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<b>TO:</b>	<b>CHAIR AND MEMBERS - PLANNING COMMITTEE MEETING ON Monday, November 10, 2008</b>
<b>FROM:</b>	<b>R. W. PANZER GENERAL MANAGER OF PLANNING AND DEVELOPMENT</b>
<b>SUBJECT:</b>	<b>DOWNTOWN MASTER PLAN PRELIMINARY IDENTIFICATION OF ISSUES AND DRAFT TERMS OF REFERENCE</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the General Manager of Planning and Development, based on the direction from Municipal Council, the attached report including a draft Terms of Reference for the proposed Downtown Master Plan **BE CIRCULATED** for public and agency review and comment and that the revised final Terms of Reference be adopted at a future public meeting of Planning Committee.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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Over the years there have been a number of reports prepared on the Downtown as listed in Appendix "A".

<b>BACKGROUND</b>
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**1) Introduction**

Since the early 1980's Municipal Council, City staff, Downtown agencies and others have spent a significant amount of money, time and effort on the enhancement and revitalization of the Downtown. Most of those efforts have focused on a particular set of issues and have not dealt with the whole of the Downtown on a comprehensive basis. Through its recent discussions of Downtown revitalization incentives, design and heritage issues, Council has identified a need for a new broadly based Downtown Master Plan.

A Terms of Reference is intended to specify the requirements, expectations, methodology and products which will be necessary for the recommendation of a final Downtown Master Plan, Downtown Heritage Conservation District Plan and Downtown Design Guidelines to City Council for approval. If a need for new Official Plan policies is identified, an Official Plan amendment will also be prepared. The draft Terms of Reference will be reviewed and refined as necessary, through a public consultation process prior to its recommendation to City Council for adoption.

Following completion of the Terms of Reference, a Background Study will be prepared which will provide the policy, statistical and analytical basis for the Downtown Master Plan, Downtown Heritage Conservation District Plan and Downtown Design Guidelines. The attached report (and in more detail the subsequent Background Study) will summarize past efforts and identify components of the Downtown which have been studied and are being addressed at the present time. Those issues which have not been addressed will also be identified. Where applicable, any Council resolutions will also be identified.

All of this background material will establish the current conditions in the Downtown and will serve as a basis for the preparation of the Background Study and the subsequent Downtown Master Plan, Downtown Heritage Conservation District Plan and Downtown Urban Design Guidelines.

The second component of the future Background Study identified in the Terms of Reference will be to identify a long term vision for Downtown. A number of past studies have done this but the intent is to revisit that vision to ensure it is current. A community survey/questionnaire may be one of the tools used to foster additional community input to identify that vision.

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Finally, based on that vision Council, staff, Downtown agencies and others will identify those areas in the Background Study where further study is required and which need to be addressed and improved through the implementation of the Downtown Master Plan and Downtown Design Guidelines. This may include new Official Plan policies, new zoning by-law regulations, changes in the site plan control by-law, the introduction of revised urban design guidelines, new or improved infrastructure, new or revised financial incentives or changes in the way the City deals with Downtown issues. The attached Terms of Reference is intended to identify the current conditions, those issues which need to be addressed, the process and the amount of public consultation needed.

**2) The Need for a Downtown Plan**

As indicated by the list of reports and studies identified in Appendix “A”, the Downtown is the most studied area in the City. Historically, these studies and reports have dealt with either revitalization efforts, one specific aspect of the Downtown and/or site specific issues, but these initiatives and recommendations have not been brought together on a comprehensive basis as a single Downtown Master Plan. The current Official Plan policies and the revised Official Plan policies contained in Official Plan Amendment No. 438 (Council adopted March 3, 2008) provide the comprehensive policies for the Downtown but lack some of the specific directions that may be required to fully implement a Downtown vision.

In the early 1980’s the City did initiate a Downtown Plan process which produced a number of studies; however, a single Downtown Plan was never prepared. Instead, the results of the various studies were used as support for the development of the Downtown policies for the 1989 Official Plan Review. The Downtown Urban Design Concept and the Downtown Design Guidelines were the only studies from that process which were separately adopted by Council (May 1991).

Recently, Council has dealt with a number of specific Downtown issues; such as financial incentives, vacancies on Dundas Street, the need for a performing arts centre, the need for a Heritage Conservation District, Downtown parking lots, bus transportation, public safety, cultural tourism etc. These issues have been dealt with on an “issue” basis. Based on the recent approval of the revised Official Plan policies, the degree of current interest in the above issues and the long history of Downtown studies requested by Council, the time is right to prepare a comprehensive Downtown Plan.

**3) The Importance of the Downtown**

The state of a City’s Downtown is often viewed as a reflection of the health of that city. Also, the images that residents and visitors have of a city are often shaped by their perception of the Downtown, and that image often reflects the City’s cultural and historic heritage. The “health” and image of the Downtown also has an impact on economic development, being one of the criteria used by new companies and businesses to select new locations or for relocations. Lastly, Downtowns typically are intended to be the “meeting place” for all the City’s residents for interaction, activities and special events as opposed to suburban locations where the typical focus for activity is the suburban mall or commercial area.

The Downtown Task Force Report “A Blueprint for Action” (2008) recently came to two conclusions;

*“Downtown London is worth saving, preserving, rebuilding and celebrating”*

and,

*“Downtown London is worth fighting for, supporting, investing in and encouraging its growth and development.”*

Municipal Council has recognized Downtown’s importance since the 1980’s and has taken a proactive role in revitalizing London’s Downtown. The City has moved from study and report to initiative and action on a number of issues. This public investment in money, programs and infrastructure has resulted in a Downtown that is gradually improving. Since 1991, the value of private sector investment has surpassed public sector construction value by an average of \$4 million annually. Since 2001 there has been \$50 million in public investment and \$132 million in private investment. Downtown has changed since the advent of the suburban shopping centre, evolving from a regional retail centre to a multi-faceted working, shopping, living and

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entertainment environment that attracts Downtown workers, residents and visitors. New development has occurred. The construction values associated with building permits have increased from an average of \$6.8 million annually in the five years prior to 1998, to an average of \$31.4 million annually from 1998-2003. Since 2001 building permit revenues have exceeded \$150 million. In the last two years, building permit values have been \$90 million (2006) and \$25 million (2007).

**4) History of Downtown Planning**

There is a long history of Downtown planning initiatives including various redevelopment and improvement schemes through the 1960's, 70's and 80's. Appendix "A" identifies the studies/reports which have done on Downtown issues and reports on general City-wide issues which apply to Downtown London. The following chronology lists the main planning initiatives since 1990:

1991	<ul style="list-style-type: none"> <li>• Current Official Plan policies come into effect; includes "Downtown Area" land use designation and policies.</li> <li>• City of London Downtown Design Study and Downtown London Urban Design Guidelines are adopted by Council.</li> </ul>
1994	<ul style="list-style-type: none"> <li>• Report on "Strategies for Revitalizing London's Downtown" is completed from which a number of initiatives are implemented in 1995-1996.</li> </ul>
1995	<ul style="list-style-type: none"> <li>• Downtown Community Improvement Plan is approved.</li> <li>• Downtown Rehabilitation and Redevelopment Grant Program starts.</li> <li>• Façade Improvement Loan Program (first introduced in 1986) is improved.</li> <li>• Upgrade to Building Code Renovation Loan Program started.</li> <li>• Waiver of Development Charges and parking requirements for Downtown residential development starts.</li> </ul>
1998	<ul style="list-style-type: none"> <li>• Downtown Millennium Plan completed.</li> </ul>
1998 to date	<ul style="list-style-type: none"> <li>• Major municipal investments in the Covent Garden Market, John Labatt Centre, Central Library, Forks of the Thames, Victoria Park and various road, sewer and street lighting projects.</li> </ul>
1999	<ul style="list-style-type: none"> <li>• Start-up of Main Street Program</li> </ul>
Summer 2005 / Spring 2006	<ul style="list-style-type: none"> <li>• Research project and reports on Downtown buildings and heritage resources.</li> <li>• Comprehensive set of new Downtown revitalization incentives focusing on "feet on the street" uses along Dundas Street.</li> </ul>
February 2008	<ul style="list-style-type: none"> <li>• A Blueprint for Action – Report of the Downtown Task Force completed by Mainstreet and LDBA.</li> </ul>
Sept 2008	<ul style="list-style-type: none"> <li>• Downtown Plan process starts.</li> </ul>

