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File: Z-8372
Planner: Brian Turcotte

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CORPORATION OF THE COUNTY OF MIDDLESEX 50 KING STREET PUBLIC PARTICIPATION MEETING ON OCTOBER 7, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner with respect to the application of the Corporation of the County of Middlesex relating to the property located at 50 King Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council Meeting on October 14th, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Community Facility/Downtown Area (CF1/DA2•D350•H15) Zone **TO** a Holding Downtown Area Bonus (h-3*h-5*h-18*h-(*)•DA1•D350•H15•B-()) Zone.

PLAN AND GUIDELINE DOCUMENTS PERTINENT TO THIS MATTER
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Downtown Master Plan
Downtown London Heritage Conservation District Plan
Downtown Design Study
The Thames Valley Corridor Plan

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Zoning By-law amendment is to allow for the development of a 95 metre mixed use apartment building with commercial, retail, restaurant, entertainment, office and residential components. The ground floor would be developed for commercial, restaurant and retail uses providing an estimated 4,500m² of gross floor area, and provide a courtyard/plaza and a mid-block connection. Parking would occupy three levels above the ground floor and provide for upwards of 375 spaces (13,500m²) as well as secure bicycle parking. An estimated 16,000m² of commercial office space for the County and government partners would be provided on floors 5-9 above the parking. The remaining 21 levels would provide approximately 200 residential units.

The proposed development will be facilitated through a holding provision, Design Performance Measures and a site-specific bonus zone which will allow for an increased density of 750 units per hectare and a maximum height of 95 metres in return for construction of a specified building design which provides for enhanced amenities and design features, consistent with the intent of the Downtown Design Guidelines.

RATIONALE

- i) The recommended amendment is consistent with the policies of the *Provincial Policy Statement (PPS), 2014*, which promote intensification, redevelopment and compact form in strategic locations in order to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;

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- ii) The recommended amendment is consistent with the policies of the *Provincial Policy Statement, 2014* which require planning authorities to facilitate pedestrian and non-motorized movement by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes;
- iii) The recommended amendment is supported by the objectives of the Downtown Area designation of the City of London Official Plan which encourages growth in the residential population of the downtown through high density residential development and design features which serve to enhance the pedestrian environment;
- iv) The recommended amendment will allow for the proposed development including the required increases to height and density, through a bonus zone which requires that the ultimate form of development be consistent with the Design Performance Measures. Should the applicant not satisfy all of the provisions of the bonus zone, the increased height and density will not be permitted;
- v) The recommended amendment will require a “point tower” form which includes an architecturally defined base, middle and top with the base serving to frame the pedestrian realm at a human-scale, provide for significant step-backs and variation in the massing of the proposed structure which reduce the visual impact of the tower and provide for effective integration with the surrounding built context of the downtown, and provides for a visually attractive cap on the tower which screens all mechanical elements and enhances the City skyline;
- vi) The recommended bonus zone provides for a height of 95 metres and a net density of 750 units per hectare in return for a series of design related matters which will result in a benefit to the general public through enhanced design and communal facilities which would be difficult to secure through the normal development process, or by way of the as-of-right zoning permissions on the subject lands in accordance with Section 19.4.4 of the Official Plan;
- vii) The recommended holding provisions will address requirements of the Official Plan related to the submission of a wind study, a public site plan meeting, an archaeological assessment, and to ensure the comprehensive development of the subject site together with adjacent lands to the north; and,
- viii) The recommended amendment maintains the spirit and intent of the various Council approved Guideline Documents which provide direction for development in the Downtown.

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BACKGROUND

Date Application Accepted: June 12, 2014	Agent: Corporation of the County of Middlesex
<p>REQUESTED ACTION: Change to Zoning By-law Z.-1 FROM a Community Facility (CF1) Zone and a Downtown Area (DA2*D350*H15) Zone TO a Holding Downtown Area Bonus (h-DA1*D350*H90*B_) Zone to permit an expanded range of commercial, service, office, parking and residential uses (above the first floor) in a mixed-use building with a bonus zone which would allow for a maximum density of 900uph and a maximum height of 110 metres in return for the construction of a specified building design which provides for enhanced amenities and design features.</p>	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Frontage – 56.5 metres (Ridout St.) • Depth – 91.3 metres (King St.) • Area – 0.516 hectares • Shape – Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Community Facility (Art Gallery) • South - Residential and Restaurant • East - Stadium (Budweiser Gardens) • West - Ivey Park and Thames River

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map on page 6)
<ul style="list-style-type: none"> • Downtown Area
EXISTING ZONING: (refer to Zoning Map on page 7)
<ul style="list-style-type: none"> • Community Facility (CF1) Zone and a Downtown Area (DA2*D350*H15) Zone

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LOCATION MAP

Subject Site : 50 King St
Applicant: Middlesex County
File Number : Z-8372

Planner : BT
Created By : MB
Date : 2014/09/08
Scale : 1:2000

Legend

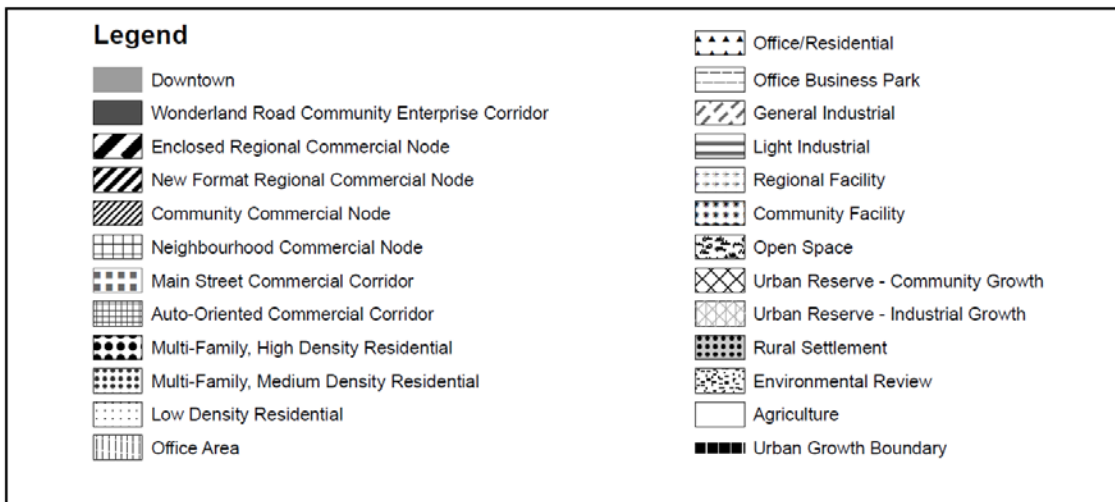
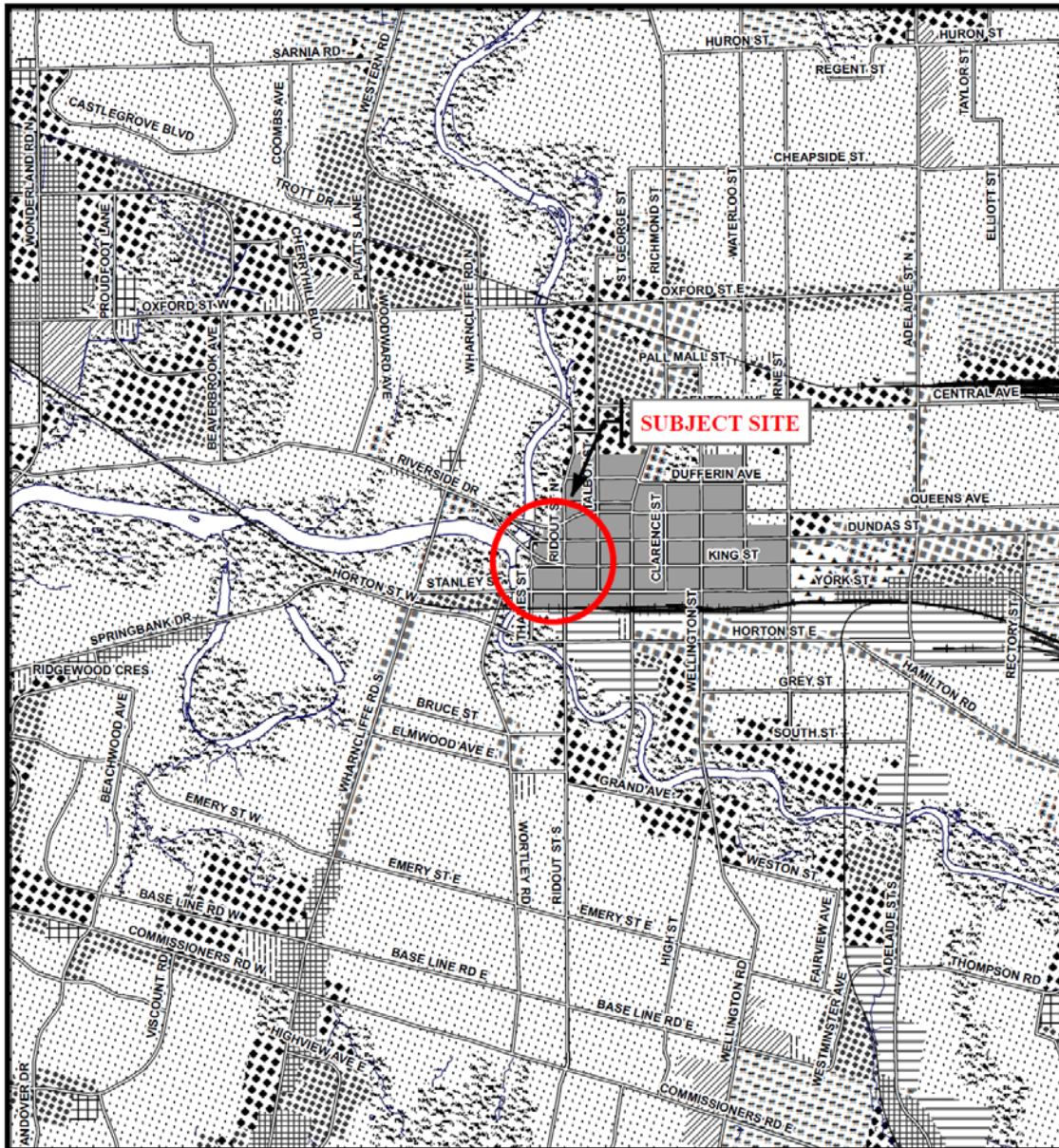
 Subject Site

Prepared by : Graphics & Information Services , Planning Division
Corporation of the City of London
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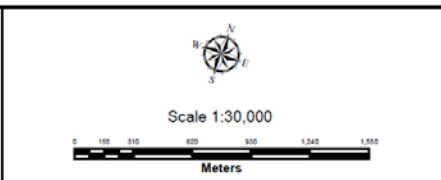


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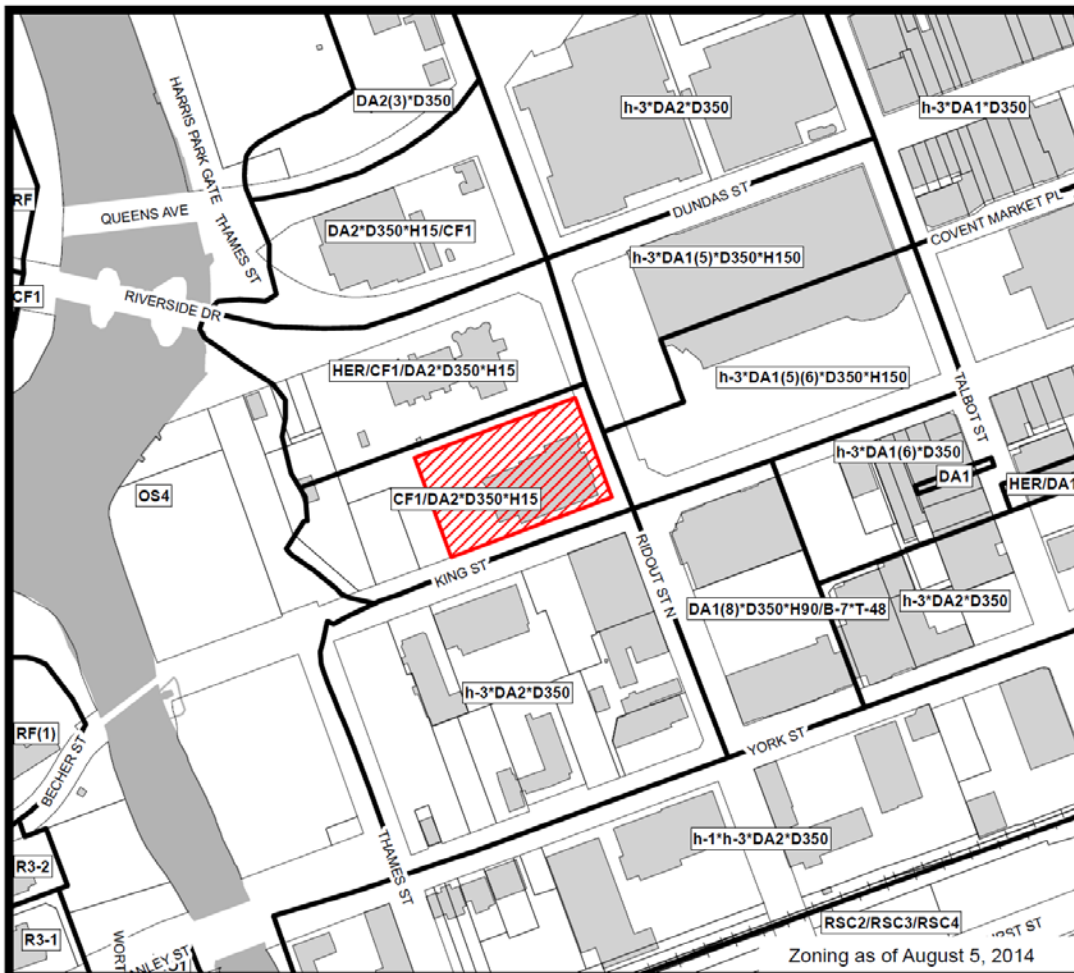
CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
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 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8372
 PLANNER: BT
 TECHNICIAN: MB
 DATE: 2014/09/08

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: CF1/DA2*D350*H15

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

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| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
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CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:
Z-8372 BT

MAP PREPARED:
2014/09/08 MB



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

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PLANNING HISTORY

The subject site is owned by the County of Middlesex (the County) and known historically as the 'Courthouse Block'. The site is comprised of the existing historic Courthouse and Gaol which houses the Middlesex County Administration Offices, the modern 3 storey office building used by the Middlesex London Health Unit and surface parking near Ivey Park.

The existing building will be demolished to create the space required for the proposed new construction. The building at 50 King Street is leased to the Middlesex London Health Unit which expires in 2016 with an option for an additional five-year renewal. When the lease for 50 King Street expires, it is the intention of the County of Middlesex to redevelop this property.

The subject lands are located within the Downtown Heritage Conservation District and feature a Heritage listed structure under the Ontario Heritage Act. The district is designated under Part V of the *Ontario Heritage Act* and land use decisions in this district are, in part, guided by the Downtown Heritage Conservation District Plan. The presence of the district has been recognized and considered in staff's evaluation of the proposed redevelopment.

The site is the subject of an application for consent under the Planning Act (B.012/14). The proposal is to sever one lot of 5,162m² for the purpose of a future multi-use building, and retain 10,726m² for the purpose of existing office uses, The Consent Authority issued a provisional consent decision on July 18, 2014 with conditional approval based on the fulfillment of 8 conditions; one of which requires the Z.-1 Zoning Amendment to be in full force and effect to permit the use.

Also of importance to note, beginning in 2009 the City initiated a process to develop a Master Plan for the Downtown. The Draft Downtown Master Plan was approved by Council in June of 2013 and is intended to set the context for future public and private sector investment in the downtown. The Draft Downtown Master Plan provides principles by in which private development applications should contribute to the overall vision for the Downtown. Consideration of the provisions of the Draft Downtown Master Plan has also been provided in Staff's evaluation of the proposed Zoning By-law amendment below.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Environmental and Parks Planning

The site is not within the trigger distance for an environmental impact study.

Urban Design Peer Review Panel

The Panel offers the following observations and comments as part of the proposed project's zoning bylaw amendment application:

- 1) *Resolve the relationship of the development parcel to the City owned park lands, and define the resultant development boundary including the extent of City owned lands that will be subject to the guidelines;*
- 2) *Suggest the preferred siting of the pedestrian corridor/ pathway situated along the westerly property line as shown on the site plan. Should it be located within the development parcel or on city owned land?*

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**File: Z-8372
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- 3) *Suggest the desired character of the pedestrian corridor/ pathway referenced in point 2. Does the City wish to see a promenade or an organic pathway?;*
- 4) *Elaborate on 2.0 Site Organization, item 1 by defining in text the desired character of the interface between the new development and the existing historic buildings;*
- 5) *Elaborate on 2.0 Site Organization, item 2 by defining in text the view corridors both to the site and from the site which must be preserved - such as the view of the Middlesex Courthouse from the south bridge;*
- 6) *Elaborate on 2.0 Site Organization, item 3 by prescribing in text the desired quality of the view corridor (east-west pedestrian corridor) from the Covent Garden Market to the Fork of the Thames. Consider the minimum and maximum width and height in addition to materiality, street furniture, and acceptable interventions;*
- 7) *Elaborate on 2.0 Site Organization, item 4 by illustrating the topographical impact of the site from the river east on the development parcel, and define the prescriptive or performance criteria in text which will govern overall and specific development heights;*
- 8) *Elaborate on 2.0 Site Organization, item 5 by evaluating the impact of future phasing on Phase One. Consider reducing the number of future phases from two to one;*
- 9) *Elaborate on 2.0 Site Organization, item 5 by setting development guidelines for the complete land holding in each of the phases to ensure the completed Phase One development can stand alone;*
- 10) *Elaborate on 2.0 Site Organization, item 7 by obligating the applicant to conduct a tree preservation study to ensure the maximum number of existing shade trees are preserved within the development and delineate the developer's responsibilities to replace trees which cannot be saved;*
- 11) *Avoid being overly prescriptive when showing building profiles - present examples which document an acceptable range of design options/responses;*
- 12) *Elaborate on 3.0 Built Form - General, item 4 by defining the aspects of green building design which if implemented would reduce the development's dependence on the City's infrastructure such as the reuse of grey water to irrigate exterior landscaping;*
- 13) *Elaborate on 4.0 Public Realm, item 2 by defining the criteria which will guide the relationship of the King Street ground floor condition to the King Street municipal sidewalk given the existing topography on King Street; and*
- 14) *Elaborate on 4.0 Public Realm, item 6 by defining the minimum level of accessibility acceptable such as the City of London FADS.*
- 15) *In consideration of the above comments, the Panel finds that the site specific guidelines as proposed by the City of London do not adequately address the constraints and opportunities of the site nor do they present a built form on the site which can be assessed on its merits as being in keeping with the intent of the City of London's Urban Design Principles.*
- 16) *In view of the significance of the proposed development, the Panel requests that the applicant and City return to the Panel with revised Site Specific Guidelines based on Performance Based Criteria and the comments above, for further input from the UDPRP as part of this Zoning Bylaw Amendment application.*

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Urban Forestry

Urban forestry has no objection for this rezoning. All trees fall within the property line so we do not have any issue with the future removal of some for the development, however we would encourage preserving as many as possible. Once the existing building is demolished, there will be a requirement to replant trees in the hardscape around the new building as boulevard trees in the sidewalk. Either silva or strata cell technology shall be required for the new trees to be implemented through the site plan approval process.

Stormwater Management Unit

No comment

Wastewater and Drainage Engineering

The outlet for 50 King Street is the 900mm trunk sanitary sewer on King Street which flows to the overloaded Becher Street trunk.

*WADE is seeking a "Holding Provision" requiring a sanitary report later in the process. The County is advised that the information related to **existing** sources of sanitary and storm flows would need to be collected prior to any significant changes to the site such as demolition of existing buildings.*

Transportation Planning and Design

A Transportation Impact Assessment will be required through the site plan review process to determine the impact of this development will have on abutting roads and the infrastructure required to accommodate the development, particularly along the King Street frontage. We do not anticipate any access to either Ridout Street or Dundas Street.

Geomatics

According to Zoning By-law Z.-1, Ridout Street North lying adjacent to this property requires 13 metres from centerline of the road allowance. Presently street line is 10.058 metres from the centerline so a 2.942 mere road widening would be required.

According to Zoning By-law Z.-1, King Street lying adjacent to this property requires 10 metres from the centerline of the road allowance. Presently street line is 10.058 metres from he centre line therefore no road widening would be required.

A 6m x 6m daylight triangle would be required on the widened limit save and except any structures.

Upper Thames River Conservation Authority

The UTRCA has no objections to this application.

Bell Canada

We have no conditions/objections to the Zoning By-law amendment application.

London Hydro

No comment

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File: Z-8372
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Canadian National Railway

CN anticipates the opportunity to review the noise study once it becomes available. CN's environmental assessment should be registered on title in order to forestall the future potential for noise complaints.

