increasing density on Multi-Family, High Density Residential lands, provided certain criteria are met (Section 3.4.3 ii).

4.0 Key Issues and Considerations

4.1 Location

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for residential intensification and redevelopment (1.1.3.2.b)). The proposed development is located within a Transit Village which is an area intended for a wide mix and range of uses and an increased intensity.

The London Plan

The London Plan directs infill and intensification to strategic locations to achieve a target of accommodating 45% of all future residential growth in the Built-Area Boundary (91). Additionally, a target of 75% of all intensification is to be achieved in the Primary Transit Area which includes the greatest amount and highest level of transit service in the city (92_2). The subject site is located within both boundaries and provides a high level of connectivity and convenient access to transit.

The London Plan provides direction to sustain, enhance and revitalize our downtown, main streets, and urban neighbourhoods to build a mixed-use, compact City (59_3). It plans for four Transit Villages that will support intense forms of mixed-use development (97_2). The site is within the south Transit Village and will strategically integrate higher intensity with convenient access to higher-order transit to provide an attractive and viable option to single vehicle dependency. Transit Villages are intended to be exceptionally designed, high-density, mixed-use urban neighbourhood connected by rapid transit to the Downtown and to other Transit Villages (806).

1989 Official Plan

The subject site is located within the Auto-Oriented Commercial Corridor (AOCC) designation which permits a variety of commercial uses that typically cater to single

purpose vehicle trips. The site is also within the Specific Auto-Oriented Commercial Corridor – Wellington Road Corridor which includes lands generally fronting on the west side of Wellington Road between Southdale Road and Bradley Avenue. The Wellington Road Corridor is intended to remain part of a major regional commercial centre in the City. The specific policy recognizes the corridor's role as a gateway to the City from Highway 401 which contributes to excellent accessibility and strong attraction as a regional centre (4.4.2.11.3). There are a broader range of uses contemplated within this portion of the Auto-Oriented Commercial Corridor given the regional role and attraction of the area.

4.2 Use

Provincial Policy Statement, 2020

The PPS promotes healthy, livable and safe communities by accommodating an appropriate range and mix of residential, employment, and other uses to meet long term needs (1.1.1 b) PPS). The proposal provides for a mix of residential and commercial uses which are suitable and encouraged for the site in a prominent location within a Transit Village and on a Rapid Transit Corridor. The PPS also promotes the provision of an appropriate mix of affordable and market-based residential types, which is achieved by the provision of affordable housing units that form part of the bonus zone.

The London Plan

The Transit Village Place Type contemplates a broad range of residential, retail, service, office, cultural, recreational, institutional, hospitality and entertainment, uses (811_1, TLP). Mixed-use buildings like the proposed development are encouraged, as well as the provision of active (commercial, retail and service) uses on the ground floor at grade (811_2&3). There is 1,800 square metres of office gross floor area, and 810 square metres of retail gross floor area, which will activate the site and provide for local employment and shopping options. Residential units in the apartment buildings will have convenient access to nearby goods and services in a walkable environment, and convenient access to higher order transit.

The London Plan supports the provision of a variety of residential types with varying size, tenure and affordability so that a broad range of housing requirements are satisfied (830.11). The recommended amendment will result in the provision of 93 affordable housing units as part of the bonusable provisions which will be implemented through an agreement with the City of London.

1989 Official Plan

The site is designated as Auto-Oriented Commercial Corridor (AOCC) which primarily permits commercial uses that cater to the commercial needs of the travelling public (4.4.2.4). Service commercial uses, commercial uses that may have an associated nuisance, and certain light industrial uses are contemplated for AOCC designated lands. The site is also within the Specific Auto-Oriented Commercial Corridor – Wellington Road Corridor which includes a broader range of uses, including small to medium scale offices and the full range of uses permitted in the Community Commercial Node (CCN) designation.

Community Commercial Nodes (CCN) are intended to provide for a wide range of goods and services which are needed on a regular basis (4.3.7.1). Permitted uses in the CCN include all types of retail outlets, a limited range of automotive services, service-oriented office uses, community facilities, and professional and medical/dental offices. Multi-Family, High Density Residential uses and community facilities may also be permitted in the designation through a zoning by-law amendment application, site plan application and consideration of design features which provide for the proper integration of the two uses (4.3.7.3). A wide variety of commercial, retail and high-density residential uses are contemplated on the site, which is achieved through the mixed-use development with residential and ground floor commercial uses.

4.3 Intensity

Provincial Policy Statement, 2020

The PPS promotes cost-effective development patterns and standards to minimize land consumption and servicing costs, and encourages settlement areas to be the main focus of growth and development (1.1.3). The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns and optimize transit investments (1.1.1.e). The site is well-located to support higher intensities which will benefit from proximity to existing services and future higher-order transit.

The London Plan

The London Plan places an emphasis on growing 'inward and upward' to achieve a compact form of development. There is a greater focus on encouraging and supporting growth within the existing built-up areas of the city. The subject site is an under-utilized parcel within a prominent location in a transit village. Transit villages are "second only to the Downtown" in terms of the mix of uses and intensity permitted (807). The role of Transit Villages it to support the rapid transit system by providing a higher number of people living, working and shopping in close proximity to high-quality transit services (808).

The Transit Village policies recognize that there is a limited amount of land within the place type and that land should be optimized and fully utilized to support rapid transit and existing infrastructure and services (813_2*). Buildings will be between 2-15 storeys with bonusing contemplated up to 22 storeys (813_1*). The proposed development efficiently utilizes the site and provides heights between 10 and 27 storeys. Within the Transit Village office space will be limited to no more than 20,000sqm, with no individual building containing more than 5,000sqm (813_5). There is a total of 1,800sqm of office space proposed, which provides a diversity of uses at an appropriate intensity without competing with the downtown as the primary office space destination.

The site is within a Protected Major Transit Station Area which includes all Transit Village Place Types. These PMTSAs are planned to achieve a minimum number of 150 residents and jobs per hectare (815B), with a minimum density of 45 units per Hectare for residential uses or a minimum floor area ratio of 0.5 for non-residential uses (815D). Establishing minimum intensity targets in the PMTSAs ensures that lands are efficiently utilized and provide compact development forms that support higher-order transit and stations. The site represents a total of 978 people and jobs per hectare which contributes to achieving the intent of the PMTSA policies.

1989 Official Plan

The Wellington Road Corridor Specific Auto-Oriented Commercial Corridor policies recognize that the area is part of a major regional commercial centre in the City (4.4.2.11.3). In addition to the Auto-Oriented Commercial Corridor designation, there is additional intensity contemplated through the permissions in the Community Commercial Node, and subsequently the Multi-Family, High Density Residential designations. Within the Community Commercial Node, commercial development normally ranges in size from 13,000sqm to 50,000sqm of gross floor area (4.3.7.5). There is a total of 1,610 square metres of office and commercial space proposed which is appropriate in a mixed-use format and under the total amount contemplated for an entire Community Commercial Node designation.

Residential densities within the Community Commercial Node (CCN) Designation should be consistent with the densities allowed in the Multi-Family, High Density Residential designation, which allows for a scale of development up to 150 units per hectare outside of central London (3.4.3. OP). Proposals to allow for higher densities than would normally be permitted may be considered through a site specific bonus zone, such as the requested amendment for the subject site. There is an overall height

of 27 storeys and density of 566uph which requires a site-specific bonus zone to allow for the increase.

4.4 Form

Provincial Policy Statement, 2020

Built design is emphasized in the PPS by “encouraging a sense of place by promoting well-designed built form” (1.7.1 e) PPS). The proposal and recommended regulations represent a high-level of design and appropriate built form for a property in a prominent location within a Transit Village that conveys a sense of place.

The London Plan

High rise buildings should be designed to express three defined components including a base, middle and top (289). The Base should establish a human-scale façade with active frontages, the middle should be visually cohesive but distinct from the base and top, and the top should provide a finishing treatment (289). The built form is comprised of 5 residential tower components set atop 3 buildings which form the base of the development.

Base

The base should establish a human-scale façade with active frontages including windows with transparent glass, forecourts, patios, awnings and lighting (289_1). A podium of 8 storeys is proposed along Wellington Road which forms a large expanse of the façade at the base. An additional regulation for a building stepback of 3m above the 6th storey is recommended to provide relief along the street edge, create a more human-scale environment and mitigate the massing and shadowing along the street edge. Buildings C and D along Montgomery Road share a podium of six (6) storeys, and Building E has a building stepback of 3.7m after the 7th storey to the tower which provides relief along Montgomery Road. The use of podiums at the building base reduces the apparent height and mass of the building on the pedestrian environment, allows sunlight to penetrate into the right-of-way and reduces wind impacts (292).

Figure 4: Rendering of Wellington Road – Tower A

Building entrances and transparent windows should be located to face the public right-of-way to reinforce the public realm establish an active frontage and provide convenient pedestrian access (291). Along the Wellington frontage there are ground floor office

uses and along Bradley there are ground floor retail uses, which activates these frontages with pedestrian movements at the principal entrances. Along Montgomery Road, the north façade and the main internal driveway, there are townhouse style units that provide multiple entrances and direct access to units from the internal and external sidewalks that encourages movement and activity and provides convenient outdoor access.

Middle

The middle should be visually cohesive with, but distinct from, the base and top (289_2). The middle of the building consists of the tower portions which are set back from the podium, and provide a change in materials from the base to create interest and distinction. The 'middle' of the development is comprised of the majority of the tower components above the base, which provides a change in materiality from the overall base.

The London Plan identifies that high-rise buildings should be designed to minimize massing, shadowing, visual impact and the obstructions of view from the street and neighbouring properties by providing slender towers without long axes that create an overwhelming building mass (293). A slender tower is characterized as one that has a smaller tower floor plate, typically between 750 – 1,000 sqm of GFA, and a length to width ratio of generally not more than 1 : 1.5, as per industry standards and best practices. The following is an overview of the floorplates and ratios for the high-rise portions:

Tower	Floorplate at floor 9/10	Ratio at floor 9/10
Tower A	1,202sqm	1 : 2.3
Tower B	1,202sqm	1 : 2.3
Tower C	1,020sqm	1 : 1.9
Tower D	1,040sqm	1 : 1.9
Tower E	1,190sqm	1 : 2.2

Of the 5 high-rise towers, Towers C and D have the smallest floorplates and the lowest length to width ratio. The overall effect is that the smaller floorplate and lower ratio does not have a very long building axes, and minimizes the visual bulk and massing of the towers, and reduces the shadowing impacts. Two additional regulations are recommended to manage and improve the built form of the high-rise 'middles' through the use of a maximum tower floorplate of 1,050sqm and a maximum width to length ratio of 1:2. In the subsequent planning justification materials submitted for the new building design and heights, it was noted that in order to accommodate a smaller floorplate, there would be a difference of -102 residential units. The recommended regulations will apply to the built form above the 9th floor, though there is opportunity to accommodate units within the building base in a variety of ways.

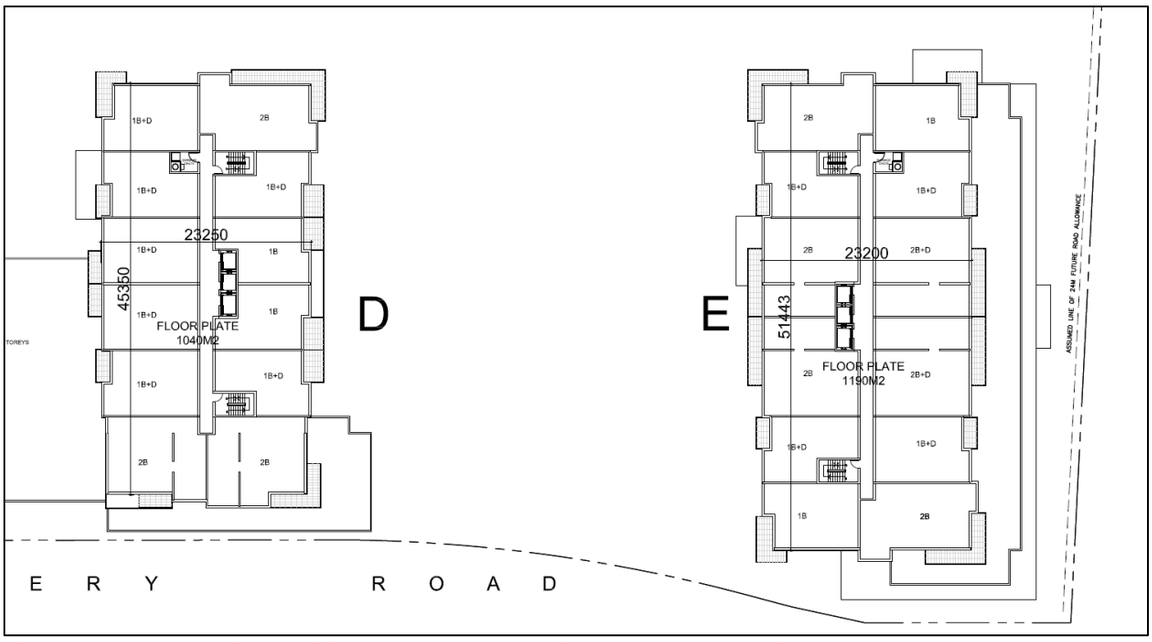


Figure 5: Comparison of floorplates and ratios Towers D and E

Residential and mixed-use buildings should include outdoor amenity spaces (295). Towers A and B are located on a shared podium that includes outdoor amenity space on the top of the 7th floor roof, in addition to some ground floor amenity space provided along the Montgomery Road frontage. Balconies are proposed as part of the built design that provides outdoor amenity space for the individual units.

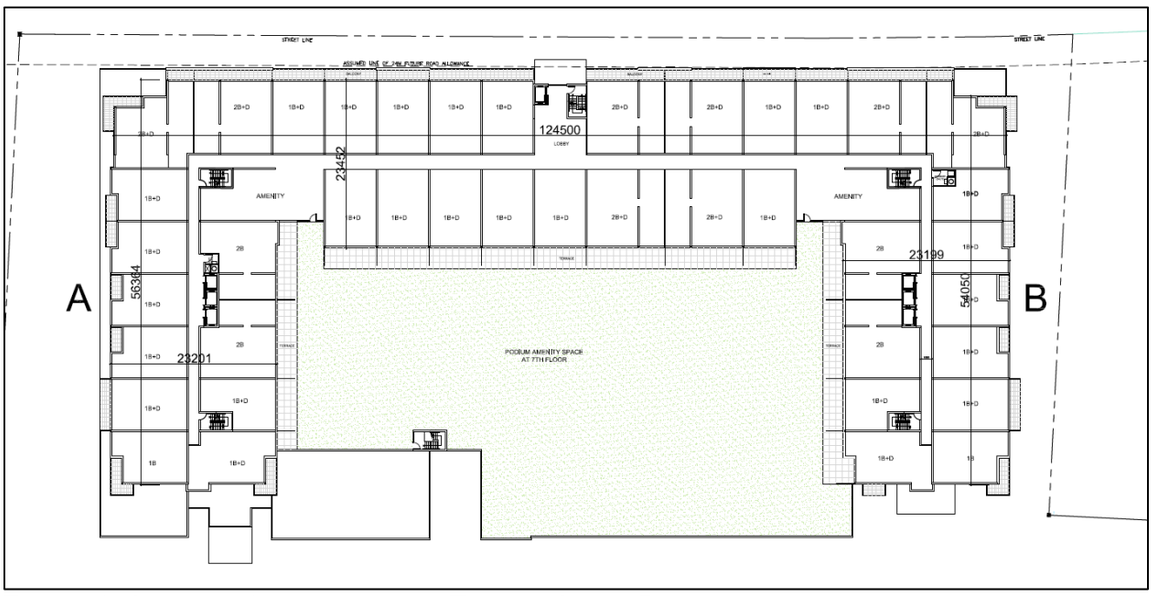


Figure 6: Amenity Space between Towers A and B

Top

The top should provide a finishing treatment, such as a roof or cornice treatment, and will serve to hide and integrate mechanical penthouses (289_3). The mechanical penthouses for the towers have been accommodated in the architecture of the top of the building and is not visible from the street. The top portion of the towers have been differentiated by the middle portion through the use of setbacks after the 18th floors for Buildings A, B, D and E that provides articulation and a distinctive tiered cap.

1989 Official Plan

The 1989 Official Plan policies identify objectives for all commercial designations that commercial development should conform to the City's Commercial Urban Design Guidelines, which were adopted in 1999, as well as consistency with the Urban Design Principles in Chapter 11. *The London Plan* sets out the most recent design specifications for mixed-use and commercial uses, however some of the same

principles from the City's Commercial Urban Design Guidelines for pedestrian connections through sites to sidewalks, reducing the overall visual impact of paved parking, and having principal entrances oriented to the street is echoed in more recent direction and achieved by the site layout and built form. The design principles in Chapter 11 of the 1989 Official Plan provide guidance and direction for the design of buildings and sites.

Principle 11.1.1.ix) requires new buildings to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets.

A shadow analysis was submitted with the application which modelled the anticipated shadow impacts throughout the year, and is found attached as appendix F. Shadow impacts are minimized through the proposed regulations including a maximum tower floorplate, maximum tower ratio, and building stepbacks that result in slender towers with shadows that move more quickly, and have less of a lasting effect.

Principle 11.1.1.xi) requires a development that consists of a grouping of buildings, that the buildings should be positioned to define usable and secure open space areas on the site and to afford a reasonable measure of privacy to individual dwelling units.

The site is comprised of 5 residential tower components and 3 base buildings which forms the podiums. The buildings are positioned to provide privacy for individual units and outdoor open space.

Transition to Surrounding Neighbourhoods

Within Transit Villages, *The London Plan* requires a transition in height and intensity between transit stations and surrounding neighbourhoods (810). Permitted building heights will step down from the core of the Transit Village, to any adjacent Neighbourhoods Place Type (*813_3). The development has the three tallest towers of 27 storeys located along the main streets of Wellington Road and Bradley Avenue, with Building D at 20 storeys along Montgomery Road and Building C at 10 storeys closest to the existing low-rise residential neighbourhood. The gradual step down of heights along the western boundary, use of podiums that provide a human-scale base, and the separation provided by Montgomery Road provide a transition in height and a sympathetic interface to the existing surrounding neighbourhood. Design measures relating to building height, scale and massing should be used to provide a transition between development of significantly different intensities (298). There is a low-medium density residential neighbourhood to the west, and the proposed development has a building transition down to 10 storeys in the location closest to the neighbourhood (Tower C) to reduce the massing and provide a more sensitive transition, while focusing the majority of the built form along the main corridors of Bradley Avenue and Wellington Road.

Connectivity

Buildings will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure, and general site layout that reinforces pedestrian safety and easy navigation (814_3). The development is oriented towards transit along Wellington Road which will provide convenient access for residents. There is a requested reduction in the total number of secure bicycle parking spaces from 0.75 spaces per unit to 0.50 spaces per unit, which would provide 636 secure bicycle parking spaces instead of the 954 that would be required. In order to ensure there is an adequate amount of bicycle parking spaces to support active transportation options for residents, the requested reduction is not supported and the full minimum number of bicycle parking spaces as required in the Z.-1 by-law are recommended. Consideration should be given to providing publicly-accessible pedestrian connections through a proposed development site connecting with the pedestrian network on existing and future sites (814_5). The site facilitates pedestrian movements through the internal driveway at grade and the connections provided to the existing sidewalks.

