

**Heritage Overview Report  
93/95 Dufferin Avenue and  
479-489 Talbot Street, City of  
London, Ontario**



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January 4, 2016

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## **Executive Summary**

### **Study Purpose**

Between 2013 and 2015, Rygar Properties Inc. (the proponent) purchased the properties spanning the west side of Talbot Street between Dufferin Ave and Fullarton Street, in London, Ontario (the City), including 475, 479, 481, 483, 485, 487, 489, 493, and 501 Talbot Street and 93/95 Dufferin Avenue. The block is comprised of a series of surface parking lots, six 19<sup>th</sup> century row houses formerly known as Camden Terrace, a modern retail store containing Hakim Optical, and two 19<sup>th</sup> century residences converted into office space with multiple tenants.

The Proponent is seeking a zoning amendment to construct a proposed mixed use residential development that would comprise all 11 properties. The need to consider implications of the proposed rezoning application on potential heritage resources was identified by the City Planning Department staff as eight of the 11 properties are listed on the City's *Inventory of Heritage Resources* (London Advisory Committee on Heritage 2006). In response, the proponent retained Stantec Consulting Ltd. (Stantec) to complete a Heritage Overview of the properties. While the Downtown HCD Plan guidelines do not apply given the position of the properties outside of the Plan, many of the properties have been listed on the City of London's *Inventory of Heritage Resources* and therefore consideration of CHVI was determined to be appropriate.

### **Methodology**

The study methodology is based generally on the Ministry of Tourism, Culture and Sport's (MTCS) *InfoSheet #5: Heritage Impact Assessments and Conservation Plans* from the *Heritage Resources in the Land Use Planning Process Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005* (Ministry of Tourism and Culture (MTC) 2006). In order to determine cultural heritage value or interest (CHVI), a brief land use history was prepared and a preliminary property inspection undertaken. The land use history was completed to provide a cultural context for each property as well as the historical context upon which resource evaluations were based. This was based on primarily secondary source information and supplemented by primary reference materials such as fire insurance plans and aerial photography. Each property was then evaluated according to *Ontario Regulation 9/06* (O. Reg. 9/06) to determine the presence of CHVI. Where CHVI was identified the resource was determined to be a heritage resource and included in the assessment of impacts.

Where an impact to a heritage resource has been identified and avoidance of the impact is considered infeasible, other conservation or mitigative measures must be recommended. Methods of minimizing, or mitigating, negative impacts on a cultural heritage resource range extensively, but are often applied in relation to the level of CHVI identified. Mitigation options have been prepared by a wide number of heritage organizations concerned with a variety of built features. From industrial landscapes to residential streetscapes, mitigation options should



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attempt to balance the loss of CHVI with the appropriate level of consideration for the heritage resource while understanding that mitigation must always be resource specific, reasonable and feasible.

### Additional Reports

A series of related reports have been completed as part of the proposed rezoning. These include:

- A Detailed Land Use History prepared by David R. Elliott, B.A.Hons., M.A., Ph.D., Historical Consultant, and past-chair of the London & Middlesex Genealogical Society (see Appendix B);
- Review of Existing Structural Capacity prepared by Jablonsky, Ast and partners Consulting Engineers (see Appendix E); and
- An Environmental Review prepared by JFM Environmental (see Appendix F).

Each of these reports was considered in the development of this Heritage Overview. Specifically, Dr. Elliott's review of the property ownership and occupancy, prepared in response to the London Advisory Committee on Heritage (LACH), Stewardship Committee's Statement of Cultural Heritage Value and Interest, was considered when describing the historical context and evaluation of cultural heritage value or interest. The structural and environmental reviews, both of which discuss serious structural and environmental concerns rendering Camden Terrace inhabitable, were considered in determining the appropriate mitigation strategy given the current conditions.

### Recommendations

In order to allow for the retention of historic information, it is recommended that copies of this report be deposited with the City of London Planning Staff.

The loss of 479 to 483 Talbot Street due to structural and environmental concerns significantly compromises the CHVI of Camden Terrace. With this loss, the CHVI is not considered significant enough to warrant partial retention. In the case of 93/95 Dufferin Avenue, partial retention will allow for complete retention of all heritage attributes identified. Therefore, partial retention is considered to be an appropriate mitigation strategy for 93/95 Dufferin Avenue.

In order to mitigate the loss of CHVI identified, it is recommended that documentation and salvage take place for Camden Terrace. The documentation should be completed by a heritage professional in good standing with the Canadian Association of Heritage Professionals. Upon completion, the documentation and salvage report should be made available to the public through deposit of the report with the London Room at the Central Public Library, 251 Dundas Street, London, Ontario.

It is recommended that the salvage should be completed by a reputable salvage company, such as London ReStore, and completed in consultation with the heritage professional retained



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to undertaken the documentation. It is further recommended that the results of the salvage should be documented and appended to this report prior to deposit. Given the compromised structural condition of 479, 481, 483, and 485 Talbot Street, the feasibility of entering the properties is to be determined by the property owner and based on health and safety conditions present on site.

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## 1.0 STUDY PURPOSE AND METHODS

Between 2013 and 2015, Rygar Properties Inc. (the proponent) purchased the properties spanning the west side of Talbot Street between Dufferin Ave and Fullarton Street, in London, Ontario (the City), including 475, 479, 481, 483, 485, 487, 489, 493, and 501 Talbot Street, 100 Fullarton Street, and 93/95 Dufferin Avenue (see Table 1). The block is comprised of a series of surface parking lots, six 19<sup>th</sup> century row houses formerly known as Camden Terrace, a modern retail store containing Hakim Optical, and two 19<sup>th</sup> century residences converted into office space with multiple tenants (Figure 1). The properties are situated north of the City's Downtown Heritage Conservation District (Downtown HCD). One of the surface parking lots, situated at 475 Talbot Street, is positioned adjacent to the Downtown HCD. As noted in a staff report prepared for the Planning and Environment Committee in February of 2014:

*It is important to note that the subject lands are located adjacent to the Downtown Heritage Conservation District. This district is designated under Part V of the Ontario Heritage Act and land use decisions in this district are, in part, guided by the Downtown Heritage Conservation District Plan. The northern boundary of the District extends to Fullarton Street, directly south of the subject lands. As the subject lands are situated outside the boundaries of the Heritage Conservation District, the provisions of the Plan provide limited direction to the proposed redevelopment of the site. However, the presence of the district has been recognized and considered in staff's evaluation of the proposed redevelopment.*

**Table 1 Properties within the Study Area**

Municipal Address	Current Use
475 Talbot Street	Surface parking lot
479 Talbot Street	Vacant mixed-use residential and commercial (Camden Terrace)
481 Talbot Street	Vacant mixed-use residential and commercial (Camden Terrace)
483 Talbot Street	Vacant mixed-use residential and commercial (Camden Terrace)
485 Talbot Street	Vacant mixed-use residential and commercial (Camden Terrace)
487 Talbot Street	Occupied commercial/office space (Camden Terrace)
489 Talbot Street	Vacant commercial/office space (Camden Terrace)
493 Talbot Street	Surface parking lot
501 Talbot Street	Occupied commercial space (Hakim Optical)
93/95 Dufferin Street	Occupied commercial/office space (various tenants)

In late 2013 the Proponent proposed construction of a 33-storey mixed-use residential and commercial tower at the corner of Fullarton and Talbot Streets (100 Fullarton Street and 475



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Talbot Street, currently in use as a commercial/office space and surface parking lot, respectively). As part of this proposal, the Proponent applied to change the zoning of the subject property from a Downtown Area (DA2) Zone and Holding Downtown Area (h-3•DA2•D350) Zone to a Bonus Downtown Area (B(\_)/DA1•D350) Zone. Included in the application was a bonus zone which would allow for a density of 1,155 units per hectare and a maximum height of 110 metres. The zone would require the inclusion of features such as underground parking, enhanced accessibility, common amenity space and recreational facilities, high design standards, and architectural consistency with the Downtown Design Guidelines. The application was approved by municipal council on February 25, 2014 (see Appendix A for staff recommendation to council).

Since municipal approval was obtained, the proponent has acquired additional properties and modified plans for the proposed development. Although similar in design, the proponent has modified the design to include the footprint of the recently acquired properties and therefore requires a new rezoning application.

The pending rezoning application includes the addition of 479, 481, 483, 485, 487, 489, 493, and 501 Talbot Street and 93/95 Dufferin Avenue. The need to consider implications of the proposed rezoning application on potential heritage resources was identified by the City Planning Department staff as eight of the ten properties are listed on the City's *Inventory of Heritage Resources* (London Advisory Committee on Heritage 2006). In response, the proponent retained Stantec Consulting Ltd. (Stantec) to complete a Heritage Overview of the properties.

The Heritage Overview will identify potential heritage resources contained within the study area, specifically 475, 479, 481, 483, 485, 487, 489, 493 and 501 Talbot Street, as well as 93/95 Dufferin Avenue. Following identification, the cultural heritage value or interest (CHVI) of each property will be evaluated and heritage attributes defined. Pending the outcome of the evaluation of CHVI, the impacts anticipated to result from the proposed development on identified heritage attributes will be assessed and a strategy to mitigate the impacts, if any, will be prepared.

The study methodology is based generally on the Ministry of Tourism, Culture and Sport's (MTC) *InfoSheet #5: Heritage Impact Assessments and Conservation Plans* from the *Heritage Resources in the Land Use Planning Process Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005* (Ministry of Tourism and Culture (MTC) 2006). In order to determine CHVI, a brief land use history was prepared and a preliminary property inspection undertaken. A brief land use history was completed to provide a cultural context for each property as well as the historical context upon which resource evaluations were based. This was based on primarily secondary source information and supplemented by primary reference materials such as fire insurance plans and aerial photography. The preliminary property inspection was undertaken by Meaghan Rivard, Heritage Consultant with Stantec, on May 21, 2015. Each property was then evaluated according to *Ontario Regulation 9/06* (O. Reg. 9/06) to determine the presence of CHVI. Where CHVI was identified the resource was determined to be a heritage resource and included in the assessment of impacts.



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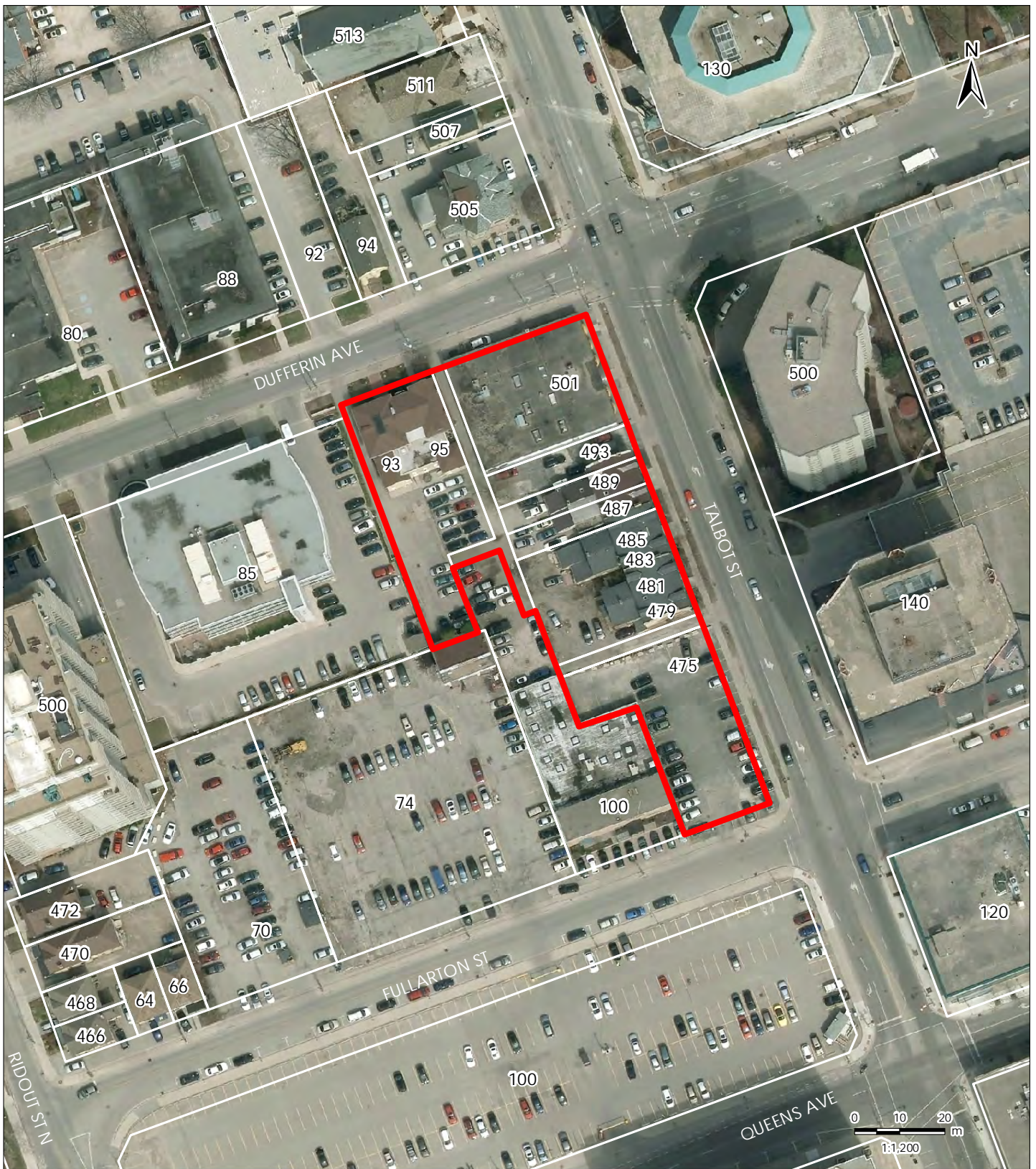
January 4, 2016

The Proponent is seeking a zoning amendment to construct a proposed mixed use residential development that would comprise all 11 properties contained within Table 1. While the Downtown HCD Plan guidelines do not apply given the position of the properties, many of the properties have been listed on the City of London's *Inventory of Heritage Resources* and therefore consideration of CHVI is appropriate. The municipal listing is as follows:

**Table 2 Heritage Status of the Study Area**

Municipal Address	Current Use
475 Talbot Street	None
479 Talbot Street	Listed, Priority 1
481 Talbot Street	Listed, Priority 1
483 Talbot Street	Listed, Priority 1
485 Talbot Street	Listed, Priority 1
487 Talbot Street	Listed, Priority 1
489 Talbot Street	Listed, Priority 1
493 Talbot Street	None
501 Talbot Street	None
93 Dufferin Street	Listed, Priority 2
95 Dufferin Street	Listed, Priority 1





V:\01614\active\161403388 - 475 Fullarton Street\planning\drawing\GIS\WXD\Heritage\161403388\_Heritage\_Fig1\_StudyArea.mxd  
 Revised: 2015-06-11 By: kbuchanan

June 2015  
Project No.



Legend  
 Study Area

Client/Project  
 Rygar Corporation  
 475 Fullarton Street, London, ON  
 Heritage Impact Assessment

- Notes
1. Coordinate System: NAD 1983 UTM Zone 17N
  2. 2014 imagery and base features produced under license with the City of London © 2013.

Figure No.  
 1  
 Title

## Study Area



## **2.0 HISTORICAL OVERVIEW**

### **2.1 INTRODUCTION**

In early 2015, the proponent retained a land registry expert to provide advice on the historical ownership of the study area. David R. Elliott, B.A.Hons., M.A., Ph.D., Historical Consultant, and past-chair of the London & Middlesex Genealogical Society was retained to prepare a detailed property ownership history for each property within the study area. This work was undertaken to inform legal property ownership discussions active at the time. The land use history presented in Section 2.2 is based on the findings of this research as well as primary and secondary source material.

In August, 2015, the London Advisory Committee on Heritage (LACH), Stewardship Sub-Committee, prepared the draft Statement of Cultural Heritage Value or Interest for 479 – 489 Talbot Street as well as 93-95 Dufferin Avenue. In response to these statements, the proponent retained Dr. Elliott to review the findings in light of his previous work on the properties. Dr. Elliott undertook additional research in order to determine not only ownership but also occupancy of these properties. This included review of Samuel Peters' Log Books, land transactions, wills, census returns, civil registrations, voter's lists and city directories. The report, included here as Appendix B, disputes the findings of the LACH Stewardship Sub-Committee. The report also provides detailed narrative histories of both Camden Terrace and 93-95 Dufferin Avenue which refute the level of CHVI attributed to the properties by LACH Stewardship Sub-Committee.

### **2.2 TALBOT AREA**

The study area is situated within the former London Township, Middlesex County, now the City of London, Ontario. Bordered by Dufferin Avenue (formerly Maple Street) to the north, Talbot Street to the east, Fullarton Street to the south and Ridout Street North to the west, the study area is located within an area known historically as the Talbot area. At the time of the original district town survey in 1826, the study area was situated just west of the town boundaries formed by Wellington Street to the east, Queens Avenue and Carling Street to the north, and the Thames River to the south and the west (Tausky 1986:11). Mahlon Burwell, the provincial surveyor responsible for the 1826 survey which developed the town plot, was required to work around an area that was owned by John Kent early in the 19<sup>th</sup> century. Kent's property was substantial in size and spanned both sides of the Thames River at the time (Lutman 1978:12).

As London developed, wealthy merchants sought the opportunity to acquire land for developmental purposes outside of the survey limits. In 1830, George Jervis Goodhue, a wealthy merchant and later the first President of Village Council, purchased a portion of Kent's farm and laid out lots from Queens Avenue and Carling Street north to Maple Street (later Dufferin Avenue) (Lutman 1978:13). In 1832, John Kent subdivided a portion of his land, stretching north of Maple Street to Kent Street. The act of subdividing land continued throughout the 19<sup>th</sup> century as



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London grew and developed into the centre of administrative, commercial, manufacturing, and social activities for Middlesex County. As the core area expanded, more land was needed for businesses and residences.

By the 1880s and 1890s, the Talbot area was well developed with large and expensive residences along the eastern bank of the Thames River on Ridout Street North, an industrial area along Ann Street (six blocks north of study area), and a business area that developed along Richmond Street (one block east of the study area) (Lutman 1978:14-15). The variety of land uses throughout the Talbot area contributed to the mixed-use nature of the downtown core during this era where residential, industrial, and commercial activity were in close proximity to one another.

## 2.3 STUDY AREA

By the mid-19<sup>th</sup> century, much of Kent's original property, including the study area, was purchased with intentions to prepare it for development. As early as the late 1850s, Samuel Peters began to purchase land on Talbot Street. Peters was a provincial land surveyor, engineer, and later architect responsible for the construction of some of London's most prominent residences including Grosvenor Lodge which he designed for his uncle and mentor, also named Samuel Peters, in 1853 (Hill 2015). Peters was also the first city engineer in the early 1850s and has been accredited with overseeing construction of city landmarks including London's Covent Garden Market and City Hall (Tausky 1986:57, 456). His influence is further noted through association with well-known architects of the day including Thomas Stent. Stent is well known for his part in the design of the east and west blocks of the Ottawa parliament buildings (Tausky 1986:59).

Peters' involvement with the study area is presented below in chronological order beginning with the purchase of 501 Talbot Street. Subsequent owners are also discussed. Tables providing detailed information regarding ownership of each property can be found in Appendix C.

### 2.3.1 501 Talbot Street

Samuel Peters' first purchase within the study area was 501 Talbot Street from Laurence Lawrason (Instrument 1371) in 1851. Peters sold the property in 1854 to John Beattie only to purchase it again in 1873 (Instruments 2628 and 10094). In 1884 his estate sold the property to William Pope, another prominent land owner in the area (Instrument 9). Pope retained ownership until the early 1890s when he sold the property to Henrietta Ellis in 1894 (Instrument 4757). The property was sold six times to various private and corporate owners until its purchase in 2015 by the proponent. In 1983, under the ownership of Hakim Investments, the property was merged with 493 Talbot Street. Today, 501 Talbot Street contains a commercial building constructed in the mid-20<sup>th</sup> century and 493 Talbot Street is used as a parking lot for Hakim Optical.





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#### 2.3.2 93/95 Dufferin Avenue

In 1858, Peters purchased 93/95 Dufferin Avenue (then Maple Street), also from Laurence Lawrason (Instrument 9130). A single detached residence was built around the year 1868 with a small wing added later east of the primary residence (Lutman 1978: 33). Peters and his family lived in this house for 13 years. Peters sold the property to Laura Walker in 1881, the year before his death. Eva Coe purchased the property containing a single structure at 93 Maple Street from Ms. Walker in 1891 (Instrument 3360). In the 1890s, a second residence (95 Maple Street) was constructed east of the 1880s wing (Lutman 1978:33).

Fire Insurance Maps indicate that the new residence at 95 Maple Street remained a separate structure from its neighbour while sharing the western wall (Goad Co. 1892 Rev. 1907). In 1911 and 1912, Ms. Coe sold both properties separately; Elizabeth Derr purchased 93 Maple Street in 1911 and Thomas G. A. Wright purchased 95 Maple Street in 1912 (Instruments 15124 and 16069, respectively). Both properties were sold multiple times throughout the 20<sup>th</sup> century and in the 1980s both were purchased by separate holding companies indicating a transition from residential ownership and into commercial/office space. In 1987 a substantial rear addition was constructed, connecting the buildings. The proponent purchased the properties in 2015.

#### 2.3.3 Camden Terrace

In 1873, Samuel Peters purchased the property at 487 Talbot Street from Laurence Lawrason. This marked Peters' first purchase of what would become Camden Terrace (479 – 489 Talbot Street). Peters purchased 483 and 485 Talbot Street from James Owery in 1874. Then in 1876, Peters bought 479 and 481 Talbot Street from Elijah Leonard. With acquisition complete, a call for tenders to construct Camden Terrace appeared in the Daily Advertiser dated March 7, 1876 (Daily Advertiser 1876). In that same year, Peters began construction on Camden Terrace. Influenced by Italianate architecture, Camden Terrace was a row of six urban brick townhouses that were two storeys in height.

Land registry records indicate that Peters left Camden Terrace to three of his children. Samuel's daughter Mary Boyd (nee Peters) owned the residence at 479 Talbot Street from 1882 to 1889 and the residence at 481 Talbot Street from 1882 to 1900. Emma Allen (nee Peters) owned the residence at 483 Talbot Street from 1882-1895 and 485 Talbot Street from 1882 to 1900. Samuel's son, Wesley Peters, owned the residences at 487 and 489 Talbot Street from 1882-1893.

Following the Peter family ownership each of the six houses that comprised Camden Terrace entered into individual ownership. During the first half of the 20<sup>th</sup> century individual property owners retained ownership of each house, however, by the late 1970s four of the houses were owned by numbered companies and one was owned by Ouddown Enterprises. The proponent purchased the properties at various times between 2014 and 2015.

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The properties owned by William Pope at 475/477 and 493/495/497 Talbot Street were occupied by residential buildings in the late 19<sup>th</sup> century. The Fire Insurance Plan of 1881 (revised in 1888) shows a two storey structure at 493 Talbot, a one storey structure with two storey structure at the rear at 495, and a small one storey structure at 497 Talbot Street (Goad and Co. 1881 Rev 1888). A row of two storey structures are depicted at 475 and 477 Talbot Street (Goad and Co. 1881 Rev. 1888). The properties and buildings contained within remained largely unchanged into the 1920s.

Each property was sold multiple times throughout the late 19<sup>th</sup> and 20<sup>th</sup> century to a wide variety of owners ranging from private owners, like Ida Beatrice Robinson who owned 475 Talbot Street between 1921 and 1935, to Hakim Investments associated with Hakim Optical who purchased 493 Talbot Street in 1983. Presently, the property at 495 and 497 Talbot Street is occupied by the Hakim Optical commercial building while 493 Talbot serves as a parking lot for the business. The properties at 475 and 477 Talbot Street are also vacant and in use as surface parking lots. Each property was acquired in 2015 by the proponent.

## **3.0 SITE DESCRIPTION**

### **3.1 OVERVIEW**

The study area contains nine properties on Talbot Street including 475, 479, 481, 483, 485, 487, 489, 493, and 501 Talbot Street, and two properties on Dufferin Avenue including 93 and 95 Dufferin Avenue. Two properties, 475 and 493 Talbot Street, contain surface parking lots. One property, 501 Talbot Street, contains a modern single storey commercial building. The remainder of the properties, 479-489 Talbot Street and 93/95 Dufferin Avenue, contain 19<sup>th</sup> century structures.

### **3.2 475 TALBOT STREET**

Situated on the northwest corner of Fullarton and Talbot Streets, 475 Talbot Street is a surface parking lot. The property is positioned directly east of 100 Fullarton Street which contains a single storey building currently in use as office space. To the north of the property is additional surface parking and 479 Talbot Street, the first of six row houses referred to as Camden Terrace. Modern commercial buildings are situated east and southeast of the property, while additional surface parking is situated south and southwest of the property.

### **3.3 479-489 TALBOT STREET**

The properties at 479, 481, 483, 487, 489 Talbot Street contain six row houses known collectively as Camden Terrace. The houses have been highly modified for use as multi-unit residences and multi-unit commercial spaces. None of the houses are in use as single occupancy residential homes. The properties are immediately adjacent to two surface parking lots at the north and south and, to the west and east, modern residential and commercial buildings. At the rear of each property is surface parking which is of variable size dependent on the presence of modern additions.

Camden Terrace comprises of six row houses. The houses are identical in design although 479 and 481 Talbot Street are raised slightly above the other residences, resulting in four additional stair steps and two basement window in each of the two bay windows (Plate 1). The residences are uniformly set back approximately three metres from the side walk with uncovered concrete platform entryways, small unmaintained gardens, and small modern trees framing each doorway.

The houses are constructed of yellow, or London, brick with brick foundations supported by stone. On the front façade of each house is a door, a flat roofed bay window, two second storey windows, and a single dormer window. Above each door is a large space where a transom was likely placed; each has been filled in with various materials. The bay windows as well as the second storey windows are adorned with stone lintels and sills which, in some cases

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have been painted (479, 481, 483, and 485). The second storey windows at 487 and 489 are all framed by black shutters (Plate 2). None of the windows appear original and many have been broken and replaced with plywood coverings for security purposes. The most prominent feature of the front façade is the intricate dentil work beneath the bay window eaves (Plate 3) and the wide roof eaves which are framed by substantial brackets (Plate 4, Plate 5). In addition, each pair of houses (comprising of two houses) are surrounded by a protruding row of bricks separating the front façade of each section from its neighbour. Finally, each of the sections contains a double chimney where the exterior wall raises above the roof line (Plate 6). The exterior walls of the middle houses are shared with the adjacent houses and the end houses have chimney access on their exterior walls.

At the rear of each Camden Terrace house is a front gabled one-and-one-half storey structure. Identified in early fire insurance plans, this appears original to the building. At the rear façade there is a substantial amount of difference from one unit to the next (Plate 7). While the houses have similarities, many have been highly modified with additions of a variety of ages. Generally, the original front gabled rear is centered on the front houses and contains a central doorway with two first storey windows and two second storey windows. The rear of each property does not have any decorative details. The section containing 489 and 487 Talbot Street has been painted and include two shed roof additions. A porch is also visible on the south side. The section containing 485 and 483 Talbot Street also has two shed roof additions, one of which retains the yellow brick while the other has modern siding. The section containing 481 and 479 Talbot Street is likely the closest to original. There have been no additions and the yellow brick is still visible as are the central doorway and four windows. Some of the windows at the rear of Camden Terrace appear to be original.

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**Plate 1 Front facade, or west side, 479, 481, 483, 485 Talbot Street**



**Plate 2 Front facade, or west side, 487 and 489 Talbot Street**





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**Plate 3 Bay window, 483 Talbot Street**



**Plate 4 Brick work and wide eaves**



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**Plate 5 Detailed cornice**



**Plate 6 Rear façade, looking east at 489 through 479, from left to right**



### **3.4 493 AND 501 TALBOT STREET**

The properties at 493 and 501 Talbot Street contain a surface parking lot and Hakim Optical, respectively. The parking lot is used by Hakim Optical staff and customers. The Hakim Optical building is a single storey building clad in red brick with four large windows facing north and three square windows as well as two smaller rectangular windows facing east. Two doors are situated on the north side and two delivery or shipping doors are on the east. The building has a flat roof and concrete foundations.

### **3.5 93/95 DUFFERIN AVENUE**

The property at 93/95 Dufferin Avenue consists of a double house now in use as multi-use commercial spaces (Plate 8). The front portions of the buildings were constructed as two separate residential structures sharing a single wall at two different times. The 1860s structure original to the property is situated at 93 Dufferin Avenue, while 95 Dufferin Avenue was added in the 1890s. The centre portion of the property is associated with the original structure and was constructed in the 1880s. The property is situated in between a modern commercial building and a mid-20<sup>th</sup> century commercial building. At the rear of the building, where a modern addition has been constructed, is a surface parking lot. North of the property is a modern commercial building and 19<sup>th</sup> century residential structure converted to office space.

The building at 93 Dufferin Avenue is a two-storey structure constructed of yellow, or London, brick with a brick foundation supported by stone. On the front façade of the three bay structure is a door with a transom fanlight, two first storey windows and three second storey windows. All the windows on the front façade are framed by beige shutters, have painted concrete sills and lintels, and have been replaced (Plate 9). The building has a low pitched hipped roof with wide eaves supported by ornate cornice brackets. A raised wooden covered porch leads to the entranceway.

The front façade of the centre portion of the double house contains a flat roof bay window that spans the first and second storey. The bay window, with prominent stone lintels and sills, contains three windows on both the first and second storey. Between the first and second storey of the building and center portion are brick quoins which are mirrored on 95 Dufferin Avenue.

On the west façade of 93 Dufferin Avenue are two first storey windows, one second storey window, one basement window and a hipped dormer window. A brick chimney stack is visible near the east end of the buildings. At the rear of the building is a one-and-one-half storey front gable wing with one first storey and two second storey windows on the west façade (Plate 12). The windows on the west façade and wing all have brick voussoirs and stone sills. At the rear of the wing are two windows, one on each storey and a basement window. At the rear of the centre portion is a door, two first storey windows and three second storey windows which all have brick voussoirs and stone sills (Plate 13).



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The building at 95 Dufferin Avenue is a two-storey structure constructed of yellow, or London, brick with a concrete foundation. On the front façade of the front gable structure is a door with transom and sidelights, a first storey window and three second storey windows including an ocular window. The windows have concrete sills and lintels that have been painted (Plate 10). The building has a low pitched roof with wide eaves supported by ornate cornice brackets. The front gable has a pediment with fish scaling detail and an ocular window within the tympanum (Plate 11). Brick quoins surround the exterior of the building. A chimney stack is visible on the east wall of the structure. On the east façade, there is a projecting gable window. At the rear of the building is a door, one first storey window and one second storey window with brick voussoirs and stone sills (Plate 12).



**Plate 7 Front facade, or south view, 93/95 Dufferin Avenue**

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**Plate 8 93 Dufferin Avenue, front façade**



**Plate 9: South view of 95 Dufferin Avenue**





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**Plate 10: Eaves, cornices and pediment at 95 Dufferin Avenue**



**Plate 11 West façade of 93 Dufferin Avenue**

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**Plate 12 Rear facade, 93/95 Dufferin Avenue**

## **4.0 EVALUATION OF CULTURAL HERITAGE VALUE OR INTEREST**

### **4.1 ONTARIO REGULATION 9/06**

The criteria for determining CHVI are defined by O. Reg. 9/06. The potential heritage resource is considered both as an individual structure as well as a potential cultural heritage landscape. The properties were grouped according to built form. For example, Camden Terrace was considered as a single unit as opposed to individual structures, as was 93/95 Dufferin Avenue. In order to identify CHVI at least one of the following criteria must be met:

The property has design value or physical value because it;

- i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
- ii. displays a high degree of craftsmanship or artistic merit, or
- iii. demonstrates a high degree of technical or scientific achievement.

The property has historical value or associative value because it,

- i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
- ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
- iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

The property has contextual value because it,

- i. is important in defining, maintaining or supporting the character of an area,
- ii. is physically, functionally, visually or historically linked to its surroundings, or
- iii. is a landmark.

### **4.2 475 TALBOT STREET**

#### **Design or Physical Value**

The property contains a surface parking lot with no standing structures. Therefore, the property is not determined to satisfy Section 1 of O. Reg. 9/06 as provided in Section 4.1.

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#### **Historical or Associative Value**

The property contains a surface parking lot where all previous structures have been removed. Therefore, the property is not determined to satisfy Section 2 of O. Reg. 9/06 as provided in Section 4.1.

#### **Contextual Value**

The property contains a surface parking lot situated where historically residential and manufacturing buildings were located. Therefore, the property is not determined to satisfy Section 3 of O. Reg. 9/06 as provided in Section 4.1.

#### **Heritage Attributes**

As CHVI was not identified, there were no heritage attributes identified.

### **4.3 479-489 TALBOT STREET**

#### **Design or Physical Value**

The Camden Terrace row houses are consistent with a once popular, if increasingly rare, building style. Row houses were both aesthetically pleasing and an efficient use of land where economic pressures increased the value of land, such as those in existence in the City's downtown core during the 1870s and 1880s. There is not a high degree of craftsmanship or artistic merit evident in the design, but the row houses have design elements, such as the use of dentils, which were popular during their era of design and construction. No evidence of technical or scientific achievement was noted. Therefore, Camden Terrace is considered to have design value resulting from its representative design of a popular style.

#### **Historical or Associative Value**

The Camden Terrace row houses were designed by the prolific architecture firm Samuel Peters & Son and constructed for three of Peters' children. This connects the residences directly with a family that was influential in development of the City of London and responsible for some of the City's most prominent homes, churches, and public buildings. While the builder of the row houses was not identified, the design is reflective of Samuel Peters & Son work. Therefore, Camden Terrace is considered to have historical and associative value resulting from its early associations with the Peters family both as architects and as residents.

#### **Contextual Value**

The Camden Terrace row houses are situated on the west side of Talbot Street in between Fullarton Street and Dufferin Avenue. While historically the row houses were surrounded by residential and manufacturing buildings, the character of the surrounding area is distinctly commercial with residential characteristics represented by modern apartment buildings largely





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constructed within the last 20 years. The surroundings have been highly modified and are represented largely by surface parking lots. The row houses, while distinct from the surrounding landscape do not represent a landmark. Therefore, the property is not determined to satisfy Section 3 of O. Reg. 9/06 as provided in Section 4.1.