**5) Downtown Official Plan Policies, Zoning By-law Regulations and Urban Design Guidelines**

**1) Current Official Plan**

The Official Plan provides a strong policy basis for Downtown revitalization. Chapter 2 of the Plan contains the following Downtown Goal and Strategies:

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2.12.2. <i>Downtown Goal</i>	<i>It is a goal of this Plan to promote Downtown revitalization, and to strengthen the role of the Downtown as the historic, cultural, institutional and economic heart of the City and region.</i>
2.12.3. <i>Downtown Strategies</i>	<p><i>Council will consider the following strategies in the pursuit of the Downtown Revitalization Goal:</i></p> <ul style="list-style-type: none"> <li><i>i) promote the location of entertainment and cultural facilities within the Downtown area;</i></li> <li><i>ii) promote residential development within the Downtown;</i></li> <li><i>iii) improve the accessibility of the Downtown by all modes of transportation;</i></li> <li><i>iv) provide incentives for the retention and improvement of heritage structures, streetscapes and open spaces;</i></li> <li><i>v) promote a high standard of design for Downtown development and public spaces that is conducive to a safe and attractive pedestrian environment; and,</i></li> <li><i>vi) involve landowner, business operator, resident and service provider interests in the process of preparing plans, policies and programs for Downtown revitalization.</i></li> </ul>

To date the City has progressed in implementing the goal and the majority of the Downtown strategies. This Downtown Plan process will strengthen the policies, identify issues which need to be addressed through new policies or actions and identify means to implement those strategies.

The majority of the Downtown policies are contained in Section 4.1.2 (Downtown Objectives) and Section 4.2. (Downtown Area policies). All of the policies are contained in Appendix “B” of this report. The Downtown Area land use policies are generally very permissive in terms of the range of retail, office, personal service, residential, cultural and entertainment uses allowed as well as the density, height and scale of development that may occur.

**2) Official Plan Amendment No. 438 Policies**

On March 3, 2008 Council adopted Official Plan Amendment No. 438 which was the end result of a 5 year Official Plan Review (the amendment is currently being reviewed by the Ministry of Municipal Affairs and Housing for approval). As part of that process, the Downtown policies were reviewed and revised.

The revised Downtown policies are contained in Appendix “C” of this report. The revised policies separate the Downtown designation from the remainder of the Commercial policies. As indicated previously in this report, over time, the Downtown has lost its regional retail commercial function and has instead become a multi-use center containing other regional-scale land uses; offices, residential, entertainment, regional facility and open space uses. Planning staff felt that for this reason and the amount of special attention paid to the Downtown that it should be addressed by a separate designation and policies. The remainder of the previous policies are primarily intact, with additions to provide clarity. Besides the new designation, the other major change was a greater emphasis on urban design policies with an entirely new section added (Section 4.1.3 - Urban Design Objectives). Other new subsections were also added dealing with commercial parking structures, surface parking lots and monitoring of the Downtown.

One section which was revised is one relevant to the Downtown Plan process, Section 4.1.11 which deals with the preparation of a Downtown Plan. The section now reads;

*“Council may, according to the provisions of Section 19.2.1. (Area Studies), adopt a Plan for the development of the Downtown. The Plan may be used to assist in the implementation of the Downtown policies, to provide guidance for the preparation and evaluation of development proposals and to facilitate the identification of heritage conservation areas and buildings. This Plan would be adopted by Council,*

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*similar to other adopted policies such as the Downtown Community Improvement Plan, Downtown Design Guidelines, Downtown Façade Study and the Downtown Millennium Plan.”*

This revised policy provides the policy basis for the proposed Downtown Plan process.

The adoption of revised Official Plan policies through the previous Official Plan review process does not preclude further Official Plan changes being made through the Downtown Master Plan process. As indicated earlier, the Downtown Plan process is intended to be a comprehensive and make appropriate changes to provide policy support for the Plan and identify implementation strategies.

### **3) Zoning By-law Regulations**

The City’s Zoning By-law Z-1 provides the most permissive zoning with respect to height, residential density, and range of permitted uses of any zones in the City. The Downtown Area (DA) Zone implements the Downtown designation and has two zone variations, one applied to the central portion of the Downtown and one applied to the periphery. The primary differences between the two zone variations are that apartments, dwellings, offices, amusement games establishments and apartment hotels are not allowed at the front portion of buildings along the main pedestrian corridors on Dundas Street and Richmond Street and there are no setbacks or landscaping required in the central portion of the Downtown. Both variations allow a maximum floor area ratio for non-residential uses of 6:1 and, through mapping notations, a maximum residential density of 350 units per hectare. Any special zone provisions tend to be for special uses (eg. Convention centre, bus station), height or a higher floor area ratio.

There are other sections of Zoning By-law Z-1 which can apply to Downtown development and these are summarized below;

- |     |                     |   |
|-----|---------------------|---|
| 1.  | Section 3.4         | Allows site specific density to be applied using the “D” symbol.  |
| 2.  | Section 3.4.1 a)    | Conversion factor for mixed residential/commercial buildings.   |
| 3.  | Section 3.8.2 d)    | Holding provision (h-3) for a wind study for buildings over 30m.  |
| 4.  | Section 3.8.2 f)    | Holding provision (h-5) for a public site plan meeting  |
| 5.  | Section 3.8.2 j)    | Holding provision (h-9) for buildings listed on the City of London Inventory of Heritage Resources but not yet designated under the Ontario Heritage Act. |
| 6.  | Section 4.1.5       | Regulation for Parking Structures   |
| 7.  | Section 4.3         | Bonus provisions for heritage, urban design, underground parking, public open space and day care.   |
| 8.  | Section 4.18        | Regulations for outdoor patios associated with a restaurant or tavern.  |
| 9.  | Section 4.19 5)     | Regulations for Accessory Parking Structures  |
| 10. | Section 4.19 9)     | Location of Parking Standard Areas  |
| 11. | Section 4.19.10) a) | Parking standards for Downtown  |
| 12. | Section 4.19. 16)   | Bicycle Parking Standards   |
| 13. | Section 4.21        | Road Allowance Requirements   |
| 14. | Section 34          | Heritage (HER) Zone   |
| 15. | Section 50          | Temporary (T) Zone  |

The intent of the regulations is to implement the Downtown Official Plan policies. To date, the zoning by-law regulations have not been reviewed to conform to the revised Downtown policies (OPA No. 438) which are currently awaiting Ministry approval. As a result, each of these sections will be reviewed on a comprehensive basis through the Downtown Plan process to address issues arising from approval of the new policies and the Downtown Plan. New sections could be added or existing sections revised or deleted as a result of the process.

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**4) Site Plan Control**

The Site Plan Control Area By-law (enacted by Council August 5, 1986) does not have a specific section which applies to the Downtown but instead is regulated consistently City-wide with regard to location of buildings and facilities, external facilities and works provided in conjunction with the site; access to and from the site; parking facilities and internal driveways; walkways and all other means of pedestrian access; lighting, landscaping and buffering; facilities and enclosures for the storage of waste material; easements; grading; tree preservation and bicycle parking facilities.

Given the density and form and function of the Downtown the application of regulations applied City-wide may not be appropriate for the Downtown. Any changes to the Site Plan Control By-law will be evaluated through the Downtown Master Plan process.

**5) Urban Design Guidelines**

The Downtown Design Study was undertaken by the consulting firm of Wallace Roberts & Todd and completed in May 1991. The study resulted in an Urban Design Concept for Downtown and a set of Downtown Design Guidelines. The Design Concept outlines design ideas for the development of key areas in the Downtown; the Design Guidelines address the preferred design characteristics for buildings, sidewalks, public spaces and other streetscape elements. These documents have been used as the basis for Zoning By-law changes and were considered in the development and implementation of the Downtown Millennium Plan and the Community Improvement Plan and Programs. Although the documents are over fifteen years old, they continue to provide useful guidance for new development and infrastructure.

The Downtown Design Guidelines report indicates that the purpose of the Guidelines is threefold, as follows:

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

The existing guidelines provide an urban design framework and design concepts for areas of the Downtown and the design guidelines which address such issues as building envelope, relationship of buildings to the street, pedestrian movement facilities, site guidelines and implementation strategies. The existing guidelines will be reviewed through the Downtown Master Plan process.

**6) Other Provincial and Municipal Regulations**

The Downtown Community Improvement Plan (CIP) was adopted by City Council in 1995. It is the document that enables Council to plan and implement, within the defined Downtown Community Improvement Project Area, the broad range of powers set out under the Community Improvement provisions of the Planning Act. These powers relate to the acquisition, clearing and preparation of lands; construction, repair or improvement of buildings; sale or lease of property; and, provision of grants or loans to property owners or tenants, all for the purposes of rehabilitation, improvement, and revitalization.

