

# Planning and Environment Committee

## Report

5th Meeting of the Planning and Environment Committee  
March 20, 2023

PRESENT: Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillor J. Pribil; M. Corby, J. Dann, K. Gonyou, M. Greguol, S. Mathers, H. McNeely, B. O'Hagan, M. Pease and J.W. Taylor Remote attendance: Councillor E. Pelosa; S. Corman, K. Dawtrey, M. Hynes, K. Killen, P. Kokkoros and A. Spahiu The meeting is called to order at 4:00 PM

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Consent

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

That Items 2.1 to 2.5, inclusive, BE APPROVED.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

#### 2.1 Building Division Monthly Report - January 2023

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

That the Building Division Monthly report for January, 2023 BE RECEIVED for information. (2022-A23)

**Motion Passed**

#### 2.2 3rd Report of the Ecological Community Advisory Committee

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

That the 3rd Report of the Ecological Community Advisory Committee, from its meeting held on February 16, 2023 BE RECEIVED for information. (2023-C04)

**Motion Passed**

#### 2.3 4th Report of the Community Advisory Committee on Planning

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

That the 4th Report of the Community Advisory Committee on Planning, from its meeting held on March 8, 2023, BE RECEIVED for information. (2023-C04)

**Motion Passed**

2.4 Wellington Corridor Secondary Plan - Terms of Reference

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

That, on the recommendation of the Director, Planning and Development, the Wellington Corridor Secondary Plan Terms of Reference, appended to the staff report dated March 20, 2023 as Appendix "A" BE ENDORSED. (2023-T05)

**Motion Passed**

2.5 19 Blackfriars Street - Heritage Alteration Permit Application (HAP23-011-L)

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

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 retroactive approval to replace the siding on the dwelling located at 19 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, BE APPROVED. (2023-R01)

**Motion Passed**

2.6 864 Hellmuth Avenue - Heritage Alteration Permit Application (HAP22-081-L)

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

That, notwithstanding the previous 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 PERMITTED as submitted in Appendix C with the following terms and conditions:

- a) consideration be given to the use of permeable pavers for the paving material to reduce the landscape impact of the new driveway; and,
- b) landscaping be planted adjacent to the driveway to visually screen the parking area, consistent with the parking policies and guidelines included within the Bishop Hellmuth Heritage Conservation District Plan;

it being noted that the proposed portable, temporary accessibility ramp does not require a Building Permit or Heritage Alteration Permit. (2023-R01)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Additional Votes:

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

Motion to approve the staff recommendation with a revised part a):

"a) the applicant be required to use a permeable option, such as gravel or permeable pavers, for the paving material to reduce the environmental and heritage landscape impact of the new driveway; and,"

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

Nays: (3): S. Lehman, S. Lewis, and S. Hillier

Absent: (1): Mayor J. Morgan

**Motion Failed (2 to 3)**

**3. Scheduled Items**

**3.1 455 Highbury Avenue North (Z-9564)**

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Highbury Self Storage Equities Limited, relating to the property located at 455 Highbury Avenue North, the proposed by-law appended to the staff report dated March 20, 2023 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on April 4, 2023, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London, 2016) to change the zoning of the subject property FROM a General Industrial (GI1) Zone TO a Light Industrial Special Provision (LI1(\_)) Zone;

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

- T. Brydges, Zelinka Priamo Ltd.;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions and Light Industrial Place Type;
- the recommended amendment would facilitate the reuse of an otherwise underutilized industrial warehouse within an existing area that already facilitates industrial uses; and,
- the proposed amendment will assist in transitioning the area to lighter industrial uses which are appropriate for the existing mixed-use landscape. (2023-D14)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: S. Franke  
Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

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

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

3.2 247 Halls Mill Road - Demolition Request to Remove Heritage Attributes

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

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the request to remove heritage attributes from the property at 247 Halls Mill Road, pursuant to Section 34(1) of the *Ontario Heritage Act*, BE APPROVED subject to the following terms and conditions:

a) the use of machinery BE PROHIBITED in the demolition or removal of the accessory building's debris;

b) the existing brick and rubble stone foundation shall BE RETAINED and BE PROTECTED *in situ* until Municipal Council decision following receipt of the recommendation of the Conservation Review Board; and,

c) the removal of the debris BE COMPLETED in accordance with the demolition plan on file with the City;

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

- J. McLeod; and,
- D. Park. (2023-R01)

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

Moved by: S. Franke  
Seconded by: S. Lewis

Motion to open the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

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

Motion to close the public participation meeting.

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

Absent: (1): Mayor J. Morgan

**Motion Passed (5 to 0)**

**4. Items for Direction**

None.

**5. Deferred Matters/Additional Business**

None.

**6. Adjournment**

The meeting adjourned at 5:08 PM.

## 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  
January 2023

**Date:** March 20, 2023

## Recommendation

That the report dated January 2023 entitled “Building Division Monthly Report January 2023”, **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 January 2023.

## 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 January 2023. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of January 2023”, as well as respective “Principle Permits Reports”.

### 2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – **January 2023**

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

As of January 2023, a total of 208 permits were issued, with a construction value of \$51.8 million, representing 79 new dwelling units. Compared to the same period in 2022, this represents a 33.1% decrease in the number of building permits, with a 11.3% decrease in construction value and an 81.6% decrease in the number of dwelling units constructed.

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

As of the end of January 2023, the number of building permits issued for the construction of single and semi-detached dwellings was 16, representing a 81.6% decrease over the same period in 2022.

### **Number of Applications in Process**

As of the end of January 2023, 859 applications are in process, representing approximately \$580.9 million in construction value and an additional 1,022 dwelling units compared with 960 applications, with a construction value of \$1.4 billion and an additional 2,650 dwelling units in the same period in 2022.

### **Rate of Application Submission**

Applications received in January 2023 averaged to 9.9 applications per business day, for a total of 208 applications. Of the applications submitted 16 were for the construction of single detached dwellings and 44 townhouse units.

### **Permits issued for the month**

In January 2023, 16 permits were issued for new dwelling units, totaling a construction value of \$51.8 million.

### **Inspections – Building**

A total of 1,858 inspection requests were received with 2,105 inspections being conducted.

In addition, 10 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 1,858 inspections requested, 98% were conducted within the provincially mandated 48 hour period.

### **Inspections - Code Compliance**

A total of 692 inspection requests were received, with 955 inspections being conducted.

An additional 140 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 692 inspections requested, 99% were conducted within the provincially mandated 48 hour period.

### **Inspections - Plumbing**

A total of 901 inspection requests were received with 1,210 inspections being conducted related to building permit activity.

An additional 6 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 901 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

## **2021 Permit Data**

To the end of January, a total of 299 permits were issued, with a construction value of \$63 Million, representing 123 new dwelling units. The number of single/semi detached dwelling units was 102

## **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 January 2023. Attached as Appendix "A" to this report is a "Summary Listing of Building Construction Activity" for the month of January 2023 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



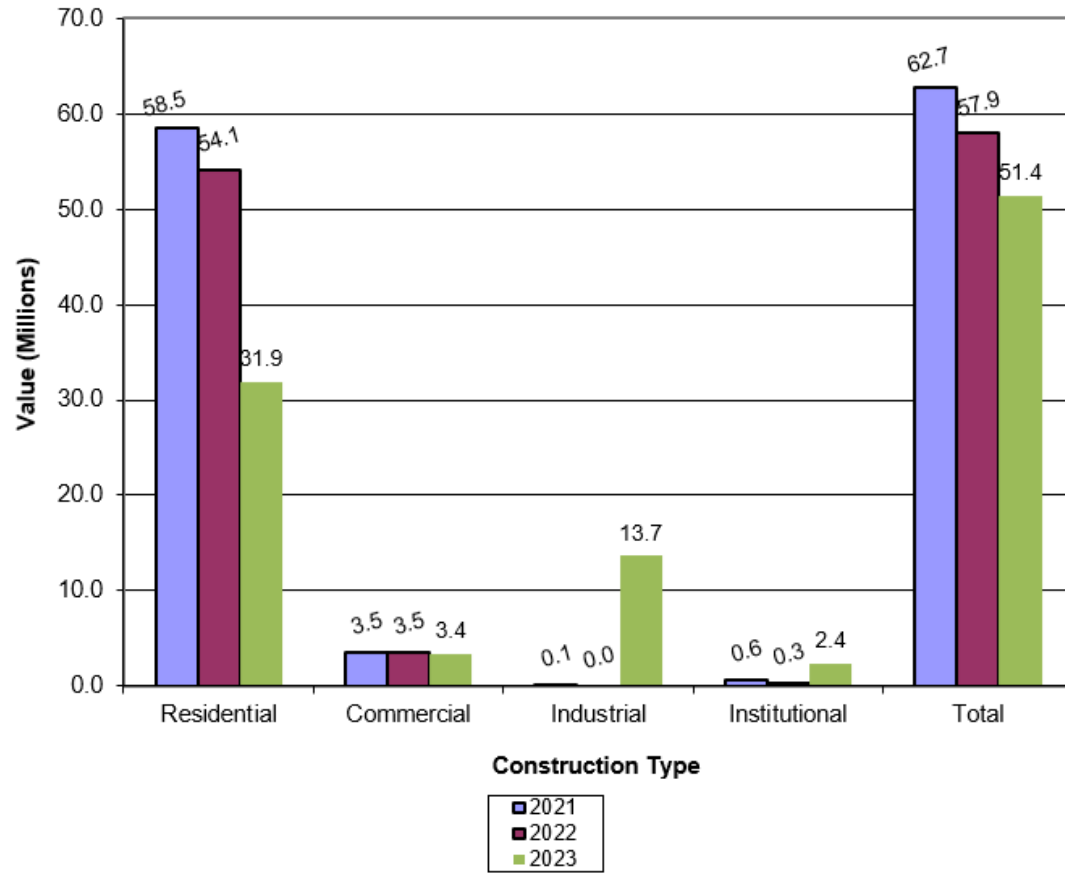
**APPENDIX "A"**

**CITY OF LONDON  
SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF January 2023**

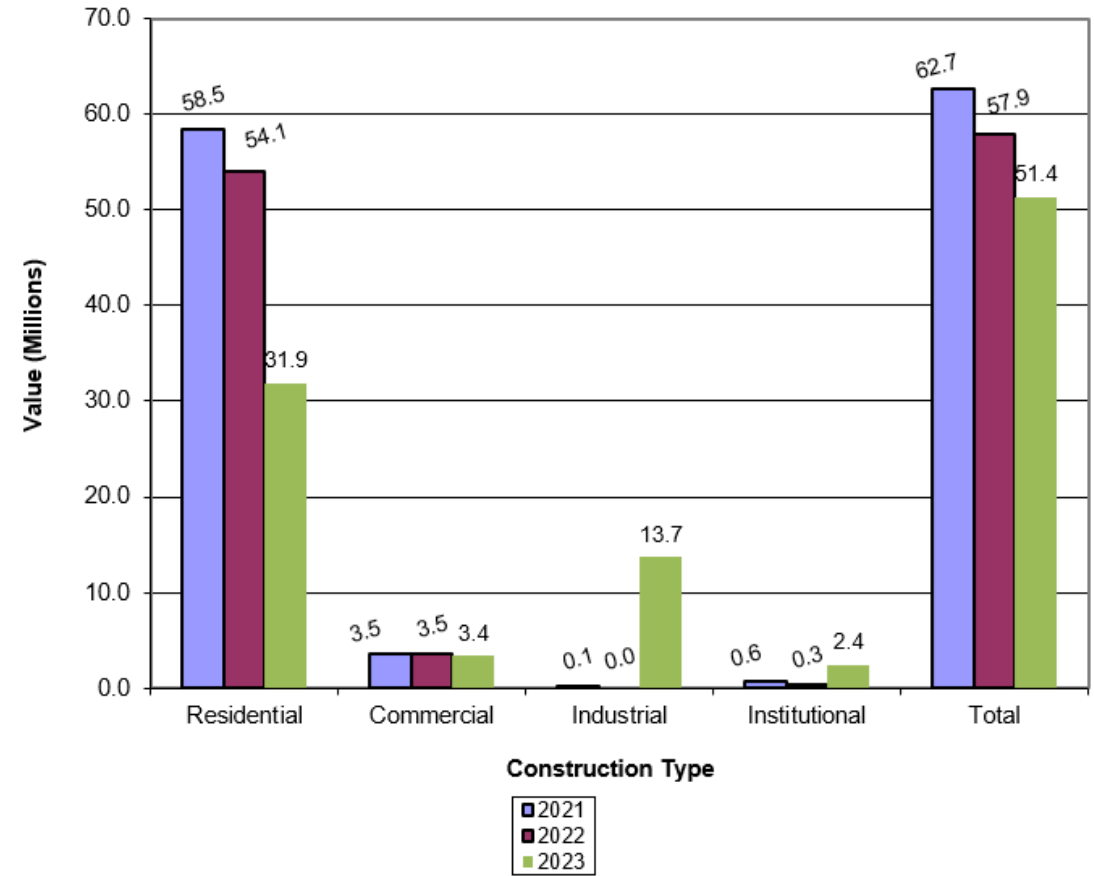
CLASSIFICATION	January 2023			to the end of January 2023			January 2022			to the end of January 2022			January 2021			to the end of January 2021		
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS
SINGLE DETACHED DWELLINGS	14	8,423,364	14	14	8,423,364	14	87	36,774,520	87	87	36,774,520	87	102	44,093,300	102	102	44,093,300	102
SEMI DETACHED DWELLINGS	1	921,661	2	1	921,661	2	0	0	0	0	0	0	0	0	0	0	0	0
TOWNHOUSES	9	16,330,716	44	9	16,330,716	44	15	12,446,800	44	15	12,446,800	44	9	4,200,800	12	9	4,200,800	12
DUPLEX, TRIPLEX, QUAD, APT BLDG	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RES-ALTER & ADDITIONS	90	6,228,049	19	90	6,228,049	19	132	4,878,695	13	132	4,878,695	13	111	10,190,060	9	111	10,190,060	9
COMMERCIAL - ERECT	0	0	0	0	0	0	0	0	0	0	0	0	1	976,500	0	1	976,500	0
COMMERCIAL - ADDITION	1	1,000	0	1	1,000	0	1	500,000	0	1	500,000	0	0	0	0	0	0	0
COMMERCIAL - OTHER	14	3,359,575	0	14	3,359,575	0	22	3,004,259	0	22	3,004,259	0	23	2,533,200	0	23	2,533,200	0
INDUSTRIAL - ERECT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INDUSTRIAL - ADDITION	1	12,178,711	0	1	12,178,711	0	0	0	0	0	0	0	0	0	0	0	0	0
INDUSTRIAL - OTHER	2	1,500,900	0	2	1,500,900	0	0	0	0	0	0	0	4	108,800	0	4	108,800	0
INSTITUTIONAL - ERECT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INSTITUTIONAL - ADDITION	0	0	0	0	0	0	0	0	0	0	0	0	1	100,000	0	1	100,000	0
INSTITUTIONAL - OTHER	8	2,415,750	0	8	2,415,750	0	5	324,000	0	5	324,000	0	5	530,000	0	5	530,000	0
AGRICULTURE	1	220,000	0	1	220,000	0	0	0	0	0	0	0	0	0	0	0	0	0
SWIMMING POOL FENCES	3	95,000	0	3	95,000	0	9	339,000	0	9	339,000	0	9	293,500	0	9	293,500	0
ADMINISTRATIVE	7	80,000	0	7	80,000	0	6	50,000	0	6	50,000	0	5	0	0	5	0	0
DEMOLITION	15	0	8	15	0	8	5	0	5	5	0	5	0	0	0	0	0	0
SIGNS/CANOPY - CITY PROPERTY	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2	0	0
SIGNS/CANOPY - PRIVATE PROPERTY	42	0	0	42	0	0	29	0	0	29	0	0	27	0	0	27	0	0
<b>TOTALS</b>	<b>208</b>	<b>51,754,726</b>	<b>79</b>	<b>208</b>	<b>51,754,726</b>	<b>79</b>	<b>311</b>	<b>58,317,274</b>	<b>144</b>	<b>311</b>	<b>58,317,274</b>	<b>144</b>	<b>299</b>	<b>63,026,160</b>	<b>123</b>	<b>299</b>	<b>63,026,160</b>	<b>123</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  
January**



**Construction Value of Building Permits  
January**





## City of London - Building Division

### Principal Permits Issued from January 1, 2023 to January 31, 2023

Owner	Project Location	Proposed Work	No. of Units	Construction Value
WONDERLAND POWER CENTRE INC. WONDERLAND POWER CENTRE INC.	1040 Wharncliffe Rd S	Alter Retail Store INTERIOR ALTERATION SHELL PERMIT ONLY - FIRE PROTECTION UNDER REVIEW	0	1,000,000
UWO BOARD OF GOVERNORS UWO BOARD OF GOVERNORS	1151 Richmond St	Alter University INTERIOR ALTERATIONS TO THIRD FLOOR IGAB LEVEL 3	0	153,500
UWO BOARD OF GOVERNORS UWO BOARD OF GOVERNORS	1151 Richmond St	Alter University INTERIOR ALTERS TO MEDICAL SCIENCE BUILDING TISSUE CULTURE LAB 210	0	400,000
Dachelle Holdings Corporation	1420 Crumlin Sdrd	Add Plant for Manufacturing ADDITION TO MANUFACTURING PLANT	0	12,178,711
HULLY GULLY LIMITED	1619 Wharncliffe Rd S	Install-Automobile Service Station Install site services.		150,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1637 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERECT SDD, 1 STOREY, 2 CAR GARAGE WITH GOLD CART PARKING, PARTIALLY FINISHED BASEMENT, 2 BEDROOMS, COVERED PORCH, A/C, SB-12 A5, HOT2000, PART 12, 33R-20077, HRV & DWHR REQUIRED  **M-PLAN NOT FINALIZED YET**	1	538,104
LUX HOMES INC. LUX HOMES DESIGN & BUILD INC.	1965 Upperpoint Gate R	Erect-Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG R, 4 UNITS DPN 91,93,95,97, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, A/C, HOT2000, HRV & DWHR REQUIRED  *SOILS RETAINER REPORT REQUIRED*	4	1,294,150
London Public Library Board	2016 Dundas St	Alter Municipal Buildings Tenant fit-up for a call centre	0	1,720,000
	3304 Westminster Dr	Erect-Farm Workshop ERECT A BARN		220,000
WELLINGTON GATE INC WELLINGTON GATE INC	332 Wellington Rd	Alter Restaurant <= 30 People RESTAURANT FIT UP FOR LESS THAN 30 PEOPLE. SHELL PERMIT commercial cooking hood fire suppression shop drawing required.	0	125,000
W-3 Lambeth Farms Inc.	6711 Royal Magnolia Ave A	Erect-Street Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG A, 5 UNITS, DPN 6787, 6795, 6799, 6803, 6807, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, NO A/C, R-2000, HRV & DWHR REQUIRED  *SOILS REPORT REQUIRED*	5	1,762,035



