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File: OZ-8804
Planner: M. Campbell

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: MARIGOLD HOMES INC. 467-469 DUFFERIN AVENUE PUBLIC PARTICIPATION MEETING ON DECEMBER 4, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Marigold Homes Inc. relating to the property located at 467-469 Dufferin Avenue:

- a) The request to amend the Official Plan to **ADD** a Specific Area Policy to Chapter 10 (Policies for Specific Areas) to allow an apartment building with 12-“Micro-suites”, and a maximum density up to 307 units per hectare **BE REFUSED** for the following reasons:
 - i. The requested amendment is not consistent with the Provincial Policy Statement (2014) which encourages intensification at appropriate locations where it can be accommodated. There is no clear commitment to satisfy the definition of affordable housing in the Provincial Policy Statement (2014). The proposed development is not consistent with the Provincial Policy Statement (2014) which directs cultural heritage resources shall be conserved.
 - ii. The requested amendment does not satisfy the location criteria for a Special Policy Area. The proposed development does not satisfy all the criteria of a Planning Impact Analysis required for a Specific Policy Area.
 - iii. The proposed development requires the removal or demolition of the existing building located on the subject lands within the East Woodfield Heritage Conservation District. The requested amendment does not conform to the Official Plan or The London Plan that encourages cultural heritage resources be conserved and protected. The proposed development does not conform to the East Woodfield Heritage Conservation District Plan
 - iv. The proposed redevelopment represents an over intensification of the subject lands.

- b) The request to amend Zoning By-law No. Z.-1 to **ADD** the definition of “Micro-suites” to Section 2 (Definition), and change the zoning of the subject property **FROM** a Residential R3 (R3-2) Zone, **TO** a Residential R3/Residential R8 Special Provision Bonus (R3-2/R8-4()•B()) Zone, **BE REFUSED** for the following reasons:
 - i. The requested amendment is not consistent with the Provincial Policy Statement (2014) which encourages intensification at appropriate locations where it can be accommodated. There is no clear commitment to satisfy the definition of affordable housing in the Provincial Policy Statement (2014). The proposed development is not consistent with the Provincial Policy Statement (2014) which directs cultural heritage

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- resources shall be conserved.
- ii. The requested amendment does not conform to the density of development contemplated in the Official Plan, nor the use and height of development contemplated in the “Neighbourhoods” Place Type in The London Plan.
- iii. The requested amendment does not satisfy all the criteria of a Planning Impact Analysis required for applications considering residential intensification.
- iv. The proposed development requires the removal or demolition of the existing building located on the subject lands within the East Woodfield Heritage Conservation District. The requested amendment does not conform to the Official Plan or The London Plan that provides for the conservation and protection of cultural heritage resources. The proposed development does not conform to the East Woodfield Heritage Conservation District Plan.
- v. The request for Bonus Zoning does not satisfy the general Bonus Zoning objectives in the Official Plan, and not all of the proposed bonusable items are eligible for the Bonus Zoning.
- vi. There is no clear commitment to satisfy the definition of affordable housing in the Provincial Policy Statement (2014), the 1989 Official Plan or The London Plan as a rationale for Bonus Zoning.
- vii. A compelling reason has not been provided to define “Micro-suites” separately for the purposes of this application.
- viii. The requested amendment represents an over intensification of the subject lands.

EXECUTIVE SUMMARY

Summary of Request

The Official Plan Amendment and Zoning By-law Amendment application by Marigold Homes Inc. for the subject lands was accepted as a complete application on July 12, 2017. The purpose and effect of the application was to permit the redevelopment of the subject lands for an apartment building with 12-“Micro-suites”. A Specific Policy Area was requested to permit the proposed apartment building up to a maximum density of 307 units per hectare (“uph”) on the subject lands notwithstanding the Low Density Residential designation. The Residential R8 Zone, which regulates development in the form of low-rise apartment buildings, was proposed to be applied to the subject lands with a special provision to provide relief from the standard R8 Zone regulations and the general provisions of the Zoning By-law, and add regulations to limit intensity. A Bonus Zone was also requested to permit the increased density proposed. “Micro-suites” was requested to be added among the defined terms in the Zoning By-law.

By way of a letter dated November 1, 2017 the applicant requested that parallel to the Official Plan Amendment and the Zoning By-law Amendment requested, an Amendment to the London Plan also be considered. This request was brought forward late in the application process. As such, the statutory timeframe in which to provide notice of the requested revision to the application in advance of the public participation meeting could not be accommodated (30 days for an Official Plan Amendment and allowing for publication in *The Londoner*), while also satisfying the statutory timeframe in which Council has to make a decision on the initial application (180 days from acceptance as complete application). No additional justification was provided to support the request to

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amend The London Plan although Planning Staff have had regard for evaluating consistency with The London Plan throughout this report.

Separately on November 13, 2017, a Request for Demolition application was received requesting permission to demolish the existing building on the subject lands. As a heritage designated property under the Ontario Heritage Act, Council has 90-days to issue a decision on the demolition request. The demolition request will be circulated to the London Advisory Committee on Heritage (“LACH”) for their consideration at a future LACH meeting and a separate report to the Planning and Environment Committee on the request for demolition will also be provided in the future.

Summary of Recommended Action

Planning Staff recommend refusal of the requested amendments. The rationale for the recommended refusal is provided below.

Rationale of Recommended Action

The applicant has requested a Specific Policy Area to permit the proposed apartment building up to a maximum density of 307 uph that otherwise would not be permitted on lands designated “Low Density Residential” by the policies in the Official Plan. The proposed use and height of 3-storeys is also not contemplated on the subject lands within the Neighbourhoods Place Type with frontage on a Neighbourhood Street according to Table 10 and Table 11 in The London Plan. Specific Policy Areas are intended to augment the standard policy direction with more detailed and specific policy direction for an area. However, the subject lands within the Low Density Residential designation have the ability to redevelop and intensify under the existing in-force policies up to Medium Density Residential development (75 uph). Being mindful that policies specific to the Woodfield Neighbourhood direct that the neighbourhood be maintained as a predominately Low Density Residential area, there is nothing particularly unique about the subject lands to warrant residential intensification beyond the scale contemplated under the existing in-force policies.

The applicant has requested that “Micro-suites” be permitted through the requested Specific Policy Area and also defined within the Zoning By-law. As proposed to be defined by the applicant, “Micro-suites” are intended primarily for occupancy by one (1) individual with a maximum of one (1) bedroom and a floor area maximum of 42 sq. m. The proposed dwelling units have the ability to comply with the minimum dwelling unit area for a bachelor of 37 sq. m as set out in the Zoning By-law. The fact that the accessible units on the ground floor are shown as bachelors and that the door between the sleeping area and living area for the other units is shown as “optional”, is a strong indication the need to define “Micro-suites” separately is not particularly compelling for the purposes of this application (see Proposed Floor Plan on page 15) .

The requested definition proposes to restrict occupancy and bedroom number in order to manage how intensely a site with Micro-suites is used. The request to recognize an intended occupancy of one (1) person through Zoning tools is not consistent with other regulatory documents such as the Property Standard’s By-law CP-16 or the Ontario Building Code. Moreover, the conventional standard in the Zoning By-law is to attribute density to the number of dwelling units per hectare.

The PPS directs planning authorities to plan for residential intensification in appropriate locations where it can be accommodated. The policies of the Official Plan and The

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London Plan permit residential intensification in Low Density Residential areas to a scale that is appropriate for the receiving neighbourhood. Specific Area Policies which augment the general residential intensification policies provide additional guidance on what is considered to be appropriate residential intensification for the neighbourhood in which the subject lands are located. Having considered the planned intent for the neighbourhood as well as the physical constraints of the subject lands, the proposed development is not consistent with the intent of the PPS to manage intensification wisely and direct intensification where it can be appropriately accommodated. The proposed redevelopment does not conform to the policies in the Official Plan or The London Plan that provide clear direction as to how the receiving neighbourhood is expected to grow and change. The proposed development of the subject lands requires several special provisions to the requested R8 Zone to regulate the proposed use. The amount of special provisions and the degree by which they diverge from the standard zoning requirements is a clear indication the proposed redevelopment is an over-intensification of the site.

The PPS requires planning authorities to plan for an appropriate range of housing types and densities to meet the housing requirements of all residents, including the provision of housing which is affordable. The Official Plan and The London Plan encourage housing choice, and recognize the potential of intensification in increasing the supply of housing which is affordable. Although, Micro-suites have the potential to add to housing choice, the applicant has not demonstrated that the proposed units will be affordable relative to units of a comparable size, and there is a lack of a clear commitment by the applicant to meet the definition of affordable housing in the governing policy documents. The proposed development is not required to contribute to the long-term supply of sustainable affordable housing. The proposed units are intended to be privately controlled market rate rentals with no agreements with the City or provincially mandated service providers of affordable housing to ensure affordability will be maintained over the long term. There is no certainty that the proposed development will contribute to the creation of sustainable affordable housing in return for the requested increase in density.

The PPS promotes the wise use and management of cultural heritage resources and directs that significant built heritage resources be conserved. Consistent with the PPS, there is an underlying preference by the Official Plan and The London Plan policies that cultural heritage resources be conserved and protected, and that the removal of these resources is the least desirable course of action and should be discouraged. In order to manage cultural heritage resources The London Plan requires consideration of mitigation measures to address any impacts on the cultural heritage resources and to conserve the cultural heritage resource.

Located within the East Woodfield Heritage Conservation District (HCD), the subject lands are a protected heritage property designated under Part V of the Ontario Heritage Act. Further research and evidence to fully substantiate the cultural heritage value or interest of the property, including the existing building as built heritage resource, is required before any irreversible decisions regarding the property (i.e. removal or demolition of the existing building) are made. As a result of the HIA not considering mitigation measures to address the impacts of the proposed development, including the removal or demolition of the existing building, the HIA has not demonstrated how this significant built heritage resource will be conserved. The application is contrary to the policy direction of the PPS, Official Plan, and The London Plan.

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ANALYSIS

1.0 Site at a Glance

1.1 Property Description

The subject lands consist of a single rectangular parcel that is approximately 390 sq. m (4,198 sq. ft.) in area, and located on the south side of Dufferin Avenue, one (1) property west of Maitland Street. The subject lands are municipally known as 467 and 469 Dufferin Avenue. The subject lands are located in the historic Woodfield Neighbourhood, which is an established residential neighbourhood located immediately east of the Downtown Area. The Woodfield Neighbourhood is divided into two (2) Heritage Conservation Districts (“HCD”). The subject lands are located within the East Woodfield HCD. There is an existing 1-storey semi-detached dwelling located on the subject lands. The Municipal Property Assessment Corporation (“MPAC”) dates the existing building to circa 1874. There is access to two (2) vehicular parking spaces that have historically been located within the City’s boulevard. There is no other vehicular parking provided on-site. The applicant has noted that there is an approximate 2.0 metre wide private right-of-way on the neighbouring property to the west in favour of the subject lands.



Figure 1: Photo Existing Building (467-469 Dufferin Avenue)

1.2 Current Planning Information (see more detail in Appendix F)

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods (with frontage on a Neighbourhood Street)
- Existing Zoning – Residential R3 (R3-2) Zone

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1.3 Site Characteristics

- Current Land Use – Semi-detached dwelling
- Frontage – 12.6 metres (41.3 feet)
- Depth – 30.9 metres (101 feet)
- Area – 390 sq. m (4,198 sq. ft.)
- Shape – Rectangular

1.4 Surrounding Land Uses

- North – Single, semi-detached, and converted dwellings, townhouses and mixed-use buildings
- East – Single, semi-detached, and converted dwellings
- South – Single, semi-detached, and converted dwellings, and apartment buildings
- West – Single, semi-detached, and converted dwellings, apartment buildings and community facilities.

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1.5 Location Map



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Figure 3: Proposed Building Elevations (467-469 Dufferin Avenue)

3.0 Relevant Background

3.1 Planning History

The subject lands are a protected heritage property designated under Part V of the Ontario Heritage Act as part of the East Woodfield HCD. The by-law to designate the HCD known as East Woodfield was passed on January 18, 1993.

There have been two prior requests for the demolition of the existing building located on the subject lands, first in 1998 and later in 2004. In 1998 a previous owner of the property submitted applications for a demolition permit and a London Endowment for Heritage Grant. The owner was advised by staff that it was inappropriate to simultaneously apply for the demolition permit and the grant. The owner was eventually advised that the grant committee was unable to provide the grant. On June 1, 1998

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Council resolved that on the recommendation of the London Advisory Committee on Heritage (“LACH”) the application for the demolition permit not be approved until such time as the owner submits a drawing of a new replacement building that conforms to the requirements of the East Woodfield HCD.

In March 2004 a second application for a demolition permit was submitted to the City. As part of the demolition permit process, the property owner was advised the building was located within the East Woodfield HCD. The property owner subsequently approached the City’s Heritage Planner requesting a Heritage Alteration Permit. The staff recommendation to LACH regarding the Heritage Alteration Permit with advice from the Heritage Planner was that the Heritage Alteration Permit be denied on the basis that demolition would not be in the best interest of the protection of the East Woodfield HCD and would result in the loss of a significant cultural heritage resources. LACH supported the staff recommendation. On September 7, 2004, Council resolved that the second application for a demolition permit and an application for a Heritage Alteration Permit be referred back to staff for future review of the condition and age of the building and for staff to report back to the Planning Committee.

It is important to note, that changes to the Ontario Heritage Act in 2005 have enabled a municipality to refuse a demolition request for a heritage designated property. Prior to 2005, the Ontario Heritage Act only enabled a municipality to delay the demolition of a heritage designated property by 180 days.

3.2 Requested Amendment

The purpose and effect of the requested Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) is to permit the redevelopment of the subject lands for an apartment building consisting of 12-“Micro-suites”. An amendment to the Official Plan was requested to add a Specific Policy Area to permit an apartment building with 12-“Micro-suites” and a maximum density up to 307 uph on the subject lands notwithstanding the land uses and densities typically permitted in the Low Density Residential designation.

An amendment to the Zoning By-law was requested to change the zoning of the subject lands from a Residential R3 (R3-2) Zone to a Residential R3/Residential R8 Special Provision Bonus (R3-2/R8-4(•)•B(•)) Zone. The Residential R8 Zone, which regulates development in the form of low-rise apartment buildings, was proposed to be applied to the subject lands with a special provision to provide relief from the standard Residential R8 Zone regulations, and the general provisions in the Zoning By-law, and add regulations to limit the intensity of development.

The requested special provision would permit a lot area minimum of 390 sq. m (as existing), a lot frontage minimum of 12.5 metres (as existing), a front yard depth minimum of 1.0 metre, a side yard depth minimum of 1.2 metres, maximum lot coverage of 63%, a maximum lot coverage for an accessory building of 10.4%, a side yard depth minimum and rear yard depth minimum for an accessory building of 0.3 metres and add regulations such as a gross floor area maximum of 615 sq. m, a bicycle parking standard of one (1) bicycle parking space per “Micro-suite”, and prohibit vehicular parking spaces for “Micro-suites”. The application proposed that in return for the requested Bonus Zone to permit an increase in the maximum permitted density up to 307 uph, the applicant will provide a high quality urban design including building form, exterior finish, and fenestration in keeping with the heritage character of the East Woodfield HCD; secure bicycle parking for twelve (12) spaces; and private affordable housing. “Micro-Suites” was requested to be added to the defined terms in the Zoning

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By-law

3.3 Community Engagement (see more detail in Appendix A)

Notice of Application was sent to property owners in the surrounding area on August 2, 2017, and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 3, 2017. The Notice of Application advised of the possible amendments to the Official Plan and Zoning By-law to permit the redevelopment of the subject lands for the proposed apartment building consisting of 12-“Micro-suites” with secure enclosed bicycle parking spaces provided at a rate of one (1) bicycle parking space per “Micro-suite”, and a prohibition on vehicular parking spaces. Possible changes to the Official Plan were advertised to add a Specific Policy Area to permit the proposed apartment building up to a maximum density of 307 uph on the subject lands, notwithstanding the Low Density Residential designation. Possible changes to the Zoning By-law were advertised to add “Micro-suites” among the defined terms in the Zoning By-law, change the zoning to include a Residential R8 Zone which regulates development in the form of low-rise apartment buildings and provide special provisions from the standard Residential R8 Zone regulations, and the general provisions of the Zoning By-law, and add regulations to limit the intensity of development. A possible Bonus Zone was also advertised to permit the proposed increase in the maximum density permitted in return for eligible facilities, services or matters.

