

## 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:** Towns of Magnolia London Inc.  
3810-3814 Colonel Talbot Road  
File Numbers: O-9683/Z-9675, Ward 9  
Public Participation Meeting

**Date:** January 9, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Towns of Magnolia London Inc. relating to the property located at 3810-3814 Colonel Talbot Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at a future Council meeting, to amend the Southwest Area Plan (SWAP), for the City of London by **ADDING** a site-specific policy to the Lambeth Neighbourhood to allow a height of 6-storeys for one apartment building;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 23, 2024 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR3) Zone **TO** a Holding Residential Special Provision R6 (h-17.h-67.h-89.R6-5( )) Zone;
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
  - i) Provide a minimum ground floor height of 4.5m to give prominence to the base of the building and provide additional opportunities for increased glazing to activate the street and provide passive surveillance;
  - ii) Provide street-orientation with the principal building entrance for the apartment building facing toward Colonel Talbot Road;
  - iii) Ensure the width of the garages for the townhouse units does not exceed 50% of the individual unit width, and does not project beyond the front façade of the unit;
  - iv) Reduce the amount of surface parking at-grade in favour of more underground parking to decrease the amount of impervious surfaces and provide opportunities for additional landscaping and amenity space;
  - v) Review short-term bicycle parking spaces allocated to the site for the townhouses;
  - vi) Locate the principal building entrance for the apartment building on the Colonel Talbot Road-facing façade and distinguish this entrance with a high degree of transparent glazing, signage, weather protection (canopies, awnings, etc.) and direct walkway access to the street;
  - vii) Incorporate a high degree of glazing and architectural detail in the north and south elevations (side elevations) for the apartment building as these facades will be highly visible from Colonel Talbot Road;

**IT BEING NOTED**, that the above noted amendment is being recommended for the following reasons:

- i. The recommended amendment is consistent with the *Provincial Policy Statement, 2020 (PPS)*, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range

- of uses and opportunities for intensification and redevelopment. The *PPS* directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- ii. The recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Building policies, and the Neighbourhoods Place Type policies;  
The recommended amendment is consistent with the Southwest Area Secondary Plan, including the Lambeth Neighbourhood policies with the exception of height in which the site-specific policy refers to;
  - iii. The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and the surrounding neighbourhood; and
  - iv. The recommended amendment facilitates an infill development on an underutilized site and contributes to the range and mix of housing options within the area.

## Executive Summary

### Summary of Request

The City of London has requested an amendment to the Southwest Area Plan to add a site-specific policy to the Lambeth Neighbourhood to allow a height of 6-storeys for an apartment building, whereas 4-storeys is permitted.

Towns of Magnolia London Inc. has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Urban Reserve (UR3) Zone to a Residential Special Provision R6 (R6-5(\_)) Zone, comprising a total of **160 residential units**

### Purpose and the Effect of Recommended Action

The recommended action will permit the development of 105 unit, 2-storey townhouses and a 6-storey apartment building with 55 apartment dwelling units at a density of 44 units per hectare.

Staff are recommending approval with special provisions that will facilitate a front yard depth and exterior side yard depth of 6.4 metres whereas 8.0 metres is the minimum required for townhouses; a height of 21m whereas a 12m maximum is permitted for the apartment building; and a density of 44 units per hectare whereas 35 units per hectare is permitted for the overall development.

Additionally, Staff are recommending holding provisions that will ensure the development will not occur until such time as adequate provision of full municipal sanitary sewer and water services are available to service the site (h-17), a Record of Site Condition is carried out by a qualified professional and submitted to the Ministry of the Environment to address concerns of site contamination (h-67), a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City Engineer (h-89).

## Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Housing and Homelessness**, by supporting faster/streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.

# Analysis

## 1.0 Background Information

### 1.1 Previous Reports Related to this Matter

None

### 1.2 Planning History

None

### 1.3 Property Description and Location

The subject site is located along the east side of Colonel Talbot Road, within the Lambeth Planning District and Dingman Creek sub watershed. The site has a frontage of approximately 82 metres along Colonel Talbot Road, a depth of approximately 294 metres and a total area of approximately 3.7 hectares. The site currently consists of a single detached dwelling located at the southwest corner, a farm dwelling centrally located and a storage building (barn) located at the rear of the property all proposed to be demolished and removed. The farm residence is the original farmhouse built circa 1880, with an Ontario Cottage style and is listed on the inventory of Cultural Heritage Resources. This is discussed later in this report.

Colonel Talbot Road is an arterial road/civic boulevard with an average annual daily traffic volume of 13,000 vehicles per day and has a direct connection to Highways 401 and 402 to the south. Sidewalk connections are currently not provided in this section of Colonel Talbot Road, however these are planned for in the future, as development and future road works continue in the area.

The abutting lands to the north, south and east of the subject lands primarily consist of agricultural uses while established residential communities are located to the west and southeast of the site, predominantly composed of single detached dwellings. The surrounding area has seen rapid growth and currently is under construction and/or planned for extensive residential growth with the abutting agricultural lands all included in draft plans of subdivision. Directly to the north of the site are offices, outdoor storage and the London TFC Academy (soccer field). To the south there is a contracting establishment and outdoor storage, and to the east the lands are currently being developed for low and medium density residential.

#### Site Statistics:

- Current Land Use: Residential and Storage
- Frontage: 82 metres
- Depth: 294 metres
- Area: 3.7 hectares
- Shape: irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

#### Surrounding Land Uses:

- North: Office, Outdoor Storage and the London TFC Academy
- East: Future Residential
- South: Contracting Establishment and Outdoor Storage
- West: Colonel Talbot Road and Low Density Residential

#### Existing Planning Information:

- Existing The London Plan Place Type: Neighbourhoods Place Type fronting a Civic Boulevard
- Existing Special Policies: Southwest Area Secondary Plan - Low Density Residential (Lambeth Neighbourhood)
- Existing Zoning: Urban Reserve (UR3)

Additional site information and context is provided in Appendix C.



Figure 1. Aerial Photo of 3810-3814 Colonel Talbot Road and surrounding lands.

