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TO:	CHAIR AND MEMBERS LONDON ADVISORY COMMITTEE ON HERITAGE MEETING ON WEDNESDAY AUGUST 9, 2017
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	REQUEST FOR DEMOLITION OF HERITAGE DESIGNATED PROPERTIES AT 36 & 40 YORK STREET BY:THE TRICAR GROUP

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the Chief Building Official **BE ADVISED** that Municipal Council permits the demolition of the buildings at 36 & 40 York Street in the Downtown Heritage Conservation District pursuant to Section 42(1) of the *Ontario Heritage Act* subject to the following terms and conditions:

- a) The proposed development concept outlined in the Urban Design Brief dated July 18, 2017 (as subsequently revised) **BE ENDORSED** in principle, and details be refined and **BE SUBMITTED** as part of a complete Heritage Alteration Permit application with approval authority delegated to the City Planner;
- b) The applicant **BE REQUIRED** to post a bond or provide a certificate of insurance as a guarantee that adjacent buildings will be protected during demolition and construction;
- c) That the applicant **BE REQUESTED** to acknowledge the historic associations of 36 York Street in the proposed development of the site through interpretive signage or some other manner, at a location(s) visible and accessible to the public; and,
- d) Prior to any demolition, photo documentation of the exterior details of the existing buildings **BE COMPLETED** by the applicant and submitted to Planning Services.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

BACKGROUND

Location

The buildings subject of this demolition application are situated on the north side of York Street, between Ridout Street North and Thames Street (Appendix A). 36 York Street is a 2 ½-storey commercial building currently housing an entertainment venue, while 40 York Street is a 2-storey industrial-retail building being used as a glazing service and supply company. Ivey Park and the Thames River Corridor are located to the west of the subject buildings and exert a strong naturalized presence to the character of the area.

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The municipal boundaries of properties 36 and 40 York Street, along with adjacent properties 32 York Street and 330 Thames Street, form the boundaries of a proposal by The Tricar Group that is concurrently subject of a zoning by-law amendment application to permit redevelopment (Appendix A). Thirty-two (32) York Street contains an asphalt parking area with no built structures, and 330 Thames Street is in the southwestern portion of Ivey Park.

Buildings

36 and 40 York Street are located in the Downtown Heritage Conservation District (HCD) and designated under Part V of the Ontario Heritage Act.

Properties within the HCD are ranked on a scale of A-D. These rankings identify the contributions of existing properties to the cultural heritage value or interest of the HCD. Both 36 & 40 York Street have been assigned a historic ranking of “B” (as/per Table – Quadrant 28, *Downtown HCD Plan*).

A “B” ranking in the HCD indicates properties currently having any combination of the following attributes:

Structure assessed as currently having any combination of the following attributes: elements have been lost or replaced; façade has been painted or covered with stucco or cladding; windows replaced but occupy original openings; period store front altered or replaced; may still have historical or landmark significance; possibly noted architect; important to streetscape (Downtown HCD Plan, Appendix I).

Numerous properties adjacent to 36 & 40 York Street are historically significant and assigned the HCD Plan’s highest heritage priority ranking of “A”. Most of these properties are residential in scale and character and clustered at the York and Thames Street intersection. There is a predominance in use of London “brick” at this intersection which creates a cohesive colourscape to the urban fabric (Appendix B).

The streetscape along this area of York Street is in flux, and transitions from commercial, to residential, to civic in character as noted in Streetscape Classification Mapping in the HCD Plan (*Downtown HCD Plan*, Appendix V). Numerous properties adjacent to the buildings that are the subject of this demolition application, exhibit a diversity in massing, height, and style. Note that there is surface parking to the east, and to the north, there are (2) high-rise apartment buildings.

Description & History

The current building at 36 York Street dates from c1890, with early references in City Directories to a Mission Hall and other religious organizations occupying the building up until the 1950s. More recently the building has housed a local Gallery Theatre, and is currently used as an entertainment venue (Appendix B).

The building is constructed into the rising elevation of the land sloping up northwards from York Street to King Street. The building has a prominent front-gabled roof, facing York Street, and reflects stylistic influences of Arts and Crafts/Tudor Revival. Photographs of the former church indicate that the building façade has been altered over time, however some elements of the historic façade including the half timbering, rectangular window openings and plain wooden bargeboard remain. The central projection of the building is clad in asphalt shingles obscuring the original front entrance vestibule. The original decorative wood bracing beneath the front eave, which once graced the elevation has been removed (Appendix B). Unsympathetic alterations have diminished the heritage significance of this property.

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The current building at 40 York Street dates from 1957 and is a two storey brick and concrete block structure with a flat roof. Similar to the adjacent properties, the building is built into the rise of land north of York Street. The south elevation contains large plate glass windows and glass and metal entrance doors. The building was home to several dry cleaners and laundry businesses until the mid-1980s, and currently houses a glazing service and supply company (Appendix B). Based on findings in the HIS, this building does not demonstrate cultural heritage value or interest.

Unsympathetic alterations to 36 York Street have diminished the heritage significance of this property and neither building – at 36 or 40 York Street – define, maintain or support the historic character of the HCD. While located in a commercial streetscape, the building forms and setback are not consistent with the regular commercial forms identified in other parts of the HCD.

Demolition Request

The Ontario Heritage Act directs that no owner of property situated within a designated Heritage Conservation District is permitted to demolish the property unless a permit is obtained from the municipality to do so.

Pursuant to s. 42(4) of the *Ontario Heritage Act*, within 90 days after the notice of receipt is served on the applicant, Municipal Council may give the applicant:

- a) The permit applied for;
- b) Notice that Council is refusing the application for the permit; or,
- c) The permit applied for, with terms and conditions attached.

If Municipal Council fails to do any of these actions mentioned in subsection (4) within the 90 days (noted above), Municipal Council shall be deemed to have given the applicant the permit applied for. If Municipal Council refuses the permit applied for or gives the permit with terms and conditions attached, the owner of the property may appeal to the Ontario Municipal Board within thirty days of receiving notice of Municipal Council's decision.

The Demolition Request for the subject property was received on June 29, 2017. The 90 day timeline expires on September 27, 2017.

Consultation

Pursuant to Council Policy for the demolition of heritage designated properties, notification of the demolition request was sent to 255 addresses within 120m of the subject property on August 9, 2017, as well as community groups including the Architectural Conservancy Ontario – London Region, London & Middlesex Historical Society, and the Urban League of London. Notice is to be published in *The Londoner* on August 10, 2017.

