

Heritage Impact Statement

462, 468, 470, & 472 Springbank Drive

Atlas Group of Companies



December 4, 2018

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SECTION 1 - INTRODUCTION

1.1 Purpose of Heritage Impact Statement

The subject lands are located at 462, 468, 470 & 472 Springbank Drive and are adjacent to a property listed on the municipal register of heritage properties ("Register").

A Heritage Impact Statement is required for London Plan Policy 586 which states if a property is adjacent to properties listed on the Register, the proposal must be evaluated to demonstrate that the heritage attributes of the properties listed on the Register are conserved.

SECTION 2 – SUBJECT SITE

2.1 Subject Site

The subject lands are an irregular parcel located on the south side of Springbank Drive, between Berkshire Drive and Kernohan Parkway, and are comprised of four separate parcels, being 462, 468, 470 and 472 Springbank Drive. These parcels total 7,346 sq.m (79,072 sq.ft) in area with a lot frontage of 97.8 m (320.9 ft) (Figure 1). Three of the parcels currently contain single detached dwellings, although one of the dwellings, at 472 Springbank Drive, is used for office purposes. The largest parcel, at 462 Springbank Drive, is the current location for the Springbank Garden Centre.



SECTION 3 – MUNICIPAL REGISTER OF HERITAGE PROPERTIES

The municipal register of heritage properties must list all properties in the municipality that are designated under Part IV (individual property designation) and Part V (within a designated heritage conservation district) of the Ontario Heritage Act.

The Ontario Heritage Act (subsection 27(1.2)) also allows a municipality to include properties of cultural heritage value or interest that have not been designated in its municipal register.

Including non-designated properties in the municipal register is a means to identify properties that have cultural heritage value or interest to the community. The municipal register is an important tool in planning for the conservation of heritage properties and provides interim protection from demolition.

Listing a property of cultural heritage value or interest is the first step a municipality should take in the identification and evaluation of a property that may warrant some form of heritage conservation, recognition and/or long-term protection such as designation. In many cases, listed (non-designated) properties are candidates for protection under section 29 of the Ontario Heritage Act.

These require further research and an assessment using a more comprehensive evaluation that is consistent with Ontario Regulation 9/06 prescribing criteria for determining property of cultural heritage value or interest. Although listing non-designated properties does not offer any protection under the Ontario Heritage Act, Section 2 of the Provincial Policy Statement of the Planning Act acknowledges listed properties.

The subject lands are not designated under the Ontario Heritage Act or listed as a non-designated property.

3.1 Adjacent Properties designated under Part IV of the Ontario Heritage Act

The subject lands are not adjacent to properties designated under the Ontario Heritage Act.

3.2 Adjacent Non-designated Properties

The subject lands are adjacent to Woodland Cemetery, 493 Springbank Drive, a listed non-designated property (See Figure 1).

The 56 acres of land located on the banks of the Thames River got its name “Woodland” from the previous owner William Blinn, who referred to the area as “Woodland Park”. The cemetery, originally in Westminster Township, was established in 1878 upon closure of the former St. Paul’s Anglican Cemetery, located at the site known as Queens Park at the present Western Fair grounds on Dundas Street near Rectory Street.

Woodland Cemetery is an excellent example of the evolution and development of funeralization and memorialisation. Woodland contains examples from the elegant and majestic monuments of the mid-Victorian era, to the pragmatic and conservative stones of the post World War I Edwardian era, the “Park Style” trends of flat markers and monuments following World War II, to

the columbarium and cremation garden projects marking the increase in popularity of cremation from the 1960's to modern times.