LACH

The LACH expressed concern about the impact of the proposed amendment on Heritage buildings within and surrounding the site, recognizing that the site falls within the Downtown Heritage Conservation District and near the Forks of the Thames; it being noted that the LACH looks forward to receiving the Heritage Impact Assessment for this area.

Ontario Heritage Trust

The Trust feels that any views to and from the Middlesex County Courthouse should be preserved and/or enhanced. The Courthouse occupies a prominent position within the community and is an important landmark within the downtown. The adjacent development should not diminish its land mark value and should look at ways of enhancing it along with the views to and from the site. He must also agrees that a view-she analysis should be undertaken and the results of this analysis should inform the adjacent development

Any landscape features that contribute to the heritage value of the site should be identified and conserved. The HIA states that historic landscape feature should be highlighted through interpretation and in the treatment of any new work. Please not that any alterations to the easement property (e.g. excavation, hard landscaping, plantings, signage, etc.) must be approved by the Trust prior to their undertaking.

Due to the proposed height of the adjacent development there will be shadows cast onto the Middlesex County Courthouse property. Efforts should be made to minimize this and this includes the courtyard space between the Courthouse and proposed development.

It is also expected that any new design will complement the existing character of the HCD and in particular by sympathetic to the Middlesex County Courthouse by respecting the heritage character and attributes of the site.

PUBLIC LIAISON:	On June 18, 2014, Notice of Application was sent to 56 property owners in the surrounding area. An additional Notice of Application was sent out on July 18 th , 2014 to an additional 182 property owners who were not included in the original June mail out. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on June 19, 2014. A "Possible Land Use Change" sign was also posted on the site.	31 written replies and e-mail responses were received.
<p>Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to provide for the demolition of the existing building and the redevelopment of the site for a new, mixed-use building containing approximately 200 residential dwelling units; 4,500 sq. metres of commercial/retail/restaurant and entertainment space; 16,000 sq. metres of office space; and, 375 parking spaces contained within the structure.</p> <p>Change to Zoning By-law Z.-1 FROM a Community Facility (CF1) Zone and a Downtown Area (DA2*D350*H15) Zone TO a Holding Downtown Area Bonus (h-DA1*D350*H90*B_) Zone to permit an expanded range of commercial, service, office, parking and residential uses (above the first floor) in a mixed-use building with a bonus zone which would allow for a maximum density of 900uph and a maximum height of 110 metres in return for the</p>		

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construction of a specified building design which provides for enhanced amenities and design features. *It is further noted that the land to which this application applies is the subject of an application for Consent.*

Responses:

Written responses and e-mails received have been appended to this report as Attachments 1 through 31. Opinions voiced, and issues raised, as matters of local concern included:

- *Density of the proposed development will contribute to a built environment and land use pattern which supports walkability and alternative modes of transportation resulting in positive public health benefits;*
- *Uses such as a theatre for performing arts or a new location for the London Regional Children’s Museum do not require the height and mass of a high density residential building of between 90-110m;*
- *If the County of Middlesex requires a new office space for its meetings and its administrative staff, a building of appropriate height and mass can be achieved*
- *There are other opportunities on designated and zoned properties elsewhere in the Downtown that can be developed for high density residential without adverse impacts on significant public properties or on important views and vistas;*
- *Tower is too tall and will create a visual barrier between the Forks of the Thames and downtown area*
- *Tower would be an eyesore and dwarf the Castle;*
- *The City should retain the low-rise 3 block corridor to avoid becoming a concrete jungle;*
- *The tower would be so tall that it would cast a shadow over children playing at the splash pad, the Courthouse and Gaol, and over Budweiser Gardens;*
- *The proposed courtyard between the Courthouse and new high rise would necessitate cutting down more than 2 dozen trees and destroy the existing park-like area;*
- *The development would intensify the already formidable winds coming up from the Thames Valley and the existing wind tunnel effect along King Street;*
- *The proposed loading and vehicle access is illogical with service vehicles and vans allowed to load and unload on King Street which would obstruct pedestrian and vehicular access to the Forks of the Thames;*
- *Parking for 375 cars plus any retained outdoor parking would triple the traffic onto King Street and create impossible traffic congestion;*
- *The proposed mid-block connection will become a vacant alley-way engulfed in shadow;*
- *The County has designated 2 large areas for potential future development which is too vague, and the County should not have sole discretionary power over some vague development in this area;*
- *The County’s proposal for the redevelopment violates almost every policy stated in the Draft plan for the future of Downtown London;*
- *It is important to preserve the natural beauty of the Forks of the Thames and surrounding historical areas for future generations;*

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- *Concern for site to be used as an ‘injection centre’*
- *Loss of views for condominium owner to the northwest including the historic court house and water fountain at the Forks of the Thames;*
- *Concern for effect on property values and condominium unit resale value;*
- *Decreased enjoyment, sunlight, views and use of unit balconies from Renaissance;*
- *The proposed building will negatively affect the environment surrounding the park, including the general beauty of the area as well as the children playground, Eldon house, and Art Gallery;*
- *It will create additional parking and traffic congestion, and will be hazardous to children accessing the splash pad;*
- *The area is already known as a ‘wind tunnel’ and a tower would severely intensify the wind;*
- *King Street should provide a pleasant pedestrian link between the business district and the Forks. The development should be a public space that anchors Ivey Park, the historic Court House and Museum London;*
- *Careful design, possibly determined through a design competition, is needed to provide a structure that Londoners can be proud of, a high rise parking garage, office and condos does not qualify; and,*
- *Oppose such high density in this small location.*

ANALYSIS

The Subject Lands – Details and Considerations:

The Building, the Site and the Larger Corporate Parcel:

The Corporation of the County of Middlesex owns property in Downtown that include the historic Courthouse and Gaol (which houses the Middlesex County Administration offices), lands known as 50 King Street (which houses the London Middlesex Health Unit), and lands adjacent to Ivey Park (which are largely used for surface parking). Collectively these lands have been identified by the County in their Planning Justification Report as the “Corporate Parcel”

As shown on Figure 1, the 50 King Street lands have 56.5 metres of frontage on Ridout Street, 91.3 metres of frontage on King Street, and an area of 0.5 hectares. The subject site contains a modern three storey office building, a surface parking lot, landscaped lawns and sidewalks. Vehicular access is provided to the site from King Street and parking and landscaped open is shared between the County administration offices and the Health Unit administration offices. The landscaped lawns and sidewalks are integrated with the adjacent Ivey Park. The existing site topography is relatively flat with a slight fall of approximately to metres from the east to the west.

Existing Services and Infrastructure:

Existing hard services (sanitary sewers, water mains, storm sewers, road connections, etc.) are available to the site from Ridout and King Streets. In addition, the development is proposed to

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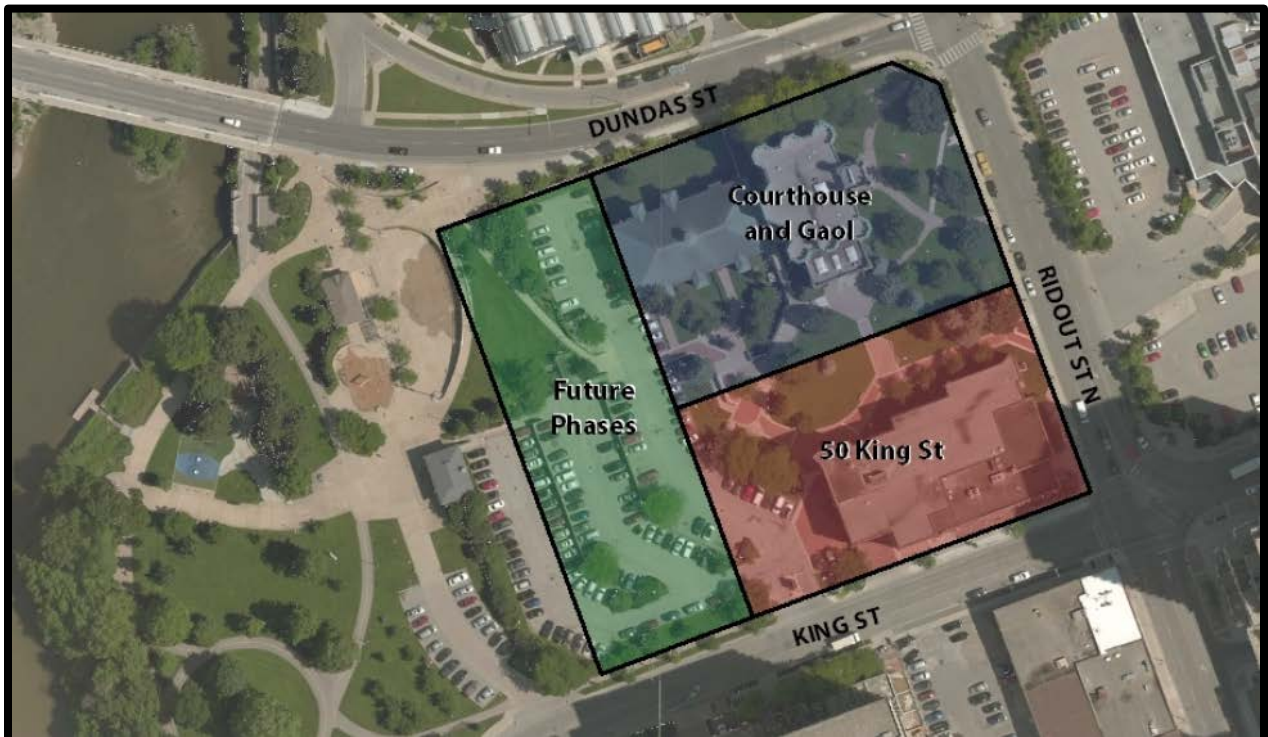
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utilize the existing road network and nearby public transit services. Both King Street and Ridout Street North have been identified as Arterial roadways on Schedule C – Transportation to the City of London Official Plan.

The County has proposed, and the City has accepted, that the following servicing and infrastructure reports are to be completed at the detailed design stage of the redevelopment project:

- *A traffic report detailing expected traffic volumes and any required improvements to the local road infrastructure;*
- *A sanitary servicing report identifying existing and expected peak flows;*
- *A stormwater management report detailing expected minor and major flows and storm water management measures; and,*
- *A hydrological report identifying the impact of the development on the Thames River and/or the water table.*

Figure 1 – 50 King Street and the larger “Corporate Parcel”



Historic Sites and Buildings:

50 King Street, and the entire Corporate Parcel, is within the Downtown London Heritage Conservation District and is designated under Part V of the *Ontario Heritage Act*. The Courthouse, located on the larger Corporate Parcel, is a National Historic Site, and is designated as a Heritage Building under the Part IV of the *Ontario Heritage Act* and is subject to a heritage easement with the Ontario Heritage Trust. The existing 50 King Street building has not been identified as a heritage building. The area subject to the heritage easement is shown on Figure 2 and is not included within the 50 King Street lands.

Although the redevelopment of 50 King Street would not include a designated heritage building, both the Provincial Policy Statement (PPS) and the City of London Official Plan Official Plan



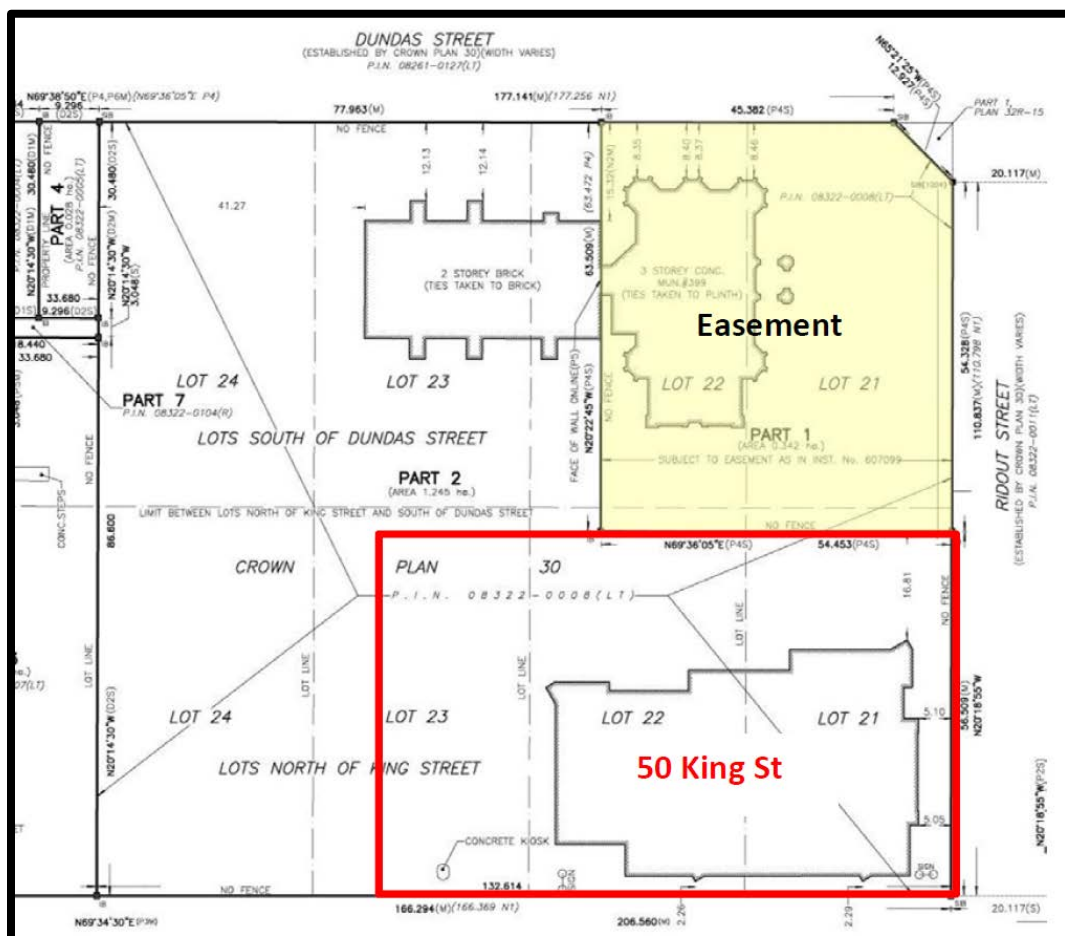
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contain policies which discourage development on lands adjacent to protected heritage properties - except where the proposed development has been evaluated and it has been demonstrated that the heritage attributes of the heritage property will be conserved and/or retained. In response to this policy framework, the County's submission includes a holding provision that would require a Heritage Impact Statement to be completed for the 50 King Street lands prior to the detailed design.

Archaeological and Flood Plain Considerations:

The Corporate Parcel has also been identified in the City of London Archaeological Master Plan as exhibiting strong archaeological potential. A Stage 1 Archaeological Study for the larger Corporate Parcel concluded that "...any form of land disturbance propose for the Corporate Parcel be preceded by a Stage 2 Archaeological Assessment". The County's submission includes a holding provision that would require a final Archaeological Study be completed for the 50 King Street lands.

Figure 2 – Lands Subject to the Heritage Easement



The County has preconsulted with the Upper Thames River Conservation Authority (UTRCA). The UTRCA, having reviewed the relevant flood plain and regulated area mapping has commented "...Phase 1 in not regulated and there are no natural heritage issues....the Authority has no concerns or permit requirements for Phase 1, Section 28 approvals will be required for the lands identified as future phases".

The Nature of Application:

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The Development Concept and the County’s Proposed Implementation Approach:

As noted in the County’s Planning Justification Report:

“...The Corporation of the County of Middlesex is seeking a rezoning for 50 King Street that would permit the redevelopment of the site for a new, vertically integrated commercial retail, restaurant, entertainment, office and residential tower that would be 30 floors in height. The existing 50 King Street building would be demolished to create space required for the proposed building.

In conjunction with private sector partners, it is the County’s goal to develop a main floor commercial, retail, restaurant and entertainment space that will support numerous venues in close proximity to the development. The first floor will flow into a redeveloped courtyard /plaza between 50 King Street and the Courthouse and extend this space towards the Thames River. This outdoor extension of the first floor will serve to create a gathering space, a focal point and an outdoor public venue. Associated with this will be landscape improvements on the corporate parcel especially surrounding the historic Courthouse and Goal....”

Above the first floor main use, the County’s proposal anticipates three floors of car parking (for 375 vehicles), five floors of commercial office space (to accommodate the organizational needs of the County) and 21 floors of residential space. The County’s proposal further notes:

“...The development concept does intend for the severed lot to be fully covered by a building. While the detailed design of the building has not yet been undertaken, it is anticipated that 50 King Street will have between 70% and 90% lot coverage in order to leave an appropriately designed mid-block connection and courtyard /plaza”... “

Based on preliminary calculations undertaken by the County, the proposal would generate: 4,500 sq. metres of retail/commercial uses; 16,000 sq. metres of office uses; 13,500 sq. metres of parking and 200 residential units.

The Corporation of the County of Middlesex is seeking to rezone 50 King Street ahead of the detailed design of the building. The City is being asked to approve the development concept and the regulations within which the detailed design and ultimately the redevelopment of the site will be permitted to occur. As noted in the County’s Planning Justification report *“.....the City is not being asked to give approval to a specific proposal at this time and the design of 50 King Street will be subject to a much more detailed design and approval process....”*

Given the above, the County has requested that holding provisions, bonus zoning and Design Performance Measures be utilized such that the requested zoning by-law amendment (which will serve to define a development envelop) is allowed to proceed. The rezoning process would further serve to identify the requirements that will guide the more detailed design and which must be addressed prior to the redevelopment of the site.

The community has raised questions pertaining to the County’s future ownership of the land. The County’s Planning Justification Report indicates that *“...it is not the County’s intent to sell 50 King Street to a developer. Instead, in an effort to protect this important property, it is the intent of the County of Middlesex to maintain ownership of the land and pursue private sector partners, through an expression of interest process subsequent to the approval of the zoning by-law amendment”*.

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Figure 3 – The Development Concept



Design Performance Measures:

The subject site is located within the Forks of the Thames River Precinct and is a landmark site in Downtown London, close to Budweiser Gardens, the historic Middlesex County building, the Forks of the Thames River and the Covent Garden Market. The site's proximity to the Forks of the Thames and associated open spaces presents a unique opportunity to reconnect the Downtown to the Thames River.

The historic Middlesex County building, a provincially and municipally designated heritage building, is located to the north of the subject site. Additionally, the proposed development is separated from this historic building with a semi-public courtyard/plaza.

These performance measures were prepared to establish a framework for the redevelopment of the subject site and to ensure that any future opportunities within the Forks of the Thames River Precinct complies with the urban design principles established during the consultation process.

This document assumes future potential redevelopment within the Precinct will happen in phases, with the first phase being the demolition of the existing building on the southeast corner of the Precinct, and construction of a mixed-use high-rise building on the subject site. Future phases could consist of the redevelopment of the existing surface and structured parking to the west of the subject site as well as any surrounding open spaces within the larger Forks of the Thames precinct.

The future detailed design of the site and any proposed built form and landscape design in the Precinct is to generally conform with these design objectives. These performance measures shall be implemented through the Site Plan Review process

The Performance Measures, which shall be further addressed in subsequent sections to this report, speak to:

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**File: Z-8372
Planner: Brian Turcotte**

- Site organization;
- Built Form;
- The Public Realm; and,
- Access and parking.

The Requested Zoning By-law Amendment:

Through the zoning amendment process the City is being asked to approve the development concept and put in place the Design Performance Measures which the detailed design and ultimately the redevelopment will occur.

The subject site is currently zoned a Community Facility (CF1) Downtown Area (DA2*d350*h15) Zone. To provide for the development concept and preferred implementation approach outlined above, the County is requesting the following:

The Requested Uses and Regulations:

For those reasons advanced in their Planning Justification Report, the County is requesting:

- *the Community Facility (CF1) Zone be removed from the 50 King Street lands;*
- *the Downtown Area (DA1) Zone variation be applied to the subject site;*
- *an increase in density from 350 units per hectare to 900 units per hectare through a bonus provision; and,*
- *an increase in building height from 90 metres to 110 metres through a bonus provision.*

The Requested Holding “h-“ Zones:

As previously noted, “...the County is seeking to rezone 50 King Street in advance of a detailed building or site design. Through the rezoning, the City is being asked to approve a development concept and put in place the rules within which the detailed design and ultimately the redevelopment will occur.”

The Planning Act enables municipalities to include holding provisions in their zoning by-law restricting the future use of land until specific conditions for the removal of the holding provision are met. Similarly, the City’s Official Plan identifies specific instances when holding zones may be appropriate. Relevant to the present discussion, the policy framework of the Official Plan provides for the use of holding provisions:

- *to ensure that the necessary servicing features or municipal works are in place prior to development;*
- *to allow mitigating measures to be applied to development which will have an impact on street level winds in the Downtown Area;*
- *to ensure that the values, attributes and integrity of protected heritage properties are retained; and,*
- *to ensure that development takes a form compatible with adjacent land uses so that issues*

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**File: Z-8372
Planner: Brian Turcotte**

identified as a condition of approval can be implemented.