Parking

Transit villages are intended to be intensive and walkable environments with a focus on providing residents with employment, services, shopping and transit within convenient walking distances. Surface parking areas should be located in the rear and interior side yard and underground and structured parking integrated within the building is encouraged (814_11). The proposal has two levels of underground parking and six levels of structured parking located in the podium of Building 1 between Towers A and B. Buildings should be sited to minimize the visual exposure of parking areas to the street (269). The surface parking that is provided is located along the main internal driveway and between Towers C and D where it is screened and not visible from the street edge. Parking requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to uses that generate high levels of attraction (271).

The proposal is for 1,375 parking spaces for the residential and commercial/office uses. There is a requested reduction of 1 parking space per unit where the minimum requirement is for 1.25 spaces per unit for residential uses, and a special provision to permit the commercial/retail uses at a rate of 1/20 sqm of GFA rather than the required 1/15 sqm of GFA. The site is well-located with direct access along the Rapid Transit Corridor of Wellington Road where there are current and future transit services. Further, the area has a high proportion of existing retail, shopping, commercial, service and employment uses within convenient walking distance to reduce single vehicle trips and encourage more pedestrian trips. A reduction in the number of vehicle parking spaces is reasonable given the active and public transit options, and will contribute to achieving the overall intent of the transit village. A requested reduction in the number of bicycle parking spaces from 0.75 spaces per residential unit to 0.50 spaces per residential unit would not be consistent with the intent to support active transportation in a Transit Village, and the full minimum required number of secure bicycle parking spaces of 954 is recommended.

4.5 Specific Area Policy

The London Plan

Policies for specific areas may be applied where the applicable place type policies would not accurately reflect the intent of Council with respect to a specific site or area. the adoption of policies for specific areas may be considered in limited circumstances where the following conditions apply:

1. The proposal meets all other policies of the Plan beyond those that the specific policy identifies.

   The proposed development generally conforms to the policies of *The London Plan* for overall use, intensity and form. The recommended regulations to enhance the built form will align the proposed development with the City Building policies, and the specific area policy will allow for greater intensity of the development through an increased height.

2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of the Plan.

   The Transit Village place type is intended to be a vibrant, intensive and mixed-use environment that integrates the highest intensities with higher-order transit, and walkable services and employment options. Permitting the additional height of 27 storeys provides an additional 5 storeys, which is appropriate for this site and will contribute to achieving the vision of the Transit Village place type without adversely impacting the integrity of the place type.

3. The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area.

The development site is a large and under-utilized parcel of land in a prime development location. Many of the properties within the Transit Village place type are already developed lands and the subject site provides a unique opportunity for infill and intensification in a location that is identified for growth. There are limited lands within the Transit Village and the site is unique in term of its overall size

4. The proposed use cannot be reasonably altered to conform to the policies of the place type.

   The Transit Village place type permits heights up to 22 storeys which was the initial request for the development site. While a 22 storey form is achievable for the site, the increased height has been requested to better optimize the development potential for the lands and provide better articulation of the building tops to contribute to the skyline and add interest.

   The increased height is supported for a development that includes slender towers where the massing, shadows and overall bulk of the buildings can be mitigated. The additional regulations proposed will achieve the intent of the design policies and allow for the consideration of greater height on site.

5. The proposed policy is in the public interest and represents good planning.

   The proposed development and recommended regulations will achieve the intent of the Transit Village Place Type which is in the public interest and represents good planning.

4.6 Bonusing

Bonus zoning may allow increases in the height and density of development beyond what is otherwise permitted in return for the provision of such facilities, services or matters set out in the bonus zone (3.4.3.iv) 89 OP). The provision of affordable housing units through bonusing is a preferred feature and a recent priority identified by Municipal Council to address the housing crisis. As part of the Roadmap to 3,000 Report, an immediate next step was identified to *“double the current rate at which affordable units are obtained through bonusing” (p.11).* This direction establishes the provision of affordable housing units above other potentially eligible bonusable features and should be the main component of the requested bonus zone. The Housing Development Corporation (HDC) staff have advised there is a need for affordable housing units and that the locational factors align with housing needs and priorities defined in the Housing Stability For All Plan and CMHC analytics related to vacancy rates and rental rates. The HDC has recommended the bonus zone provide 10% of the lift as affordable residential units.

The calculation of the lift to determine the total number of affordable housing units was based on the base density of 150 units per hectare (uph) permitted in the 1989 Official Plan which would equate to 344 units for a site with 2.296ha. The increase in density above the base permission is an additional 928 units for a total of 1,272 units. A rate of 10% of the total increase in units (10% of 928) equates to 93 units which is the “lift” and consistent approach to calculating the total number of affordable housing units through a bonus zone. The 93 units are to be representative of the mix overall and distributed evenly throughout the development to the greatest extent possible. The units will be based on 80% of the Average Market Rent for a duration of 50 years. The recommended bonus zone is based on the provision of: enhanced design and affordable housing which are appropriate for the area and commensurate with the requested increase in building height.

More information and detail is available in the Appendices of this report.

Conclusion

The site is within a Transit Village, which is a place type that contemplates an exceptionally designed, high-density, mixed-use urban neighbourhood. The vision for this place type is for a complete community that allows for substantial office spaces, retail and commercial services and residential uses which will support the rapid transit system.

The proposed development and recommended amendments are consistent with the Provincial Policy Statement, 2020 and conform to *The London Plan* policies including but not limited to Key Directions, the City Structure Plan, growth frameworks, City Design policies, and the Transit Village Place Type. The recommended amendment is also in conformity with in-force policies of the 1989 Official Plan, including the Bonus Zoning policies. The recommended amendment will facilitate an infill and intensification development with an appropriate range of uses, intensity and built form for the site and surrounding area.

Prepared by:	**Sonia Wise, MCIP, RPP** **Senior Planner, Site Plans**
Reviewed by:	**Michael 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. C.P.-XXXX-___

A by-law to amend The London Plan for the City of London, 2016 relating to 1067, 1069, 1071 Wellington Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. 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 August 2, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

AMENDMENT NO.
to the

THE LONDON PLAN, THE OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To add a policy to the Specific Policies for the Transit Village Place Type and add the subject lands to Map 7 – Specific Policy Areas – of the City of London to permit a mixed-use development with a maximum building height of 27 storeys.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1067, 1069, 1071 Wellington Road in the City of London.

C. BASIS OF THE AMENDMENT

The amendment to the Official Plan will allow for the mixed-use development of an underutilized site within a Transit Village that will integrate convenient transit options with residential, commercial and office uses. The proposed development and recommended amendments are consistent with the Provincial Policy Statement, 2020 and conform to *The London Plan* policies including but not limited to Key Directions, the City Structure Plan, growth frameworks, City Design policies, and the Transit Village Place Type. The recommended amendment is also in conformity with in-force policies of the 1989 Official Plan, including the Bonus Zoning policies. The recommended amendment will facilitate an infill and intensification development with an appropriate range of uses, intensity and built form for the site and surrounding area.

D. THE AMENDMENT

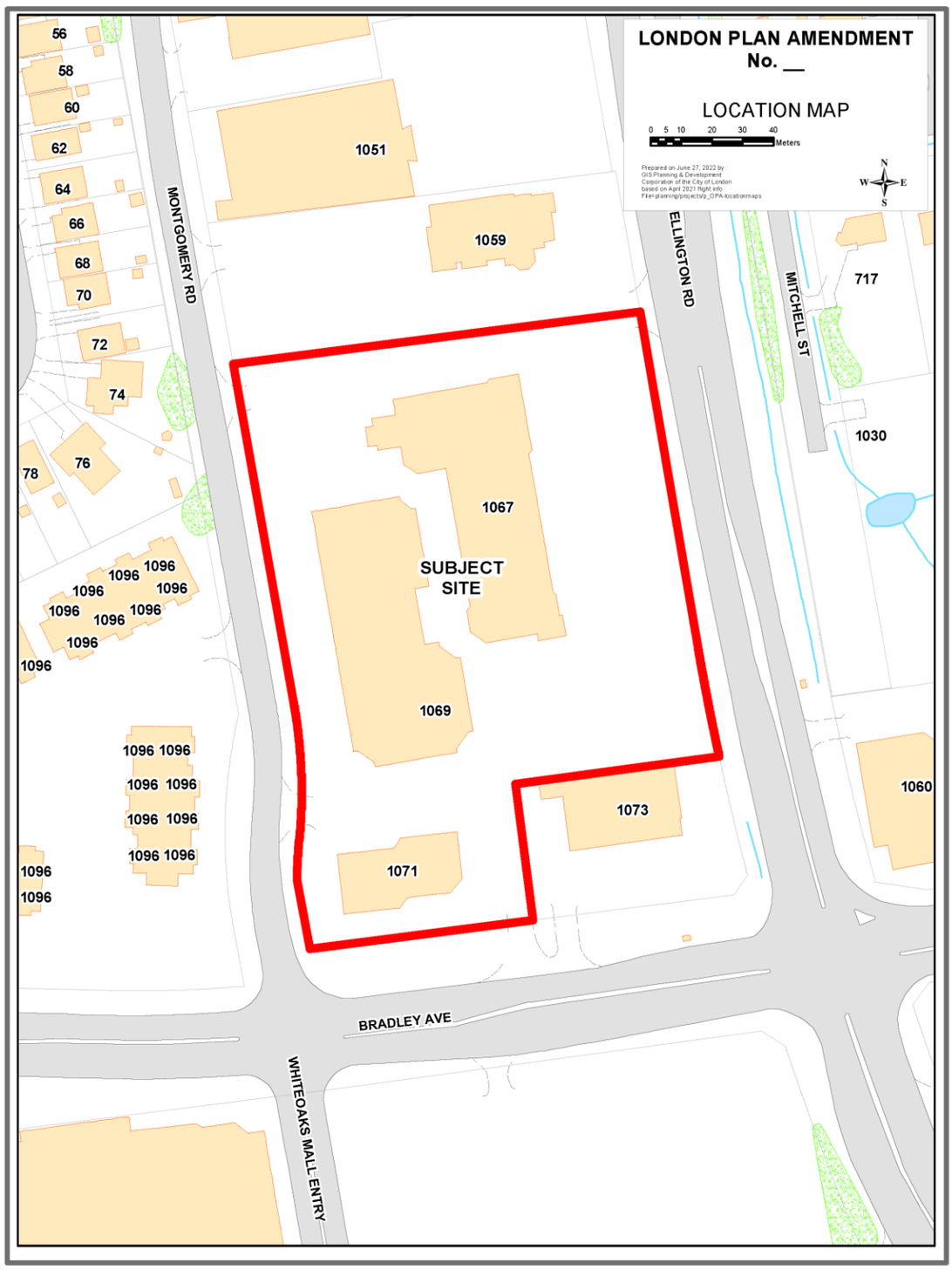
The London Plan for the City of London is hereby amended as follows:

1. Specific Policies for the Transit Village Place Type of *The London Plan* for the City of London is amended by adding the following:

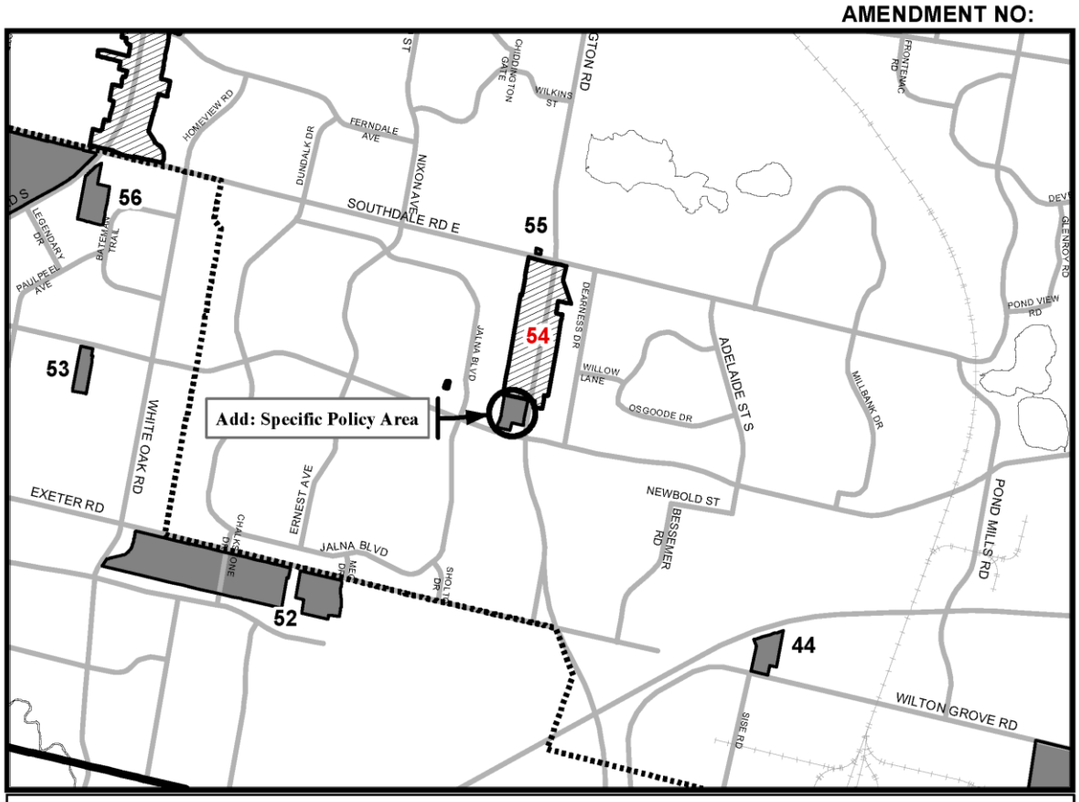
   1067, 1069, 1071 Wellington Road in the City of London

   A mixed-use development with a maximum height of 27 storeys may be permitted, to be implemented by a bonus zone that provides for affordable housing.

2. Map 7 – Specific Policy Areas, to *The London Plan* for the City of London Planning Area is amended by adding a Specific Policy Area for the lands located at 1067, 1069, 1071 Wellington Road in the City of London.


LONDON PLAN AMENDMENT
No. __
LOCATION MAP
0 5 10 20 30 40
Meters
Prepared on June 27, 2022 by :
GIS Planning & Development
Corporation of the City of London
based on April 2021 flight info
File=planning/projects/p_OPA-locationmaps
N
W
E
S
MONTGOMERY RD
ELLINGTON RD
MITCHELL ST
BRADLEY AVE
WHITEOAKS MALL ENTRY
SUBJECT SITE
56
58
60
62
64
66
68
70
72
74
76
78
1051
1059
1067
1069
1071
1073
717
1030
1060
1096

AMENDMENT NO:



LEGEND

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

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE 1
TO
THE LONDON PLAN

AMENDMENT NO. _____

PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

FILE NUMBER:	O-9263 & Z-9264
PLANNER:	SW
TECHNICIAN:	RC
DATE:	6/27/2022

Document Path: E:\Planning\Projects\p_officialplan\workconsol00\amendments_LondonPlan\O-9263\O-9263_AMENDMENT_Map7_SpecialPolicyAreas_b&w_8x11.mxd

Appendix B

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 1067, 1069, 1071 Wellington Road.

WHEREAS Century Centre Developments Inc. has applied to rezone an area of land located at 1067, 1069, 1071 Wellington Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the 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 1067, 1069, 1071 Wellington Road, as shown on the attached map comprising part of Key Map No. A111, from an Associated Shopping Area (ASA1/ASA3) Zone to a Business District Commercial Special Provision Bonus (BDC(_)*B-(_)) Zone.

2) Section Number 4.3 of the General Provisions is amended by adding the following Special Provision:

4.3.4) B-(_) 1067, 1069, 1071 Wellington Road

The Bonus Zone shall be implemented through one or more agreements to facilitate a high-quality, mixed-use development of three buildings with 5 towers as follows: a building along Wellington Road with two 27 storey towers; a building along Montgomery Road with a 10 storey tower and a 20 storey tower, a building along Bradley Avenue with a 27 storey tower; and a maximum density of 566 units per hectare (1,272 units). The development will generally implement the Site Plan attached as Schedule "1" to the amending by-law except where the regulation is more specific and provide for the following:

1) High Level of Design Standards

The building design and site plan contained in Schedule "1" of the amending by-law is being bonused for features which serve to support the City's objectives of promoting a high standard of design to be implemented through a development agreement:

iv) Building Height

Montgomery Road

a. A building height not exceeding 10-storeys in height for Tower C (currently facing Montgomery Road and the adjacent residential zone).

v) Minimum Design Standards

Podium Features

d. Step-back along Wellington Road to enhance a pedestrian oriented street wall;

e. Abundant use of clear glass material and clear glazing with interior spaces visible from the outdoors, with overhead projecting canopies for all entrances and lining the pedestrian-oriented street wall frontages.
f. A significant break in the podium along Wellington Road as shown on the site plan at the midpoint of the building between Towers A and B, to break up the long façade and promote a human scale, pedestrian oriented environment.

Tower Features

e. Step-back of the towers, from the podium to the greatest extent possible on all street facing facades;
f. A slender point-tower form for all towers not exceeding 1,050m^2 floorplate above the 8th storey;
g. Mitigation of building mass with a high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials and use of clear glass balcony barriers;
h. Further mitigation of building mass by varying and articulating the plane of all facades.

Building Cap Features

b. The use of building step-back at the top storey, with mechanical penthouse completely concealed in the building's top storey.

vi) Site Landscaping

All-season landscaping and foundation planting along any large expanses of walls facing public streets, internal drive aisles, and mid-block connections.

2) Provision of Affordable Housing

vii) A total of 10% of the lift (93 affordable housing units based on 1,272 units) will be provided in the development, representative of the bedroom and unit mix of the overall building;
viii) The affordable housing units should be evenly distributed throughout the individual buildings to the greatest extent possible;
ix) Rents not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area (CMA) at the time of building occupancy; where AMR is defined at the one-bedroom, two-bedroom and three-bedroom rate for the London CMA at the time of building occupancy;
x) The duration of affordability set at 50 years from the point of initial occupancy of the respective building;
xi) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
xii) These conditions to be secured through an agreement entered on title with associated compliance requirements and remedies.

The following special regulations apply within the bonus zone:

a) Regulations

i)	Height (Maximum)	27 storeys or 96m (315 ft) whichever is less
ii)	Density (Maximum)	566 Units Per Hectare
iii)	Residential Parking Rate (Minimum)	1 space per unit

iv)	Commercial and Retail Parking Rate (Minimum)	1 space per 20sqm of gross floor area
v)	Tower Floorplate Above the 8th storey (Maximum)	1,050sqm (11,302sq ft)
vi)	Tower width to length ratio above the 8th storey (Maximum)	1 : 2
vii)	Building setback above 6th storey along Wellington Road (Minimum)	3m (9.8 ft)

3) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:

BDC( ) 1067, 1069, 1071 Wellington Road

a) Additional Permitted Uses
   i) Apartment Buildings, including residential units on the first (ground) floor

b) Regulations:
   i) The front lot line shall be interpreted to be Wellington Road

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.

