

# Agenda Including Addeds

## Planning and Environment Committee

4th Meeting of the Planning and Environment Committee

February 21, 2023

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.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Metis and Inuit people today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

Members

Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier, Mayor J. Morgan

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact [PEC@london.ca](mailto:PEC@london.ca) or 519-661-2489 ext. 2425.

	Pages
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<b>2. Consent</b>	
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2.5 1602 Sunningdale Road West - Three Year Extension and Redline Revisions (39T-11503)	42
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2.7 54 Duchess Avenue - Heritage Alteration Permit Application (HAP23-001-L)	84
2.8 864 Hellmuth Avenue - Heritage Alteration Permit Application (HAP22-081-L)	100
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2.9 London Plan Comprehensive Review - Preliminary Approach and Timeline	134
<b>3. Scheduled Items</b>	

3.1	Public Participation Meeting - Not to be Heard before 4:00 PM - 1930-1940 Oxford Street East (Z-9571)	139
<b>4.</b>	<b>Items for Direction</b>	
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	<i>b. (ADDED) M. Inglis, Gymworld Inc.</i>	162
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	<i>e. (ADDED) T. Delaney, Oxford Dodge</i>	165
<b>5.</b>	<b>Deferred Matters/Additional Business</b>	
<b>6.</b>	<b>Adjournment</b>	

## Report to Planning & Environment Com 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  
November 2022

**Date:** February 21, 2023

### Recommendation

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

#### 2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – **November 2022**

Permits Issued to the end of the month

As of November 2022, a total of 3,940 permits were issued, with a construction value of \$1.5 billion, representing 2,501 new dwelling units. Compared to the same period in 2021, this represents a 12% decrease in the number of building permits, with a 1.3%

decrease in construction value and an 32.4% decrease in the number of dwelling units constructed.

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

As of the end of November 2022, the number of building permits issued for the construction of single and semi-detached dwellings was 581, representing a 42.1% decrease over the same period in 2021.

#### Number of Applications in Process

As of the end of November 2022, 904 applications are in process, representing approximately \$580.1 million in construction value and an additional 1,062 dwelling units compared with 1,172 applications, with a construction value of \$754 million and an additional 1,469 dwelling units in the same period in 2021.

#### Rate of Application Submission

Applications received in November 2022 averaged to 15 applications per business day, for a total of 299 applications. Of the applications submitted 24 were for the construction of single detached dwellings and 193 townhouse units.

#### Permits issued for the month

In November 2022, 299 permits were issued for 512 new dwelling units, totaling a construction value of \$221.4 million.

#### Inspections – Building

A total of 2,720 inspection requests were received with 2,877 inspections being conducted.

In addition, 19 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,720 inspections requested, 99% were conducted within the provincially mandated 48 hour period.

#### Inspections - Code Compliance

A total of 1,032 inspection requests were received, with ,1140 inspections being conducted.

An additional 168 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 1,032 inspections requested, 99% were conducted within the provincially mandated 48 hour period.

#### Inspections - Plumbing

A total of 1,272 inspection requests were received with 1,620 inspections being conducted related to building permit activity.

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

Of the 1,272 inspections requested, 100% were conducted within the provincially mandated 48 hour period.



## **2020 Permit Data**

To the end of November , a total of 3,780 permits were issued, with a construction value of \$1.52 Billion, representing 3,438 new dwelling units. The number of single/semi detached dwelling units was 863.

## **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 November 2022. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity” for the month of November 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

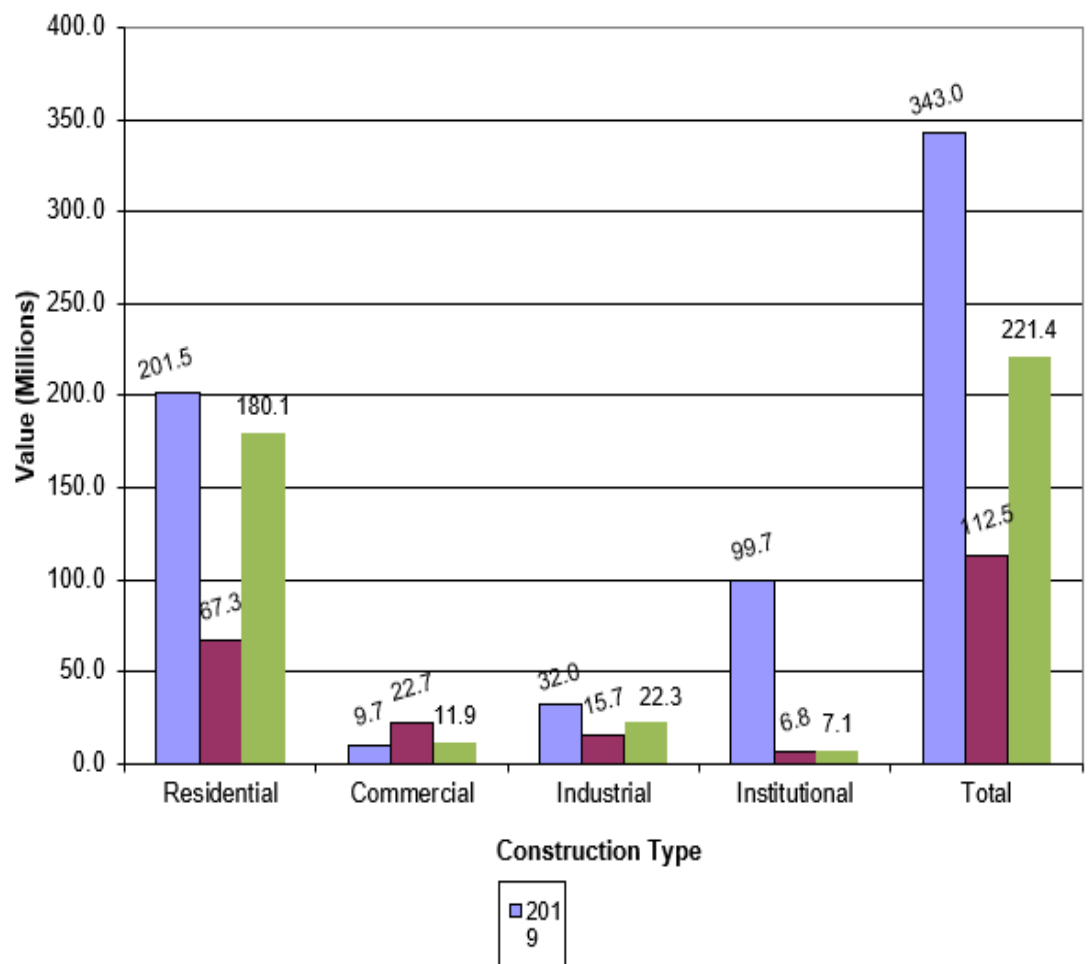
**APPENDIX "A"**

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

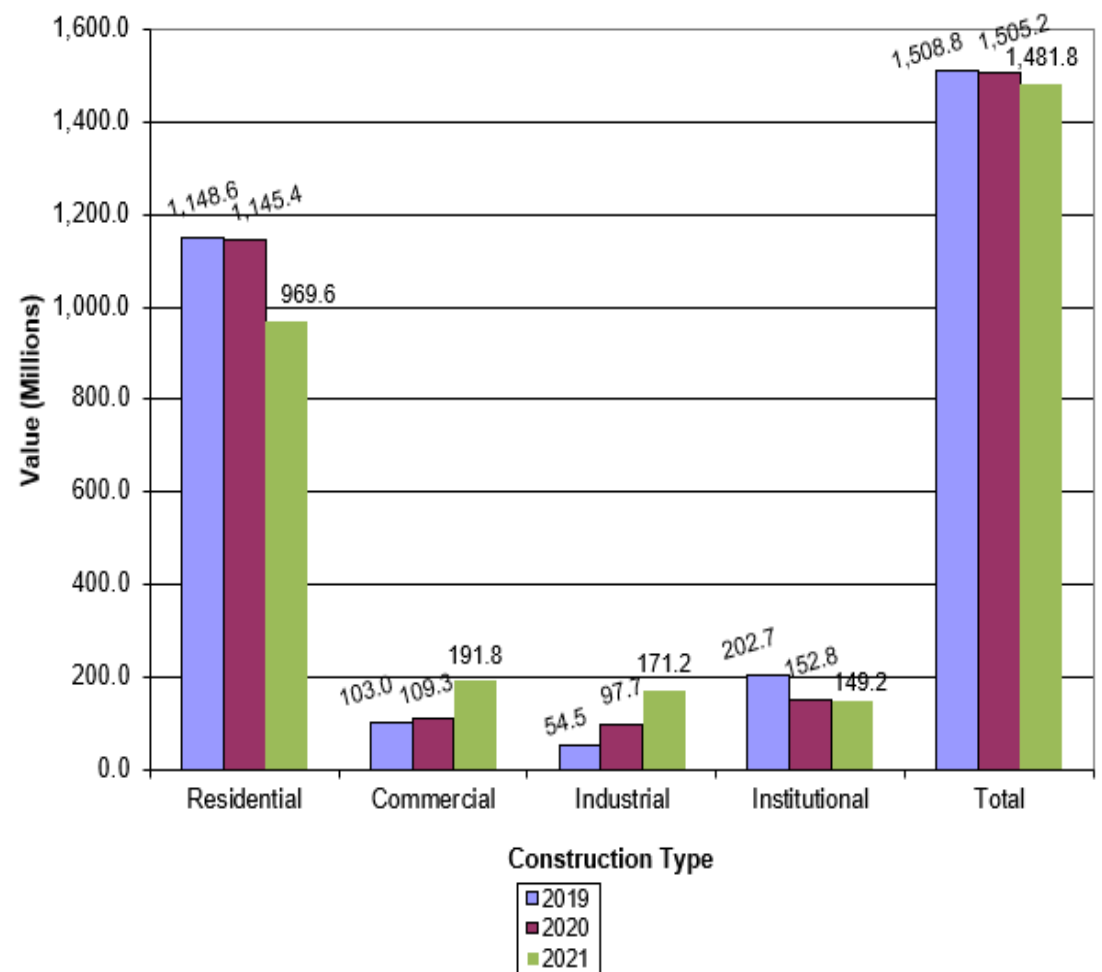
CLASSIFICATION	November 2022			to the end of November 2022			November 2021			to the end of November 2021			November 2020			to the end of November 2020		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	25	17,719,502	24	581	301,270,200	579	87	40,350,000	87	1,002	454,932,550	1,002	107	47,277,800	107	863	368,558,254	863
SEMI DETACHED DWELLINGS	1	919,374	2	1	919,374	2	1	211,000	1	2	434,500	2	0	0	0	2	1,023,000	4
TOWNHOUSES	29	55,879,212	193	134	202,601,740	669	28	17,728,400	74	221	201,536,600	822	16	10,409,800	46	135	126,289,785	484
DUPLEX, TRIPLEX, QUAD, APT BLDG	2	99,491,500	265	16	371,963,035	1,052	0	0	0	14	411,371,500	1,751	4	136,437,600	504	17	596,902,400	2,034
RES-ALTER & ADDITIONS	144	6,069,048	28	1,828	92,804,259	198	194	9,046,139	8	1,771	77,076,791	122	156	7,409,724	8	1,400	55,852,487	53
COMMERCIAL - ERECT	5	6,806,000	0	18	82,987,087	1	3	6,336,700	0	27	19,811,100	0	2	1,300,000	0	11	8,460,300	0
COMMERCIAL - ADDITION	1	90,000	0	10	26,741,900	0	2	475,000	0	8	4,101,500	0	1	20,000	0	5	2,202,800	0
COMMERCIAL - OTHER	34	5,026,811	0	268	82,062,091	0	37	15,864,710	0	336	85,378,925	0	42	8,394,500	0	345	92,287,669	0
INDUSTRIAL - ERECT	0	0	0	3	99,373,579	0	0	0	0	14	46,342,409	0	2	31,578,000	0	8	40,231,400	0
INDUSTRIAL - ADDITION	1	22,079,520	0	7	64,437,391	0	2	14,000,000	0	9	30,886,560	0	0	0	0	5	7,931,300	0
INDUSTRIAL - OTHER	3	246,000	0	32	7,425,860	0	6	1,707,000	0	37	20,489,480	0	5	458,600	0	40	6,374,007	0
INSTITUTIONAL - ERECT	0	0	0	3	99,646,231	0	0	0	0	1	12,000,000	0	3	96,588,300	0	7	129,443,300	0
INSTITUTIONAL - ADDITION	2	4,451,800	0	4	6,830,800	0	2	4,000,000	0	8	51,273,386	0	0	0	0	8	15,178,000	0
INSTITUTIONAL - OTHER	5	2,660,630	0	147	42,692,466	0	8	2,786,500	0	125	89,553,450	0	12	3,087,800	0	157	58,084,801	0
AGRICULTURE	0	0	0	3	1,610,000	0	0	0	0	4	557,000	0	0	0	0	2	262,000	0
SWIMMING POOL FENCES	7	385,106	0	314	12,892,615	0	19	765,100	0	374	11,218,396	0	13	537,000	0	353	9,092,291	0
ADMINISTRATIVE	9	9,000	0	136	890,000	0	3	0	0	90	298,000	0	6	0	0	53	109,000	0
DEMOLITION	10	0	6	95	0	64	8	0	5	75	0	50	9	0	6	74	0	50
SIGNS/CANOPY - CITY PROPERTY	2	0	0	19	0	0	0	0	0	8	0	0	1	0	0	6	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	19	0	0	321	0	0	52	0	0	362	0	0	28	0	0	289	0	0
<b>TOTALS</b>	<b>299</b>	<b>221,833,503</b>	<b>512</b>	<b>3,940</b>	<b>1,497,148,628</b>	<b>2,501</b>	<b>452</b>	<b>113,270,549</b>	<b>170</b>	<b>4,488</b>	<b>1,517,262,147</b>	<b>3,699</b>	<b>407</b>	<b>343,499,124</b>	<b>671</b>	<b>3,780</b>	<b>1,518,282,794</b>	<b>3,488</b>

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

**Construction Value of Building Permits  
May**



**Construction Value of Building Permits  
January to May**





City of London - Building Division

Principal Permits Issued from November 1, 2022 to November 30, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY	1001 Fanshawe College Blvd	Alter Community College ALTERATION TO EXPAND THE EXISTING MECHANICAL PENTHOUSE AND THE REPLACEMENT FOR THE MECHANICAL AND ELECTRICAL EQUIPMENT	0	2,500,000
1803299 ONTARIO INC 1803299 ONTARIO INC	1005 Wilton Grove Rd	Add Plant for Manufacturing ADDITION TO EXISTING WAREHOUSE Shell Permit Only – Provide sealed retraining wall guards, exterior stairs and guards, and access ladder shop drawings to the Building Division for review prior to work in these areas	0	22,079,520
SOUTHSIDE CONSTRUCTION MANAGEMENT LTD SOUTHSIDE CONSTRUCTION MANAGEMENT LTD	1026 Wonderland Rd S	Alter Restaurant ALTER - TO RENOVATE EXISTING RESTAURANT	0	120,000
SOUTHSIDE CONSTRUCTION MANAGEMENT LTD SOUTHSIDE CONSTRUCTION MANAGEMENT LTD	1040 Wonderland Rd S	Alter Restaurant ALTER - TO CONVERT EXISTING PIZZA PIZZA TO TACO BELL	0	175,000
JEFF WILSON WHITE OAKS MALL HOLDINGS LTD.	1105 Wellington Rd	Alter Retail Store Unit 485 - INTERIOR ALTERATION SHELL PERMIT - SPRINKLER SHOP DRAWING REQUIRED FOR REVIEW.	0	109,000
LONDON SUMMERSIDE CORP. LONDON SUMMERSIDE CORP.	1305 Commissioners Rd E	Alter Daycare Centres UNIT 107 - INTERIOR ALTERATIONS TO CREATE TINY HOPPERS DAYCARE CENTRE	0	164,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1325 Riverbend Rd	Install-Retail Store Install 4 new demising wall to create additional units on the main floor for retail. Separate Tenant finish permits required.		150,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1519 Moe Norman Pl	Erect-Townhouse - Cluster SDD ERECT SDD, 1 STOREY, 2 CAR & GOLD CART GARAGE, UNFINISHED BASEMENT, 2 BEDROOMS, COVERED PORCH, W/ A/C, HOT2000, PART 5, 33M-429, HRV & DWHR REQUIRED  **M-PLAN NOT AVAILABLE**	1	388,790
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1546 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERECT SDD, 1 STOREY, 2 CAR GARAGE, PARTIAL FINISHED BASEMENT, 2 BEDROOMS, W/ COVERED PORCHES, A/C INCLUDED, HOT2000, PART 34, HRV & DWHR REQUIRED	1	411,791



City of London - Building Division

Principal Permits Issued from November 1, 2022 to November 30, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
TRICAR PROPERTIES LTD. TRICAR PROPERTIES LTD.	1560 Upper West Ave	Erect-Apartment Building Erect 4 storey apartment with underground parking Shell Permit Only – Provide sealed shop drawings for the stair guards, steel grating, balcony guards, terrace guards, exterior stairs guards and retaining wall guards to the Building Division for review prior to work in these areas. Submit Firestopping Package prior to installation. No work to proceed with Fire Protection until such review has been completed and approved.	54	13,000,000
FOXWOOD DEVELOPMENTS (LONDON) INC. FOXWOOD DEVELOPMENTS (LONDON) INC.	1595 Capri Cres A	Erect-Townhouse - Condo ERECT 9 UNIT TOWNHOUSE BLOCK, BLDG A, 3 STOREY, DPNs 1,2,3,4,5,6,7,8,9	9	3,346,871
FOXWOOD DEVELOPMENTS (LONDON) INC. FOXWOOD DEVELOPMENTS (LONDON) INC.	1595 Capri Cres B	Erect-Townhouse - Condo ERECT 8 UNIT TOWNHOUSE BLOCK, BLDG B, 3 STOREY, DPNs 10,11,12,13,14,15,16,17.	8	3,024,329
FOXWOOD DEVELOPMENTS (LONDON) INC. FOXWOOD DEVELOPMENTS (LONDON) INC.	1595 Capri Cres C	Erect-Townhouse - Condo ERECT 8 UNIT TOWNHOUSE BLOCK, BLDG C, 3 STOREY, DPNs 18,19,20,21,22,23,24,25.	8	2,982,518
	1671 Hamilton Rd	Alter Duplex ALTER TO CREATE ADDITIONAL DWELLING UNIT IN BASEMENT	1	123,031
5001740 LIMITED 5001740 ONTARIO LIMITED	1830 Adelaide St N	Erect-Retail Store ERECT 1 STOREY RETAIL STORE	0	2,178,000
FIRST LONDON EAST DEVELOPMENTS INC	1925 Dundas St	Alter Retail Store CM - RETAIL - UNIT 22 - INTERIOR ALTERATIONS TO PET VALUE	0	549,400
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd A	Erect-Townhouse - Condo ERECT 1 STOREY 4 UNIT TOWNHOUSE BUILDING, BLOCK A, DPN' S1, 3, 5, 7, W/ FINISHED BASEMENTS & A/C	4	1,325,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd B	Erect-Townhouse - Condo ERECT 1 STOREY 4 UNIT TOWNHOUSE BUILDING, BLOCK B, DPN'S 9, 11, 13, 15, W/ FINISHED BASEMENTS & A/C	4	1,325,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd C	Erect-Townhouse - Condo ERECT 1 STOREY 4 UNIT TOWNHOUSE BUILDING, BLOCK C, DPN'S 17, 19, 21, 23, W/ FINISHED BASEMENTS & A/C	4	1,325,500



**City of London - Building Division**  
**Principal Permits Issued from November 1, 2022 to November 30, 2022**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd D	Erect-Townhouse - Condo ERECT 1 STOREY 3 UNIT TOWNHOUSE BUILDING, BLOCK D, DPN'S 25, 27, 29, W/ FINISHED BASEMENTS & A/C	3	1,006,400
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd E	Erect-Townhouse - Condo ERECT 1 STOREY 3 UNIT TOWNHOUSE BUILDING, BLOCK E, DPN'S 31, 33, 35, W/ FINISHED BASEMENTS & A/C	3	1,006,400
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd F	Erect-Townhouse - Condo ERECT 1 STOREY 4 UNIT TOWNHOUSE BUILDING, BLOCK F, DPN'S 37, 39, 41, 43, W/ FINISHED BASEMENTS & A/C	4	1,325,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd G	Erect-Townhouse - Condo ERECT 2 STOREY TOWNHOUSE - Block G - 5 UNITS DPNS 87, 85, 83, 81, 79, finished basements and A/C	5	1,876,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd H	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block H - 7 UNITS DPNS - 89, 91, 93, 95, 97, 99, 101 - FINISHED BASEMENTS AND A/C INCLUDED	7	2,626,700
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd I	Erect-Street Townhouse - Condo ERECT 2 STOREY STREET Townhouse - Condo - Block I - 6 unit, 2 storey DPNS - 1956, 1954, 1952, 1950, 1948, 1946 finished basements and A/C	6	2,212,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd J	Erect-Street Townhouse - Condo ERECT 2 STOREY STREET Townhouse Building 4 UNITS DPNS - 1942, 1940, 1938, 1936 - with finished basements and A/C	4	1,480,700
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd K	Erect-Street Townhouse - Condo ERECT 2 STOREY- Street Townhouse - Condo - Block K - 4 unit DPNS - 1932, 1930, 1928, 1926 finished basements & A/C	4	1,480,700
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd L	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block L - 4 unit DPNS - 111, 113, 115, 117 - finished basement and A/C	4	1,480,700



City of London - Building Division

Principal Permits Issued from November 1, 2022 to November 30, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd M	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block M - 4 unit DPNs - 103, 105, 107, 109 - finished basement and AC.	4	1,480,700
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd N	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - 5 unit DPNs - 69, 71, 73, 75, 77 - finished basement and A/C	5	1,876,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd O	Erect-Townhouse - Condo ERECT 1 STOREY 4 UNIT TOWNHOUSE BUILDING, BLOCK O, DPN'S 45, 47, 49, 51, W/ FINISHED BASEMENTS & A/C	4	1,325,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd P	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block P 4 UNITS DPN's - 53, 55, 57, 59 - , finished basement and A/C	4	1,480,700
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd Q	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block Q - 4 unit DPNs - 61, 63, 65, 67 - finished basement, and A/C	4	1,480,700
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd R	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block R - 8 unit DPN's - 143, 145, 147, 149, 151, 153, 155, 157 - finished basements and A/C	8	2,961,300
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd S	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block S - 6 unit DPN's - 131, 133, 135, 137, 139, 141 - finished basements, A/C	6	2,212,500
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	1960 Evans Blvd T	Erect-Townhouse - Condo ERECT 2 STOREY Townhouse - Condo - Block T - 6 unit DPN's - 119, 121, 123, 125, 127, 129, 131 - finished basement and A/C	6	2,212,500
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1965 Upperpoint Gate O	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG O, 5 UNITS DPN: 65,67,69,71,73, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, A/C INCLUDED, UNCOVERED DECKS, SB-12 A3, HRV & DWHR REQUIRED.	5	1,804,443





City of London - Building Division

Principal Permits Issued from November 1, 2022 to November 30, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1965 Upperpoint Gate Z	Erect-Street Townhouse - Condo ERECT 4 UNIT TOWNHOUSES BLOCK BLDG Z. 3 STOREY. DPN's: 130, 132, 134, 136.	4	2,117,470
1781991 Ontario Inc	2055 Dundas St	Alter Clubs, Non Residential INTERIOR ALTERATIONS FOR AZORES CULTURAL CENTRE	0	460,100
CHARDI INVESTMENTS LTD CHARDI KALA INVESTMENTS LTD	2140 Kains Rd	Install-Site Services Install site services.		500,000
CHARDI INVESTMENTS LTD CHARDI KALA INVESTMENTS LTD	2140 Kains Rd	Erect-Retail Plaza ERECT RETAIL STRIP PLAZA - BLDG C. SHELL PERMIT ONLY. Sprinkler shop drawings to be submitted for approval prior to any work in this area. SEPARATE PERMITS REUIRED FOR TENANT FINISHES	0	800,000
CHARDI INVESTMENTS LTD CHARDI KALA INVESTMENTS LTD	2140 Kains Rd	Erect-Retail Plaza ERECT RETAIL STRIP PLAZA - BUILDING B. SHELL PERMIT ONLY. Sprinkler drawings to be submitted for review and approval prior to any work in this area. SEPARATE PERMITS REQUIRED FOR TENANT FINISHES	0	800,000
CHARDI INVESTMENTS LTD CHARDI KALA INVESTMENTS LTD	2140 Kains Rd	Erect-Retail Plaza ERECT NEW RETAIL STRIP PLAZA - BLDG A. SHELL PERMIT ONLY. Sprinkler Drawings to be submitted for review/approval prior to work in these areas. SEPARATE PERMITS REQUIRED FOR TENANT FINISHES	0	1,800,000
YORK DEVELOPMENTS YORK DEVELOPMENTS	2175 Richmond St A	Erect-Retail Plaza CM - ERECT 1 STOREY 5 UNIT RETAIL PLAZA Shell Permit Only – Provide sealed roof access ladder shop drawings to the Building Division for review prior to work in these areas	0	1,228,000
Unifirst Canada Ltd	2365 Innovation Dr	Alter Factories INSTALL NEW SPRINKLER SYSTEM	0	138,000
Conseil Scolaire De District Du Centre-Sud-Ouest	2463 Evans Blvd	Add Schools Secondary, High, Jr. High TWO STOREY ADDITION TO SCHOOL Shell Permit Only – Provide sealed shop drawings for stairs and stairs guards to the Building Division for review prior to work in these areas	0	4,288,300
LONDON SOUTHDALE RETIREMENT DEV. LTD. LONDON SOUTHDALE RETIREMENT DEV. LTD.	3050 Tillmann Rd	Erect-Apartment Building ERECT NEW 6 STOREY APARTMENT BUILDING FOR RETIREMENT HOME, WITH 1 LEVEL BELOW GRADE PARKING GARAGE	211	86,491,500
Glanfield Brett Et Al C/O Range Property Mgmt Po B	363 Colborne St	Alter Apartment Building Interior alter to install new overhead garage doors and access doors, masonry wall repairs and waterproofing	0	232,500





### City of London - Building Division

#### Principal Permits Issued from November 1, 2022 to November 30, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
AL MILLS FOREST CITY COMMUNITY CHURCH	3725 Bostwick Rd	Add Churches ADD - ADDITION TO EXISTING CHURCH FOR CHILDRENS AUDITORIUM AND MEETING ROOMS FOUNDATION PERMIT ONLY	0	163,500
1640209 LIMITED - FOXWOOD 1640209 ONTARIO LTD - FOXWOOD	3900 Savoy St B	Erect-Townhouse - Condo ERECT 24 UNITS STACKED TOWNHOUSES, BUILDING B	24	3,300,000
1640209 LIMITED - FOXWOOD 1640209 ONTARIO LTD - FOXWOOD	3900 Savoy St C	Erect-Townhouse - Condo ERECT 40 UNITS - STACKED TOWNHOUSES, SOILS REPORT REQUIRED AT THE TIME OF EXCAVATION.	40	5,000,000
	43 Base Line Rd W	Alter Automobile Repair Garage ALTER - FOR CAR DETAILING SHOP W/ MECH	0	121,000
London City	4853 White Oak Rd	Install-Site Services Install water service		500,000
THE TDL GROUP LTD	510 Admiral Dr	Alter Restaurant INTERIOR RENOVATIONS TO TIM HORTONS	0	569,000
LIUNA 1059 TRAINING FUND MANAGEMENT INC. LIUNA 1059 TRAINING FUND MANAGEMENT INC.	635 Wilton Grove Rd	Alter Retail store and warehouse Interior renovation -new technical training room	0	400,000
785 Wonderland Road Inc C/O Mccor Management (East) Inc.	785 Wonderland Rd S	Alter Offices ALTER - INTERIOR FIT UP FOR UNIT 252 WITH MECH AND ELEC SHELL PERMIT - PROVIDE SPRINKLER SHOP DRAWINGS, INTERGRATED AND COORINATOR (MAGLOCK)	0	400,000
THE IRONSTONE BUILDING COMPANY	990 Deveron Cres	Install-Townhouse - Cluster SDD INSTALL SITE SERVICES.		644,000

Total Permits 57      Units 459      Value 196,563,063

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

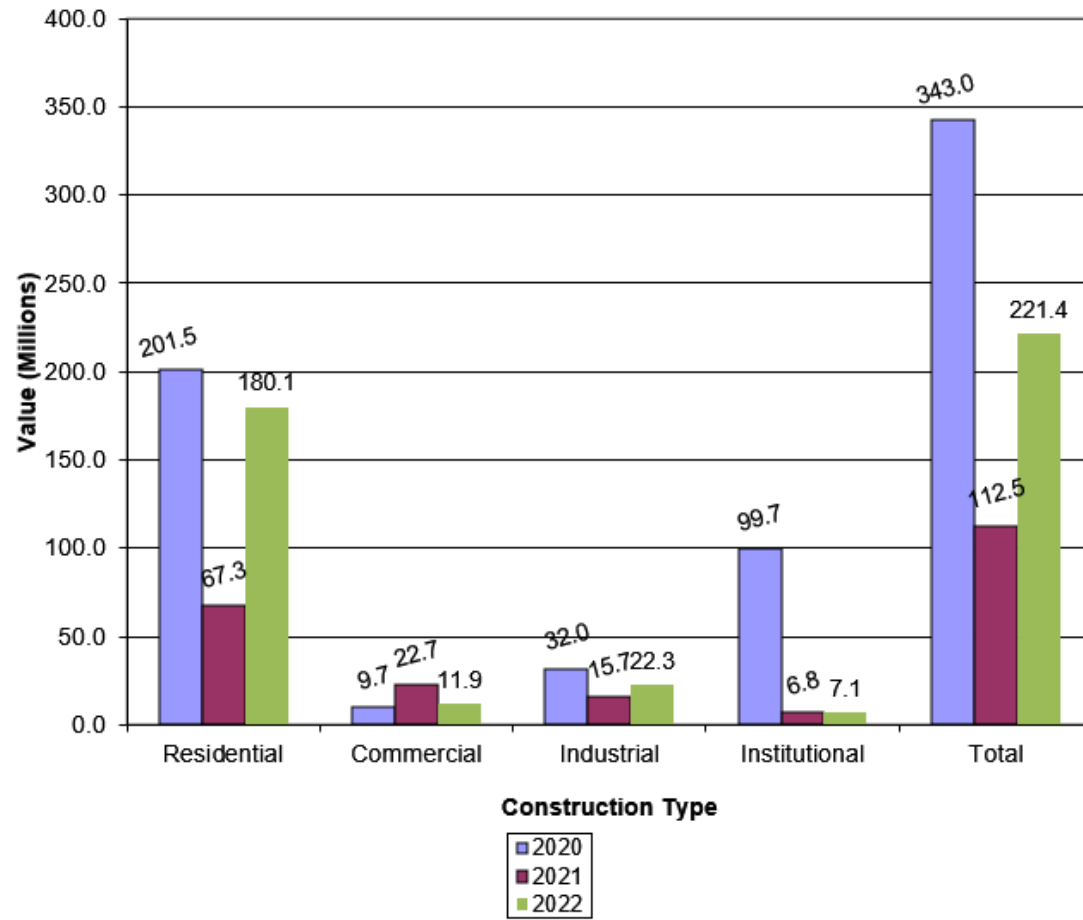
**APPENDIX "A"**

**CITY OF LONDON  
SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF November 2022**

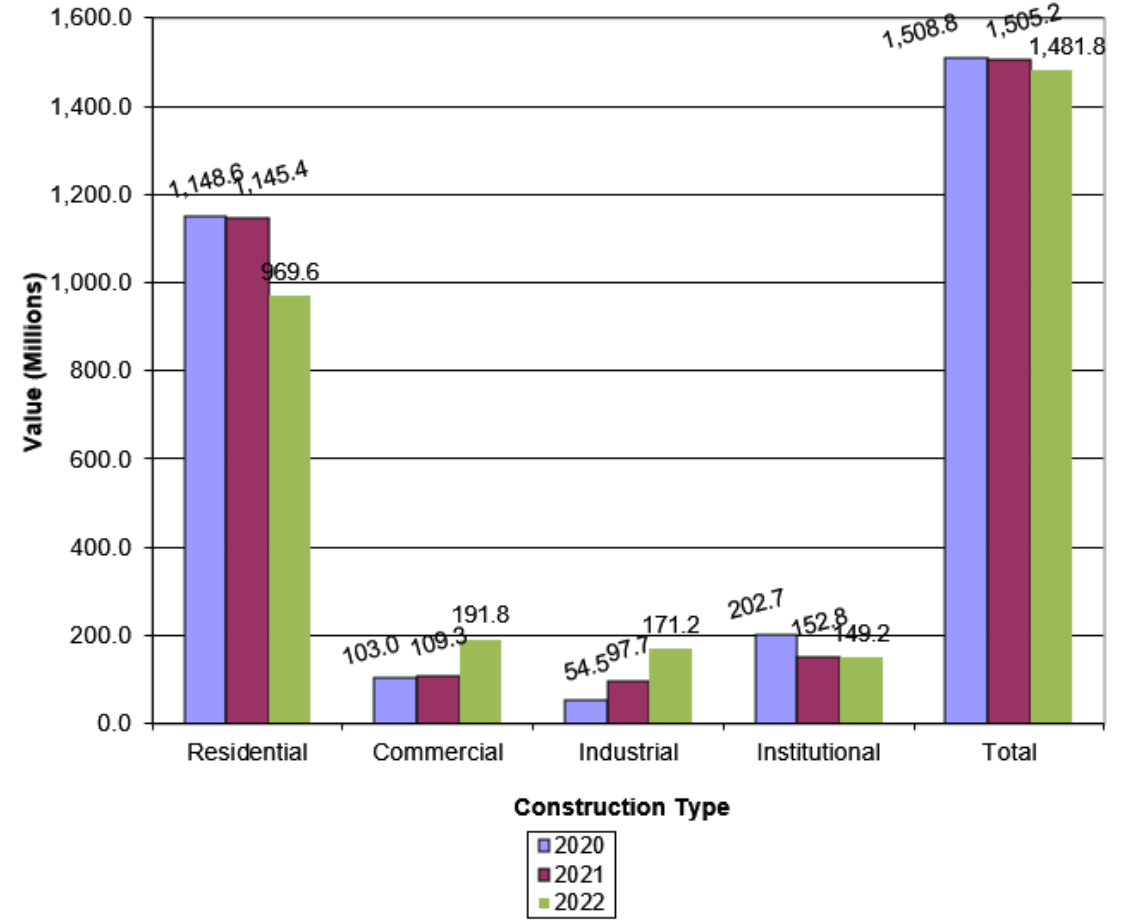
CLASSIFICATION	November 2022			to the end of November 2022			November 2021			to the end of November 2021			November 2020			to the end of November 2020		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	25	17,719,502	24	581	301,270,200	579	87	40,350,000	87	1,002	454,932,550	1,002	107	47,277,800	107	863	368,558,254	863
SEMI DETACHED DWELLINGS	1	919,374	2	1	919,374	2	1	211,000	1	2	434,500	2	0	0	0	2	1,023,000	4
TOWNHOUSES	29	55,879,212	193	134	202,601,740	669	28	17,728,400	74	221	201,536,600	822	16	10,409,800	46	135	126,289,785	484
DUPLEX, TRIPLEX, QUAD, APT BLDG	2	99,491,500	265	16	371,963,035	1,052	0	0	0	14	411,371,500	1,751	4	136,437,600	504	17	596,902,400	2,034
RES-ALTER & ADDITIONS	144	6,069,048	28	1,828	92,804,259	198	194	9,046,139	8	1,771	77,076,791	122	156	7,409,724	8	1,400	55,852,487	53
COMMERCIAL - ERECT	5	6,806,000	0	18	82,987,087	1	3	6,336,700	0	27	19,811,100	0	2	1,300,000	0	11	8,460,300	0
COMMERCIAL - ADDITION	1	90,000	0	10	26,741,900	0	2	475,000	0	8	4,101,500	0	1	20,000	0	5	2,202,800	0
COMMERCIAL - OTHER	34	5,026,811	0	268	82,062,091	0	37	15,864,710	0	336	85,378,925	0	42	8,394,500	0	345	92,287,689	0
INDUSTRIAL - ERECT	0	0	0	3	99,373,579	0	0	0	0	14	46,342,409	0	2	31,578,000	0	8	40,231,400	0
INDUSTRIAL - ADDITION	1	22,079,520	0	7	64,437,391	0	2	14,000,000	0	9	30,886,560	0	0	0	0	5	7,931,300	0
INDUSTRIAL - OTHER	3	246,000	0	32	7,425,860	0	6	1,707,000	0	37	20,489,480	0	5	458,600	0	40	6,374,007	0
INSTITUTIONAL - ERECT	0	0	0	3	99,646,231	0	0	0	0	1	12,000,000	0	3	96,588,300	0	7	129,443,300	0
INSTITUTIONAL - ADDITION	2	4,451,800	0	4	6,830,800	0	2	4,000,000	0	8	51,273,386	0	0	0	0	8	15,178,000	0
INSTITUTIONAL - OTHER	5	2,660,630	0	147	42,692,466	0	8	2,786,500	0	125	89,553,450	0	12	3,087,800	0	157	58,084,801	0
AGRICULTURE	0	0	0	3	1,610,000	0	0	0	0	4	557,000	0	0	0	0	2	262,000	0
SWIMMING POOL FENCES	7	385,106	0	314	12,892,615	0	19	765,100	0	374	11,218,396	0	13	537,000	0	353	9,092,291	0
ADMINISTRATIVE	9	9,000	0	136	890,000	0	3	0	0	90	298,000	0	6	0	0	53	109,000	0
DEMOLITION	10	0	6	95	0	64	8	0	5	75	0	50	9	0	6	74	0	50
SIGNS/CANOPY - CITY PROPERTY	2	0	0	19	0	0	0	0	0	8	0	0	1	0	0	6	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	19	0	0	321	0	0	52	0	0	362	0	0	28	0	0	289	0	0
<b>TOTALS</b>	<b>299</b>	<b>221,833,503</b>	<b>512</b>	<b>3,940</b>	<b>1,497,148,628</b>	<b>2,501</b>	<b>452</b>	<b>113,270,549</b>	<b>170</b>	<b>4,488</b>	<b>1,517,262,147</b>	<b>3,699</b>	<b>407</b>	<b>343,499,124</b>	<b>671</b>	<b>3,780</b>	<b>1,518,282,794</b>	<b>3,488</b>

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

**Construction Value of Building Permits  
November**



**Construction Value of Building Permits  
January to November**



## 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  
December 2022

**Date:** February 21, 2023

### Recommendation

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

#### 2.0 Discussion and Considerations

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

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

As of December 2022, a total of 4,176 permits were issued, with a construction value of \$1.6 billion, representing 2,598 new dwelling units. Compared to the same period in 2021, this represents a 12.3% decrease in the number of building permits, with a 2.2%

decrease in construction value and an 35.03% decrease in the number of dwelling units constructed.

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

As of the end of December 2022, the number of building permits issued for the construction of single and semi-detached dwellings was 612, representing an 41.6% decrease over the same period in 2021.

#### Number of Applications in Process

As of the end of December 2022, 919 applications are in process, representing approximately \$635.3 million in construction value and an additional 1,117 dwelling units compared with 1,418 applications, with a construction value of \$960 million and an additional 2,235 dwelling units in the same period in 2021.

#### Rate of Application Submission

Applications received in December 2022 averaged to 14 applications per business day, for a total of 236 applications. Of the applications submitted 31 were for the construction of single detached dwellings and 40 townhouse units.

#### Permits issued for the month

In December 2022, 236 permits were issued for 97 new dwelling units, totaling a construction value of \$101.0 million.

#### Inspections – Building

A total of 2,058 inspection requests were received with 2,201 inspections being conducted.

In addition, 3 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,058 inspections requested, 94% were conducted within the provincially mandated 48 hour period.

#### Inspections - Code Compliance

A total of 1,071 inspection requests were received, with 982 inspections being conducted.

An additional 100 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the ,1071 inspections requested, 94% were conducted within the provincially mandated 48 hour period.

#### Inspections - Plumbing

A total of 826 inspection requests were received with 1,030 inspections being conducted related to building permit activity.