**City of London - Building Division**  
**Principal Permits Issued from January 1, 2023 to January 31, 2023**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
W-3 Lambeth Farms Inc.	6887 Royal Magnolia Ave A	Erect-Street Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG A, 6 UNITS DPN 6937, 6941, 6945, 6949, 6953, 6957, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, W/ A/C, COVERED PORCH, SB-12 A1, HRV & DWHR REQUIRED  *SOILS REPORT REQUIRED*	6	2,221,956
W-3 Lambeth Farms Inc.	6887 Royal Magnolia Ave B	Erect-Street Townhouse - Condo ERECT 6 UNIT STREET TOWNHOUSE BLOCK B, 2 STOREYS, 1 CAR GARAGE, DPNS 6913, 6917, 6921, 6925, 6929, 6933	6	2,170,190
W-3 Lambeth Farms Inc.	6887 Royal Magnolia Ave C	Erect-Street Townhouse - Condo ERECT TOWNHOUSE BLOCK, 2 STOREY, 1 CAR GARAGE, UNFINISHED BASEMENT, A/C, DPN # 6889, 6893, 6897, 6901, 6905, 6909 SOILS REPORT REQUIRED	6	2,196,073
W-3 Lambeth Farms Inc.	6887 Royal Magnolia Ave D	Erect-Street Townhouse - Condo ERECT TOWNHOUSE BLOCK, 2 STOREY, 1 CAR GARAGE, UNFINISHED BASEMENT, A/C, DPN # 6865, 6869, 6873, 6877, 6881, 6885 SOILS REPORT REQUIRED	6	2,196,073
W-3 Lambeth Farms Inc.	6887 Royal Magnolia Ave E	Erect-Street Townhouse - Condo ERECT 6 UNIT TOWNHOUSE BLOCK, BUILDING E, 2 STOREY, DPN 6841, 6845, 6849, 6853, 6857, 6861 WITH A/C. SOILS REPORT REQUIRED.	6	2,434,993
W-3 Lambeth Farms Inc.	6887 Royal Magnolia Ave F	Erect-Street Townhouse - Condo ERECT NEW TOWNHOUSE BLOCK - BLDG F, 4 UNITS DPN 6825, 6829, 6833, 6837, 2 STOREY, 1 CAR GARAGE, 3 BEDROOMS, UNFINISHED BASEMENT, A/C INCLUDED, SB-12 A1, HRV & DWHR REQUIRED.  *SOILS REPORT REQUIRED*	4	1,517,142
MEGBROOK HOLDINGS INC. MEGBROOK HOLDINGS INC.	849 Wellington Rd	Alter Restaurant INTERIOR ALTERATION FOR RESTAURANT, UNIT A4, Stacked Breakfast & Pancake House.	0	116,500
Bate Real Estate Corp	879 Wellington Rd	Alter Retail Store INTERIOR FIT-UP FOR UNIT 3	0	105,500
CITY LONDON WESTERN FAIR ASSOCIATION	900 King St	Alter Convention Centre/Exhibition Hall HVAC upgrades to Canada Building. Replacement of existing heat pump system with new HVAC roof top units. Includes required structural reinforcement for new mechanical units.	0	1,500,000



### City of London - Building Division

#### Principal Permits Issued from January 1, 2023 to January 31, 2023

Owner	Project Location	Proposed Work	No. of Units	Construction Value
CITY LONDON WESTERN FAIR ASSOCIATION	900 King St	Alter Food Processing Plant Interior alteration to create a space to manufacture health food products with fermented ingredients. SHELL sprinkler shop drawings and GRCC required.	0	1,500,000

Total Permits 21    Units 44    Value 35,499,927

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

# Ecological Community Advisory Committee

## Report

3rd Meeting of the Ecological Community Advisory Committee  
February 16, 2023

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

ABSENT: B. Krichker, K. Lee, S. Miklosi and K. Moser

ALSO PRESENT: S. Butnari, S. Corman, A. Denomme, K. Edwards, J. Fullick, K. Grabowski, M. Shepley, R. Wilcox and E. Williamson

The meeting was called to order at 4:31 PM

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Scheduled Items

#### 2.1 Kensington Bridge Environmental Assessment

That it BE NOTED that the presentation appended to the Ecological Community Advisory Committee Agenda by J. Pucchio, AECOM, with respect to the Kensington Bridge Environmental Assessment, was received.

#### 2.2 2023-2027 Strategic Plan

That it BE NOTED that the presentation appended to the Ecological Community Advisory Committee Agenda by R. Wilcox, Director, Strategy and Innovation, with respect to the 2023-2027 Strategic Plan, was received.

### 3. Consent

#### 3.1 2nd Report of the Ecological Community Advisory Committee

That it BE NOTED that the 2nd Report of the Ecological Community Advisory Committee, from its meeting held on January 19, 2023, was received.

### 4. Sub-Committees and Working Groups

None.

### 5. Items for Discussion

#### 5.1 Response to ECAC Comments - Western Road, Philip Aziz and Sarnia Road Improvements - Environmental Impact Study

That it BE NOTED that the response from J. Pucchio, AECOM, to the Ecological Community Advisory Committee comments relating to the

Western Road, Philip Aziz and Sarnia Road Improvements Environmental Impact Study, were received.

5.2 Notice of Planning Application - Amendment to the h-5 Holding Zone

That it BE NOTED that the Ecological Community Advisory Committee held a discussion with respect to potential impacts to future heritage implications relating to the Notice of Planning Application dated February 1, 2023, from S. Filson, Site Development Planner, relating to an amendment to the h-5 Holding Zone, was received.

5.3 2023 Ecology Work Plan

That it BE NOTED that the Ecological Community Advisory Committee heard a verbal presentation from K. Edwards, Manager, Long Range Planning, Research and Ecology, and held a general discussion with respect to the 2023 Ecology Work Plan.

**6. Adjournment**

The meeting adjourned at 5:51 PM.

# Community Advisory Committee on Planning Report

4th Meeting of the Community Advisory Committee on Planning  
March 8, 2023

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

ABSENT: J. Wabegijig

ALSO PRESENT: L. Dent, K. Gonyou, M. Greguol and E. Skalski

The meeting was called to order at 5:01 PM.

## 1. Call to Order

### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

## 3. Consent

### 3.1 3rd Report of the Community Advisory Committee on Planning

That it BE NOTED that the 3rd Report of the Community Advisory Committee on Planning, from its meeting held on February 8, 2023, was received.

### 3.2 Notice of Planning Application - Zoning By-law Amendment - 625 Mornington Avenue

That it BE NOTED that the Notice of Planning Application, dated February 8, 2023, from C. Maton, Senior Planner, with respect to a Zoning By-law Amendment related to the property located at 625 Mornington Avenue, was received.

## 4. Sub-Committees and Working Groups

### 4.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, from the meeting held on February 22, 2023, was received.

## 5. Items for Discussion

### 5.1 Demolition Request by J. McLeod for the Heritage Designated Property located at 247 Halls Mill Road

That it BE NOTED that the Community Advisory Committee on Planning (CACP) received a report, dated March 8, 2023, with respect to a Demolition Request by J. McLeod for the Heritage Designated Property located at 247 Halls Mill Road and the CACP supports the staff recommendation.



- 5.2 Heritage Alteration Permit Application by O. Cosme for the property located at 19 Blackfriars Street, Blackfriars/Petersville Heritage Conservation District

That it BE NOTED that the Community Advisory Committee on Planning (CACP) received a report, dated March 8, 2023, with respect to a Heritage Alteration Permit Application by O. Cosme for the property located at 19 Blackfriars Street, Blackfriars/Petersville Heritage Conservation District and the CACP supports the staff recommendation.

- 5.3 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated March 8, 2023, was received.

**6. Adjournment**

The meeting adjourned at 5:46 PM.

## 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:** Wellington Corridor Secondary Plan Terms of Reference,  
Wards 1, 11, 12, 13, and 14

**Date:** March 20, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the Wellington Corridor Secondary Plan Terms of Reference, attached hereto as Appendix “A”, **BE ENDORSED.**

## Executive Summary

On December 21, 2021, Municipal Council endorsed the Transit-Oriented Secondary Plan Prioritization Areas. The Rapid Transit Corridor Place Type generally located along Wellington Street between Bathurst Street and the Thames River, and Wellington Road between the Thames River and the Transit Village Place Type at the White Oaks neighbourhood, was listed to be undertaken first as per Municipal Council’s direction. Civic Administration has prepared a Terms of Reference for the Wellington Corridor Secondary Plan, which will be used to guide the secondary plan study for the Wellington Corridor.

## Linkage to the Corporate Strategic Plan

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

### Strengthening our Community

- Increase affordable and quality housing options
- Improve the health and well-being of Londoners
- Increase the number of meaningful opportunities for residents to be connected in their neighbourhood and community
- Ensure that new development fits within and enhances its surrounding community

### Building a Sustainable City

- Direct growth and intensification to strategic locations

### Growing our Economy

- Increase public and private investment in strategic locations

## Related Reports

December 13, 2021 – Planning and Environment Committee – Transit-Oriented Secondary Plan Prioritization

## Analysis

### 1.0 Background

#### 1.1 Purpose of a Secondary Plan

Where there is a need to elaborate on the parent policies of *The London Plan*, or where it is important to coordinate the development of multiple properties, a secondary plan may be prepared. Secondary plans allow for a comprehensive study of, and a coordinated planning approach to, a secondary planning area. This allows for the opportunity to provide more detailed policy guidance for the secondary planning area

that goes beyond the general policies of *The London Plan*. Once adopted, the policies of the secondary plan have the same status as the policies of *The London Plan*. Where conflicts between the policies of *The London Plan* and the secondary plan exist, the secondary plan policy prevails.

## **1.2 Secondary Plan Prioritization**

On December 21, 2021, Municipal Council endorsed the Transit-Oriented Secondary Plan Prioritization Areas. The Rapid Transit Corridor Place Type generally located along Wellington Street between Bathurst Street and the Thames River, and Wellington Road between the Thames River and the Transit Village Place Type at the White Oaks neighbourhood (Wellington Gateway) was listed first as per Municipal Council's resolution.

## **1.3 Purpose of the Wellington Corridor Secondary Plan**

*The London Plan* generally identifies four Rapid Transit Corridors in the City of London. Rapid Transit Corridors are intended to be vibrant, mixed-use, mid-rise communities that border the length of London's rapid transit services. Not all the segments of these corridors are intended to be the same in character, use and intensity. However, these corridors are intended to have walkable streetscapes, with abundant trees, widened sidewalks, and development that is pedestrian- and transit-oriented. Where lands within the Rapid Transit Corridors are in close proximity to transit stations, greater intensity and height of development to support transit usage and provide convenient transportation for larger numbers of residents may be permitted.

Rapid transit service is anticipated to increase interest in the redevelopment of properties along the Wellington Corridor. The study is intended to develop a secondary plan, which will provide more specific direction for development within the study area than that offered by the general policies of *The London Plan*. The policies of the secondary plan will inform the future zoning of these lands.

## **2.0 Terms of Reference**

### **2.1 Study Area Boundary**

The Wellington Corridor is generally defined as the Rapid Transit Corridor Place Type along Wellington Street between Bathurst Street and the Thames River, and Wellington Road between the Thames River and the Transit Village Place Type at the White Oaks neighbourhood. As *The London Plan* (policies 833, 834, 835) allows for the interpretation of the Rapid Transit Corridor Place Type to be applied to additional properties when lot assembly occurs, generally up to a lot depth of 150 metres, properties that are within 150 metres of the Wellington Corridor centerline and adjacent to a property within the Rapid Transit Corridor Place Type have been included in the study area. It should be noted that properties within the Old Victoria Hospital Lands Secondary Plan area are not included within the study boundary for the Wellington Corridor Secondary Plan, as policy direction for the redevelopment of these lands is already in place.

### **2.2 Goal and Objectives of the Study**

The goal of the study is to create a secondary plan that will lead to a vibrant, exceptionally designed, mixed-use urban corridor that is pedestrian-oriented, and transitions appropriately with the surrounding neighbourhoods.

The objective of the study is to create a secondary plan that provides a consistent framework to evaluate future development and public realm improvements and provides policies to direct and guide the development of the lands in the Rapid Transit Corridor Place Type along the Wellington Corridor.

### **2.3 Desired Outcomes for the Secondary Plan**

The long-term desired outcome of the Wellington Corridor Secondary Plan is to create complete, resilient communities that are supported by the rapid transit service along the Wellington Corridor.

## **2.4 Study Scope**

The Terms of Reference provides a preliminary list of matters to be considered through the secondary plan process. This list may be updated throughout the secondary plan process in response to study findings.

Amendments to the Zoning By-law are outside of the scope of the secondary plan process. The policies of the secondary plan will inform the future zoning of these lands.

## **2.5 Project Team and Resource Team**

The project is part of the Planning and Development work plan and will be completed at the direction of the Director, Planning and Development. The project lead will be the Manager, Long Range Planning, and the project manager will be a Planner from Planning and Development. The project team will include other staff as required.

Consultant(s) will be retained to support City staff in completing the work plan and providing specialized expertise throughout the project. The selected consultant(s) will be retained for different studies depending on the needs identified in the Terms of Reference.

The resource team will be comprised of City staff from various Service Areas who will provide specialized expertise as required.

The composition of the project team and resource team is further outlined in the Terms of Reference.

## **2.6 Community Engagement and Information**

The secondary plan study requires input from a variety of partners and stakeholders, including community groups, developers, property owners, and the public. All members of the public are invited to participate in the process.

The consultation and outreach anticipated for this secondary plan study includes:

- A Get Involved London webpage
- Community information meetings
- Meetings with internal and external stakeholders, and partners

Further details on community engagement and information sharing are provided in the Terms of Reference.

## **2.7 Advisory Committees and Groups**

It is anticipated that the draft secondary plan will be considered by the following:

- Accessibility Community Advisory Committee
- Community Advisory Committee on Planning
- Diversity, Inclusion and Anti-Oppression Community Advisory Committee
- Ecological Community Advisory Committee
- Environmental Stewardship and Action Community Advisory Committee
- Housing Committee
- Integrated Transportation Community Advisory Committee
- Urban Design Peer Review Panel
- Young London – London Youth Advisory Council

As a part of this process, the draft and final secondary plans will also incorporate the use of relevant evaluation tools such as, but not limited to, the Housing Supply Action Plan, 3000 Affordable Units Action Plan, climate emergency screening tool, gender-based analysis plus (GBA+) lens, anti-racism lens, and anti-oppression lens, to evaluate the outcomes of the study and their impact on creating a sustainable and resilient environment, as well as creating a safe community for all, particularly women, girls, and 2SLGBTQ+ identifying people.

## **2.8 Timeline**

The Terms of Reference outlines the anticipated timeline for key milestones in the secondary plan study process. The study process will begin immediately following Municipal Council's endorsement of the Terms of Reference. Completion of the study is targeted for the third quarter of 2024.

### 3.0 Financial Considerations

Existing budget is available to retain consultants to undertake studies as required. No additional financial impact is anticipated.

### 4.0 Key Issues and Considerations

#### 4.1 Protected Major Transit Station Area

The Protected Major Transit Station Area (PMTSA) policies of *The London Plan* came into force on May 28, 2021.

The PMTSA policies related to Rapid Transit Corridors include:

- A targeted number of residents and jobs combined per hectare
- Minimum and maximum building heights
- Minimum density per hectare for residential uses
- Minimum floor area ratios for non-residential uses
- Permitted uses including encouraging mixed-use buildings
- Conformity with all other policies of *The London Plan* including the Rapid Transit Corridor Place Type and any Specific Area policies

As per these policies of *The London Plan*, the Wellington Corridor must be planned to achieve a minimum of 120 residents and jobs combined per hectare, as well as achieve a minimum density of 45 units per hectare for residential uses, or a floor area ratio of 0.5 for non-residential uses.

#### 4.2 Wellington Gateway

The planning and implementation of the southern rapid transit route, the Wellington Gateway, is currently underway. The Wellington Gateway will revitalize approximately six kilometres of arterial roads between the downtown and Highway 401. The project will widen Wellington Road to add continuous transit-only lanes. The goal is to improve traffic capacity and increase transit frequency and reliability while also addressing necessary underground work, including replacing aging sewers and underground infrastructure.

The construction to implement the Wellington Gateway project is scheduled to begin in 2023 and take approximately three years to complete. Rapid transit service is anticipated to increase interest in the redevelopment of properties along the Wellington Corridor.

## Conclusion

Following Municipal Council's endorsement of the Wellington Corridor Secondary Plan Terms of Reference, Civic Administration will begin the secondary plan process including hiring any necessary consultant(s).

At this time, it is anticipated that the Wellington Corridor Secondary Plan will be completed by the third quarter of 2024.

Civic Administration will return to Municipal Council with project updates and a draft secondary plan prior to presenting the final Wellington Corridor Secondary Plan.

**Prepared by:** Kerri Killen, MCIP, RPP  
Senior Planner

**Submitted by:** Britt O'Hagan, MCIP, RPP  
Manager, Current Development

**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:**                    **Justin Adema, Manager, Long Range Planning (Acting)**  
**Kevin Edwards, Manager, Community Planning**

## Appendix A – Wellington Corridor Secondary Plan Terms of Reference

### Introduction

*The London Plan* has two transit-oriented place types: the Transit Village Place Type and the Rapid Transit Corridor Place Type. These place types correspond to the four planned higher-order transit routes radiating from the downtown. The planning and implementation of the rapid transit routes to the south (Wellington Gateway) and east (East London Link) are currently underway. Rapid transit service is anticipated to increase interest in the redevelopment of properties along these corridors.

On December 13, 2021, Civic Administration brought forward a report prioritizing the future development of secondary plans related to the transit-oriented Place Types; this report included the direction received from Council on August 10, 2021 to prioritize the development of the secondary plan for the Wellington Gateway corridor. On December 21, 2021, Municipal Council endorsed the Transit-Oriented Secondary Plan Prioritization Areas, of which the Rapid Transit Corridor Place Type generally located along the Wellington corridor was listed first.

### Wellington Corridor Secondary Plan Study Area

The Wellington Corridor is generally defined as the Rapid Transit Corridor Place Type along Wellington Street between the Downtown Place Type north of Bathurst Street and the Thames River, and Wellington Road between the Thames River and the Transit Village Place Type at the White Oaks neighbourhood. The properties immediately north of Bradley Avenue within the Transit Village Place Type are not included within the study area. Properties within the Old Victoria Hospital Lands Secondary Plan area also are not included within the study area, as policy direction for the redevelopment of these lands is already in place.

As *The London Plan* (policies 833, 834, 835) allows for the interpretation of the Rapid Transit Corridor Place Type to be applied to additional properties when lot assembly occurs, generally up to a lot depth of 150 metres, properties that are within 150 metres of the Wellington Corridor centerline and adjacent to a property within the Rapid Transit Corridor Place Type have been included within the study area.

Figure 1 illustrates this study area.