### Heritage Attributes

As Camden Terrace contains six individual properties that, while attached, exist in a wide variety of conditions and have had a wide variety in ownership and maintenance. Although none remain completely original in design, many contain design elements which are original. Therefore the heritage attributes provided represent attributes which are present on some, but not all, of the houses. Given the identification of CHVI, heritage attributes of Camden Terrace are as follows:

- Multi-structure residential row house proportions including six buildings enclosed within three sections each containing two residences with mirrored façades;
- Uniform setback from sidewalk;
- Yellow (London) brick construction;
- Uniform roof line with side gabled roof and one dormer per residence;
- Flat roof bay window containing three windows;
- Stone lintels and sills surrounding bay windows and second storey windows;
- Dentil work beneath bay window eaves and roof eaves;
- Decorative brackets; and
- Double chimneys.

## 4.4 493 AND 501 TALBOT STREET

### Design or Physical Value

The Hakim Optical building was constructed in the latter part of the 20<sup>th</sup> century. It is representative of a single storey mixed use commercial/manufacturing building clad with red brick. Therefore, the property is not determined to satisfy Section 1 of O. Reg. 9/06 as provided in Section 4.1.

### Historical or Associative Value

The Hakim Optical building was determined to be a 20<sup>th</sup> century replacement of earlier residential structures originally situated on the property. Therefore, the property is not determined to satisfy Section 2 of O. Reg. 9/06 as provided in Section 4.1.

### Contextual Value

The Hakim Optical building is of similar proportions to buildings constructed south of the site where manufacturing was more prevalent. However, manufacturing activity was not recorded



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on the site, nor are manufacturing activities present surrounding the property. Therefore, the property is not determined to satisfy Section 3 of O. Reg. 9/06 as provided in Section 4.1.

#### **Heritage Attributes**

As CHVI was not identified, there were no heritage attributes identified.

## **4.5 93/95 DUFFERIN AVENUE**

### **Design or Physical Value**

The property contains a double residence physically connected with distinct styles characteristic of each era of construction. The original house, situated at 93 Dufferin Avenue, is heavily influenced by Georgian architectural design with simple lines and a low pitched hipped roof. The first addition, immediately east of the original house, mimics the simple lines of the original house however it also embraces the use of bay windows popular in the 1880s when it was constructed. The second addition, situated at 95 Dufferin Avenue and constructed in the 1890s, is representative of Italianate design with brick quoins, ocular windows, and a prominent front gable projection with fish scale detailing. The buildings have been highly modified by a modern addition at the rear where no design value was noted. No evidence of technical or scientific achievement was noted. Therefore, 93/95 Dufferin Avenue is considered to have design value resulting from its representative design of popular 19<sup>th</sup> century façade design.

### **Historical or Associative Value**

The original residence at 93 Dufferin Avenue is associated with Samuel Peters although no evidence of its designer and builder was identified. This connects the residences indirectly with a family that was influential in the development of the City of London and responsible for some of the City's most prominent homes, churches, and public buildings. Samuel Peters and his family resided at 93 Dufferin Avenue until 1881. Therefore, the property is considered to have associative value resulting from its direct association with Samuel Peters, a person that is significant to the community.

### **Contextual Value**

The property containing 93/95 Dufferin Avenue is situated on the south side of Dufferin Avenue one lot west of Talbot Street. While historically the double house was surrounded by residential buildings, the character of the surrounding area is distinctly commercial with residential characteristics represented by modern apartment buildings largely constructed within the last 20 years. The only remaining residential structures are those at Camden Terrace, visually disconnected from the double house, and the surviving residential structures converted for office spaces on Talbot Street, north of Dufferin Avenue. The residential structures are interrupted by a small parking lot although this does not distract from an understanding of the surroundings as formerly residential. However, the surroundings have been highly modified and are





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represented largely by modern buildings removing any connection of the double house with the character of the area. The double house, while distinct from the surrounding landscape does not represent a landmark. Therefore, the property is not determined to satisfy Section 3 of O. Reg. 9/06 as provided in Section 4.1.

### Heritage Attributes

Given the identification of CHVI, heritage attributes of 93/95 Dufferin Avenue are as follows:

- Double house with two distinct architectural styles represented including Georgian and Italianate influences;
- Heavy brackets spanning supporting wide eaves throughout;
- Three bay, two storey 1860s residence with low pitched hipped roof;
- Distinct 1890s residence with brick quoins, ocular window, and front gable with fish scale detailing;
- Prominent and distinct entryways with transom and sidelights;
- Bay windows with prominent stone lintels and sills marking transition from original residence; and
- Association with Samuel Peters and family.

## **5.0 PROPOSED UNDERTAKING AND MITIGATION OPTIONS**

### **5.1 DESCRIPTION OF THE PROPOSED UNDERTAKING**

The Talbot Fullarton Dufferin development is a mixed use development on a 1.5 acre land assembly. If approved, the development will be comprised of approximately 700 apartment suites, 15,000 square feet of ground floor retail, restaurant space, 10,000 square feet of office space, and 715 parking spaces within seven levels of parking (four underground and three aboveground).

Three interconnected buildings are proposed; one nine storey building fronting on Talbot Street with three levels of underground parking and two adjoining apartment towers. The north tower at Talbot and Dufferin Streets will be 29 floors plus four levels of underground parking. The south tower at Talbot and Fullarton Streets will be 38 storeys with four levels of underground parking.

In response to City requests to retain all, or portions, of the existing buildings listed on the City's *Inventory of Heritage Resources*, the proposed development includes retention of the front façade and west wall of 93/95 Dufferin Avenue in situ. The building façades will be incorporated into the development as refurbished office space. Appendix D contains drawings of the proposed development including retention of the Dufferin Avenue buildings.

### **5.2 ASSESSMENT OF IMPACTS**

At the outset of the study, the feasibility of retaining any aspects of 93-95 Dufferin Street and the Camden Terrace townhouses was unknown. It was therefore determined that the assessment of impacts resulting from the Project should include two options; complete removal of all heritage resources identified within the study area and retention of select heritage resources as described in the proposed undertaking (Section 5.1). Both options have been considered in order to weigh the advantages and disadvantages of each proposed undertaking from a heritage perspective.

The impacts of the proposed undertakings on each property determined to contain heritage resources were assessed according to InfoSheet #5 in *Heritage Resources in the Land Use Planning Process, Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005* (included in the MTCS' *Ontario Heritage Tool Kit*). The assessment is based on identified heritage attributes as described in Section 4, above. This provides a specific reference to which impacts can be measured. Table 3 and 4 provide the findings of the evaluation of impacts for option one and option two, respectively.

Appendix D contains a site plan and drawings of the proposed development upon which the impact assessment is based. It should be noted that the drawings contain minor discrepancies between the current façade of 93/95 Dufferin Avenue (ie. bracket design, fish scale detailing,

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transom and sidelights, etc.). It is understood that the proposed undertaking, as described in Section 5.1, includes retention in situ of the original portion of the front and west façades in their entirety.

**Table 3 Evaluation of Potential Impacts Resulting from Complete Removal of all Heritage Resources**

Impact	Relevance to Camden Terrace	Relevance to 93/95 Dufferin Avenue
<b>Destruction</b> of any, or part of any, <i>significant heritage attributes</i> or features.	Anticipated – complete removal will result in loss of all heritage attributes associated with heritage resource.	Anticipated – complete removal will result in loss of all heritage attributes associated with heritage resource.
<b>Alteration</b> that is not sympathetic, or is incompatible, with the historic fabric and appearance.	Not anticipated – complete removal will remove all heritage attributes that represent the CHVI of the property.	Not anticipated – complete removal will remove all heritage attributes that represent the CHVI of the property.
<b>Shadows</b> created that alter the appearance of a <i>heritage attribute</i> or change the viability of a natural feature or plantings, such as a garden	Not anticipated – no heritage attributes will remain and no natural features or plantings identified.	Not anticipated – no heritage attributes will remain and no natural features or plantings identified.
<b>Isolation</b> of a <i>heritage attribute</i> from its surrounding environment, context or a <i>significant</i> relationship	Not anticipated – all heritage attributes will be removed and no contextual value or significant relationship was identified.	Not anticipated – all heritage attributes will be removed and no contextual value or significant relationship was identified.
<b>Direct or indirect obstruction</b> of <i>significant</i> views or vistas within, from, or of built and natural features	Not anticipated – no significant views or vistas identified within the property and presence of surrounding modern residential and commercial towers noted.	Not anticipated – no significant views or vistas identified within the property and presence of surrounding modern residential and commercial towers noted.
<b>A change in land use</b> such as rezoning a battlefield from open space to residential use, allowing new <i>development</i> or <i>site alteration</i> to fill in the formerly open spaces	Not anticipated – new development will be occupying space currently in use for commercial purposes and formerly in use for residential purposes.	Not anticipated – new development will be occupying space currently in use for commercial purposes and formerly in use for residential purposes.
<b>Land disturbances</b> such as a change in grade that alters soil, and drainage patterns that adversely affect an <i>archaeological resource</i>	Not applicable – complete removal will involve extensive ground disturbance however archaeological resources are considered beyond the scope of the present study.	Not applicable – complete removal will involve extensive ground disturbance however archaeological resources are considered beyond the scope of the present study.

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**Table 4 Evaluation of Potential Impacts Resulting from the Proposed Undertaking**

Impact	Relevance to Camden Terrace	Relevance to 93/95 Dufferin Avenue
<b>Destruction</b> of any, or part of any, <i>significant heritage attributes</i> or features.	Anticipated – complete removal will result in loss of all heritage attributes associated with heritage resource.	Not anticipated – proposed undertaking will retain all heritage attributes that represent the CHVI of the property.
<b>Alteration</b> that is not sympathetic, or is incompatible, with the historic fabric and appearance.	Not anticipated – complete removal will remove all heritage attributes that represent the CHVI of the property.	Not anticipated – proposed undertaking will retain all heritage attributes that represent the CHVI of the property.
<b>Shadows</b> created that alter the appearance of a <i>heritage attribute</i> or change the viability of a natural feature or plantings, such as a garden	Not anticipated – no heritage attributes will remain and no natural features or plantings identified.	Not anticipated – proposed development will not alter the appearance of heritage attributes in place within the development and no natural features or plantings were identified.
<b>Isolation</b> of a <i>heritage attribute</i> from its surrounding environment, context or a <i>significant</i> relationship	Not anticipated – all heritage attributes will be removed and no contextual value or significant relationship was identified.	Not anticipated – proposed development will retain all heritage attributes identified in situ. While the surrounding context will change, retention of the entire front and west façades allow the relationships between heritage attributes identified to be maintained. Furthermore, no contextual value or significant relationship was identified given the highly modified nature of the surrounding buildings.
<b>Direct or indirect obstruction</b> of <i>significant</i> views or vistas within, from, or of built and natural features	Not anticipated – no significant views or vistas identified within the property and presence of surrounding modern residential and commercial towers noted.	Not anticipated – no significant views or vistas identified within the property and presence of surrounding modern residential and commercial towers noted.
<b>A change in land use</b> such as rezoning a battlefield from open space to residential use, allowing new <i>development</i> or <i>site alteration</i> to fill in the formerly open spaces	Not anticipated – new development will be occupying space currently in use for commercial purposes and formerly in use for residential purposes.	Not anticipated – new development will be occupying space currently in use for commercial purposes and formerly in use for residential purposes.
<b>Land disturbances</b> such as a change in grade that alters soil, and drainage patterns that adversely affect an <i>archaeological resource</i>	Not applicable – complete removal will involve extensive ground disturbance however archaeological resources are considered beyond the scope of the present study.	Not applicable – proposed undertaking will involve extensive ground disturbance however archaeological resources are considered beyond the scope of the present study.

## **5.3 MITIGATION OPTIONS**

According to InfoSheet #5 where an impact to a heritage resource has been identified and avoidance of the impact is considered ineffective or infeasible, other conservation or mitigative measures must be recommended. Methods of minimizing, or mitigating, negative impacts on a cultural heritage resource range extensively, but are often applied in relation to the level of CHVI identified. Mitigation options have been prepared by a wide number of heritage organizations concerned with a variety of built features. From industrial landscapes to residential streetscapes, mitigation options should attempt to balance the loss of CHVI with the appropriate level of consideration for the heritage resource while understanding that mitigation must always be resource specific, reasonable and feasible.

### **5.3.1 Retention**

Generally, retention *in situ* is the preferred option when addressing any structure where CHVI has been identified, even if limited. The benefits of retaining a structure, or structures, must be balanced with site specific considerations. Not only must the level of CHVI be considered, so too must the structural condition of the heritage resource, the site development plan and the context within which the structure, or structures, would be retained.

In the case of Camden Terrace, Jablonsky, Ast and Partners Consulting Engineers, were retained to complete a *Review of Existing Structural Capacity* (see Appendix E) for 479 through 485 Talbot Street. The report found that the four houses evaluated were in various states of disrepair and due to a series of structural concerns considered the houses unsafe and recommend removal. Based on this finding, four of the six houses must be removed. Therefore, these four houses cannot be considered for retention *in situ*.

As well, JFM Environmental prepared an environmental report (see Appendix F) for Camden Terrace at 479 through 489 Talbot Street. The report found none of the houses in their present state could be occupied.

Two options are available with regards to retention: building retention or façade retention. Both are discussed below.

#### **5.3.1.1 Complete Retention**

In the case of complete retention, for 487 and 489 Talbot Street as well as 93/95 Dufferin Avenue, it is anticipated that the buildings would be retained in their entirety and the proposed development constructed around the buildings. The result of complete retention is that the identified heritage attributes would be retained in their entirety and the CHVI would remain intact.

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The result of complete retention is a full stop to the proposed development on the site. The proposed development would halt because of anticipated vibration effects of project construction on a reduced footprint and, more importantly, parking requirements appropriate for 700 apartment suites and 25,000 square feet of retail/restaurant/office space. Parking is proposed to be situated underground and thus requires extensive excavation of the entire footprint of the proposed development. Reducing the size of the development will not sustain the economic viability of the development.

Therefore, in order to construct the proposed development and required parking spaces needed to satisfy the economic viability of the proposed development, complete retention of the heritage resources *in situ* is not a considered feasible option.

#### 5.3.1.2 Partial Retention Camden Terrace

In the case of partial retention, for 487 and 489 Talbot Street, it is anticipated that the façade of each house would be retained and the proposed development constructed around the façades. Therefore, some of the identified heritage attributes would be retained and the CHVI would remain partially intact. Retention of the front façade of a structure is a practice that is often reserved for particularly significant sites where a high level of CHVI has been identified and development pressures on the land are very strong. Due to the large costs of such an undertaking, typically the heritage resources must be of a very significant value to warrant partial retention over other mitigation options including relocation, documentation or salvage. This practice is not well established in the City of London where the economics of site development, in partnership with local planning initiatives and master planning exercises, among other concerns, have not required or encouraged partial retention.

The result of this option is that four of nine heritage attributes will be retained. Therefore, in the absence of complete retention, this option allows for retention of some heritage attributes.

In addition, the result of partial retention is that, generally speaking, retaining only the façade of a building alters the public understanding of a resource and removes, if any, the historical context within which the resource is placed. As a result, it is discouraged by omission from documents and guidelines prepared by Parks Canada and the Canadian National Committee of the International Council on Monuments and Sites (ICOMOS Canada) regarding the preservation of heritage resources. Through exclusion from these documents, façade retention is often not encouraged from a heritage perspective which seeks to retain all of a resource, often *in situ*, as is outline in Section 5.3.1.1. Where this is not a feasible option, partial retention is considered.

In the case of 487 and 489 Talbot Street, the loss of 479 to 485 Talbot Street significantly compromises the CHVI of the resources. With this loss, the CHVI is not considered significant enough to warrant partial retention.



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#### 5.3.1.3 Partial Retention 93/95 Talbot Street

In the case of partial retention for 93/95 Dufferin Avenue, it is anticipated that the façade of both structures would be retained and the proposed development constructed around the façades. The result of this option is that all six heritage attributes will be retained. Therefore, in the absence of complete retention, this option allows for retention of all heritage attributes.

As described in Section 5.3.1.2, where complete retention is not a feasible option, partial retention is considered. In the case of 93/95 Dufferin Avenue, partial retention will allow for complete retention of all heritage attributes identified. Therefore, partial retention is considered to be an appropriate mitigation strategy for 93/95 Dufferin Avenue.

#### 5.3.2 Relocation

Where retention *in situ* is not feasible, relocation is often the next option considered to mitigate the loss of a heritage resource. As with retention, relocation of a structure, or structures, must be balanced with the CHVI identified. Relocation removes the resource from its contextual setting but allows for the preservation of noteworthy heritage attributes, particularly those identified to be of design or physical value (see Section 4.1). This is a viable option where the CHVI identified merits preservation and the integrity of the structure is determined to be sound.

Given the results of the structural engineering report, relocation is not considered to be feasible for Camden Terrace. With the required removal of 479, 481, 483, and 485 Talbot Street (see Appendix E), it is not anticipated that 487 and 489 Talbot Street would withstand relocation. Although a structural assessment of 93/95 Dufferin Avenue has not been completed, the double house is anticipated to be considered structurally sound and capable of relocation. However, as stated above, relocation should only be considered where retention *in situ* is not considered to be feasible. In this case, it has been identified in the proposed undertaking (Section 5.1) as a viable option. Therefore, given that the structure has been identified for partial retention relocation would be a less preferred mitigation strategy.

#### 5.3.3 Documentation and Salvage

Detailed documentation and salvage is often the preferred mitigation strategy where retention or relocation is not feasible or warranted. Documentation creates a public record of the structure, or structures, which provides researchers and the general public with a land use history, construction details, and photographic record of the resource. Through the selective salvage of identified heritage attributes and other materials, the CHVI of the property can be retained, if in a different context. Documentation and salvage acknowledges the heritage attributes in their current context and, where feasible, allows for reuse.



## **6.0 RECOMMENDATIONS**

### **6.1 DEPOSIT COPIES**

In order to ensure the retention of historic information, it is recommended that copies of this report be deposited with the City of London Planning Staff.

### **6.2 PARTIAL RETENTION**

In the case of Camden Terrace, the loss of 479 to 485 Talbot Street due to structural and environmental concerns significantly compromises the CHVI of the resources. With this loss, the CHVI is not considered significant enough to warrant partial retention.

In the case of 93/95 Dufferin Avenue, partial retention will allow for complete retention of all heritage attributes identified. Therefore, partial retention is considered to be an appropriate mitigation strategy for 93/95 Dufferin Avenue.

### **6.3 DOCUMENTATION AND SALVAGE**

In order to mitigate the loss of CHVI identified, it is recommended that documentation and salvage take place for Camden Terrace. The documentation should be completed by a heritage professional in good standing with the Canadian Association of Heritage Professionals. Upon completion, the documentation and salvage report should be made available to the public through deposit of the report with the London Room at the Central Public Library, 251 Dundas Street, London, Ontario.

It is recommended that the salvage should be completed by a reputable salvage company, such as London ReStore, and completed in consultation with the heritage professional retained to undertake the documentation. It is further recommended that the results of the salvage should be documented and appended to this report prior to deposit. Given the compromised structural conditions and the environmental concerns identified at 479 through 489 Talbot Street, the feasibility of entering the properties is to be determined by the property owner and based on health and safety conditions present on site.



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January 4, 2016

## 7.0 CLOSURE

This report has been prepared for the sole benefit of the proponent, and may not be used by any third party without the express written consent of Stantec Consulting Ltd. Any use which a third party makes of this report is the responsibility of such third party.

We trust this report meets your current requirements. Please do not hesitate to contact us should you require further information or have additional questions about any facet of this report.

Yours truly,

**STANTEC CONSULTING LTD.**



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## HERITAGE OVERVIEW REPORT

### 93/95 DUFFERIN AVENUE AND 479-489 TALBOT STREET, CITY OF LONDON, ONTARIO

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January 4, 2016

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## **APPENDIX A**

**APPLICATION BY: RYGAR CORPORATION INC., 100  
FULLARTON STREET & 475 TALBOT STREET, PUBLIC  
PARTICIPATION MEETING ON FEBRUARY 18, 2014**

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File: Z-8285  
Planner: Mike Davis

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: RYGAR CORPORATION INC. 100 FULLARTON STREET &amp; 475 TALBOT STREET PUBLIC PARTICIPATION MEETING ON FEBRUARY 18, 2014</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Rygar Corporation Inc. relating to the properties located at 100 Fullarton Street and 475 Talbot Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on February 25, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Downtown Area (DA2) Zone which permits a wide range of office, commercial, retail, residential and institutional uses, and a Holding Downtown Area (h-3•DA2•D350) Zone which permits a wide range of office, commercial, retail and institutional uses and a range of residential uses up to a maximum density of 350 units per hectare, with a holding provision requiring the completion of a wind impact assessment to ensure development over 15.0 metres will not have an adverse impact on pedestrian level wind conditions in the Downtown prior to the removal of the holding provision, **TO** a Bonus Holding Downtown Area (B(\_)/h-3•DA1•D350) Zone to permit a wide range of office, commercial, retail and institutional uses and a range of residential uses including apartment buildings at the same height and density as the existing zone, with a bonus zone which will facilitate a development design which includes a 33-storey (108.15m tall) mixed-use apartment building with approximately 705m<sup>2</sup> of commercial/retail space on the ground floor, structured parking from floors 2-6, 770m<sup>2</sup> of office space on the 7<sup>th</sup> floor and a total of 248 residential apartment units on floors 8 to 33, which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:
- A point-tower building design which, with minor variations at the City's discretion, matches the Site Plan, Elevations, Sections and Renderings shown in Schedule "1" and attached to this report, and includes an architecturally differentiated base, middle and top:
    - With the base consisting of the portion of the façades between the ground floor and the top of the 6<sup>th</sup> floor with a maximum height of six (6) storeys; positioned at the front and exterior lot lines at the corner of Talbot Street and Fullarton Street; incorporating architectural detail which creates a prominence on the Talbot/Fullarton Street corner; including retail uses at street level abutting the Fullarton and Talbot Street frontages, with a minimum ceiling height of 3.6 metres and transparent glazing of at least 2.5 metres in height, for 60% or more of the frontages; with entrances to each retail unit provided, where possible, directly to the street, flush with the sidewalk grade; including permanent awnings or architectural elements projecting above pedestrian entrances at street level; and above-grade structured parking which is screened with a variation in materials and colours;
    - With the middle portion consisting of the portion of the façades between the top of the base and the top of the 32<sup>nd</sup> floor; clad primarily in glass window-wall panels, and employing balcony design which creates articulation and variation in the facades; includes variation in the massing of the tower through building step-

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**File: Z-8285  
Planner: Mike Davis**

backs at the 7<sup>th</sup> floor and the 8<sup>th</sup> floor respectively; with a vegetated green roof incorporated into the rear 7<sup>th</sup> floor step-back and terrace and outdoor amenity space provided at the rear 8<sup>th</sup> floor step-back and terrace;

- With the top consisting of the portion of the façades above the top of the 32<sup>nd</sup> floor; employing building step-backs on the 33<sup>rd</sup> floor to provide for outdoor terraces; employing further step-backs above the 33<sup>rd</sup> floor to articulate the top of the building; using attractive materials and architectural design to screen all mechanical elements located above the 33<sup>rd</sup> floor; using high-quality building materials and incorporating decorative lighting elements to create an aesthetically pleasing cap;
  - 2-levels of below grade parking (minimum 65 spaces);
  - Locating waste and recycling facilities within the proposed building screened from views of adjacent properties;
  - Providing barrier-free access to all floors in accordance with the City of London Facility Accessibility and Design Standards (to the extent feasible to facilitate access and use); and,
  - The provision of public art.
- (b) The Site Plan Approval Authority **BE REQUESTED** to implement the design features recommended in part (a) above, through the Site Plan approval process as well as consider, where possible:
- i) Additional screening of the receiving/moving/garbage truck bays from the Talbot Street sidewalk while maintaining pedestrian and vehicular visibility to the northwest retail space;
  - ii) Landscaped screening west of the six (6) northern most surface parking spaces;
  - iii) A modified design for the fenestration in the vertical strip which extends from the seventh floor to roof level on the north and west elevations to provide for a more aesthetically pleasing contribution to the skyline; and,
  - iv) The use of glazed accent windows in place of or in addition to the aluminium panel slot detailing on the parking garage elevations from floors 2 to 6 inclusive to provide an opportunity for breaking up the façade (especially at the corner) and animating the façade at night.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

None

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of the recommended Zoning By-law amendment is to allow for the development of a 33-storey (108.15m tall) mixed-use apartment building of a specific architectural design with approximately 705m<sup>2</sup> of commercial/retail space on the ground floor, structured parking from floors 2-6, 770m<sup>2</sup> of office space on the 7<sup>th</sup> floor and a total of 248 residential apartment units on floors 8 to 33. The proposed development will be facilitated through a site-specific bonus zone which will allow for an increased density of 1,155 units per hectare and a maximum height of 110 metres in return for such facilities, services and matters as prescribed by the regulations of the bonus zone which include the matters provided in clause (a) of the recommendation above and, without limiting the above, generally requires features such as underground parking, enhanced accessibility features, common recreational facilities and amenity space, high design standards and architectural consistency with the intent of the Downtown Design Guidelines.

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**File: Z-8285  
Planner: Mike Davis**

**RATIONALE**

- i) The recommended amendment is consistent with the policies of the *Provincial Policy Statement (PPS), 2005*, which promote intensification, redevelopment and compact form in strategic locations in order to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- ii) The recommended amendment is consistent with the policies of the *Provincial Policy Statement, 2005* which require planning authorities to facilitate pedestrian and non-motorized movement by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes;
- iii) The recommended amendment is supported by the objectives of the Downtown Area designation of the City of London Official Plan which encourages growth in the residential population of the downtown through high density residential development and design features which serve to enhance the pedestrian environment;
- iv) The recommended amendment will allow for the proposed development including the required increases to height and density, through a bonus zone which requires that the ultimate form of development be consistent with the Site Plan, Elevation Drawings and Renderings attached as Schedule "1" to this report and contains specific regulations for design which must be secured in order to allow for the higher density development. Should the applicant not satisfy all of the provisions of the bonus zone, the increased height and density will not be permitted;
- v) The recommended amendment will require a "point tower" form which includes an architecturally defined base, middle and top with the base serving to frame the pedestrian realm at a human-scale, provide for significant step-backs and variation in the massing of the proposed structure which reduce the visual impact of the tower and provide for effective integration with the surrounding built context of the downtown, and provides for a visually attractive cap on the tower which screens all mechanical elements and enhances the City skyline;
- vi) The recommended bonus zone provides for a height of 110 metres and a net density of 1,155 units per hectare in return for a series of design related matters which will result in a benefit to the general public through enhanced design and communal facilities which would be difficult to secure through the normal development process, or by way of the as-of-right zoning permissions on the subject lands in accordance with Section 19.4.4 of the Official Plan; and,
- vii) The recommended amendment maintains the spirit and intent of the various Council approved Guideline Documents which provide direction for development in the Downtown.

**BACKGROUND**

<b>Date Application Accepted:</b> October 29, 2013	<b>Agent:</b> Alan Patton
<b>REQUESTED ACTION:</b> Change Zoning By-law Z.-1 <b>FROM</b> a Downtown Area (DA2) Zone which permits a wide range of office, commercial, retail, residential and institutional uses, and Holding Downtown Area (h-3•DA2•D350) Zone which permits a wide range of office, commercial, retail and institutional uses and a range of residential uses up to a maximum density of 350 units per hectare, with a requirement for the completion of a wind impact	

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**File: Z-8285**  
**Planner: Mike Davis**

assessment to ensure development over 15.0 metres will not have an adverse impact on pedestrian level wind conditions in the Downtown prior to the removal of the holding provision, **TO** a Downtown Area Bonus (DA1•B-\*) Zone which would permit a wide range of office, commercial, retail and institutional uses and a range of residential uses including apartment buildings, with a bonus zone which would allow for a density of 1,155 units per hectare and a maximum height of 110 metres and require the inclusion of features such as underground parking, public realm improvements, enhanced accessibility features, recreational facilities, high design standards and architectural consistency with the Downtown Design Guidelines.

**SITE CHARACTERISTICS:**

- **Current Land Use** – Surface parking lot and 2-storey office building
- **Frontage** – 42 metres (Talbot St.)
- **Depth** – 45.5 metres (Fullarton St.)
- **Area** – 0.23 hectares
- **Shape** – Irregular

**SURROUNDING LAND USES:**

- **North** - Street townhouses (Priority 1 in the City of London Inventory of Heritage Resources) and a low-rise office building
- **South** - Surface parking lot (Note: this property is within the Downtown HCD)
- **East** - High-rise office building
- **West** - Surface parking lot

**OFFICIAL PLAN DESIGNATION:** (refer to Official Plan Map on page 6)

- Downtown Area

**EXISTING ZONING:** (refer to Zoning Map on page 7)

- Downtown Area (**DA2**) Zone and Holding Downtown Area (**h-3•DA2•D350**) Zone

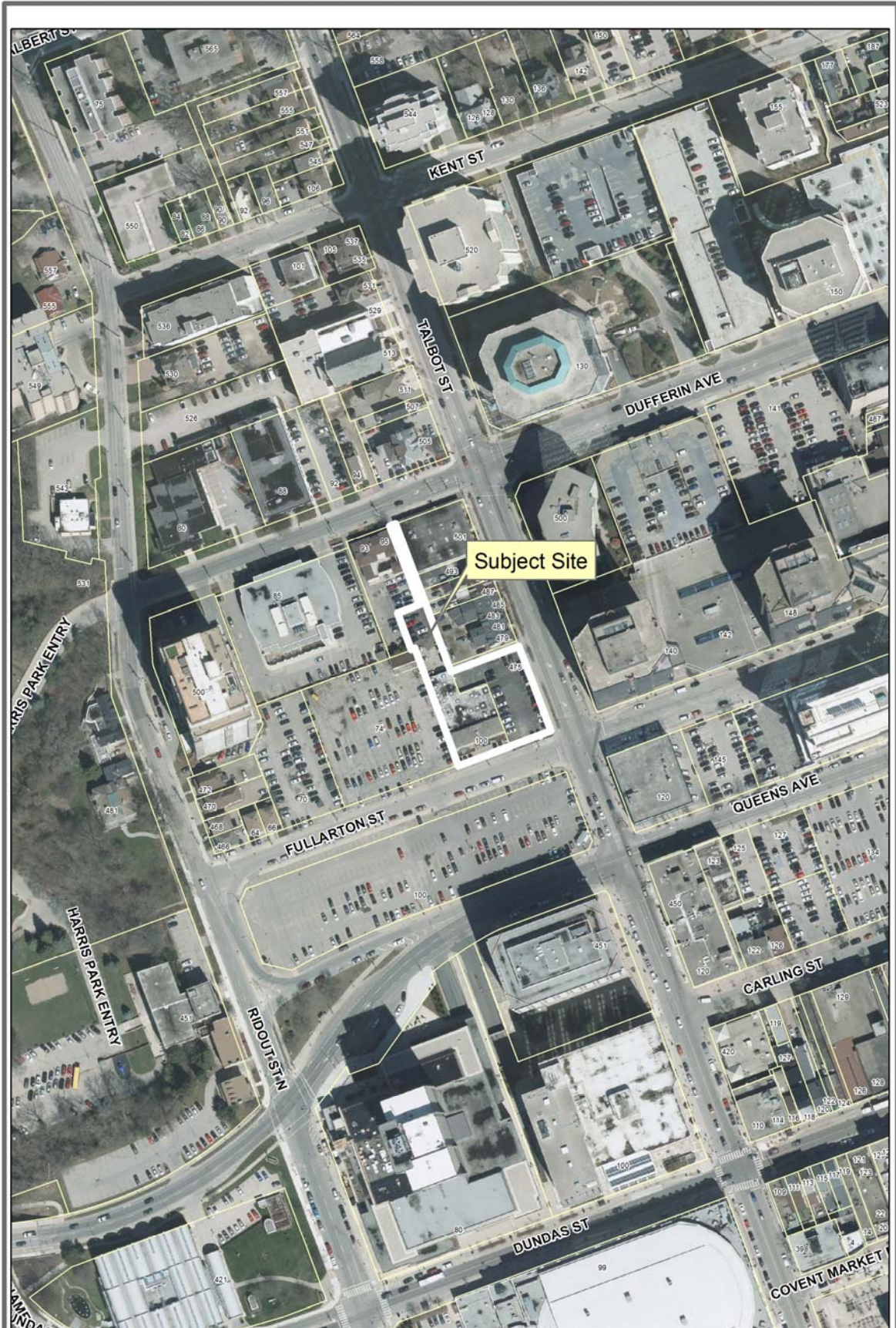
**DA2** – permits a broad range of commercial, residential and institutional land uses up to a maximum density of 350 units per hectare, a maximum height of 90 metres, a maximum lot coverage of 95%, a requirement for 5% landscaped open space with no requirements for minimum yard setbacks and allows residential uses on the ground floor.

**h-3** – to ensure that development over 15 metres in the DA2 zone does not have an adverse impact on pedestrian wind levels in the Downtown Area, the h-3 requires a wind impact assessment which may, at the request of the City, include wind tunnel testing, be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions be incorporated in the proposed development to the satisfaction of the City of London prior to removal.



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File: Z-8285  
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**Aerial Photo Location Map**

File No.: Z-8285

MD

Date Prepared: 2014/01/10

CK

Prepared by : Graphics & Information Services, Planning Division, Corporation of the City of London  
Photography based on April 2010 flight info.