An additional 8 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 826 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

## **2020 Permit Data**

To the end of December , a total of 4,091 Permit were issued, with a construction value of 1.62 Billion, representing 3,834 new dwelling units. The number of single/semi detached dwelling units was 967

## **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 December 2022. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity” for the month of December 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

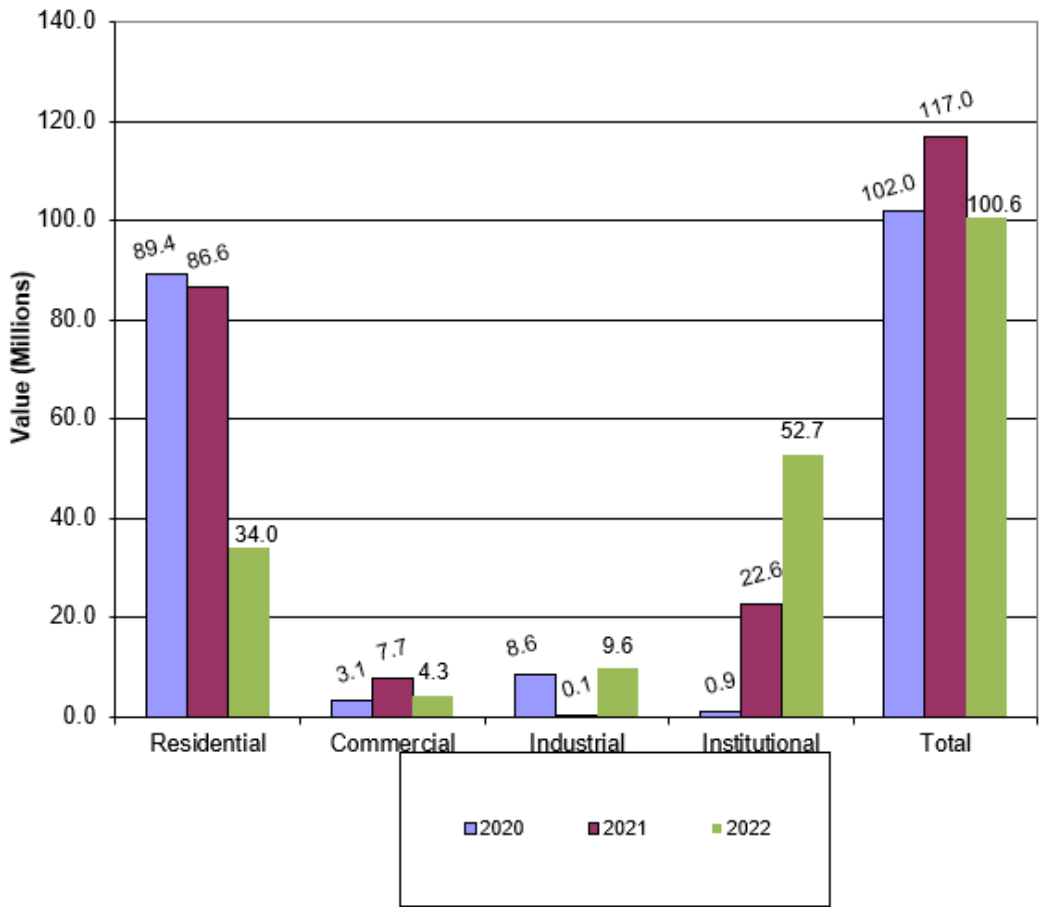
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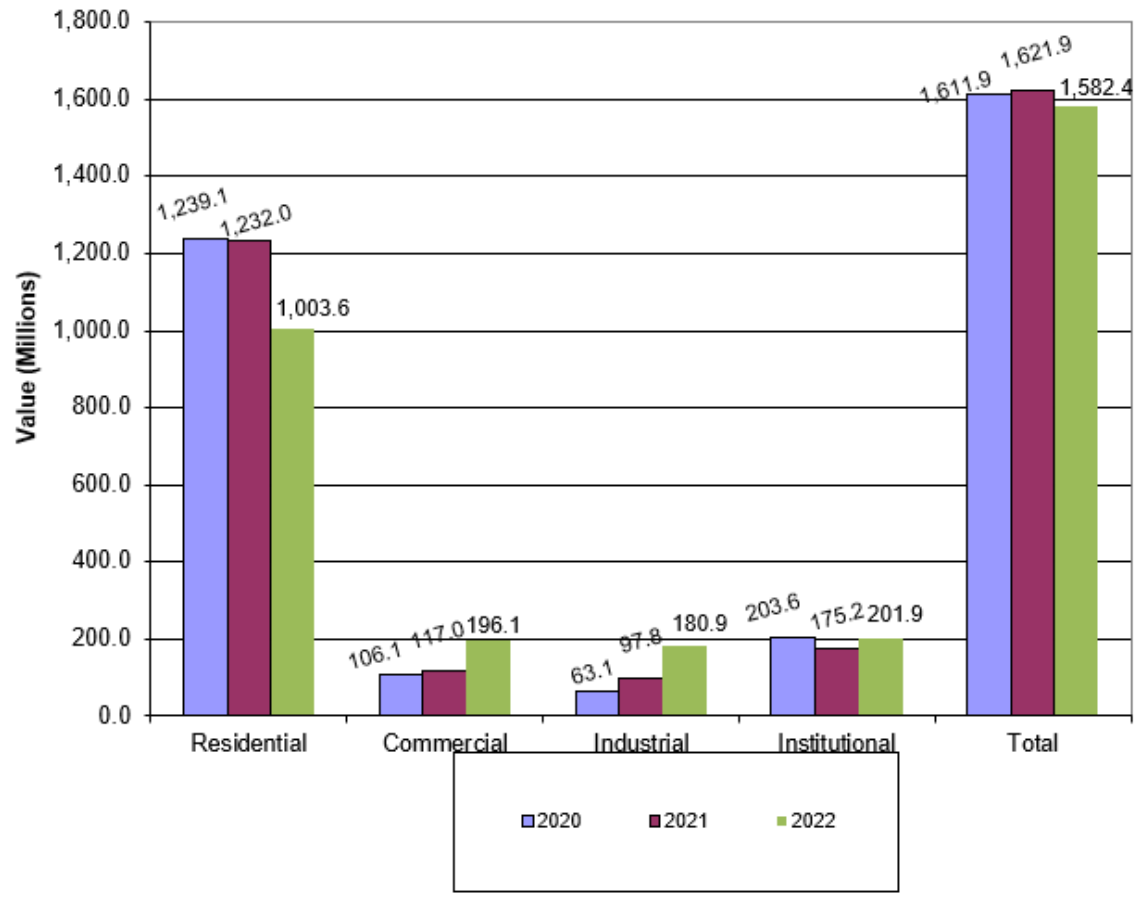
CLASSIFICATION	December 2022			to the end of December 2022			December 2021			to the end of December 2021			December 2020			to the end of December 2020		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	31	16,618,097	31	612	317,888,297	610	43	19,022,100	43	1,045	473,954,650	1,045	100	45,612,700	100	963	414,170,954	963
SEMI DETACHED DWELLINGS	0	0	0	1	919,374	2	0	0	0	2	434,500	2	0	0	0	2	1,023,000	4
TOWNHOUSES	9	13,214,534	40	143	215,816,274	709	16	14,286,800	69	237	215,823,400	891	10	9,437,117	52	145	136,851,902	536
DUPLEX, TRIPLEX, QUAD, APT BLDG	0	0	0	16	371,963,035	1,052	3	46,786,500	173	17	458,158,000	1,924	3	29,200,000	176	20	626,102,400	2,210
RES-ALTER & ADDITIONS	104	4,180,892	26	1,932	96,985,151	224	118	6,541,195	15	1,889	83,617,986	137	109	5,116,900	15	1,509	60,969,387	68
COMMERCIAL -ERECT	1	1,794,000	0	19	84,781,087	1	2	3,972,000	0	29	23,783,100	0	0	0	0	11	8,460,300	0
COMMERCIAL - ADDITION	0	0	0	10	26,741,900	0	0	0	0	8	4,101,500	0	1	894,300	0	6	3,097,100	0
COMMERCIAL - OTHER	19	2,510,660	0	287	84,572,751	0	28	3,688,115	0	364	89,067,040	0	28	2,227,200	0	373	94,514,869	0
INDUSTRIAL - ERECT	1	4,800,000	0	4	104,173,579	0	0	0	0	14	46,342,409	0	0	0	0	8	40,231,400	0
INDUSTRIAL - ADDITION	3	4,720,595	0	10	69,157,986	0	0	0	0	9	30,886,560	0	0	0	0	5	7,931,300	0
INDUSTRIAL - OTHER	1	100,000	0	33	7,525,860	0	4	50,500	0	41	20,539,980	0	11	8,584,000	0	51	14,958,007	0
INSTITUTIONAL - ERECT	2	50,935,329	0	5	150,581,560	0	1	21,600,000	0	2	33,600,000	0	0	0	0	7	129,443,300	0
INSTITUTIONAL - ADDITION	0	0	0	4	6,830,800	0	1	3,000	0	9	51,276,386	0	1	600,000	0	9	15,778,000	0
INSTITUTIONAL - OTHER	7	1,767,000	0	154	44,459,466	0	10	1,035,700	0	133	90,325,650	0	5	314,700	0	162	58,399,501	0
AGRICULTURE	1	193,000	0	4	1,803,000	0	0	0	0	4	557,000	0	1	7,000	0	3	269,000	0
SWIMMING POOL FENCES	3	213,000	0	317	13,105,615	0	4	123,564	0	377	11,316,960	0	5	142,728	0	358	9,235,019	0
ADMINISTRATIVE	6	0	0	142	890,000	0	4	0	0	94	298,000	0	9	0	0	62	109,000	0
DEMOLITION	15	0	9	110	0	73	8	0	4	83	0	54	4	0	3	78	0	53
SIGNS/CANOPY - CITY PROPERTY	2	0	0	21	0	0	0	0	0	8	0	0	1	0	0	7	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	31	0	0	352	0	0	33	0	0	395	0	0	23	0	0	312	0	0
<b>TOTALS</b>	<b>236</b>	<b>101,047,107</b>	<b>97</b>	<b>4,176</b>	<b>1,598,195,735</b>	<b>2,598</b>	<b>275</b>	<b>117,109,474</b>	<b>300</b>	<b>4,760</b>	<b>1,634,083,121</b>	<b>3,999</b>	<b>311</b>	<b>102,136,645</b>	<b>346</b>	<b>4,091</b>	<b>1,621,544,439</b>	<b>3,834</b>

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

**Construction Value of Building Permits  
December**



**Construction Value of Building Permits  
January to December**







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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
Derek Hill Cargill Value Added Meats- Canada Attn: Tax & Customs	10 Cuddy Blvd	Add Food Processing Plant Adding 6 Bay Bird barn Foundation Permit – Provide full of the sealed Steelway drawings reviewed by the principal structural engineer, SPH Engineering, to the Building Division for review prior to work in these areas. Not approved for plumbing or HVAC work.	0	2,500,000
ENBRIDGE GAS INC	109 Commissioners Rd W	Alter Offices ALTER - FOR NEW OFFICE LAYOUT, W/ MECH AND ELECTRICAL	0	245,760
UWO BOARD OF GOVERNORS UWO BOARD OF GOVERNORS	1151 Richmond St	Alter University WU IGAB EXAM SPACE RENOVATIONS	0	190,000
REMBRANDT (WOODSTOCK) INC REMBRANDT DEVELOPMENTS (WOODSTOCK) INC	1224 Blackwell Blvd J	Erect-Townhouse - Condo ERECT 6 UNIT TOWNHOUSE BLOCK. BLDG J, 2 STOREY, DPNs 1228, 1230, 1232, 1234, 1236, & 1238, SOILS REPORT REQUIRED.	6	1,709,656
DEBORAH LUCAS HURON UNIVERSITY COLLEGE	1349 Western Rd	Erect-University New 6 storey student residence tower with Classrooms and Dining/Kitchen facilities on Level 1. Shell Permit Only –Provide sealed security grill shop, curtain wall and interior stair/landings guards shop drawings to the Building Division for review prior to work in these areas	0	50,495,429
2560334 ONTARIO INC UPTOWN COMMERCIAL CENTRE 2560334 ONTARIO INC O/A UPTOWN COMMERCIAL CENTRE	135 Villagewalk Blvd	Erect-Retail Plaza ERECT RETAIL PLAZA  SEPARATE PERMITS REQUIRED FOR TENANT FIT-UPS	0	1,794,000
LONDON HUNT & COUNTRY CLUB	1431 Oxford St W	Install-Clubs, Non Residential Plumbing modifications in basement and North kitchen.		200,000
1000246244 Ontario Limited Romkey Capital Corp Romkey Hh Corp &	1510 Woodcock St	Alter Medical Offices INTERIOR FIT UP FOR PHYSIOTHERAPY CLINIC. - UNIT 1.	0	500,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1643 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERECT SDD, 1 STOREY, 2 CAR GARAGE AND GOLF PARKING, FINISHED BASEMENT, 3 BEDROOMS, COVERED PORCH, W/ A/C, SB-12 A3, HOT2000, PART 13, 33R-20077, HRV * DWHR REQUIRED  **M-PLAN NOT PROVIDED**	1	633,884
PARTICIPATION HOUSE SUPPORT SERVICES - LONDON & AREA	1796 Adelaide St N	Alter Clubs, Recreational Facilities INTERIOR ALTERATION - ADDING AN ELEVATOR	0	250,000



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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1965 Upperpoint Gate F	Erect-Townhouse - Condo ERECT 2 STOREY, 4 UNIT TOWNHOUSE , BLOCK F, DPNs 17, 19, 21, 23. SB12-A1. Unfinished basements, no decks. Units 26-29.	4	973,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1965 Upperpoint Gate V	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG V, 4 UNITS DPN 122,124,126,128, 3 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, COVERED PORCH, SB-12 A5, HRV & DWHR REQUIRED  *SOILS RETAINER REPORT REQUIRED*	4	1,724,206
CAPREIT APARTMENTS INC CAPREIT APARTMENTS INC	200 Sandringham Cres	Alter Apartment Building Repair of concrete balcony slabs and full replacement of existing balcony railings	0	604,000
DANCOR OXFORD INC DANCOR PHASE II OXFORD INC	2146 Oxford St E	Erect-Plant for Manufacturing ERECT BUILDING SHELL. Development Charges to be reviewed under the tenant fit up permits.	0	4,800,000
PERPETUALLY INNOVATIVE DEVELOPMENTS INC PERPETUALLY INNOVATIVE DEVELOPMENTS INC	2700 Buroak Dr A	Erect-Townhouse - Condo ERECT 6 UNIT TOWNHOUSE, BLOCK A, 2 STOREY, DPN'S 15,17,19,21,23,25	6	1,803,335
PERPETUALLY INNOVATIVE DEVELOPMENTS INC PERPETUALLY INNOVATIVE DEVELOPMENTS INC	2700 Buroak Dr B	Erect-Townhouse - Condo ERECT 6 UNIT TOWNHOUSE, BLOCK B, 2 STOREY, DPN'S 27,29,31,33,35,37	6	1,803,335
PERPETUALLY INNOVATIVE DEVELOPMENTS INC PERPETUALLY INNOVATIVE DEVELOPMENTS INC	2700 Buroak Dr C	Erect-Townhouse - Condo ERECT 6 UNIT TOWNHOUSE, BLOCK C, 2 STOREY, DPN'S 39,41,43,45,47,49	6	2,052,000
PERPETUALLY INNOVATIVE DEVELOPMENTS INC PERPETUALLY INNOVATIVE DEVELOPMENTS INC	2700 Buroak Dr D	Erect-Townhouse - Condo ERECT 6 UNIT TOWNHOUSE, BLOCK D, 2 STOREY, DPN'S 1,3,5,7,9,11	6	1,803,335
WESTHAVEN HOMES (2008) INC. WESTHAVEN HOMES (2008) INC.	2835 Sheffield Pl 6	Erect-Townhouse - Cluster SDD ERECT NEW CLUSTER SDD. 2 STOREY, 2 CAR GARAGE, 5 BEDROOM, FINISHED BASEMENT, NO DECK, NO A/C, SB-12 A1, DPN 6, MVLCF LEVEL 1 UNIT 3, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED.	1	711,783
2726593 ONTARIO INC	363 Sovereign Rd	Add Plant for Manufacturing ID - ADDITION TO MANUFACTURING PLANT	0	1,156,700
LONDON DAIRY FARMS LTD. LONDON DAIRY FARMS LTD.	3700 Old Victoria Rd	Erect-Farm Workshop ERECT 1 STOREY FARM BUILDING		193,000
Linsey Holdings Ltd	4045 Blakie Rd	Add Warehousing AN ADDITION TO EXISTING BUILDING Shell Permit Only – Provide a crane sealed shop drawings s shop drawings to the Building Division for review prior to work in these areas	0	1,063,895



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

Owner	Project Location	Proposed Work	No. of Units	Construction Value
London City	625 Adelaide St N	Erect-Municipal Buildings ERECT NEW PUMPING STATION Foundation Permit Only –Provide sealed precast concrete stairs, precast concrete walls and precast roof panels shop drawings to the Building Division for review prior to work in these areas	0	439,900
CRIDON INVESTMENTS LTD CRIDON INVESTMENTS LIMITED	645 William St	Alter Apartment Building REPAIR TO WING WALL AND GUARD RAIL ON BALCONY.	0	150,000
Sab Realty Limited	655 Fanshawe Park Rd W	Alter Gymnasia INTERIOR FIT UP FOR CYCLING STUDIO - UNIT 3	0	199,300
2206868 ONTARIO INC 2206868 ONTARIO INC	725 Notre Dame Dr	Alter Restaurant <= 30 People ALTER - FOR TENANT FIT UP SUITE 5, FISH AND CHIPS RESTAURANT. W/ MECH AND PLUMB.	0	120,000
THE Y GROUP INVESTMENTS & MANAGEMENT INC	745 Waterloo St	Alter Offices INTERIOR ALTERATIONS FROM RETAIL AND RESIDENTIAL TO MEDICAL OFFICE SPACE	0	125,500
Cranbrook Estates Inc	755 Adelaide St N	Alter Restaurant INTERIOR ALTERATIONS TO TIM HORTONS	0	526,700
LONDON HEALTH SCIENCES CENTRE LONDON HEALTH SCIENCES CENTRE	800 Commissioners Rd E	Install-Hospitals Replace the existing zone C/D fluid cooler with a new cooling tower. Replace existing backflow preventor and reconnect DCW to the cooling tower system.		1,325,000
MIT-MEDICAL INVESTMENT TEAM INC. MIT-MEDICAL INVESTMENT TEAM INC.	990 Gainsborough Rd	Alter Offices Interior alter for new offices	0	104,300

Total Permits 30      Units 40      Value 80,198,018

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

# Community Advisory Committee on Planning Report

3rd Meeting of the Community Advisory Committee on Planning  
February 8, 2023

Attendance                   PRESENT: J. Dent, S. Jory, J.M. Metrailler, M. Rice, M. Wallace  
and M. Wotjak and J. Bunn (Committee Clerk)

ABSENT: S. Ashman, S. Bergman, M. Bloxam, I. Connidis, A.  
Johnson, J. Wabegijig, K. Waud and M. Whalley

ALSO PRESENT: L. Dent, K. Gonyou, K. Grabowski, M.  
Greguol, H. McNeely, B. Westlake-Power, S. Wilson, R. Wilcox

The meeting stood adjourned at 5:30 PM due to lack of quorum.

## 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:** Topping Brothers Land Corp. Topping Family Farm Inc.  
3095 and 3105 Bostwick Road  
Talbot Village Subdivision Phase 7- Special Provisions  
City File No: 39T-21502\_7 Ward 9

**Meeting on:** February 21, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Topping Brothers Land Corp./Topping Family Farm Inc. for the subdivision of land over CON ETR E PT LOT 77, situated south Southdale Road West and west of Bostwick Road, municipally known as 3095 and 3105 Bostwick Road;

- (a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Topping Brothers Land Corp./Topping Family Farm Inc. for the Talbot Village Subdivision, Phase 7 (39T-21502\_7) attached as Appendix “A”, **BE APPROVED**;
- (b) the Applicant **BE ADVISED** that Development Finance has summarized the claims and revenues attached as Appendix “B”;
- (c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report attached as Appendix “C”; and
- (d) the Mayor and the City Clerk **BE AUTHORIZED** to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

## Executive Summary

Seeking approval of Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Topping Brothers Land Corp./Topping Family Farm Inc. for the Talbot Village Subdivision, Phase 7 (39T-21502\_7)

## Linkage to the Corporate Strategic Plan

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

## Analysis

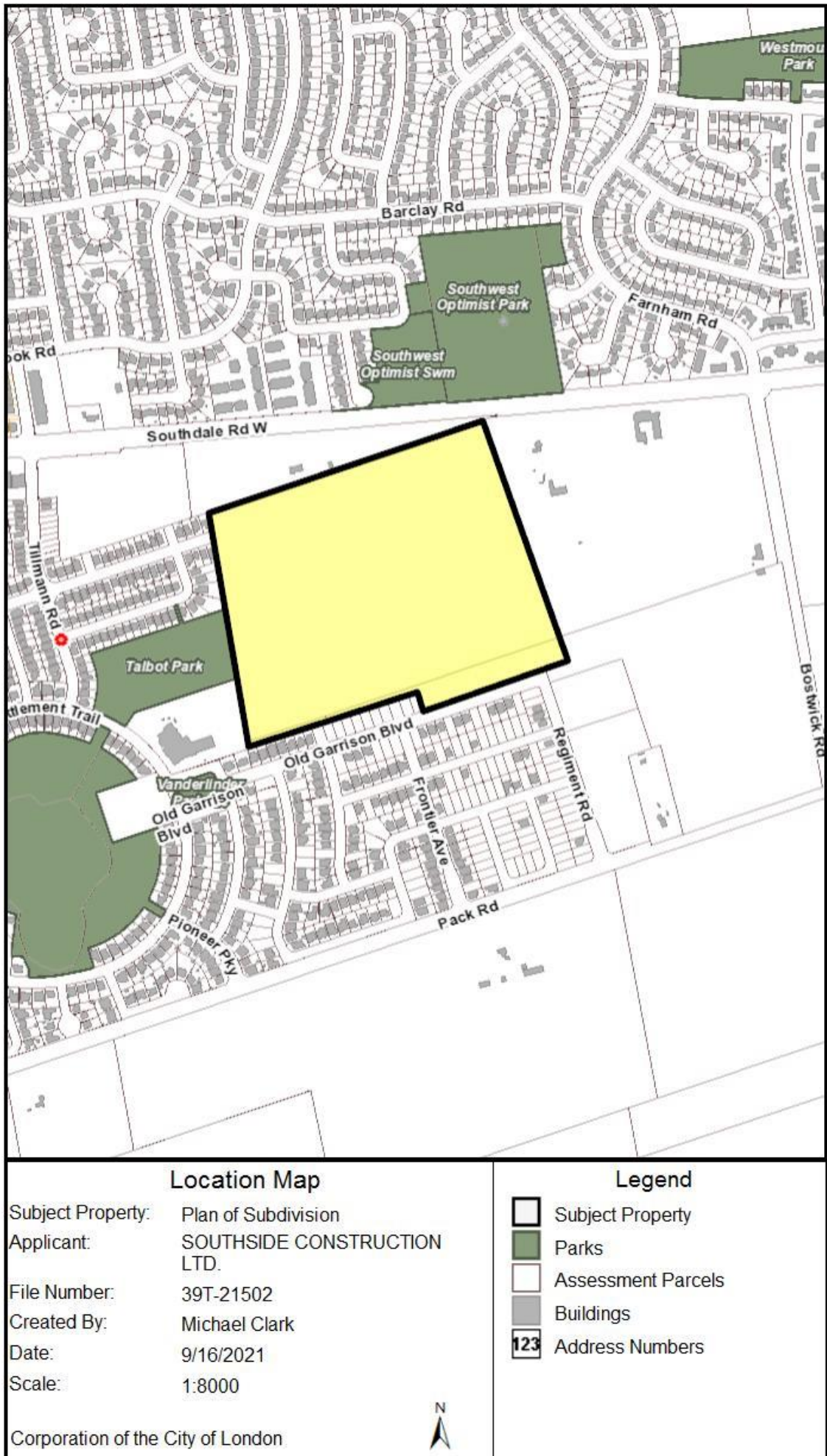
### 1.0 Background Information

#### 1.1 Property Description

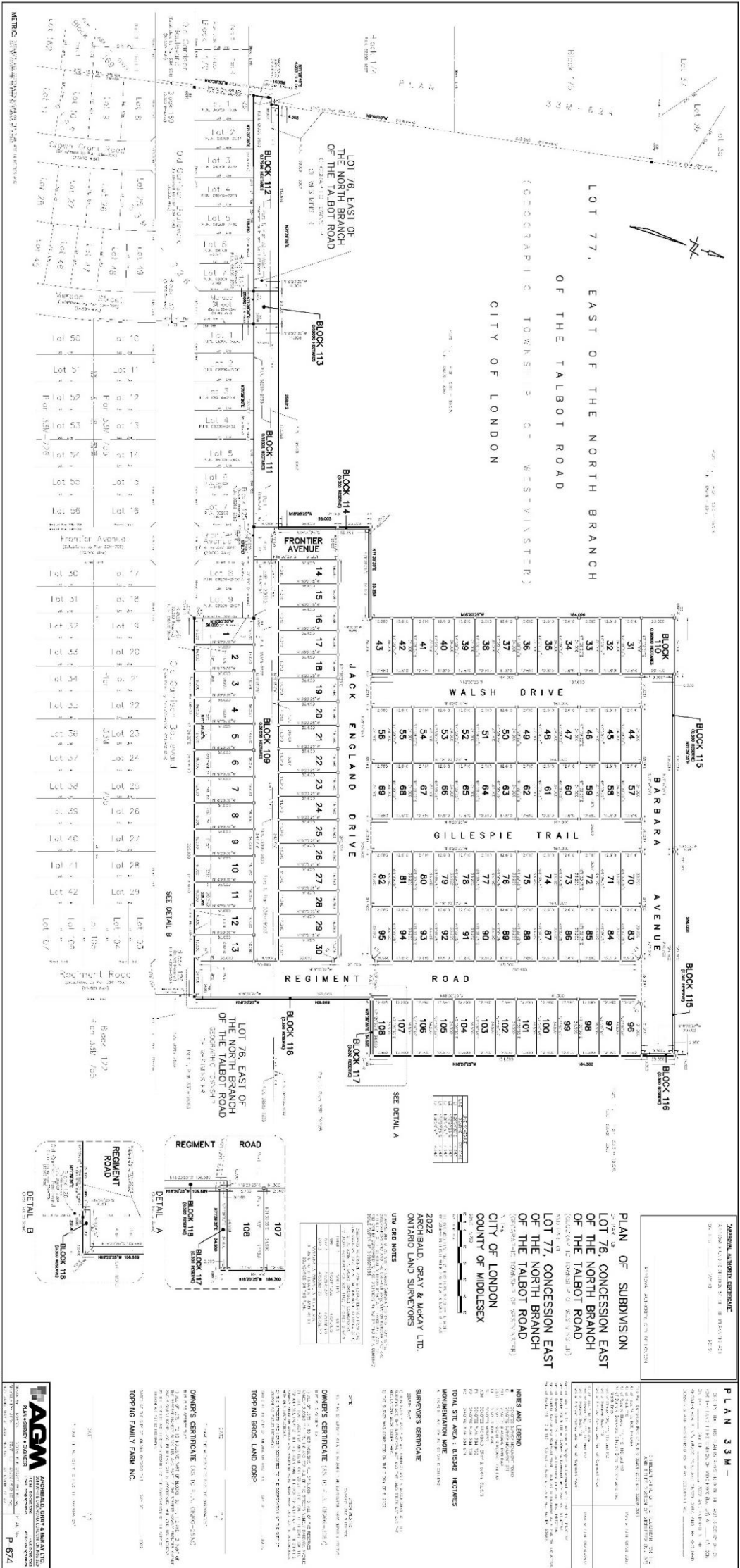
The subject lands are located at 3095 and 3105 Bostwick Road. The overall subdivision (39T-21502) is comprised of 23.44 ha (20.05 acres) of land located to south of the Southdale Road West, west of the Bostwick Road. Access to the subject lands is provided via Regiment Road, Old Garrison Boulevard and Frontier Avenue to the south. Later phases of this subdivision are planned to provide access to Southdale Road West to the north, and Bostwick Road to the east. Surrounding lands include existing low density residential uses to the west and south, parks and open space to the west, an elementary school to the west, vacant land used for cash crops to the east.



1.2 Location Map



# 1.3 Talbot Village Subdivision Phase 7



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

Phase 7 of the Talbot Village Community will consist of 108 single detached lots (Lots 1 to 108), three (3) park blocks (Blocks 109, 111 and 112), six (6) part blocks (Blocks 113 to 118) and four (4) new local streets (Barbara Avenue, Jack England Drive, Walsh Drive and Gillespie Trail). Draft approval of the Subdivision was granted by the City of London Approval Authority on December 14, 2021.

The recommended special provisions for the proposed Phase 7 Subdivision Agreement are found at Appendix A of this report. Staff has reviewed these special provisions with the Owner who is in agreement with them.

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

## 3.0 Financial Impact/Considerations

### 3.1 Financial Securities

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

## 4.0 Key Issues and Considerations

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

## Conclusion

Planning and Development staff are satisfied with the proposed special provisions for the Talbot Village Subdivision – Phase 7, and recommend that they be approved; and, that the Mayor and the City Clerk be authorized to execute the Subdivision Agreement, any amending agreements and all documents required to fulfil its conditions.

**Prepared by:** Archi Patel  
**Planner I, Planning and Development**

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

**Recommended by:** Heather McNeely, MCIP, RPP  
**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: Bruce Page, Manager, Subdivision Planning  
Matt Davenport, Manager, Subdivision Engineering

February 13, 2023  
AP/JZ/BP



## Appendix A – Special Provisions

### 15. PROPOSED SCHOOL SITES

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

- ~~15.3 The Owner shall set aside an area or areas (being Block(s) \_\_\_\_\_) as a site or sites for school purposes to be held subject to the rights and requirements of any School Board having jurisdiction in the area.~~
- ~~15.4 The School Boards shall have the right, expiring three (3) years from the later of the date on which servicing of the relevant site is completed to the satisfaction of the City or the date on which seventy percent (70%) of the Lots in the Subdivision have had building permits issued, to purchase the site and may exercise the right by giving notice to the Owner and the City as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than two (2) years from the date of giving notice.~~
- ~~15.5 The School Boards may waive the right to purchase by giving notice to the Owner and the City as provided elsewhere in this Agreement.~~
- ~~15.6 Where all School Boards have waived the right to purchase, the City shall then have the right for a period of two (2) years from the date on which the right to purchase by the School Board has expired or has been waived as the case may be, to purchase the site for municipal purposes and may exercise the right by giving notice to the Owner as provided elsewhere in this Agreement and the transaction of purchase and sale shall be completed no later than sixty (60) days from the date of giving notice.~~
- ~~15.7 The Owner agrees that the school blocks shall be:~~
- ~~(a) graded to a one percent (1%) grade or grades satisfactory to the City, the timing for undertaking the said works shall be established by the City prior to the registration of the Plan; and~~
  - ~~(b) top soiled and seeded to the satisfaction of the City, the timing for undertaking the said works to be established prior to assumption of the Subdivision by the City.~~
- ~~15.8 Where the Owner has been required to improve the site by grading, top soil and seeding, the responsibility of the Owner for the maintenance of the site shall cease upon completion by the Owner of its obligations under this Agreement.~~

### 24.1 STANDARD REQUIREMENTS

Add the following Special Provisions:

- 1 The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this Plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.  
  
Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangements to have any section(s) of easement(s) in this Plan, quit claimed to the satisfaction of the City, at no cost to the City.
- 2 Prior to assumption of this Subdivision in whole or in part by the City, and as a condition of such assumption, the Owner shall pay to the Deputy City Manager, Finance Supports the following amounts as set out or as calculated by the City, or portions thereof as the City may from time to time determine. It is noted inflationary costs may be added onto costs at the time of assumption.
  - (i) Removal of automatic flushing devices/blowoffs in future, an amount of \$5,000 each flusher.
  - (ii) Operation and maintenance of the temporary SWM facility and associated works including restoration of boulevard and installation of sidewalk on the east side of Regiment Road, an amount of \$23,340.

- 3 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make all necessary arrangements to construct new services and make adjustments to the existing works and services on Frontier Avenue in Plan 33M-624 and Old Garrison Boulevard and Regiment Road in Plan 33M-755, adjacent to this Plan to accommodate the proposed works and services on this street to accommodate the Lots in this Plan fronting this street (e.g., private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City. Such arrangements shall include, but not be limited to, providing sufficient notice, co-ordination and clarification with adjacent land owners as to what each parties consulting engineer will be required to be certified for the City for the purposes of assumption, all to the satisfaction of the City.

## **24.2 CLAIMS**

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

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

The anticipated reimbursements from the Development Charge Reserve Funds are:

- (i) for the construction of oversized storm sewers in conjunction with this Plan, subsidized at an estimated cost of which is \$32,886;
- (ii) for the construction of Active Transportation facilities on Regiment Road, the estimated cost of which is \$92,830, as per the approved Work Plan.

## **24.6 EROSION AND SEDIMENT CONTROL**

**Add** the following new Special Provisions:

- 4 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct and have operational temporary sediment and erosion control works as per the accepted engineering drawings, to the satisfaction of the City, at no cost to the City.
- 5 All temporary erosion and sediment control measures, including sediment basins, installed in conjunction with this Plan shall be decommissioned and/or removed when warranted as per accepted engineering drawings, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.

## **24.7 GRADING REQUIREMENTS**

**Add** the following new Special Provisions:

- 6 Prior to the issuance of a Certificate of Conditional Approval, the Owner shall remove and relocate any existing earth stockpile generally located in this Plan, all to the satisfaction of the City and at no cost to the City.
- 7 Prior to the issuance of any Certificate of Conditional Approval, in order to develop this site, the Owner shall make arrangements with the adjacent property owners to the east, west and south to regrade a portion of the property abutting this Plan, in conjunction with grading and servicing of this Subdivision, to the specifications of the City, at no cost to the City.
- 8 The Owner shall remove the existing 10 metre drainage easement located within this Plan registered as part of Talbot Village Phase 6, Plan 33M-755, all to the satisfaction of the City.

## **24.8 STORM WATER MANAGEMENT**

**Revise** Subsection 24.8 (d) as follows:

- (d) Prior to the issuance of any Certificate of Conditional Approval for this Subdivision, all relevant storm/drainage and SWM servicing works, including the temporary

private dry pond facility and major and minor storm flow routes, for the subject lands must be completed and operational, in accordance with approved design criteria and accepted drawings, all to the specifications and satisfaction of the City.

**Add** the following new Special Provisions:

- 9 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct the temporary Stormwater Management Facility and temporary rock flow check dams and any associated works as per the accepted engineering drawings, to the specifications and satisfaction of the City.
- 10 All temporary storm works and servicing installed within the proposed Plan of Subdivision shall be decommissioned and/or removed when warranted, all to the satisfaction of the City, at no cost to the City.
- 11 The Owner shall provide drainage easements of sufficient width along the boundary of this Plan, external to this Plan as identified on the accepted engineering drawings, to the specifications and satisfaction of the City.
- 12 The Owner shall operate, maintain, and monitor the temporary private dry pond facility located within an easement on the east side of Regiment Road just north of Old Garrison Boulevard until such time Pack Road is reconstructed to its ultimate condition and major flows can reach the intended major outlet with no adverse impacts to downstream properties. The Owner agrees to complete the following to the satisfaction of the City, at no cost to the City:
  - i) Operate and maintain the temporary private dry pond facility in accordance with the operation and maintenance procedure outlined in the accepted Functional Storm/Drainage Servicing Report for the subject lands;
  - ii) Monitor the temporary private dry pond facility in accordance with the City's "Monitoring and Operational Procedure for Stormwater Management Facilities"; and
  - iii) Have its consulting Professional Engineer submit semi-annual monitoring reports in accordance with the approved maintenance and monitoring program and the City's "monitoring and Operational Procedure for Stormwater Management Facilities" to the City.
- 13 Once Pack Road has been reconstructed to its ultimate condition and major flows can reach the intended major outlet with no adverse impacts to downstream properties, or as otherwise approved by the City, the temporary private dry pond facility shall be decommissioned by the Owner, all affected areas and the City's boulevard reconstructed to ultimate profile and the sidewalk between Jack England Drive and Old Garrison Boulevard completed, all to the specifications and satisfaction of the City, at no cost to the City.
- 14 Prior to assumption, the Owner shall operate, monitor and maintain the stormwater works associated with this Plan. The Owner shall ensure that any removal and disposal of sediment is to an approved site in accordance with the Ministry of the Environment and the Ministry of Natural Resources.
- 15 The Owner shall implement SWM Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the City.

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

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

- (b) The Owner shall construct the storm sewers to service the Lots and Blocks in this Plan, which is located in the Dingman Creek Subwatershed, and connect them to the City's existing storm sewer system being the 900 mm diameter storm sewer on Frontier Avenue and the 1500 mm diameter storm sewer location on Regiment Road in Plan 33M-755 in accordance with the accepted engineering drawings, to the satisfaction of the City. It is noted that the outlets for this Plan are provided by the City Owned Talbot Village SWM facility E2/E3 forebay F2.

**Revise** Subsection 24.9 (h) as shown in red below:

- (h) The Owner shall take measures to control and prevent any inflow and infiltration

and silt from entering the sanitary sewer system during and after construction, all to the satisfaction of the City and at no cost to the City. These measures shall include the following:

- (i) Installation of a plug in the sanitary sewer system (for this Plan of Subdivision) at the downstream end of the sanitary sewer. The plug shall be removed by the Owner in conjunction with the conditional approval. The City of London shall witness the removal of this plug. The Owner shall be responsible for the maintenance and cleaning or emptying of the sanitary sewer as required. The sanitary sewer must be clean and dry before the plug will be removed;
- (ii) Flow monitoring of the sanitary sewer may be required and a record of the flows provided to the City. If the flows are in excess of theoretical flows, the Owner shall be required to pay the City for the excess flow;
- (iii) Installation of Parson manhole inserts (or approved alternative satisfactory to the Deputy City Manager, Environment and Infrastructure) in all sanitary sewer manholes within this Plan of Subdivision at the time of installation of the manhole. The Owner shall not remove the inserts until the sodding of the boulevards and the top lift of asphalt is completed;
- (iv) Ensuring that during the construction that City of London by-laws are strictly adhered to in order to prevent stormwater and sediment from ~~to~~ entering into the sanitary sewer system;
- (v) The Owner shall cap private sanitary drain connections in order to prevent practices which contravene City of London By-laws and allow excessive levels of inflow and infiltration and sediment to enter the sanitary sewer system. If any private drain connection is found without a cap, the Owner shall ensure a cap is installed within forty eight (48) hours of being advised by the City. The removal of the cap shall be at the cost of the Owner and shall be made only at the time of or immediately prior to occupancy of that lot.

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

- (j) The Owner shall construct the sanitary sewers to service the Lots and Blocks in this Plan and connect them to the City's existing sanitary sewage system being the 250 mm diameter sanitary sewer on Regiment Road and the 200 mm diameter sanitary sewer on Frontier Avenue in accordance with the accepted engineering drawings, to the satisfaction of the City. The sanitary sewers required in conjunction with this Plan shall be sized to accommodate all upstream lands to the specifications of the City and at no cost to the City unless otherwise specified herein.

**Add** the following new Special Provisions:

- 16 The Owner shall provide sanitary private drain connection (Lots 1 to 13) to connect to sewer on lot frontages) to the existing sanitary sewer on Old Garrison Boulevard in Plan 33M-755 to serve the Lots in this Plan fronting that street, in accordance with approved engineering drawings
- 17 The Owner shall provide storm private drain connection (Lots 1 to 13) to connect to sewer on lot frontages) to the existing storm sewer on Old Garrison Boulevard in Plan 33M-755 to serve the Lots in this Plan fronting that street, in accordance with approved engineering drawings.
- 18 The Owner shall construct storm sewers through Future Road Block 110 as identified on the accepted engineering drawings and provide any necessary easements, all to the specifications and satisfaction of the City.
- 19 The Owner shall construct storm sewers and any necessary appurtenances on Park Block 109 as identified on the accepted engineering drawings, all to the specifications and satisfaction of the City.
- 20 Prior to the issuance of a Certificate of Conditional Approval, the temporary rock check dams on Lots 1 to 13 are to be decommissioned and removed, all to the specifications and satisfaction of the City. Once the temporary rock check dams

are decommissioned, the Owner may develop Lots 1 to 13, to the satisfaction of the City.

- 21 The Owner shall connect all existing field tiles, if necessary, into the proposed storm sewer system as per the accepted engineering drawings, to the satisfaction of the City.
- 22 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall decommission, remove and dispose of any existing septic system and weeping bed in this Plan offsite to the satisfaction of the geotechnical engineer and the City, at no cost to the City.
- 23 The Owner shall remove any temporary DICBS, etc. and any existing easements may be quit claimed, all to the satisfaction and specifications of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.
- 24 Prior to the issuance of any Certificate of Conditional Approval, the Owner shall construct works on Pack Road as per the accepted engineering drawings, to the specifications and satisfaction of the City.

#### **24.10 WATER SERVICING**

**Add** the following new Special Provisions:

- 25 Prior to the issuance of any Certificates of Conditional Approval, and in accordance with City standards, or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of water service to this draft Plan of Subdivision:
  - i) Construct watermains to serve this Plan and connect them to the existing high-level municipal system, namely the existing 250mm diameter watermain on Regiment Road and the 200mm diameter watermain on Frontier Avenue in accordance with the accepted engineering drawings;
  - ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the City Engineer when development is proposed to proceed beyond 80 units;
  - iii) Have their consulting engineer prepare a Certificate of Completion of Works to confirm to the City that the watermain connection(s) to the 250mm diameter watermain Regiment Road and the 200mm diameter watermain on Frontier Avenue has been constructed, is operational, and is complete.
  - iv) Provide water services to the watermain on Old Garrison Boulevard in Plan 33M-755 to serve the lots (Lots 1 to 13) in this Plan which front onto that street;
- 26 All development Blocks shall be serviced off the water distribution system internal to this Plan of Subdivision.
- 27 The watermains and appurtenances built as part of this Subdivision will form part of the City of London's Water Distribution System as defined by the Safe Drinking Water Act. The City of London's Drinking Water Works Permit requires that the City notify any legal owners of portions of our system of the requirements of the City's Municipal Drinking Water Licence and this Drinking Water Works Permit as applicable. As such, the Owner shall review the City of London Drinking Water Works Permit and Municipal Drinking Water Licence as available on the City of London's website to ensure they are aware of the requirements of these documents.
- 28 If the Owner requests the City to assume Gillespie Trail with the automatic flushing device still in operation, all as shown on this Plan of Subdivision, prior to its extension to the north, the Owner shall pay to the City at the time of the assumption of this Subdivision by the City the amount estimated by the City at the time, to be the cost of removing the automatic flushing device and properly abandoning the discharge pipe from the automatic flushing device to the storm/sanitary sewer system at the north limit of Gillespie Trail and restoring adjacent lands, all to the specifications of the City. The estimated cost for doing the above-noted work on this street is \$5,000 per automatic flushing device for which amount sufficient security is to be provided in accordance with Condition 24.1 \_\_\_\_\_. The Owner shall

provide the cash to the City at the request of the City prior to assumption of the Subdivision if needed by the City.

- 29 The following warning clause shall be included in all Agreements of Purchase and Sale or Lease of all Lots and Blocks in this Plan:

“The water system, servicing to all the Lots and Blocks within this Plan, has been designed so as to provide service from a high-level water supply system, which is backed up from the low-level water supply system. From time to time, properties in this area may experience lower water pressure when water supply from the high-level system is not available and servicing is provided from the low-level water supply system.”

- 30 The Owner shall include in all Purchase and Sale Agreements, the requirement that the homes to be designed and constructed on all Lots and Blocks in this Plan are to have pressure reducing valves installed and included in the building permit applications for the Lots and Blocks.

#### **24.11 ROADWORKS**

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

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

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

- (q) The Owner shall direct all construction traffic including all trades related traffic associated with installation of services and construction of dwelling units in this Plan to access the site from Regiment Road or other routes as designated by the City.

**Add** the following new Special Provisions:

- 31 The Owner shall convey Future Road Block 113, to the City for future use as needed, at no cost to the City. If this Block is not needed upon development or redevelopment of the lands to the north of this block, the City agrees that the Block shall be dedicated to the City for parkland and the amount shall be applied to the future phase.
- 32 The Owner shall convey Future Road Block 110, to the City for future use as needed, at no cost to the City. If this Block is not needed upon development or redevelopment of the lands to the west of this block, the City agrees that the Block will be returned to the Owner for a nominal fee, plus the cost of any associated legal fees for document preparation, for use as a building lot.
- 33 The Owner shall install any bike lanes on Regiment Road as per the accepted engineering drawings, all to the specifications and satisfaction of the City.
- 34 The Owner shall reconstruct Old Garrison Boulevard between Frontier Avenue and the east limit of this Plan, including all existing traffic calming measures, sidewalks, servicing, etc., to accommodate servicing of this Plan to the satisfaction of the Deputy City Manager, Environment and Infrastructure or designate, at no cost to the City, in accordance with approved design criteria and accepted engineering drawings.
- 35 The Owner shall reconstruct Old Garrison Road to secondary collector road standards on a right-of-way width of 23.5 metres as per accepted engineering drawings, to the satisfaction of the City.