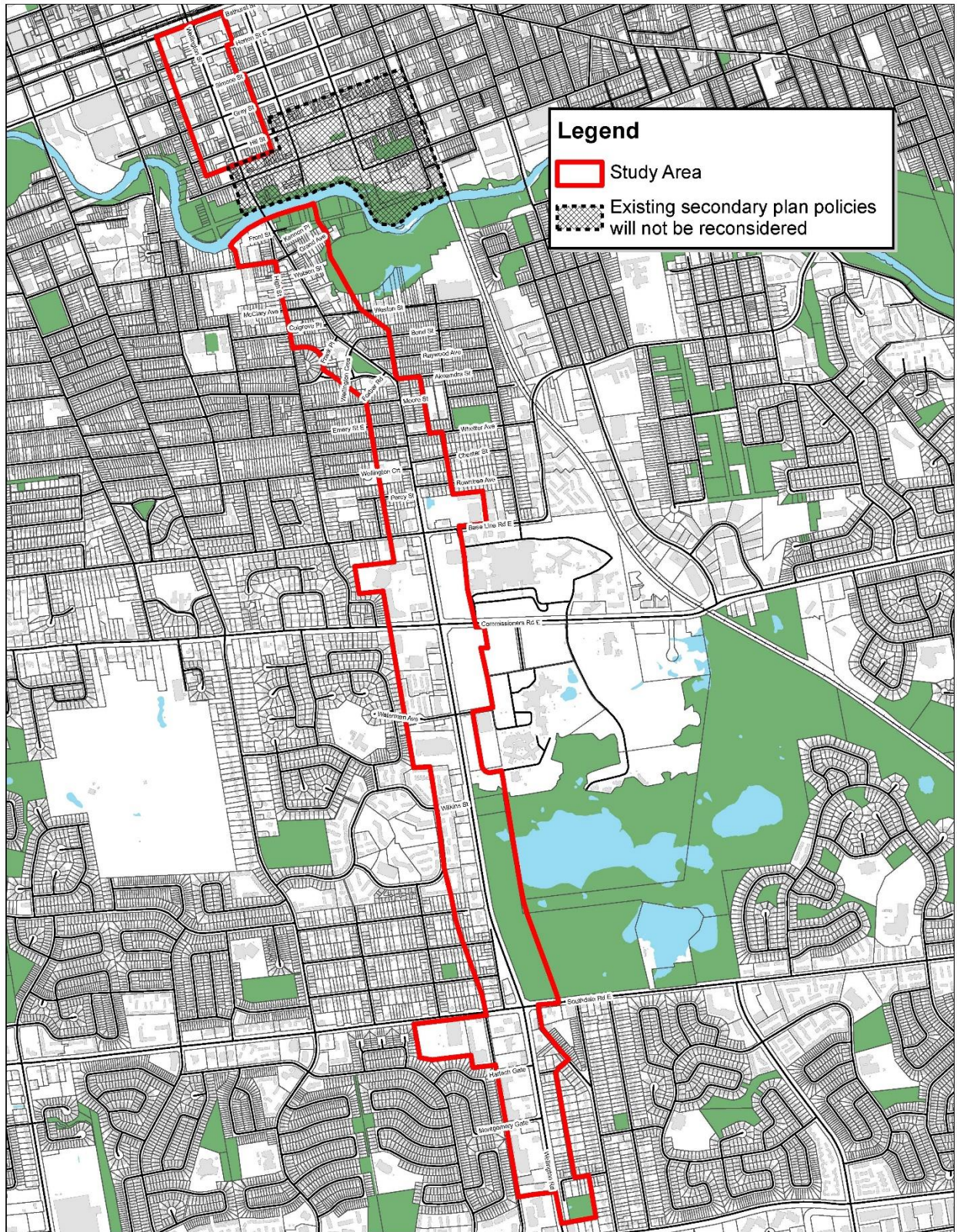


Figure 1: Wellington Corridor Study Area

**Purpose of the Wellington Corridor Secondary Plan**

Areas within the Rapid Transit Corridor Place Type are the connectors between the downtown and Transit Villages. The Rapid Transit Corridor Place Type generally permits a broad range of residential, retail, service, office, cultural, recreational, and institutional. *The London Plan* policy 853 identifies Wellington Road, from Southdale Road East to Bradley Avenue, as an area in transition where large-scale retail and service uses may be permitted on a transitional basis. The permitted heights within the Rapid Transit Corridor are generally between a minimum of two storeys and a maximum of 12 storeys; however, within 100 metres of a rapid transit station, a maximum of 16 storeys is permitted.

As Rapid Transit Corridors are identified as Protected Major Transit Station Areas, the Wellington Corridor must be planned to achieve a minimum of 120 residents and jobs combined per hectare; as well, the Wellington Corridor must achieve a minimum density



of 45 units per hectare for residential uses, or a floor area ratio of 0.5 for non-residential uses.

The Wellington Corridor currently contains a significant mix of land uses, including various intensities and forms of residential uses, commercial uses, service uses, hospitals and health facilities, medical and dental clinics, a fire station, places of worship, offices, daycare facilities, hotels/motels, parks and open spaces. There are also many large surface parking lots in association with these uses.

The development of a secondary plan is intended to provide a greater level of detail and more specific guidance for future development along the Wellington Corridor than the general Rapid Transit Corridor Place Type policies in *The London Plan*, including how those policies will be implemented through planning tools and future public works.

## **Goal and Objectives of the Study**

The goal of the study is to create a secondary plan that will lead to a vibrant, exceptionally designed, mixed-use urban corridor that is pedestrian-oriented, and transitions appropriately with the surrounding neighbourhood.

The objective of the study is to create a secondary plan that provides a consistent framework to evaluate future development and public realm improvements and provides policies to direct and guide the development of the lands in the Rapid Transit Corridor Place Type along the Wellington Corridor.

The secondary plan process will:

- Evaluate existing development within and adjacent to the Rapid Transit Corridor Place Type
- Establish policies to guide the future development of the lands in the Rapid Corridor Village Place Type in a coordinated way
- Consult community members, property owners, developers, Advisory Committees, and internal and external stakeholders
- Prepare a secondary plan that is implementable and easily interpretable

## **Desired Outcomes of the Secondary Plan Area**

The long-term desired outcome of the Wellington Corridor Secondary Plan is to create complete, resilient communities that are supported by the rapid transit service along the Wellington Corridor.

## **Secondary Plan Study Scope**

### **Study Matters**

The following provides a preliminary list of matters to be considered through the secondary plan process:

- Access management, transportation, and mobility
- Bird-friendly design
- Built form
- Bus rapid transit integration
- Climate emergency adaptation, sustainable design, and low impact design (LID)
- Community services and public facilities
- Connectivity
- Cultural heritage and archaeology
- Housing typology and tenure, including affordable housing
- Intensity
- Land use
- Lot consolidation

- Natural heritage
- Parking management
- Public land needs
- Servicing capacity
- Urban design and placemaking
- Urban structure
- View sheds

The above list is subject to change throughout the study process.

### **Zoning By-law**

The study is intended for the development of a secondary plan, which will provide more specific direction for development within the study area than is offered by the general policies of *The London Plan*. The study will not include amendments to the Zoning By-law. Zoning By-law amendments would occur separately after the secondary plan is adopted and in force and effect.

### **Related Projects and Studies**

#### **The Wellington Gateway**

The Wellington Gateway will revitalize approximately six kilometres of arterial roads between the downtown and Highway 401. The project will widen Wellington Road to add continuous transit-only lanes. The goal is to improve traffic capacity and increase transit frequency and reliability while also addressing necessary underground work, including replacing aging sewers and underground infrastructure. The construction to implement this project is scheduled to begin in 2023 and take approximately three years to complete.

#### **The Mobility Master Plan**

The purpose of the Mobility Master Plan is to create a new integrated plan that builds on and supersedes the current *Smart Moves London 2030 Transportation Master Plan* and the *London ON Bikes Cycling Master Plan* and identifies the policy framework, infrastructure programs, and supportive programs with a 25-year horizon. The plan will be developed based on the consultation process, technical analysis, and consideration of *The London Plan*, Council's Strategic Plan and associated initiatives such as the Climate Emergency Action Plan. This project is currently underway, with planned completion for 2024.

### **Project Team**

The project team will be comprised of City staff from Planning and Economic Development and consulting team(s) as required for individual technical studies.

#### **City Staff**

The project is part of the Planning and Development work plan and will be completed at the direction of the Director, Planning and Development. The project lead will be the Manager, Long Range Planning, and the project manager will be a Planner from Planning and Development. The project team will include other staff as required.

#### **Consultant Staff**

Consultant(s) will be retained to support City staff in completing the work plan and providing specialized expertise throughout the project. Consultant(s) will be hired to conduct studies following endorsement of the Terms of Reference and at appropriate times as the project progresses. The selected consultant(s) will be retained for different studies depending on the needs identified in the Terms of Reference.

### **Resource Team**

The resource team will be comprised of City staff from various Service Areas as required.

## **City Staff**

City staff with the following specializations will be used as a resource:

- Accessibility
- Affordable Housing
- Development Engineering
- Ecology
- Economic Supports
- Finance
- Forestry
- Heritage
- Parks Planning
- Rapid Transit
- Transportation and Mobility
- Urban Design
- Water, Wastewater and Stormwater Engineering

In addition, the London Transit Commission will be a resource as needed throughout the process.

## **Community Engagement and Information Sharing**

This study requires input from a variety of partners and stakeholders, including community groups, developers, property owners, and the public. All members of the public are invited to participate in the process.

### **Get Involved Project Webpage**

The project webpage will include updates on the project, background documents, reports, notices and presentations. It will also include opportunities to provide feedback.

### **Community Information Meetings**

It is anticipated that two Community Information Meetings will be held in association with this project. The first meeting will discuss the visioning and preferences for the study area and the second will be held to present and gather feedback on the draft secondary plan.

Notice for the Community Information Meetings will be sent to the Ward Councillors and neighbourhood associations for distribution to their members. Other individuals who identify themselves as interested parties will also receive notice. Notice will also be posted on the City of London calendar of events and activities, on the project webpage, and on City of London social media, as appropriate.

Where possible, notifications will be provided in different languages to reflect the demographic makeup of the area.

### **Stakeholder Meetings**

It is anticipated that meetings will be held with stakeholders including property owners, community businesses, residents, and neighbourhood associations, as appropriate.

Staff will work with community-based organizations and programs, to provide opportunities for engaging indigenous peoples, new-comers, equity-seeking groups, elderly, and young people in this process.

## **Advisory Committees and Groups**

The draft secondary plan will be considered by the following:

- Accessibility Community Advisory Committee
- Community Advisory Committee on Planning
- Diversity, Inclusion and Anti-Oppression Community Advisory Committee
- Ecological Community Advisory Committee
- Environmental Stewardship and Action Community Advisory Committee
- Housing Committee

- Integrated Transportation Community Advisory Committee
- Urban Design Peer Review Panel
- Young London – London Youth Advisory Council

As a part of this process, the draft and final secondary plans will also incorporate the use of relevant evaluation tools such as, but not limited to, the Housing Supply Action Plan, 3000 Affordable Units Action Plan, climate emergency screening tool, gender-based analysis plus (GBA+) lens, anti-racism lens, and anti-oppression lens, to evaluate the outcomes of the study and their impact on creating a sustainable and resilient environment, as well as creating a safe community for all, particularly women, girls, and 2SLGBTQ+ identifying people.

## **Deliverables**

The secondary plan process will include:

1. A draft Wellington Corridor Secondary Plan
2. A report presented to Municipal Council through the Planning and Environment Committee that includes a recommended Wellington Corridor Secondary Plan and an Official Plan amendment to adopt the secondary plan and any required proposed text and map amendments to *The London Plan* required for the recommended secondary plan
3. Update reports as appropriate

## **Timeline**

The following is the proposed timeline for the key milestones in the secondary plan process. The milestones and scheduled targets may change as the project advances and is contingent on the endorsement of this Terms of Reference in Q1, 2023:

- Q1, 2023: Present Terms of Reference at the Planning and Environment Committee for endorsement
- Q2, 2023: Hold a Community Information Meeting – Visioning Workshop
- Q2-Q4, 2023: Undertake background studies, site analysis, site inventory, stakeholder meetings and draft policy
- Q1, 2024: Table draft secondary plan at the Planning and Environment Committee for public comment
- Q2, 2024: Revise draft secondary plan in response to community and stakeholder feedback
- Q3, 2024: Present recommended secondary plan at the Planning and Environment Committee for adoption

## 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 O. Cosme for 19  
Blackfriars Street, Blackfriars/Petersville Heritage  
Conservation District, HAP23-011-L, Ward 13

**Date:** Monday March 20, 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 retroactive approval to replace the siding on the dwelling located at 19 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District, **BE APPROVED.**

## Executive Summary

Alterations were completed to the Contributing Resource at 19 Blackfriars Street, Blackfriars/Petersville Heritage Conservation District, without Heritage Alteration Permit approval. The alterations included the installation of new exterior vinyl siding over the existing rough cast (stucco) exterior on the dwelling. The removal of the existing vinyl siding would be preferred to reinstate the dwelling to its previous conditions and appearance. However, staff have concerns that the removal of the siding and the strapping may result in irreversible damage to the historic rough cast (stucco), and ultimately risk the conservation of the Contributing Resource. In addition, the colour and style of the vinyl siding is generally consistent with the palette and heritage character of the Blackfriars/Petersville Heritage Conservation District. For these reasons, staff are recommending retroactive approval of this Heritage Alteration Permit 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 19 Blackfriars Street is located on the north side of Blackfriars Street, between Argyle Street and Napier Street (Appendix A).

#### 1.2 Cultural Heritage Status

The property at 19 Blackfriars Street is located within the Blackfriars/Petersville Heritage Conservation District, which was designated pursuant to Part V of the *Ontario Heritage Act* by By-law No. L.S.P.-3437-179 on May 15, 2015. The property at 19 Blackfriars Street is a Contributing Resource to the cultural heritage value of the Blackfriars/Petersville Heritage Conservation District.

#### 1.3 Description

A one-and-a-half storey vernacular residential-type structure is located on the property at 19 Blackfriars Street. The building reasonably matches the setback of adjacent

properties along the north side of Blackfriars Street. The building was constructed circa 1885; however, it may date earlier, and follows the Ontario Farmhouse type: one-and-a-half storey, central doorway with windows to each side, end-gable roof, and a Gothic Revival peak in the attic storey above the central doorway. The dwelling is of wood frame construction and had been parged in a rough cast (stucco) exterior cladding.

The front porch is a later alteration. The windows of the building had been replaced prior to its designation as part of the Blackfriars/Petersville Heritage Conservation District.

Blackfriars Street (originally “road”) was an important, early transportation route that connected the Wharnccliffe Highway to the Blackfriars Bridge and into the original town plot of London. Twelve property owners of London Township, including John Kent and John Stiles, petitioned that a road be made “from the Town Plot of London to the Proof Line of the township of London.” In 1830, the Surveyor of Highways for the London District, Roswell Mount, laid out what would become known as Blackfriars Street (*Road Report for London District, 1829-1830 #574A*). RP58(W), registered in 1854, laid out the lots of Petersville, north of Blackfriars Street, on the land owned by Samuel Peters, of Grosvenor Lodge (1017 Western Road), for development.

Given its prominent location on Blackfriars Street and confirmed early development in comparable form, it is very likely that the building at 19 Blackfriars Street pre-dates its ascribed circa 1885 dating. *Now and Then, Some Architectural Aspects of London’s Past* (1974) cites the property at 19 Blackfriars Street as an early London version of the “Ontario Cottage.”

## **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 Blackfriars/Petersville Heritage Conservation District Plan and Guidelines**

The *Blackfriars/Petersville Heritage Conservation District Plan and Guidelines* includes policies and guidelines related to the exterior cladding including siding and stucco. The policies and guidelines identify wood siding as a popular exterior cladding material, with alternatives such as aluminum and vinyl siding noted within the relevant policies.

Section 11.2.7 (Wooden Siding) states:

*Vinyl and aluminum siding are popular now for new construction and renovation because they are very inexpensive materials. They are inexpensive because they are very thin sheet materials formed into planked-shaped profiles and finished in a range of standard colours. They perform well at keeping rain and weather out of the building, but because of the thin nature of the sheet material, they are very fragile in use and prone to damage from impact of vehicles, toys, and ladders used for maintenance. These materials are not recommended to cover or replace original wood siding.*

Section 11.2.8 (Stucco) states:

*Stucco repair can benefit greatly from modern materials without sacrificing the heritage quality of the restored property. Where repairs are necessary, wood lath can be replaced by galvanized expanded metal lath (diamond shaped mesh) that resists moisture damage, provides improved keying and support for the stucco, and does not impart movement stresses into the stucco finish.*

*Exterior Insulation Finish Systems (EIFS) are a popular, modern exterior wall treatment that can easily replicate the appearance of traditional stucco with the benefit of increasing the insulation value of the wall. Existing walls (or new) are clad in rigid foam plastic sheets usually about 2" thick, and coated with a mesh-reinforced acrylic stucco. The advantage of the system is the provision of a resilient stucco surface resistant to cracking, and the added insulation. The disadvantages are several. Any existing decorative surface features become buried within the thickness of the coating. Any junctions with existing door and window openings and other trim details usually are replaced with inappropriate stucco returns and thick details. In some cases, where systems are marketed to provide additional thermal protection, evidence indicates that the systems are inclined to be poorly installed and permit water ingress and retention. The supporting structure underneath becomes damaged from the dampness while the exterior shows no signs of the increasingly serious deterioration. The system requires the highest quality of professional design and application to be used in new locations and even more demanding skills if used as a retrofit application.*

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

None.

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

#### **4.1. Heritage Alteration Permit application (HAP23-011-L)**

In January 2023, the City was contacted by the owner of the property located at 19 Blackfriars Street within the Blackfriars/Petersville Heritage Conservation District (HCD). The owner noted that they had recently learned that the property was located within the HCD and advised that they had recently covered the exterior stucco cladding with new vinyl siding. The exterior vinyl siding consists of "Gentek 4.5" Dutchlap" siding.

The removal/installation of cladding/siding, with a different material is a class of alteration requiring Heritage Alteration Permit approval in the *Blackfriars/Petersville Heritage Conservation District Plan and Guidelines*.

The City received a Heritage Alteration Permit application on February 22, 2023, seeking retroactive approval for the installation on vinyl siding over the existing rough cast (stucco) exterior of the dwelling. Per Section 42(4), *Ontario Heritage Act*, a decision on this Heritage Alteration Permit application is required before May 23, 2023.

The Heritage Alteration Permit application noted that the exterior siding was installed through the use of strapping, an installation technique which see furring strips applied to the existing exterior in order to provide a stable surface or backing for the new exterior cladding to be installed upon. Typically, the installation of strapping requires that the furring strips be affixed to the existing exterior.

Although the removal of the existing vinyl siding would be preferred to reinstate the dwelling to its previous condition, staff have concerns that the removal of the siding and the strapping may result in irreversible damage to the historic rough cast (stucco), and ultimately risk the conservation of the Contributing Resource. In addition, the colour and style of the vinyl siding is generally consistent with the palette and heritage character of



the Blackfriars/Petersville Heritage Conservation District. For these reasons, staff are recommending retroactive approval of this Heritage Alteration Permit application.

## **Conclusion**

The property at 19 Blackfriars Street is a Contributing Resource located within the Blackfriars/Petersville Heritage Conservation District, designated pursuant to Part V of the *Ontario Heritage Act*. The rough cast (stucco) cladding on the dwelling was covered with vinyl siding without obtaining Heritage Alteration Permit approval in advance of undertaking the alteration. Through this Heritage Alteration Permit application, the owner is seeking retroactive approval for the installation of the new siding material. Due to the potential damage to the dwelling that may come about as a result of removing the new siding material staff are recommending that this retroactive Heritage Alteration Permit application be approved.