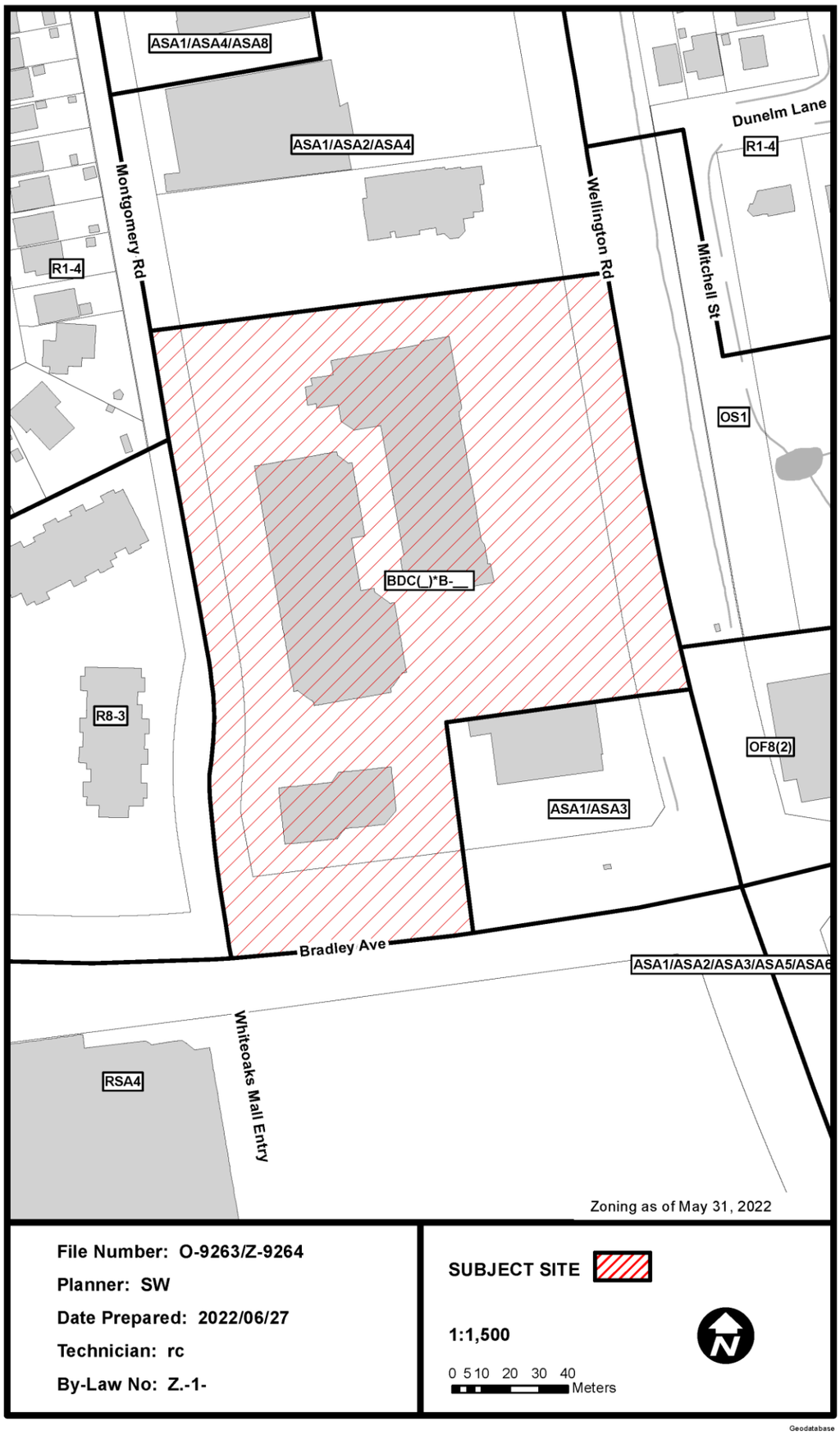
PASSED in Open Council on August 2, 2022.

Ed Holder
Mayor

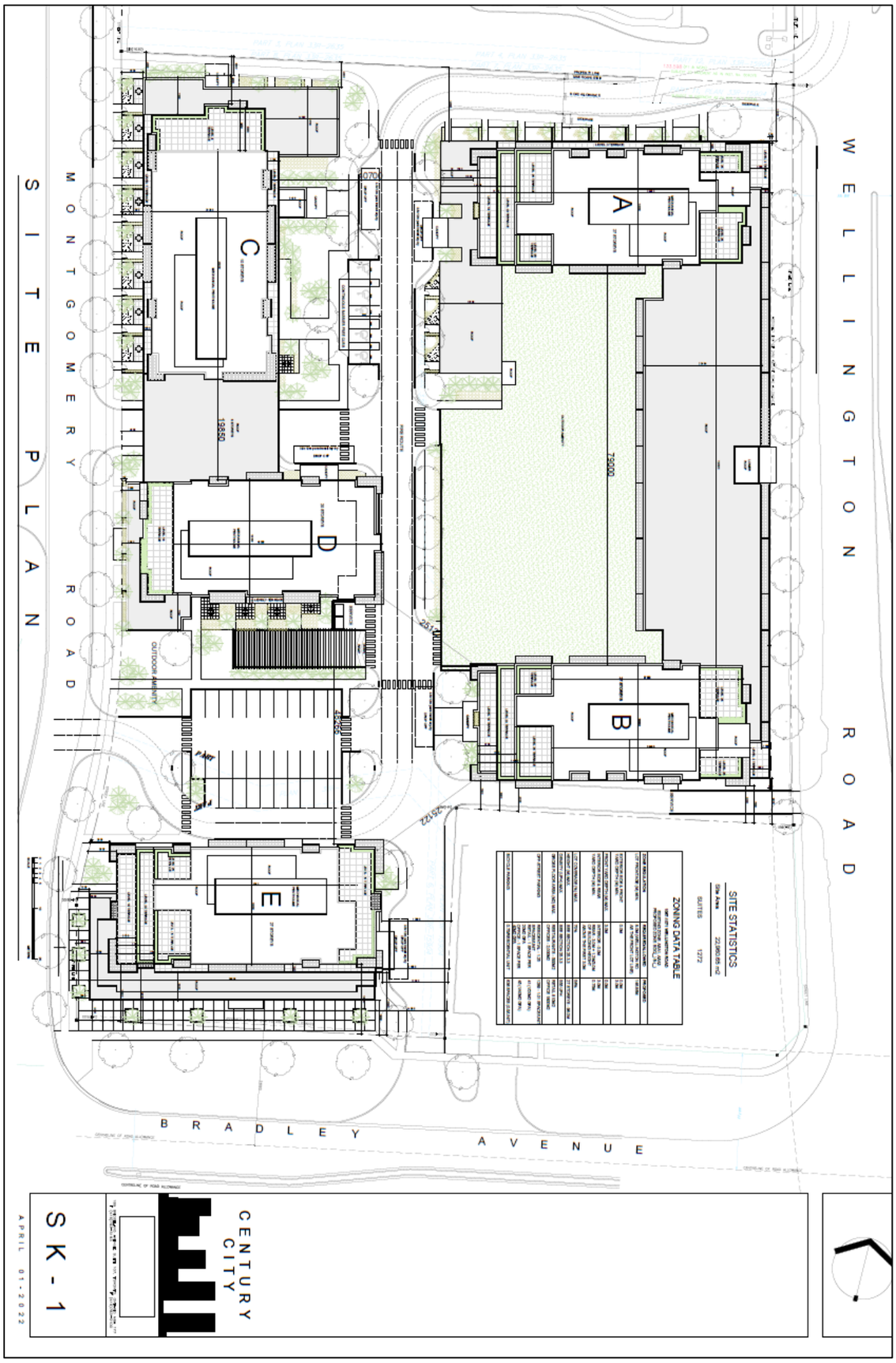
Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

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



Schedule 1


SITE PLAN
MONTGOMERY ROAD
WELLINGTON ROAD
BRADLEY AVENUE
A
B
C
D
E
OUTDOOR AMENITY
SITE STATISTICS
ZONING DATA TABLE
CENTURY CITY
SK - 1
APRIL 01-2022

Appendix C – Public Engagement

Community Engagement

Public liaison**:** On September 20, 2020 and June 8, 2022, a Notice of Application was and Revised Application respectively was sent to 386 residents including 249 property owners, and 137 tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 21, 2020 and June 9, 2022. Two "Planning Application" signs were also posted on the site. Replies were received from 24 respondents

Nature of Liaison: Possible amendment to permit three mixed-use buildings with five high-rise apartment buildings, ranging from 10 to 27 storeys in height, with 1,272 residential units, 1,800 square metres of office, 810 square metres of retail, and a total of 1,375 parking spaces provided in underground and above-ground facilities. Possible amendment to The London Plan to **ADD** a Specific Area Policy to permit mixed-use buildings with a maximum building height of 27 storeys (96 metres) and a maximum density of 566 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** an Associated Shopping Area Commercial (ASA1/ASA3) Zone **TO** a Business District Commercial Special Provision Bonus (BDC(_)*B-_) Zone. Special provisions would identify the Wellington Road frontage as the front lot line; permit dwelling units along the front portion of the ground floor, whereas dwelling units are required to be located at the rear of the ground floor or on or above the second storey in combination with permitted non-residential uses at the front of the building on the ground floor; permit a minimum rear yard depth of 0.75 metres, whereas 33 metres is required; a minimum parking rate of 1 space per residential unit, whereas 1.25 spaces per unit is required; a minimum parking rate of 1 space per 20 square metres of retail gross floor area, whereas 1 per 15 square metres of gross floor area is required; and a minimum bicycle parking rate of 0.5 spaces per residential unit, whereas 0.75 spaces per residential unit is required. The proposed bonus zone would permit a maximum building height of 27 storeys (96 metres) and a maximum mixed-use density of 566 units per hectare in return for eligible facilities, services, and matters outlined in policies 19.4.4 of the 1989 Official Plan. Special provisions may be added to regulate tower floor plates, tower length to width ratios and stepbacks along Wellington Road. Holding provisions may be applied for matters pertaining to urban design and/or servicing. Responses: A high-level summary of the various comments received include the following:

- Traffic and Transportation: traffic flow on Bradley Ave, existing traffic is an issue and will get worse with development, Montgomery Road does not have any traffic calming and will have new driveways, concern with the traffic modelling data and projections, development still provides parking in a transit village, residents won't use transit, too many cars for too intensive a proposal
- Concern for school capacity for new residents
- Need affordable housing
- Built these in a less intensive areas, shift new development to the outskirts
- Strongly oppose the application
- Impacts of shadowing on existing neighbourhood
- Reduced property values, impacts on privacy
- Existing issues with cut-through traffic, illegal dumpster dumping
- More people will create more noise
- Support for the proposal and improvements to current vacancies

Responses to Public Liaison Letter and Publication in "The Londoner"

Written and Telephone Comments
Kimble F. Ainslie, Ph.D. 46-1096 Jalna Blvd London ON N6E 3B8
Pablo Calcaterra 414 Ferndale Ave
Richard Camman
Pierette Caron
Donald Cochran 72 Beechmount Cr
Amber Dubien
Milt Everitt 980 Jalna Road
Lori Fox
Edith Findlay
Carol Gross
Mary Ann Hodge
Frank & Debbie Lazzaro 80 Beechmount Crescent, London
Tanya Leckie
Richard Malton
Joy Pickering
Moni Ramsey 98 Kristina Crescent
Nicole Ronald 7 Beechmount Cres +Robert Ronald +Jordan Ronald +Joel Ronald
Sylvia Brand 717 Dunelm Lane +James Smithers +Sandra Smithers
Sandra Smithers 717 Dunelm Lane
Aleksandra Szywala unit 140-1096 Jalna Blvd.
Redir Taher
Lynda Thompson
Brent Tugwell 57 Beechmount Cres.
Ossa Zebian

Public Comments

From: Carol Gross < >
Sent: Friday, June 24, 2022 11:07 AM
To: Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] construction at wellington/bradley/montgomery

Good morning
My name is Carol Gross, and I live at 1096 Jalna Blvd, Unit 4.
Recently it came to my intention that numerous high rise buildings with underground parking are planned for the area of wellington/bradley/montgomery.
Are you aware there is an underground spring in this area?

If not, why not?
Has there been an environmental study done which will guarantee the spring or its runoff will not be diverted to other properties in the area?
If not, why not?
Are there plans for First Nation's Archeologists to examine the area for artifacts before construction begins?
If not, why not?
Are there plans for construction workers to park their vehicles in a place that will not burden businesses or residential areas during construction?
If so, exactly what are those plans?
Thanks for your consideration of these questions.
Carol Gross
Bruce Wright

From: Joy Pickering
Sent: Wednesday, June 22, 2022 2:14 PM
To: Garcia, Bibiana <bGarcia@london.ca>
Subject: [EXTERNAL] Bradley, Montgomery,Wellington Road proposed construction.

What are the revision?.Wasn't Easy to see any difference.At Wellington.And Bradley and Mongomery.the land is too small to cramp this many People.in an already dangerous Intersection.The services not sufficent for the many people at this small area.the Peoples around cut through 1096.Jalna Blvd.to escaoe 2 light.we can't add 1200 plus more people. to this Headache.Dumping garage furniture carpets Cinstruction materials filling up our Garbage in 2 days after emptying.People walking through can't back out our case as people walking through like its public.property and a throw ay liter on property.walking their dogs all winter.because the side walks are not clean.but our side walks are aperfectly clean safe place to walk..compared to public Side Walks after A Snow build up. As. Its minimum standard not safe. Ignoring our Speed limit and trespassing signs.Once reciently a stolen car left on property.in visitors parking.It's alarm going off all night from 7.pm.to 7a.m Noise department called to come, too busy.didnt.It's more than our 144 units.we have.that Use our $1/4 million drive way, we Just redid .More wear and tear..It's a Grand Central station activity.50 cars cutting through daily.crashing into our cars.several time in Winter.also speeding.as wanting to Escape 2 stop lights IGNORING ALL OUR SIGNS AND LAWS OF THE LAND. OF NO DUMPING.IN OTHERS GARBAGE..FOR PEOPLE INTO LONDON.NO PROVISION FOR THE EXTRA.people AND FACILITIES.IN THIS AREA for people arriving in this over populated area.Can't get out of parking into Montgory Already .the congestion Exist especially at CHRISTMAS.CAN'T JUST BUILD HERE JUST BECAUSE LIQUOR STORE AND WAL-MART IS ALREADY EASY WAY OUT FOR BUILDER PREFERENTIAL TREATMENT. HERE.NOT FAIR TO PEOPLE WITH MANY PROBLEMS.I'TS FOR ALL THE WRONG REASONS.NOT GOOD FOR REDSIDENCE.please Re consider THEY NEED A MORE SPARSE AREA LESS CONGESTED AREA.MANY OTHER PLACES AVAILABLE.JUST GREEDY builder taking the easiest place he is trying.Don't care about anything but profit. THANKS.JP

With Regards to file O-9263/Z-9264 ①

Sonia Wise.

1067-1071 Willington Road.

Comments - ① concern that you would now consider increasing the number of floors - why hasn't the # of units increased as well?

② - high rises tend to be inner city (downtown) not in an existing single home / townhouse area (with planning this could have been part of Exeter Rd development

③ - this stresses all city services

④ - also results in light, sound and now it appears environmental damage according to recent studies which indicate building up beyond a certain # of floors is bad in terms of climate change (more hydro consumption due to air conditioning)

⑤ - How far does the shadow extend from the top of a 22-27 storeys?

⑥ - Do you even consider the impact on existing taxpayers who own property in the area? Would you want to live here once these buildings are up?

⑦ Do you believe Londoners want to

pay the cost of keeping rapid transit running?

A lot of the public do not use existing public transit why would they get on board with rapid if it can't deliver them directly & quickly to their destination

(8) If there were a fire is there really enough access to all of these buildings based on the changes to set backs & yard space from normal requirements (ex 1m instead of 30 m)

(9) Peoples lives will be put in danger due to increased traffic trying to navigate near the mall Improved roads will not be enough. ~~based on already~~ Remember there will be fewer lanes on Wellington once the transit is in place.

(10) Why would someone take rapidtransit if they first have to get to it. (walking is not a popular option)

(11) Inadequate parking for the # of units unless all are singles. Even then only about 100 spaces for non-residential

(12) Inadequate parking for businesses to survive on occupants only.

(13) Why is the hub + high ~~rise~~ density housing not taking place south of 401? where there would be more land + less traffic congestion? If people could access without going outside you might increase ridership.

(14) Will London reduce property taxes based on negative impact to value? Likely this saving will be negated by the increase required to pay for rapid transit which doesn't make enough income to cover costs.

(15) Planning, planning, planning. You should not be negatively impacting residential areas by changing zoning by laws. These were there for a reason: to protect the nature of the community.

(16) Have you really researched what has happened in K-W

in terms of costing to taxpayers & problems with little access to parking in order to take their rapid transit.

Fewer units than your existing plan could fill in this area without the ~~amount of~~ huge negative impact. Perhaps your station should be located there with lots of available parking instead. It wouldn't solve the traffic issues.
Most of the high rises along Bradley, west of Wellington are 10 floors or less and are adjacent to commercial or services not residential housing.

Improve you existing transit + plan high density housing outside of existing residential areas.

Or is this because the current Ontario government is pushing high density with funding provided.
London is known as the ~~Forest~~ Forest City and that's not what high rises suggest. Trees don't like growing in asphalt.

(5)

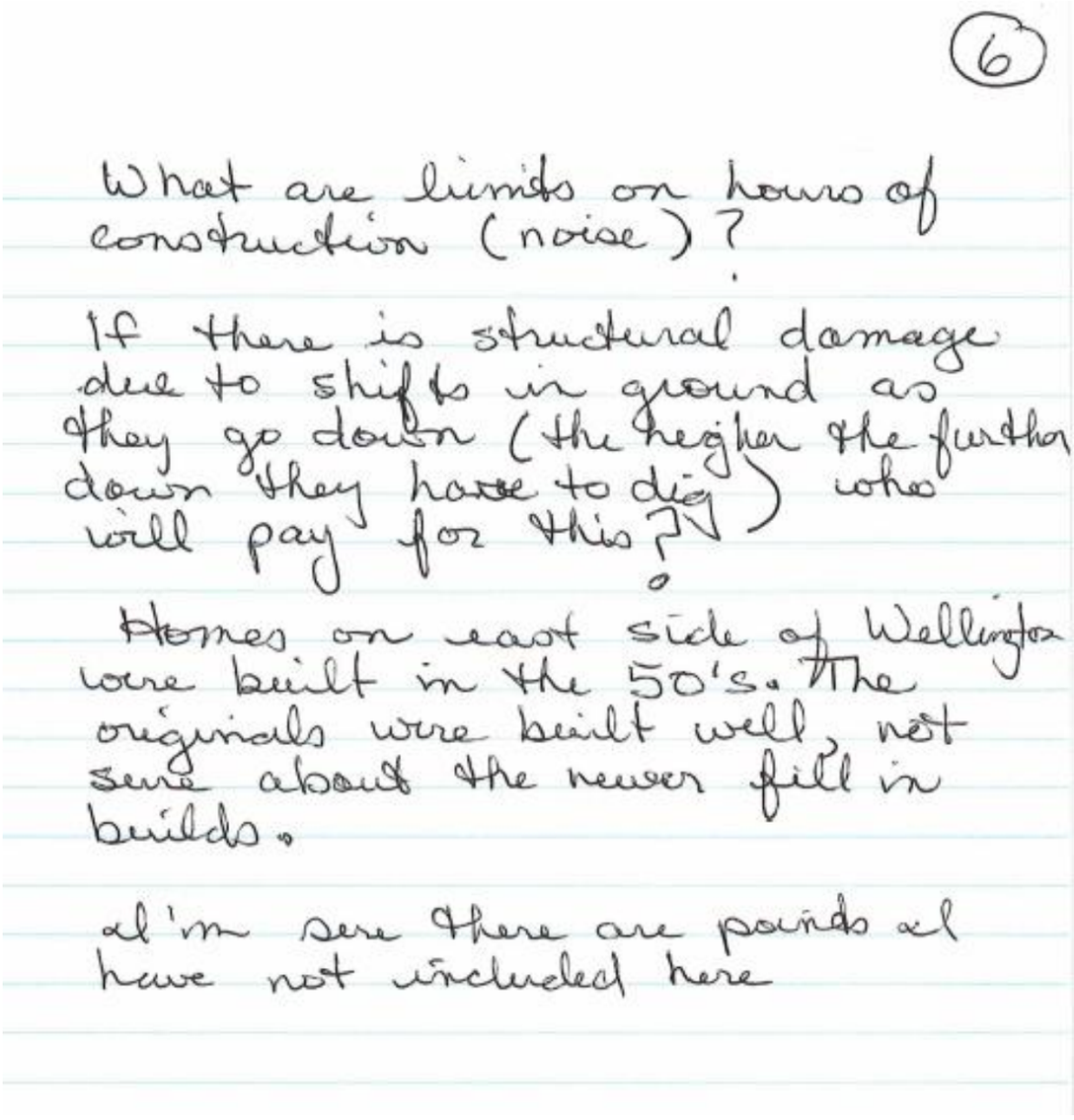
Family home located at 717 Dundas
Lane across from said development.