- 36 The Owner shall remove the temporary DICBS, etc. and the existing easements at the north limit of Frontier Avenue and north limit of Regiment Road in Plan 33M-755 and the easements may be quit claimed, all to the satisfaction and specifications of the Deputy City Manager, Environment and Infrastructure or designate, at no cost to the City.
- 37 Barricades are to be maintained at the north limit of this Plan until assumption of this Plan of Subdivision or as otherwise directed by the City. At the time of assumption of this Plan or as otherwise directed by the City, the Owner shall remove the barricades and any temporary turning circles, restore the boulevards and complete the construction of the roadworks within the limits of both temporary turning circles, to the specifications of the City, all at no cost to the City.
- The Owner shall advise all purchasers of land within this Subdivision that any traffic to and from this Subdivision will not be permitted to pass the barricade(s) until the removal of the barricade(s) is authorized by the City.
- 38 Prior to the issuance of any Certificate of Conditional Approval, temporary signs shall be installed and maintained on Regiment Road adjacent to the speed cushion locations that indicate Future Speed Cushion Location, as identified on the accepted engineering drawings, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
- 39 Prior to assumption or when required by the Deputy City Manager, Environment and Infrastructure, the Owner shall install speed cushions on Regiment Road, including permanent signage and pavement marking in a location, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

#### **24.12 ZONING – DRIVEWAY WIDTHS**

The Owner shall provide the purchasers of all Lots in the Subdivision with a zoning information package which explains Zoning requirements for residential driveway locations and widths. The Owner shall obtain and provide to the City written acknowledgement from the purchaser of each Lot that their driveway will be installed and maintained in accordance with the requirements of the Zoning By-law. The information package and written acknowledgement shall be in a form satisfactory to the City.

#### **24.13 PARKS**

**Add** the following new Special Provisions:

- 40 Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Blocks 109, 111 and 112, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City. Blocks 109, 111 and 112 shall not be used for stockpiling of any kind.

#### **24.14 ADDITIONAL GENERAL SPECIAL PROVISIONS - PLANNING**

- 41 The Owner's approved design consultant shall review and endorse all applications for building permits and shall submit at the time of building permit applications a certificate of compliance by the Owner's approved design consultant in accordance with the approved urban design guidelines at no cost to the City of London, and to the satisfaction of the City. The approved design consultant shall be responsible for reviewing all permits with respect to the exterior design criteria for all buildings, landscape areas and other development within the Plan in the context of the approved Talbot Community Urban Design Guidelines, and tertiary plan. The purpose is to ensure a high quality of urban design, architecture and landscape standards and construction. All building permit applications must include clearance from an urban designer or architect pre-approved by the City that the building plans are designed in accordance with the approved Talbot Community Urban Design Guidelines.

## **SCHEDULE "C"**

This is Schedule "C" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023, between The Corporation of the City of London and Topping Bros. Land Corp./Topping Family Farm Inc. to which it is attached and forms a part.

### **SPECIAL WORKS AND SERVICES**

#### **Roadways**

- Regiment Road shall have a road pavement width (excluding gutters) of 10.0 metres with a minimum road allowance of 23.0 metres as identified as a Neighbourhood Connector in the City of London Compete Streets Design Guidelines.
- Jack England Drive, Frontier Avenue, Walsh Drive, Barbara Avenue and Gillespie Trail shall have a road pavement width (excluding gutters) of 7.5 metres with a minimum road allowance of 20.0 metres.

#### **Sidewalks**

A 1.5 metre sidewalk shall be constructed on both sides of all streets in this Plan as per the London Plan.

A 1.5 metre (5 foot) sidewalk shall be constructed on one side of the following streets:

- (i) Old Garrison Boulevard – north boulevard

#### **Pedestrian Walkways**

There are no Pedestrian Walkways in this Plan.



**SCHEDULE "D"**

This is Schedule "D" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023, between The Corporation of the City of London and Topping Bros. Land Corp./Topping Family Farm Inc. to which it is attached and forms a part.

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

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

0.3 metre (one foot) reserves: Blocks 114, 115, 116, 117 and 118

Road Widening (Dedicated on face of Plan): NIL

Walkways: NIL

5% Parkland Dedication: Blocks 109, 111 and 112

Dedication of land for Parks in excess of 5%: 0.365 ha to be applied to the required parkland dedication for Phase 2

Stormwater Management: NIL

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

School Site: NIL

**LANDS TO BE HELD IN TRUST BY THE CITY:**

Future Road Blocks: Blocks 110 and 113

**SCHEDULE "E"**

This is Schedule "E" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023, between The Corporation of the City of London and Topping Bros. Land Corp./Topping Family Farm Inc. to which it is attached and forms a part.

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

CASH PORTION:	\$800,849
BALANCE PORTION:	<u>\$4,538,145</u>
TOTAL SECURITY REQUIRED	\$5,338,994

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

The Balance Portion shall be deposited with the Deputy City Manager, Finance Supports prior to the City issuing any Certificate of Conditional Approval or the first building permit for any of the Lots and Blocks in this Plan of Subdivision.

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

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

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

## **SCHEDULE "F"**

This is Schedule "F" to the Subdivision Agreement dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023, between The Corporation of the City of London and Topping Bros. Land Corp./Topping Family Farm Inc. to which it is attached and forms a part.

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

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

- (a) Multi-purpose easements shall be deeded to the City in conjunction with this Plan, over lands external to this Plan, on an alignment and of sufficient width acceptable to the Deputy City Manager, Environment and Infrastructure as follows:
  - (i) Drainage easements along property boundary as per accepted engineering drawings
  - (ii) Over temporary Stormwater Management Facility
  - (iii) For servicing stubs at north limits of Plan as per accepted drawings

## Appendix B – Claims and Revenues

Talbot Village Ph 7 - Southside Construction Ltd.  
 Subdivision Agreement  
 39T-21502

### Estimated Costs and Revenues

Estimated DC Claim Costs	Estimated Cost (excludes HST)
Claims for Owner led construction from CSRF	
- Construction - Active transportation on Regiment Road (DC19RS1007)	\$92,830
- Construction - Storm sewer oversized (DC19MS1001)	\$32,886
<b>Total</b>	<b>\$125,716</b>
Estimated DC Revenues (January 1, 2022 to December 31, 2022 Rates)	Estimated Revenue
<b>CSRF TOTAL</b>	<b>\$3,689,064</b>

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

Approved by:

22/12/08

Date



Paul Yeoman  
 Director, Capital Assets and Projects

## Appendix C – Source of Financing

#22164

December 1, 2022  
(39T-2105)

RE: Subdivision Special Provisions: Talbot Village Ph. 7  
Southside Construction Ltd.  
Capital Project ES542919 - Storm Sewer Internal Oversizing Subsidy (2019-2023) (2568658)  
Capital Project TS173919 - Active Transportation (2019-2023) (2568657)

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

Finance Supports confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget and that, subject to the execution of the subdivision agreement, the detailed source of financing is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
<b>ES542919 - Storm Sewer Internal Oversizing Subsidy (2019-2023)</b>				
Engineering	200,000	0	0	200,000
Construction	5,309,222	3,191,821	33,465	2,083,936
<b>ES542919 Total</b>	<b>\$5,509,222</b>	<b>\$3,191,821</b>	<b>\$33,465</b>	<b>\$2,283,936</b>
<b>TS173919 - Active Transportation (2019-2023)</b>				
Engineering	1,063,252	1,010,413	0	72,839
Construction	9,657,338	7,984,437	94,464	1,578,437
City Related Expenses	9,938	9,656	0	282
<b>TS173919 Total</b>	<b>\$10,750,528</b>	<b>\$9,004,506</b>	<b>\$94,464</b>	<b>\$1,651,558</b>
<b>Total Expenditure</b>	<b>\$16,259,750</b>	<b>\$12,196,327</b>	<b>\$127,929</b>	<b>\$3,935,494</b>

### Sources of Financing

<b>ES542919 - Storm Sewer Internal Oversizing Subsidy (2019-2023)</b>				
Drawdown from City Services - Stormwater Reserve Fund (Development Charges) (Note 1)	5,509,222	3,191,821	33,465	2,283,936
<b>TS173919 - Active Transportation (2019-2023)</b>				
Capital Levy	391,425	391,425	0	0
Debenture By-law W.-5654-291	4,951,602	4,112,555	45,394	793,652
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	5,352,477	4,445,502	49,070	857,906
Other Contributions	55,024	55,024	0	0
<b>TS173919 Total</b>	<b>\$10,750,528</b>	<b>\$9,004,506</b>	<b>\$94,464</b>	<b>\$1,651,558</b>
<b>Total Financing</b>	<b>\$16,259,750</b>	<b>\$12,196,327</b>	<b>\$127,929</b>	<b>\$3,935,494</b>

### Financial Note

	ES542919	TS173919	Total
Contract Price	\$32,886	\$92,830	\$125,716
Add: HST @13%	4,275	12,068	16,343
Total Contract Price Including Taxes	37,161	104,898	142,059
Less: HST Rebate	-3,896	-10,434	-14,130
Net Contract Price	\$33,465	\$94,464	\$127,929

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

  
Jason Davies  
Manager of Financial Planning & Policy

jg

## Report to Planning and Environment Committee

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

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

**Subject:** Draft Plan of Subdivision – Three Year Extension and Redline Revisions  
Foxwood Developments (London) Inc.  
1602 Sunningdale Road West  
File No: 39T-11503 - Ward 7

**Meeting on:** February 21, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the request from Foxwood Developments (London) Inc., for the property located at 1602 Sunningdale Road West, the Approval Authority **BE ADVISED** that Council supports the granting of a three (3) year extension of the draft plan of subdivision, submitted by Foxwood Developments (London) Inc. (File No. 39T-11503) prepared by Stantec Consulting Inc., certified David Bianchi, OLS (dated November 8, 2011), as redline revised which shows 16 low density residential blocks (reduced from 18 blocks), five (5) medium density residential blocks (reduced from 6 blocks), one (1) high density residential block, two (2) school blocks, two (2) park blocks, road widening blocks and various reserve blocks served by 14 new streets and the extension of Dyer Drive **SUBJECT TO** the conditions contained in the attached Schedule "39T-11503.

### Rationale of Recommended Action

1. The requested three (3) year extension of Draft Plan Approval, as revised, is reasonable and should allow the applicant sufficient time to satisfy revised conditions of draft approval towards the registration of this plan.
2. The plan of subdivision will provide for future residential land uses and supports connectivity with adjacent future development lands. The previous conditions of draft approval were re-circulated and reviewed with departments and agencies. New conditions, revisions and updates are recommended. Therefore, an extension should be supported provided the conditions of Draft Approval are updated to reflect current City Standards and regulatory requirements.

## Linkage to the Corporate Strategic Plan

The proposed development contributes to the Strategic Plan by helping to implement the Building a Sustainable City and Strengthening Our Community area of focus. The development is well-located in a strategic location for growth and intensification with good access to local services, amenities, public transit, and active transit. The proposed development and recommended refinements fit within, and enhances, the surrounding community.

## 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 infill and efficient use of existing urban lands and infrastructure within strategic locations. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encourage active transportation. In combination with the Provincial Policy Statement, 2020 in Section 2.7 of the report.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The subject lands are located south of Sunningdale Road West and east of Hyde Park Road.

#### 1.2 Previous Reports Related to this Matter

**March 26, 2012** – Public Participation Meeting and Report to Planning and Environment Committee recommending the consideration of draft plan of subdivision and Zoning By-law Amendment.

**July 16, 2012** - Report on the appeals to the Official Plan and Zoning By-law amendments.

**May 7, 2013** - Report on the appeal to the Conditions of Draft Plan Approval.

**February 4, 2014** - Report OMB notice of withdrawal of appeal.

**May 30, 2016** - 3 Year Extension of Draft Plan of Subdivision.

**May 13, 2019** - 3 Year Extension of Draft Plan of Subdivision.

### 2.0 Discussion and Considerations

#### 2.1 Planning History

On April 10, 2012, Municipal Council adopted Official Plan and Zoning By-law Amendments in conjunction with a proposed Draft Plan of Subdivision submitted by Foxwood Developments (London) Inc. for lands consisting of approximately 47.9 hectares on the south side of Sunningdale Rod West and the east side of Hyde Park Road.

On May 16, 2012, Old Oak Properties appealed the recommended Official Plan and Zoning By-law amendments. The basis of the Old Oak appeals related to concerns regarding staff's planning analysis and justification for the Zoning By-law amendment for the future high-rise development on Foxwood's lands which provides for a maximum height of 45 metres. On January 11, 2013, Old Oak Properties withdrew their appeals based on new servicing options available for their lands.

On January 24, 2013, the City of London Approval Authority issued Draft-Approval of the subdivision plan for three years. Old Oak Properties Inc. appealed the draft plan of subdivision. Old Oak Properties Inc. withdrew their appeal on June 25, 2013. On October 6, 2015 the 1<sup>st</sup> phase of this subdivision (Plan, 33M-685) was registered, consisting of 95 single detached lots, one (1) medium density residential block, and various reserve blocks served by 1 new street and the extension of Dyer Drive and Tokala Trail.

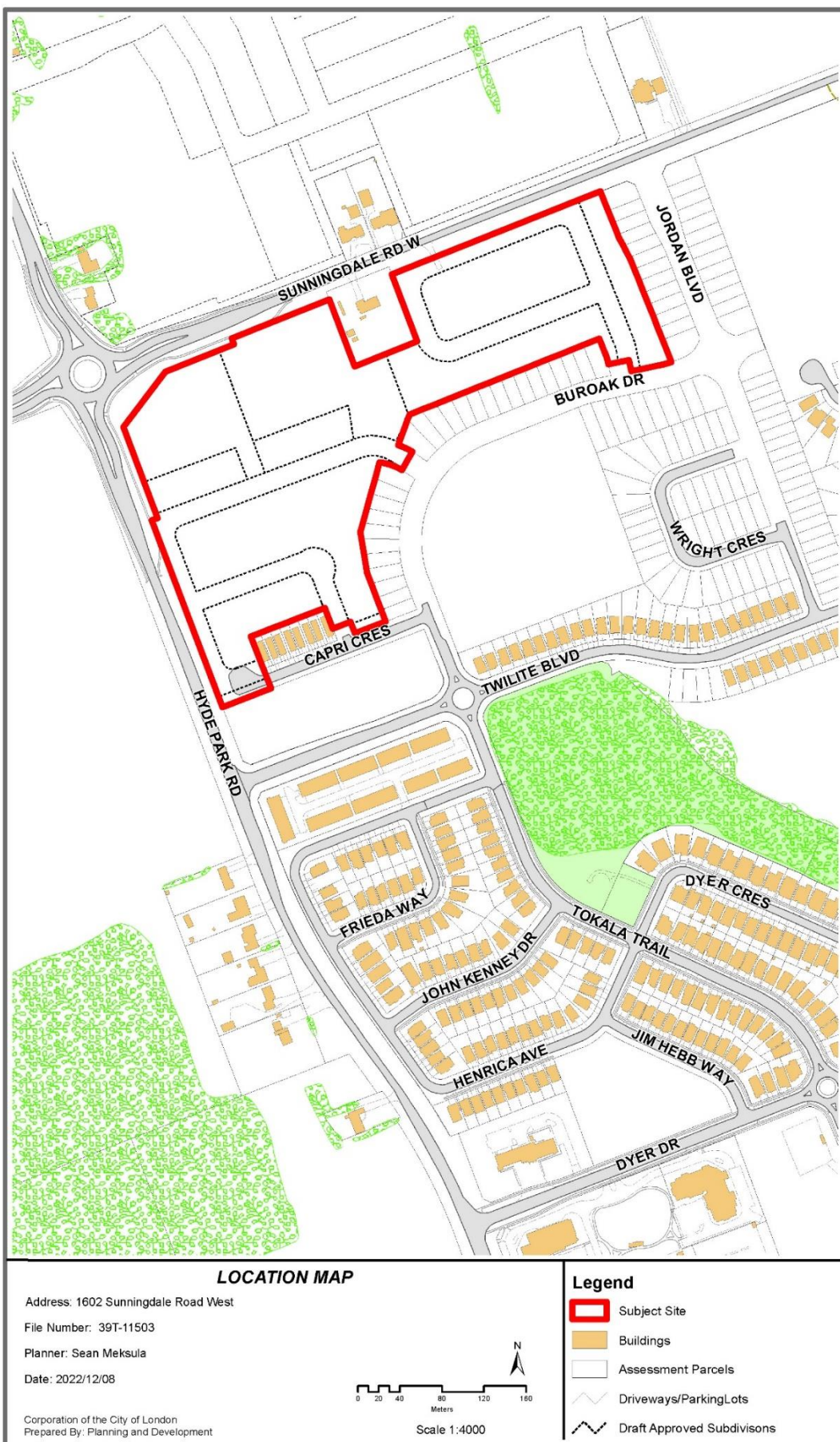
On May 30, 2016, a three-year extension granted by the Approval Authority extending the draft approved lapse date to June 26, 2019. On October 18, 2018, the 2<sup>nd</sup> phase (Plan 33M-752) was registered, consisting of 110 single detached lots and 1 medium density block along with several 0.3 metre reserves, all served by the extension of a secondary collector road and five new streets. On June 7, 2019, a three year was granted by the Approval Authority extending the lapse date to June 26, 2022.

On March 24, 2021, the 3<sup>rd</sup> phase (Plan 33M-799) was registered, consisting of 175 single detached lots, one (1) multi-family block, eleven (11) 0.3m reserve blocks, two (2) road widening blocks, one (1) school block, one (1) walkway block and one (1) storm outlet/walkway block all served by the extension of Buroak Drive, Twilite Blvd and two (2) new streets, namely Wright Crescent, Cruz Drive and Jordan Blvd.



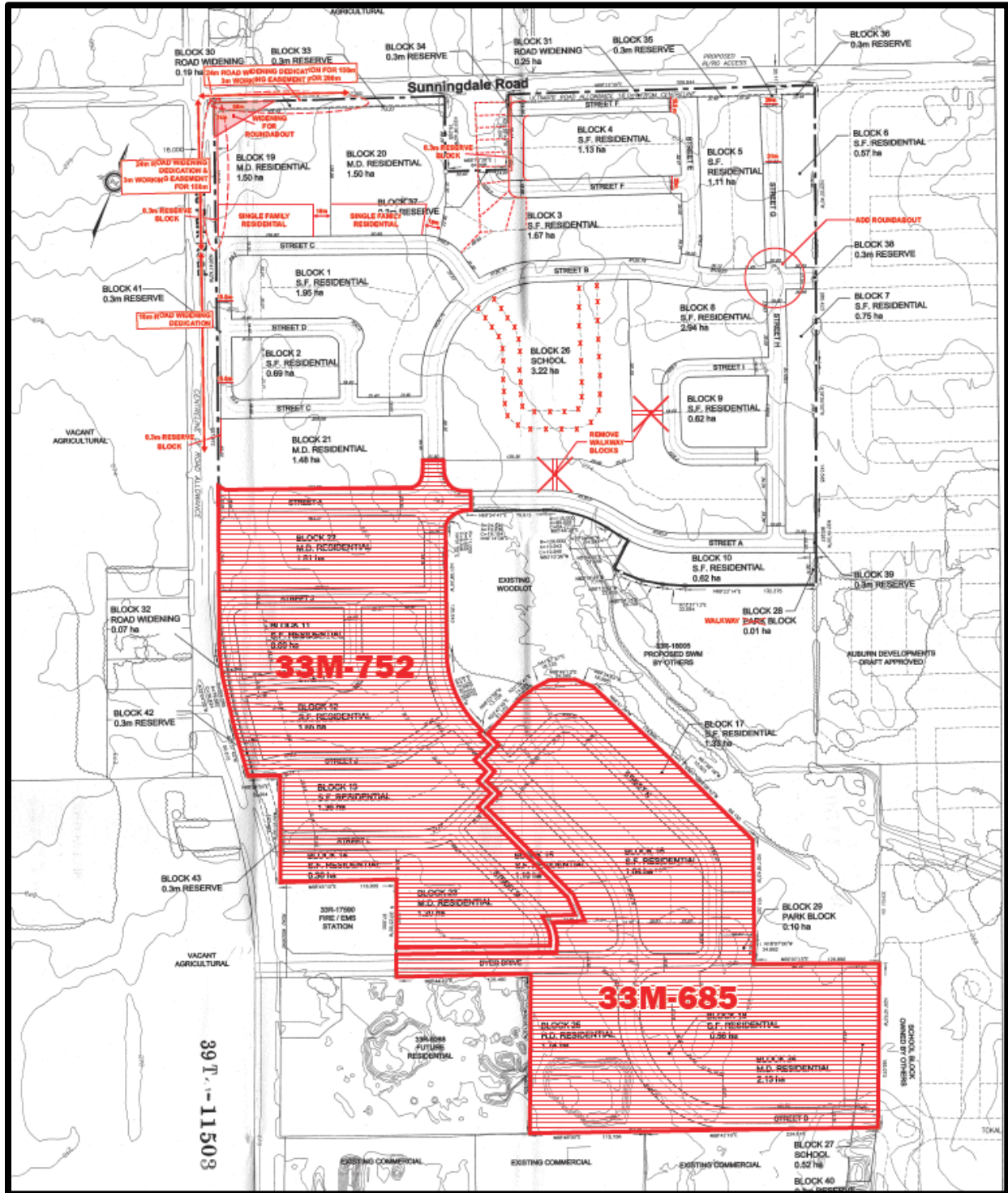
A six (6) month extension was granted by the Approval Authority commencing from the lapse date of June 26, 2022, extending the lapse date to December 26, 2022. In September 2022, the applicant submitted a request for a redline revision with the three (3) year extension of draft approval. A ninety (90) day extension was recommended at this time, to allow sufficient time for circulation of the redline plan and full consideration of this revised request. The recommended emergency extension for the redline plan extended the emergency extension lapse date to March 21, 2023.

## 2.2 Location Map

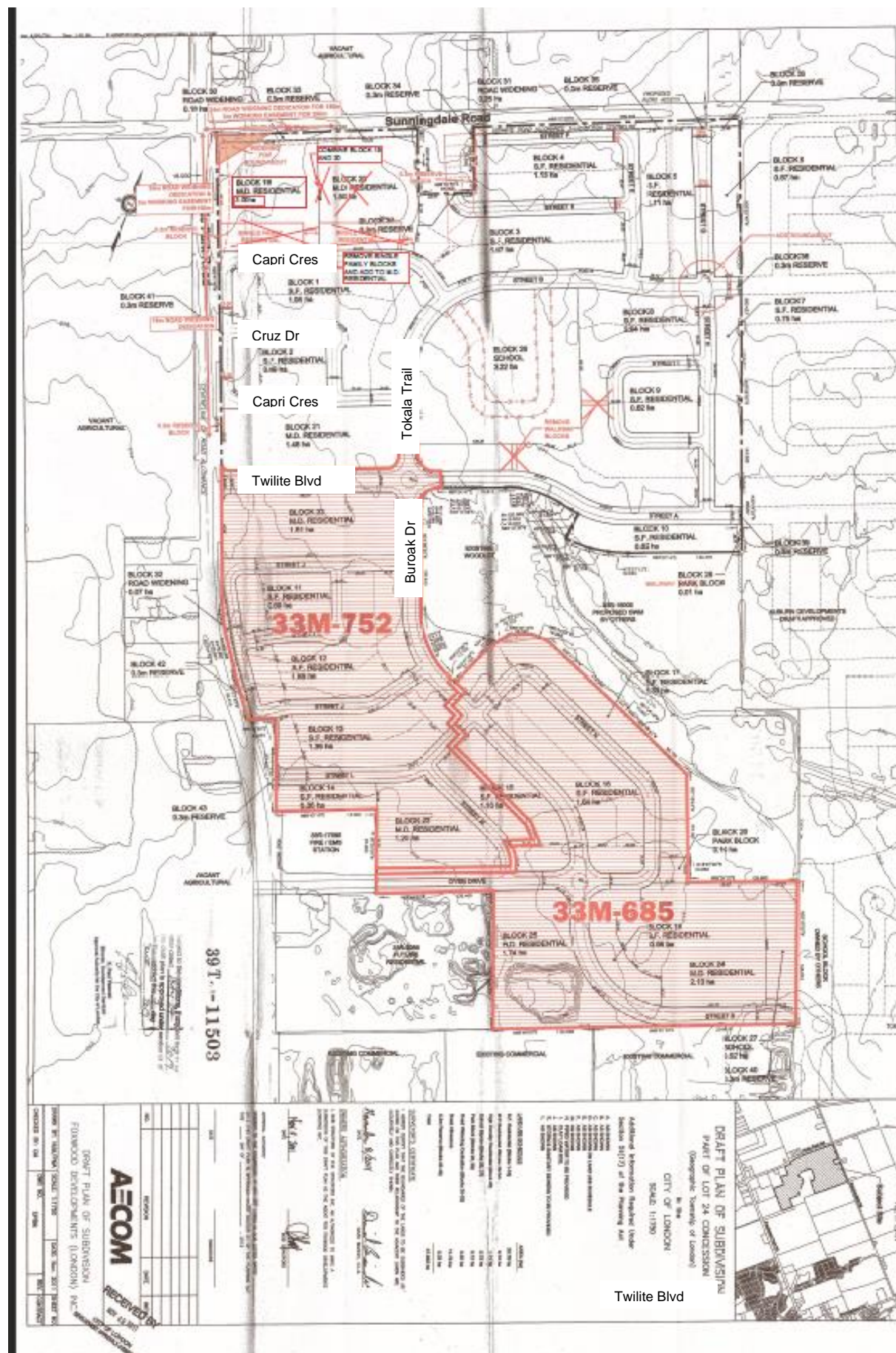




## 2.3 Draft-Approved Plan of Subdivision



## 2.4 Proposed Revision to Draft Approved Plan (as redlined)



## 2.5 Applicant Request

The request is for an extension to Draft Approval for the Foxwood Developments Subdivision three (3) years. The extension will provide additional time for the applicant to satisfy conditions and register the remaining lands. The proposed red-line revisions will result in revised draft plan of subdivision consisting, of minor adjustments to medium density Blocks 19 and 20 as well as the two single-family blocks fronting Capri Crescent. A Zoning By-law Amendment will be required to permit the inclusion of the two single-family blocks, as part of the comprehensive development with Blocks 19 and 20 for the larger medium density block.



## 2.6 Amendments

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

No changes are proposed to the approved zoning at this time. However, the applicant will be submitting an application at a future date to include Blocks 19 and 20 with the larger medium density block to the north. As such, the lotting and block pattern has changed for the lands north of Capri Crescent within the draft plan. As a result of these minor changes to the conditions of draft approval, an extension may be granted and there is no requirement for public notice of the changes (in accordance with Section 50 (33) & (47) of the *Planning Act*).

## 2.7 Policy Context

### *Provincial Policy Statement*

The PPS contains strong policies regarding the importance of promoting efficient development and land use patterns, as well as accommodating an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents (Sections 1.1 and 1.4). The PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of both current and future residents (1.4.1) by encouraging an appropriate affordable and market-based range and mix of residential types to meet long-term needs (1.1.1b)). Further, 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 minimize land consumption and servicing costs (1.1.1e)). The policies for Settlement Areas require that new development should occur adjacent to existing built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Section 1.1.3.6).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within the settlement areas shall be based on densities and a mix of land uses which provide for the following:

- 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
- Support active transportation and are transit-supportive, where transit is planned, exists or may be developed. (1.1.3.2).

Consistent with the PPS, intensification of the subject lands would optimize the use of land and public investment in infrastructure in the area. Located within a developing area of the city, the increased density of the subject lands would contribute to achieving more compact forms of growth and development on this block within the draft plan of subdivision.

The recommended revised draft plan and future zoning amendments are consistent with the *Provincial Policy Statement (PPS), 2020*, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The recommended draft plan and amendments also supports efficient and resilient development patterns, accommodating an appropriate range and mix of housing.

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

pedestrian linkages to commercial, transit, open space, and parkland.

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

The policies of The London Plan encourage a mix of housing types within the Neighbourhoods Place Type. The subject lands are located within the Neighbourhoods Place Type in The London Plan. The range of primary permitted. A detailed review was undertaken to assess implications to the general policies of the Our Strategy, Our City, City Building and Design, Neighbourhoods Place Type, and Our Tools sections. The proposed draft plan extension conforms to the policies of The London Plan.

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

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

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

The key issues and considerations have been reviewed and addressed through the draft plan of subdivision approval process. The Draft Approval conditions have been re-circulated and reviewed with municipal departments and agencies. Updates to the draft conditions and redline revisions to the draft approved plan of subdivision are recommended.

## **Conclusion**

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

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

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

**Recommended by:** Heather McNeely, MCIP, RPP  
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: Bruce Page, Manager, Subdivision Planning  
cc: Matt Davenport, Manager, Subdivision Engineering  
cc: Mike Pease, Manager, Site Plans

February 13, 2023

SM/HMc/BP//sm

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## Appendix A

### THE CORPORATION OF THE CITY OF LONDON'S CONDITIONS AND AMENDMENTS TO DRAFT APPROVAL FOR THE REGISTRATION OF THIS SUBDIVISION, FILE NUMBER 39T-11503, ARE AS FOLLOWS:

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

NO.	CONDITIONS
1.	This draft approval applies to the draft plan submitted by Bob Stratford (File No. 39T-11503 prepared by AECOM Ltd, certified by David Bianchi, OLS (dated November 8, 2011), as redline revised which shows <u>18 16</u> low density residential blocks, <del>six(6)</del> five (5) medium density residential blocks, one (1) high density residential block, two (2) school blocks, two (2) park blocks, road widening blocks and various reserve blocks served by 14 new streets and the extension of Dyer Drive.
2.	This approval of the draft plan applies for three years, and if final approval is not given by that date, the draft approval shall lapse, except in the case where an extension has been granted by the Approval Authority.
3.	The road allowances included in this draft plan shall be shown on the face of the plan and dedicated as public highways.
4.	The Owner shall within 90 days of draft approval submit proposed street names for this subdivision to the City.
5.	The Owner shall request that addresses be assigned to the satisfaction of the City in conjunction with the request for the preparation of the subdivision agreement.
6.	Prior to final approval, the Owner shall submit to the Approval Authority a digital file of the plan to be registered in a format compiled to the satisfaction of the City of London and referenced to NAD83UTM horizon control network for the City of London mapping program.
7.	Prior to final approval, appropriate zoning shall be in effect for this proposed subdivision.
8.	The Owner shall enter into a subdivision agreement and shall satisfy all the requirements, financial and otherwise, of the City of London in order to implement the conditions of this draft approval.
9.	The required subdivision agreement between the Owner and the City of London shall be registered against the lands to which it applies.
10.	Phasing of this subdivision (if any) shall be to the satisfaction of the Approval Authority and the Deputy City Manager, Environment and Infrastructure.
11.	The Owner shall comply with all City of London standards, guidelines and requirements in the design of this draft plan and all required engineering drawings. Any deviation to the City's standards, guidelines, or requirements shall be completed to the satisfaction of the Deputy City Manager, Environment and Infrastructure and the Approval Authority.
12.	Prior to final approval, for the purposes of satisfying any of the conditions of draft approval herein contained, the Owner shall file with the Approval Authority a complete submission consisting of all required clearances, fees, and final plans, and to advise the Approval Authority in writing how each of the conditions of draft approval has been, or will be, satisfied. The Owner acknowledges that, in the event that the final approval package does not include the complete information

required by the Approval Authority, such submission will be returned to the Owner without detailed review by the City.

13. For the purpose of satisfying any of the conditions of draft approval herein contained, the Owner shall file, with the City, complete submissions consisting of all required studies, reports, data, information or detailed engineering drawings, all to the satisfaction of the Approval Authority and the Deputy City Manager, Environment and Infrastructure. The Owner acknowledges that, in the event that a submission does not include the complete information required by the General Approval Authority and the Deputy City Manager, Environment and Infrastructure, such submission will be returned to the Owner without detailed review by the City.
14. Prior to final approval for the registration of the subdivision the Approval Authority, is to be advised in writing by the City that all financial obligations/encumbrances on the said lands have been paid in full, including property taxes and local improvement charges.
15. The Owner shall not commence construction or installations of any services (e.g. clearing or servicing of land) involved with this plan prior to obtaining all necessary permits, approvals and/or certificates that need to be issued in conjunction with the development of the subdivision, unless otherwise approved by the City in writing; (e.g. Ministry of the Environment Certificates; City/Ministry/Government permits: Approved Works, water connection, water-taking, Crown Land, navigable waterways; approvals: Upper Thames River Conservation Authority, Ministry of Natural Resources, Ministry of Environment, City; etc.)

#### Sanitary

16. In accordance with City standards or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of sanitary services for this draft plan of subdivision:
  - i) Construct sanitary sewers to serve this Plan and connect them to the existing municipal sewer system, namely, the 200 mm diameter sanitary sewer on Capri Crescent, the 200 mm diameter sanitary sewer on Cruz Drive and the 200 mm diameter sanitary sewer on Ethan Circle, 250 mm diameter sanitary sewer located on Tokala Trail;
  - ii) Make provisions for oversizing of the internal sanitary sewers in this draft plan to accommodate flows from the upstream lands external to this plan, all to the satisfaction of the City. This sewer must be extended to the limits of this plan and/or property line to service the upstream external lands; and
  - iii) Where trunk sewers are greater than 8 metres in depth and are located within the municipal roadway, the Owner shall construct a local sanitary sewer to provide servicing outlets for private drain connections, to the satisfaction of the City. The local sanitary sewer will be at the sole cost of the Owner. Any exception will require the approval of the Deputy City Manager, Environment and Infrastructure.
  - iv) Construct a maintenance access road and provide a standard municipal easement for any section of the sewer not located within the road allowance, to the satisfaction of the City;
  - v) Implementing all inflow and infiltration mitigation measures to meet allowable inflow and infiltration level as identified by OPSS 407 and OPSS 410 as well as any additional measures recommended in the hydrogeological report
17. In order to prevent any inflow and infiltration from being introduced to the sanitary sewer system, the Owner shall, throughout the duration of construction within this

plan, undertake measures within this draft plan to control and prevent any inflow and infiltration and silt from being introduced to the sanitary sewer system during and after construction, satisfactory to the City, at no cost to the City, including but not limited to the following:

- i) Not allowing any weeping tile connections into the sanitary sewers within this Plan;
  - ii) Permitting the City to undertake smoke testing or other testing of connections to the sanitary sewer to ensure that there are no connections which would permit inflow and infiltration into the sanitary sewer;
  - iii) Installing Parson Manhole Inserts (or approved alternative satisfactory to the Deputy City Manager, Environment and Infrastructure) in all sanitary sewer maintenance holes at the time the maintenance hole(s) are installed within the proposed draft plan of subdivision. The Owner shall not remove the inserts until sodding of the boulevard and the top lift of asphalt is complete, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
  - iv) Having his consulting engineer confirm that the sanitary sewers meet allowable inflow and infiltration levels as per OPSS 410 and OPSS 407; and
  - v) Implementing any additional measures recommended through the Design Studies stage.
18. Prior to registration of any phase of this Plan, the Owner shall obtain consent from the Deputy City Manager, Environment and Infrastructure to reserve capacity at the Greenway/Adelaide Pollution Control Plant for this subdivision. This treatment capacity shall be reserved by the Deputy City Manager, Environment and Infrastructure subject to capacity being available, on the condition that registration of the subdivision agreement and the plan of subdivision occur within one (1) year of the date specified in the subdivision agreement.
19. Failure to register the Plan within the specified time may result in the Owner forfeiting the allotted treatment capacity and, also, the loss of his right to connect into the outlet sanitary sewer, as determined by the Deputy City Manager, Environment and Infrastructure. In the event of the capacity being forfeited, the Owner must reapply to the City to have reserved sewage treatment capacity reassigned to the subdivision.

#### Storm and Stormwater Management

20. The accepted Storm/Drainage and a SWM Servicing Letter/Report of Confirmation submission prepared by the Owner's consulting professional engineer shall be in accordance with the recommendations and requirements of the following:
- i) The SWM criteria and environmental targets for the Medway Creek Subwatershed Study and any addendums/amendments;
  - ii) The approved Storm/Drainage and SWM Servicing Functional Report for the subject lands;
  - iii) The requirements of the Hyde Park Road Road Widening and Improvements Municipal Class EA (January 2012);
  - iv) The accepted Fox Hollow Development Area Municipal Class Environmental Assessment (EA) Schedule 'C' report for the Storm/Drainage, Stormwater Management and Sanitary Servicing Works (September 2010) and any addendums/amendments;

- v) The approved Functional Stormwater Management Plan for Fox Hollow Stormwater Management System Functional Design Report Community SWM System;
  - vi) The City's Design Requirements for the Stormwater Permanent Private Systems approved by City Council and effective as of January 1, 2012. The stormwater requirements for PPS for all medium/high density residential, institutional, commercial and industrial development sites are contained in this document, which may include but not be limited to quantity/quality control, erosion, stream morphology, etc.;
  - vii) The City of London Environmental and Engineering Services Department Design Specifications and Requirements, as revised;
  - viii) The City's Waste Discharge and Drainage By-laws, lot grading standards, Policies, requirements and practices;
  - ix) The Ministry of the Environment SWM Practices Planning and Design Manual, as revised; and
  - x) Applicable Acts, Policies, Guidelines, Standards and Requirements of all required approval agencies.
21. In accordance with City standards or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of stormwater services for this draft plan of subdivision:
- i) Construct storm sewers to be tributary to the Medway Creek Subwatershed and outlet to the Heard Drain via the Regional Fox Hollow Community SWM System.
  - ii) Construct sewers within this plan at an appropriate size and depth to accommodate flows from upstream lands which are tributary to this system and external to this plan, all to the specifications of the Deputy City Manager, Environment and Infrastructure;
  - iii) Construct and implement erosion and sediment control measures as accepted in the Functional SWM and/or Drainage Servicing Report for these lands satisfactory to the Deputy City Manager, Environment and Infrastructure and the Owner shall correct any deficiencies of the erosion and sediment control measures forthwith;
  - ~~iv) Grade the boundary of the plan to blend in with the abutting SWM pond lands to the south of this plan, to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.~~
22. Prior to the issuance of any Certificates of Conditional Approval for any lot in this plan, the Owner shall complete the following:
- i) For lots and blocks in this plan or as otherwise approved by the Deputy City Manager, Environment and Infrastructure, all storm/drainage and SWM related works, including the proposed regional SWM Facilities and related storm/drainage servicing, to serve this plan must be constructed and operational in accordance with the approved design criteria and accepted drawings, all to the satisfaction of the City;
  - ii) Construct and have operational the major and minor storm flow routes for the subject lands, to the satisfaction of the City;
  - iii) Implement all geotechnical recommendations made by the geotechnical report accepted by the City;



- iv) Ensure post-development discharge flow from the subject site must not exceed the capacity of the stormwater conveyance system. In an event where the above condition cannot be met, the Owner shall provide SWM on-site controls that comply to the accepted Design Requirement for Permanent Private Stormwater Systems;
  - v) Ensure that all existing upstream external flows traversing this plan are accommodated within the overall minor and major storm conveyance system, all to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure.
23. ~~Prior to the issuance of any Certificate of Conditional Approval for any lot and/or block in this plan, the SWM Facility, to be built by the City, to serve this plan must be constructed and operational.~~
24. Prior to the acceptance of engineering drawings, the Owner's professional engineer shall certify the subdivision has been designed such that increased and accelerated stormwater runoff from this subdivision will not cause damage to downstream lands, properties or structures beyond the limits of this subdivision. Notwithstanding any requirements of, or any approval given by the City, the Owner shall indemnify the City against any damage or claim for damages arising out of or alleged to have arisen out of such increased or accelerated stormwater runoff from this subdivision.
25. The Owner shall develop the proposed plan of subdivision in accordance with the Design and Construction of Stormwater Management Facilities policies and processes identified in Appendix 'B-1' and 'B-2' Stormwater Management Facility "Just in Time" Design and Construction Process."
26. In conjunction with the first submission of engineering drawings, the Owner shall have his consulting engineer prepare and submit a Storm/Drainage and SWM Servicing Functional Report or a SWM Servicing Letter/Report of Confirmation to address the following:
- i) Identifying the storm/drainage and SWM servicing works for the subject and external lands and how the interim drainage from external lands will be managed, -all to the satisfaction of the City;
  - ii) Identifying major and minor storm flow routes for the subject and external lands, to the satisfaction of the City;
  - iii) Make provisions to oversize and deepen the internal storm sewers in this plan, if necessary, to accommodate flows from upstream lands external to this plan;
  - iv) implement SWM soft measure Best Management Practices (BMP's) within the Plan, where possible, to the satisfaction of the City. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this Plan and the approval of the Deputy City Manager, Environment and Infrastructure; and,
  - v) Developing a sediment and erosion control plan(s) that will identify all required sediment and erosion control measures for the subject lands in accordance with City of London and Ministry of the Environment, Conservation and Parks standards and requirements, all to the satisfaction of the City. The sediment and erosion control plan(s) shall identify all interim and long term measures that would be required for both registration and construction phasing/staging of the development and any major revisions to these plans after the initial acceptance shall be reviewed/accepted by the City of London for conformance to our standards and Ministry of the Environment, Conservation and Parks requirements;

27. In conjunction with the first submission of engineering drawings, the Owner's professional engineer shall certify that any remedial or other works as recommended in the accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.

#### Watermains

27. In accordance with City standards or as otherwise required by the Deputy City Manager, Environment and Infrastructure, the Owner shall complete the following for the provision of water services for this draft plan of subdivision:

i) Construct watermains to serve this Plan and connect them to the existing municipal system, namely, the existing the existing 300 mm PVC diameter watermain on Buroak Dr & the 250mm PVC diameter watermain on Capri Cres (high level system);

300 mm diameter PVC watermain (high level) on Tokala Trail, and the existing 200 mm diameter watermain on Twilite Boulevard;

ii) Deliver confirmation that the watermain system has been looped to the satisfaction of the Deputy City Manager, Environment and Infrastructure when development is proposed to proceed beyond 80 units;

iii) Identify the available fireflows and appropriate hydrant colour code (in accordance with the City of London Design Criteria) on the engineering drawings;

iv) Have the City of London install the fire hydrant colour code markers at the time of Conditional Approval.