Some notable buildings and structures:

- The north boundary of the cemetery contains some of the original steps and stone walls that once lead to the wharf and was the only access to the cemetery until Springbank Drive was built;
- Woodland Cemetery was the first in London to erect a private mausoleum. Designed by the architectural firm of Moore and Henry, the granite mausoleum was commissioned by Robert Fulford in memory of his wife Annie Pixley and their son Thomas;
- Three hillside vaults, built in the early 1880's, are memorials to 3 prominent merchants of London; C.P Smith, Charles T. Priddis, George S. Birrell, and their families;
- The Chapel of the Ascension, built in 1920 and designed by Albert H. McPhail of Windsor, was London's first public mausoleum;
- London's first crematorium was built in Woodland, and was in operation by 1964. It was designed to look like an old English stone chapel;
- The current gates located on Springbank Drive were constructed out of sandstone and wrought iron in 1900. The name "Woodland Cemetery" and the date it was established were later inscribed in the pillars. These gates are not the original ones to the cemetery.

Woodland Cemetery contains the burial sites and monuments of many notable Londoners. Some of these include: Reverend Benjamin Cronyn, John Harris, Amelia Harris, John Hayman, Henry Hayman, Charles Hyman, John Kinder Labatt, John McClary and John W.C. Meredith.

Other notable burial sites and monuments include:

- The first man buried in Woodland was a harness maker, Charles Dunn, on December 5, 1879;
- The Railway Monument was originally located in St. Paul's Cemetery at Dundas and Rectory Street and was moved to Woodland in the 1880's;
- London's greatest loss of life in a single day was on May 24, 1881 when the steam boat "The Victoria" sank. Approximately 183 people died; 50 of the victims are buried in Woodland;
- The Veteran's plot was laid out over a quiet wooded slope in 1939;
- St. James Cemetery, one of London's oldest cemeteries, also known as the Scottish Burial Ground, was closed in 1955 and 600 graves of pioneers were moved to Woodland.

Notable features of general markers and monuments:

- Placement of markers and monuments;
- The variety of styles, materials and symbolism represented in the markers and monuments;
- The range of size and complexity of markers and monuments from modest to elaborate.

The natural setting of Woodland Cemetery is a significant feature of the property. The evolution of the scenic atmosphere continues to grow and change but is a significant part of the cemetery's character.

Notable landscape components of the cemetery include:

- Historic rural location within the former Westminster Township;
- Original design and layout of the cemetery;
- Original access at north boundary and relationship with the Thames River;
- Original curvilinear pathway network;
- Natural "Rolling" topography;
- Wildlife and habitat;
- Vegetation which includes:
 - Historic method of buffering using plantings of trees and hedges along boundary (east most prominent);
 - Trees pattern along pathways;
 - Pattern of trees throughout burials;
 - Mature trees:
 - Black and Sugar Maple;
 - Magnolia;
 - Black Walnut;
 - Norway and Black Spruce;
 - Basswood;
 - Honeylocust;
 - Hackberry;
 - White Cedar.
- The original London Street Railway (London – Byron rail link) across the north property line of the cemetery. Today it is a part of the Terry Fox Parkway Trail;
- The spatial relationship of burials, monuments, buildings and structures within the natural setting.

See Appendix 1 for some images of notable features.

SECTION 4 – POLICY REVIEW

4.1 Provincial Policy Statement 2014 (PPS)

The Provincial Policy Statement (PPS), issued under the authority of Section 3 of the Planning Act "provides policy direction on matters of provincial interest related to land use planning" in order to ensure efficient, cost-efficient development and the protection of resources. All planning applications are required to be consistent with these policies.

Policies in the 2014 PPS relevant to the subject lands are as follows:

*"Planning authorities shall not permit development and site alteration on **adjacent lands** to **protected heritage property** except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved." Section 2.6.3*

6.0 PPS Definitions:

Built heritage resources: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

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

Adjacent lands (d) means those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Protected heritage property means *property designated under Parts IV, V, or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Site.*

Heritage attributes means *the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a protected heritage property).*

4.2 The London Plan

The new City of London Official Plan (The London Plan) has been adopted by Council, but is subject of several appeals to the Local Planning Appeal Tribunal (LPAT). Notwithstanding, consideration must be given to the following Cultural Heritage policies:

565 *"New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes."* (Under Appeal)

586 *"The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved. (In Effect)*

4.3 City of London Official Plan

Since policy 565 is subject to an appeal at LPAT and is not in force, Section 13 of the existing in force Official Plan applies.