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

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

**Submitted by:** Heather McNeely, RPP, MCIP  
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 A – Location Map

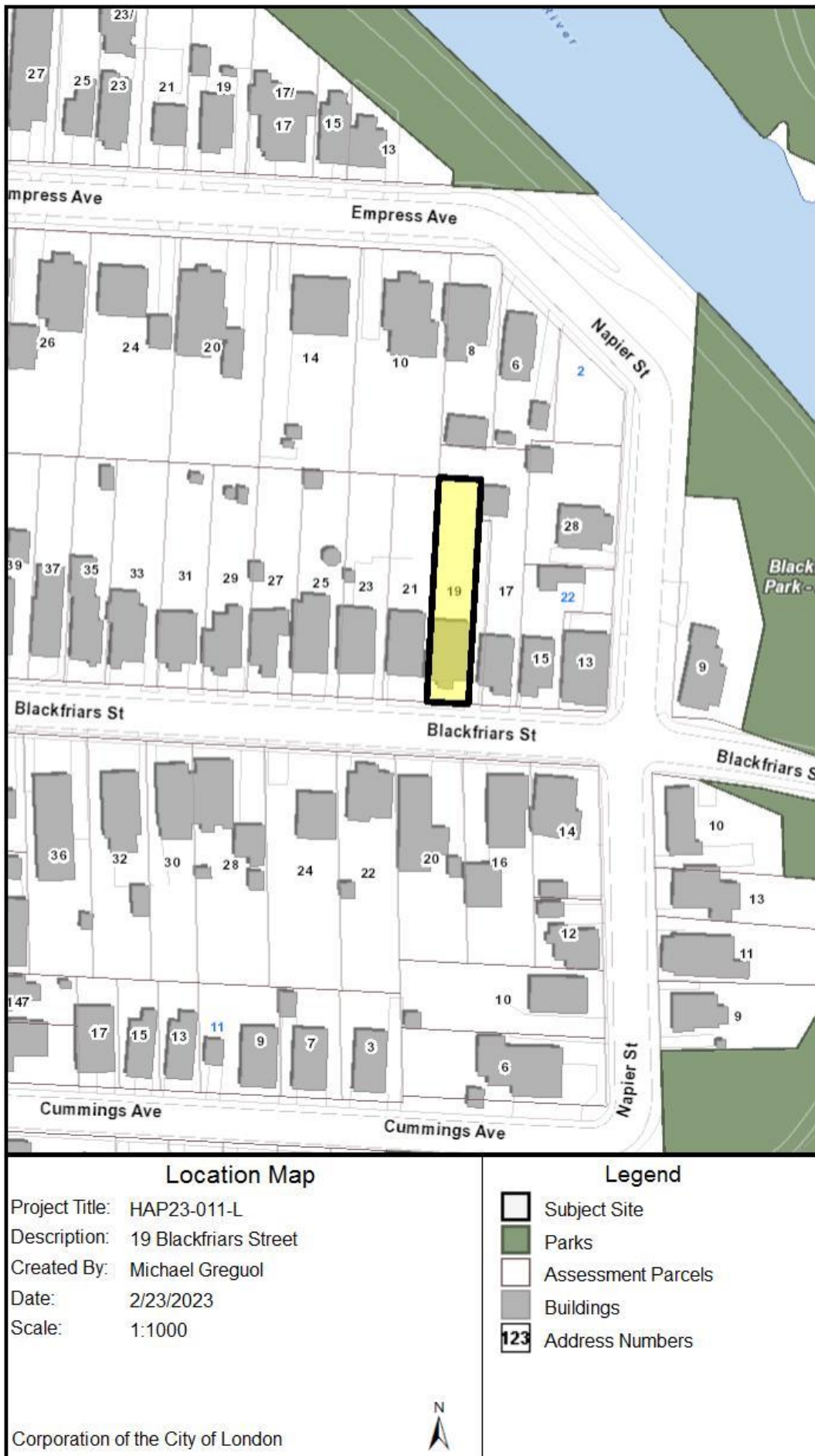


Figure 1: Location map showing the property at 19 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District.

## Appendix B – Images



*Image 1: Photograph of the subject property at 19 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District prior to the installation of the new vinyl siding (2020).*



*Image 2: Photograph of the subject property at 19 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District after the dwelling had been re-clad with vinyl siding (2023).*



*Image 3: Photograph of the subject property at 19 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District after the dwelling had been re-clad with vinyl siding (2023).*



*Image 4: Photograph of the subject property at 19 Blackfriars Street, within the Blackfriars/Petersville Heritage Conservation District after the dwelling had been re-clad with vinyl siding (2023).*

## 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:** Monday March 20, 2023

## Recommendation

Notwithstanding the previous 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 PERMITTED** as submitted in Appendix C with the following term and condition:

- a) Consideration be given to the use of permeable pavers for the paving material to reduce the landscape impact of the new driveway; and,
- b) Landscaping be planted adjacent to the driveway to visually screen the parking area, consistent with the parking policies and guidelines included within the *Bishop Hellmuth Heritage Conservation District Plan*.

It being noted that the proposed portable, temporary accessibility ramp does not require a Building Permit or Heritage Alteration Permit.

## 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. At its meeting held on February 21, 2023, the Planning and Environment Committee referred the application back to Civic Administration to continue working with the applicant with regards to the proposed driveway and the potential requirement for a Building Permit and Heritage Alteration Permit for the installation of an accessibility ramp associated with the proposed driveway for accessibility reasons. Since the February 21, 2023, meeting, the applicant has advised staff that they are proposing to use a temporary ramp system that does not require Building Permit or Heritage Alteration Permit approval. The recommended action is to approve the application for the proposed driveway for accessibility reasons 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 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 were proposed at the time of the submission of the Heritage Alteration permit application. 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.

#### **4.3 Referral Back to Civic Administration**

The Heritage Alteration Permit was considered at the Planning and Environment Committee meeting held on February 21, 2023. The Staff Report (<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=97338>) on the application was referred back to Civic Administration to report back to the Planning and Environment Committee with respect to the installation of the driveway and a potential contingency for a Heritage Alteration Permit and Building Permit for the installation of an accessibility ramp related to the proposed accessibility driveway. To facilitate the referral back to Civic Administration, staff received a written request from the applicant

to extend the timelines pursuant to Section 42 of the *Ontario Heritage Act* on February 22, 2023. The agreement between the applicant and the City extends the review timeline for this Heritage Alteration Permit application until April 5, 2023.

Since the February 21, 2023, meeting of the Planning and Environment Committee, staff have continued to work with the property owner. The property owner is proposing to use a portable, temporary ramp system that does not require fastening to the structure or alterations to the existing stairs or entries (<http://www.rollaramp.com/portable-ramps/>). The property owner advised staff he intends to roll out the ramp when required and remove it when it is not in active use. As a result, no Building Permit will be required and no Heritage Alteration Permit approval for the portable, temporary ramp will be required.

The proposed driveway appears to meet the City's requirements for a standard parking space (with a width of 2.7m) but does not meet the City's definition of an accessible parking space (Type A, with a width of 3.4m) in Section 4.19.10.viii of the Zoning By-law (Zoning By-law No. Z-1).

## Conclusion

The property at 864 Hellmuth Avenue is a significant cultural heritage resource designate pursuant to Part V of the *Ontario Heritage Act* as part 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. Notwithstanding the previous recommendation, the application seeking approval for front yard parking should be approved with terms and conditions to accommodate the proposed accessibility driveway while trying to minimize negative impacts on the landscape of the Bishop Hellmuth Heritage Conservation District.

**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.

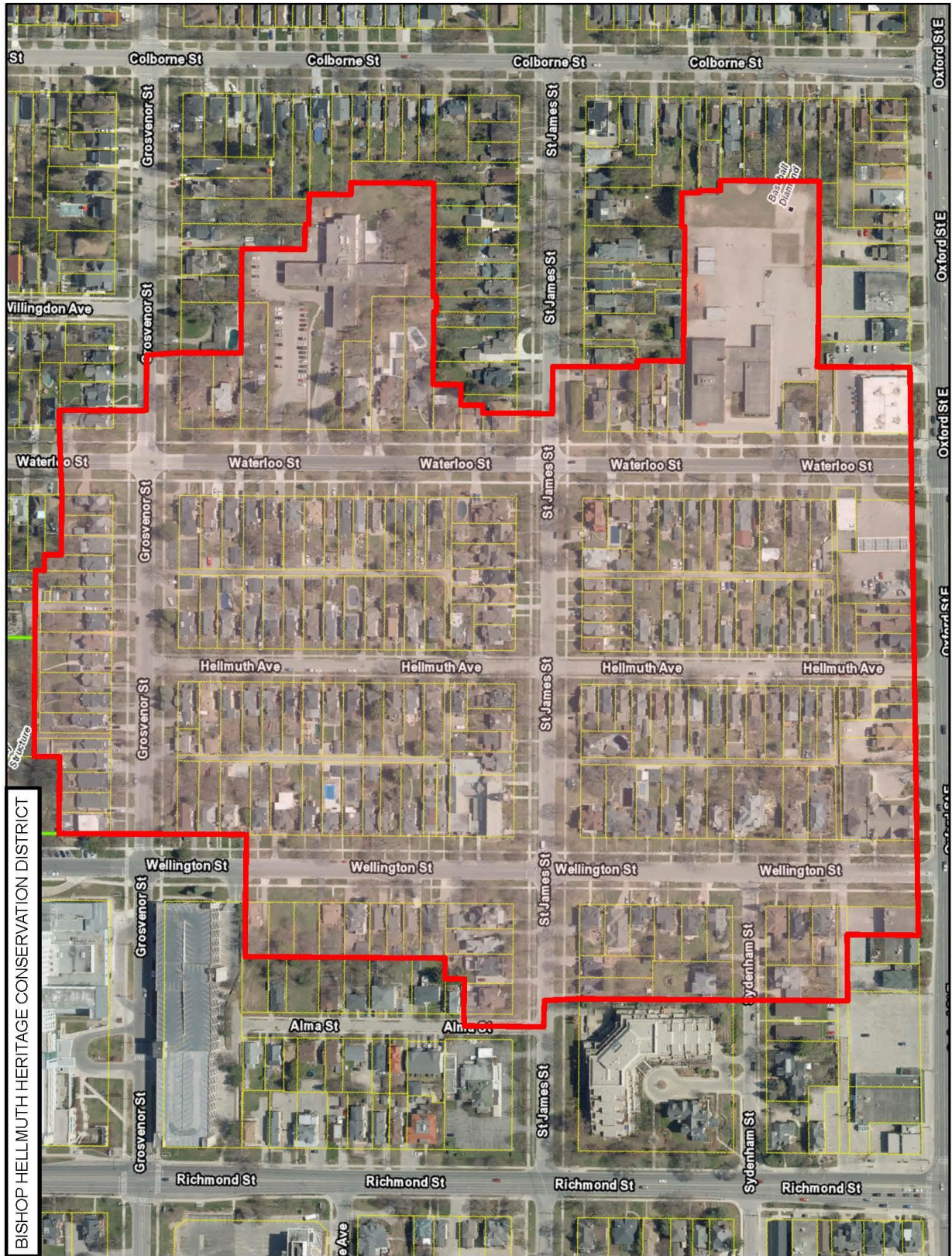


Figure 2: Aerial map, showing the boundaries of the Bishop Hellmuth Heritage Conservation District.

**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**

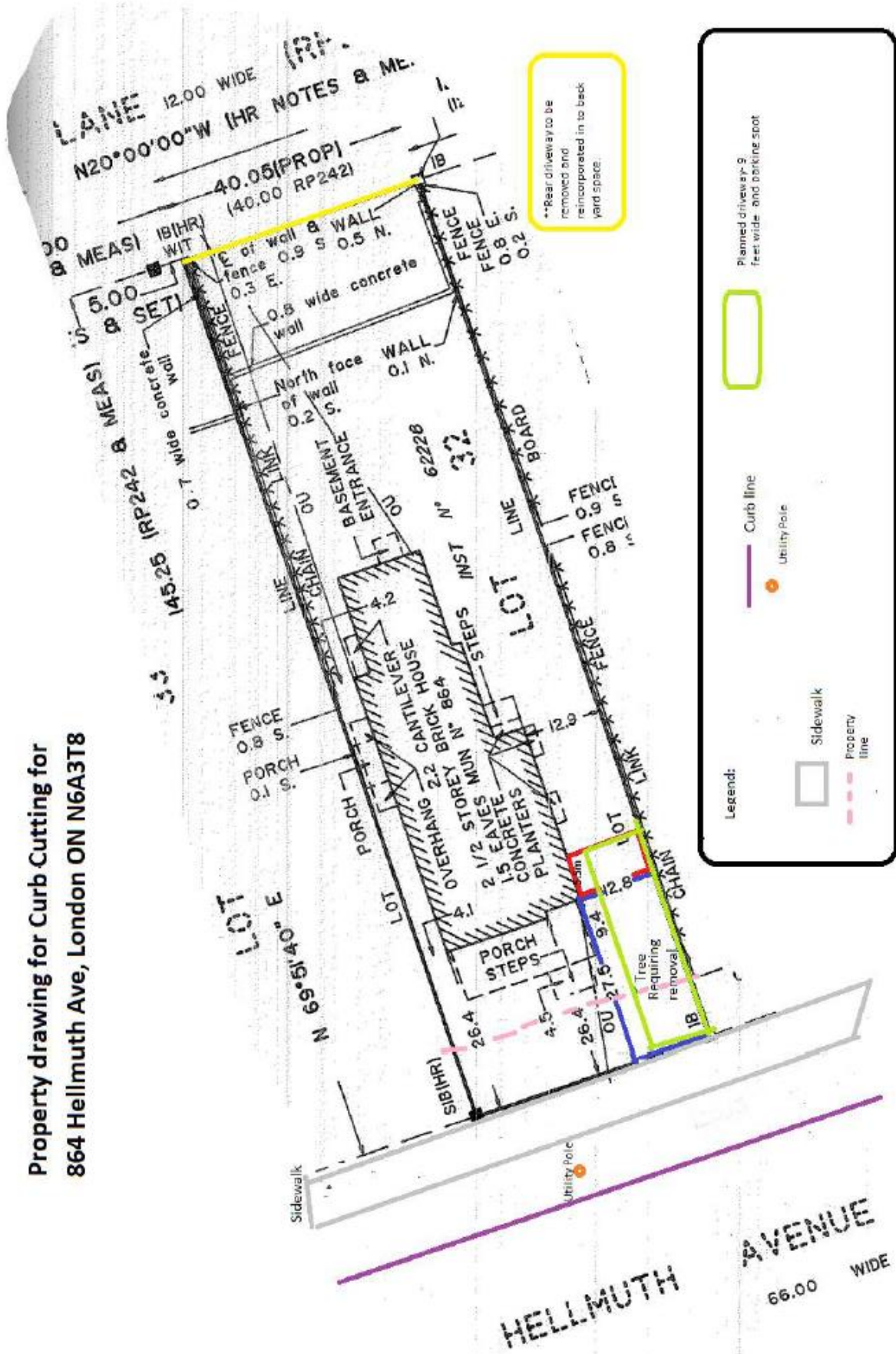


Image 7: Property drawing submitted with the Heritage Alteration Permit application showing the location of the proposed front yard driveway. Within the Heritage Alteration Permit application, the property owner specified that the proposed driveway will be concrete/interlocking brick.





Front of house

*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.



Image 11: Photograph showing the proposed temporary portable ramp system showing the type of railing system proposed for the property at 864 Hellmuth Avenue (retrieved from [Portable Ramps | Roll-A-Ramp® \(rollaramp.com\)](http://PortableRamps.com)).

## Report to Planning and Environment Committee

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

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

**Subject:** 455 Highbury Avenue North  
City File: Z-9564 Ward 4  
Public Participation Meeting

**Date:** March 20, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Highbury Self Storage Equities Limited relating to the property located at 455 Highbury Avenue North, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting April 4, 2023, to amend Zoning By-law No. Z.-1, in conformity with the The London Plan to change the zoning of the subject property **FROM** a General Industrial (GI1) Zone **TO** a Light Industrial Special Provision (LI1(\_)) Zone.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to change the zoning of the subject site from a General Industrial (GI1) Zone to a Light Industrial Special Provision (LI1(\_)) Zone to permit a self-storage establishment use within the existing building.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to rezone the lands to a Light Industrial Special Provision (LI1(\_)) Zone to permit a self-storage establishment within the existing building. The proposed amendment will allow the existing building on site to be used for self-storage purposes and shall accommodate the new use wholly within the existing building no changes proposed regarding the site configuration or building footprint. Conceptual exterior alterations to modernize the appearance of the existing building are proposed. Special provisions are requested to permit the existing front yard setback and to permit a self-storage establishment use within the existing building.

### 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 Light Industrial Place Type.
3. The recommended amendment would facilitate the reuse of an otherwise underutilized industrial warehouse within an existing area that already facilitates industrial uses.
4. The proposed amendment will assist in transitioning the area to lighter industrial uses which are appropriate for the existing mixed-use landscape.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The subject lands are located on the southwest corner of the Highbury Avenue North and Brydges Street intersection, within the East London Planning District. The site is approximately 1.97 hectares in size, with a lot frontage of approximately 96.0 metres on Brydges Street and approximately 195.0 metres on Highbury Avenue North. The site currently contains a vacant single storey building previously used for industrial purposes. The remainder of the site is comprised of hardscaped parking and driveway along the west and central portions of the site, and a naturalized area on the southwest portion.

At present, there are two points of driveway access to the site for vehicles, one from Brydges Street and the other from Highbury Avenue North. Public sidewalks are currently available along both sides of Highbury Avenue North and Brydges Street, with dedicated bicycle lanes also available along Brydges Street. The site is also serviced by existing public transit routes.

Highbury Avenue North is a four-lane Urban Thoroughfare with an average daily traffic volume of 38,500 vehicles per day south of Brydges Street and 33,500 north of Brydges Street. Meanwhile, Brydges Street is a two-lane Neighbourhood Connector with an average daily traffic volume of 10,500 vehicles per day east of Highbury Avenue North and 9,500 west of Highbury Avenue North. The Highbury Avenue North and Brydges Street intersection has a dedicated left turning lane in all directions.

The immediate surrounding neighbourhood consists primarily of a mix of low- and medium-density residential and light to heavy industrial land uses. The subject site is also in close proximity to the Canadian National Rail corridor and stock yard located to the south.