Notice of Revised Application was sent to property owners in the surrounding area on November 8, 2017 and Notice of Revised Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 9, 2017 advising of changes in the nature and magnitude of the some of the requested special provisions. The Notice of Revised Application was issued following submission of revised drawings by the applicant on October 23, 2017 in response to comments received from the Urban Design Peer Review Panel (“UDPRP”).

The number of public responses to the Notice of Application and Revised Notice of Application was moderate with many responses received following the Notice of the Public Meeting. Twenty (20) responses in total were received. Responses in support of the application identified matters such as the need for smaller affordable residential units, the desire to see the current conditions on the site improved through the removal or demolition of the existing building (with and without support for the development proposed), an opportunity to improve and enhance the surrounding area through the proposed building design and fit within Woodfield. The concerns expressed in opposition to the proposed development identified such matters as the intensity of the proposed development, including the number of units on the site and the size of units, the demand for vehicular parking spaces and the absence of vehicle parking spaces proposed, the intended occupants, and lack of conformity with the East Woodfield HCD Plan.

3.4 Policy Context (see more detail in Appendix E)

Provincial Policy Statement, 2014 (PPS)

The 2014 Provincial Policy Statement (“PPS”), provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent” with policy statements issued under the Act. The PPS does not assign specific land use designations to lands.

The PPS directs growth to settlement areas, encourages a diversity of land uses and densities within settlement areas, and identifies locations where residential

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intensification will be directed. The PPS encourages a diversity of housing types and densities, identifies preferred locations for new housing, and considers the housing needs of all residents, including the provision of housing which is affordable. The PPS directs that cultural heritage resources shall be conserved.

1989 Official Plan

The City of London 1989 Official Plan (“Official Plan”) implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with the land use designations provide for a general range of permitted uses, form, and intensity of development.

The subject lands are located within “Low Density Residential” designation on Schedule “A” – Land Use in the City of London Official Plan. The Low Density Residential designation is intended for low-rise, low-density housing forms including single-detached, semi-detached and duplex dwellings. Residential intensification is permitted in the Low Density Residential designation and may be in the form of low-rise apartment buildings. The Official Plan contains several policies intended to guide intensification, and intensification should be consistent with the scale of adjacent land uses, compatible with the character of the area, and fit the configuration of the site and site constraints.

The Official Plan provides policies for Specific Areas where it is appropriate to address development opportunities and constraints through specific policies, and these specific policies serve to augment the standard land use policies. The subject lands are located within the Woodfield Neighbourhood, and the specific area policies direct that the Woodfield Neighbourhood be maintained as a Low Density Residential area with some exceptions. The subject land are also located within the Near-Campus Neighbourhoods Area that includes neighbourhoods affected by near-campus neighbourhood impacts. The policies for the Near Campus Neighbourhoods Area encourage appropriate forms of intensification and identify appropriate locations for intensification.

The Official Plan also provides policy direction on broader matters indirectly related to land use. The Official Plan pursues housing opportunities for all residents, including the provision of affordable and supportive housing; encourages a diversity of housing types and densities to ensure a broad range of needs are satisfied; and provides incentives for the provision of affordable housing through bonusing. The Official Plan provides for the protection and enhancement of cultural heritage resources; and provides incentives for the preservation and integration of cultural heritage resources into development proposals through bonusing. Figure 13-1 shows the boundaries of the East Woodfield HCD.

The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by Council and approved by the Ministry with modification, but is not yet in force and effect due to appeals to the Ontario Municipal Board.

The subject lands are located within the “Neighbourhoods” Place Type on Map 1 – Place Types in The London Plan, with frontage along a “Neighbourhood Street” on Map 3 – Street Classifications in The London Plan. The broadest range of use and intensity contemplated for the subject lands in The London Plan are single-detached, semi-detached, duplex and converted dwellings, townhouses, secondary suites, group homes and home occupations; a minimum height of 1-storey and a maximum height of 2.5-storeys.

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Within the Neighborhood Place Type intensification will be permitted only in appropriate locations and in a way that is sensitive to, compatible with, and represents a good fit with existing surrounding neighbourhoods; and the intensity will be appropriate for the size of the property. The London Plan generally directs intensification to areas that would strengthen existing and planned investments in transit and active mobility.

The London Plan also provides policies for specific areas. Specific policies for the Neighbourhoods Place Type serve to augment the general policies for neighbourhoods. The Near Campus Neighbourhood policies and the Woodfield Neighbourhood policies from the 1989 Official Plan have been carried forward to The London Plan as specific policies for the Neighbourhoods Place Type. The subject lands are shown within these specific policy areas on Map 7- Specific Policy Areas in The London Plan.

The London Plan also pursues housing opportunities for all residents and encourages a diversity of housing types and densities, while promoting the prevention of homelessness and affordable housing and providing incentives for provision of affordable housing. The London Plan provides for the protection, conservation and enhancement of cultural heritage resources. As noted above, the subject lands are located in the East Woodfield HCD. Specific HCDs are shown on Map 9 – Heritage Conservation Districts and Cultural Heritage Landscapes in The London Plan.

KEY ISSUES AND CONSIDERATIONS

4.0 Key Issues

4.1 Specific Policy Area

A Specific Policy Area has been requested for the subject lands as the proposed development does not conform to the current policies in the Official Plan that govern the intensity of development permitted on the subject lands. Planning Staff have considered the appropriateness of this request.

The subject lands are located within “Low Density Residential” designation. This designation is intended for low-rise, low-density housing forms including single-detached, semi-detached and duplex dwellings (Section 3.2., Section 3.2.2). Residential intensification is permitted in the Low Density Residential designation, and may be in the form of low-rise apartment buildings up to a maximum density of 75 uph. The applicant has requested a Specific Policy Area be applied to the subject lands to permit the proposed apartment building, consisting of 12-“Micro-suites” and a maximum density of 307 uph.

The Official Plan provides for the application of a Specific Policy Area to augment the standard policy direction with more detailed and specific policy direction for an area, where one or more of the criteria set out in the Official Plan can be satisfied (Policy 10.1.1). The criteria are as follows:

- *The proposed change in land use cannot be accommodated in another land use designation without negatively affecting the surrounding area.* The request for an apartment building, consisting of 12-“Micro-suites”, resulting in a density of 307 uph could be accommodated in the Downtown Area. The Downtown Area is

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intended to accommodate the greatest height and density of residential development permitted in the City, and the proposed development is less likely to negatively affect the Downtown Area than the Low Density Residential area surrounding the subject lands.

- *It is in the interest of Council to maintain the existing land use designation while allowing for a site specific change in land use.* Any such intent has not been made known to Planning Staff and is not reflected in the City’s policies documents that guide the use and development of the subject lands. The proposed development is in fact contrary to the policies specific to Woodfield Neighbourhood which direct the neighbourhood be maintained as a predominately Low Density Residential area.
- *The existing land uses are not well-suited to a standard land use designation for the purpose of directing future development.* The subject lands are within an established low-rise neighbourhood and could be appropriately developed under the existing in-force policies that include consideration for an appropriate level of residential intensification relative to the existing surrounding neighbourhood context and site constraints. Therefore, there is not a need to establish a Specific Area Policy for the subject property.
- *Policy is required to restrict the normal range of uses and intensity permitted in order to protect other uses from negative impacts.* The requested specific area policy seeks to increase the permitted intensity beyond the residential intensification already contemplated by the existing in-force policies, not restrict the normal range of intensity to protect from negative impacts as this criterion requires.

The proposed development does not satisfy the criteria for a Specific Policy Area.

4.2 Micro-suites

The applicant has requested that “Micro-suites” be permitted through the requested Specific Policy Area and also defined within the Zoning By-law. Planning Staff have considered whether “Micro-suites”, within the context of this particular application, should be included as a separate defined term within the Zoning By-law.

The requested definition of Micro-suites would mean a dwelling unit intended primarily for occupancy by one (1) person, with a maximum of one (1) bedroom, and floor area maximum of 42 sq. m. The floor area maximum proposed for a Micro-suite is less than the 47 sq. m minimum dwelling unit area required for a one (1) bedroom in the Zoning By-law, but larger than the 37 sq. m minimum dwelling unit area required for a bachelor in the Zoning By-law (Section 4.6 2)). The floor plans submitted in support of the application show the accessible units on the ground floor as bachelors, having no separation between the sleeping area and the living area; and the door between the sleeping area and living area for the other units is shown as “optional”. As such, the proposed dwelling units could comply with the minimum dwelling unit area for a bachelor in the Zoning By-law, and the need to define “Micro-suites” separately is not particularly compelling for the purposes of this application.

The requested definition proposes to restrict occupancy and bedroom number in order to manage how intensely a site with Micro-suites is used. With the exception of Group Homes, the Zoning By-law does not restrict the number of persons that can occupy a dwelling. The City’s Property Standards By-law CP-16 restricts occupancy of a dwelling

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unit to 1 person per 9.3 sq. m of habitable floor space. The Ontario Building Code (“OBC”) restricts occupancy to a maximum of two (2) persons per sleeping room or sleeping area in a dwelling unit or suite (Ontario Building Code 3.1.17.1 (1) (b)). The intended occupancy of one (1) person is not consistent with other regulatory documents. Moreover, the conventional standard in the Zoning By-law is to attribute density to the number of dwelling units per hectare.

In the opinion of Planning Staff, the requested definition for “Micro-suites” is not crafted in a way that provides a compelling reason to considered “Micro-suites” separate from the standard dwelling unit area minimums in the Zoning By-law; or as way to manage how intensely the site is used given the inconsistencies with other regulatory documents. Micro-suites as a dwelling unit type may warrant a broader City-wide policy and regulatory review in the future.

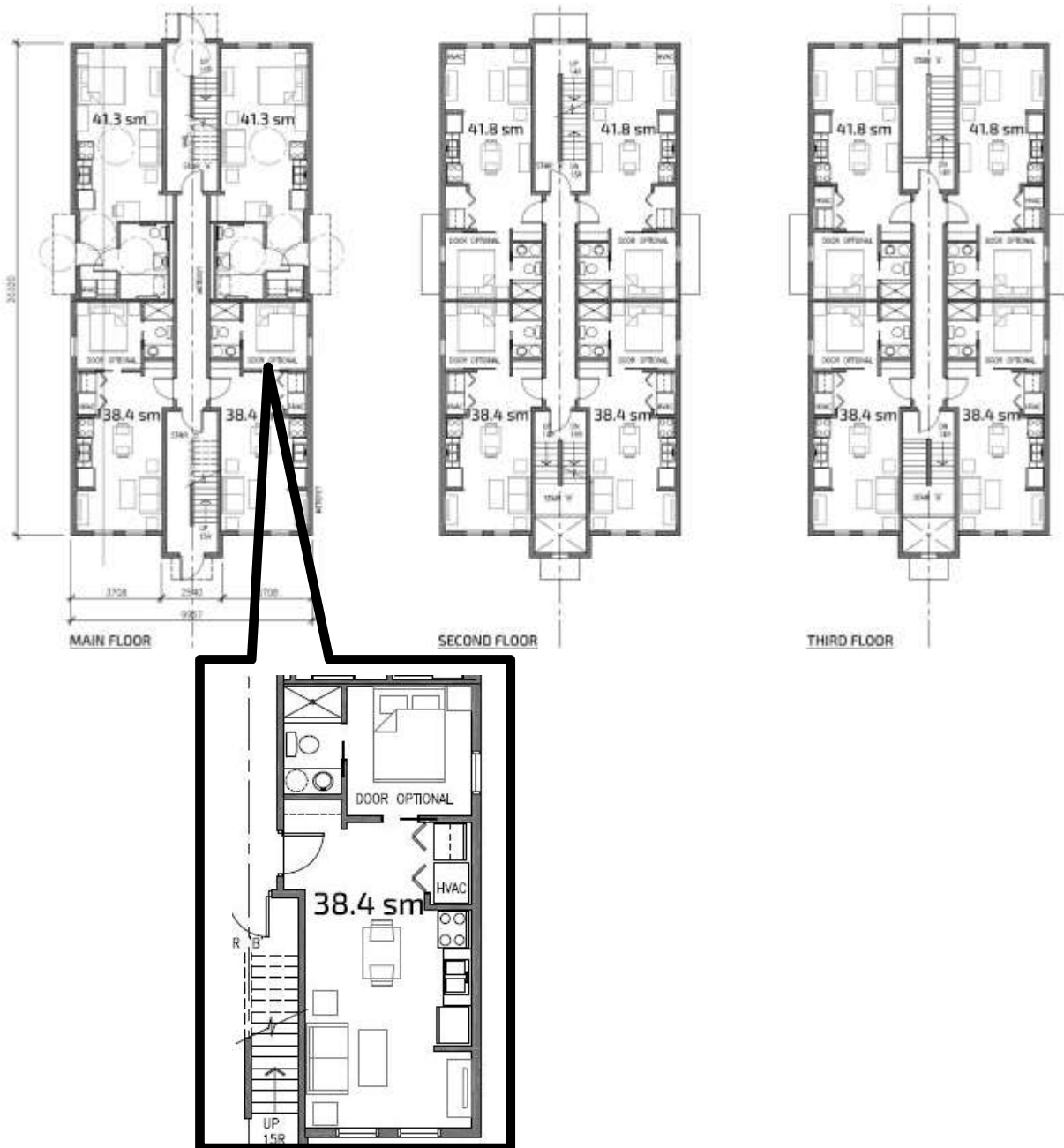


Figure 4: Proposed Floor Plans (467-469 Dufferin Avenue)

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4.3 Residential Intensification

The redevelopment proposal represents a significant increase in the intensity of development existing and planned for the subject lands. Planning Staff have considered the appropriateness of the requested residential intensification.

Provincial Policy Statement, 2014 (PPS)

The PPS directs growth and development to settlement areas and encourages their regeneration (Policy 1.1.3.1). Land use patterns within settlement areas are to provide for a range of uses and opportunities for intensification and redevelopment (Policy 1.1.3.2 b)). Planning authorities are to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated considering matters such as existing building stock, brownfield sites, and suitable existing or planned infrastructure and public service facilities. (Policy 1.1.3.3).

In conformity with the PPS, through the residential intensification policies that apply to the “Low Density Residential” designation and the existing Residential R3 (R3-2) Zone that permits a range of housing types including single-detached, semi-detached, duplex, converted triplex and fourplex dwellings, Council has already identified this site and the existing surrounding neighbourhood as an appropriate location for some residential intensification, but at a less intense scale than proposed through this application.

1989 Official Plan

Development within the Low Density Residential designation is intended to have a low-rise, low-coverage form that typically results in densities that range to an approximate upper limit of 30 uph (Policy 3.2.2 i)). The Official Plan provides for residential intensification in the Low Density Residential designation in the form of low-rise apartment buildings up to a range up to 75 uph subject to a Planning Impact Analysis (Policy 3.2.3, and Section 3.2.3.2). It is required that residential intensification demonstrate compatibility with, and maintain the character of, the existing surrounding neighbourhood (Policy 3.2.3, Policy 3.2.3.3 and Policy 3.2.3.4). It is intended that residential intensification meet all Zoning By-law regulations (Policy 3.2.3.8).

The Official Plan enables Council to consider development proposals for greater density and height than would normally be permitted without an amendment to the Official Plan through Bonus Zoning (Policy 3.2.3 and Policy 19.4.4)). As per the Bonus Zoning objectives in the Official Plan, in return for increased density, the development proposal must provide for certain public facilities, services or matters that result in a public benefit, and cannot be obtained through the normal development process (Policy 19.4.4 ii)). Since, the residential intensification policies for the Low Density Residential designation contemplate an increase in density up to the density limits for Medium Density Residential development, Bonus Zoning for additional density is reserved for the designation and integration of buildings considered to have cultural heritage value or interest (Policy 3.2.3.6); and/or the provision of affordable housing (Policy 12.2.2 iii)) subject to a Planning Impact Analysis.

The subject lands are located within the Woodfield Neighbourhood, which is identified as a Specific Residential Area to which additional policies apply. The policies specific to the Woodfield neighbourhood direct that the Woodfield Neighbourhood be maintained as a predominately Low Density Residential area with the exception of the Medium Density Residential area bounded by Richmond Street, Central Avenue, Wellington Street and Hyman Street, that may develop to 100 uph (Policy 3.5.4). The subject lands are also located within the Near-Campus Neighbourhoods Area. In the Low Density Residential designation in the Near Campus Neighbourhoods Area, planning

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applications to allow residential intensification should be supported only where the criteria in the Official Plan can be satisfied. (Policy 3.5.19.10 i) through viii)).