The Ontario Heritage Act requires that Municipal Council consult with its municipal heritage committee, the London Advisory Committee on Heritage (LACH), when a demolition permit application is received for a heritage designated property. The LACH is being consulted (at its meeting on Wednesday August 9, 2017) regarding the demolition of buildings at 36 & 40 York Street and proposed redevelopment on the subject site (Appendix F). It is anticipated that LACH will have a recommendation available to present at the August 28, 2017 meeting of the Planning & Environment Committee.

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POLICY REVIEW

Provincial Policy Statement (2014)

Section 2.6.1 of the *Provincial Policy Statement* (PPS-2014) directs that: “significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

“Significant” is defined in the PPS-2014 as:

“in regards to cultural heritage and archaeology, “resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, and event, or a people (p49).”

Further, “conserved” means:

“the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act (p40).“

Pertinent to this report, note that “to conserve” may be achieved by the implementation of recommendations in a heritage impact statement specifically through mitigative measures and/or alternative development approaches (p40).

Various mitigative methods are identified in the *Ontario Heritage Tool Kit, HIAs and Conservation Plans InfoSheet#5* to minimize or avoid a negative impact on a cultural heritage resource (p4). These methods include (but are not limited to):

- Alternative development approaches
- Isolating development and site alteration from significant built and natural features and vistas
- **Harmonizing massing, setback, setting and materials**
- Limiting height and density
- **Allowing only compatible infill and additions**
- Reversible alteration
- Buffer zones, site plan control and other planning mechanisms

Those methods above that are most pertinent to this application are shown in **BOLD**.

Official Plan

Policy 13.2.3 of the *Official Plan* (1989, as amended) states that “where heritage buildings are designated under the *Ontario Heritage Act*, no alteration, removal or demolition shall be undertaken which would adversely affect the reason(s) for designation except in accordance with the *Ontario Heritage Act*.” Also, Policy 13.3.2 requires that “after a Heritage Conservation District has been designated by Council the erection, alteration, demolition, or removal of buildings or structures within the District shall be subject to the provisions of the *Ontario Heritage Act* and any secondary plan which takes the form of a Heritage Conservation District Plan.” Policy 13.3.6_ii) states that “[w]ithin Heritage Conservation Districts, “the design of new development, either as infilling or as additions to existing buildings, should complement the prevailing character of the area.” In administering these policies, Objective 13.1_iii) of the Official Plan is also pertinent to the subject demolition application in that it “[e]ncourage[s] new development, redevelopment, and public works to be sensitive to, and in harmony with, the City’s heritage resources.”

The London Plan

The London Plan (adopted 2016) establishes policies that support requirements of the *Ontario Heritage Act* regarding demolition requests for heritage designated properties.

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Policy 565 directs that:

“[a] heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.”

Further, Policy 600 of *The London Plan* requires the owner to undertake mitigation measures. Ultimately, an objective the Plan is “[t]o ensure that new development and public works are undertaken to enhance and be sensitive to cultural heritage resources” (554_3).

Strategic Plan for the City of London 2015-2019

The *Strategic Plan for the City of London 2015-2019* identifies heritage conservation as an integral part of “Building a Sustainable City.” Natural heritage resources are also recognized such as the Thames River and the need to “protect and promote its status as a Heritage River.” As well, urban regeneration is also identified as a pillar of “Growing our Economy” in the *Strategic Plan*. This strategy supports investment in London’s downtown as the heart of our city and investing more in heritage conservation.

Cultural Prosperity Plan

One of the strategic directions in London’s *Cultural Prosperity Plan* strives to leverage cultural assets in supporting economic growth. Advancing heritage conservation and promotion of London’s natural heritage are key objectives of this strategy and include, for example: “[p]romoting a stronger connection between existing green spaces (including parks) and ‘built resources’ and, “[r]evitalizing the Forks of the Thames and strengthening its connections to downtown” (3.2.1; 3.2.2).

Thames Valley Corridor Plan (TVC)

The Thames River is recognized as a Canadian Heritage River for its significant cultural heritage resources and contribution to the settlement history of southwestern Ontario; it is important to the City’s sense of place (Preamble, p4). The *Thames Valley Corridor Plan* identifies several strategies that are pertinent to this report and proposed development, including:

- emphasis on the promotion of design excellence and innovation through building and site design to create legacy buildings;
- the creation of gateways through land use design accentuating physical landmarks or built form – this may include high quality and iconic building forms;
- green development and overall environmental enhancement through the application of green technologies (e.g. LEED certification) and building and site design that supports the natural heritage and minimizes environmental impacts on the TVC; and,
- promoting new development that seeks ways to draw inspiration from, and enhance the Thames River character with architecture and landscape that contributes to TVC aesthetic, while addressing other urban design and building program objectives.

London’s Community Economic Road Map

The urban landscape, which includes London’s built heritage resources, plays a central role in shaping the lives of Londoners. Creating a vibrant, attractive, and competitive core is identified as one of the action items to support “An exceptional downtown and a vibrant urban environment” (Section 4.4.4 Economic Priority) of *London’s Community Economic Roadmap* (November 2015).

Our Move Forward: London’s Downtown Plan

The Downtown Vision in *Our Move Forward: London’s Downtown Plan* (February 2015) is: London’s face to the world. A vibrant destination. A unique neighbourhood. “Heritage”

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is one of the nine values that underpin this vision. “As the birthplace of the city, the downtown is rich in cultural heritage; this heritage sets the downtown apart from other neighbourhoods. When planning for new development, integration with the existing heritage will be a foremost consideration.” Two policies directly tied to this value are “Ensure new buildings are consistent with the Downtown Design Manual and the Downtown Heritage Conservation District Guidelines and reviewed by the Urban Design Peer Review Panel” and “Design tall buildings to function as landmarks to create a distinctive downtown skyline.”

Downtown Heritage Conservation District

The stated purpose in Section 1.2 of the *Downtown HCD Plan* is “to establish a framework by which the heritage attributes of the Downtown can be protected, managed, and enhanced as this area continues to evolve and change over time.” Taking a change management approach can assist in ensuring that changes proposed do not have an unmitigated, adverse impact on the cultural heritage value of the Downtown HCD.

The *Downtown HCD Plan* articulates the objectives of the designation of the Downtown HCD under the *Ontario Heritage Act*. Principles, physical goals and objectives, and social goals and objectives provide guidance on undertaking actions that ultimately support the conservation of the Downtown HCD’s significant cultural heritage value or interest. The *Downtown HCD Plan* recognizes that, “the heritage of landscape is highly diverse, and though there is not a single dominant character, the landscape patterns are linked by common ideas, elements, and materials” (Section 6.2, *Downtown HCD Plan*).