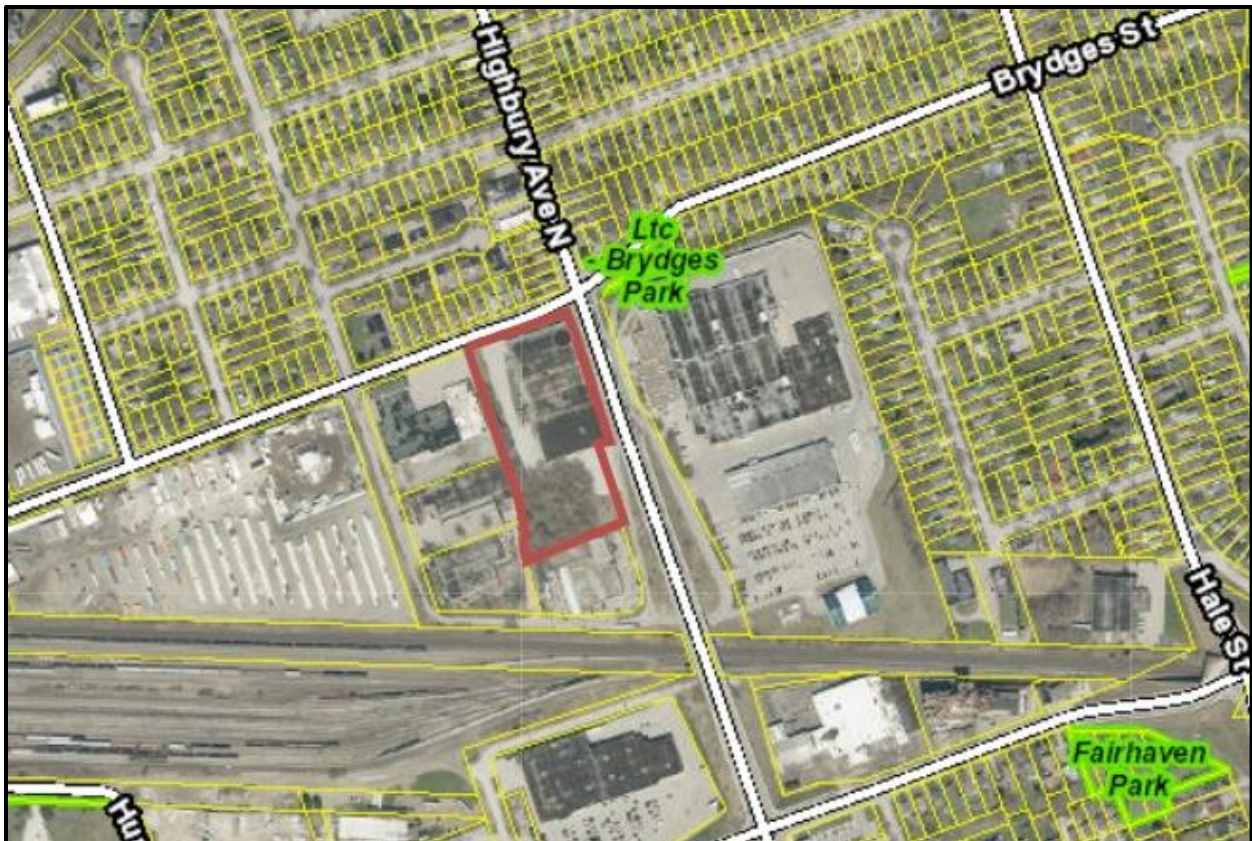


Figure 1. Aerial Photo of 455 Highbury Avenue North and surrounding lands



Figure 2. Streetview of 455 Highbury Avenue North (view from the intersection of Highbury Avenue North and Brydges Street facing southwest)



Figure 3. Streetview of 455 Highbury Avenue North (view from Brydges Street facing east)



Figure 4. Streetview of 455 Highbury Avenue North (view from Highbury Avenue North facing west)

## 1.2 Current Planning Information

- The London Plan Place Type – Light Industrial at the corner of an Urban Thoroughfare and Neighbourhood Connector
- Special Planning Areas – Primary Transit Area
- Existing Zoning – General Industrial (GI1)

### **1.3 Site Characteristics**

- Current Land Use – Vacant Industrial Building
- Frontage – 115.7 metres
- Area – 17,826 metres square (1.97 hectares)
- Lot Coverage – 40.3 percent
- Shape – Irregular

### **1.4 Surrounding Land Uses**

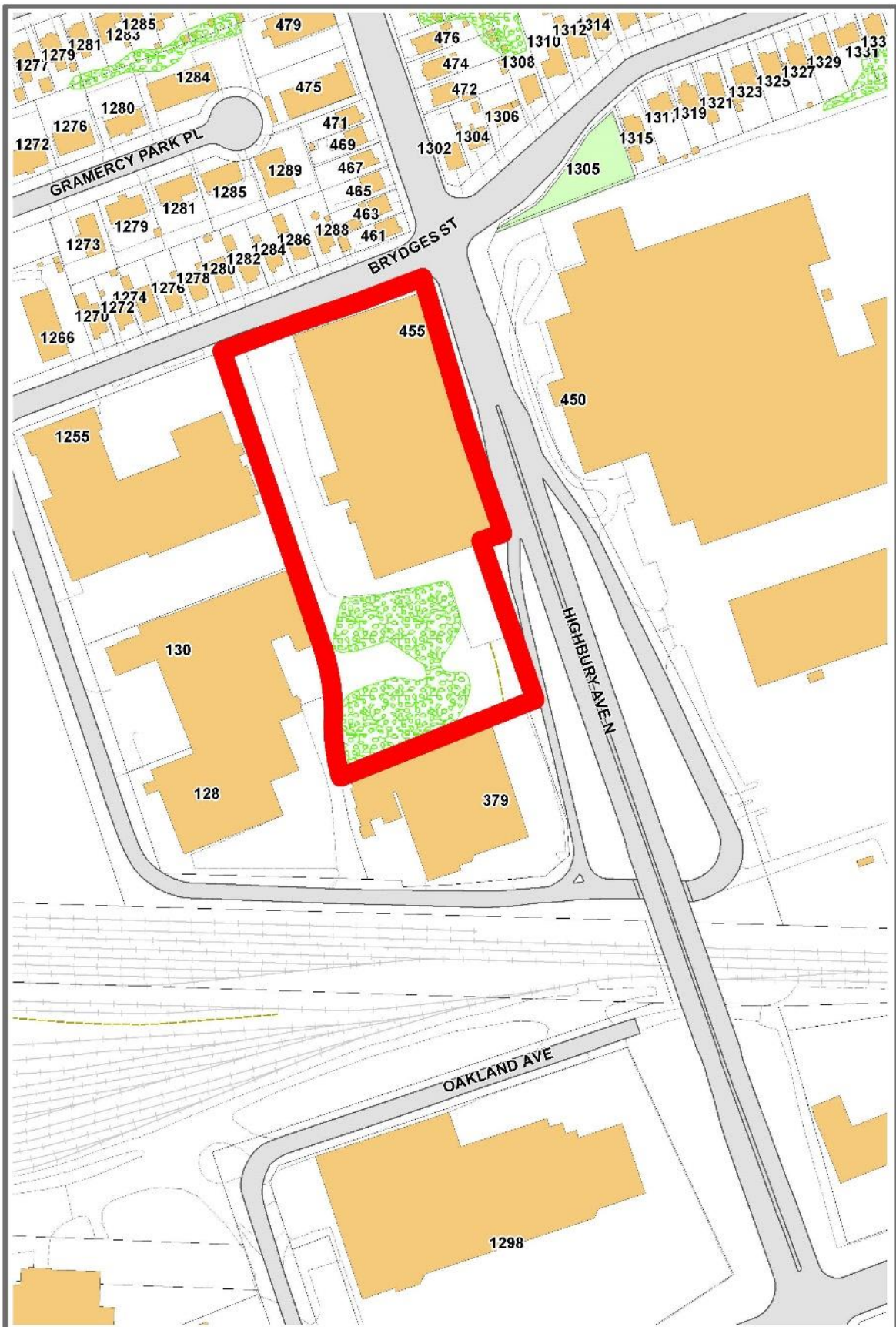
- North – Residential
- East – Industrial and Residential
- South – Industrial, Commercial and CN Railway Tracks
- West – Industrial

### **1.5 Intensification**

- The proposed development will not represent residential intensification within the Built-Area Boundary.
- The proposed development will not represent residential intensification within the Primary Transit Area.



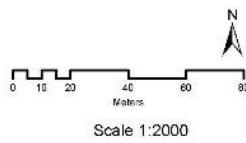
## 1.6 Location Map



### LOCATION MAP

Address: 455 Highbury Avenue North  
 File Number: Z-9564  
 Planner: Michaela Hynes  
 Date: 2023/1/25

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



### Legend

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

## Description of Proposal

### 2.1 Development Proposal

The applicant has requested a zoning by-law amendment to rezone the subject lands to permit a self-storage establishment use within the existing building. No changes to the subject lands are proposed save and except for conceptual exterior alterations to modernize the appearance of the existing building. Building renderings were submitted for review, as shown in Figures 6 and 7.

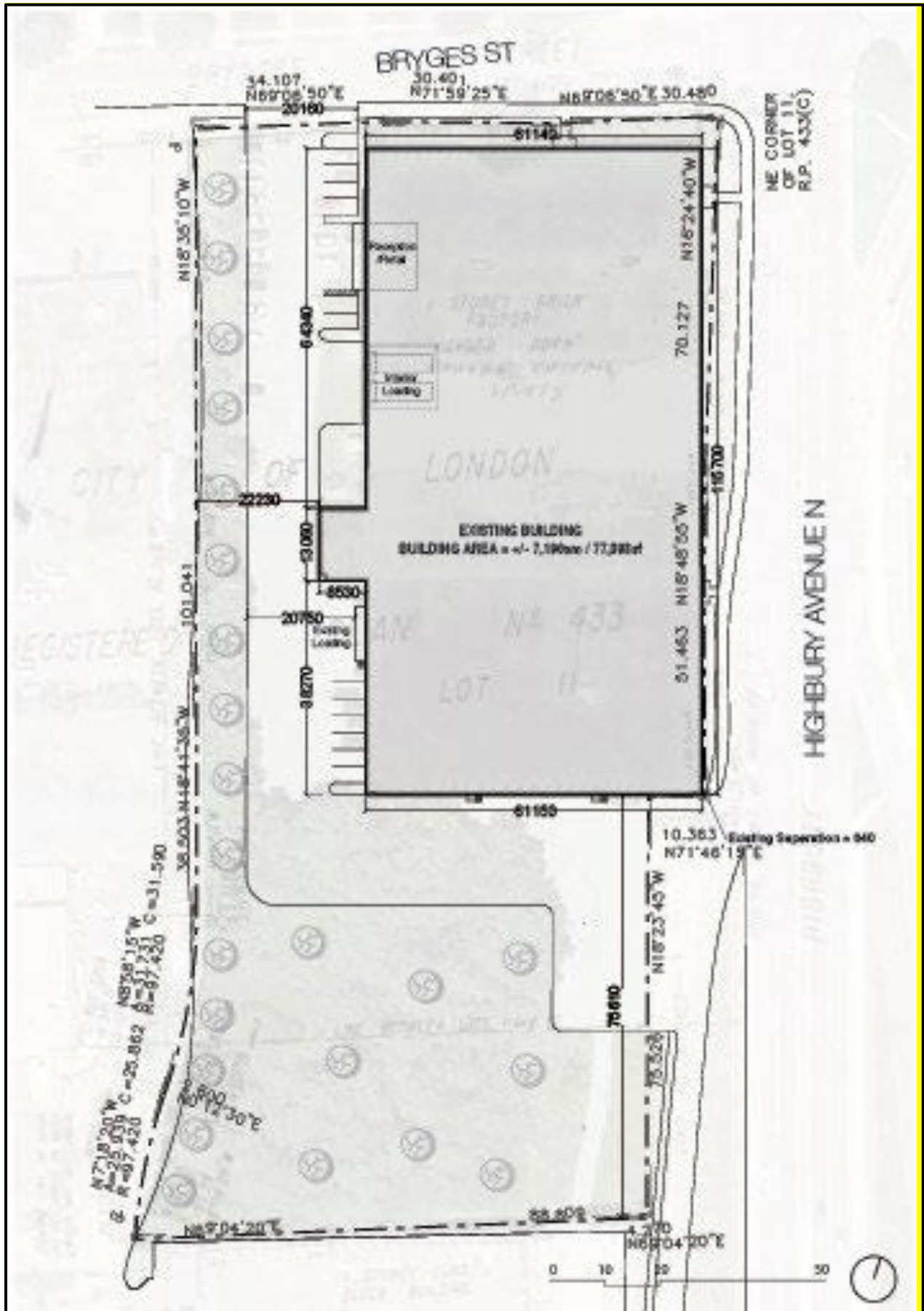


Figure 5. Conceptual Site Plan



Figure 6. Conceptual Rendering (Brydges Street looking southeast towards retail entrance and loading)



Figure 7. Conceptual Rendering (looking southwest from Brydges Street and Highbury Avenue N)

## 2.2 Requested Amendment

The applicant originally requested to rezone the lands to a General Industrial Special Provisions (GI1 ( \_ )) Zone, which on City Staff's request was altered to a request to rezone the lands to a Light Industrial Special Provisions (LI1 ( \_ )) Zone in keeping with the Light Industrial Place Type. The requested amendment would permit the existing building to be used for a self-storage establishment use. Special provisions are required to recognize the existing front yard setback and to permit a self-storage establishment within the existing building.

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

The public was provided with opportunities to provide comments and input on the application. There was 1 public response received during the community consultation period. Concerns expressed by the public related to use and property values.

## **2.4 Internal and Agency Comments (see more detail in Appendix B)**

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

## **3.0 Financial Impacts**

There are no direct municipal financial expenditures with this application.

## **4.0 Key Issues and Considerations**

### **4.1 Issue and Consideration #1 – Provincial Policy Statement, 2020**

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

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

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 the self-storage use and the range of light industrial uses are more compatible with the surrounding neighbourhood than the existing general industrial uses, and will meet the long-term needs of the community, and promote a more diverse economic base. The recommended amendment also contributes to a land use pattern that makes efficient use of existing building and resources within a settlement area and is appropriate for the available infrastructure.

### **4.2 Issue and Consideration #2 – The London Plan Key Directions**

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 area surrounding the subject lands, primarily consists of low-rise residential and commercial-industrial uses that cater to the surrounding community. The proposed amendment supports these Key Directions by permitting a range of light industrial uses on an existing general industrial parcel that would further support the transition of the lands from general to light industrial uses to better serve the surrounding community. The commercial industrial self-storage use would also provide a more appropriate transition as opposed to the existing range of general industrial uses abutting residential uses.

The proposed amendment intends to add a self-storage establishment use to the existing building and reuse the existing vacant building and parking area to facilitate the additional use. The proposal helps provide a more appropriate range of uses for the area, whilst making use of an existing built form that has gained a level of acceptance within the community and which utilizes existing services and facilities.

#### **4.3 Issue and Consideration #3 – Use**

The site is located within the Light Industrial Place Type of The London Plan at the intersection of an Urban Thoroughfare (Highbury Avenue North) and a Neighbourhood Connector (Brydges Street) as identified on Map 1 – Place Types and Map 3 – Street Classifications.

Permitted uses within the Light Industrial Place Type at this location include a broad range of industrial uses that are unlikely to impose significant impacts on surrounding industrial land uses due to emissions such as noise, odour, particulates, and vibration (The London Plan, Policy 1115\_1). Industrial uses with large amounts of open storage may not be permitted dependant on the character of the surrounding industrial area or any applicable guideline documents (The London Plan, Policy 1115\_2). In this case, a self-storage establishment is considered an appropriate commercial industrial use for the lands given the surrounding context. The proposed self-storage establishment generally has an industrial characteristic that is similar in nature to other transitional commercial industrial uses, as well as the surrounding neighbourhood context.

The self-storage establishment use is proposed to be fully contained within the existing building footprint and will not require the expansion or addition of built form on the property. The proposed self-storage establishment is also intended to support the needs of the surrounding residential area, whilst providing a more compatible use, where lands have already transitioned from general industrial uses to residential, commercial, and light industrial uses over time. Therefore, the use also supports the City's vision for parcels transitioning from industrial uses and mentions that the repurposing of such parcels will be supported for land uses that are compatible with the neighbourhood context (The London Plan, Policy 1121\_).

As the lands are currently zoned General Industrial (GI1), the proposed self-storage establishment also provides opportunity to bring the existing site into conformity with the Light Industrial Place Type and the intent of The London Plan.

#### **4.4 Issue and Consideration #4 – Intensity**

Within all Industrial Place Types, industrial uses will be encouraged to utilize land efficiently with high building coverage ratios and high employment density sought wherever possible (The London Plan, Policy 1124\_1). The intensity of industrial uses may also be moderated by zoning regulations, where appropriate, to limit the extent of their noise, vibration, dust, and odour emissions (The London Plan, Policy 1124\_2). In this case, the proposed amendment provides an opportunity for the continued use of an

existing vacant building on an industrial property. The proposed self-storage establishment is also unlikely to impose significant impacts as it relates to noise, vibration, emissions or the visual impact of outdoor storage given that the proposed use will be contained within the existing structure and no new development will occur.

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

In the Industrial Place Types large open storage area will be screened with fencing and landscaping that is appropriate within the surrounding context and view corridors and loading facilities will be located in areas that minimize visual impact to other industrial uses and the street (The London Place, Policies 1125\_5 and 1125\_6).

The self-storage establishment use is proposed to be fully contained within the existing building footprint and will not require the expansion or addition of built form on the property. The proposed use contains sufficient access and off-street parking, with the existing loading area of the building proposed to be retained to minimize visual impact on the neighbourhood. Additional enhanced landscaping could also further screen any surface parking exposed to the public street in accordance with The London Plan (The London Plan, Policy 278\_).

Figures 6 and 7 show that although there are no additions to the existing building, conceptual exterior alterations to modernize the appearance of the existing building are proposed. The renderings provided indicate that the wall along Highbury Avenue North, an Urban Thoroughfare, would be a blank wall, which is not in keeping with the policies of The London Plan, which states that to support pedestrian activity and safety, large expanses of blank wall will not be permitted along the street edge (The London Plan, Policy 285\_). Specifically, the façade along Highbury Avenue North should be treated as an active frontage. Planning and Development staff encourage the applicant to maintain the existing façade along Highbury Avenue North to achieve the goals of The London Plan, or at a minimum, the existing window openings should be retained if new cladding is required. Staff's full comments related to urban design considerations are provided under Appendix B of this report. It is noted that the proposed use does not require site plan control given the proposal is for an adaptive reuse of an existing building.

#### **4.6 Issue and Consideration #6: Brydges Street Area**

The subject site is located within the Brydges Street Specific Policy Area of The London Plan. Within the Brydges Street Area, a limited number of commercial uses may be permitted through a site-specific zoning by-law amendment provided the following conditions can be met:

1. The commercial use is located within an existing building.
2. Additions to or enlargement of the building to accommodate commercial uses will be discouraged. Substantial additions or alterations to existing buildings to accommodate commercial uses will not be permitted.
3. The commercial use does not fit well within the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area or Main Street Place Type due to its planning impacts.
4. The commercial use may generate noise, vibration, or emission impacts.
5. The commercial use may generate large volumes of truck traffic.
6. The commercial use may require large storage and/or display space.
7. Minor variances to accommodate additional parking or minor variances that could have an impact on the industrial operations in the area will be discouraged.
8. The commercial use would not prevent the future re-use of the building for industrial uses.