Section 13 provides policies regarding the cultural heritage value of properties in London. Consideration was given to the following policies in the Official Plan:

Section 13.2.3.1 – Alteration or Demolition on Adjacent Lands

“Where a heritage building is protected under Parts IV, V or VI of the Ontario Heritage Act, development, site alteration or demolition may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement, and demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained. For the purposes of this section, adjacent lands shall include lands that are contiguous, and lands that are directly opposite a protected heritage property, separated only by a laneway or municipal road.”

4.4 Ontario Heritage Tool Kit

The Ontario Ministry of Tourism, Culture and Sport developed the Ontario Heritage Tool Kit as a guide to help understand the heritage conservation process in Ontario.

The tool kit provides guidelines for the preparation of heritage studies, such as Heritage Impact Statements and provides a list of possible negative impacts on a cultural heritage resource. These include, but are not limited to, the following impacts:

1. Destruction of any, part of any, significant heritage attributes or features;
2. Alteration that is not sympathetic, or is incompatible with the historic fabric and appearance;
3. Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;
4. Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;
5. Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;
6. A change in land use where the change in use negates the property's cultural heritage value; and
7. Land disturbances, such as change in grade that alters soils and drainage patterns that adversely affect cultural heritage resources.

SECTION 5 – PROPOSED DEVELOPMENT

The subject lands are proposed to be redeveloped for a 9-storey, 211-unit mixed-use apartment building with commercial units at grade, and underground parking. The design goal of the building is to strengthen the streetscape along Springbank Drive, with a public/private forecourt, supporting the commercial uses, and enhancing the pedestrian environment. The proposed building will have a high level of architectural and urban design creating a focal feature along Springbank Drive.

The building contains a mix of one, two, and two plus den bedroom units. Ground floor units have private outdoor amenity areas, and a large common outdoor amenity area is proposed towards the rear of the property.

The proposed apartment building is oriented toward Springbank Drive, along with primary entrances and a high level of vision glass and architectural detail facing the street. The layout of the site places the building close to the street frontage (2.5m setback), providing a strong street presence. In order to provide a strong street presence and buffering to adjacent institutional and office uses, the western interior side yards have a proposed setback of 5.5m and front yard setback of 2.5m. The proposed rear yard setback is 7.5m; however additional landscaping and outdoor amenity space further buffers the proposed building from the rear property line.

A total of 229 parking spaces are proposed, comprised of 190 underground spaces and 39 surface spaces. A single, full turn, vehicular access is proposed in the same general location as the existing easterly driveway, close to the easterly lot line (existing access for Springbank Garden Centre). Access to the underground parking garage is provided at the rear of the building, well screened from the public view. The surface parking area is to the rear of the building providing parking for the commercial units, and visitors of the apartment residents. The parking area is screened from Springbank Drive, and adjacent land uses by the building, and proposed landscaping.

The proposed development is not currently permitted under the "Office OF5(4) zone" and as such a Zoning By-law Amendment (ZBA) is required. The proposed ZBA seeks to rezone the subject lands from the current OF5(4) zone to a "Residential R9 Zone (R9-7)" and Bonus Zone (B-(___)), and Arterial Commercial AC2(2) through a ZBA.

See Appendix 2 for the proposed Site Plan and Elevations.

SECTION 6 – ANALYSIS AND MITIGATION

6.1 Provincial Policy Statement 2014 (PPS)

The proposed development is consistent with the policies of the 2014 Provincial Policy Statement.

There are no protected heritage properties adjacent to the subject lands as per the PPS definition of "protected heritage property".