In referencing demolition, the *Downtown HCD Plan* establishes in Policy 4.6 that “The goal of a heritage conservation district is to preserve and protect the heritage assets within the short term and over the long term. Demolition of buildings within a heritage district is strongly discouraged...However, it is recognized that there are situations where demolition may be necessary such as partial destruction due to fire or other catastrophic events, severe structural instability, and occasionally redevelopment that is in keeping with appropriate City policies”.

The subject site of the proposed development is defined as being part of both the residential and commercial landscapes patterns within the *Downtown HCD Plan*. The HCD Plan describes these patterns in Section 6.2 (and in the Appendix 7.1).

“Residential landscape patterns [are] defined by the plots which were originally laid out to accommodate residential and associated buildings with setbacks from the front and side lot lines, creating a landscape prominence to the street.”

“Commercial landscape patterns [are] defined by the development of lots built out to the front and side lot lines thereby creating a continuous street wall with the rhythm of recessed entrances and storefronts that foster interest at street level.”

Principles of New Construction are outlined in section 6.1.4 of the *Downtown HCD Plan*. These include such approaches to façade composition, setback, height, massing, landscape and streetscape design. See Table on page 10 which outlines pertinent principles and guidelines from the HCD Plan, and how the proposed development responds to each suggested guideline.

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PROPOSED PROJECT

The development proposed for the subject site is a primarily residential building consisting of a two-storey podium base with a 24-storey tower and 15-storey tower set back from the podium façade by approximately seven metres on the York Street frontage. Parking is contained at and above grade within the two levels of the podium; two levels of parking are located below grade. The property at 330 Thames Street (a portion of Ivey Park) is proposed to be used for driveway access to the main residential and office entrances, with a semi-circular driveway accessed from Thames Street (Appendix F).

A Heritage Impact Statement (HIS) was submitted by Stantec Consulting Ltd. on May 25, 2017, as part of a complete application for a Zoning By-law amendment for a proposed development, and as a requirement of the Official Plan (13.2.3.1) and The London Plan (565_). The primary purpose of this HIS has been to assess the impacts of the proposed development on the cultural heritage value and attributes of the Downtown as identified in *Downtown HCD Plan* (particularly within the area of the development site), and to make recommendations to mitigate any adverse impacts that may arise. The HIS notes that at the time of submission and preparation of the document, detailed design of the proposed development was not available. Therefore the HIS is somewhat limited. It assessed impacts of the proposed demolition of properties on 36 & 40 York Street (and the potential impacts of the **proposed development type** on the heritage attributes of the adjacent properties). The HIS did not **make reference to a specific design and its attributes** (and its relationship to policies of the *Downtown HCD Plan*) that would be constructed in their place (Appendix C and Appendix H). A summary of the HIS recommendations follows.

Based on the presence of cultural heritage resources within and adjacent to the study area and the potential for impacts, the following mitigation measures [were] recommended:

- Protection of adjacent cultural heritage resources during construction activities through buffering and monitoring of impacts (i.e. vibration impacts et al.);
- Retention of the structure at 36 York Street in-situ, planning development around the structure OR relocation to a nearby location is preferred (with efforts to maintain contextual and historical relationships) OR documentation and salvage of the property and incorporation of commemorative/interpretive features in the proposed development;
- Architectural and urban design responses in the proposed development that respond to the HCD Plan such as:
 - establishing a podium base for the development tower (to be reflective of the typical scale of District)
 - incorporating appropriate stepbacks above the podium base (to maintain a consistent character at the street level)
 - enhancing the character of the street at the pedestrian level (using high quality building materials – such as brick)
 - using rhythms of traditional facades and integrating design elements that reflect nearby heritage properties; and,
- Protection of the naturalized character of the area by mitigating impacts to mature trees (i.e. preparation of arbourist and shadow impacts reports), and the development and selection of landscape plans and materials that are compatible with the heritage setting of the Ivey Park and compliant with the HCD Plan.

At the time of submission of the HIS, an urban design brief was also received by the City Project File Planner – which contained details of the proposed development including: site plan and renderings of the structure showing its location, elevations, massing details and materials. Further revised elevations were received on June 27, 2017. Subsequently,

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(2) memos were also received on July 5, 2017 which outlined amenity space and bonusing options related to exceptional site and building design and sustainable development. Also mentioned was the inclusion of a green roof and amenity spaces on the 3rd floor podium and 11th floor roof (Appendix D).

An Internal Memo to the City’s Project File Planner (dated July 7, 2017), from Heritage and Urban Design Staff, provided initial comments to the applicant’s agent summarizing expectations regarding building design, and how the current development proposal can better achieve compliance with the Downtown Heritage Conservation District Plan, Urban Design practices and City policies (Appendix E).

The most recent urban design brief was received on July 18, 2017 which included updated drawings illustrating revised concepts for the proposed development. Few revisions to the initial development proposal design were noted with the exception of the inclusion of green roofs and amenity areas on the 3rd floor podium and 11th floor roof. On July 26, 2017, 1st submission drawings for the proposed development were circulated to City Planning Staff for internal site plan application review. Additional information was included regarding the materiality of exterior elevations noting a prevalence of white and charcoal coloured concrete and brick veneer with white and charcoal spandrel glass. The landscape plan indicates the retention of several mature trees, the inclusion of a pergola and outdoor amenity space adjacent to the proposed entrance off of Ivey Park, along with landscape buffering at the edge of 24 York Street (Appendix F).

The City of London Urban Design Peer Review Panel convened on Wednesday, July 19, 2017 to discuss the design for the proposed development. Its comments on the Zoning By-law Amendment application are attached as Appendix G.

Finally, the Stewardship Sub-Committee of the London Advisory Committee on Heritage (LACH) was consulted at its meeting on Wednesday July 26, 2017 regarding the Heritage Impact Statement prepared for 32, 36 & 40 York Street (Stantec). The Committee’s recommendation is as follows:

The Stewardship Sub-Committee does not oppose the demolition of the buildings located at 36 & 40 York Street, but expressed regret for the loss of the former Mission Hall (built 1892). However, the Stewardship Sub-Committee has the following concerns with the proposed development at the site, including:

- Loss of parkland;
- Colours and materials of the proposed cladding that should be more compatible with the Downtown HCD;
- Non-compatible proposed façade along York Street, noting that the façade guidelines of the Downtown HCD should be applied;
- Unmitigated impacts on adjacent and nearby heritage designated properties; and,
- Cohesive massing of the building between the podium and tower component of the building, particularly in the use of materials and design details.