The goals and objectives of the CIP are consistent with the goals and objectives for the Downtown as set out in the Official Plan. As stated in the CIP:

*“The Downtown Community Improvement Plan is not intended to provide an exhaustive list of revitalization projects that may be undertaken to stimulate community improvement. Rather, the Plan is to provide a context for Downtown revitalization projects, and to guide the municipal decision-making process so that actions are undertaken that are supportive of, and instrumental in, encouraging Downtown renewal. For this reason, the Plan does not list area-specific projects to address identified deficiencies. The Plan provides a framework to better identify those projects,*

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*and makes reference to the many initiatives that have been previously identified for Downtown revitalization...The Downtown Community Improvement Plan can provide a context and reference point for developing specific community improvement projects, as well as identifying actions that can be undertaken in a more coordinated manner that will foster Downtown renewal.”*

The CIP summarizes the strategies and initiatives that may be pursued and provide a framework for Downtown revitalization and renewal. As stated in the CIP:

*“This Plan is also intended to be generic, so that as additional projects are identified, they can be undertaken without amendment to the Plan, as long as they meet the test that they are intended to encourage revitalization and redevelopment in the Downtown. Specific projects may be added to this list by appendix, identifying the project and any sources of financing....”*

Any potential strategies and/or programs arising from Council’s current direction must fall within the scope of Council’s powers as enabled by the CIP. The CIP is structured to provide a high degree of flexibility; however, if necessary, it can be amended to include new initiatives that fall outside of its scope.

In addition to the Community Improvement Plan, there are a number of other Municipal By-laws which can be applied in the Downtown. Examples include;

1. Payment-in-Lieu of Parking By-law;
2. Property Standards By-law;
3. Demolition Control Area By-law;
4. Building By-law;
5. Noise Control By-law;
6. Business Licensing By-law;
7. Traffic and Parking By-law;
8. Streets By-law; and,
9. Sign and Canopy By-law.

There are also a number of Provincial regulations which apply to the Downtown, the Ontario Building Code being one of the most important. To assist with the regulations, the City provides a dedicated Downtown Building Inspector in the Building Division for the Downtown. This person has the expertise to assist developers in the Downtown with their projects. This service recognizes the difficulties that are often faced by developers working within the Downtown with older buildings, and is able to help developers address Building Code compliance issues.

Provincially, the Provincial Policy Statement (PPS), the Municipal Act and the Ontario Planning Act also have a significant impact on Downtown development by providing the policy basis for the Official Plan policies and other municipal regulations

**DRAFT TERMS OF REFERENCE FOR THE DOWNTOWN MASTER PLAN**

**1) Introduction**

The previous sections provide the basis for preparing a Downtown Plan, identify previous studies on the Downtown and identify the regulatory framework to identify the current conditions and answer the question “where are we now?” The next question is “where do we go from here?” As indicated before, a significant amount of work has been done on the Downtown and a number of programs have been implemented. This Plan needs to update this existing work, address issues which have not been reviewed and consolidate this information into one comprehensive reference document for all the Downtown stakeholders. Two of the largest missing components for the Downtown are the creation of a Heritage Conservation District (HCD) and updated urban design policies specifically for the Downtown. Although these two missing components are initiating the Plan process, other issues will be addressed. The final question is “how do we get there” which could include policy changes, regulation changes and new implementing strategies.

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A key element of this Downtown Master Plan will be the clear description of the Downtown vision. From this shared vision, the various initiatives and strategies will be consolidated into a strategic Master Plan for Downtown London. That would include such things as the identification of a key project for the Downtown, the context for revival and redevelopment based on a Heritage Conservation District Plan and Guidelines and a process for public involvement and consultation on the future development of Downtown London.

**2) Downtown Vision/Objectives and Planning Challenges**

On November 22, 2006, Planning Committee reviewed a report which contained a vision statement for the Dundas Street/Richmond Street main street corridors, the main pedestrian corridors in the Downtown. It stated:

*“Dundas Street is recognized as London’s Main Street, and is the focus of the City’s revitalization efforts. Dundas Street will be a thriving, bustling and attractive streetscape that offers numerous distinctive culture, arts, recreation, entertainment, niche retail, restaurant, and service uses during the morning, day and evening. These uses will create a continuous streetscape that is attractive, interesting, well-maintained and comfortable for pedestrians. There will be no gaps or “dead spaces” in the Dundas Street streetscape between Colborne and Talbot Street. Heritage buildings will constitute a large portion of the streetscape to provide architectural interest, a unique identity and a strong tie to our past.”*

For the purposes of a comprehensive Downtown Plan this vision needs to be expanded to apply to the entire range of issues within the Downtown boundaries. As described above, the Official Plan policies already provide a Council approved vision and objectives in Section 2.1.3 vii) (Strategic Plan Goal Statements), Section 2.2.1 v) (Official Plan Vision Statement), Section 2.4.1 i) (City Structure Policies – Role of Downtown), Sections 2.4.1 vi) (High and Medium Density Residential Development) and vii) (Office Development), Section 2.7.2 vii) (Economic Development Goals) and Section 2.12 (Downtown Revitalization).

The recently Council adopted Official Plan policies have kept these policies largely intact. One policy has been deleted (2.1.3 vii) but one revised (4.1.1 - Planning Objectives) and one new section (4.1.2 - Urban Design Objectives) have been added to Section 4 for the Downtown designation.

Even though these revised policies are recent, there are opportunities through the Downtown Plan to augment or revise these policies as a result of a more focused comprehensive review.

Some of the issues that need to be considered include;

- do we need to strengthen the policies which concentrate major office buildings, residential apartments and/or major entertainment uses, the major building blocks of Downtown, in the Downtown?
- identify priorities when competing policies are inconsistent.
- confirm how important heritage preservation and urban design are to the continued revitalization of Downtown?
- what features in the Downtown are most important and should be retained to provide the building blocks for Downtown revitalization?

**3) Survey of Residents, Workers and Employers in the Downtown?**

To assist in arriving at a vision of Downtown some municipalities have undertaken written and/or on-line surveys of residents. The City of Kitchener received comments from 1000 residents on the future of their Downtown as part of a survey in 2006. The survey covered workers, residents and visitors and concentrated on design issues, asking such questions as;

1. What type of downtown do residents desire?
2. Which principles should guide the future design of downtown?
3. Which elements should the City invest in?
4. How tall should new buildings be built?
5. How should streets, sidewalks and markets function?
6. What style of buildings, storefronts and store signs is preferred?
7. How should the City administer new development?

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Mainstreet London had customer surveys completed in 2004 and 2005 of approximately 350 individuals each who worked or visited Downtown. No residents who were not customers of Downtown London were surveyed. The surveys were successful in identifying perceived problems and the impacts of revitalization efforts. Through the Downtown Plan process either a telephone, written and/or on-line survey could be introduced to provide more current information on a wide range of topics and assist in arriving at a vision for Downtown London.

#### **4) Boundaries**

The current boundaries of the Downtown are identified on Figure 4-1 in Section 4.2.2 of the Official Plan. The boundary was intended to contain the highest and densest development in the City while providing sufficient vacant land to accommodate future Downtown-type development. The land area included was minimized so as to serve as a focus for new uses, programs and incentives. Once these vacant lands were developed, similar to City boundary adjustments, new areas could be added. By including large areas within the Downtown boundaries, development would be scattered and unconnected.

In recent years there have been requests made to include portions of Richmond Row, Old East Village, Wellington Street and Horton Street, south of the tracks, within the Downtown boundaries. In addition, currently Harris Park, Ivey Park and Eldon House are outside the Downtown boundaries and because of their importance, and an effort to refocus on the Thames River, they should be included in the boundary.

The boundary was recently confirmed through the Official Plan review process; however, there still needs to be asked “What is the role and function of the areas surrounding Downtown London?” and are additional lands needed for these areas to be supportive of the Downtown vision.

#### **5) Characteristics of Downtown**

Before starting the Downtown Master Plan process it is important to identify the current state of the Downtown to provide a foundation for new policies, programs and initiatives. Downtown has a number of unique characteristics which need to be recognized through the process. One of the major themes arising from the 1985 Downtown Plan process was the early development, and future reinforcement, of “character areas” in the Downtown. This included entertainment, regional facility (west end), office, hotel (east), transportation (south) and residential character areas in the Downtown. Over time some character areas have strengthened (entertainment) while other land uses have spread out (residential). These existing uses and developing character areas may serve as a foundation for future planning of the Downtown.