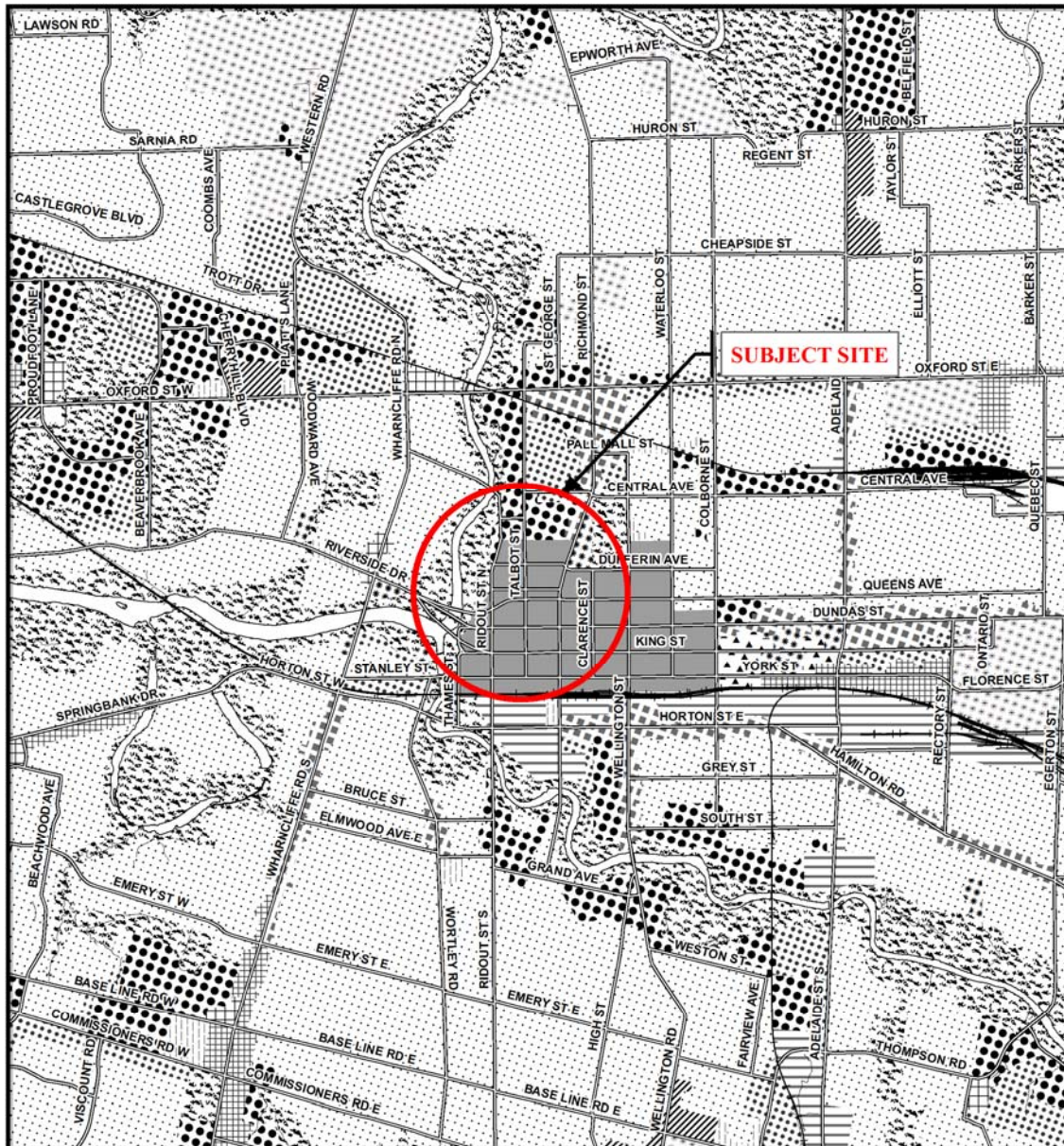
SCALE: 1:2,000



Note: Parcel linework, when shown, is not for official or legal use.



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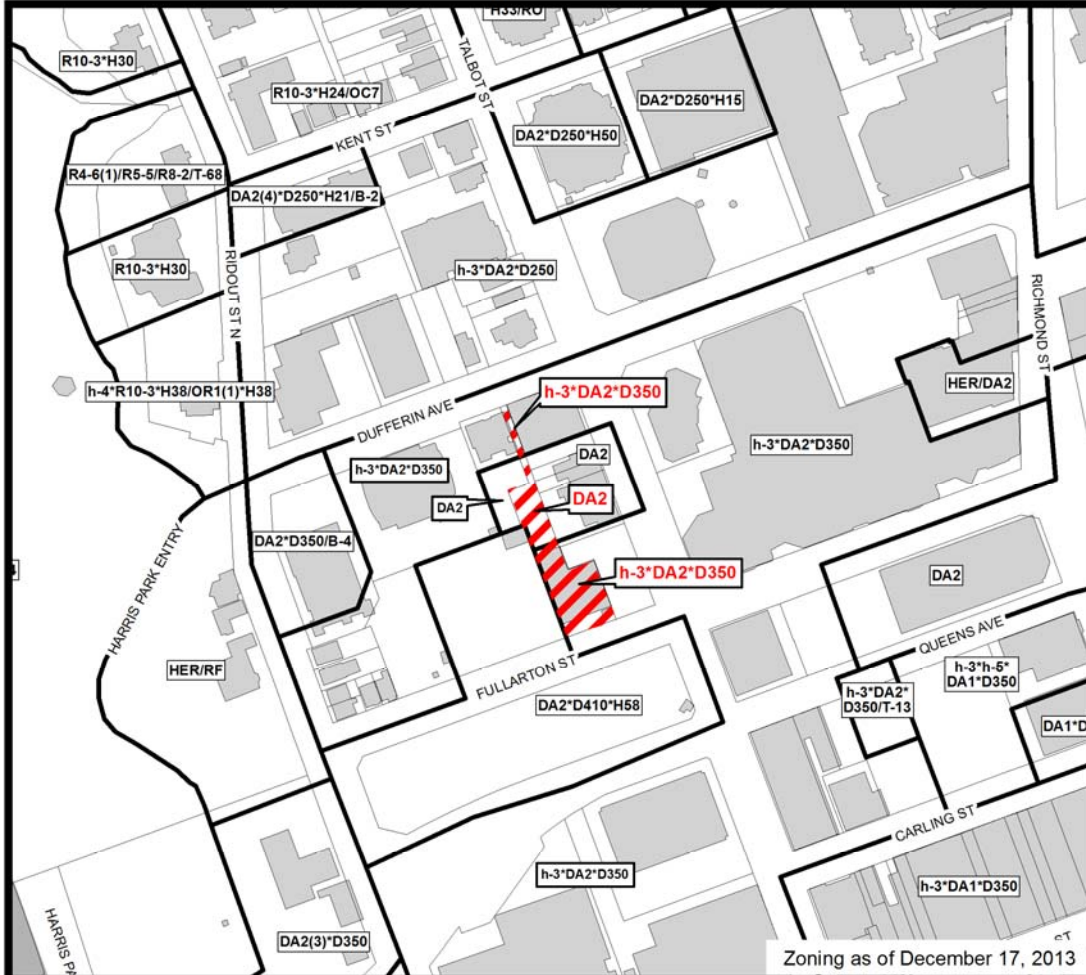
Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	Office/Residential
	Office Business Park
	General Industrial
	Light Industrial
	Regional Facility
	Community Facility
	Open Space
	Urban Reserve - Community Growth
	Urban Reserve - Industrial Growth
	Rural Settlement
	Environmental Review
	Agriculture
	Urban Growth Boundary

<p><b>CITY OF LONDON</b> Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 0 100 200 300 400 500 600 700 800 900 1,000 Meters	<p>FILE NUMBER: Z-8285</p> <p>PLANNER: MD</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/01/10</p>
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File: Z-8285  
Planner: Mike Davis



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-3\*DA2\*D350 & DA2**

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

2) ANNEXED AREA APPEALED AREAS

**CITY OF LONDON**

PLANNING, ENVIRONMENTAL AND ENGINEERING 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-8285 MD

MAP PREPARED:  
2014/01/10 CK

1:2,750

0 12.5 25 50 75 100  
Meters

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**File: Z-8285  
Planner: Mike Davis**

**PLANNING HISTORY**

The subject lands are comprised of two separate properties, municipally known as 100 Fullarton Street and 475 Talbot Street. 475 Talbot Street is currently used as a surface commercial parking lot and was historically used as an automobile repair establishment. The former London Auto Glass Inc. repair establishment was demolished in 2007 and the site has remained vacant since that time. 100 Fullarton Street currently accommodates a 2-storey office building.

It is important to note that the subject lands are located adjacent to the Downtown Heritage Conservation District. This district is designated under Part V of the *Ontario Heritage Act* and land use decisions in this district are, in part, guided by the Downtown Heritage Conservation District Plan. The northern boundary of the District extends to Fullarton Street, directly south of the subject lands. As the subject lands are situated outside the boundaries of the Heritage Conservation District, the provisions of the Plan provide limited direction to the proposed redevelopment of the site. However, the presence of the district has been recognized and considered in staff's evaluation of the proposed redevelopment.

Also of importance to note, beginning in 2009 the City initiated a process to develop a Master Plan for the Downtown. The Draft Downtown Master Plan was approved by Council in June of 2013 and is intended to set the context for future public and private sector investment in the downtown. The Draft Downtown Master Plan provides principles by in which private development applications should contribute to the overall vision for the Downtown. Consideration to the provisions of the Draft Downtown Master Plan has also been provided in Staff's evaluation of the proposed Zoning By-law amendment below.

**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

**Urban Design**

*Urban design staff have reviewed the application for rezoning for the above noted address and provide the following urban design principles consistent with the Official Plan, applicable by-laws, and guidelines:*

- *A tall, mixed-use building in this location is consistent with City policy and priorities regarding the revitalization of Downtown. Any development of this height and prominence, should exemplify a very high quality of urban design and architectural treatment to contribute to the streetscape and skyline.*
- *High quality urban design, public art and sustainable design features should be incorporated into the project in return for permitted increases to height and density.*
- *All mechanical elements associated with maintenance and elevators should be enclosed by providing an attractive cap on the top of the building. Attention should be paid to the appearance of the building from important Downtown sites, such as the Forks of the Thames, and the development should contribute positively to the London skyline.*
- *The tower and podium portions of the building should relate to one another through materials and vertical architectural details, in order to appear as one unified development.*
- *The ground floor retail units should be street-oriented and address the intersection of Talbot Street and Fullarton Street, in order to create an enjoyable pedestrian environment.*

**Urban Design Peer Review Panel**

*The applicant should consider incorporation of the following UDPRP comments within the Mixed Use Tower proposed for 100 Fullarton Street, London, ON:*

1. *Integrate street trees and design treatment of the abutting public sidewalk into the site plan;*

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**File: Z-8285**  
**Planner: Mike Davis**

2. *Screen the receiving/moving/garbage truck bays from the Talbot Street sidewalk while maintaining pedestrian and vehicular visibility to the Northeast retail space (reference 3D perspective view page 32 of January 2014 portfolio);*
3. *Provide appropriate landscaping west of the 6 vehicular spaces (off the laneway which extend to Dufferin Avenue);*
4. *Study impact of future as-of-right development to the west of project site and modify project west elevation accordingly;*
5. *Consider alternate design for the fenestration in the vertical strip which extends from the seventh floor to roof level on the north and west elevations and redesign accordingly;*
6. *Consider the use of glazed accent windows in place of or in addition to the aluminum panel slot detailing on the parking garage elevations from floors 2 to 6 inclusive. This will provide the opportunity for breaking up the façade especially at the corner, and animate the façade at night; and*
7. *Integrate documentation of a) exterior cladding materials, and b) the impact of the wind study and the remedial mitigation response, into the project report as part of the developer's formal Site Plan Approvals submission.*

### **Urban Forestry**

*Urban forestry has no comments for this rezoning. We will look at the details of the plan at the site plan review stage.*

### **Stormwater Management Unit**

*The SWM Unit has no objections to the proposed 100 Fullarton St /475 Talbot St Application. All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval. In addition to the Pre-application Consultation, the SWM Unit provides the following comments to be addressed at the site plan approval stage:*

- *The subject lands are located in the Central Thames Subwatershed. The Owner shall be required to apply the proper SWM practices to ensure that the storm discharges from the subject site under the post development conditions will not exceed the peak discharge of storm run-off under pre-development conditions.*
- *The owner's Professional Engineer shall address minor, major flows, SWM measures (quantity, quality and erosion control), and identify outlet systems (major and minor) in accordance with City of London Design Permanent Private Stormwater Systems and MOE's requirements, all to the satisfaction of the City Engineer.*
- *The C value for subject site could not be verified. The owner's professional engineer must complete a storm sewer capacity analysis study to confirm that there is enough capacity in the existing storm sewer system for the proposed development, all to the satisfaction of the City Engineer. The owner's professional engineer must also update the storm sewer design sheet(s) for the subject lands.*
- *The municipal storm sewer outlet for this development is the existing 900 mm diameter storm sewer on Fullarton Street.*
- *Due to the nature of the land use the owner may be required to have a consulting Professional Engineer design and install an Oil/Grit Separator to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.*
- *The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within this development application and all to the satisfaction of the City Engineer. The acceptance of these measures by the City will be subject to the presence of adequate geotechnical conditions within this plan and all to the satisfaction of the City Engineer.*
- *The Owner is required to provide a lot grading and drainage plan that includes, but it is not limited to, minor, major storm/drainage flows that are generally contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.*



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**File: Z-8285**  
**Planner: Mike Davis**

- *The Owner and their Consulting Professional Engineer shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*
- *The owner shall be required to comply with the City’s Drainage By-Laws (WM- 4) and acts, to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, all to the satisfaction of the City Engineer.*

**Wastewater and Drainage Engineering**

*The Wastewater and Drainage Engineering Division has no Comment with respect to this application.*

**Transportation Planning and Design**

*A transportation impact study was included with this application. This study failed to analyze vehicle queuing on Talbot St at Queens Ave or at Dufferin Ave. Concerns were expressed that the queue reach along Talbot St may block the access to the site. A review of our records regarding existing conditions showed the queue will just be short of the access to this site and should not pose any traffic concerns the majority of time. The study recommends a two-way left turn lane be implemented along Talbot St to accommodate vehicles turning into this site, other nearby property and the intersection of Talbot St and Fullarton St. Through the site plan review process we will request the proponent to change existing pavement markings to implement the two-way left turn lane. These and other transportation issues including access design will be discussed through the site plan review process.*

**Upper Thames River Conservation Authority**

*The UTRCA has no objections to this application.*

**Bell Canada**

*We have no conditions/objections to the Zoning By-law amendment application.*

**London Hydro**

*London Hydro has no objection to this Zoning By-law amendment.*

<b>PUBLIC LIAISON:</b>	On November 21, 2013, Notice of Application was sent to 140 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on November 21, 2013. A “Possible Land Use Change” sign was also posted on the site.	Five (5) replies were received: Four (4) written responses and one (1) telephone call (from Middlesex County Health Unit)
<p><b>Nature of Liaison:</b> The purpose and effect of the requested Zoning By-law amendment is to allow for the development of a 33-storey (108m tall) mixed use apartment building with approximately 781m<sup>2</sup> of commercial/retail space on the ground floor, structured parking from floors 2-6, 769m<sup>2</sup> of office space on the 7<sup>th</sup> floor and a total of 248 residential apartment units on floors 8 to 33.</p> <p>Change Zoning By-law Z.-1 <b>FROM</b> a Downtown Area (DA2) Zone which permits a wide range of office, commercial, retail, residential and institutional uses, and Holding Downtown Area (h-3•DA2•D350) Zone which permits a wide range of office, commercial, retail and institutional uses and a range of residential uses up to a maximum density of 350 units per hectare, with a requirement for the completion of a wind impact assessment to ensure development over 15.0 metres will not have an adverse impact on pedestrian level wind conditions in the Downtown prior to the removal of the holding provision, <b>TO</b> a Downtown Area Bonus (DA1•B-*) Zone which would permit a wide range of office, commercial, retail and institutional</p>		

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**File: Z-8285**  
**Planner: Mike Davis**

uses and a range of residential uses including apartment buildings, with a bonus zone which would allow for a density of 1,155 units per hectare and a maximum height of 110 metres and require the inclusion of features such as underground parking, public realm improvements, enhanced accessibility features, recreational facilities, high design standards and architectural consistency with the Downtown Design Guidelines. The City may also consider the application of holding provisions to ensure adequate servicing is available to the site.

**Responses:**

Support

- Density of the proposed development will contribute to a built environment and land use pattern which supports walkability and alternative modes of transportation resulting in positive public health benefits.

Concern

- Pedestrian level wind impacts;
- Concerns regarding height and density;
- Loss of views to the Forks of the Thames;
- Unacceptable sun/shadow impacts;
- Increased traffic;
- Impact of tall buildings on mortality of migratory birds;
- Noise of construction activity;
- Geotechnical concerns regarding suitability of soils to accommodate scale of development;
- Concerns about façade material and potential defects in glass exterior exposed to wind pressure;
- Negative effect on adjacent property values;
- Parking problems during construction; and
- Impacts on continued use of common laneway off of Dufferin Ave.

**ANALYSIS**

**Subject Lands:**

The subject lands are comprised of two separate properties municipally known as 100 Fullarton Street and 475 Talbot Street. The site is located in the northwest quadrant of Downtown London, approximately 200 metres east of Harris Park and approximately 250 metres north of the Budweiser Gardens. Combined, these properties form a total site area of approximately 0.23 hectares (0.56 acres).

The western portion of the property (475 Talbot Street) contains 20 metres of frontage along Fullarton Street and a depth of approximately 42 metres along Talbot Street. The property is currently used as a surface commercial parking lot and, as noted, was historically used for an automobile repair establishment. The automobile repair establishment was demolished in 2007 and the property has remained undeveloped since that time.

The eastern portion of the subject lands (100 Fullarton Street) has approximately 25.6 metres of frontage along Fullarton Street and extends north to Dufferin Avenue by way of a three (3m) metre right-of-way which provides an alternative access to the rear portion of the subject property as well as a group of street townhouses located directly north of the subject property. Access rights to the townhouse lands are subject to an easement registered on the title of 100 Fullarton Street and will need to be maintained subsequent to any planning approvals for redevelopment of the site. As noted, this portion of the site currently contains a two-storey office building.

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(Looking northwest from Talbot Street and Fullarton Street)



(Looking west from Talbot Street)

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**Nature of Application:**

The applicant has applied to change the zoning of the subject property from a Downtown Area (DA2) Zone and Holding Downtown Area (h-3•DA2•D350) Zone to a Bonus Downtown Area (B(\_)/DA1•D350) Zone with a bonus zone which would allow for a density of 1,155 units per hectare and a maximum height of 110 metres and require the inclusion of features such as underground parking, enhanced accessibility features, common amenity space and recreational facilities, high design standards and architectural consistency with the Downtown Design Guidelines. The City has also considered the inclusion of special regulations in the bonus zone to provide for a variety of reduced yard setbacks from the residential portion of the proposed tower as well as the retention of the h-3 holding provision on the base zone.

The proposed zoning changes, as described above, are intended to allow for the development of a 33-storey mixed-use apartment tower of a specified design which includes:

- Two (2) levels of underground parking (minimum 65 spaces);
- Retail uses (705m<sup>2</sup>) at street level, particularly along the Fullarton and Talbot Street frontages;
- Structured indoor parking from floors 2-6;
- Up to 770m<sup>2</sup> of Office space to be provided on the 7<sup>th</sup> floor; and
- A maximum of 248 residential apartment units, to be located on floors 8-33.

A visual overview of the proposed form of development, as described above, is provided in the Site Plan, Elevation Drawings and Illustrations **(Figure 1(a)-(c))** below.

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Figure 1(a): Site Plan

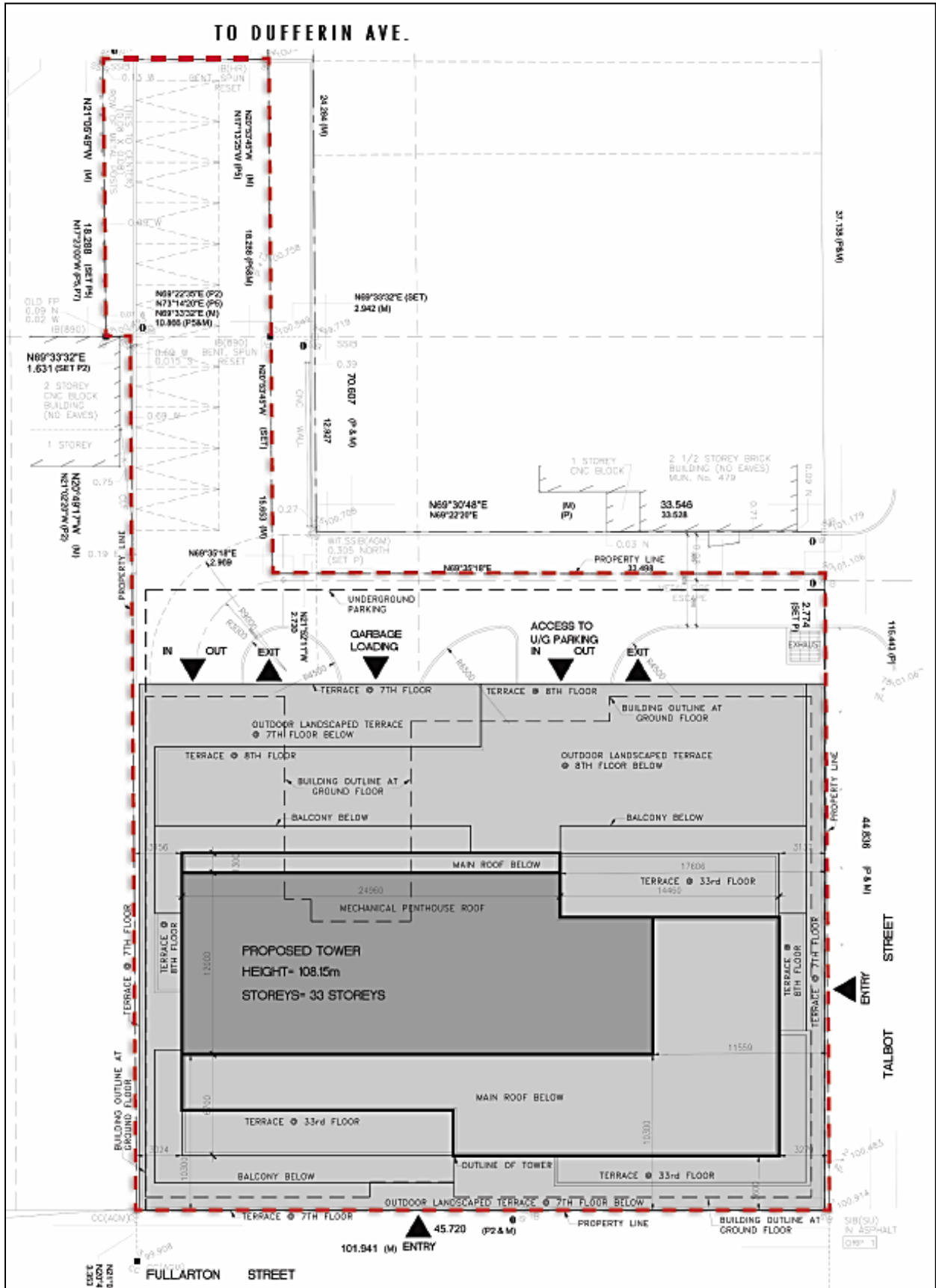
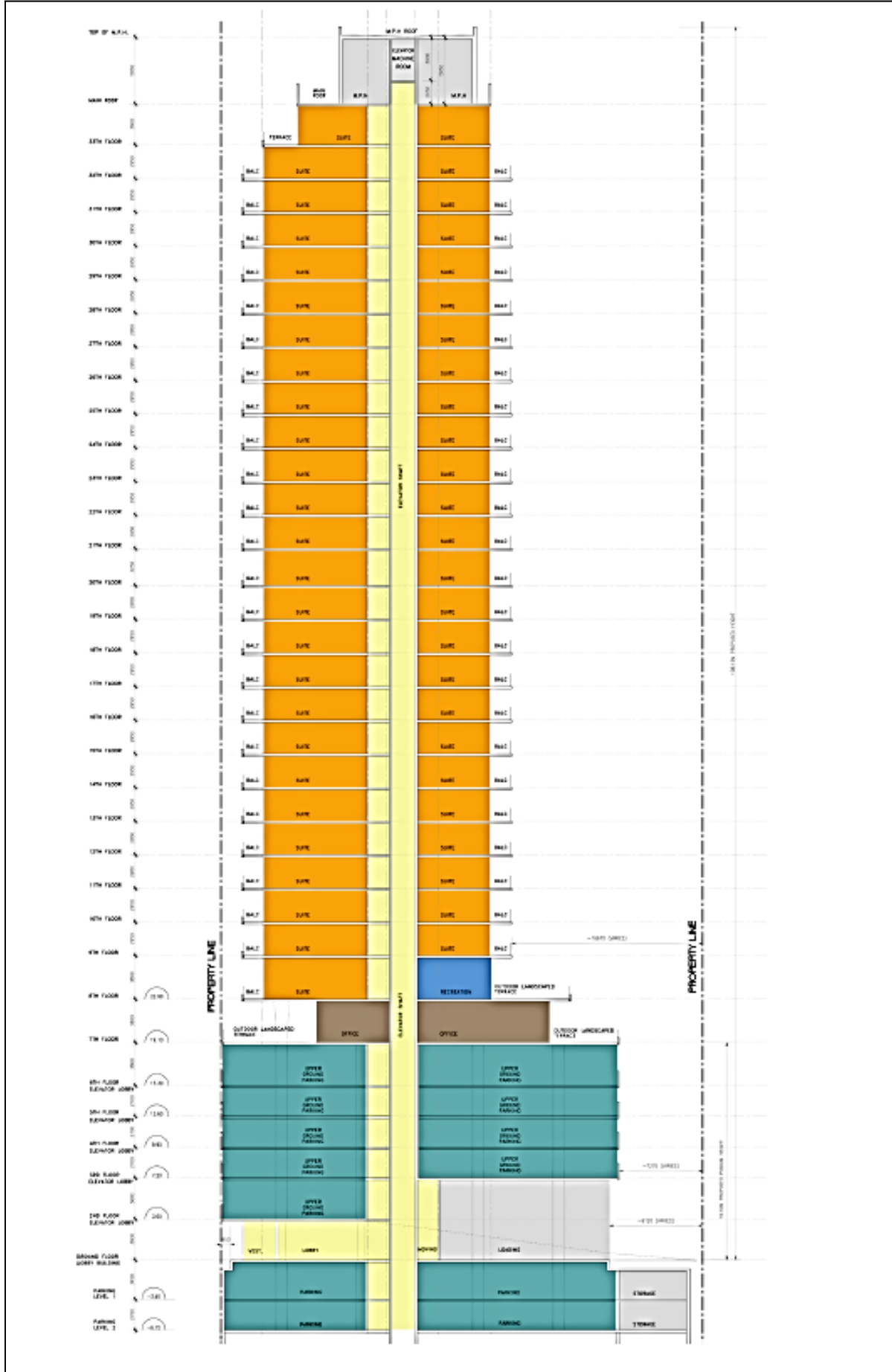






Figure 1(b): East-West Section



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Figure 1(c): Renderings



(Looking north from Talbot Street and Queens Avenue)



(Looking south from Talbot Street and Dufferin Avenue)



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(Looking southeast at rear of proposed tower)



(Looking northeast from Queens Avenue)

**Table 1** below provides an overview of the development regulations in the requested zoning vs. those provided in the existing zoning on the subject lands to highlight the difference between the two. It should be noted that while some of the concerns raised by the public focused on loss of views, sun/shadow impacts, impact of building on migratory birds and other issues, we must

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recognize the context set by the existing land use permissions, and consider the requested change in the context of what could theoretically be built today as-of-right, without the requirement for a Zoning By-law amendment.

**Table 1: Zone Comparison**

<b>Existing vs. Requested Zone</b>			
<b>Zone provisions</b>	<b>Existing DA2</b>	<b>Proposed DA1</b>	<b>Proposed Bonus Zone</b>
Permitted Uses	Wide range of residential, commercial and institutional uses	Wide range of residential, commercial and institutional uses	-
Lot Frontage (m) MINIMUM	3.0	3.0	-
All Yard Depths (m) MINIMUM	0.0	0.0; The required setback for the residential portion of buildings shall be 1.2 metres (3.9 feet) per 3 metres (9.8 feet) of main building height or a fraction thereof above 15 metres (49.2 feet).	For residential component of building: <b>3.0m</b>
All Yard Depths Abutting a Residential Zone (m) MINIMUM	0.5 metres for each 4.0 metres of building height or fraction thereof, but in no case less than 6.0 metres	<b>0.0</b>	-
Landscaped Open Space (%) MINIMUM	5	<b>0</b>	-
Lot Coverage (%) MAXIMUM	95	<b>100</b>	-
Height (m) MAXIMUM	90	90	<b>110</b>
Density – Units Per Hectare MAXIMUM	350	350	<b>1,155</b>
Floor area Ratio for non-residential uses	6:1	6:1	-
Gross Floor Area Retail (m) MAXIMUM	The lesser of 20% or 5,000	<b>N/A</b>	-
Location of Residential Uses	N/A	<b>Restricted to the 2<sup>nd</sup> floor or higher</b>	-
Location of Retail Uses	Restricted to the 1 <sup>st</sup> and 2 <sup>nd</sup> floors	<b>N/A</b>	-

The requested Downtown Area DA1 Zone will allow for a reduction to the landscaped open space requirements and an increase in the permitted lot coverage from the existing DA2 Zone. The base DA1 Zone will allow for the same height and density as is currently permitted, however, the bonus zone will provide for an increased height of 110 metres and increased density of 1155 UPH if the matters outlined in clause (a) of the recommendation above are satisfied as well as additional special regulations for yard setbacks to the residential component of the building.

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**Provincial Policy Statement, 2005**

The *Provincial Policy Statement, 2005 (PPS)* provides policy direction on matters of provincial interest related to land use planning and development outlined in Section 2 of the *Planning Act*. The objectives of the PPS pertain to three major policy areas including 1.0 – Building Strong Communities, 2.0 – Wise Use and Management of Resources, and 3.0 – Protecting Public Health and Safety. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are applied to each situation. Section 3 of the *Planning Act* requires that decisions of any authority affecting planning matters “shall be consistent” with the PPS. As it relates to this application, the PPS provides the following direction.

Section 1.1 of the PPS promotes healthy, liveable and safe communities, in part, by *encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; and promoting cost effective development standards to minimize land consumption and servicing cost*. Further, Section 1.1.3 of the PPS directs municipalities to provide opportunities for *intensification and redevelopment where it can be accommodated taking into account the existing building stock and the suitability of existing or planned infrastructure*.

The recommended zoning by-law amendment will facilitate the redevelopment of an underutilized site containing a small-scale office building and surface parking lot to a mixed-use apartment tower with 248 residential units and a combined 1,475m<sup>2</sup> of retail and office space. The proposed redevelopment will increase the utilization and efficiency of existing hard and soft municipal services and will help to minimize the demand for greenfield development elsewhere in the City. The “point tower” form of the proposed development serves to complement the existing built character of the downtown and reduce visual and shadow impacts on adjacent properties. The recommended zoning by-law amendment provides for reduced development standards to facilitate compact a compact urban form.

Policy 1.5.1 states that, *“Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, and facilitate pedestrian and non-motorized movement, including but not limited to, walking and cycling”*. The recommended amendments provide for the development of a high-rise mixed-use apartment building and residential intensity in close proximity to a wide range of commercial and personal service uses, major employment uses and major transit corridors and a future rapid transit terminal. As such, the proposed development is conducive to alternative modes of transportation including walking, cycling and public transit. In addition, the recommended amendment will result in the inclusion of active ground floor uses (retail) to enhance the pedestrian environment and support alternative modes of transportation in conformity with the policies of the PPS.

Policy 1.6.5.4 (Transportation Systems) of the PPS requires that, *“A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes, including commuter rail and bus.”* Similarly, Section 1.6.5.5. of the PPS states that, *“Transportation and land use considerations shall be integrated at all stages of the planning process.”* The recommended amendment will introduce high-density form of residential development in the Downtown. By providing for intensification in the Downtown Area, within close proximity to transit and commercial services, the recommended amendment will contribute positively to achieving a broader land use pattern which supports and enhances the viability of higher order transit in the City.

**City of London Official Plan**

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate



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to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

As noted previously in this report, the subject lands are designated “Downtown Area” in the City of London Official Plan. Section 4.1 of the Official Plan contains policies specifically intended to guide land use and development on lands designated “Downtown Area”. The relevant policies of Section 4.1 have been considered below including an evaluation of the proposed development’s conformity with those policies.

#### **4.1 Downtown Designation**

The Downtown Area, as designated by the Official Plan, includes a majority of the lands generally bounded by Princess Avenue and Kent Street to the north, Ridout Street North and Thames Street to the west, the CN Railway to the south and Colborne Street to the east. The Downtown Area is intended to serve as the primary multi-functional activity area both for the City of London and the broader regional area. The Downtown Area is generally characterized by its intensive, multi-functional land use pattern and is intended to be the major office employment centre and commercial district in the City. Additionally, it is intended that the Downtown’s function as a location for new medium and high density residential development will continue to strengthen over time.

Maximum scale criteria for development in the Downtown Area, including height and density, are intended to be less restrictive than the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations located outside of the Downtown and allow for greater flexibility in considering increases to the maximum criteria. New development in the Downtown is expected to improve and enhance the pedestrian environment.

##### 4.1.1. Planning Objectives

- iii) Encourage growth in the residential population of the Downtown and adjacent gateway areas through new development and the renovation and conversion of existing buildings;*

The recommended amendment will facilitate the redevelopment of a surface parking lot and two-storey office building to a 33-storey mixed use apartment tower which will contain up to 248 residential apartment units. Through redevelopment of an underutilized Downtown site, the recommended amendment will contribute to growth in the residential population, consistent with the planning objectives for the Downtown Area.

##### 4.1.2. Urban Design Objectives

- i) Promote a high standard of design for buildings to be constructed in the strategic or prominent locations of the Downtown;*

The recommended amendment and the regulations of the recommended site-specific bonus zone will facilitate a form of development which incorporates a number of desirable design features contributing to the development of a “landmark” building in the Downtown. The proposed building and site design has been reviewed by the City of London’s Urban Design Staff as well as the Urban Design Peer Review Panel. Considerations resulting from this design review have been incorporated into the bonus zone in order to ensure that a high standard of design is achieved and that the development results in a positive contribution to the City skyline.

- ii) Discourage development and design treatments that are considered detrimental to the functional success and visual quality of Downtown;*

The design-related regulations of the recommended site-specific bonus zone include requirements for design treatments which serve to enhance the function and visual quality of the proposed development including requirements for high-quality, contemporary building materials

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and for variation in the massing of various elements of the tower. The requirements for underground parking and requirements for retail uses at the street level will enhance the pedestrian environment and the public realm.

- v) *To the extent feasible, position new development to minimize the obstruction of view corridors to natural features and landmarks;*

The building design includes various step-backs to create an architecturally defined base, middle and top. The reduced massing of the middle and top provided by building step-backs at the 7<sup>th</sup>, 8<sup>th</sup> and 33<sup>rd</sup> floors serve to minimize the tower floor-plate and thereby minimize the obstruction of views including views to the Forks of the Thames. The overall “point tower” form ensures that, to the extent feasible, view corridors to the Thames River are maintained.