The Stewardship Sub-Committee recommends that the former Mission Hall be commemorated through a cultural heritage interpretive sign at the site; it being noted that it was the last remaining of many “little churches” within the Downtown area, and the former home of the London Community Players.

Note that conclusions of the Heritage Impact Statement submitted by Stantec Consulting Ltd. (on June 23rd) indicate that the impacts to neighbouring heritage designated properties will be mitigated in part by high quality urban design that aligns with principles and policies for new development found in the HCD Plan. Therefore, the potential adverse impacts of the subject demolitions being requested are being considered by heritage planning staff in conjunction with the design of the proposed development.

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At the time of this report’s preparation, Heritage Staff is awaiting updated drawings from Stantec that explicitly identify which features of the proposed design development comply with HCD principles and guidelines, and how the design responds to recommendations of the HIS, pertinent City plans and policies, and urban design staff direction.

ANALYSIS

For the purposes of this analysis, the potential adverse impacts of the subject demolitions are considered in conjunction with the approach to the proposed development and design of the subject property, which remains incomplete at this writing. The following Table (p10), outlines suggested principles and guidelines from the HCD Plan, and how the proposed development responds to each suggested guideline.

Unsympathetic alterations to 36 York Street have diminished the heritage significance of this property and neither building – at 36 or 40 York Street – define, maintain or support the historic character of the HCD. The removal of the buildings on these properties provides the opportunity for economic development through added investment in the downtown; a direction that City plans and policies promote.

Commemoration of the building at 36 York Street is important for the applicant to consider in order to pay homage to London’s past when religious halls of this type, or “little churches”, dotted the Downtown. Commemoration was a recommendation of the HIS, and suggested by members of the Stewardship Sub-Committee of LACH. The significant length of street-wall frontage proposed along York Street and/or the adjacency of Ivey Park offer opportunities for creative “large gestures” for commemoration beyond a standard “plaque-on-the-wall” approach.

Also of interest is the interface of the new development with the existing urban fabric and the form that new development takes. This area of York Street is strongly influenced by the naturalized setting of Ivey Park and the Thames River as well as its location at the edge and gateway to the Downtown District. Several City plans and policies recommend development that enhances connections between the Thames River Corridor and Downtown, and encourages the design of iconic, legacy buildings, that become landmarks at these gateway locations. Landscape buffering, enhancements and retention of some mature trees are noted in the HIS report and drawings. The current development proposal makes some gestures to these ends, but does not go far enough as cited in comments and recommendations provided by urban design staff, the Urban Design Peer Review Panel, and of the HIS.

Another area of importance in current City policies and plans is the promotion of “green development.” There is some indication that the proposed development can be a leader in this area through its inclusion of green roofs, and there is much opportunity through the possibility of LEED Gold designation being sought by the applicant.

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guideline/principles (6.1.4 — HCD Plan)		design response/comment
A general principles	X conserve character-defining elements of neighbouring buildings	proposed dev. is 24-storeys in height with lower façade/podium at 3-storey; base of building clearly massed to address pedestrian scale (w/ 5m+ setback at podium) lessening the perceived impact of building height at street level; new dev. (at podium) is not compatible with regards to façade articulating the smaller scale rhythm of heritage facades typical w/in the District; colour palette of new dev. does not reflect the predominance of heritage materials/colours (buff brick)
	X new dev. physically and visually compatible w/ historic place while not replicating in whole	
	X new dev. decipherable from historic precedent and complementing adjacent heritage buildings	
	X roof shapes/major design elements complementary to surrounding buildings and heritage patterns	
B façade composition	X setbacks of new development consistent with adjacent buildings	new development built to street line with landscaped area
	X new buildings/entrances oriented to street; encouraged to have architectural interest	primary entrance is oriented to the park, minimizing pedestrian interest/activity along York Street
	X new dev. respond to unique conditions or location (i.e. corner properties); provide architectural interest/details @ both street facades	not a corner site
	X new dev. to enhance character of street using high quality materials (brick, stone and slate)	proposed dev. features a prominent building façade using what appears to be quality materials
	X detailing to add visual interest and texture	building façade is articulated (material/colour) breaking up the mass of building; use of coloured panels adds interest; more fine scale detailing encouraged
		base of building is not adequately articulated particularly along York Street with minimal commercial activity planned
	X one storey commercial face of new dev.	facade surface/glazing treatment appears to be w/in suggested guidelines
	X up to 80% glazing is appropriate at-grade; 2"+ ~50% glazing (with 25%< and <75%)	visibly expressed spandrels which reveals an expected horizontal rhythm determined by its internal structure and window positioning; encourage better compatibility between development components (base and towers)
	X horizontal rhythm/visual transitions between floors articulated	scale and massing and impact of topography results in varied heights respective to adjacent buildings
	new dev. (at podium) is not compatible with regards to articulating the smaller scale rhythm of heritage facades typical w/in the District; colour palette of new dev. does not reflect the predominance of heritage materials/colours (buff brick)	
X floor-ceiling height of ground floor to be consistent w/heights + respect scale of adjacent buildings		
X new dev. to respect significant design features and horizontal rhythm of adjacent buildings		
X blank façades not permitted facing main or side streets	none on podium facades facing York Street and Ivey Park; north and east elevations at podium are blank (no glazing)	
X new dev. sympathetically designed to district heritage attributes (massing, rhythm of solids and voids, significant design features, and high quality materials)	use of high quality materials and thoughtful development of tower; more sculptural articulation of tower cap; new dev. (at podium) is not compatible with regards to articulating the smaller scale rhythm of heritage facades typical w/in the District; colour palette of new dev. does not reflect the predominance of heritage materials/colours (buff brick)	
C setback + height + massing	X new dev. to maintain and enhance the continuity of the street edge by building out to front property line	building brought near front property line—fairly consistent with the adjacent properties along the streetscape
	X façades to be 2 storeys min. no more than 18m max	proposed dev. is 24-storeys in height with lower façade/podium at 3-storey
	X new dev. to consider perception of building height from the pedestrian's view on the sidewalk	podium and tower setback helps to promote a pedestrian-scaled experience at the street level; more fine detailing to encourage interest; address parking/people conflict
	X scale and spatial understanding of district be retained while allowing for new dev.	scale of new dev. is compatible with surrounding high rises; massing could be improved by better visual integration of the podium, high and low towers
	X 2 storeys <, setback upper floors of building from building line (2m for each two metres of height)	proposed dev. is 24-storeys in height; 5m+ setback at 3-storey podium
	X upper floor setbacks required on buildings exceeding heights of neighbouring buildings by over one storey	setback of tower from podium satisfies this guideline
	X new dev. abutting existing structures at the building line to match adjacent building height— <u>or</u> provide visible/apparent offset in height to maintain the visual integrity of the existing structure	interface between new dev. and abutting structures (particularly 24 York Street) is not addressed in design or mitigated by podium height; landscaping provides some buffering; podium height is compatible with streetscape norms
	X with/exception of York St., new dev. w/in district encouraged to retain 3-4 storey height @ building line	proposed dev. is 3-storeys/podium at the building line with defined pedestrian realm
	X single storey new dev. is discouraged	proposed development is 24-storeys
	X new dev. to build the full extent of the property width fronting the HCD streets	new dev. extends the full width of the property
landscape + streetscape (6.2.3—HCD Plan)		design response/comment
D	discourage the placement of non-heritage service facilities such as service boxes, parking and utilities in highly visible locations or within view sheds.	entrance and egress to parking garage is from York Street; impacts design of façade causing it to become utilitarian; safety issues with pedestrianization of street level