~~v) Construct, extend and connect the watermains on Buroak Dr east of Jordan Blvd to the eastern limits of the subdivision and connect to the Buroak Drive Watermain east of this subdivision on the adjacent subdivision~~

~~vi) Construct watermains on Capri Crescent, Cruz Drive, Street 'E' & Street 'F'~~

28. In conjunction with the first submission of engineering drawings, the Owner shall have their consulting engineer prepare and submit a water servicing report including the following design information, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure:

i) Water distribution system analysis & modeling and hydraulic calculations for the Plan of Subdivision confirming system design requirements are being met;

ii) Identify domestic and fire flows for the potential ICI/medium/high density Blocks from the water distribution system;

iii) Address water quality and identify measures to maintain water quality from zero build-out through full build-out of the subdivision;

iv) Include modeling for two fire flow scenarios as follows:

i) Max Day + Fire confirming velocities and pressures within the system at the design fire flows, and

ii) Max Day + Fire confirming the available fire flows at fire hydrants at 20 PSI residual. Identify fire flows available from each proposed hydrant to be constructed and determine the appropriate colour hydrant markers (identifying hydrant rated capacity);

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

v) Include a staging and phasing report as applicable which addresses the requirement to maintain interim water quality;

- vi) Develop a looping strategy when development is proposed to proceed beyond 80 units;
  - ~~vii) Provide a servicing concept for the proposed street townhouse (or narrow frontage) lots which demonstrates separation requirements for all services in being achieved;~~
  - viii) Identify any water servicing requirements necessary to provide water servicing to external lands, incorporating existing area plans as applicable;
  - ix) Identify any need for the construction of or improvement to external works necessary to provide water servicing to this Plan of Subdivision;
  - x) Identify any required watermain oversizing, if necessary, and any cost sharing agreements;
  - xi) Identify the effect of development on existing water infrastructure – identify potential conflicts;
  - ~~xii) Include full-sized water distribution and area plan(s) which includes identifying the location of valves & hydrants, the type and location of water quality measures to be implemented (including automatic flushing device settings and outlet), the fire hydrant rated capacity & marker colour, and the design domestic and fire flow applied to development Blocks.~~
  - ~~xiii) An engineering analysis to determine the extent of external watermain are required to serve Blocks within this plan, at no cost to the City~~
  - ~~xiv) Adherence to the North London Water Servicing Strategy~~
  - ~~xv) Include full-sized water distribution and area plan(s);~~
  - ~~xvi) Identify on the water distribution plan the location of valves, hydrants, and the type and location of water quality measures to be implemented (including automatic flushing devices);~~
29. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the accepted recommendations of the water servicing report, ~~noted in condition 30~~ to address the water quality requirements for the watermain system, to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City. The requirements or measures which are necessary to meet water quality requirements shall also be shown clearly on the engineering drawings.
- ~~30. Prior to the issuance of any Certificates of Conditional Approval the Owner shall install and commission the accepted water quality measures required to maintain water quality within the water distribution system during build-out, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City. The measures which are necessary to meet water quality requirements, including their respective flow settings, etc shall be shown clearly on the engineering drawings.~~
- ~~31. With respect to the proposed medium density condominium Blocks, the Owner shall include in all agreements of purchase and sale, and/or lease of Blocks in this plan a warning clause advising the purchaser/transferee that should these develop as a Vacant Land Condominium or in a form that may create a regulated drinking water system under O.Reg. 170/03, the Owner shall be responsible for meeting the requirements of the legislation.~~
- ~~If deemed a regulated system, there is potential the City of London could be ordered to operate this system in the future. As such, the system would be required to be constructed to City standards and requirements.~~
32. The Owner shall ensure implemented water quality measures shall remain in place until there is sufficient occupancy demand to maintain water quality within the Plan of Subdivision without their use. The Owner is responsible for the following:
- ~~i) to meter and pay the billed costs associated with any automatic flushing devices including water discharged from any device at the time of their installation until removal;~~

- ~~ii) any incidental and/or ongoing maintenance of the automatic flushing devices;~~
- ~~iii) payment for maintenance costs for these devices incurred by the City on an ongoing basis until removal;~~
- ~~iv) all works and the costs of removing the devices when no longer required; and~~
- ~~v) ensure the automatic flushing devices are connected to an approved outlet.~~

~~33. The Owner shall ensure the limits of any request for Conditional Approval shall conform to the staging and phasing plan as set out in the accepted water servicing report and shall include the implementation of the interim water quality measures. In the event the requested Conditional Approval limits differ from the staging and phasing as set out in the accepted water servicing report, the Owner would be required to submit revised plans and hydraulic modeling as necessary to address water quality.~~

## STREETS, TRANSPORTATION & SURVEYS

### Roadworks

34. At the time of registration of this plan, the Owner shall dedicate to the City sufficient lands over Blocks 3 and 4 to accommodate a future ~~20.0~~ ~~19.0~~ metre road connection between Street 'F' (north leg) and Street 'F' (south leg) should the future development of 1550 Sunningdale Road West not include a connecting road between these streets.

Prior to assumption, the Owner shall build a future ~~20.0~~ ~~19.0~~ metre road connection between Street 'F' (north leg) and Street 'F' (south leg) if the abutting lands are developed without a road connection between Street 'F' (north leg) and Street 'F' (south leg) or pay to the City an amount for the construction of the road connection between Street 'F' (north leg) and Street 'F' (south leg) if the abutting lands are not built.

Should the street connection be made over the external lands, the City will transfer the dedicated lands back to the Owner of this plan and/or any payment made to the City for the construction of this road.

~~35. The Owner shall construct the following streets to Neighbourhood Connectors secondary collector road standards:~~

- ~~i) Street 'B'~~
- ~~ii) Street G from Street 'B' to Sunningdale Rd E~~

36. All through intersection and connections with existing and draft approved streets and internal streets to this subdivision shall align with the opposing streets based on the centrelines of the street aligning through their intersections thereby having these streets centred with each other, unless otherwise approved by the Deputy City Manager, Environment and Infrastructure.

37. The Owner shall ensure a minimum of 5.5 metres (18') will be required along the curb line between the projected property lines of irregular shaped lots around the bends on streets in this plan of subdivision, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

38. The Owner shall provide minimum 30 metre tapers at all locations in the Plan where streets are reduced in width (e.g. from 20.0 metre to 19.0 metre road width, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure. The roads shall be tapered equally aligned based on the alignment of the road centrelines.

39. The Owner shall have its professional engineer design the roadworks in

accordance with the following road widths:

- xi) ~~Street 'B' to Street G' from Sunningdale Road West to Street 'B' have a minimum road pavement width (excluding gutters) of 9.5 metres with a minimum road allowance of 21.5 metres~~
  - xii) ~~Twilite Boulevard (from Street 'B' to the east limit of the plan), Capri Crescent (north and south legs), Street 'E', Street 'F' (south leg) Street 'H' have a minimum road pavement width (excluding gutters) of 7.5 metres 8.0 metres (26.2') with a minimum road allowance of 20 metres (66')~~
  - xiii) ~~Street 'I' and Street 'F' (south leg) have a minimum road pavement width (excluding gutters) of 7.5 7.0 metres with a minimum road allowance of 19 metres;~~
  - xiv) Cruz Drive have a ~~minimum~~ road pavement width (excluding gutters) of ~~6.5 6.0 metres (19.7')~~ with a minimum road allowance of 18 metres (60').
  - xv) Capri Crescent (west leg), Street 'F' (north leg), ~~realigned Street 'G',~~ have a ~~minimum~~ road pavement width (excluding gutters) of ~~7.5 8.0 metres (26.2')~~ with a minimum road allowance of 15.5 metres (50.8') in accordance with the City's window street standard.
40. ~~The Owner shall construct Street G at the intersection of Sunningdale Rd W with a right of way width of 28.0 metres for a minimum length of 45.0 metres tapered back over a distance of 30 metres to the standard secondary collector road right of way width of 21.5 metres, to the satisfaction of the City.~~
41. ~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall install temporary street lighting at the intersection of Street 'G' and Sunningdale Road West to the specifications of the City, at no cost to the City.~~
42. The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:
- | <u>Road Allowance</u> | <u>S/L Radius</u> |
|-----------------------|-------------------|
| 20.0 m                | 9.0 m             |
| <del>19.0 m</del>     | <del>9.5 m</del>  |
| 18.0 m                | 10.0 m            |
43. The Owner shall construct the window streets in this plan abutting the arterial roads in accordance with the City's window street standard or as otherwise specified by the Deputy City Manager, Environment and Infrastructure, to the satisfaction of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.
44. The Owner shall ensure that no vehicular access will be permitted to any Lots/Blocks in this plan from Sunningdale Road West or Hyde Park Road. All vehicular access is to be via the internal subdivision streets.
45. ~~In conjunction with the first submission of engineering drawings, the Owner shall confirm that all streets in the subdivision have centreline radii which conforms to the City of London Standard "Minimum Centreline Radii of Curvature of Roads in Subdivisions."~~
46. ~~In conjunction with the first submission of engineering drawings, the Owner shall prepare a conceptual design for the window street for Capri Crescent and Street 'F' to consider such issues as grading the common boulevard between Hyde Park Road and Sunningdale Road West and the window street, overland flow routes, sidewalk connections, servicing, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.~~

47. In conjunction with the first submission of engineering drawings, the Owner shall comply with the Complete Streets Manual to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

48. In conjunction with the first submission of engineering drawings, the Owner shall provide a parking plan, to the satisfaction of the City.

#### Sidewalks/Walkway

49. The Owner shall construct a 1.5 metre sidewalk on both sides of the following streets:

- i) Street 'B'
- ii) Street 'G'

50. The Owner shall construct a 1.5 metre (5') sidewalk on one side of the following streets:

- i) Twilite Boulevard (from Street 'B' to east limit of plan) — south boulevard
- ii) Capri Crescent (north leg) – north boulevard
- iii) Capri Crescent (south leg) – south boulevard
- iv) Street 'E' – east boulevard
- v) Street 'F' – south and west boulevards
- vi) Street 'H' — west boulevard
- xvi) Street 'I' — outside boulevard
- xvii) Buroak Drive – east and north boulevards
- xviii) Hyde Park Road – from south leg Capri Crescent to north leg of Capri Crescent

51. The Owner shall provide sidewalk links from Capri Crescent, Cruc Drive and Street 'F' to the proposed sidewalks on Hyde Park Road and Sunningdale Road West, respectively, in accordance with the City of London Window Street Standard Guidelines UCC-2M to the satisfaction of the City, at no cost to the City. Breaks in the 0.3 metre reserve shall be provided on the plan to be registered.

52. Should the Owner direct any servicing within the walkway or the walkway is to be used as a maintenance access, the Owner shall provide a 4.6 metre wide walkway designed to the maintenance access standard, to the specifications of the City.

53. The Owner shall construct a 2.4 metre sidewalk on the frontage of the school block, Block 26, to the satisfaction of the City.

#### Street Lights

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

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

#### Boundary Road Works

56. Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct left and right turn lanes along Sunningdale Road West at Street 'G' with sufficient storage and taper to accommodate traffic anticipated by the full build-out of the Foxhollow area, to the satisfaction of the City.

57. The Owner shall make minor boulevard improvements on Hyde Park Road and Sunningdale Road West adjacent to this Plan, to the specifications of the City and at no cost to the City, consisting of clean-up, grading and sodding as necessary.
58. ~~The Owner acknowledges that the City, in accordance with the City's current Growth Management Implementation Strategy (GMIS) may be reconstructing Sunningdale Road West. The Owner shall co-operate with the City, as necessary, to complete the project, including providing access to their lands and easements as necessary.~~

#### Road Widening

59. The Owner shall dedicate sufficient land to widen Hyde Park Road and Sunningdale Road West to 18.0 metres (59.06') from the centreline of the original road allowance.
60. ~~The Owner shall be required to dedicate 6.0 m x 6.0 m "daylighting triangles" at the intersection of and Street "G" with Sunningdale Road W. in accordance with the Z-1 Zoning By-law, Section 4.24.~~
61. The Owner shall provide a road widening dedication of 24.0 metres from the centerline required on Sunningdale Road West from Hyde Park Road to a point 150 metres east of Hyde Park Road, to the satisfaction of the City, at no cost to the City.
62. The Owner shall provide a road widening dedication of 18.0 metres from centerline required on Sunningdale Road West from a point 150 metres east of Hyde Park Road to the easterly limit of this Plan, to the satisfaction of the City, at no cost to the City.
63. The Owner shall provide a road widening dedication of 24.0 metres from centerline required on Hyde Park Road from Sunningdale Road West to a point 150 metres south of Sunningdale Road West, to the satisfaction of the City, at no cost to the City.
64. The Owner shall provide a road widening dedication of 18.0 metres from centerline required on Hyde Park Road of 18.0 metres from centerline from a point 150 metres south of Sunningdale Road West to the southerly limit of this plan, to the satisfaction of the City, at no cost to the City.
65. The Owner shall provide a daylight triangle at the southeast corner of Sunningdale Road West and Hyde Park Road measuring 56.0 metres east of Hyde Park Road and 34.0 metres south of Sunningdale Road West (measured from the existing property line, to the satisfaction of the City).
66. The Owner shall provide a temporary 3.0 metre wide working easement on Sunningdale Road West from Hyde Park Road to a point 200.0 metres east of Hyde Park Road and on Hyde Park Road from Sunningdale Road West to a point 150.0 metres south of Sunningdale Road West, to the satisfaction of the City.

#### Vehicular Access

67. ~~The Owner shall ensure that no vehicular access will be permitted to any Blocks in this Plan from Hyde Park Road and Sunningdale Road West. All vehicular access is to be via the internal subdivision streets.~~
68. ~~The Owner shall restrict access to Hyde Park Road and Sunningdale Road West by establishing blocks for 0.3 metre (1') reserves along the entire frontages of Hyde Park Road and Sunningdale Road West frontages, to the satisfaction of the City.~~

## Traffic Calming

69. ~~Prior to the issuance of any Certificates of Conditional Approval, the Owner shall construct roundabouts, including splitter islands, at the following intersections in accordance with the Design Specifications and Requirements Manual and to the satisfaction of the City:~~
- ~~i) Street "G" and Street "B"~~
70. ~~The Owner shall construct traffic calming measures along Street 'B' as per the accepted Design Studies and engineering drawings, including parking bays, curb extensions and other measures to the satisfaction of the City.~~

## Construction Access/Temporary/Second Access Roads

71. The Owner shall utilize construction access routes designated by the City.
72. The Owner shall ensure any emergency access required is satisfactory to the Deputy City Manager, Environment and Infrastructure with respect to all technical aspects, including adequacy of site lines, provisions of channelization, adequacy of road geometries and structural design etc.
73. In the event any work is undertaken on an existing street, the Owner shall establish and maintain a Traffic Management Plan (TMP) in conformance with City guidelines and to the satisfaction of the Deputy City Manager, Environment and Infrastructure for any construction activity that will occur on existing public roadways. The Owner shall have its contractor(s) undertake the work within the prescribed operational constraints of the TMP. The TMP will be submitted in conjunction with the subdivision servicing drawings for this plan of subdivision.
74. Should any temporary turning circle exist on the abutting streets at the time this plan is registered, the Owner shall remove any existing temporary turning circles on the adjacent draft plan lands and restore the road including sidewalks to the satisfaction of the City, at no cost to the City.
75. ~~The Owner shall construct a temporary/emergency access to Sunningdale Road West or Hyde Park Road in a location satisfactory to the City, provide any necessary easements and include a temporary left turn lane on Sunningdale Road West or Hyde Park Road, at no cost to the City, to the specifications and satisfaction of the City.~~
76. Prior to commencing any construction on this site, the Owner shall notify the City of London Police Services of the start of construction of this plan of subdivision.

## GENERAL CONDITIONS

77. Prior to the issuance of any Certificate of Conditional Approval for each construction stage of this subdivision, all servicing works for the stage and downstream works must be completed and operational, in accordance with the approved design criteria and accepted drawings, all to the specification and satisfaction of the City.
78. Prior to final approval, the Owner shall make arrangements with the affected property owner(s) for the construction of any portions of services and grading situated on private lands outside this plan, and shall provide satisfactory easements to the City over the sewers, as necessary, all to the specifications and satisfaction of the City, at no cost to the City.
79. Once construction of any private services, i.e.: water storm or sanitary, to service the lots and blocks in this plan is completed and any proposed relotting of the plan



is undertaken, the Owner shall reconstruct all previously installed services in standard location, in accordance with the approved final lotting and approved revised servicing drawings all to the specification of the Deputy City Manager, Environment and Infrastructure and at no cost to the City.

80. The Owner shall connect to all existing services and extend all services to the limits of the draft plan of subdivision as per the accepted engineering drawings, at no cost to the City, all to the specifications and satisfaction of the City.
81. The Owner shall have the common property line of Hyde Park Road and Sunningdale Road West graded in accordance with the City of London Standard "Subdivision Grading Along Arterial Roads", at no cost to the City.

Further, the grades to be taken as the centreline line grades on Hyde Park Road and Sunningdale Road West are the future centreline of road grades as determined by the Owner's professional engineer, satisfactory to the City. From these, the Owner's professional engineer is to determine the elevations along the common property line which will blend with the reconstructed road, all to the satisfaction of the City.

- ~~82. The Owner shall advise the City in writing at least two weeks prior to connecting, either directly or indirectly, into any unassumed services constructed by a third party, and to save the City harmless from any damages that may be caused as a result of the connection of the services from this subdivision into any unassumed services~~

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

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

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

- ~~83. With respect to any services and/or facilities constructed in conjunction with this Plan, the Owner shall permit the connection into and use of the subject services and/or facilities by outside owners whose lands are served by the said services and/or facilities, prior to the said services and/or facilities being assumed by the City.~~

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

- ~~84. In conjunction with the engineering drawings submission, the Owner shall have it geotechnical engineer identify if there is any evidence of methane gas within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any methane gas within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary recommendations. The Owner shall implement any recommendations of the geotechnical engineer, under the supervision of the geotechnical engineer, to the satisfaction of the City, at no cost to the City.~~

~~If, during the building or constructing of all buildings or works and services within this subdivision, any deposits of organic materials or refuse are encountered, the Owner shall report these deposits to the Deputy City Manager, Environment and~~

~~Infrastructure and Chief Building Official immediately, and if required by the Deputy City Manager, Environment and Infrastructure and Chief Building Official, the Owner shall, at his own expense, retain a professional engineer competent in the field of methane gas to investigate these deposits and submit a full report on them to the Deputy City Manager, Environment and Infrastructure and Chief Building Official. Should the report indicate the presence of methane gas then all of the recommendations of the engineer contained in any such report submitted to the Deputy City Manager, Environment and Infrastructure and Chief Building Official shall be implemented and carried out under the supervision of the professional engineer, to the satisfaction of the Deputy City Manager, Environment and Infrastructure and Chief Building Official and at the expense of the Owner, before any construction progresses in such an instance. The report shall include provision for an ongoing methane gas monitoring program, if required, subject to the approval of the Deputy City Manager, Environment and Infrastructure and review for the duration of the approval program.~~

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

86. The Owner's professional engineer shall provide **full time** inspection services for all work during construction by its professional engineer for all work to be assumed by the City, and have its professional engineer supply the City with a Certification of Completion of Works upon completion, in accordance with the plans accepted by the City.

87. ~~Prior to the construction of works on existing City streets and/or unassumed subdivisions, the Owner shall have its professional engineer notify new and existing property owners in writing regarding the sewer and/or road works proposed to be constructed on existing City streets in conjunction with this subdivision along with any remedial works prior to assumption, all in accordance with Council policy for "Guidelines for Notification to Public for Major Construction Projects".~~

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

88. In the event that Low Impact Development (LIDs) are proposed, the Owner shall have a qualified consultant complete a hydro geological investigation or provide an update to the existing hydro geological investigation, to determine, including but not limited to, the following:

- i.) An Evaluation of groundwater levels, and groundwater flow direction(s) based on seasonal fluctuations. Seasonality effects are critical when evaluating the hydrogeological regime of the Site. Seasonality will also be particularly important if Low Impact Development (LIDs) are being considered.
- ii.) An evaluation of the LID considerations proposed for the development, including provision of seasonal groundwater fluctuations and LID invert elevations. Details regarding the long-term operations of the on-site LIDs should be included.
- iii.) Discussion related to the water taking requirements to facilitate construction (i.e., PTTW or EASR be required to facilitate

- construction), including sediment and erosion control measures and dewatering discharge locations.
- iv.) Evaluation of construction related impacts, and their potential effects on the shallow groundwater system, including potential effects nearby domestic water wells (if present) and/or impacts on local significant natural features.
  - v.) Discussion regarding mitigation measures associated with construction activities specific to the development (e.g., specific construction activities related to dewatering).
  - vi.) Development of appropriate short-term and long-term monitoring plans (if applicable).
  - vii.) Development of appropriate contingency plans (if applicable), in the event of groundwater interference related to construction.
89. Prior to the issuance of any Certificate of Conditional Approval, the Owner's professional engineer shall certify that any remedial or other works as recommended in the above accepted hydro geological report are implemented by the Owner, to the satisfaction of the City, at no cost to the City.
  90. The Owner shall decommission and permanently cap any abandoned wells located in this Plan, in accordance with current provincial legislation, regulations and standards. In the event that an existing well in this Plan is to be kept in service, the Owner shall protect the well and the underlying aquifer from any development activity.
  91. In conjunction with registration of the Plan, the Owner shall provide to the appropriate authorities such easements and/or land dedications as may be required for all municipal works and services associated with the development of the subject lands, such as road, utility, drainage or stormwater management (SWM) purposes, to the satisfaction of the City, at no cost to the City.
  92. The Owner shall decommission any abandoned infrastructure, at no cost to the City, including cutting the water service and capping it at the watermain, all to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure.
  93. The Owner shall remove all existing accesses and restore all affected areas, all to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.
  94. All costs related to the plan of subdivision shall be at the expense of the Owner, unless specifically stated otherwise in this approval.
  95. The Owner shall remove any temporary works associated with this plan when no longer required and restore the land, at no cost to the City, to the specifications and satisfaction of the City, at no cost to the City.
  96. The Owner shall co-ordinate the work associated with this plan of subdivision with the City's proposed construction of the Regional Fox Hollow Community SWM system adjacent to the south boundary of this plan, to the satisfaction of the City, at no cost to the City.
  97. The proposed development must meet all existing grades at property lines where it abuts all City owned open space lands.
  98. The Owner shall construct a 1.5m high chain link fencing without gates in accordance with current City park standards (SPO 4.8) or approved alternate, along the property limit interface of all private lots and blocks adjacent to existing and/or future Park and/or Open Space Blocks. Fencing shall be completed to the satisfaction of the City Manager of Parks Planning and Design, within 1 year of the registration of the plan.

99. Parkland dedication for Blocks 1-24 will be taken as cash-in-lieu as per By-law CP-9 25.
100. The Owner shall ~~register on title and~~ include in all Purchase and Sale or Lease Agreements the requirement that the homes to be designed and constructed on all corner lots in this Plan, are to have design features, such as but not limited to porches, windows or other architectural amenities that provide for a street oriented design and limited chain link or decorative fencing along no more than 50% of the exterior sideyard. Further, the owner shall obtain approval of their proposed design from the ~~Managing Director of Planning and City Planner~~ Director, Planning and Development or ~~and~~ his/her designate prior to any submission of an application for a building permit for corner lots with an exterior sideyard in this Plan
101. As part of the Engineering Drawing submission, the Owner shall submit a plan to the Approval Authority proposing the lotting pattern for all residential Blocks, which shall be consistent with the approved zoning for these blocks and acceptable to the City. The proposed block lotting plan shall also be reviewed and accepted with respect to City services, road geometries, easement requirements, etc., to the satisfaction of the City. The accepted lotting pattern shall be reflected on the final registered plan.
102. In conjunction with the submission of Engineering Drawings, the Owner shall submit for approval an on-street parking plan (if necessary), whereby one on street parking space for each two dwelling units is to be used as the basis for the design, to the satisfaction of the ~~General Manager of~~ Director, Planning and Development. The approved parking plan required for each registered phase of development and will form part of the subdivision agreement for the registered plan.
103. In conjunction with the Engineering Drawing submission, the Owner shall have a qualified acoustical consultant prepare a noise study concerning the impact of traffic noise on future single detached lots abutting Hyde Park Road and Sunningdale Road which considers noise abatement measures that are to be applied in accordance with the requirements of the M.O.E. and City Official Plan policy to be reviewed and accepted by the City. The final accepted recommendations shall be constructed or installed by the Owner or may be incorporated into the subdivision agreement.
104. ~~Prior to the issuance of any Certificate of Conditional Approval, the Owner shall implement the approved servicing for the street townhouse units on streets in this plan with R4-3 zoning, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.~~
105. ~~The Owner shall pay a proportional share of the operational, maintenance and/or monitoring costs of any affected unassumed sewers or SWM facilities (if applicable) to third parties that have constructed the services and/or facilities to which the Owner is connecting. The above noted proportional share of the cost shall be based on design flows, to the satisfaction of the City, for sewers or on storage volume in the case of a SWM facility. The Owner's payments to third parties shall:~~
- ~~i) commence upon completion of the Owner's service work, connections to the existing unassumed services; and~~
  - ~~ii) continue until the time of assumption of the affected services by the City.~~
106. ~~In conjunction with the engineering drawings submission, the Owner shall have it geotechnical engineer identify if there is any evidence of contamination within or in the vicinity of this draft plan of subdivision, to the satisfaction of the City. Should it be determined there is any contamination within or in the vicinity of this draft plan of subdivision, the Owner's geotechnical engineer shall provide any necessary~~

~~recommendations. The Owner shall implement any recommendations of the geotechnical engineer to remediate, remove and/or dispose of any contaminates under the supervision of the geotechnical engineer to the satisfaction of the City, at no cost to the City.~~

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

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

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

107. Should the current or any future Owner submit a revised development proposal for these lands, the applicant may be required to complete a design studies submission as per the File Manager process.
108. The Owner shall make all necessary arrangements with any required owner(s) to have any existing easement(s) in this plan quit claimed to the satisfaction of the City and at no cost to the City. The Owner shall protect any existing private services in the said easement(s) until such time as they are removed and replaced with appropriate municipal and/or private services at no cost to the City.
109. Following the removal of any existing private services from the said easement and the appropriate municipal services and/or private services are installed and operational, the Owner shall make all necessary arrangement to have any section(s) of easement(s) in this plan quit claimed to the satisfaction of the City, at no cost to the City.
110. In conjunction with engineering drawings submission, the Owner shall submit a Development Charge work plan outlining the costs associated with the design and construction of the DC eligible works. The work plan must be approved by the Deputy City Manager, Environment and Infrastructure and ~~City Treasurer~~ (as outlined in the most current DC By-law) prior to advancing a report to Planning and Environment Committee recommending approval of the special provisions for the subdivision agreement.
111. Prior to the issuance of any Certificate of Conditional Approval, the Owner shall make adjustments to the existing works and services on Cruz Drive in Plan 33M-799, Capri Crescent in Plan 33M-799 and Ethan Circle in Plan 33M-799 Tokala Trail in Plan 33M-752 and Twilite Boulevard in Plan 33M-752, adjacent to this plan to accommodate the proposed works and services on this street to accommodate the lots in this plan fronting this street (eg. private services, street light poles, traffic calming, etc.) in accordance with the approved design criteria and accepted drawings, al to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.

- ~~112. The Owner shall either register against the title of Block 26 in this Plan, or shall include in the agreement of purchase and sale for the transfer of each of the Blocks, a covenant by the purchaser or transferee stating that the purchaser or transferee of the Blocks may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the Deputy City Manager, Environment and Infrastructure.~~
113. The Owner shall incorporate the accepted recommendations of the various accepted servicing reports/design studies (eg. sanitary servicing design, storm and SWM design, water servicing, transportation requirements, hydrogeological, geotechnical, etc.) in the accepted engineering drawings to address all servicing issues, to the satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.
- ~~114. In conjunction with the first submission of engineering drawings, in the event the Owner wishes to phase this plan of subdivision, the Owner shall submit a phasing plan identifying all required temporary measures, and identify land and/or easements required for the routing of services which are necessary to service upstream lands outside this draft plan to the limit of the plan to be provided at the time of registration of each phase, all to the specifications and satisfaction of the City.~~
- ~~115. If any temporary measures are required to support the interim conditions in conjunction with the phasing, the Owner shall construct temporary measures and provide all necessary land and/or easements, to the specifications and satisfaction of the Deputy City Manager, Environment and Infrastructure, at no cost to the City.~~
- ~~116. In conjunction with the first submission of engineering drawings, the Owner shall have it's professional engineer provide an opinion for the need for an Environmental Assessment under the Class EA requirements for the provision of any services related to this Plan. All class EA's must be completed prior to the submission of engineering drawings.~~
- ~~117. In conjunction with first submission of engineering drawings, the Owner shall submit a concept plan for Blocks in this Plan, which indicates the location of municipal services, non-municipal services, access, parking and tree planting in order to ensure that these can be accommodated without conflict.~~
- ~~118. The Owner shall provide future access to 1550 Sunningdale Road West should lands develop in the future, as required.~~

## 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:** 2022 Annual Development Report  
**Date:** February 21, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the 2022 Annual Development Report, attached as Appendix “A”, **BE RECEIVED** for information.

## Executive Summary

An Annual Development Report provides annual update and commentary on development activity in the City of London. The Annual Development Report monitors historic and forecasted near-term growth of residential, commercial, institutional and industrial development; development application statistics; the Permit Ready Lot status of subdivision applications; and Planning and Development process improvement initiatives.

The 2022 Annual Development Report is the fourth report prepared by the City and is attached into Appendix A of this report.

## Linkage to the Corporate Strategic Plan

This report supports the 2019-2023 Strategic Plan for the City of London through the Building a Sustainable City strategic area of focus by advancing the growth and development policies of the London Plan through enhanced implementation tools and infrastructure. The creation and implementation of a framework for an Annual Development Report is a specific action of the strategic plan.

## Background

On June 17, 2019, a staff report recommending that a regular reporting tool to communicate development statistics and progress on continuous improvement initiatives be developed and published on an annual basis was submitted to the Planning and Environment Committee. The recommendation was approved by Council.

Previous Annual Development Reports for 2019, 2020 and 2021 were submitted to Planning and Environment Committee.

Similar to previous years, the attached 2022 Annual Development Report covers historic and forecasted near-term growth by development type, 2020-2022 development application activity, an update on Permit Ready Lots, and continuous improvement initiatives that were taken in 2022, as well as the percentage of new residential units located within the Built-Area Boundary.

The 2022 edition of the Annual Development Report includes statistics of total dwelling units and Additional Residential Units. Additional Residential Units are self-contained residential units within, and ancillary to, an existing dwelling.

## Key Findings

In 2022, total new residential units were down 34% in the City over 2021. Of new residential units in 2022, 27.3% were single detached and semi-detached dwellings, 27.4% were rowhouses and townhouses and 45.3% were apartments. In addition, permits for 210 new Additional Residential Units were issued in 2022. The

intensification rate which means new units created within the 2016 Built-Area Boundary as identified in The London Plan was 22.1% in 2022.

For non-residential development, new commercial (retail and office) growth was up 105.1% in 2022 as a result of store and restaurant projects. Institutional growth increased 183.3% after a very low 2021 due to permits for new post-secondary buildings and school additions. Industrial growth in 2022 was up 120.9% in response to new manufacturing projects and additions to existing buildings.

Overall, staff vacancies and complex applications impacted processing times while several application types meeting timelines have improved. Provincial legislative changes introduced in 2022 have impacted and will continue to impact processing timelines for several application types including Zoning By-law Amendments in future years.

An extensive review of development application processes is currently underway as part of the Streamlining Development Approvals Project. Next steps include improvements to data collection, performance measures and a detailed tracking of the status of proposed lots and units. Following the completion of this work, a new approach to reporting on the status of permit ready lots will be presented as part of next year's Annual Development Report.

Over the next year, it is also intended to develop reporting metrics with the City's Housing Supply Action Plan to track progress on the City's Housing Pledge for the provincial municipal housing target of 47,000 units for London. These metrics may be reported separately or incorporated into next year's Annual Development Report.

In addition, several process improvement initiatives are underway to improve service delivery, submission quality and application processing times. Those include changes to application processes in response to Provincial legislative changes.

## **Conclusion**

The attached 2022 Annual Development Report provides a summary of historic and forecasted near-term growth, 2020-2022 development application activity, an update on Permit Ready Lots, and continuous improvement initiatives that were undertaken in 2022.

Staff anticipate that the Annual Development Report will be a helpful monitoring tool for Council as well as a reference for market analysis studies undertaken by members of the community. It will also provide an enhanced input into the Growth Management Implementation Strategy and recommendations for infrastructure planning.

**Prepared by:** Joanne Lee  
Planner I, Long Range Planning Research

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

**Reviewed by:** Kevin Edwards, MCIP, RPP  
Manager, Long Range Planning, Research and Ecology

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

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

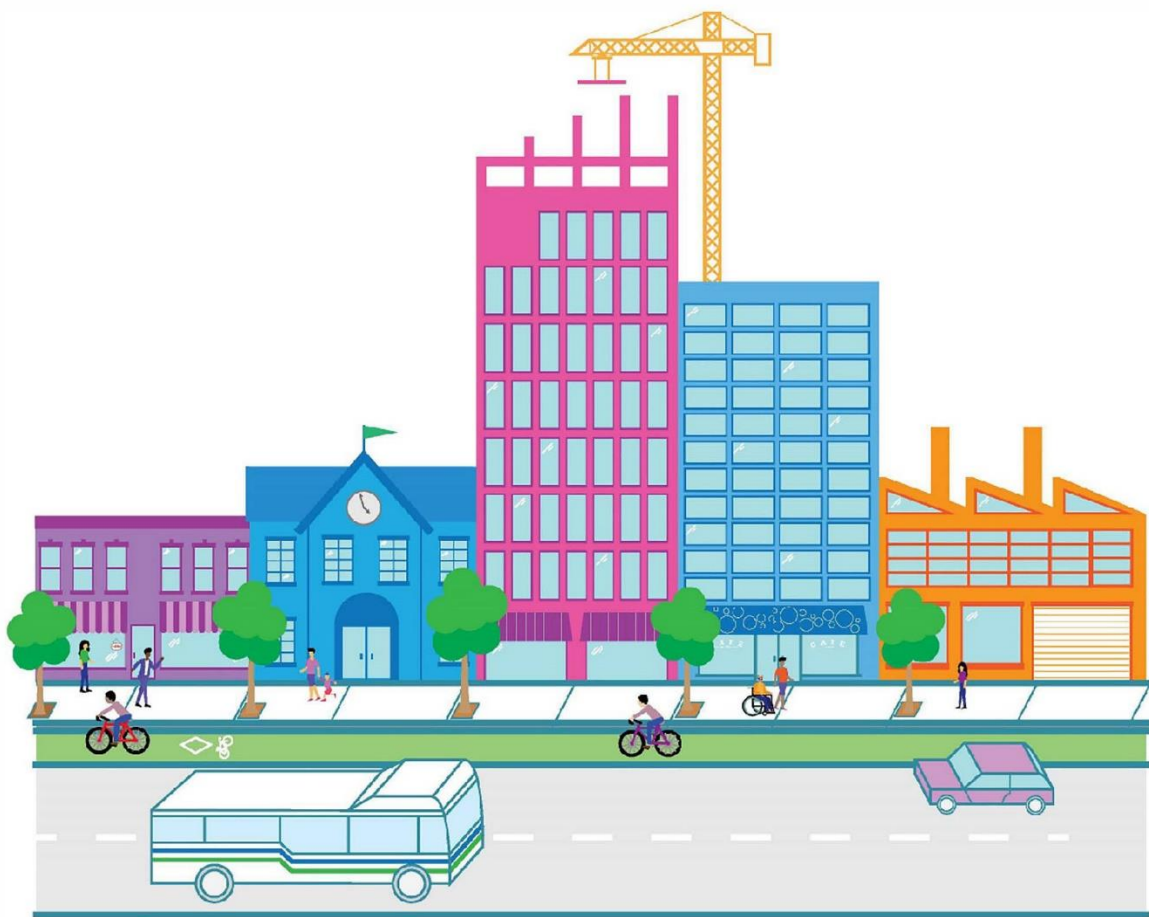
Attachment: Appendix A





# 2022 Annual Development Report

## Planning & Development



February 2023

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# Planning and Development 2022 Annual Development Report

The Annual Development Report (ADR) provides updates and commentary on development activity in the City of London. The ADR monitors:

- residential, commercial, institutional and industrial development;
- development application statistics;
- the 'permit ready' lot status of subdivision applications; and
- Planning and Development process-based continuous improvement initiatives.

For each section, the report contains tables and brief commentary.

## HIGHLIGHTS

### Residential Development:

- Total new residential units were down 35.1% in the City of London in 2022.
- 27.8% of London new residential units were single- and semi-detached dwellings.
- 27.9% of London new residential units were rowhouses and townhouses.
- 44.3% of London new residential units were apartments.
- Permits for 210 new Additional Residential Units (ARUs) were issued in 2022.
- The intensification rate (new units within the Built-Area Boundary) was 20.8%.

### Non-Residential Development:

- Commercial development increased in 2022 due to new restaurants and retail stores and additions to existing retail and office buildings.
- Institutional development increased in 2022 after a very low 2021 due to permits for new post-secondary buildings and school additions.
- Industrial development increased in 2022 primarily due to new manufacturing projects and additions to existing buildings.

### Development Application Activity:

- Development application levels slightly decreased in 2022 from 2021. Overall, staff vacancies and complex applications impacted application processing times while several application types meeting timelines have improved.
- Processing times for several application types including Zoning By-law Amendments may be impacted in future years due to Provincial legislative changes introduced in 2022.

### Permit Ready Lot:

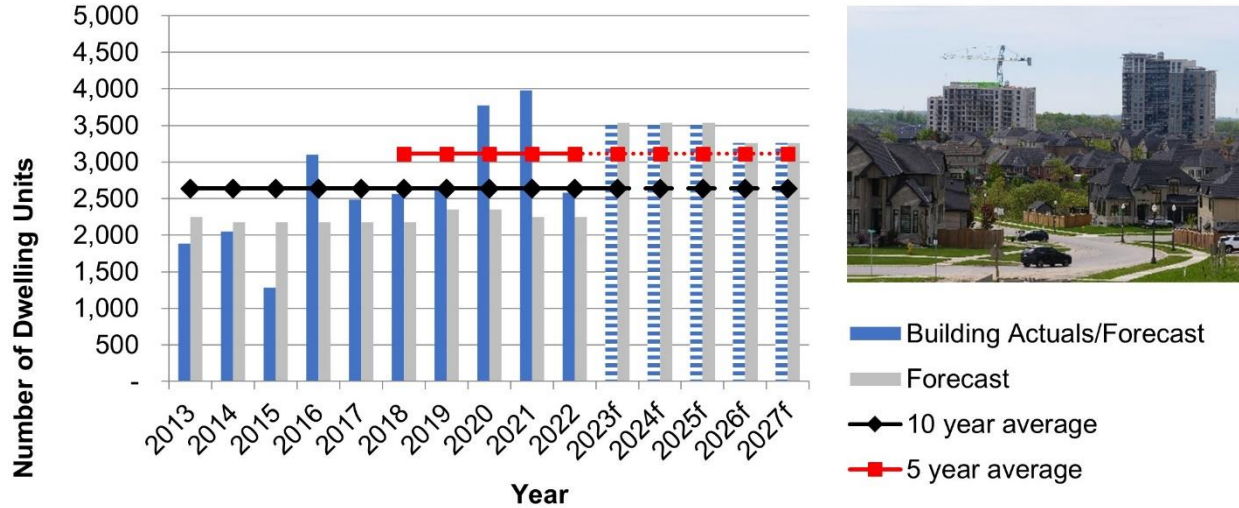
- The working group has monitored current permit ready lot supply.
- Next steps include improvements to data collection, performance measures, detailed tracking of proposed lots and units and a new approach to reporting on permit ready lots.

### Continuous Improvement Initiatives:

- Several continuous improvement initiatives are underway to improve service delivery, submission quality and application processing times. Those includes changes to application processes in response to Provincial legislative changes.

# Building Permit Activity Total New Dwelling Units

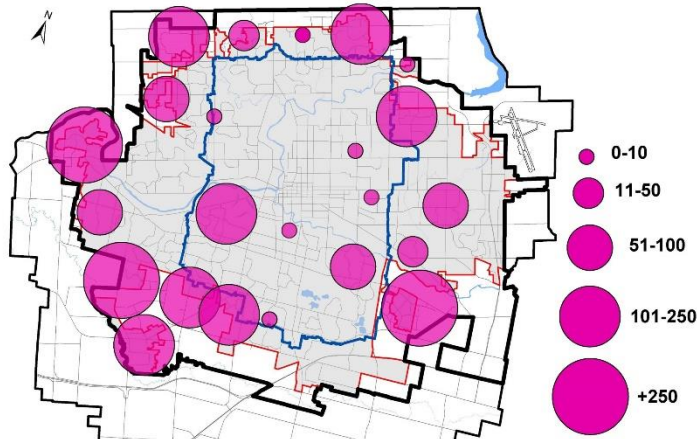
Total Projected Growth and Actual Growth: 2013 - 2027



	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023f	2024f	2025f	2026f	2027f
Altus/Watson Forecast	2,244	2,176	2,176	2,176	2,176	2,176	2,348	2,348	2,250	2,250	3,538	3,538	3,538	3,258	3,258
Actual/Forecast	1,887	2,051	1,280	3,104	2,482	2,563	2,664	3,770	3,983	2,583	3,538	3,538	3,538	3,258	3,258
10 Year Average	2,637														
5 Year Average	3,113														

Note: Totals include LDR, MDR, HDR and ARUs

2022 Total Units by Location

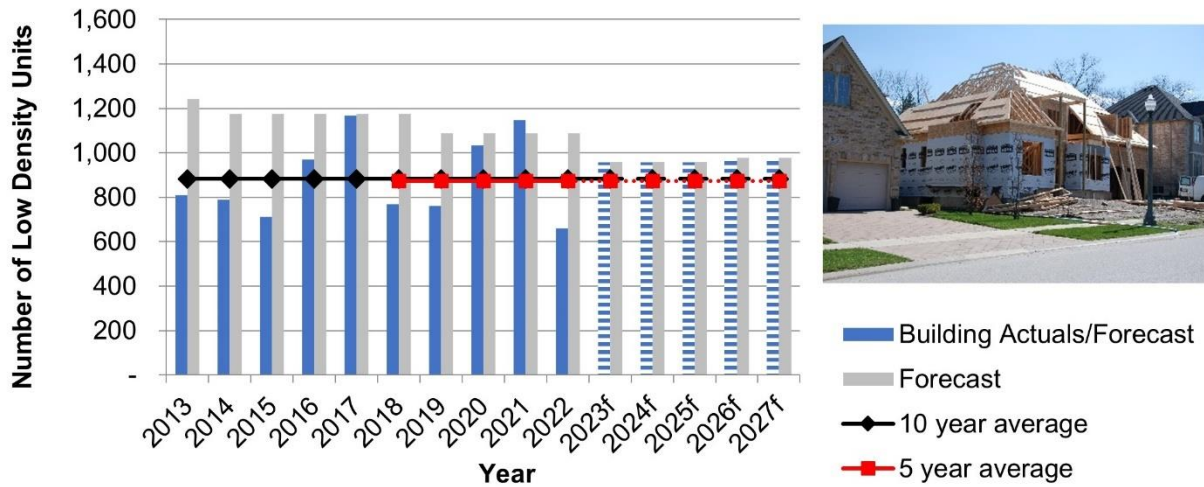


## Observations:

- The total number of new residential units decreased 35.1% in 2022 after a strong 2021.
- Similar new dwelling unit decreases were experienced in municipalities surrounding London and across the Province in 2022.
- In response to forecasted population growth, Watson's revised near- to medium-term demand is forecasted to exceed the 5- and 10-year historical averages.