9. The commercial use does not generate significant additional traffic that will interfere with the industrial uses or operations in the area.
10. The commercial use does not constitute a sensitive land use which would have an impact on or would impair or interfere with the existing or planned industrial use of the area.

The objective of the area-specific policies is to provide for a range of commercial land uses that are typically not suitable for other commercial areas within the City (The London Plan, 1140A). In 2017, following the Industrial Lands Development Strategy, it was concluded that industrial lands within the interior of the city (like the Brydges Street Area) have been seen to struggle to attract new industrial users. The criteria outlined above is intended to attempt and maintain the existing building stock within this area and to ensure that any commercial uses that do locate within the Brydges Street Area do not negatively impact existing or future industrial or residential uses. Moreover, commercial uses that meet the criteria above are generally inappropriate to be located along main streets or within commercial plazas (Policy 1140A (3)). Allowing the location of such commercial uses within the Brydges Street Area aids in decreasing the amount of underutilized and vacant industrial buildings within the city whilst maintaining the existing building stock should new industrial users be attracted to the area in the future. Commercial uses which are permitted should not outright prevent existing industrial buildings from being reconverted into industrial uses but should instead aim to aid the transition of a property from industrial to commercial (and vice versa) depending on the context of the surrounding area. Generally, commercial uses will only be permitted within the Brydges Street Area if they are located within an existing building, will not negatively impede on the operations of the industrial uses in the area, and would not prevent the re-use of the building for industrial uses in the future.

Consistent with the Brydges Steet Area Specific Policy Area under The London Plan, the recommended self-storage establishment fulfils all the criteria required under Policy 1140A and is considered an appropriate commercial-industrial use for the lands given the surrounding context. The proposed use will be fully contained within the existing building footprint and would not require the expansion or addition of built form on the property, thereby allowing the building to be re-used for potential industrial purposes in the future. The proposed self-storage establishment is also intended to support the needs of the surrounding residential area whilst providing for a more compatible use north of the CN railway tracks, where lands have already transitioned from industrial uses to residential, commercial, and commercial-industrial uses over time.

Given that no additions or exterior alterations to the existing building are proposed and given that some of the uses within the existing building are already non-industrial in nature, the proposed self-storage establishment is anticipated to have minimal impact on surrounding properties regarding intensity and form and is appropriate for the location given the existing context. As mentioned above, a special provision to recognize the front yard setback of the existing building is also required to ensure that the site configuration and existing building footprint are not altered.

#### **4.7 Issue and Consideration #7: Zoning**

The applicant has requested to rezone the lands from the existing General Industrial (G1) Zone to a Light Industrial Special Provisions (LI1(\_)) Zone. The intent is to permit a self-storage establishment within the existing building on site.

The existing General Industrial (G1) Zone variation permits a broad range of industrial activities which are appropriate in large industrial areas, or areas not adjacent to sensitive land uses. The Light Industrial (LI1) Zone is intended to permit a limited range of minimal intensity industrial and complementary uses, which are unlikely to pose significant impacts on surrounding land uses.

The subject site is located at the intersection of an Urban Thoroughfare (Highbury Ave North) and Neighbourhood Connector (Brydges Street) which are both considered “major streets” within The London Plan.

The surrounding area consist mostly of residential and a mix of industrial uses, with commercial uses further south that cater to the surrounding community. For this reason, Planning and Development Staff are of the opinion that the proposed Light Industrial (LI1) Zone would permit a transitional self-storage use and range of light industrial uses that are suitable for the location and are more compatible with the context of the surrounding area than uses permitted within the General Industrial Zone. Self-Storage establishments can also be considered a commercial industrial use that that does not require a large amount of outdoor storage, but rather requires large amounts of land and interior building space for storage-related purposes.

Furthermore, the proposed special provisions aim to recognize the existing site conditions which will effectively allow for proper functionality of the proposed use without the need for significant exterior changes or expansions.

As such, Planning and Development Staff are of the opinion that the proposed Light Industrial Special Provision (LI1(\_)) Zone is appropriate for the site and would permit a range of light industrial uses that are compatible with the surrounding area.

## **Conclusion**

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

**Prepared by:**                    **Michaella Hynes**  
**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**



## 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 455  
Highbury Avenue North

WHEREAS Highbury Self Storage Equities Limited has applied to rezone an area of land located at 455 Highbury Avenue North, 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 455 Highbury Avenue North, as shown on the attached map comprising part of Key Map No. A108, from a General Industrial (GI1) Zone TO a Light Industrial Special Provision (LI1(\_)) Zone.
- 2) Section Number 40.3 of the Light Industrial (LI) Zone is amended by adding the following Special Provisions:

LI1 ( ) 455 Highbury Avenue North

a) Additional Permitted Uses:

i) Self-Storage Establishments

b) Regulations:

i) Front Yard Depth 0.64 metres (2.1 feet)  
(Minimum)

ii) The permitted uses identified in a) above shall be restricted to the existing building on the date of the passing of this By-law.

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.

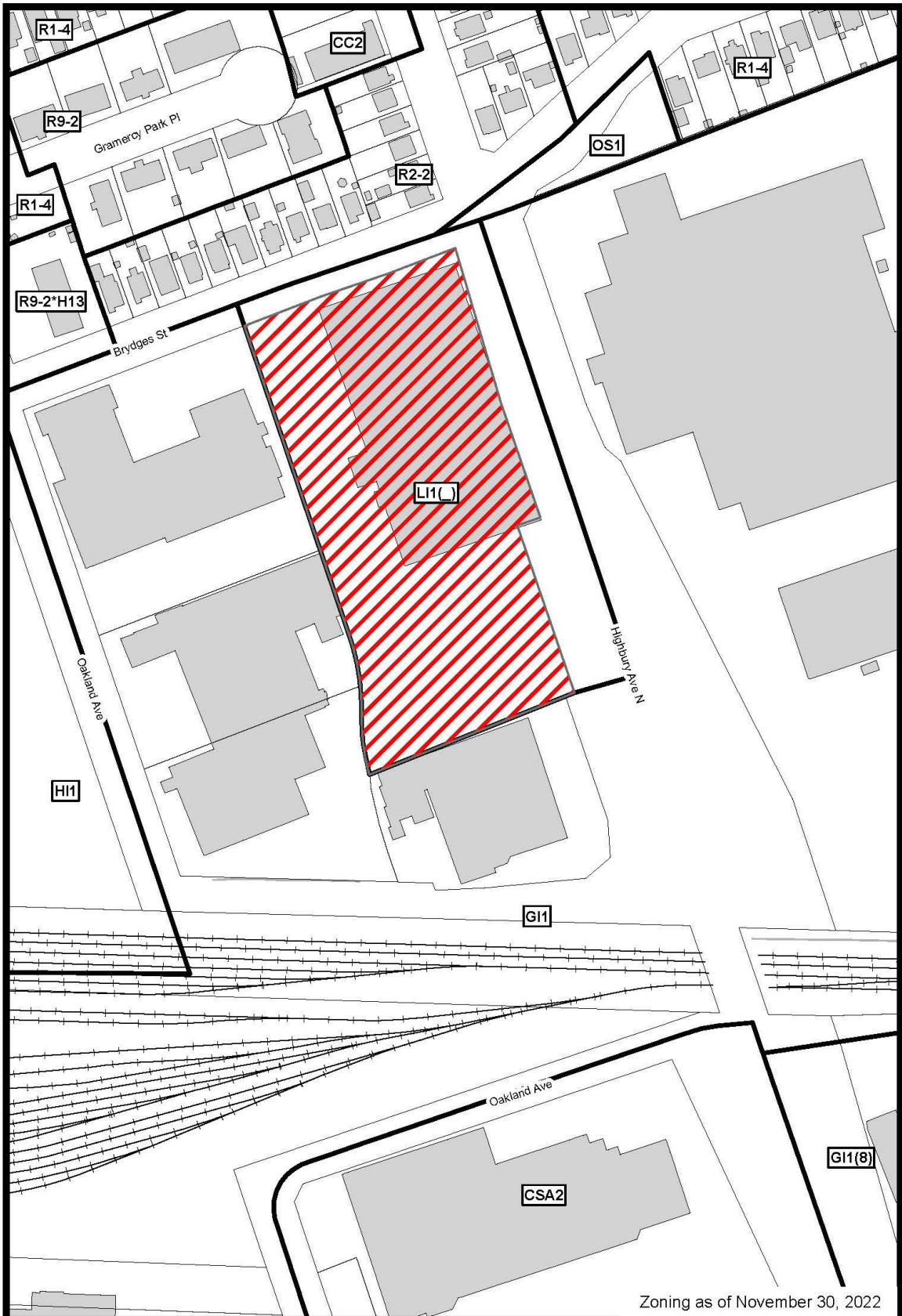
PASSED in Open Council on April 4, 2023

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – April 4, 2023  
Second Reading – April 4, 2023  
Third Reading – April 4, 2023

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



Zoning as of November 30, 2022

File Number: Z-9564

Planner: MH

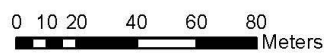
Date Prepared: 2023/1/25

Technician: JI

By-Law No: Z.-1-

SUBJECT SITE 

1:2,000



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On Wednesday, November 23, 2022, Notice of Application was sent to property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, November 24, 2022. A “Planning Application” sign was also placed on the site.

Replies were received from, or on behalf of 1 household.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a self-storage establishment within the existing building. Conceptual exterior changes to modernize the appearance of the existing building are proposed. Special provisions are requested to permit the proposed use and the existing front yard setback of 0.64 metres, whereas 1.5 metres is required. Possible change to Zoning By-law Z.-1 **FROM** a General Industrial (GI1) **To** a General Industrial Special Provision (GI1(\_)) Zone.

**Public Responses:** A summary of the comment(s) received include the following:

#### Concerns For:

- Use
- Density

Telephone	Written
	Roger Rush [REDACTED]

Roger Rush  
[REDACTED]

- Does not want to see another storage facility in the neighbourhood
- Questioned why the property cannot be used for another factory
- Concerns about reduced property values
- Interested in learning more about the plan/business
- Despite concerns, overall, generally accepting of the application

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### Agency/Departmental Comments

#### December 6, 2022: Site Plan

- No further comments from Site Plan.

#### December 6, 2022: Heritage

- This is to re-confirm that there are currently no heritage planning or archaeological issues related to this property and associated application.
- From Record of Pre-Application: Archaeological potential at 455 Highbury Avenue North is identified on the City’s Archaeological Mapping. The scope of work is limited to expansion of existing uses and no soil disturbance is anticipated. Archaeological potential remains on the property. Future development/new construction or paving may require an archaeological assessment(s).

#### December 7, 2022: Landscape Architecture

- No issues with the Zoning By-law Amendment for 455 Highbury Avenue North.

#### December 12, 2022: Engineering

- The application was reviewed, and engineering has no additional comments. Since there are no proposed changes to the building exterior or the site at this time, there are no UD comments related to the existing structure.

#### December 13, 2022: Urban Design

- The subject site is a corner site, that should be oriented towards Highbury Avenue North, the higher-order street classification. The renderings provided for 455 Highbury Avenue North indicate that the wall along Highbury Avenue North, an Urban Throughfare, would be a blank wall, which is not supported by the London Plan. Refer to the London Plan, Policies 261 & 285.
  - Ensure that the façade treatment addresses the corner through building massing, material, texture, and/or articulation. Refer to the London Plan, Policy 290.
  - The façade along Highbury Avenue North should be treated as an active frontage. Refer to the London Plan, Policy 285.
  - If programming allows, the applicant is encouraged to maintain the existing facades. At minimum, the existing window openings should be retained if new cladding is required.
- Provide a pedestrian path throughout the parking lot from the retail entrance to the city sidewalk. Refer to the London Plan, Policy 270.
- Any surface parking exposed to a public street should be screened with enhanced landscaping, including low landscape walls, shrubs, and street trees. Refer to the London Plan, Policy 278.
- Provide a full set of dimensioned elevations for all sides of the proposed built forms, floor plan, a grading plan, and a rooftop plan. Include materials and colour labels. Further urban design comments may follow upon receipt of the elevations.
  - The rooftop plan and elevations should outline the placement of rooftop mechanical equipment and the proposed mechanical equipment screening. Refer to the London Plan, Policy 296.

The applicant requested a meeting to discuss Urban Design comments, which was held on Monday, December 19. Further comments were provided by Urban Design on January 13, 2023.

Thank you for your collaboration through the ZBA process with the City of London. Urban Design would like to collaborate with the applicant to create an enhanced streetscape along Highbury Avenue North an Urban Thoroughfare. Urban Design cannot support the proposed blank wall along 455 Highbury Avenue North. Refer to the London Plan, 285.

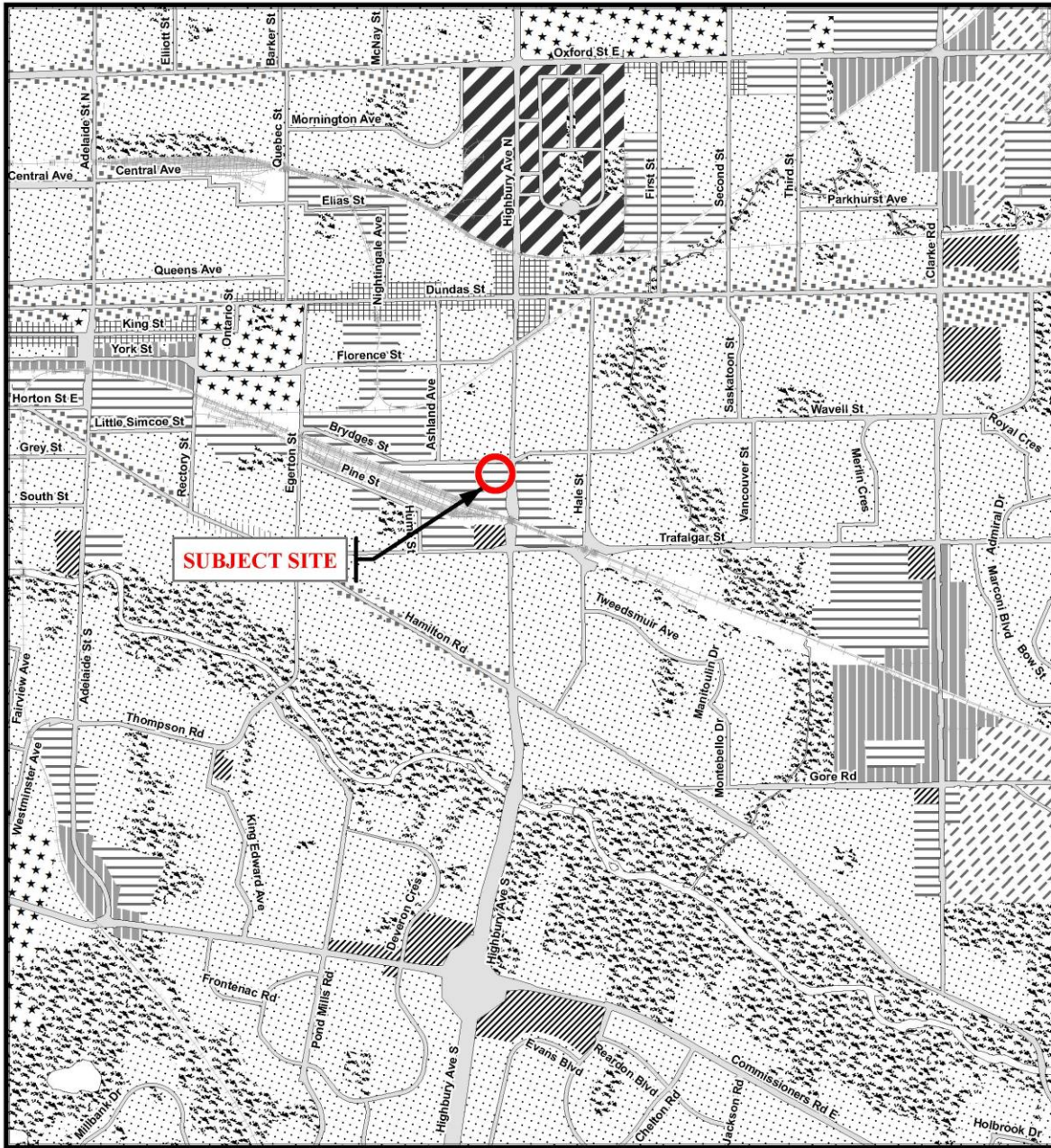
- The façade along 455 Highbury Avenue North should be treated as an active frontage. The applicant is encouraged to maintain the existing façade along Highbury Avenue North. **At a minimum, the existing window openings should be retained if new cladding is required.**
  - Consider filling the windows with reinforced materials, to mitigate any security threats that the applicant suggested. **1173 Dundas St** and **185 Ashland Ave** are examples of storage facilities in London with reinforced windows along the façade.
  - Colorful branding, signage, corrugated metal, spandrel panels, or other materials can be added into the window frames, while addressing the needs of the programming of the proposed storage facility.
- Consider retaining the corrugated metal or other materials at key points along the Highbury Avenue North façade to create rhythm and highlight the signage of the proposed storage facility.
- Provide enhanced landscaped areas for visual amenity and to assist with stormwater management and further activate the frontage along 455 Highbury Avenue North. Refer to the London Plan, Policy 240.