The County is proposing that the following items be addressed prior to the removal of the holding symbol through the site plan review process and through the entering into of a development agreement between the “owner” and the City:

- *an Archaeological Assessment;*
- *a Heritage Impact Statement;*
- *a Wind Impact Assessment;*
- *a Sun/Shadow Study;*
- *an Urban Design Brief; and,*
- *a Bonusing Agreement.*

*The Requested Bonus “B” Zone: “*D-900” and “H110”:*

The Planning Act further provides for municipalities to exceed the height and density that would otherwise be permitted in the zoning by-law, in case 90 metres and 350 units per hectare) in exchange for “...the provision of “...such facilities, services or matters as are set out in the By-law.” The City of London Official Plan defines “such services, facilities or matters...” to include the following community benefits:

- *the provision of common open space;*
- *the provision of underground parking;*
- *the provision of enhanced landscaped open space;*
- *the provision of, and improved access to, public open space;*
- *the preservation structures and/or districts identified as being of cultural heritage value;*
- *the provision of design features that provide for universal accessibility;*

The County has further indicated that the following matters (to be incorporated into the final building and site design) warrant bonusing to a maximum height of 110 metres and a density of 900 units per hectare:

- *the provision of public art;*
- *the provision of residential units in the downtown;*
- *the provision of active, at-grade pedestrian uses on building facades;*
- *the use of high-quality materials and finishes to external walls; and,*
- *the use of sculpted roof forms at the top of the building.*

Table 1 below provides an overview of the development regulations in the requested zoning vs. those provided for in the existing zoning to highlight the difference between the two. As the County’s request removes the existing Community Facility (CF1) Zone, it has not been included in Table 1.

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Table 1: Zone Comparison

Existing vs. Requested Zone				
Zone provisions	Existing DA2	Standard DA1	Proposed Zone	Bonus Zone
Permitted Uses	Wide range of residential, commercial and institutional uses	Wide range of residential, commercial and institutional uses	-	
Lot Frontage (m) MINIMUM	3.0	3.0	-	
All Yard Depths (m) MINIMUM	0.0	0.0; The required setback for the residential portion of buildings shall be 1.2 metres (3.9 feet) per 3 metres (9.8 feet) of main building height or a fraction thereof above 15 metres (49.2 feet).	-	
All Yard Depths Abutting a Residential Zone (m) MINIMUM	0.5 metres for each 4.0 metres of building height or fraction thereof, but in no case less than 6.0 metres	0.0	-	
Landscaped Open Space (%) MINIMUM	5	0	-	
Lot Coverage (%) MAXIMUM	95	100	-	
Height (m) MAXIMUM	15	90	95	
Density – Units Per Hectare MAXIMUM	350	350	750	
Floor area Ratio for non-residential uses	6:1	6:1	-	
Gross Floor Area Retail (m) MAXIMUM	The lesser of 20% or 5,000	N/A	-	
Location of Residential Uses	N/A	Restricted to the 2nd floor or higher	-	
Location of Retail Uses	Restricted to the 1 st and 2 nd floors	N/A	-	

Provincial Policy Statement:

The Provincial Policy Statement, 2014 (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The objectives of the PPS speak to three

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File: Z-8372
Planner: Brian Turcotte

main policy areas including “*Building Strong Healthy Communities*”, *Wise Use and Management of Resources*” and “*Protecting Public Health and Safety*”. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies to be applied to each situation. Section 3 of the *Planning Act* requires that decisions of any authority affecting planning matters “shall be consistent” with the PPS. As it relates to the current discussion, the PPS provides the following direction:

Part V, Section 1.1:

Part V, Section 1 of the PPS promotes healthy, livable and safe communities, in part, by “...encouraging efficient development and land use patterns which sustain the financial well-being of the municipality, accommodating an appropriate range and mix of uses, avoiding development and land use patterns that may cause environmental or public health and safety concerns, and promoting cost-effective development patterns and standards to minimize land consumption and servicing costs...”. Furthermore, the PPS directs municipalities to provide opportunities for “...intensification and redevelopment where it can be accommodated taking into account the existing building stock and the suitability of existing or planned infrastructure.”

Consistent with *Part V, Section 1.1 of the PPS*, the recommended zoning amendment facilitates the redevelopment of an underutilized site that currently contains a three storey office building and surface parking lot to a vertically integrated, mix-use tower containing 200 residential units, 4,500 square metres of retail/commercial uses, 16,000 square metres of office uses and 13,500 square metres of parking. The proposed redevelopment will increase the utilization and efficiency of existing hard and soft services and will further serve to minimize demands for additional green field development elsewhere in the City;

Part V, Section 1.5:

Part V, Section 1.5 of the PPS states that “...healthy, active communities should be supported by “planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.” The PPS continues noting that Planning Authorities “...provide for a full range and equitable distribution of publically accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages and, where practical, water based resources”.

Consistent with the Part V, Section 1.5 of the PPS, the recommended zoning amendment serves to remove the current surface and terraced parking lots on the subject lands, and lands to the west, and provide for a landscaped design treatment that: puts the pedestrian first; encourages social interaction; enhances accessibility to Ivey Park and the City’s larger open space system; and, facilitates opportunities for the development of further community connections between the Downtown to the Thames River. Additionally, the recommended zoning amendment will provide for the development of a publically accessible “plaza” between the subject site and the Middlesex County Courthouse and Gaol. The plaza could contain public art to further foster the “social interaction” referred to in the PPS.

Part V, Section 1.6:

Part V, Section 1.6 of the PPS states that “...a land use pattern, density, and mix of uses should be promoted that minimize the length and the number of vehicle trips and support current and future use of transit and active transportation.”

Consistent with Part V, Section 1.6 of the PPS, the recommended zoning amendment will provide for the development of a mixed-use, vertically integrated tower in close proximity to a wide range of commercial, personal service, major employment, cultural, recreational, open space, and existing and planned transit and transit supportive infrastructure. Enjoying such proximity, the proposed development is conducive to alternative modes of travel including walking, cycling, transit and rail.

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**File: Z-8372
Planner: Brian Turcotte**

Part V, Section 1.7:

Part V, Section 1.7 of the PPS notes that “...long-term economic prosperityshould be supported by...maintaining and, where possible, enhancing the vitality and viability of downtowns and.... encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character”.

The subject site is a prominent location in Downtown London. The site contains a variety of significant views both to the Thames River and the Old Courthouse building. Additionally, there are various pedestrian routes that traverse the site and the surrounding area that have the potential of better connecting the Forks of the Thames to Downtown London. Also, there are significant gateway or entry points associated with the subject site and adjacent lands. The recommended zone will serve to establish Design Performance Measures for the site that will help to integrate the future built form and landscape design with the “Forks of the Thames” precinct and the larger Downtown area.

Part V, Section 2.6:

Part V, Section 2.6 of the PPS states that “...Planning Authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved...”

The recommended zone includes a holding provision that recognizes the archaeological potential of the site and the importance of an adjacent protected heritage property.

The recommended zone is consistent with, and will serve to implement, the policies of the PPS:

The City of London Official Plan:

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

The subject lands are designated “Downtown Area” in the City of London Official Plan. Section 4.1 of the Official Plan contains policies specifically intended to guide land use and development on lands designated “Downtown Area”. The relevant policies of Section 4.1 are considered below including an evaluation of the proposed rezoning conformity with these policies.

Section 4.1 Downtown Area Designation:

The Downtown Area, as designated by the Official Plan, includes a majority of the lands generally bounded by Princess Avenue and Kent Street to the north, Ridout Street North and Thames Street to the west, the CN Railway to the south and Colborne Street to the east. The Downtown Area is intended to serve as the primary multi-functional activity area both for the City of London and the broader regional area. The Downtown Area is generally characterized by its intensive, multi-functional land use pattern and is intended to be the major office employment centre and commercial district in the City. Additionally, it is intended that the Downtown’s function as a location for new medium and high density residential development will continue to strengthen over time. The policies of the Downtown Area designation further support the continued development of the Downtown as the primary location for hotel, convention, cultural entertainment and other service facilities that will promote local tourism.

The policies of the Official Plan also recognize that the Downtown contains many of the City’s

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File: Z-8372
Planner: Brian Turcotte

original buildings and some of the most architecturally important structures in our community. Policies on preservation are balanced against policies which promote growth and development in the Downtown. The Official Plan supports a blending of these two approaches to the Downtown by encouraging property owners to incorporate buildings and features of cultural heritage or value into new development projects.

Maximum scale criteria for development in the Downtown Area, including height and density, are intended to be less restrictive than the Multi-Family, Medium Density Residential and Multi-Family, High Density Residential designations located outside of the Downtown and allow for greater flexibility in considering increases to the maximum criteria. New development in the Downtown is expected to improve and enhance the pedestrian environment.

Section 4.1.1 Planning Objectives:

Section 4.1.1 of the Official Plan describes the City's Planning Objectives for the development of the Downtown Area. The development concept addresses many of these objectives in-as-much as it serves to provide for:

- the redevelopment of a underutilized site for approximately 16,000 square metres of new office space;
- the continued local presence of a regionally significant government office;
- the creation of an additional 200 residential units;
- at-grade commercial and retail uses and site amenities that will promote pedestrian-oriented activity;
- the development of new, and the enhancement of existing, pedestrian and visual connections to the Thames River and buildings of national historic significance; and,
- a mixed-use point tower in close proximity to major existing, and planned, transit, and transit supportive, infrastructure.

The recommended amendment is consistent with, and will serve to implement, the Downtown Area Planning Objectives of the Official Plan.

Section 4.1.2. Urban Design Objectives:

Section 4.1.2 of the Official Plan describes the City's Urban Design Objectives for the Downtown Area. The development concept proposes to address these design objectives by:

- incorporating building and site design elements that, recognizing the strategic location of the proposal, serve to enhance physical and visual connections and interfaces between the Downtown, the Thames River and Thames River Valley, and River Valley, and structures and landscapes of national historic significance;
- providing for the development of a point-tower that, by virtue of its location, orientation, and size of floor plate, seeks to minimize adverse shadow or sky view impacts , allows for maximized natural light and visually reduces the overall scale of the building;
- providing for setbacks and step backs from streets, parks, open space and neighbouring properties to reduce the visual and physical impacts of the proposed point tower; and,
- adopting Design Performance Measures for the site that, in addition to those considerations detailed above, addresses such base faced design matters (as cornice lines, window bays,

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File: Z-8372
Planner: Brian Turcotte

entrances, canopies, high-quality building materials and fenestration) in an appropriate pattern, scale and proportion that relates to the neighbouring properties and enhances the pedestrian realm.

The recommended amendment is consistent with, and will serve to implement, the Urban Design Objectives of the Downtown Area designation.

Sections 4.1.5 and 4.1.6 Major Facilities and Permitted Uses:

Section 4.1.5 and Section 4.1.6 of the Official Plan describe the nature and range of land uses permitted in the Downtown Area designation. The development concept, and implementing zoning amendment, anticipates the inclusion of many of these permitted uses in a vertically integrated point tower including:

- government office uses;
- at-grade commercial, service-office and retail uses;
- residential uses (above the ground floor only);
- parking structures; and,
- landscaped open space.

The recommended amendment is consistent with, and will serve to implement, the Major Facility and Permitted Use policies of the Downtown Area designation.

Section 4.1.7 Scale of Development:

Section 4.1.7 of the Official Plan describes the scale of development envision by policy in the Downtown Area designation. The policy framework is intended to provide for the greatest height and density of retail, service, office and residential development in the City. More specifically, the Official Plan states:

- i) *Development in the Downtown may be permitted up to a maximum floor area ratio (FAR) of 10:1 for commercial uses and will normally not exceed 350 units per hectare (140 units per acre) for residential uses. Increases in density may be permitted without amendment to this Plan provided the proposal satisfies density bonusing provisions of Section 3.4.3. iv) and 19.4.4. of the Plan, conforms to the Site Plan Control By-law and addresses standards in the Downtown Design Guidelines.*

This maximum level of intensity will not be permitted on all sites. In areas which cater primarily to pedestrian shopping needs, including portions of Dundas Street and Richmond Street, the height of buildings at or near the street line will be restricted in the Zoning By-law to provide for a pedestrian-scale streetscape which allows adequate levels of sunlight and minimizes wind impacts. Where a site fronts onto a street which caters to pedestrian shopping needs, building heights will be permitted to increase in a step-like fashion away from areas of pedestrian shopping activity. Parts of the Downtown that are located adjacent to lower density, residential areas will be subject to height, density and site coverage limits in the Zoning By-law that are intended to provide for an appropriate transition in the scale of development.

The County's proposal provides for the development of a 95 metre point tower accommodating residential units above the ground floor, 16,000 square metres of office space, and 4,500 square metres of commercial/retail uses. The combination of residential and commercial space results in a net density of approximately 750 units per hectare, given the size of this site. It is intended, as noted above, that the Downtown Area will accommodate the greatest height and density of residential development permitted within the City of London. The Scale limitations

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**File: Z-8372
Planner: Brian Turcotte**

prescribed by Section 4.1.7 i) of the Official Plan, noted above, outline that residential densities in the Downtown will not normally exceed 350 units per hectare. However, it is recognized that increases to the typical density limitations may be appropriate in certain instances and may be permitted in accordance with the density bonusing provisions of Section 3.4.3 iv) and 19.4.4 of the Official Plan, without an amendment to the Plan.

The Scale of Development policies of Section 4.1.7 also include design considerations. More specifically, Section 4.1.7ii) states:

- ii) *The proponents of development projects in the Downtown will be encouraged to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11, conform to the Site Plan Control By-law and address standards in Downtown Design Guidelines. It is intended that Downtown development should enhance the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses.*

The regulations of the recommended site specific bonus zone require a built form which responds to the existing built context of the Downtown by requiring a “point tower” design with an architecturally defined base, middle and top. The base component of the tower is positioned at the front and exterior lot lines along the Ridout Street North and King Street frontages with retail uses and active frontages at grade to enhance and animate the pedestrian realm. The recommended bonus zone requires various building step-backs which provide for a variation in the massing of the primary elements of the tower and result in a harmonious integration into the existing built context of the Downtown. The regulations of the recommended site-specific bonus zone, as provided in clause (a) of the recommendation, include design requirements which reflect the Urban Design principles contained in Chapter 11 of the Official Plan and address standards in the Downtown Design Guidelines in return for the increase in permitted height and density.

With a mind to fostering a pedestrian friendly environment, the Scale of Development policies have regard for street level wind impacts. As noted in the Section 4.1.7iii):

- iii) *The design and positioning of new buildings in the Downtown shall have regard for the potential impact ha the development may have on ground level wind conditions on adjacent streets and open space areas. New development should not alter existing wind conditions to the extent that it creates or aggravates conditions of wind turbulence and velocity which hamper pedestrian movement, or which discourage the use of open space areas.*

As noted above, the *Planning Act* enables municipalities to include holding provisions in their zoning by-law restricting the future use of land until specific conditions for the removal of the holding provision are met. Similarly, the City’s Official Plan identifies specific instances when holding zones may be appropriate. Relevant to the present discussion, the policy framework of the Official Plan provides for the use of holding provisions to allow mitigating measures to be applied to development which will have an impact on street level winds in the Downtown Area.

The County has proposed that street level wind impacts be addressed through the use of a holding provision. The recommended zoning amendment includes a new holding provision that states:

- h-*) Purpose: To ensure the comprehensive development of the subject site together with adjacent lands to the north and west including, but not limited to: publicly accessible courtyard space; an urban plaza in the rear yard (west yard) to facilitate a north-south pedestrian connection; an east-west pedestrian corridor that connects Ridout Street North to Ivey Park and the Forks of the Thames that is integrated with the urban plaza located in the rear yard; and landscaping, the h-*) shall not be removed until a development agreement is entered into through the Site Plan Approval process that implements these site development features.

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**File: Z-8372
Planner: Brian Turcotte**

Permitted Interim Uses: existing uses.

The recommended zoning amendment is consistent with, and will serve to implement, the Scale of Development policies of the Official Plan as they pertain to the Downtown Area designation.

Section 4.1.8 Redevelopment Rehabilitation and Conversion:

Section 4.1.8 of the Official Plan encourages the efficient use of land in the Downtown Area through *the development of vacant or under-utilized land and the rehabilitation, where feasible, of buildings that are functionally viable but require improvements in appearance and/or condition.*

The County of Middlesex administration offices are located at 399 Ridout Street North. The County has indicated to the City that their “operational needs and requirements” exceed the capacity of their current office building.

The County of Middlesex is seeking zoning for 50 King Street that would permit the new construction of a vertically integrated commercial, retail, restaurant, entertainment, office and residential tower. The existing 50 King Street would be demolished and the current surface parking lots removed to create the space required for the proposed new construction. Currently 50 King Street is leased to the Middlesex Health Unit. This lease expires in 2016 with an option for an additional five years. When the lease for 50 King Street expires, it is the intention of the County of Middlesex to redevelop this property and relocate their offices to the new tower.

The County’s proposal would provide for the redevelopment of a site that is currently underutilized. The recommended zoning amendment is consistent with, and will serve to implement, the Redevelopment Rehabilitation and Conversion policies of the Official Plan as they pertain to the Downtown Area designation.

Section 4.1.9 Pedestrian Circulation:

The policies of Section 4.1.9 of the Official Plan support the enhancement of a Downtown pedestrian circulation system. More specifically, Section 4.1.9 parts i), ii) and iii) state:

- i) New development within the Downtown Shopping Area shall enhance pedestrian circulation and contribute to the appearance and continuity of the shopping environment. In particular, the creation of blank building facades adjacent to, or across from, predominantly storefront development shall be discourages.*
- ii) Where appropriate, redevelopment projects will be encouraged to include pedestrian and transit-oriented design features such as the widening of sidewalks and the provision of landscaped areas accessible to pedestrians...*
- iii) Parkland dedication may be required of new commercial or residential development within the Downtown may be taken in the form of setbacks, parkettes, public and or landscaped plaza areas that enhance the pedestrian circulation or contribute to the visual amenity of the Downtown.*

The Design Performance Measures developed in response to the County’s proposal provides for building base performance measures including, but not limited to, clear, transparent glazing comprising a minimum of 60% of each building face and “at-grade active uses. The Guideline further serves to provide for: a publically accessible courtyard space; an urban plaza in the rear yard west yard) to facilitate a north-south pedestrian connection; an east-west pedestrian corridor that connects Ridout Street North to Ivey Park and the Forks of the Thames that is integrated with the urban plaza; and, landscaping. All of these elements are to be formalized through the execution of a development agreement with the County.

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**File: Z-8372
Planner: Brian Turcotte**

The recommended zoning amendment (which will serve to formalize Design Performance Measures for the site and adjacent lands) is consistent with, and will serve to implement, the Pedestrian Circulation policies of the Official Plan as they pertain to the Downtown Area.

Section 4.1.10 Parking:

The policies of Section 4.1.10 of the Official Plan support the provision of adequate and well-located of-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown. More specifically, Section 4.1.10 part i) and iv) state:

- i) Parking requirements will be applied through the Zoning By-law to new development within the Downtown, based on the type of use and at a standard sufficient to satisfy the incremental demand for parking generated by the proposed development;*
- ii) The creation of new surface level commercial and/or accessory parking lots within the Downtown Shopping Area will be discouraged.*

The County’s development concept anticipates the removal of the existing surface parking lot and the development of a new parking structure internal to the proposed point tower.

The recommended zoning amendment includes a minimum parking regulation for all non-residential uses to be located within the tower. The recommended zoning amendment also includes an additional regulation that all required parking for the uses located at 399 Ridout Street North will be incorporated within the parking facilities of 50 King Street. This additional parking requirement will be incorporated into the Site Plan and Development Agreement for 50 King Street.

The recommended zoning amendment is consistent with, and will serve to implement, the Parking policies of the Official Plan as they pertain to the Downtown Area.

Section 3.4.3 Density Bonusing:

As prescribed by Section 4.1.7 of the Official Plan and noted above, the Downtown Area designation contemplates height and density increases through the application of bonus zoning. The parameters and restrictions regarding bonus zoning are defined in Section 3.4.3 of the Official Plan, and generally provided in subsection iv) below:

- iv) Council, under the provisions of policy 19.4.4 and the Zoning By-law, may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features. The maximum cumulative bonus that may be permitted without a zoning by-law amendment (as-of-right) on any site shall not exceed 25% of the density otherwise permitted by the Zoning By-law. Bonusing on individual sites may exceed 25% of the density otherwise permitted, where Council approves site specific bonus regulations in the Zoning By-law. In these instances, the owner of the subject land shall enter into an agreement with the City, to be registered against the title to the land.*

The above noted policies of the Official Plan allow the City to incorporate performance measures or bonus regulations into the Zoning By-law which provide for as-of-right increases in height and density without an amendment to the Zoning By-law. The maximum cumulative bonus permitted through the inclusion of such public facilities, amenities or design features, as-of-right, is not to exceed 25% of the existing maximum permitted density.