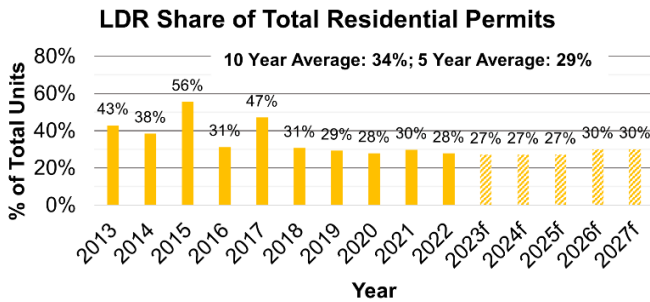
# Building Permit Activity Low Density Residential Development (LDR)

**LDR Projected Growth and Actual Growth: 2013 - 2027**

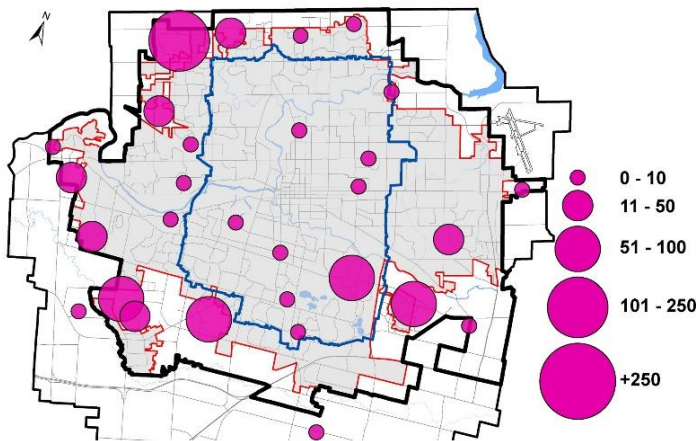


	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023f	2024f	2025f	2026f	2027f
Altus/Watson Forecast	1,244	1,176	1,176	1,176	1,176	1,176	1,088	1,088	1,088	1,088	958	958	958	978	978
Actual/Forecast	809	788	711	970	1,168	768	761	1,034	1,148	659	958	958	958	978	978
10 Year Average	882														
5 Year Average	874														

Note: Totals include single detached cluster units in Vacant Land Condominiums; Building Division Report counts these as MDR Townhouse/Rowhouses.



**2022 LDR Units by Location**



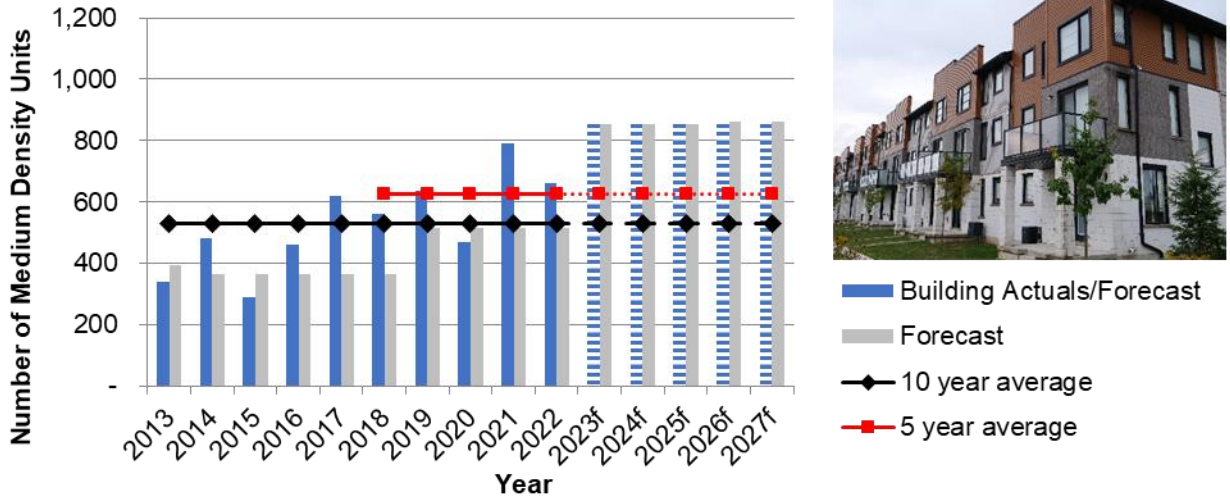
### Observations:

- The number of new LDR permits decreased in 2022 after strong levels in 2020 and 2021.
- The proportional share of LDR units was remained similar to previous years in 2022. This is attributable to relatively high levels of MDR and HDR permits in 2022.
- The percentage of LDR units outside the Built-Area Boundary decreased in 2022. 79.2% of LDR units were located in the greenfield area in 2022.
- The number of new LDR units is forecasted to increase over the near term based on the anticipated pace of development and available greenfield land supply.



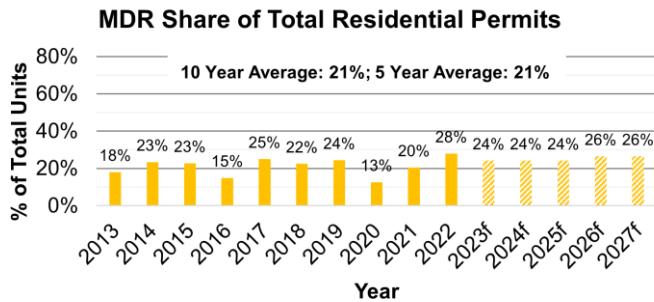
# Building Permit Activity Medium Density Residential Development (MDR)

MDR Projected Growth and Actual Growth: 2013 - 2027



	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023f	2024f	2025f	2026f	2027f
Altus/Watson Forecast	340	364	364	364	364	364	364	364	364	364	517	517	517	517	517
Actual/Forecast	340	480	291	464	620	562	636	469	790	662	854	854	854	862	862
10 Year Average	531														
5 Year Average	624														

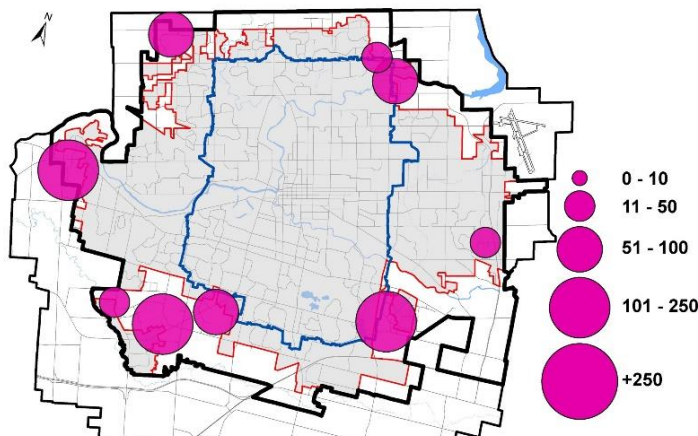
Note: Totals excludes single detached cluster units in Vacant Land Condominiums; Building Division Report counts these as MDR Townhouse/Rowhouses.



## Observations:

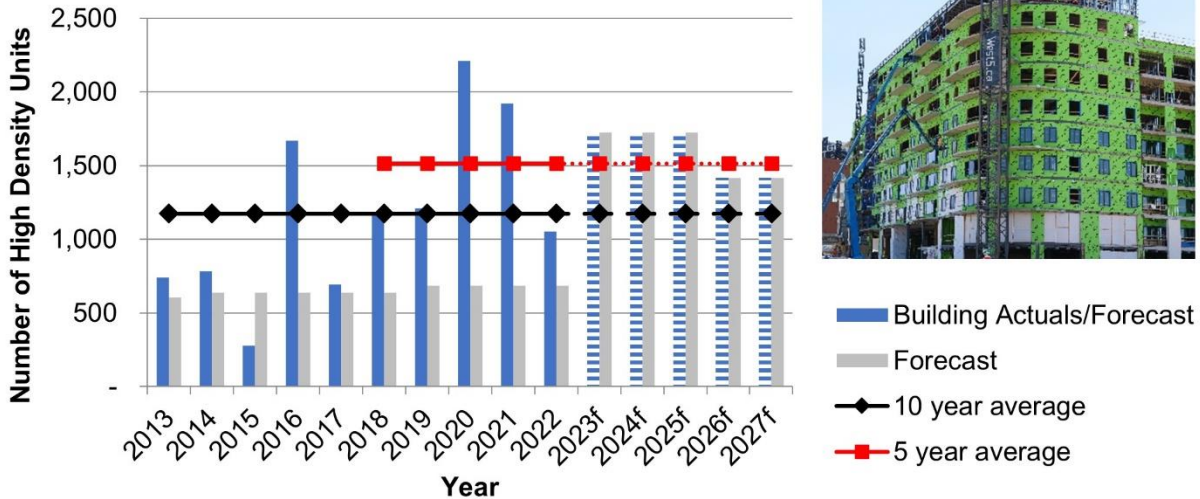
- MDR units decreased in 2022 over 2021 levels but remained above historic levels.
- The MDR share of total units increased to 28% in 2022.
- New MDR units are expected to remain elevated and increase over the near to medium term based on the updated Watson forecast and recent and anticipated MDR development approvals.

## 2022 MDR Units by Location

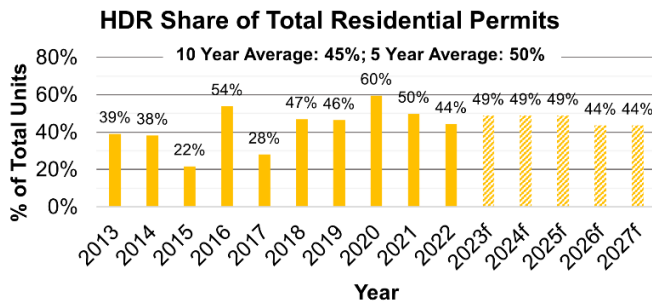


# Building Permit Activity High Density Residential Development (HDR)

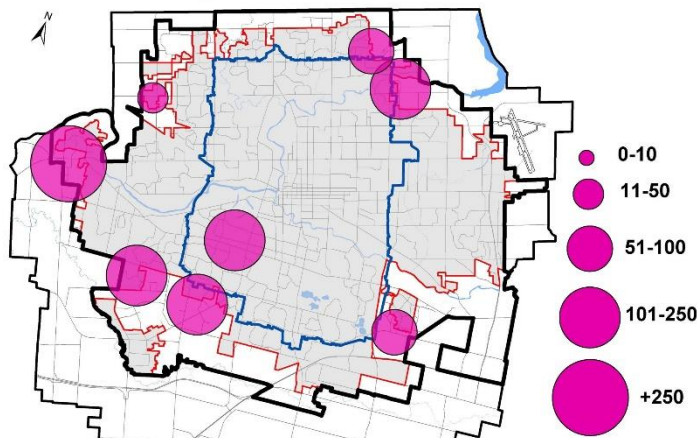
HDR Projected Growth and Actual Growth: 2013 - 2027



	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023f	2024f	2025f	2026f	2027f
Altus/Watson Forecast	716	636	636	636	636	636	684	684	684	684	1,726	1,726	1,726	1,418	1,418
Actual/Forecast	738	783	278	1,671	694	1,177	1,209	2,210	1,924	1,052	1,726	1,726	1,726	1,418	1,418
10 Year Average											1,174				
5 Year Average											1,514				



2022 HDR Units by Location

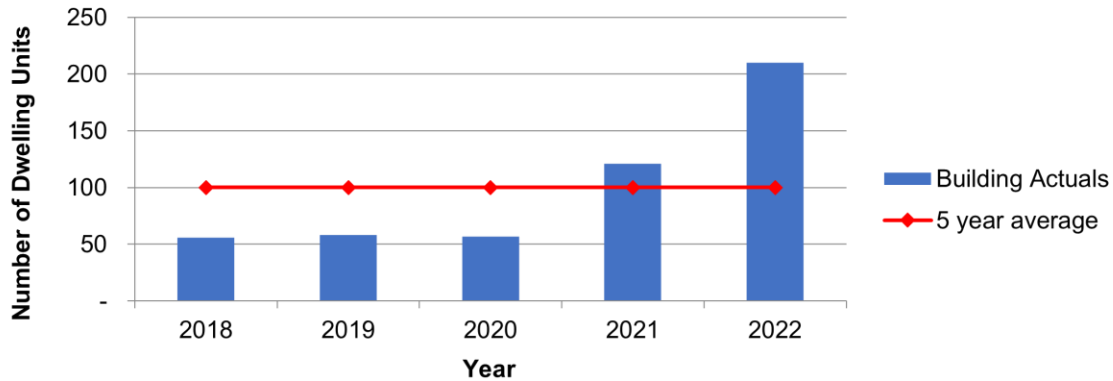


## Observations:

- In 2022, new HDR units was reduced nearly by half. Permits were issued for 13 apartment buildings ranging in size from 32 units to 211 units.
- New HDR units are forecasted to remain elevated over the near to mid term based on the revised Watson forecast and given recent and anticipated HDR development approvals.
- The percentage of HDR units within the Built-Area Boundary decreased to 19.9% in 2022. A significant factor was previous greenfield HDR approvals receiving building permits in 2022. Based on current applications, HDR intensification levels are anticipated to return to previous levels in future years.

# Building Permit Activity Additional Residential Units (ARUs)

## ARU Actual Growth: 2018 - 2022



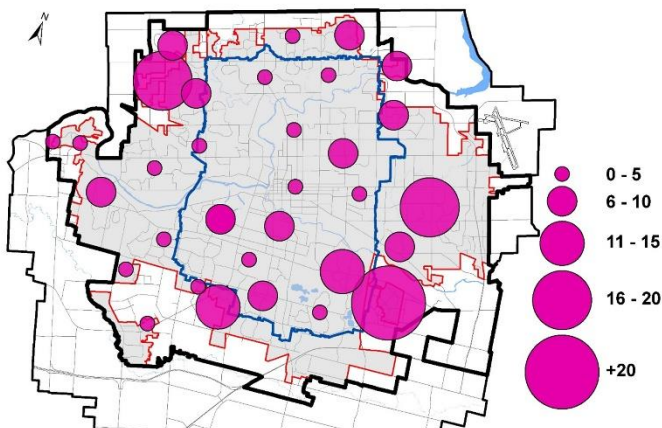
	2018	2019	2020	2021	2022
<b>Actual</b>	56	58	57	121	210
<b>5 Year Average</b>	100				

Note: ARUs do not include garden suites, lodging houses or converted dwellings.

## Additional Residential Units

An additional Residential Unit (ARU) is a self-contained residential unit with kitchen and bathroom facilities within, and an ancillary to, an existing dwelling. A maximum of one ARU is permitted within a single-detached, semi-detached or street townhouse primary dwelling and one ARU in an accessory structure. ARUs are a form of residential intensification which means the development of a property, site or area at a higher density than currently exists.

## 2022 Additional Residential Units by Location

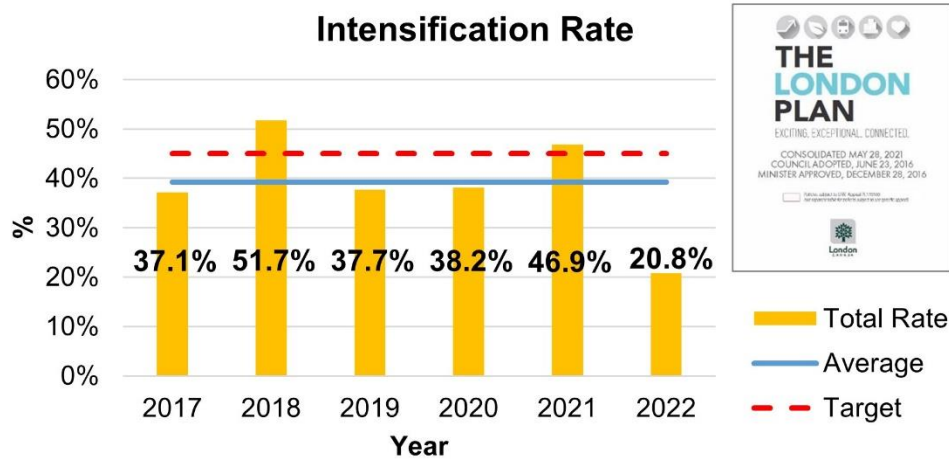


## Observations:

- 210 new ARUs were built in 2022, nearly doubling the 2021 level.
- In 2022, 71% of new ARUs were located within the Built-Area Boundary.
- Permits for ARUs have elevated since 2021, mainly driven by London Plan and Zoning changes in 2020 that provide greater flexibility for additional dwelling units.
- New ARUs are expected to increase in 2023 based on recent applications.



# Residential Intensification Rate

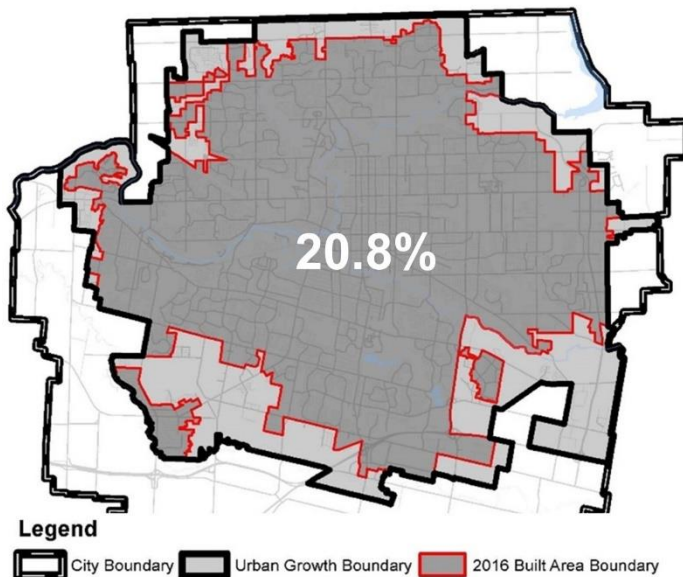


Note: The 2022 intensification rate includes ARUs.

## Built-Area Boundary

A Built-Area Boundary is a fixed line that acts as an important land use planning tool to measure intensification and redevelopment. The London Plan targets a minimum of 45% of all new residential units to be constructed within the 2016 Built-Area Boundary of the city, meaning the lands that were substantially built out as of 2016.

The 2016 Built-Area Boundary identified in the London Plan is shown in dark grey below:

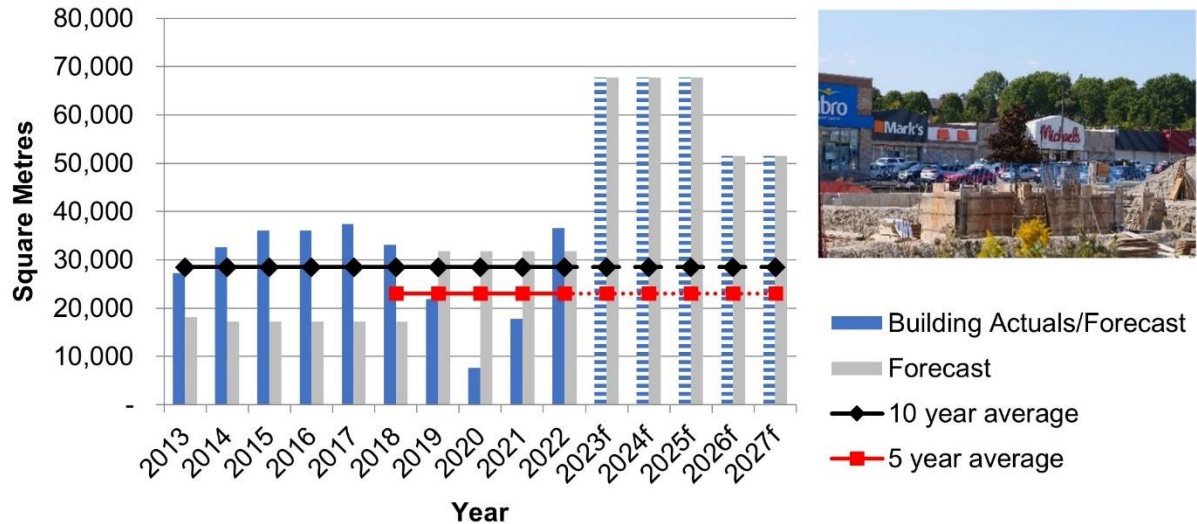


## Observations:

- The intensification rate in 2022 was 20.8% which is below the 45% target in The London Plan.
- Higher intensification rates are typically driven by high levels of HDR permits are generally located within the Built-Area Boundary.
- The lower intensification rate in 2022 is primarily due to fewer HDR unit permits being located within the Built-Area then is typically experienced. Of 1,052 HDR units in 2022 only 209 were within the Built-Area Boundary.
- The average intensification rate since 2016 is 39.2%.

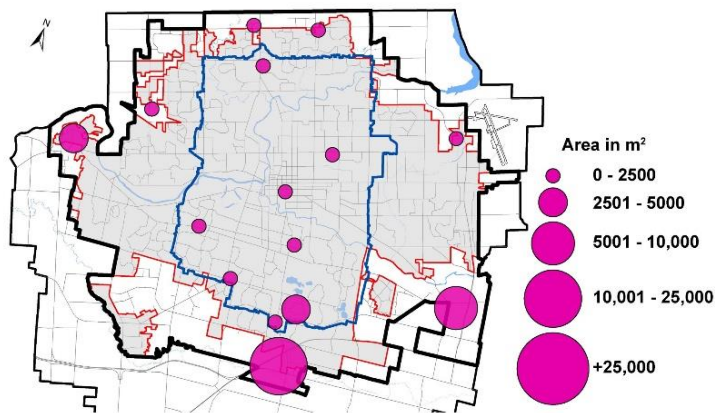
# Building Permit Activity Commercial Development

Commercial Projected Growth and Actual Growth: 2013-2027



(m <sup>2</sup> )	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023f	2024f	2025f	2026f	2027f
Altus/Watson Forecast	18,208	17,242	17,242	17,242	17,242	17,242	31,829	31,829	31,829	31,829	67,734	67,734	67,734	51,520	51,520
Actual/Forecast	27,253	32,612	36,104	36,125	37,430	33,059	21,846	7,672	17,809	36,524	67,734	67,734	67,734	51,520	51,520
10 Year Average	28,462														
5 Year Average	23,018														

2022 Commercial Permits by Location

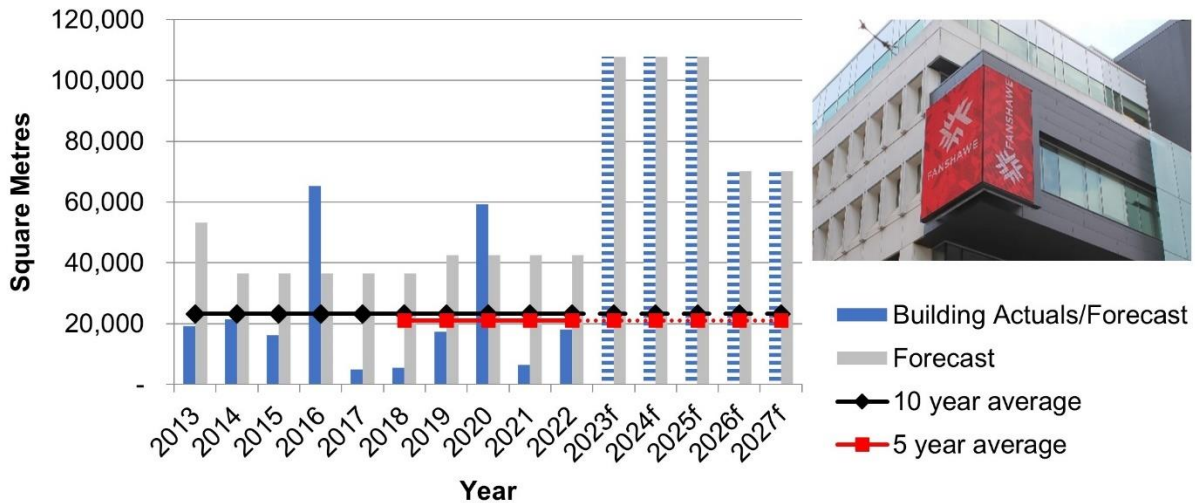


## Observations:

- Commercial development returned to historic levels in 2022 after three years below forecasted levels. This increase was due to restaurants and retail stores including Costco Wholesale and additions to existing offices and shops.
- In response to forecasted population growth, demand for new commercial space over the near to medium term is forecasted by Watson to greatly exceed the 5- and 10-year historical averages.

# Building Permit Activity Institutional Development

Institutional Projected Growth and Actual Growth: 2013-2027

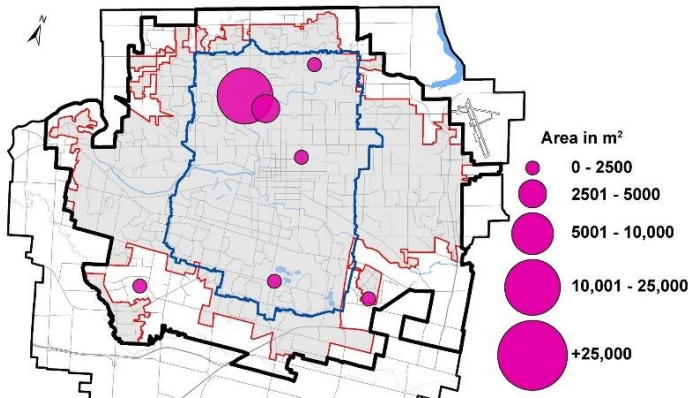


(m <sup>2</sup> )	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023f	2024f	2025f	2026f	2027f
<b>Altus/Watson Forecast</b>	53,325	36,491	36,491	36,491	36,491	36,491	42,512	42,512	42,512	42,512	107,853	107,853	107,853	70,235	70,235
<b>Actual/Forecast</b>	19,121	21,374	16,232	65,245	4,871	5,514	17,232	59,204	6,379	18,070	107,853	107,853	107,853	70,235	70,235
<b>10 Year Average</b>	23,220														
<b>5 Year Average</b>	21,071														

## Observations:

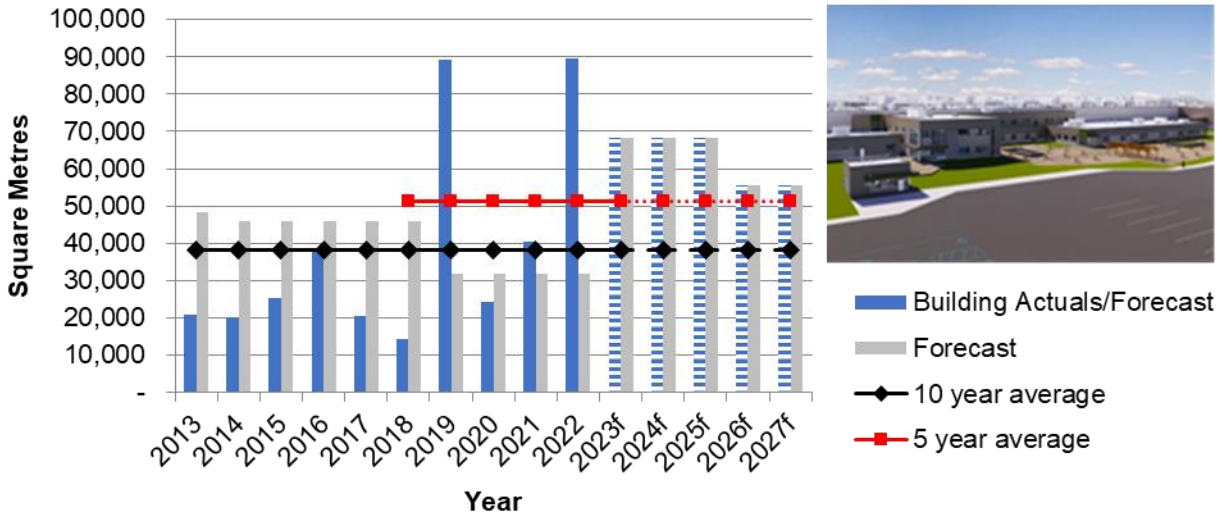
- Institutional growth has a cyclical pattern related to funding from higher orders of government.
- After a decrease in 2021 over 2020 levels, institutional development increased due to post-secondary construction and additions to school buildings.
- As a result of forecasted population growth, demand for increased space for institutional uses such as schools, hospitals and retirement home and long-term care facilities are forecasted by Watson to greatly exceed the 5- and 10-year historical averages.

2022 Institutional Permits by Location



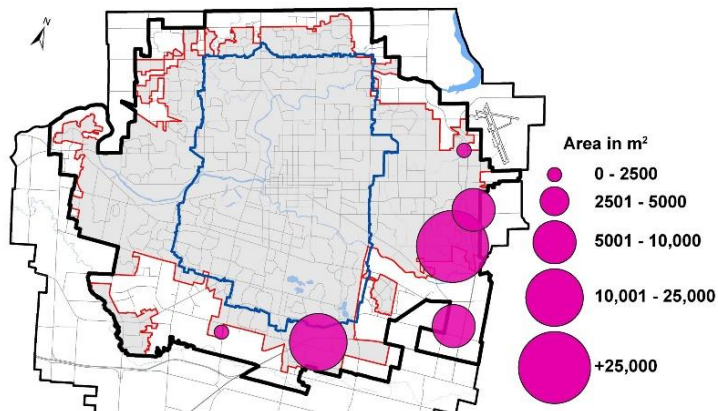
# Building Permit Activity Industrial Development

Industrial Projected Growth and Actual Growth: 2013-2027



(m <sup>2</sup> )	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023f	2024f	2025f	2026f	2027f
Altus/Watson Forecast	48,308	45,855	45,855	45,855	45,855	45,855	31,894	31,894	31,894	31,894	68,377	68,377	68,377	55,556	55,556
Actual/Forecast	20,806	20,171	25,270	37,780	20,433	14,216	89,142	24,393	40,578	89,653	68,377	68,377	68,377	55,556	55,556
10 Year Average	38,063														
5 Year Average	51,234														

2022 Industrial Permits by Location



## Observations:

- In 2022, permits for the highest level of new Industrial gross floor area over the past 10 years due to permits for new manufacturing plants and additions to existing buildings.
- Given their macro-economic outlook and recent development activity, Watson has forecasted new Industrial gross floor area to remain elevated over the near to medium term.



# 2022 Development Application Activity

## 2020-2022 Applications Received and Processed within Planning Act Timeframes

Application Type	2020			2021			2022		
	Applications Received	Statutory Period (Days)	%*	Applications Received	Statutory Period (Days)	%*	Applications Received	Statutory Period (Days)	%*
OPA and ZBA	16	120	56%	24	120	58%	12	120	33%
Zoning By-law Amendment (ZBA)	27	90	56%	38	90	24%	50	90	36%
Temporary Use	2	90	100%	3	90	33%	1	90	0%
Removal of Holding Provision	31	90	58%	37	90	78%	20	90	60%
Draft Plan of Subdivision	3	120	33%	8	120	50%	4	120	25%
Draft Plan of Condominium	14	120	93%	21	120	67%	8	120	75%
Condominium Conversion Plans	0	120	0%	1	120	100%	0	120	0%
Part Lot Control Exemption	5	n/a	n/a	10	n/a	n/a	5	n/a	n/a
Consent	38	90	61%	43	90	74%	42	90	100%
Minor Variance	142	30	24%	170	30	12%	158	30	11%
Site Plan	113	30	86%	120	30	65%	117	30/60**	93%
<b>TOTAL APPLICATIONS</b>	<b>391</b>	-	-	<b>475</b>	-	-	<b>417</b>	-	-
Pre-Application Consultations	118	n/a	n/a	138	n/a	n/a	128	n/a	n/a
Site Plan Consultations	162	n/a	n/a	212	n/a	n/a	224	n/a	n/a
<b>GRAND TOTAL</b>	<b>671</b>	-	-	<b>825</b>	-	-	<b>769</b>	-	-

\* % of applications considered by Planning and Environment Committee/Committee of Adjustment within Planning Act Timeframe.

\* % Includes applications put on hold at the request of the applicant.

\*\* Revised Bill 109 statutory timeline applies to applications received on or after July 1, 2022.

### Recent and Anticipated Trends

- Total application activity in 2022 slightly decreased from 2021. It is anticipated that application levels experienced in 2022 will continue through 2023 based on the number of pre-consultations that were completed. The overall number of pre-consultations in 2022 was similar to 2021.
- Zoning By-law Amendment (ZBA) applications increased from 38 in 2021 to 50 in 2022. 36% of ZBAs were considered within 90 days in 2022, increasing from 24% in 2021.
- While the number of Site Plan applications in 2022 was similar to 2021, processing timelines have improved. In 2022, 88% of applications received decisions within 30 days and 100% within 45 days.
- Consent applications meeting timelines have improved. All decisions on Consents were made within 90 days in 2022.
- The percentage of Minor Variance applications that met timelines remained stable in 2022. Similar to 2021, 87% of Minor Variances were heard within 50 days in 2022. The turnaround timelines have improved since London's new Official Plan was fully in force in May 2022 which no

longer required policy analysis on two Official Plans.

- It is expected that the mandatory refund provisions introduced through Bill 109 and the limitations placed on urban design and site plan applications through Bill 23 will have a significant impact on the number of site plan applications and the decision timelines for rezoning applications over 2023 and beyond.

### Observations

- Staff vacancies and complex applications impacted the ability of various application types to meet the *Planning Act* timeframes in 2022.
- Time for resubmissions and applications put on hold at the request of an applicant are counted within timelines. Time associated with these are beyond the City's control but still impact timeframes.
- *Planning Act* timeframes are measured in calendar days, which is not consistent with actual working days. This has an impact mainly on application types with short timeframes like Minor Variances.

# Permit Ready Lots

Since 2018, the City has tracked the number of units based on unit type, development application status and building permit activity as plan of subdivision applications work their way through the approvals process. The original intent was to better understand current and anticipated supply, and recognize that developers, consultants, contractors, suppliers, and the City all have a significant role to play in bringing new units to market.

To understand historic trends and provide a starting point to assess and establish future performance measures, existing unit counts for each category are compiled. Per the categories below, *Future Opportunity*, *On the Market* and *Permit Ready* counts are provided to reflect units advancing as active planning applications. The *Unknown* category is excluded as these lands have no existing planning application. A key limitation to this approach is that the reported supply only reflects lands that are advancing through, or have completed, the plan of subdivision process.

**Working Group Categories, Timing and Definitions**

Category	Subdivision Approval Process	Time in Years <sup>1</sup>	Definition
Unknown	No Application	4	Developable Land
Future Opportunity (FO)	Under Review	3	under review and draft approved subdivisions; site plan consultation
	Draft Approved	2.5	
On the Market (MO)	Subdivision Agreement	1	subdivision agreement and final approval without clearance; site plan application
	Final Approval Clearance not Granted	1.0 - 0.1	
Permit Ready (PRL)	Final Approval Clearance Granted	Today	Final approval granted; site plan agreement in place

<sup>1</sup> "Time in Years" reflects the amount of time anticipated before Permit Ready Lots are available.

## Streamlining Development Approvals

In 2020, as part of the Streamlining Development Approvals project, the City began an extensive review of development application processes that has included significant industry engagement. In 2022, works were accelerated through a one-time investment from the Province. Next steps in the project include improving data collection, performance measures, and detailed tracking of proposed lots and units, which will result in a greatly enhanced monitoring program. Improved metrics will be prepared over 2023 and reported out through next year’s Annual Development Report.

To maintain consistency with previous reporting, the 2022 statistics presented below are based on the 2018 approach.

**LDR Lots (Single/Detached) by Category**

	2018	2019	2020	2021	2022
Future Opportunity	5,116	4,647	4,631	4,237	3,487
On The Market	965	1,031	243	289	1,054
Permit Ready Lot	803	1,043	1,364	1,001	671

As of January 1 for each year.

**MDR Lots (Rowhouse/Townhouse) by Category**

	2018	2019	2020	2021	2022
Future Opportunity	11,324	11,256	9,048	9,092	9,099
On The Market	1,012	1,061	1,264	2,233	2,444
Permit Ready Lot	743	682	838	455	519

As of January 1 for each year.

## Process Improvement Initiatives

A key principle of Council's Strategic Plan is to increase the efficiency and effectiveness of service delivery by promoting and strengthening continuous improvement practices.

Throughout 2022, Planning and Development has continued to move forward on measures to improve service delivery, submission quality and application processing times. The following are some on-going projects that are being undertaken.

**New Legislation** – In 2022, the Province introduced a number of legislative and regulatory changes (Bill 13, Bill 109 and Bill 23) that have impacted/will impact *Planning Act* application processes. Actions required to conform with the legislative changes are being undertaken including streamlined application processes, new delegated approval authority for minor Zoning By-law Amendments, and changes to related by-laws or other documents. Planning and Development staff will monitor the impacts of the legislative changes while continuing ongoing efforts to improve existing service delivery.

**Application Approvals** – Interviews with internal and development industry stakeholders were facilitated over 2022 to better understand the opportunities. Changes to the Official Plan Amendment and Zoning By-law Amendment application processes will be piloted in February 2023, including a more structured approach with submission requirements and more in-depth pre-application consultation. Staff will continue to monitor the application processes and explore possible adjustments or improvements over 2023.

**Urban Design Review** – Terms of Reference (TOR) related to urban design review are being reviewed to align with the application processes. Changes to the Urban Design Peer Review Panel TOR and the Urban Design Brief TOR will be introduced in 2023 to make improvements to the Urban Design Peer Review Panel process and provide clarity on required submission materials and contents.

**Site Plan Continuous Improvement Initiatives** – A review of the Site Plan resubmission process was undertaken by EZ Sigma to establish clear standards and improve the quality of submissions with process changes to be piloted in January 2023. Data from the pilot will be analyzed to help project resubmissions. In addition, a review of the Site Plan Control By-law is underway to incorporate both regulatory and guidelines or performance-based standards for site development.

**Heritage Planning** – A *Heritage Act* Timeline Waiver was developed to allow mutually agreed extension between developers and the City where it is beneficial to have further discussions. Over 2023, a framework will be established to guide the proactive evaluation of heritage listed properties to either designate or de-list in response to legislative changes to the *Ontario Heritage Act* and to add greater certainty to future development.

## 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 K. Bell for 54  
Duchess Avenue, Wortley Village-Old South Heritage  
Conservation District, Ward 11

**Date:** Monday February 21, 2023

## 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 construct a new building on the property at 54 Duchess Avenue, within the Wortley Village-Old South Heritage Conservation District, **BE PERMITTED** as described herein and shown in Appendix C, subject to the following terms and conditions:

- a) The Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit;
- b) The front porch railing to consist of painted wood with spindles set in between a top and bottom rail, if a railing is required;
- c) Simulated divided lights be used to implement the two-over-two fenestration pattern of windows; and,
- d) The Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

## Executive Summary

The property located at 54 Duchess Avenue is a new lot created within the boundaries of the Wortley Village-Old South Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act*. In accordance with Section 42 (2.1) of the *Ontario Heritage Act*, and the classes of alterations identified in the *Wortley Village-Old South Heritage Conservation District Plan and Guidelines*, a Heritage Alteration Permit is required for the construction of a new building. The proposed building is compliant with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District Plan and Guidelines*. The recommended action is to permit the application with terms and conditions.

## Linkage to the Corporate Strategic Plan

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

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

## Analysis

### 1.0 Background Information

#### 1.1 Location

The property at 54 Duchess Avenue is located on the north side of Duchess Avenue between Wharncliffe Road South and Edward Street (Appendix A).



## **1.2 Cultural Heritage Status**

The property at 54 Duchess Avenue 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

## **1.3 Description**

The property at 54 Duchess Avenue is a deep, narrow lot with a frontage of 9.10m (29.86ft), depth of 65.78m (215.81ft) and overall lot area of 6443.16m<sup>2</sup> (1963.88ft<sup>2</sup>). The property was severed from the adjacent property at 52 Duchess Avenue (which was formerly known as 54 Duchess Avenue) through a Consent application (B.033-20) in 2020 for the purposes of creating one additional lot for future residential use. The width and depth of the new lot are reasonably consistent with many of the lots on the north and south side of Duchess Avenue within the Wortley Village-Old South Heritage Conservation District.

The adjacent property to the west, known municipally as 52 Duchess Avenue, is a 2-storey buff brick dwelling with Italianate stylistic influences constructed in circa 1894. To the east, the adjacent property includes a 1-storey vernacular cottage constructed in 1949. The properties found elsewhere on Duchess Avenue include a mix of 1, 1 and ½ and 2-storey frame and brick dwellings that represents the heritage character of the Wortley Village-Old South Heritage Conservation District. Stylistically, the properties on Duchess Avenue include a mix of Queen Anne Revival, and Italianate, Craftsman, and vernacular dwellings.

## **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*.

### **2.2 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.”

### **2.3 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.

#### **2.3.1 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.

### **2.3.2 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*).

### **2.4 The London 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 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.*

### **2.5 Wortley Village-Old South Heritage Conservation District Plan and Guidelines**

The *Wortley Village-Old South Heritage Conservation District Plan and Guidelines* includes policies and guidelines related to the construction of new buildings within the district. Sections 4.1.1, and 4.4 of the *Wortley Village-Old South Heritage Conservation District Plan and Guidelines* identify policies for the residential area and new development within the residential area. The policies are intended to ensure the conservation of the heritage character of the Wortley Village-Old South Heritage Conservation District.

In addition, Section 8.3.3 of the *Wortley Village-Old South Heritage Conservation District Plan and Guidelines* includes design guidelines related to the design of new buildings within the district.

An analysis of the policies and guidelines for the Heritage Alteration Permit application is contained below in Section 4.1 of this Staff Report.

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

None.

## 4.0 Key Issues and Considerations

### 4.1. Heritage Alteration Permit application (HAP23-001-L)

The current extent of the subject property at 54 Duchess Avenue was created through a Consent (B.033/20) application to sever the parcel at 52 Duchess Avenue to the west. The purpose of the Consent application was to create an additional lot for residential use. Removal of a number of trees on the new lot was required in order to create a lot suitable for residential use. The Consent was approved in 2020.

In 2022, the newly created property at 54 Duchess Avenue was the subject of a Minor Variance (A.109/22) application to establish side yard setbacks and to permit front yard parking. Heritage Alteration Permit approval was a condition of the approved Minor Variance.

A complete Heritage Alteration Permit application was received by the City on January 12, 2023. The application is seeking approval for the construction of a new 2-storey dwelling on the property at 54 Duchess Avenue, as shown in Appendix C and with the following details:

- Two storey dwelling, approximately 6 metres (20') in height (from grade to roof line);
- Rectangular building footprint, including covered front porch;
- Averaging the difference between the setbacks of the houses on the adjacent properties at 52 Duchess Avenue and 56 Duchess Avenue;
- Hipped roof with projecting front gable clad with asphalt shingles;
- Exterior cladding to consist of "James Hardie" (fiber cement board) horizontal siding;
- Single or double hung vinyl windows;
- Rectangular transom windows over the front and side doors, and pair of first story front windows;
- Craftsman style front and side door;
- Projecting front porch with:
  - Gable roof, clad with asphalt shingles;
  - Gable face to include half-timbering detail;
  - Porch roof supported by painted wood posts extending from porch roof to porch floor.

The 90-day timeline for this Heritage Alteration Permit application legislated under Section 42 of the *Ontario Heritage Act* expires on April 12, 2023.