I would like to speak at the meeting
I'm sorry for the length. When I
was near the bottom of my initial
comments and only on pg 2 I
thought it would be shorter to go
by points...alas maybe not the case.

Sylvia Brand
{Sandra Smithers
{James Smithers.

During the zoom meeting held
by the development company rep
I asked where in the city there
was a building of the then proposed
height within a residential area.
The one suggested is 10-12 stories
only. I wanted to find out how
much this impacts the property
values of existing residential units.
Will the city be compensating
owners for this?

What limits are there in terms of
noise + damage to structures



(6)

What are limits on hours of construction (noise)?

If there is structural damage due to shifts in ground as they go down (the higher the further down they have to dig) who will pay for this?

Homes on east side of Wellington were built in the 50's. The originals were built well, not sure about the newer fill in builds.

I'm sure there are points I have not included here

From: FRANK LAZZARO < >
Sent: Tuesday, June 28, 2022 8:35 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] File 0-9263/Z-9264 Planning Application 1067 – 1071 Wellington Road

Dear Ms. Wise,

We are writing to you as we have concerns about the latest proposed changes to the Planning application for the above noted property.

We have lived at 80 Beechmount Crescent for the past 45 years and are very familiar with the changes in road and traffic patterns over the years. Going from apple orchard, forests to clogged roads has been a progression not without struggles both currently and no doubt in the future.

The current application indicated a 22-storey apartment complex and business proposed building application. That would be a towering structure well in excess of any other building in the residential and commercial area and no doubt if granted would now be the minimum standard for future structures in the area.

While 22 storeys are difficult to comprehend a proposed additional 5 storeys are totally without merit.

The additional strain on traffic flow is already stressed to the maximum given the proximity to White Oaks Mall making allowances for seasonal traffic and bottle necks.

Access to businesses and patron parking is critical to the success of any business and the monitoring of the business parking area would be a daily necessity to attract their clients and not apartment visitors.

Decreasing the parking minimum under the new proposal from 1.25 to 1 is begging for a disaster at all times of the day. This is far from the standards of other structures in the area and the city proper has raised the parking spaces required to meet the minimum standards.

The traffic study should be a 4-season study considering time of day and seasonal uses of the surrounding area. I would appreciate knowing when the traffic study was done. As if it was over the past 2 years during COVID it would have little to no bearing on traffic patterns under normal traffic conditions and it's finding totally flawed.

We wish this letter to be part of the objections to the proposed changes to File 0-9263/Z-9264 Revised Planning Application 1067 – 1071 Wellington Road.

Thank you,

Frank & Debbie Lazzaro
80 Beechmount Crescent, London

From: Joy Pickering < >
Sent: Friday, June 4, 2021 7:25 PM
To: Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] File O-9263/Z-9264

Was wo dering how thus application is going..the area us too small and too congested already.lots of accidents at the 2 lights around White Oaks Mall.there is a Vacant land beside.this parcel.surprised it wasn't purchased as well.to use.for this project..will go to. docservices@london.ca thanks.

From: Nicole Ronald < >
Sent: Wednesday, December 23, 2020 7:59 AM
To: City of London, Mayor <mayor@london.ca>; Peloza, Elizabeth <epeloza@london.ca>; Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] proposed development Wellington/Bradley

Dear Mayor Holder:
We are writing to you regarding the proposed development at the corner of Wellington and Bradley by Century Centre Developments and the effects it will have on the neighborhood and environment.
We have seen Elizabeth Peloza on the news a few times speaking about how wonderful this development will be (this developer and our councilor do not live in the area so how do they know how this development will affect us?). As our councillor she should be on the fence assisting both those who agree with the project and those who do not. Instead she was preaching in the zoom (December 1) meeting how she spoke to the Realty Board who told her South London is the fastest selling area in London. Do you really think Londoners want to buy on our street with all these apartment buildings looking down into our backyards as we use our pools which won't have sunlight because the buildings are too tall? It took us two emails to Ms. Peloza before a response came from her.
The developer is planning to build a "mini city" on this city block (5 high rise apartments, 18-22 storeys each). The amount of people and cars that will be congregated on this city block is ludicrous (1,239 residential units will total how many people and cars in the end?). If this developer thinks that each apartment will have only 1 car he needs his head smacked. Most homes have at least two cars and then there will be the extra cars from visitors. We are sure White Oaks Mall will gladly give away

their parking to Century City to keep their residents and visitors happy!! Like others in the area, we walked around counting the levels in other apartments and none of them are near the 22 that are expected to be built. What gives this developer the right to feel he can get the bylaws changed to suit his desires? Bylaws are there for a reason – so ridiculous developments cannot occur.
After listening to the panel on the zoom meeting on Dec 1, we realized how little these developers really care about what they are doing to the neighborhood and its residents. One speaker on the panel stated the developer wanted to work with residents. How is the developer working with residents when he proposes 22-storey buildings that will take away our privacy, block sunlight and lower our house values?
As city taxpayers we have every right to fight developers like Century City who are developing a project that will only satisfy their pockets financially. We hope City Council will realize that a development of this scale is wrong for this corner. We will agree that part of this location is looking rather dumpy (the LLCBO and the other few buildings are fine but the small strip plaza with M & Ms and Swiss Chalet is old and unkept looking. We agree a developer could make this area more pleasant to residents but not at the ridiculous grandeur that is proposed.
The developer has also proposed quite a bit of retail space on the lower levels. As we can see in London, businesses are closing their doors and more people working from home; therefore, retail space is sitting unrented and unused. Yet, this developer sees the need for even more retail space. Maybe he should walk around White Oaks Mall and see the stores that have closed or are closing.
One panel member from the City who looks after traffic flow was also not accurate in the information he was passing to listeners. He indicated the area is only busy near Christmas but otherwise the added cars and people would not be noticed. He is 100% incorrect on this and would know this if he lived in the area. Walmart is busy any day it is open. The Mall is also very busy during holidays like Easter, Thanksgiving, back to school, beginning of summer when residents are gardening and looking after their yards and of course Christmas. The traffic here is already crazy and we cannot imagine adding in 1200 more people and cars. All of us in this household will take an alternate route to avoid Bradley and Wellington due to the current amount of cars passing through this intersection.
We are sincerely hoping City Council will force this developer to scale back his monstrous structure. We would like to see more three-story walkups like those on the block adjacent to the proposed site. Please take the time to listen to residents in this area and stop allowing developers like Century City to fill their pockets and walk away leaving residents with decreased home values and a sense of no one at City Hall is listening.
Thank you.
Yours sincerely
Robert Ronald
Nicole Ronald
Jordan Ronald
Joel Ronald

> From: Edith Findlay [mailto:]
> Sent: Thursday, December 3, 2020 5:35 PM
> To: Hillier, Steven <shillier@london.ca>
> Subject: [EXTERNAL] Traffic flow Bradley with proposed high rises
> Wellington and Bradley
>
> Hello
>
> I would like to express my concern about the traffic flow on Bradley Avenue Heading east. With the proposed high-rises going up traffic on that road is only going to

increase. It is already at peak times bumper to bumper along that stretch from Wellington to highbury. Also at the corner of Bradley and Milbank Road during peak times you could be the first car in line to make a left hand turn and have to wait three lights before it being able to do it. The worry is with the increased population due to those high-rises and the increased traffic flow this will become more of a concern.
>
> The high-rises I'm speaking of are the ones going up on the corner of Bradley and Wellington just were the Swiss chalet is and the old Keg was.
>
> Thank you EDITH FINDLAY
>
> Sent from my iPhone
> Edith Findlay

From: MaryAnn Hodge < >
Sent: Friday, November 27, 2020 10:43 AM
To: Maton, Catherine <cmaton@london.ca>
Cc: ben.m@zzplan.com; Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] Fwd: Developers Virtual Open House RE 1067-1071 Wellington Rd. application

Hi Catherine,

I was reviewing the proposal for 1067-1071 Wellington Rd and was wondering where the London Transit bus stop would be for this development?
Will it be at the corner of Bradley and Wellington?

I am asking since I understand that Wellington is considered a bus corridor, and with this high density development, encouraging transit use would be great. My concern is that the residents of the towers might find it frustrating to have to walk around the entire block to get to the bus station.

In the absence of a climate emergency action plan, it would be prudent to consider how the transportation system may evolve that makes transit use more attractive. Is it possible to highlight the transit access on the plan in the same way that vehicle access is noted?

Mary Ann Hodge

-----Original Message-----
From: Pierrette Caron < >
Sent: Friday, November 27, 2020 1:39 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Wellington

The new development that is suggested will it include bike 🚲 lines and sidewalk if yes please send me the suggestions thank you

Sent from my iPhone

-----Original Message-----
From: Lynda . < >
Sent: Tuesday, November 10, 2020 12:31 PM
Subject: [EXTERNAL] Bradley and Wellington proposed site

This is to do with the proposed apartment construction. I back on to Montgomery. I wasn't sent out a notice which is ok. I live on Beechbank Cr. When all the buildings were constructed behind here, Montgomery was supposed to be a service road. What

happens now? It is very busy and not with just delivery trucks. I hear the traffic from Wellington, the car wash, and Montgomery. I kept the trees along the fence to kill the noise. But it is getting noisier on the other side.
Thank you
L Thompson

Sent from my iPad

From: Sylvia Brand [Staff] < >
Sent: Thursday, October 22, 2020 4:00 AM
To: Maton, Catherine <cmaton@london.ca>; Peloza, Elizabeth <epeloza@london.ca>; Hillier, Steven <shillier@london.ca>
Subject: [EXTERNAL] 1067-1071Wellington Rd. Planning Application

Please share with your fellow councillors.

I was stunned by the proposals outlined in file O-9263 and Z-9364. It basically suggests putting the equivalent of a small town into a small space within a very busy high traffic area. It also suggests putting 8 high rises (even 8 floors seem high compared to the surrounding single family dwellings) on this relatively small piece of land.

I have concerns about the traffic, as well as the air, noise and light pollution which will result if these amendments are passed. Any studies completed after mid March 2020 will not show a true indication of the normal traffic patterns in this area. The 1239 residential units will generate at least 1239 vehicles putting even more pressure on the Wellington corridor as well as Bradley, Highbury, Southdale and Wonderland. There will also be more traffic generated by the housing developments going on in this area. (Exeter Rd. and White Oaks to Wharncliffe) Rapid transit will not solve these issues as Londoners are not used to using transit over personal vehicles. Transit, once finished, will likely be used by those commuting to other cities not travelling within London. If these residential units are "accessible housing", the occupants may be unable to use rapid transit due to its high cost. The increase in vehicles on the roads will cause more air pollution as they idle in traffic. Even now it is not unusual to sit through three lights to make a left turn at either Southdale or Bradley as they intersect Wellington Rd. If you drive in this area you are familiar with the high volume beginning about 5am then again around noon and then 4pm. This also raises safety issues when emergency vehicles have to navigate to the hospital or fire and police respond to the frequent fires in the high rises near White Oaks Rd.

After reading the proposed zoning permitted uses it seems to cover everything except single family homes and fire stations. I am not sure if emergency care refers to hospitals, if a private club refers to a strip club, or if bed and breakfast could be a hotel. I will also check the website to see if I can tell what a lodging house class 2 covers. It seems the current zoning allows many uses that are appropriate to the area more so than the new proposed zoning.
The special provisions will create serious issues for the development as well as the neighbouring businesses.
Obviously there is not enough land if they can not provide 33 m for the rear yards.....1 m sounds like it could be a fire hazard if the buildings have so little space around them. They want approval to reduce the number of parking and bicycle spaces to again save space to fit in more buildings?? Is there room for emergency vehicles to access the buildings?
If you assume 20 floors for the 5 "high rises" that is 100 floors. If there are only 1239 residential units, each of the 100 floors would have 12.5 units which does not seem accurate. And what about the residential units in the mixed use buildings? If these are part of the 1239 units then there are even fewer units per floor. If they are not included does this mean there are no parking spaces allocated for these units? These days many families are multi- generation and have more than 2 vehicles. There are no other places for them to park in this area. If the special provisions are approved:

1239 spaces for residential
47.5 for retail
Leaves 47.5 for the office space

Why would you not promote mixed use buildings that are townhouses with retail or commercial on the bottom level with 1 or 2 levels above that provide living space for the business owners. This fits in with the current area better than high rises and even though traffic will still be affected it is not as bad as adding the number of people generated by the current proposal.

Thank you for considering my comments. I may have further comments after referring to the on-line pages.

Sylvia Brand
717 Dunelm

> -----Original Message-----
> From:
> Sent: Wednesday, October 21, 2020 8:33 PM
> To: Maton, Catherine <cmaton@london.ca>; Peloza, Elizabeth
> <epeloza@london.ca>; stevehillier@london.ca
> Cc
> Subject: [EXTERNAL] File O-9263/Z-9264 1067-1071 Wellington Road
>
> Hello
>
> Increased density is an important part of urban growth but I feel the
> scope of this development is too large for this site.
>
> Wellington Road is the main north south route to downtown, funnels
> traffic off Highway 401, and is a very busy roadway with many access
> points off and onto Wellington from the numerous commercial
> developments along its route. The neighborhood of this development
> has a very high volume of traffic already because of the numerous
> commercial retail access points, the White Oaks Mall, Fanshawe College
> Building and White Oaks Subdivision, commercial businesses along the
> Wellington corridor
> and the back entrances off Montgomery. The development would
> adversely impact two of London's busiest intersections, Wellington and
> Bradley and Wellington and Southdale. Traffic at the Bradley
> intersection is often backed up to the north access point of this
> proposed development. The south access point onto Wellington is close
> to the Bradley intersection and would cause issues there as well.
> Adding 1239 residential units and therefore at least another 1239
> vehicles having to access Wellington or Montgomery each and every day
> at least twice a day just increases volumes unnecessarily. Besides
> the point that there would only be 1,334 parking spaces for the
> apartment residents and retail, office space occupants. How many
> residents would have more than one vehicle per unit? Where are the
> retail, office occupants and clients to park?? Our society is
> dependent on the motor
> vehicle. Few individuals use walking, busing as a mode of
> transportation. That is just the way it is.
>
> There are numerous emergency vehicles that travel Wellington Road into
> the White Oaks area, out to Highway 401 and to London Health Sciences
> Campus at Commissioners and Wellington. We hear sirens 24/7 and
> traffic congestion is an issue for them currently. Time is of the
> essence when our emergency service vehicles are trying to navigate our
> busy city streets. How do you plan to manage this issue? Why create

> more traffic with this development?
>
> There is no other residential housing from Baseline Road south on
> Wellington so why put residential into a commercial, high traffic
> volume area.
>
> The development would create noise and light pollution and heavily
> impact the length of sun exposure to the current residents in the St
> Stephen's subdivision.
>
> Down the road, I imagine it will be necessary to widen Wellington and
> perhaps Montgomery as well. This development will be right up to the
> road allowance on both streets. How will you widen Wellington because
> of the increased traffic density? Will it be necessary to install
> traffic lights at the north access point of this development onto
> Wellington Road? Will you need to install a left turn lane on
> Wellington Road so that vehicles can turn into the development? How
> do you plan to manage the traffic congestion?
>
>
>
> Sandra Smithers
> 717 Dunelm Lane

Supplemental Comments

Thanks for the additional info. I would just like to point out that depending on when the Transportation Impact Assessment was conducted it may not give accurate info. There has been a definite decrease in traffic volumes on Wellington since March and Covid-19. Perhaps the traffic volumes from a prior assessment should be used as a comparison??

Sandra

From: Amber Dubien < >
Sent: Wednesday, October 21, 2020 2:30 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 1067-1071 Wellington Road

Please don't built this. On top of the fact that I don't want to look this while I'm in the comfort of my backyard, where are all the kids going to go to school from these buildings? Rick Hanson has enough kids in a class, White Oaks is already adding portables to accommodate the high numbers of children they have. Grocery store, the mall, other businesses in the neighborhood already run of food because the amount of people shopping in them, now you want to add 1200+ more people.
This looks expensive, London needs affordable housing, not high priced condos. Maybe consider building this in a neighborhood that isn't already filled with apartments.

Thank you.
Amber Dubien

From: Fox, Lori < >
Sent: Tuesday, October 20, 2020 4:59 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] 1067-1071 Wellington Road - Notice of Planning Application

Good afternoon. I am writing as a resident of Beechmount Crescent in the White Oaks area of London, and wanted to relay my concerns regarding the proposal for five high-rise apartment buildings ranging from 18-22 storeys in height being built on the subject property. I am all in favour of adding housing to our part of the city and think that is a

great location to add some buildings …… but I do not like the thought of having potentially five 22 storey buildings to look at when sitting on my front porch. I would be in agreement to possibly 10-12 storey buildings being built in that location and would think five building of that height would add a good amount of housing into that corner in White Oaks.

I am also extremely concerned with the amount of additional traffic that kind of complex (the size being proposed) would bring to an already very busy section of Wellington and Bradley Roads. White Oaks Mall is already responsible for bringing huge amounts of traffic to White Oaks – and adding that amount of additional living spaces would make it even more chaotic than it is at numerous times of the year.

Please re-consider the height of the buildings being proposed for that site; I am totally in favour of building there, but not five 22 storey buildings.

Thank you for your consideration of the feelings of the people who have lived in this neighbourhood for over 30 years and don't plan on leaving for many more!

Yours truly,

Lori Fox
18 Beechmount Cres.
London
N6E 2J3

From: MILT/C EVERITT [mailto:]
Sent: Monday, October 19, 2020 9:07 AM
To: Maton, Catherine <cmaton@london.ca>; Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] Feedback

Re: **Development Application - Public Feedback - O-9263/Z-9264 - 1067-1071 Wellington**

With regards to this planned development, as a resident in the Whiteoaks community, I have a couple of concerns...

1) Increased traffic in the area.
We've been asking for speed control measures along Jalna Blvd for several years now only to be ignored. It's become the neighborhood speedway along a stretch of road where many people walk, including school children and seniors. Adding this development will only compound the problem .

2). Increased crime. Adding this many housing units will undoubtedly increase the rate of crime in the neighborhood. Rarely do we see police officers patrolling our neighborhood. This will just lead to our community becoming less safe than it already is.

3). Noise Factor....throughout construction and afterwards, a structure of this magnitude will increase noise levels throughout the community.

4). Pollution levels....obviously this many people living in a small space will generate more pollution and garbage throughout our community.

These are just a few my concerns and other residents of Whiteoaks that I've spoken to. Please reconsider the location of this development to an area of the city that's better suited to accommodate it.