However, bonusing on individual sites may exceed 25% of the density otherwise permitted where Council approves site specific bonus regulations in the Zoning By-law. **The recommended amendment includes site specific bonus regulations which provide for an increase in the maximum permitted height and density in return for the services provisions and matters identified in Section 19.4.4 of the Official Plan and outlined in**

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File: Z-8372
Planner: Brian Turcotte

clause (a) of the recommendation above. The recommended bonus regulations require the inclusion of amenities and design features which provide a public benefit and cannot be secured through the normal development process. The recommended site specific bonus regulations ensure appropriate matters are incorporated into the proposed redevelopment to justify the resulting increases to height and density.

Both the Official Plan and Zoning By-law quantify the density of residential or mixed-use development through the measure of *units per hectare*. This measure provides a standard for comparing the intensity of various developments across various sized sites. Staff recognize that the matter of density is difficult to visualize and have provided some examples in **Table 2** below based on a selection of primarily residential developments in Downtown London. These examples are intended to assist in visualizing the measure of density.

Table 2: Visualizing Density

Project	Site Area	Units	UPH	Height
"The Renaissance" 59-73 King Street, 342-360 Ridout Street North and 68 York Street	0.81ha	600	741	93 metres
"The Harriston" 484-500 Ridout Street North	0.28 ha	210	750 UPH	70 metres
"City Place" 310 Dundas St. and 405 Waterloo St.	0.62 ha	440	710 UPH	81 metres
"King's Inn" 186 King Street	0.155 ha	219	1412 UPH	~33 metres
100 Fullerton Street and 475 Talbot Street	0.23 ha	248 residential; 1,475m2 non- res GFA (14.8 units); Total = 262.8	1142 uph	108.15 metres
Proposed 50 King Street	0.516 ha		750	95 metre

The Renaissance: 59-73 King Street, 342-360 Ridout Street North and 68 York Street

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File: Z-8372
Planner: Brian Turcotte



The Harriston: 484-500 Ridout Street North



City Place: 310 Dundas St. and 405 Waterloo St.

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Planner: Brian Turcotte



King's Inn: 186 King Street



Section 3.4.3 Density Bonusing:

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File: Z-8372
Planner: Brian Turcotte

Under the provisions of the Planning Act, a municipality may include in its Zoning By-law, regulations that permit increases to the height and density limits applicable to a proposed development in return for the provision of such facilities, services, or matters, as are set out in the By-law. This practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of this Plan.

Section 19.4.4 provides the local policy basis for bonus zoning. Bonus zoning refers to the practice of permitting increases to height and density in return for certain facilities, services and/or matters. It is intended, through the relevant provisions of the Planning Act and the Official Plan, that the facilities, services or matters provided in consideration of height and density bonuses should bear an appropriate relationship in terms of their cost/benefit implications and must result in a benefit to the general public and/or enhancement of the design or amenities of a development to the extent that a greater height or density is warranted. It is further directed that height and density bonuses should not result in a scale of development which is incompatible with adjacent land uses or exceeds the capacity of available municipal services.

Bonus zoning is to encourage features which result in a public benefit which cannot be obtained through the normal development process, or through the provisions provided by as-of-right zoning on a given site. Section 19.4.4 of the Official Plan specifically provides that “bonus zoning will be used to support the City’s urban design principles, as contained in Chapter 11 and other policies of this Plan.” Section 19.4.4 ii) provides further policy direction as to matters which may be considered in return for height and density bonuses.

The following provides an evaluation of the recommended site specific bonus regulations with regard to the applicable Bonus Zoning policies of Section 19.4.4 of the Official Plan. Section 19.4.4 states that bonusing may be considered for, among other things:

(b) [the] ...provision of common open space that is functional for active or passive recreational use;

As previously noted the recommended regulations of the site-specific bonus zone include:

- a requirement for construction of an urban plaza in the rear yard (west yard) to facilitate a north-south pedestrian connection that provides usable public entrances, patios and other animated elements fronting onto the plaza;
- a requirement for the creation of an east-west pedestrian corridor across the property and/or on the lands at 399 Ridout Street North (the Historic Middlesex County Building), that connects Ridout Street North to Ivey Park and the Forks of the Thames River, that is integrated with the urban plaza located in the rear yard (west yard) of the property; and,
- a requirement for comprehensive site improvements for the property together with the lands at 399 Ridout Street North (the Historic Middlesex County Building), consistent with the Design Performance Measure, including the creation of a high-quality, publically accessible courtyard space south of the Historic Middlesex County Building and north of the subject building, integrating usable public entrances, patios and other animating elements fronting onto the courtyard; and,
- the removal of all surface parking on the lands at 399 Ridout Street North and 50 King Street, and the replacement of all surface parking materials with landscaped open space that is accessible to the public and consistent with the Design Performance Measures. The landscaped open space will remain on an interim basis until such time as these lands are developed for alternative purposes at a future date.

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(c) to support the provision of underground parking;

The recommended site-specific bonus zone regulations include a requirement for the provision and consolidation of all parking for the uses at 399 Ridout Street North together with all the required parking for the uses at 50 King Street incorporated within the building structure below grade and/or above the street level.

The recommended site-specific bonus zone regulations further include a requirement for the provision of public art in a manner that is consistent with the City of London Public Art Program.

The recommended site-specific bonus zone regulations are consistent with, and will serve to implement, the Bonus Zone policies of the Official Plan.

Section 11 Urban Design:

Section 11 of the Official Plan contains a range of urban design principles which address more subjective matters related to the visual character, aesthetics, and compatibility of land uses and to the qualitative aspects of development. The urban design principles contained in Section 11 are intended to supplement the land uses policies of Section 4.1 – Downtown Area – in evaluating the development proposals. It is recognized that the principles are primarily used as a guideline. The guidance provided by these principles is key in the consideration of increases in height and density contemplated through bonus zoning. The proposed development and the requirements secured through the recommended bonus regulations will provide for the following:

- Natural Features and Open Views – the proposed development includes an architecturally defined base, middle and top with building step-backs and variation in massing which serves to maintain, to the greatest extent feasible, views to the Forks of the Thames and the Historic Middlesex County Building;
- High Design Standards – the proposed development includes design treatments which serve to enhance the function and visual quality of the proposed development including the use of high-quality contemporary building materials, a point tower form which includes variation in the massing of various elements of the tower and transparent glazing at street level which, combined with active ground floor uses, will animate the pedestrian environment.
- Architectural Continuity – The “point tower” form of the proposed development serves to create variation in the visual massing of the tower and includes step-backs which provide for a defined base to frame the pedestrian realm. The podium “base” of the tower is limited in height to maintain harmony with the streetwall established by the adjacent historic townhouses to the north.
- Redevelopment – The recommended amendment will facilitate the redevelopment of a 3 storey office building and surface parking lot to a high-density mixed use apartment tower. The proposed redevelopment will provide for a range of uses supported by the land use policies of Section 4.1 – Downtown Area.
- Streetscape and Pedestrian Traffic Areas – The proposed development includes a number of street oriented features such as active retail uses at the street level, primarily transparent glazing on facades, pronounced entrances, and a defined podium base which provides for a human-scale transition to the residential tower.
- Access to Sunlight – The proposed development includes an architecturally defined base, middle and top with building step-backs that provide for variation in the massing of the proposed tower and serve to minimize the shadow impacts on surrounding development and open space. The point tower form, and limited floor-plate of the proposed tower

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provide for a sleek form which limits shadow impacts and could not, in and of itself, be effectively secured by way of the existing zoning.

- Parking and Loading – All of the surface parking on the site shall be replaced with in-building and underground parking, ensuring all vehicular access points, ramps and aisles are wrapped with at-grade pedestrian uses or otherwise screened from pedestrian view at grade. All loading and back-of-house functions will be located along King Street but away from the Ridout Street North intersection and, where possible, internal to the building. The positioning of both parking and loading facilities is designed to minimize the visual impact on adjacent properties to the greatest extent feasible.
- Privacy – The point tower form of the proposed development serves to achieve a number of urban design objectives. The building step-backs ensure that residential units are further separated from existing development to the south and south-east to provide more seamless integration into the existing built context of the Downtown.

Section 13 Properties of Cultural Heritage Value or Interest:

The policies of Section 13 of the Official Plan encourage new development, redevelopment and public works to be sensitive to, and in harmony with, the City’s heritage resources. More specifically, Section 13.2.3.1 of the Plan notes:

Where a heritage building is protected under Parts IV, V or VI of the Ontario Heritage Act, development, site alteration or demolition may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement and demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained.

A holding provision may be applied on the zoning of lands adjacent to protected heritage properties to ensure that prior to development or site alteration, a Heritage Impact Statement is required to demonstrate how the heritage values, attributes and integrity of the protected heritage property are to be conserved and how any impacts may be mitigated.

As previously noted in this report, the existing 50 King Street building is not identified as a heritage building. The Middlesex County Courthouse (the front of the building located at 399 Ridout Street North) is however a National Historic Site, designated as a heritage building under Part IV of the Ontario Heritage Act, and is subject to a heritage easement with the Ontario Heritage Trust. Although the redevelopment of 50 King Street does not include a designated heritage building, the redevelopment must account for, and be sensitive to, the adjacent designated building.

The recommended zoning amendment includes a holding provision requiring the preparation of a Heritage Impact Statement prior to the development of the 50 King Street site.

The policies of Section 13 of the Official Plan also provide direction for the identification, evaluation and conservation of archaeological resources through the land use planning process. More specifically, Section 13.4.3 of the Official Plan states:

Applications for planning approvals that will be subject to review for their potential impact to archaeological resources includezoning by-law amendments. Archaeological assessment requirements may be imposed if it is determined through the application of the archaeological potential model that any part of the subject area possesses archaeological resource potential or known archaeological resources, and that proposal involves some form of ground disturbance.

The subject site, and the larger “Corporate Parcel”, has been identified in the City of London Archaeological Master Plan as exhibiting strong potential to contain archaeological resources.

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The recommended zoning amendment includes a holding provision requiring the preparation of an archaeological assessment prior to the development of the 50 King Street site.

The recommended site-specific holding provisions are consistent with, and will serve to implement, the Properties of Cultural Heritage Value or Interest policies of the Official Plan.

Section 19.2.2 Guideline Documents:

Section 19.2.2 of the Official Plan provides that “Council may adopt guideline documents to provide detailed direction for the implementation of Official Plan policies.” It is intended that Guideline Documents are initiated by Council and may contain “policies, standards, and performance criteria that are either too detailed, or require more flexibility, in interpretation or implementation than the Official Plan would allow”. It is recognized that depending on the nature of the guideline document that they may provide specific direction for the review of development proposals. Staff have reviewed the applicable guideline documents and provided an evaluation of the relevance and direction contemplated by each as it relates to the requested amendment.

Transportation Master Plan

The City of London's 2030 Transportation Master Plan (TMP): *Smart Moves* was completed in May of 2013 to provide a long-term transportation strategy for the City that will help guide the City's transportation and land use decisions through to 2030 and beyond. The Transportation Master Plan is focused on improving mobility for residents of the City by providing viable and increased choices in modes of travel.

The TMP includes modal share targets and recommends strategies to assist the City of London and the London Transit Commission (LTC) in meeting a 20% transit modal share target by 2030. To achieve this objective, the growth management strategies in the Transportation Master Plan encourage directing growth to locations where it supports transit ridership, walking and biking. Such locations include the Downtown Area and planned rapid transit nodes and corridors identified in the 2030 Transportation Master Plan. The Growth Strategy stresses the importance of strengthening land use policies around nodes and corridors, including the Downtown, to focus future high-density development and employment in these areas.

The recommended zoning by-law amendment will provide for high-density mixed-use office/commercial/residential development in the Downtown and, as such, reflects a land use pattern which is conducive to the use of public transit and improves the mix of employment and housing uses to shorten commute journeys.

Downtown Design Guidelines

The Downtown Design Guidelines were prepared in 1991 and were intended to provide a guideline for the creation of Official Plan policies and Zoning regulations related to the form, scale and intensity of development in the Downtown. The guidelines also serve to provide a supplemental framework for the interpretation of Official Plan policies and for the evaluation of development proposals and public investments in the Downtown. Among other principles, the Downtown Design Guidelines include direction to:

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

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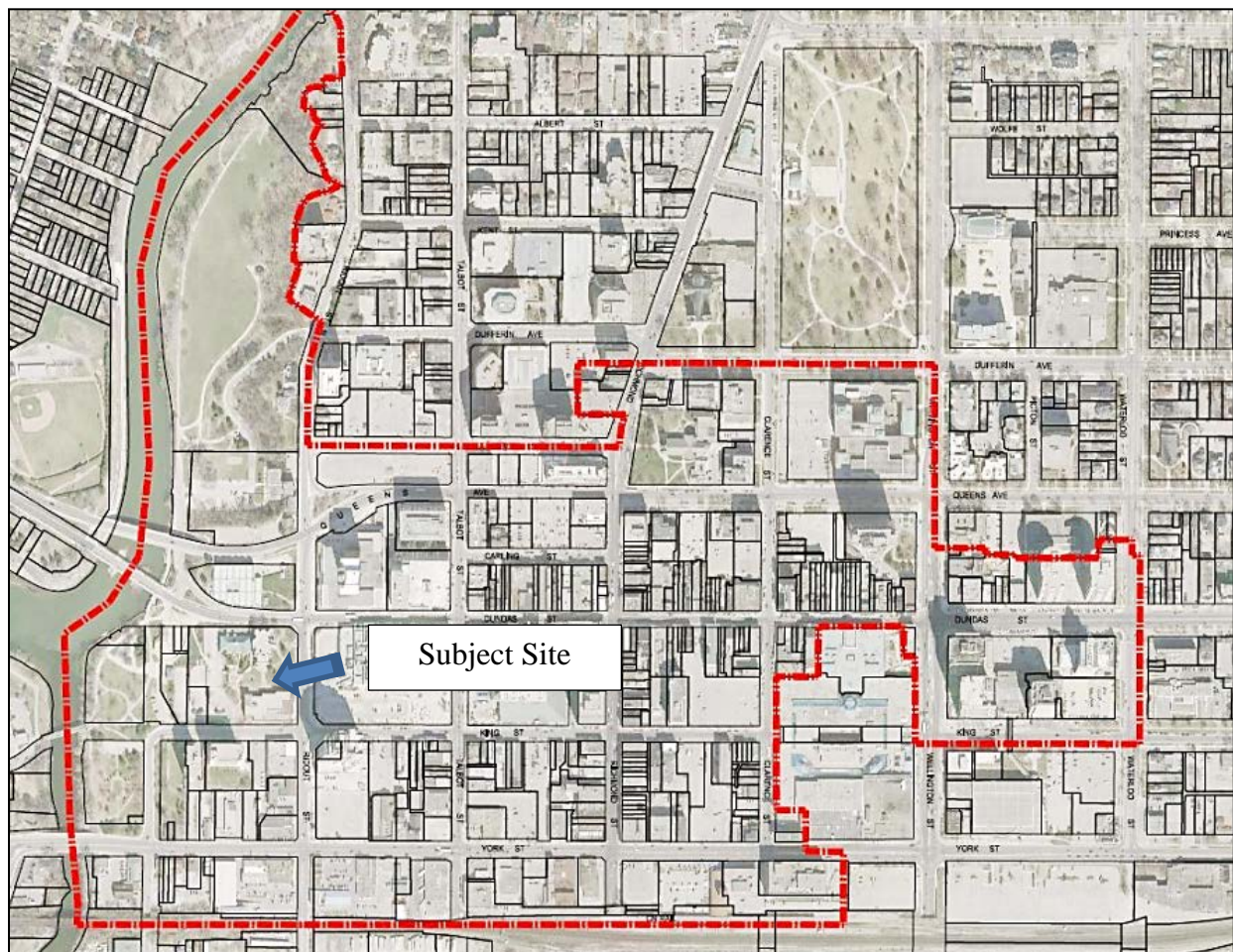
These overarching principles of the Downtown Design Guidelines have been incorporated into the specific land use policy in the Official Plan for the Downtown Area. Accordingly, the recommended amendments will provide for a development that includes design treatments which serve to enhance the function and visual quality of the proposed development including requirements for high-quality, contemporary building materials and for variation in the massing of various elements of the tower. The requirements for underground parking and requirements for retail uses at the street level will enhance the pedestrian environment and the public realm.

Downtown Heritage Conservation District Plan

Pursuant to the *Ontario Heritage Act*, Municipal Council may designate all or parts of the municipality as a Heritage Conservation District. The ability to designate such districts under Part V of the *Ontario Heritage Act* allows 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. It is intended that the overall character and value of a Heritage Conservation District is derived from both individual properties and the combined historic and aesthetic value of the structural and natural components of the area. Section 19.2.2. of the City's Official Plan provides Council the ability to develop Plans to manage land use and built form on lands within and adjacent to Heritage Conservation Districts.

The City of London has established a Downtown Heritage Conservation District and subsequently adopted the Downtown Heritage Conservation District Plan in order to preserve, maintain and enhance the collective historic character of the Downtown. The Downtown Heritage Conservation District includes the lands identified on the map below.

Figure 2: Downtown Heritage Conservation District Boundaries



As is evident from **Figure 2** above, the subject lands are located within the boundary of the

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Downtown Heritage Conservation District. The Historic Middlesex County Building, a provincially and municipally designated heritage structure, is located to the north of the subject site. Additionally, the proposed development is separated from this historic building with a semi-public courtyard/plaza. Both the Historic Middlesex County building and this courtyard are subject to a heritage easement with the Ontario Heritage Trust (OHT). 50 King Street however is not a designated heritage structure nor is it subject to the considerations detailed in the heritage.

The preservation, maintenance and enhancement principles of the Downtown Heritage Conservation District Plan have been incorporated into the prepared Design Performance Measures that will be used to guide the long-term development of the subject site and the County's larger "Corporate Parcel". Relative to the current discussion, these measures would include, but not be limited to, the following:

- *Design Objectives – through built form design, enhance views and vistas of the surrounding heritage resources and the Thames River;*
- *Site Organization Elements – Landscape design is to focus on increasing and maintaining visibility of heritage resources and to make use of historic materials in sidewalks, pathways and boulevards to improve the overall pedestrian experience;*
- *Built Form Elements – The built form shall be located towards the southeast portion of the site. This will allow for the appropriate transition in height from that corner to both the historic Middlesex County Building with the proposed development for the subject site;*
- *Base (of building) Built Form Elements – The base façade should be articulated with design elements, such as cornice lines, canopies, high-quality materials and fenestration, in an appropriate pattern, scale and proportion that relates to neighbouring buildings and enhances the pedestrian realm; and,*
- *Middle (of building) Built Form Elements – Minimize (through the use of step backs) the duration of shadow impacts on the Middlesex Courthouse building and the associated courtyard.*

Draft Approved Downtown Master Plan

The Downtown Master Plan was approved in draft form by Municipal Council in June of 2013. The Downtown Master Plan is intended to provide an overarching framework for the future development of the downtown including guidance for public investments and the structural elements on the downtown core. In general, the provisions of the Draft Downtown Master Plan do not provide specific direction in considering the merits of the proposed Zoning By-law amendment. However, the Draft Downtown Master Plan does provide broad principles which relate to development in the Downtown including encouraging the maintenance of views to the Forks of the Thames and Harris Park, the enhancement of the pedestrian realm and the encouragement of a variety of residential dwelling types in the Downtown.

In this regard, the recommended amendment will facilitate a form of development which, to the extent feasible, through step-backs and point tower design, maintains views to the Forks of the Thames. The proposed development includes active retail uses and transparent facades at the street level to animate and enhance the pedestrian environment and includes smaller urban style apartment units which allow for an efficient use of land and resources while contributing to a broadened range in the housing options available in Downtown.

The Thames Valley Corridor (TVC) Plan:

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Council considers the Thames River Valley Corridor as London’s most important cultural, recreational and aesthetic resource. To this end, Council undertook a comprehensive study of the River Corridor. The Thames Valley Corridor Plan was approved by Council in 2012 and will form part of the new Official Plan through the ReThink process. The Corridor Plan is a long-range vision document that addresses key land use planning and management issues throughout the corridor including, but not limited to, enhanced public access and recreation opportunities.

The principles of “public access” and “recreation” have been incorporated into the City prepared Design Performance Measures. Relative to the current discussion, these measures would include, but not be limited to, the following:

- *Design Objectives – ensure that a pedestrian circulation network is provided and enhanced through the site to connect with routes in the larger Forks of the Thames precinct; and [through built form design] enhance views and vistas of the surrounding heritage resources and the Thames River;*
- *Site Organization Elements – Landscape design is to focus on increasing and maintaining visibility of heritage resources [including the Thames River] and to make use of historic materials in sidewalks, pathways and boulevards to improve the overall pedestrian experience;*
- *Built base, middle and top) Form Elements – The built form shall be located towards the southeast portion of the site thus allowing for an appropriate transition in height from that corner to both the Thames River and the historic Middlesex County building; and,*
- *Public Realm Elements – Provide publically accessible spaces, outdoor amenity areas and commercial patios that overlook the Thames River.*

The recommended zoning amendment is consistent with, and will serve to implement, the various Guideline Documents outlined above.