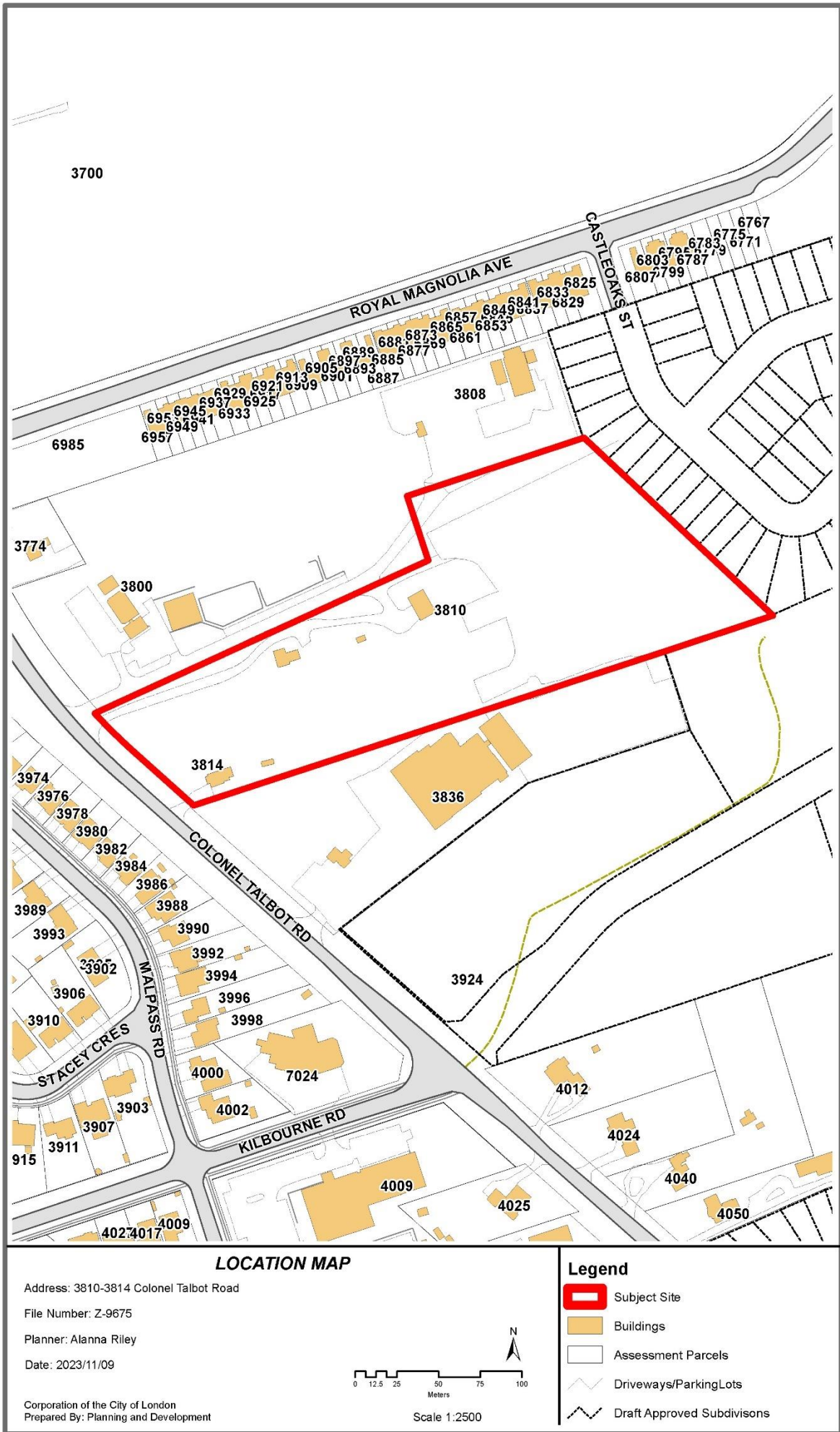


Figure 2- Topographical Map of 3810-3814 Colonel Talbot Road and surrounding lands

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The applicant has proposed to develop the subject site with a low to mid-rise residential development consisting of a 6-storey, 55 unit apartment building at the front interfacing with Colonel Talbot Road, and 105 2-storey townhouse units to the rear of the site totalling an overall unit density of 44 units per hectare (UPH) for the development. The apartment building is proposed to be oriented towards Colonel Talbot Road, with the townhouses configured to provide a convenient internal road and walkway network with a central common outdoor amenity area. Parking for the apartment building is proposed to be both internal on the first floor to the building and surface parking located to the rear of the building. The townhouses are proposed to have two parking spaces per unit, one in the garage and one in the driveway along with a designated visitor parking area distributed throughout. A walkway network is proposed on one side of the internal road network to connect the development to the future sidewalks on Colonel Talbot Road, the buildings, parking areas and amenity spaces.

Two driveway accesses would provide entrance from Colonel Talbot Road to the apartment building and townhouse units along with providing access for emergency vehicles. The proposed development would provide for on-site parking, with approximately 10 spaces per unit for the apartments and 2.1 spaces per unit for the townhouses. Private amenity space would be provided to the rear of each townhouse unit along the outdoor units and a common amenity area for the inner units.

The proposed development includes the following features:

- Land use: residential
- Form: apartment building and townhouse development
- Height: apartment building – 6 storeys, townhouses 2 storeys
- Residential units: 160 additional units
- Density: 44 units / hectare
- Building coverage: 37.8%
- Parking spaces: 336 spaces (apartment – 116 87 surface and 29 internal , townhouses - 221)
- Landscape open space: 39.6%
- Functional amenity space: 1,352.7 m<sup>2</sup>

Additional information on the development proposal is provided in Appendix C.

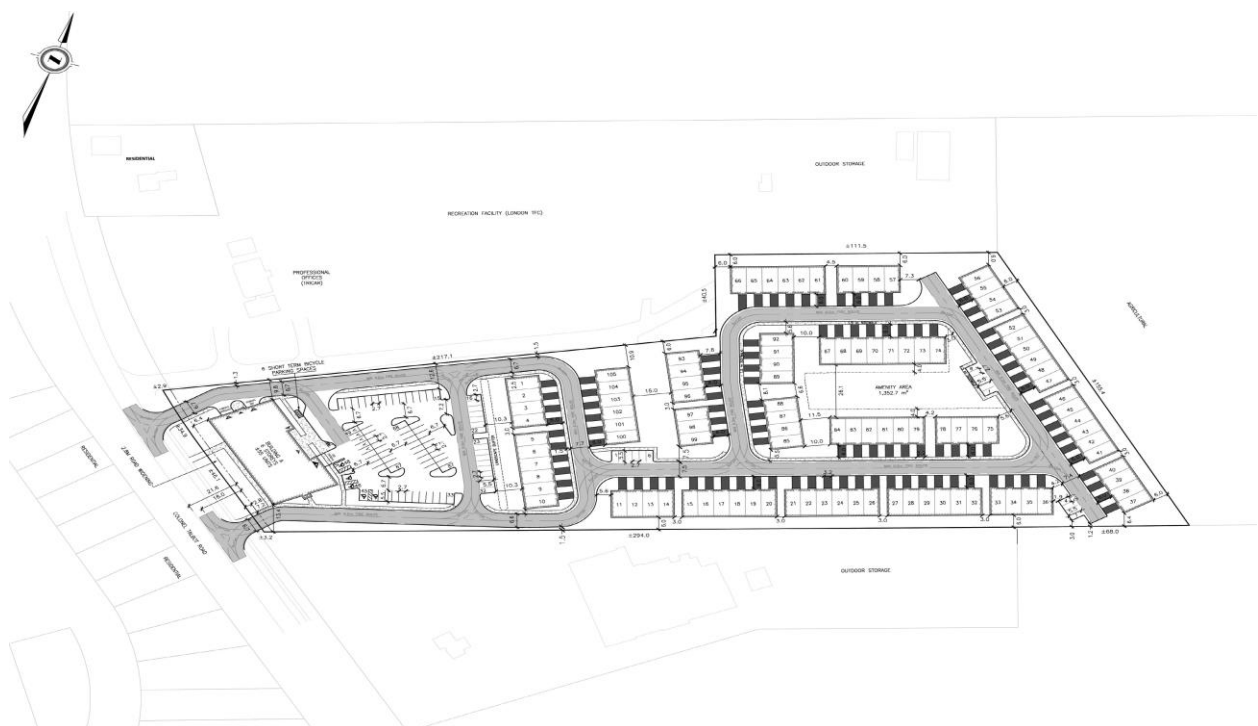


Figure 3 - Conceptual Site Plan



Figure 4 – Conceptual Rendering of Proposed Apartment Building



Figure 5 – Conceptual Elevation of Proposed Townhouses

## 2.2 Requested Amendment(s)

The City of London has requested an amendment to the Southwest Area Plan to add a site-specific policy to the Lambeth Neighbourhood to allow a height of 6-storeys, whereas 4-storeys is permitted to align with the London Plan.

Towns of Magnolia London Inc. has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Urban Reserve (UR3) Zone to a Residential Special Provision R6 (R6-5(\_)) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (R6-5 Zone)	Required	Proposed
Front and Exterior Side Yard Depth for (minimum)	8.0 metres	6.4 metres
Height for Apartment Building (maximum)	12 metres	21.0 metres
Total Density for Development(maximum)	35 units per hectare	44 units per hectare
Apartment building oriented to Colonel Talbot Road		

## 2.3 Internal and Agency Comments

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.