Regards:

Milt Everitt

From: Moni Ramsey < >
Sent: Monday, October 19, 2020 11:32 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: Re: [EXTERNAL] Notice of Planning - File O-9263/Z-9264

Good morning Catherine

Thank you for your email. As for the new project, it sounds like a great opportunity to enrich the whole area. But when I look at my condo which is on the first floor, I see that it will block the whole view and I won't be able to see the sky. The area will be very busy and noisy. I may lose my tenant especially during the construction period. I am not happy to have all this crowd a few meters away from my condo. I read in the pamphlet that i have legal rights but it wasn't clear .. What are my legal rights in that situation?

I would like to stay in contact.
My mailing address: 98 Kristina Crescent, London, ON, N6E 3V4.

Looking forward to hearing from you.

Best Regards

Moni Ramsey

Cell:
London, ON - Canada

-----Original Message-----
From: Ossa < >
Sent: Monday, October 19, 2020 5:39 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: Re: [EXTERNAL] 1067-1071 Wellington road project

Good day ,

This is a concern for my father who lives on 70 beechmount crescent. The proposed project will be right behind his back yard and he has a concern that this area will not be able to handle more than 1500 new people . His concern also is that there will be constant noise and interruptions everyday . The area is nice a quiet and it is very peaceful for many residents in that area.

From: Pablo Calcaterra [mailto:]
Sent: Friday, October 16, 2020 12:44 PM
To: Peloza, Elizabeth <epeloza@london.ca>; Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Development Application - Public Feedback - O-9263/Z-9264 - 1067-1071 Wellington

Hello,
I am against this development because it will ruin our sight in the area (high-rises instead of low profile homes), increase traffic that’s already very busy in the area.
Best regards,
Pablo Calcaterra
414 Ferndale Ave

Supplemental Comments

Thank you Catherine,
The area is already very busy with Walmart, the Shopping Mall, LCBO and this will really affect the infrastructure in the area. If this is already a bad area during weekends and rush hour thing will only get worse with those buildings.
I understand the short term benefits of construction and development but on the long run this area will be one to be avoided at all costs…
Best regards,
Pablo Calcaterra

From: redir taher [mailto:]
Sent: Wednesday, October 14, 2020 9:20 PM
To: Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] Wellington & Bradley

Hello

Hope that your well,

I live on Beechmount cres. And their is suppose to be new high risers 5 of them going up, that would be directly behind my house, I received the letter already, so will they put a higher sound barrier fence up? Will they extend Montgomery rd. What happens if they need to extend the road? they would come on in into my property, would they compensate for our property. My house backyard is directly across the old Keg, it's the first backyard just north of Bradley Rd. on the left side.
1200 parking spots that's a lot of traffic.
Will their be sidewalks on the West side of Montgomery rd?

Thank you!

Looking forward to Your response.
Best regards,

Redir T.

From: Richard Camman < >
Sent: Tuesday, October 13, 2020 7:50 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Comments (1067-1067 Wellington Road)

Hello Catherine,

In response to the Notice of Planning Application for 1067-1071 Wellington Road I have a couple concerns. As a homeowner living at 1096 Jalna Boulevard, I have come to experience increasing amounts of traffic, congestion and construction all within this general area. While I understand the purpose of reinvigorating this current space on Wellington Road, the size 18-22 stories in height along with putting an additional 1200 residents in this space concerns me. First of all, the amount of cars, congestion and people within the Bradley and Wellington Corner has already reached capacity (at least to me).

Getting off the 401 and attempting to safely access my property daily by car has become extremely difficult especially during peak hours. As a result, many cars now use Montgomery Road to beat the congestion on Wellington which makes it extremely difficult and even dangerous to attempt to turn out of my property specifically during the day. With the addition of these residents, I don't see how this general area is expected to function. The fact that it can take me 15-20 minutes to simply access my property from 401 is evident of that.

Further, with a building of 18-22 stories (which is much too big for the already busy area), I already know I am going to most likely have to deal with further congestion, traffic and difficulty accessing my property every day due to the construction alone that most likely will rely on Montgomery Road to move equipment and materials in and out to these locations. I am assuming this project will take a minimum of two years to fully complete.

In sum, what I am trying to say is that the infrastructure of Bradley and Wellington and Bradley and Montgomery Road is in no way capable to support and additional 1200 residents, let alone support the construction of these buildings without causing further chaos and congestion to the area. Whether you're a resident like me or you are a driver who must commute through the area everyday, its quite obvious this project will cause

complete chaos both initially during construction and post construction due to the increased influx of residents needing to access this area. The area simply put does not have the capability to support such a large project.

Thank you for listening to my concerns and while it may be obvious based on my previous comments. I do not support this project.

Richard

From: aleksandra szywala < >
Sent: Wednesday, October 7, 2020 7:01 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] File: O-9263/Z-9264

Hello,
I strongly oppose to the Official Plan and Zoning By-law Amendments at 1067 -1071 Wellington Rd.

Thank you,

Aleksandra Szywala
unit 140-1096 Jalna Blvd.
London, N6E 3B8

Supplemental from Councillor's office

Our office received comments from a Ward 12 resident regarding the proposed development application for 1067-1071 Wellington Rd, who was strongly oppose the development.

She said that it is not 'exciting' but would be a nightmare for the area. The increased congestion would be very harmful to the area which is already very busy. The area is mainly residential houses which will be overshadowed by these buildings. They are too big for the area.

Alexandra Szywala
104-1096 Jalna Blvd

From: BRENT TUGWELL [mailto:]
Sent: Friday, October 9, 2020 10:59 AM
To: Peloza, Elizabeth <epeloza@london.ca>
Subject: Re: [EXTERNAL] File # O-9263/Z-9264

hi Elizabeth,
thanks for you reply.
I had a question regarding the statement " a requirement for developers to build affordable units when constructing new market-rate housing". Does this refer to current market pricing for rents/selling or low income (London Housing) type units?
This has been another rumour I have heard, that these will be used for London Housing/Low income units. Some people have concerns this will play an part in lowering the value of the area. Sad to say, but it is out there.
If it is targeted towards todays current market value, that takes that issue out of the game. As you know, current real estate values are still very high in comparison to past years.
Not sure what value I will add in presenting to the committee. If there is something specific that you feel the committee would benefit in hearing from me, then let me know and we can discuss it.

regards,
Brent Tugwell

From: BRENT TUGWELL < >
Sent: Wednesday, October 7, 2020 9:59 AM
To: Maton, Catherine <cmaton@london.ca>
Cc: Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] File # O-9263/Z-9264

good morning Catherine,
I wanted to take a quick minute this morning and offer a comment on the proposed development project down in White Oaks on Wellington Rd.
For what it is worth, I wanted to let you know that this household is in full favour of this proposal and we hope this moves forward.
There has been a lot of chatter on the street regarding this project, with most of it being negative that I have heard. They feel it is too large and privacy will be in jeopardy.
In my opinion, they are afraid of change. This is the first investment we have had in this area in the past 30+ years. It is about time. I am tired of all the new buildings going north. That corner is a mess, with vacancies being very high. This investment will clean that up and offer an updated vision for the area.
I look forward to the change and the new look to the area that I have lived in since 1977.

thanks for your time,

regards,
Brent Tugwell
57 Beechmount Cres.

-----Original Message-----
From: Kelly Morley < >
Sent: Wednesday, October 7, 2020 4:20 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 1067-1071 Wellington road

I'm writing you in regards to a letter I received at my household regarding 1067-1071wellington road.
We are absolutely against and not at all in support of this happening. We are very concerned that this will cause many issues in our neighbourhood. We would completely lose any privacy we have in our own home. The property value of our home would absolutely decrease. The amount of traffic and people in our area would significantly increase losing what we love about our area which is the small community feel that we have with our fellow neighbours. We love our area and would love to continue to raise our small children here but certainly feel if this was to happen we would lose our confidence security and reliability in this area. I ask you to please reconsider not going through with this plan and allowing us to continue to live peacefully.
Thank for your time
Kind reguard
Kelly Morley and family

From: Joy Pickering < >
Sent: Wednesday, October 7, 2020 7:12 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Re: 1067-1071 Wellington Road

On Wed, Oct 7, 2020, 6:01 PM Joy Pickering, < > wrote:
We have enough problems here and no one addresses it.. For 20 years it's been problem..I live at 1096 Jalna. The people in the surrounding areas dump in our garbage.. It's overflowing by the 2nd day.. We can't use it. They drive through to escape two traffic. Lights..At Christmas, no one can get out on Montgomery Roadfrom our complex,because of the traffic. They scratch our Cars, park in numbered parking places. They crash into our cars in the winter.. several times in the past, cutting through.on or complex... walking through our property all hour of the day and night. We can't see them as we don't expect all this traffic.. It's constant. If we hit them.. What Happens?? They use it as a walk., drive through. As if like public Property. And throw garbage all through.as they go through .From the garbage. They took a lamp out yesterday, took it apart and one price, the base, dicarded on the property.. Kept the other party. This is constant. We don't we what to do.... No TRESPASSING MEAN.. NOTHING..IT does nothing.. In this lawless society.. When there are no consequence.. So prevention is better as there is no cure... We don't Need more people there.. For INSTANCE... Fighting, drunk, disorderly walking through at 3 am really.. loud.. Laughing . when they cutting through ..with no regard for the people who live there. Who have to go to work early in the morning.. . Knowing it's private property they are cutting through

(CAR RADIOS TURNED RIGHT UP ..LOUD.. AT 6.45 am when they cut through. Radios blasting..) we call the police They don't answer.. Or don't come if answer.. .. SO MOST OF THE PEOPLE HERE .. The144 UNITS.. ALL AGREE WE HAVE ENOUGH PROBLEMS.. HOPE YOU CONSIDER THIS CAREFULLY.. THE OUTSKIRTS.. PROBABLY BETTER.. TOO CONGESTED HERE ALREADY.. THANKS Joy Pickering.

From: Swartman, Amanda <aswartman@london.ca> **On Behalf Of** Peloza, Elizabeth
Sent: Tuesday, October 6, 2020 12:26 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Peloza, Elizabeth <epeloza@london.ca>; Rafuna, Liridona <lrafuna@london.ca>; Swartman, Amanda <aswartman@london.ca>
Subject: Resident Feedback - 1067-1071 Wellington

Good morning Catherine,

Tanya Leckie reached out to Councillor Peloza a few moments ago to share some concerns she has with the planning application for 1067-1071 Wellington. She asked that I also share a brief summary of her concerns with you as well:

- Increased traffic, along with an increase to other issues that come with it such as speeding and vehicle noise.
- Increased noise from vehicles servicing the building, such as garbage and delivery trucks. Tanya stated that currently the vehicles servicing the complex behind her house are coming between 4 and 6 a.m. and this has been quite disruptive to her.
- Privacy concerns – as the building is 22 stories, she feels that many of the residents will be looking out their windows into the backyards of residents along Beechmount Crescent.

From what I understand, Tanya does plan to reach out to you directly to also share her concerns.

Thank you,

On behalf of Councillor Elizabeth Peloza,

Amanda Swartman
Administrative Assistant
Elected Officials, Councillors' Office
City of London
300 Dufferin Avenue, P.O. Box 5035, London, ON N6A 4L9
P: 519.661.2489 x4653 | Fax: 519.661.5933
aswartma@london.ca | www.london.ca

As part of our ongoing efforts to stop the spread of COVID-19, the City of London has made changes to many City services. Visit our website for the latest information about City services and COVID-19.

From: < >
Sent: Tuesday, October 6, 2020 1:18 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: epoloza@london.ca
Subject: [EXTERNAL] Official Plan amendment, 1067-1071 Wellington Rd S.

Ms Maton and Councillor Peloza'

The city's official plan amendment at 1067-1071 Wellington Rd (File: 0-9263/Z-9264) is so outlandish that it is surprising it made it past the Planning Dept's initial review. The city and the applicant, Century Centre Developments are proposing 5 22- story buildings in the middle of low rise housing and commercial developments. To say that this monstrosity of a development is out of character with the neigbourhood would be to vastly understate the problem. Indeed, the development will wipe out up to a dozen commerical developments and leave a rather pleasant urban node decimated. The pending traffic volumes will be grotesque and the walkable character of the area will be left in ruin. Moreover, every dimension of the development fights the purposes and goals of the city's existing Official Plan. What was the purpose of promoting walkable communities and vibrant neighbourhoods in the London Plan, only to shunt them aside at the first opportunity? This development is an example of bad planning from start to finish.
Kimble F. Ainslie, Ph.D.
46-1096 Jalna Blvd
London ON N6E 3B8

2 of 4

From: < >
Sent: Thursday, October 8, 2020 3:38 PM
To: Peloza, Elizabeth <epeloza@london.ca>
Subject: RE: [EXTERNAL] FWD: Official Plan amendment, 1067-1071 Wellington Rd S.

Councillor Peloza:

A transit village is just another excuse for intensification where none is required. The pie in the sky intentions of planners for people not to use their cars is palpable nonsense. Only about 10% use public transit regularly and this is only because they are too poor to be able to afford a car. Quite literally, decades of Nordex Research data in the city proves this.

Moreover, this so-called transit village will turn out to be a "city"-size in population which fights the character and walkabilty of the surrounding neigbourhoods. You are taking a perfectly good suburban neighbourhood and trashing it.

You can pass my comments onto the Planning Committee.

Dr. Kimble Ainslie
Chairman
Nordex Research
London, ON

From: donal76 donal76 < >
Sent: Monday, October 5, 2020 11:27 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] File:0-9263/Z-9264

My wife and I have lived at 72 Beechmount Cr. for over thirty years and we definitly do not like the idea of a two hundred foot wall literally at our fence but the biggest concern we have is there is 1239 units and most families have more than one car plus visitors plus people shopping at the retail stores were are all the cars going to park when there is only 1334 parking spaces provided and no parking on the streets. Thank you for taking the time to read our concern.

3 of 4

From:]
Sent: Monday, October 19, 2020 5:31 PM

To: Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Monstrosity in South London

Ms. Cassidy, Chairwoman, Planning Comm.

There is considerably less support for the proposed huge new apartment complex in London South -- Wellington-Montgomery-Bradley -- than Councillor Peloza is letting on in the Free Press. Indeed, the structure is a virtual monstrosity, grotesquely out of character with the surrounding neighbourhoods and obviously in defiance of the London's Official Plan. And the purpose? Apparently to satisfy London planners tastes for large, out of date, Corbusier-like like structures -- a reminder of Soviet-era architecture. No less than five huge residential towers are planned measuring 22 storeys high.

Moreover, the project is being touted as an example of a "transit village," -- more wet dreaming by planners. Not even the proponents are prepared to go this far. They like the rest of us apprehend the project as a good ol' fashion residential complex of the ilk designed in the 1970s. We know this because incredibly there are 1334 parking spaces being reserved for cars. Transit villages don't need accommodation for cars because, well, residents are supposed to enjoy the Nirvana of bus riding. In the end, we'll have massive complex comparable to that surrounding Westown Mall – without the benefit of dedicated senior housing -- or worse, the beginnings of a brand new, made-in-London, welfare ghetto.

Kimble F. Ainslie

Chairman

Nordex Research

London ON

nordexresearch.ca

4 of 4

From: < >
Sent: Tuesday, December 8, 2020 2:20 PM
To: Maton, Catherine <cmaton@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Peloza, Elizabeth <epeloza@london.ca>; Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] 1067-1071 Wellington Rd S

Ms. Caton et al.

A meeting was held on Dec 1/20, by zoom, of up to 43 community participants, the proponents' planners and city bureaucrats. The purpose of the meeting, in retrospect, was to air grievances about a residential construction project at 1067-1071 Wellington Rd. S. The project is huge by community standards; it consists of five high-rise buildings, over 1300 parking spaces, and attached commercial units.

After a perfunctory introductory description of the project by planners, community representatives initiated a gung-ho round of criticisms of the project. The central themes as expected were the huge size of the development; its capacity to over-shadow the neighbourhood – quite literally – concerns about privacy and traffic concerns.

Notable speakers included a rather crude community college grad claiming a civil engineering diploma. Between the expletives uttered, he offered what was effectively a Marxist critique of the developers, their development as well as city planners. This was followed by a series of folksy yet very articulate commentaries by several women in the neighbourhood. They were the stars of the show and they focused on the gargantuan nature of the project, issues related to privacy and transportation frailties. The final

notable contributor offered a detailed discussion of land use regulation issues. The local ward councillor entered the discussion near the end where she considerably moderated her support for the project offered previously. Whether her change of posture of had more to do with an immediate crowd response or a genuine change of heart, time will tell.

Below are the issues I personally addressed to the planners.

Throughout the discussion, the proponents' planners reiterated more than once that the development was a living example of a "transit village." As my first question, I asked why therefore did they need 1334 designated parking spaces? If everybody is going to rely the bus system for personal transportation, surely over 1300 parking spaces are redundant. The planners replied rather weakly that "oh well, residents would need parking spaces in the transition." Then they let it slip that the whole complex would not be completed at once, for example in Year One. Surprised by their response on the timing of development I asked which building(s) would be completed first; for example, would they build two buildings along Wellington Rd first? Realizing that they had been caught saying too much, they mumbled something about not knowing which buildings would be built first and let the exchange die out. This was their first prevarication, at least to my queries, because as I know and presumably the city knows, developers and their bankers know precisely which buildings are going to built in what sequence; they know in advance the heights; they know in advance the location, and they know in advance other issue related to construction. They know these things because they need financing from bankers in advance of construction and even planning. What we also learned from this exchange is that the proponent is not exactly dedicated to idea of a transit village, not just because they are going to fully build out all necessary parking spaces, but also because the construction of the buildings could be years apart.

I didn't have to ask my question about set-backs. They admitted to set-backs on average of 0.75 m. further admitted to zero set-backs along Montgomery Rd. This means we will be faced, at 1096 Jalna Blvd, with a looming construct of Corbusier-like proportions right across the street. The planners also revealed that there will be considerable "shadowing" caused by the buildings, a polite way of saying the sun will be blocked out for the first half of each day for 1096 Jalna Blvd by the size the buildings – even if just two buildings go up on Wellington in the first years.

Indeed, to my question "why are they packing three large buildings along Montgomery, a service road already overburdened with traffic?" They mumbled something about it being consistent with their plans. When asked by another participant "what was the purpose of building such large buildings" in low-rise suburban neighourhood, they answered that their bosses "had been in business of building high-rises in the city for decades."

So there we had the grand explanation for the project: they were building high-rises because that's what developers do for a living; plain and simple, that's their business – and by the way everybody else can take the hindmost. **They were cashing in on an opportunity that the city had granted them space for and planning re-regulation** to accommodate. The neighbourhood be damned – our greasy Marxist friend had it right in the beginning.

On traffic matters, after much dodging of the question the proponents' planners admitted that they had no traffic counts on Montgomery Rd. They danced around the idea that taking counts at the closest intersections was good enough. Then they came to the implausible proposition that traffic would not increase on Montgomery Rd. as a result of the development, that the addition of more than 1200 households flowing onto Wellington and Montgomery on a daily basis would not be a get gain. They came to this curious conclusion after declining to collect data on Montgomery Rd.. The data they did collect was taken on the surrounding intersections, in May and September of 2019 and before. They did not collect data at peak times and in peak seasons when Montgomery is thoroughly over-used as a municipal service road, with reams of traffic coming out of Whiteoaks Mall. In other words, the planners claim there would be no increase of traffic

on Montgomery without actually measuring base line usage for the road. **This is professional malfeasance.**

Having been a project manager to projects in support of London's Master Transportation Plan in 1993 and Brantford's Master Transportation planning in 1995 as well as having 35 years developing market research and polling work, the survey methods being referred to were shoddy at best. This would be unacceptable work product under any professional conditions.