Zoning By-law No. Z.-1

As previously noted in this report, the subject property is currently zoned Downtown Area (DA2*D350*H15) Zone which permits a wide range of office, commercial, retail and residential uses up to a maximum density of 350 units per hectare, with a requirement for the completion of a wind impact assessment to ensure development over 15.0 metres will not have an adverse impact on pedestrian level wind conditions in the Downtown prior to the removal of the holding provision. The subject lands are also zone a Community Facility (CF1) Zone. Many of the uses permitted in the Community Facility (CF1) Zone are permitted in the requested Downtown Area (DA1) Zone.

Staff’s recommendation proposes to rezone the subject lands to a Holding Downtown Area Bonus (*h-3*h-5*h-18*h-(*)*DA1*D350*H15*B-()) Zone which would allow for a 95 metre high, mixed-use point tower. The proposed development will be facilitated through a site specific bonus zone which will allow for an increased density of 750 units per hectare and a maximum height of 95 metres in return for such facilities, services and matters as prescribed by the regulations of the bonus zone which include the matters provided in clause () of the recommendation above and, without limiting the above, generally requires features such as: a point tower building design that is developed comprehensively with the surrounding lands; underground parking; the provision of public art; the incorporation of an urban plaza; the creation of pedestrian corridors; comprehensive site improvements for the property (together with the lands at 399 Ridout Street) consistent with specific Design Performance Measure; and, the removal of all surface parking areas at 399 Ridout Street North.

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Section 20.1 of Zoning By-law Z.-1 – General Purpose of the DA Zone – describes the rationale behind the DA zone variations. This section states that the DA Zone *“provides for and regulates the City’s most dominant and intensive commercial business area which serve the City and region. The permitted uses include a full range of commercial, service, and office uses with residential uses permitted above the first floor. Zone variations are established to emphasize the pedestrian-oriented shopping area and to regulate the scale of retail permitted.*

The primary difference between the DA1 Zone and the DA2 Zone variation is that the DA1 Zone is applied to main retail shopping area centred along Dundas and Richmond Streets. The DA2 Zone variation is applied to other peripheral areas of the Downtown and permits ground level office and residential uses”. The DA Zone variations both permit residential development to a maximum density of 350 units per hectare and a maximum height of 90 metres.

In accordance with the intent of the DA Zone variations as prescribed above, the proposed h-3*h-5*h-18*h-(*)*DA1*D350*H15*B-(_) Zone is appropriate in order to facilitate the development of a pedestrian-oriented mixed-use point tower building which includes active ground floor uses and residential uses above the first floor. The application of the DA1 Zone variation, as the base zone, requires residential units to be located above the first floor, which is desirable in this area of the Downtown.

The proposed Bonus Zone includes special setback and parking regulations. The special setback regulations serve to orient the development to the southeast corner of the site. The special parking regulations serve to consolidate all of the required parking for the uses at 399 Ridout Street North within the parking facilities at 50 King Street. This additional parking requirement will be incorporated into the Site Plan and Development Agreement for 50 King Street.

The Bonus Zone also allows for an increase in the maximum allowable height to 95 metres and the maximum allowable density to 750 units per hectare in return for building and site design elements which achieve many of the eligible bonus zoning features outlined in Section 19.4.4 of the Official Plan. The inclusion of such features results in a public benefit which would be difficult to achieve through the normal development process.

The h-3 holding provision requiring a wind impact assessment has been recommended on the base zone to ensure a wind impact assessment is carried out, should the applicant choose to forego the bonus zone and opt to change the development proposal and construct a building within the parameters of the base zone for which the wind impact has not been evaluated.

Noting the strategic location of the site and its importance to all Londoners, an h-5 holding provision is recommended requiring public site plan approval. To ensure that the development takes a form compatible with adjacent uses, agreements shall be entered into following public site plan review specifying the issues allowed under Section 41 of the *Planning Act* prior to the removal of the “h-5” symbol.

The subject lands have been identified in the Archaeological Master Plan as having a high potential for archaeological resources. The recommended h-18 holding provision ensures that the lands are assessed for the presence of archaeological resources prior to the removal of the “h-18” symbol and the development of the site.

The “h-(*)” holding provision is recommended to ensure the comprehensive development of the subject site together with adjacent lands to the north and the west for, but not limited to: publically accessible courtyard space; an urban plaza; an east-west pedestrian corridor that connects Ridout Street North to Ivey Park and the Forks of the Thames and that is further

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File: Z-8372
Planner: Brian Turcotte

integrated into the urban plaza; and, landscaping. The h-(_) would not be removed until a development agreement is entered into through the Site Plan Approval process that implements these site development features.

CONCLUSION

The recommendation for approval of the proposed Zoning By-law amendment has been supported by the foregoing planning analysis. The proposal has been evaluated in the context of the applicable land use policy and is supported by the objectives of the Provincial Policy Statement, 2014, and the City of London Official Plan which promote intensification, redevelopment and compact form in appropriate locations in order to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents. The recommended site specific bonus zone regulations will allow for an increase in the maximum allowable height to 95 metres and an increase in the maximum allowable density to 750 units per hectare in return for building and site elements which achieve a variety of eligible bonus zoning criteria outlined in Section 19.4.4 of the Official Plan, and which would be difficult to achieve through the normal development process or by way of the existing zoning permission on the subject lands the foregoing, the recommended amendments represent sound land use planning.

PREPARED BY:	SUBMITTED BY:
BRIAN TURCOTTE, SENIOR PLANNER CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 1

E-mail response Received June 19, 2014

*Mrs. Ilse Ansari,
1101 – 19 King Street
London, ON N6A 1B8*

June 19, 2014

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

Attention: Sean Meksula

Re: Application No. B.012/14. – 399 Ridout St N and 50 King St., London

Dear Mr. Meksula:

I am an Owner of a property at 1101-19 King Street, London.

I would like to know more about what kind of future Multi Use Building you are referring to in your Notice of Application Letter. What are the usage plans? What is the intension of this proposal?

Multi-family or Hi-rise would not be practical at all. The reasons being: With the two new hi-rises on the corner of Ridout and King, this has created traffic problems in addition to the Budweizer Gardens Centre. These buildings have added more traffic congestion and parking to the entire area. The traffic is so difficult, at the present time, at different hours of the day. We do not need more traffic. When there are activities the traffic is deplorable.

Any change, to the better, could be acceptable.

A hi-rise on a small piece of land would be unacceptable to us and the whole residences of 19 King Street, London.

Sincerely,

Ilse Ansari

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 2

E-mail response Received June 23, 2014

*Mrs. Ilse Ansari,
1101 – 19 King Street
London, ON N6A 1B8*

June 23, 2014

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

Attention: Mr. Brian Turcotte

Re: Z-8372 – 50 King Street, London

Dear Mr. Turcotte:

I am sending you this letter with regards to the possible amendment to change Zoning By-Law Z.-1 FROM a Community Facility (CF1) Zone and a Downtown Area (DA2*D350*H15) Zone TO a Holding Downtown Area Bonus (h-_DA1*D350*H90*B_) Zone to permit an expanded range of commercial, service, office, parking and residential uses (above the first floor) in a mixed-use building with a bonus zone which would allow for a maximum density of 900 units per hectare and a maximum height of 110 metres in return for the construction of a specified building design which provides for enhanced amenities and design features.

We understand that these lands are currently designed downtown in the Official Plan. Regardless of the designation, any change should have a Feasibility Study completed if this high density is feasible in this location. This location, so far, between the two hi rises on the corner of Ridout and King Street plus the Budweiser Garden activities it is creating hazardous and congested parking and traffic. To have another residential building with 900 units it is going to make life unbearable and miserable for the people living in this neighbourhood.

We wonder what kind of a plan is going to be done in reference to parking and traffic, which is already unbearable? To put such a high density building, what kind of recommendation are you going to put regarding the parking and traffic?

At this stage we oppose such high density structure in this small location.

We would like to receive any further progress on this proposal to help us to decide if we should appeal or not to appeal.

We would appreciate if you would put this objection on your files and we hope to receive further communication to know how this project is going to proceed.

Regards

Ilse Ansari.

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 3

E-mail response Received June 27, 2014

Mr Sean Meksula
Development and Compliance Services
City of London

Re Application B.012/14

Dear Mr. Meksula:

We wish to make some comments on the proposed development and application for rezoning at 50 King Street and register our opposition to the development *in its present form*.

The land in question is part of a block that is of considerable historical and cultural significance to the city of London and its residents. It is the link between downtown and the historic Forks, including Ivey Park. Indeed, the section of King Street in question is the ONLY pedestrian-friendly street that provides access to the Forks. (Both Dundas and Horton Street are multi-lane, high traffic arteries). We favour development of the property in question that would enhance the neighbourhood, and contribute to revitalization and beautification of the downtown core. It should create a "user-friendly" link between the business district and the wonderful parkland along the river, which is one of the City's treasures. Redevelopment of 50 King Street is a unique opportunity to make a huge contribution to revitalizing the city's core in a "people-friendly" way.

The proposed development fails to do this on many counts:

1. HERITAGE AND AESTHETICS: Any structure should blend with its surroundings and respect the historic adjacent buildings - an important part of London's heritage. This alone would dictate a major height restriction that precludes a high rise tower. Ivey Park and the Forks should not be blocked from downtown and kept in shade throughout the morning. The structure should "step down" towards the river providing a transition from the high rise towers to the East. It should not raise an even higher wall between the river and the city.
2. TRAFFIC: The proposed development would add unsupportable traffic demands to the King/Thames Street, which is a narrow, 2 lane road, much used by pedestrians, families with children and cyclists. The pedestrian-friendly atmosphere is underlined by the footbridge to Becher Street which links the west side neighbourhoods and river walks to downtown. This would be put at risk!
3. WIND EFFECTS: The section of King Street West of Talbot is already known as a "wind tunnel". Placing a high rise tower (over 100 metres?) diagonally opposite the existing Renaissance Tower at the intersection of Ridout and King would severely intensify the wind.
4. CONTRIBUTION TO DOWNTOWN REVITALIZATION: King Street should provide a pleasant pedestrian link between the business district and the Forks. It is the only street that can do this. The development should be a public space that anchors Ivey Park, the historic Court House and Museum London and transitions effectively toward the next section of King and Dundas. Public input into the use of this publicly owned land is needed. Careful design is also needed (a design competition?) to provide a structure that Londoners can be proud of. A high rise parking garage, office space and condos does not qualify.

Thank you for your consideration.

Dr. John Berry
Dr (Ms) Dean Berry

19 KING STREET - #901
LONDON, ON N6A 5N8
CANADA

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 4

E-mail response Received June 25, 2014

Attention: Sean Meksula, Planner 11, Development Services of Development and Compliance Services.

On behalf of the owners of MCC#158, 19 King Street, London we are writing to register an appeal of a decision of the London Consent Authority with regard to Application No.B.12/14.

We are concerned with this application for the following reasons:

The proposed 30 storey building would dwarf the nearby historical and culturally valuable buildings that are significant symbolic structures of London, the Middlesex Court House, the Historic Gaol and Museum London. Lower structures would be more likely to enhance the existing neighbourhood buildings rather than overpower them.

The congestion and traffic from a large building on this block would be a major hazard to children accessing Ivey Park and the splash pad.

The proposed 375 parking spaces while within the building would exceed the capabilities of King and Thames Streets. We recognize that an equal number of cars now use the parking spaces on the surrounding properties however they are used Monday to Friday 8:00am to 5:00pm. In the proposed plan these spaces would be used 24/7. Traffic on these small streets would be greatly increased and would constitute overuse in our view.

We wish to be notified of the decision of the London Consent Authority in respect to this application.

Dianne van Leeuwen

Secretary MCC#158

19 King Street

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 5

E-mail response Received July 9, 2014

Dear Mr Turcotte,

This is a revision of my E-mail to Sean Meksula, dated July 8, 2014, more completely describing my concerns with Middlesex County's development proposal for 50 King Street. **THE BUILDING HEIGHT.** A 110 metre building is too tall for this picturesque site containing the historic Courthouse Castle

and Gaol. It would create a visual barrier between the Forks of the Thames and the downtown area. Looking up from the the Thames, It would be an eyesore, stand out like a sore thumb and overpower and dwarf the Castle. In addition, the proposed building has a larger footprint than the present ML Health Unit and would destroy most of the existing beautiful setting. Obviously, the County is principally interested in maximizing revenue from the residential, commercial and increased parking facilities. However, the City would be wise to retain the relatively low-rise 3-block corridor between The Forks of The Thames and Richmond Street rather than end up with a concrete jungle like many cities.

A VAST SHADOW. Because the building would be so tall, as the sun rises it would cast a vast shadow over children playing at

the splash pad, then over the Courthouse and Gaol during the day and finally over the Budweiser Gardens when the sun starts to set.

THE COURTYARD/PLAZA. The proposed "courtyard" between the Courthouse and the new high-rise would necessitate cutting down more than a dozen trees, mainly evergreens, and destroy the park-like area that now exists. Talk about a concrete jungle!

FORMIDABLE WINDS. The almost daily formidable winds coming from the Thames valley will intensify the wind tunnel effect along

King Street. You have to experience this phenomenon personally to believe it!

TRAFFIC CONGESTION. The loading and vehicle access concept is illogical. Allowing service vehicles and moving vans to load and unload on King Street would obstruct pedestrian and vehicular access to The Forks. In addition, parking for 375 cars, plus any retained outdoor parking, would more than double traffic now exiting onto King Street and create impossible traffic congestion.

THE MID-BLOCK CORRIDOR. The proposed mid-block corridor running from the market to THE FORKS is badly conceived. Where are the pedestrians going to come from? People visiting THE FORKS or the splash pad expect to find parking on site.

PROPOSAL TOO VAGUE. Any redevelopment should not be done in isolation, but harmonize with the City's long-range plans for the area surrounding THE FORKS. There are too many unknowns to warrant amending the current by-law at this time. The County should first be asked to spell out, in detail, their future plans for the entire parcel of land they own. It's important for the City to maintain oversight to protect this beautiful and historic area for future generations.

Very truly
yours,

J.M.Kelly,

19 King Street, Unit 1201, London.

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 6

E-mail response Received July 27, 2014

To Whom it May Concern,

I would like further clarification on the proposed building for 50 King street. How many stories would it be? Currently, I am a resident of 330 Ridout St N. I own a condominium facing north. As such, I have limited exposure, given the presence of the Renaissance. If a high rise was built on 50 King Street, my enjoyment of my property would suffer substantially as I would no longer have sunlight in the evening, and would be unable to view the park. If I had known about this development, I would not have purchased a condominium with this exposure.

Thanks for your help,
Christine Nicholas

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 7

E-mail response Received July 24, 2014

Hello Brian,

I am writing to express my deep concerns with the proposed zoning by-law amendment for 50 King street. As a resident of the recently developed Renaissance II building, I currently enjoy an unobstructed view to the north-west that affords me afternoon sun on my deck and other benefits (like being able to see the fireworks on Canada day). The proposed development of a condo building at 50 King street will be extremely obtrusive, decreasing my overall enjoyment of my condo (and it's resale value). I humbly request that this application is denied for the negative impact it will have on the hundreds of tenants who purchased units in this building without any indication that the new development would be taking place.

Should you wish to discuss my concerns further, you may reach me at the number below.

Thank you and kind regards,

Naqaash Pirani

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 8

E-mail response Received July 22, 2014

Attention: BRIAN TURCOTTE

With regard to the change in the zoning by-law, affecting 50 King Street, as reported on your recent notice, I wish to be on record as opposing the change for the following reason:

- The proposed building will negatively affect the environment surrounding the park, including the general beauty of the area as well as the children play ground, Eldon House, Art Gallery.
- It will congest the traffic on the adjacent streets, even more than the already congested one.
- It will create additional parking problems.

Regards.

Bruno Tomassini
330 Ridout st
London.

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 9

E-mail response Received July 28, 2014

July 28, 2014

Re: File Number Z-8372, Subject Site 50 King St.

This letter is to express my opinion on the proposed zoning by-law amendment on the above property. I am a resident of the Renaissance II building at 330 Ridout St. N. We selected our unit on the northwest corner specifically because of the views it provided as depicted on photo boards and discussed in Tricar's sales office at the time of our purchase in spring of 2012. Aside from the personal loss and concern over property values being significantly affected, it would seem to affect the city's population as a whole by detracting from this significant area in London.

There was then, and continues to be, considerable attention being given to the Forks of the Thames revitalization with input from the public being sought, focus groups formed and artist renderings of potential plans for an urban beach, boardwalk, etc. with the intent of attracting more visitors and residents to this area and raising the city's profile.

It is unfortunate the Forks of the Thames is already flanked by two high-rise buildings to its south. The addition of the proposed high-rise condominium building at the Forks of the Thames has the potential to reduce sunlight to the lovely gardens and family splash pad currently there. I believe it is not in the best interests of the citizens of London to move forward with this plan as it stands, as this significant and historic landmark as well as the beautiful courthouse to its north, will forever be in the shadow (both figuratively and literally) of this looming tower. It is simply too large.

If you want to attract people downtown, consideration should be given to a smaller facility at this location that does not impede on the openness of the river with its height and that serves the needs and desires of all members of the public.

Laura Hill
330 Ridout St. N.

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 10

E-mail response Received July 28, 2014

July 28, 2014

Brian Turcotte
City of London
Planning Services
London Ontario

Re: Z-8372

To The City of London, Planning Services:

I wish to **object** to the proposed zoning changes regarding the community facility and a downtown area to a holding downtown area (h-DA1*D350*H90B) of commercial, service, office, parking and residential uses.

I currently reside at 330 Ridout St N, Unit 1801 and when I purchased this condominium, information was not disclosed as a possible change in zoning the adjacent building. I am concerned that this will affect my property value, as my beautiful view of the Forks of the Thames will be obstructed by a new building. This information would have certainly influenced my decision to purchase a condo in this location.

I wished to be informed of the public meeting regarding this rezoning as mentioned in the letter.

Thank you,
Denise Head

330 Ridout St. N, Unit 1801
London Ontario

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 11

E-mail response August 4, 2014

Dear Mr. Turcotte,

The Survey and Location maps I received from your planning staff seem too vague and lacking in sufficient detail for anyone involved to make an intelligent decision either to approve or disapprove of Middlesex County's proposals.

I believe the County should first be required to provide a single, comprehensive, aerial view map clearly depicting the following:

- (A) the areas owned by the City and the County differentiated with background colours.
- (B) the area to be severed for rezoning.
- (C) the area now occupied by the ML Health Unit, as well as the area to be occupied by the proposed new building
- (D) any outdoor parking spots the County plans to retain.
- (E) the County's plans for the 2 areas designated "proposed future development" Each of these areas is larger than either the Courthouse or the Gaol. The County should be asked to disclose all future plans for the severed land.
- (F) a metric scale so viewers can easily determine any dimensions that are not clearly marked.

I sincerely hope such a map will be forthcoming in the near future, so anyone involved will be better enabled to visualize the County's proposals for this area and its historic buildings.

Very truly yours,
J. M. Kelly,
19 King Street, Apt. 1201,
London, On.

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 12

E-mail response August 6, 2014

James & Margarita McCrave
810-330 Ridout St North
London ON, N6A 0A7

We purchased are condo apartment especially because of the great view of the north west landscape witch includes the historic old court house and water fountain at the fork of the Thames

We are totally against these changes to the Zoning By-Law and proposed building

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 13

E-mail response August 19, 2014

Dear Interim Mayor Baechler and
Council Members

Re: 50 King Street, London

In the very near future you will probably be asked to approve an amendment to the City’s zoning bylaw Z1 requested by the Corporation of the County of Middlesex, for the demolition of the existing Middlesex-London Health building at 50 King Street (corner of Ridout Street and King Street) and replacing it with a 30 storey, 110 metre skyscraper. Above the main floor designated “retail/restaurant” will be 3 floors for parking 375 cars, 5 floors for offices and 21 floors housing 200 residential units.

I am sending this email to outline several of the concerns I have regarding Middlesex County’s proposal for the redevelopment of this site.

The building would stand out like a sore thumb.

A 30 storey skyscraper is too tall for this picturesque site containing the historic Courthouse Castle and Gaol. Even a 20 storey high-rise would create a visual barrier between the Forks of the Thames and the downtown area. Looking up from the Thames, it would be an eyesore and overpower and dwarf the Castle. In addition the proposed building has a larger footprint than the present M.L. Health Unit and would destroy most of the existing beautiful setting. The City would be wise to retain the relatively low-rise 3 block corridor between the Forks of the Thames and Richmond Street rather than end up with a concrete jungle like many cities. There are many more suitable sites for high-rise development downtown that will become available as demand warrants.

A vast shadow would engulf the area.

The building would be so tall, as the sun rises it would cast a vast shadow over children playing at the splash pad, then over the Courthouse and Gaol during the day and finally over the Budweiser Gardens as the sun starts to set.

A Courtyard/Plaza would destroy the park like setting.

The proposed “courtyard” between the Courthouse and a new high-rise would necessitate cutting down more than two dozen trees and destroy the beautiful park-like area that now exists.

The wind tunnel effect would be intensified.

This development would intensify the already formidable winds coming up from the Thames valley and the existing wind tunnel effect along King Street. You have to experience this phenomenon personally to understand how dangerous it would become.