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New development also provides the opportunity to re-establish the urban fabric and further support the heritage character of this area. The HCD Plan notes that London’s overall Downtown fabric is characterized as “highly diverse”, and it is precisely this diversity that contributes to the District’s uniqueness. But there is also a sense of homogeneity in the spatial volume of its streets being defined with continuous street walls, and the recurring materiality and rhythm of façade designs that distinguishes the Downtown District as a “place”. The specific character of the subject development site along York Street is not entirely uniform, transitioning from the massing and scale of the Downtown, to a sparser density towards the river corridor and rail line edge, and street walls that have been lost to parking lots. However, visual coherence is gleaned from the predominant use of warm tones of London’s “buff” brick and the natural earth tones inherent in the adjacent park area, as well as the articulation of residential massing patterns. Current façade articulation patterns and materiality at the podium and tower elevations for the proposed development are not sufficiently compliant with policies and guidelines for the built streetscape and natural heritage character of the surrounding area as described in the Downtown Heritage Conservation District Plan.

Conclusions of the Heritage Impact Statement indicate that the impacts to neighbouring heritage designated properties — and to the fabric of the Downtown District — will be mitigated by approaches to high quality urban design that align with principles and policies for new development found in the HCD Plan (6.1.4). However, based on the above analysis, the proposed development is not consistent with the principles and guidelines found in the HCD Plan as well as other City polices. The present design for the proposed development does not fully mitigate the loss of the demolished buildings at 36 & 40 York Street. Planning staff awaits a development concept that enhances the streetscape and pedestrian realm along York Street and will add to the skyline of Downtown London with a prominent landmark building supporting a high quality of design and construction.

CONCLUSION

Demolition of buildings within a heritage district is strongly discouraged and indeed seems to run contrary to the intent of “heritage conservation.” However, each demolition request within any of London’s HCDs is considered on a case-by-case basis. In some situations, the careful removal of select fragments within the urban fabric may be justified if, for instance, redevelopment is appropriate and is in keeping with City policies. This approach is clearly supported in Our Move Forward: London’s Downtown Plan, in London’s Strategic Plan and in the Community Economic Road Map. Based on the above analysis, the removal of buildings at 36 & 40 York Street is supportable due to diminishment of heritage significance and lack of demonstrable cultural heritage value or interest. However, the impacts of demolition of the subject properties on adjacent heritage resources have not been adequately addressed through mitigative measures targeted at enhanced design and ensuring compatibility of development with the heritage character of the area. Planning staff awaits a development concept that enhances the streetscape and pedestrian realm along York Street and will add to the skyline of Downtown London with a prominent landmark building supporting a high quality of design and construction.

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PREPARED BY:	SUBMITTED BY:
LAURA E. DENT M.Arch, PhD, MCIP, RPP HERITAGE PLANNER URBAN REGENERATION	JIM YANCHULA, MCIP, RPP MANAGER URBAN REGENERATION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

2017-08-09
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Attach:

- Appendix A – Location and Aerial Plans
- Appendix B – Images
- Appendix C – 8.0 Recommendations from Heritage Impact Statement (Stantec, May 22, 2017)
- Appendix D – Memos from Chris Hendriksen (Stantec) dated July 5, 2017, to Melissa Campbell, Planner II; Amenity Space Summary, Supplement to the Urban Design Brief (Bonus Provisions)
- Appendix E – Internal Memo to the City Project File Planner dated July 7, 2017, from Heritage and Urban Design Staff
- Appendix F – Select Images from Urban Design Brief (July 18, 2017) of Proposed Development Design Concept and Site Plan Application (July 26, 2017)
- Appendix G – City of London Urban Design Peer Review Panel July 19, 2017 Memo regarding 40 York Street Zoning By-law Amendment application
- Appendix H – Heritage Impact Statement, 32, 36 and 40 York Street, London, Ontario (Stantec Consulting Ltd., May 22, 2017; final report)

REFERENCES

- Ministry of Culture. *The Ontario Heritage Tool Kit: Heritage Resources in the Land Use Planning Process, HIAs and Conservation Plans-InfoSheet#5*. Winter 2006.

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APPENDIX A — Location and Aerial Plans



Above: Building area subject of the demolition application – shown highlighted

Below: Boundary of area (subject site shown in red) of a proposal by The Tricar Group that is concurrently subject of a by-law amendment application to permit redevelopment