Key issues identified by staff and agencies included:

- Staff requires holding provision (h-17) that stipulates the “h-17” symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site. Permitted Interim Uses: dry uses on individual facilities permitted by the applied zone.
- Staff requires a holding provision (h-89) that stipulates that a stormwater servicing report must be prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City engineer.
- Staff requires a holding provision (h-67) that stipulates a Record of Site Condition shall be carried out by a qualified professional and submitted to the Ministry of the Environment to address concerns of site contamination. The City of London will remove the "h-67" holding provision once the Ministry is satisfied that the Record of Site Condition is satisfactory.
- Incorporate shared access with the adjacent property owner at 3800 Colonel Talbot Road.
- Provide vehicular and pedestrian connections between this site and adjacent sites to improve overall connectivity.
- Based on the information presented within the Heritage Impact Assessment, it is the opinion of staff that the property does not meet the minimum criteria to merit designation under the *Ontario Heritage Act*. Therefore, no mitigation measures are required.
- Consensual Agreement for boundary trees with the neighbouring property is required prior to submission of a Site Plan application. Increased setbacks would impact proposed townhouse blocks and driveway ingress.

Detailed internal and agency comments are included in Appendix D of this report.

## 2.4 Public Engagement

On November 24, 2023, a Revised Notice of Application including the requested Official Plan Amendment was sent to property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 2<sup>4th</sup>, 2023. A “Planning Application” sign was also placed on the site.

There were no responses received during the public consultation period.

## 2.5 Policy Context

### ***Provincial Policy Statement, 2020***

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).



The PPS encourages an appropriate affordable and market-based range and mix of residential types, including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons to meet long-term needs (1.1.1b)). The PPS also promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

The PPS directs settlement areas to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The subject site is in the settlement area, and the requested amendment would help to facilitate the development of a 6-storey apartment building containing 55 units and 105 townhouses. There is a mix of residential adjacent to the property, and there are commercial uses and open space in relatively close proximity. The proposal provides new housing development to an area where there are, or will be, appropriate levels of infrastructure and public service facilities ensuring that land and infrastructure are used efficiently and can meet current and future needs. The development contributes to appropriate densities and mix of housing helping ensure current and future housing needs can efficiently be met. In staff's opinion the proposed development is in keeping with the PPS as it provides for an appropriate form and intensity of residential intensification helping meet the Province's goals for a range and mix of housing options, efficient use of land, and transit-supportive development.

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

The London Plan provides Key Directions (54\_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the Plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward;
- Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 4, 5).

The London Plan provides direction to make wise planning decisions by:

- Ensuring that all planning decisions and municipal projects conform with The London Plan and are consistent with the Provincial Policy Statement.
- Thinking “big picture” and long-term when making planning decisions – consider the implications of a short-term and/ or site-specific planning decision within the context of this broader view.
- Avoiding current and future land use conflicts – mitigate conflicts where they cannot be avoided.
- Ensuring new development is a good fit within the context of an existing

neighbourhood.

- Ensuring health and safety is achieved in all planning processes. (Key Direction #8, Directions 1, 3, 8, 9, and 10).

Staff are of the opinion that all the above criteria have been satisfied.

### **Southwest Area Secondary Plan**

The subject lands are designated Medium Density Residential along the front of Colonel Talbot Road and Low Density Residential in the rear pursuant to Schedule 6 (Lambeth Neighbourhood Land Use Designations) of the *Southwest Area Secondary Plan* (SWAP). Within the Lambeth Neighbourhood, new residential development north of Longwoods Road will be of an intensity that is generally higher than achieved in other areas of the city, but is less than the intensity of the Bostwick Neighbourhood. The focus for new development is to be a mix of low to mid-rise housing forms, ranging from single detached dwellings to low-rise apartment buildings within individual subdivisions and throughout the neighbourhood (20.5.7). The Low Density Residential designation sets out a minimum residential density of 15 units per hectare and a maximum density of 30 units per hectare, and a maximum height of 4-storeys. The Medium Density Residential designation sets out a minimum residential density of 30 units per hectare and a maximum density of 75 units per hectare, and a maximum height of 4-storeys.

The *Southwest Area Secondary Plan* (SWAP) has been reviewed in its entirety and it is staff's opinion that the proposed development is consistent with SWAP with the exception of the height of 6-storeys for the apartment building. Therefore, a Specific Area Policy to permit 6-storeys is required that will align with The London Plan.

## **3.0 Financial Impact/Considerations**

None

## **4.0 Key Issues and Considerations**

### **4.1 Land Use**

The proposed residential uses are supported by the policies of the Provincial Policy Statement, 2020 (PPS) that speak to creating healthy, livable and safe communities (1.1.1). The uses are also contemplated in the Neighbourhoods Place Type where a property fronts a Civic Boulevard in The London Plan (Table 10). The proposed apartment building and townhouse uses align with the goals of the Neighbourhoods Place Type as the development contributes to the diversity and mix of housing types within the area and can be considered compatible with existing and planned surrounding area. The proposal provides a more compact form development than currently exists and is street oriented, which helps contribute and establish an active street front along Colonel Talbot Road, creating a safe pedestrian environment that promotes connectivity (TLP 918\_2 and \_13). The residential uses promote housing for all Londoners and to attract a diverse population to the City (TLP 57\_11).

The subject lands are located within the Lambeth Neighbourhood of the Southwest Area Secondary Plan, where uses are subject to the permitted uses of the Low Density Residential and Medium Density Residential designations. The recommended amendments seek to permit the use of an apartment building and townhouse dwellings, which are both in keeping with the intent of the Southwest Area Secondary Plan.

### **4.2 Intensity**

The proposed residential intensity is consistent with the policies of the PPS that encourage residential intensification, redevelopment, and compact form (1.1.3.4), an efficient use of land (1.1.1 a), and a diversified mix of housing types and densities (1.4.1). The proposed residential intensity conforms with the Neighbourhoods Place Type in The London Plan which contemplates a standard maximum height of four-storeys and an upper maximum height of six-storeys where a property has frontage

onto a Civic Boulevard (Table 11). As the applicant has provided heights of six storeys for the apartment building and two storeys for the townhouses, the proposed development is in keeping with The London Plan policies.

The proposed residential intensity will facilitate an appropriate scale of development that is considered compatible within the existing neighbourhood character, directing the height and intensity toward the higher order street (TLP 918\_13). The 6-storey apartment building is proposed to be oriented towards Colonel Talbot Road with the two-storey townhouse block at the rear of the site, providing a transition in height towards the existing and future surrounding residential uses (TLP 953\_2). The residential use is accommodated on a parcel that is of sufficient size to support the proposed use and can provide sufficient setbacks to buffer to existing and future abutting residential developments. The redevelopment of the parcel will facilitate the efficient use of land and is appropriate (TLP 953\_2 and 3).

The Southwest Area Secondary Plan contemplates a minimum density of 15 units per hectare and a maximum density of 30 units per hectare for the Low Density Residential area and a minimum of 30 units per hectare and a maximum density of 75 units per hectare, both with a maximum height of 4-storeys in height of the Lambeth Area (20.5.7.1).

Based on the designations which apply to these lands the development potential for low and medium density residential development the proposed development of 160 units at 44 units per hectare is in keeping with the SWAP policies. However, six storeys is not contemplated in medium density in the Lambeth neighbourhood and a specific area policy amendment is required to permit the 6-storey apartment building and align with The London Plan.

Through the amendment process the community, City Council and other stakeholders can be assured that measures will be implemented to mitigate any impacts of additional height or density. The proposed development has been reviewed from a form-based perspective to evaluate the appropriateness of the proposed intensity and to ensure the site is of a sufficient size to accommodate it. The amendment has also been reviewed in accordance with conditions for evaluating the appropriateness of Specific Area Policies where the applicable place type policies would not accurately reflect the intent of City Council with respect to a specific site or area (TLP 1729-1734) and the Evaluation Criteria for Planning and Development Applications contained in policies 1577\_ to 1579\_ of the Our Tools section of The London Plan. Specifically, the application has been reviewed on the degree to which the proposal fits within its context.

Staff are satisfied that appropriate mitigation and the position of the buildings with the access along Colonel Talbot Road are provided to justify the additional building height. Given the surrounding context and potential future development with its range of heights and intensity, the proposed 6-storey apartment building is considered appropriate and compatible within the neighbourhood context. As such, staff are satisfied the proposed intensity is in conformity with the criteria for the Evaluation Criteria for Planning and Development Applications.

The proposed residential intensity will facilitate an appropriate scale of development that makes efficient use of lands and services and is compatible and complementary to the existing and planned residential development in the area.