To put the cherry on top, the planners committed themselves to an **outright falsehood** by claiming there are three existing traffic outlets coming out the property along Montgomery when in fact there are only two. So, the developers are going to add to the velosity of traffic flow by allowing another stream of traffic onto Montgomery Rd.

Moreover, there are no mitigation efforts being planned with regard to Montgomery traffic volumes. For example, there are no stop lights or traffic calming measures being contemplated for Montgomery. As far as the developers are concerned, they're just going to let the traffic rip along this street – as if we do not enough problems with street racers in the south the end.

When asked about rents for 1, 2 and 3 bedrooms units the planners refused to say, offering that they would be rented out at "market rates," whatever that means. This question was posed in anticipation that there will likely be less uptake for apartment accommodation in the south end. Indeed, the question became relevant since the planners admitted that the complex would be staged and Buildings three four and five will not go up in the short term nor even likely in the medium term. Thus, there will be an incentive to lower rent bringing in lower income individuals, effectively helping to build a welfare ghetto with all the problems of drug dealing and other criminal activity associated with low rents.

Finally, I asked if the developers had given any thought to the building heights and the way five apartment towers would over-shadow the lower quality of the neighbourhood. More mumbling, non-answers.

Kimble Ainslie, Ph.D.

Chairman

Nordex Research

London ON

1 of 2

From: Nicole Ronald < >
Sent: Saturday, October 3, 2020 7:15 PM
To: Peloza, Elizabeth <epeloza@london.ca>; Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] File O-9263/Z-926

Councillor Peloza and Catherine Maton

It is with great sadness and disgust that we write to you regarding the absolutely ridiculous planning application for the Wellington and Bradley corner.

Once again,we see that a developer has been able to twist the arm of City Hall and get what they want without informed concerns from residents who have purchased homes in the area. We find it quite amusing that the City of London did not even let everyone on Beechmount Cres be aware of what is planned at this corner. Surely an eyesore like this will be seen for miles and residents need to be aware. We will be copying this notice of planning and giving it to residents on our street who did not receive it (this was probably a strategy of the City to let less people be aware so less will fight it?).

We are not against developing this corner as no businesses, except the LLCBO, seems to survive here for long. We are 100% against the eyesores that the developer expects to build and the amount of cars that will become part of our streets. We already have a problem with cars street racing along Wellington and along Bradley that the police are doing nothing about. This development will put our property value down but put money in the pockets of the developer. The developer does not care about what Londoners think, even though we pay ridiculous amounts of taxes.

This development will give the area more cars than we need and a block of eyesore apartments that will only benefit the developer. We would like to see three-story walkups like the ones that were built one block away. This will not infringe on our privacy nor stop our view of the sun in the morning.

As our councillor, we hope you can assist the area with a "town meeting" where we can socially distance but discuss the issue at large. We think the City has put this forth at the worst time, and we are sure they have done this on purpose, so that Londoners will not come forward to a meeting due to covid. Once again, the City of London does what developers want and not what London tax payers want.

Per the notice of planning application, we are letting Catherine Maton at City Hall know we disagree with the proposal. What we find rather amusing is the large document on the City's website about this project and the fact someone has already been in the area marking out what we think are the gas lines down Montegomery. It seems like the City has already made its mind up and this is just a formality. This is the sad state that our City Hall has fallen to.

Yours sincerely

Robert and Nicole Ronald
Jordan and Joel Ronald
7 Beechmount Cres
London, Ontario
N6E 2J1

From: Richard Malton < >
Sent: Thursday, October 1, 2020 5:01 PM
To: Maton, Catherine <cmaton@london.ca>; Peloza, Elizabeth <epeloza@london.ca>
Subject: [EXTERNAL] Zoning change Century Plaza

My name is Richard Malton and I live in and own a condo unit at 1096 Jalna Blvd. I am very much opposed to the zoning change proposal of 1067-1071 Wellington Road. We already have traffic issues at the Wellington-Bradley and Bradley-Montgomery corners. White Oaks mall traffic, other retail traffic along Wellington and the fact that Wellington Road is a major artery into the city from the 401. I do not believe that adding another approximately 1200-1600 cars to this mix is a good idea.
My other problem with the added traffic is my own property at 1096 Jalna Blvd. Because we have entrances off both Jalna and Montgomery, we have issues of people bypassing the lights and using our parking lot as a thoroughfare between Jalna and Montgomery. There have been accidents in our parking lot involving cars just passing through. More cars in the immediate area will make this problem significantly worse.
I hope that you will take my concerns under consideration.

Regards,
Richard Malton

Agency/Departmental Comments

Housing Development Corporation – July 4, 2022

July 4, 2022 *sent electronically*

TO: **City of London Development Services (via e-mail only)**
Attention: Mike Corby, Manager, Planning Implementation, Planning and Development
Sonia Wise, Senior Planner, Site Plans, Planning and Development

REGARDING: **Bonusing for Affordable Housing**
1067-1071 Wellington Road South ("Subject Lands")

Background:
Housing Development Corporation, London (HDC) was engaged to work with Century Centre Developments Inc. (the "Proponent") and their consultant (Zelinka Priamo Ltd.) to provide a fair recommendation to the Director, City of London Development Services in response to an Official Plan Amendment application (O-9263) and Zoning By-law Amendment application (Z-9264) for height and density "bonusing" in exchange for the provision of affordable housing. The applications serve to provide for the development of three mixed-use buildings with five high-rise apartment towers ranging from 10 to 27 storeys in height. The mixed-use buildings will contain a total of 1,272 residential units, 1,895 square metres of office space and 950 square metres of retail space.

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

1. **10% of the "lifted" units (as defined by the City of London) be dedicated to affordable rental housing in exchange for the granting of increased height and density. To the greatest extent possible, the affordable rental units should be evenly distributed throughout the three mixed-use buildings containing the five high-rise towers. To the greatest extent possible, the dedicated affordable rental unit mix should be reflective of the unit mix for the entire development;**

2. **"Affordability" for the purpose of an agreement be defined as rent not exceeding 80%** of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for units where:
   i. AMR is defined at the one-bedroom, two-bedroom and three-bedroom rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;
   ii. the identified units will be mixed throughout and not otherwise identifiable within the building; and
   iii. Rents for the affordable rental housing units shall only be increased to the allowable maximum, once per 12-month period in accordance with the *Residential Tenancy Act* or any successor legislation but not to exceed 80% of the CMHC AMR.

3. **The duration of the affordability period be set at 50 years** calculated from initial occupancy of each unit and for each month thereafter that the unit is occupied. At the conclusion of the agreement period, any sitting tenants within associated affordable units shall retain security of tenure and rental rates until the end of their tenancy. The rights of tenancy and affordability in the dedicated units shall not be allowed to be assigned or sublet during or after the agreement.

4. **The Proponent be required to enter a Tenant Placement Agreement (TPA) with the City of London.** This action aligns the affordable rental housing units with priority populations vetted and referred to the Proponent or their agent by the City. The owner retains final tenant selection in accordance with the *Residential Tenancy Act,* subject to the established eligibility and compliance requirements.

HDC
Housing Development Corporation, London

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

5. **These conditions be secured through an agreement registered on title with associated compliance requirements and remedies.** This recommendation ensures the retained value of each affordable rental housing unit within the Bonus Zone for the 50-year affordability period. Compliance will be monitored in a similar fashion as is conducted with other agreements and shall include conditions related to default and remedy.

Rationale for Affordable Housing Bonus:

Guiding Policy: The London Plan recognizes housing affordability as one of the City's principle planning challenges. It states that planning activities will provide for a mixture of dwelling types and integrated mixtures of housing affordability.

Location and Application Considerations: The subject lands are on located on the west side of Wellington Road South, north of Bradley Avenue. The subject lands are proximate to a broad range of residential, commercial, retail, office, institutional and open space uses. The subject lands are located on a public transit route. The Wellington Road South corridor includes transit supportive infrastructure (transit stops bus shelters, sidewalks, streetlights).

Alignment to Need: The locational attributes of the site align with factors used by HDC to advance affordable rental housing. The recommendations align with housing needs and priorities defined within the *Housing Stability for All Plan* and CMHC analytics related to vacancy rates and rental rates.

Conclusion:

Until September 2022 the *Planning Act* provides municipalities the ability to advance public facilities, services or matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London.

This recommendation recognizes Council's expressed interest to seek *"…options for implementing and coordinating [planning] tools to be most effective…"* to *"…promote the development of affordable housing in London"* (4.4/12/PEC, July 25, 2018).

Sincerely,

Melissa Espinoza, CEO, Housing Development Corporation, London (HDC)

HDC
Housing Development Corporation, London

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

Engineering comments November 27, 2020

Sewers:

- There is an existing 200mm diameter municipal sanitary sewer that flows south along Wellington Rd through the Bradley Road intersection.
- MTE' servicing report indicates that the peak sanitary flow based on the increase in population proposed by this development will exceed the capacity of the existing sanitary sewer. As such the owner will need to demonstrate an outlet with adequate capacity. This could be by way of a lower proposed density/population or may require the Applicant upgrade the sanitary sewers and confirm that capacity is available in the sewer on Wellington Rd and downstream that can accommodate the flows being sought all to the satisfaction of the City Engineer and at no cost to the City.
- Holding provisions are recommended until there is an adequate outlet with available capacity.
- SED can be contacted for further discussion and what to include in the report and re-submission of the revised sanitary capacity analysis.
- For subsequent submission, SED encourages the owner's engineer to include all the design sheet and other drawing that they are referring to in their previous report for clarity and confirm accuracy of the provided information.

Sewer Comments Update – July 5, 2022

The existing 200mm sanitary sewer will be upsized as part of the BRT work that is intended to go through this intersection in 2025 which will provide more capacity. MTE will still need to provide a revised capacity study, servicing plan and phasing plan to coordinate with BRT.

Stormwater:

- Please note that the site development will be in accordance with the completed Dingman EA. This will require a quality control target of 80% TSS removal, noting that the control hierarchy as outlined in the current design standards may be used to meet target requirements.
- As per attached 9336, the site (at C=0.70) is tributary to the existing 1200mm storm sewer on Montgomery Road.

Water Engineering has the following comments:

- Water is available via the municipal 400mm watermain on Wellington Road and the 300mm watermain on Bradley Avenue. These watermain are part of the low-level system.
- Water servicing for the site shall be designed to avoid the creation of a regulated drinking water system.
- Due to the number of buildings and units, water looping may be required.
- All existing water services are required to be abandon to City standards.

Transportation Comments

- Transportation agrees with the findings in the TIA as laid out by Paradigm. The recommendations to proceed as the development has been proposed we find satisfactory supported by Paradigms report.

Urban Design – January 6, 2021

Urban Design staff reviewed the submitted site development concept and elevations for the zoning by-law amendment at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and guidance provided by the Urban Design Peer Review Panel(UDPRP);

- **Site Design:**

    - Design a robust pedestrian network throughout the site in order to provide pedestrian connectivity through the site, link primary building entrances to each other, as well as to the City sidewalks adjacent to the site.

    - Design the primary north-south driveway, at the centre of the site, and the east-west mid-block connection, along the north edge of the site, to look and function like streets with the appropriate sidewalks, lighting, street trees, etc… Alternatively, design these spaces between the buildings to reduce the amount of space solely dedicated to vehicular functions and explore the creation of shared spaces that better cater to pedestrians while still accommodating necessary vehicular movements.This will help in achieving an exceptional pedestrian experience that also enhances accessibility. These shared spaces should include the following design elements:
        - Elimination/reduction of traditional raised curbs;
        - Use of differing surface treatments/textures and retractable bollards to define space;
        - Additional landscaping/greening, street furniture, bicycle parking and public art that can be placed throughout in a way to slow traffic and add interest to the space.

    - Locate further parking underground or consider reducing the parking to unit ratio to reduce the effects of the surface parking and large parking structure that is proposed on site.

- **Building Design:**

    - **Transition:**

        - Design the building massing to provide for an appropriate transition from the north half of the west property line towards the east (Wellington Road) and south (Bradley Avenue) as this site is located at the edge of the Transit Village Place Type adjacent to the Neighbourhoods Place Type that allows for much lower form of development combined with a low likelihood of redevelopment of the existing single family homes. An appropriate transition in heights would ensure that built form is located below a 45-degree angular plane that starts at the east property line of the single family homes on the west side of Montgomery Gate. This would provide for visual relief of the massing adjacent to the single family homes as well as provide for relief from shadow and privacy impacts on the private amenity areas for the single family homes.

    - **Building Bases:**

        - Design the bases of the buildings to have a scale relationship with the adjacent street ROW. Building bases should be no less than 3 storeys to no more than 6 storeys high, further storeys should be stepped back to provide for a human scale along the pedestrian realm of the adjacent streets.

        - Design the building bases to include high-quality materials that enhance the pedestrian experience along the street edges while contributing to a human scale for this portion of the built form.

        - Provide primary entrances into all buildings on street-facing elevations and differentiate this entrance from the individual units through an increased proportion of glazing and appropriately scaled building mass;

        - The ground floors of all buildings adjacent to the public realm as well as the main north-south spine, through the site, should enhance and activate the public realm by including active building uses such as ground floor residential units, lobbies, common amenity areas, and/or street-oriented commercial/office units.

- Provide individual entrances to ground floor residential units on the street facing elevations and design the ground floor units to include open courtyards or front porches extending into the front setback to create a pedestrian-oriented and active streetscape. Provide direct walkway access from ground floor units to the public sidewalk;

- **Towers:**

  - Design high-rise buildings as slender towers that reduce shadow impact, minimize the obstruction of sky views, and are less imposing to neighbouring properties and public spaces.

  - Design floor plates above the 8th floor to be no more than 1000m^2 and reduce the width to length ratio to reduce the slab like appearance of the high-rise portions of the proposed built form.
  - Provide for an appropriate tower separation between the high-rise portions of the buildings in order to reduce the overall impact of the building mass, improve daylighting, and increase access to sky views.

  - Provide for larger step-backs for the high-rise portions of the buildings above the mid-rise built form in order to reduce the impacts of the high-rise massing on the public realm.

  - Provide for further fenestration, changes in materials and articulation, and architectural details in order to break up the massing and provide further interest to the skyline.

  - Integrate elevator and mechanical penthouses into the overall design of the buildings as these elements form part of the skyline of the Transit Village.

Appendix D – Policy Context

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

Provincial Policy Statement, 2020

1.1.1.b) – appropriate range and mix of uses
1.1.1 e) – transit-oriented development
1.1.3.2 – opportunities for intensification
1.1.3 – settlement areas
1.7.1 e) – well-designed built form

Official Plan 1989

3.4. Multi-Family, High Density Residential
3.4.3. Scale of Development
4.4.2 Auto-Oriented Commercial Corridor
4.4.2.11.3) Wellington Road Corridor – Specific Auto-Oriented Commercial Corridors
4.3.7 Community Commercial Node
11 Urban Design
19.4.4 Bonus Zoning

The London Plan (TLP)
59_3 – mixed-use compact City of London
91 – Built-area boundary
92_2 – Primary transit area
189 – City Design policies
806 – Transit Village Vision
811 – Permitted Uses
813* - Intensity
814 – Form
815 – PMTSA
1576 – Planning and Development Applications
1645-1655* - Bonus Zoning

Appendix E – Planning Impact Analysis and Evaluation of Our Tools

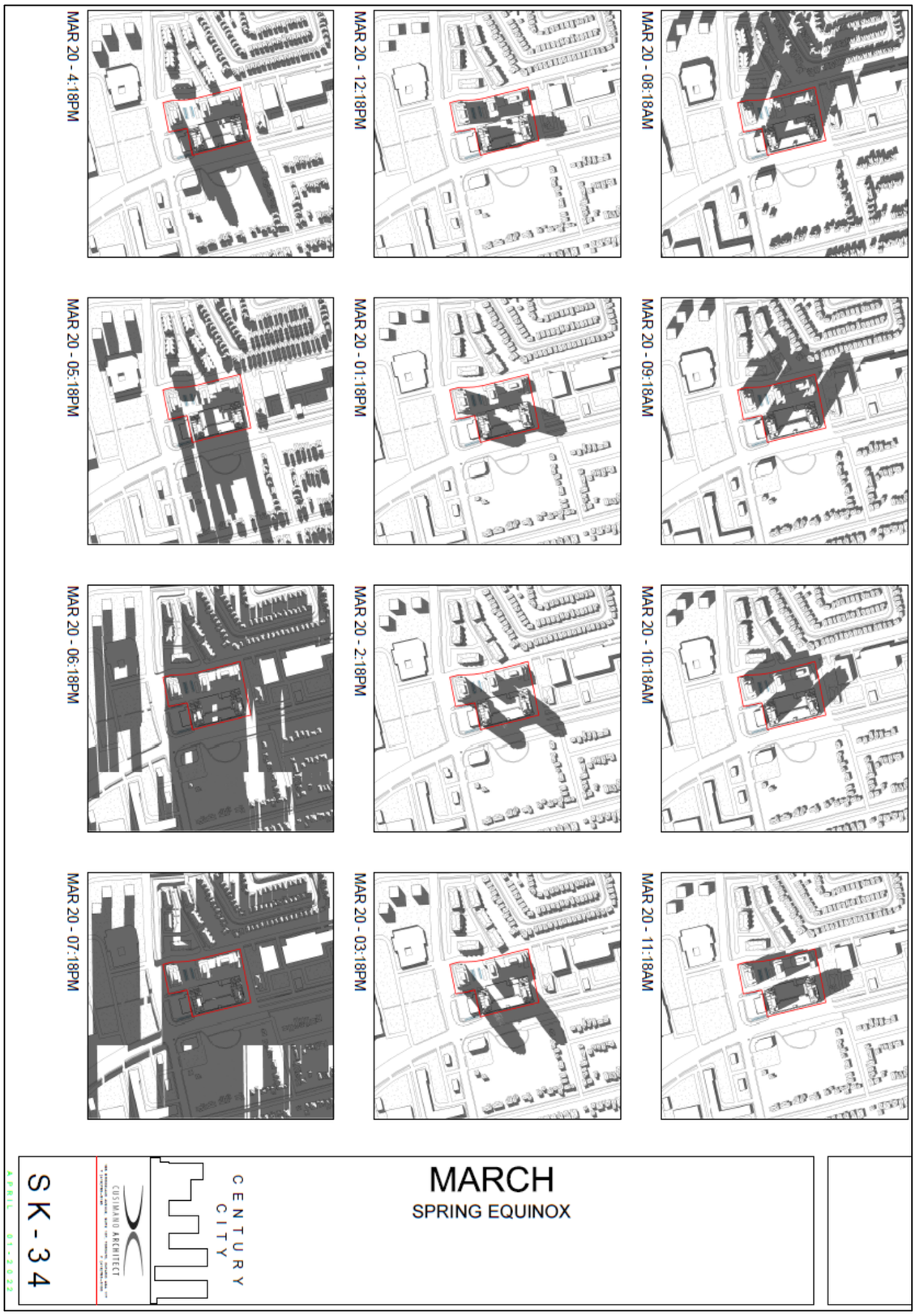
Planning Impact Analysis (3.7) and Evaluation of Our Tools Planning and Development Applications (1578)