Traffic congestion would create bottlenecks.

The proposed loading and vehicle access concept is illogical. Allowing service vehicles and moving vans to load and unload on King Street would obstruct pedestrian and vehicular access to the Forks of the Thames and would pose serious safety concerns. In addition, parking for 375 cars, plus any retained outdoor parking, would more than triple traffic now exiting onto King Street and create impossible traffic congestion.

The proposed walkway will become an “alley-way”.

A mid-block corridor running from the market to The Forks is badly conceived and would become a vacant alley-way engulfed in shadow. People visiting The Forks or the splash pad will use the sidewalks or expect to find adequate parking on site.

The County’s future plans are too vague.

The County has designated 2 huge areas for “potential future development”. Each of these areas is larger than either the Courthouse or the Gaol. The County should be asked to detail their future plans for these areas because they would abut City property at the splash pad. The County should not have sole discretionary power over some vague future development in this area.

In addition to the concerns listed above, it is important to note that in the application for rezoning, planning policies state “any changes to the rezoning bylaw must conform to the policies of the official

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**File: Z-8372
Planner: Brian Turcotte**

plan- the long-range planning document”. Some of these policies and guidelines quoted below and taken directly from the wording in the draft plan for downtown London are as follows:

- (1) ...“create strong connections to the Thames River”...
- (2) ...“development contributes to a vibrant and walkable environment that enhances the city’s skyline”...
- (3) ...“integrate trees and landscaping at development sights”...
- (4) ...“parking structures shall not be allowed to have parking uses fronting onto downtown streets at grade level”...
- (5) ...“the evaluation of height will take into account, access to sunlight by adjacent properties, wind impacts, view corridors, visual impacts on the Thames Valley corridor and potential impact on public spaces and heritage properties located in close proximity. The design of new buildings in the downtown will not impact pedestrian comfort by introducing inappropriate wind turbulence and velocity. A wind assessment will be required for all projects”...

(For complete details read pages 199 to 205 in the Draft Plan for downtown London.)

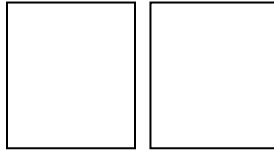
The County’s proposal for the redevelopment of this site violates almost every policy stated in the Draft Plan for the Future of Downtown London.

Considering these numerous violations it only seems prudent to disallow the County’s application to amend the current bylaw and thereby prevent any redevelopment as presently proposed.

It’s critically important, for future generations, to preserve the natural beauty of the Forks of the Thames and the surrounding historical areas. Keeping the public’s interest in mind, it’s incomprehensible that this proposal could be approved in its present form.

Sincerely
Murray and Ann Kelly
19 King Street
London, ON

cc-Michael Tomazincic, Sean Meksula, Brian Turcotte



File: Z-8372
Planner: Brian Turcotte

Attachment No. 14

Letter response July 15, 2014

PATTON CORMIER & ASSOCIATES
LAWYERS

Alan R. Patton, B.A., LL.B.
Elizabeth K. Cormier, B.A., LL.B.
Analee J.M. Ferreira, B.A., LL.B.

July 15, 2014
File No. **33525**
via email: bturcott@london.ca

The Corporation of the City of London
300 Dufferin Avenue
London, ON

Attention: **Brian Turcotte**

Re: **Zoning Bylaw Amendment Application City File: Z-8372, 50 King Street**
Applicant: The Corporation of the County of Middlesex

Patton Cormier & Associates is retained by numerous owners and residents of a condominium building municipally identified as 19 King Street with respect to the Application by the County of Middlesex to rezone property municipally identified as 50 King Street to a Holding Downtown Area Bonus Zone.

Our clients have numerous concerns regarding the proposed use and its intensity as applied for by the County of Middlesex. These concerns are contained in correspondence which our clients have already delivered to the City's Planning Department.

It is of importance that the property is, in conformity with the Official Plan, zoned Downtown Area (DA2) which permits a broad range of uses including "Places of Entertainment". A Place of Entertainment means a building used for the general purpose for providing entertainment and includes the use of an "Auditorium". The definition of Auditorium includes a range of uses including "Theatre". "Theatre" has itself a definition in the zoning by-law which means a "building or part thereof used for the presentation of the performing arts".

Important public uses exist in the immediate area of the subject property including Museum London; Budweiser Gardens; and Covent Garden Market. In addition, of course, the Forks of the Thames provide a variety of other existing, and planned, public features and facilities providing a wide range of recreational and social opportunities.

There are certainly public uses which can locate at 50 King Street which will be a significant addition to the cultural, social, and educational vitality of the City of London as well, of course, to the County of Middlesex and its constituent municipalities. Uses such as a Theatre for performing arts or a new location for the London Regional Children's Museum do not require the height and mass of a high density residential building of between 90 to 110 metres.

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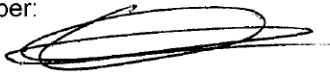
File: Z-8372
Planner: Brian Turcotte

Patton Cormier & Associates
File No. 33525
Page 2 of 2

If the County of Middlesex requires new office space for its meetings and its administrative staff, a building of appropriate height and mass can most certainly be achieved.

The Planning Department and City Council are aware that opportunities exist on designated and zoned properties elsewhere in the Downtown for high density residential development without adverse impacts on significant public properties, or on important views and vistas.

Yours truly
PATTON CORMIER & ASSOCIATES
per:



Alan R. Patton

ARP/ph

c.c. Clients

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 15

E-mail Letter response September 11, 2014

Mr. Turcotte

In mid August 2014 you received from Murray and Ann Kelly a list of detailed objections to the request by the Corporation of the County of Middlesex to build a very large and complex building at 50 King Street, London. I trust that, fulfilling your role as a representative of the London City Planning Division, you read that letter carefully and with awareness of the significance of the objections raised.

In the interest of brevity, and in the hope of actually getting your attention in this very important matter, we would like to add our voices to the Kelly's and the many others who are speaking out against this completely inappropriate project.

Thank you for your attention,

Terry Ellwood
Louise Richardson

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Terry Ellwood
502 - 19 King St. London ON N6A 5N8

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 16

E-mail Letter response September 14, 2014

Brian Turcotte:

We strongly object to the request for the zoning change by the County of Middlesex regarding 50 King St. (corner of Ridout and King). A 30 storey, 110 meter skyscraper goes against the policies of the official plan-the long range planning document. In fact the request for redevelopment of this site violates almost every policy stated in the draft plan for the future development of Downtown London in this area. (pages 199 to 205 in the draft plan).

The official plan MUST not be disregarded for London's future.

Beverly and Janet Earley
19 King St.
Unit 1001,
London, Ontario
N6A 5N8

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 17

E-mail Letter response September 12, 2014

Dear Mr Turcotte:

My wife and I live at 19 King Street, Suite 703, in London. We object in the strongest terms to the proposal by the County for a grotesquely-sized building on the Health Unit site.

We cannot have one of London's few heritage sites despoiled by this proposed monstrosity, which would cut off the Forks from the downtown, ruin the historic area of the Old Jail, Eldon House, Museum London and the restored Labatt buildings overlooking Harris Park. The damage to our historical district and the whole downtown "people" environment would destroy any hopes of our making this area a centrepiece of the London lifestyle of the future (as is outlined in.

We are in favour of downtown residential development, but there are plenty of nearby spaces which would be appropriate for high-rises. It is our opinion that the 50 King site is not appropriate for a building larger in footprint (and not much higher) than the present Health Unit building.

Yours sincerely, Trevor and Joan Smith

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 18

E-mail Letter response September 13, 2014

Dear Ms Bryant:

My wife Carolle Trembley and I moved to London 3 years ago to a downtown condo (19 King Street). We absolutely love it here and are enjoying our lives tremendously. Downtown London is vibrant and thoroughly wonderful.

Recently, though, I have learned that Middlesex County has come up with a plan to tear down the Middlesex County Health Building at 50 King Street and put up a 30+ story high-rise building there. I couldn't believe anyone was seriously thinking about such a thing, but I received some legal-looking documents about severances and zoning and whatnot(?) that confirm that at least someone in the county has plans like these. I *really* hope that doesn't happen.

I don't know if you have ever been on King Street, west of Ridout, during morning and afternoon rush hours. It is a very narrow street, and it is quite congested already. Add to this congestion the plans to put in 375 parking spaces, 200 residential units, and 4-5 floors of office and commercial space, and you can imagine what King Street would be like in the future with people trying to get to and from work. There simply is not space on the roadways to accommodate the additional traffic to and from this building without causing massive traffic congestion. Worse, the proposal suggests the building's loading and parking entrances would be on King Street, and that would make things even worse on the street (especially given that there are already often vehicles stopped or parked for loading in front of 21 King Street, across the street from 50 King) .

Congestion is not the only problem with this proposal. Another big one is Heritage. I know the building that is presently on the site is not a heritage building, but it looks nice there and it certainly does not detract from the original Middlesex County building (castle) and the old county jail. Imagine a 30+ story building at 50 King, and all the shade and shadows that will be cast over those two heritage buildings plus the Hussars Museum. And imagine the morning shadows cast over the parks at the Fork of the Thames and over the splashpads. The beauty of these heritage and parkland sites will be seriously compromised if this building is erected.

And the parking will likely be a problem, too. I honestly do not see how 375 parking spaces can service 200 residential units plus 4-5 floors of office and commercial space. We will almost surely have even more problems with people parking illegally along King Street and in our three guest parking places for our building.

While traffic, heritage, and parking issues are my primary concern, there are other issues, too. First, the 30+ story building would seriously detract from the gradual skyline that incorporates the Bud and the Market. Second, the proposal touts their plan to put a walkway from the Bud down to the parks at the Fork of the Thames, but that is just plain silly: there already is a perfectly decent walkway to those parks --- the sidewalk on the north side of King Street leading right to the pedestrian bridge over to the Prevost building. And third, as you may have already discovered yourself, the corner of King and Ridout is quite a wind tunnel. Some of the more senior people living in this area have at times had troubles crossing there as pedestrians because of the wind, and I worry that the problem would only be worse if the proposed high-rise tower is built.

Finally, let me suggest that if Middlesex County really needs more office space, there is quite a bit of space downtown. The Bell Building comes to mind, but there are plenty of other options, too.

Thank you and best regards,

John P. Palmer

19 King Street, #602

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 19

E-mail Letter response September 15, 2014

Dear Mr. Turcott,
I am a resident at 1713-71 King Street, London ON. I am very concerned about the re-development plans for 50 King Street since it is right next to the most significant heritage site in the city - The Middlesex County Courthouse. Please keep me informed about any action that the city is entertaining about changing this area.
Thank you.
Regards
Marsha Lemon
1713- 71 King Street
London ON N6A 0A5

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 19

E-mail Letter response September 15, 2014

Dear Brian,

Regarding 50 King Street, does there have to be a 110 metre limit on the height of the new building. With this special location and opportunity, should we not allow for an increased height so it stands out? Also, could the tower include some kind of observation deck for people to view the forks and the city? Lastly, can we make sure the design of this building is unique and a signature tower? London is crying out for a signature building and this is a great opportunity.

Many thanks,
Rob Dore
168 Belmont Drive

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 20

E-mail Letter response September 17, 2014

To: City of London, Planning Division
Attention: Brian Turcotte

A 30-story building at 50 King Street would be a blot on the London skyline.

At present there is an open sight line running from Richmond Street to the river and taking in the market, the arena, the old courthouse, the old jail, the museum and Eldon House. Such views should be expanded, not curtailed. People moan about Toronto cutting off views of the lake. We should not turn our backs on the Thames any more than we already have. Such a change would also seem to go against the concepts in the new Master Design Plan being developed for the core of the city. We need focus and a welcoming environment, not another big building.

The added traffic congestion on Thames and King would be a nightmare. As it is, snow, rain or a special event creates total chaos. In addition, the added pollution would be damaging for the trees in the park. Increased traffic would also cut down easy access to the park, especially for children going to the splash pad--build it and then make it hard to reach.

Finally, hopes for the success of such a project may well be too optimistic--take a look at the new building east on King and it's twin on York. They are not exactly overwhelmed with aspiring tenants. The same could be said for the new condo in Wortley village or the redeveloped shopping centres at Baseline and Wharnccliffe or Wellington and Commissioners.

The wind-tunnel effect on King Street would be made worse. I live at 19 King and I and others in the building have had trouble crossing the street on windy days--not exactly a safety feature.

In view of these major objections to the proposed changes, I should like to strongly object to the proposed rezoning and redevelopment of the property at 50 King Street.

Sincerely,
Adelaide Richter, 203 - 19 King Street, London, N6A 5N8

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 21

E-mail Letter response September 17, 2014

Hello Brian,

I am responding to your invitation to the planning meeting scheduled for September 17 regarding the proposed rezoning changes. I am a resident owner of a suite at the Renaissance 11 Condominiums at 330- Ridout Street North. My suite number is 2306.

With respect to the proposed planned changes I have no objection, on the contrary I welcome new development where the mix of residential and commercial/retail uses are being considered. We need development like this to build a quality residential base in the downtown core. Only then will we see other key support services and business expand into the downtown . We need to make the downtown core a viable walking city where access to critical business services, restaurants etc are within reach.

That is why we made the decision to move from the suburbs into the downtown core in anticipation that other development would be forthcoming and likewise encourage a continued renaissance of the downtown core.

Regards,

David Sanders

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 22

E-mail Letter response September 17, 2014

Dear Brian,

I just want to let you know, I am in favor for the proposal of the redevelopment zone at King Street area.

If you need any other comment from me, please do not hesitate to contact me.

Sincerely,

Jahiro Quiros

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 23

E-mail Letter response September 17, 2014

Brian,

I just spoke with Ms. Kathleen Van Alphen residing at 50 King Street

She expressed her opposition to the proposed development of 50 King for the following reasons:

- Traffic congestion that with additional retail, restaurant and residential uses at the subject site
- The potential for wind tunnel effect from the development of a 30-storey building on the subject lands
- The elimination of the park-like setting to be replaced with plaza space
- The dwarfing of the courthouse building by a 30-storey structure
- The potential for shadowing on the children playing at the splash pads

I indicated to Ms. Van Alphen that any development of this site for a 30-storey building would require a shadow study and a wind study. She responded by stating that her main concern is the potential for congestion with the intensification of this site, indicating that when events occur at the Budweiser Gardens the resulting congestion is significant.

Can you please add these comments to the file?

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File: Z-8372
 Planner: Brian Turcotte

Attachment No. 24

Letter response September 17, 2014

17 September 2014

Judy Bryant,
 Councillor, Ward 13,
 City of London
 300 Dufferin Avenue,
 London, N6B 1Z2

Dear Ms. Bryant:

I am writing you, as our councilor, in regard to the proposed redevelopment of 50 King Street (in Ward 13) as proposed by the Middlesex County Council to the City. On June 27, 2014 I sent a letter to the city, directed to Mr. Brian Turcotte, expressing serious reservations, indeed objections, re the proposed development. I regret that business takes me out of town for the Sept. 17th meeting on this matter. The objections in my letter of June 17 were, essentially, the following:

1. HERITAGE AND AESTHETICS: Any structure should blend with its surroundings and respect the historic adjacent buildings - an important part of London's heritage. This alone would dictate a major height restriction that precludes a high rise tower. Ivey Park and the Forks should not be blocked from downtown and kept in shade throughout the morning. The structure should "step down" towards the river providing a transition from the high rise towers to the East. It should not raise an even higher wall between the river and the city.
2. TRAFFIC: The proposed development would add unsupportable traffic demands to the King/Thames Street, which is a narrow, 2 lane road, much used by pedestrians, families with children and cyclists. The pedestrian-friendly atmosphere is underlined by the footbridge to Becher Street which links the west side neighbourhoods and river walks to downtown. This would be put at risk!
3. WIND EFFECTS: The section of King Street West of Talbot is already known as a "wind tunnel". Placing a high rise tower (over 100 metres?) diagonally opposite the existing Renaissance Tower at the intersection of Ridout and King would severely intensify the wind.
4. CONTRIBUTION TO DOWNTOWN REVITALIZATION: King Street should provide a pleasant pedestrian link between the business district and the Forks. It is the only street that can do this. The development should be a public space that anchors Ivey Park, the historic Court House and Museum London and transitions effectively toward the next section of King and Dundas. Public input into the use of this publicly owned land is needed. Careful design is also needed (a design competition?) to provide a structure that Londoners can be proud of. A high rise parking garage, office space and condos does not qualify.

Since then I have been able to study in detail the County's proposal: "Justification Report for 50 King Street" dated April 30, 2014. Far from allaying concerns such as those listed above, this report presents a design concept that goes far beyond our worst fears and reflects the worst aspects of 1970's urban planning that would create a "tombstone" blocking off the parklands along the river from the downtown core.

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**File: Z-8372
Planner: Brian Turcotte**

The proposed “phase 1” would more than double the footprint of the existing structure. Two additional phases are envisaged that would remove even more space from the current open area, but no details are provided. The “mid block connection” {mapped on page 13 of the report} would be a narrow alley way where now there is parkland. It would become another concrete wasteland in permanent shadow much like the unused pedestrian corridor behind the Dundas Street Court House (another failed attempt at urban renewal). In any case, as a resident in the neighborhood I can attest with certainty that access to Ivey Park and the Thames River Trail system by pedestrians, joggers, mothers with strollers and cyclists is NOT off Ridout Street between the old Courthouse and 50 King, but overwhelmingly along King Street itself, a relatively quiet 2 lane road complete with cycle lanes.

The other three access roads: Dundas, York and Ridout are all multi-lane thoroughfares that carry heavy traffic and are NOT pedestrian friendly. Plans to use King Street as the parking entrance and for all “Back House Functions” [page 17 of the report] would seriously damage the last pedestrian friendly access to Ivey Park and the Forks by turning King Street into a high traffic service road where now we have the gateway to the Forks!

Two other points: First, the “shadow diagrams” on page 15 are meaningless without taking into account the seasonal variation in the sun’s path, and without looking at the impact on the splash pad and Ivey Park.

Second, the entire design sections 2.0 to 6.0 warrant very careful review. They include many statements of good intentions, but most detail is lacking and where detail is present it usually is quite counter to a people friendly civic space.

There are numerous other problems with the proposal, which time and again claims good intentions to be consistent with City plans for downtown revitalization, but gives little detail; and where detail is supplied runs contrary to the spirit and letter of existing city planning documents:

- The Bicycle Master Plan;
- The London Parks and Recreation Strategic Master Plan;
- London's Cultural Prosperity Plan and Profile; and most importantly
- The Draft Downtown Master Plan.

With regard to the Downtown Master Plan, we strongly support action 2: “Reconnect with the Thames River”. It is critically important, however, that this be done in a people-friendly way that respects the environment and heritage of this historic area. A 30 story tombstone, a memorial to a lost opportunity and a failed vision for London is NOT the way to proceed.

I do urge you and your colleagues to review the proposal very carefully in the context of those earlier plans and visions that have been generated through extensive consultation and which, if

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File: Z-8372
Planner: Brian Turcotte

implemented, could lead to a dynamic and exciting urban core for London., and which the present proposal would seriously sabotage!!!

Sincerely,



Dr John Berry
Dr. Dean B Berry

Original sent by post and copy by e-mail
cc. by e-mail:
Brian Turcotte, City of London Planning Division
All City Councillors and Acting Mayor

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 25

**Letter response September 17, 2014
(Reproduced from a hand delivered letter of September 17th, 2014)**

Susan G Schram
201-19 King Street
London, ON N6A 5N8

City of London Planning Division
Attn. Brian Turcotte

Dear Sir

Re: the attached [Notice of Community Information Meeting]

NO! NO! I object! There will be bottlenecks, visual blockages, no sunlight, [and] the ruination of park-like settings

You won't be able to see the beauty of the old court house or the jail. The splash pad will be in shadows.

NO! NO! I object!

Sincerely

Susan Schram

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 26

E-mail response September 19, 2014

From: Bruno Tomassini
Sent: Friday, September 19, 2014 4:20 PM
To: Griffiths, Ashleigh
Subject: RE: 50 King St

My concerns, in addition to the ones expressed by the people of Reinassance, is that developer has presented a "concept" building. Once the change in land use has been approved there is no guarantee that the builder will carry out the concept. In addition the area is already high density and we don't need to spoil a beautiful of downtown piece with another high rise monster. If anything I would suggest that an art building that would also house the London Orchestra would be more suitable alternative, or a new City Hall..

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 27

E-mail response July 1, 2014

Ms. Bryant,

My wife and I live in a downtown condo near 50 King Street, the proposed site of a 30+ story high-rise building. I would like to suggest strongly to all the London officials and/or elected people who would have to approve this plan that it is a seriously flawed concept for the following reasons.

King Street west of Ridout Street, the location of this new building, is a narrow and already seriously congested street during rush hours. The traffic generated by workers and residents in the proposed building will make a barely tolerable traffic situation completely unworkable for the current users of the street and for the new users generated by 50 King.

Parking will also become a serious issue. The 375 proposed new parking spots at 50 King cannot possibly adequately meet the needs of 200 residential units who will require 2 parking spaces per unit and the parking needs of the proposed 4-5 floors of office workers. This is bound to create an increase in illegal parking both in public and private spaces and cause frustration and inconvenience for all concerned.