#### **4.3 Form**

The proposed built form is to be developed with two distinct forms, the first a mid-rise apartment building and the second, 2-storey townhouses, both consistent with the Neighbourhoods Place Type and the City Design policies in The London Plan by facilitating an appropriate form and scale of residential intensification that is compatible with the existing neighbourhood character (TLP 953\_2). Specifically, the proposed built form supports a positive pedestrian environment through internal sidewalks, a mix of housing types within the Lambeth community to support aging in place and affordability and is designed to be a good fit and compatible within its context and neighbourhood

character.

The proposed apartment building situated with minimal setbacks and oriented along Colonel Talbot Road, defines the street edge, and creates an inviting, active, and comfortable pedestrian environment (TLP 259\_). The two-storey townhouse block is situated to the rear of the site behind the apartment building, providing development to an underutilized lot within the urban growth boundary with reduced setbacks, acknowledging the uniqueness of the lot shape. The proposed built form and massing of the apartment building and townhouse block has consideration for the surrounding land uses and is appropriate within the existing and future planned context of the area (TLP 953\_2). Resident and visitor parking for the apartment building would be provided both internal to the apartment building and in a surface parking area located to the rear of the building. The apartment building is also sited to minimize the visual exposure of the parking area to the street (TLP 269). Additionally, the townhouses located to the rear of the site are configured to provide a convenient and logical internal road and walkway network with a central common outdoor amenity area.

Two access are proposed to the subject lands from Colonel Talbot Road to accommodate emergency vehicles, promoting connectivity and safe movement for pedestrians, cyclists, and motorists (TLP 255\_). However, staff have recommended the application pursue a shared access connection/agreement with 3800 Colonel Talbot Rd to the north and remove the proposed northern access to the site. Additional treatment may be required at southerly access and will reviewed at the site plan level.

Finally, the Southwest Area Secondary Plan promotes development that is compact, pedestrian-oriented and transit-friendly (20.5.3.9.1.a). The proposed development conforms to the policies and urban design objectives of SWAP.

#### **4.6 Natural Heritage**

No Natural Heritage Features on the site were identified on Map 5 of the London Plan or based on current aerial photo interpretation. However, it was indicated that potential for Significant Wildlife Habitat (Snake Hibernacula) or Species at Risk Bird Habitat (Barn Swallow) exists on the site. Therefore, a scoped Environmental Impact Study (EIS) to address concerns for significant wildlife habitat (Snake Hibernacula) and species at risk habitat (Barn Swallow) was requested as part of a complete application.

The EIS that was submitted, was reviewed by staff and was accepted as it was scoped down and sufficiently demonstrated that the proposed development will not have a negative impact on Species At Risk, Significant Wildlife Habitat or the Natural Heritage System.

#### **4.7 Heritage**

The property located at 3810-3814 Colonel Talbot Road is listed on the Register of Cultural Heritage Resources. The property includes four buildings; a one-and-a-half storey farmhouse, a one storey cottage, an outbuilding/shed, and a barn/accessory building. The original farmhouse, addressed at 3810 Colonel Talbot Road, comprises an Ontario Cottage/farmhouse that is listed under the City of London's Register of Cultural Heritage Resources. The farmhouse originally belonged to the Bogue family and is described as being representative of an early Ontario Gothic Revival cottage/farmhouse, built c.1860-1880. The overall form and massing of the house remain; however, much of the original materials and features have been removed or altered and the heritage value has been compromised.

A Heritage Impact Assessment was submitted as a part of the d Zoning By-Law Amendment application.

Based on the information presented within the Heritage Impact Assessment, it is the opinion of staff that the property does not meet the minimum criteria to merit designation under the *Ontario Heritage Act*. Therefore, no mitigation measures are required.

As per the Council Policy Manual, and Section 27(9) of the Ontario Heritage Act, Municipal Council has 60 days from receipt of a demolition request for a heritage listed property to make a decision on the demolition request. To date, a demolition request has not been received by City staff for the demolition of the buildings or structures on the property.

#### **4.8 Site Contamination**

It is City staff's understanding the subject site had an historical industrial use on it. The applicant did not provide background information that confirms the nature of the industrial use or the length of time the property functioned as an industrial use. Since the subject lands are being proposed to be used for a more sensitive land use a site assessment was required as part of this application. Based on site assessments several potential sources of contaminants and environmental concerns were identified, and an additional phase II site assessment was conducted to identify the impacts of potential sources of groundwater and/or soil contamination. Based on the findings of the limited sampling, further investigation is warranted prior to excavation. The applicant should be seeking The Ministry of Environment, Conservation and Parks approval by way of a Record of Site Condition, the requirements set-out under Parts XV.1 and XV.2 of the Environmental Protection Act and Ontario Regulation 153/04 for site remediation. This will be dealt with further through the site plan approval process and recommended holding provision as outlined below in Section 4.10 of this report.

#### **4.9 Servicing**

There are currently no storm or sanitary sewers to service this site. The applicant will be responsible for designing adequate storm water controls in the future as well as a developer led sanitary sewer extension. Additionally, the site sanitary flows are tributary to a future phase of the Heathwoods subdivision which has not progressed past the draft approval stage. Therefore, holding provisions are being recommended as outlined below in Section 4.10 of this report to ensure services are in place prior to any development occurring.

#### **4.10 Holding Provisions**

- Staff requires holding provision (h-17) that stipulates the "h-17" symbol shall not be deleted until full municipal sanitary sewer and water services are available to service the site. Permitted Interim Uses: dry uses on individual facilities permitted by the applied zone.
- Staff requires a holding provision (h-89) that stipulates that a stormwater servicing report must be prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City engineer.
- Staff requires a holding provision (h-67) that stipulates a Record of Site Condition shall be carried out by a qualified professional and submitted to the Ministry of the Environment to address concerns of site contamination. The City of London will remove the "h-67" holding provision once the Ministry is satisfied that the Record of Site Condition is satisfactory.

#### **4.11 Zoning**

Staff are supportive of the proposed special provisions for front yard setbacks. The reduced yard depths reflect current city design policy framework in The London Plan, which encourage buildings to be positioned with minimal setbacks to public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (259\_) in addition to being a relatively minor increase. Staff have no concerns with the requested reductions, as they facilitate a development that is better oriented towards Colonel Talbot Road, consistent with the City Design policies in The London Plan.

Additionally, Staff are satisfied the requested 6-storey apartment building height and density of 44 units per hectare are appropriate for the site. The increase in height and density are appropriate for the site and have been mitigated to ensure there will be no adverse impacts on adjacent properties. As such, staff is satisfied the proposed

development is appropriate and provides for the development of an underutilized site within the Built-Area Boundary.

## **Conclusion**

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Urban Reserve (UR3) Zone to a Holding Residential Special Provision R6 (h-17.h-67.h-89.R6-5(\_)) Zone. Staff are recommending approval of the requested Official Plan and Zoning Bylaw amendments with special provisions.

The recommended action is consistent with the *Provincial Policy Statement, 2020 (PPS)*, conforms to The London Plan and will permit a 6-storey apartment building with 55 units and 105 two-storey townhouses, for a total of 160 residential units at a density of 44 units per hectare. The amendment will facilitate the redevelopment of the subject site and will contribute to the range and mix of housing options within the area.

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Manager, Planning Implementation

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## Appendix A – Appendix A

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

By-law No. C.P.-XXXX-\_\_\_\_

A by-law to amend the Southwest Area  
Plan for the City of London, relating to  
3810-3814 Colonel Talbot Road

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

- 1) Amendment No. (to be inserted by Clerk's Office) to the Southwest Area Plan for the City of London Planning Area, as contained in the text attached hereto and forming part of this by-law, is adopted.
- 2) This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on January 23, 2024 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – January 23, 2024  
Second Reading – January 23, 2024  
Third Reading – January 23, 2024

**AMENDMENT NO.  
to the  
SOUTHWEST AREA PLAN, FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to facilitate the development of an apartment building with a height of six storeys within the Lambeth Neighbourhood Medium Density Residential designation on the property at 3810-3814 Colonel Talbot Road.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to a portion of the land, located within the Lambeth Neighbourhood the Medium Density Residential Designation, at 3810-3814 Colonel Talbot Road in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment would allow for a 6-storey apartment building. The proposed amendment is considered appropriate as it is consistent with the Provincial Policy Statement, 2020, conforms to The London Plan, including but not limited to the Key Directions, City Building policies, and the Specific Policy Area policies in Our Tools. The recommended amendment would permit development at a transitional scale and intensity that is appropriate for the site and the surrounding neighbourhood; and facilitates the development of an underutilized site within the Built-Area Boundary with an appropriate form of development.