The applicant is proposing an apartment building with 12-“Micro-suites” on the subject lands, or approximately 307 uph. Residential intensification in the Low Density Residential designation is contemplated up to 75 uph or the equivalent of 3 units on the subject lands. The difference between the density requested on the subject lands, and density contemplated in the Official Plan through residential intensification, is a request for four (4) times the maximum permitted density or units. As noted above, the requested residential intensification is approaching the density limits attributed High Density Residential in the Downtown Area, which will normally not exceed 350 uph (Policy 4.1.7 i)).

Planning Impact Analysis

The requested residential intensification in the Low Density Residential designation is subject to the requirement of a Planning Impact Analysis. A Planning Impact Analysis requires consideration of a series of criteria. The criteria relevant to the proposed redevelopment proposal are discussed below:

Compatibility of proposed use with the existing surrounding neighbourhood, the ability to accommodate the propose use on site, and potential impacts (Policy 3.7.2 (a) and (b)). The proposed “apartment building” use is not consistent with the prevailing building type within the existing surrounding neighbourhood (or the planned intent in The London Plan). The subject lands are not an appropriate size for the proposed “apartment building” use as is evident from the number of special provisions required to accommodate the building on the subject site, relative to the standard regulations of the R8 Zone intended to regulate development in the form of low-rise apartment buildings. The proposed development is an over-intensification of the subject lands. These criteria are not satisfied by the proposed development.

The supply of vacant lands designated and zoned for the proposed use (Policy 3.7.2 (c)). The Woodfield neighbourhood is an established residential neighbourhood in which there are few vacant properties. The designation and the zoning is generally indicative of the predominant Low Density Residential development. However, there are some properties within the neighbourhood where the site-specific zoning recognizes existing apartment buildings and/or office conversions or future potential for those higher intensity uses. The preferred location for the proposed apartment building use would be those sites within Woodfield where the designation and site-specific zoning already permit higher intensity uses. Alternatively, the proposed “apartment building” use should be directed to several vacant sites in the nearby Downtown Area, which is identified in the Official Plan as a location for new Medium and High Density Residential (Policy 4.1). As referenced earlier, there are specific residential area policies in the Official Plan that direct that the Woodfield neighbourhood be maintained as a Low Density Residential area. The redevelopment proposal is not consistent with those policies. This criterion is not satisfied by the proposed development

Proximity to open space, services and facilities for Medium or Higher Density Residential development and the adequacy of those facilities and services (Policy 3.7.2 (d)). The subject lands are between two (2) to three (3) blocks (approximately 700 metres) of the public open space provided by Victoria Park at the westerly limit of the neighbourhood. The proposed development is better suited to a site that is closer to public open space given the requested relief from the minimum dwelling unit area and

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the lack of amenity space both inside and outside of the proposed building. Transit services are located along Dufferin Avenue and Colborne Street, one (1) block west of the subject lands, and along the major roads at the periphery of the neighbourhood. Rapid transit is planned along Richmond Street and King Street. The proposed development is better suited to a location directly on a transit route to justify the requested intensity in support of ridership to achieve a viable transit system. The proposed development is also better suited a location directly on a transit route to justify the absence of on-site vehicular parking. The subject lands are near many services and facilities as result of the established neighbourhood context and central location proximate to the Downtown Area. The subject lands are near the Masonic Hall, Mocha Shrine Centre, London Music Club, Lord Roberts Public School and Catholic Central High School. Although this criterion is partially satisfied by the proposed development, the same assessment could be made for new development in many areas of Woodfield. Therefore, this criterion alone does support the requested site-specific increase in the intensity of development.

The need for affordable housing (Policy 3.7.2 (e)). The proposed development is not expected to contribute to the long-term supply of sustainable affordable housing. The proposed units are intended to be privately controlled market rate rentals with no agreements with the City or provincially-mandated service providers of affordable housing to ensure affordability will be maintained over the long term. The provision of affordable housing is discussed in greater detail below. This criterion is not satisfied by the proposed development.

The location of vehicular access points and impact of traffic generated by the proposed change in land use (Policy 3.7.2 (h)). There are no vehicular access points to review for compliance, as on-site vehicular parking is requested to be prohibited in connection with the proposed Micro-suites as an affordability measure. With regard to the parking demand of residents, the Parking Impact Assessment prepared by Pol Associates Inc. proposed on-site vehicular parking to be substituted for secure enclosed bicycle storage which will promote the use of active modes of transportation. The Parking Impact Assessment does not anticipate impacts will result from the absence of on-site vehicular parking; suggesting residents could rent parking spaces nearby should they require parking. The parking demand of visitors, and from servicing and loading needs, has been directed to on-street vehicle parking. The Parking Impact Assessment again does not anticipate impacts because of the existing on-street parking availability. On-street vehicle parking is currently subject to a two (2) hour maximum between 8 am and 6 pm, Monday through Saturday; and the two (2) hour parking restriction is lifted after 6 pm and on Sunday. Overnight parking would be in accordance with the City's parking regulations. Transportation Planning and Design Staff had no comment on the application. However, it is reasonable to expect that there will be some demand for parking generated by the proposed development, whether long-term for residents, or short-term for visitors, servicing and loading. In the absence of on-site vehicular parking there will be an increase in the demand for on-street parking from the existing condition. As such, Planning Staff cannot conclusively state that the proposed development will not cause some impact for surrounding properties. This criterion is not satisfied by the proposed development.

Compatibility and integration of proposed building form with existing and future land uses in the surrounding area, and potential impacts on surrounding land uses (Policy 3.7.2 (f) and (i)). The proposed low-rise (3-storey) massing intended to help integrate the project into the existing neighbourhood exceeds the maximum height contemplated in The London Plan at this location, but appears to be compatible with the low-rise

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character and predominant 1 to 2 ½ storey buildings within the existing surrounding neighborhood. The roof style and pitch, window placement and proportions, and cladding material also appear to be consistent with the East Woodfield HCD design guidelines and reference features on the adjacent existing buildings. The proposed building is to be positioned close to the public right-of-way to maintain a consistent setback and building-line with the adjacent buildings. The proposed building massing and positioning is not anticipated to cast shadows, obstruct sightlines or create wind impacts that would significantly impact the amenity of surrounding land uses. However, the form of development cannot be considered in isolation of other concerns. The concerns with the requested development relate to the use and intensity, rather than form. The form of the proposed development must also be considered in the context of the requirement for heritage conservation, with compatibility is to be evaluated through the Heritage Alteration Permit process.

Compliance with the City’s policy and regulatory document (Policy 3.7.2 (l)). As discussed earlier in this report, the requested residential intensification does not comply with the intensity of development contemplated for the subject lands in the Official Plan, necessitating the need for a Specific Policy Area. It is intended that residential intensification should meet all Zoning By-law regulations. The proposed development requires several special provisions from the standard R8 Zone requirements. The requested special provisions are as follows:

- A maximum density of 309 uph; whereas a maximum of 75 uph is required.
- A minimum lot area of 391 sq. m (as existing), whereas a minimum of 1,000 sq. m is required.
- A minimum lot frontage of 12.5 metres (as existing), whereas a minimum of 30.0 metres is required.
- A minimum front yard depth of 1.0 metre; whereas a minimum of 7.0 metres is required. It being noted that the special provision maintains a consistent building setback with adjacent properties.
- A minimum side yard depth of 1.2 metres; whereas a minimum of 4.8 metres is required.
- A maximum lot coverage of 63%; whereas a maximum of 40% is required.
- That on-site parking be prohibited for micro-suites; whereas an apartment buildings in Parking Standards Area 2 has a minimum parking requirement of one (1) parking space per unit.
- A maximum lot coverage for an accessory building of 10.4%; whereas a maximum of 10% is required.
- A minimum rear yard and side yard depth for an accessory building of 0.3 metres; whereas a minimum of 0.6 metres is required.

This criterion is not satisfied by the proposed development.

Impacts on the transportation system, including transit (Policy 3.7.2 (n)). The proposed development is transit supportive. As noted earlier in this report, the absence of on-site vehicular parking is expected to promote the use of active modes of transportation, including transit, and contribute to ridership. The subject lands are within walking distance of existing and planned transit routes and transit infrastructure.

While some criteria can be achieved by the proposed development, the criteria not met by the proposed development is an indication the proposed development, in particular the proposed use and intensity, are not appropriate within the existing surrounding neighbourhood or on the subject lands. The form of the proposed development appears to be compatible with the existing surrounding neighbourhood, but cannot be considered in isolation of other concerns and must also be considered in the context of

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the requirement for heritage conservation with compatibility to be evaluated through the Heritage Alteration Permit process.

The requested residential intensification of the subject lands fails to respect the intent of the policies specific to the Woodfield neighbourhood. The policies clearly intend to preserve where possible, a Low Density Residential neighbourhood, while providing some opportunity for higher intensity uses where it would be most appropriately located contiguous to the Downtown Area and along a planned Rapid Transit Corridor. Other properties in Woodfield have been more successful in their ability accommodate residential intensification, including the relatively new apartment building located at 380 Princess Avenue that is better able to satisfy the current policy and regulatory framework given the size of the property, the surrounding context, and commitment made to sustainable affordable housing. There are also several examples of existing apartment buildings in Woodfield that pre-date the current policy and regulatory framework and are recognized and permitted to continue as legal non-conforming land uses.

Near Campus Neighbourhoods Area Policies

The requested residential intensification of the subject lands does not satisfy the criteria which evaluates residential intensification in the Low Density Residential designation within the Near Campus Neighbourhoods Area. Those criteria are as follows:

The proposal conforms to all of the residential intensification policies of this Plan (Policy 3.5.19.10 i)). The development proposal is well in excess of the density limits (75 uph) contemplated for residential intensification in the Low Density Residential designation.

The proposal conforms to all of the Policies for Specific Residential Areas of this Plan (Policy 3.5.19.10 ii)). As noted above, the development proposal does not conform the Woodfield Neighbourhood policies.

The proposal does not represent a site-specific amendment for a lot(s) that is not unique within its context and does not have any special attributes which would warrant a site-specific amendment (Policy 3.5.19.10 iii)). The subject lands are not unique within the neighbourhood context, nor does the property have any special attributes which would warrant a site-specific amendment. The subject lands are a regular shaped parcel, located interior to the block, of a comparable size to other lots within the neighbourhood.

The proposal is appropriate in size and scale and does not represent an over-intensification of the site (Policy 3.5.19.10 iv)). The proposal is an over intensification of the subject lands requiring several special provisions from the standard requirements of the requested R8 Zone as discussed earlier in this report.

The proposal provides for an adequate amenity area that is appropriately shaped, configured, and located to provide respite for the occupants (Policy 3.5.19.10 v)). There is modest space in the rear yard that could be used for shared outdoor amenity space, but the size of the space is not commensurate to the number of residents that would share and have access to the space. As a comparison, the existing R3-2 Zone allows for residential intensification in the form of a converted dwelling requiring a minimum of 180 sq. m of lot area per dwelling unit, inclusive of the building area, parking area and landscape/amenity area, to accommodate the additional intensity. The subject lands have a lot area of approximately 390 sq. m to accommodate the proposed 12-unit apartment building, but could only accommodate 2-units according to the minimum lot

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area for a converted dwelling unit under the existing zone. Amenity space becomes more important when the unit size decreases to provide opportunities for respite.

Mitigation measures are incorporated into the proposed building(s) and site design which ensure that the amenity of surrounding residential land uses is not negatively impacted (Policy 3.5.19.10 vi). The form of the proposed building appears to be sensitive to, and compatible with, the existing surrounding neighbourhood to be evaluated through the Heritage Alteration Permit process as discussed earlier in this report.

The proposal demonstrates that all heritage attributes and resources of the subject site or adjacent sites are conserved (Policy 3.5.19.10 vii). The subject lands are a protected heritage property as part of the East Woodfield HCD. The proposed development is predicated on the demolition or removal of the existing building, and possible mitigating measures by which to conserve the cultural heritage resource on the subject lands was not adequately addressed by the Heritage Impact Assessment submitted in support of the application. This is discussed in greater detail later in this report.

The proposal establishes a positive and appropriate precedent for similar development proposals at similar locations within the near-campus neighbourhood areas (Policy 3.5.19.10 viii). The proposed development does not establish a positive and appropriate precedent as there are several special provisions requested from the City's standards for development, in terms of both the general provisions in the Zoning By-law (e.g. minimum dwelling unit area and minimum parking requirements) and the standard R8 Zone regulations. The subject lands are not unique and are characteristic of the lot fabric in the area, which could facilitate future similar proposals.

Bonus Zoning

The applicant has requested Bonus Zoning and proposes a high quality urban design in keeping with the heritage character of the East Woodfield HCD; secure bicycle parking for twelve (12) spaces; and private affordable housing in return for an increase in density. Items identified for bonusing must represent matters that cannot otherwise be obtained through the normal development process as per the Bonus Zoning objectives in the Official Plan.

1. In terms of urban design, the subject lands are designated under Part V of the Ontario Heritage Act as part of the East Woodfield Heritage Conservation District. The issue of cultural heritage is discussed below in detail. The East Woodfield HCD Plan is intended to guide and manage physical change and development within the HCD. It being noted that the conservation, design and landscaping guidelines in the East Woodfield HCD Plan **requires** new development be compatible with the character of adjoining properties and the streetscape (Part II, Sec. 4.4). Achieving the heritage character is a requirement of this application and not a facility, service or matter that warrants Bonus Zoning. The designation and integration of buildings having cultural heritage value or interest would have been eligible for bonusing but, the proposed development is predicated on the removal or demolition of the existing building.
2. The provision of bicycle parking is a requirement under the general provisions of the Zoning By-law. Bicycle parking is required for apartment buildings at a rate of 0.75 space per unit. The proposed 12-unit apartment building would require 9 bicycle parking spaces. The addition of three (3) more bicycle parking spaces

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and secure enclosed storage proposed to be gained through Bonus Zoning is not commensurate with the increase in density requested.

3. The issue of affordable housing is discussed below in detail. In general Planning Staff are concerned that in this case affordability is based on the belief that smaller dwelling units without on-site vehicular parking are less costly to build and maintain, and therefore are inherently more affordable among other market rental housing. The applicant has not demonstrated that the proposed units will be affordable relative to units of a comparable size, nor is there a clear commitment by the applicant to meet the definition of affordable housing in the governing policy documents. The proposed units are intended to be privately controlled market rate rentals with no agreements with the City or provincially-mandated service providers of affordable housing to ensure affordability will be maintained over the long term. In the opinion of Planning Staff there is no certainty that the proposed development, with the requested increase in density, will contribute to the creation of sustainable affordable housing.

The London Plan

The residential intensification policies in The London Plan that apply in Neighbourhoods are intended to support intensification while ensuring that the proposed intensification is appropriately located and a good fit within the receiving neighbourhood (Policy 937_ and Policy 940_). The residential intensification must be sensitive to, compatible with, and a good fit within the existing surrounding neighbourhood (Policy 953_1). The proposed intensification must also be appropriate for the size of the lot (Policy 953_3.).

The preferred forms of intensification in the Near-Campus Neighbourhoods are mid-rise and high-rise apartment buildings situated in appropriate Place Types on appropriate street classification rather than within the interior of neighbourhoods (Policy 970_). Specifically, appropriate location for mid-rise and high-rise apartment buildings are those areas within the Near Campus Neighbourhoods located within Transit Villages, Rapid Transit Corridors, Urban Corridors, Downtown and Shopping Area Place Types (Policy 971_). Intensification in the interior of the Neighbourhoods Place Type, defined as those areas fronting Neighbourhood Streets, within the Near Campus Neighbourhoods will not be permitted where development proposals are inconsistent with the permitted uses and intensity in Table 10 and 11; nor where lots are inadequately sized and cannot reasonably accommodate the use, intensity, or form of development (Policy 968_ and Policy 976_). It is a policy of The London Plan to maintain the Woodfield neighbourhood as a low-rise residential area (Policy 1034_). As carried forward from the 1989 Official Plan, The London Plan directs higher density uses and office conversion to certain lands within the Woodfield neighbourhood, but not on the subject lands (Policy 1034_through Policy 1038_).

The proposed “apartment building” use is not permitted on the subject lands within the Neighbourhoods Place Type with frontage on a Neighbourhood Street according to Table 10. The building height of three (3)-storeys is also not permitted according to Table 11. The requested amendment does not conform to the use or the intensity of development contemplated in The London Plan, nor has it been demonstrated how the proposed development is compatible with the planned intent for the existing surrounding neighbourhood. The subject lands are inadequately sized to accommodate the proposed apartment building, requiring several special provisions, having inadequate outdoor amenity space, and unable to accommodate any on-site vehicular parking. The proposed development is therefore an over-intensification of the subject lands.