- vi) *Design new development to provide for continuity and harmony in architectural style with adjacent uses that have a distinctive or attractive visual identity or are recognized as being of architectural and/or historic significance; and,*

The recommended site specific bonus zone regulations require that the proposed development ultimately be consistent with the Site Plan, Elevation drawings and Illustrations attached as Schedule “1” to this report. The proposed form of development, as generally provided in Schedule “1”, is contemporary in design with materials that serve to enhance and complement the existing built context. The inclusion of a base podium building with a maximum height of six (6) storeys and the requirement for step-backs of the middle tower portion contribute to a harmonious integration of this tall building into the existing streetwall provided by the 3-storey townhouses to the north.

#### 4.1.6 Permitted Uses

- iv) *The development of a variety of high and medium density housing types in the Downtown will be supported. Residential units may be created through new development or through the conversion of vacant or under-utilized space in existing buildings. Residential development within the Downtown Shopping Area shall provide for retail or service – office uses at street level.*

The recommended amendment will facilitate the redevelopment of a surface parking lot and two-storey office building to a mixed-use apartment tower which will include up to 248 residential apartment units and up to 1,475m<sup>2</sup> of combined commercial space. The recommended site specific bonus zone regulations will require retail uses at street level, particularly along the Fullarton and Talbot Street frontages, with active facades including doors, and clear glazing and prominent entrances with accented awnings in order to animate the street level.

- x) *Mixed-use buildings that provide for the vertical integration of two or more permitted uses, other than light industrial, shall be a permitted form of development in all areas of the Downtown. Mixed-use development proposals shall be subject to the policies pertaining to the separate land use components.*

The recommended zone will facilitate a mixed-use apartment tower which includes retail space at the street level, office space on the 7<sup>th</sup> floor, residential apartment units from floors 8-33 and common indoor and outdoor recreational and amenity space.

#### 4.1.7. Scale of Development

*The Downtown will accommodate the greatest height and density of retail, service, office and residential development permitted within the City of London.*

- i) *Development in the Downtown may be permitted up to a maximum floor area ratio (FAR) of 10:1 for commercial uses and will normally not exceed 350 units per hectare (140 units per*

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acre) for residential uses. Increases in density may be permitted without amendment to this Plan provided the proposal satisfies density bonusing provisions of Section 3.4.3. iv) and 19.4.4. of the Plan, conforms to the Site Plan Control By-law and addresses standards in the Downtown Design Guidelines.

*This maximum level of intensity will not be permitted on all sites. In areas which cater primarily to pedestrian shopping needs, including portions of Dundas Street and Richmond Street, the height of buildings at or near the street line will be restricted in the Zoning By-law to provide for a pedestrian-scale streetscape which allows adequate levels of sunlight and minimizes wind impacts. Where a site fronts onto a street which caters to pedestrian shopping needs, building heights will be permitted to increase in a step-like fashion away from areas of pedestrian shopping activity. Parts of the Downtown that are located adjacent to lower density, residential areas will be subject to height, density and site coverage limits in the Zoning By-law that are intended to provide for an appropriate transition in the scale of development.*

The recommended amendment will provide for the development of a 33-storey (108.15 metre) tower of a specified design with up to 248 apartment units and approximately 1,475m<sup>2</sup> of commercial space (retail and office). This combination of residential and commercial space results in a net density of approximately 1,155 units per hectare, given the size of this site. It is intended, as noted above, that the Downtown Area will accommodate the greatest height and density of residential development permitted within the City of London. The Scale limitations prescribed by Section 4.1.7 i) of the Official Plan, noted above, outline that residential densities in the Downtown will not normally exceed 350 units per hectare. However, it is recognized that increases to the typical density limitations may be appropriate in certain instances and may be permitted in accordance with the density bonusing provisions of Section 3.4.3 iv) and 19.4.4 of the Official Plan, without an amendment to the Plan.

- ii) *The proponents of development projects in the Downtown will be encouraged to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11, conform to the Site Plan Control By-law and address standards in Downtown Design Guidelines. It is intended that Downtown development should enhance the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses.*

The regulations of the recommended site specific bonus zone require a built form which responds to the existing built context of the Downtown by requiring a “point tower” design with an architecturally defined base, middle and top. The base component of the tower is positioned at the front and exterior lot lines along the Fullarton and Talbot Street frontages with retail uses and active frontages at grade to enhance and animate the pedestrian realm. The recommended bonus zone requires various building step-backs which provide for a variation in the massing of the primary elements of the tower and result in a harmonious integration into the existing built context of the Downtown. The regulations of the recommended site-specific bonus zone, as provided in clause (a) of the recommendation, include design requirements which reflect the Urban Design principles contained in Chapter 11 of the Official Plan and address standards in the Downtown Design Guidelines in return for the increase in permitted height and density.

- iii) *The design and positioning of new buildings in the Downtown shall have regard for the potential impact that the development may have on ground level wind conditions on adjacent streets and open space areas. New development should not alter existing wind conditions to the extent that it creates or aggravates conditions of wind turbulence and velocity which hamper pedestrian movement, or which discourage the use of open space areas.*

Potential wind impacts have been addressed through the completion of a preliminary wind impact assessment by Gradient Microclimate Engineering Inc. This assessment concluded that “wind conditions over the sidewalks at the base of the Tower are expected to be suitable for

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walking or better year round”.

#### 4.1.8. Redevelopment, Rehabilitation and Conversion

*The efficient utilization of lands and buildings within the Downtown will be encouraged through the development of vacant or under-utilized land and the rehabilitation, where feasible, of buildings that are functionally viable but require improvements in appearance and/or condition.*

The recommended zoning by-law amendment will facilitate the redevelopment of an underutilized site which currently contains a small-scale office building and surface parking lot to a mixed-use apartment tower with 248 residential units and a combined 1,475m<sup>2</sup> of retail and office space.

#### 4.1.9. Circulation Pedestrian

*The enhancement of a pedestrian circulation system throughout the Downtown will be supported.*

The recommended regulations of the site-specific bonus zone require retail uses at the street level and active frontages with a minimum 60% transparent glazing along Fullarton and Talbot Street. The combination of transparent facades and active ground floor uses provides visual interest which will serve to animate and enhance the pedestrian environment.

### **3.4.3 Density Bonusing**

As prescribed by Section 4.1.7 of the Official Plan and noted above, the Downtown Area designation contemplates height and density increases through the application of bonus zoning. The parameters and restrictions regarding bonus zoning are defined in Section 3.4.3 of the Official Plan, and generally provided in subsection iv) below:

- iv) Council, under the provisions of policy 19.4.4 and the Zoning By-law, may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features. The maximum cumulative bonus that may be permitted without a zoning by-law amendment (as-of-right) on any site shall not exceed 25% of the density otherwise permitted by the Zoning By-law. Bonusing on individual sites may exceed 25% of the density otherwise permitted, where Council approves site specific bonus regulations in the Zoning By-law. In these instances, the owner of the subject land shall enter into an agreement with the City, to be registered against the title to the land.*

The above noted policies of the Official Plan allow the City to incorporate performance measures or bonus regulations into the Zoning By-law which provide for as-of-right increases in height and density without an amendment to the Zoning By-law. The maximum cumulative bonus permitted through the inclusion of such public facilities, amenities or design features, as-of-right, is not to exceed 25% of the existing maximum permitted density.

However, bonusing on individual sites may exceed 25% of the density otherwise permitted where Council approves site specific bonus regulations in the Zoning By-law. The recommended amendment includes site specific bonus regulations which provide for an increase in the maximum permitted height and density in return for the inclusion of a range of amenities and design features, identified in Section 19.4.4 of the Official Plan and outlined in clause (a) of the recommendation above. The recommended bonus regulations require the inclusion of amenities and design features which provide a public benefit and cannot be secured through the normal development process. The recommended site specific bonus regulations ensure appropriate matters are incorporated into the proposed redevelopment to justify the resulting increases to height and density.

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Both the Official Plan and Zoning By-law quantify the density of residential or mixed-use development through the measure of *units per hectare*. This measure provides a standard for comparing the intensity of various developments across various sized sites. Staff recognize that the matter of density is difficult to visualize and have provided some examples in **Table 2** below based on a selection of primarily residential developments in Downtown London. These examples are intended to assist in visualizing the measure of density.

**Table 2: Visualizing Density**

Project	Site Area	Units	UPH	Height
“The Renaissance” 59-73 King Street, 342-360 Ridout Street North and 68 York Street	0.81ha	600	741	93 metres
“The Harriston” 484-500 Ridout Street North	0.28ha	210	750 UPH	70 metres
“City Place” 310 Dundas St. and 405 Waterloo St.	0.62ha	440	710 UPH	81 metres
“King’s Inn” 186 King Street	0.155ha	219	1412 UPH	~33 metres
<b>Proposed Tower</b> 100 Fullarton Street and 475 Talbot Street	0.23ha	248 residential; 1,475m <sup>2</sup> non-res GFA (14.8 units); Total = 262.8	1142 UPH	108.15 metres

**The Renaissance:** 59-73 King Street, 342-360 Ridout Street North and 68 York Street





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**The Harriston:** 484-500 Ridout Street North



**City Place:** 310 Dundas St. and 405 Waterloo St.





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**King's Inn: 186 King Street**



**19.4.4. Bonus Zoning**

*Under the provisions of the Planning Act, a municipality may include in its Zoning By-law, regulations that permit increases to the height and density limits applicable to a proposed development in return for the provision of such facilities, services, or matters, as are set out in the By-law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of this Plan.*

Section 19.4.4 provides the local policy basis for bonus zoning. Bonus zoning refers to the practice of permitting increases to height and density in return for certain facilities, services and/or matters. It is intended, through the relevant provisions of the Planning Act and the Official Plan, that the facilities, services or matters provided in consideration of height and density bonuses should bear an appropriate relationship in terms of their cost/benefit implications and must result in a benefit to the general public and/or enhancement of the design or amenities of a development to the extent that a greater height or density is warranted. It is further directed that height and density bonuses should not result in a scale of development which is incompatible with adjacent land uses or exceeds the capacity of available municipal services.

Bonus zoning is to encourage features which result in a public benefit which cannot be obtained through the normal development process, or through the provisions provided by as-of-right zoning on a given site. Section 19.4.4 of the Official Plan specifically provides that “bonus zoning will be used to support the City’s urban design principles, as contained in Chapter 11 and other policies of this Plan.” Section 19.4.4 ii) provides further policy direction as to matters which may be considered in return for height and density bonuses.

The following provides an evaluation of the recommended site specific bonus regulations with regard to the applicable Bonus Zoning policies of Section 19.4.4. of the Official Plan. Section 19.4.4 states that bonusing may be considered for, among other things:

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- (b) to support the provision of common open space that is functional for active or passive recreational use;*

The recommended regulations of the site-specific bonus zone include a requirement for the provision of both indoor and outdoor common amenity space that is multi-functional and caters to both active and passive use. The 7<sup>th</sup> floor of the proposed tower includes terraces and building step-backs which will be used for a vegetated green roof. The 8<sup>th</sup> floor includes common terraces for outdoor residential amenity space as well as indoor amenity space for recreation.

- (c) to support the provision of underground parking;*

The recommended site-specific bonus zone regulations include a requirement for two levels of underground parking to limit the amount of above-ground structured and at-grade surface parking. Underground parking serves to minimize the visual impact of surface and above ground parking. The existing zoning on the subject lands does not include a requirement for underground parking. As such, this would be difficult to achieve through the normal development process.

- (d) to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;*

The requested DA1 zone is intended to provide a framework for downtown, pedestrian-oriented urban development. As such, there are no minimum requirements for landscaped open space in the DA1 zone. The recommended bonus zone will require landscaped open space in the form of outdoor terraces which are to be accommodated through building step-backs and recesses which complement the overall contemporary building design. These design features would be difficult to secure through the normal development process. The bonus zone will also ensure that, where possible, soft landscaped open space is provided at grade.

- (h) to support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit;*

The recommended amendment will facilitate the remediation of a former automobile repair establishment site and provide for residential intensification in a location which is well served by existing transit and future planned rapid transit. The proposed redevelopment will help support the viability of future transit related investments in key downtown locations and make for more efficient use of these public resources. The regulations of the recommended site-specific bonus zone also include requirements for a green roof on the 7<sup>th</sup> floor terrace with vegetated cover which serves to reduce the urban heat island effect and reduce stormwater runoff.

- (j) to support the provision of design features that provide for universal accessibility in new construction and/or redevelopment.*

The regulations provided in the recommended site-specific bonus zone include a requirement for the proposed building to consider enhanced accessibility standards, in accordance with the City of London Facility Accessibility and Design Standards to facilitate access and use.

## **11. Urban Design**

Section 11 of the Official Plan contains a range of urban design principles which address more subjective matters related to the visual character, aesthetics, and compatibility of land uses and to the qualitative aspects of development. The urban design principles contained in Section 11 are intended to supplement the land uses policies of Section 4.1 – Downtown Area – in evaluating the development proposals. It is recognized that the principles are primarily used as a guideline. The guidance provided by these principles is key in the consideration of increases

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in height and density contemplated through bonus zoning. The proposed development and the requirements secured through the recommended bonus regulations will provide for the following:

- Natural Features and Open Views – the proposed development includes an architecturally defined base, middle and top with building step-backs and variation in massing which serves to maintain, to the greatest extent feasible, views to Harris Park and the Forks of the Thames.
- High Design Standards – the proposed development includes design treatments which serve to enhance the function and visual quality of the proposed development including the use of high-quality contemporary building materials, a point tower form which includes variation in the massing of various elements of the tower and transparent glazing at street level which, combined with active ground floor uses, will animate the pedestrian environment.
- Architectural Continuity – The “point tower” form of the proposed development serves to create variation in the visual massing of the tower and includes step-backs which provide for a defined base to frame the pedestrian realm. The podium “base” of the tower is limited in height to maintain harmony with the streetwall established by the adjacent historic townhouses to the north.
- Redevelopment – The recommended amendment will facilitate the redevelopment of a surface commercial parking lot and 2-storey office building to a high-density mixed use apartment tower. The proposed redevelopment will provide for a range of uses supported by the land use policies of Section 4.1 – Downtown Area.
- Streetscape and Pedestrian Traffic Areas – The proposed development includes a number of street oriented features such as active retail uses at the street level, primarily transparent glazing on facades adjacent to Fullarton and Talbot Streets, pronounced entrances with visually attractive permanent awnings and a defined podium base which provides for a human-scale transition to the residential tower.
- Access to Sunlight – The proposed development includes an architecturally defined base, middle and top with building step-backs that provide for variation in the massing of the proposed tower and serve to minimize the shadow impacts on surrounding development and open space. The point tower form, and limited floor-plate of the proposed tower provide for a sleek form which limits shadow impacts and could not, in and of itself, be effectively secured by way of the existing zoning.
- Landscaping – The proposed development includes a vegetated green roof on the 7<sup>th</sup> Floor which will serve to reduce the urban heat island effect, reduce stormwater runoff and enhance the visual appearance of building step-backs. The bonus zone regulations require that, where possible, soft landscaping is incorporated at grade.
- Accessibility – The recommended site-specific bonus zone regulations require that the development incorporate, to the greatest extent feasible, the City of London Facility Accessibility and Design Standards to facilitate access and use.
- Parking and Loading – Parking facilities are provided both below grade and in structured format from floors 2-6. Loading facilities will be located within the ground floor, at the rear of the building. The positioning of both parking and loading facilities is designed to minimize the visual impact on adjacent properties to the greatest extent feasible.
- Privacy – The point tower form of the proposed development serves to achieve a number of urban design objectives. The building step-backs at floors 7 and 8 ensure that residential units are further separated from existing development to the north and east to provide more seamless integration into the existing built context of the Downtown.

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**Planner: Mike Davis**

- Recreational Facilities – The recommended bonus zone requires the inclusion of recreational amenity space which is intended to be provided on the 8<sup>th</sup> floor.

### 19.2.2. Guideline Documents

Section 19.2.2 of the Official Plan provides that “Council may adopt guideline documents to provide detailed direction for the implementation of Official Plan policies.” It is intended that Guideline Documents are initiated by Council and may contain “policies, standards, and performance criteria that are either too detailed, or require more flexibility, in interpretation or implementation than the Official Plan would allow”. It is recognized that depending on the nature of the guideline document that they may provide specific direction for the review of development proposals. Staff have reviewed the applicable guideline documents and provided an evaluation of the relevance and direction contemplated by each as it relates to the requested amendment.

#### Transportation Master Plan

The City of London’s 2030 Transportation Master Plan (TMP): *Smart Moves* was completed in May of 2013 to provide a long-term transportation strategy for the City that will help guide the City’s transportation and land use decisions through to 2030 and beyond. The Transportation Master Plan is focused on improving mobility for residents of the City by providing viable and increased choices in modes of travel.

The TMP includes modal share targets and recommends strategies to assist the City of London and the London Transit Commission (LTC) in meeting a 20% transit modal share target by 2030. To achieve this objective, the growth management strategies in the Transportation Master Plan encourage directing growth to locations where it supports transit ridership, walking and biking. Such locations include the Downtown Area and planned rapid transit nodes and corridors identified in the 2030 Transportation Master Plan. The Growth Strategy stresses the importance of strengthening land use policies around nodes and corridors, including the Downtown, to focus future high-density development and employment in these areas.

The recommended amendment will provide for high-density mixed-use residential development in the Downtown and, as such, reflects a land use pattern which is conducive to the use of public transit and improves the mix of employment and housing uses to shorten commute journeys.

#### Downtown Design Guidelines

The Downtown Design Guidelines were prepared in 1991 and were intended to provide a guideline for the creation of Official Plan policies and Zoning regulations related to the form, scale and intensity of development in the Downtown. The guidelines also serve to provide a supplemental framework for the interpretation of Official Plan policies and for the evaluation of development proposals and public investments in the Downtown. Among other principles, the Downtown Design Guidelines include direction to:

- *Discourage development and design treatments that are considered to be detrimental to the functional success and visual quality of the Downtown;*
- *Encourage development and design treatments that are considered to be beneficial to the functional success and visual quality of the Downtown; and*
- *Allow flexibility in individual design creativity and innovation.*

These overarching principles of the Downtown Design Guidelines have been incorporated into the specific land use policy in the Official Plan for the Downtown Area. Accordingly, the recommended amendments will provide for a development that includes design treatments which serve to enhance the function and visual quality of the proposed development including



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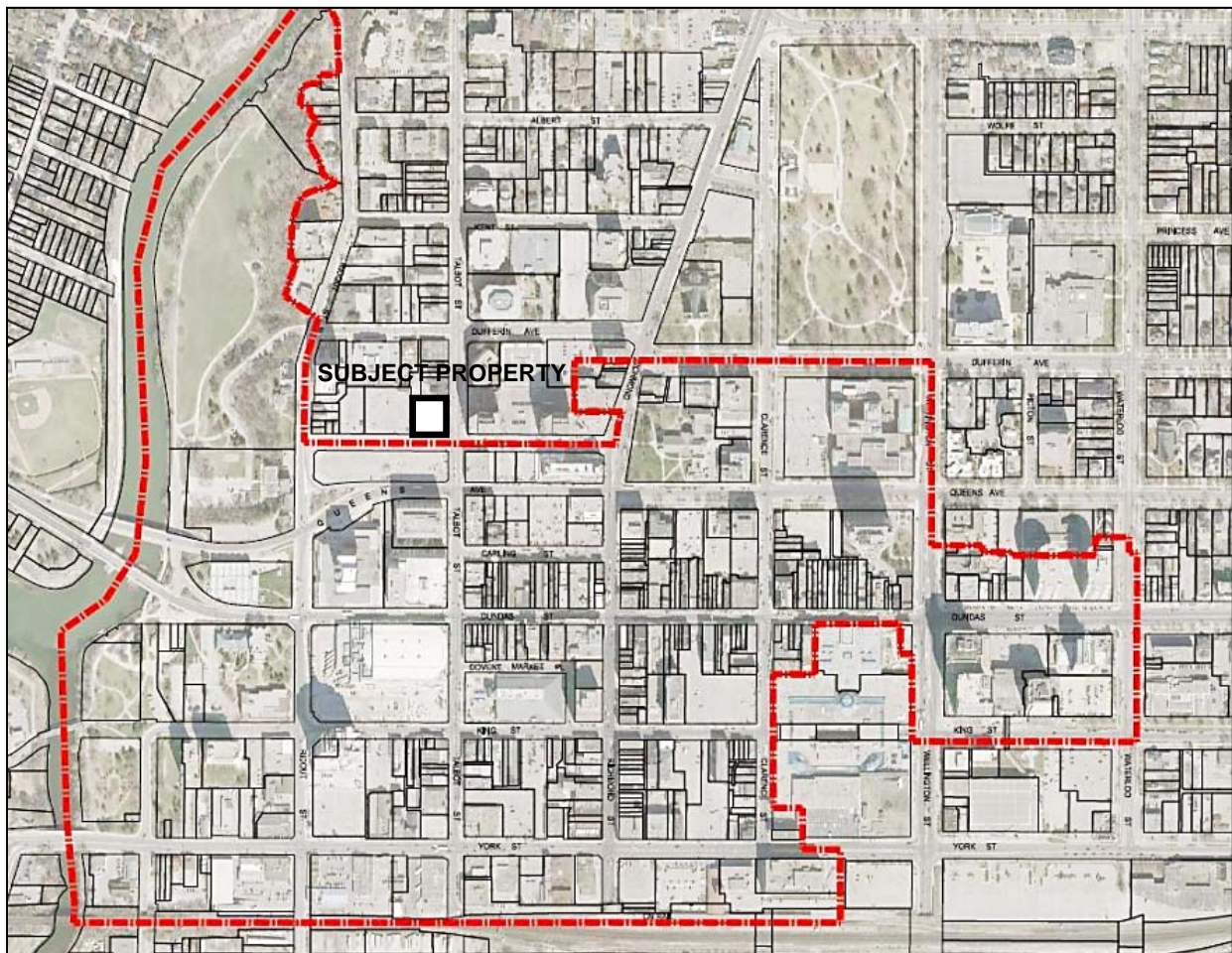
requirements for high-quality, contemporary building materials and for variation in the massing of various elements of the tower. The requirements for underground parking and requirements for retail uses at the street level will enhance the pedestrian environment and the public realm.

Downtown Heritage Conservation District Plan

Pursuant to the *Ontario Heritage Act*, Municipal Council may designate all or parts of the municipality as a Heritage Conservation District. The ability to designate such districts under Part V of the *Ontario Heritage Act* allows for the protection and enhancement of groups of properties that collectively represent a certain aspect of the development of the municipality considered worthy of preservation. It is intended that the overall character and value of a Heritage Conservation District is derived from both individual properties and the combined historic and aesthetic value of the structural and natural components of the area. Section 19.2.2. of the City’s Official Plan provides Council the ability to develop Plans to manage land use and built form on lands within and adjacent to Heritage Conservation Districts.

The City of London has established a Downtown Heritage Conservation District and subsequently adopted the Downtown Heritage Conservation District Plan in order to preserve, maintain and enhance the collective historic character of the Downtown. The Downtown Heritage Conservation District includes the lands identified on the map below.

**Figure 2:** Downtown Heritage Conservation District Boundaries



As is evident from **Figure 2** above, the subject lands are located adjacent to the northern boundary of the Downtown Heritage Conservation District but are, in fact, outside the boundaries. As such, the provisions of the plan do not provide specific direction or guidance to the subject application. Given the nature of the existing land use within the conservation district on the property to the south (a surface parking lot) there is no contextual heritage impact to the interface with the District.

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Draft Approved Downtown Master Plan

The Downtown Master Plan was approved in draft form by Municipal Council in June of 2013. The Downtown Master Plan is intended to provide an overarching framework for the future development of the downtown including guidance for public investments and the structural elements on the downtown core. In general, the provisions of the Draft Downtown Master Plan do not provide specific direction in considering the merits of the proposed Zoning By-law amendment. However, the Draft Downtown Master Plan does provide broad principles which relate to development in the Downtown including encouraging the maintenance of views to the Forks of the Thames and Harris Park, the enhancement of the pedestrian realm and the encouragement of a variety of residential dwelling types in the Downtown.

In this regard, the recommended amendment will facilitate a form of development which, to the extent feasible, through step-backs and point tower design, maintains views to the Forks of the Thames. The proposed development includes active retail uses and transparent facades at the street level to animate and enhance the pedestrian environment and includes smaller urban style apartment units which allow for an efficient use of land and resources while contributing to a broadened range in the housing options available in Downtown.

**Zoning By-law No. Z.-1**

As previously noted in this report, the subject property is currently zoned Downtown Area (DA2) Zone which permits a wide range of office, commercial, retail, residential and institutional uses, and Holding Downtown Area (h-3•DA2•D350) Zone which permits a wide range of office, commercial, retail and institutional uses and a range of residential uses up to a maximum density of 350 units per hectare, with a requirement for the completion of a wind impact assessment to ensure development over 15.0 metres will not have an adverse impact on pedestrian level wind conditions in the Downtown prior to the removal of the holding provision.

Staff's recommendation proposes to rezone the subject lands to a Bonus Holding Downtown Area (B(\_)/h-3•DA1•D350) Zone which would allow for the development of a 33-storey (108.15m tall) mixed-use apartment building of a specified design with approximately 705m<sup>2</sup> of commercial/retail space on the ground floor, structured parking from floors 2-6, 770m<sup>2</sup> of office space on the 7<sup>th</sup> floor and a total of 248 residential apartment units on floors 8 to 33. The proposed development will be facilitated through a site specific bonus zone which will allow for an increased density of 1,155 units per hectare and a maximum height of 110 metres in return for such facilities, services and matters as prescribed by the regulations of the bonus zone which include the matters provided in clause (a) of the recommendation above and, without limiting the above, generally requires features such as underground parking, enhanced accessibility features, common recreational facilities and amenity space, high design standards, architectural continuity and consistency with the intent of the Downtown Design Guidelines.

Section 20.1 of Zoning By-law Z.-1 – General Purpose of the DA Zone – describes the rationale behind the DA zone variations. This section states that the DA Zone, *“provides for and regulates the City’s most dominant and intensive commercial business area which serve the City and region. The permitted uses include a full range of commercial, service, and office uses with residential uses permitted above the first floor. Zone variations are established to emphasize the pedestrian-oriented shopping area and to regulate the scale of retail permitted.*

*The primary difference between the DA1 Zone and the DA2 Zone variation is that the DA1 Zone is applied to main retail shopping area centred along Dundas and Richmond Streets. The DA2 Zone variation is applied to other peripheral areas of the Downtown and permits ground level office and residential uses”.* The DA Zone variations both permit residential development to a maximum density of 350 units per hectare and a maximum height of 90 metres.

In accordance with the intent of the DA Zone variations as prescribed above, the proposed



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(B\_/h-3•DA1•D350) Zone is appropriate in order to facilitate the development of a pedestrian-oriented apartment building which includes active ground floor uses and residential uses above the first floor. The application of the DA1 Zone variation as the base zone requires residential units to be located above the first floor, which is desirable in this area of the Downtown. The h-3 holding provision requiring a wind impact assessment has been maintained on the base zone to ensure a wind impact assessment is carried out, should the applicant choose to forego the bonus zone and opt to change the development proposal and construct a building within the parameters of the base zone for which the wind impact has not been evaluated. The proposed Bonus Zone includes special regulations to permit reduced yard setbacks from the residential component of the tower and will allow for an increase to the maximum allowable height and density to 110 metres and 1,155 units per hectare in return for a specified building design which achieves many of eligible bonus zoning features outlined in Section 19.4.4 of the Official Plan. The inclusion of such features results in a public benefit which would be difficult to achieve through the normal development process. The recommended h-3 holding provision will not apply to the bonus zone given that a wind impact assessment has been completed for the specified building design and the bonus zone regulations do not allow for deviation from that design to a significant extent.

<b>CONCLUSION</b>
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The recommendation for approval of the proposed Zoning By-law amendment has been supported by the foregoing planning analysis. The proposal has been evaluated in the context of the applicable land use policy and is supported by the objectives of the Provincial Policy Statement, 2005, and the City of London Official Plan which promote intensification, redevelopment and compact form in appropriate locations in order to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The recommended site specific bonus zone regulations will allow for an increase in the maximum allowable height to 110 metres and an increase in the maximum allowable density to 1,155 units per hectare in return for a specified building design which achieves a variety of eligible bonus zoning criteria outlined in Section 19.4.4 of the Official Plan, and which would be difficult to achieve through the normal development process or by way of the existing zoning permission on the subject lands. The specified building design, provided in Schedule “1” and attached to this report, includes high-quality contemporary building materials and a variety of design treatments which will enhance the visual and functional attributes of the Downtown. Further, the design includes a “point tower” form with an architecturally defined base, middle and top which includes variation in the massing of different elements in order to provide for harmonious integration into the existing built context of the Downtown and minimize impacts on adjacent properties. Finally, the specified building design achieves reflects the urban design principles contained the Section 11 of the Official Plan and will contribute positively to both the pedestrian realm and the City skyline. Given the foregoing, the recommended amendments represent sound land use planning.

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**Planner: Mike Davis**

<b>PREPARED BY:</b>	<b>REVIEWED BY:</b>
<b>MIKE DAVIS, B.U.R.PI. PLANNER II, COMMUNITY PLANNING AND DESIGN</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN</b>
<b>SUBMITTED BY:</b>	<b>RECOMMENDED BY:</b>
<b>JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN</b>	<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>

February 3, 2014  
MD

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ZBL Amendment Report.docx

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**File: Z-8285**  
**Planner: Mike Davis**

**Responses to Public Liaison Letter and Publication in “Living in the City”**

<u>Telephone</u>	<u>Written</u>
Bernie McCall London-Middlesex Health Unit	David Nuttall 500 Talbot Street
	Stan Fisher 93-95 Dufferin Avenue
	Les Eisner 500 Talbot Street
	Residents of 500 Talbot Street

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**File: Z-8285**  
**Planner: Mike Davis**

**Bibliography of Information and Materials**  
**Z-8285**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by Alan Patton, October 29, 2013.

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Richmond Architects Ltd. *Site Plan, Renderings, Floor Plans, Elevations*, October, 18, 2013.

Richmond Architects Ltd. *Sun/Shadow Study*, October 20, 2013.

Zelinka Priamo Ltd. *Planning Justification Report*, October 2013.

F.R. Berry & Associates. *Transportation Impact Assessment*, October 2013.

Gradient Microclimate Engineering Inc. *Preliminary Pedestrian Wind Commentary*, October 23, 2013

**Correspondence: (all located in City of London File No. Insert File No. unless otherwise stated)**

**City of London -**

Moore R., City of London, Wastewater and Drainage Engineering. E-mail to M. Davis. December 4, 2013.

Postma R., City of London, Urban Forestry. E-mail to M. Davis. November 28, 2013.

Clavet Y., City of London, Stormwater Management Unit. E-mail to M. Davis. December 9, 2013.

O'Hagan B., City of London, Urban Design Section. Memo to M Davis. December 10, 2013.

Couvillon A., City of London, Transportation Planning & Design. E-mail to M Davis. December 17, 2013

Mercier B., City of London, Committee Secretary, London Advisory Committee on Heritage. E-mail to M Davis. January 13, 2014.

**External Agencies -**

Creighton C., UTRCA. Letter to M. Davis. December 5, 2013.

Dalrymple D., London Hydro. Memo to M. Davis. January 20, 2014.

**Other:**

Site visit January 14, 2014 and photographs of the same date.

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**File: Z-8285**  
**Planner: Mike Davis**

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2014

By-law No. Z.-1-14\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 100 Fullarton Street and 475 Talbot Street.

WHEREAS Rygar Corporation Inc. has applied to rezone an area of land located at 100 Fullarton Street and 475 Talbot Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 100 Fullarton Street and 475 Talbot Street, as shown on the attached map comprising part of Key Map No. A107, from a Downtown Area (DA2) Zone and a Holding Downtown Area (h-3•DA2•D350) Zone to a Bonus Holding Downtown Area (B(\_)/h-3•DA1•D350) Zone.
- 2) Section Number 4.3 (Bonus Zones) of the General Provisions to By-law No. Z.-1 is amended by adding the following Site Specific Bonus Provision:

4.3(4) B-(\_) 100 Fullarton Street and 475 Talbot Street

This bonus zone is intended to facilitate a development design which includes a 33-storey (108.15m tall) mixed-use apartment building with approximately 705m<sup>2</sup> of commercial/retail space on the ground floor, structured parking from floors 2-6, 770m<sup>2</sup> of office space on the 7<sup>th</sup> floor and a total of 248 residential apartment units on floors 8 to 33, which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:

- A point-tower building design that, with minor variations at the City's discretion, match the Site Plan, Elevations, Sections and Renderings shown in Schedule "1" attached to this amending by-law, and includes an architecturally differentiated base, middle and top:
  - With the base consisting of the portion of the façades between the ground floor and the top of the 6<sup>th</sup> floor with a maximum height of six (6) storeys; positioned at the front and exterior lot lines at the corner of Talbot Street and Fullarton Street; incorporating architectural detail which creates a prominence on the Talbot/Fullarton Street corner; including retail uses at street level abutting the Fullarton and Talbot Street frontages, with a minimum ceiling height of 3.6 metres and transparent glazing of at least 2.5 metres in height, for 60% or more of the frontages; with entrances to each retail unit provided, where possible, directly to the street, flush with the sidewalk grade; including permanent awnings or architectural elements projecting above pedestrian entrances at street level; and above-grade structured parking which is screened with a variation in materials and colours;
  - With the middle portion consisting of the portion of the façades between the top of the base and the top of the 32<sup>nd</sup> floor; clad



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primarily in glass window-wall panels, and employing balcony design which creates articulation and variation in the facades; includes variation in the massing of the tower through building step-backs at the 7<sup>th</sup> floor and the 8<sup>th</sup> floor respectively; with a vegetated green roof incorporated into the rear 7<sup>th</sup> floor step-back and terrace and outdoor amenity space provided at the rear 8<sup>th</sup> floor step-back and terrace;

- With the top consisting of the portion of the façades above the top of the 32<sup>nd</sup> floor; employing building step-backs on the 33<sup>rd</sup> floor to provide for outdoor terraces; employing further step-backs above the 33<sup>rd</sup> floor to articulate the top of the building; using attractive materials and architectural design to screen all mechanical elements located above the 33<sup>rd</sup> floor; using high-quality building materials and incorporating decorative lighting elements to create an aesthetically pleasing cap;
- 2-levels of below grade parking (minimum 65 spaces);
- Locating waste and recycling facilities within the proposed building screened from views of adjacent properties;
- Providing barrier-free access to all floors in accordance with the City of London Facility Accessibility and Design Standards (to the extent feasible to facilitate access and use); and,
- The provision of public art.