D. THE AMENDMENT

The Southwest Area Plan, Lambeth Neighbourhood within the Medium Density Residential designation for the City of London is hereby amended as follows:

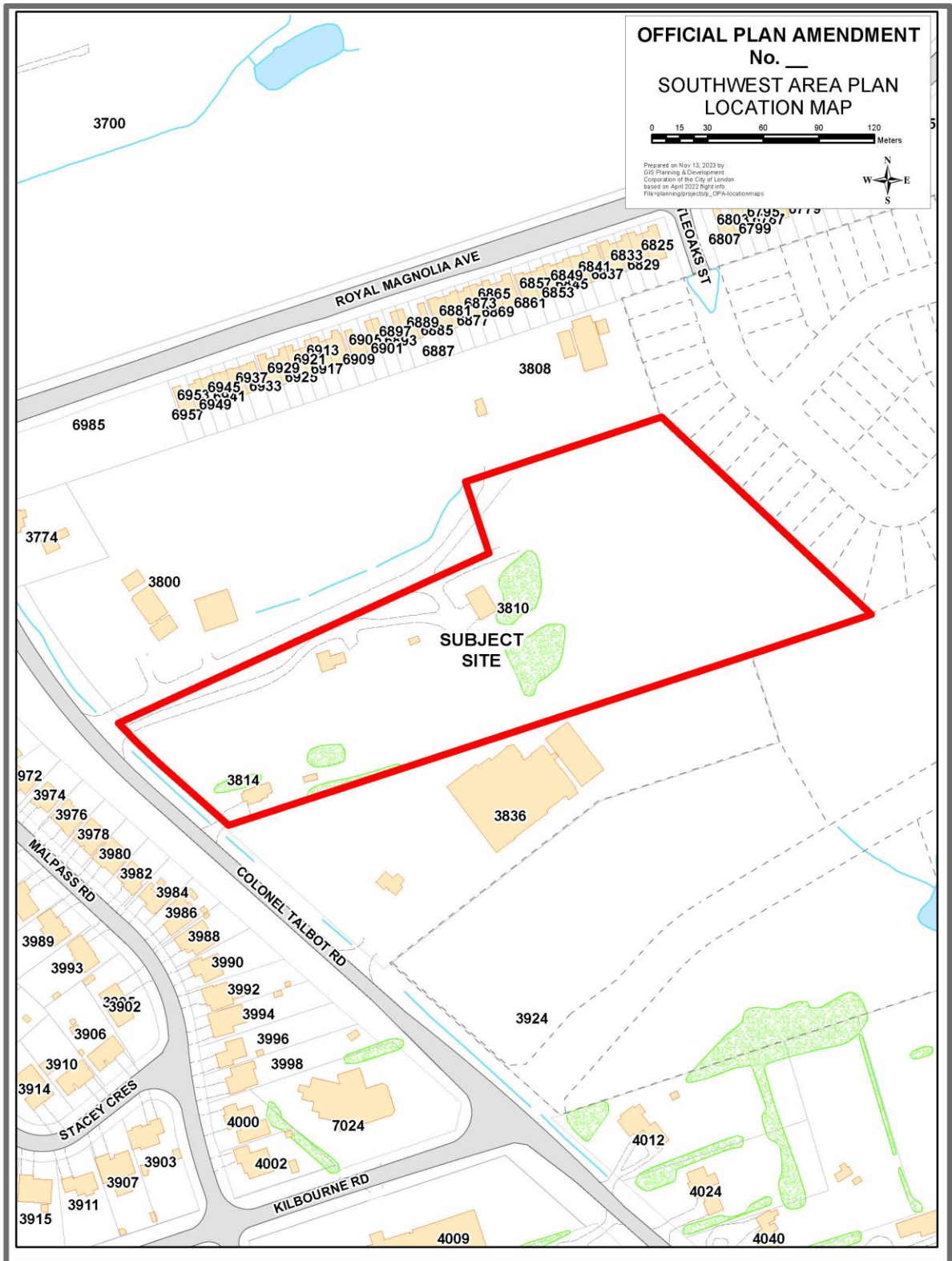
1. iv) 3810-3814 Colonel Talbot Road

A maximum height of 6-storeys shall be permitted for one apartment building on site.

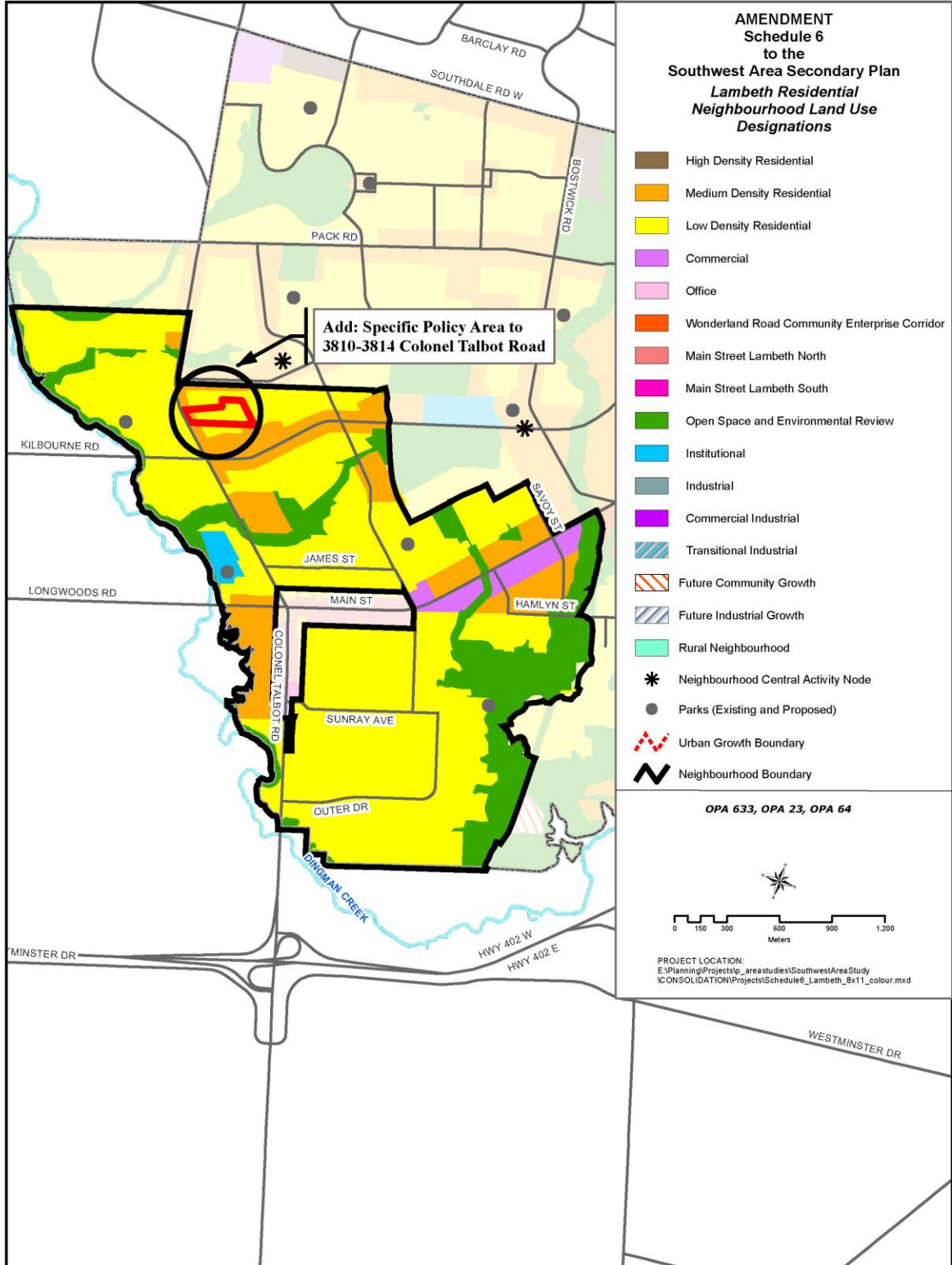
2. Schedule 6 - Specific Policy Areas, to the Southwest Area Plan, for the City of London Lambeth Area is amended by adding a Specific Policy Area for the lands located at 3810-3814 Colonel Talbot Road in the City of London, as indicated on "Schedule 2" attached hereto.