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APPENDIX B — Images

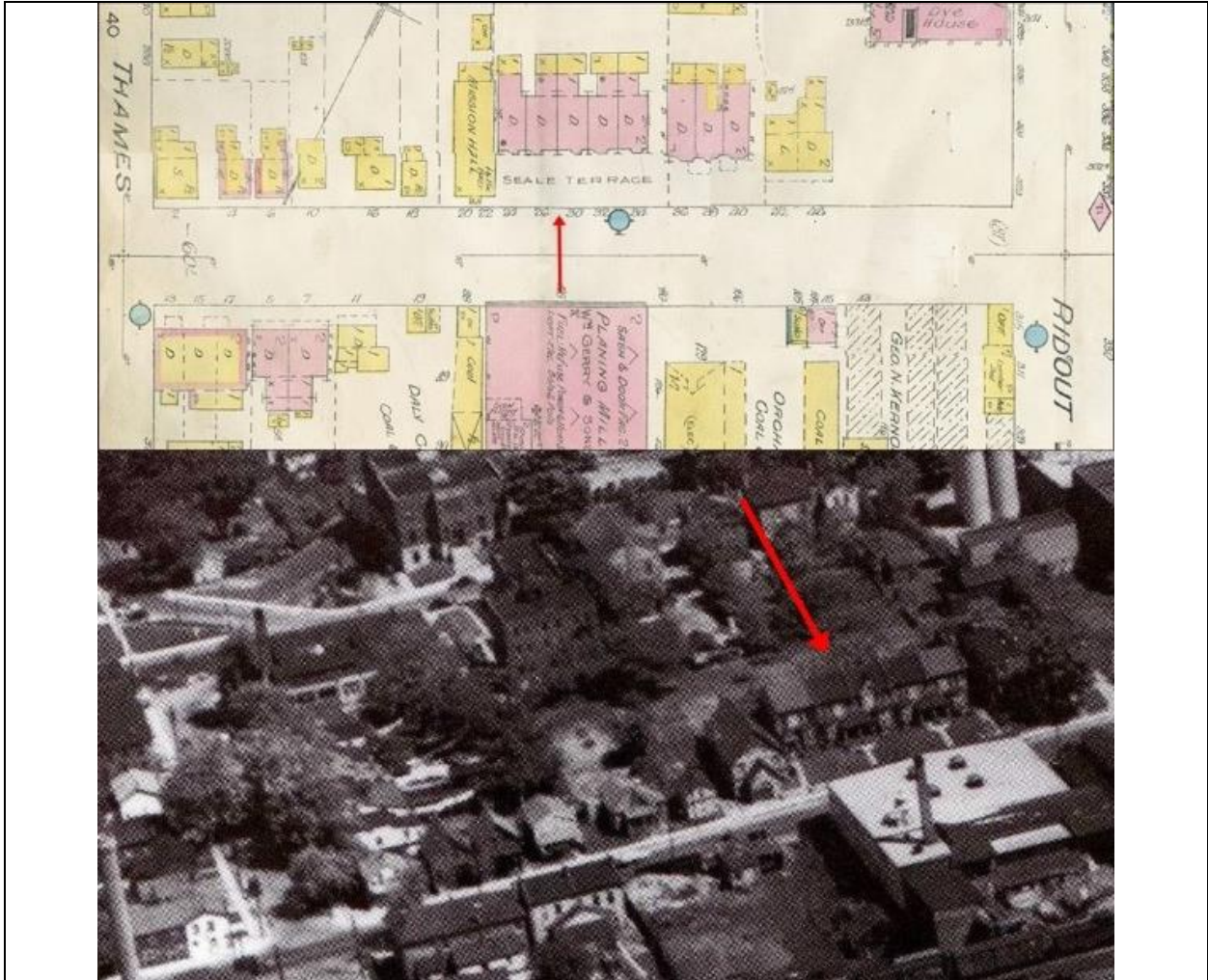


Image 1: Fire Insurance Plan, showing York Street between Thames and Ridout Streets



Image 2: 36 & 40 York Street – Existing Streetscape, June 2017

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Image 3: York Street Streetscape, Northeast View taken from near Thames Street, June 2017



Image 4: York Street Streetscape, Northwest View taken from near 36 York Street, June 2017

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Image 5: 36 York Street, current
(Stantec, *Heritage Impact Statement*)

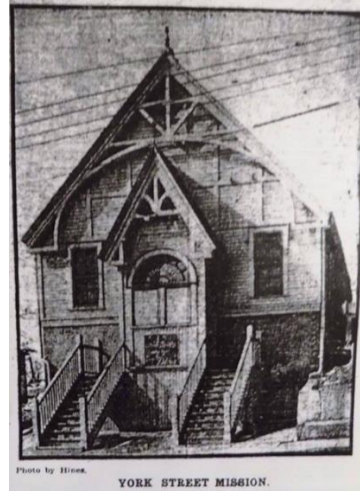


Image 6: 36 York Street, 1914
(London Free Press)



Image 7: 40 York Street, current view
(Stantec, *Heritage Impact Statement*)



Image 8: 24 York Street, July 2017



Image 9: 7-15 York Street, July 2017



Image 10: View towards Ivey Park near 24/32
York Street, July 2017

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APPENDIX C —8.0 Recommendations from Heritage Impact Statement (Stantec, May 22, 2017)

HERITAGE IMPACT STATEMENT 32, 36, AND 40 YORK STREET, LONDON, ONTARIO

Recommendations
May 22, 2017

8.0 RECOMMENDATIONS

Properties within and adjacent to the proposed development site contain cultural heritage resources. Based on the impacts identified to cultural heritage resources, the following mitigation measures are recommended:

- Establish a 40 metre buffer, or the maximum possible, between construction activities and structures identified as cultural heritage resources during the construction phase for the properties located at:
 - 13 York Street (CHR-1)
 - 15 York Street (CHR-2)
 - 17-19 York Street (CHR-3)
 - 24 York Street (CHR-4)
 - 7 York Street (CHR-6)
 - 9 York Street (CHR-7)
 - 11 York Street (CHR-8)
- Monitor vibration on adjacent identified cultural heritage resources before and after the construction phase is completed.
- Offer the property at 36 York Street to the community to consider offers for relocating the structure off-site (if technically feasible).
- Conduct documentation and salvage of the property at 36 York Street if relocation is not desired or feasible. Documentation entails the photographic documentation of the house and the creation of measured drawings. Salvage includes the reclamation of historical materials to be incorporated in the proposed development or commemorative/interpretive features.
- Establish a commemorative plaque or signage for the property at 36 York Street, incorporating salvaged materials where possible.
- The HCD suggests stepbacks of two metres back for every two metres in height above 18 metres for the proposed tower. Given the property footprint and recent planning and urban design considerations, stepbacks of two metres for each two metres of height may not be feasible so efforts should be made to incorporate stepbacks where possible to transition down to the low-rise properties at the York Street and Ridout Street level.
- Establish a podium base for the development tower, reflective of the typical scale of heritage properties in the HCD, in order to enhance the character of the street at the pedestrian level.
- Use high quality building materials, such as brick, at the podium base, with appropriate glazing percentages and rhythms of traditional facades. Design elements of the proposed development should reflect nearby heritage properties, such as yellow/buff brick and rectangular or segmental arch window openings.
- Prepare landscape plans to reflect the streetscape context of the Downtown HCD, including hard and soft materials, arrangements (design) in character with the HCD and identified in the HCD Plan.
- Select landscape materials that are respectful of heritage context and reflect materials suggested in the Downtown London HCD Plan and Guidelines.