#### December 15, 2022: London Hydro

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

# Appendix C – Relevant Background

## The London Plan – Map 1 – Place Types



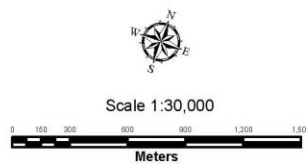
### Legend

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

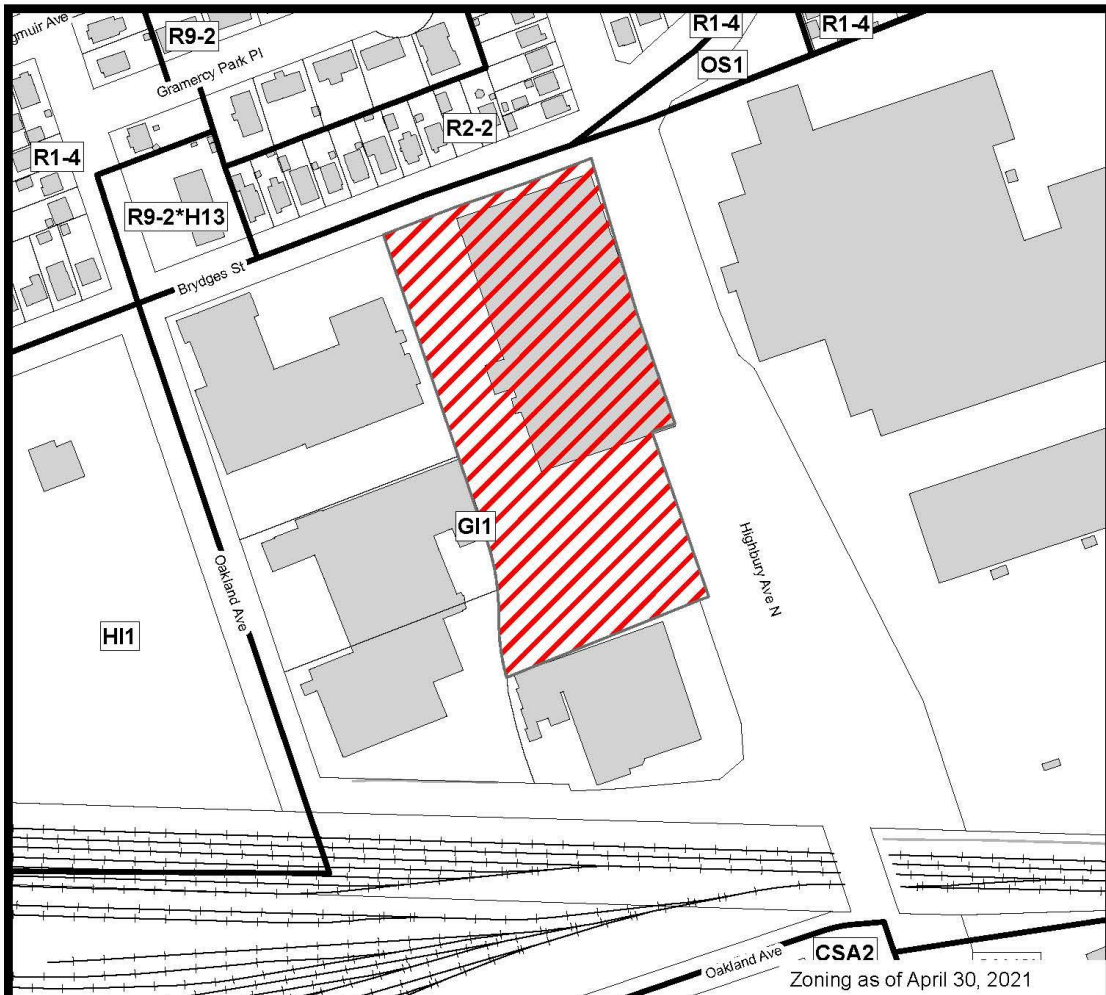
**CITY OF LONDON**  
**Official Plan**  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**

PREPARED BY: Planning & Development



**File Number:** Z-9564  
**Planner:** MH  
**Technician:** JI  
**Date:** 2023/1/25

# Zoning By-law Z-1 – Zoning Excerpt



## COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: G11

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

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

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

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

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

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

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

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

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

## CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9564

MH

MAP PREPARED:

2023/1/25

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

**Subject:** Demolition Request by J. McLeod for the Heritage Designated  
Property at 247 Halls Mill Road, Ward 9  
Public Participation Meeting

**Date:** March 20, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the request to remove heritage attributes from the property at 247 Halls Mill Road, pursuant to Section 34(1) of the *Ontario Heritage Act*, **BE APPROVED** subject to the following terms and conditions:

- a) The use of machinery **BE PROHIBITED** in the demolition or removal of the accessory building's debris;
- b) The existing brick and rubble stone foundation shall **BE RETAINED** and **BE PROTECTED** *in situ* until Municipal Council decision following receipt of the recommendation of the Conservation Review Board; and,
- c) The removal of the debris **BE COMPLETED** in accordance with the demolition plan on file with the City.

## Executive Summary

In response to a demolition heritage request for a heritage listed property, Municipal Council passed a motion on January 28, 2020 to issue a Notice of Intention to Designate the property at 247 Halls Mill Road pursuant to Part IV of the *Ontario Heritage Act*. On January 30, 2020, the accessory building ("Red Barn"), a built heritage resource identified within the Statement of Cultural Heritage Value as a heritage attribute of the property, was demolished without Municipal Council's approval. Despite the demolition of the accessory building, staff continue to believe that the property has significant cultural heritage value or interest.

In February 2022, the City received an appeal to the Notice of Intention to Designate the property which has been referred to the Conservation Review Board (CRB). The appeal proceedings to be heard by the Conservation Review Board were adjourned to allow for related legal matters to be resolved. The related legal matters have now been resolved.

Since the property is subject to a Notice of Intent to Designate, it is treated as if the property were a heritage designated property pursuant to Section 30(2), *Ontario Heritage Act*.

A demolition request has now been received to remove the debris of the former accessory building on the property at 247 Halls Mill Road. Removal of the debris must be completed by hand removal without the use of machinery to ensure the retention of the brick and rubble stone foundation which is still a heritage attribute of the property. The foundation must be retained in situ to allow the Conservation Review Board proceedings to continue. Staff recommend approval of this application subject to terms and conditions.

## Linkage to the Corporate Strategic Plan

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

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

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

2020, January 20 – Report to Planning and Environment Committee. Demolition Request for Heritage Listed Property at 247 Halls Mill Road by John McLeod – Public Participation Meeting. Agenda Item 3.3, pp159-199: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70325>.

#### 1.2 Location

The property at 247 Halls Mill Road is located on the west side of Halls Mill Road, north of Commissioners Road West (Appendix A). The property is located in the former hamlet of Halls Mill, later village of Byron, in the former Westminster Township. This area was annexed by the City of London in 1961.

#### 1.3 Cultural Heritage Status

A Notice of Intention to Designate (NOID) the property pursuant to Part IV of the Ontario Heritage Act was issued for the property at 247 Halls Mill on February 4, 2020. The owners of the property appealed the Notice of Intention to Designate the property to the Conservation Review Board (CRB).

Pursuant to Section 30(2) of the *Ontario Heritage Act*, a property that is subject to a Notice of Intent to Designate is treated as if the property were a heritage designated property. The process related to the alteration of a heritage attribute of a heritage designated property (Section 33, *Ontario Heritage Act*) and demolition or removal of a heritage attribute of a heritage designated property (Section 34, *Ontario Heritage Act*) are applicable. The property will continue to be treated as if the property were a heritage designated property until following Municipal Council's decision on the recommendation of the Conservation Review Board regarding the appeal.

#### 1.4 Description

The buildings on the property at 247 Halls Mill Road previously included a dwelling and accessory building that were situated on an elevated portion of the property that rises above the existing grade of the road. Steps have been built into the sloping earthen embankment to provide access to the front of the dwelling. Similarly, a curved and sloping gravel driveway provides vehicular access to the property, leading to location of the accessory building.

The subject property is approximately one acre in size.

The Queen Anne Revival dwelling located at 247 Halls Mill Road is a one-and-a-half storey, hipped roof, with cross gables, buff brick side hall plan cottage (Appendix B). The front entrance is located on the east elevation of the dwelling and consists of a panelled wood door and stained-glass transom. Side entrances are located on the north and south elevations. The east elevation includes a projecting front gable which includes a concentration of decorative wood details including carved wood brackets, scalloped shingle imbrication, and decorative detailing within the bargeboard and gable. Comparable applied details are continued on the gable located on the south façade of the dwelling, as well as the north gable and a gable dormer that extends out from the roof line on the north façade of the dwelling. Buff brick quoins are located on the north and south sides of the dwelling, along the west side of the dwelling. The quoins,

however, are not continued on the east side of the dwelling. The dwelling originally had Queen Anne style wood windows that were located in the front and side gables; however, they have since been replaced with vinyl windows that mimic the light pattern of the former windows. The dwelling previously had a slate roof that was removed between 1999 and 2019.

The dwelling includes two porches: one on the north façade and one on the south façade. The north porch includes a shed style roof that is supported by decorative turned posts. The top of the posts includes carved wood brackets, and decorative spandrels extend along the entire porch. The porch skirt includes a wood lattice design. Comparatively, the south porch is larger and includes a shed-style roof with a gable built out above the entrance. The south porch includes seven decorative turned posts, and two engaged posts that directly abut the south wall of the dwelling. Carved brackets and wood spandrels are also present on the south porch. The design of the porch skirt on the south porch consists of wooden boards with a pattern of circular holes.

Additions have been made to the rear (west) façade of the house including a single storey addition, and a garage. The majority of the additions have been clad with a buff brick material that is similar in colour to the buff brick of the dwelling.

The accessory building on the property consisted of a two-storey timber frame structure that had been used for various functions. The building was colloquially identified as a “barn” structure (Red Barn); however, various published accounts of the property refer to the structure’s historic function as a “coach house” as well as a “warehouse” for the Griffith Bros. woollen mill which was active in the Hall’s Mill area from the 1860s to the 1890s.

The accessory building was constructed utilizing a timber frame construction method with the use of 10” x 10” posts, connected through the use of mortise and tenon joinery, a traditional timber framing technique. The exterior board-and-batten cladding consisted of red painted chestnut. The composition and detailing of the structure were highlighted and summarized in Nancy Tausky’s *Historical Sketches of London From Site to City* (1993).

Tausky writes:

*The elaborate treatment of the barn’s centre section makes it the focal point of the long front: the round-headed window is recessed within a projecting gable. Below, a further projection containing the main doors (originally solid) is covered with a hipped roof that echoes the dimensions of the gable above. The ventilator at the ridge of the barn completes the central complex. Some concern for symmetry in the rest of the façade is indicated by the two ground floor windows, which are equidistant from the main door. But other openings, possibly later alterations, have obscured any formal balance that may once have existed. Griffith’s interest in style and workmanship is indicated by the fact that, when he made a Queen Anne house out of his 1840s cottage, he imported Georgia pine from the southern United States to use for the interior trim (Tausky 1993, 80).*

Municipal Council resolved to issue its Notice of Intent to Designate the property pursuant to the *Ontario Heritage Act* on January 28, 2020. On January 30, 2020, the accessory building was demolished by the property owner. The remains of the accessory building have remained on the property and subject to a Stop Work Order.

## **1.5 Property History**

The subject property at 247 Halls Mill Road is located on what was historically known as Lot 45, Concession B in the Broken Front in Westminster Township. The original Crown grant for the lot (approximately 120 acres) was given to Archibald McMillan in 1819. By 1827, McMillan began selling off portions of the property and sold 5 ¼ acres to Anson Simons and John Preffer who built a carding and fulling mill in the northeast corner of the lot. The milling operations that Simons and Preffer initiated was the beginning of an extensive 19<sup>th</sup> and early-20<sup>th</sup> century milling history in the Halls Mills area. (Land Registry Records, Burnell, 14).

In 1831, Simons and Preffer sold their milling operation to Burleigh Hunt, who went into partnership with Cyrenius Hall in 1835. One year later, Hall purchased the entirety of the business from Hunt and began expanding his milling operations.

Cyrenius Hall is perhaps the most well-known milling figure associated with the early history of Byron as the namesake of Hall's Mills. He emigrated to Upper Canada around 1810 from New Hampshire, and worked primarily as a merchant in Fort Erie. In the 1830s he moved to Westminster Township where he partnered with Hunt before acquiring the milling operations entirely and a sizeable portion of the lands in the area. Shortly after acquiring the mills in the area, he added a distillery and tannery to the milling complex. Hall and his family members operated most of the milling operations in the area, and under him the area prospered (Burnell, 14-15; Grainger 2002, 288-290). Cyrenius Hall also began selling portions of the lot into the mid-19<sup>th</sup> century, including various portions that were sold to Lawrence Lawrason. A merchant, MLA, and land-speculator, Lawrason held a number of prominent positions in early London, including an appointment as London's first deputy postmaster. He partnered with George Jarvis Goodhue in opening a general store, dry goods business, real estate office, and post office in London (Brock, 2003; Armstrong, 1986, 74-107). Like many of London's early merchants, Lawrason became heavily involved in land speculation in the area, explaining his acquisition of property in Hall's Mills (Brock, 2003).

The Halls Mills area was captured in 1846, in *Smith's Gazetteer*. The area was described as having 200 inhabitants as well as a grist mill, a distillery, a carding machine and cloth factory, a tannery, a tavern, a store, a fanning-mill maker, a blacksmith, a wagon maker, a shoemaker, and a tailor (Smith 1846, 218).

The Griffith brothers, for whom the subject property is most notably associated, first began acquiring property in the area in 1861. John Griffith, the eldest of three brothers who partnered in business in the area acquired three acres from Lawrence Lawrason. John, along with his brothers William and Eli, continued to acquire property in the area throughout the 19<sup>th</sup> century, and by the mid-1860s began a woollen mill operation in Hall's Mills (Tausky, 1993, 80; Armstrong 1986, 74-107; Grainger, 2002, 290-294).

The three Griffith brothers were the sons of Eli Griffith and Alexandria McAdam, early settlers in Westminster Township, in the Byron area. Eli (the father) emigrated from Vermont to Westminster Township along with several other Griffith family members who are considered as some of the earliest Euro-Canadian settlers of the Byron area. Eli and Alexandria, and their nine children settled on Lot 35, Concession B, Westminster. John, William, and Eli, three of their seven sons went into business together operating a woollen mill in Hall's Mill, and a second operation in present-day Springbank Park (Westminster Historical Society, 238-239). William Griffith eventually became the owner of the lands that included the property at 247 Halls Mill Road in 1867. The woollen mill that he operated with his brothers was located across Halls Mills Road (formerly Centre Street) on the City-owned lot that is now known as Halls Mills Park (Land Registry Records).

Census records from the 1870s to the 1890s refer to the three brothers as "Clothiers" and "Woollen Manufacturers", separate from their immediate family who continued to be identified as farmers. Prior to the 1870s, the brothers are noted as living within the residence of their parents, Eli and Alexandria on Lot 35.

The Griffith Bros. woollen mill prospered. By 1868, after a few years in operation, the City and County Directory noted two woollen mills in the Byron area. In the description of Byron, it was further noted that "Griffith Bros. factory is of frame, two stories, 64 x 45 feet, in which water power is used, and about 12 hands are employed in the manufacture of tweeds, fullled clothes and flannels. Their machinery is considered superior to any other in the Province" (City and County Directory, 1868). The 1871-72 Directory includes an advertisement for the "Byron Woollen Mills, Griffith Bros., Proprietors, Manufacturers of tweeds, full clothes, plain and fancy flannels of all kinds" (City and County Directory, 1871-72).

As noted by Tausky in *From Site to City*, it is unclear on when the accessory building on the subject property was constructed; however, the structure has been identified in various sources as being used as a coach house, a barn, as well as a warehouse/storage facility for the Griffith Bros. woollen mill. The mill was in operation by the Griffiths between the 1860s and 1890s, so it is believed that the structure was constructed within this timeframe.

The Griffiths Bros. mill was closed by the 1890s, and by 1897 an agreement was made between William Griffith and the City of London for the City to purchase the mill property under the *London Water Works Act, 1873*. The purchase of the property would not take place for another ten years, however, the agreement stated that the City was at liberty to lay a 1" pipe from the stream or pond on the property for the purposes of drawing water, and that William Griffith be permitted to draw water for domestic purpose for his cottage, situated northwesterly across the road, at what is now 247 Halls Mill Road. The agreement also noted that the City was at liberty to remove the mill building and all machinery on the premises at any time. In 1900, the mill was disassembled and sold for lumber (Kerr, 1983).

William Griffith owned the property at 247 Halls Mill Road until he passed away in 1926. The Hall's Mills area has developed north and south of the subject property over the last century, but the Queen Anne Revival cottage and the accessory building have remained in situ and continue to be associated with the early milling history of Hall's Mills and Byron.

The Hall's Mills area continues to be associated with the history of Westminster Township and the village of Byron. In *Heritage Places 2.0*, the area is noted as being generally characterized by the collection of early to mid-19<sup>th</sup> century properties along Halls Mill Road and Commissioners Road West. The property at 247 Halls Mill Road is prominently noted in this Guideline Document including photographs of both the accessory building and dwelling, as well as a reference to the property's contribution to the concentration of cultural heritage resources in the area that are listed on the City of London's *Register of Cultural Heritage Resources (Heritage Places 2.0, 2019, 41.)* The Hall's Mills area is identified within *Heritage Places 2.0* as being a future potential heritage conservation district, worthy of study.

## **1.6 Statement of Cultural Heritage Value or Interest**

At the time of designation of this property in 2020, Section 29 of the *Ontario Heritage Act* required that a Notice of Intention to Designate include an adequate description of the property so that it may be readily ascertained, as well as a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property. The property was evaluated using the mandated criteria of O. Reg. 9/06 and found to meet the criteria for designation. This information was included within a "Statement of Cultural Heritage Value or Interest" for the property that would also form the basis of a heritage designating by-law. The Statement of Cultural Heritage Value or Interest for the property at 247 Halls Mills Road is included in Appendix C.

The Heritage Attributes of the accessory building (Red Barn) included:

- *Form, scale, and massing of the timber frame accessory building and details including;*
  - *Red-painted, exterior chestnut board-and-batten cladding;*
  - *Buff brick and field stone foundation;*
  - *Gable roof form of the building;*
  - *Projecting front bay on the east elevation of the structure including gable roof peak above the round headed window, horizontal wood siding, and hipped roof above the main bay door;*
  - *Door openings, wood doors, and exterior door surrounds;*
  - *Wood windows including;*
    - *Six-over-six divided light windows on the east, west, and north sides of the structure;*

- *Three-over-three divided light windows on the south side of the structure;*
- *Divided light window panel in the gable of the north side of the structure;*
- *Exterior window surrounds;*
  - *Central hipped-roof ventilator located on the ridge of the gable;*
- *Spatial relationships between the dwelling and accessory building.*

## **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**

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

The only cultural heritage protection afforded to heritage listed properties is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the Community Advisory Committee on Planning (CACP) is consulted, and a public participation meeting is held at the Planning & Environment Committee, with a decision by Municipal Council whether to designate the property or allow the demolition to proceed.

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

Following the designation of a property pursuant to Section 29, *Ontario Heritage Act*, approvals may be required for alterations likely to affect the property’s heritage attributes (Section 33, *Ontario Heritage Act*), demolition or removal of a building or structure from the heritage designated property (Section 34, *Ontario Heritage Act*), or the repeal of the heritage designating by-law (Section 31 or Section 32, *Ontario Heritage Act*).

Section 34(1), *Ontario Heritage Act*, states,  
*No owner of property designated under Section 29 shall do either of the following unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal:*

- 1. Demolish or remove, or permit the demolition or removal of, any of the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29(12)(b) or subsection 29(19), as the case may be.*
- 2. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect the property's heritage attributes, as set out in the description of the property's heritage attributes that was required to be registered under clause 29(12)(b) or subsection 29(19), as the case may be.*

Following the receipt of a complete application, Section 34(4.2), *Ontario Heritage Act*, directs that Municipal Council, following consultation with its municipal heritage committee, shall,

- i. Consent to the application,*
- ii. Consent to the application, subject to terms and conditions as may be specified by the council, or,*
- iii. Refuse the application.*

Notice of the decision is required to be served on the property owner and the Ontario Heritage Trust and published in the newspaper. A property owner may appeal the refusal or the terms and condition on the consent to the Ontario Land Tribunal within 30-days of Municipal Council's decision.

The OLT was established on June 1, 2021, and its mandate is to adjudicate land use planning matters including heritage matters in Ontario. Specific to this demolition request, a Notice of Intention to Designate the property was issued in 2020, prior to the establishment of the OLT. As a result, the appeal to the Notice of Intention to Designate for the property at 247 Halls Mill Road will continue to be heard by the Conservation Review Board (CRB) and the final decision regarding the heritage designation of the property will rest with Municipal Council.