# Schedule 1



## Schedule 2



## Appendix B

Bill No.(number to be inserted by Clerk's Office)  
2024

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3810-3814 Colonel Talbot Road.

WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

WHEREAS Towns of Magnolia Inc. has applied to rezone an area of land located at 3810-3814 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3810-3814 Colonel Talbot, as shown on the attached map comprising part of Key Map No. A110, **FROM** an Urban Reserve (UR3) Zone **TO** a Holding Residential Special Provision R6 (h-17.h-67.h-89.R6-5( )) Zone.
2. Section Number 10.4 of the Residential R5 Zone is amended by adding the following Special Provisions:

R6-5( ) 3810-3814 Colonel Talbot Road

a. Regulations

- |   |                      |
|---|----------------------|
| i) Front Yard Depth<br>(Minimum)                                | 6.4 metres           |
| ii) Height for Apartment Building<br>(Maximum)                  | 21.0 metres          |
| iii) Density<br>(Maximum)                                       | 44 units per hectare |
| iv) Apartment building shall be oriented to Colonel Talbot Road |                      |

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

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

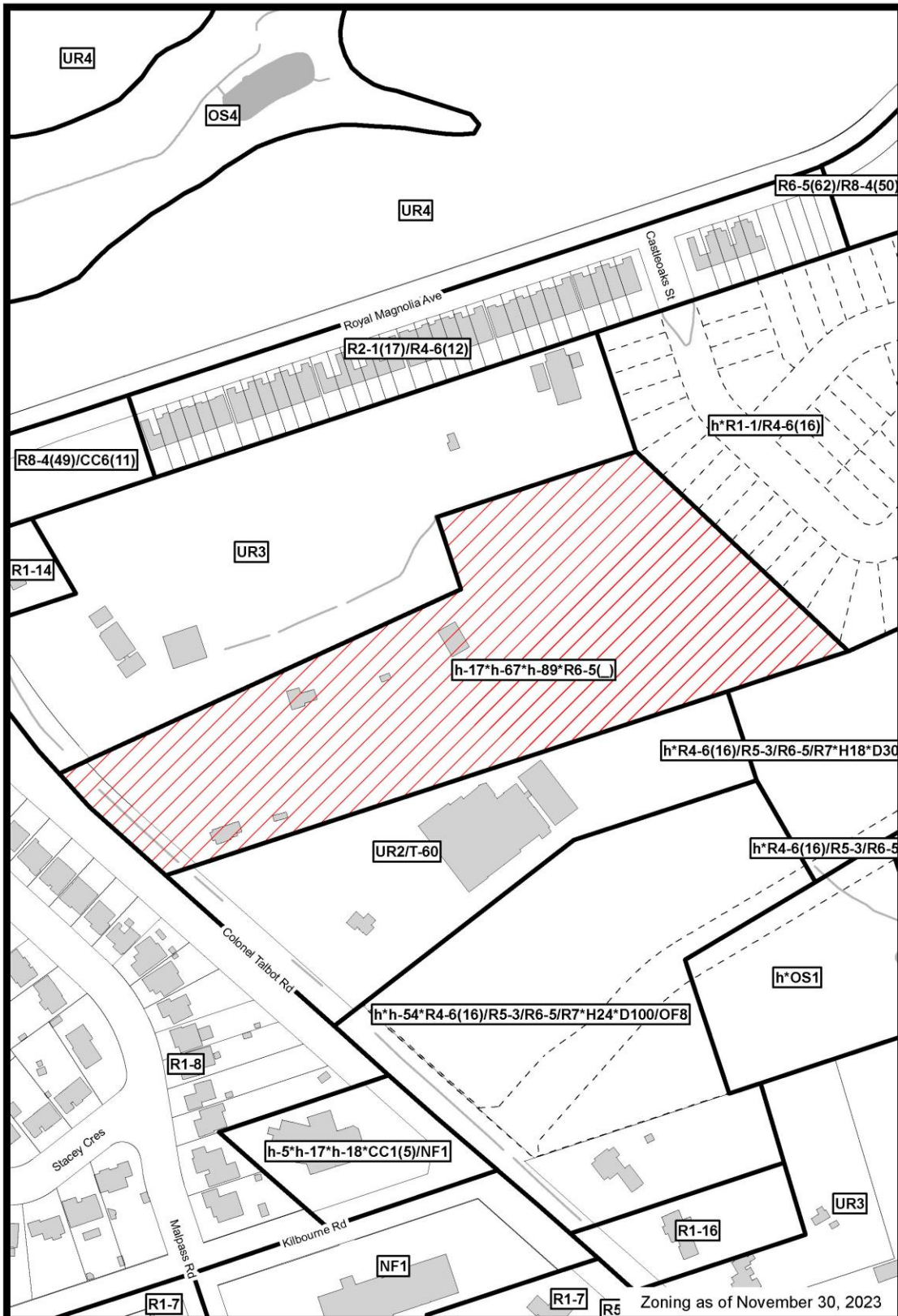
PASSED in Open Council on January 23, 2024

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – January 23, 2024  
Second Reading – January 23, 2024  
Third Reading – January 23, 2024

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



File Number: Z-9675  
 Planner: AR  
 Date Prepared: 2023/12/12  
 Technician: RC  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters 



## Appendix C - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Residential
Frontage	82 metres
Depth	294 metres
Area	3.7 hectares
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Office, Outdoor Storage and the London TFC Academy
East	Future Residential
South	Low Contracting Establishment and Outdoor Storage density residential
West	Colonel Talbot Road and Low Density Residential

#### Proximity to Nearest Amenities

Major Intersection	Colonel Talbot Road & Pack Road, 950 metres
Dedicated cycling infrastructure	Southdale Road West, 2200 meters
London Transit stop	Raleigh Boulevard, 1800 metres
Public open space	Clayton Walk Park, 350 metres
Commercial area/use	Main Street (Lambeth), 1200 metres
Food store	No Frills, 1400 metres
Community/recreation amenity	Lambeth Community Centre, 1400 metres

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Neighbourhoods Place Type, Civic Boulevard
Current Special Policies	N/A
Current Zoning	Urban Reserve (UR3)

#### Requested Designation and Zone

Requested Place Type	N.A.
Requested Special Policies	Low Density and Medium Residential in Southwest Area Secondary Plan (SWAP)
Requested Zoning	Residential Special Provision (R6-5 Zone)

#### Requested Special Provisions

Regulation (R6-5 Zone)	Required	Proposed
Front and Exterior Side Yard Depth for Townhouses (minimum)	8.0 metres	6.4 metres
Height for Apartment Building (maximum)	12 metres	21.0 metres
Total Density for Development(maximum)	35 units per hectare	44 units per hectare

### C. Development Proposal Summary

This section is only required where new development or site alterations are proposed.

## Development Overview

The development proposal aims to create 55 additional apartment dwellings and 105 additional townhouse dwelling units. Proposed site layout proposes the apartment building at the front interfacing with Colonel Talbot Road and locate all townhouses to the rear.

