

September 26 2019

Project No. 19116445-L01

**Laura Dent, Heritage Planner**

City of London  
 Development Services - Current Planning  
 PO Box 5035, 300 Dufferin Avenue  
 London, Ontario  
 N6A 4L9

**RESPONSE RE: 556 WELLINGTON STREET, CITY OF LONDON, ONTARIO**

Dear Laura,

This letter is provided in response to the City of London’s memorandum dated July 11, 2019 regarding the proposed development at 556 Wellington Street, a 0.6 hectare property currently being used as a parking lot and located within the West Woodfield Heritage Conservation District (HCD).

Golder completed a Heritage Impact Assessment (HIA) in May 2019 for GWL Realty Advisors Inc., which concluded that the proposed development will have direct and indirect impacts to the West Woodfield HCD in terms of alterations, land disturbance, and shadows. However, design of the proposed development has included elements intended to complement the heritage character of the West Woodfield HCD while following development guidance from the City’s Zoning By-law. Direct and indirect impacts from the proposed development can be mitigated through design and construction mitigation practices. Golder therefore recommended to monitor for construction vibration at the property boundaries as per the City’s Development and Construction Standards. Table 1 presents the City’s comments on the HIA and Golder’s responses.

**Table 1: City Comment and Golder Response**

City Comment	Golder Response
<p>The incompatibility of the scale of the new development in this location, and the impacts of this form of development on the broader area which is primarily low-scale and residential.</p>	<p>As noted in Golder’s HIA (see page iii, 49 and 56), the proposed development has been designed with setbacks that align with adjacent buildings and incorporates a podium base that is in scale with the surrounding buildings, such as the adjacent Part V property at 560-62 Wellington Street. The proposed building is divided into three sections (podium, midsection and upper) which will minimize visual impact of the overall building on the heritage attributes of adjacent heritage properties. It will complement the heritage character of the HCD through use of similar materials and is compatible with most of the design guidelines in the HCD Plan (Golder recommended the rear parking area be screened from neighbouring heritage properties). The podium</p>

City Comment	Golder Response
	<p>has also been designed by dividing it vertically which replicates the rhythm of the existing streetscape, allowing the building to be more compatible with the scale of adjacent heritage buildings.</p> <p>One of the goals of the HCD Plan is to maintain the low-density residential character of the West Woodfield HCD as the predominant land use, while <i>recognizing that certain areas of the District already have or are intended for a wider range of uses</i>. This is the case for 556 Wellington Street, which through the <i>Zoning By-law Z.-1</i>, was intended for a mixed-use development with 100% lot coverage and height of 90 m, and previously envisioned to be developed in <i>The London Plan</i>. Therefore, per the <i>Zoning By-law 556 Wellington Street</i> was intended for mixed-use and higher density residential. This goal from the HCD Plan was to be achieved through developing site-specific policies and guidelines for higher intensity residential uses to protect key heritage attributes (page 3.2). To Golder’s knowledge, these policies currently do not exist; yet the HIA has considered mitigation measures and has determined that the direct and indirect impacts to the West Woodfield HCD and adjacent heritage properties’ heritage attributes can be mitigated through design and construction mitigation practices.</p>
<p>The proposed height of the new development which is not compliant with the policies and guidelines of the <i>WW HCD Plan</i> (5.10.2) that recommend up to 10 stories in height at this location (note that this maximum height is well within what is permitted in this location as per the draft, <i>Victoria Park Secondary Plan</i>)</p>	<p>Golder’s HIA acknowledges the discrepancy in the maximum height requirements between the City’s <i>Zoning By-law</i> (1993) and <i>HCD Plan</i> (2008). The zoning allows for a maximum height of 90 m and 100% lot coverage, while the <i>HCD Plan</i> policy (5.10.2) states that “perhaps three stories adjacent to the houses on Wolfe and Princess Streets, rising to 8 to 10 stories facing Dufferin and Wellington, to be confirmed by shadow studies”.</p> <p>The use of the word ‘perhaps’ is subjective, whereas the use of “shall” or “will” would read as a requirement. The <i>HCD Plan</i> did not prescribe a minimum or maximum height requirement for the proposed property. As noted in our HIA in Section 3.3.7, a draft of the <i>Victoria Park Secondary Plan</i> was not available at the time of writing and is not currently in force.</p>
<p>The transitioning of height and form from the new development to adjacent lower scale neighbouring building typologies; the <i>WW HCD Plan</i> (5.10.2) recommends a maximum of 3-stories adjacent to existing properties on Wolfe and Princess Streets.</p>	<p>The <i>HCD Plan</i> suggests height around 8 to 10 stories would be appropriate for the property, with no reference to setbacks or surrounding heritage properties except that “perhaps” three stories adjacent to the houses on Wolfe and Princess. This suggestion is not supported by other City plans and policies, such as <i>The London Plan</i> and zoning by-law. As noted in the HIA in Section 7.3, the proposed development follows tall building design guidance by incorporating setbacks that align with adjacent buildings and incorporates a podium base that is in scale with the surrounding heritage buildings (see Figures 17 and 18 in the HIA).</p>