Criteria	Response
3.7.a) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is contemplated in the current designation and place type. The site is in a location with convenient access to services, shopping and public transit. There is a gradual building stepdown to 10 storeys through Tower C to the existing residential neighbourhood which improves privacy and reduces shadowing. The proposed development and recommended regulations result in a compatible form to existing and future land uses.
b) The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site is of an adequate size and shape to accommodate higher densities and the mix of uses proposed. Special provisions will allow for reduced setbacks, increased building heights and lower parking rates, which are appropriate for the site and compatible with the surrounding area.
c) The supply of vacant land in the area which is already designated and/or zoned for the proposed use;	The south Transit Village is characterized by a variety of existing commercial, high-rise and broad range of uses. There are some under-utilized lands along the Wellington Road corridor and some surface parking lots at the White Oaks Mall which could facilitate redevelopment and intensification, however much of the Transit Village is occupied by existing developments. The subject site is a good opportunity to accommodate additional population in a location directly along the transit corridor.
d) The proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services;	The site has convenient access to public open space such as the White Oaks Optimist Park to the west, the White Oaks Park to the southwest and St. Stephen's Park to the east. The South London Community Centre and Jalna Public Library are also located at the White Oaks Park within convenient walking distance (400m) of the subject site. There are existing transit services along Wellington Road and future rapid transit services proposed.
e) The need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 – Housing;	Affordable housing is a need identified City-wide, and any bonusing of development on the site should provide for affordable housing units within the parameters provided by the HDC.
f) The height, location and spacing of any buildings in the proposed development,	The greatest heights proposed are located along the major roads of

and any potential impacts on surrounding land uses; 1578_6) g) privacy 1578_6) h) shadowing 1578_6) i) visual impact 1578_7) f) height 1578_7) g) density 1578_7) h) massing 1578_7) i) scale 1578_7) j) placement of buildings 1578_7) k) setback and step-back 1578_7) l) relationship to adjacent buildings	Wellington Road and Bradley Avenue. The heights step down to 10 storeys towards the northeast portion of the site which is the closest to the existing low-rise residential neighbourhood, and transition to 20 storeys along Montgomery Road towards Bradley Avenue. The distribution of building heights, separation provided through Montgomery Road, and use of building podiums and stepbacks provides a compatible transition to the existing neighbourhood which protects privacy, and minimizes the visual impact, shadow impacts and overall massing and scale. The added regulations will mitigate further impacts and facilitate a more sensitive interface.
g) The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area; 1578_6) m) natural heritage features and areas 1578_6) k) trees and canopy cover 1578_6) n) natural resources 1578_7) p) landscaping and trees	The existing site is a developed commercial plaza with no natural heritage features or substantial tree canopy. A landscape plan will be required through future development phases to provide screening, buffering, green space and plantings.
h) The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties; 1578_6) a) traffic and access management 1578_7) q) coordination of access points and connections	Vehicular access is proposed from 3 driveways including one from Wellington Road towards the north of the site and two from Montgomery Road. A Transportation Impact Assessment (TIA) was provided as part of the application submission. Transportation Planning and Design staff are satisfied with the access arrangement and the conclusions of the TIA.
i) The exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area; 1578_7) c) neighbourhood character 1578_7) d) streetscape character 1578_7) e) street wall 1578_7) m) proposed architectural attributes such as windows, doors and rooflines	The proposed development provides sufficient transition in building massing to the low-rise neighbourhood through lower building heights closest to the existing neighbourhood. The Transit Village Place Type is intended to be an intensive and vibrant centre, and the transition in heights to the west ensures that the intensity is focused on the major roads of Wellington Road and Bradley Avenue. Further, the residential uses along the base of the buildings that are closest to the existing residential neighbourhood are in the style of townhouses which provides a more compatible neighbourhood character and streetscape along the Montgomery Road frontage.

	Certain added regulations such as the maximum tower floorplate and ratio will enhance the built form and overall impact to the streetscape and character.
j) The potential impact of the development on surrounding natural features and heritage resources; 1578_6) l) cultural heritage resources 1578_7) o) relationship to cultural heritage resources on the site and adjacent to it	The site does not contain any heritage significance and is not abutting or adjacent to any properties with heritage significance.
k) Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development; 1578_6) b) Noise 1578_6) d) emissions generated by the use such as odour, dust or other airborne emissions	The site is located on two major roads which has potential noise impacts for future residents. A noise study and mitigation measures will be required through future planning approval and site plan application. No other environmental constraints have been identified.
l) Compliance of the proposed development with the provisions of the City's *Official Plan (1989)*, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; 1578_6) e) lighting 1578_6) f) garbage generated by the use	The proposed development requires an amendment to *The London Plan* and Zoning by-law to facilitate the use and intensity. There are garbage storage facilities within the ground floor of each tower. Detailed functional aspects of lighting and garbage would be encompassed as part of standard site plan review.
M) Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	The built form has been revised to reduce the building heights nearest to the existing residential neighbourhood. Additional regulations proposed by staff will improve and enhance the design and mitigate certain visual impacts and shadowing.
3.7) n) Impacts of the proposed change on the transportation system, including transit 1578_6) c) Parking on streets or adjacent properties	The intensification of the site is within an identified location for growth along a future rapid transit corridor and within a Transit Village. The strategic location of the intensity on this site will support and benefit from the transit system. Parking is proposed on site within 2 levels of underground, structured and surface parking spaces provides adequate parking spaces to cater to personal vehicle trips and storage.

Appendix F – Shadow Analysis



JUNE

SUMMER SOLSTICE

CENTURY CITY

CUSTOM HOME ARCHITECT

SK - 35

SEPTEMBER

FALL EQUINOX

CENTURY CITY

CUSUMANO ARCHITECT

SK - 36

DECEMBER

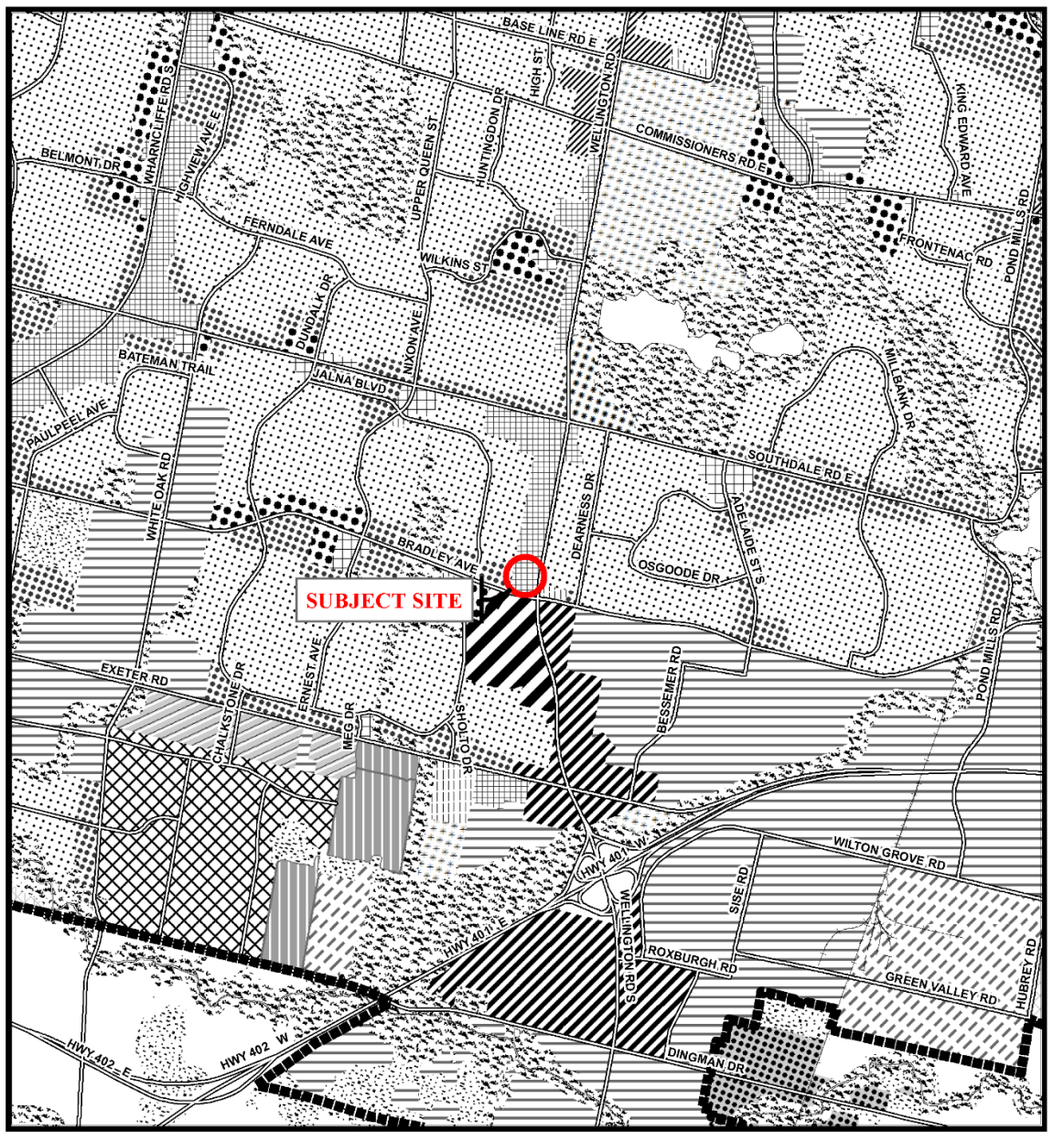
WINTER SOLSTICE

CENTURY CITY

CUSHMAN ARCHITECT

SK - 37

Appendix G – Additional Maps



Legend

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

CITY OF LONDON

Planning Services / Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

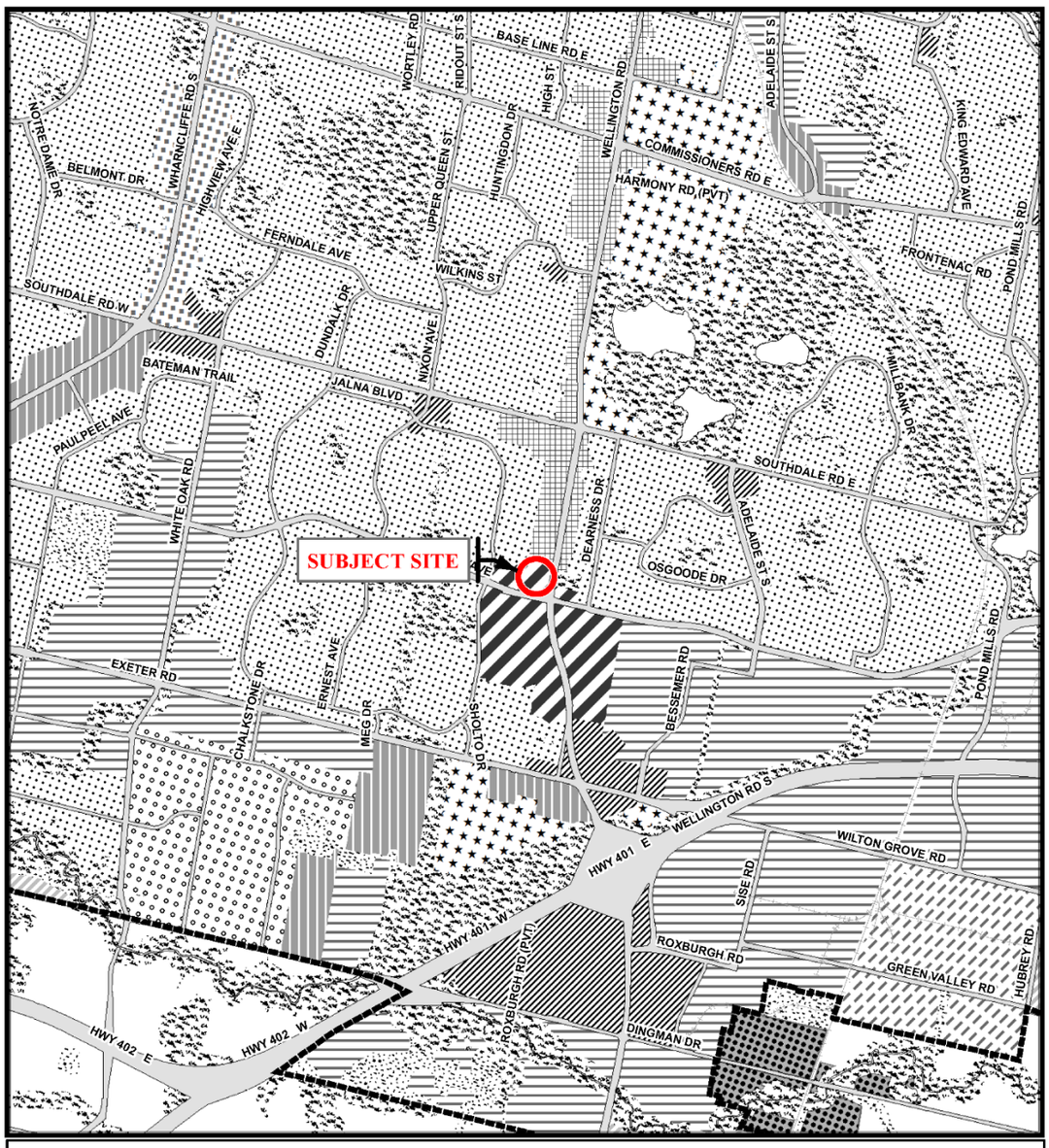
PREPARED BY: Graphics and Information Services

Scale 1:30,000

Meters

FILE NUMBER:	O-9263/Z-9264
PLANNER:	SW
TECHNICIAN:	RC
DATE:	2022/06/27

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



Legend

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

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

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

CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

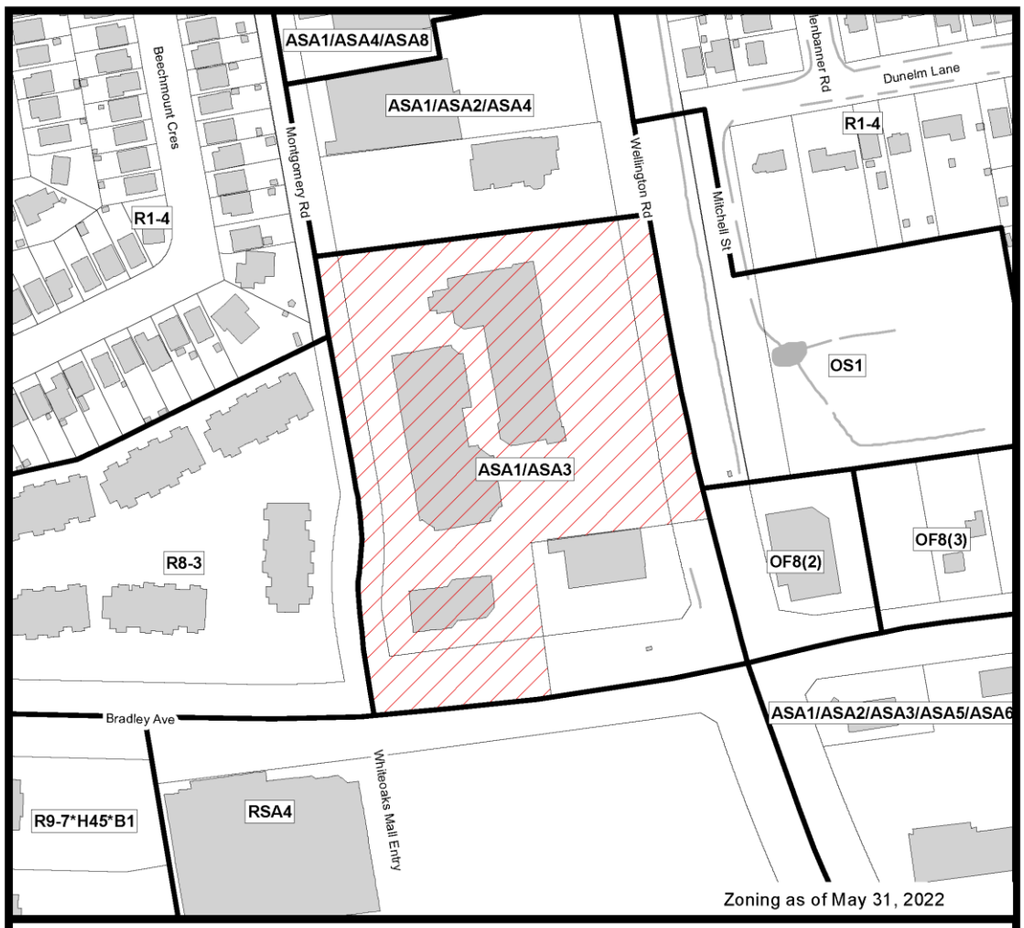
PREPARED BY: Planning Services

Scale 1:30,000

0 150 300 600 900 1,200 1,500
Meters

File Number:	O-9263/Z-9264
Planner:	SW
Technician:	RC
Date:	June 27, 2022

Project Location: E:\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\O-9263-Z-9264-Map1-PlaceTypes.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

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

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

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

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

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

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

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

FILE NO:
O-9263/Z-9264 SW

MAP PREPARED:
2022/06/27 RC

1:2,500
0 12.525 50 75 100
Meters

Bill No.
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 1067, 1069, 1071 Wellington Road.

WHEREAS Century Centre Developments Inc. has applied to rezone an area of land located at 1067, 1069, 1071 Wellington Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number ___ this rezoning will conform 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 1067, 1069, 1071 Wellington Road, as shown on the attached map comprising part of Key Map No. A111, from an Associated Shopping Area (ASA1/ASA3) Zone to a Business District Commercial Special Provision Bonus (BDC(_)*B-(_)) Zone.

2) Section Number 4.3 4) of the General Provisions is amended by adding the following Special Provision:

B-(_) 1067, 1069, 1071 Wellington Road

The Bonus Zone shall be implemented through one or more agreements to facilitate a high-quality, mixed-use development of three buildings with 5 towers as follows: a building along Wellington Road with two 27 storey towers; a building along Montgomery Road with a 10 storey tower and a 20 storey tower, a building along Bradley Avenue with a 27 storey tower; and a maximum density of 566 units per hectare (1,272 units). The development will generally implement the Site Plan attached as Schedule "1" to the amending by-law except where the regulation is more specific and provide for the following:

1) High Level of Design Standards

The building design and site plan contained in Schedule "1" of the amending by-law is being bonused for features which serve to support the City's objectives of promoting a high standard of design to be implemented through a development agreement:

i) Building Height

Montgomery Road

a. A building height not exceeding 10-storeys in height for Tower C (currently facing Montgomery Road and the adjacent residential zone).

ii) Minimum Design Standards

Podium Features

a. Step-back along Wellington Road to enhance a pedestrian oriented street wall;

b. Abundant use of clear glass material and clear glazing with interior spaces visible from the outdoors, with overhead projecting canopies for all entrances and lining the pedestrian-oriented street wall frontages.

c. A significant break in the podium along Wellington Road as shown on the site plan at the midpoint of the building between Towers A and B, to break up the long façade and promote a human scale, pedestrian oriented environment.

Tower Features

a. Step-back of the towers, from the podium to the greatest extent possible on all street facing facades;

b. A slender point-tower form for all towers not exceeding 1,050m^2 floorplate above the 8th storey;

c. Mitigation of building mass with a high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials and use of clear glass balcony barriers;

d. Further mitigation of building mass by varying and articulating the plane of all facades.

Building Cap Features

a. The use of building step-back at the top storey, with mechanical penthouse completely concealed in the building's top storey.

iii) Site Landscaping

All-season landscaping and foundation planting along any large expanses of walls facing public streets, internal drive aisles, and mid-block connections.