## Proposal Statistics

Land use	Residential
Form	apartment building and townhouse development
Height	apartment building – 6 storeys, townhouses 2 storeys
Residential units	160 additional units
Density	44 units per hectare
Building coverage	37.8%
Landscape open space	39.6%
Functional amenity space	1,352.7 m <sup>2</sup>
New use being added to the local community	No

## Mobility

Parking spaces	336
Vehicle parking ratio	Apartment – 0.5 per unit/ Townhouses 1 per unit
New electric vehicles charging stations	0
Secured bike parking spaces	50
Secured bike parking ratio	Apartment – one per unit
Completes gaps in the public sidewalk	Future sidewalks planned on Col. Talbot
Connection from the site to a public sidewalk	N.A
Connection from the site to a multi-use path	Yes

## Environmental Impact

Tree removals	85 trees/4 vegetation units
Tree plantings	TBD
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	Yes
Existing structures repurposed or reused	NA
Green building features	Unknown

## Appendix D – Internal and Agency Comments

### Engineering – August 28, 2023

- There are currently no storm or sanitary sewers to service this site. The applicant will be responsible for designing adequate storm water controls in the future as well as a developer led sanitary sewer extension along Colonel Talbot Rd.
- The site sanitary flows are tributary to a future phase of the Heathwoods subdivision which has not progressed past the draft approval stage. Servicing for the subdivision is expected to be beyond the 5 year time frame and therefore the project at 3810-3814 Colonel Talbot Road is considered premature – Refusal for this re-zoning application is recommended.
- Should the application proceed to re-zoning approval, the following holding provisions will need to be applied to this property:
  - h-17
  - h-89

### Sanitary – September 21, 2023

The block of 3800-3814 Colonel Talbot is tributary to a future developer driven extension of a local sanitary sewer on Colonel Talbot tributary to the future sewer on future Kilbourne as part of the Heathwood's subdivision.

SED recommends refusal or rejections of this application as there is no fronting sanitary sewer in place, and additionally the sewer and roads have not been constructed or inspected as part of the Heathwood's Subdivision. Holding Provisions will be recommended if this application is not rejected as there is no municipal outlet fronting or in close proximity at this time.

Royal Magnolia was never the intended outlet and there is downstream conveyance constrains to this alignment that can't take additional flows that were never contemplated under interim conditions.

### Transportation – September 18, 2023

TP&D has no comments to offer at this time. The TIA is accepted.

### Transportation – December 12, 2023

It is recommended to provide shared access connection/agreement with 3800 Colonel Talbot Rd and remove north access. Additional treatment may be required at southerly access and will reviewed both again at site plan level

### Landscaped Architect – November 24, 2023

The inventory captured 106 individual trees and 4 vegetation units (comprised of 183 individuals) all but 3 are proposed for removal. Trees were identified within the subject site, and within 3 meters of the legal property boundary. Two trees within the City ROW were observed. No species classified as endangered or threatened under the Ontario Endangered Species Act, 2007, S.O. 2007, c. 6 were observed during the tree inventory. The subject site is NOT within or immediately adjacent to a City of London Tree Protection Area. Any trees in the vegetative units over 10cm growing on a property line would be considered a boundary tree and must be identified on the TPP. Consents would be needed to injure or destroy. The report meets the City's standards.

### 1. Major Issues



- 4 boundary trees (tree ID #'s 56, 73, 75, and 78)) were captured in inventory. Note that, according to provincial legislation, a tree is considered a boundary tree if any part of the trunk before the first/lowest branch crosses the property line. Boundary trees are shared property of the two adjacent land owners. If consent cannot be obtained from neighbour to remove the trees, 3836 Colonel Talbot, then a non-disturbance setback will need to be established from the south property line at each tree's critical root zone limits as determined by dbh, respectively, 4.1m, 4.4m, 2.3m, and 4.9m. TPP will not be accepted with Site Plan Application if consents are not provided by neighbour. Increased setbacks would impact proposed townhouse blocks and driveway ingress.

## 2. Matters for Site Plan

- As 4 boundary trees were identified in the tree preservation plan, consent to injure or remove boundary trees is a requirement of Site Plan approval. A recommendation for approval will be forwarded for Site Plan Review.
- Trees growing the Colonel Talbot Rd allowance are protected by the City's Boulevard Tree Protection Bylaw. As the TPP indicates that some damage will be inflicted on 2 City trees growing in the Colonel Talbot road allowance a recommendation for correspondence with Forestry Operations allowing the injury will be forwarded for Site Plan review.
- A total of 3540cm of tree dbh proposed for removal. In accordance with London Plan Policy 399 354 replacement trees are required to be replanted on site. Replacement trees to be recommendation to Site Plan Review above site plan standard planting requirements

## 3. Complete Application Requirements

- 4 vegetation units (comprised of 183 individuals) are identified on Tree inventory. If any of the individual tree\* units are growing on a property line, they must be inventoried separately on the TPP. \***"Tree"** means a woody perennial plant, whether alive or dead, healthy or unhealthy, including saplings or seedlings and including the root system, where the plant has reached, could reach, or could have reached a height of at least 4.5 metres (15 feet) at physiological maturity

Urban Design – November 30, 2023

### Matters for ZBA/OPA:

- This application is located within the Lambeth Residential Neighbourhood of the Southwest Area Secondary Plan [SWASP] and within the Neighborhoods Place Type in The London Plan [TLP], which generally contemplate the proposed use and form. Urban Design is supportive of the proposed development and commends the applicant for providing built form along the Colonel Talbot Road street frontage, for providing the parking behind the building and for locating the higher-intensity use along the street with the lower-intensity uses to the rear.
- Urban Design recommends the following Special Provisions be incorporated into the proposed R6-5( ) Zone to foster a safe, comfortable and accessible public realm, and to reduce potential impacts on neighbouring properties:
  - Maximum front yard setback to ensure the proposed building is located close to the Colonel Talbot Road right-of-way [TLP 259, SWASP 20.5.3.9 iii];
  - Minimum rear and side yard setback to reduce impacts the proposed townhouse buildings may have on adjacent single-detached lots [TLP 253];
  - Minimum ground floor height of 4.5m to give prominence to the base of the building and provide additional opportunities for increased glazing to activate the street and provide passive surveillance [TLP 291, SWASP 20.5.3.9 iii];
  - Street-orientation with the principal building entrance for the apartment building facing toward Colonel Talbot Road [TLP 291, SWASP 20.5.3.9 iii].

- Ensure the width of the garages for the townhouse units does not exceed 50% of the individual unit width, and does not project beyond the front façade of the unit [SWASP 20.5.3.9, iii, e].
- Reduce the amount of surface parking at-grade in favour of more underground parking to decrease the amount of impervious surfaces and provide opportunities for additional landscaping and amenity space [TLP 270, SWASP 20.5.3.9 iii].
- Urban Design encourages the applicant to incorporate shared access with the adjacent property (3800 Colonel Talbot Road) to simplify the site design, assist with wayfinding, reduce the amount of impervious surfaces on site and to promote safe pedestrian movement along Colonel Talbot Road [TLP 255].
- Explore opportunities to provide vehicular and/or pedestrian connections between this site (particularly the rear) and adjacent sites to improve overall neighbourhood connectivity, walkability and wayfinding [TLP 255, SWASP 20.5.3.9 i].