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Appendix D – Memos from Chris Hendriksen (Stantec) dated July 5, 2017, to Melissa Campbell, Planner II; Amenity Space Summary, Supplement to the Urban Design Brief (Bonus Provisions)



Memo

<p>To: Melissa Campbell, Planner II</p> <p>Planning Services City of London P.O. Box 5035, 206 Dundas Street, London, ON N6A 4L9</p>	<p>From: Chris Hendriksen, P. Eng. Stantec Consulting Ltd.</p>
<p>File: 32, 36, and 40 York Street</p>	<p>Date: July 5, 2017</p>

Reference: Amenity Space Summary

A summary of the amenity space provided in the development proposal at 32, 36, and 40 York Street is provided below:

- **3rd Floor Podium Roof:** The 3rd floor podium roof will consist of a green roof on the west and east (40% landscaped, 60% hardscaped)
- **11th Floor Roof:** The 11th floor roof will include a green roof (30% landscaped and 70% hardscaped)
- **The 3rd and 11th floors** will include common amenity rooms that open to the exterior terrace spaces.
- Additional amenity space may be incorporated into the **1st floor/lower level** within the podium, which may include exercise areas, media room, or a guest suite. If these areas cannot be incorporated into the podium, the 3rd and 11th floor common areas would be increased.

Chris Hendriksen, P. Eng.
Project Manager
Phone: (519) 675-6606
Fax: (519) 645-6575
Chris.Hendriksen@stantec.com

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Memo

To: Melissa Campbell, Planner II
 Planning Services
 City of London
 P.O. Box 5035, 206 Dundas Street,
 London, ON N6A 4L9

From: Chris Hendriksen, P. Eng.
 Stantec Consulting Ltd.

File: 32, 36, and 40 York Street Date: July 5, 2017

Reference: Supplement to the Urban Design Brief for 32, 36, and 40 York Street – Bonus Provisions

We are requesting density bonusing to permit increased density up to a maximum of 605 units per hectare to be addressed through special provisions, in return for premium services and facilities with regards to the building design and site layout in accordance with Type 2 bonusing.

Details on the premium services and facilities are provided in the Table below.

Bonusing Provisions	Details
Exceptional Site Building and Design	<ul style="list-style-type: none"> High-quality building design emphasizing a tall building that relates to the surrounding context. Three-storey podium design to create a continuous street wall, and create a pedestrian-friendly scale. Varied building materials will be used to provide interest and an aesthetic streetscape and traditional materials such as brick will be used to reflect overall character of the Downtown Heritage Conservation District. Patterns of recurring bays and traditional fenestration patterns arranged in a manner that helps break up the rhythm of the façade and reflect the historic precedent in the downtown of smaller lots within a consistent street wall.
Sustainable Forms of Development	<ul style="list-style-type: none"> Transit-friendly compact development with pedestrian linkages to the downtown core. Installation of low maintenance and drought tolerant plants where feasible. Planting of street trees that will contribute to overall canopy cover. Lighter coloured roofing/siding materials, which reduces cooling costs and urban heat island effect. Low-flow faucets, toilets, and showerheads will be incorporated throughout the units to reduce water consumption.

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July 5, 2017
Melissa Campbell, Planner II
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Reference: Supplement to the Urban Design Brief for 32, 36, and 40 York Street

	<ul style="list-style-type: none">• Closed-looped heating and cooling systems.• Energy efficient lighting.• On-site recycling and waste management measures.• High efficiency HVAC inside units (individual air handlers with ERV's and unit air conditioner).• Individually metered units.• Well-constructed building to minimize future maintenance issues.• The use of natural light and natural ventilation in the building designs.• Utilization of local materials wherever possible.
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APPENDIX E – Internal Memo to the City Project File Planner dated July 7, 2017, from Heritage and Urban Design Staff



Memo

To: Melissa Campbell, Planner II,
From: Britt O’Hagan, Urban Designer
CC: Laura Dent, Heritage Planner
Date: July 7, 2017
RE: Rezoning (Bonus Zone) - 40 York St

Melissa,

Urban Design has reviewed the above noted documents and provide the following comments consistent with the Official Plan and applicable by-laws and guidelines:

1. Compatibility and compliance with the Heritage Conservation District, and adjacent significant heritage resources (as per *PPS-2014, OP, London Plan* and *Downtown HDC Plan*) will be achieved in part through the incorporation of “Priority Items” and “Bonusing Features” listed below.

Revision Items:

2. Wrap the garage with active uses (e.g. townhouses, commercial space, indoor/outdoor amenity areas, etc.) along the York Street and Thames Street frontages to reduce blank walls and animate the streetscapes. This will include vision glass and pedestrian entrances.
3. Integrate the 10-storey and 24-storey tower portions by aligning the south facades and integrating the materials, glazing pattern, balcony style, etc. in a horizontal manner.
4. Locate the tower on the podium in a way that frames the southwest corner of the building and defines useable amenity space for residents on the roof (private and/or shared).
5. Integrate the rooftop mechanical and elevator penthouses fully into the design of the building. Create a varied and sculpted roof form on the top.
6. Design balconies to not require structural supports on the corners in order to reduce the visual weight of the building and create a light and airy tower.
7. Create a high quality urban space within the building setback areas along York Street and Thames Street.
 - i. The York Street frontage should seamlessly integrate with the infrastructure renewal work scheduled for 2018.
 - ii. The Thames Street frontage should complement the character of Ivey Park across the street, while providing for seating areas and/or patios in an urban plaza space. The drop off area should be integrated into the plaza as a shared space.

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Additional Bonusing Enhancements:

1. Retain a significant number of the existing mature trees on site.
2. Consider varying the podium cornice height or introducing special architectural features such as curtain walls or parapets to highlight entrances and corners.
3. Consider terracing balconies on the west façade to take advantage of open space views and optimize public/private rooftop amenity space.
4. Consider incorporating green roofs for amenity space, visual amenity of residents and/or environmental benefits.
5. The use of materials and colours reminiscent of historic Downtown London (e.g. London “white” brick) — is encouraged; particularly at the pedestrian level of the proposed development.

Additional Materials Requested:

- Please provide updated section drawings showing the height of the podium of the building.
- Please provide a detailed landscape plan and roof plan for proposed amenity areas.

Please advise if you have any questions.