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4.4 Affordable Housing

The applicant has requested Bonus Zoning for increased density in return for the provision of “private affordable housing”. Planning Staff have considered the extent to which the proposed development will contribute to the creation of sustainable affordable housing.

Provincial Policy Statement, 2014 (PPS)

The PPS directs planning authorities to provide a range and mix of housing types and densities to meet the long-term needs of all residents, including affordable housing for low and moderate income households and special needs housings for persons with disabilities and for older persons. (Policy 1.4.3 a) and b)). The PPS defines affordable rental housing as the less expensive of the following scenarios:

- rent that does not exceed 30% of the gross annual household income for low and moderate income households, where low and moderate income households are households in the bottom 60% of the income distribution for renter households in the Regional market; or
- rent that is at or below the Average Market Rent in the Regional market (Policy 6.0).

There is a lack of clarity and commitment to demonstrate how the proposed development will meet the definition of affordable housing as defined in the PPS and other policy documents as discussed below.

1989 Official Plan

The housing objectives in the Official Plan support housing choice, and a range of housing types to satisfy a broad range of housing requirements (Policy 12.1 i)). Official Plan policy promotes the provision of affordable housing, and directs Council to work with others, including the private sector, to provide affordable housing. (Policy 12.1 v) and vii)). In addition to areas of new development, infill and redevelopment may also contribute to the supply of affordable housing (Policy 12.1 ix)). The Official Plan provides a definition of affordable housing, distinguishing between ownership and rental housing, and defines “low- and moderate-income households” consistent with the definitions PPS (Policy 12.1.1 ii) (a) and (b) and policy 12.1.1 iv)). Among the measures to increase the supply of affordable housing, the Official Plan provides incentives (increased height and density) to support the provision of affordable (Policy 12.2.2 iii)).

The London Plan

The London Plan encourages the provision of a diversity of housing types and densities (Policy 505_). The various urban Place Type policies of this Plan are to provide abundant opportunities for a diversity of housing types and densities, in conformity with the City Structure Plan (Policy 508_). Not all housing types and densities will be considered appropriate in all urban Place Types. Intensification is supported to increase the supply of housing where infrastructure, transit and other public services are available and accessible. (Policy 506_). The London Plan commits to a collaborative approach to the delivery and administration of affordable housing, working with public and/or private sector providers (Policy 515_ and Policy 516_). The London Plan recognizes that targets for new affordable housing may be met through intensification as well as greenfield development (Policy 517_). Incentives (increased height and density) are provided to support the provision of affordable housing (Policy 521_). Green development techniques are encouraged in the construction of affordable housing to reduce the long term operating costs to support the long term sustainability and quality of affordable housing (Policy 522_).

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The definition of affordable rental housing in the Official Plan and The London Plan is consistent with the definition in the PPS, but could be either one of the scenarios described above, either by a share of low and moderate household income, or equal to or less than average market rent, but not necessarily the less expensive scenario. In practice, in order for rental units to receive funding under the Canada-Ontario Affordable Housing Program (AHP) or the Investment in Affordable Housing for Ontario (IAH) program, rents are required to be at or below 80% of the CMHC average market rent. Service Managers with the delegated responsibility for the delivery and administration of affordable housing, such as the Housing Development Corporation for London and Middlesex County (“HDC”), have the ability to set their own target. The HDC recognizes affordable housing as 70% to 80% of the CMHC average market rent for London and Middlesex County.

The average market rent for a bachelor and 1-bedroom was \$632 and \$807 respectively in the City of London in October 2016 as provided by the Canadian Mortgage Housing Corporation (“CMHC”), and \$621 and \$802 respectively in the London CMA representative of the Region market in October 2016. According to the Official Plan and The London Plan, a rental rate at or below \$621 and \$802 for a bachelor and a 1-bedroom respectively in the London CMA, could be considered affordable housing. Based on the practices of the HDC, the Planning Justification Report prepared by Pol Associates Inc. in support of the proposed development identified an affordable rental housing rate for a 1-bedroom as \$565 (equal to 70% of the 2016 CMHC average market rent for the City of London). However, the application, has not demonstrated that proposed units which are akin to a bachelor will be affordable relative to units of a comparable size, nor is there a clear commitment by the applicant to meet the definition of affordable housing in the governing policy documents.

The challenge in determining whether the expected rents for the proposed Micro-suites would be affordable is that the application requests a new type of dwelling unit with a reduced floor area that cannot be directly compared to traditional dwelling units that satisfy the minimum floor area by bedroom types. The proposed units are also intended to be privately controlled market rate rentals such that the rental rates will be limited by whatever the market will bare for a unit of a given size. The applicant has not approached the City or provincially mandated service providers of affordable housing about agreements to ensure affordability will be maintained over the long term. Therefore, there is no certainty that the proposed development with the requested increase in density and requested relief from dwelling area minimums will contribute to the creation of sustainable affordable housing.

4.5 Cultural Heritage

The subject lands are a protected heritage property designated under Part V of the Ontario Heritage Act as part of the East Woodfield HCD. The policies in the PPS, Official Plan and The London Plan provide for the conservation of significant built heritage resources and significant cultural heritage landscapes. The redevelopment proposal is predicated on the removal or demolition of the existing building on the subject lands and is contrary to the policy direction.

Provincial Policy Statement, 2014 (PPS)

The PPS promotes the wise use and management of cultural heritage resources and directs that significant built heritage resources and significant cultural heritage landscapes shall be conserved (Policy 2.6.1). The proposed removal or demolition of

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the existing building on the subject lands without mitigation measures by which to conserve the cultural heritage resource is not consistent with the PPS.

1989 Official Plan

Pursuant to the provisions of the Ontario Heritage Act, areas of the City may be designated as Heritage Conservation Districts (“HCDs”). The subject lands are a heritage protected property designated under Part V of the Ontario Heritage Act as part of the East Woodfield HCD. The Official Plan directs that the erection, alteration, demolition or removal of buildings or structures within an HCD is subject to the provisions of the Ontario Heritage Act and the HCD Plan (Policy 13.3.2). The policies in the Official Plan encourage the retention of existing structures and landscape features within HCDs to maintain the character of the districts; direct that new development complement the prevailing character of the districts; and that at all times regard should be had for the guidelines and intent of the HCD Plans (Policy 13.3.6 i)-iii)). There are specific policies for the East Woodfield HCD in the Official Plan. It is recognized that the intent of Council is to maintain, protect and conserve the East Woodfield HCD (Policy 13.3.8.1 ii)). The policies specific to the East Woodfield HCD encourage the preservation of existing dwellings, grass boulevards, individual street trees and tree lines to maintain the residential character of the area; and new development should complement the prevailing residential character of the area; and public works should have minimum impact on the character of the area (Policy 13.3.8.1 iii) a)-c)).

Redevelopment that detracts from the integrity or results in the destruction of the cultural heritage resources is discouraged (Policy 13.6.2). To encourage the protection and enhancement of the cultural heritage resources, the policies of the Official Plan provide incentives for the integration of cultural heritage resources into redevelopment proposals through Bonus Zoning (Policy 13.6.2 i) and ii)). Specifically the Bonus Zoning provisions of the Official Plan provide incentives (increased height or density) in return for the preservation of structures and/or districts identified as being of cultural heritage value or interest, and their consideration for designation under the Ontario Heritage Act (Policy 19.4.4 ii) g)).

The requested amendments and planned redevelopment of the subject lands is predicated on the demolition or removal of the existing building within the East Woodfield HCD, which is contrary to the policy direction in the Official Plan that cultural heritage resources be conserved and protected. The proposed bonusable items for increased density discussed earlier in this report fail to satisfy the requirements for bonusing in the Official Plan, whereas the integration of the existing building considered to have cultural heritage value or interest into the redevelopment proposal would have been eligible for bonusing.

The London Plan

The City’s HCDs are shown on Map 9 – Heritage Conservation Districts and Cultural Heritage Landscapes in The London Plan. The London Plan identifies that the specific HCD Plans and Guidelines will be used in the evaluation of planning and development applications (Policy 601_). The cultural heritage policies that apply generally to HCDs in the 1989 Official Plan have been carried forward in The London Plan (Policy 594_ 1. through 3.).

In an effort to better manage cultural heritage resources, The London Plan recognizes the conservation of cultural heritage resource as an integral part of sustainable development and encourages the reuse and re-purposing of cultural heritage resources

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as a means to reduce demand on natural resources and to facilitate the economic revitalization of existing built-up areas (Policy 562_ and Policy 563_). The London Plan directs that through the provisions of the City’s Property Standards By-law, properties within HCDs are to be maintained with respect to the integrity of the buildings and the retention of identified heritage attributes (Policy 595_). The London Plan requires that property owners apply for a permit to alter a property within an HCD (Policy 596_). Where a property is located within an HCD the alteration, erection, demolition or removal of buildings or structures within the district is also subject to the provisions of Part V of the Ontario Heritage Act (Policy 597_). Where a property within a HCD is to be demolished or removed the owner is to undertake mitigation measures, including the detailed documentation and possible salvage of the cultural heritage attributes that would be lost (Policy 600_). Under Type 2 Bonus Zoning in The London Plan, additional height or density that exceeds the standard otherwise permitted by the applicable Place Type, may be permitted in return for the designation of cultural heritage resources and conservation (Policy 1652_ 2.).

The London Plan explicitly directs that new development on heritage designated properties will be designed to protect the heritage attributes of those resources and minimize the physical impact on those resources. The London Plan requires a Heritage Impact Assessment (“HIA”) for new development on, and adjacent to, heritage designated and listed properties to assess potential impacts and explore alternative development approaches and mitigation measures to address any impacts to the cultural heritage resources and its heritage attributes (Policy 565_).

The HIA submitted in support of the requested amendments and planned redevelopment of the subject lands did not satisfy the basic intent an HIA, focusing instead on diminishing the cultural heritage values or interest of the subject lands rather than assessing potential impacts and exploring alternative development approaches and mitigation measures to address any impacts on the subject lands within the East Woodfield HCD.

East Woodfield Heritage Conservation District Plan

The statement of intent in the East Woodfield HCD Plan recognizes that East Woodfield “...comprises a distinctive ensemble of heritage buildings and landscapes that have resulted from...social, economic, natural and physical changes...this unique residential heritage character is to be conserved and protected...” (Part I, Section 2.3) The designation of the East Woodfield HCD provides for the protection of a comprehensive group of properties (rather than individual properties) which collectively contribute to the character of East Woodfield that is considered worth preserving. The cultural heritage value or interest of East Woodfield is expressed broadly in the statement of intent noted-above.

The goals of the East Woodfield HCD Plan seek to maintain the residential character of the district; protect and enhance existing heritage residential buildings; and discourage the destruction of the district’s heritage buildings and landscape fabric, encouraging only those changes that are undertaken in a manner that the essential form and integrity of a heritage property would remain unimpaired (Part II, Section 2.1).

The HIA prepared by Pol Associates Inc. and submitted in support of the requested amendments and planned redevelopment of the subject lands, attempted to match names listed in the City’s directory as occupants of the subject lands with names listed in the “East Woodfield HCD Plan Part I: Statement of Intent”, having historical association with early nineteenth century settlers, to determine the associative value of

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the property. However, the list of names provided in the East Woodfield HCD Plan is considered indicative, but not representative or exhaustive of all residents who were significant in the social, economic or political life of the area. A review of the historical documentation and other resources articulates the social history of the property, and its association with London's early labour movement.

The HIA submitted in support of the requested amendment and proposed redevelopment of the subject lands also did not recognize the contribution of the existing building to the East Woodfield HCD as a cultural heritage resource to be conserved. The HIA relied heavily on a Condition Assessment prepared by Strick Baldinelli Moniz Ltd. which did not take into consideration the cultural heritage value or interest of the property. The loss of the existing building on the subject lands will have an adverse impact to the East Woodfield HCD, without the HIA having provided meaningful recommendations for mitigation measures or alternative development approaches in order to conserve the cultural heritage resource within the protected East Woodfield HCD as called for in The London Plan.

There is an underlying preference by the relevant policy documents that cultural heritage resources be conserved and protected and that the removal of these resources is the least desirable course of action. The requested amendments and planned redevelopment of the subject lands requires the demolition or removal of an existing building within the East Woodfield HCD, and without mitigation measures to conserve the cultural heritage resource, the application is contrary to the policy direction in the PPS, Official Plan and The London Plan.

CONCLUSION

Planning Staff recommend refusal of the requested amendments and the proposed redevelopment of the subject lands. The proposed redevelopment is not consistent with the PPS which encourages intensification in appropriate locations where it can be accommodated. There is no clear commitment to satisfy the definition of affordable housing in the PPS. The proposed redevelopment is not consistent with the PPS which directs cultural heritage resources shall be protected.

The use and intensity of development contemplated for the subject lands does not conform to the planned intent for the subject lands in the Official Plan or The London Plan, and is not appropriate within the context of the existing surrounding neighbourhood or on the subject lands. There is no clear commitment to satisfy the definition of affordable housing in the Official Plan or The London Plan. The proposed redevelopment does not conform to the Official Plan or The London Plan that provides for the conservation and protection of cultural heritage resources. The proposed removal or demolition of the existing building on the subject lands within the East Woodfield Heritage Conservation District does not conform to the East Woodfield Heritage Conservation District Plan

The proposed redevelopment does not satisfy all the criteria of a Planning Impact Analysis required for applications considering a Specific Policy Area and/or residential intensification. A compelling reason has not been provided to define "Micro-suites" separately for the purposes of this application. The request for Bonus Zoning does not satisfy the general Bonus Zoning objectives in the Official Plan, and not all of the proposed bonusable items are eligible for Bonus Zoning in the Low Density Residential designation. The proposed redevelopment represents an over intensification of the

Agenda Item # Page #

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File: OZ-8804
Planner: M. Campbell

subject lands.

PREPARED BY:	SUBMITTED BY:
MELISSA CAMPBELL, MCIP, RPP PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

November 23, 2017

MC/mc

“Attach.”

Y:\Shared\implemen\DEVELOPMENT APPS\2017 Applications 8723 to\8804OZ - 467-469 Dufferin Avenue (MJC)\PEC\OZ-8804
467-469 Dufferin Ave PEC Staff Report (Dec 4-17).docx

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File: OZ-8804
Planner: M. Campbell

Appendix “A” - Community Engagement

Public liaison: Notice of Application was sent to property owners in the surrounding area on August 2, 2017, and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 3, 2017.

Notice of Revised Application was sent to property owners in the surrounding area on November 8, 2017 and Notice of Revised Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 9, 2017.

A “Possible Land Use Change” sign was also posted on the site.

20 replies were received.

Nature of Liaison: Possible amendments to the Official Plan and Zoning By-law to permit the redevelopment of the subject lands for the proposed apartment building consisting of twelve (12) “Micro-suites” with secure enclosed bicycle parking spaces provided at a rate of one (1) bicycle parking space per “Micro-suite”, and a prohibition on vehicular parking spaces. Possible changes to the Official Plan were advertised to add a policy for specific areas to permit the proposed apartment building up to a maximum density of 307 uph on the subject lands, notwithstanding the Low Density Residential designation. Possible changes to the Zoning By-law to add “Micro-suites” among the defined terms in the Zoning By-law, change the zoning to include a Residential R8 Zone which regulates development in the form of low-rise apartment buildings and provide special provisions to provide relief from the standard Residential R8 Zone regulations, and the general provisions of the Zoning By-law, and add regulations to limit the intensity of development, A possible bonus zone was also advertised to permit the proposed increase in the maximum density permitted in return for eligible facilities, services or matters.

The revised Notice of Application advised of changes in the nature and magnitude of the some of the requested special provisions. The Notice of Revised Application was issued following submission of revised drawings by the applicant on October 23, 2017 in response to comments received from the Urban Design Peer Review Panel (“UDPRP”).

Responses: A summary of the various comments received include the following:

Reponses in support of the application identified matters such as like the need for smaller affordable residential units, the desire to see the current conditions on the site improve through the removal or demolition of the existing building (with and without support for the development proposed), an opportunity to improve and enhance the surrounding area through the proposed building design and fit within Woodfield.

Responses in opposition of the application identified such things as the intensity of the proposed development, including the number of units on the site and the size of units, the demand for vehicular parking spaces and the absence of vehicle parking spaces proposed, the intended occupants, and lack of conformity with the East Woodfield HCD Plan.