Adjacent non-designated listed properties are not considered protected heritage properties. The PPS definition of a protected heritage property means *property designated under Parts IV, V, or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Site.*

6.2 The London Plan

The following consideration was given to the London Plan policy 565 and 586. In general, both policies state that if a property is adjacent to heritage designated properties or properties listed

on the Register, the proposal must be evaluated to demonstrate that the heritage attributes of the heritage designated properties and properties listed on the Register are conserved.

There are no heritage designated properties adjacent to the subject lands.

The subject lands are adjacent to a listed property on the Register, however, it has not been evaluated using Ontario Heritage Act Regulation 9/06. Being a non-designated property, it does not have defined “heritage attributes”. This is a defined term under the PPS, which does not apply to non-designated properties.

Regardless, Woodland Cemetery can certainly be seen as a strong candidate for designation under the Ontario Heritage Act as a cultural heritage landscape. Cultural heritage landscapes provide a wider understanding of the context of how built resources, natural heritage and lands uses function together as a whole. However, it is not the responsibility of our client to prepare a complete evaluation. Woodland Cemetery is large property and the process to determine if it is a potential cultural heritage landscape is a large and in-depth undertaking.

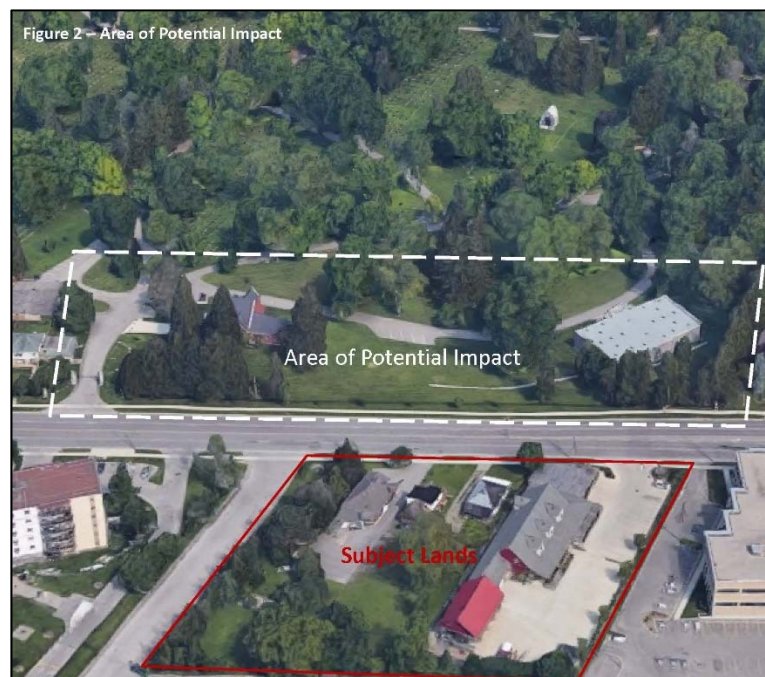
Nonetheless, based on our preliminary review the proposed development will not have a negative impact on the historic fabric of the cemetery; it will not change the existing land use; nor will it have any negative impacts on any of its potential heritage attributes.

The oldest part of the cemetery that contains most of the potential heritage attributes, historic graves, monuments, and original entrance to the cemetery is located in the northeast corner of the site. The proposed development is not near this area, nor can it even be seen from this area. The site is large, and has many trees that currently screen views from the rear of the cemetery to Springbank Drive.

The potential heritage attributes that are closer to the proposed development, the Fulford – Pixley Mausoleum, first crematorium, Chapel of the Ascension, main gates, and Veteran’s plot, will also not be negatively affected by the proposed development. These potential attributes are screened by trees and any views to these features will remain the same, including views of the main gate.

Overall, the proposed development will not have a negative impact on the character of the cemeteries natural setting; however, a potential negative impact was identified along Springbank Drive directly adjacent to the subject lands(see Figure 2).

The proposed building will cast shadows on the potential natural



heritage attributes of the cemetery, which includes mature Norway Spruce and London Plane. See Appendix 3 for the Shadow Study.