The following regulations apply within the bonus zone:

i) Height (Maximum)	110.0 metres
ii) Density (Maximum)	1,155 units per hectare
iii) Yard Setbacks for Residential Component of Building (Minimum)	3.0 metres
iv) Yard Setbacks for Non-residential Component of Building (Minimum)	0.0 metres (From existing road allowance)

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 February 25, 2014.

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**File: Z-8285**  
**Planner: Mike Davis**

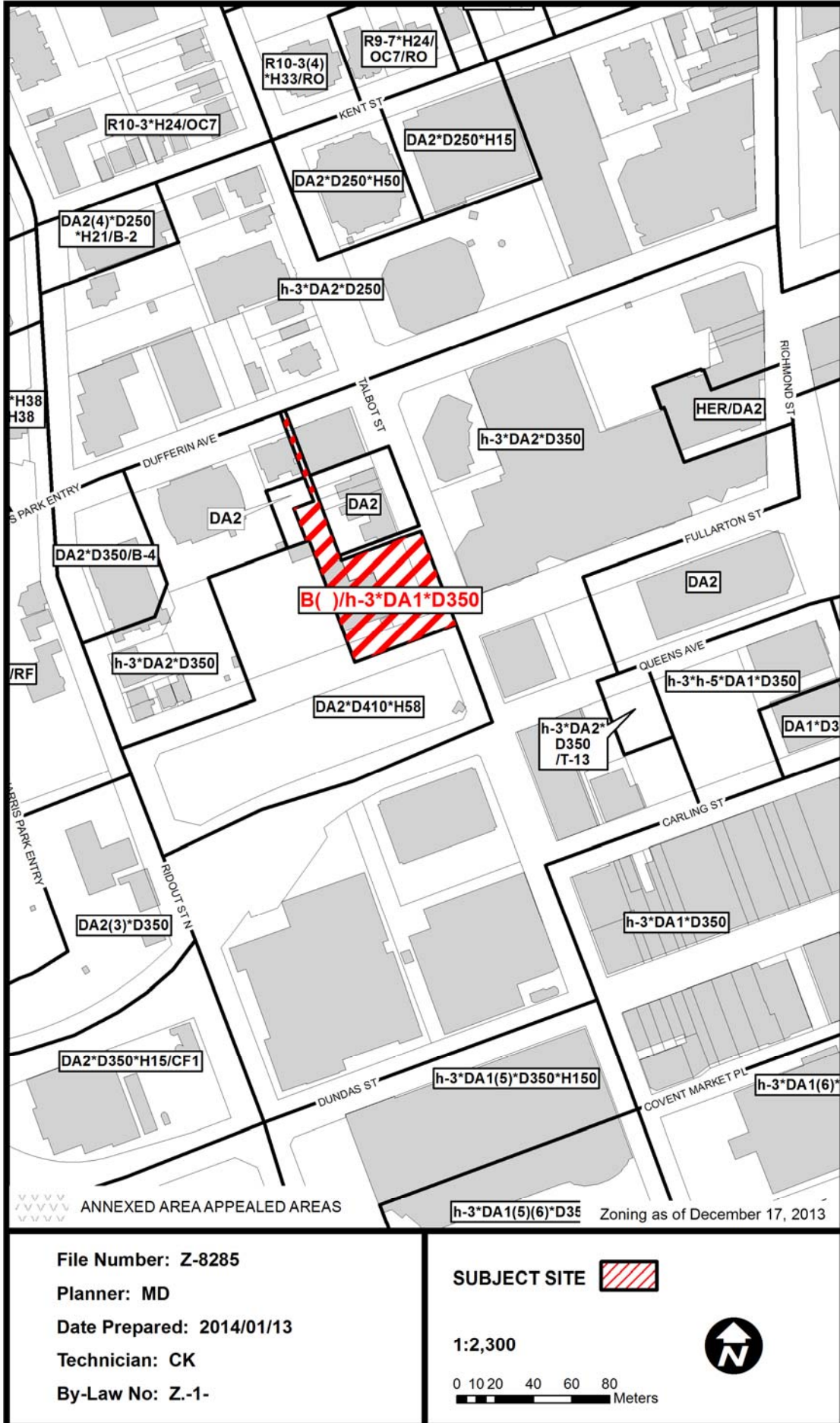
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk


First Reading – February 25, 2014  
Second Reading – February 25, 2014  
Third Reading – February 25, 2014

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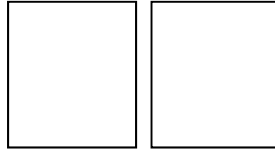
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-8285  
Planner: MD  
Date Prepared: 2014/01/13  
Technician: CK  
By-Law No: Z.-1-

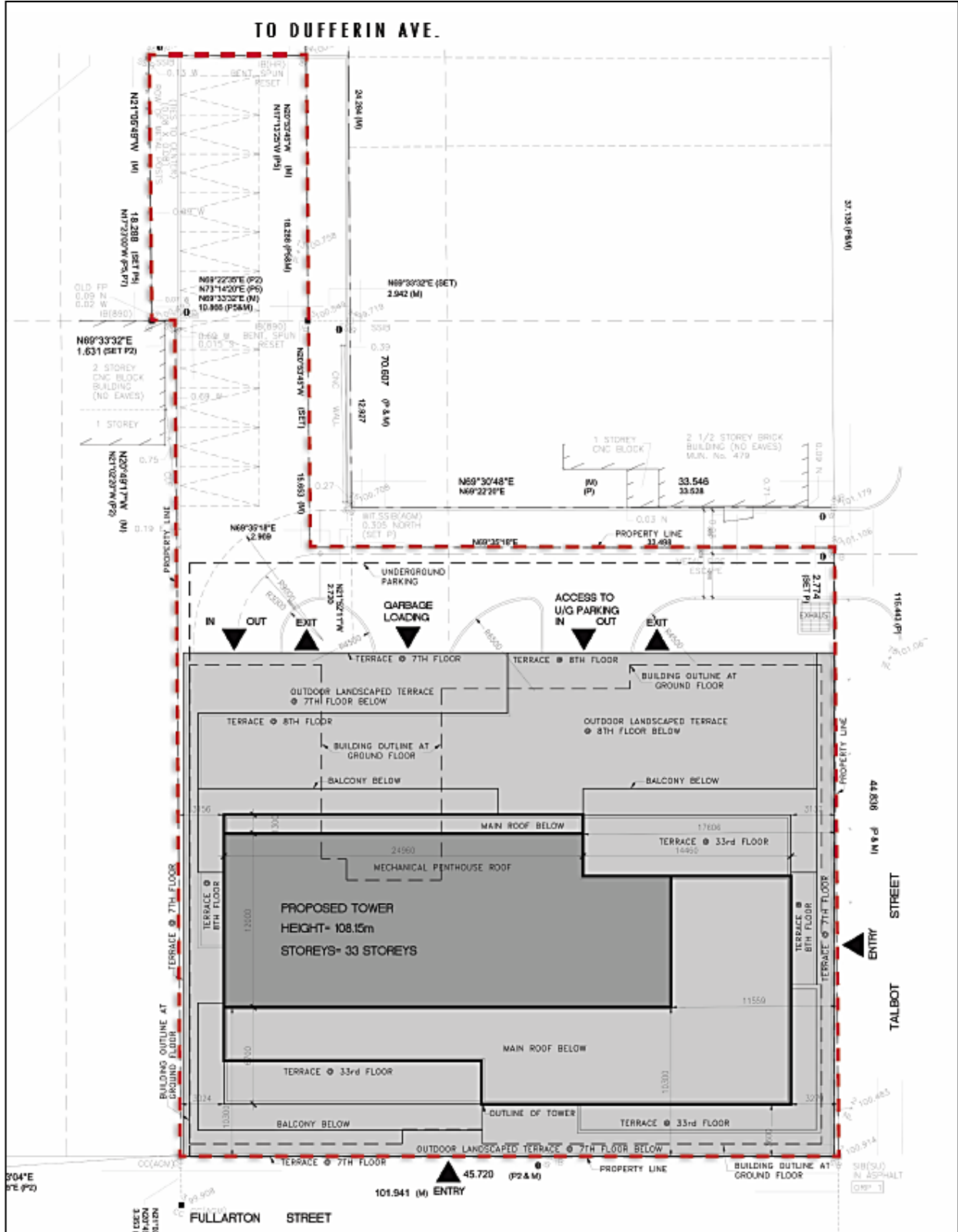
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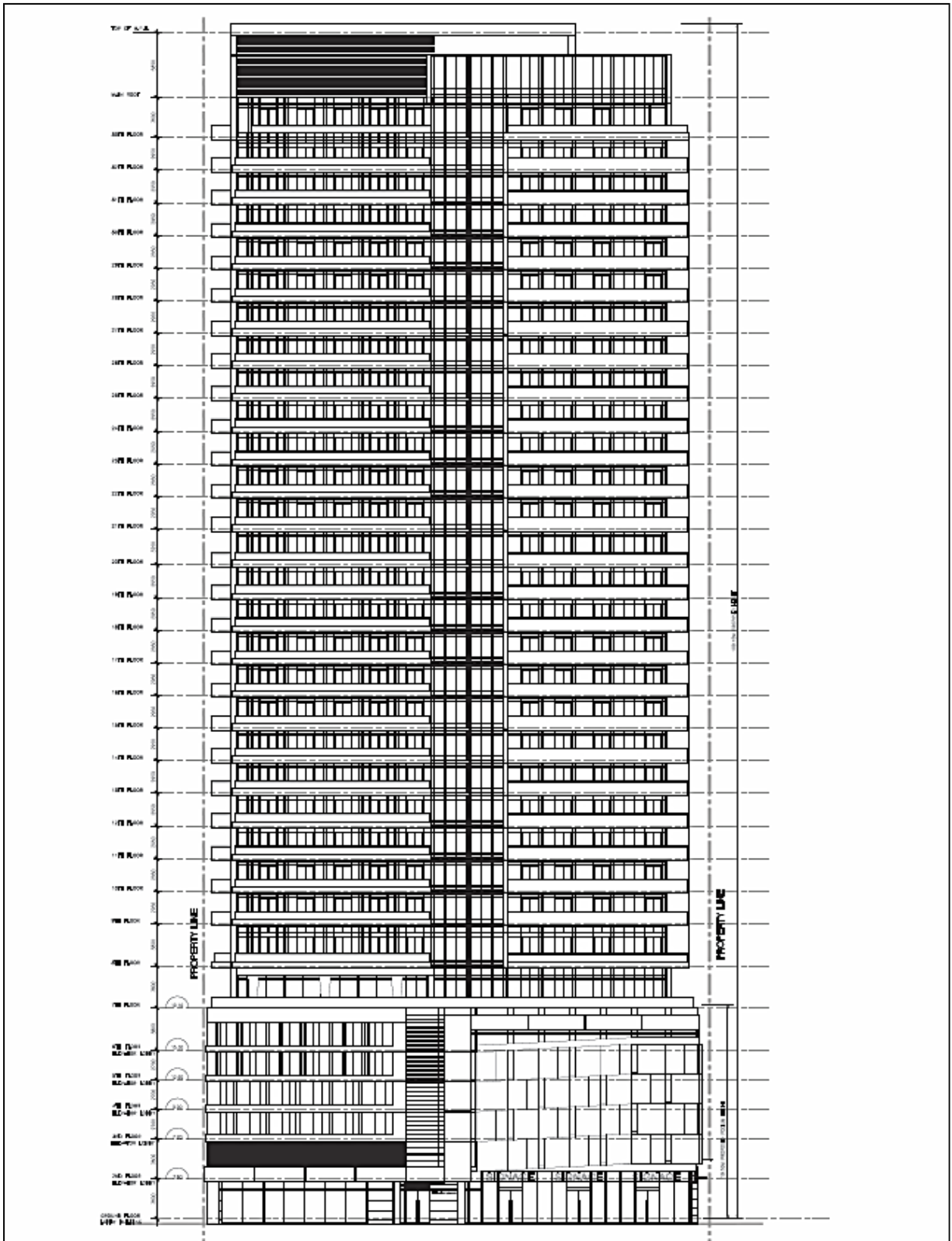
Schedule "1"

Site Plan



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South Elevation

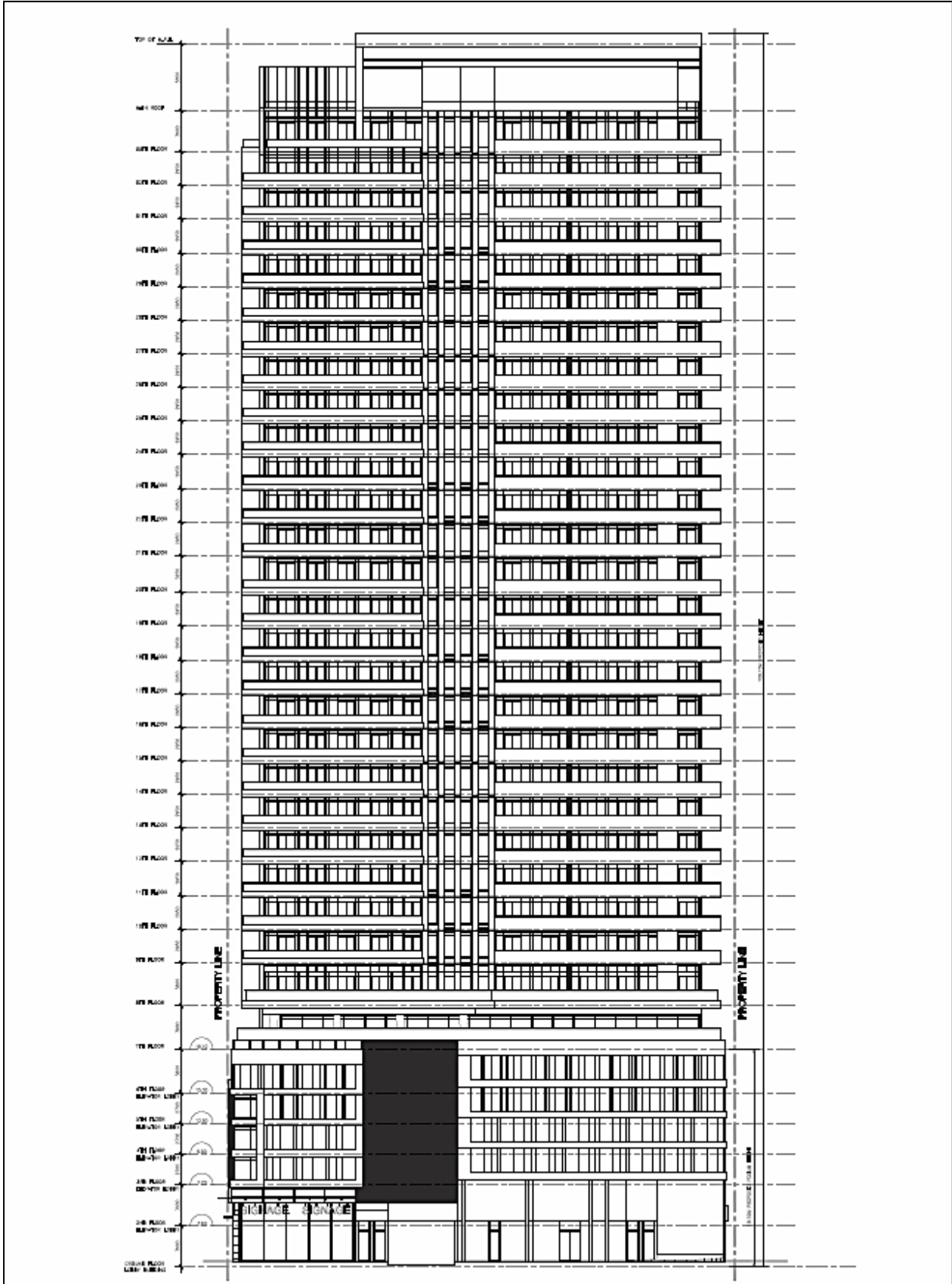




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Planner: Mike Davis

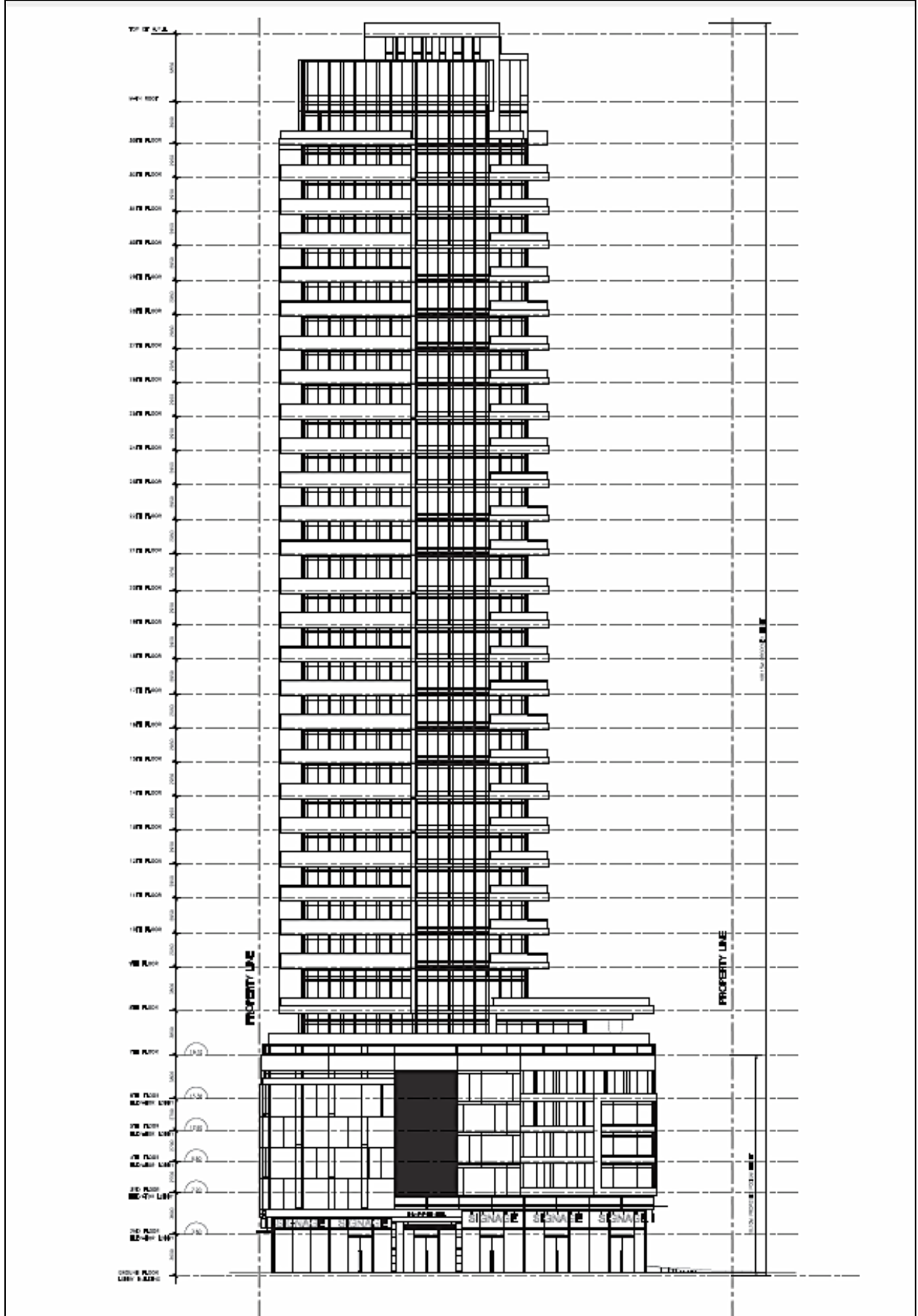
North Elevation



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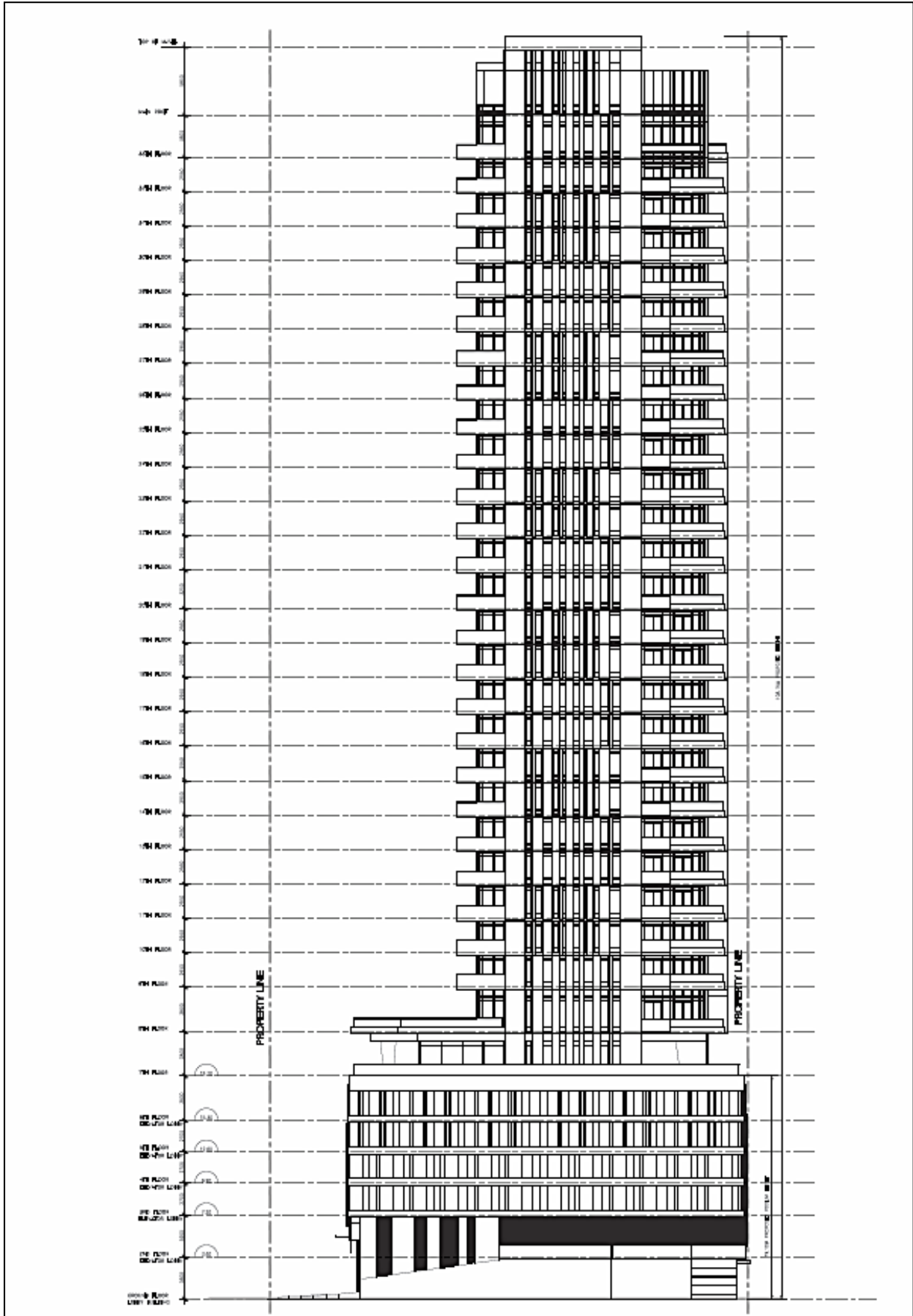
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Planner: Mike Davis

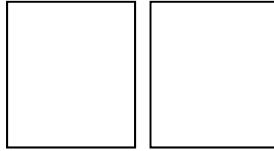
East Elevation



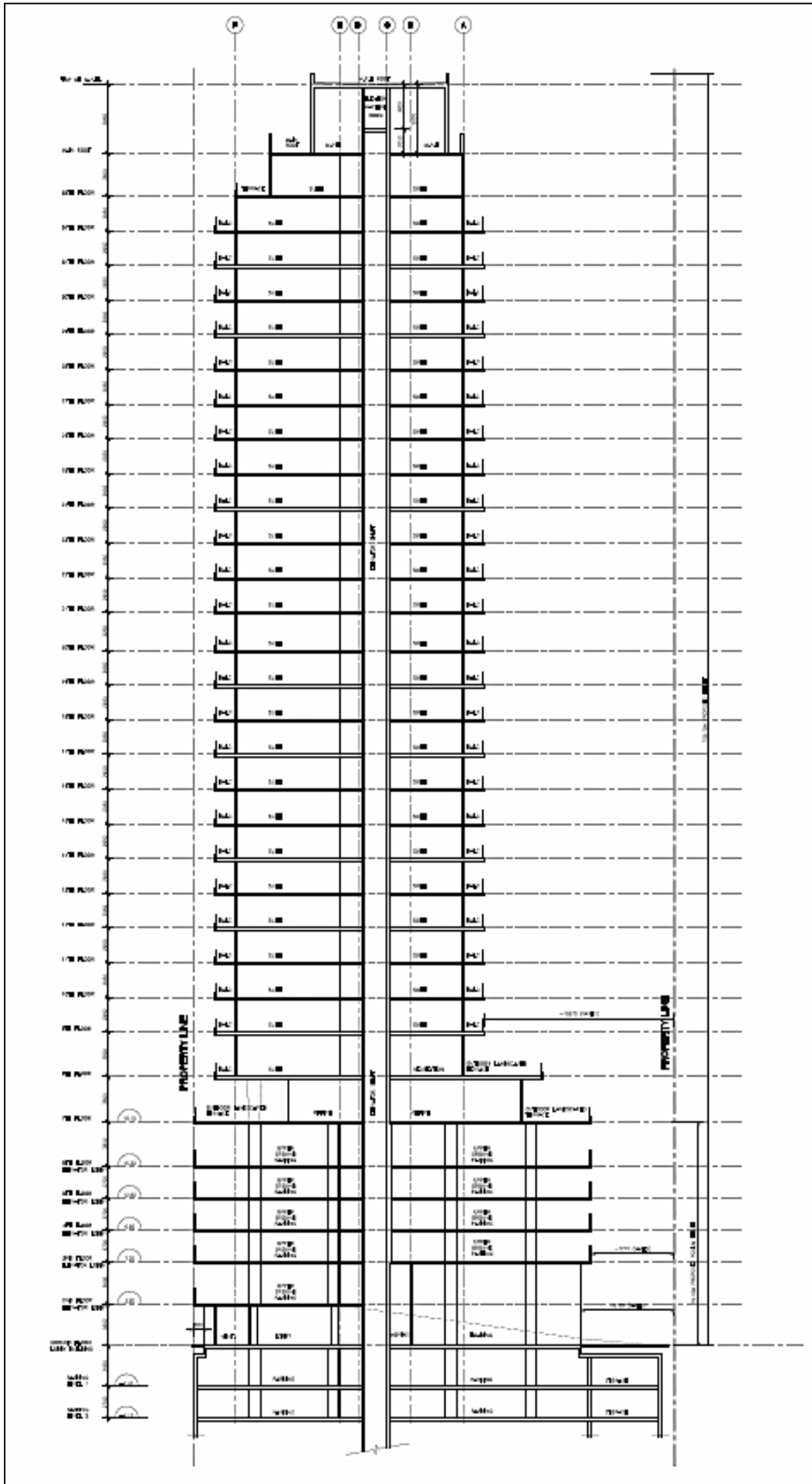
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West Elevation





East-West Section





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Planner: Mike Davis

Renderings





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File: Z-8285  
Planner: Mike Davis



# **APPENDIX B**

## **DETAILED LAND USE HISTORY**

This response to the LACH Report on Camden Terrace and #93-95 Dufferin Street was prepared by David R. Elliott, Historical Consultant, for the Rygar Corporation which owns the said buildings. This report has been based on Samuel Peters' Log Books, land transactions, wills, census returns, civil registrations, voter's lists and city directories to determine ownership and occupancy of said buildings.

The LACH report on the Camden Terrace townhouses on Talbot Street and 93-95 Dufferin Street is filled with historical inaccuracies, misleading inferences, lack of documentation and name-dropping.

### **CAMDEN TERRACE**

The report has identified the architect and owner of the Camden Terrace townhouses as Samuel Peters Jr. This is incorrect. In all of the land and mortgage documents that I have examined concerning him, he was never listed as Samuel Peters "Jr." None of the other documents ever identified him that way and he never signed himself that way. The "Jr." designation appears to have been added many years after his death by architectural historians to distinguish him from his uncle of the same name who was an important business and political leader in London. The 1930 historical publication of the Association of Ontario Land Surveyors listed him simply as Samuel Peters (pp. 85-86). The addition of "Jr." seems to be attributed to John H. Lutman, *The Historic Heart of London* (1977), p.33.

The call for tenders in the building of the townhouses (*Daily Advertiser*, 7 March 1876) was issued by S. Peters and Son. The son and partner was Samuel Frank, an architect who later worked in Toronto and Winnipeg. Who actually designed the townhouses is unclear. Samuel Frank sometimes used his second name, but he may really be the "Jr."

The report has claimed that "Camden Terrace became a fashionable address for affluent Londoners," being part of the new suburb of North Talbot. An examination of the fire insurance maps from 1881 through 1922 reveals that Camden Terrace was within feet of the foundries, factories and other industrial plants situated along the north side of Fullerton Street between Talbot and Ridout. Even in the 1940s part of the north side of Fullerton was an auto wrecking yard. Such operations would have had a negative impact on the residential atmosphere of the Camden Terraces.

Samuel Peters acquired the properties for the townhouses (Instrument #10663 in 1873 for #5 & 6), (Instrument #11183 in 1874 for #3 & 4), and (Instrument #13526 in 1876 for #1 & 2). When he prepared his will on 3 April 1878 he bequeathed the townhouses to three of his children (Wesley, Emma J. Allen and Mary), each of them to receive two adjoining townhouses. They received them in Probate #2263, 1882.

Even before he died in 1882 Samuel Peters was renting out the townhouses to various people. There is some question whether Samuel Peters ever lived in the townhouses as the LACH report claims. His obituary in the LFP (3 Feb. 1882) stated that he lived on Talbot Street, but that does not mean that he was living in one of the townhouses; he also owned 501 Talbot which was sold by his estate in 1884.

Samuel Peters' children continued to treat the townhouses as rental properties. Only daughter Mary and Samuel's widow Mary H. lived in #2 from approx. 1882 to 1887. Daughter Mary, who actually owned townhouse #2, married John Boyd in 1887 and moved to Toronto. The townhouse then reverted to being a rental property.

The 1891 *Might's* directory shows Samuel's widow living at 87 Maple, a family property she acquired in 1882 (Instrument #20580), and had rented it out until 1890. She lived there for some years from approx. 1890 before she moved to Toronto. She sold 87 Maple in 1902, (Instrument #8511), the year of her death.

The LACH report has made much of the so-called "affluent" people associated with Camden Terrace: D.S. Perrin, Col. John Walker, Mrs. S.L. Carfrae and Mrs. Louisa Ridout, Ethelwolf Scatcherd, and Richard Shaw-Wood. [There is some question about Wood having a hyphenated last name]. They were never owners, but only renters of the townhouses, many of them for a very short term. No evidence has been supplied to support their "affluence" or their social standing. We have provided some indication of their socio/economic status based on entries from the city directories. [It must be noted that these dates are only approximate because there was a lag between the time that the information was gathered and when the directories appeared].

According to the city directories Daniel S. Perrin, who owned a biscuit company on Dundas Street, lived was a tenant of Terrace #6 from approx. 1881 to 1883. Mrs. S.L. Carfrae and Mrs. Louisa Ridout were widows whose husbands had been active in London affairs, but they may have been in diminished economic circumstances in later years. Mrs. Ridout was a tenant of #5 from approx. 1887 to 1891. Mrs. Carfrae rented #4 from approx. 1891 to 1893. Ethelwolf Scatcherd, the son of a former Member of Parliament, became a prominent lawyer later in life. While he was a law student in 1878 he rented #3 for a short time. Richard Shaw Wood, an oilman and manufacturer, who later built Woodholme Manor on North Wonderland Road, was renting #1 in 1880.

The report has incorrectly identified the prominent lawyer Abe Siskind as being the son of one of the long term owners of Camden Terrace. Abe Siskind's parents were Moses and Rachel (Jennie) Siskind, (1911 Census for London), not Julius and Sadie (*nee* Siskind) who had owned three of the Camden townhouses at different times. [See Bill Gladstone, *A History of the Jewish Community in London, Ontario* (Toronto: Now and Then Books, 2011), pp.41-42]. Julius Siskind was a pawnbroker. Sadie Siskind appears to have been Abe Siskind's paternal aunt, the sister of his father Moses. There is no evidence that Abe Siskind ever lived in Camden Terrace.

Col. John Walker was associated with both properties under consideration. Walker was a colourful well-known man in London, but of dubious character whose name appeared frequently in the *Eldon House Diaries*. He was one of the founders of Imperial Oil and London Life, along with members of the Harris family. He had been a militia commander during the resistance to the Fenian invasions and earned the title Colonel for his ongoing role in the militia. It may have been through his father-in-laws' political connections he was appointed vice-president of Sir Hugh Allen's Canada [*sic*] Pacific Railway. Walker told Amelia Harris that he expected to become a millionaire through that position. (Amelia Harris

diary, 2 Feb. 1873, p.323). His connection with the railway project soon disintegrated when it was learned that its president Sir Hugh Allen, using American money, had bribed John A. Macdonald and other influential cabinet ministers in order to get the railway contract. The Pacific Scandal cost Macdonald his government and the Liberals took over. What Walker's role in the scandal was is unclear, but he switched his allegiance to the Liberals. In 1874 he ran for the Liberal Party and won the federal seat for London by a close margin. A judicial inquiry in January 1875 removed him as Member of Parliament because he had bribed voters. Amelia Harris believed that he had also perjured himself on the stand. (Diaries, 16 Jan. 1875, p.336). Later that year he was in more legal difficulty. He had been working for a Scottish company which owned oil properties in south-west Ontario. He was sued by them and had to pay over \$72,000 in a financial judgment (LFP 15 August 1889, p.1). Mrs. Harris was also worried that Walker, a married man, was having an affair with her daughter-in-law Sophia, the estranged wife of Edward Harris, Walker's business partner (Diaries, pp.329, 331). For a short time in 1881 Walker rented Camden Terrace #2, before they moved to 93 Maple. In 1884 he was appointed the Registrar for Middlesex County by Ontario's Liberal government, a patronage appointment for past favours. (LFP 15 August 1889, p.1).