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**File: OZ-8804
Planner: M. Campbell**

Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Telephone</u>	<u>Written</u>
Todd Armstrong – 503-505 Maitland St. London ON N6B 2Z5	Edward & Mildred Romanyi – 7 Prospect Ave. London, ON N6B 3A4
	Linda Halligan – 508 Maitland St., London ON N6B 2Z6
	Mark MacLeod – 467 Princess Ave. London ON N6B 2B5
	P. Stone - Address not provided
	Todd Armstrong – 503-505 Maitland St. London ON N6B 2Z5
	Burton & Hilary Moon – 485 Dufferin Ave. London ON N6B 2A1
	Mike Kari – 465 Dufferin Ave. London ON N6B 1Z7
	Bob & Barbara Morton – 8-1900 Shore Rd. London ON N6K 0B4
	Stephanie Bergman – 469 Princess Ave. London ON N6B 2B5
	Mickey Apthorp & Linda Whitney – 519 Maitland St. London ON N6B 2Z5
	Mary Bray – 228 Central Ave. London ON N6B 2Y1
	Damian Byrne - 499 Dufferin Ave. London ON N6B 2A1
	Susan Carlyle – 7-717 Richmond St. London ON N6A 1S2
	Allyson May – 511 Maitland St. London ON N6B 2Z5
	Mary-Anne Strong – 630 Richmond St. London ON N6A 3G6
	Jerry Knoester – 824 Colborne St. London ON N6A 4A2
	Ted Zurbrigg – 2-847 Highbury Ave. N London ON N5Y 5B8
	Gerald Wright – Address not provided
	Jim Holody – 3140 Westdel Bourne London ON N6P 1N1
	Katherine McCrae – 5 Prospect Ave. London ON N6B 3A4

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File: OZ-8804
Planner: M. Campbell

Public Comments

From: Millie Romhanyi [REDACTED]
 Sent: Friday, August 11, 2017 5:45 PM
 To: Campbell, Melissa <mecampbell@london.ca>
 Subject: OZ-8804

Re: 467-469Dufferin St.

We are very much against the change in the zoning By-law to include the definition for Micro-suites .

We feel Micro-suites might cause an overcrowding. Potentially each unit could house up to 3 persons, that being 2 adults and a child . This times any number of units is too dense for the space. Then with no parking spaces that could mean the surrounding streets would have to be used for any visitors parking.

Further, we feel our neighbourhood could become a slum area and we all have worked hard and continually to keep Woodfield a family friendly neighborhood.

Edward and Mildred Romhanyi. 7 Prospect Ave.

-----Original Message-----

From: Linda [REDACTED]
 Sent: Wednesday, August 16, 2017 3:26 PM
 To: Campbell, Melissa <mecampbell@london.ca>
 Subject: Re: 467-469 Dufferin Ave

Dear Melissa Campbell

I live on Maitland St for 15 yrs now and have watched as the neighbourhood has steadily improved over that time. The residents have been and are, very invested in making a lovely community. I have several objections to the plan for the mentioned property, as it stands, and I would very much appreciate being heard.

It seems dangerously naive to set a precedent of micro apartments in a city with in excess of 50,000 students yearly. London may well see a future as a centre for international learning, by all projections a twenty first century growth industry. The beauty and charm of the city as a destination can only be negatively impacted by this kind of housing. Such a precedent will see developers and house flippers frothing with excitement. This isn't NewYork, or Tokyo, there is no need for such housing here, whatsoever, in my opinion. I predict a decade from now, the city would deeply regret going in this direction.

This property is a block from Lord Roberts Public school which sees these streets, morning and afternoon, five days a week, swarmed with parents seeing children to or from school. Including attendant pedestrian Moms with toddlers and strollers, etc. In addition to several school buses also in motion at that same time. At every event in Victoria park, these streets also fill with cars, likewise for the numerous events at the Masonic temple and it's very popular wedding venue. It currently works pretty efficiently, this many more cars, with no provided spaces, will change that for the worst, I'm afraid. And we're counting on you to watch out for our neighbourhood's best interests.

These will be costly units on opening, and will attract more couples than singles, in my opinion. And people in high end housing have cars. (Bike sheds are nice but we have winter too!) That's up to twenty four cars free floating around our already well used streets. Plus guests! We are all confused how it is that businesses and bars HAVE to have parking but somehow this gets an exception?

There also isn't any green space to speak of, in this plan. How is that even acceptable? Where will the dogs pee? People sit out of an evening? Stand and have a smoke? No space for any of these simple and ALWAYS required things. All such activities will, by necessity, take place literally in the sidewalk or street. Is this seriously the kind of development this neighbourhood deserves?

In the years I have lived here, while all around him the properties have improved, this parcel holder has simply allowed this ruin to sit and rot, the city cutting down weeds taller than I, twice a summer. When a property with this proposed density receives poor maintenance what quickly results is a slum.

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**File: OZ-8804
Planner: M. Campbell**

It's something the other parcel owners of this neighbourhood both take very seriously and want to be heard on. This is an extremely valid issue for those who have watched this property for years.

This parcel holder has a tiny slip of land with little parking. That fact seriously limits attempts to monetize it to the max, I realize. But how should an entire neighbourhood tolerate such negative impacts, for the smallest parcel owner, who has demonstrated a willingness to let his property fall into ruin without regard to those around him. The only problem these micro units address is how to get the maximum cash flow from a tiny parcel with little parking, for a greedy property owner.

He could easily go to six units, in three floors WITH six parking spaces. That would be doable in regards to parking. He'd still profit just not as quickly or as wildly.

Surely if bars can have capacity numbers based on number of bathrooms, then a higher density housing development ought to be based on how much parking they can muster. This is a tiny slice of real estate, but a creative designer could easily accommodate 4-6 parking spaces. In three stories, 4-6 units need NOT be 'micro', but instead reasonable and habitable instead.

Not sure why existing standards should be ignored, a quite possibly disastrous precedent set, a well balanced parking situation thrown into chaos, with ensuing conflict. All simply to maximize, well beyond reasonable, the profits of a greedy property owner with a tiny slip of land and a long history of property and neighbourhood neglect.

We're counting on you to say NO to this most ill thought out proposal. I am tired of looking at it boarded up, just like everyone else on either block. But this is NOT the answer.

Thanking you for your time and attention and for watching out for the citizens of London, making hard choices in regards to development. It cannot be easy.

Yours truly,
L. Halligan

Sent from my iPad

From: MD MacLeod [REDACTED]
Sent: Thursday, August 17, 2017 8:36 AM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: Zoning Application OZ-8804

Hi Melissa:

I am the owner of 467 Princess Avenue. I have owned the property from 1997. Thank you for asking me to comment on the application by Marigold Homes for 467-469 Dufferin Avenue.

I am supportive of the application to change the use of the property but I do not approve of the level of densification nor the extent of hard surface coverage proposed by the applicant.

The current structure is not valuable any longer. It is not a meaningful architectural structure and whatever its cultural or historic value, it has no value to anyone in this location. I do not believe that maintaining it will add anything to the cultural or historic or architectural mosaic of this city.

However the development proposed for the property is not valuable and does not respect the neighbourhood. It covers too much of the property with hard surface and has no parking other than bike racks. I do not think the hard surface coverage meets the city requirements or limits for residential neighbourhoods.

Clearly, as micro suites and having no parking this building is not the type of densification that Woodfield requires. The development should be changed to 800-1000 sf suites that will be spaces that more permanent residents would potentially entertain to live in. 400 sf "suites" are not what this city needs or should approve and represents an attempt by the applicant to extract as much possible income from the property. This should not be allowed.

Thank you for asking for my opinion

Mark MacLeod
467 Princess Avenue
[REDACTED]

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**File: OZ-8804
Planner: M. Campbell**

Use File #OZ-8804

Attention: The City of London, Planning Services

PO Box 5035,

London, Ont., N6A 4L9

Attention: Melissa Campbell,

I am a home owner on Dufferin Ave. between William and Prospect. I do not believe this request for the (12) Micro suites at the now address of 467-469 Dufferin Ave. should be passed. With this 12 bedroom Micro- suites, there are too many small apartment areas with no parking! No space for a driveway. Too small of a space for 12 units for our residential area of Woodfield, no parking elsewhere for this 12 unit Micro-suite as it is a residential area and each home has its own space for parking.

This 12 Micro suites is too high in density in one area of Woodfield without having parking. We do not want the Zoning By-Law changed for this Micro suites.

Yours truly,

P. Stone.

CITY OF LONDON
PLANNING SERVICES

RECEIVED AUG 24 2017

FILE NO. _____
 REFERRED TO _____ *M. Campbell*
 SUBSEQUENT REFERRALS _____
 FOR ACTION FILE
 FOR INFORMATION BF
 FOR REPORT OTHER

-----Original Message-----

From: Todd Armstrong [REDACTED]
 Sent: Sunday, September 03, 2017 9:34 AM
 To: Campbell, Melissa <mecampbell@london.ca>
 Subject: Re: OZ-8804

To Whom It May Concern,

This email is in reference to the Notice of Application to Amend the Official Plan & Zoning By-law for the location at 467 - 469 Dufferin Avenue London, Ontario (OZ-8804).

As property owner and resident directly across from the applicant (503 - 505 Maitland Street) I am against the re-zoning change.

Among my concerns is parking; I am confused as to how a 12 unit building has no parking. Am I to believe that not one tenant will own a vehicle nor will have guests who will require parking? Another concern is the individual units of the building; "Micro-suites" by the new definition is a very small apartment. To what demographic are these going to be targeting?

I simply feel that this building and the re-zoning that it requires is not practical for this location.

I can be reached for further discussion at 519-433-5522 by phone or text or reply to this email address.

Thank you,

Todd Armstrong

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**File: OZ-8804
Planner: M. Campbell**

OZ- 8804 Proposal to increase the density to a maximum of 12 “Micro-suites” for 467-469 Dufferin Ave.

This proposal is in the Woodfield Community Residential District. The Woodfield Community has two commitments. One, to keep the Woodfield Community as a residential area and second, to promote and preserve its’ heritage features. Ultimately, the purpose of this is to have Woodfield as a place where people wish to live and thrive.

The current abandoned house at 467-469 Dufferin certainly doesn’t support the goals or guiding principles of the Woodfield Community. It is an eyesore. It has been ignored and much has been done or not done to make this structure nearly impossible to bring back. Given that reality, we support the idea of replacing the current building with something new on this site.

We commend the proposal for attempting to fit into the streetscape. It would be a vast improvement. For any person walking by the proposed development, it would most likely be pleasing.

That said – we cannot support this increase in density proposal. The proposed 12 micro units with a bike shed suggests to us that the project is directed towards “transient” persons who are less interested in becoming neighbours and participating in the long term health of our community. In addition, there is always some need for parking, if not for the renters, then for visitors or services. Parking in this particular section of Dufferin and Maitland is already at a premium and this will place further pressures on that need. There will be issues with neighbours which will easily lead to friction with no obvious solution.

We would suggest a development similar to 480 and 482 Dufferin would be more in keeping with the street, and the Woodfield community, and this type of development would not require an amendment to the official plan.

We do not favour this amendment.

Sincerely,

Burton and Hilary Moon,
485 Dufferin Ave.

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**File: OZ-8804
Planner: M. Campbell**

OZ- 8804 Proposal to increase the density to a maximum of 12 "Micro-suites" for 467-469 Dufferin Ave.

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The current abandoned house at 467-469 Dufferin certainly doesn't support the goals or guiding principles of the Woodfield Community. It is an eyesore. It has been ignored and much has been done or not done to make this structure nearly impossible to bring back. Given that reality, we support the idea of replacing the current building with something new on this site.


We commend the proposal for attempting to fit into the streetscape. It would be a vast improvement. For any person walking by the proposed development, it would most likely be pleasing.

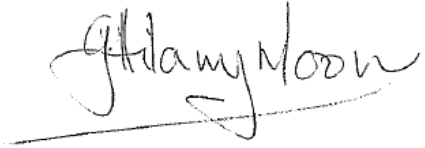
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We would suggest a development similar to 480 and 482 Dufferin would be more in keeping with the street, and the Woodfield community, and this type of development would not require an amendment to the official plan.

We think that a request such as this to amend the official plan as outlined in this application is very dangerous precedent for the whole planning process and professionalism of our City Planners and elected councilors. This property has been intentionally been ignored so that it has become the very definition of blight. Developers should not be rewarded by a change in the official plan to allow 12 micro units when those units are likely to become a source of disruption and long term aggravation in an established community. The current official plan and zoning should stay in force for this specific property.

We are against this proposed amendment.

Sincerely, 
Burton and Hilary Moon,
485 Dufferin Ave.



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**File: OZ-8804
Planner: M. Campbell**

From: Mike Kari [REDACTED]
Sent: Thursday, November 16, 2017 11:11 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: 467-469 Dufferin OZ-8804

Hello Melissa

My wife and I own the adjacent property at 465 Dufferin Ave. Although I am happy these properties will be redeveloped, I have concerns of the amount of units in the building.

I am concerned the with having 12 one bedroom units it will offer less diversity of tenants for the neighborhood. The size of the proposed building seems appropriate, however I would hope the City would push for a mix of one bedroom and two bedroom units in the building. I believe multiple 2 bedroom units would promote a mixture of tenant uses including small families. In a historic neighborhood such as this it is important to keep a rich mix of housing types.

I hope my comments find you well, again i am supportive towards the development, I would just like to at least 8 1 bdrm units and 2 two bdrm units. Simple to provide a more diverse tenancy.

Regards

Mike Kari

From: Bob and Barbara Morton [REDACTED]
Sent: Thursday, November 16, 2017 3:02 PM
To: Campbell, Melissa <mecampbell@london.ca>
Cc: Ben Lansink [REDACTED]
Subject: Re: 467&469 Dufferin

Hi Melissa
Ben is a friend of mine and we recently discussed this interesting project. I must confess that I only have minimal understanding of the project and the existing City regulations. Accordingly my comments reflect a "first blush" perception. However if Ben feels that they have merit to support the application then that's OK by me.

Cheers
Bob Morton
8-1900 Shore Rd
London Ont
N6K 0B4

PS ... if you wrote the subject matter in the paper, please take my comments as constructive criticism.

>
> -----Original Message-----
> From: Bob and/or Barbara [REDACTED]
> Sent: Thursday, November 16, 2017 2:37 PM
> To: Ben Lansink [REDACTED]
> Subject: 467&469 Dufferin
>
> Hi Ben
> Saw the City planning application in Londoner paper today for 4 Dec meeting.
> Obviously written by the City. They could have said that application was for construction of a home that would be designed to be compatible with adjacent private residences and would contain multiple (12 max) self contained affordable apartments that would be 10% ?? smaller than present minimum sized apartments allowed ie 600 sq ft?? (use imperial measurements please) ... and .. To reflect the previous history of the present buildings on this site a suitable commemorative plaque will be featured on the new premises.
> Present wording of Planning Application has negative connotations.
> Good luck with this endeavour.
>
>

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File: OZ-8804
Planner: M. Campbell

From: Stephanie Bergman [REDACTED]
Sent: Monday, November 20, 2017 1:43 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: Re: 467-469 Dufferin Avenue

Hi Melissa,

Thanks so much for your reply. Shortly after I submitted the the information request I received the updated application and PEC public meeting notice in the mail. :)

I live at 469 Princess Avenue. I learned through the most recent edition of the Woodfield Community Newsletter that there is the potential for some historic significance associated with the building, and that the community group is encouraging the owner "to keep the building and do basic maintenance." I would like to go on record to say that there are MUCH better ways to respect and highlight a site's historic significance than maintaining a dilapidated, inhospitable building that is doing absolutely nothing for our current community.

This development application should be seen as an opportunity for improvement and enhancement within an area that is making strides in the right direction. Developments like this will be the catalyst this area needs to keep moving in the right directions. There has been some major improvements to buildings in the area, and with this type of development, I can see development interests increased for sites like the commercial building right across the street, that would make an absolutely charming cafe or some other store front.

Thanks again,

Stephanie Bergman

From: Mickey Apthorp [REDACTED]
Sent: Monday, November 20, 2017 1:37 PM
To: Park, Tanya <tpark@london.ca>; Campbell, Melissa <mecampbell@london.ca>; [REDACTED]
Subject: Application to amend the official plan and zoning by-law for 467-469 Dufferin ave.

Reference number OZ-8804.

We are writing this note to voice our objections to the proposed changes at 467-469 Dufferin ave by Marigold Homes Inc.

We believe the number of units is too high for the area.

We believe the units are too small.

We believe the entire building is too large for the current lot size.

There is no provision for parking.

We also object to the demolition of a building in a heritage district(Woodfield).