City Comment	Golder Response
<p>The impacts of the new development on the character and quality specifically of Victoria Park (as understood and experienced as a whole place, public good and amenity); as a Part IV heritage designated property and a Canadian Registered Historic Place, the HIA should explicitly address impacts on the Park.</p>	<p>Golder’s HIA recognized Victoria Park with a section dedicated to its history (Section 4.2.3) and another dedicated to understanding its cultural heritage value or interest (Section 6.2). It is noted that Victoria Park was designated under Part IV of the <i>Ontario Heritage Act</i>, as listed on Canada’s Historic Places Register and is a registered archaeological site. The heritage attributes as identified in By-law L.S.P.-3311-283 are also listed, many of which address built elements such as the entrance gates, monuments, and cannons. These heritage attributes were considered when conducting the impact assessment (see Section 7.2, Table 3) and Victoria Park is explicitly addressed. It was found that none of the heritage attributes of Victoria Park are expected to be impacted due to destruction, alteration, shadows, isolation, direct or indirect obstruction, or a change in land use. This follows MTCS guidance provided in <i>Heritage Resources in the Land Use Planning Process</i>, which states that development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (MTCS 2005).</p>
<p>The impacts specifically to the Wolfe Street properties and overall streetscape, where nearly half of the properties are dual-designated (Part IV and V); The HIA should explicitly address both their individual significance and their collective effect in creating a micro-heritage area.</p>	<p>The Wolfe Street properties were included in Golder’s HIA and recognized as Part IV and Part V heritage properties (see Figure 13). Golder must follow the interpretation of ‘adjacent’ as noted in the City of London’s <i>Official Plan</i> which identifies adjacent lands as those lands that are contiguous and lands that are directly opposite a protected heritage property, separated only by a laneway or municipal road.</p> <p>Although many are not ‘adjacent’, Golder still considered the properties on Wolfe Street in the impact assessment as properties that will be minimally impacted by shadows from the proposed development. However, only the adjacent properties at 560-62 Wellington Street, 300 Princess Avenue, and 295 Wolfe Street are explicitly addressed in the impact assessment as adjacent properties. None of these properties are dual designated and the HIA found there would be minimal potential for adverse impacts from the proposed development which would be temporary and limited to potential vibration. These impacts can be mitigated through site controls and vibration monitoring.</p> <p>It was not within the scope of the HIA to consider the individual significance of each property and their collective effect in creating a ‘micro-heritage’ area, which is not defined in City documents.</p>

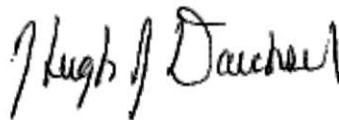
City Comment	Golder Response
<p>Shadow studies that reflect the revised design from April 2019, which depicts added height at the rear wing portion of the new development.</p>	<p>This will be provided by the Client.</p>
<p>The impacts of the new development on the viewscape (understood as a heritage resource unto itself), which is mutually supportive to both the character of West Woodfield and Victoria Park.</p>	<p>There are no significant viewsapes identified within the West Woodfield HCD Plan. One of the few references to views is in Section 4.3 New Development d), which indicates that “where zoning permits higher buildings, studies on shading, loss of view, increased traffic, noise and parking congestion should be conducted, and measures taken to mitigate any effects” (pg. 8.19). Renderings showing various perspectives and views were provided and referenced in the HIA (see Figures 14 to 19). The visual connections between each built heritage resource on Wellington Street, Waterloo Street, Wolfe Street, and Princess Avenue were not identified by the City as significant to the development of each property or the properties in their entirety, and the viewscape across the property from Victoria Park has not been previously identified by the City as significant.</p>
<p>The impacts of visual obstruction due to the scale of the development; the HIA should explicitly address ‘perceived isolation’, quality of experience and impacts of obstruction on properties at this park-edge of West Woodfield.</p>	<p>The HIA follows the MTCS definition of ‘isolation’, being the isolation of a heritage attribute from its surrounding environment, context, or a significant relationship (see Section 7.2). ‘Perceived isolation’ is not defined in City documents, and as such, Golder assessed impacts as per the guidance provided in the MTCS <i>Heritage Resources in the Land Use Planning Process</i> (2005). As noted above, the view of Victoria Park from the properties on Wolfe Street, Waterloo Street and Princess Avenue are not identified as heritage attributes of either the park, the individual properties or West Woodfield HCD. The visual connections between each built heritage resource were not identified by the City as significant to the development of each property or the properties in their entirety.</p> <p>The pedestrian experience has been considered in the proposed development, which incorporates ground floor commercial units with floor to ceiling windows and patio amenity areas, which will provide more opportunity to appreciate the park and complement the heritage attributes of the HCD. This meets the goals of the HCD Plan to maintain and enhance the visual, contextual and pedestrian oriented character of West Woodfield’s streetscape and public realm. As noted above, no views have been identified by the City as significant and it will not obstruct the views of the Park from the other properties along Wellington Street.</p>