The other major theme to take in account is the various “populations” of the Downtown and their specific activity patterns. There are four specific sub-markets in the Downtown; residents (24 hour presence), workers (8 hour presence), regional residents (infrequent) and visitors (periodically). Each sub-group has specific needs and interests and each needs to be considered through the Downtown Plan process.

To establish the existing characteristics of Downtown a significant amount of data is required such as number of workers, residents, visitors and students and the location of their activities. A Downtown database currently does not exist but could be established through this Plan process.

The issues to address include;

1. are there ways to strengthen the existing developing character areas?
2. is there a need to establish a Downtown database of statistics which could be used by all Downtown stakeholders?

#### **6) Building Conditions**

Downtown land uses include open space areas, surface parking lots and uses in many building types, some in good condition, others not. The 1985 Draft Downtown Plan proposed a Building

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Conditions Study which would have assessed the exterior of each of the structures in Downtown. Because of the time required to assess each building the study was never completed. Currently, building conditions are only reviewed on a site specific basis as part of a grant application, building permit application or demolition permit application. Since the mid 1990's the City has had a dedicated Building Inspector to assist landowners with improvements.

A comprehensive Building Conditions Study on the Downtown would assist in the Heritage Conservation District Plan for the Downtown by identifying where the most structurally-sound buildings are and where the opportunities/potential for redevelopment may be greatest based on the building conditions.

Some of the issues to address include;

1. Given the time and cost, is there a need to complete a comprehensive Building Conditions Study for the Downtown to assist the Heritage Conservation District Plan process or should the City continue to review each building on a case-by-case basis?
2. Based on a Building Conditions Study, where are the potential opportunities for redevelopment?

**7) Property Values**

The 1985 Draft Downtown Plan also included a Property Values Study which was completed by the City's Property Division. All the sales information was obtained from Regional Assessment and was used to establish both a 1985 Market Value and a price per square foot for each building in the Downtown. Data sheets also included property sale dates, vendors, purchasers, land and/or building area and sale prices.

A considerable amount of time is required to prepare such a study. However, economics play a key role in Downtown development. Taxation and assessment issues are important. The current tax policies may encourage the removal of buildings, and it has been suggested that the value of the land be taxed and not the buildings. Changes to tax policy are beyond the scope of this study. In the past, property valuation and the taxation structure have been raised as major issues limiting future development in the Downtown.

Also, a number of landowners in the Downtown are absentee landlords, some of whom may be speculating on the basis that large-scale development could occur on their property which may preclude lower scale, less intensive development alternatives or encourage more "demolition by neglect".

Some of the issues to review are;

1. what is the current value of Downtown property assessment on a parcel basis?
2. what patterns are emerging?
3. what opportunities might exist from those patterns?

**8) Land Use/Development Application Activity**

In the last 5 years new residential construction has occurred in the Downtown. New uses have moved and replaced previously vacant spaces. Galleria has seen Western and Fanshawe open campuses in the building and new retail stores have opened. King Street around the market and John Labatt Centre has seen vacant spaces occupied. It is important to identify these growth areas and identify the factors which initiate this growth. Once these growth factors are identified, they can be used on other portions of the Downtown which are not experiencing growth. Dundas Street and portions of Richmond Street still have vacancies and there are still a number of commercial parking lots which could accommodate future development.

Some of the issues to review are;

1. what are the growth factors which initiate change in an area?
2. how much impact does the City and/or stakeholders have in determining when and where that growth occurs?

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## 9) Downtown Plan Component Studies

This section of the Downtown Master Plan will look at the individual land use categories in the Downtown and review the existing Official Plan policies, the current situation and identify past successes to identify what has already been done. Then City staff will review possible areas of improvement, discuss issues and options and arrive at a goal for each land use category to identify what needs to be done. Contacts and sources of information will also be identified.

### 1. Office Land Uses

Office uses, and the workers they contain, are one of the important components of a strong Downtown. There are approximately 24,000 office workers in the Downtown representing 80% of those in the entire City. Downtown workers support a number of retail uses, services and restaurants on a “9 to 5” basis. While suburban office space locations will always have an advantage in terms of cheap, plentiful parking, suburban office space cannot offer the range of retail and service uses that tenants and their employees often desire nor produce the spin-off benefits of anchoring the “heart of the City”. Office space tenants within a suburban context are generally “locked to their cars” for lunch hour and after-hour dining and entertainment. Downtown office tenants have a variety of such uses at their doorstep. The more Dundas Street and other retail areas thrive, the more appealing this competitive advantage becomes to attract office tenants Downtown.

For that reason the City has always taken a strong policy approach to the location of major office buildings (≥5000 square metres gross floor area) in the City. The policies have been very successful with only one large-scale office building (3M on Veterans Memorial Parkway) outside the Downtown. Because it was a single corporate entity, was part of its own business park and is close to its own manufacturing plant the exception was made. All other suburban office buildings contain less than 5000 square metres of office space and typically only contain offices which serve the various suburban communities.

The Downtown Plan will summarize the existing Official Plan policies, identify the location of the major office uses and identify locations for new future office uses. Although the current office vacancy rate is approximately 18%, the Downtown Plan is a long term plan and should identify the best location for new offices. Part of the analysis will concentrate on the factors which encourage office movement and identify those factors the City can address through policies, programs or incentives. The Plan will identify what needs to be improved and establish a future goal for new office uses.

Some of the issues to review include;

1. what financial impact does a Downtown worker have on the Downtown?
2. are there ways to encourage new office tenants to the Downtown?
3. what are the best locations for new office development?
4. should limits be placed on the amount of office space converted to residential uses?
5. are there ways to improve the Payment-in-Lieu of Parking By-law or other by-laws so that it is used to assist office development?

### 2. Residential Land Uses

A strong, vibrant and significant residential community is another fundamental component or “building block” of any successful Downtown because it introduces a population which creates more activity after 5 pm. in the Downtown as opposed to the “9 to 5” office sector. In addition it creates a captive market which encourages new retail, personal service and small office uses to service the new residents.

In 1995 Council adopted the Downtown Community Improvement Plan, waived development charges for new residential development, made zoning by-law changes to remove parking requirements for existing and new residential uses in the Downtown and approved the Payment-in-Lieu of Parking By-law all in an effort to encourage new residential development.

In 1995 there were fewer than 1000 apartment units in the Downtown. Since 1998, more than 2000 new residential units in new building construction and alterations have been added to

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Downtown. This compares to just 16 units added from alterations to existing buildings in the period between 1993 and 1997.

Many of these new apartment buildings have been built at the periphery of the Downtown (The Harriston on Ridout St and Old Oak at Kent Street for example). Efforts should be made to encourage more centrally located (Drewlo on Dundas and The Renaissance on King Street for example) apartment buildings. The incentives, builder confidence and relaxation of City regulations appears to have helped encourage this growth.

Through the Downtown Plan process, the existing Official Plan policies will be reviewed and the following issues will be reviewed;

1. where are the best locations for new residential development?
2. are there ways to improve the incentives for additional residential growth?

### **3. Entertainment Land Uses**

Major entertainment uses such as the John Labatt Centre and the Grand Theatre are other important “building blocks” of a strong Downtown. On October 21, 1996 Council approved a number of Official Plan and zoning by-law amendments which were intended to strengthen the existing policies and regulations to require major entertainment uses to locate in the Downtown. Specifically, the policy changes;

- identified the Downtown as the primary location for major entertainment uses;
- encouraged the grouping of entertainment uses in the Downtown; and,
- placed size and location limits on entertainment uses outside of Downtown in the zoning by-law.

Since the policies were approved, a number of changes have occurred in the entertainment use market. Huron Marketplace cinemas recently closed leaving Silver City (Masonville Regional Shopping Area), Westmount (Regional Shopping Area) and Wellington Road (Commercial Policy Area) as the only locations for suburban cinemas. The Western Fair IMAX recently closed and has been converted to a live theatre.

As part of the Downtown Master Plan, now is the time to review the Official Plan policies to possibly “tighten” them to ensure that an “IMAX – scale” facility does not locate in a suburban location again. Most of the existing entertainment uses in the suburbs are small (eg. Adventures on Wonderland). The only large entertainment uses outside of the Downtown are the Western Fair complex and the Velodrome located in the former London Gardens.