Mickey Apthorp. [REDACTED]
Linda Whitney. [REDACTED]

519 Maitland Street
N6B 2Z5

Sent from my iPad

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File: OZ-8804
Planner: M. Campbell

From: Mary Bray [REDACTED]
Sent: Monday, November 20, 2017 2:13 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: Fwd: 467-469 Dufferin

Dear Melissa Campbell,

I am writing in support of the proposed project at 467-469 Dufferin. I live in Woodfield now and have owned and sold many properties in Woodfield over the past 35 years.

In fact - I lived for many years just a block or two away from this property and it always was an eyesore in the area.

I am glad to see someone is replacing it with an attractive design and a great affordable housing project - not government subsidized but private sector.

I understand an ambitious young woman, Lisa Lansink, is spearheading this project. This is an example of getting a better balance of more women in business and that can make a difference.

This 3 storey project with only 12 rental units is the type of housing that perfectly fits into the Woodfield Community.

There is a huge demand for smaller, affordable rentals for seniors, young working people and the handicapped in the core. They don't need cars and are close to all amenities. I do not own a car and I live in Woodfield.

As for the heritage - many good solid beautiful heritage buildings have been demolished by government - Wolesey Barrack, Talbot Inn, South Street Hospital properties, and Kingsmills. 467-469 Dufferin is a dilapidate wood frame structure.

I have owned and renovated many heritage properties including designation of a few - Elm Hurst in Ingersoll, Court House in St. Thomas, 476 Richmond St, and 497 Dufferin in London. These were worth saving.

This unattractive, run down property at 467-469 Dufferin in my opinion is not worth trying to save and will improve the whole area with a new attractive project the fits in well with the Woodfield Community.

Why is Gil Warren and the Woodfield Association with perhaps 200 members opposing this project? There are approx. 4,000 residents living in Woodfield. I would say 200 or less is not a true opinion of Woodfield.

Mary Bray

1

228 Central Avenue

Woodfield

-----Original Message-----

From: Damian Byrne [REDACTED]
Sent: Wednesday, November 22, 2017 9:16 AM
To: Campbell, Melissa <mecampbell@london.ca>
[REDACTED]
Subject: Re. 467-469 Dufferin Ave

Hi, I live in Woodfield and totally support the demolition of this eyesore. It has no architectural value and is an embarrassment to the area. I also support the construction of a building that compliments the surrounding homes in Woodfield. I also would support a building similar to the ones Ben and Lisa built on Kenneth. The proposed project although architecturally designed is on its present form not a good fit for Woodfield. However I feel you could work with Ben and reach a compromise that would enhance the neighbourhood and be acceptable to all. Ben is a very caring person and whatever he builds will be carefully and professionally constructed.
Thank you and please expedite the project. Damian Byrne.

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**File: OZ-8804
Planner: M. Campbell**

From: Susan Carlyle [REDACTED]
Sent: Tuesday, November 21, 2017 5:58 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: 467-469 Dufferin Ave.

Dear Ms Campbell,

I am a resident of Woodfield. I understand the City is currently opposed to the proposed development of the above referenced land.

I understand the proposed development is for 12 Micro units. I think this is an excellent use of the land, and the City should reconsider.

Should you have any questions or concerns about this email please feel free to contact me,

sue

Please note as of August 24th, 2015 we have moved ! New address is below - phone and fax remain the same.

Susan A. Carlyle

carlylepeterson

Lawyers LLP

7-717 Richmond Street
London, Ontario
N6A 1S2

[REDACTED]

[REDACTED]

Straightforward Solutions

This message is directed in confidence solely to the person(s) named above and may contain privileged, confidential or private information which is not to be disclosed. If you are not the addressee or an authorized representative thereof, please contact the undersigned and then permanently delete this message.

From: Allyson May [REDACTED]
Sent: Tuesday, November 21, 2017 12:02 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: Marigold Homes Inc application of rezoning for 467-469 Dufferin

Dear Melissa Campbell,

As a follow-up to our telephone conversation this morning (21 November 2017), I'd like to reiterate in print that I am objecting to the proposed rezoning to allow 12 42 sq m 'micro-suites' at 467-469 Dufferin. As discussed, my objections are not in any way rooted in 'heritage' concerns: regardless of the past use of the existing building, it has for some years constituted an eyesore and attracted antisocial behaviour (prostitution, drug trafficking). I'd like to see it torn down and replaced. But a suitable replacement would be some sort of semi-detached housing, not 12 (!) units with no parking. The location is too far from either Western or Fanshawe to attract students, and even if the units did, most students these days have cars. On-street parking would affect both garbage pick-up and snow removal. Other than the student market, I can't conceive of who precisely would find such units appealing.

With best wishes and thanks for your time,

Allyson N. May
511 Maitland Street, London, ON N6B 2Z5
Associate professor
Department of History
The University of Western Ontario
London, ON, Canada
[REDACTED]

[Empty boxes for Agenda Item # and Page #]

**File: OZ-8804
Planner: M. Campbell**

From: Mary-Anne Strong [Redacted]
Sent: Wednesday, November 22, 2017 9:06 AM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: Prpoerty development at 467-469 Dufferin Avenue Woodfield Community London

Ms. Campbell

I have been made aware of the proposed design for 467 – 469 Dufferin Avenue. The design is elegant and will improve and enhance the surrounding area. In my view the design and the idea of micro dwellings in this area are a good fit for the core. It appears to me that there is a need for further housing and micro units can assist with that in this core area.

I email you so that you are aware that there is support for this project.

Thank you,

Mary-Anne Strong
Partner

Beckett Personal Injury Lawyers
630 Richmond St | London ON | N6A 3G6 |

[Redacted contact information]

This e-mail and any attachments contain legally privileged and confidential information intended only for the person(s) named in the message. If you are not the intended recipient, you are hereby notified that any review, use, distribution or copying of this communication is prohibited. If this communication was received in error, please notify us by reply e-mail and delete the original message.

[Redacted]
Sent: Wednesday, November 22, 2017 10:27 AM
To: Campbell, Melissa <mecampbell@london.ca>
[Redacted]
Subject: 467-469 Dufferin Avenue.

Ms Campbell

It has come to my attention that there is a Development Application for this site which requires the demolition of the existing building which is not safe for occupation and needs to come down.
I have had the opportunity to see the site for myself as well as looking at the proposal for redevelopment.
I understand the city is against this infill redevelopment request but am not sure why.
There is an urgent need for smaller affordable residential units in the core area particularly when we have a large influx of students that will be coming as a result of such things as fanshawe college coming to the area
Beside the obvious student needs which cannot be currently met there is currently a large workforce who wants to live in the core but doesn't drive and needs affordable housing within walking distance of the various businesses that employ them.
It seems the only things we want downtown are luxury rentals and expensive high rise apartments which are great for revitalizing the core but need the workforce for the various businesses that will service these people.
It is important we recognize it is all aspects of society are required to maintain the core area and make it vibrant and livable.
While I do know the applicants I have no personal interest in this site.
I am a builder of new homes and have chosen to live near downtown myself instead of a new subdivision at the edges of the city.

Jerry Knoester
824 Colborne Street
London , Ontario
N6A4A2

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**File: OZ-8804
Planner: M. Campbell**

From: Gerald Wright [REDACTED]
Sent: Wednesday, November 22, 2017 4:07 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: re Lansink Proposal on 467 Dufferin Ave

I am writing to support the Lansink proposal. It is important to have these micro apartments downtown as there are many young, single persons who earn low incomes and do not have cars. This type of dwelling could suit there needs. It also would contribute to adding to the population living in the core area.
Thank you for giving this your consideration.

Dr. Gerald Z. Wright
Professor Emeritus
Schulich Medicine & Dentistry
Western University

From: Ted Zurbrigg [REDACTED]
Sent: Wednesday, November 22, 2017 5:16 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: RE: 467-469 Dufferin Avenue, OZ-8804

This new multi-unit residential building looks like an ideal addition to the local neighbourhood. It has been well planned to fit in architecturally, and will attract new residents who appreciate good new accommodation close to the City centre. Good project for London!

Ted Zurbrigg
Chairman of the Board

Lac ♦ Mac Limited
Building 2 - 847 Highbury Ave N ♦ London ON N6Y 5B8
[REDACTED]
[REDACTED]

From: Jim Holody [REDACTED]
Sent: Thursday, November 23, 2017 5:41 PM
To: Campbell, Melissa <mecampbell@london.ca>
Cc: Jim Holody [REDACTED]
Subject: 467-469 Dufferin Ave application for development

Melissa Campbell,
City of London Planner

Dear Ms. Campbell

I am sending this letter to you in support of the Ben Lansink family (Marigold Developments) proposed development at the above address.

The Lansink family have a history of quality and appropriate development in the Woodfield district.

The time has come for London, in its core area, to have micro apartments of the type that the Lansink family are proposing for this site.

I strongly recommend that you support their application.

Yours truly;

Jim Holody
President 848180 Ontario Ltd.
3140 Westdel Bourne
London ON N6P 1N1
JimHolody@gmail.com
(519) 661 9579

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**File: OZ-8804
Planner: M. Campbell**

From: MCCRAE [REDACTED]
Sent: Friday, November 24, 2017 1:22 PM
To: Campbell, Melissa <mecampbell@london.ca>
Subject: M Campbell OZ-8804

Dear Melissa Campbell,
I have serious concerns about the proposed development of 12 micro-suites at 467-469 Dufferin Ave. OZ-8804

Amending bylaw

- amending existing bylaw currently designated as Low Density Residential in the Official Plan that permits residential uses from semi-detached dwelling to townhouses
- the space lends itself to single detached, semi-detached and duplex dwellings**
- from London Free Press October 30, "He(Gil Warren) said the duplex has been "deliberately neglected" in recent years but could still be restored for another use."
- there is no reason for changing this designation in our residential neighbourhood

Micro-suites

- size and location of this proposal
- from London Free Press October 30, "Lansink said the suites would rent for less than \$800 a month and would be ideal for young professionals who don't own cars."
- there are apartment complexes(i.e.Old East Village) and many rental facilities already in the area that accommodate young professionals
- while the street design appears to suit the neighbourhood, the concept does not

Parking

- lack of parking spaces for 12 micro-suites is not a viable option
- visitor and owner parking will negatively impact streets in the area

Heritage and historical implications

- should be studied and considered
- Woodfield is a designated Heritage District
- from London Free Press October 30, "You want me(Lansick) to restore it? Good luck with that. That's not the business I'm in."
- this does not reflect a developer interested in the existing make up of the neighbourhood that many of us have worked hard to preserve, the heritage aspect of the neighbourhood or a positive development for that space

I feel that there are better options to be considered for this space. Thank you for your consideration.

Regards,
Katherine L McCrae
5 Prospect Ave
London
N6B3A4

Agency/Departmental Comments

August 9, 2017: Transportation Planning and Design

Transportation has reviewed the zoning applications for 467-469 Dufferin Ave, OZ-8804, and have not comments to offer at this time.

August 9, 2017: Conseil Scolaire Viamonde

The Conseil Scolaire Viamonde (french public school board) has not comments.

August 10, 2017: London Hydro

London Hydro has no objection to this application.

August 21, 2017: Upper Thames River Conservation Authority ("UTRCA")

The UTRCA has not objections to this application.

August 31, 2017 Development Services - Environmental and Engineering Services

Verbatim comments as per the WADE Division

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**File: OZ-8804
Planner: M. Campbell**

WADE has no objection w.r.t. this application.

The sewer available for the subject lands is the existing 300mm municipal sanitary sewer on Dufferin Ave.

As the existing 467-469 semi-detached dwelling is to be demolished and replaced with a new 3 storey dwelling with twelve micro suites, the existing two unused 150mm san. p.d.c.'s shown on Plan #23641 are to be utilized.

They were constructed to back of walk in 2012 under an infrastructure project. The san. p.d.c.'s are to be field verified by the Applicant's Engineer for size and condition.

Please note that this response has been made without input from the Water Engineering Division. However, I do not anticipate any water servicing issues.

The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.

November 23, 2017 Development Services - Environmental and Engineering Services

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Official Plan and Zoning By-Law amendments application:

No engineering concerns with the re-zoning application. Please refer to the original application memo for previous comments.

Comment to Planner:

The 0.3m setback from property line for the accessory structures may trigger the need for easements on neighbouring properties to ensure the structures can be maintained properly.

Comment for future site plan:

The eaves troughs and downspouts for the accessory structures will need to be directed away from the neighbouring properties to ensure no drainage impacts.

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File: OZ-8804
Planner: M. Campbell

Appendix “B”: Memo from Urban Design Peer Review Panel



Memo

- To:** Proponents
- William Pol, Planner, Pol Associates Inc.
 - Lisa Lansink, Owner, Marigold Homes
- City of London Personnel
- Britt O’Hagan, Urban Designer
 - Melissa Campbell, Planner II
- From:** Urban Design Peer Review Panel (UDPRP)
- Adrian Dyer, Architect, Chair
 - Jason McIntyre, Architect
 - John Nicholson, Architect (absent)
 - Sung Ae Sim, Landscape Architect
 - Jordan Kemp, Urban Planner
 - Janine Oosterveld, Urban Planner

RE: Zoning By-law Amendment : 467 - 469 Dufferin Ave – Residential Development Presentation & Review, September 20, 2017

- The following comments are solely based on approval to remove the existing building at this location. These comments should not be viewed in any other context or be used to qualify the suggestion of either maintaining or removing the existing building on this site.
- The Panel is of the opinion that the proposal does not exceed urban design expectations and, as such, do not support bonusing for enhanced urban design as presented.
- Built form approach, suggests that the proposal is pushing against the physical constraints of the site (e.g., no parking, no amenity, inadequate setbacks)
- The applicant’s description of sustainability of the planning and design was unconvincing. The applicant should look at providing strategies such as permeable paving, stormwater garden, etc.
- The Panel supports a front setback, generally in keeping with the existing building lines along with a streetscape with no front yard parking. It is recommended that landscaping encroach into the right-of-way to enhance the streetscape (potentially, a street tree if soil volumes allow). The front setback should also allow for the encroachment of architectural features on the property such as a roof overhang/canopy for the front entry.
- The Panel raised concerns with the side yard setbacks for a number of reasons:
 - The setback (approximately 1.2 m), creates a very narrow walkway on each side of the building for access to side doors and the rear bike storage building (e.g. door swing for side doors or two people passing, utilities). The setback doesn’t allow for sufficient passage of a wheel chair user and a tenant with a bike passing in opposite directions.

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**File: OZ-8804
Planner: M. Campbell**

Page 2 of 2

- Window openings are limited along these walls, creating few opportunities for visual surveillance of the walkways.
- The easement in favour of the adjacent property allows for parking in front of the access walkway therefore limiting accessibility and sightlines when a vehicle is present.
- Safety in this passage is of concern if security is not addressed.
- It is important that an adequately sized and functional amenity area at the back of the property be provided for residents. The Panel recommends exploring options for enlarging the amenity area.
- Determine how waste pick-up and storage will occur on site as this also has the potential to impact the size of the amenity area and site functionality.
- The scale, proportion and composition of the Dufferin Street façade would benefit from increasing the floor to floor heights.
- The front entrance lacks presence with reference to the neighbouring properties. Increasing the size of the entrance and widening the canopy may help reflect the surrounding context.

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, we recommend that the design concept be presented to the panel for further consideration.