The true financial worth of John Walker is unclear. Several of his political campaigns were heavily financed by Edward Harris. Walker may also have been living off of his wife Laura's wealth. Her father was Jacob Hespeler, an industrialist whose name was given to a town in Waterloo County. In 1881, the year her father died, Laura Walker bought Samuel Peter's home at 93 Maple Street. She sold it in 1891, two years after Walker's death. At the time of the sale she was living in Paris, France.

While some of the other tenants of the townhouses were small business owners, merchants, a stock broker, and Dr. Edgar Macklin, who boarded with his parents, the majority of tenants of the townhouses during the first twenty years of their existence were widows and working class people. Only Richard Shaw Wood and John Walker might have been considered affluent at the time and their tenancy was very limited.

Within twenty years of his death Samuel's children had sold their townhouses. The new owners were not the affluent, but working class people. Wesley sold #5 and #6 to Simon Chiera, a laundryman in 1893 (Instrument #4186). Chiera quickly sold off #6 to Frank Fenech, a tailor (Instrument #4242) who used it as a rental property for a number of years before occupying it himself. In 1895 Emma J. Allen sold #3 to Lillian Dunbar, a widow whose husband had been a blacksmith (Instrument #5773). In 1899 Mary (*nee* Peters) Boyd sold #1 to Grace Laskey, whose husband was a bank messenger (Instrument #7068). In 1900 she sold #2 to Eva Park, whose husband was a butcher (Instrument #7457). Also in 1900 Emma J. Allen sold #4 to Henry Rea (Instrument #7481). Under Rea's ownership it remained a rental property until 1919 when it was purchased by Sadie Siskind, whose husband was a pawnbroker. (Instrument #20890). These owners certainly were not part of the affluent members of London's society, nor were the other tenants then and later.

In terms of heritage designation, the fact that some prominent names had been associated with the Camden Terrace in the past, is not sufficient grounds to designate it a heritage buildings. Only



Samuel Peters had a substantial connection with the Terrace, being its designer and first owner. The other prominent “names” listed were not subsequent owners of the units, but only short-term renters.

While Camden Terrace did have architectural merits, the current state of much of the building is in bad repair due to vandalism caused by vagrants. It would be unjust to ask the current owner to save it and bring it up to code at a great cost. Its features should be recorded and photographed, with some sort of historical feature incorporated into the planned development of the property.

### **93-95 DUFFERIN STREET**

Samuel Peters was in London in 1851 according to his log book in the Western Archives (M619). That year he purchased land on the south side of Hitchcock Street [later renamed Maple, then later Dufferin], being the first 110 feet from the corner of Talbot and Hitchcock. (Instrument #1371). It is now 501 Talbot. In 1858 he bought additional land to the west of that property, extending westward 80 feet (Instrument #9130). It was on this land that Samuel Peters built his home in 1864. In his log book there is a bill for the brickwork dated 1 March 1864 (Log Book 19). The house was first numbered 91, and later changed to 93. [*Irwin Directory, 1876-77, p.154* has #91. The change to #93 is noted on the 1881 fire insurance map]. Samuel Peters also owned land to the west of that property along the south side of Maple Street, #87, where his widow later lived sometime after she moved out of townhouse #2.

Samuel Peters and his family lived in the #93 house until 1881 when he sold it to Laura Walker (Instrument #19460). Laura Walker owned it until 1891 when she sold it to Eva Coe, whose husband operated a business school (Instrument #3360). Before she sold it, Laura Walker had been renting it to her relative Adam Beck, a cigar box manufacturer, later known as the creator of Ontario Hydro. Mrs. Coe continued to rent to him until about 1892.

The building created by Samuel Peters was nothing like its current state. According to the 1881 (Revised in 1888) fire insurance map, the building had a small annex to the east. We have not been able to find the building plans, but sometime about 1895, while the Coos owned it, an east wing was added and the building was turned into a duplex. The Coos moved into the new wing (now #95) and rented out #93. [See *Might's Directory, 1895, p.92; Foster's Directory 1896-97, p.96*].

The architecture of the new wing on the east side is eccentric to the overall features of the rest of the building. The roof line was changed. The eastern portion does not have shutters. It also has the oval port-hole window, out of keeping with the rest of the building. The front porch appears to have been added because it is not in the 1881 -1888 fire insurance map.

In 1911 Eva Coe sold #93 Maple to Elizabeth Derr (Instrument #15124). In 1912 Eva Coe sold #95 Maple to the Rev. Thomas Wright (Instrument #16069). From 1912 onwards the two properties were variously used as private homes, rental properties and business offices until 1987 when Lynnann Holdings acquired both parts of the building (Instruments #954716 and #766407). A major addition to the combined building occurred in 1987 (Instrument #785117).

Although Samuel Peters, who died in 1882, had once owned the land upon which #93-95 Dufferin Street now stands, his architectural involvement had only to do with #93 and even then it appears to have been modified with the front porch being added after 1888. The addition of #95 had no connection to him. The later reconstruction of the building in 1987 would mitigate against it qualifying for a heritage classification because it has been so radically altered over time. The fact that some prominent people had lived in the building (Peters, Walkers, Beck) should not justify a heritage designation.

Respectfully submitted:

David R. Elliott, B.A.Hons., M.A., Ph.D.

Historical Consultant and past-chair of the London & Middlesex Genealogical Society.

# **APPENDIX C**

## **LAND REGISTRY ABSTRACT RECORDS**

as of April 16/2015

Lane to East of 95 South Maple (formerly Hitchcock) and West of 501 Talbot Street

Dufferin Avenue, also known as Maple St., Hitchcock St. and Unity Street over time

Date	Legal Description	Municipal Address	Instrument	Re	From	To	Activity	Reel
<b>479 Talbot</b>								
1876-04-24	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	13526	Sale	Elijah Leonard	Samuel Peters	50 ft. X 110 ft.	ED-49 Yel.
1882-02-13	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	20565	Probate 2263	Samuel Peters	Mary H. Boyd (nee Peters)	with right of way on lane between Talbot and Maple	ED-66 Yel.
1899-09-06	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	7068	Sale	Mary H. Boyd	Grace L. Laskey	with right of way on lane between Talbot and Maple	W-22
7/17/1909	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	13821	Sale	Grace L. Laskey	Charles W. Hoskin	with right of way on lane between Talbot and Maple	W-36
3/24/1915	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	18083	Notice of P. of S.	Edward Adams & Co.	Charles W. Hoskin, et al	with right of way on lane between Talbot and Maple	W-44
10/6/1915	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	18354	Notice of P. of S.	T.L. Borrowman	Charles W. Hoskin, et al	with right of way on lane between Talbot and Maple	W-45
11/16/1915	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	18355	Power of Sale	T.L. Borrowman	Martha Avery	with right of way on lane between Talbot and Maple	W-45
11/2/1922	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	24086	Sale	Martha Avery	Marshall Miller	with right of way on lane between Talbot and Maple	WD-2 Red
6/27/1944	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	36801	Sale	Marshall Miller	Sadie Siskind	with right of way on lane between Talbot and Maple	32R-6 Red
8/20/1946	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	39532	Sale	Sadie Siskind	Annie McConnell	with right of way on lane between Talbot and Maple	32R-13 Red
10/26/1948	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	41504	Transfer	Annie McConnell	Wellington McConnell Jr.	with right of way on lane between Talbot and Maple	32R-18 Red
11/3/1954	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	66153	Sale	W. McConnell Jr. et ux.	Stanley K. Gettas	with right of way on lane between Talbot and Maple	11A Yellow
4/9/1959	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	87806	Sale	Stanley Gettas et ux.	Rae. J. Watson	with right of way on lane between Talbot and Maple	32R-80
1/18/1977	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	472156	Correction	Watson & Wright	M.J. MacLachlan	with right of way on lane between Talbot and Maple	569 Red
1/20/1977	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	472160	Sale	M.J. MacLachlan	K.L. Somerville	with right of way on lane between Talbot and Maple	569 Red
11/19/1979	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	562757	Sale	K.L. Somerville	348961 Ontario	with right of way on lane between Talbot and Maple	797 Red
3/16/1984	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	662276	Sale	348961 Ontario	Import Management Services	with right of way on lane between Talbot and Maple	1040 Red
3/27/1984	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)	662310	Correction	Erna Webster (n.Wright)	348961 Ontario	with right of way on lane behind	1040 Red
2/14/2014	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)		Sale	1365343 Ontario	Rygar Corporation	1365343 Ontario (Iman El Said) to Rygar Corporation	
2/14/2015	part lots 4 and 5 North of Fullarton	479 Talbot (unit 1 Camden Terrace)		Sale	Rygar Corporation	Rygar Properties	Rygar Corporation to Rygar Properties	
<b>481 Talbot</b>								
1876-04-24	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	13526	Sale	Elijah Leonard	Samuel Peters		
1882-02-13	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	20565	Probate 2263	Samuel Peters	Mary H. Boyd (nee Peters)	with right of way on lane between Talbot and Maple	ED-66 Yel.
5/29/1900	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	7457	Sale	Mary H. Boyd	Eva Park	with right of way on lane between Talbot and Maple	W-23
3/27/1908	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	12731	Sale	Eva and Gavin Park	Robert Noble	with right of way on lane between Talbot and Maple	W-34 Red
10/2/1934	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	32014	Sale	Robert Noble	Leonard Clarence Tozer	with right of way on lane between Talbot and Maple	WD-20 Red
3/1/1945	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	37421	Sale	Tozer & Tozer	Sadie Siskind	with right of way on lane between Talbot and Maple	32R-8 Red
4/16/1946	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	38672	Sale	Sadie Siskind	George E. Hick	with right of way on lane between Talbot and Maple; ROW extended to David Rottman (100 Fullerton)***	32R-11 Red
4/16/1946	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	38671	Mortg.	George E. Hick et ux.	Sadie Siskind	with right of way on lane between Talbot and Maple	32R-11 Red
3/25/1958	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	82616	Sale	George E. Hick et ux	James Morley Totten	with right of way on lane between Talbot and Maple; ROW extended to David Rottman (100 Fullerton)***	32R-62 Yel
3/25/1958	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	82617	Mortg.	James Morley Totten	George E. Hick	with right of way on lane between Talbot and Maple; ROW extended to David Rottman (100 Fullerton)***	32R-62 Yel
3/26/1959	part Lots 4 + 5 South of Maple	481 Talbot (unit 2 Camden Terrace)	87550	Sale	James Morley Totten	Rae J. Watson	with right of way on lane between Talbot and Maple; ROW extended to David Rottman (100 Fullerton)***	32R-80 Yel.
6/9/1971	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	162391	Transfer	Rae J. Watson	Erna Bertha Wright	ROW left out	354 Yellow
10/24/1972	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	174091	Sale	Erna Bertha Wright	M.J. MacLachlan	ROW left out	398 Yellow
1/18/1977	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	472156	Correction	Watson & Wright	M.J. MacLachlan	with right of way on lane between Talbot and Maple	569 Red
1/20/1977	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	472160	Sale	M.J. MacLachlan	K.L. Somerville	with right of way on lane between Talbot and Maple	569 Red
11/19/1979	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	562757	Sale	K.L. Somerville	348961 Ontario	with right of way on lane between Talbot and Maple	797 Red
3/16/1984	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	662276	Sale	348961 Ontario	Import Management Services	with right of way on lane between Talbot and Maple	1040 Red
3/27/1984	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)	662310	Correction	Erna Webster (n.Wright)	348961 Ontario	with right of way on lane behind	1040 Red
9/30/1986	part Lots 4 + 5 South of Maple	Encroachment agrmnt on lane from Maple	745148	Agreement	Import Management Serv	Kent Marketing Services	encroachment on right of way between Talbot and Maple***	1189 Red
2/14/2014	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)		Sale	1365343 Ontario	Rygar Corporation	1365343 Ontario (Iman El Said) to Rygar Corporation	
2/14/2015	part lots 4 and 5 North of Fullarton	481 Talbot (unit 2 Camden Terrace)		Sale	Rygar Corporation	Rygar Properties	Rygar Corporation to Rygar Properties	
<b>483 Talbot</b>								
1874-04-21	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	11183	Sale	James Owrey	Samuel Peters	40 x 150 ft.	ED-44 Yel.
1882-02-13	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	20565	Probate 2263	Samuel Peters	Emma J. Allen (nee Peters)	with right of way on lane between Talbot and Maple	ED-66 Yel.
1895-10-31	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	5773	Sale	Emma J. Allen	Lillian Dunbar	with right of way on lane between Talbot and Maple	W-18 Red
3/19/1921	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	22464	Sale	Lillian Dunbar Estate	Joseph Ziler	with right of way on lane between Talbot and Maple	W-53
6/20/1942	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	36625	Transfer	Joseph Ziler Estate	John Ziler	with right of way on lane between Talbot and Maple	32R-6
10/20/1952	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	46442	Sale	John Ziler Estate	Francis Lorne Scriver	with right of way on lane between Talbot and Maple	32R-30 Red
10/31/1952	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	46462	Sale	Francis Lorne Scriver	James Morley Totten	with right of way on lane between Talbot and Maple	32R-30 Red
7/6/1955	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	69022	Quit Claim Deed	Francis Lorne Scriver	James Morley Totten	with right of way on lane between Talbot and Maple	32R-10 Yel.
3/26/1959	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	87550	Sale	James Morley Totten	Rae J. Watson	with right of way on lane between Talbot and Maple	32R-80 Yel.
6/9/1971	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	162391	Transfer	Rae J. Watson	Erna Bertha Wright	with right of way on lane between Talbot and Maple	354 Yellow
10/24/1972	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	174091	Sale	Erna Bertha Wright	M.J. MacLachlan	with right of way on lane between Talbot and Maple	398 Yellow
1/18/1977	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	472156	Correction	Watson & Wright	M.J. MacLachlan	with right of way on lane between Talbot and Maple	569 Red
1/20/1977	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	472160	Sale	M.J. MacLachlan	K.L. Somerville	with right of way on lane between Talbot and Maple	569 Red

11/19/1979	part Lots 4 + 5 South of Maple	483Talbot (unit 3 Camden Terrace)	562757	Sale	K.L. Somerville	348961 Ontario	with right of way on lane between Talbot and Maple	797 Red
3/16/1984	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	662276	Sale	348961 Ontario	Import Management Services	with right of way on lane between Talbot and Maple	1040 Red
3/27/1984	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)	662310	Correction	Erna Webster (n.Wright)	348961 Ontario	with right of way on lane behind	1040 Red
9/30/1986	part Lots 4 + 5 South of Maple	Encroachment agrmnt on lane from Maple	745148	Agreement	Import Management Serv	Kent Marketing Services	encroachment on right of way between Talbot and Maple***	1189 Red
2/14/2014	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)		Sale	1365343 Ontario	Rygar Corporation	1365343 Ontario (Iman El Said) to Rygar Corporation	
2/14/2015	part Lots 4 + 5 South of Maple	483 Talbot (unit 3 Camden Terrace)		Sale	Rygar Corporation	Rygar Properties	Rygar Corporation to Rygar Properties	

#### 485 Talbot

1874-04-21	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	11183	Sale	James Owrey	Samuel Peters	40 x 150 ft.	ED-44 Yel.
1882-02-13	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	20565	Probate 2263	Samuel Peters	Emma J. Allen (nee Peters)	with right of way on lane between Talbot and Maple	ED-66 Yel.
6/9/1900	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	7481	Sale	Emma J Allen	Henry Rea	with right of way on lane between Talbot and Maple	W-23
11/17/1919	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	20890	Sale	Henry Rea et ux.	Sadie Siskind	with right of way on lane between Talbot and Maple	W-50 Red
10/16/1968	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	143750	Sale	Hedie Siskind Estate	Helen Duguay	with right of way on lane between Talbot and Maple	32R-286 Yel.
11/14/1968	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	149605	Sale	Helen Duguay	Donald O. Ketcheson	with right of way on lane between Talbot and Maple	32R-308 Yel.
7/4/1972	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	172063	Sale	Donald O. Ketcheson	William Gelinias et al	with right of way on lane behind	390 Yellow
2/23/1973	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	183480	Sale	William Gelinias et al	Thomas and Peter Gelinias	with right of way on lane behind	435 Yellow
6/7/1976	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	451931	Sale	Thomas Gelinias	Peter Gelinias	with right of way on lane behind	510 Red
12/9/1976	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	468657	Sale	Peter Gelinias	Kenneth L. Somerville	with right of way on lane behind	559 Red
11/19/1979	part Lots 4 + 5 South of Maple	485Talbot (unit 4 Camden Terrace)	562757	Sale	K.L. Somerville	348961 Ontario	with right of way on lane between Talbot and Maple	797 Red
8/11/1981	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	602023	Correction	Donald O. Ketcheson	348961 Ontario Ltd.	with right of way on lane between Talbot and Maple	891 Red
3/16/1984	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)	662276	Sale	348961 Ontario	Import Management Services	with right of way on lane between Talbot and Maple	1040 Red
9/30/1986	part Lots 4 + 5 South of Maple	Encroachment agrmnt on lane from Maple	745148	Agreement	Import Management Serv	Kent Marketing Services	encroachment on right of way between Talbot and Maple***	1189 Red
2/14/2014	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)		Sale	1365343 Ontario	Rygar Corporation	1365343 Ontario (Iman El Said) to Rygar Corporation	
2/14/2015	part Lots 4 + 5 South of Maple	485 Talbot (unit 4 Camden Terrace)		Sale	Rygar Corporation	Rygar Properties	Rygar Corporation to Rygar Properties	

#### 487 Talbot

1850-03-15	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	756	Sale	Laurence Lawrason	Thomas Fletcher	40 ft x 150 ft.	ED-5 Yel.
1853-02-10	part Lots 4 + 5 South of Maple	489 Talbot (unit 5 Camden Terrace)	2572	Sale	Thomas Fletcher	Edward Ledyard	information gathered from the abstract	
1869-06-07	part Lots 4 + 5 South of Maple	489 Talbot (unit 5 Camden Terrace)	10367	Sale	Edward Ledyard et ux.	Benjamin Nash	information gathered from the abstract	
1873-10-10	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	10663	Sale	Benjamin Nash	Samuel Peters	40 ft x 150 ft.	ED-43 Yel.
1882-02-13	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	20565	Probate 2263	Samuel Peters	Wesley A. Peters	with right of way between Maple and Talbot	ED-66 Yel.
1893-04-29	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	4186	Sale	Wesley A. Peters	Simone Chiera	with right of way between Maple and Talbot	W-16 Red
12/3/1920	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	22206	Sale	Simone Chiera Estate	Joffredo + Rosie Marin	with right of way between Maple and Talbot	W-52 Red
12/13/1966	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	130514	Sale	Joffredo + Rosie Marin	Goodwin and Irvine	with right of way between Maple and Talbot	32R-236
12/28/1967	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	137313	Sale	Goodwin and Irvine	Bill Portokalis	with right of way between Maple and Talbot	32R-262 Yel.
5/26/1977	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)	485019	Sale	Bill Portokalis	M.Paul Downs	with right of way between Maple and Talbot	603 Red
2/2/2015	part Lots 4 + 5 South of Maple	487 Talbot (unit 5 Camden Terrace)		Sale	Paul Downs	Rygar Properties		

#### 489 Talbot

1850-03-15	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	756	Sale	Laurence Lawrason	Thomas Fletcher	40 ft x 150 ft.	ED-5 Yel.
1853-02-10	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	2572	Sale	Thomas Fletcher	Edward Ledyard	information gathered from the abstract	
1869-06-07	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	10367	Sale	Edward Ledyard et ux.	Benjamin Nash	information gathered from the abstract	
1873-10-10	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	10663	Sale	Benjamin Nash	Samuel Peters	40 ft x 150 ft.	ED-43 Yel.
1882-02-13	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	20565	Probate 2263	Samuel Peters	Wesley A. Peters	with right of way between Maple and Talbot	ED-66 Yel.
1893-04-29	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	4186	Sale	Wesley A. Peters	Simone Chiera	with right of way between Maple and Talbot	W-16 Red
1893-05-14	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	4224	Sale	S.N. Chiera et ux.	Frank Fenech	with right of way between Maple and Talbot	W-16 Red
2/5/1900	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	7260	Transfer	Franck Fenech	Jennie Fenech	with right of way between Maple and Talbot	W-22 Red
6/14/1919	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	20455	Sale	Jennie Fenech	Mary E. Moore	with right of way between Maple and Talbot	W-49 Red
12/8/1937	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	33509	Power of Sale	Carling Miller	Nathan James Griffith	with right of way between Maple and Talbot	WD-24
4/2/1938	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	33590	Sale	Nathan James Griffith	Carling Miller et ux.	with right of way between Maple and Talbot	WD-24
11/22/1940	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	34657	Sale	Carling Miller et ux.	Gertrude V. Thorne	with right of way between Maple and Talbot	
5/14/1953	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	47022	Sale	Gertrude V. Thorne	Kim Gee Wu + Kuo Hall Wong	with right of way between Maple and Talbot	32R-31 Red
6/14/1956	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	73796	Sale	Kuo Hall Wong	Kim Gee Wu	with right of way between Maple and Talbot	32R-28 Yel.
6/10/1977	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	502582	Sale	Kim Ge Wu	Ouddown Enterprises	ROW left out	650 Red
5/31/1988	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)	802592	Correction	Kim Ge Wu Estate	Ouddown Enterprises	with right of way between Talbot and Maple	1287 Red
2/2/2015	part Lots 4 + 5 South of Maple	489 Talbot (unit 6 Camden Terrace)		Sale	Paul Downs	Rygar Properties		

#### 493 Talbot

1894-09-08	part Lots 4 + 5 South of Maple	493 Talbot	4738	Sale	William Pope Estate	Joseph Johnston	25 x 110 with right of way on lane behind	W-17 Red
1/31/1920	part Lots 4 + 5 South of Maple	493 Talbot	21102	Transfer	Joseph Johnston	Isabella D. Johnston	25 x 110 with right of way on lane behind ( cf. 25917)	32R-5CC
3/6/1922	part Lots 4 + 5 South of Maple	493 Talbot	23394	Sale	Isabella D. Johnston	Maria W. King	25 x 110 with right of way on lane behind south from Maple	WD-1



8/27/1934	part Lots 4 + 5 South of Maple	493 Talbot	31945	Transfer	Maria W. King	Harold P.P. King + M.W. King	25 x 110 with right of way on lane behind	WD-20 Red
2/24/1947	part Lots 4 + 5 South of Maple	493 Talbot	39555	Sale	Harold P.P. King	John and Mary Tozer	25 x 110 with right of way on lane behind	32R-13
2/25/1970	part Lots 4 + 5 South of Maple	493 Talbot	153540	Transfer	John Tozer Estate	Marian Ruth Miller	25 x 110 ; ROW left out	32R-322 Y.
6/23/1970	part Lots 4 + 5 South of Maple	493 Talbot	155920	Correction	John Tozer Estate	Marian Ruth Miller	25 x 110 (added right of way on lane behind 189.45 ft.) ***	32R-345
6/23/1970	part Lots 4 + 5 South of Maple	493 Talbot	155921	Sale	Marian Ruth Miller	Kenneth Martin Hunter	25 x 110 with right of way on lane behind 189.45 ft.	32R-345
8/2/1983	part Lots 4 + 5 South of Maple	493 Talbot	646116	Sale	Kenneth M. Hunter	Hakim Investments	property merged into 501 Talbot	1000 Red

#### 501 Talbot

1851-08-30	part Lots 4 + 5 South of Maple	501 Talbot	1371	Sale	Laurence Lawrason	Samuel Peters		
1863-08-15	part Lots 4 + 5 South of Maple	501 Talbot	2509	Memorial	Samuel Peters	John Beattie	land 60 x 105 and rights to lane way 60 ft x 10 ft	
1864-01-07	part Lot 4 South of Maple	501 Talbot	2628	Sale	Samuel Peters	John Beattie	added 60 x 5 with rights to a lane south from Hitchcock St.; 1/3 maintenance	ED-26
1863-11-12	part Lot 4 South of Maple	Laneway	2639	Memorial	Samuel Peters	William Pope	rights to lane way 110 ft x 10 ft south from Hitchcock; 1/2 maintenance	ED-26
1868-02-15	part Lots 4 + 5 South of Maple	501 Talbot	5116	Sale	John Beattie et ux.	James Robey	60 x 110 ft with rights to a lane south from Hitchcock St.; 1/3 maintenance	ED-30
1869-10-12	part Lots 4 + 5 South of Maple	501 Talbot	6635	Sale	James Robey	Samuel S. Taff	60 x 110 ft with rights to a lane south from Hitchcock St.; 1/3 maintenance	ED-34
1869-10-12	part Lots 4 + 5 South of Maple	501 Talbot	6636	Sale	Samuel S. Taff	Isabella Robey	60 x 110 ft with rights to a lane 60 ft. south from Hitchcock St.; 1/3 maintenance	ED-34
1873-05-13	part Lots 4 + 5 South of Maple	501 Talbot	10094	Sale	Isabella Robey	Samuel Peters	land 60 x 110 and right of way	ED-42
1878-05-01	part Lots 4 + 5 South of Maple	501 Talbot	15965	Sale	Samuel Peters	Hannah McMurray	land with no mention of right of way	ED-55
1878-12-19	part Lots 4 + 5 South of Maple	501 Talbot	16488	Re-Conveyance	Hannah McMurray	Samuel Peters	60 x 110	ED-56 Yel.
1884-05-20	part Lots 4 + 5 South of Maple	501 Talbot	9	Sale	Samuel Peters' Estate	William Pope	60 x 110 with right of way in common with heirs of Samuel Peters; 1/3 maintenance	W-9 Red
1892-02-17	part Lots 4 + 5 South of Maple	501 Talbot	3676	Probate	William Pope	Henrietta Ellis	with right of way	W-15
1892-04-29	part Lots 4 + 5 South of Maple	501 Talbot	4126	Transfer	William Pope Estate	Henrietta Ellis	60 x 110 with right of way in common with heirs of Samuel Peters; 1/3 maintenance	W-16 Red
1894-09-08	part Lots 4 + 5 South of Maple	501 Talbot	4757	Sale	William Pope Estate	Henrietta Ellis	25 x 110 with right of way on lane behind	W-17 Red
5/30/1913	part Lots 4 + 5 South of Maple	501 Talbot	16612	Sale	Henrietta Ellis Estate	Simone Chiera	with right of way on lane 85 ft south from Maple	
4/7/1925	part Lots 4 + 5 South of Maple	501 Talbot	26242	Sale	Simone Chiera Estate	Emma Walper	85 x 110 with no mention of right of way	WD-7
1/25/1950	part Lots 4 + 5 South of Maple	501 Talbot	42931	Sale	Emma Walper Estate	Buntin Reid Paper Company	85 x 110 with right of way on lane 85 ft south from Maple	32R-21 Red
11/1/1950	part Lots 4 + 5 South of Maple	501 Talbot	44162	Sale	Buntin Reid Paper Co.	K. M.Hunter and J.M. Fyvie	85 x 110 with right of way on lane 85 ft south from Maple	32R-24 Red
4/20/1956	part Lots 4 + 5 South of Maple	501 Talbot	73296	Transfer	J.M. Fyvie Estate	Kenneth M.Hunter	85 x 110 with right of way 85 ft south from Maple	32R-26 Yel.
8/2/1983	part Lots 4 + 5 South of Maple	501 Talbot	646116	Sale	Kenneth Hunter	Hakim Investments	110 x 110 with 189.45 ft right of way south from Maple	1000 Red
2/2/2015	part Lots 4 + 5 South of Maple	501 Talbot		Sale	Hakim Investments	Rygar Properties		

#### 93 and 95 Dufferin

1858-08-05	part Lots 3 + 4 South of Maple	93-95 Maple (Dufferin)	9130	Sale	Laurence Lawrason	Samuel Peters		
1881-06-13	part Lots 3 + 4 South of Maple	93-95 Maple (Dufferin)	19460	Sale	Samuel Peters	Laura Walker	with right of way 110 ft. south from Maple Street	ED-63 Yel.
1891-04-13	part Lots 3 + 4 South of Maple	93-95 Maple (Dufferin)	3360	Sale	Laura Walker	Eva R. Coo	with right of way 110 ft. south from Maple Street	W-14 Red
6/8/1911	part Lots 3 + 4 South of Maple	93 Maple (Dufferin)	15124	Sale	Eva R. Coo	Elizabeth Derr	37 x 188	W-38 Red
7/31/1947	part Lots 3 + 4 South of Maple	93 Maple (Dufferin)	40202	Sale	Elizabeth Derr	John W. Mackey et ux.	37 x 188	32R-15 Red
11/25/1958	part Lots 3 + 4 South of Maple	93 Dufferin (Maple)	86106	Sale	John W. Mackay Estate	Harry Quigley	37 x 188	32R-74
3/15/1967	part Lots 3 + 4 South of Maple	93 Dufferin (Maple)	131677	Sale	Harry Quigley Estate	William A. Thomson	37 x 188	32R-240 Yel.
12/15/1971	part Lots 3 + 4 South of Maple	93 Dufferin (Maple)	167092	Sale	William A. Thomson	Greenberg & O'Roarke	37 x 188	371 Yellow
10/20/1975	part Lots 3 + 4 South of Maple	93 Dufferin (Maple)	441100	Sale	Greenberg & O'Roarke	Lois Anne McClure	37 x 188	482
4/29/1981	part Lots 3 + 4 South of Maple	93 Dufferin (Maple)	594716	Sale	Lois Anne McClure	Lynnann Holdings	37 x 188	872 Red
11/1/1987	part Lots 3 + 4 South of Maple	93-95 Maple (Dufferin)	785117	Building Plan	Lynnann Holdings	City of London	expanding building of combined #93 and #95 (approved)	1258 Red
4/18/1988	parts Lot 3 and 4 South of Maple	93 Dufferin (Maple)	798378	Mortgage	Lynnann Holdings	National Trust	land and right of way on Lot 4.	
2/2/2015	part Lots 3 + 4 South of Maple	93-95 Maple (Dufferin)	ER 969051	Sale	Lynnann Holdings	Rygar Properties		
9/30/1912	part Lot 4 South of Maple	95 Dufferin (Maple)	16069	Sale	Eva R. Coo	Thomas G.A. Wright	35.5 x 188 with right of way 110 ft south from Maple Street	W-40 Red
12/5/1919	part Lot 4 South of Maple	95 Dufferin (Maple)	20920	Sale	Thomas G.A. Wright	Marshall Miller	35.5 x 188 with right of way 110 ft south from Maple Street	W-50 Red
10/15/1948	part Lot 4 South of Maple	95 Dufferin (Maple)	41430	Sale	Marshall Miller	Daniel Moriarty	35.5 x 188 with right of way 110 ft south from Maple Street	32R-17 Red
1/11/1955	part Lot 4 South of Maple	95 Dufferin (Maple)	66938	Sale	D. & M. Moriarty	William Strasek	with right of way on lane 110 ft x 10 ft south from Maple	
2/23/1961	part Lot 4 South of Maple	95 Dufferin (Maple)	97633	Sale	William Strasek	C&V Eggett	with right of way on lane 110 ft x 10 ft south from Maple	
5/21/1970	part Lot 4 South of Maple	95 Dufferin (Maple)	154971	Sale	C&V Eggett	Stewart K. Smith	with right of way on lane 110 ft x 10 ft	32R-327
5/24/1980	part Lot 4 South of Maple	95 Dufferin (Maple)	573230	Mort.	United Dominions et al	Stewart K. Smith	35.5 x 188 with right of way on lane 110 ft x 10 ft	822 Red
5/16/1986	part Lot 4 South of Maple	95 Dufferin (Maple)	730649	Sale	Stewart K. Smith	KMSL Holdings	35.5 x 188 with right of way on lane 110 ft x 10 ft	1159 Red
7/18/1986	part Lot 4 South of Maple	95 Dufferin (Maple)	33R-7012	Revised Plan	KMSL Holdings	City of London	with right of way on lane 110 ft x 10 ft south from from Maple	33R-7012
3/18/1987	part Lot 4 South of Maple	95 Dufferin (Maple)	33R-7443	Revised Plan	KMSL Holdings	City of London	showing separation of Front and Rear 95 Maple	33R-7443
5/14/1987	part Lot 4 South of Maple	95 Dufferin (Maple)	766134	Transfer	KMSL Holdings	Kent Marketing Services	(Rear of 95 Maple) 35.5 x 60 ft. including right of way 110 ft x 10 ft south from Maple	1226 Red
5/15/1987	part Lot 4 South of Maple	95 Dufferin (Maple)	766407	Sale	KMSL Holdings	Lynnann Holdings	Front portion of 95 Maple with right of way 110 ft x 10 ft from Maple	1227 Red
11/1/1987	part Lot 4 South of Maple	93-95 Dufferin	785117	Building Plan	Lynnann Holdings	City of London	expanding building of combined #93 and #95 (approved); with right of way 110 ft. south from Maple Street	1258 Red
4/4/1989	part Lot 4 South of Maple	95 Dufferin	832209	Sale	Kent Marketing Services	100 Fullarton Development	<b>Rear 60 ft of 95 Maple including right of way 110 ft. south from Maple (orphaned land)</b>	1335 Red
1/31/2002	part Lot 4 South of Dufferin	95 Dufferin (Maple)	ER142553	Mortgage	Lynnann Holdings	Shirra Holdings and Stacco Investn	land and right of way on Lot 4.	
2/2/2015	part Lots 3 + 4 South of Maple	93-95 Maple (Dufferin)	ER 969051	Sale	Lynnann Holdings	Rygar Properties		