The appearance of the new building will seriously erode the current pleasant ambiance of the river forks area created by the current Middlesex County building (the castle), the old county jail and the Hussars Museum set on the river near the parks and paths. The visual impact of a 30 story building, to say nothing of the morning shadows cast on the parks and recreation areas, will detract from the attractiveness and utility that the area now enjoys.

If you consider traffic, parking and the landscape of Forks of the Thames area I hope that you will agree that the proposed structure is a very bad idea and should be rejected.

Terry Ellwood

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Terry Ellwood
502 - 19 King St. London ON N6A 5N8

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 28

E-mail response September 17, 2014

Hello Brian,

I am responding to your invitation to the planning meeting scheduled for September 17 regarding the proposed rezoning changes. I am a resident owner of a suite at the Renaissance 11 Condominiums at 330- Ridout Street North. My suite number is 2306.

With respect to the proposed planned changes I have no objection, on the contrary I welcome new development where the mix of residential and commercial/retail uses are being considered. We need development like this to build a quality residential base in the downtown core. Only then will we see other key support services and business expand into the downtown . We need to make the downtown core a viable walking city where access to critical business services, restaurants etc are within reach.

That is why we made the decision to move from the suburbs into the downtown core in anticipation that other development would be forthcoming and likewise encourage a continued renaissance of the downtown core.

Regards,

David Sanders

Two empty rectangular boxes for agenda item and page numbers.

File: Z-8372
Planner: Brian Turcotte

Attachment No. 29

E-mail response September 19, 2014

Dear Brian, et al.:

I have not had a chance to study the entire "Justification Report" for the proposed zoning change for 50 King Street, but I was immediately struck by the implausibility of the shadow/sunlight study in it. Here are some comments I have posted about that portion of the report:

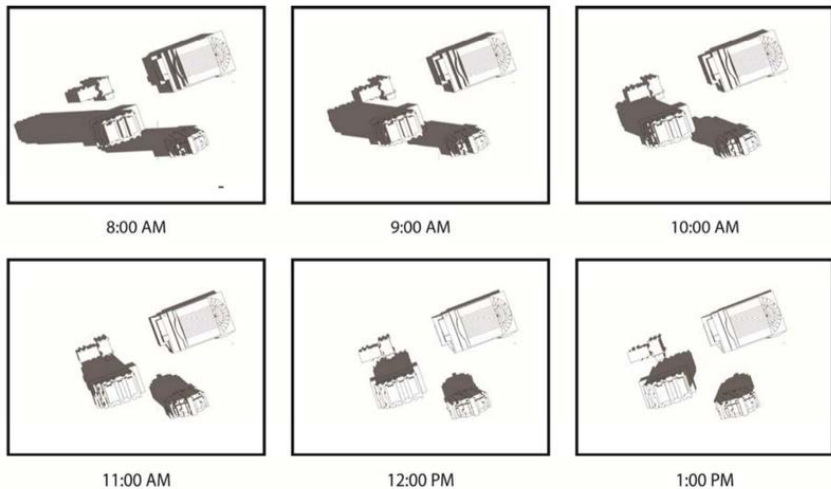
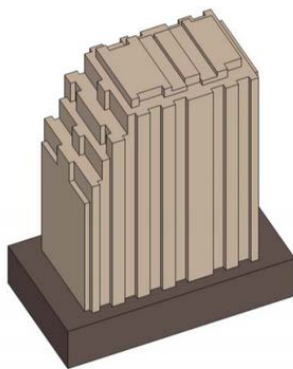
Duplicitous Consulting and Planning? In Local Gubmnt?
"say it ain't so, Joe"

I have recently looked at the proposed "Justification Report" the county has prepared to justify their putting a 30-story building where the current Middlesex County Health building is at Ridout and King Street in London, Ontario.

Not only will the building take up and block a LOT of park space and add seriously to traffic congestion problems, but I have to wonder how purposely duplicitous they were being with their shadow/sunlight study.

Their diagrams show that a 30-story building would cast NO shadow over the heritage Middlesex Courthouse which is only about 60 feet to the north of the proposed building. They must have estimated that result for June 21 or something, when the sun is highest in the sky. Clearly other times of the year the proposed building would frequently cover the old Middlesex Courthouse and its surrounding land in shadows, detracting seriously from the light which helps make the old courthouse such an intriguing and beautiful sight.

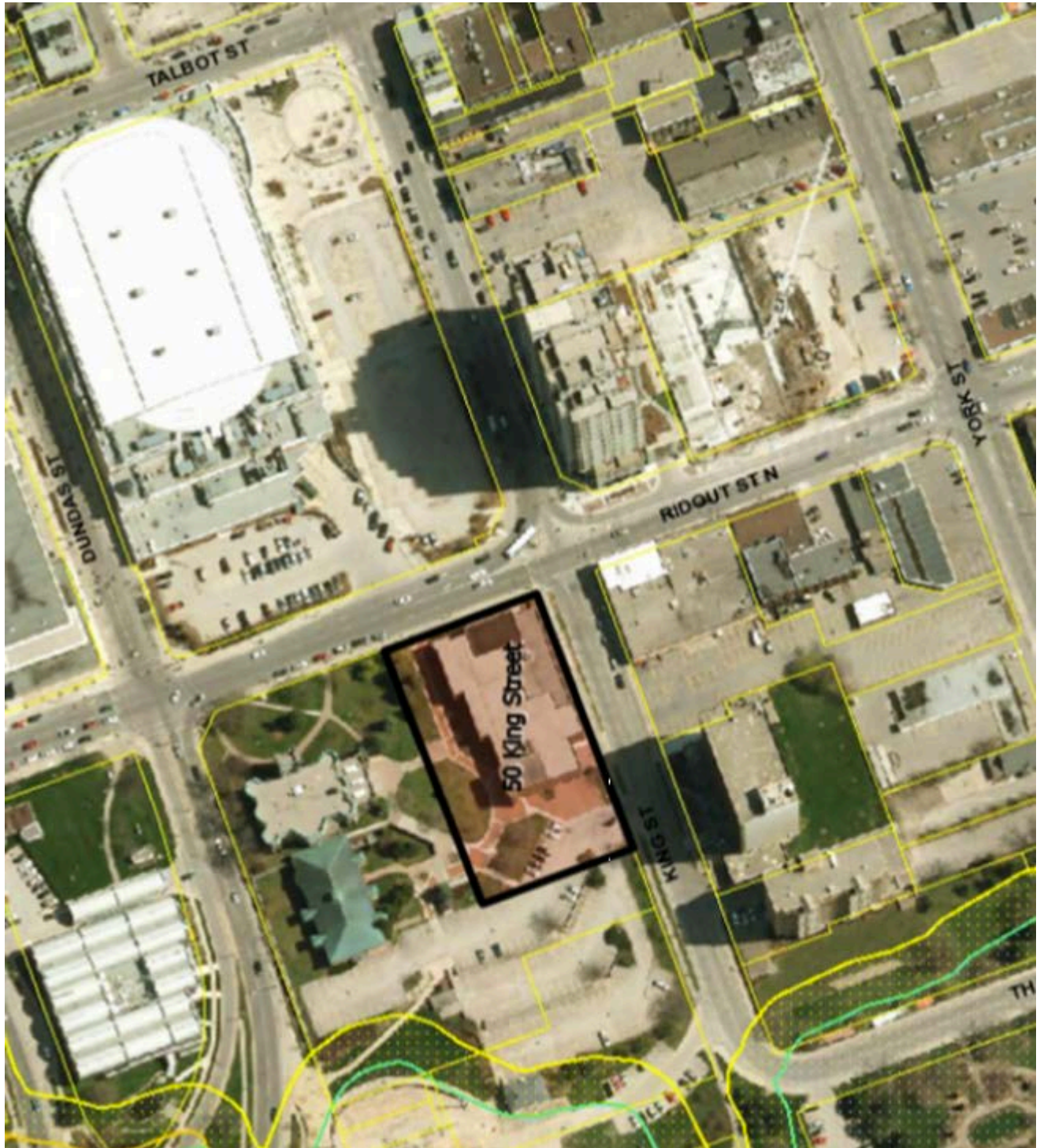
Here is the diagram:



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File: Z-8372
Planner: Brian Turcotte

Now look at this aerial photo which appears in that same report. The shadow cast by the north Renaissance tower (shown in the lower right of each of the above drawings), which is only about 20 stories, would clearly reach and cover the old Middlesex Courthouse if it were located on the orange rectangle of the proposed tower. It reaches all the way to "The Bud", not halfway, as is shown in those above diagrams.



I don't want to go overboard, but it looks as if the planners who did that shadow diagram were either seriously mistaken or intentionally misleading. Whatever the explanation, their credibility here (and likely throughout the report) must be questioned.

If nothing else, this portion of that report must be challenged.

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**File: Z-8372
Planner: Brian Turcotte**

Attachment No. 30

E-mail response September 19, 2014

Brian:

We recognize that re-zoning will happen but we have concerns with the proposed application.

The stated density of 900 units/hectare exceeds anything presently in the area (present maximum is 785). The 785 should not be exceeded.

The proposed height of 110 m or even 90 m is too tall. The December 2011 Thames Corridor Report recommends a tapering of heights. Based on the present height of the closest building, Renaissance I, a maximum of 70 m would be more appropriate.

Our final concern is traffic volume. Existing traffic at Ridout & King is quite congested at times. Adding 350 parking spaces without at a minimum a re-design of King west of Ridout and Thames from York to King would exacerbate the problem.

Brenda and Brian Hodgert

701 – 330 Ridout St.

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File: Z-8372
Planner: Brian Turcotte

Attachment No. 31

E-mail response September 19, 2014

Dear Ms Bryant:

My wife Carolle Trembley and I moved to London 3 years ago to a downtown condo (19 King Street). We absolutely love it here and are enjoying our lives tremendously. Downtown London is vibrant and thoroughly wonderful.

Recently, though, I have learned that Middlesex County has come up with a plan to tear down the Middlesex County Health Building at 50 King Street and put up a 30+ story high-rise building there. I couldn't believe anyone was seriously thinking about such a thing, but I received some legal-looking documents about severances and zoning and whatnot(?) that confirm that at least someone in the county has plans like these. I *really* hope that doesn't happen.

I don't know if you have ever been on King Street, west of Ridout, during morning and afternoon rush hours. It is a very narrow street, and it is quite congested already. Add to this congestion the plans to put in 375 parking spaces, 200 residential units, and 4-5 floors of office and commercial space, and you can imagine what King Street would be like in the future with people trying to get to and from work. There simply is not space on the roadways to accommodate the additional traffic to and from this building without causing massive traffic congestion. Worse, the proposal suggests the building's loading and parking entrances would be on King Street, and that would make things even worse on the street (especially given that there are already often vehicles stopped or parked for loading in front of 21 King Street, across the street from 50 King) .

Congestion is not the only problem with this proposal. Another big one is Heritage. I know the building that is presently on the site is not a heritage building, but it looks nice there and it certainly does not detract from the original Middlesex County building (castle) and the old county jail. Imagine a 30+ story building at 50 King, and all the shade and shadows that will be cast over those two heritage buildings plus the Hussars Museum. And imagine the morning shadows cast over the parks at the Fork of the Thames and over the splashpads. The beauty of these heritage and parkland sites will be seriously compromised if this building is erected.

And the parking will likely be a problem, too. I honestly do not see how 375 parking spaces can service 200 residential units plus 4-5 floors of office and commercial space. We will almost surely have even more problems with people parking illegally along King Street and in our three guest parking places for our building.

While traffic, heritage, and parking issues are my primary concern, there are other issues, too. First, the 30+story building would seriously detract from the gradual skyline that incorporates the Bud and the Market. Second, the proposal touts their plan to put a walkway from the Bud down to the parks at the Fork of the Thames, but that is just plain silly: there already is a perfectly decent walkway to those parks --- the sidewalk on the north side of King Street leading right to the pedestrian bridge over to the Prevost building. And third, as you may have already discovered yourself, the corner of King and Ridout is quite a wind tunnel. Some of the more senior people living in this area have at times had troubles crossing there as pedestrians because of the wind, and I worry that the problem would only be worse if the proposed high-rise tower is built.

Finally, let me suggest that if Middlesex County really needs more office space, there is quite a bit of space downtown. The Bell Building comes to mind, but there are plenty of other options, too.

Thank you and best regards,
John P. Palmer
19 King Street, #602

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File: Z-8372
Planner: Brian Turcotte

**Bibliography of Information and Materials
Z-8372**

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, April 30, 2014.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

City of London Transportation Master Plan, May 2013

City of London Downtown Design Guidelines, 1991

City of London Downtown London Heritage Conservation District Plan,

City of London Draft Approved Downtown Master Plan

City of London Thames Valley Corridor

Correspondence: (all located in City of London File No. Z-8372)

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**File: Z-8372
Planner: Brian Turcotte**

Appendix “A”

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. Z.-1-14_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 50 King Street.

WHEREAS the Corporation of the County of Middlesex has applied to rezone an area of land located at 50 King Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 50 King Street, as shown on the attached map comprising part of Key Map No. A 107, from a Community Facility/Downtown Area (CF1/DA2•D350•H15) Zone to a Holding Downtown Area Bonus (h-3•h-5•h-18•h-(*)•DA1•D350•H15•B-()) Zone.

1) Section Number 3.8 of the Holding “h” Zones to By-law No. Z.-1 is amended by adding the new holding provision:

h-(*) Purpose: To ensure the comprehensive development of the subject site together with adjacent lands to the north and west including, but not limited to: publicly accessible courtyard space; an urban plaza in the rear yard (west yard) to facilitate a north-south pedestrian connection; an east-west pedestrian corridor that connects Ridout Street North to Ivey Park and the Forks of the Thames that is integrated with the urban plaza located in the rear yard; and landscaping, the h-(*) shall not be removed until a development agreement is entered into through the Site Plan Approval process that implements these site development features.

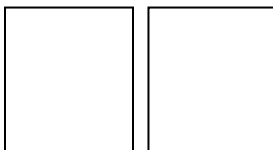
Permitted Interim Uses: existing uses.

2) Section Number 4.3 (Bonus Zones) of the General Provisions to By-law No. Z.-1 is amended by adding the following Site Specific Bonus Provision:

4.3(4) B-() 50 King Street

This bonus zone is intended to facilitate a development design which includes a 95 metre mixed-use apartment building with commercial/retail/restaurant and entertainment uses; office space and residential units, which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:

- A point tower building design that is developed comprehensively with the surrounding lands in a manner that implements on-site and off-site improvements consistent with the Design Performance Measures attached hereto as Schedule “1” of the amending by-law and includes an architecturally differentiated base, middle, and top:
 - With the base of the building, not exceeding 4-storeys in height, positioned at the southeast corner of the property; incorporating architectural detail which creates a prominence on the west building face (facing the Forks of the Thames) and the King Street building face articulated with design elements, as required by the Design Performance Measures; with clear, transparent glazing comprising a minimum of 60% of the length of each building face at grade, accommodating active uses fronting the western building face and the King Street face;



File: Z-8372

Planner: Brian Turcotte

- With the middle, consisting of the portion of the building beginning at the top of the base, stepped back a minimum of 6 metres from the base (including balconies) on the north side and 3 metres from the base (including balconies) on all other sides; generally positioned on the southeast corner of the property; with a maximum floor plate of 2,000m² up to 10-storeys in height from grade and a maximum floor plate of 1,000m² above 10-storeys from grade to minimize the shadow and view impacts while allowing for maximum natural light and visually reducing the scale of the building;
- With a top, consisting of the portion of the building above the middle, that includes a sculpted roof form on the top of the building that encloses all rooftop mechanical and elevator equipment;
- The provision and consolidation of all parking for the uses at 399 Ridout Street North (Historic Middlesex County Building) together with all the required parking for the uses at 50 King Street incorporated within the building structure below grade and/or above the street level;
- The provision of public art in a manner that is consistent with the City of London Public Art Program;
- The incorporation of an urban plaza in the rear yard (west yard) to facilitate a north-south pedestrian connection that provides usable public entrances, patios and other animated elements fronting onto the plaza;
- The creation of an east-west pedestrian corridor across the property and/or on the lands at 399 Ridout Street North (Historic Middlesex County Building), that connects Ridout Street North to Ivey Park and the Forks of the Thames River, that is integrated with the urban plaza located in the rear yard (west yard) of the property;
- A Site Plan and Development Agreement for comprehensive site improvements for the property together with the lands at 399 Ridout Street North (Historic Middlesex County Building), consistent with the Design Performance Measures, including the creation of a high-quality, publicly accessible courtyard space south of the Historic Middlesex County Building and north of the subject building, integrating usable public entrances, patios, and other animating elements fronting onto the courtyard; and
- A Site Plan and Development Agreement for the removal of all surface parking area on the lands at 399 Ridout Street North (Historic Middlesex County Building) and 50 King Street, and the replacement of all surface parking materials with landscaped open space that is accessible to the public and consistent with the Design Performance Measures attached to this amending by-law. The site plan will show that the landscaped open space will remain on an interim basis until such time as these lands are developed for alternative purposes at a future date.

The following regulations apply within the bonus zone:

Regulations:

i) Height (Maximum)	95 metres	(361 feet)
ii) Density (Maximum)	750 uph	(304 units per acre)
iii) Front Yard Depth (Maximum)	1.0 metre	(3.3 feet)
iv) Exterior Side Yard depth (Maximum)	1.0 metre	(3.3 feet)
v) Interior Side Yard Depth (Minimum)	16.0 metres	(59.1 feet)

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**File: Z-8372
Planner: Brian Turcotte**

vi) Rear Yard (west) Depth (Minimum)	22.0 metres (82.0 feet)
vii) Parking Requirements for all Office uses (Minimum)	1 space per 45m ² (484 sq.ft.)
viii) Parking Requirements for all non-Office uses (Minimum)	0 spaces
ix) Additional Parking Requirements (Minimum)	All required parking for the uses at 399 Ridout Street North (Historic Middlesex County Building) will be incorporated within the parking facilities of 50 King Street. This additional parking requirement will be incorporated into the Site Plan and Development Agreement for 50 King Street

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on October 14, 2014.

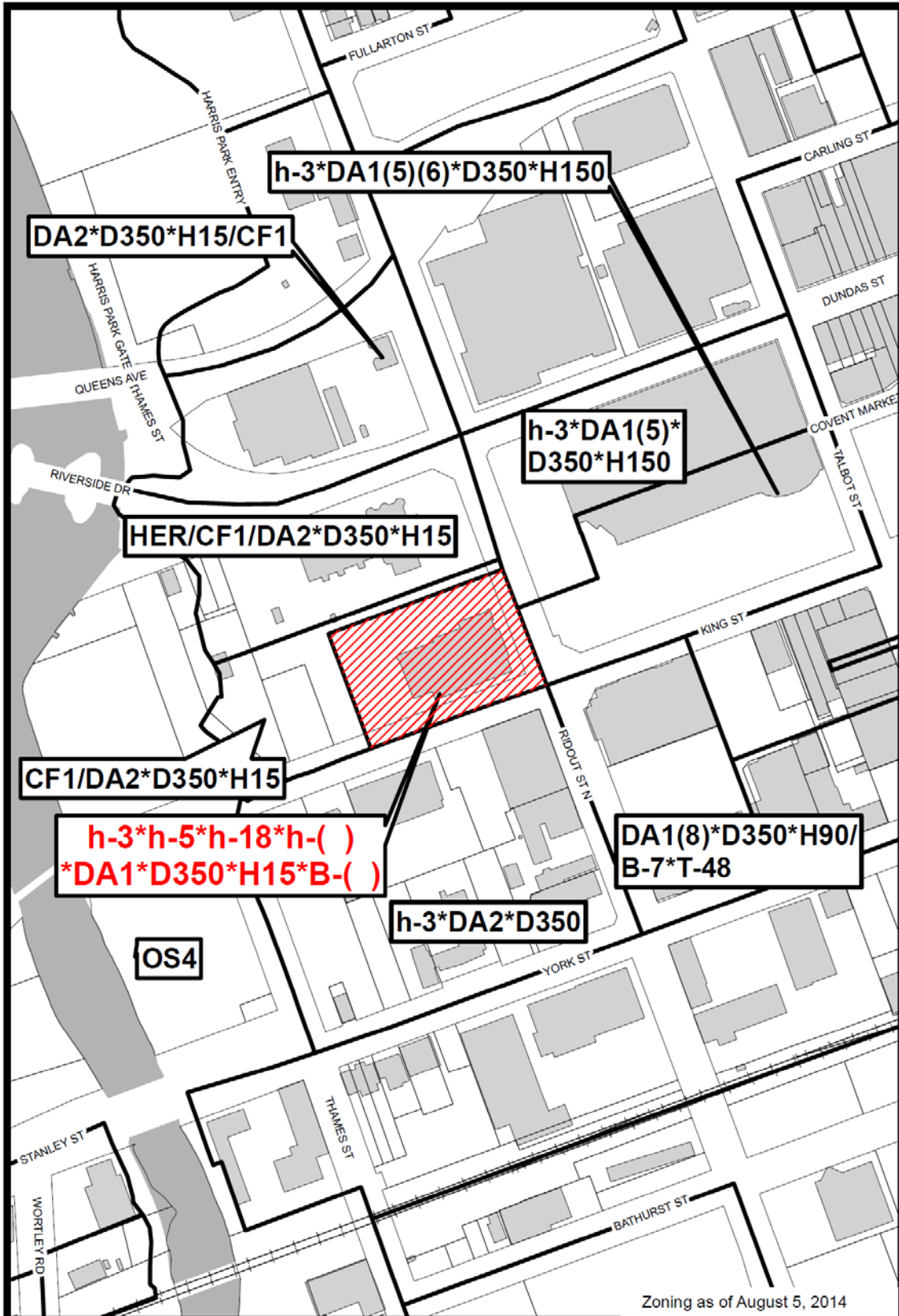
J. Baechler
Mayor

Catharine Saunders
City Clerk

First Reading – October 14, 2014
Second Reading – October 14, 2014
Third Reading – October 14, 2014


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AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of August 5, 2014

File Number: Z-8372
 Planner: BT
 Date Prepared: 2014/09/08
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100
 Meters





Middlesex County Lands

Design Performance Measures

Prepared by City of London
Zoning By-law Amendment
8372Z October 2014

Schedule "1"

Schedule “1”

Introduction

The subject site is located within the Forks of the Thames River Precinct and is a landmark site in Downtown London, close to Budweiser Gardens, the historic Middlesex County building, the Forks of the Thames River and the Covent Garden Market. The site’s proximity to the Forks of the Thames and associated open spaces presents a unique opportunity to reconnect the Downtown to the Thames River.