The analysis of the proposed new building based on a review of the policies and guidelines of the Wortley Village-Old South Heritage Conservation District Plan and Guidelines is included below in Tables 1-3.

*Table 1: Analysis of the relevant policies of Section 4.1.1 (Residential Area) of the Wortley Village-Old South Heritage Conservation District Plan and Guidelines for the proposed new building at 54 Duchess Avenue.*

<b>Section 4.1.1 (Residential Area) Policies</b>	<b>Analysis</b>
<i>a) Maintain the residential amenity and human scale by ensuring that the low rise, low density residential character remains dominant within and adjacent to the HCD.</i>	The proposed new two-storey single detached dwelling at 54 Duchess Avenue will retain the low scale, low density residential character within the HCD.
<i>b) New land uses that are not in keeping with the character of the residential area and/or may have a negative impact on the residential area are discouraged.</i>	Not applicable. No new land uses are proposed.
<i>c) Higher intensity uses or redevelopment opportunities shall be focused outside of the low rise residential area of the HCD, to areas designated by the City of London</i>	Not applicable. The proposed dwelling will not result in a higher density development. The proposed new dwelling is an appropriate approach to create new

<b>Section 4.1.1 (Residential Area) Policies</b>	<b>Analysis</b>
<i>for higher density redevelopment (i.e. Ridout Street).</i>	housing while respecting the heritage character of the Wortley Village-Old South HCD.
<i>d) Where new uses or intensification is proposed, adaptive reuse of the existing building stock should be considered, wherever feasible.</i>	Not applicable.
<i>e) Severances which would create new lots are strongly discouraged, unless the resulting lots are compatible with width and depth to adjacent lots.</i>	The lot created in the approved consent(B.033/20) application was compatible with the width and depth of adjacent lots. The proposed new building has been designed to be appropriate to the size of the lot.
<i>f) Where existing detached residential buildings are lost due to circumstances such as severe structural instability, fire or other reasons, the setback of replacement building(s) shall be generally consistent with the original building(s).</i>	Not applicable.
<i>g) Parking for new or replacement dwellings is to be located in the driveways at the side of the dwelling or in garages at the rear of the main building, wherever possible. New attached garages at the front of the building are discouraged. Garages shall not extend beyond the main building façade.</i>	A Minor Variance (A.109/22) was obtained to permit front yard parking as a result of the narrow frontage of the property. No attached garage is proposed.

Table 2: Analysis of the relevant policies of Section 4.4 (New Development) of the Wortley Village-Old South Heritage Conservation District Plan and Guidelines for the new building at 54 Duchess Avenue.

<b>Section 4.4 (New Development) Policies</b>	<b>Analysis</b>
<i>a) New buildings shall respect and be compatible with the cultural heritage value or interest of the Wortley Village-Old South HCD, through attention to height, built form, massing, setbacks, building material and other architectural elements such as doors, windows, roof lines and established cornice lines.</i>	The proposed new building has been designed to be compatible with the cultural heritage value or interest of the Wortley Village-Old South Heritage Conservation District. See below for further analysis of the design guidelines.
<i>b) The Architectural Design guidelines provided in Section 8 of this Plan will be used to review and evaluate proposals for new buildings to ensure that new development is compatible with the HCD.</i>	See Table 3 below for analysis of the design guidelines.
<i>c) The purpose of the HCD is to respect both the age and the quality of design of the heritage properties and cultural heritage resources in the HCD. The City may consider exceptional examples of good current architectural design for integration into the cultural heritage fabric of the HCD if the proposed design exhibits sensitively to the massing and scale of adjacent or nearby heritage properties and textures of the streetscape.</i>	The proposed new building has been designed to be compatible with the Wortley Village-Old South Heritage Conservation District, as influenced by the design guidelines. See below for further analysis of the design guidelines.

<b>Section 4.4 (New Development) Policies</b>	<b>Analysis</b>
<i>d) Where a new building replaces a demolished heritage property, the new building will respect or recapture the mass and building presence of the original building and should avoid having a contemporary purpose-built appearance determined only by the new use. The demolition of any building within the HCD shall require a Heritage Alteration Permit.</i>	Not applicable. The proposed new building will not be replacing a demolished heritage property.
<i>e) Evaluation of new buildings adjacent to the Wortley Village-Old South HCD will be required in order to demonstrate that the heritage attributes of the HCD will be conserved, in accordance with the Provincial Policy Statement. A Heritage Impact Assessment may be required.</i>	Not applicable. The proposed new building is included within the Wortley Village-Old South HCD, rather than adjacent to the HCD.
<i>f) A Heritage Impact Assessment, in accordance with the policies of the City of London, will be required for any development proposals within and adjacent to the HCD.</i>	Not applicable. Site Plan Approval was not required for the residential intensification at 54 Duchess Avenue.  A Heritage Impact Assessment was not required for the proposed new building at 54 Duchess Avenue.
<i>g) Where zoning permits taller and/or higher density buildings (i.e in the Wortley Village commercial area), studies on shadowing, potential loss of view, increased traffic, noise and parking congestion should be conducted and measures taken to mitigate significant potential impacts.</i>	Not applicable.
<i>h) To encourage the retention and conservation of existing heritage properties that contribute to the cultural heritage value or interest of the Wortley Village-Old South HCD, the City may consider bonusing where an application for a zoning by-law amendment is required, in accordance with the policies of the Official Plan.</i>	Not applicable.

Table 3: Analysis of the relevant guidelines of Section 8.3.3 (New Buildings – Residential) of the Wortley Village-Old South Heritage Conservation District Plan and Guidelines for the new building at 54 Duchess Avenue.

<b>Section 8.3.3 (New Buildings – Residential) Design Guidelines</b>	<b>Analysis</b>
<i>a) Match setback, footprint, size and massing patterns of the area, particularly to the immediately adjacent neighbours. Match façade pattern of street or of “street wall” for solids and voids, particularly ensure the continuity of the street wall where one exists.</i>	The setback, footprint, size, and massing of the new building at 54 Duchess Avenue has been designed to be compatible with the streetscape of Duchess Avenue and the heritage character of the Wortley Village-Old South HCD.
<i>b) Setbacks of new development should be consistent with adjacent buildings. Where setbacks are not generally uniform, the new building should be aligned with the building that is most</i>	The setback of the proposed new building at 54 Duchess Avenue averages the setbacks of the two adjacent dwellings at 52 Duchess Avenue and 56 Duchess

<b>Section 8.3.3 (New Buildings – Residential) Design Guidelines</b>	<b>Analysis</b>
<i>similar to the predominant setbacks on the street.</i>	Avenue to maintain the setback patterns on the street.
<i>c) New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the visual appeal of the HCD.</i>	The new building and its entrance have been designed to front onto Duchess Avenue. Design details, including the windows, doors, exterior cladding, and front porch have been intentionally incorporated to be consistent with the HCD and add architectural interest to the building and the HCD.
<i>d) Respond to unique conditions or location, such as corner properties by providing architectural interest and details on both street facing facades.</i>	The proposed new building is not located on a corner.
<i>e) Use roof shapes and major design elements that are contemporary to surrounding properties and their heritage attributes.</i>	The use of a hipped roof with a projecting front gable is consistent and compatible with the surrounding properties and the Wortley Village-Old South Heritage Conservation District.
<i>f) Respond to continuous horizontal patterns along the street such as roof lines, cornice lines, and the alignment of sills and heads of windows and doors.</i>	The proposed new building generally responds to the alignment of roof lines, cornice lines, and the alignment of sills and heads of window and doors. The general consistency in height of the dwelling with the surrounding properties allows these details to respond in a reasonably continuous pattern.
<i>g) Size, shape, proportion, number and placement of windows and doors should reflect common building patterns and styles of other buildings in the immediate area.</i>	The size, shape, proportion, number, and placement of the windows and the doors on the proposed new building have been intentionally designed to be compatible with the dwellings within the immediate area. In particular, the style, size, and proportions of the windows have been appropriately designed to be compatible with the Wortley Village-Old South HCD.
<i>h) Use materials and colours that represent the texture and palette of the Wortley Village-Old South HCD.</i>	The primary exterior cladding material for the new building consists of “James Hardie” (fiber cement board) horizontal siding. This fibre cement board material sufficiently replicates the exterior qualities of exterior wood cladding of many of the heritage properties found within the Wortley Village-Old South Heritage Conservation District.
<i>i) Where appropriate, incorporate in a contemporary way some of the traditional details that are standard elements in the principal facades of properties in the Wortley Village-Old South HCD. Such details as transoms and sidelights at doors and windows, covered entrances, divided light windows and decorative details to articulate plain and flat surfaces, add character that complements the original appearance of the neighbourhood and add value to the individual property.</i>	The proposed new building incorporates various details that are contemporary examples of traditional details often found within the Wortley Village-Old South HCD. The single or double hung window style, size, and proportion combined with the transom windows, Craftsman-inspired door details, and covered porch details all complement the heritage character of the neighbourhood, and support the individual property’s compatibility within the HCD.

<b>Section 8.3.3 (New Buildings – Residential) Design Guidelines</b>	<b>Analysis</b>
<i>j) New buildings should not be any lower in building height than the lowest heritage property on the block or taller than the highest heritage property on the same block.</i>	The height of the proposed new building is consistent with other 2-storey dwellings located on Duchess Avenue. The proposed new building is not the shortest or tallest building on this block of Duchess Avenue.

The proposed building at 54 Duchess Avenue complies with the policies and guidelines of the *Wortley Village-Old South Heritage Conservation District Plan and Guidelines*. Although the proposed new building is clearly a contemporary building, the consistency in setback, size, scale, mass and footprint, combined with the attention to detailing of the exterior cladding, windows, doors, and the front porch allows the new building to compliment the existing heritage character of the area. The proposed building design adheres to heritage principles with no pretence to be a historical imitation, but by using traditional details in a contemporary fashion that is compatible with the heritage character of the Wortley Village-Old South Heritage Conservation District.

## Conclusion

The design of the proposed new building at 54 Duchess Avenue, including its setback, footprint, size, massing, finishes, and details is compliant with the goals and objectives, and the policies and guidelines of the Wortley Village-Old South Heritage Conservation District. The proposed new building at 54 Duchess Avenue should be approved, with terms and conditions.

- Prepared by:** Michael Greguol, CAHP  
Heritage Planner
- Reviewed by:** Kyle Gonyou, RPP, MCIP, CAHP  
Manager, Heritage
- Recommended by:** Heather McNeely, RPP, MCIP  
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 Drawings



# Appendix A – Property Location



Figure 1: Location Map showing the location of subject property at 54 Duchess Avenue, located within the Wortley Village-Old South Heritage Conservation District.



**Appendix B – Images**



*Image 1: Photograph looking north across Duchess Avenue showing the subject property at 54 Duchess Avenue within the Wortley Village-Old South Heritage Conservation District.*



*Image 2: Photograph showing the subject property at 54 Duchess Avenue.*





*Image 3: Photograph showing the subject property at 54 Duchess Avenue.*



*Image 4: Photograph showing the adjacent property at 52 Duchess Avenue, which includes a 2-storey vernacular dwelling with Italianate influences.*





*Image 5: Photograph showing the adjacent property at 56 Duchess Avenue which includes a vernacular Tudor Revival-inspired dwelling.*



*Image 6: Photograph showing the properties located at 56 Duchess Avenue and 62 Duchess Avenue, within the Wortley Village-Old South Heritage Conservation District.*



# Appendix C – Drawings

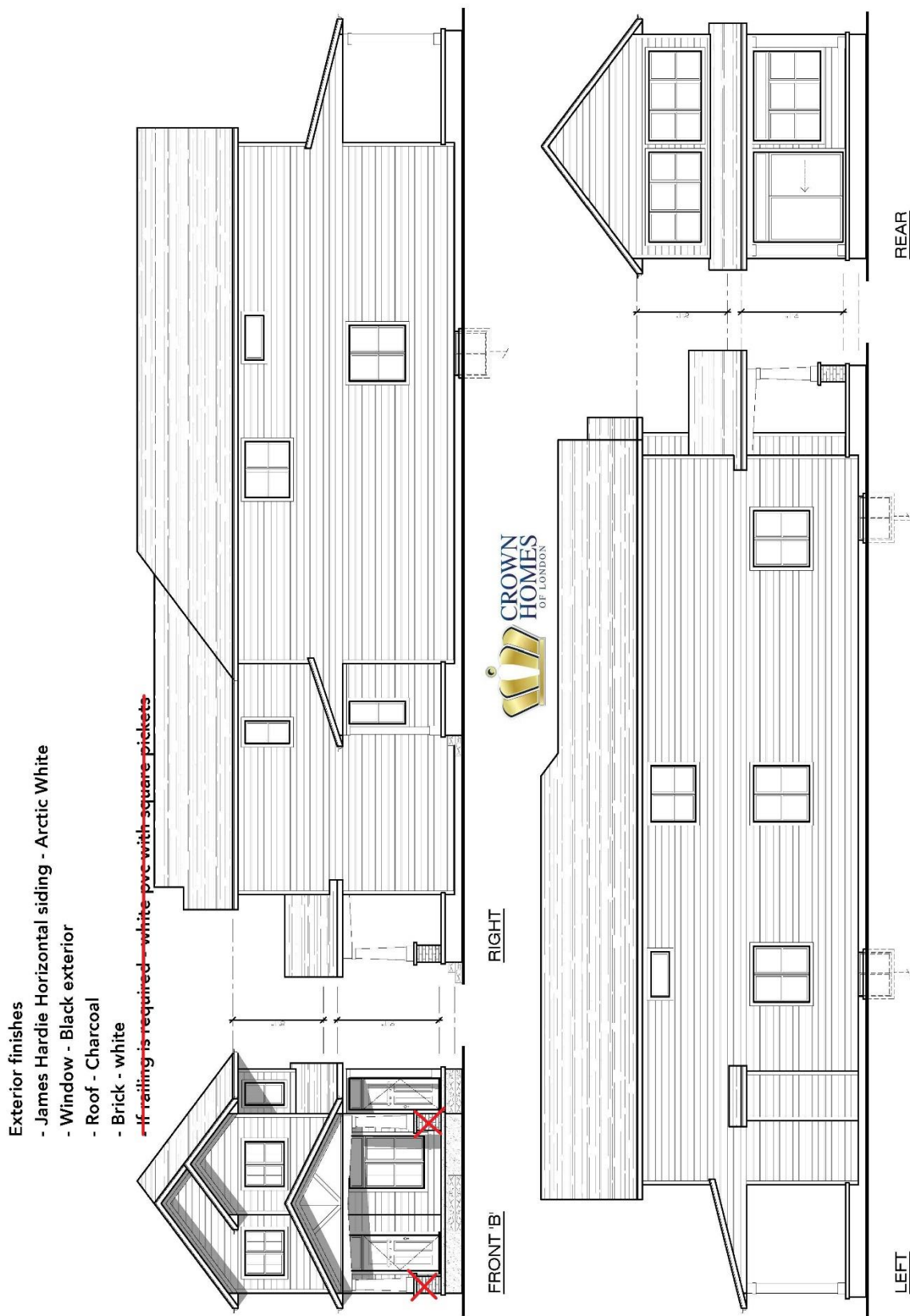


Figure 2: Drawings submitted with the Heritage Alteration Permit application for the property at 54 Duchess Avenue showing the proposed dwelling to be constructed on the property. Note: the final design will include painted wood posts supporting the front porch, constructed to the porch floor rather than brick pedestals. If a railing is required, a traditional painted wood guard will be used.



All floor plans and elevations may be customized to better suit the clients needs. Plans and specifications are an artists rendering and are subject to change without notice. Some features shown may be optional, available at extra costs. All dimensions and square footages are approximate E. & O.E. This plan is the property of Crown Homes of London, any reproduction of this plan, its concepts or ideas are strictly prohibited. © Copyright 2022

Figure 3: Proposed floor plans submitted with the Heritage Alteration Permit application showing the floor plans for the proposed new building to be constructed at 54 Duchess Avenue within the Wortley Village-Old South Heritage Conservation District.

Legend

- ◊ EXISTING FIRE HYDRANT
- EXISTING WATERMAIN
- EXISTING SANITARY MAIN
- EXISTING STORM SEWER
- EXISTING STORM MAINTENANCE HOLE
- EXISTING DATCHMAN
- EXISTING SANITARY TAP
- EXISTING STORM MAINTENANCE HOLE
- EXISTING TRENCH
- EXISTING BUSKES
- EXISTING BUILDING
- EXISTING STREET LIGHT
- SITE BOUNDARY
- REMOVE EXISTING TREE

Revision

By	AKR	MM/20
Checked	SK	22.08.18
Issued	AKR	MM/20



Client/Project  
CROWN HOMES OF LONDON  
54 DUCHESS AVENUE  
London, ON Canada  
Title  
REMOVALS PLAN

Project No. 3609  
Scale 1:200  
Drawing No. 1614-0260  
Sheet 1 of 3  
Revision 0

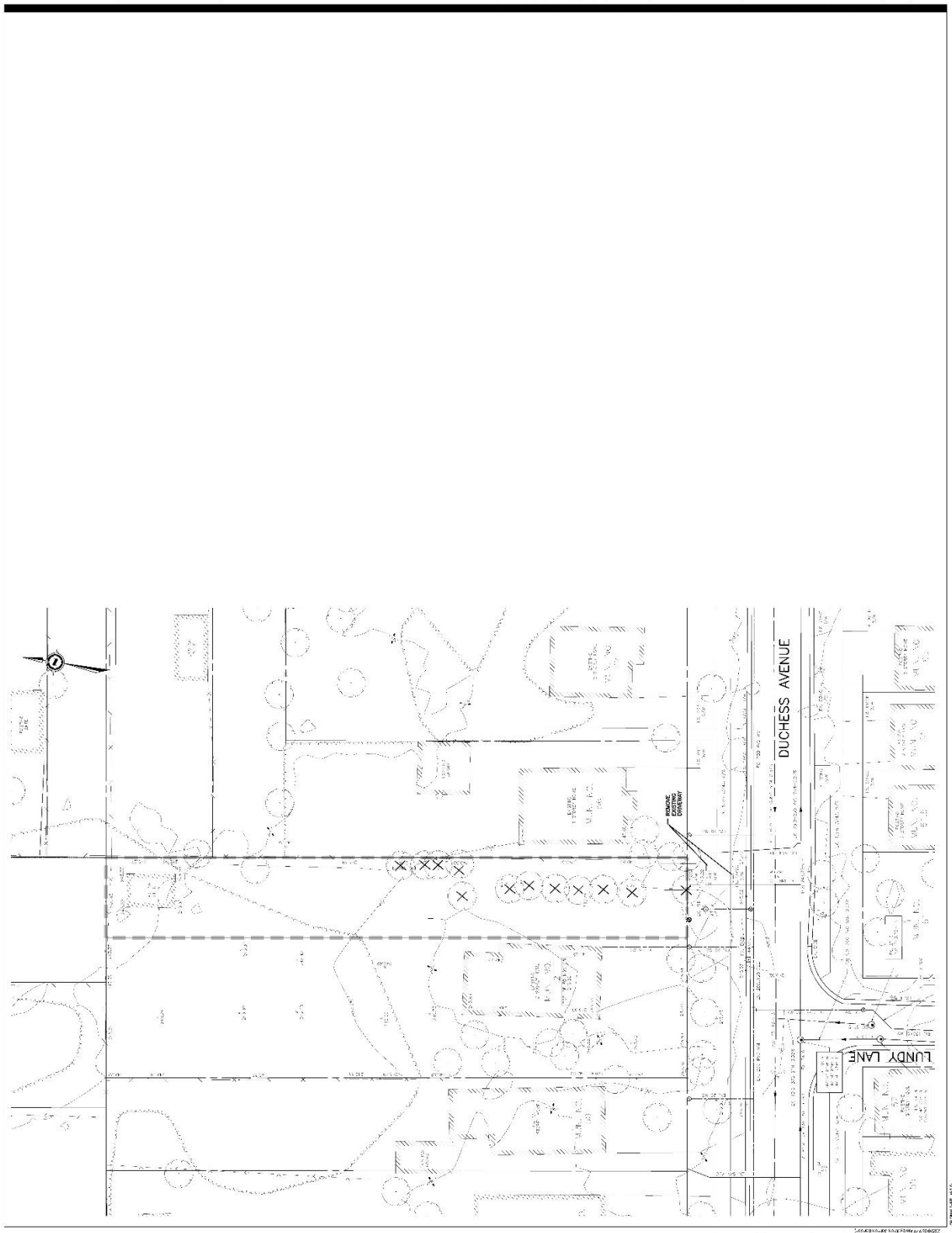


Figure 4: Site Plan submitted with the Heritage Alteration Permit application for 54 Duchess Avenue, showing the tree removals required to accommodate the proposed new building.

Project No. 18114260  
Sheet 2 of 3  
Revision 0

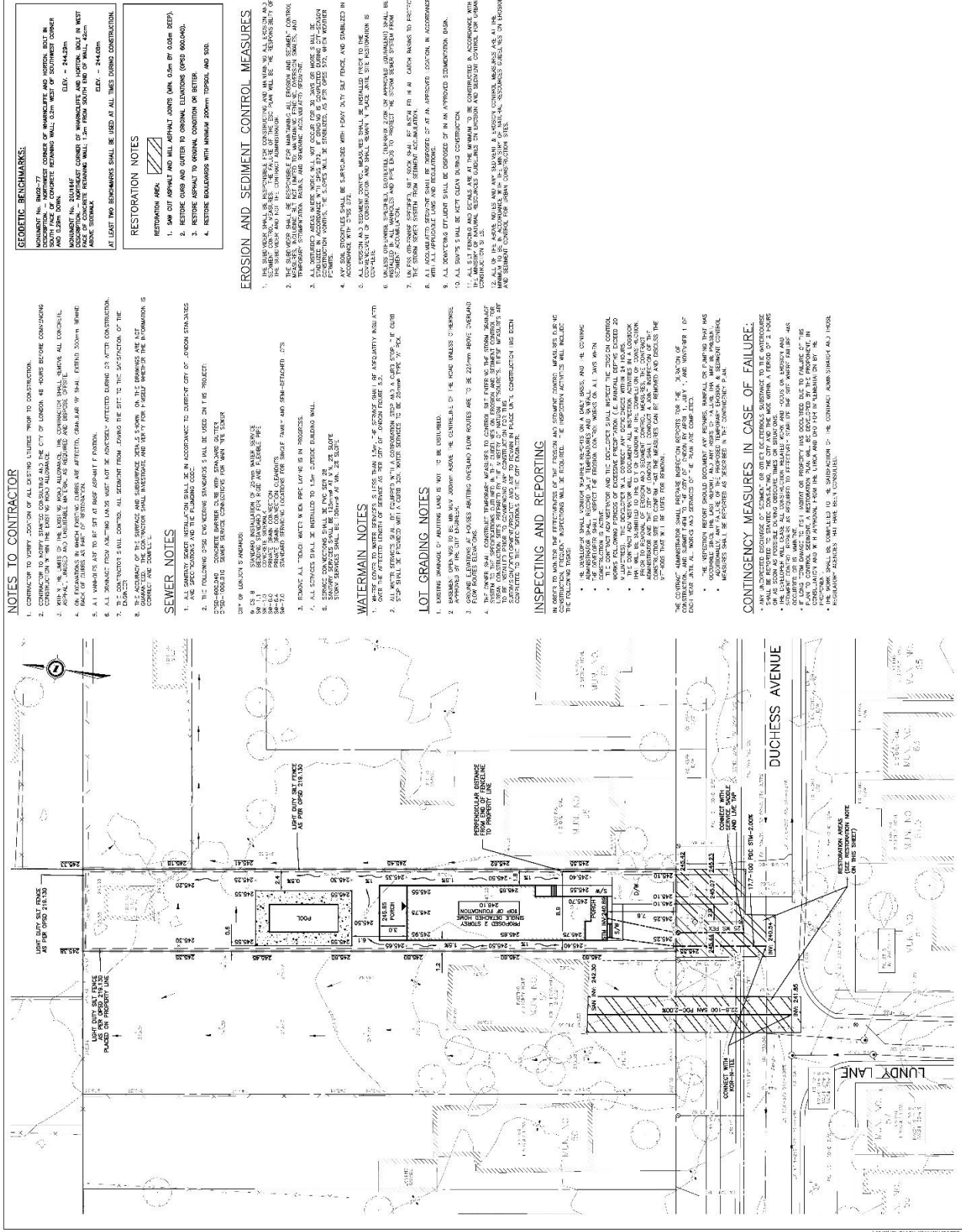


Figure 5: Site Plan submitted with the Heritage Alteration Permit application for 54 Duchess Avenue. The front yard parking shown in the Site Plan was approved as part of the Minor Variance application (A.109/22).



## 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 P. McCulloch-Squires for 864 Hellmuth Avenue, Bishop Hellmuth Heritage, Ward 6

**Date:** Tuesday February 21, 2023

## 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 pave a portion of the front yard for parking on the heritage designated property at 864 Hellmuth Avenue, within the Bishop Hellmuth Heritage Conservation District, **BE REFUSED**.

## Executive Summary

The property at 864 Hellmuth Avenue is a significant cultural heritage resource, designated pursuant to Part V of the *Ontario Heritage Act* as a part of the Bishop Hellmuth Heritage Conservation District. The applicant has submitted a Heritage Alteration Permit application seeking approval for the construction of new front yard parking. The Heritage Alteration Permit application was included on a previous agenda of the Community Advisory Committee on Planning (CACP); however, as a result of lack of quorum, the advisory committee was unable to hear the application. The City and the applicant have agreed to extend the legislated timelines pursuant to the *Ontario Heritage Act* to recirculate this application to the CACP. New information related to the Heritage Alteration Permit application and the existing conditions of the subject property was submitted to the City since the previous staff report was published on the CACP agenda in December 2022. Despite the new information, the staff recommendation on this Heritage Alteration Permit remains unchanged. The policies and guidelines of the Bishop Hellmuth Heritage Conservation District strongly discourage paving front yards for parking. The recommended action is to refuse the application.

## 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 864 Hellmuth Avenue is located on the east side of Hellmuth Avenue between Grosvenor Street and St. James Street (Appendix A).

#### 1.2 Cultural Heritage Status

The property at 864 Hellmuth Avenue is located within the Bishop Hellmuth Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act* by By-Law No. L.S.P-3333-305, which came into force and effect on February 7, 2003.



### **1.3 Description**

The dwelling on the property at 864 Hellmuth Avenue was constructed c.1902. The residential form building is two-and-a-half storeys in height and includes Queen Anne Revival stylistic influences. The painted brick dwelling includes a verandah that spans the front façade supported by rusticated concrete block plinths and wooden posts. The projecting gable includes a pair of wood sash windows flanked and separated by wooden mullions, and shingled imbrication, characteristic of the Queen Anne Revival style.

Much like many of the properties within the Bishop Hellmuth Heritage Conservation District, the property can be accessed through the back laneway, a landscape element that is recognized within the *Bishop Hellmuth Heritage Conservation District Plan*. Many of the properties within the Bishop Hellmuth Heritage Conservation District include rear laneway parking and rear laneway buildings.

The front of the property at 864 Hellmuth Avenue is landscaped with manicured grass, a walkway to the front door, and various trees and vegetation. The rear of the property can be accessed by the rear laneway which includes a parking area, a walkway, and access to a rear door at grade, as well as by steps at the side of the dwelling (See Appendix B).

## **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*.

### **2.2 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.”

### **2.3 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.

#### **2.3.1 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.

#### **2.3.2. 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*).

## **2.4 The London 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 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.*

## **2.5 Bishop Hellmuth Heritage Conservation District Plan**

The Bishop Hellmuth Heritage Conservation District Plan includes policies and guidelines related to alterations to properties located within the Bishop Hellmuth Heritage Conservation District. The policies of Section 4.4 (Building Conversions – Car Parking), Section 4.5 (New Building Policies – Car Parking), and Section 5.7 (Landscape Policies – Car Parking) are relevant to applications for front yard paving and parking with the Heritage Conservation District.

Section 4.4 (Building Conversions – Car Parking) states:

*Car parking should be located to the side or rear of the lot. Where car parking is seen from the street, landscaping should be introduced to provide a visual buffer. Privacy fencing or hedges should be considered where car parking may disturb neighbouring properties. Applicable by-laws shall apply.*

Section 4.5 (New Building Policies – Car Parking) states:

*A priority is that car parking be accessed off the back lane. If absent, car parking should be located to the side or rear of the new building. The car park should be landscaped or screened with a hedge or a traditional wood fence. The City's fence by-law shall apply.*

Section 5.7 (Landscape Policies – Car Parking) states:

*Paving over front yard for car parking is strongly discouraged. This destroys the landscape integrity of the historic streetscape.*

*Where car parks are established to the side or rear of a building, landscape buffers should be planted to visually screen the parked cars.*

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

None.

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

#### **4.1. Heritage Alteration Permit application (HAP22-081-L)**

The City was first contacted in August of 2022 to inquire about Heritage Alteration Permit approvals for front yard parking and a curb cut on the subject property at 864 Hellmuth Avenue. Staff noted that Heritage Alteration Permit approval was required and that the Bishop Hellmuth Heritage Conservation District Plan strongly discourages paving over front yards for car parking.

A complete Heritage Alteration Permit application was received by the City on November 2, 2022. The application seeks approval to remove a portion of the front yard to install a driveway at the front of the property, to the side of the dwelling. In citing the reasons for the proposed change to the property, the applicant noted accessibility concerns. Staff often work with applicants to plan for sensitive alterations to properties to accommodate accessibility upgrades, including barrier-free entries, and additions. No other accessibility alterations to the property have been proposed. An existing at grade entry appears to currently be in place at the rear of the dwelling.

The proposed front yard driveway will be 9 feet wide, starting from the corner of the property line extending to the side of the dwelling and will consist of concrete and interlocking brick (See Appendix C).

The Heritage Alteration Permit application also notes that there are various driveways elsewhere within the Bishop Hellmuth Heritage Conservation District and on Hellmuth Avenue. In particular, the applicant noted 25 front yard driveways located on Hellmuth Avenue.

In reviewing aerial photography coverage from 2002, the majority of the existing front yard driveways appear to be pre-existing, and therefore installed prior to the Bishop Hellmuth Heritage Conservation District coming into force and effect in 2003. A review of the Heritage Alteration Permits over the last 8 years also indicated that no Heritage Alteration Permits had been approved for front yard parking within the Bishop Hellmuth Heritage Conservation District.

The policies and guidelines of the Bishop Hellmuth Heritage Conservation District Plan strongly discourage paving of front yards for vehicle parking. Considering the policies, staff encourage the continued rear laneway and rear yard parking and any landscaping alterations that can be undertaken to address accessibility concerns.

#### **4.2 New Information and Extension of Timeline Under Section 42 of the *Ontario Heritage Act***

The Heritage Alteration Permit application (HAP22-081-L) was previously included on the agenda for the Community Advisory Committee on Planning (CACP) for the meeting scheduled for December 14, 2022. The advisory committee meeting was unable to proceed as there was not enough members present to reach quorum. As a result, the meeting was adjourned, and the applicant was unable to speak to the item at the CACP meeting.

The Staff Report for the Heritage Alteration Permit application for the CACP scheduled for December 14, 2022 can be found at the following link: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=96133>

A decision on a Heritage Alteration Permit application must be made within 90 days or the request is deemed permitted. However, Section 42(4) of the *Ontario Heritage Act* enables a municipality and applicant to extend the timeline to an agreed-upon period. Following the CACP meeting scheduled for December 14, 2022, the City received a written request from the applicant to extend the 90-day timeline pursuant to Section 42 of the *Ontario Heritage Act* to March 8, 2023. As per the Delegated Authority By-law (C.P.-1502-129), the Manager, Community Planning, Urban Design, and Heritage agreed to extend the timeline. The staff report on this Heritage Alteration Permit application was recirculated on the agenda for the CACP for its meeting held on February 8, 2023.

New information related to the Heritage Alteration Permit application and existing conditions of the subject property was submitted to the City since the previous staff report was published on the CACP Agenda for December 2022. Please see the Heritage Alteration Permit application package, and correspondence attached separately.

Staff have conducted an additional review of the Heritage Alteration Permit applications with regard to parking within the Bishop Hellmuth Heritage Conservation District. The previous staff report included a review of the Heritage Alteration Permits over the last 8 years (2015-2022), the most accessible HAP application data. The review indicated that no Heritage Alteration Permits had been approved for front yard parking within the Bishop Hellmuth Heritage Conservation District. Since then staff have reviewed all HAP applications from 2003, when the Bishop Hellmuth Heritage Conservation District came into force and effect, to the present. Since its designation, 1 HAP application for parking within the Bishop Hellmuth Heritage Conservation District was received and approved. This application was received in 2009 for the property located at 270 St. James Street, a corner property located at the northwest corner of St. James Street and Wellington Street. The property does not have access to a rear laneway, and the parking was located on the Wellington Street frontage, away from the primary façade of the dwelling.

The Register of Cultural Heritage Resources indicates that there are 120 properties located within the boundaries of the Bishop Hellmuth Heritage Conservation District that have access to rear laneways. Of the 120 properties, 56 (46%) were identified as having a driveway.

Despite the new information, the staff recommendation on this Heritage Alteration Permit application remains unchanged. Staff are more supportive of providing alterations at the rear of the property, including an extension of the existing rear parking area to permit parking closer to the side entry that is being considered for a removable ramp.

## **Conclusion**

The property at 864 Hellmuth Avenue is a significant cultural heritage resource designate pursuant to Part V of the Bishop Hellmuth Heritage Conservation District. The proposed front yard parking space on the heritage designated property at 864 Hellmuth Avenue is not consistent with the policies and guidelines of the Bishop Hellmuth Heritage Conservation District Plan. The application seeking approval for front yard parking should not be approved.

**Prepared by:** Michael Greguol, CAHP  
Heritage Planner

**Reviewed by:** Kyle Gonyou, MCIP, RPP, CAHP  
Manager, Heritage

**Submitted by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

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

**Appendices**

Appendix A Property Location

Appendix B Images

Appendix C Supporting Documentation for HAP Application

# Appendix A – Property Location



Figure 1: Location of the subject property at 864 Hellmuth Avenue, located within the Bishop Hellmuth Heritage Conservation District.



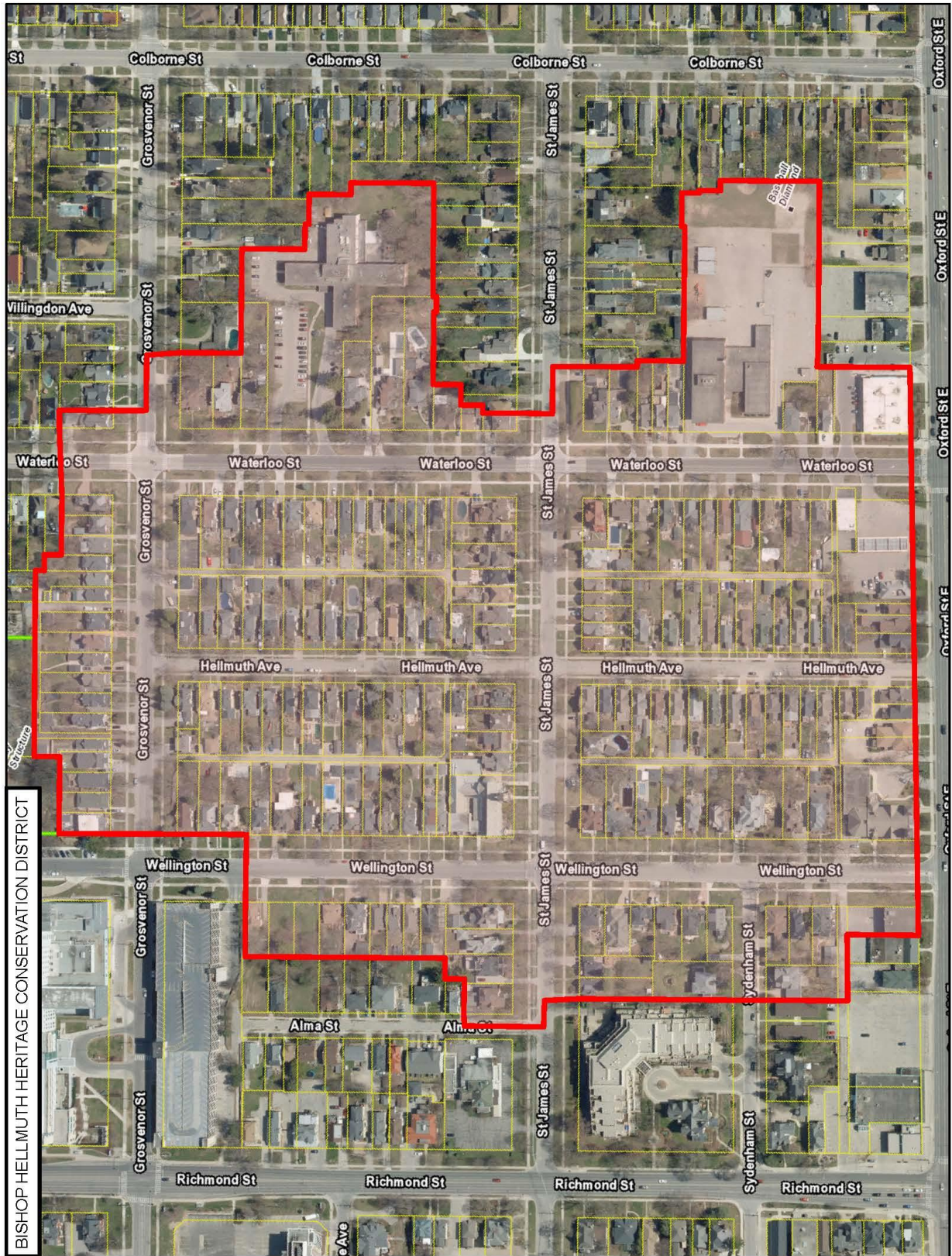


Figure 2: Aerial map, showing the boundaries of the Bishop Hellmuth Heritage Conservation District.



**Appendix B – Images**



*Image 1: Photograph showing the dwelling located at 864 Hellmuth Avenue.*



*Image 2: Photograph showing the front yard of the property at 864 Hellmuth Avenue.*





*Image 3: Photograph showing the dwelling on the property at 864 Hellmuth Avenue.*



*Image 4: Photograph showing existing walkway and landscaping in front yard at 864 Hellmuth Avenue.*





Image 5: Photograph showing rear yard parking and entry to the dwelling at 864 Hellmuth Avenue from laneway.



Image 6: Photograph showing at grade entry to the rear of the property at 864 Hellmuth Avenue.



**Appendix C – Supporting Documentation for HAP Application**

**Property drawing for Curb Cutting for  
864 Hellmuth Ave, London ON N6A3T8**

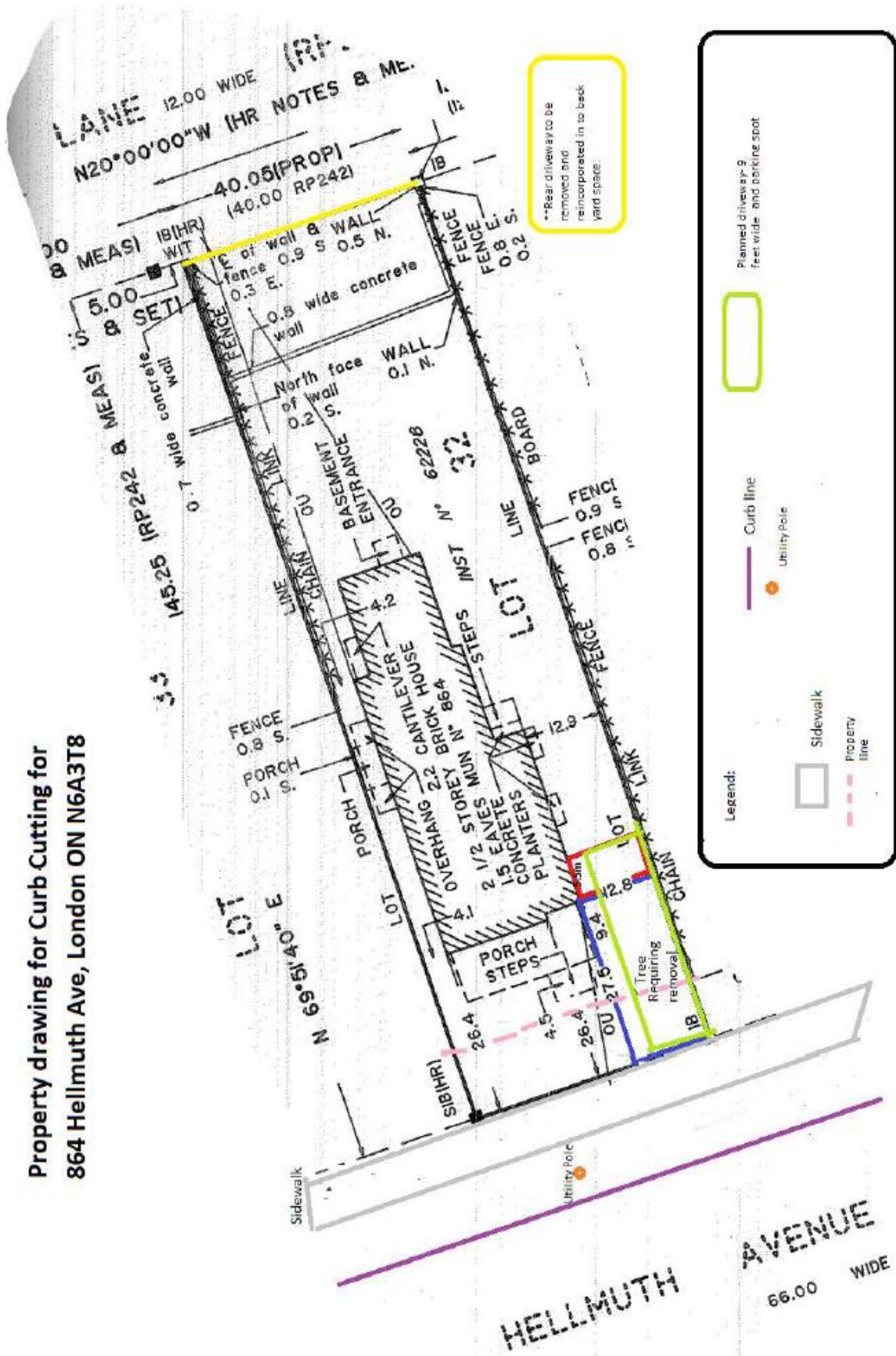


Image 7: Property drawing submitted with the Heritage Alteration Permit application showing the location of the proposed front yard driveway.





*Image 8: Photograph submitted by applicant as a part of the Heritage Alteration Permit application.*



# Path to access house from back



Image 9: Photographs submitted by the applicant as a part of the Heritage Alteration Permit application.





Right of house (when facing), location of proposed parking spot

Image 10: Photograph submitted by the applicant as a part of the Heritage Alteration Permit application.