## **2.4 The London Plan**

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

In addition, the following policies from *The London Plan* are applicable to this application:

*Policy 567\_ In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a cultural heritage resource is found necessary, as determined by City Council, archival documentation may be required to be undertaken by the proponent and made available for archival purposes.*

*Policy 585\_ Where City Council has issued a notice of intent to designate a heritage property under Part IV of the Ontario Heritage Act, the protection against alteration, removal, or demolition for that property will be as though it was designated until Council deems otherwise.*

*Policy 587\_ Where a property of cultural heritage value or interest is designated under Part IV of the Ontario Heritage Act, no alteration, removal or demolition shall be undertaken that would adversely affect the reasons for designation except in*

*accordance with the Ontario Heritage Act.*

*Policy 589\_ A property owner may apply to alter the cultural heritage attributes of a property designated under the Ontario Heritage Act. The City may, pursuant to the Act, issue a permit to alter the structure. In consultation with the London Advisory Committee on Heritage, the municipality may delegate approvals for such permits to an authority.*

*Policy 590\_ Where a property has been identified on the Register and an application is submitted for its demolition or removal, the Heritage Planner and the Clerks Department will be notified in writing immediately. A demolition permit will not be issued until such time as City Council has indicated its approval, approval with conditions, or denial of the application pursuant to the Ontario Heritage Act. Council may also request such information that it needs for its consideration of a request for demolition or removal.*

*Policy 591\_ Where a heritage designated property or a property listed on the Register is to be demolished or removed, the City will ensure the owner undertakes mitigation measures including a detailed documentation of the cultural heritage features to be lost, and may require the salvage of materials exhibiting cultural heritage value for the purpose of re-use or incorporation into the proposed development.*

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

None.

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

#### **4.1. Designation Request and Demolition – 2019-2020**

A request for the designation of the property at 247 Halls Mill Road pursuant to Part IV of the *Ontario Heritage Act* was received by the City from community members in November 2019. At its meeting on November 13, 2019, the London Advisory Committee on Heritage (LACH) referred the designation request to the Stewardship Sub-Committee for consideration.

The property owner submitted a written intention to demolish the accessory building on the property on December 13, 2019. As required, Municipal Council responded to a notice of intention to demolish a building or structure on a heritage listed property within 60 days timeline. During the 60-day period, the LACH was consulted, and pursuant to Council Policy, a public participation meeting was held at the Planning and Environment Committee.

In considering the 2019 demolition request, staff recommended that Municipal Council issue its notice of intention to designate the property pursuant to Part IV of the *Ontario Heritage Act*, as the property was evaluated and determined to meet the criteria of Ontario Regulation 9/06. The LACH supported the staff recommendation at their meeting held on January 8, 2020, and the Planning and Environment Committee supported the staff recommendation at the public participation meeting held on January 20, 2020.

The staff report on this matter can be found on the Agenda of the Planning and Environment Committee meeting held on January 20, 2020 at the following link: <https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=70325>.

At its meeting held on January 28, 2020, Municipal Council passed a motion to issue a Notice of Intention to Designate the property at 247 Halls Mill Road pursuant to Part IV of the *Ontario Heritage Act*. On the night of January 30, 2020, the accessory building on the property was demolished by the property owner without Municipal Council's approval. Staff continue to believe that the property has cultural heritage value or interest.



#### **4.2 Appeal to Conservation Review Board – 2020-2021**

An appeal to the Notice of the Intention to Designate the property under the *Ontario Heritage Act* was received by the City on February 24, 2020, and referred to the Conservation Review Board on March 11, 2020.

Preliminary discussions related to the appeal to the Conservation Review Board commenced in May 2020 but were adjourned as there were on-going legal proceedings related to charges pursuant to the *Ontario Heritage Act* and the *Ontario Building Code Act* that had not yet been resolved. In addition, the City and the appellant agreed that in order to continue with a discussion of the potential remaining cultural heritage value or interest of the property, and any potential remaining heritage attributes associated with the accessory building (“Red Barn”), the existing debris on site as a result of the unapproved demolition would need to be removed in order to identify the extent of the remaining foundation for the accessory building.

The legal proceedings related to charges under the *Ontario Heritage Act* and the *Ontario Building Code Act* were resolved in late 2021. The property owner entered a guilty plea and a fine was levied for violation of the *Ontario Heritage Act*.

The City and property owner have since been working towards a process by which to remove the debris from the property in order to proceed with the Conservation Review Board file.

#### **4.3 Demolition Request – 2023**

The City’s Building Division has advised that to proceed with the removal of the existing debris from the former accessory building on the property at 247 Halls Mill Road, a “Demolition Permit” (Building Permit to demolish) is required. As the property is treated as if it were designated, the demolition process pursuant to Section 34, *Ontario Heritage Act*, is required.

Following the legal proceedings staff met on site with the property owner and the property owner’s heritage consultant to visually assess the debris and potential remaining heritage attributes of the property. The debris has remained in place as the removal of the debris requires Council approval.

A complete demolition request for the removal of the debris of the former accessory building on the property at 247 Halls Mill Road was received by the City on January 30, 2023. Municipal Council must make a decision on the demolition request within the 90-day statutory timeline, which is set to expire on April 30, 2023.

When considering a demolition request for a heritage designated property, Council must consult with its municipal heritage committee (the Community Advisory Committee on Planning), and may:

- Consent to the application,
- Consent to the application, subject to such terms and conditions as may be specific by the Council, or,
- Refuse the application.

Given the ability to consent to the application subject to terms and conditions, staff are recommending that terms and conditions be applied to the consent to this demolition request. The intent of the applying terms and conditions is to require the debris be removed by hand to ensure that the existing buff brick and rubble stone foundation – a heritage attribute identified within the Statement of Cultural Heritage Value or Interest – can be retained *in situ*. The use of machinery does not allow careful removal of the debris and could put the existing brick and rubble stone foundation at risk.

This will ensure that the proceedings with regards to the appeal to the Conservation Review Board can continue following the removal of the debris.

A demolition plan submitted as a part of the demolition request confirms that the applicant will be removing the debris by hand, and no machinery will be used, including excavating or grading. The demolition plan also confirms that the removal of the debris will not interfere or damage the remnants of the accessory building's foundation. Staff are sufficiently satisfied with the details included within the demolition plan related to the removal of debris from the former accessory building.

It is staff's opinion that the salvage of the remaining building elements that were previously identified as heritage attributes is no longer possible.

Staff are recommending that terms and conditions be applied to the approval of the demolition request in support of the removal of the debris associated with the accessory structure ("red barn") at 247 Halls Mill Road. The intent of apply the terms and conditions is ensure that the related demolition activities do not further compromise the integrity of the remaining heritage attributes. This action will ensure that the Conservation Review Board appeal proceedings can continue following the removal of the debris.

In support of this intent, staff are recommending a demolition plan be prepared by the property owner to the satisfaction of the Director, Planning and Development. The demolition plan must describe how the debris will be removed by hand, and committing to not interfering or damaging any potential remnants of the accessory building's foundation.

To further emphasize the point, staff are recommending a term and condition to prohibit the use of machinery in the removal of the debris of the accessory building.

## Conclusion

The property at 247 Halls Mill Road is of significant cultural heritage value or interest. Municipal Council passed a motion to issue a Notice of Intention to Designate the property pursuant to Part IV of the *Ontario Heritage Act* in January 2020. Following the Council Decision, the accessory building, colloquially known as the "Red Barn" was demolished without approval. In addition, the Notice of Intention to Designate was appealed to the Conservation Review Board. The current demolition request seeks to remove the existing debris from the former accessory building and retain the foundation in situ in order for meaningful proceedings at the Conservation Review Board.

Staff are sufficiently satisfied with the demolition plan submitted with the demolition request that agrees to retain the existing brick and rubble stone foundation in situ to continue proceedings at the Conservation Review Board. The demolition request should be consented to subject to terms and conditions to ensure the careful removal of the debris and to protect any potential remaining heritage attributes associated with the accessory building.

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

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

**Recommended by:** Heather McNeely, MCIP, RPP  
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 Statement of Cultural Heritage Value or Interest

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# Appendix A – Property Location

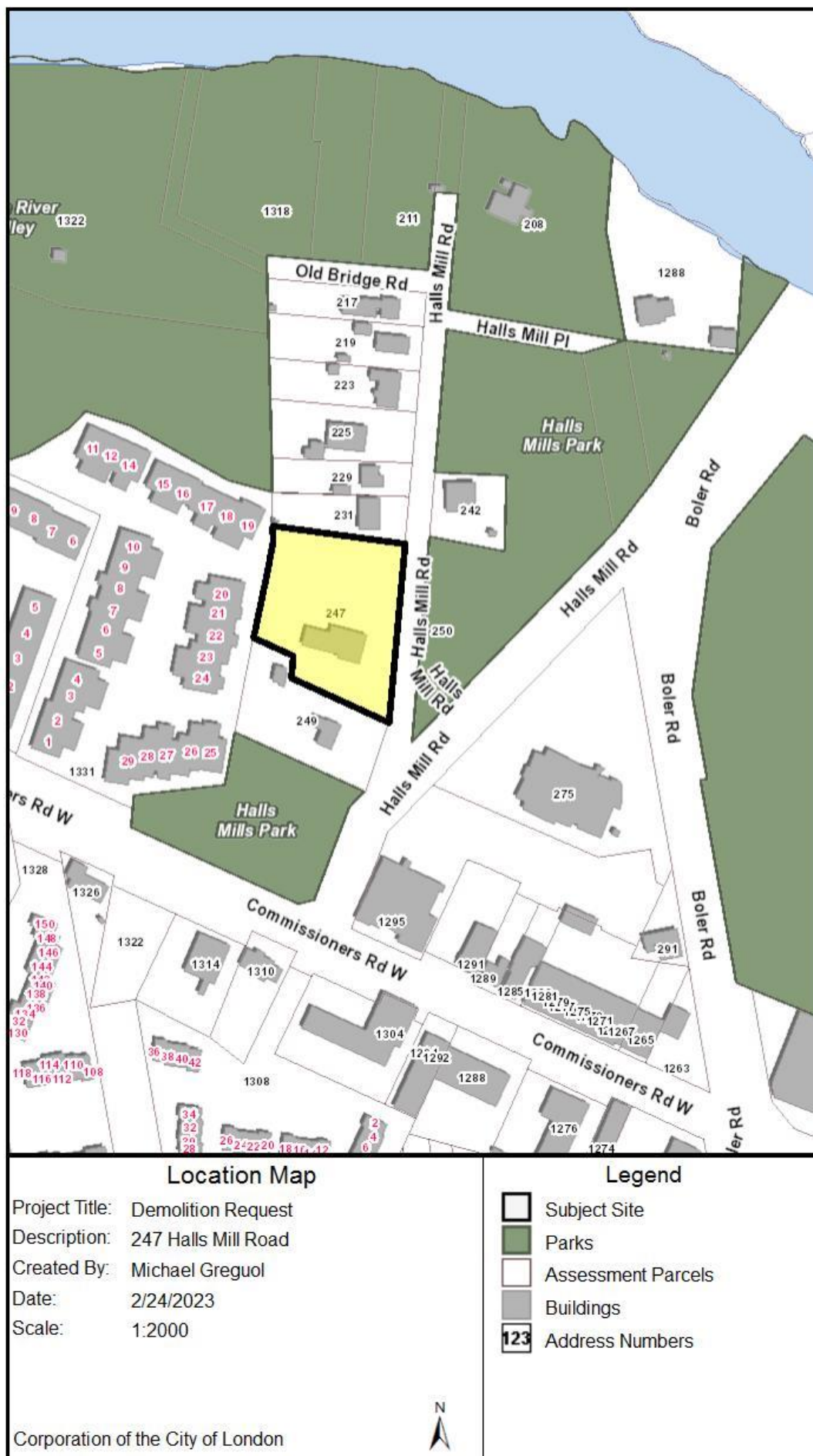


Figure 1: Location of the subject heritage designated property at 247 Halls Mill Road

**Appendix B – Images**



*Image 1: Photograph showing the accessory building in September 2019.*



*Image 2: Photograph of the accessory building as viewed from Halls Mill Road, September 2019.*



*Image 3: Photograph showing the accessory building as viewed from Halls Mill Road, December 3, 2019.*



*Image 4: Photograph showing the accessory building as viewed from Halls Mill Road, December 3, 2019.*



*Image 5: Photograph of the west side of the accessory building, showing the removed roof sheathing, December 3, 2019.*



*Image 6: Photograph of the foundation on the west side of the accessory building showing a mix of buff brick and field stone materials, December 3, 2019.*



*Image 7: Photograph showing the east side of the accessory building as viewed from Halls Mill Road, showing the collapse of the roof framing, December 11, 2019.*



*Image 8: Photograph showing the east side of the accessory building as viewed from Halls Mill Road, showing the collapse of the roof framing, December 11, 2019.*





*Image 9: Photograph showing the property in February 2020, following the unapproved demolition of the accessory building.*



*Image 10: Photograph showing the property in February 2020, following the unapproved demolition of the accessory building.*



*Image 11: Photograph of the debris from the former accessory building, shown in April 2022.*



*Image 12: Photograph showing debris from the former accessory building, shown in April 2022. Note, a portion of the buff brick foundation can be seen buried under the debris.*



*Image 13: Photograph showing debris from the former accessory building, shown in April 2022. Note, a portion of the rubble stone foundation can be seen buried under the debris.*



*Image 14: Photograph showing debris from the former accessory building, shown in April 2022. Note, a portion of the rubble stone foundation can be seen buried under the debris at right. A portion of the cherry board-and-batten exterior cladding can be seen at centre.*



*Image 15: Photograph showing debris from the former accessory building, shown in April 2022.*



*Image 16: Photograph showing debris from the former accessory building, shown in April 2022.*



*Image 17: Photograph of the property and the location of the former accessory building as viewed from the road in February 2023.*



*Image 18: Photograph of the property and the location of the former accessory building as viewed from the road in February 2023.*



*Image 19: Photograph of the property and the location of the former accessory building as viewed from the road in February 2023.*



*Image 20: Photograph of the property and the dwelling on the property at 247 Halls Mills Road viewed from the road in February 2023. Note, the dwelling is also included within the Statement of Cultural Heritage Value or Interest.*

## Appendix C – Statement of Cultural Heritage Value or Interest

### Legal Description

Part of Lot 115, RCO 563, as in 755312 London

### Description of Property

The property at 247 Halls Mill Road is located on west side of Halls Mill Road, north of Commissioners Road West. The property includes a dwelling located to the southern portion of the property, and an accessory building located to the north of the property.

### Statement of Cultural Heritage Value

The property at 247 Halls Mill Road is of significant cultural heritage value or interest because of its physical/design value, its historical/associative value, and its contextual value.

The property at 247 Halls Mill Road includes a representative example of a Queen Anne Revival style, side hall plan cottage, with a buff brick exterior. The cottage is believed to have been constructed in the 1840s and evolved in the 1890s when a number of its decorative elements were added, making it a representative example of the Queen Anne Revival style applied to a side hall plan cottage in London.

The accessory building on the property is a unique and rare example of a timber frame accessory structure that has been used for various purposes of the course of its existence. Known locally as “the Red Barn”, the structure has been reportedly used as a barn, coach house, and warehouse for the Griffith Bros. woollen mills. The structure has been designed to include a series of stylistic embellishments that elevates the appearance of the structure beyond that of a typical barn. Its chestnut board-and-batten siding, projecting gable, window treatments, and central ventilator all contribute to its being a unique example of a timber frame accessory building.

The concentration of decorative wood detailing on the cottage’s gable and bargeboard elements as well as its decorative verandah posts contribute to the expression of its style as a Queen Anne Revival cottage. As a result, the property displays a high degree of craftsmanship.

The property is directly associated with William Griffith, one of the three Griffith brother who owned and operated the Griffith Bros. woollen mill in Byron between the 1860s and 1890s. The mill was located directly across the road from the property at 247 Halls Mill Road, on the property now known as Halls Mills Park. The cottage on the subject property was the home of William Griffith and the accessory building on the property was reportedly used as a coach house and warehouse for the woollen products produced at the Griffith Bros. mill.

The property at 247 Halls Mill Road has the potential to yield information related to the history of the Halls Mills area. As a property historically associated with the Griffith Bros., and 19<sup>th</sup> century milling in Byron, the property has potential to yield information that contributes to the understanding of the Halls Mills area.

The property at 247 Halls Mill Road is important in defining the character of the Halls Mills area. The Hall’s Mills area is characterized by a geographical context near the Thames River and its topography, along with the collection of early and mid-19<sup>th</sup> century buildings located along Halls Mills Road and Commissioners Road West.

As the property includes an 1840s dwelling and 19<sup>th</sup> century accessory building, the property is a part of the concentration of cultural heritage resources in the Halls Mill area that contribute to its character and have led to its identification as a potential heritage conservation district.

The property is historically linked to the property now known as Halls Mill Park, on the east side of Halls Mill Road. The Halls Mill Park property was the site of the Griffith

Bros. woollen mill which was operated by William Griffith, owner of 247 Halls Mill Road, in partnership with his brothers. As the milling site for their Byron operation, the properties are historically linked.

The property at 247 Halls Mill Road is considered to be a local landmark within the Halls Mills area. Specifically, “the Red Barn” is known locally recognized as a landmark in the area.

### **Heritage Attributes**

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

- The siting of the dwelling a grade above road level, on the south side of the property, accessed from steps from the public road allowance;
- Form, scale, and massing of the one-and-a-half storey dwelling and details including;
  - Field stone foundation;
  - Buff brick exterior cladding, with voussoirs above the window and door openings on the facades and quoins on the north and south elevations;
  - Gables located on the north, east, and south facades;
  - Decorated north, east and south gables, and gable dormer on the north side of the house, including wood details:
    - Bargeboard with decorative linear and medallion elements, corbels, and dentils;
    - Scalloped wood shingle imbrication on gables and dormer;
    - “Alisée Pattée” cross motif along the frieze of the gables;
    - Circular feature including “Alisée Pattée” cross design and medallions;
    - Dentil course above the gable windows;
    - Wood corbels at the base of the gable
  - Decorated north and south porches including wood details:
    - Turned posts;
    - Decorative wood spandrels;
    - “Alisée Pattée” cross designs and medallion designs in the peak of the gable on the south porch;
  - Stained glass semi-circular windows on the north and east façades and the transom;
  - South paired wood door;
  - East panelled wood door with glazing;
  - North panelled wood door with glazing;
  - Hipped roof with cross gables;
  - Buff brick chimney on the south elevation of the dwelling;
- Form, scale, and massing of the timber frame accessory building and details including;
  - Red-painted, exterior chestnut board-and-batten cladding;
  - Buff brick and field stone foundation;
  - Gable roof form of the building;
  - Projecting front bay on the east elevation of the structure including gable roof peak above the round headed window, horizontal wood siding, and hipped roof above the main bay door;
  - Door openings, wood doors, and exterior door surrounds;
  - Wood windows including;
    - Six-over-six divided light windows on the east, west, and north sides of the structure;
    - Three-over-three divided light windows on the south side of the structure;
    - Divided light window panel in the gable of the north side of the structure;
    - Exterior window surrounds;
  - Central hipped-roof ventilator located on the ridge of the gable;
- Spatial relationships between the dwelling and the accessory building.