2) Provision of Affordable Housing

i) A total of 10% of the lift (93 affordable housing units based on 1,272 units) will be provided in the development, representative of the bedroom and unit mix of the overall building;

ii) The affordable housing units should be evenly distributed throughout the individual buildings to the greatest extent possible;

iii) Rents not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area (CMA) at the time of building occupancy; where AMR is defined at the one-bedroom, two-bedroom and three-bedroom rate for the London CMA at the time of building occupancy;

iv) The duration of affordability set at 50 years from the point of initial occupancy of the respective building;

v) The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;

vi) These conditions to be secured through an agreement entered on title with associated compliance requirements and remedies.

The following special regulations apply within the bonus zone:

a) Regulations

i)	Height (Maximum)	27 storeys or 96m (315 ft) whichever is less
ii)	Density (Maximum)	566 Units Per Hectare

iii)	Residential Parking Rate (Minimum)	1 space per unit
iv)	Commercial and Retail Parking Rate (Minimum)	1 space per 20sqm of gross floor area
v)	Tower Floorplate Above the 8th storey (Maximum)	1,050sqm (11,302sq ft)
vi)	Tower width to length ratio above the 8th storey (Maximum)	1 : 2
vii)	Building setback above 6th storey along Wellington Road (Minimum)	3m (9.8 ft)

3) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by adding the following Special Provision:

BDC( ) 1067, 1069, 1071 Wellington Road

a) Additional Permitted Uses

i) Apartment Buildings, including residential units on the first (ground) floor

b) Regulations

i) The front lot line shall be interpreted to be Wellington Road

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.

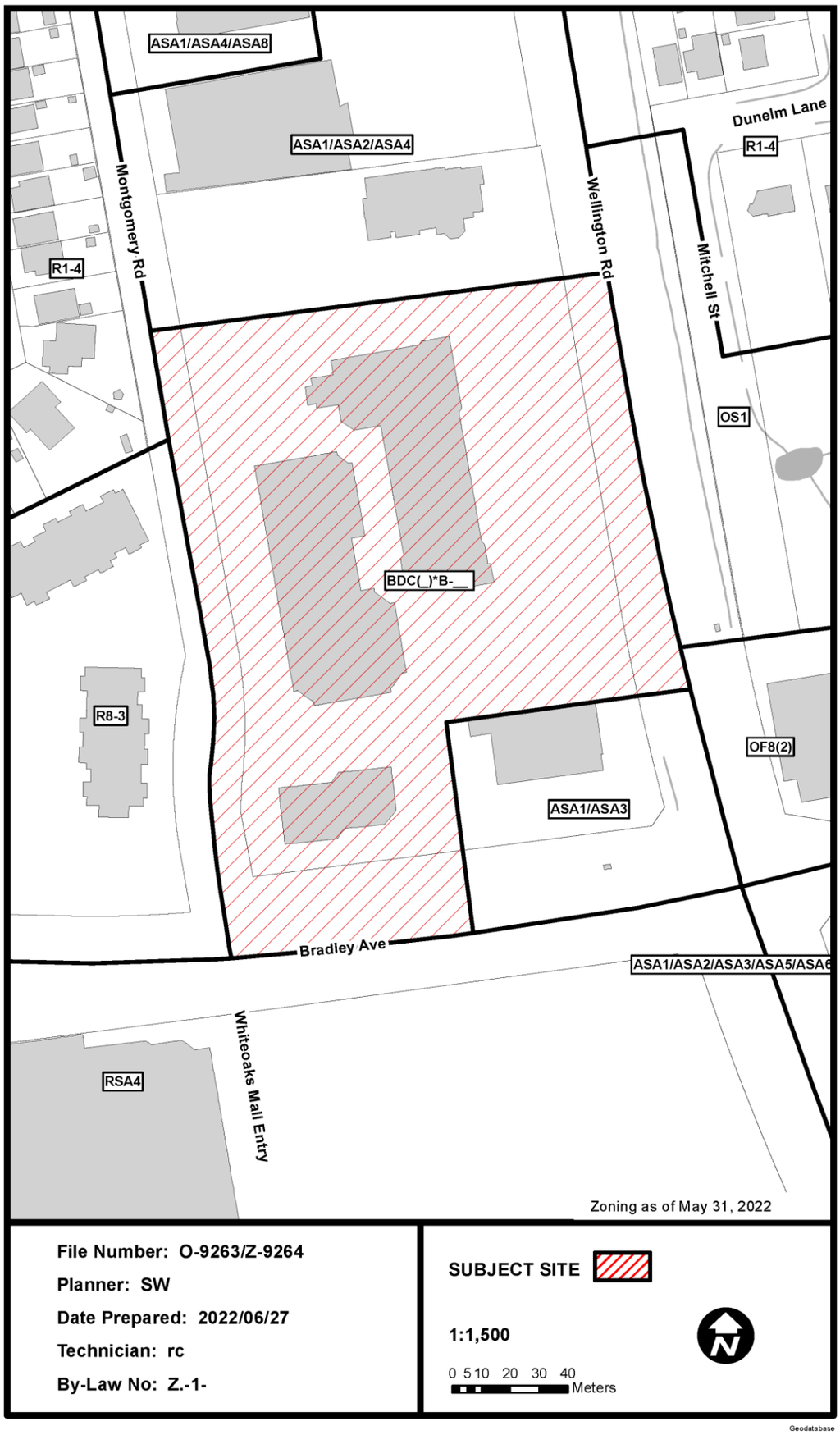
PASSED in Open Council on August 2, 2022

Ed Holder
Mayor

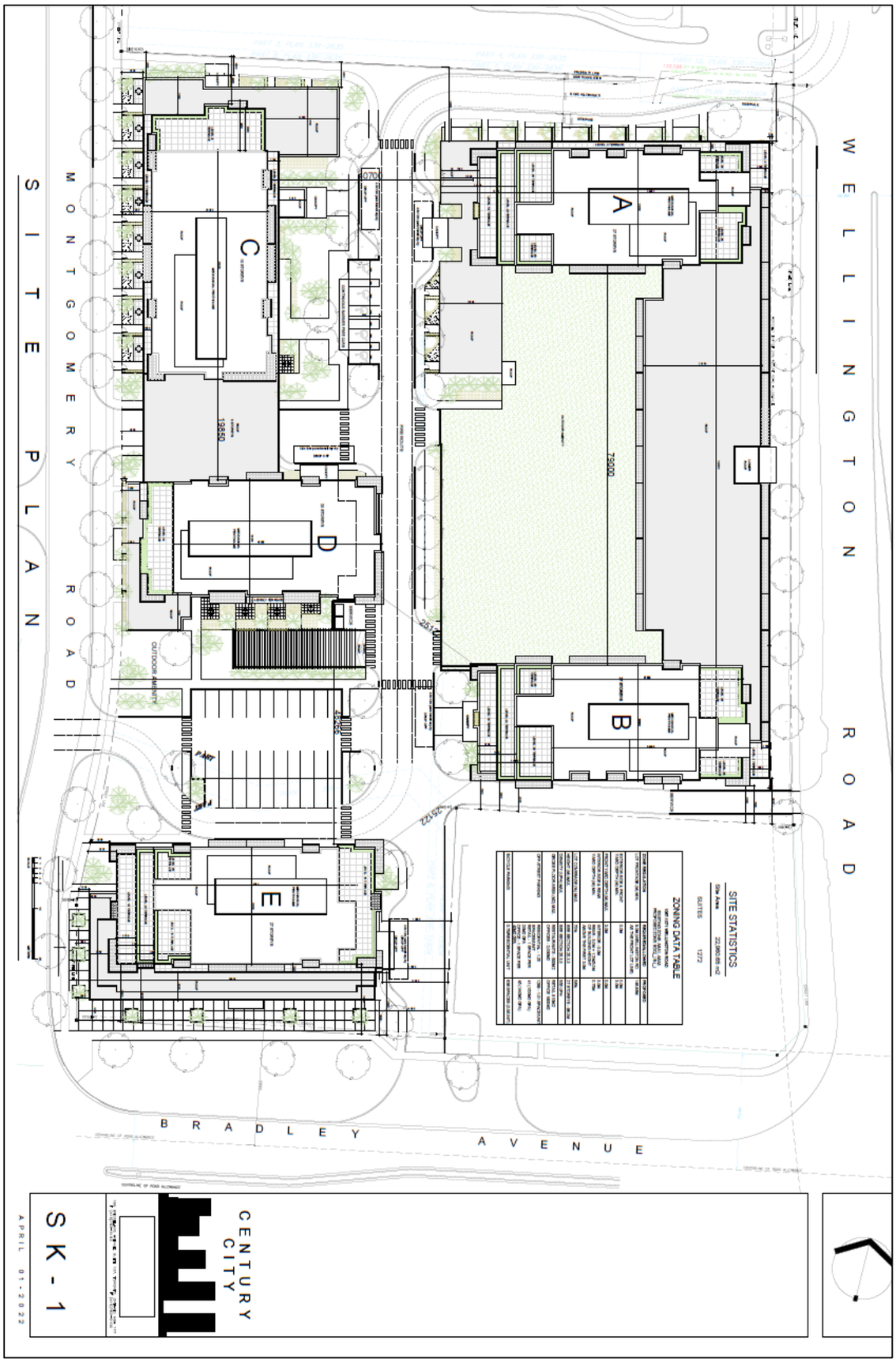
Michael Schulthess
City Clerk

First Reading – August 2, 2022
Second Reading – August 2, 2022
Third Reading – August 2, 2022

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



Schedule 1

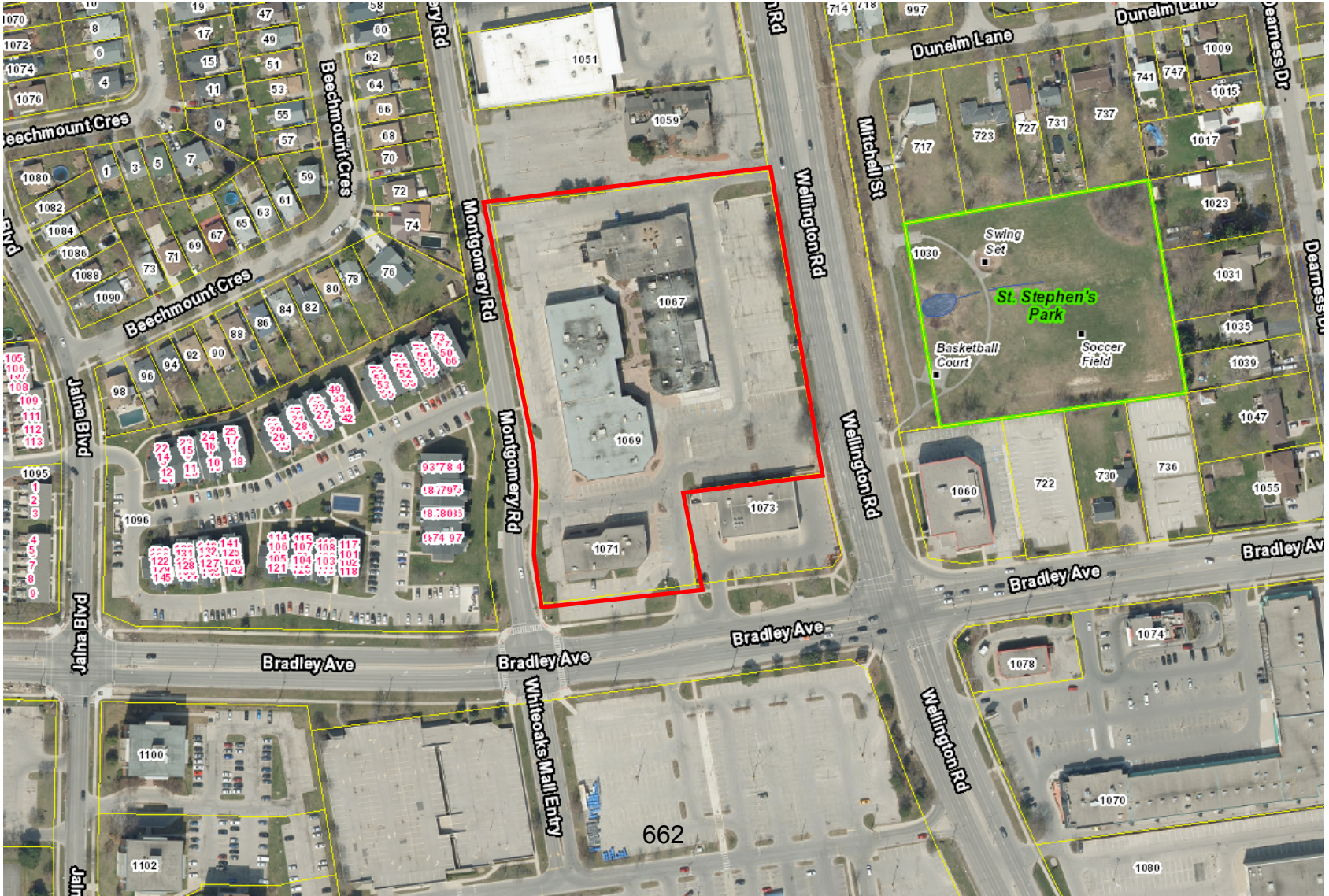

SITE PLAN
MONTGOMERY ROAD
WELLINGTON ROAD
BRADLEY AVENUE
A
B
C
D
E
OUTDOOR AMENITY
SITE STATISTICS
ZONING DATA TABLE
CENTURY CITY
SK - 1
APRIL 01-2022

O-9263 Z-9264: 1067-1071 Wellington Road

Planning and Environment Committee

July 25, 2022

Slide 1: Location and Site Context

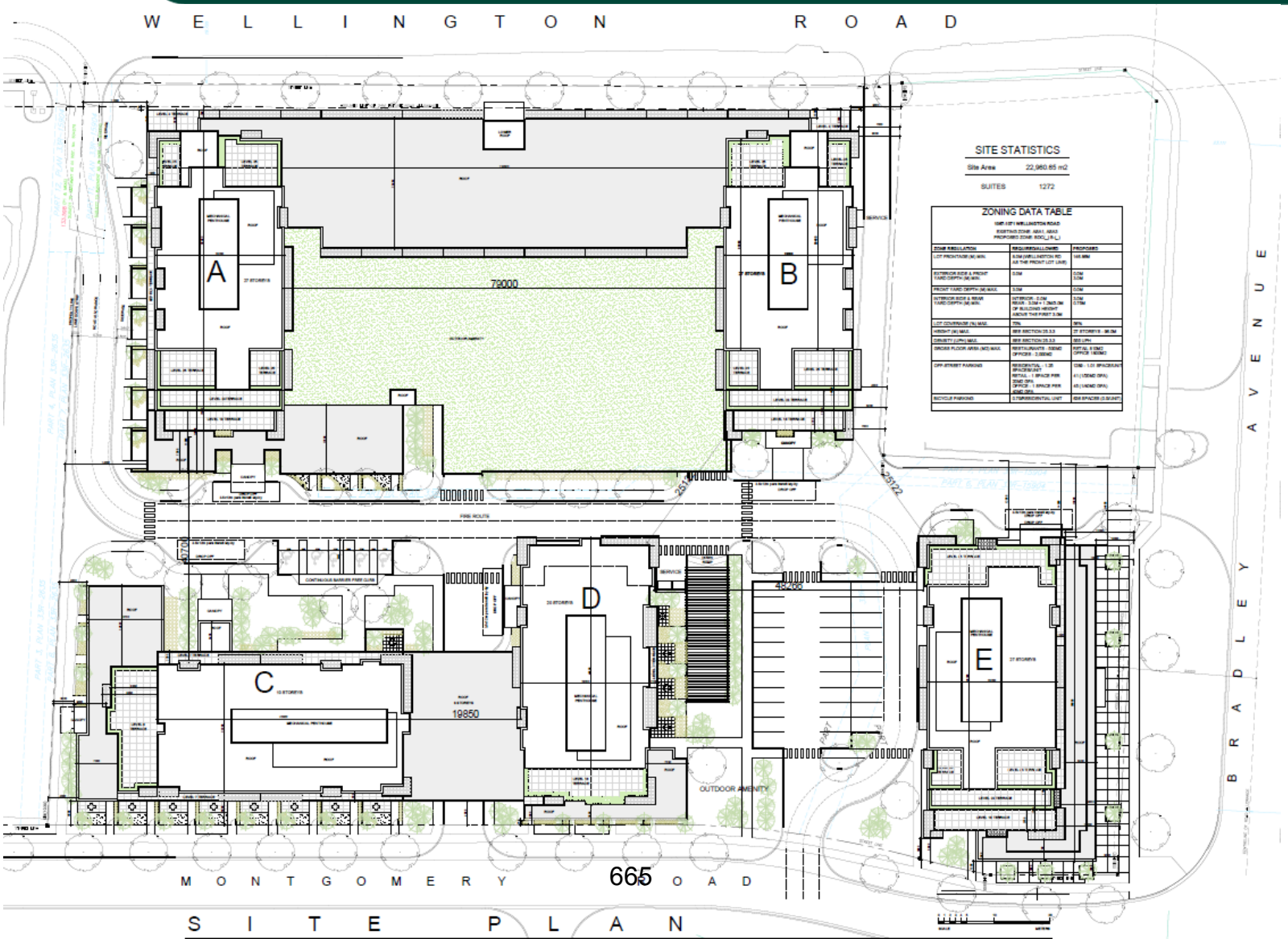


Slide 2: Proposed Development

- 27 storeys max (96m)
- 3 buildings with 5 towers: A, B, C, D and E
- 1,272 residential units
- 1,375 parking spaces
- Density of 566uph
- Ground floor office and commercial uses 2,610sqm

Slide 3: Development from Montgomery Road

Slide 4: Site Concept Plan



Slide 5: Policy Framework

PPS, 2020

"Promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment" 1.1.3.3.

Official Plan (1989)

- Auto Oriented Commercial Corridor (AOCC)
- Wellington Road Specific Policy Area (4.4.2.11.3)
- Community Commercial Node (CCN)
- Multi-Family, High Density Residential (MFHDR)
- Bonusing (19.4.4)

The London Plan

- Transit Village Place Type

Slide 6: Public Comments

Notice of Application – September, 2020

Community Information Meeting (virtual) – December, 2020

Notice of Revised Application – June, 2022

- Submissions received from 24 respondents, with the majority opposed to the proposed development:

Concerns

- Traffic and transportation will be exacerbated in an area that is already very busy
- School capacity for new residents
- The need for affordable housing
- Impacts of shadowing on existing neighbourhoods
- Reduced property values, reduced privacy
- More noise and nuisances with additional people

Slide 6: Key Issues

- **Built Form – Wellington Road**: Expansive built form along Wellington Road requires setbacks to minimize massing, create articulation and foster a positive pedestrian experience.

An additional regulation is recommended to require a 3m setback above the 6th storey along Wellington Road to provide relief.

- **Built Form – Tower size**: High-rise buildings above the 8th storey should be in the form of slender towers without long axes where they create an overwhelming building mass.

Additional regulations are recommended for a maximum floor plate of 1,050sqm and a maximum width to length ratio of 1:2 to minimize massing, shadowing, visual impact and the obstruction of views.

- **Bonusing**: The proposed development requires a site-specific bonus zone according to Official Plan policies. The site is an excellent opportunity to provide for affordable housing within an area of higher-order transit. City staff, in accordance with the HDC, are recommending a total of 93 affordable housing units, at 80% of the average market rent for a period of 50 years.

Slide 8: Recommendation

Recommendation for Approval of the proposed development:

- Is consistent with the Provincial Policy Statement, 2020
- Conforms to the Official Plan (1989)
- Conforms to The London Plan, 2016
- Includes additional regulations to ensure an appropriate design and minimize the massing of the building and mitigation of impacts associated with high-rise forms
- Facilitates an under-utilized site within a Transit Village with an appropriate range of uses, intensity and built form