### **Matters for Site Plan:**

- **Apartment Building Comments:**
  - Locate the principal building entrance on the Colonel Talbot Road-facing façade and distinguish this entrance with a high degree of transparent glazing, signage, weather protection (canopies, awnings, etc.) and direct walkway access to the street [TLP 268, 291];
  - Provide individual entrances to ground floor units on the street facing elevations and design amenity spaces as open courtyards or front porches extending into the front setback to create a pedestrian-oriented streetscape and to foster passive surveillance into the public realm [TLP 291]:
    - Design residential ground floor units to be raised slightly (a maximum of 3 to 5 steps) to avoid headlight glare and provide privacy for residents;
    - Provide direct walkway access from ground floor units to the public sidewalk.
  - Consider incorporating a high degree of glazing and architectural detail in the north and south elevations (side elevations) as these facades will be highly visible from Colonel Talbot Road.
  - Locate active building uses, such as amenity areas, laundry rooms, lobbies, etc. on the street-facing elevation of the building to promote an active streetscape. Utility rooms (electrical, garbage, storage, etc.) should be located away from public street frontages [TLP 285, 291];
  - Incorporate balconies for all units to provide private amenity space and break-up the massing of the building [TLP 295];
  - Ensure rooftop mechanical and utility equipment is screened and/or incorporated into the overall building design [TLP Policy 296].
- **Townhouse Comments:**
  - Consider incorporating a mix of complimentary architectural styles, materials and colours in the design of individual townhouse units to assist with wayfinding, break-up the massing and to add interest to the overall building design [TLP Policy 301];
  - Design the flanking elevation of Unit 11 with the same amount of architectural details as is found on the front elevation (size and number of windows, materials, other architectural details) as it is located at the terminus of the main drive aisle and will be highly visible from Colonel Talbot Road.
  - Consider designing the side elevation of the corner units that are facing drive aisles and amenity spaces with enhanced detail, such as wrap-around porches/features, entrances and a similar number of windows as is found on the front elevation to offer passive surveillance throughout the site [TLP 228].
- **Site Design Comments:**

- Ensure garbage pick-up areas, loading areas and associated facilities are located away from the public street frontage and do not detract from pedestrian connections [*TLP Policy 266*];
- Provide adequate setbacks from parking areas and associated drive aisles to the property line to allow space for landscaping;
- Design the pedestrian circulation on site to minimize interruptions and ensure the network of on-site walkways is as direct as possible. Provide connections between the apartment building, amenity spaces, parking areas, townhouse units and Colonel Talbot Road [*TLP 255*].
- Provide a full-set of dimensioned elevations for all sides of the proposed apartment and townhouse buildings, as well as a fully dimensioned and labelled site plan. Further comments may follow upon receipt of the drawings.

#### Parks Long Range Planning and Design – November 30, 2023

- 
- 4. **Major Issues**
  - None.
- 
- 5. **Matters for OPA/ZBA**
  - None.
- 6. **Matters for Site Plan**

- Parkland dedication will be required in the form of cash in lieu, pursuant to By-law CP-25 and will be finalized through the Site Plan Approval process.

#### Heritage

The property located at 3810-3814 Colonel Talbot Road is listed on the Register of Cultural Heritage Resources. The property includes four buildings; a one-and-a-half storey farmhouse, a one storey cottage, an outbuilding/shed, and a barn/accessory building.

A Notice of Application for an Official Plan Amendment (O-9683) and a Zoning By-Law Amendment (Z-9675) to allow the development of 105, 2-storey townhouses and a 6-storey apartment building was issued on November 24, 2023. Following the changes to the *Ontario Heritage Act* as a result of Bill 108, a Notice of Application for an Official Plan Amendment and Zoning By-Law Amendment on a heritage listed property is considered a “Prescribed Event”. A “Prescribed Event” triggers a 90-day timeline within which Council has 90 days to issue a Notice of Intention to Designate a property under the *Ontario Heritage Act* if it wishes to conserve the property. The 90 day timeline for this property expires on February 22, 2024.

A Heritage Impact Assessment and Stage 1-2 Archaeological Assessment was required as a part of the complete application requirements for the Official Plan Amendment and Zoning By-Law Amendment on the property.

#### **Heritage Impact Assessment**

A Heritage Impact Assessment was submitted as a part of the application for the Official Plan Amendment and Zoning By-Law Amendment. The following Heritage Impact Assessment was submitted and received by the City:

- *MHBC Planning Limited, Heritage Impact Assessment: 3810-3814 Colonel Talbot Road, London, Ontario, September 14, 2021, Revised September 21, 2023.*

All buildings and structures on the property were included within the Heritage Impact Assessment. The Heritage Impact Assessment was deemed complete, however, staff have concerns related to the evaluation of the property under Ontario Regulation 9/06 (Criteria for Determining Cultural Heritage Value or Interest) as well as the assessment

of impacts included within the report. The evaluation of the property included within the HIA determined that the property met 3 of the 9 criteria. Based on the evaluation within the HIA, the criteria it has met are:

- Criteria 1: The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method. *o The existing Dwelling 1 constructed c. 1861 is representative of an Ontario Gothic Revival cottage/farmhouse that was common in rural Ontario in the late 19th century. The high-pitched, centered gable on the front elevation, modest bargeboard, symmetrical, centre hall entry flanked by windows and overall one and a half storey massing are reflective of the Gothic Revival architectural style. (MHBC, 2023)* □ Staff do not agree that the property has design value or physical value as a representative example of the Gothic Revival cottage/farmhouse style. The dwelling on the property has been altered in manner that does not demonstrate a high degree of heritage integrity. Further, when comparing this property to other heritage listed and heritage designated properties within London, better representative of this architectural style are extant. In a recent evaluation, the property at 7056 Pack Road was determined to not meet this criteria, despite being a more representative example of the style.
- Criteria 4: The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community. *o The property was owned by the Bogue Family approximately for over a century between 1853 and the latter half of the 20th century. The property is directly associated with John Sr., original owner of the property, who had a biographical sketch published in the History of the County of Middlesex of 1889 describing his immigration to Middlesex County. (MHBC, 2023)* □ Staff agree that the property has historical value or associative value as it is directly associated with the Bogue family, a family that was historically important in the settlement of Westminster Township.
- Criteria 8: The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings. *o The property is historically linked to the surrounding farm properties as it is one of the earliest settler farms along the Colonel Talbot Road, one of original settlement roads in the former Westminster Township. (MHBC, 2023)*

Staff do not agree that this property is physically, functionally, visually, or historically linked to its surroundings in a manner that meets the criteria. In staff's opinion, as a result of the evolving land uses changes within the immediate surroundings, the contextual value of the property has been lost.

Staff agree that the property meets one of the criteria (Criteria 4), but are not convinced that the HIA has demonstrated enough evidence to confirm that the property meets Criteria 1 or Criteria 8.

### **Stage 1-2 Archaeological Assessment**

Staff have reviewed the following Archaeological Assessment for the property at 3810-3814 Colonel Talbot Road:

- *Stantec, Stage 1-2 Archaeological Assessment: Proposed Development at 3810-3814 Colonel Talbot Road, Part of Lot 73, East of Talbot Road, Geographic Township of Westminster, former Middlesex County, now City of London, Ontario PIF: P256-0698-2021, March 11, 2022.*

Please be advised that heritage planning staff recognize the conclusions of the report that state: "No archaeological resources were identified during the Stage 1-2 Archaeological Assessment of the Study Area. Thus, in accordance with Section 2.2 and Section 7.8.4 of the [MCM's] *Standards and Guidelines for Consultant Archaeologists* (Government of Ontario 2011) no further archaeological work is required for the study area."

An Ontario Ministry of Citizenship and Multiculturalism (MCM) archaeological assessment acceptance letter has also been received, dated March 14, 2022 (MCM Project Information Form P256-0698-2021, MCM File Number 0015168) confirming that the Stage 1-2 Archaeological Assessment has been entered into the Ontario Public Register of Archaeological Reports.

Archaeological requirements associated with O-9683 and Z-9675 have been addressed.

### **Conclusion**

Based on the information presented within the Heritage Impact Assessment, it is the opinion of staff that the property does not meet the minimum criteria to merit designation under the *Ontario Heritage Act*. Therefore, no mitigation measures are required.

As per the Council Policy Manual, and Section 27(9) of the Ontario Heritage Act, Municipal Council has 60 days from receipt of a demolition request for a heritage listed property to make a decision on the demolition request. A demolition request has not been received by City staff for the demolition of the buildings or structures on the property.

### Upper Thames Conservation Authority – December 1, 2023

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the *Conservation Authorities Act*, the *Planning Act*, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

### **CONSERVATION AUTHORITIES ACT**

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

### **DRINKING WATER SOURCE PROTECTION: *Clean Water Act***

For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

### **RECOMMENDATION**

The UTRCA has no objections to the application and we have no Section 28 approval requirements.