Sincerely,



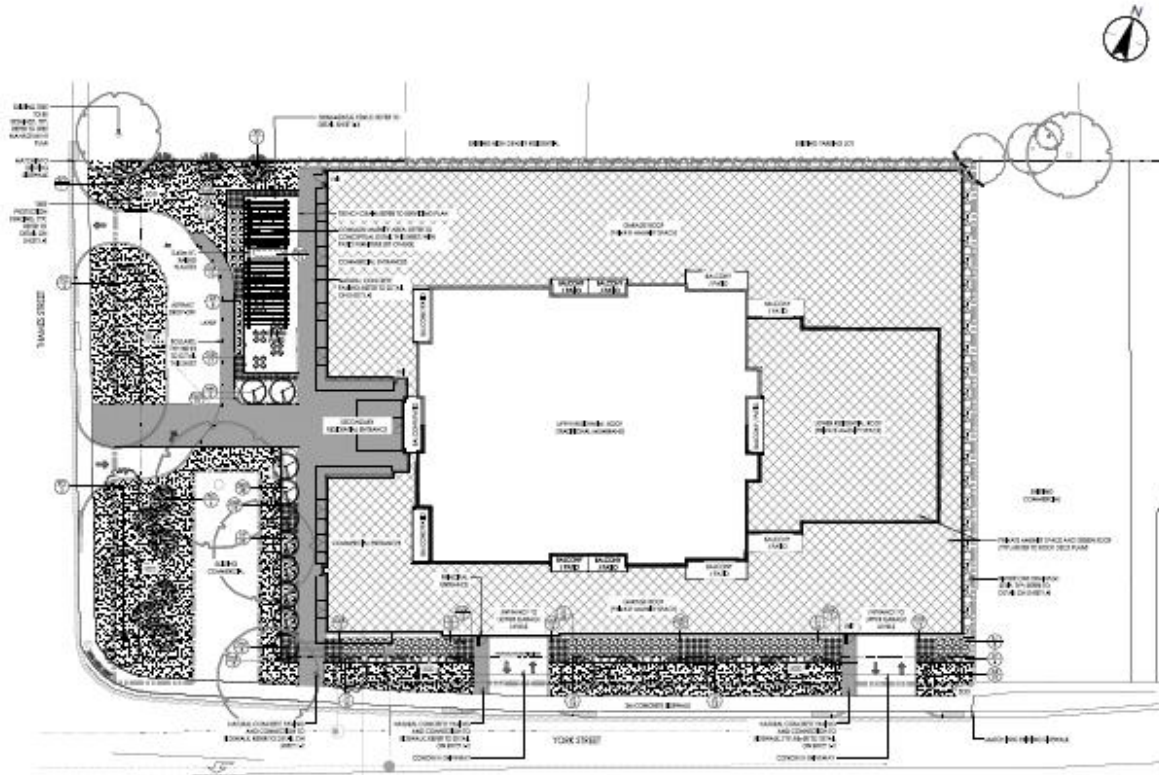
Britt O'Hagan, MScPI

Urban Designer

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Appendix F – Select Images from Urban Design Brief, dated July 18, 2017 of Proposed Development Design Concept



Above: Landscape Plan

Below: Roof Plan (showing green roofs and amenity areas on the 3rd floor podium and 11th floor roof)



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Above: Tower View (from Thames and York Street corner facing west)

Below: Podium View (along York Street)



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Appendix G –



Memo

To: Proponents

- Adam Carapella, VP Operations, Tricar
- Chris Hendriksen, Project Manager, Stantec
- JP Thornton, Principal, Kasian
- Chris Leigh, Director of Construction and Development, Tricar
- Erica Killeen, Development Administrator, Tricar

City of London Personnel

- Britt O’Hagan, Urban Designer
- Melissa Campbell, Landscape Planner

From: Urban Design Peer Review Panel (UDPRP)

- Adrian Dyer, Architect, Chair
- Jason McIntyre, Architect (absent)
- John Nicholson, Architect
- Sung Ae Sim, Landscape Architect
- Jordan Kemp, Urban Planner
- Janine Oosterveld, Urban Planner

RE: Zoning By-law Amendment : 40 York Street
Presentation & Review, July 19, 2017

The Panel is of the opinion that refinements to the building design are required in order to benefit from density bonusing for urban design excellence.

- A smaller floor plate for the tower is recommended, with the potential to increase the number of floors to offset, to some extent, the loss of units per floor.
- While understanding grading is a challenge to achieve an active street frontage on York Street, the Panel is of the opinion that the resolution, as proposed, does not go far enough to address this in targeting urban design excellence bonusing. The Panel is supportive including the residential access on York Street (concept 2).
- Notwithstanding the constraints to accommodate drive aisles in the garage, it is recommended that vehicular access be limited to one (1) driveway entrance. This will help to create more space along York Street for animation as well as minimize potential conflicts with pedestrians.

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- The Panel does not support the U-shaped driveway along Thames as it reads as a suburban treatment. If the park is included in the design, it is recommended that this drop off be removed in favour of a lay-by with parking and mix of landscape treatments including casual seating, bike storage, and restaurant patio space and the protection of existing trees and better transition for riverfront community.
- The Panel is supportive of the rooftop amenity and green roof elements, however, the green roof has not been added for environmental reasons/sustainability. The panel suggests adding a green roof as an integral part of sustainability, considering it as an intensive green roof, rather than an extensive one. By adding and benches around it the roof can be a shared amenity. If this green roof can have detention/pond cups to be part of storm water management, its value may be further maximized as a sustainable measure of the project.
- It was difficult to fully evaluate the project in context without the inclusion of the existing building at the corner of York/Thames which faces York Street in the massing model and site plan concepts.
- Base as presented is not a strong element. The panel felt it; could be higher as it moves along York St., and be broken up into to smaller elements to achieve a more successful animated, accessible York façade at street. The panel strongly recommends creating a more interactive building footprint by creating more protruded and recessed façade to minimize impact of the scale of building for better human scale and pedestrian environment at ground level.
- Strongly suggested that applicant must provide adequate setback with wider sidewalk on both streets, and provide street level amenity space and plaza with site furnishing (such as bike rack, covered shelter, benches, trash receptacles, pedestrian scale lighting/illuminated bollards, public art, and signage).
- Tower seems squat relative to base and height. The reverse “L” is not a successful device here particularly as the “L” elements are connected in the centre of the tower mass. A bundled, stepped, tower where the four corner masses are expressed may allow a more coherent slim profile as the tower rises.

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Subject to the comments and recommendations above, the proposed development represents an appropriate solution for the site.

Sincerely on behalf of the UDPRP,

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John Nicholson for

Adrian Dyer, BArch, ARB (reg), DATD, Chair, City of London Urban Design Peer Review Panel

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Appendix H – Heritage Impact Statement, 32, 36 and 40 York Street, London, Ontario (Stantec Consulting Ltd., May 22, 2017; final report)