#### 475 Talbot (Parking Lot now)

1883-06-21	part lots 4 and 5 North of Fullarton	104-106-108 Fullarton	21494	Sale	William Pope	Charles Webster et al	irregular 110 ft x 138 ft	ED-68 Yellow
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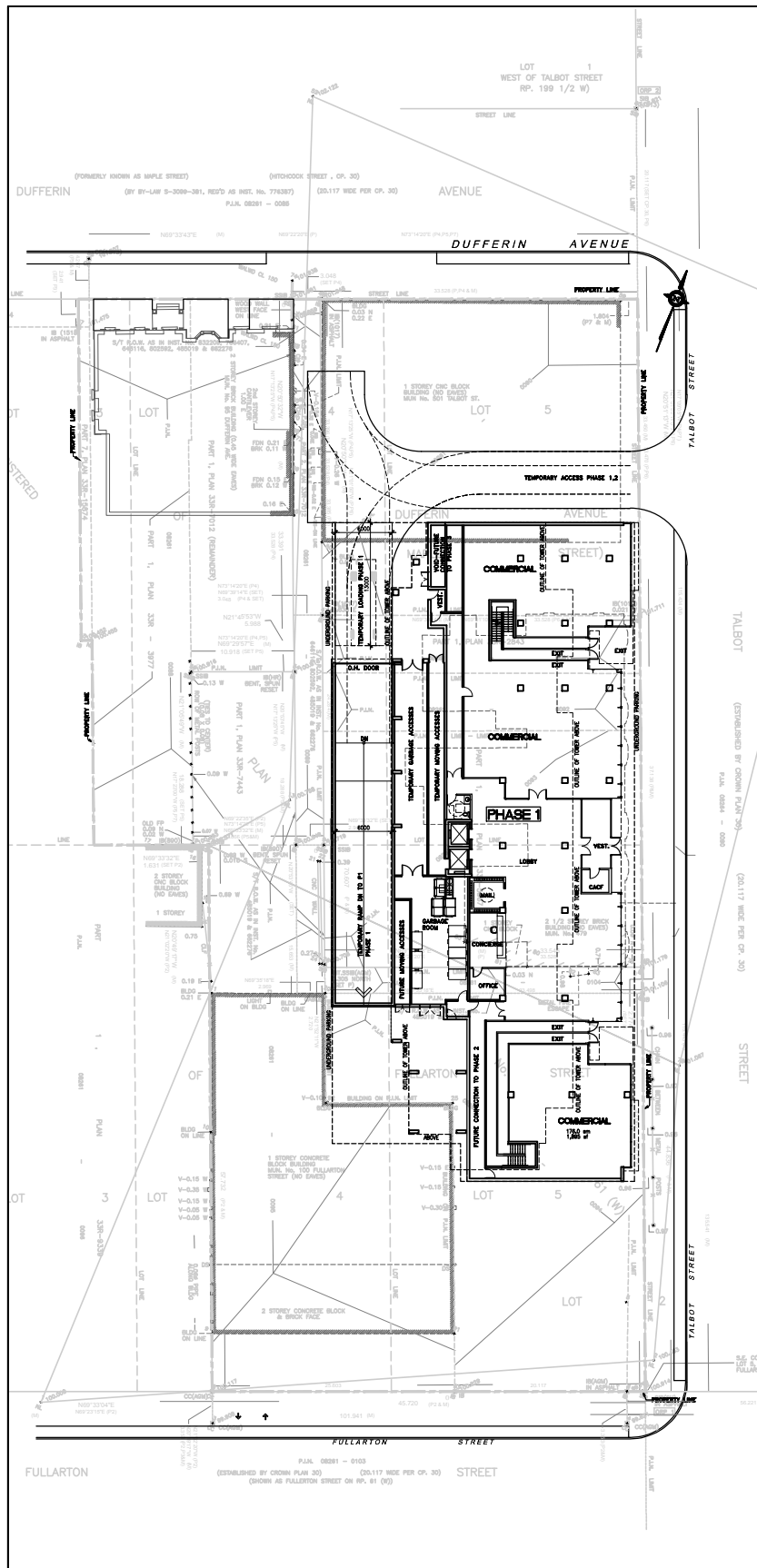
5/26/1900	part lots 4 and 5 North of Fullarton	104-106-108 Fullarton	7442	Sale	Charles Webster et al	William Wyatt	irregular 110 ft x 138 ft	W-23 Red
8/26/1921	part of lot 5 North of Fullarton	104-106-108 Fullarton	GR 3593	Probate	William Wyatt	Ida Beatrice Robinson	89 ft N x 66 ft W	32RG-97
12/18/1935	part of lots 4 and 5 North of Fullarton	104,106,108 Fullart. & 475 + 477 Talbot	32520	Agreement	Ida Beatrice Robinson	Mary Roberta Wyatt	right of way between property owned by sisters	WD-21 Red
1/23/1945	part of lot 5 North of Fullarton	104-106-108 Fullarton	37331	Sale	Ida Beatrice Robinson	Marie Oke	89 ft N x 66 ft W	32R-8 Red
2/23/1951	part of lot 5 North of Fullarton	104-106-108 Fullarton	44388	Transfer	Marie Oke	Hylard Oke	89 ft N x 66 ft W	32R-25 Red
8/27/1951	part of lot 5 North of Fullarton	104-106-108 Fullarton	45150	Sale	Hylard Oke	Albert Spector	89 ft N x 66 ft W	32R-27 Red
8/11/1955	part of lot 5 North of Fullarton	104-106-108 Fullarton	70935	Sale	Albert Spector	Canadian Petrofina Ltd.	89 ft N x 66 ft W	32R-17 Yel.
8/26/1921	part of lots 4 and 5 North of Fullarton	475 and 477 Talbot	GR 3593	Probate	William Wyatt	Mary Roberta Wyatt	irregular 49 ft x 110 ft	32RG-97
4/15/1954	part of lots 4 and 5 North of Fullarton	475 and 477 Talbot	63893	Sale	Mary R. Wyatt Estate	Frank B. Dixon	irregular 49 ft x 110 ft with internal ROW	7A Yellow
7/21/1954	part of lots 4 and 5 North of Fullarton	475 and 477 Talbot	64651	Sale	Frank B. Dixon	Elizabeth Ethel Dixon	irregular 49 ft x 110 ft with internal ROW	9A Yellow
6/22/1955	part of lots 4 and 5 North of Fullarton	475 and 477 Talbot	68941	Transfer	Eliz. Ethel Dixon Estate	Elizabeth N. Dixon	irregular 49 ft x 110 ft with internal ROW	32R-10 Yel.
10/3/1955	part of lots 4 and 5 North of Fullarton	475 and 477 Talbot	70934	Sale	Elizabeth N. Dixon	Canadian Petrofina Ltd.	irregular 49 ft x 110 ft	32R-17 Yel.
10/9/1956	part of lots 4 and 5 North of Fullarton	104,106,108 Fullart. & 475 + 477 Talbot	76094	Sale	Canadian Petrofina Ltd.	Montreal Trust Co.	89 ft N x 66 ft W; irregular 49 ft x 110 ft W.	36 Yellow
11/12/1976	part of lots 4 and 5 North of Fullarton	104,106,108 Fullart. & 475 + 477 Talbot	466637	Sale	Montreal Trust Co.	Nanasi Corp. Ltd.	89 ft N x 66 ft W; irregular 49 ft x 110 ft W.	553 Red
1/30/1985	part of lots 4 and 5 North of Fullarton	104,106,108 Fullart. & 475 + 477 Talbot	683997	Sale	Nanasi Corp.	London Auto Glass Rygar Properties	89 ft N x 66 ft W; irregular 49 ft x 110 ft W.	1096 Red

### 100 Fullarton

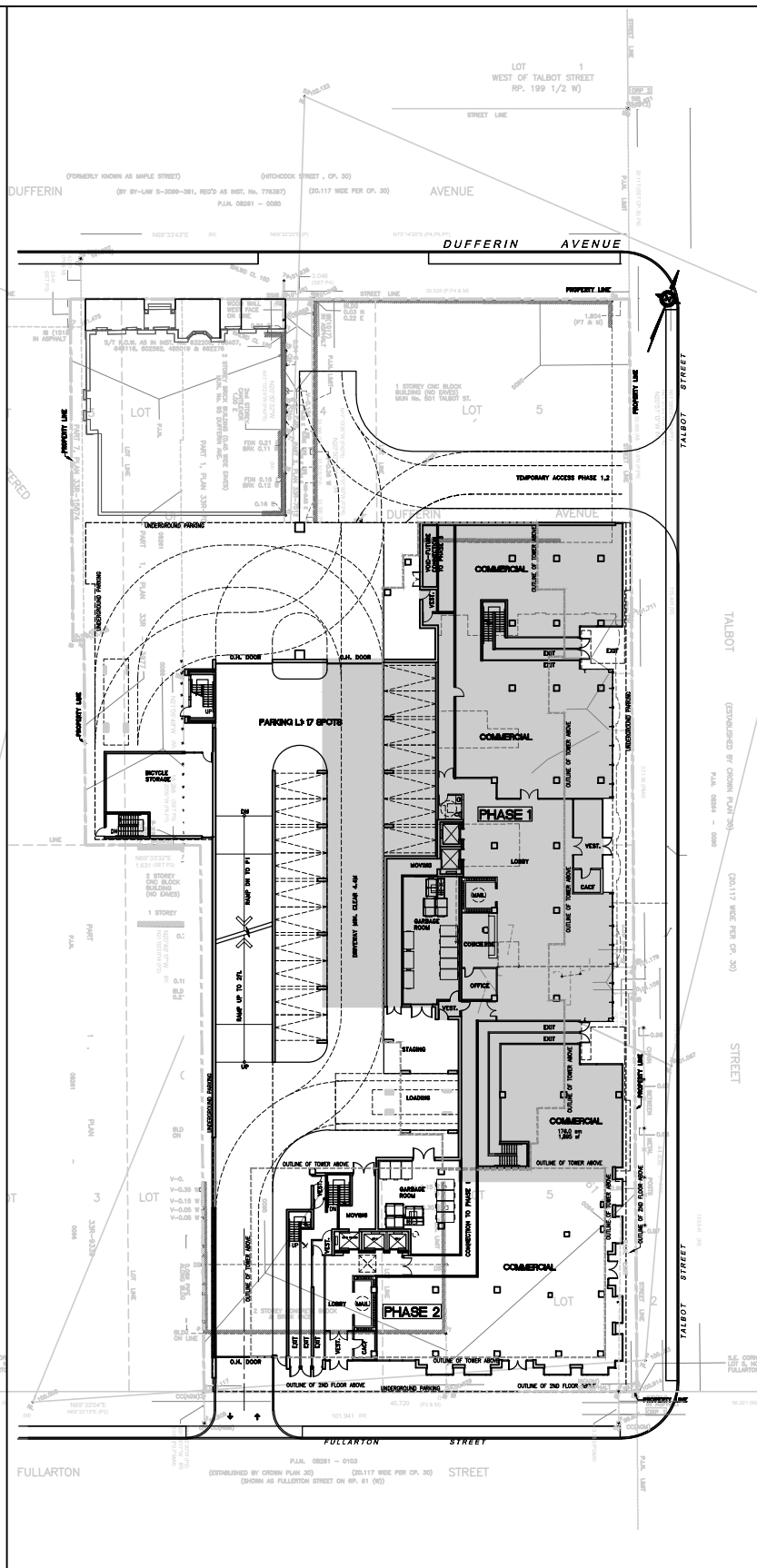
1883-05-15	part lots 4 and 5 North of Fullarton	100 Fullarton	21295	Sale	Thomas Cook et ux.	Benjamin Nash	44 ft x 100 ft.	ED-67 Yellow
1887-08-01	part lots 4 and 5 North of Fullarton	100 Fullarton	1550	Sale	Benjamin Nash	Elizabeth J. Cook	44 ft x 100 ft.	W-10 Red
1888-06-06	part lots 4 and 5 North of Fullarton	100 Fullarton	1964	Power of Sale	Dominion Savings	Stewart Harris	44 ft x 100 ft.	W-11 Red
7/30/1906	part lots 4 and 5 North of Fullarton	100 Fullarton	11485	Sale	Stewart Harris et ux.	Joseph Niosi	44 ft x 100 ft.	W-31 Red
8/1/1925	part Lot 4 North of Fullarton	96 Fullarton	26589	Sale	Edith Hammond	Israel H. Leff	40 ft x 188 ft.	WD-8 Red
2/17/1926	part lots 4 and 5 North of Fullarton	100 Fullarton	27049	Sale	Joseph Niosi et ux.	George H. Belton	44 ft x 100 ft.	WD-9 Red
9/14/1937	part lots 4 and 5 North of Fullarton	100 Fullarton	33355	Sale	George H. Belton et ux.	Max Zaitchik et ux.	44 ft x 100 ft.	WD-23 Red
5/9/1946	part lots 4 and 5 North of Fullarton	100 Fullarton	38745	Sale	Max Zaitchik et ux.	Rebecca Rottman	44 ft x 100 ft.	32R-11 Red
5/21/1947	part Lot 4 North of Fullarton	96 Fullarton	40103	Sale	Israel H. Leff	Rebecca and D. Rottman	40 ft X 188 ft.	32R-14 Red
5/1/1956	part Lot 4 North of Fullarton	96 Fullarton	76891	Sale	R. Shabsove (n. Rottman)	David Rottman et al	40 ft x 188 ft.	39 Yellow
12/28/1959	part lots 4 and 5 North of Fullarton	100 Fullarton	106190	Sale	Rebecca Shabsove	David Rottman et al	44 ft x 100 ft.	32R-149
5/1/1962	part lots 4 and 5 North of Fullarton	100 Fullarton	104050	Sale	Rebecca Shabsove	David Rottman et al	44 ft x 100 ft.	32R-141
1/1/1963	part lots 4 and 5 North of Fullarton	100 Fullarton	107848	Transfer	Milton Rottman/ Allan	Sheila Allan	44 ft x 100 ft.	32R-155
5/21/1963	part lots 4 and 5 North of Fullarton	100 Fullarton	109264	Sale	Rottman et al	Middlesex Motors Company	44 ft x 100 ft.	32R-161
5/23/1963	part Lot 4 North of Fullarton	96 Fullarton	110855	Sale	David Rottman et al	Middlesex Motors Company	40 ft x 188 ft.	32R-167
12/8/1964	part lots 4 and 5 North of Fullarton	96-100 Fullarton	118771	Sale	Middlesex Motors Hld.	L.C. Stanfield	40 ft x 188 ft. & 44 x 100 ft.	32R-196
6/29/1982	part lots 4 and 5 North of Fullarton	96-100 Fullarton	618742	Sale	L.C. Stanfield Estate	Stanfield Automotive	40 ft x 188 ft. & 44 x 100 ft.	932 Red
4/9/1984	part lots 4 and 5 North of Fullarton	96-100 Fullarton	663484	Sale	Stanfield Automotive	Kent Marketing Services	40 ft x 188 ft. & 44 x 100 ft.	1043 Red
4/4/1989	part lots 4 and 5 North of Fullarton	96-100 Fullarton	832209	Sale	Kent Marketing Services	100 Fullarton Developments	40 ft x 188 ft. & 44 x 100 ft.	1335 Red
4/4/1989	part Lot 4 South of Maple	Rear 95 Maple	832209	Sale	Kent Marketing Services	100 Fullarton Developments	<b>including rear part lot 4 S Maple including 110 ft. right of way south from Maple)</b>	1335 Red
3/30/1989	part Lot 4 South of Maple	100 Fullarton	832210	Mortgage	100 Fullarton Dev.	Kent Marketing Services	including rear part lot 4 S Maple including right of way	1335 Red
4/4/1989	part Lot 4 South of Maple	100 Fullarton	832211	Mortgage	100 Fullarton Dev.	Income Trust Company	including rear part lot 4 S Maple including right of way	1335 Red
8/7/1990	part Lot 4 South of Maple	100 Fullarton	874771	Mortgage	100 Fullarton Dev.	Equitable Life	including rear part lot 4 S Maple including right of way	
8/7/1990	part Lot 4 South of Maple	100 Fullarton	874773	Postponement	Kent Marketing Services	Equitable Life	including re a part lot 4 S Maple including right of way	
11/15/2014	part of lots 4 and 5 North of Fullarton	100 Fullarton		Sale	100 Fullarton Dev.	Drewlo	From 100 Fullarton Development to Drewco	

# **APPENDIX D**

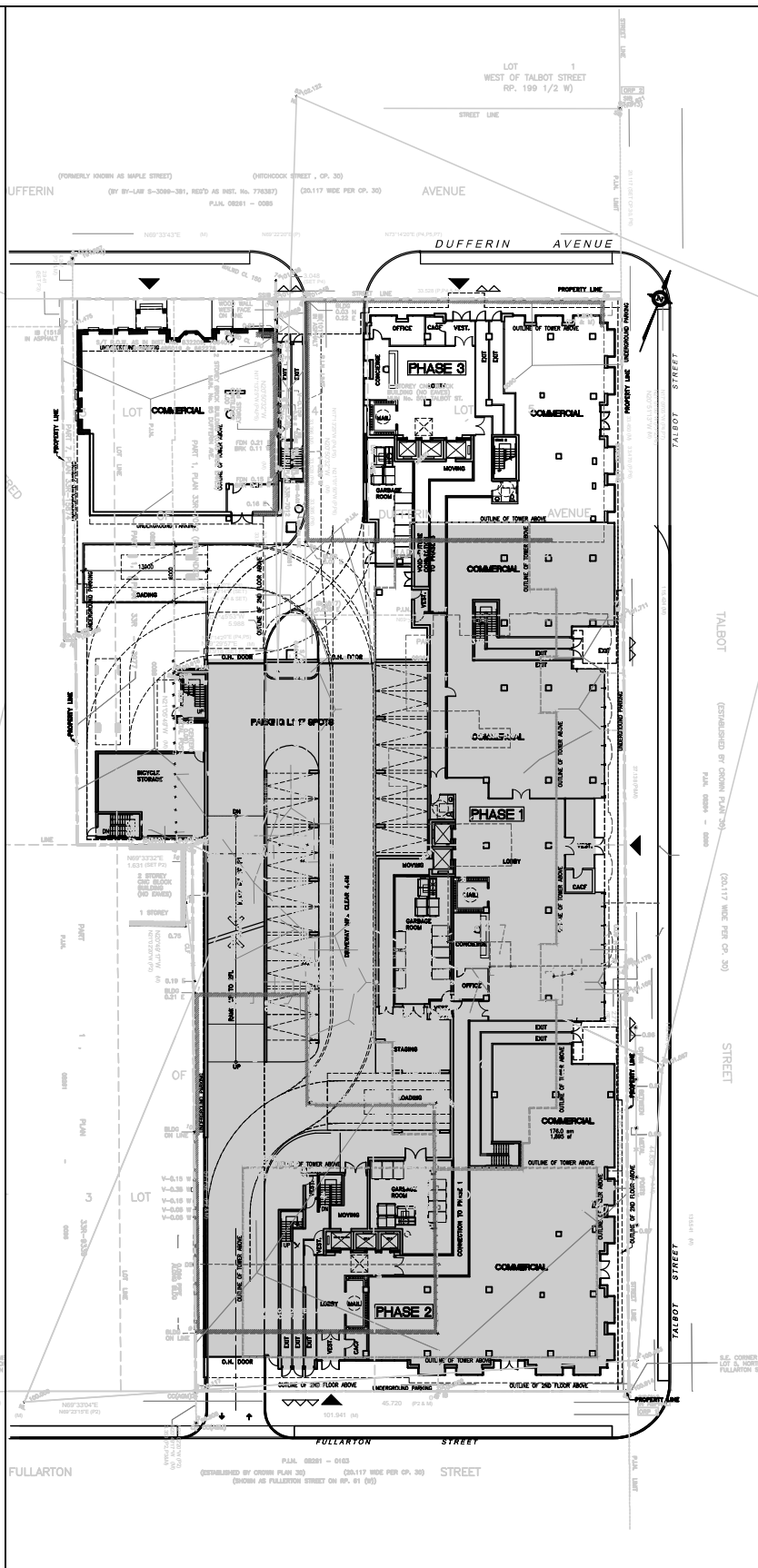
## **PROPOSED DEVELOPMENT PLANS**



1 GROUND FLOOR PLAN - PHASE 1  
SCALE 1:200



2 GROUND FLOOR PLAN - PHASE 1.2  
SCALE 1:200



3 GROUND FLOOR PLAN - PHASE 1.2 & 3  
SCALE 1:200

GENERAL NOTES	
NO DATE REVISIONS	
<p><b>RICHMOND Architects Ltd.</b></p> <p>340 COLLEGE STREET TORONTO, ONTARIO M5T 1A6</p> <p>416-941-1807 416-941-1803 RICHMONDARCH.COM</p>	
<p>Proposed Mixed Used Development Fullarton St. and Talbot St.-City of London</p> <p>Rygar Corporation Inc. Tel: (519) 318 8001</p>	
<p>Sheet: <b>GROUND FLOOR PLAN PHASE 1.2 &amp; 3</b></p>	
Date: <b>21 DEC 2015</b>	Date: 16 NOV 2015
Drawn By:	Scale: 1:200
Checked By:	Revised By:
Job No: <b>2015-004</b>	Sheet No: <b>SP A301</b>

















SIGNAGE SIGNAGE SIGNAGE

AVENUE CONDOS







# **APPENDIX E**

## **REVIEW OF EXISTING STRUCTURAL CAPACITY**





**JABLONSKY, AST AND PARTNERS**  
Consulting Engineers

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www.astint.on.ca  
E-mail jap@astint.on.ca

June 24, 2015

Rygar Corporation  
738 Mainland Street  
London, ON N5Y 2W1

Attn: Mr. John Rodgers  
President

Re: Talbot and Fullerton Existing Townhomes  
Review of Existing Structural Capacity  
OUR FILE NO. 15115

Dear Mr. Rodgers,

In compliance with your request, our office has undertaken a review of the existing townhouses with the municipal addresses of 471-485 Talbot Street. The purpose of the investigation was to determine the condition of the townhouses in general and specifically the structural capacity of the townhouses.

**GENERAL:**

The townhouses appear to have been originally constructed in the inter-war period (around 1930 or so) and are load bearing exterior masonry with timber of unplanned sizes as roof, floor and interior bearing wall elements. All of the buildings inspected are currently unoccupied and all of the various townhouses have had several rounds of renovation and additions over the many years since their construction. Taken as a whole, the townhouses are in various stages of disrepair, and have both water and fire damage. Several of the various unsupervised renovations have also left some of the buildings in a state where occupancy could collapse the structure.

**STRUCTURAL CONDITION OF THE EXTERIOR BEARING WALLS:**

The exterior bearing walls are load bearing masonry. Several renovations have been made where original lintels are left without support (Figure 1 and Figure 2). Masonry throughout the entire houses has numerous cracks (Figure 3) and many portions have started to collapse (Figure 4, Figure 5 and Figure 6). Large portions of the brick have obviously been rebuilt and repointed. Several lintels have deteriorated (Figure 7). The roof diaphragm does not appear to be connected to the masonry walls (Figure 8).

P.F. Ast, P.ENG D. Tari, P.ENG M. Shiu, P.ENG R. Asman, P.ENG  
J.N. Vivian, P.ENG R.J. Watson, P.ENG C.J. Slama, P.ENG R. Martinez, P.ENG G. Minski, CET

Associated Office, Ferta Engineering Consultants Ltd., #165, 1209 - 59 Avenue S.E., Calgary, Alberta T2H 2P6  
Tel: (403) 259-5325 Fax: (403) 255-5549 Email: fruch.pagnotta@ferta.ca

### **STRUCTURAL CONDITION OF THE INTERIOR BEARING WALLS:**

The interior bearing walls have been subject to several renovations. In several cases the top sill of the stud wall has been cut to allow ducts to pass through. In one particular case, due to several versions of revisions, the stud wall has been cut and no support is provided for a second floor joist (Figure 9). This particular second floor joist is supporting a large portion of the roof due to another unfortunate renovation (Figure 10). This beam needs to be reshored to the basement floor immediately as it is in danger of imminent collapse.

### **STRUCTURAL CONDITION OF THE FOUNDATION WALLS:**

The foundation walls, where visible, are also deteriorated (Figure 11). In one particular instance, the slab on grade has been removed at the basement, and there is no bearing between what should be a load bearing wall and the soil beneath it (Figure 12).

### **STRUCTURAL CONDITION OF THE ROOF RAFTERS AND FLOOR JOISTS:**

The roof rafters and floor joists have been exposed to a lot of water. Water damage is obvious at some of the gable supports (Figure 13). One of the units has fire damage to the roof (Figure 14). Some of the areas have been used as an illegal growing operation and there are likely further mould issues which are outside of the scope of this report (Figure 15).

### **CONCLUSIONS:**

The townhouses are in various stages of disrepair. One area should be reshored immediately for the safety of the general public and any future workmen. The remainder of the townhouses is in such a state of disrepair that they are unsafe and should be removed.

**DISCLAIMER:**

This report was prepared for the account of Mr. John Rogers by Jablonsky, Ast and Partners Consulting Engineers. The material in it reflects Jablonsky, Ast and Partners' best judgement in light of the information available to it at the time of preparation.

Any use which a third party makes of this report, or any reliance on, or decisions to be made, based on it, are the responsibility of such third parties. Jablonsky, Ast and Partners Consulting Engineers accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions taken based on this report.

Respectfully Submitted,

JABLONSKY, AST AND PARTNERS  
CONSULTING ENGINEERS



Craig Slama, P.Eng.





**Figure 1**



**Figure 2**





**Figure 3**



**Figure 4**



**Figure 5**



**Figure 6**





**Figure 7**



**Figure 8**



**Figure 9**



**Figure 10**





**Figure 11**



**Figure 12**



**Figure 13**



**Figure 14**



**Figure 15**

# **APPENDIX F**

## **ENVIRONMENTAL REVIEW**





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Tel: +1 519 951 9191 • Fax: +1 519 488 0711  
E-mail: frank.colozza@jfmel.com

Via E-mail

December 15, 2015

Project # 15-2-1094-30-A.1

Rygar Properties Inc.  
100 Fullarton Street  
London, ON N6A 1K1

Attention: Mr. John Rodgers  
E-mail: [john@rygarproperties.com](mailto:john@rygarproperties.com)

Dear Mr. Rodgers,

**RE:** Assessment of Fungal Spores, Moisture, and Indoor Air Testing  
479 – 489 Talbot Street, London, Ontario

Rygar Properties Inc. (the Client) requested that we attend to their properties located at 479, 481, 483, 485, 487, and 489 Talbot Street (the Site), collectively identified as 479 – 489 Talbot Street, in London, Ontario. The request was made to address concerns associated with suspected fungal contamination, moisture damage, and the need for initial indoor air tests. Work completed during our Site reconnaissance is described in the following sections.

### **Scope of Work**

Tasks completed as part of our scope of work were as follows:

1. A Site reconnaissance was conducted of the entire Site. The Site was surveyed in order to identify and document the presence of visible mold on surfaces (e.g. the area coverage, colour, and texture of the mold, if any, was assessed and documented), document evidence of water damage and wood rot, and collect air samples to investigate the presence of airborne bacteria.
2. JFMEL utilized a hand held thermohygrometer to measure indoor air parameters consisting of temperature relative humidity.
3. JFMEL utilized a hand held moisture meter to assess the moisture content of surfaces within the interior of the buildings. Concurrent to the moisture measurements a sharp probe was used to qualitatively assess for the presence of decay in wooden structural members.
4. JFMEL obtained ten "tape lift" samples from walls and other suspect surfaces to assess and document the presence of visible mold growth.
5. JFMEL obtained two air samples from indoor locations determined at the time of the Site reconnaissance. The indoor air samples were taken to assess the levels of airborne bacteria within the Site buildings. Air samples were not analyzed for mold spores due to the abundance of visible mould growth throughout the Site buildings.

6. The samples were submitted to the Paracel Laboratories Ltd. depot located in London, Ontario. Paracel Laboratories Ltd. is an appropriately qualified laboratory to conduct the analyses described herein.

JFMEL's observations were documented and supplemented with laboratory Certificates of Analysis. It is understood that the work undertaken by JFMEL will not serve to "certify" or "warrant" the environmental condition of the property.

### **Site Reconnaissance / Observations**

JFMEL attended the Site on November 9, 2015. The following observations were made:

#### Outdoors:

- a. The Site reconnaissance was conducted on a day with clear skies, an outdoor air temperature of 12.5 degrees Celsius (°C), and a relative humidity (%RH) of 50.0%, measured at 11:55 AM in front of 479 Talbot Street.
- b. The Site is located on the west side of Talbot Street between Fullarton Street and Dufferin Street. Surrounding land use was observed to consist of a mixture of uses.

#### Indoors:

1. Some of the Site buildings were well ventilated due to what appeared to be long-term structural neglect (illustrated in the appended Photo plates).
2. The indoor air temperature taken inside the Site was found to range from 9.9 °C to 13.6 °C.
3. The measured indoor %RH was found to range from 50.0% to 71.3%.
4. Visual and olfactory observations identified the presence of extensive mold growth throughout the Site buildings. Where visible, the mold had a black colouration; some of the suspected fungal growth on wood structural members had a white colouration.
5. Wood rot was evident in a number of places throughout the Site building. A sharp probe was found to penetrate into wooden boards with little resistance in a number of places in the Site building. Evidence of mould growth was also apparent on wooden members in the Site building.
6. Structural damage consisting of collapsed brick foundation walls and wood members that were severed or infested with wood rot was observed throughout the Site buildings. A number of these items are illustrated in the attached Photoplates.

### **Thermohygrometer Measurements**

Air temperatures were taken outdoor and indoors at the time of the Site reconnaissance. Concurrent with the acquisition of air temperatures, relative humidity measurements were also taken at the same

locations. Air temperatures and relative humidity measurements were taken using a Phoenix Humiport 10. The following air temperature and relative humidity measurements were recorded:

Measurement ID	Air Temperature (°C)	Relative Humidity (%)	Time (HH:MM)
479-1 (Outdoors)	12.5	50.0	11:55
479-2	12.9	51.4	12:04
479-3	12.1	55.8	12:25
479-4	11.9	59.1	12:47
481-1	10.9	61.3	12:57
481-2	11.1	58.9	13:06
485-1	9.9	60.1	13:35
485-2	12.4	60.8	14:03
487-1	13.6	62.3	14:31
489-1	13.5	68.5	14:50
489-2	13.5	71.3	14:52

**NOTE:** °C - Degrees Celsius

Refer to Figure 2 for the approximate location where the measurements were collected

The above Thermohygrometer data indicates indoor air temperature to be outside the lower end of the comfort zone.

Indoor % relative humidity was recorded at levels that can be considered excessive and may contribute to microbial growth. Relative humidity indoors should be maintained at 30-50%; it is considered excessive at 60-70%, and is likely to promote microbial growth above 70% (Yang and Heinsohn, 2007).

The above measurements suggest that the indoor air is consistent with supporting mold growth.

Outdoor % relative humidity measurements are considered acceptable given the outdoor temperature. Precipitation did not occur within the previous 24 hours of obtaining the air samples.

### **Indoor Air Samples**

The indoor air samples for airborne bacteria analyses were collected using a Rotary Centrifugal Air Sampler (RCS). Agar strips were used to collect the samples using the RCS. The RCS sampler was set to collect each air sample for a time period of 8 minutes. During that time, the sampler was calibrated to process 320 litres of air (40 litres per minute). One air sample was collected from 479 Talbot Street and another was collected from 481 Talbot Street.

The agar strips were individually labelled with their corresponding sample identification number. The agar strip samples were submitted to the Paracel Laboratories Ltd. depot located in London, Ontario. Paracel Laboratories Ltd. is an appropriately qualified laboratory to conduct the analyses described herein.

## **Tape Lifts**

Seven tape lift samples were taken from inside the Site buildings. The tape lift samples were taken to assess and document the presence of mold growth and spores on the surfaces from which the tape lifts were collected. The tape lift is an acceptable method to collect such samples for the purposes previously described.

## **Analytical Results**

### RCS Samples

The analytical results for the bacteria analyses and associated gram staining and enumeration as reported by the laboratory are summarized in the attached Certificate of Analysis, identified as Paracel Report No.: 1546111. A copy of the Certificate of Analysis is appended herein. The locations of the air samples, their corresponding identifications, and discussion of results are as follows:

Air Sample #479-B1: Obtained from inside the third floor washroom of 479 Talbot Street. Based on the results of gram staining and enumeration, 291 colony forming units of bacteria per cubic metre of air were reported in the air sample.

Air Sample #489-B2: Obtained from the ground floor washroom of 481 Talbot Street. The sample was reported to have results below the limit of detection. A qualifier was added to the sample indicating the presence of a spreading fungal colony on the sample which may have masked other bacterial isolates. This is not surprising given the amount of visible mould growth within the Site building.

Refer to Figure 2 for the approximate location where the air samples were collected.

The Laboratory Certificate of Analysis for the air samples are provided in Appendix A.

### Indoor Tape Lift Samples

The analytical results for the tape lift sample as reported by the laboratory are also summarized in the Certificate of Analysis, identified as Paracel Report No.: 1546111. A copy of the Laboratory Analysis Report is appended herein.

Seven tape lift samples were taken from inside the Site building. The tape lift samples were taken to assess and document the presence of mold growth and spores on the surfaces from which the tape lifts were collected. Tape lift sampling is an acceptable method to collect such samples for the purposes previously described. The location of the tape lift samples and their corresponding identification are as follows:

The location of the tape lift samples, their corresponding identification, and interpretation of results are as follows:



- Tape Lift #479-TL1: Obtained from the wall of the stairwell on the third floor of 479 Talbot Street. Analytical results indicated high amounts of fungal spores and mycelial fragments in the sample, **including *Stachybotrys* spores.**
- Tape Lift #479-TL2: Obtained from the ceiling of the basement of 479 Talbot Street. Analytical results indicated high amounts of fungal spores and low amounts of mycelial fragments in the sample, **including *Stachybotrys* spores.**
- Tape Lift #481-TL1: Obtained from a wall in the basement of 481 Talbot Street. Analytical results indicated high amounts of fungal spores and mycelial fragments in the sample, **including *Stachybotrys* spores.**
- Tape Lift #481-TL2: Obtained from a wall on the ground floor of 481 Talbot Street. Analytical results indicated high amounts of fungal spores and high amounts of mycelial fragments in the sample.
- Tape Lift #485-TL1: Obtained from a wooden ceiling joist on the third floor of 485 Talbot Street. Analytical results indicated high amounts of fungal spores and moderate amounts of mycelial fragments in the sample.
- Tape Lift #487-TL1: Obtained from a wall in the basement of 487 Talbot Street. Analytical results indicated high amounts of fungal spores and mycelial fragments in the sample, **including *Stachybotrys* spores.**
- Tape Lift #489-TL1: Obtained from a door in the basement of 489 Talbot Street. Analytical results indicated high amounts of fungal spores and low amounts of mycelial fragments in the sample, **including *Stachybotrys* spores.**

Refer to Figure 2 for the approximate location where the tape lift samples were collected.

The Laboratory Certificate of Analysis for the tape lift samples are also provided in Appendix A.

### **Interpretation of Findings**

For the most part, the temperature of the indoor air was well below the comfort range where tested. This condition is consistent with the long-term neglect of the structures.

Suspect odours were present throughout the Site building. Significant visible mould growth and water damage that appeared to have been on-going for years were observed throughout the Site building. Water seeping into the basement through the brick foundation walls already show signs of collapse; ongoing water seepage will only add to the damage and keep contributing moisture to the interior of the buildings where fungal growth will continue to be amplified.

Portions of the basement wood floors are constructed such that they rest directly on wet base earthen ground. This condition will likely lead to continued wood rot and possible insect infestation; the wood floors will likely continue to degrade.