In conclusion, Golder concurs that compatibility and sensitivity to the broader surrounding context is an important component of any infill proposal within an HCD and adjacent to significant cultural heritage resources. However, the HIA noted that the height and massing of the proposed development, although larger than the existing surrounding properties within the HCD, has incorporated design measures to mitigate impacts. Additionally, no adverse impacts to Victoria Park, the West Woodfield HCD, or adjacent heritage properties will result from the proposed development. The HIA has followed MTCS guidance and the City has not provided a specific West Woodfield HCD policy in which the proposed development does not comply with.

Respectfully submitted,  
**Golder Associates Ltd.**



Ragavan Nithiyantham, M.A.  
*Cultural Heritage Specialist*



Hugh Daechsel, M.A.  
*Principal, Senior Archaeologist*

RN/HD/ly

CC: Heather Garrett, Zelinka Priamo Ltd.  
Agnes Sliwa, GWL Realty Advisors Inc.

Attachments: Attachment A – City of London Memo dated July 11, 2019

[https://golderassociates.sharepoint.com/sites/103556/deliverables/sept 2019 response letter/19116445-l01-rev0 26sept2019-556 wellington street response letter.docx](https://golderassociates.sharepoint.com/sites/103556/deliverables/sept%202019%20response%20letter/19116445-l01-rev0%2026sept2019-556%20wellington%20street%20response%20letter.docx)

**ATTACHMENT A**

City of London Memo dated July 11, 2019



# MEMO

**To:** Dan Fitzgerald, Planner II

**From:** Laura E. Dent, Heritage Planner

**Date:** July 11, 2019

**Re: 556 Wellington Street (SPA19-046)  
Heritage Impact Assessment  
Heritage Commenting**

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## 1. Overview + Scope of Work

The subject property of this Site Plan Application (SPA19-046) is currently vacant and used as a surface parking lot. The property is bounded by Wolfe and Wellington Streets to the north and west, respectively; Victoria Park is located to the west of the property, with Centennial Hall and Reg Cooper Square to the south. This application is for development of a mixed-use retail/residential building with two towers (12 and 18-storeys in height). Two (2) levels of underground parking and five (5) levels of above ground parking are also included as part of the development proposal.

A Heritage Impact Assessment (HIA) was submitted by Golder Associates Ltd. (May 16, 2019) – on behalf GWL Reality Advisors – as a condition of Site Plan Application approval, and as a requirement of the *Official Plan-1989* (13.2.3.1) and *The London Plan* (Policy 586). The primary purpose of this HIA is to assess the impacts of the proposed development on the cultural heritage value and attributes of adjacent significant heritage properties and surrounding character of Victoria Park and the West Woodfield Heritage Conservation District, and to make recommendations to mitigate any adverse impacts that may arise.