Ron Koudys Landscape Architects Inc. conducted a survey of this area of Woodland Cemetery, reviewed the shadow study and provided the following statement:

"Several trees off the property were included in shadow studies completed by TAES Architects, Inc. The trees are located north of Springbank Dr. in Woodland Cemetery and within the City's right-of-way. The majority of the impacted trees include mature Norway Spruce and recently planted London Plane. Both species are relatively tolerant of shade, and thrive in a variety of environments. London Plane is a commonly planted street tree in highly urban areas where there is significant shade cast by tall buildings, and Norway Spruce are an opportunistic species that are adapted to growing in cold, dark climates. Given the ability of both species to adapt to a variety of environments, and that based on the shadow studies these trees will be subjected to very little shade during the growing season, it is not anticipated that they will be negatively impacted by the shade of the proposed building."

6.3 City of London Official Plan

The proposed development is consistent with Section 13.2.3.1 of the City of London Official Plan. There are no lands that are contiguous, or that are directly opposite (separated only by a laneway or municipal road) that are protected under Parts IV, V or VI of the Ontario Heritage Act.

6.4 Ontario Heritage Tool Kit

As per the Ontario Heritage Tool Kit, there are no lands that are adjacent to the subject lands that are protected under Parts IV, V or VI of the Ontario Heritage Act. The tool kit states "...listing non-designated properties does not offer any protection under the Ontario Heritage Act..." It does state the Provincial Policy Statement does acknowledge listed properties; however, not all adjacent listed properties. It acknowledges adjacent protected heritage property, which does not include listed non-designated properties.

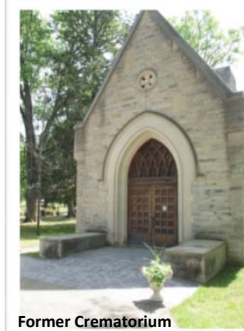
The adjacent listed properties are not protected under the Ontario Heritage Act, therefore are not considered protected heritage properties as per the PPS.

SECTION 7 – CONCLUSION

It is our opinion, if Woodland Cemetery were to be designated for its many heritage attributes, the adjacent proposed development would not have a negative impact on those potential heritage attributes and features.

Appendix 1-3

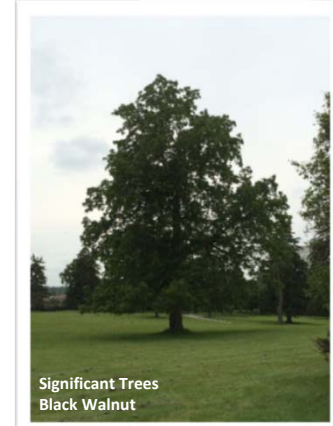
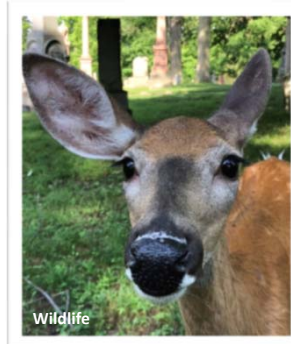
Notable Buildings and Structures