The other issue is whether these uses should be concentrated in an “entertainment” district or be dispersed throughout the Downtown to provide spin-off benefits to a broader area. Past studies have also identified the need for another Downtown movie theatre, more street entertainment, more family or senior orientated events and more “live” theatres. These options will be reviewed through the Downtown Plan process.

The following issues will be reviewed;

1. should the existing Official Plan policies for entertainment uses be stronger?
2. what new entertainment uses does the City need Downtown and what methods should be used to attract them?

### **4. Major Public Facility/Cultural Land Uses**

Public facilities and public infrastructure are another important element in the Downtown. The City has made significant investments in public infrastructure such as the Covent Garden Market and Central Library which has served as a catalyst for other nearby development. In addition, road and sidewalk improvements continue to be made throughout the Downtown. UWO and Fanshawe College have also opened campuses in the Downtown, which provide spin-off benefits.

Past studies have identified a need to attract more tourists to the Downtown and cultural land uses, festivals and public improvements do this. A recent report recommended that;

- “The next large-scale public project that requires civic investment should be directed to a location that supports Dundas Street revitalization. This project will

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serve as an “activity hub” and major Downtown anchor, and support the pedestrian environment of Dundas Street.

- As a long-term strategy, the location of new and existing municipal offices and services be reviewed to determine whether they are making an effective contribution to the revitalization of Dundas Street.”

The location of existing uses will be identified and preferred locations for new facilities (eg. Performing Arts Centre, new City Hall) over the next 20 years can be identified. New uses such as a regional museum or more schools can also be considered. Proposed infrastructure improvements may also be identified in the Downtown Plan.

Some of the issues to address include;

1. what new public facilities are required and where should they be located?
2. what facilities are needed to attract more seniors and families?

**5. Retail Land Use**

As indicated earlier, over time the Downtown has lost its regional retail function to the suburban shopping mall. The existing retail in the Downtown primarily serves a “captive” market of residents and office workers but there are still a number of unique, one-of-a-kind regional scale retailers such as Novacks, Kingsmills, Nash Jewellers and Heroes, which are thriving in the Downtown. The long term intent should be to not preclude future large regional-scale retail uses. Given the residential growth in the Downtown there may be sufficient population to support a food store or supermarket and possibly a large book store. Previous studies have identified that there is still a regional market to serve for the Downtown because the Covent Garden Market draws 20% of its market from at least 80 km away. Because customers will only walk so far, an emphasis should still be placed on protecting the primary pedestrian corridors for retail uses and other uses which generate pedestrian traffic and avoid ground level offices, residential, blank walls and parking lots which “break-up” the pedestrian flow and “spread-out” the pedestrian precinct.

The Downtown Plan will identify existing retail uses and restaurants which add to the Downtown vitality and identify new areas where new retail uses should be encouraged. Dundas Street should receive special attention. Mainstreet is currently attempting to recruit businesses for these areas. There are a number of issues which should be considered through the Downtown Master Plan process including;

1. what conditions are required before a food store/supermarket is built?
2. what areas should be identified for future retail and restaurant uses?
3. how do you encourage existing ground level offices and residential uses to relocate to contain, solidify and enhance the main pedestrian routes?

**6. Service Land Uses**

One of the major issues raised in previous reports about the Downtown is the concentration of social services in the Downtown and the perceived problems it may create. The location of City Hall at the periphery of the Downtown has also been raised as an issue in the past. On the other hand, large service uses such as the Court House and the Federal Government building generate a lot of pedestrian, vehicle and transit traffic and need to be located in accessible places. It is doubtful there will be new uses added to these but there could be relocations of current uses and potential sites should be identified in the Downtown Plan process.

**7. Open Space/Parks and Recreation**

There are two major open space areas in the Downtown; Victoria Park and the Forks of The Thames. The Victoria Park Master Plan was completed in January 1999 and the improvements are almost complete. The Forks of the Thames Revitalization Plan was completed in June 2000 and is approximately 75% complete. In addition to those major Downtown activity points there are small plazas such as at the John Labatt Centre, Covent Garden Market and Market Lane which are part of the open space network. The City is also currently working on a Downtown Master Plan for Tree Planting. There may not be any more opportunities for large urban parks

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but there are opportunities for “pocket parks”, plazas, pedestrian connections etc. in association with development as well as improvements to the public realm and streetscape. Public art is also an important component, and the City has recently adopted a policy for public art.

Some of the issues to address include;

1. What types of open space features should be located in deficient areas of the Downtown?
2. What strategies should be pursued for improvement to the public realm?

**8. Parking Lots**

Since the early 1990’s commercial and accessory parking lots have been a major Downtown issue. In 1995 Municipal Council adopted the London Transportation Plan which made specific recommendations with regard to the supply of Downtown parking. These included;

- *“completion of a downtown parking management study which should include among other considerations,*
  - i. the extent of reduction in downtown employee parking supply required to achieve the auto trip reduction targets of the Plan and an evaluation of alternative methods to implement this considering costs and impacts. The alternative to be evaluated includes;*
  - ii. establishing an upper limit on downtown parking associated with commercial developments;*
  - iii. freezing or banning the number of commuter parking spaces in the Downtown;*
  - iv. restricting principal use parking facilities or use of vacant land for parking, and;*
  - v. reducing maximum parking requirements in proximity to transit routes.”*

In 1995 there were approximately 15,400 parking spaces in the Downtown, 500 on-street and 14,900 off-street.

In 1995 Council also addressed the issue of the removal of buildings to create surface parking lots. The end result was that accessory parking lots associated with uses were permitted, parking garages are permitted but surface commercial parking lots which involve the removal of buildings are only permitted on a temporary basis through a zoning by-law amendment/site plan approval process. The restrictions were put in place because of the premature removal of buildings and the perception of underused space, the existing supply of parking spaces and the aesthetics of surface parking lots.

On June 25, 1995 Council resolved;

*“ 4. That on the recommendation of the Director of Planning and Development, the following actions be taken with respect to temporary parking lots in the Downtown:*

- a) *surface parking lots no longer be permitted as temporary uses in the Downtown Area where they involve the removal of existing buildings except under the following circumstances;*
  - i) building permits have been issued for redevelopment; and/or*
  - ii) the applicant or the Civic Administration are able to establish to the satisfaction of the Municipal Council that there is a shortage of parking in the immediate area or in the Downtown as a whole; and/or*
  - iii) the building is unsafe for occupancy as defined by the Building Code Act;*
- b) *no temporary parking lots be permitted on lots where buildings to be demolished are listed as Priority 1 or Priority 2 structures in the City of London Inventory of Heritage Resources;*
- c) *new temporary parking lots on vacant land will only be permitted through a zoning by-law amendment application for a temporary use and be subject to the site plan approval process;*

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- d) *procedures be reviewed and implemented to improve the aesthetics of existing surface parking lots in the Downtown; and,*
- e) *the Civic Administration be directed to monitor parking requirements in the Downtown Area and to undertake a review of this policy on or before June 1998, or sooner if a deficiency of parking arises. (59.16.4.95) (AS AMENDED) (4/13/PC)”*

On November 16, 1998 Council amended the Council policy to add the following additional clause;

- c) no new commercial or accessory parking lots will be permitted along either Dundas Street or Richmond Street which involve the removal of the existing structures;*

In recognition of concerns related to Downtown parking, the City initiated a Downtown Parking Study which was completed by Marshall Macklin Monaghan in March 2006. The study provided recommendations regarding the provision of Downtown parking and identified both public and private actions to be undertaken to address these concerns. The consultant was asked to update the parking utilization surveys in 2008. In 2008 the parking supply is 14,268 spaces.

In addition to surface parking lots, the municipal strategy for public investment in a Downtown parking structures is also being determined through the work of the Downtown Parking Task Force. There are, however, policy and design considerations that should guide the location and form of such structures, and these considerations will be included in the Downtown Plan.

The availability of conveniently located, readily accessible and reasonably priced short-term parking is an important component in the Downtown as well as the provision of an efficient and convenient transit system. Any positive initiatives can be more than offset if there is a prevailing public perception that parking is in short supply, inconveniently located or over-priced.