**CITY OF LONDON  
HERITAGE ALTERATION PERMIT  
APPLICATION FORM**

Planning and Development  
300 Dufferin Avenue, PO Box 5035 ,London, ON N6A 4L9  
Tel: 519-930-3500 [heritage@london.ca](mailto:heritage@london.ca)

---

**1. WHAT IS A HERITAGE ALTERATION PERMIT?**

Heritage Alteration Permit approval is required prior to undertaking changes to a heritage designated property. These changes could include the alteration, replacement, removal, or destruction of the property's heritage attributes.

The intent of the Heritage Alteration Permit application process is to conserve the cultural heritage value of a heritage designated property and its heritage attributes for future generations.

**2. WHEN IS A HERITAGE ALTERATION PERMIT REQUIRED?**

For properties individually designated, Heritage Alteration Permit approval is required by Section 33(1) of the *Ontario Heritage Act* if any change is likely to affect any of the property's heritage attributes.

For properties designated as part of a Heritage Conservation District, Heritage Alteration Permit approval by Section 42(2.1) of the *Ontario Heritage Act* based on the classes of alterations identified in the applicable Heritage Conservation District Plan.

**3. WHAT IS THE HERITAGE ALTERATION PERMIT APPLICATION PROCESS?**

The following describes the typical process for a Heritage Alteration Permit:

**1. Contact**

A property owner or applicant contacts a Heritage Planner to determine if Heritage Alteration Permit approval is required for a potential or proposed change to a heritage designated property.

**2. Consultation**

Discussions with the property owner or applicant and a Heritage Planner regarding the scope of the proposed change and required information. This may include a pre-consultation meeting and/or a site visit to the property.

**3. Submit Heritage Alteration Permit application**

The property owner or applicant submits the Heritage Alteration Permit application, including all required information, to a Heritage Planner ([heritage@london.ca](mailto:heritage@london.ca)). The Heritage Planner will review the submitted application. If complete, the Heritage Planner will issue a Notice of Receipt, which initiates the legislated ninety (90) day review timeline.

**4. Type of Review/Approval**

The Heritage Planner will determine the type of approval required for the Heritage Alteration Permit application.



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**a) Delegated Authority – By-law C.P.-1502-129, as amended**

The Heritage Planner reviews the Heritage Alteration Permit application and makes a recommendation to the Manager, Community Planning, Urban Design and Heritage to approve or approve with terms and conditions.

**b) CACP Consultation, Municipal Council Decision**

The Heritage Planner reviews the Heritage Alteration Permit application and prepares a staff report to the Community Advisory Committee on Planning (CACP) with a recommendation to approve, approve with terms and conditions, or refuse the Heritage Alteration Permit application. With the recommendation of the CACP, Municipal Council will approve, approve with terms and conditions, or refuse the Heritage Alteration Permit application.

**5. Heritage Alteration Permit**

The property owner or applicant receives notification of the decision on their Heritage Alteration Permit application. Changes may be undertaken to the heritage designated property in compliance with the approval or approval with terms and conditions of the Heritage Alteration Permit.

**4. WHAT INFORMATION IS REQUIRED FOR A HERITAGE ALTERATION PERMIT APPLICATION?**

Sections A, B, C, D, E, and F of the Heritage Alteration Permit application form must be completed, and all required information submitted. Attachments must include the required information to provide the descriptive and technical information (information and materials) for the review of the Heritage Alteration Permit application.

Although it is not required to obtain professional assistance in the preparation of a Heritage Alteration Permit application, property owners/applicants are encouraged to seek the assistance of an architect, cultural heritage specialist, or experienced and qualified professional familiar with the requirements of conserving heritage designated properties.

A Heritage Alteration Permit application is deemed complete only when all required information has been received and accepted by the Heritage Planner. The Heritage Planner will review the submitted application to determine if the required information has been received. Once the Heritage Planner determines all the required information has been submitted to the City's satisfaction, a Notice of Receipt will be issued by the Heritage Planner, as required by the *Ontario Heritage Act*.



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The information listed below is required information for a complete Heritage Alteration Permit application:

**a) Description of Property**

Clearly identifying the property and its cultural heritage status pursuant to the *Ontario Heritage Act*.

**b) Proposed Change(s)**

Identifying the type of work, any related applications, a description of the proposed changes, and providing a rationale for the changes required as well as any potential impacts to the heritage attributes of the property.

**c) Required Information**

Required information can vary depending on the type, scale, and extent of the proposed change but generally includes, but is not limited to:

- Written description and specifications of the proposed change(s), including materials and methodology.
- Photographs that depict the existing building(s), structure(s), and heritage attributes that are affected and their condition and context.
- A site plan or sketch that illustrates the location of the proposed change(s).
- Dimensioned drawings of the proposed change(s). Drawings must document the existing condition and the proposed change(s). Drawings must include overall dimensions, specified sizes and labelled building elements, detailed architectural information with sizes and profiles, type of material and finishes specified on the drawings, construction methods and means of attachment. Freehand drawings are discouraged; pencil drawings cannot be accepted.
- All technical cultural heritage studies that are relevant to the proposed change. This could include, but is not limited to:
  - Historical documentation (e.g., old photographs, paint samples).
  - Heritage Impact Assessment.
  - Conservation Plan.

**d) Applicant Information**

Contact information for the property owner, authorized agent, and/or applicant.

**e) Declaration**

**f) Notes for Declaration**

**5. ADDITIONAL INFORMATION**

- There is no fee for a Heritage Alteration Permit application.



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- The maximum review period for a complete Heritage Alteration Permit application is ninety (90) days.
- The property owner or applicant may request a delegation to the CACP when their Heritage Alteration Permit application is being considered.
- The property owner may, within thirty (30) days after receipt of the notice of decision, appeal the Municipal Council's decision to the Ontario Land Tribunal (OLT) by giving notice of the appeal to the OLT and the City Clerk, setting out the objection to the decision and the reasons in support of the objection. Further details, including forms and prescribed fees can be found on the OLT website: [www.olt.gov.on.ca](http://www.olt.gov.on.ca).
- Inspections may be undertaken to verify compliance with the Heritage Alteration Permit.
- Any changes or deviations from the proposed work as submitted in a Heritage Alteration Permit application and approved or approved with terms and conditions shall require an amendment to the Heritage Alteration Permit. Property owners and applicants are encouraged to contact the Heritage Planner if any changes are proposed or contemplated to the alterations authorized by a Heritage Alteration Permit in advance of undertaking any changes.
- Non-compliance with an approved Heritage Alteration Permit, including any terms and conditions, may result in charges laid against the property owner for violation of the *Ontario Heritage Act*.



London  
CANADA

CITY OF LONDON  
HERITAGE ALTERATION PERMIT  
APPLICATION FORM

HAP \_\_\_\_-\_\_\_\_-\_\_\_\_

Planning and Development  
300 Dufferin Avenue, PO Box 5035 ,London, ON N6A 4L9  
Tel: 519-930-3500 [heritage@london.ca](mailto:heritage@london.ca)

**SECTION A: DESCRIPTION OF THE HERITAGE DESIGNATED PROPERTY**

Municipal Address: 864 Hellmuth Ave, London ON N6A3T8

Heritage Designation:  Part IV By-Law \_\_\_\_\_

Part V Heritage Conservation District Bishop Hellmuth

**SECTION B: PROPOSED CHANGE(S)**

Type of Work:  alteration  addition  new building  signage  other

Related Applications:  Building Permit  Sign Permit  other \_\_\_\_\_

Brief Description of Proposed Changes(s): \_\_\_\_\_  
Install driveway to the front right side of house (when facing house). Should this application not be approved, we will proceed with having our lawyer file a complaint with the Human Rights Tribunal of Ontario on the grounds of discrimination against a person with disabilities.

Reason for the Proposed Change(s): \_\_\_\_\_  
A disabled relative (mobility impairment) will be moving into the property. They are unable to access the house through the back as the house is on a hill and requires them to walk up 12+ steps. It is unmanageable to have no front driveway as loading and unloading two children under the ages of 2 as well as a disabled adult using the back lane is extremely burdensome and unsafe.

Potential impact(s) to the Property's Heritage Attributes: \_\_\_\_\_  
Nil. Many neighbours on the street have front driveways including the next door neighbour. In fact, on Hellmuth, 25 houses have front driveways (of which 8 are double driveways). Furthermore, the 3 houses directly to the left of my house have front driveways, i.e. #860 (double driveway), #856 (double driveway), and #862 (single). Additionally, in Bishop Hellmuth District of the 195 dwellings, 128 have front driveways.





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**SECTION C: REQUIRED INFORMATION**

- Written specifications, including materials and methodology
- Photographs that depict the existing building(s), structure(s), and heritage attributes that are affected by the proposed change(s) and their condition and context
- Site plan or sketch that illustrates the location of the proposed change(s)
- Dimensioned drawings of the proposed change(s)
- Technical cultural heritage studies:
  - Historical documentation
  - Heritage Impact Assessment
  - Conservation Plan
  - \_\_\_\_\_

**X Pictures of path to house from existing back lane driveway**



London  
CANADA

**CITY OF LONDON  
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Tel: 519-930-3500 [heritage@london.ca](mailto:heritage@london.ca)

**SECTION D: APPLICANT INFORMATION**

<b>Property Owner</b>		
Name [REDACTED] McCulloch-Squires		Phone [REDACTED]
Address 864 Hellmuth Ave		City London
Province ON	Postal Code N6A3T8	E-mail [REDACTED]
<b>Applicant (complete if Applicant is not the Property Owner)</b>		
Name		Phone
Address		City
Province	Postal Code	E-mail
<b>Agent Authorized by the Property Owner to Submit the Application</b>		
Name		Phone
Address		City
Province	Postal Code	E-mail

Who of the above is the primary contact?  Property Owner  Applicant  Agent





**CITY OF LONDON  
HERITAGE ALTERATION PERMIT  
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Planning and Development  
300 Dufferin Avenue, PO Box 5035 ,London, ON N6A 4L9  
Tel: 519-930-3500 [heritage@london.ca](mailto:heritage@london.ca)

**Property Owner's Authorization**

This must be completed by the Property Owner if the Property Owner is not completing the Heritage Alteration Permit application. If there are multiple Property Owners, an authorization letter from each Owner (with dated, original signature) is required or each Property Owner must sign the following authorization.

I, (we) \_\_\_\_\_, being the  
*Print name(s) of property owner, individual or company*  
registered Property Owner(s) of the subject lands, hereby authorize

\_\_\_\_\_,  
*Print name of agent and/or company (if applicable)*

to prepare and submit a Heritage Alteration Permit application.

_____ <i>Signature</i>	_____ <i>Date</i>
---------------------------	----------------------



London  
CANADA

**CITY OF LONDON  
HERITAGE ALTERATION PERMIT  
APPLICATION FORM**

Planning and Development  
300 Dufferin Avenue, PO Box 5035 ,London, ON N6A 4L9  
Tel: 519-930-3500 [heritage@london.ca](mailto:heritage@london.ca)

**SECTION E: APPLICANT'S DECLARATION**

This section must be completed by the person submitting the Heritage Alteration Permit application in the presence of a Commissioner of Oaths.

I,                      McCulloch-Squires \_\_\_\_\_ of the  
*Print name of Applicant*

London \_\_\_\_\_ in the Region/County/District of           Middlesex            
*Print name of City, Town* *Print name of Region/County/District*

solemnly declare that all of the statements contained in this application for a Heritage Alteration Permit at:

864 Hellmuth Ave. London, ON N6A3T8 ,  
*Property address of Heritage Alteration Permit application*

and all supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Declared before me at the County of Middlesex, in the Municipality of London,

this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

\_\_\_\_\_  
*Signature of Applicant*

\_\_\_\_\_  
*Commissioner of Oaths*

\_\_\_\_\_  
*Print name of Applicant*



CITY OF LONDON
HERITAGE ALTERATION PERMIT
APPLICATION FORM

Planning and Development
300 Dufferin Avenue, PO Box 5035 ,London, ON N6A 4L9
Tel: 519-930-3500 heritage@london.ca

Section F: NOTES FOR DECLARATION

initials

i. The applicant understands that the submission of this application does not guarantee a complete application has been received. Further review of the application will occur, and the applicant may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

initials

ii. The applicant grants permission for City of London staff to enter onto the property for the purposes of evaluating this applicant and acknowledges that the Corporation of the City of London, or a representative of the City, will keep a photographic record o the site conditions.

initials

iii. The applicant agrees that the proposed work shall be done in accordance with this applicant and understands that the issuance of the Heritage Alteration Permit pursuant to the Ontario Heritage Act shall not be a waiver of any of the provisions of any by-law of the Corporation of the City of London or the requirements of the Building Code Act, RSO 1980, c.51.

initials

iv. The applicant acknowledges that in the event that a Heritage Alteration Permit is approved or approved with terms and conditions, any departure from the approval or the term and conditions on the approval as imposed by Municipal Council of the Corporation of the City of London, or its delegated authority, is prohibited and could result in the Heritage Alteration Permit being revoked and charges laid against the property owner for violation of the Ontario Heritage Act.

initials

v. The applicant agrees that if the Heritage Alteration Permit is revoked for any cause of irregularity, in the relation to non-compliance with the said agreements, by-laws, acts, or regulations that, in consideration of the issuance of a Heritage Alteration permit, all claims against the Corporation of the City of London and its employees for any resultant losses or damages is hereby expressly waived.

NOTICE OF COLLECTION OF PERSONAL INFORMATION

The personal information collected on this form is collected under the authority of Section 33(2) and Section 42(2.2) of the Ontario Heritage Act, R.S.O. 1990, c. O.18 and will be used to process your heritage alteration application, contact you in relation to your application, and verify property ownership. Your name and home address will form part of a public agenda and report available on the City of London's website. Other information you provide, such as quotes for repairs, drawing, etc., may also form part of the public agenda/report. Questions about this collection should be addressed to the Manager, Urban Design and Heritage at 300 Dufferin Avenue, PO Box 5035, London, ON N6A 4L9. Tel: 519-661-CITY(2489) x4022, email: jkelemen@london.ca.



**CITY OF LONDON  
HERITAGE ALTERATION PERMIT  
APPLICATION FORM**

Planning and Development  
300 Dufferin Avenue, PO Box 5035 ,London, ON N6A 4L9  
Tel: 519-930-3500 [heritage@london.ca](mailto:heritage@london.ca)

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**OFFICE USE ONLY**

Complete Application:  (date of receipt) \_\_\_\_\_

Approval Type:  Delegated Authority By-law

Municipal Council

Related Applications:  Building Permit  Sign Permit  other \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Pre-consultation (date): \_\_\_\_\_

CACP (date): \_\_\_\_\_ PEC (date): \_\_\_\_\_ Municipal Council (date): \_\_\_\_\_

AMANDA entry: (date): \_\_\_\_\_

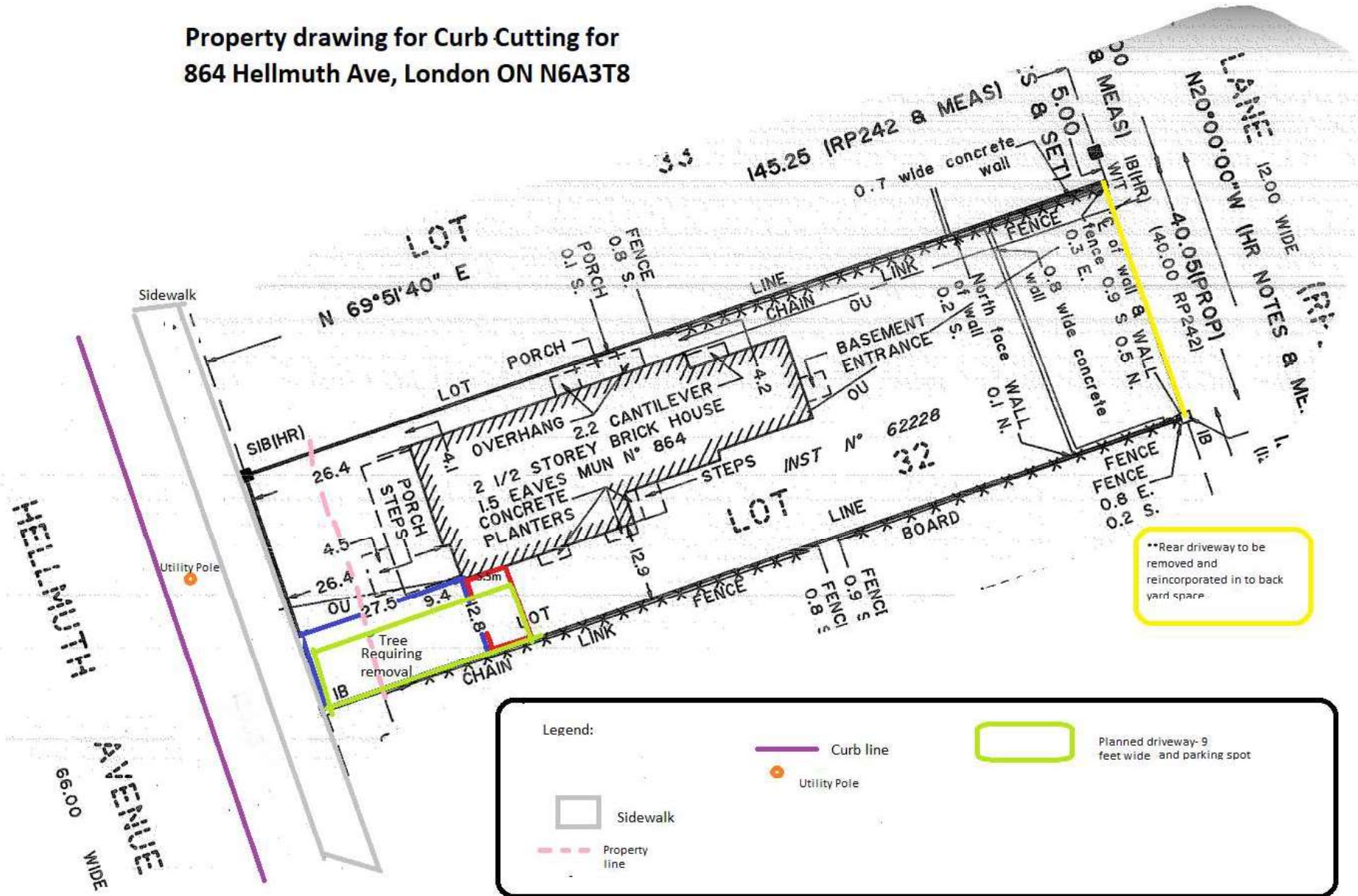
Work completed, Terms & Conditions fulfilled: (date): \_\_\_\_\_



**Written specifications, including materials and methodology**

Driveway will be kept to side of house only (we are not paving the entire front of property). We deeply value the heritage integrity of the home and are committed to preserving it. The driveway will be concrete/interlocking brick. The driveway width will be 9 feet wide starting from the corner of the property line (see property sketch attached).

Property drawing for Curb Cutting for  
864 Hellmuth Ave, London ON N6A3T8





CITY OF LONDON  
HERITAGE ALTERATION PERMIT  
APPLICATION FORM

Planning and Development  
300 Dufferin Avenue, PO Box 5035 ,London, ON N6A 4L9  
Tel: 519-930-3500 [heritage@london.ca](mailto:heritage@london.ca)

**SECTION E: APPLICANT'S DECLARATION**

This section must be completed by the person submitting the Heritage Alteration Permit application in the presence of a Commissioner of Oaths.

I, ██████████ McCulloch-Squires of the  
*Print name of Applicant*

London in the Region/County/District of Middlesex  
*Print name of City, Town* *Print name of Region/County/District*

solemnly declare that all of the statements contained in this application for a Heritage Alteration Permit at:

864 Hellmuth Ave. London, ON N6A3T8  
*Property address of Heritage Alteration Permit application*

and all supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the *Canada Evidence Act*.

Declared before me at the County of Middlesex, in the Municipality of London,

this 01 day of November, 2022.

X ██████████  
*Signature of Applicant*

*Commissioner of Oaths*

██████████ McCulloch-Squires  
*Print name of Applicant*

Domenic Anello, a Commissioner for taking Affidavits and Oaths, Middlesex County, while a deputized Clerk of The Corporation of the City of London.

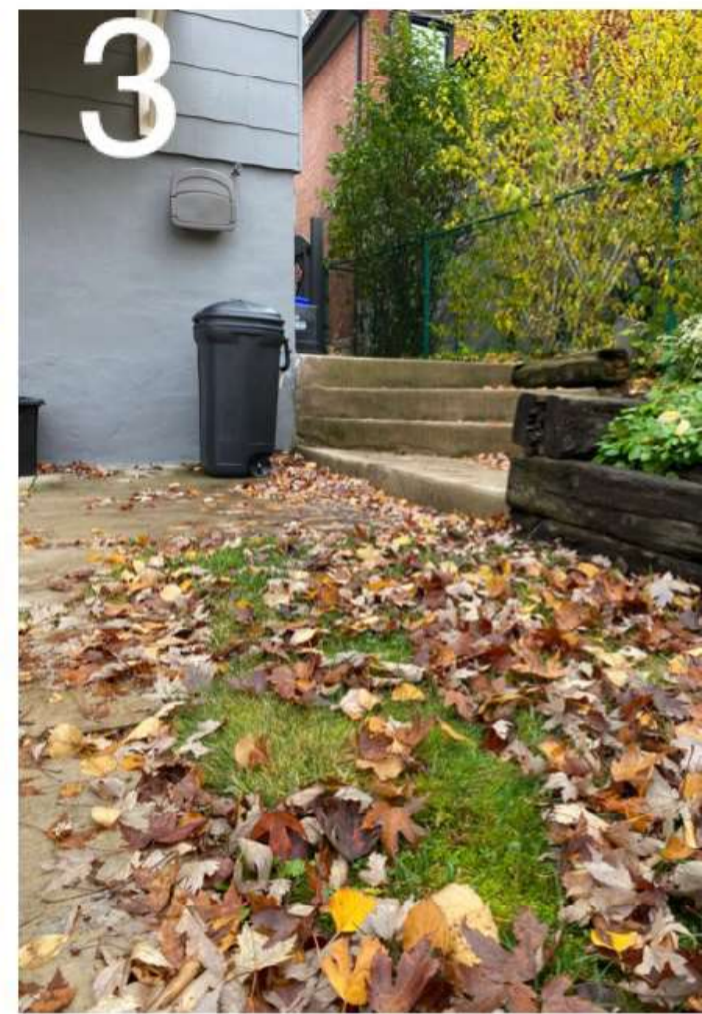
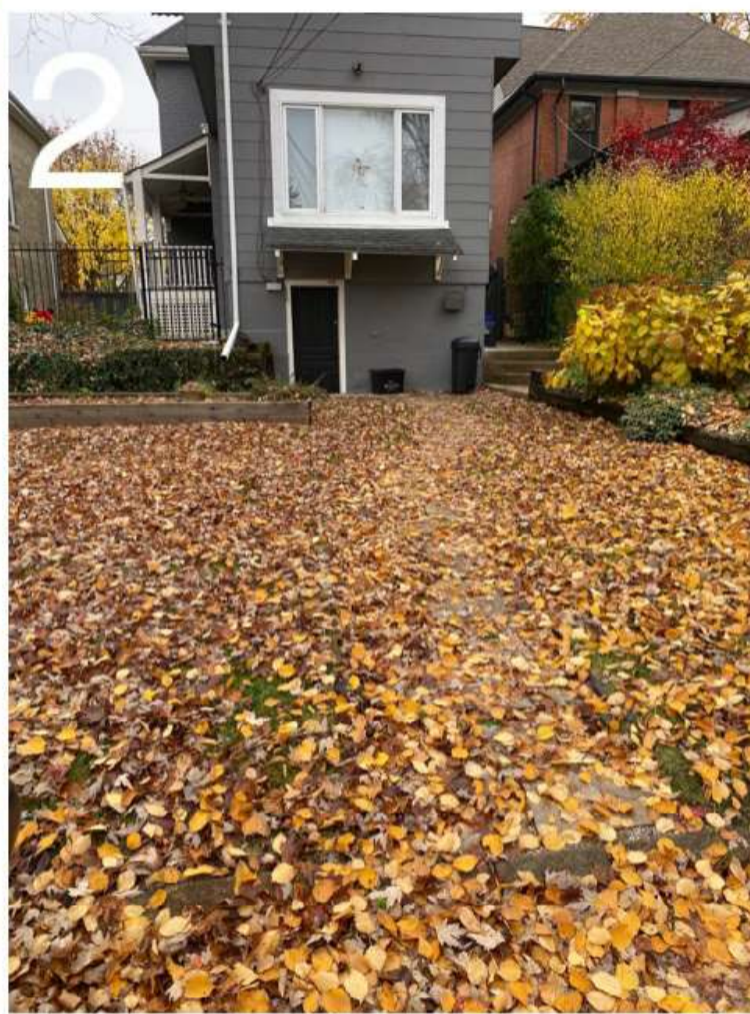




Front of house



# Path to access house from back







Right of house (when facing), location of proposed parking spot



My house  
864 Hellmuth

Driveway 1      Driveway 2





864 Hellmuth



Driveway 3

Driveway 4





## 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:** The London Plan Comprehensive Review: Preliminary  
Approach and Timeline

**Date:** February 21, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following report regarding a preliminary approach and framework of The London Plan Comprehensive Review **BE RECEIVED** for information.

## Executive Summary

In response to recent economic, population, and housing trends that are anticipated to continue over the long-term, it is an appropriate time to undertake a comprehensive review of the City's official plan, The London Plan. The purpose of this report is to provide a preliminary overview of the upcoming municipal comprehensive review process and next steps.

## Linkage to the Corporate Strategic Plan

The Comprehensive Review of The London Plan directly aligns with the "Building a Sustainable City" Strategic Area of Focus of Council's strategic plan. This alignment includes ensuring London's infrastructure is built, maintained, and operated to meet the long-term needs of our community; and, that London's growth and development is well planned and sustainable over the long term.

## Analysis

### 1.0 Background Information

#### 1.1 What is a Comprehensive Review?

The *Planning Act* requires that every municipality periodically review their official plan to ensure it conforms with provincial plans, has regard for matters of Provincial Interest, and is consistent with policy statements, including the Provincial Policy Statement (PPS). The legislation also directs that such reviews be undertaken within the first ten (10) years of a new official plan coming into effect, and then within every five (5) years thereafter.

The London Plan has not yet been in force for ten (10) years and as such the City is not obligated to undertake a review; however, given recent population and housing trends and legislative changes, the need to undertake a review of the Plan is considered appropriate at this time. Under the PPS, an official plan review enables the use of a comprehensive review which is the mechanism to ensure there is sufficient land available over the long-term to accommodate projected growth.

A Comprehensive Review is both a policy and growth management review. In addition to policy changes associated with updates to legislation, the review also requires an evaluation of lands to meet projected needs, as defined in the PPS. The PPS defines a Comprehensive Review as follows:

- An official plan review that is initiated by a municipality.
- Based on a review of population and employment projections.

- Considers alternative directions for growth or development; and determines how best to accommodate that development while protecting provincial interests.
- Accommodates projected growth and development through intensification and development; and considers physical constraints to accommodate proposed development within the existing urban growth boundary (UGB).
- Is integrated with planning for infrastructure, public service facilities, water resource planning, and water/wastewater services; and
- Considers cross-jurisdictional issues.

In accordance with Section 26 of the *Planning Act*, the Ministry of Municipal Affairs and Housing is the approval authority for a Comprehensive Review. Ministry, stakeholder, and public consultation will be an important component of this review.

## **1.2 Proposed Approach and Scope of the Comprehensive Review**

The proposed approach is to maintain the Vision, Goals, Key Directions and organizing structure of the recently OLT-approved version of The London Plan, while ensuring that The London Plan policies implement that structure. The proposed process would include broad input from the Ministry, industry and community stakeholders, and the public, while also satisfying legislated technical requirements related to land needs and the City's ability to accommodate projected growth in population, housing, and employment.

The proposed approach and scope are anticipated to include the following, subject to consultation with the Ministry and public:

### **1. Review Population and Employment Projections (2022)**

The first step is for a municipality to undertake projections for growth, consistent with provincial guidelines. These projections include population, housing, and employment lands for non-residential uses. This task has been completed. A 2021-2051 Growth Projections study, prepared by Watson and Associates, was approved by Council in December 2022.

### **2. Confirm Approach and Scope (Q1 2023)**

Prior to updating an official plan and undertaking a municipal comprehensive review, the *Planning Act* requires consultation with the Ministry and that a special public meeting of council be held to discuss the revisions that may be required. Ministry consultation has begun and a public open house will be held in early March to present the project to the public and seek input on the approach and scope. The required special meeting to initiate the project is anticipated on April 11, 2022 at Planning and Environment Committee to seek broad public input on the scope and terms of this project.

### **3. PPS Conformity Exercise (Q1-Q4, 2023)**

Consistent with the *Planning Act*, a review of The London Plan is required to ensure it conforms with Provincial Legislation and the Provincial Policy Statement, 2020.

Potential matters to review include PPS policies amended in 2020 that now require municipalities to maintain the ability to accommodate a minimum of 15 years of residential growth as well as allow municipalities the ability to identify sufficient lands to accommodate growth for a time horizon of up to 25 years. The London Plan currently identifies a horizon of 20 years. This means that the Urban Growth Boundary (UGB), which delineates lands planned for urban uses versus lands planned for agriculture and other rural uses, is to be planned to accommodate 20 years of projected growth. While the 20-year horizon currently used is consistent with the PPS, the City can now consider accommodating up to 25 years of projected growth. This policy review will be brought forward early in the process for Council direction.

Through the conformity review, staff may determine that additional policy matters may need to be reviewed and amended. A public consultation process will be associated with any proposed amendments to The London Plan.

#### 4. Land Needs Assessment: Land Capacity to Accommodate Supply (Q1-Q4, 2023)

Policy 1.1.2 of the PPS states that 'within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.' As such, urban lands must be inventoried and evaluated for their ability to accommodate projected growth. This exercise takes the housing demand that is determined through the forecast and applies it to the supply. Supply will be determined by considering opportunities for housing units to be created either through intensification within the existing built-up area or through development on designated growth areas, (i.e., greenfield sites) identified in The London Plan for urban uses.

Building on previous master planning work, a review of existing and planned municipal services will be undertaken to confirm that infrastructure is available to accommodate growth. This work will also be beneficial as it would form the basis for reviewing the infrastructure component of an alternative directions for growth exercise, if required.

A land needs assessment presenting the findings and providing residential intensification target options for Council consideration is anticipated by the end of 2023. Should any land supply shortfall be determined, the allocation of additional supply would then be considered through the review of alternative directions process discussed below.

##### 4a. Employment Area Review (Q1-Q4, 2023)

Parallel with this work, an Employment Area Review will be undertaken. Under the PPS, a comprehensive review also enables the review industrial land needs and the opportunity to convert Employment (industrial) lands to non-employment uses, provided the evaluation of the lands determines that they are not required for employment purposes over the long-term and that there is a need for the conversion (PPS s. 1.3.2.4). This process will include identifying employment land needs, reviewing the function of existing employment areas, receiving conversion requests from landowners and reviewing requests based on established criteria. Any recommended conversions and/or land supply shortfalls would be incorporated into the land needs assessment noted above for Council consideration.

#### 5. Alternative Directions for Growth, if required (Q4,2023 – Q2, 2024)

If the land needs analysis determines there is insufficient land to accommodate projected growth over the planning horizon, then alternative directions for growth can be investigated through a potential urban growth boundary (UGB) expansion. Once a shortfall is confirmed, the first step would be to present criteria for Council consideration that would be used to evaluate potential urban expansion areas against. A review of alternative directions would then be undertaken, and the findings and recommendations presented for Council consideration. The criteria would be developed consistent with the PPS. Matters to be evaluated for each proposed direction for growth may include, but are not limited to:

- logical extensions of the existing settlement area;
- servicing complexity and costs that build on the municipal servicing analysis completed as part of the Land Needs Assessment phase;
- compliance with Minimum Distance Separation (MDS) between existing livestock operations and new urban land uses; and
- impacts on prime agricultural areas and agricultural operations.

Requests to be included in the UGB may also be submitted from interested landowners during this process and will be evaluated based on the same criteria.



## 6. The London Plan Amendments, if required (Q2, 2024)

Any amendments to implement Council’s decision on the alternative directions for growth exercise would occur next as the existing policies of The London Plan and mapping may only be changed through an amendment to The London Plan. An amendment to The London Plan must demonstrate consistency with the PPS. Public engagement and notice, including a statutory public participation meeting before the Planning and Environment Committee, are also required before Council may amend mapping or relevant policies. The timeline and matters to be addressed in any subsequent London Plan Amendments will be contingent upon the results of the “Alternative Directions for Growth” analysis.

The Table below summarizes timelines for key activities of the Comprehensive Review.

Key Activities	2022	2023				2024	
		Q1	Q2	Q3	Q4	Q1	Q2
1. Review Population and Employment Projections	<input type="checkbox"/>						
2. Confirm Approach and Scope		<input type="checkbox"/>					
3. PPS Conformity Exercise		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4. Land Needs Assessment – Land Capacity		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4a. Employment Areas Review		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5. Alternative Directions for Growth (if required)					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. The London Plan Amendments							<input type="checkbox"/>

### 1.3 Consultation Opportunities

Before revising The London Plan through a comprehensive review, the City is required to consult with the Ministry and Agencies. The Ministry is the approval authority for the comprehensive review. A special public meeting is also required regarding Amendments to the Plan that may be required. Prior to the special meeting, Staff will be holding a public open house to present information to the general public and solicit feedback.

Stakeholder and public consultation will occur throughout the Comprehensive Review process, including information meetings and the special public meeting of Council. Consultations will include public meetings as well as meetings of identified stakeholder committees or advisory groups.

Reports to Council will be targeted at least quarterly and may include subjects such as: Terms of Reference public meeting, evaluation criteria for conversions of employment lands; policy conformity review results; vacant land inventory update results; intensification and redevelopment capacity analysis and associated intensification targets; and the recommendation report regarding results of the land needs analysis.

Also, if additional land is required to meet projected demand, then a public review process to amend The London Plan will be undertaken. If a UGB expansion is deemed warranted, then public meetings will be held regarding evaluation criteria and analysis of lands for potential expansion of the UGB, which are ultimately approved by the Ministry of Municipal Affairs and Housing.

## 2.0 Potential for Further Provincial Legislation Changes

Proposed project timing is based on the current legislation and provincial policy framework. It is important to note that the Province is also currently undertaking a

review of the PPS. The Province has stated that it is considering integrating the PPS and the Growth Plan for the Greater Golden Horseshoe into one policy document (note: the City of London is currently not subject to this Growth Plan).

At the time of writing of this report, the Province had not provided specific changes being considered, but has stated that this may include possible changes to directions regarding various municipal land use actions, including Urban Growth Boundary expansions, employment area conversions, rural housing development, intensification policy, natural heritage policy, and/or infrastructure supply directions.

All of the above may present possible implications for the reviews or amendments that are required as part of the City's Comprehensive Review. If the Provincial Government makes further changes to the legislative framework governing land use planning, or to the requirements for a Comprehensive Review, then the deliverables or timelines identified may be impacted in order to incorporate the legislative changes through this comprehensive review process.

## **Conclusion**

In December 2022, Council endorsed 2021-2051 growth projections for London. This included projected population growth, employment growth, housing units, and non-residential floor space growth. Now that projections are approved, the City is in a position to review and update The London Plan to ensure the policy approach is meeting the Key Directions and goals of the plan, to ensure consistency with Provincial policies, and to align The London Plan policies with recent growth and development trends that have occurred since approval of The London Plan.

In accordance with Section 26 of the *Planning Act*, the Ministry of Municipal Affairs and Housing is the approval authority for a Comprehensive Review. The City will consult with the Ministry and public to determine the matters to be addressed in the review. Following an initial consultation with Ministry partners, a public open house will be held to present the project to the public and seek input on the approach and scope. The required special meeting to formally initiate the project is anticipated to be held April 11, 2022 at Planning and Environment Committee to seek broad public input and Council direction on the scope and terms of this project.

**Prepared by:** Travis Macbeth, MCIP, RPP  
Senior Planner, Long Range Planning and Research

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

**Reviewed by:** Kevin Edwards, MCIP, RPP  
Manager, Long Range Planning, Research and Ecology

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

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

February 6, 2023  
TM/tm

## 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:** 1930-1940 Oxford Street East  
City File No. Z-9571 Ward 3  
Public Participation Meeting  
**Date:** February 21, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Oxford Seven Inc. relating to the property located at 1930-1940 Oxford Street East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting March 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with The London Plan, to change the zoning of the subject property **FROM** a Restrictive Service Commercial (RSC1/RSC4/RSC5) Zone, **TO** a Restrictive Service Commercial (RSC1/RSC2/RSC3/RSC4/RSC5) Zone;

## Executive Summary

### Summary of Request

The applicant has requested to rezone the subject site from Restrictive Service Commercial (RSC1/RSC4/RSC5) Zone to a Restrictive Service Commercial (RSC1/RSC2/RSC3/RSC4/RSC5) Zone to permit an expanded range of Restricted Service Commercial uses.

### Purpose and Effect of the Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to rezone the lands to add the RSC2 and RSC3 zones to the existing Restrictive Service Commercial (RSC1/RSC4/RSC5) Zone variation to expand on the range of uses currently allowed on the subject lands.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020.
2. The recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions and Commercial Industrial Place Type.
3. The recommended amendment would facilitate the reuse of an otherwise underutilized industrial building within an existing area that already facilitates both industrial and commercial uses.
4. The proposed amendment will assist in transitioning the area south of the railway corridor to commercial/industrial-oriented uses which are appropriate for the existing mixed-use landscape.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description



The subject lands are located near the northeast corner of Oxford Street East, and Clarke Road intersection, directly south of the Canadian National Railway tracks and within the Airport Planning District. The site is 1.15 hectares in size, with approximately 84.8 metres of frontage between the two lots along Oxford Street East. The existing building on 1940 Oxford Street East currently contains commercial uses, and the property located at 1930 Oxford Street East is strictly used as a parking lot.



**Figure 1: Photo of 1930-1940 Oxford Street East**

#### **1.2. Current Planning Information**

- The London Plan Place Type – Commercial Industrial
- Existing Zoning – Restricted Service Commercial (RSC1, RSC4, RSC5)
- Street Classification – Urban Thoroughfare (Oxford Street East)

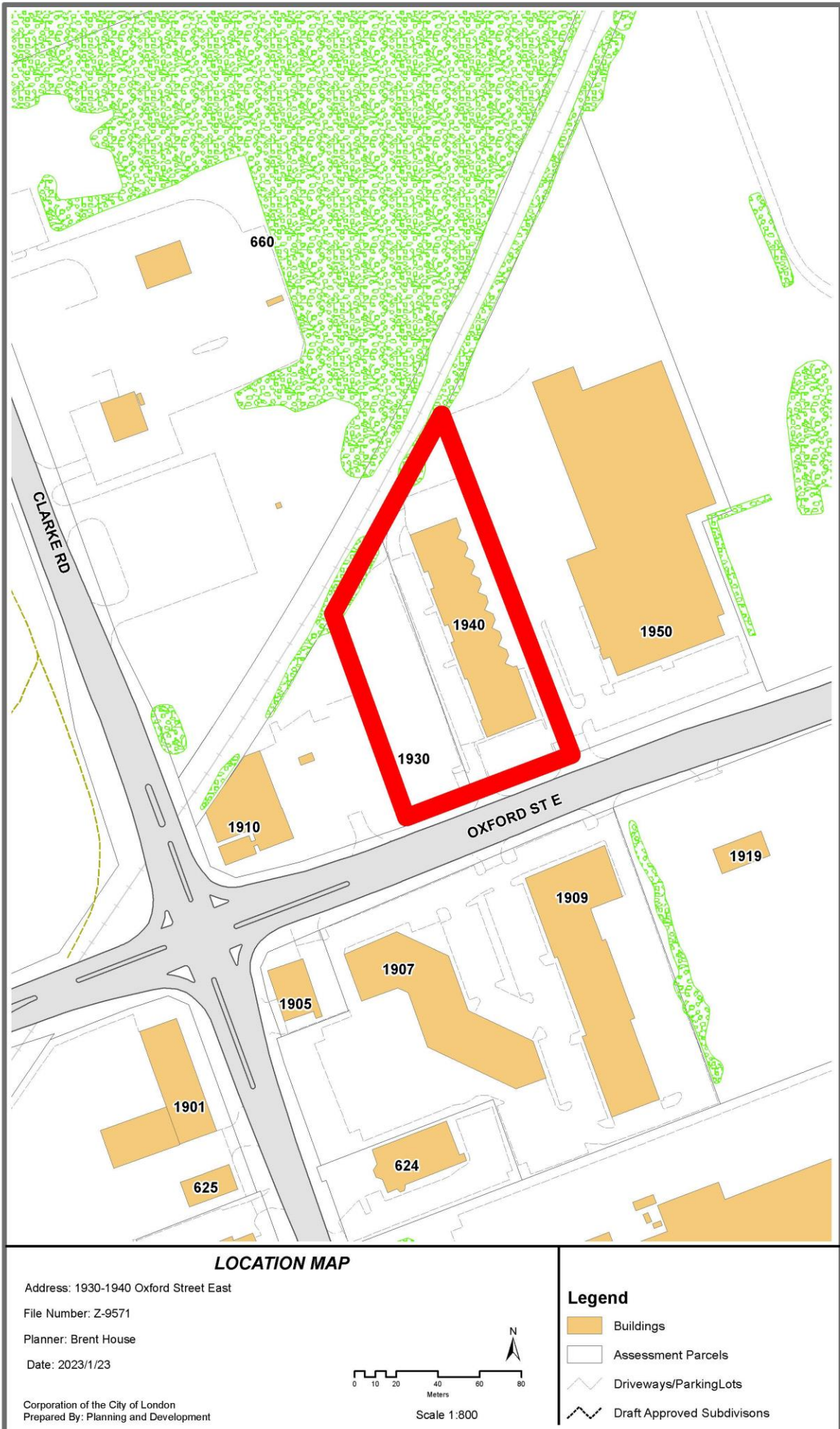
#### **1.3. Site Characteristics**

- Current Land Use – Industrial mall (containing industrial and commercial uses)
- Frontage – Oxford Street East (84.8m)
- Area – 1.15 hectares
- Lot Coverage – 22.6%
- Shape – Irregular

#### **1.4. Surrounding Land Uses**

- North – CN Rail Line
- South – Industrial Mall
- East – Warehouse
- West – Industrial Building

## 1.5 Location Map



### LOCATION MAP

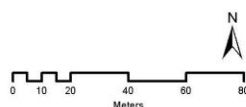
Address: 1930-1940 Oxford Street East

File Number: Z-9571

Planner: Brent House

Date: 2023/1/23

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



Scale 1:800

### Legend

- Buildings
- Assessment Parcels
- Driveways/Parking Lots
- Draft Approved Subdivisions

## **2.0 Discussion and Considerations**

### **2.1 Development Proposal**

The applicant has requested to rezone the subject lands to allow for further Restrictive Service Commercial (RSC2/RSC3) zone variations to be included on the subject lands. No exterior changes to the subject lands are proposed.