## 2. Heritage Status and Adjacencies

The heritage status of the subject property includes:

- designation under Part V of the *Ontario Heritage Act (OHA)* as part of the West Woodfield Heritage Conservation District (WW HCD)
  - adjacency to eight (8) properties within the WW HCD
    - 300 Princess Avenue; 295,297,299,302 Wolfe Street; 560-562 Wellington Street; Reg Cooper Square (w/buildings); Victoria Park
- adjacency to Victoria Park which –
  - has dual-designation

- under Part V of the *Ontario Heritage Act (OHA)* as part of the West Woodfield Heritage Conservation District
  - under Part IV of the *Ontario Heritage Act (OHA)* – L.S.P.-3311-283
- is a registered archaeological site
- is a Canadian Registered Historic Place (listed on the Canadian Register – 2008/12/11)
- Archaeological Potential is identified on the full property as indicated on the City’s 2018 Archaeological Mapping

### 3. Policies

Heritage resources are to be conserved and impacts evaluated as/per fundamental policies in the *PPS-2014*, the *Ontario Heritage Act*, the *London OP-1989* and *The London Plan*. The *Victoria Park Secondary Plan* (June 2019, draft) provides further detailed policies for future development in and surrounding Victoria Park.<sup>1</sup> Finally, more specific area-based policies and guidelines – part of the *West Woodfield Heritage Conservation District Plan (WW HCD Plan)* – contain both; 1) policies establishing intention, and 2) specific guidelines that provide direction how to achieve conservation of resources, attributes and character.

Select key policies and guidelines most pertinent to this application include the following:<sup>2</sup>

- “The design of new development, either as infilling or as additions to existing buildings, should complement the prevailing character of the area;” (*OP-1989*, 13.3.6 ii)
- “Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.” (*The London Plan*, 554\_3)
- “Maintain the low-density residential character of the WW HCD as the predominant land use, while recognizing that certain areas of the District already have or are intended for a wider range of uses by ensuring that infill development or redevelopment is compatible with the heritage character and pedestrian scale of the District.” (*WW HCD Plan*, 3.1)
- “The WW HCD was developed primarily as a single family residential area. Setbacks of original heritage buildings, particularly in the residential area, are relatively uniform at the individual street level, as are building height and scale. To maintain the general consistency of the land uses and development pattern in the District, the following policies are proposed:
  - (a) Maintain the residential amenity and human scale by ensuring that the low density residential land use character remains dominant.
  - (b) New land uses that are out of keeping with the general residential character of the District, or would have a negative impact on it, are discouraged.

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<sup>1</sup> The Draft Victoria Park Secondary Plan has been received [by Council] for information purposes; and will be circulated for further public engagement with the community and stakeholders.

<sup>2</sup> This list of policies and guidelines is not intended to be comprehensive, and does not include those found in the *PPS* and *OHA*. The list also does not identify policies that indicate application requirements such as submission of a heritage impact assessment, archaeological assessments, heritage alteration permit approval, and public site plan meeting and urban design review.



- (c) Higher intensity uses or redevelopment opportunities shall be focused outside of the residential district and in areas designated for intensification.” (*WW HCD Plan*, 4.1)
- “[N]ew buildings must be designed to be compatible with the heritage characteristics of the West Woodfield Neighbourhood to help retain the overall visual context of the area.” (*WW HCD Plan*, 8.2.3)
- “Any future changes to existing buildings that are taller than 6 floors, or for the design of new buildings taller than 3 floors, should be required to provide an adequate transition to neighbouring building types and heights, as well as being sensitive to the quality of the elevation contributed to the rest of the street.” (*WW HCD Plan*, 8.1.9)
- “Where redevelopment is proposed on vacant or underutilized sites, new development shall be sensitive to and compatible with adjacent heritage resources on the street with respect to height, massing, built form and materials.” (*WW HCD Plan*, 8.2.7.3)
- “...ensure any potential development is respectful of the heritage character of the district yet is not too restrictive to the potential of the site.” (*WW HCD Plan*, 5.10.2)
- “Establish maximum heights in [the area] related to uses of adjacent properties...three stories adjacent to the houses on Wolfe and Princess, rising to 8 to 10 stories facing Dufferin and Wellington, to be confirmed by shadow studies.” (*WW HCD Plan*, 5.10.2)

#### **4. Assessment of Impact – Initial Comments + Summary**

Heritage Planning has reviewed the Heritage Impact Assessment (HIA) and appreciates the completeness and thoroughness with which the HIA has been prepared, as well as the analysis undertaken that directly addresses impacts and mitigative measures. However there are some aspects of the HIA that need to be more fully interpreted within the context of the *West Woodfield Heritage Conservation District Plan (WW HCD Plan)* and other City policy directions.

The HIA does not sufficiently address the following, and further evaluation and explanation is required regarding:

- The incompatibility of the scale of the new development in this location, and the impacts of this form of development on the broader area which is primarily low-scale and residential.
- The proposed height of the new development which is not compliant with the policies and guidelines of the *WW HCD Plan* (5.10.2) that recommend up to 10 stories in height at this location. (Note that this maximum height is well within what is permitted in this location as per the draft, *Victoria Park Secondary Plan*).
- The transitioning of height and form from the new development to adjacent lower scale neighbouring building typologies; the *WW HCD Plan* (5.10.2) recommends a maximum of 3-stories adjacent to existing properties on Wolfe and Princess Streets.