In response, Council has already adopted the following Downtown Parking Task Force recommendation:

*“The delivery of 250 to 500 permanent, public parking spaces in Downtown London over the next five years, either through direct public investment, a public/private partnership or private development through the use of incentives **BE TARGETED** by the City and include monitored and short-term parking options”.*

The preferred solution for addressing Downtown parking requirements, particularly the requirements for Dundas Street, has been the provision of permanent, well designed parking structures rather than temporary surface parking lots. However, stand alone parking structures are not a preferred option as they can create large frontages with limited pedestrian action. The design and location of integrated structured parking can be a major positive contribution to revitalization. Structured parking can provide more spaces at closer locations, and by more intensively using land, it contributes to the maintenance of a compact, pedestrian-friendly core area. It also helps to relieve the pressure for building demolitions for the purpose of temporary surface parking lots and therefore poses less of a threat to heritage buildings and streetscapes. Structured parking can also be incorporated into larger scale, mixed use redevelopment projects that achieve multiple objectives for the Downtown.

The importance of limiting temporary surface parking lots has been previously recognized in the Downtown Community Improvement Plan and in the Zoning By-law which allows “commercial parking structures” in the Downtown Area Zone but not “commercial parking lots”. The By-law also prohibits “accessory parking lots” in the DA zones along Dundas Street between Ridout and Wellington Street and along Richmond Street between York Street and Queens Avenue.

The parking issues to be addressed through the Downtown Plan include the following;

1. what are the best locations for a parking garage(s);
2. what are the best methods for encouraging development on the existing surface parking lots or to improve the aesthetics of those lots;
3. are there any other policies or regulations needed to prevent demolition of buildings for parking lots.

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**9. Aesthetics and Urban Design**

A Downtown Design Concept and Downtown Design Guidelines were prepared by consultant Wallace Roberts & Todd as part of the previous Downtown Plan process and were adopted by Council in May 1991. Those guidelines have been used since then to review development in the Downtown and municipal infrastructure improvements. Planning staff and the urban designer have reviewed those guidelines and determined that some of the guidelines are still valid; however, they should be reviewed and updated with modern graphics. As well, the new guidelines will need to be refined based on the recommendations and priorities of the Downtown Heritage Conservation District.

On November 27, 2006 Municipal Council also resolved:

*4 (j) “the Civic Administration be requested to take into consideration building, lighting, signage, public art, landscaping and downtown beautification as part of the downtown strategy;”*

The next effort to be undertaken to support Downtown revitalization should be the completion of a revised Downtown Design Concept. This Concept will draw together the three design-related projects to be undertaken for the Downtown. As has been previously reported, staff, in consultation with LACH, will be developing a terms of reference for a Downtown Heritage Conservation District. A major element of this project will be the development of Downtown Heritage Conservation District Guidelines, which will focus on the identification and retention of important architectural elements and buildings in the Downtown, as well as providing a context for redevelopment and reconstruction projects in the Downtown. Inasmuch as the current Downtown streetscape and architecture is a representation of the evolution of London’s commercial core over time, it includes buildings from the mid- and late- 1800’s to the present, the Heritage Conservation District Guidelines will need to provide direction for how new redevelopment projects can be successfully and appropriately integrated into the existing streetscape.

The second design effort in the Downtown will be the preparation of revised urban design guidelines. It is anticipated that these guidelines will draw upon the guidelines prepared in the late 1980’s to reflect both the changes that have occurred since that time, but also current thinking on the role of design and revitalization.

The last of the current Downtown design projects is a new plan for Downtown tree planting and replacement. Working with community partners such as ReForest London, new efforts to renew the urban forest are underway in many parts of the City. Downtown has been identified as an area to focus these efforts, and the role of street trees and landscaping in revitalization and quality design is becoming increasingly important and apparent.

The purpose of the Downtown Design Concept will be to bring these efforts together to ensure an integrated approach and understanding of the role and importance of quality design to the ongoing revitalization efforts in the Downtown is clearly identified.

Some of the issues to review include;

1. identifying the gateways to Downtown and degree of design treatment required at these locations;
2. the extent and design of street furniture;
3. the need for benches which encourage loitering;
4. review site plan approval process;
5. can CEPTED (Crime Prevention Through Environmental Design) principles be more fully integrated into Downtown design?
6. identify pedestrian streets and the land uses encouraged along them and the design regiment for both the public and private realm along those streets.

**10. Heritage Preservation/Heritage Conservation District**

The preparation of a Heritage Conservation District Plan is one of the primary reasons for the preparation of a comprehensive Downtown Plan because of the interconnections with other issues in the Downtown. A number of Downtown issues are being dealt with independently and Planning staff see the Plan process as an opportunity to consolidate the background material

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and information into one comprehensive document. The concept of potential Heritage Conservation Districts in London was first identified in the document “Heritage Places” in 1994 which identified the old Ridout streetscape and part of Richmond Street as possible sites.

On November 27, 2006 Municipal Council resolved:

4. *“the Administration work with the London Advisory Committee on Heritage (LACH) to prepare a proposal for a study to establish a Downtown Heritage Conservation District and Heritage Conservation District Plan to be applied to significant heritage streetscapes in the Downtown and to advise Council on the timing and cost for such a study having regard for the current commitments to undertake HCD studies in the Woodfield West and Old South neighbourhoods;”*

West Woodfield was completed in 2008 and the Old South HCD is budgeted for 2009.

On November 21, 2007 Municipal Council also resolved:

- ii) *a Terms of Reference for the creation of a Downtown Heritage Conservation District BE PREPARED, in consultation with the London Advisory Committee on Heritage, to establish the limits of a Downtown Heritage Conservation District and a Heritage Conservation District Plan and Guidelines, pursuant to Part V of the Ontario Heritage Act; and,*

The role and importance of heritage in Downtown revitalization has long been recognized in London. The physical appearance of Downtown London is a reflection of its emergence and role as the business, office, commercial, cultural and administrative centre of the City and the southwestern Ontario region. Downtown also reflects the evolution of its role over time, as retail functions have dispersed to the growing suburbs. The preamble to the Downtown policies of the Official Plan states in part:

*“The Downtown Area contains many of the City’s original buildings and some of the most architecturally important buildings in the City.*

*Support is given to establishing priorities for preservation and retention of buildings in the Downtown through the provisions of Chapter 13 and the provisions for heritage zoning in the Plan. The policies on preservation are balanced against policies which promote growth and development in the Downtown. The successful blending of these two approaches to the Downtown is dependent on the ability of the City to encourage property owners to incorporate architecturally and historically important buildings and features into new development projects, and upon the cooperation of owners in designating buildings under the Ontario Heritage Act.”*

This “heritage” of Downtown London is not just the individual buildings that have been designated under the provisions of the *Ontario Heritage Act* or listed in the City’s *Inventory of Heritage Resources (2006)*; it is also the form, scale and context of Downtown streetscapes. Downtown streetscapes reflect over 100 years of London’s development, and while much of what is generally considered to be heritage streetscape is from particular eras, there are many contemporary buildings that are just as much a part of the streetscape and context of Downtown.

A means of providing for this balance is the preparation and adoption of a Heritage Conservation District Plan and Guidelines under Part V of the Ontario Heritage Act. In the Official Plan, the preamble for Heritage Conservation Districts states:

*Under the Ontario Heritage Act, a municipal council may designate all or part of the municipality as a Heritage Conservation District. This provides for the protection and enhancement of groups of properties that collectively represent a certain aspect of the development of the municipality considered worthy of preservation. The overall character and value of a Heritage Conservation District is derived both from individual properties and from the combined historic and aesthetic value of the structural and natural components of the area.*

The HCD policies state that erection, alteration, demolition or removal of buildings within the District shall be subject to both the provisions of the Ontario Heritage Act and any area study which takes the form of a Heritage Conservation District Plan (Policy 13.3.2). The policies also

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state that the Plan may detail improvements to the area and establish policies to be considered in the review of development and redevelopment applications. Policy 13.3.5 further states that Council may also be guided by the policies of the Heritage Conservation District Plan and guidelines prepared in accordance with policy 19.2.2 of the Official Plan.

What is apparent from these polices and the provisions of the Act is that while the primary purpose of a Heritage Conservation District (HCD) and HCD Plan is to preserve the buildings, structures and other property features within an area with defined geographic boundaries (Section 40. (1) and (2)), the Plan shall also set forth objectives for the area, and policies relating to the alteration, erection, demolition or removal of properties within the District that would provide for change within the designated area (Section 40.1 (1) and (2)).

The Official Plan sets forth the criteria for the designation of a Heritage Conservation District in policy 13.3.1. ii). These include:

1. the association of the area with a particular historical event or era that is unique to the community;
2. the presence of properties which are considered significant to the community as a result of their location or setting;
3. the presence of properties representing a design or method of construction which is considered architecturally and/or historically significant to the community, region, province, or nation;
4. the presence of properties which collectively represent a certain aspect of the development of the City which is worthy of maintaining; and,
5. the presence of physical, environmental, or aesthetic elements which, individually, may not constitute sufficient grounds for the designation of a Heritage Conservation District, but which collectively are significant to the community.