### **2.2 Requested Amendment**

The applicant has requested to rezone the lands to add additional Restrictive Service Commercial (RSC2/RSC3) zones to the current Restrictive Service Commercial (RSC1/RSC4/RSC5) zoning on site. This request will allow a broader range of uses, such as: Bulk beverage stores; Dry cleaning and laundry depots; Liquor, beer and wine stores; Pharmacies; Assembly halls; Clinics; Commercial recreation establishments; Emergency care establishments; Funeral homes; Laboratories; Medical/dental offices; Private clubs.

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

No comments were received from the public on this file.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

### **4.1. Issue and Consideration #1: PPS 2020**

*Provincial Policy Statement, 2020*

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (1.1.3.2).

Employment Areas are intended to be planned for, protected, and preserved for current and future uses. These areas shall ensure that the necessary infrastructure is provided to support current and projected needs. Specifically, planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations (1.3.2.6).

Planning authorities shall also promote economic diversity, development, and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs (1.3.1). Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The recommended amendment is in keeping with the PPS 2020 as it will permit additional uses on site helping to broaden the range of uses in the area, meet the long-term needs of the community, and promote a more diverse economic base. The recommended amendment contributes to a land use pattern that makes efficient use of existing land and resources within a settlement area and is appropriate for the available infrastructure (avoiding the need for unjustified and uneconomical expansion).



## 4.2 Issue and Consideration #2: Key Directions

### *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 for making wise planning decisions by:

- Thinking “big picture” and long-term when making planning decisions – considering the implications of a short-term and/or site-specific planning decision within the context of this broader view. (Key Direction #8, Direction 3)
- Ensuring new development is a good fit within the context of an existing neighbourhood. (Key Direction #8, Direction 9)

The London Plan also provides direction for building a mixed-use compact city for London’s future by:

- 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. (Key Direction #5, Direction 4)

The proposed rezoning supports these Key Directions by providing additional commercial-industrial uses on the subject lands which will further support the transition of the lands from industrial to commercial uses helping to better serve the surrounding community. The proposed amendment intends to re-use the existing building and parking area to include the additional uses that would aid in supporting the other industrial parcels in the area, whilst making use of an existing built form that already utilizes existing services and facilities.

## 4.3 Issue and Consideration #3: Use

The site is located within the Commercial Industrial Place Type of The London Plan along an Urban Thoroughfare (Oxford Street East). Permitted uses within the Commercial Industrial Place Type at this location include commercial uses that do not fit well within our commercial and mixed-use place types, due to the planning impacts that they may generate. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be located within this place type. The Commercial Industrial Place Type will be located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes (The London Plan, Policy 1112\_). The proposed range of uses to be permitted generally have a quasi-industrial character, whereby they may have components that don’t integrate well within streetscapes and neighbourhoods. The RSC2/RSC3 zone variations include such uses in the form of bulk sales establishments, dry cleaning and laundry depots, laboratories, and more that may not fit well within a traditional commercial land use context (1118\_,1119\_1). The additional uses are similar in nature to what currently exists on the subject lands, as well as the surrounding industrial context.

## 4.4 Issue and Consideration #4: Intensity

Policy 1124\_ of The London Plan directs the intensity of Industrial uses within the City of London. Policy 1124\_1 of The London Plan states Industrial uses will be encouraged to utilize land efficiently. High building coverage ratios and high employment densities will be sought wherever possible. In this instance, the proposed application provides opportunity for further intensification of an existing commercial industrial property by attracting a wider range of commercial tenants to the lands. Policy 1124\_2 of The London Plan states that the intensity of industrial uses may be moderated by zoning

regulations, where appropriate, to limit the extent of their noise, vibration, dust and odour emissions. As the lands are currently designated Commercial Industrial in the London Plan and are zoned for similar uses being RSC1/RSC4/RSC5, the additional range of uses proposed are considered appropriate as they are generally not sensitive to noise, vibration, emissions or the visual impact of outdoor storage, and the other potential impacts that may be generated by other light industrial or commercial industrial uses.

#### **4.5 Issue and Consideration #5: Form**

The site is located on a prominent portion of Oxford Street which contains a number of large industrial manufactures including 3M Canada, General Dynamics and General Motors Diesel Division. The majority of land uses surrounding the site are generally industrial in nature or support industrial uses including an industrial plaza, warehousing, office and manufacturing to the north and east, a mix of service trades, rental establishments, warehousing, manufacturing, offices and personal service establishments to the south and the west.

The uses being sought are to be located in the existing industrial plaza with access limited to Oxford Street. The subject site is self contained and provides sufficient off-street parking and loading areas for the existing and proposed range of uses. There will be no external impacts on neighbouring properties as no new buildings are being proposed through this application.

#### **4.6 Issue and Consideration #6: Adjacency to the CN Main Railway Line**

Policy 1772 of The London Plan outlines rail and pipelines policies for properties within close proximity to an existing railway line. Specifically, the policy directs that all proposed development adjacent to railways will provide appropriate safety measures such as setbacks, berms, and security fencing, to the satisfaction of the City in consultation with the appropriate railway (The London Plan, Policy 1772\_1). As part of the circulation for this application, the proposal was circulated to the Canadian National Railway, full comments of which are provided under Appendix B of this report.

Based on comments received from the CN Railway, the following protective measures were considered to be requirements for non-residential uses adjacent to the Main Rail Lines:

- A minimum 30 metre setback is required for vehicular property access points from at-grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may be a suitable alternative
- A chain link fence of minimum 1.83 metre height is required to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence.
- Any proposed alterations to the existing drainage pattern affecting Railway property require prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- For sensitive land use such as schools, daycares, hotels etc, the application of CN's residential development criteria is required.

The proposed additional uses are not considered a sensitive land use and the applicants are not intending to implement any exterior alterations or additions to the existing building. As development already exists on site (with no known issues from the CN railway or abutting properties) and as the proposed additional uses are not expected to generate an increase in traffic, noise, or odour to the area than already exists, the proposal can be considered appropriate for its location and is not anticipated to

negatively impact (or be impacted by) the adjacent railway. Furthermore, as municipal services already exist on the property, the City's Engineering Department has expressed no concern nor comment in regard to drainage pattern or additional site requirements to accommodate the new uses.

#### **4.3 Issue and Consideration #4: Zoning**

The applicant has requested to rezone the lands from the existing Restrictive Service Commercial (RSC1, RSC4, RSC5) Zone to a Restrictive Service Commercial (RSC1, RSC2, RSC3, RSC4, RSC5) Zone to permit additional Restrictive Service Commercial uses on the subject lands. The Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or interior building space and a location on major streets.

The subject site is located along an Urban Thoroughfare (Oxford Street East) which is considered a "major street" within The London Plan. The surrounding area consist mostly of industrial and commercial uses that cater to the surrounding community. The proposed RSC2 and RSC3 zones would permit a range of commercial and trade service uses that are suitable for the location a similar to existing permitted uses on site. The subject lands are already zoned for Restrictive Service Commercial uses, and the additional two zones will be compatible with the lands and surrounding uses. The proposed amendment does not seek any site alteration or additional special provisions as the existing site conditions can accommodate the proposed uses and will continue to conform to the current zoning regulations.

As such, staff are of the opinion that the proposed additional Restricted Service Commercial (RSC2, RSC3) Zones are appropriate for the site and would permit a range of commercial-industrial uses that are compatible with the surrounding area. The recommended amendment would also broaden the range and mix of uses, which supports and increase of industrial supply in the area. As such, the proposed use is considered appropriate and is being recommended for approval.

### **Conclusion**

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan. The recommended amendment would facilitate the reuse of the existing building with uses that are appropriate and compatible within its surrounding context.

**Prepared by:** Brent House  
Planner I

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

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

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

Copy: Britt O'Hagan, Manager, Community Planning, Urban Design and Heritage  
Michael Pease, Manager, Site Plans  
Ismail Abushehada, Manager, Development Engineering



## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2023

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

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1930  
& 1940 Oxford Street East

WHEREAS Oxford Seven Inc. has applied to rezone an area of land located at 1930 & 1940 Oxford Street 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 1930 & 1940 Oxford Street East, as shown on the attached map comprising part of Key Map No. A104, from a Restrictive Service Commercial (RSC1, RSC4, RSC5) Zone TO a Restricted Service Commercial (RSC1, RSC2, RSC3, RSC4, RSC5) Zone.

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.

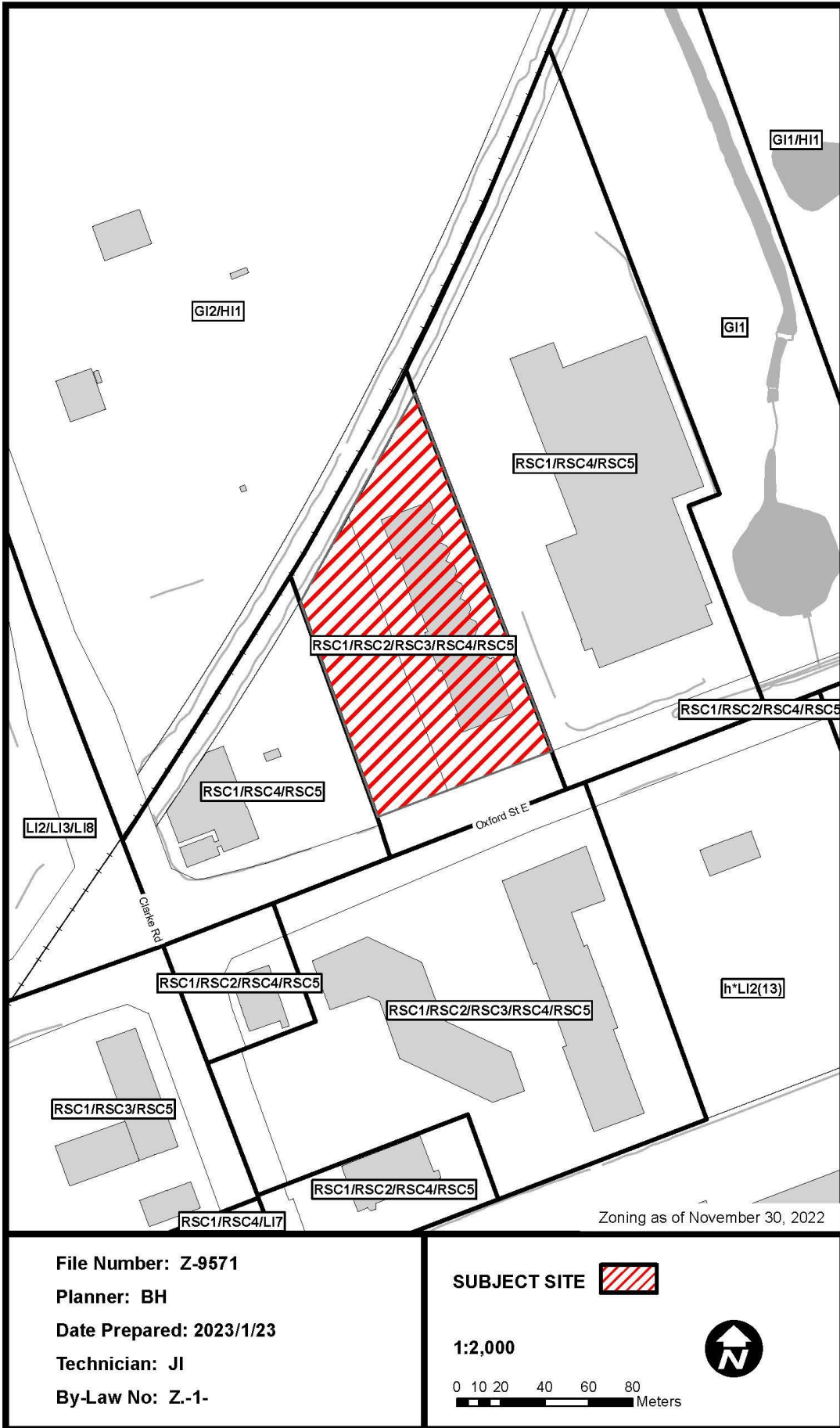
PASSED in Open Council on March 7, 2023

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – March 7, 2023  
Second Reading – March 7, 2023  
Third Reading – March 7, 2023

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





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On December 14, 2022, Notice of Application was sent to property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 15, 2022. A “Planning Application” sign was also posted on the site.

No public comments were received.

**Nature of Liaison:** The purpose and effect of this zoning change is to add additional Restrictive Service Commercial uses on the subject lands. Possible change to Zoning By-law Z.-1 **FROM** a Restrictive Service Commercial (RSC1, RSC4, RSC5) Zone **TO** a Restricted Service Commercial (RSC1, RSC2, RSC3, RSC4, RSC5) Zone.

**Public Responses:** 0

### Agency/Departmental Comments

#### January 17, 2023: CN Railway

CN recommends the following protective measures for non-residential uses adjacent Main Lines (note some are requirements):

- A minimum 30 metre building setback, from the railway right-of-way, in conjunction with a 2.5 metre high earthen berm or 2.0 metres for a secondary main line, is recommended for institutional, commercial (ie. office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (i.e. parks, outdoor assembly, sports area).
- A minimum 15 metre building setback, from the railway right-of-way, is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops).
- A minimum 30 metre setback is required for vehicular property access points from at-grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may be a suitable alternative.
- A chain link fence of minimum 1.83 metre height is required to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence.
- Any proposed alterations to the existing drainage pattern affecting Railway property require prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- While CN has no noise and vibration guidelines that are applicable to non-residential uses, it is recommended the proponent assess whether railway noise and vibration could adversely impact the future use being contemplated (hotel, laboratory, precision manufacturing). It may be desirable to retain a qualified acoustic consultant to undertake an analysis of noise and vibration, and make recommendations for mitigation to reduce the potential for any adverse impact on future use of the property.
- For sensitive land uses such as schools, daycares, hotels etc, the application of CN’s residential development criteria is required.
- There are no applicable noise, vibration and safety measures for unoccupied buildings, but chain link fencing, access and drainage requirements would still apply.

January 5, 2023: Landscape Architecture

I have no comments on this Notice of Planning Application for Zoning By-Law Amendment

December 16, 2022: Parks Planning

The ZBA is to permit additional uses to existing building, PLTP has no comments.

January 5, 2023: Ecology

There are currently no ecological planning issues related to this property and/or associated study requirements. 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.

December 22, 2022: Urban Design

We've reviewed the application materials for Z-9571 and have no urban design comments at this time.

Further comments may be provided through the SPA process.

January 2, 2023: UTRCA

The UTRCA has no objections or requirements for this application.

December 22, 2022: Site Plan

Site Plan Approval is not required for this application as no exterior changes are occurring.

December 22, 2022: Engineering

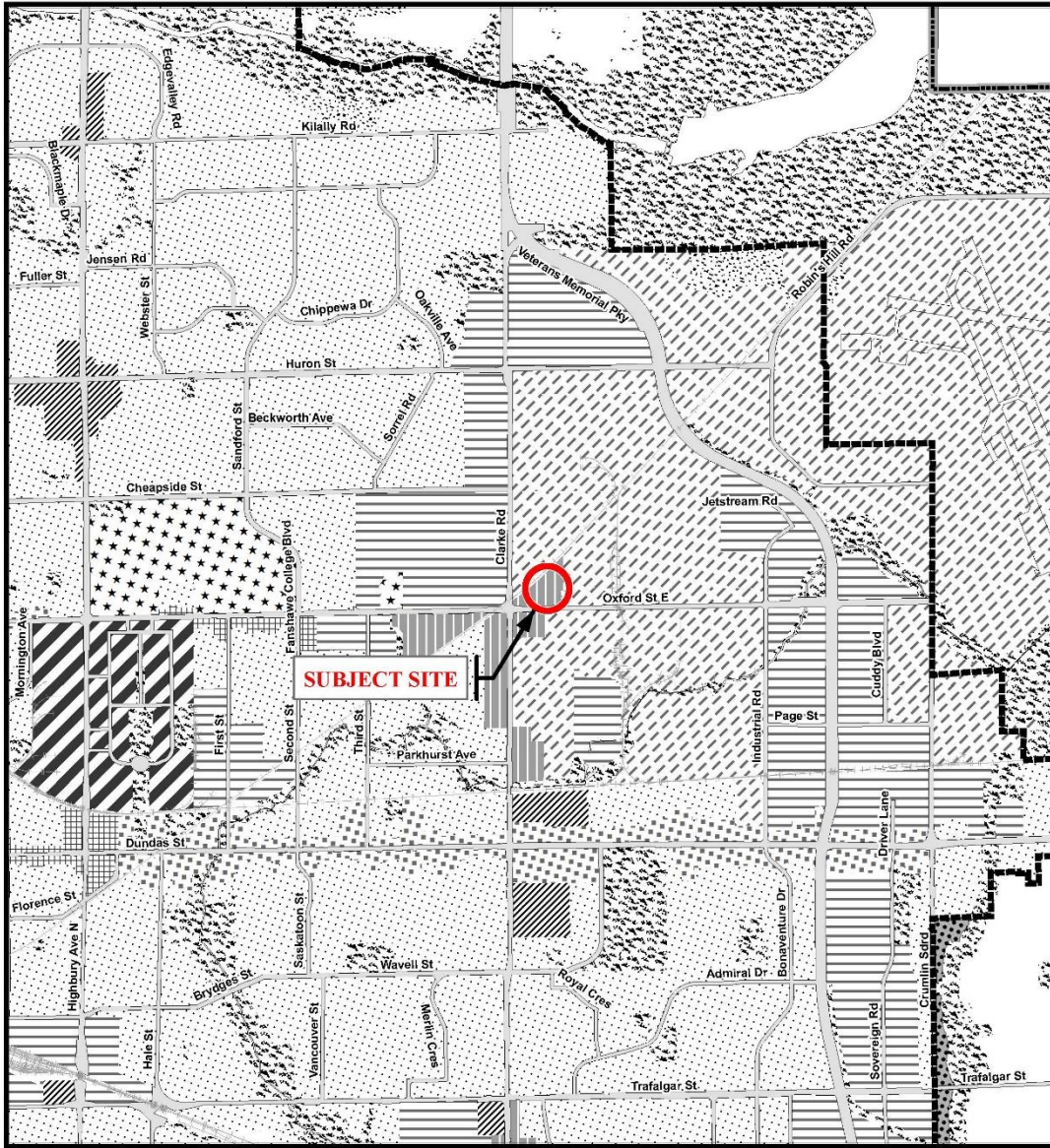
Engineering has no concerns/comments with the re-zoning since there are no exterior/interior changes proposed.

January 3, 2023: 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.

# Appendix C – Relevant Background

## The London Plan – Map 1 – Place Types



### Legend

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

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

<p><b>CITY OF LONDON</b> Official Plan</p> <p><b>LONDON PLAN MAP 1</b> - PLACE TYPES -</p> <p>PREPARED BY: Planning &amp; Development</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>File Number:</b> Z-9571</p> <p><b>Planner:</b> BH</p> <p><b>Technician:</b> JI</p> <p><b>Date:</b> 2023/1/23</p>
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Project Location: \\cfile1\giswork\Planning\Projects\lp\_officialplan\workconsolid00\excerpts\_LondonPlan\mxd\Z-9571\_Map1\_PlaceTypes.mxd



# Zoning By-law Z-1 – Zoning Excerpt



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSC1/RSC4/RSC5**

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

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

**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-9571

BH

MAP PREPARED:

2023/1/23

Jl

1:2,500

0 12.525 50 75 100 Meters

## Report to Planning and Environment Committee

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

**From:** Kelly Scherr, P.Eng., MBA, FEC  
Deputy City Manager, Environment and Infrastructure  
Scott Mathers, MPA, P.Eng  
Deputy City Manager, Planning and Economic Development

**Subject:** Request from Municipality of Middlesex Centre: Arva Sanitary Servicing

**Date:** February 21, 2023

## Recommendation

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, and the Deputy City Manager, Planning and Economic Development, regarding the request by the Municipality of Middlesex Centre for an amendment to the servicing agreement between the Municipality and the City of London, the following report **BE RECEIVED** and that:

- a) authority **BE DELEGATED** the Deputy City Manager, Environment and Infrastructure, or the Deputy City Manager, Planning and Economic Development to approve an amendment to the Agreement removing the annual and five year limits on units added; and
- b) the Mayor and the City Clerk **BE AUTHORIZED** execute the amendment to the Agreement approved by the Deputy City Manager, Environment and Infrastructure, or the Deputy Ceity Manager, Planning and Economic Development

## Executive Summary

### Purpose

The purpose of this report is to provide Council with information on the existing agreement with the Municipality of Middlesex Centre for sanitary servicing for the Arva Settlement Area, and the amendment to the agreement that has been requested by Middlesex Centre.

### Context

The City of London provides Wastewater Servicing to Arva via a pumping station owned and operated by Middlesex Centre that discharges to the City of London sanitary sewer collection system. Middlesex Centre is currently undertaking a Master Servicing Plan, which includes examining alternatives for the provision of wastewater treatment in the settlement areas such as Arva.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

September 25, 2017 – Report to Planning & Environment Committee: “Request from Municipality of Middlesex Centre: Arva Sanitary Servicing and Delaware Water Servicing”.

August 15, 2011 - Report to Built and Natural Environment Committee; Information report on "Request from Municipality of Middlesex Centre - Sanitary Servicing for Arva".

September 27, 2010 - Report to Planning Committee; Information report on "Sanitary Servicing for Arva".

July 19, 2010 - Report to Environment and Transportation Committee; "Consolidated Water Supply Agreement with the Municipality of Middlesex Centre".

March 22, 2010 – Report to Environment and Transportation Committee; "Wastewater Treatment Agreement for Arva, delegation and written communication. (A. Edmondson, Mayor) (item 22)

March 17, 2008 – Report to Environment and Transportation Committee; "Water Supply to Kilworth-Komoka and Mount Brydges". (item 5)

March 31, 2003 – Report to Environment and Transportation Committee; "Principles for Future Negotiation for Water Supply to Areas Outside the City of London from the City's Distribution System and Amendment to the Delaware Water Supply Agreement".

May 23, 2000 - Report to Planning Committee; "Arva Sanitary Sewer System Agreement; Provision for Staging of Development".

Additional: the Sewage Treatment Agreement for the Arva Sewage Service Area, executed April 3, 2000 (as amended, June 21, 2000) – relates to the Arva Water Area.

March 27, 2000 - Report to Planning Committee and ETC; "Connection of Arva to the Sanitary Sewer System".

## **2.0 Discussion and Considerations**

### **2.1 History**

In early 2000, the City received a request from the Township of Middlesex Centre to allow sanitary sewage flows from the hamlet of Arva to be directed into the City's sewer system with all related costs to be borne by the Township. The request followed an environmental assessment of Arva servicing issues and options which determined that faulty septic systems and illegal storm sewer connections were contributing to unacceptable pollutant loading in Medway Creek. The EA identified a connection to the London sewer system as the preferred alternative and this solution was supported by the Ministry of the Environment. The proposal involved the construction of a local collection system and pumping station with sewage flows directed by forcemain along Richmond Street to an existing gravity sewer north of Fanshawe Park Road which is part of the Adelaide PCP collection system. The negotiated agreement was clear in expressing that the servicing was being provided for *"existing development in the Arva Sewage Service Area pending finalization of negotiations on the staging of development in the growth area and that there shall be no extension of its sanitary sewer system beyond the limits of the Arva Sewage Service Area without the approval by the City"*.

In 2010, 2011, 2013, and in 2015, Middlesex Centre officials requested that City Council consider having the existing sanitary servicing agreement amended to increase the amount of sanitary sewage flows directed from the Arva settlement area into the City's sanitary collection and treatment system. An amended agreement was drafted following the September 2017 report to the Planning and Environment Committee but was never finalized. At this time the agreement signed April 3, 2000 is still in effect.

### **2.2 Planning Context**

Decisions regarding the agreement to provide sanitary services to Middlesex Centre have centred around the pros and cons summarized below. These are the factors that resulted in the annual and five-year caps on the number of units that could be developed.



## Pros

- Inter-municipal co-operation in the provision of services. The Provincial Policy Statement encourages co-ordination between municipalities on servicing matters which cross municipal borders, and recognizes current agreements.
- The London Plan allows the provision of services to an area in an adjoining municipality where it was previously approved and/or provided for under an agreement between the City and the benefitting municipality [462].
- Directing sewage flows to the City's system is a cost-effective servicing solution for growth within the Arva Settlement Area.
- This is a preferred solution from an environmental perspective as it avoids the potential of a new sewage treatment facility discharging to Medway Creek.
- Lessens the potential for future expansion of the Arva Settlement Area.
- Provides an opportunity for the City to have some control over the rate of growth in Arva.
- The servicing requirements to support the estimated proposed growth in Arva are accommodated within the City's system. The demand flows are relatively small in comparison to the City.
- No discharge of flows into the Medway Creek.

## Cons

- Facilitating growth outside of the City's Urban Growth Area may be negatively perceived by London developers as a potential detriment to their competitive position and a loss of market for new units within the City.
- Facilitating peripheral growth that is not conducive to the intensification of land use and compact urban form.
- Potential loss of DC revenues to the City unless an appropriate payment for sanitary and water servicing in lieu of these components of the City's DC fee is negotiated.
- While the cap on sewage flows under the existing agreement has not yet been reached, there is residual capacity to accommodate some new growth.
- Part of the rationale for the existing agreement was the need to remediate environmental problems with individual on-site septic systems. This circumstance no longer exists.

### **2.3 Current Request for Amendment**

The City received a request via letter from Middlesex Centre dated November 25, 2022 requesting that the agreement be amended to remove the annual and 5-year caps on the number of units that may be added. This would not amend the agreement to permit any additional units beyond what was contemplated in the existing agreement. The current Agreement provides for the equivalency of 10 units per year, with the total number not to exceed an equivalency of 50 units in each five year period.

This amendment will not accommodate the full development potential of the Arva settlement area. The capacity for growth and development within the settlement area would still be controlled by the agreement with the City of London.

Staff believe it is reasonable to amend the Agreement to remove the annual cap of 10 unit equivalencies per year, but retain the maximum allocated capacity of 175 m<sup>3</sup>/day and peak flow of 29.6 L/s. This would retain control over the total growth, but would remove any annual control or monitoring of the rate of growth in Arva by the City. Staff

have advised Middlesex Centre that we do not currently have capacity beyond the 175 m3/day to allocate to them. As such, Middlesex Centre has not requested an increase in the total or peak flows at this time.

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

There is no overall change in costs to the City as a result of the proposed change. Middlesex Centre is charged at the residential rate for London users.

### **Conclusion**

The Municipality of Middlesex Centre is seeking to remove the annual and 5-year caps on the number of units built in order to allow growth in Arva. They are not currently requesting any additional sanitary servicing capacity beyond what has been previously allocated in the existing sanitary servicing agreement. As such, the City of London's sanitary sewer system can accommodate the removal of the staged capacity allowance.

When this matter was previously raised in 2017, the City was prepared to amend the current agreement to provide for this request and an amended draft agreement was prepared to remove the annual and 5-year caps on the number of units permitted.

The Provincial Policy Statement encourages coordination amongst municipalities when considering growth-related issues, including waste water treatment, transportation and impacts upon public health and the environment. Additionally, the provision of sanitary servicing to communities outside of the City's boundary is in conformity with The London Plan.

City Staff are seeking direction to confirm that Municipal Council supports the amendment of the current servicing agreement with the Municipality of Middlesex Centre to remove the caps on the number of units permitted.

**Submitted by:** Ashley M. Rammeloo, MMSc., P.Eng  
Director, Water, Wastewater, and Stormwater

**Recommended by:** Kelly Scherr, P. Eng., MBA, FEC  
Deputy City Manager, Environment & Infrastructure

Scott Mathers, MPA, P.Eng.  
Deputy City Manager, Planning & Economic  
Development

cc: Rob Cascaden, Municipality of Middlesex Centre  
Heather McNeely, Director, Planning and Development MCIP, RPP



January 31, 2023

City of London  
300 Dufferin Avenue  
London ON N6A 4L9

Attn: Barb Westlake-Power, MPA; Deputy City Clerk; **Planning & Environment Committee**

Re: **Request to review and approve Community Plan & Incentives**

Dear Barb Westlake-Power, MPA; Deputy City Clerk

Hyde Park in Uptown London, situated in Northwest London, continues to grow exponentially within the existing BIA boundaries. This area is unique in that it connects outlying rural communities from both north and west to Hyde Park, the growing urban centre of the region.

The City of London approved the first official Hyde Park Community Plan in 1999 which highlighted the "Hyde Park Hamlet" being established along Hyde Park and Gainsborough Roads. This resulted in these roads being zoned as Business District Commercial (BDC) with a Main Street designation that was grandfathered into the current London Plan.

In reaction to, and because of the extensive road widening along Hyde Park Road in 2014/2015, fear that the Hyde Park Hamlet (running across Hyde Park and Gainsborough Roads), would be lost, spawned the then Business Association to pursue their BIA designation. A BIA would facilitate their ability to utilize CIP tools which would be integral to the regeneration and development of the Hyde Park Hamlet along Gainsborough Road.

The Hyde Park BIA designation was approved by Council in 2017 which has given them the ability to bring beautification, contribute towards community improvement initiatives, launching and growing events, and more to the area.

In sync with the BIA designation process, the Hyde Park Business Association took the first step six years ago in May 2017 by making the request to be added to the next Planning & Environment Committee (PEC) agenda for consideration of being added to the City's work-plan as it related to a new Hyde Park Community Improvement Plan (CIP). The request was reviewed and approved by committee.

The Hyde Park Community Regeneration Report was finalized by staff and presented to committee and council in 2019 *without* the recommendation for the requested CIP. The Hyde Park BIA respectfully disagrees with the 'rationale for recommended actions' stated in the report.

While Hyde Park Road has seen growth and diversification, Gainsborough Road itself, has seen very little activity and investment. The 2019 Regeneration report did not address the concerns on Gainsborough Road.



## Hyde Park Business Improvement Association

*"Businesses Working Together to Foster a Vibrant Community"*



Contrary to the Hyde Park Community Regeneration Report, the Hyde Park BIA is not in a financial position to develop the hamlet, nor do we possess the planning skills or knowledge. As well, a key developer in the area has confirmed there is very little interest from the Developer Community to invest in the properties along Gainsborough Road.

Today, it is the goal of the Hyde Park business and surrounding community to achieve the vision of the Hyde Park Hamlet contained within Hyde Park's Official Community Plan and approved (by the City of London Council) 25 years ago. We envision a community hub comprised of small/medium businesses setting up and investing in small specialty retail shops and food establishments. This will increase pedestrian traffic, attract shoppers, and spur economic growth and social prosperity; A warm attractive destination place in the northwest corner of London for shopping, recreation, lifestyle and living.

We believe that investing in the Hyde Park Hamlet is a good investment for the city and that it aligns with London's existing 2019-2023 Strategic Plan as well as the developing draft 2023-2027 Strategic Plan:

- Supports economic growth, culture, and prosperity.
- Supports an environment where entrepreneurs, start-ups, businesses, and talent can thrive.
- The revitalization of this urban area will increase public and private investments.
- The Hyde Park Hamlet will work to strengthen our community by creating and increasing community gathering spaces in this neighbourhood.
- Supports mobility by creating a walkable space and place giving Londoners a strong sense of belonging and a sense of place increasing their well being and quality of life.
- The Hamlet fits within and enhances its surrounding community as identified in Hyde Parks Official Community Plan.
- Supports increasing tourism by attracting populations from neighbouring counties in proximity from the north and west.

We also believe we have a once in a lifetime opportunity to proactively shape the booming growth that is taking place in Hyde Park with thoughtful community planning and the right tools in place that a CIP can offer – before it becomes a reactive situation.

The Hyde Park Hamlet has little hope of becoming a reality without the financial help a CIP can offer to incentivize and regenerate Gainsborough Road both east and west of Hyde Park Road.

In alignment with this request, staff and the Hyde Park Board of Management is working on our four-year Strategic Plan and workplan to provide support for regeneration efforts and believes that steps needed to create the hamlet is our top priority. As such, we are respectfully requesting that the PEC Committee consider approving a CIP for the regeneration of Gainsborough Road and towards reaching the vision of the Hyde Park Hamlet.

## Hyde Park Business Improvement Association

*"Businesses Working Together to Foster a Vibrant Community"*



To address the London Plan criteria for establishing a CIP area:

Significant environmental, social or community economic development reasons for community improvement and as noted in the Regeneration Report:

- This area is one of London's fastest growing residential areas and we are experiencing growing pains that we anticipate will be amplified as growth continues.
- This area also has the highest rate of welcoming newcomers.
- This area is poised for a residential population boom with 10 development applications, two mixed use developments ready for occupancy this spring, along with a potential new affordable community to be developed within the BIA boundaries.
- The current plan for population growth lacks the characteristics and enhancements that the Hamlet will bring.

Deficiencies specific to Gainsborough Road include:

- Deficiencies in physical infrastructure on Gainsborough Road which would include decorative lighting as part of the streetscape and municipal parking facilities (to support the village and community building events).
- Future commercial areas with poor physical condition and visual quality including facades with reference to existing structures, some with historical value on Gainsborough Road.
- Vacant lands on Gainsborough Road west.
- There are major traffic and parking deficiencies in this area.
- Infrastructure costs related to enacting the commercial zoning, meeting building codes, etc.

CIP tools that the Hyde Park BIA believes will have great impact include:

- **Façade Improvement Loan** to improve existing structures as they convert to commercial use while enhancing and maintaining their unique characteristics as the Hamlet develops.
- **Upgrade to the Building Code Loan** to help alleviate costs such as those associated with the removal of the H17 Holding Provision that exists on these properties, Site Plan Consultations and resulting required infrastructure upgrades.
- **Tax or Development Charges Rebates** for new buildings or additions to accommodate small business.

Thank you in advance for your consideration and warm regards,

Donna Szpakowski  
CEO & General Manager; Hyde Park Business Improvement Association  
donna@hydeparkbusiness.com



# PEGGY SATTLER

MPP London West  
Députée provinciale de London-Ouest

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City of London  
300 Dufferin Avenue  
London ON N6A 4L9

Attn: Barb Westlake-Power, MPA; Deputy City Clerk; Planning & Environment Committee

February 16, 2023

**RE: Letter of Support for Hyde Park Hamlet CIP application**

Dear Barb Westlake-Power,

I am writing in support of the application submitted by Hyde Park Business Improvement Association (HPBIA) to establish a Community Improvement Plan (CIP) for the Hyde Park Hamlet at the corners of Gainsborough and Hyde Park Roads. As a rapidly growing and developing area of the city facing several unique challenges to sustainable growth and community building, the Hyde Park area would greatly benefit from the municipal support a CIP provides.

Hyde Park is already an important shopping, dining, and entertainment hub in Uptown London catering to a diverse community. It attracts shoppers and patrons from the local area as well as outlying bedroom communities, such as Mount Brydges, Komoka, and Ilderton. Residential growth in the area is booming with no end in sight with at least 10 new development applications submitted in the HPBIA's catchment area. Targeted support informed by local data is needed to meet the infrastructure needs of these new residents and business owners.

The HPBIA has done an exceptional job of stewarding the Hyde Park business community, growing from just 30 members in 2017 (when the organization received its Business Improvement Area (BIA) status) to now representing over 450 businesses and community organizations in the area. This in-depth knowledge of the local community puts the HPBIA in a strong position to identify and analyze emerging needs to inform a strategic plan for the community's future.

To achieve this vision, the HPBIA requires additional support from the City, including financial, planning, and heritage. A CIP will enable the community to address barriers that prevent this area from reaching its full potential, such as a lack of adequate parking and streetlights; deteriorating commercial spaces and facades; and costs associated with completing building code upgrades.

.../2

**COMMUNITY OFFICE**

101-240 Commissioners Road West  
London, ON N6J 1Y1

📞 519-657-3120 • 📧 PSattler-CO@ndp.on.ca

**QUEEN'S PARK**

Room 467, Main Legislative Building  
Toronto, ON M7A 1A5

📞 1-416-325-6908 • 📧 PSattler-QP@ndp.on.ca



As Hyde Park continues to develop and grow, now is the time to build on the HPBIA's successful leadership by supporting their request for a Hyde Park Hamlet CIP. I urge you to consider this important request and approve the Hyde Park Hamlet CIP application.

Sincerely,

A handwritten signature in cursive script that reads "Peggy Sattler".

Peggy Sattler, MPP  
London West

**From:** Micheal Inglis  
**Sent:** Thursday, February 16, 2023 11:38 AM  
**To:** PEC <pec@london.ca>  
**Cc:** Ellen  
**Subject:** [EXTERNAL] HPBIA CIP

February 16, 2023

Gymworld Inc

Unit 7/8-1540 Fanshawe Park Rd WEST

London, ON. N6H 5L7

ATTN: Barb Westlake-Power, MPA; Deputy City Clerk; Planning & Environment Committee

Dear Barb Westlake-Power, MPA; Deputy City Clerk,

I am writing you this letter on behalf of Gymworld Inc, and as a member of the Hyde Park Business Improvement Association, to show my support for the creation of a Community Improvement Plan for the regeneration of Gainsborough Road and towards reaching the vision of the Hyde Park Hamlet.

I support the Hyde Park BIA's vision of a community hub at the corners of Hyde Park and Gainsborough Roads, comprised of small/medium businesses setting up and investing in small specialty retail shops and food establishments. I believe this will increase pedestrian traffic, attract shoppers, and spur economic growth and social prosperity.

I believe investing in the Hyde Park Hamlet is a forward-looking investment for the city and that it aligns with London's existing 2019-2023 Strategic Plan as well as the developing draft Hyde Park BIA 2023-2027 Strategic Plan.

I know the Hyde Park Hamlet will be a warm attractive destination place in the northwest corner of London to Shop, Eat, Work and Play.

However, the Hyde Park Hamlet has little hope of becoming a reality without the financial help a CIP can offer to incentivize and regenerate Gainsborough Road both east and west of Hyde Park Road.

For these reasons, I hope you consider the creation of a CIP for the Hyde Park Hamlet.

Thank you in advance for your consideration.

Mike Inglis  
Gymworld Inc

**From:** info@jaydancin.com <info@jaydancin.com>

**Sent:** Thursday, February 16, 2023 2:25 PM

**To:** PEC <pec@london.ca>

**Subject:** [EXTERNAL] Hyde Park Letter of Support

ATTN: Barb Westlake-Power, MPA; Deputy City Clerk; Planning & Environment Committee

Dear Barb Westlake-Power, MPA; Deputy City Clerk,

I am writing you this letter on behalf of the Hyde Park Business Improvement Association to show my support for the creation of a Community Improvement Plan for the regeneration of Gainsborough Road and towards reaching the vision of the Hyde Park Hamlet.

As a business owner of 19 years and recently relocating to Hyde Park 4 years ago, I have seen how impactful the sense of community is for our business. I support the Hyde Park BIA's vision of a community hub at the corners of Hyde Park and Gainsborough Roads, comprised of small/medium businesses setting up and investing in small specialty retail shops and food establishments. I believe this will increase pedestrian traffic, attract shoppers, and spur economic growth and social prosperity.

I believe investing in the Hyde Park Hamlet is a forward-looking investment for the city and that it aligns with London's existing 2019-2023 Strategic Plan as well as the developing draft Hyde Park BIA 2023-2027 Strategic Plan.

I know the Hyde Park Hamlet will be a warm attractive destination place in the northwest corner of London to Shop, Eat, Work and Play.

However, the Hyde Park Hamlet has little hope of becoming a reality without the financial help a CIP can offer to incentivize and regenerate Gainsborough Road both east and west of Hyde Park Road.

For these reasons, I hope you consider the creation of a CIP for the Hyde Park Hamlet.

Thank you in advance for your consideration.

Sincerely,

Vickie Balazs

Owner, JAYDANCIN INC



**From:** Mouhab Sakr <mouhab.sakr@fastsigns.com>  
**Sent:** Thursday, February 16, 2023 7:16 PM  
**To:** PEC <pec@london.ca>  
**Subject:** [EXTERNAL] Letter of Support for CIP

February 16, 2023

From: Fastsigns London West

24-1828 Blue Heron Dr. London, ON.

N6H 0B7

ATTN: Barb Westlake-Power, MPA; Deputy City Clerk; Planning & Environment Committee

Dear Barb Westlake-Power, MPA; Deputy City Clerk,

I am writing you this letter on behalf of the Hyde Park Business Improvement Association to show my support for the creation of a Community Improvement Plan for the regeneration of Gainsborough Road and towards reaching the vision of the Hyde Park Hamlet.

I support the Hyde Park BIA's vision of a community hub at the corners of Hyde Park and Gainsborough Roads, comprised of small/medium businesses setting up and investing in small specialty retail shops and food establishments. I believe this will increase pedestrian traffic, attract shoppers, and spur economic growth and social prosperity.

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However, the Hyde Park Hamlet has little hope of becoming a reality without the financial help a CIP can offer to incentivize and regenerate Gainsborough Road both east and west of Hyde Park Road.

For these reasons, I hope you consider the creation of a CIP for the Hyde Park Hamlet.

Thank you in advance for your consideration.

Regards,

**Mouhab Sakr**

President & Managing Director

Office. [+1 226 270 6330](tel:+12262706330) –

Fax. [+1 226 270 6331](tel:+12262706331)

***FASTSIGNS***  
***Make Your Statement™***

FASTSIGNS of LONDON WEST

[24-1828 Blue Heron Dr, London ON. N6H 0B7](https://www.fastsigns.com/locations/london-west)

**From:** Tom Delaney <tdelaney@oxforddodge.com>

**Sent:** Friday, February 17, 2023 8:30 AM

**To:** PEC <pec@london.ca>

**Subject:** [EXTERNAL] Supporting Hyde Park CIP

Dear Barb Westlake-Power, MPA; Deputy City Clerk,

I am writing you this letter on behalf of the Hyde Park Business Improvement Association to show my support for the creation of a Community Improvement Plan for the regeneration of Gainsborough Road and towards reaching the vision of the Hyde Park Hamlet.

I support the Hyde Park BIA's vision of a community hub at the corners of Hyde Park and Gainsborough Roads, comprised of small/medium businesses setting up and investing in small specialty retail shops and food establishments. I believe this will increase pedestrian traffic, attract shoppers, and spur economic growth and social prosperity.

I believe investing in the Hyde Park Hamlet is a forward-looking investment for the city and that it aligns with London's existing 2019-2023 Strategic Plan as well as the developing draft Hyde Park BIA 2023-2027 Strategic Plan.

I know the Hyde Park Hamlet will be a warm attractive destination place in the northwest corner of London to Shop, Eat, Work and Play.

However, the Hyde Park Hamlet has little hope of becoming a reality without the financial help a CIP can offer to incentivize and regenerate Gainsborough Road both east and west of Hyde Park Road.

For these reasons, I hope you consider the creation of a CIP for the Hyde Park Hamlet.

Thank you in advance for your consideration.

**TOM DELANEY**

**GENERAL MANAGER**

Oxford Dodge

**NEW LOCATION - 1249 Hyde Park Rd. London ON, N6H 5K6**

T: [519.473.1010](tel:519.473.1010) | F: [519.473.8043](tel:519.473.8043)

[www.oxforddodge.com](http://www.oxforddodge.com)