Indoor % relative humidity was recorded at levels that can be considered excessive and may contribute to microbial growth. Relative humidity indoors should be maintained at 30-50%; it is considered excessive at 60-70%, and is likely to promote microbial growth above 70% (Yang and Heinsohn, 2007).

The above measurements suggest that the indoor air will support mold growth and is of a quality not suitable for habitation.

Black mould growth was observed in numerous areas throughout the Site buildings. *Stachybotrys* spores were detected in four of the seven tape lifts. The presence of this mold spore is an indication of prolonged exposure to water, because this mold does not grow unless there is long term supply of moisture. **The presence of *Stachybotrys* is considered unacceptable and can lead to serious health affects to those exposed to the fungus.**

The presence of mycelial fragments in every tape lift sample suggests the presence of mould growth on or nearby the surfaces sampled, including wood structural members.

### Recommendations

The following recommendation is made based on the work conducted as part of this work program:

- 1) **The occurrence of visible mold growth throughout the Site building and the report of *Stachybotrys* in the tape lift samples is of significant concern. The portions of the building observed by JFMEL cannot be occupied under the current conditions.**
- 2) In perspective of wood rot and deterioration of some structural members, they may fail under current conditions. In particular, historical deterioration of some wood structural members infested with wood rot pose a safety risk to occupancy, should they fail. **Occupancy is not recommended.**
- 3) The total number of bacterial colony forming units reported in the air samples was not interpreted to represent abnormally high readings. More specific air testing is recommended to determine if any harmful bacteria are present in the air.
- 4) During our indoor work we observed the presence of damaged asbestos containing materials (ACMs) in the basement areas of some Site buildings. The ACMs appeared to be “friable” and given their visible damaged condition, an exposure risk is present. An ACM survey and abatement of damaged ACMs is required otherwise **occupancy is not recommended.**

### Qualifications and Limitations

This report has been prepared for the exclusive use of Rygar Properties Inc., in evaluating the results of the specified air samples, tape lifts, and observations made during JFMEL’s Site reconnaissance. JFMEL will not be responsible for the use of this report by any third party, or reliance on or any decision to be made based on it without the prior written consent of JFMEL. JFMEL accepts no responsibility for damages, if any, by any third party as a result of decisions or actions based on this report.

This report presents an overview of issues of environmental concern, reflecting JFMEL's best judgment using information reasonably available at the Site at the time of JFMEL's fieldwork. JFMEL has prepared this report using information understood to be factual and correct and shall not be responsible for conditions arising from information or facts that were concealed or not fully disclosed to JFMEL during the period of time for which the work was being conducted. The limitations of the work undertaken at the Site are also provided in Appendix B.

Thank you for providing us with the opportunity to be of service.

Yours very truly,

**JFM ENVIRONMENTAL LIMITED**

Prepared by:

Reviewed by:



Wesley Hewlett, H.B.Sc., C.E.T.  
Environmental Technologist  
[wesley.hewlett@jfmel.com](mailto:wesley.hewlett@jfmel.com)



Frank C. Colozza\*, M.Sc., P.Geo.  
Principal & Senior Environmental Consultant  
[frank.colozza@jfmel.com](mailto:frank.colozza@jfmel.com)

\* *Institute of Inspection, Cleaning and Restoration (IICRC):  
Water Restoration Technician & Applied Microbial Restoration  
Technician, 2009*

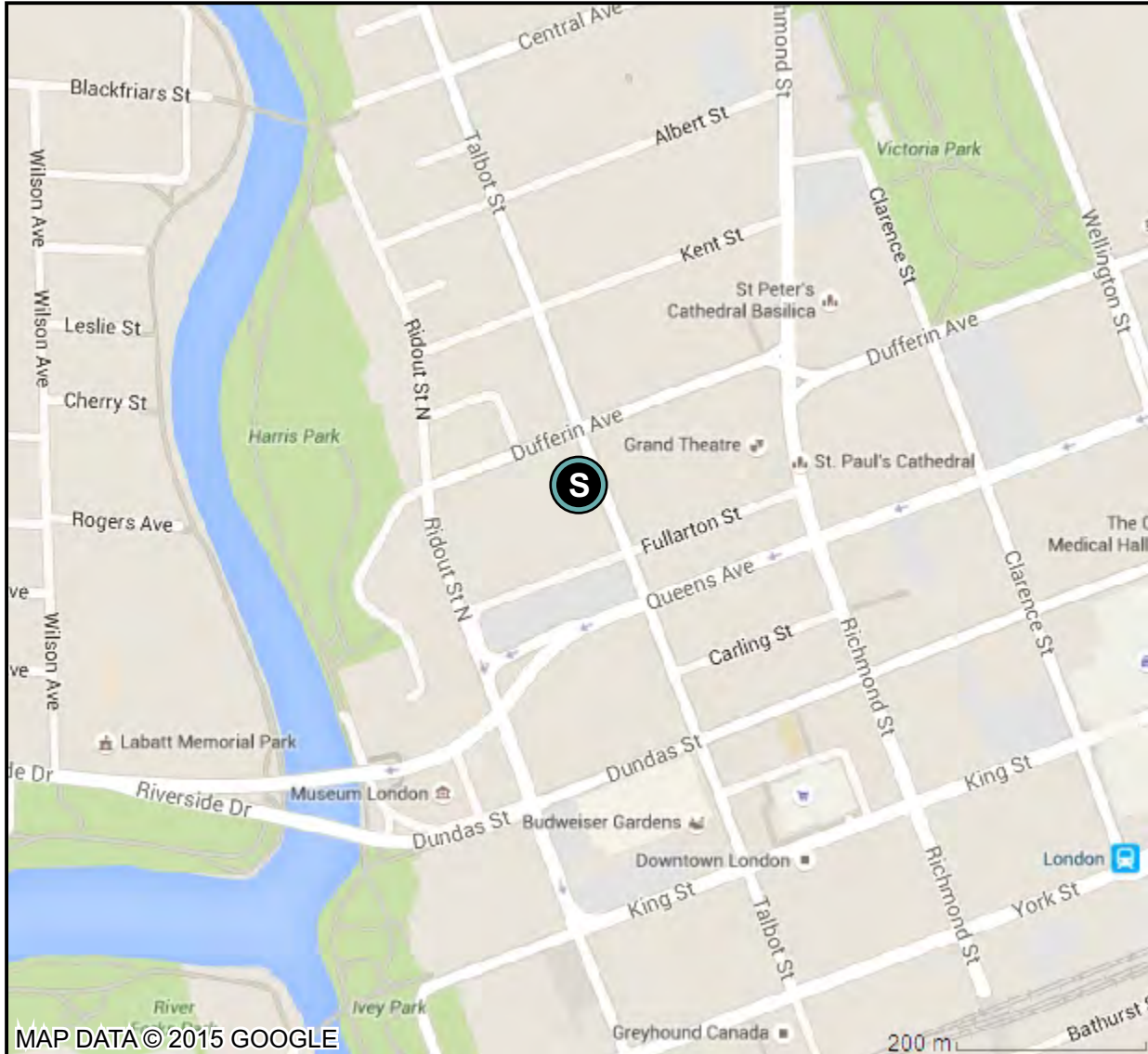
FCC/wh

Attachments:

- Figures:
  - o Figure 1 – Site Location
  - o Figure 2 – Sampling Locations
- Appendices:
  - o Appendix A – Certificates of Analysis
  - o Appendix B – Photoplates
  - o Appendix C – Limitations

**FIGURES**





LEGEND



THE SITE

**SITE LOCATION**



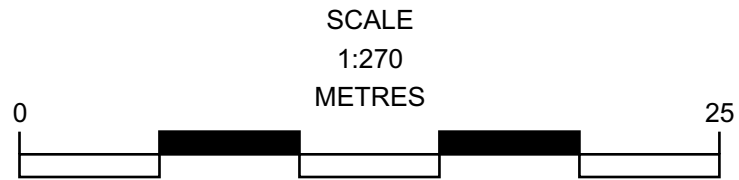
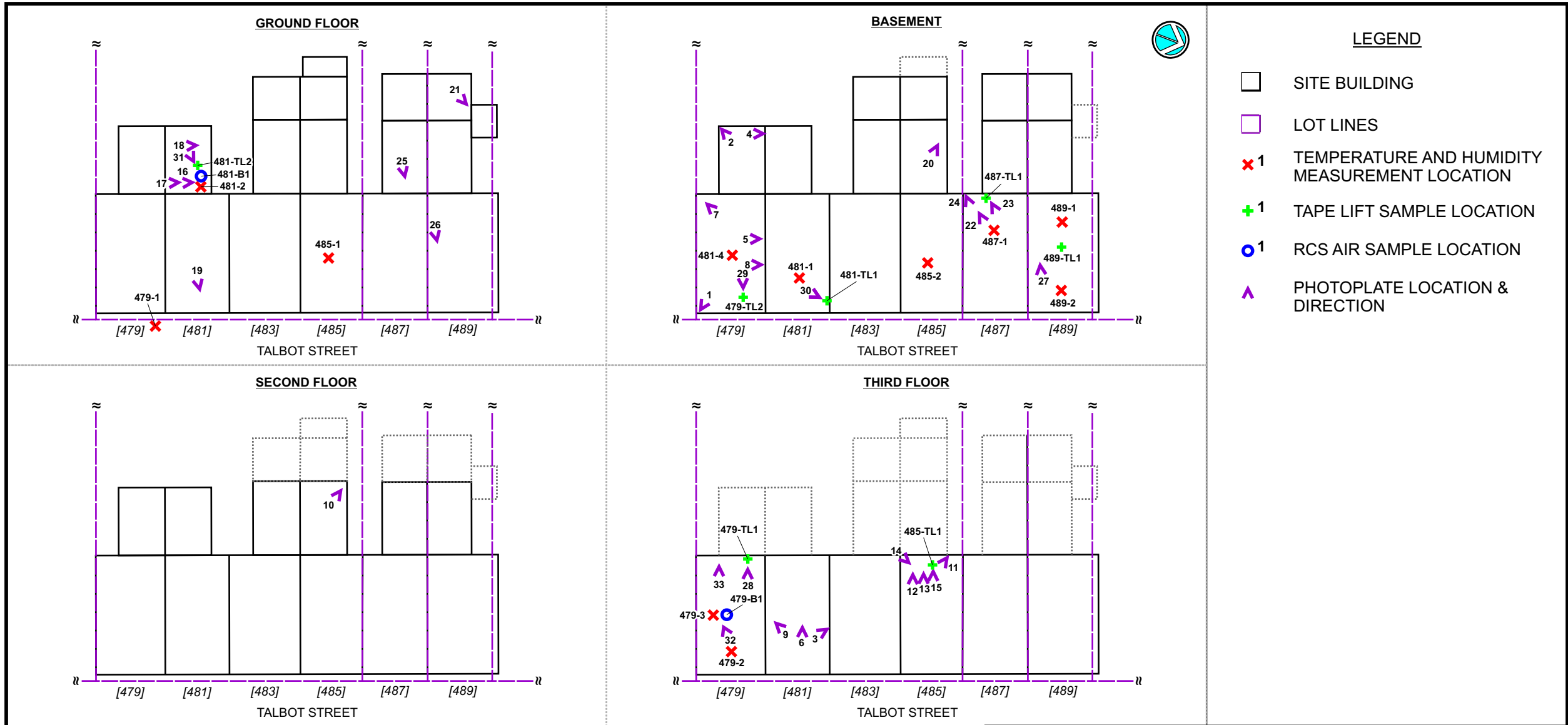
SITE ASSESSMENTS  
REMEDICATION  
[www.jfmel.com](http://www.jfmel.com)


**ASSESSMENT OF FUNGAL SPORES, MOISTURE,  
AND INDOOR AIR TESTS  
479-489 TALBOT STREET, LONDON, ONTARIO**

**PROJECT #15-2-1094-20**

**DECEMBER 2015**

**FIGURE 1**



<b>SAMPLING LOCATIONS</b>	
 <b>ASSESSMENT OF FUNGAL SPORES, MOISTURE, AND INDOOR AIR TESTS 479-489 TALBOT STREET, LONDON, ONTARIO</b>	
PROJECT #15-2-1094-30  DECEMBER 2015	<h1>FIGURE 2</h1>
SITE ASSESSMENTS REMEDIATION www.jfmel.com	

**APPENDIX A**  
**LABORATORY CERTIFICATES**  
**OF ANALYSIS**

**JFM Environmental (London)**  
**318 Neptune Crescent, Unit 1**  
**London, ON**  
**N6M1A1**

**Attn: Frank C. Colozza**  
**Tel: (519) 951-9191**  
**Fax: (513) 476-1888**

16-Nov-15

Re: 15-2-1093-30

Paracel Report No.: 1546111

Please find attached the final assessment of sample(s) received on 10-Nov-15 and analyzed in our Ottawa West Lab location. Information on common indoor/outdoor fungi may be found on our website at the link below; however, interpretation of the results is the responsibility of the client.

[Paracel Species Ecology List](#)

If you have any questions or comments regarding the enclosed information, please feel free to contact us anytime.

Sincerely,



Emma Diaz For Heather S.H. McGregor, BSc  
Laboratory Director - Microbiology

Any use of these test results implies your agreement that our total liability in connection with this work, however arising, shall be limited to the amount paid by you for this work, and that our employees or agents shall not under any circumstances be liable to you in connection with this work. This report may not be reproduced, except in full, without the written approval of the laboratory. This report is valid only with an authorized signature. All samples and related slides/extracts are stored for three months from the time the final analytical report was issued, unless otherwise requested in writing by the client.



**Client:** JFM Environmental (London)  
318 Neptune Crescent, Unit 1  
London, ON N6M1A1

**Attn:** Frank C. Colozza  
Tel: (519) 951-9191  
Fax: (513) 476-1888

**Project:** 15-2-1093-30  
**Parcel Report No.:** 1546111

**Received Date:** 10-Nov-15  
**Report Date:** 16-Nov-15

### Microscopic - Tape Lift

Sample I.D.	Sample Date	Background Debris**	Propagule Summary	Relative Amount*
1546111-03	09-Nov-15	High	<b>Client Sample Name:479-TL1</b> <i>Chaetomium</i> spores pigmented mycelial fragments <i>Stachybotrys</i> spores	High High High
1546111-04	09-Nov-15	High	<b>Client Sample Name:479-TL2</b> <i>Aspergillus/Penicillium-like</i> spores <i>Cladosporium</i> spores <i>Aspergillus</i> spp. hyaline mycelial fragments pigmented mycelial fragments basidiospores <i>Stachybotrys</i> spores	High Moderate Low Low Low Trace Trace
1546111-05	09-Nov-15	Low	<b>Client Sample Name:481-TL1</b> <i>Cladosporium</i> spores pigmented mycelial fragments	High High
1546111-06	09-Nov-15	Low	<b>Client Sample Name:481-TL2</b> <i>Cladosporium</i> spores <i>Chaetomium</i> spores pigmented mycelial fragments	High Low Low
1546111-07	09-Nov-15	High	<b>Client Sample Name:485-TL1</b> <i>Chaetomium</i> spores pigmented mycelial fragments unidentified spore	High Moderate Low
1546111-08	09-Nov-15	Low	<b>Client Sample Name:487-TL1</b> pigmented mycelial fragments <i>Stachybotrys</i> spores <i>Aspergillus/Penicillium-like</i> spores <i>Cladosporium</i> spores hyaline mycelial fragments <i>Stachybotrys</i> spp. unidentified spore	High High Moderate Moderate Low Low Trace
1546111-09	09-Nov-15	Low	<b>Client Sample Name:489-TL1</b> <i>Acremonium</i> spores <i>Cladosporium</i> spores <i>Stachybotrys</i> spores <i>Aspergillus/Penicillium-like</i> spores hyaline mycelial fragments pigmented mycelial fragments <i>Ulocladium</i> spores <i>Stachybotrys</i> spp.	High High High Moderate Moderate Moderate Moderate Low

**Client:** JFM Environmental (London)  
318 Neptune Crescent, Unit 1  
London, ON N6M1A1

**Attn:** Frank C. Colozza  
Tel: (519) 951-9191  
Fax: (513) 476-1888

**Project:** 15-2-1093-30

**Received Date:** 10-Nov-15

**Parcel Report No.:** 1546111

**Report Date:** 16-Nov-15

*\*Relative Amount:*

Trace = 2 propagules or less noted per mm<sup>2</sup> of tape surface

Low = 2-10 propagules noted per mm<sup>2</sup>

Moderate = 11-100 propagules noted per mm<sup>2</sup>

High = > than 101 propagules noted per mm<sup>2</sup>

*\*\*Background Debris - Definitions:*

Low = occupying < 10% of microscopic field

Moderate = 11-30% of microscopic field

High = > 31% of microscopic field

ND - No fungal propagules detected.

NA - Not applicable; calculations cannot be performed on non-numerical data.

Client Name: JFM Environmental Limited  
Contact Name: Frank Colazzo  
Address: 318 Neptune Ave. Unit 2, London, ON N6M 1A1  
Telephone: 514-957-9191

Project Reference: 15-2-1093-30  
Quote #  
PO #  
Email Address: fcolazzo@gmail.com  
wesley.hewitt@jfmel.com

TAT:  Regular  3 Day  
 2 Day  1 Day  
Date Required:

Criteria:  O. Reg. 153/04 (As Amended) Table  RSC Filing  O. Reg. 558/00  PWQO  CCME  SUB (Storm)  SUB (Sanitary) Municipality:  Other:

Matrix Type: S (Soil/Sed.) GW (Ground Water) SW (Surface Water) SS (Storm/Sanitary Sewer) P (Paint) A (Air) O (Other)

Parcel Order Number: 1546111		Required Analyses												
Sample ID/Location Name	Matrix	Air Volume	# of Containers	Sample Taken		Bacteria	Mold							
				Date	Time									
1 479-B1	A	320	1	Nov 9/15	12:21 PM	X								
2 481-B1	A	320	1		1:06 PM	X								
3 479-TL1	O	-	1		12:35 PM		X							
4 479-TL2	O	-	1		12:47 PM		X							
5 481-TL1	O	-	1		1:05 PM		X							
6 481-TL2	O	-	1		1:15 PM		X							
7 485-TL1	O	-	1		1:40 PM		X							
8 487-TL1	O	-	1		2:30 PM		X							
9 489-TL1	O	-	1		2:40 PM		X							
10														

Comments: Air volume of 320L was taken with a RCS sampler set at 3 min. sampling interval.  
"40" = Tape Lift samples for mold.

Method of Delivery: drop off

Relinquished By (Sign):	Received by Driver/Depot:	Received at Lab: Karen Gull	Verified By: Karen Gull
Relinquished By (Print): F. Colazzo	Date/Time: 11.10.15 11:00	Date/Time: Nov 11/15 10:45	Date/Time: Nov 11/15 11:23
Date/Time: Nov 10/15	Temperature: °C	Temperature: °C	pH Verified [ ] By:

**JFM Environmental (London)**  
**318 Neptune Crescent, Unit 1**  
**London, ON**  
**N6M1A1**

17-Nov-15

**Attn: Frank C. Colozza**  
**Tel: (519) 951-9191**  
**Fax: (513) 476-1888**

*Re: 15-2-1093-30*

*Paracel Report No.: 1546111*

Please find attached the final assessment of samples received 10-Nov-15. Information on common indoor/outdoor fungi may be found on our website at the link below; however, interpretation of the results is the responsibility of the client.

**Please refer to 'Report Notes' for special conditions present on some of the samples submitted.**

[Paracel Species Ecology List](#)

If you have any questions or comments regarding the enclosed information, please feel free to contact us anytime.

Sincerely,



Emma Diaz For Heather S.H. McGregor, BSc  
Laboratory Director - Microbiology

Any use of these test results implies your agreement that our total liability in connection with this work, however arising, shall be limited to the amount paid by you for this work, and that our employees or agents shall not under any circumstances be liable to you in connection with this work. This report may not be reproduced, except in full, without the written approval of the laboratory. This report is valid only with an authorized signature. All samples and related slides/extracts are stored for three months from the time the final analytical report was issued, unless otherwise requested in writing by the client.



**Client:** JFM Environmental (London)  
318 Neptune Crescent, Unit 1  
London, ON N6M1A1

**Attn:** Frank C. Colozza  
Tel: (519) 951-9191  
Fax: (513) 476-1888

**Project:** 15-2-1093-30

**Received Date:** 10-Nov-15

**Parcel Report No.:** 1546111

**Report Date:** 17-Nov-15

### Bacteria - RCS

Parcel I.D.	Sample Date	Media Type	Media Expiry Date	LOD (Cts/m <sup>3</sup> )	Sample Volume(L)	Total CFU/m <sup>3</sup>	Isolate Identification	CFU/m <sup>3</sup>	CFU
1546111-01	09-Nov-15	TSA	12.29.15	3	320	<b>291</b>	<b>Client Sample Name: 479-B1</b>		
							Gram +'ve bacillus - beige	128	41
							Gram -'ve bacillus - dark yellow	72	23
							Gram -'ve coccobacillus - light yellow	38	12
							Gram +'ve bacillus - white	34	11
							Gram +'ve bacillus - light yellow	16	5
							Gram +'ve bacillus - light pink	3	1
1546111-02	09-Nov-15	TSA	12.29.15	3	320	<b>NA</b>	<b>Client Sample Name: 481-B1</b>		
							ND	NA	ND

TNTC - Too numerous to count.

ND - No fungal isolates detected, below limit of detection (LOD).

NA - Not applicable, calculations cannot be performed on non-numerical data.

**Client:** JFM Environmental (London)  
318 Neptune Crescent, Unit 1  
London, ON N6M1A1

**Attn:** Frank C. Colozza  
Tel: (519) 951-9191  
Fax: (513) 476-1888

**Project:** 15-2-1093-30  
**Parcel Report No.:** 1546111

**Received Date:** 10-Nov-15  
**Report Date:** 17-Nov-15

## Report Notes

1546111-01: LG-M004 *Media - Sample was packaged upside down in case; data may be affected*

1546111-02: M-SPR fungi *This isolate was present as a spreading colony, potentially caused as a consequence of condensation within the strip/plate. Typically, this type of colony is a result of a few colonies or less. The proportions may differ and other isolates may be masked.*

LG-M004 *Media - Sample was packaged upside down in case; data may be affected*

## Work Order Revisions

None

Client Name: JFM Environmental Limited Project Reference: 15-2-1093-30

Contact Name: Frank Colozza Quote #

Address: 318 Neptune Ave. PO #

Unit 1, London, ON N4M 1A1 Email Address: fclozza@jfmcl.com

Telephone: 514-957-9191 wesley.hewitt@jfmcl.com

TAT:  Regular  3 Day  
 2 Day  1 Day

Date Required: \_\_\_\_\_

Criteria:  O. Reg. 153/04 (As Amended) Table \_\_\_\_\_  RSC Filing  O. Reg. 558/00  PWQO  CCME  SUB (Storm)  SUB (Sanitary) Municipality: \_\_\_\_\_  Other: \_\_\_\_\_

Matrix Type: S (Soil/Sed.) GW (Ground Water) SW (Surface Water) SS (Storm/Sanitary Sewer) P (Paint) A (Air) O (Other)

Parcel Order Number:				Required Analyses																	
Sample ID/Location Name		Matrix	Air Volume	# of Containers	Sample Taken		Bacteria	Mold													
					Date	Time															
1	479-B1	A	320	1	Nov 9/15	12:21 PM	X														
2	481-B1	A	320	1		1:06 PM	X														
3	479-TL1	O	-	1		12:35 pm		X													
4	479-TL2	O	-	1		12:47 pm		X													
5	481-TL1	O	-	1		1:05 pm		X													
6	481-TL2	O	-	1		1:15 pm		X													
7	485-TL1	O	-	1		1:40 pm		X													
8	487-TL1	O	-	1		2:30 pm		X													
9	489-TL1	O	-	1		2:40 pm		X													
10																					

Comments: Air volume of 320L was taken with a RCS sampler set at 3 min. sampling interval.  
"0" = Tape Lift samples for mold.

Method of Delivery: drop off

Relinquished By (Sign): <u>[Signature]</u>	Received by Driver/Dept: <u>[Signature]</u>	Received at Lab: <u>Karen Full</u>	Verified By: <u>Karen Full</u>
Relinquished By (Print): <u>F. Colozza</u>	Date/Time: <u>11.10.15 11:00</u>	Date/Time: <u>Nov 11/15 10:45</u>	Date/Time: <u>Nov 11/15 11:23</u>
Date/Time: <u>Nov 10/15</u>	Temperature: <u>°C</u>	Temperature: <u>°C</u>	pH Verified [ ] By: _____

**APPENDIX B**  
**PHOTOGRAPHIC PLATES**



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>1</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> EAST	
<b>DESCRIPTION:</b> OPENING IN THE BASEMENT WALL OF 479 TALBOT STREET. SURFACE RUNOFF IS ABLE TO FREELY ENTER THE BASEMENT THROUGH THE GAP IN THE WALL.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>2</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> WEST	
<b>DESCRIPTION:</b> COLLAPSED BRICK FOUNDATION WALL IN THE BASEMENT OF 479 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>3</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTHWEST	
<b>DESCRIPTION:</b> VERTICAL GAP BETWEEN THE ROOF AND WALLS IN 481 TALBOT STREET. WATER CAN FREELY ENTER THE STRUCTURE DURING PRECIPITATION EVENTS. NOTE THE SUSPECT MOLD GROWTH / ROT AND FIRE DAMAGE.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>4</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTH	
<b>DESCRIPTION:</b> WOODEN SUBFLOOR ABOVE EARTHEN BASE IN BASEMENT. SUSCEPTIBLE TO MOISTURE, ROT, AND INSECTS.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>5</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTH	
<b>DESCRIPTION:</b> WOODEN SUB-FLOOR ABOVE EARTHEN BASE IN BASEMENT. SUSCEPTIBLE TO MOISTURE, ROT, AND INSECTS.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>6</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> WEST	
<b>DESCRIPTION:</b> CHARRED WOODEN ROOF SUPPORT MEMBERS IN THE THIRD FLOOR OF 481 TALBOT STREET.	





<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>7</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> -	
<b>DESCRIPTION:</b> WATER INTRUDING INTO THE BASEMENT THROUGH THE BRICK WALL FOUNDATION IN THE BASEMENT OF 479 TALBOT STREET. EFFLORESCENCE ON BRICK SURFACES.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>8</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> -	
<b>DESCRIPTION:</b> EVIDENCE OF WATER SEEPAGE FROM THE FOUNDATION INTO THE BASEMENT OF 479 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>9</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> SOUTHWEST	
<b>DESCRIPTION:</b> CHARRED WOODEN ROOF SUPPORT MEMBERS AND SUB ROOF IN 481 TALBOT STREET.	





<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>10</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> -	
<b>DESCRIPTION:</b> COLLAPSED AND CRUMBLING EXTERIOR WALL BENEATH WINDOW. NOTE THE DAYLIGHT COMING THROUGH THE OPENING. WATER CAN FREELY ENTER DURING A PRECIPITATION EVENT. 485 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>11</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> WEST	
<b>DESCRIPTION:</b> BIRD NEST MATERIAL AND WASTE FROM BETWEEN THE PLENUM PICTURED IN PHOTOPLATE 16.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>12</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTH	
<b>DESCRIPTION:</b> ROTTEN CEILING JOISTS ON THE MAIN FLOOR OF 481 TALBOT STREET.	





<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>13</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> WEST	
<b>DESCRIPTION:</b> ROTTEN ROOF BOARDS OBSERVED IN 485 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>14</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTH	
<b>DESCRIPTION:</b> ANIMAL DROPPINGS INSIDE THE SITE BUILDING. THE STRUCTURAL DAMAGE ALLOWS FOR VERMIN TO FREELY ENTER THE BUILDINGS.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>15</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> WEST	
<b>DESCRIPTION:</b> ROTTEN WOODEN ROOFTOP STRUCTURAL MEMBER IN 485 TALBOT STREET. THE LOCATION OF TAPE LIFT # 485-TL1.	





<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>16</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b>  NORTH	
<b>DESCRIPTION:</b>  LONG-TERM NEGLECT AND DAMAGE CAUSED BY VANDALISM.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>17</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b>  SOUTH	
<b>DESCRIPTION:</b>  ELECTRICAL PANEL STRIPPED OF COPPER BY VANDALS.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>18</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b>  NORTH	
<b>DESCRIPTION:</b>  ROTTEN CEILING JOISTS ON THE MAIN FLOOR OF 481 TALBOT STREET.	





<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>19</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> EAST	
<b>DESCRIPTION:</b> SEVERE WATER STAINING ON WOODEN BEAM SUPPORTS ON GROUND FLOOR OF 481 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>20</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTHWEST	
<b>DESCRIPTION:</b> WATER SEEPING THROUGH BRICK FOUNDATION WALL IN THE BASEMENT OF 485 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>21</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTHEAST	
<b>DESCRIPTION:</b> WET AND CRUMBLING DRYWALL LOCATED ON THE MAIN FLOOR OF 489 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>22</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> SOUTHWEST	
<b>DESCRIPTION:</b> WATER STAINS AND EVIDENCE OF BLACK MOLD GROWTH IN THE BASEMENT OF 487 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>23</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> WEST	
<b>DESCRIPTION:</b> WATER STAINS AND EVIDENCE OF BLACK MOLD GROWTH ON THE DRYWALL IN THE BASEMENT OF 487 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>24</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> SOUTHWEST	
<b>DESCRIPTION:</b> BLACK MOLD GROWTH ON THE DRYWALL IN THE BASEMENT OF 487 TALBOT STREET	





<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>25</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> NORTHEAST	
<b>DESCRIPTION:</b> WATER DAMAGE FROM A CEILING LEAK ON THE MAIN FLOOR OF 487 TALBOT STREET.	





<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>26</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> EAST	
<b>DESCRIPTION:</b> WARPED FLOORING IN 489 TALBOT STREET INDICATING PAST WATER DAMAGE.	




<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>27</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> WEST	
<b>DESCRIPTION:</b> SUSPECT ASBESTOS CONTAINING PIPE INSULATION IN THE BASEMENT OF 489 TALBOT STREET. THE INSULATION WAS DAMAGED WITH MOST HAVING CRUMBLED AWAY.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO		
<b>PHOTO NO.</b> <b>28</b>	<b>DATE (YY-MM-DD)</b> 15-11-09	
<b>DIRECTION PHOTO TAKEN:</b> EAST		
<b>DESCRIPTION:</b> BLACK MOLD GROWTH AND WATER DAMAGE ON THE THIRD FLOOR WALL OF 479 TALBOT STREET.		

<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO		
<b>PHOTO NO.</b> <b>29</b>	<b>DATE (YY-MM-DD)</b> 15-11-09	
<b>DIRECTION PHOTO TAKEN:</b> EAST		
<b>DESCRIPTION:</b> SMALL BLACK COLOURED COLONIES OF SUSPECTED MOLD GROWTH ON THE CEILING OF THE BASEMENT IN 479 TALBOT STREET.		

<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO		
<b>PHOTO NO.</b> <b>30</b>	<b>DATE (YY-MM-DD)</b> 15-11-09	
<b>DIRECTION PHOTO TAKEN:</b> NORTH		
<b>DESCRIPTION:</b> BLACK MOLD GROWTH ON THE BASEMENT WALL OF 481 TALBOT STREET.		



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>31</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> EAST	
<b>DESCRIPTION:</b> WHITE MOLD GROWTH ON THE WALL OF THE MAIN FLOOR OF 481 TALBOT STREET.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>32</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> EAST	
<b>DESCRIPTION:</b> THE LOCATION OF THE AIR SAMPLE ON THE THIRD FLOOR OF 479 TALBOT STREET. A NUMBER OF NEEDLES WERE ALSO OBSERVED.	



<b>SITE LOCATION:</b> 479 - 489 TALBOT STREET LONDON, ONTARIO	
<b>PHOTO NO.</b> <b>33</b>	<b>DATE (YY-MM-DD)</b> 15-11-09
<b>DIRECTION PHOTO TAKEN:</b> EAST	
<b>DESCRIPTION:</b> UNCAPPED NEEDLE OBSERVED ON THE THIRD FLOOR OF 479 TALBOT STREET.	



**APPENDIX 7**  
**REPORT LIMITATIONS**





## **JFM Environmental Limited**

### **LIMITATIONS MICROBIAL ASSESSMENTS**

1. The work performed in this report was carried out in accordance with the Standard Terms of Conditions made part of our contract. The conclusions presented herein are based solely upon the scope of services and time and budgetary limitations described our contract.
2. The report has been prepared in accordance with generally accepted environmental study and / or engineering practices. No other warranties, either expressed or implied, are made as to the professional services provided under the terms of our contract and included in this report.
3. The services performed and outlined in this report were based, in part, upon visual observations of the specific areas of the attendant structures (referred to as the "Site buildings") described in our report. Our opinion cannot be extended to portions of the Site buildings inaccessible and / or were unavailable for direct observation, reasonably beyond the control of JFM Environmental Limited.
4. The objective of this report was to assess the microbial (fungal) conditions of specified areas of the Site building(s), given the context of our contract. Compliance of past owners with applicable local, provincial and federal government laws and regulations was not included in our contract for services.
5. Any Site history research performed herein relies on information supplied by others, such as local, provincial and federal agencies as well as plant personnel. No attempt has been made to independently verify the accuracy of such information, unless specifically noted in our report.
6. Our visual observations relating to any potential microbial contaminant in specific areas of the Site building(s) described in this report. Where testing was performed, it was executed accordance with our contract for these services. It should be noted that other compounds or material may be present in the Site environment
7. The conclusions of this report are based in part, on the information provided by others. The possibility remains that unexpected environmental conditions may be encountered at the Site in locations not specifically investigated. Should such an event occur, JFM Environmental Limited must be notified in order that we may determine if modifications to our conclusions are necessary.
8. The utilization of JFM Environmental Limited's services during the implementation of any remedial measures will allow JFM Environmental Limited to observe compliance with the conclusions and recommendations contained herein. It will also provide for changes as necessary to suit field conditions as they are encountered.
9. JFM Environmental Limited did not attempt to identify any and / or all locations of microbial spores or particles or minor microbial growth that would not exhibit any signs of spotting / staining on building materials.
10. JFM Environmental Limited would not be able to identify locations of concealed microbial growth within wall cavities and other hidden locations without carrying out intrusive inspections.
11. The degree of mould growth reported may change over time should moisture issues continue or develop after the assessment date. As such, any moisture issues must be rectified to prevent continuation of and / or occurrence of microbial growth.
12. Any air sampling results are applicable to the time and conditions of the testing and may not be used reliably to prediction conditions on other days and conditions.
13. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it are the responsibility of such third parties. JFM Environmental Limited accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions taken based on this report.