One benefit of a Downtown HCD is that it would establish a unique planning framework for the area by clearly establishing the objectives and policies to be used in the consideration of applications for development and redevelopment. The HCD study process provides an opportunity for property owners and the public to recognize the values within the area that contribute to its sense of place, and to build them into the planning framework.

The HCD also provides a decision-making framework that is not focused on individual structures, but rather on the context of the larger area. It is recognized that not all buildings within the HCD can or should be retained if development and redevelopment is to occur. What an HCD provides is an opportunity to discuss development and redevelopment proposals within a context that clearly sets forth both the public expectations for development and redevelopment, and the opportunities that exist for land owners to develop or redevelop their properties. There may be instances where buildings and structures should be retained in their entirety because of their important and unique heritage value, but there may also be instances where buildings may be altered or removed, but the development that replaces the removed buildings can still contribute to the character and streetscape of the district. Policies and urban design guidelines to provide this context would be part of a Downtown HCD.

A considerable amount of groundwork is already in place for this potential District. Starting in 1993 with the release of "Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London", the City has maintained and reported on a list of priority areas for HCD studies. In 1996, two areas within the Downtown located along contiguous sections of the Richmond and Dundas hub and along Ridout Street near the Forks of the Thames have been added to the list in the list of potential HCDs. Also in 1996, LACH recommended that a Downtown HCD be completed.

Previously in January of 2005, Council requested that staff work with the LACH, "*to prepare a report giving a priority listing of heritage buildings and conservation districts in the downtown area, as well as a report outlining the expected and required maintenance level of any vacant designated buildings for a future meeting of the Planning Committee.*" In response to this direction, the Planning and Development Department, with Council's approval, hired two students in May of 2005 to assist with research regarding key areas of the Downtown that would warrant creation of a HCD. Also in May of 2005, the LACH considered a report from its

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Stewardship Sub-Committee recommending that work be undertaken on “mini HCDs” in the Downtown including sections of Ridout Street, Dundas Street, Richmond Street and Talbot Street. In September of 2005, the results of the students’ work were presented in a report to Planning Committee.

In the Spring of 2006, an extensive report titled “London at the Crossroads: Downtown on Richmond and Dundas” was completed by J. Michael Evens for the City as a continuation of the research completed by the summer students. The report provides an exhaustive historical inventory of “Historical Resources for the Exploration of Richmond Street from York Street to Carling Street and Dundas Street from Ridout Street to east of Wellington Street” to 1930.

Recent changes to the Ontario Heritage Act may also provide an opportunity for Council to address the demolition of properties not designated under the Ontario Heritage Act. The previous version of the Act required that the City maintain a register of all property in the municipality that has been designated under the Act. The current version of the Act now states that in addition to designated properties, Council may now also include property that has not been designated, but “*that Council of the municipality believes to be of cultural value or interest*” in the register. The new Act further requires that prior to adding or removing a property from the register that Council consult with its municipal heritage committee (in London, LACH).

The City of London currently has an Inventory of Heritage Resources, which was prepared by LACH and Planning staff. The Inventory was recommended to the City for approval in December, 2005 by LACH. The Inventory serves as a list of properties that have been designated under the provisions of the Ontario Heritage Act, including properties within Council-approved Heritage Conservation Districts, as well as other properties that have not been designated, but that have been included for architectural, historical and contextual reasons. The Inventory provides data on properties that define the identity and distinctiveness of London.

Once a property has been added to the register, the owner of the property would not be permitted to demolish or remove a building or structure without providing Council 60 days notice in writing of the owner’s intention to demolish or remove, or permit the demolition or removal of the building or structure.

In addition to the heritage conservation component, there is also an archaeological component for the Downtown. Excavations for the John Labatt Centre and “The Renaissance” apartment buildings unearthed remnants of old buildings and artifacts from early days. Ways should be explored to excavate development sites properly, remove the artifacts or materials of interest and then allow development. Past experience has indicated that the initial site remediation has perhaps not been as thorough as may be preferred.

Some of the issues to be addressed include;

1. should preservation or restoration of streetscapes be a priority instead of individual buildings;
2. should all designated buildings be zoned HER?
3. what types of additional incentives are required for heritage properties.
4. how can the process for archaeological evaluation of development sites for archaeological resources be improved?
5. more detailed heritage assessments including architectural assessments.
6. which buildings, in whole or part, should be preserved?
7. should important buildings in the HCD also be individually designated under Part IV of the Heritage Act?
8. what should the criteria be for heritage alteration approval?
9. need for heritage impact studies.

**11. Infrastructure**

Infrastructure improvements are an important part of Downtown revitalization. Sidewalks, sewers, storm sewers, water, lighting etc. are all needed for existing and new development. Some work has recently been done on the Downtown and though the Downtown Plan process areas will be identified where improvements are needed. The Plan could include a map showing where changes have been made and areas where improvements are needed and the timing of those changes.

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**12. Roads/Transportation**

Road improvements, bicycle and transit and the possibility of BRT (Bus Rapid Transit) technology are all transportation modes which should be considered through the Downtown Plan process. Although significant automobile traffic in the central portions of Downtown are not desirable, road improvements are needed for transit movements. Currently Richmond Street is being improved between Queens Avenue and York Street.

The Bicycle Master Plan was Council approved in October 2005 and its recommendations are currently being implemented. With regards to the Downtown, a bike lane has been constructed on King Street and Colborne Street and one is proposed on Queens Avenue. The Downtown Plan will review other possible improvements.

Public Transit is another major issue. On November 27, 2006 Municipal Council resolved:

*4.(g) “the Civic Administration be requested to take public transportation into consideration as part of the downtown strategy...”*

The discussion of public transit issues in the Downtown will relate to operational issues as opposed to level of service issues. The level of transit use on Dundas Street is an on-going issue, and will require further discussion with London Transit, MainStreet London, the City and Downtown stakeholders. Other issues to be reviewed include;

1. should level rail crossings on the south end of the Downtown be addressed?
2. convert King Street and Queens Avenue to two-way streets.
3. rerouting of all bus traffic to one-way streets.
4. construction of a Downtown transit hub.
5. removal of Dundas on-street parking.

**13. Economic Study**

Despite this wide range of programs and incentives available in the Downtown, concerns are still raised regarding both the City’s commitment to Downtown revitalization, and to other issues that still hamper Downtown redevelopment efforts. Among the issues cited are taxation issues regarding Downtown development vs. suburban development, education taxes, downtown parking, and development charges related to non-residential development.

Taxation issues have long been identified as a concern of both current Downtown property owners, and those looking to invest in Downtown development projects. While some of those issues are related to the valuation of Downtown properties, of greater concern is the ability of the City to deal with both “clawback and capping” issues. In order to more fully identify what may be able to be done to address these issues, and to provide a more quantitative analysis of the issues related to taxation, a study has been proposed to be undertaken by Finance to review tax issues as they relate to Downtown. This study could provide a basis for any possible future action by Council to address what is often cited as the final hurdle in Downtown revitalization. Other tax issues, such as valuation concerns and education taxes, are not within the municipality’s control, however, the City can continue to pursue these issues with the Province, citing their detrimental impact on Downtown revitalization efforts.

One major focus should be to find ways to reduce land owner speculation so that a wide variety of development options can be considered.

**14. Implementation**

**1. Official Plan**

The adoption of revised Official Plan policies through the Official Plan review process does not preclude further Official Plan changes being made through the Downtown Plan process. As indicated earlier, the Downtown Plan process is intended to be a comprehensive and make appropriate changes to provide policy support for the Plan and identify implementation strategies.

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## 2. Zoning By-law

To date, the zoning by-law regulations have not been reviewed to conform to the revised Downtown policies (OPA No. 438) which are currently awaiting Ministry approval. As a result, each of these sections will be reviewed on a comprehensive basis through the Downtown Plan process to address issues arising from approval of the new policies and the Downtown Plan. New sections could be added or existing sections revised or deleted as a result of the process.

## 3. Site Plan Control

Given the density and form and function of the Downtown the application of the current Site Plan Control By-law regulations applied City-wide may not be appropriate for the Downtown. Any changes to the Site Plan Control By-law can be evaluated through the Downtown Plan process.

## 4. Design Guidelines

The existing Downtown Design guidelines provide an urban design framework and design concepts for areas of the Downtown and the design guidelines which address such issues as building envelope, relationship of buildings to the street, pedestrian movement facilities, site guidelines and implementation strategies. These guidelines will be reviewed and updated through the Downtown Plan process.