Notable Burial Sites and Monuments



Notable Landscape Features



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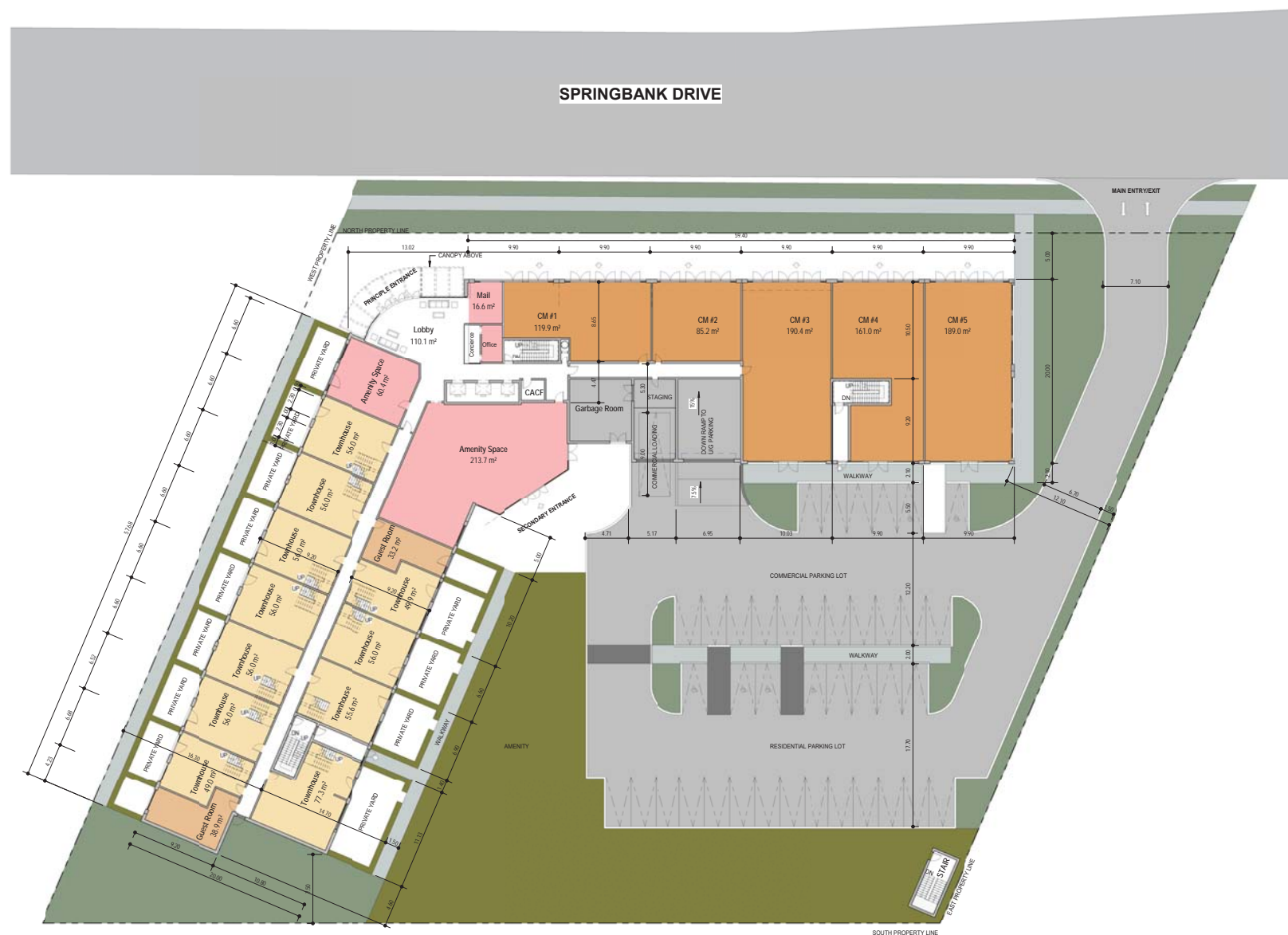
462-472 Springbank Dr London

Ground Floor Plan

Drawing No.

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GROUND FLOOR : 11 RESIDENTIAL UNITS, 2 GUEST ROOMS & 5 COMMERCIAL UNITS



SPRINGBANK DRIVE STREET ELEVATION (NORTH)



SOUTH ELEVATION

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New Development

462-472 Springbank Dr London

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Elevations

Drawing No.

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Sun Study - Equinox

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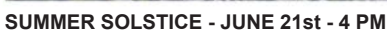
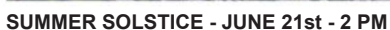
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Sun Study - Summer

SOURCES

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Site visit, conversation and emails with Paul Culliton, Manager, Woodland Cemetery;

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