- The impacts of the new development on the character and quality specifically of Victoria Park (as understood and experienced as a whole place, public good and amenity); as a Part IV heritage designated property and a Canadian Registered Historic Place, the HIA should explicitly address impacts on the Park.
- The impacts specifically to the Wolfe Street properties and overall streetscape, where nearly half of the properties are dual-designated (Part IV and V); the HIA should explicitly address both their individual significance and their collective effect in creating a micro-heritage area.
- Shadow studies that reflect the revised design from April 2019, which depicts added height at the rear wing portion of the new development.
- The impacts of the new development on the viewscape (understood as a heritage resource unto itself), which is mutually supportive to both the character of West Woodfield and Victoria Park.
- The impacts of visual obstruction due to the scale of the development; the HIA should explicitly address 'perceived isolation', quality of experience and impacts of obstruction on properties at this park-edge of West Woodfield.<sup>3</sup>

## 5. Conclusions

Compatibility and sensitivity to the broader surrounding context is an important component of any infill proposal within an HCD, and, in this case, with adjacencies also to a nationally significant heritage attribute being Victoria Park. London's *OP-1989* specifically states that: *the design of new development, either as infilling or as additions to existing buildings, should complement the prevailing character of the area* (13.3.6.ii). Moving forward, key matters that remain to be addressed for this development is around the integration of the proposed development in the context of the heritage character of this area and how the heritage character is impacted and/or supported by this development.

Development Services staff is not satisfied that the HIA addresses the height and massing of the proposal from a heritage context. Also, the HIA does not provide justification that there will be no adverse impacts on Victoria Park, the West Woodfield Heritage Conservation District as a whole, and specifically on heritage designated properties adjacent to 556 Wellington Street as a result of the proposed development. Finally, it has not been demonstrated that the cultural heritage value or interest of significant heritage resources has been conserved through mitigative measures. Staff are requesting further proposal options/concepts be considered that maintain the high quality of design depicted

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<sup>3</sup> Note that connectivity and view corridors—with particular attention to the relationship of Victoria Park to its surroundings—are also important considerations in the *Victoria Park Secondary Plan*, draft.

in the current proposal, but incorporate design that is more compatible with the character and scale of the area to ensure that significant heritage resources are not compromised.

## **6. Additional Comments Related to Application**

### Archaeological Potential and Assessments

Staff has reviewed the *Stage 1 Archaeological Background Study* (Lincoln, Nov 2018) and notes that an Archaeological Assessment (Stage 2) by test trenching is recommended. The above Stage 1 Study has not yet been submitted to the Ministry of Tourism, Culture, and Sport (MTCS) for compliance review and issuance of a compliance letter. A Stage 2 Archaeological Assessment cannot proceed without the City's receipt of this compliance letter.

Further, the proposed development is adjacent to Victoria Park which is a highly sensitive, registered archaeological site. It is the most significant resource for archaeology in London (exhibiting three critical layers of historic importance) with regional and national significance as well. Because of this, staff strongly recommends that the property be cleared of its archaeological potential early on during the Site Plan Application process. It is in the applicant's best interest to know the outcomes and recommendations from archaeological assessments. Outcomes from progressive assessments (which could likely result in a Stage 4 being required) could ultimately have implications for development/design of the property. For example, the finding of a whole artifact (i.e. foundations) may require retention in situ.

### Site Plan Control

A public participation meeting will be required at the Planning and Environment Committee (PEC) for this Site Plan Application. Note that public input is recommended as/per *West Woodfield Heritage Conservation District Plan* (Policy 5.4.a) specifically for the development of vacant parcels within the HCD to provide an opportunity for community input and awareness of potential changes.

### Heritage Alteration Permit Approval (HAP)

As per Section 42(1) of the *Ontario Heritage Act (OHA)*, heritage permit approval will be required for alterations to properties designated in the West Woodfield Heritage Conservation District. The London Advisory Committee on Heritage will provide a recommendation to Municipal Council on the HAP, with Council having approval authority. Heritage alteration permit approval is required prior to issuance of a Building Permit.

Please advise if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura E. Dent". The signature is fluid and cursive, with the first name "Laura" being the most prominent part.

Laura E. Dent

Development Services

Heritage Planner

M.Arch, PhD, MCIP, RPP