Sincerely on behalf of the UDPRP,



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

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File: OZ-8804
Planner: M. Campbell

Appendix “C”: Council Resolution Re: 11th Report of London Advisory Committee on Heritage



P.O. Box 5035
300 Dufferin Avenue
London, ON
N6A 4L9

London
CANADA

October 4, 2017

J. M. Fleming
Managing Director, Planning and City Planner

M Campbell
Planner II

J. Ramsay
Project Manager, Rapid Transit

M. Corby
Planner II

S. Wise
Planner II

I hereby certify that the Municipal Council, at its meeting held on October 3, 2017 resolved:

11. That the following actions be taken with respect to the 11th Report of the London Advisory Committee on Heritage from its meeting held on September 13, 2017:

- a) the following actions be taken with respect to the notice of application to amend the Official Plan and Zoning By-law, dated August 2, 2017, by Marigold Homes Inc. related to the properties located at 467-469 Dufferin Avenue:
 - i) M. Campbell, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the above-noted notice of application;
 - ii) M. Campbell, Planner II, BE ADVISED that the LACH feels that the Heritage Impact Assessment included with the notice of application is not sufficient to make a determination as to the true age or the cultural heritage value of the building and therefore the LACH would not support demolition of the building at this time; and,
 - iii) M. Campbell, Planner II, BE ADVISED that the LACH supports that the design and materials of the proposed new structure should be in keeping with the East Woodfield Heritage Conservation District;

it being noted that the LACH heard verbal presentations from G. Warren, Woodfield Community Association and B. Lansink, L. Lansink and D. Lansink, Marigold Homes Inc., related to this matter;

- b) that J. Ramsay, Project Manager, Rapid Transit, BE ADVISED that Shawn Adamsson will represent the London Advisory Committee on Heritage (LACH) on the Municipal Advisory Group related to Rapid Transit, subject to the meeting schedule and his availability; it being noted that Derek Dudek will act as an alternate representative for the LACH on the Advisory Group;
- c) that M. Corby, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the revised application to amend the Zoning By-law, by Drewlo Holdings Inc., related to the properties located at 661 and 667 Talbot Street; it being noted that the LACH encourages a more active pedestrian interface on Talbot Street which could include more doors or entrances;

The Corporation of the City of London
Office 519.661.2500 x4856
Fax 519.661.4892
hlysynsk@london.ca
www.london.ca

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**File: OZ-8804
Planner: M. Campbell**

- d) the following actions be taken with respect to the notice of application to amend the Zoning By-law, dated August 16, 2017, by the London Language Institute related to the property located at 653 Talbot Street:
 - i) S. Wise, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) supports the conclusions of the Heritage Impact Statement related to the property located at 653 Talbot Street;
 - ii) S. Wise, Planner II, BE ADVISED that the LACH, therefore, supports the above-noted application to amend the Zoning By-law; and,
 - iii) the following additional actions BE UNDERTAKEN with respect to the application:
 - A) a stage 1 and 2 archaeological assessment be done on the entire property;
 - B) the property located at 653 Talbot Street be designated under the *Ontario Heritage Act*; and,
 - C) the existing windows along the Talbot Street façade be restored and repaired rather than replaced;

it being noted that the LACH received a presentation from L. Dent, Heritage Planner, with respect to this matter;
- e) that M. Corby, Planner II, BE ADVISED that the London Advisory Committee on Heritage supports the application to amend the Zoning By-law by Youth Opportunities Unlimited related to the properties located at 329 and 331 Richmond Street as well as the Heritage Impact Statement appended to the notice dated September 7, 2017;
- f) the Managing Director, Planning and City Planner BE REQUESTED to prepare a terms of reference document to aid in the preparation of Heritage Impact Assessments with a more consistent format; and,
- g) clauses 1, 2, 4 to 8, 10 to 12 and 17 BE RECEIVED. (11/18/PEC)



C. Saunders
City Clerk
/lk

cc. J. Yanchula, Manager, Urban Regeneration
K. Gonyou, Heritage Planner
™ L. Dent, Heritage Planner
A. Vlasman, Executive Assistant

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File: OZ-8804
Planner: M. Campbell

Appendix “D”: Memo from Heritage Planner



MEMO

To: Melissa Campbell, Planner II

From: Kyle Gonyou, Heritage Planner

Date: October 10, 2017

Re: **Heritage Impact Assessment – 467-469 Dufferin Avenue (OZ-8804)**

The intent of a Heritage Impact Assessment (HIA) should be to understand a property, understand its cultural heritage value or interest, describe a proposed change, assess the potential impacts of that proposed change on the cultural heritage value and heritage attributes of the property, and provide recommendations to mitigate any potential adverse impacts and ensure the conservation of the property’s cultural heritage value or interest and heritage attributes.

The HIA (prepared by Pol Associates Inc., dated May 2017) submitted as part of a complete application to amend the Official Plan and Zoning By-law (OZ-8804) for the property at 467-469 Dufferin Avenue fails to achieve this basic intent.

The subject property, 467-469 Dufferin Avenue, is located within the East Woodfield Heritage Conservation District which is designated under Part V of the *Ontario Heritage Act*. East Woodfield Heritage Conservation District was London’s first Heritage Conservation District designated in 1993.

467-469 Dufferin Avenue has been the subject of two previous demolition requests: 1998 and 2004. In 1998, the demolition request for the building at 467-469 Dufferin Avenue was not approved by Municipal Council at its meeting on June 1, 1998. Subsequently, in 2004, the demolition request was “referred to staff for further review of the condition and age of the building.” The matter was not pursued by the [former] property owner. Importantly, changes to the *Ontario Heritage Act* in 2005 enabled a municipality to refuse a demolition request for a heritage designated property; prior to 2005, the *Ontario Heritage Act* only enabled a municipality to delay the demolition of a heritage designated property by 180 days.

Property History

The Municipal Property Assessment Corporation (MPAC) dates the structure located on the subject property at having been constructed in 1874. However, comments during the demolition request in 2004 suggested that the building was constructed earlier than the 1874 date ascribed to the building, with the LACH report reiterating comments of the Stewardship Sub-Committee, *Some members note, base do [sic.] on specific features that they observed on the house, that it could very well be mistakenly dated and that it probably dates earlier, c. 1845. With that age, the house would rate a higher priority and it places in a very rare category. Observers commented that the house appears to be in a very good condition and it could be restored carefully to bring out and enhance its heritage features making it a rare example of early London homes. It certainly does not rate a demolition* (Report to Planning Committee, Application by Paul Angelini Application for Demolition Permit 467 & 469 Dufferin Ave Public Meeting on August 30, 2005 at 5:15pm, DE-03-33).

1874 is a significant year in the history and evolution of the Woodfield area. In 1874, after the City of London acquired the Ordnance Lands which once housed the British Garrison at what is now Victoria Park. Buildings from the site were sold at a public action on July 24, 1874. The form and style, including massing and proportions, of the building located at 467-469 Dufferin Avenue and its surreptitious date of “construction” prompt consideration that the building may

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File: OZ-8804
Planner: M. Campbell

have been relocated from the British Garrison to its present location. Community-based research has been undertaken to identify potential links or origins of the building, however no definitive evidence has been presented to either prove or disprove this theory. Further research and evaluation is necessary to make such a determination.

The later history of the subject property has been documented through research. The United Labour Hall was established by Joseph T. Marks (1858-1932) at 467 Dufferin Avenue in 1891. Alexander Salmene lived at 467 Dufferin Avenue in 1891 and Joseph T. Marks lived at the adjacent property at 465 Dufferin Avenue; both are associated with London’s early labour movement. Joseph T. Marks was the founder of the Industrial Brotherhood, the Labour Education Association, and *The Industrial Banner* which was Canada’s first and longest-running labour newspaper (1891-1923). The United Labour Hall (at 467 Dufferin Avenue) was a political venue, the printing studio for the *Industrial Banner*, and an alternative library, the Workingmen’s Free Library, to the Mechanics’ Institute’s subscription library. The efforts of Joseph T. Marks led to the establishment of the London Public Library Board in 1895. The property at 467-469 Dufferin Avenue is a landmark in London’s social history, with the built heritage resource having direct associations with the *Industrial Banner* and the United Labour Hall. See Appendix for more information.

Members of the community presented this information at a meeting with the property owner, Lisa Lansink, hosted by Councillor Tanya Park on April 1, 2016.

The subject property has layers of significant cultural heritage value or interest. Firstly, it is part of the East Woodfield Heritage Conservation District and contributes to its cultural heritage value and heritage character. Secondly, the built heritage resource has direct associations with London’s early labour movement and social history. And thirdly, the built heritage resource may be associated with the British Garrison once located at Victoria Park. There was no reference to these cultural heritage values related to the subject property noted within the HIA.

Legislative/Policy Framework

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). There is direction from the Province in the *Provincial Policy Statement* (2014) supporting heritage conservation, particularly Section 2.6.1 which states, “Significant built heritage resources and significant cultural heritage landscapes shall be conserve.”

The policies of the *Official Plan* (1989, as amended) serves to implement the higher-level policy. Chapter 13, Heritage, includes objectives which support the “protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community” (Section 13.1.i, *Official Plan*). Section 13.3.6 of the *Official Plan*, speaking generally to Heritage Conservation Districts, states that “the character of the District shall be maintained by encouraging the retention of existing structures and landscape features.” The policies of our *Official Plan* discourage the demolition of existing buildings within our Heritage Conservation Districts.

The policies of *The London Plan* (approved by Municipal Council, 2016) are consistent and support the conservation of London’s cultural heritage resources. In addition to the policies of the *Official Plan*, *The London Plan* states, “Relocation of cultural heritage resources is discouraged. All options for on-site retention must be exhausted before relocation may be considered” (Policy 566).

Policies specific to the East Woodfield Heritage Conservation District can be found within Section 13.3.8.1 of the *Official Plan*. It plainly states Council’s intention to “maintain, protect and conserve the East Woodfield Heritage Conservation Area” (Section 13.3.8.1.i, *Official Plan*). To achieve this conservation, Section 13.3.8.1.iii.a states, “the residential character of the area shall be maintained by encouraging the preservation of existing dwellings, grass boulevards, individual street trees and tree lines.” Policy is also provided to direct any new development within the East Woodfield Heritage Conservation District to “complement the prevailing character of the area” (Section 13.3.6.ii).

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Within the Statement of Intent (Section 1, Part I) articulated within the *East Woodfield Heritage Conservation District Plan*, it is clear that designation as a Heritage Conservation District cannot compel property owners to restore a property, but does enable a mechanism for municipal review of applications for change within the East Woodfield Heritage Conservation District. It also states that Municipal Council anticipates continuing change within East Woodfield Heritage Conservation District, but that change “must be carefully managed in a manner that does not adversely affect this special environment,” with a disposition to the conservation and protection of the unique residential heritage character of the area.

Principles for the East Woodfield Heritage Conservation District are stated in Section 1.3, Part II of the *East Woodfield Heritage Conservation District Plan*. Notably:

- “Heritage features are to be retained and re-used wherever possible and the demolition of heritage buildings shall be actively discouraged.”
- “There shall be a presumption in favour of retaining the distinguishing characteristics of a heritage property and the destruction, alteration or removal of historic fabric or distinguishing architectural features and the landscape shall be considered as the least desirable course of action.”

Goals and objectives of the designation of East Woodfield as a Heritage Conservation District under Part V of the *Ontario Heritage Act* are stated in Section 2, Part II of the *East Woodfield Heritage Conservation District Plan* and include:

- “To maintain the residential character of East Woodfield heritage conservation district.”
- “To protect and enhance the existing heritage residential buildings.”
- “To avoid the destruction of East Woodfield’s heritage buildings and landscape fabric and to encourage only those changes that are undertaken in a manner that if such alteration or additions were removed in the future, the essential form and integrity of the heritage property would remain unimpaired.”

Additional goals and objectives relate to the repair and maintenance of heritage buildings, maintaining the existing residential environment, supporting adaptive reuse, and discouraging the demolition of existing heritage buildings and their replacement by new development. Guidelines are provided to ensure that alterations, additions, and new development complement the heritage character of East Woodfield Heritage Conservation District.

Analysis

Our cultural heritage resources are non-renewable. Changes, such as demolition, permanently remove these tangible links to our past and eliminate their contributions to our shared quality of life and sense of place for current and future generations. Changes within our Heritage Conservation Districts must be carefully considered as these are places with significant cultural heritage value or interest that are valued by the community and must be conserved.

The HIA unsuccessfully attempted to articulate, and diminish, the cultural heritage value or interest of the subject property by undertaking a review five (5) entries of the City Directory and a stated reference to available “insurance maps.” An attempt was made to match names listed in the City Directory as occupants of 467-469 Dufferin Avenue in 1901-1910, 1915, 1916, 1922, or 1997 with names listed in the *East Woodfield Heritage Conservation District Plan*. A total of sixteen names are listed in Section 1.3 of the *East Woodfield Heritage Conservation District Plan* out of a total of 179 properties included within the East Woodfield Heritage Conservation District, which is considered indicative but not representative or exhaustive. Historical research which could have included a broader range of City Directories and other publically-accessible historical sources could have been consulted in the preparation of the HIA to provide a more fulsome history of the subject property, including its associations with the history of the East Woodfield Heritage Conservation District, London’s early labour movement and social history, and potential associations with the British Garrison. The methodology used was insufficient to articulate the significance of potential historical associations of the subject property. Historical

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**File: OZ-8804
Planner: M. Campbell**

research was incomplete and failed to acknowledge contributions of the property as part of the vernacular history of East Woodfield Heritage Conservation District.

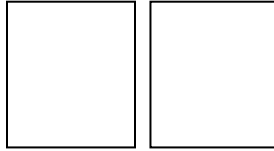
The HIA also offered an unsubstantiated opinion that the “there is no identified architectural significance to the building” (page 6, Pol Associates Inc. 2017). The vernacular qualities of the existing building are what offer contributions to the heritage character of the East Woodfield Heritage Conservation District, which is not exclusive to the mansions of London’s affluent classes. Additionally, form and style, including massing and proportions, also suggest an earlier date of construction than the suspected date of 1874 as noted by during consideration of the demolition request in 2004.

It should be noted that the compatibility of a proposed new building, or other alteration to a property, within a Heritage Conservation District is assessed through the Heritage Alteration Permit application process. The requested Official Plan Amendment/Zoning By-law Amendment for the subject property is predicated on the demolition of the existing building to facilitate the construction of the proposed new building. This is problematic within the context of the East Woodfield Heritage Conservation District, or any other Heritage Conservation District, particularly in consideration of the adverse impacts a demolition request may have on the subject property, adjacent properties, and the Heritage Conservation District as a whole.

The HIA relied heavily on a Condition Assessment prepared by Strick Baldinelli Moniz Ltd. (dated December 4, 2015). The opinion of the professional engineer did not appear to take any consideration of the cultural heritage value or interest of the property, nor a recognition of the property’s designation as part of the East Woodfield Heritage Conservation District. The Condition Assessment was forwarded to the Building Division by the Heritage Planner when it was received in February 2016.

Fundamentally, the HIA failed to recognize the contributions of the existing building to the East Woodfield Heritage Conservation District as a significant built heritage resource. The policies of the *East Woodfield Heritage Conservation District Plan* and the policies related to East Woodfield Heritage Conservation District within the *Official Plan/The London Plan* clearly discourage the demolition of existing buildings within this significant area. The HIA failed to provide a compelling argument to support the demolition/removal of the existing building, which is predicated by the requested Official Plan Amendment/Zoning By-law Amendment. No meaningful recommendations were provided to ensure the conservation of the existing building, and there was no consideration of alternative development which would retain the existing building. The conclusion of the HIA undermine the direction of the *Provincial Policy Statement* by failing to demonstrate how a significant built heritage resource will be conserved, as well as the policies of the *Official Plan*, the policies of the *East Woodfield Heritage Conservation District*, and good heritage conservation practice. The requested Official Plan Amendment/Zoning By-law Amendment for 467-469 Dufferin Avenue should be refused.

Furthermore, the speculation that the origin of the existing building may be linked to the British Garrison’s occupation of what is now Victoria Park is of potential national significance. Further research and evidence, either to prove or disprove this theory, must be required before any irreversible decisions regarding the fate of this built heritage resource are made.



APPENDIX:

Transcription of article from the *London Free Press* on April 11, 1959 regarding the "First Free Library in London opened by the Trades and Labour Council in 1889."