## 5. Investment Strategies

The City has a significant impact on development through its investments. The construction of the John Labatt Centre, the Forks improvements and the Covent Garden Market significantly impacted surrounding development. In the past, the City has generally led development through regulation relaxation, monetary incentives or by showing leadership. The Downtown Plan will review other strategies.

## 6. Programs

Starting in 1994, with the adoption of the report entitled *A Summary of Potential Strategies for Revitalizing London's Downtown*, Municipal Council has had a strategic focus on Downtown revitalization, and has embarked on an aggressive program of Downtown incentives, has contributed significant public funds in the investment in facilities and infrastructure, and, with Downtown merchants, established the first Mainstreet program in Canada. These Strategies and initiatives were further developed through the Downtown Millennium Plan Committee, who, in 1998, released the Downtown Millennium Plan, which developed an investment plan to set out the timing and priorities for public investment in the Downtown. The investments identified in this plan included both Downtown development projects and Downtown development programs. This commitment to the Downtown has included over \$100 million in public investment in such projects as the John Labatt Centre (2001), the Covent Garden Market (1998), Central Library (2002), Forks of the Thames (2001) and Victoria Park (1999-2002), as well as investments on road works and Downtown street lighting.

In 1995, Municipal Council approved the adoption of a Downtown Rehabilitation and Redevelopment Grant program as part of a Downtown Community Improvement Plan. This grant program, the first of its type in Ontario, was intended to help offset the costs to developers of Downtown projects that resulted in an increase in their municipal taxes. Under this program, eligible properties receive a grant back of a portion of the increase in municipal taxes from the re-assessment of those properties that have been redeveloped. The value of the grant back is dependent on the nature of the redevelopment, and is payable for up to ten years.

Following the consideration of a report regarding future strategies for Downtown revitalization, Municipal Council in December, 2006, identified a series of actions to be undertaken to further the revitalization efforts currently underway in the Downtown, with a focus on a targeted area along Dundas Street and Richmond Street.

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Currently in the Downtown, the City exempts residential construction from the payment of development charges and offers three programs to encourage revitalization. These programs, and the purpose of the programs, are identified below:

<b>PROGRAM</b>	<b>“PURPOSE”</b>
<b>FAÇADE IMPROVEMENT LOAN PROGRAM</b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas for eligible street fronting exterior building improvements</li> </ul>
<b>UPGRADE TO BUILDING CODE LOAN PROGRAM</b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas for eligible interior building upgrades</li> </ul>
<b>DOWNTOWN TAX GRANT PROGRAM</b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas to defer the increase in municipal taxes that can occur as a result of a rehabilitation and/or redevelopment project</li> </ul>

In addition to these programs, the following new programs were approved April 14, 2008 for the Downtown Targeted Incentive Zone on Dundas Street. These new programs are intended to create a two-pronged approach to revitalization in the Incentive Zone through both the retention of the current building stock and the encouragement of active, pedestrian-oriented uses. This would be accomplished through programs that would provide a “forgivable” portion to the City’s current loan programs for façade improvements and building code upgrades and new programs to encourage the designation and retention of heritage structures, and programs that are unique and exclusive to targeted uses within the Incentive Zone.

<b>PROGRAM</b>	<b>“PURPOSE”</b>
<b>FORGIVABLE FAÇADE IMPROVEMENT LOAN PROGRAM</b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas for eligible street fronting exterior building improvements</li> </ul>
<b>REAR ALLEYWAY FAÇADE IMPROVEMENT LOAN PROGRAM</b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas for eligible non-street fronting exterior building improvements</li> </ul>
<b>AWNING, SIGNAGE, DECORATIVE LIGHTING GRANT PROGRAM</b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas for eligible street front exterior building improvements</li> </ul>

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<b><i>FORGIVABLE UPGRADE TO BUILDING CODE LOAN PROGRAM</i></b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas for eligible interior building upgrades</li> </ul>
<b><i>HERITAGE BUILDING ASSESSMENT GRANT</i></b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners in designated areas to assess the existing condition of a building designated under Part IV of the Ontario Heritage Act.</li> </ul>
<b><i>HERITAGE BUILDING IMPROVEMENT GRANT</i></b>	<ul style="list-style-type: none"> <li>• Provide financial assistance to property owners of designated heritage buildings in designated areas to retain, preserve or enhance identified heritage features</li> </ul>
<b><i>TAX HOLIDAY GRANT PROGRAM</i></b>	<ul style="list-style-type: none"> <li>• Provide financial incentive to property owners in designated areas to lease ground floor space to targeted uses</li> </ul>

Of these new programs, the two new programs related to the preservation and retention of Downtown’s heritage resources, the Heritage Building Assessment Grant and the Heritage Building Improvement Grant would be available to any eligible property anywhere in the existing Downtown Community Improvement Area, ie, these programs would not be limited to the Targeted Incentive Zone.

These programs, with an estimate of their associated costs and a more complete program description, as well as a list of targeted and non-targeted uses, will be presented to Board of Control in November.

The new programs proposed for the Dundas Street Targeted Incentive Zone include specific programs for specific uses (“targeted uses”). These uses have been identified in consultation with MainStreet London and Downtown stakeholders as the types of uses that are consistent with active, street-level pedestrian activity. Examples include;

- Uses directly relating to the arts and culture
- Entertainment uses
- Restaurants, coffee houses, cafes
- Cinemas
- Live theatre
- Niche/specialty retail uses
- Anchor/destination-oriented retail uses
- Uses that predominantly support/service Downtown’s residential community
- Uses that predominantly support/service Downtown employees
- Tourism-oriented/tourism-servicing uses

The development and implementation of incentive programs is well advanced but the Downtown Plan process could make additional recommendations.

**7. Public Consultation**

The Downtown Plan will undergo a full public participation process. Planning staff have identified all Downtown landowners who will be liaised at the Draft Terms of Reference, Final Terms of Reference and prior to the Public Meeting. All of the remaining notices will be provided in the Living in the City Section of the London Free Press. Other City Department and Agency notice will be provided to those on our normal circulation list and to those who request inclusion.

The possibility of open houses and workshops will be considered.

Materials arising from the process will also be posted on the City’s website.

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**8. Products of the Downtown Master Plan Process**

At the end of the Downtown Plan process it is expected that four documents will be produced containing background information and future directions to assist in the improvement of Downtown. These documents will include the Downtown Master Plan Background Study, the Downtown Master Plan, The Downtown Heritage Conservation District Plan and the revised Downtown Urban Design Guidelines. These documents will concentrate on City related initiatives and be consistent with both the Mainstreet and LDBA Strategic Plans for the Downtown.

**9. Cost of the Downtown Master Plan Process**

It is expected that the Downtown Plan will all be completed “in-house” using existing City staff resources. Some assistance may be required for the heritage and urban design background work. Some of the new implementation strategies may require new revenue sources but the Plan can be done through allocation of existing staff.

**10. Administration**

The majority of the work will be completed by a Senior Planner in the Policy Section who will coordinate input from other Planning Division and City staff. For instance, it is expected the City’s Urban Designer will be involved in the revision of the Downtown Urban Design Guidelines. Some outside consultants may be required for some of the urban design and heritage evaluation background work. The Planning Divisions Graphics staff will also be involved in map preparation. The Plan will be completed under the direction of the Manager of Policy in the Planning Division.

**11. Downtown Plan Study Schedule**

As indicated in the above report a lot of the work, and implementation strategies, are already in place for some components and only minor changes are needed. With other components background studies have already been completed but no implementation strategies have been developed. The most time consuming component of the Downtown Plan will be the Heritage Conservation District Plan which needs to be initiated and completed within the Downtown Plan time frame. A Heritage Conservation District Plan in the past has taken approximately 1-2 years to complete. However, most of the work is expected to be done by City staff so that time frame could be shortened. A draft schedule for the Downtown Plan is provided below.

November 10, 2008	Draft Terms of Reference to Planning Committee
January 12, 2009	Final Terms of Reference to Planning Committee
January-May 2009	Background work on Downtown Plan
May 2009	Circulation of Draft Downtown Plan
June 22, 2009	Meeting on Draft Downtown Plan
June 2009	Workshops/Open House
July-September 2009	Revisions to Downtown Plan
October 2009	Notice of Public Meeting sent
November 16, 2009	Final Downtown Plan presented to Planning Committee

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November 28, 2008  
cp /cp

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