<p style="text-align: center;">FIRST FREE LIBRARY IN LONDON OPENED BY TRADES AND LABOUR COUNCIL IN 1889</p> <p style="text-align: center;">(The following article appeared in the <i>London Free Press</i> on April 11, 1959)</p> <p>The first free library in the City of London was established by the Trades and Labour Council. Thwarted in attempts to have one established under civic auspices, the members decided to provide one themselves and thus benefit not only their own body, but the citizens generally.</p> <p>This Workingmen's Free Library, as it was called, was begun late in 1889, and was housed in the Labour Hall on Dufferin Avenue. Liberal sums were contributed by the various unions, whose members also gave what books they could spare from their own libraries. In addition, books and money were given by a number of other Londoners.</p> <p>Each of the following bodies appointed two delegates to the Workingmen's Free Library Board: Trades and Labour Council, United Labour Building Association, Typographical Union, Brotherhood of Railway Trainmen, Amalgamated Engineers, Ancient Order of Foresters, Bricklayers' and Masons' Union, Brotherhood of Carpenters and Joiners, and the Industrial Brotherhood of Canada.</p> <p>The whole of the very considerable amount of work involved in operating the library was performed free of charge by the members of the board, and all money received was spent on books. A set of bylaws was prepared, catalogues were printed and library methods in Toronto and elsewhere were examined. By 1893 about 1000 volumes had been assembled, a good collection for the most part, which included many of the standard works in all classes of literature.</p> <p>Since the work was performed gratuitously, the library could be opened only once a week (Saturday evening) and on that night as many as six of the board members would gather to attend the needs of the patrons. The library was open to all citizens and its books could be borrowed free of charge, a nominal charge of 10 cents being made for a membership card.</p> <p>By January, 1892, there were nearly 300 regular readers and the number was increasing constantly. In May, 1892, it was recorded that the book circulation in the preceding year had been 6,000.</p> <p style="text-align: center;">40</p>	<p>On May 13, 1892, a petition for a grant of \$500 was presented by the Board to the city council on the ground that since the library was open to and used by the citizens, it should receive some civic support. The board also suggested that if the grants were given, the council should appoint two representatives to the board. A director of the Mechanics Institute appeared at the same meeting and declared that "if the council had any money to spend in this line, it should be used for the benefit of the Institute".</p> <p>A few days later the London Ministerial Association passed a resolution to the effect that they were not in favour of a grant to the Workingmen's Free Library. The money, some of the members said, if given at all, should go to the Mechanics Institute, which should be turned into a public library. The Workingmen's Free Library Board, they declared, allowed, "infidel" books on the shelves, some of their members were atheists, and they met on Sunday to discuss social problems.</p> <p>There now ensued about a 10-day correspondence in the newspapers between the Ministerial Association and the Workingmen's Free Library Board, in which some of the other citizens also joined. The charges of atheism and Sunday meetings were emphatically denied and the contents of the Free Library bookshelves stoutly defended. (The books objected to were certain scientific works, such as those of Darwin, a few other volumes, notably Volney's "Ruins" and a work by Charles Bradlaugh, and some books on Socialism.) Finally the Advertiser published a complete list of the books in the Workingmen's Free Library and it was seen that the number of volumes to which exception could be taken by any citizen, was exceedingly small.</p> <p>At the close of the 10 days' discussion, an editorial in the same paper said: "We agree with those of our correspondents, who take the ground that if consideration of this question brings about a well sustained agitation for the establishment of a public library on a popular basis, such as is to be found in every progressive city in North America and in Great Britain, the discussion begun by the Workingmen's Library Board, and the Ministerial Association will have far-reaching and beneficial results.</p> <p>The upshot of the matter was that on June 4 the city council granted to the Workingmen's Free Library Board, and appointed a committee to interview both the latter and the Mechanics Institute concerning amalgamation, with the object of establishing a public library. It was the general opinion that in these two book collections, London possessed a splendid nucleus for a good civic library. There proved to be too many difficulties in the way, however, and the amalgamation did not take place.</p> <p style="text-align: center;">41</p>
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File: OZ-8804
Planner: M. Campbell

London & Middlesex Historical Society, re: 467-469 Dufferin Avenue (April 1, 1998)

Note: handwritten note “incorrect 465 Dufferin” refers to the home of Joseph T. Marks at 465 Dufferin Avenue, rather than the location of the United Labour Hall at 467 Dufferin Avenue



The London and Middlesex Historical Society

Box 303, Station B, London, Ontario, Canada, N6A 4W1
(519) 645-2842


incorrect
465 Dufferin

467- 469 Dufferin Avenue
Joseph T. Marks.

Presented to the Stewardship Sub-Committee of the London Advisory Committee on Heritage

April 1, 1998
Re: 467-469 Dufferin Avenue

Excerpts from:
London's Forgotten Visionary:
The Life and Times of Joseph T. Marks
by David R. Spencer
Published in The London and Middlesex
Historian, Autumn 1992,
Pages 23 - 33



Joseph T. Marks, tinsmith at the Grand Trunk Railways, born on October 15, 1858, was the founder of the Industrial Brotherhood, the Labour Education Association, and the *Industrial Banner*. Marks was one of Victorian Canada's most respected working-class intellectual leaders. His most visible contribution: Canada's longest running labour newspapers: *The Industrial Banner* *The Banner* was published in the Dufferin Avenue house from 1892 - 1912, on an antiquated hand press. In 1912, he gave up the editorship of the *Industrial Banner* to future Toronto mayor, Jimmy Simpson.

The Industrial Brotherhood:
The Industrial Brotherhood was much more than a typical Victorian Trade Union. Its membership was opened to all kinds of workers, not just specialized craftsmen. Skilled and elitist craftsmen and common day labourers were given equal status. Marks insisted that the Industrial Brotherhood not tolerate gender or race discrimination. It was devoted to raising working-class pride and individual self-esteem of its members. It sponsored lectures and courses in democratic theory, law and monetary management. In other ways it acted like a fraternal society, offering sickness, disability and death benefits to its members.

Independent Labour party candidates from the Brotherhood, defeated the premier and Sir Adam Beck. Twelve members of the party were elected to the Ontario House. They later joined with the United Farmers of Ontario to form a coalition which ruled the province for the next four

Preserving local history since 1901



years.

The Labour Educational Association:

Marks was dedicated to the creation of a literate working-class-society.

The focal point of Mark's educational mission was the United Labour Hall, which still stands on Dufferin Avenue. The hall became the setting for numerous public debates which presented *the other side* of the late Victorian political and economic issues.

Marks also believed that an educated society which wished to be a literate society needed access to literature. He became a tireless campaigner for a public library system and free textbooks for London school children.

Marks and fellow labour leaders, believed that the Mechanics' Institutes which served the city as educational and recreational centres, often reflected the biases of the upper-class socialites who ran them. In 1893 he opened a section of the Labour Hall as a free reading room and library.

In late 1894 Marks and the Industrial Brotherhood organized yet one more campaign for a publically funded library system. Finally, in 1895, city rate payers approved a by-law to build a public library and Wellington and Queens. Marks took a seat on its Board of Directors.

In trade union circles, Marks is best remembered as the founder of the Labour Educational Association of Western Ontario, which he established in m Berlin, Ontario in 1903.

The Labour Co-operative:

Marks's constant concern for working-class improvement resulted in one of the city's first co-operative manufacturing adventures. Marks and well meaning trade unionists went into business manufacturing toys.

Summary:

Joseph T. Marks was a major player in inspiring the national debates in which participants attempted to determine an economic, social and political place for working people in a maturing industrial society.

Marks and like-minded activists attempted to influence the overall direction of the new Canadian state and its public and private philosophy. Although the social significance of Joseph T. Marks has generally been consigned to the obscuring tendencies of time, we continue to enjoy the legacy of the institutions he so ably helped to create. The passion and dedication of this Londoner played an influential role in Canada's social history, namely the creation of a society committed to helping those who cannot help themselves.

Marks died in Toronto and was buried in London's Mount Pleasant cemetery on November 17, 1932. For the following 10 - 15 years, on Labour day, an annual parade to his grave site and the placement of flowers marked this man's contribution to our country.

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“The Industrial Banner” – plaque of the Historical Sites Committee of the London Public Library. Retrieved from www.londonpubliclibrary.ca/research/local-historic-sites/industrial-banner

Currently, 420 Richmond Street [3] is a Scotiabank branch, but at one time the land adjoining it belonged to the *London Advertiser Printing and Publishing Company*. The *London Advertiser* is significant to the city because a newspaper of the same name was printed at that location and, perhaps even more importantly, because Canada’s first and longest-running labour newspaper was also printed there, *The Industrial Banner*.

For its first issue in 1891, the *Industrial Banner* was printed at the *United Labour Hall*. Original editor Joseph T. Marks, along with his colleagues Rudolph Hessel, Henry Ashplant and Frank Plant, thought it was time for London to have a paper that was devoted to championing the rights of the Canadian working class, and so this monthly newspaper was born.

Through the *Banner*, the editors provided a voice for unionists in the city and even went on to create their own political party, distinct from the existing Liberals and Conservatives. From this the “Independent Labour Party of Ontario” was created. It met with some success over the years, including the election of Frank Plant to council in 1899.

Aside from the part the paper played in politics, the editors had another aim – to promote education for workers and literacy in the entire community. Most important to them were the creation of a public library and the provision of free textbooks to schoolchildren. Both of these eventually did occur in the city in later years, but the first referendum on creating a public library did not pass. After this the editors of the newspaper, along with their sponsors, decided that they should take upon themselves the responsibility of improving literacy.

To do so, they founded a reading room at the United Labour Hall. This proved that there was enough interest in literacy and that people in London were serious about the issue. In 1895 – two years after the opening of the reading room – a second referendum was held on whether to open a library and this one, fortunately, passed. Joseph Marks, as one of the strongest proponents of the idea, became a founding member of the London Public Library Board.

For approximately twenty years *The Industrial Banner* was printed in London at the *Advertiser* location. Around 1913, production moved to Toronto, where editor Marks and the Independent Labour Party of Ontario hoped to make their own mark on the political stage. After ten years in this location, the paper folded.

Though *The Industrial Banner* saw its end in Toronto, it clearly had its greatest impact in London. Through the ideas of Joseph Marks and his colleagues, it provided a voice for the working class when they needed it most. Their influence is still felt through the introduction of a proper public library system – one that still serves London to this day.

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File: OZ-8804
Planner: M. Campbell

Joe Marks | London Culture. Retrieved from <http://www.londonculture.ca/things-we-do/culture-directory/historic-favourites/joe-marks>.

Note: David Spencer published other articles on Joseph T. Marks, including “Crusader slipped through history’s cracks” special to the *London Free Press* on January 30, 2010.

Joe Marks

Organization	London Heritage Council
Culture	North American
Region	London
Description	<p>(1858–1932)</p> <p>Late Victorian Canada saw great industrial progress but also great industrial turmoil. The Philadelphia-based Knights of Labor targeted London for their activities. Among their enthusiastic recruits was a young tinsmith on the Great Western Railway named Joseph Marks. Marks was a founder of the London District Trades and Labour Council and of the Industrial Brotherhood in 1891.</p> <p>The following year he launched the <i>Industrial Banner</i>, a monthly broadsheet devoted to union causes. Marks was always interested in educating the working class and leading unionists and encouraged them to enter into political fields. He opened the United Labour Hall at 465–467 Dufferin Avenue so that issues critical to labour could be discussed. In 1896, Marks and four colleagues ran for city council. None was elected, but three years later, unionist Frank Plant won a seat. In 1906, Marks managed a provincial by-election for Allen Studholme, who won a seat for the Independent Labour Party (ILP) in Hamilton.</p> <p>In 1912, Marks moved to Toronto, where he remained active in radical politics. In 1919, twelve ILP candidates were elected to the Ontario Legislature. They joined with a larger group of members elected by the United Farmers of Ontario to form the government. Marks, now a government supporter, was elected secretary of the ILP.</p> <p>At his death in November 1932, Marks was laid to rest in London's Mount Pleasant Cemetery. His grave for many years was the site of Labour Day celebrations.</p> <p>David Spencer.</p>

Also see: “Joseph Taylor Marks” in the Dictionary of Canadian Biography, http://www.biographi.ca/en/bio/marks_joseph_taylor_16E.html.

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File: OZ-8804
Planner: M. Campbell

Photographs



Image 1: Building located at 467-469 Dufferin Avenue, pictured in the *East Woodfield Heritage Conservation District Study* (1992).



Image 2: Terminating vista at 467-469 Dufferin Avenue along Maitland Street, looking south, pictured in the *East Woodfield Heritage Conservation District Study* (1992).

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Appendix “E”: Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of the requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement (PPS) 2014

- 1.1.3.1 – Settlement Areas
- 1.1.3.2 b) – Settlement Areas
- 1.1.3.3 – Settlement Areas
- 1.4.3 a) and b) – Housing
- 2.6.1 – Cultural Heritage and Archaeology
- 6.0 – Definitions

1989 Official Plan

- 3.2.2 i) – Low Density Residential, Scale of Development
- 3.2.3 – Low Density Residential, Residential Intensification
- 3.2.3.2 – Low Density Residential, Residential Intensification, Density and Form
- 3.2.3.3 – Low Density Residential, Residential Intensification, Neighbourhood Character Statement
- 3.2.3.4 – Low Density Residential, Residential Intensification, Compatibility of Proposed Residential Intensification Development
- 3.2.3.6 – Low Density Residential, Residential Intensification, Integration with Heritage Buildings
- 3.2.3.8 – Low Density Residential, Residential Intensification, Zoning
- 3.5.4 – Policies for Specific Residential Areas, Woodfield Neighbourhood
- 3.5.19.5 i) through x) – Policies for Near- Campus Neighbourhoods, Encourage Appropriate Intensification
- 3.5.19.10 i) through viii) – Policies for Near- Campus Neighbourhoods, Low Density Residential Designation
- 3.7.2 (a) through (n) – Planning Impact Analysis, Scope of Planning Impact Analysis
- 4.1.7 i) – Downtown Designation, Scale of Development, Scale Limitations
- 12.1 i) through ix) – Housing Objectives
- 12.1.1 ii) (a) and (b) – Definition, Affordable Rental Housing
- 12.1.1 iv) – Definition, Low and Moderate Income Households
- 12.2.2 iii) – Measures to Increase the Supply of Affordable Housing, Bonusing
- 13.3.2 – Heritage Conservation Districts, Changes to Buildings or Structures
- 13.3.6 i) through iii) – Heritage Conservation Districts, Heritage Conservation Districts
- 13.3.8.1 i) through iii) – Specific Heritage Conservation Districts, East Woodfield
- 13.6.2 i) and ii) – Implementation, Development, Redevelopment, Development Incentives and Bonus Zoning
- 19.4.4 ii) (a) and (g) – Zoning, Bonus Zoning

The London Plan

- 79_ – Intensification
- 84_ – Intensification
- 86_ – Intensification
- 505_ – Creating Housing Opportunities
- 506_ – Creating Housing Opportunities
- 508_ – Creating Housing Opportunities
- 515_ – Creating Housing Opportunities
- 516_ – Affordable Housing
- 517_ – Affordable Housing
- 521_ – Affordable Housing
- 522_ – Affordable Housing
- 562_ – General Cultural Heritage Policies – Sustainability

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- 563 _ – General Cultural Heritage Policies – Sustainability
- 565 _ – General Cultural Heritage Policies – Design
- 594 _ 1. through 3.– Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources - Heritage Conservation Districts
- 595 _ – Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources - Heritage Conservation Districts
- 596 _ – Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources - Heritage Conservation Districts
- 597 _ – Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources - Heritage Conservation Districts
- 600 _ – Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources - Heritage Conservation Districts
- 601 _ – Specific Policies for the Protection, Conservation and Stewardship of Cultural Heritage Resources - Heritage Conservation Districts
- 937_ – Residential Intensification in Neighbourhoods
- 940__ Residential Intensification in Neighbourhoods, Forms of Residential Intensification
- 953_ 1. and 3.– Additional Urban Design Considerations for Residential Intensification
- 965_ – Specific Policies for the Neighbourhoods Place Type – Near Campus Neighbourhood – Review of Planning Applications within the Near Campus Neighbourhoods.
- 968_ – Specific Policies for the Neighbourhoods Place Type – Near Campus Neighbourhood – Encourage Preferred Forms of Intensification
- 970_ – Specific Policies for the Neighbourhoods Place Type – Near Campus Neighbourhood – Directing Preferred Forms of Intensification to Appropriate Locations
- 971_ – Specific Policies for the Neighbourhoods Place Type – Near Campus Neighbourhood – Directing Preferred Forms of Intensification to Appropriate Locations
- 976_ – Specific Policies for the Neighbourhoods Place Type – Near Campus Neighbourhood – Interior of Neighbourhoods Place Types
- 1034_ – Woodfield Neighbourhood
- 1035_ – Woodfield Neighbourhood
- 1036_ – Woodfield Neighbourhood
- 1037_ – Woodfield Neighbourhood
- 1038_ – Woodfield Neighbourhood
- 1652_ 2. and 12.– Bonus Zoning, Type 2 Bonus Zoning
- Table 10
- Table 11

Zoning By-law Z-1

- 4.6 2) – General Provisions, Dwelling Units, Dwelling Unit Area (Minimums)

East Woodfield Heritage Conservation District Study, Heritage Conservation District Plan

- Part I, Section 2.3 – Statement of Intent, Heritage Character
- Part II, Section 2.1 – East Woodfield District Conservation Goals and Objectives, District Conservation Goals

- Part II, Section 4.4 – Guidelines for Alterations, Additions and New Construction, New Building Construction
- Part II, Section 2.1

Property Standards By-law CP-16

- 4.8.7 – Occupancy - Maximum

Ontario Building Code

- 3.1.17.1 (1) (b) – Occupant Load Determination

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R3-2

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

- | | |
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| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
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CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-8804

MC

MAP PREPARED:

2017/10/24

MB

1:2,000

0 10 20 40 60 80 Meters