The historic Middlesex County building, a provincially and municipally designated heritage building, is located to the north of the subject site. Additionally, the proposed development is separated from this

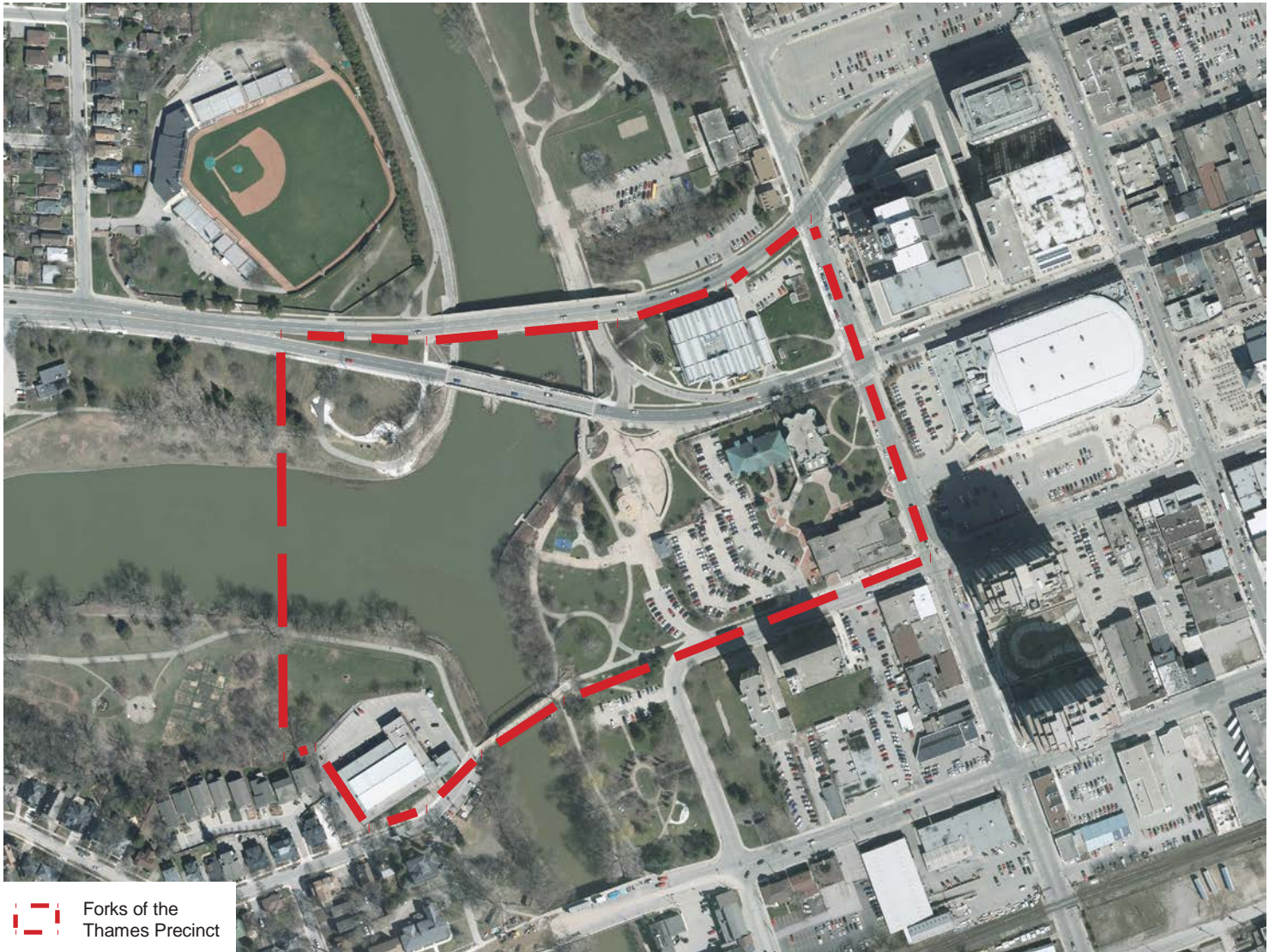
historic building with a semi-public courtyard/plaza.

These performance measures were prepared to establish a framework for the redevelopment of the subject site and to ensure that any future opportunities within the Forks of the Thames River Precinct complies with the urban design principles established during the consultation process.

This document assumes future potential redevelopment within the Precinct will happen in phases, with the first phase being the demolition of the existing building on the

southeast corner of the Precinct, and construction of a mixed-use high-rise building on the subject site. Future phases could consist of the redevelopment of the existing surface and structured parking to the west of the subject site as well as any surrounding open spaces within the larger Forks of the Thames precinct.

The future detailed design of the site and any proposed built form and landscape design in the Precinct is to generally conform with these design objectives. These performance measures shall be implemented through the Site Plan Review process.



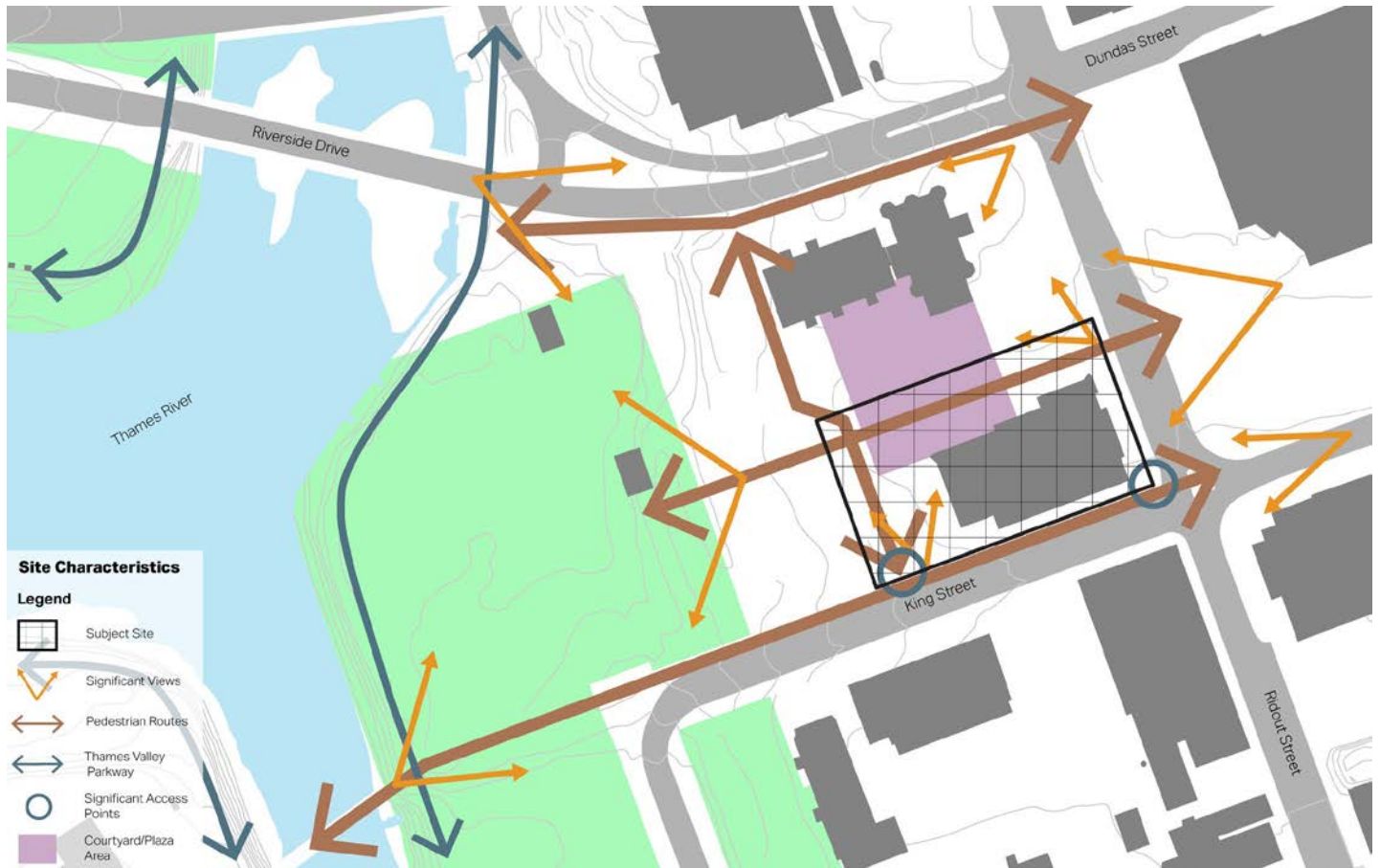
Site Design Analysis

The subject site is a landmark location in Downtown London. The Figure 1 identifies the main site characteristics that are to inform the overall future design of the built form on the subject site and adjacent lands within the Forks of the Thames Precinct. This site contains a variety significant views both to the Thames River and the historic Middlesex County building. Additionally, there are various pedestrian routes that traverse the subject site and the surrounding area that have the potential of better connecting the Forks of the Thames to Downtown London. There are also, significant gateway or entry points associated with the subject site and the adjacent lands. These entry points need to be reflected in both the built form and landscape design.

Overall, the following design objectives for the subject site will assist in integrating the future built form and landscape design with the larger Forks of the Thames precinct. It is through these measures that any future development will provide a positive interface with the River environs, the adjacent heritage resources and Downtown streetscapes.

Design Objectives:

1. Ensure the development on the subject site integrates with the larger Forks of the Thames Precinct;
2. Through built form design, enhance views and vistas of the surrounding heritage resources and the Thames River;
3. Ensure that a pedestrian circulation network is provided and enhanced through the site to connect with routes in the larger Forks of the Thames precinct;
4. Develop a design solution that provides active edges to all facades of the future built form with an emphasis on the portions of the building exposed to the Thames River;
5. Ensure the future built form contributes to a pedestrian scale streetscape and an attractive city skyline; and,
6. Design a pedestrian focused development that minimises the impact of vehicles and parking.



Schedule "1"

Site Organisation

1. Maintain significant public views from public rights-of-way, public spaces and semi-public spaces to the historic Middlesex County building and the Thames River.
2. Maintain an unobstructed east-west pedestrian corridor which connects Covent Garden Market and the Thames River.
3. Ensure that development steps down / terraces from the Ridout Street grade to the Thames River, including built form and outdoor public spaces.
4. As any potential future development across the entire land holdings of the County will occur in phases, the development of the subject site shall be designed to integrate with future phases so as not to preclude any development of those future phases.
5. Landscape design is to focus on increasing and maintaining visibility of heritage resources and to make use of historic materials in sidewalks, pathways and boulevards to improve the overall pedestrian experience.
6. Create a high quality publicly accessible courtyard/plaza space between the subject site and the Middlesex Courthouse building that includes areas for deliberate programming and patios.
7. Create a high quality north-south pedestrian link between and King Street and Riverside Drive/Ridout Street. This connection is to run on the westerly portion of the subject site.
8. Ensure that the proposed development is oriented (ie. front facing) at grade towards the Thames River and provides a high quality building design for all facades visible from the River.



Schedule “1”

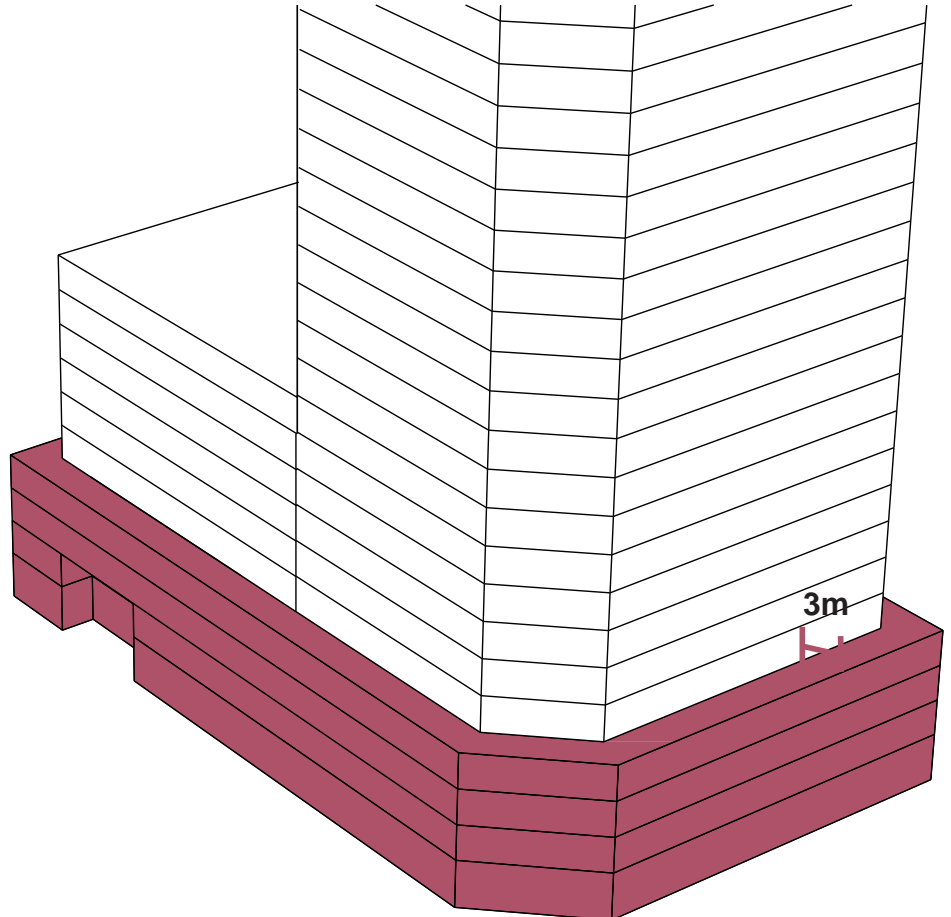
Built Form

In keeping with the prominence and importance of this location, development should be designed to have a significant positive impact on the aesthetic of the Forks of the Thames, and the character and identity of the City of London and its skyline. The following are general performance standards for building design:

1. The built form (base, middle and top) shall be located towards the southeast portion of the site. This will allow for the appropriate transition in height from that corner to both the Thames River and the historic Middlesex County building with the proposed development for the subject site.
2. Variation in the design and articulation of each façade is important to provide visual interest.
3. Apply quality durable materials and finishes to external walls.
4. A diversity of materials is to be used to break down the massing of the built form. These are to include materials such as transparent glazing and masonry construction to give the effect of a lighter building form or less imposing building mass overlooking the Thames River. A preponderance of concrete for external building material/finish will be discouraged.
5. Incorporate “green building” technology in the design, siting and construction of the building.

Base

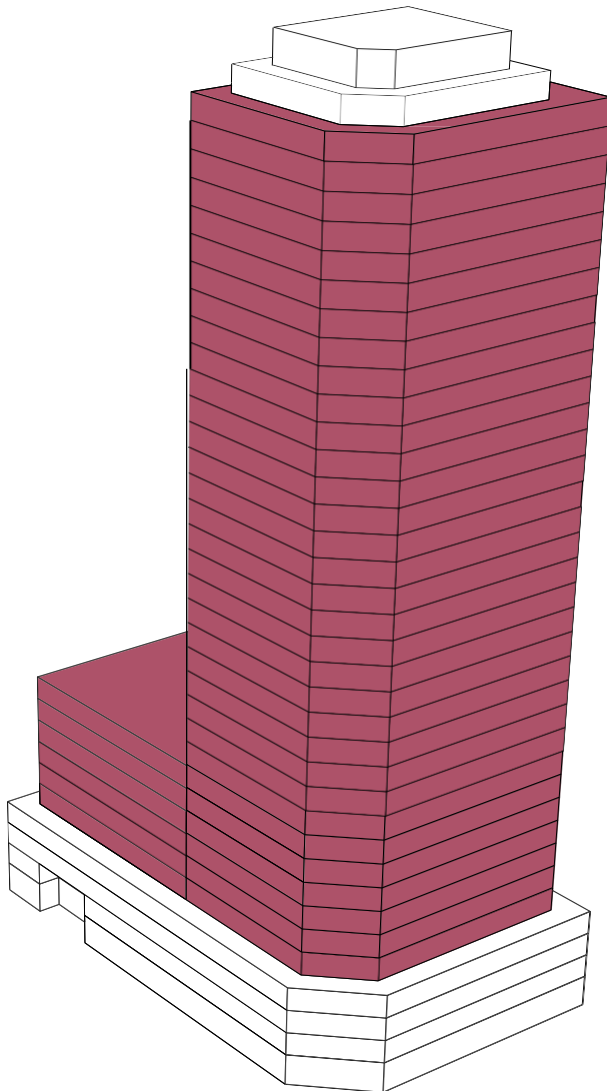
1. The building base shall be the primary defining element/streetwall for the site and the adjacent public realm.
2. Provide a building base height between 3 – 4 storeys, to reflect the prevailing building heights in the area.
3. The scale and height of the base should respect the proportion of adjacent streets, parks and public or private open space.
4. Maintain a relationship between first floor heights of nearby buildings and the first floor height of the base.
5. The base facade should be articulated with design elements, such as cornice lines, window bays, entrances, canopies, high-quality building materials, and fenestration, in an appropriate pattern, scale, and proportion that relates to the neighbouring buildings and enhances the pedestrian realm.



Schedule "1"

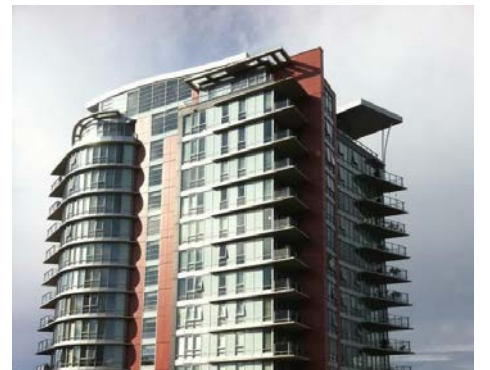
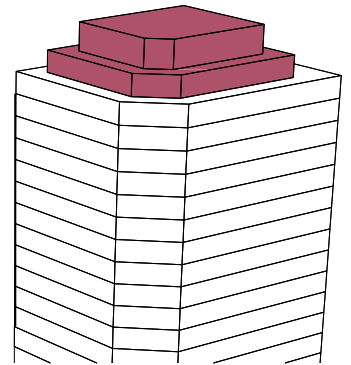
Middle

1. The location, orientation and size of the middle floor plate should minimise adverse shadow and sky view impacts, allow for maximised natural light and visually reduce the overall scale of the building.
2. Minimise the duration of shadow impacts on the Middlesex Courthouse building and the associated courtyard.
3. Minimise the impact of street-level wind on the public realm and the courtyard through the orientation and siting of tall built forms and stepback from the base.
4. Floorplates shall not exceed 2000m², up to a total height of ten (10) storeys from grade.
5. Floorplates for the tower portion of the building above 10 storeys shall not exceed 1000m².
6. A minimum 3m stepback after the top floor of the base shall form part of the overall building design. Balconies are to respect this stepback.
7. Stepbacks for the northern face of the building are to be 6m so as to provide an appropriate transition between the proposed building, the courtyard and the historic Middlesex County building.
8. Balconies are to be integrated into the overall design of the building and are not to add bulk or extra mass to the building (eg. wing walls).



Top

1. Create "sculpted" roof forms to the top of tall buildings to contribute to the quality and character of the city skyline.
2. Integrate roof-top mechanical or telecommunications equipment, signage, and amenity space, where appropriate, into the design and massing of the upper floors of the tall building.



Schedule "1"

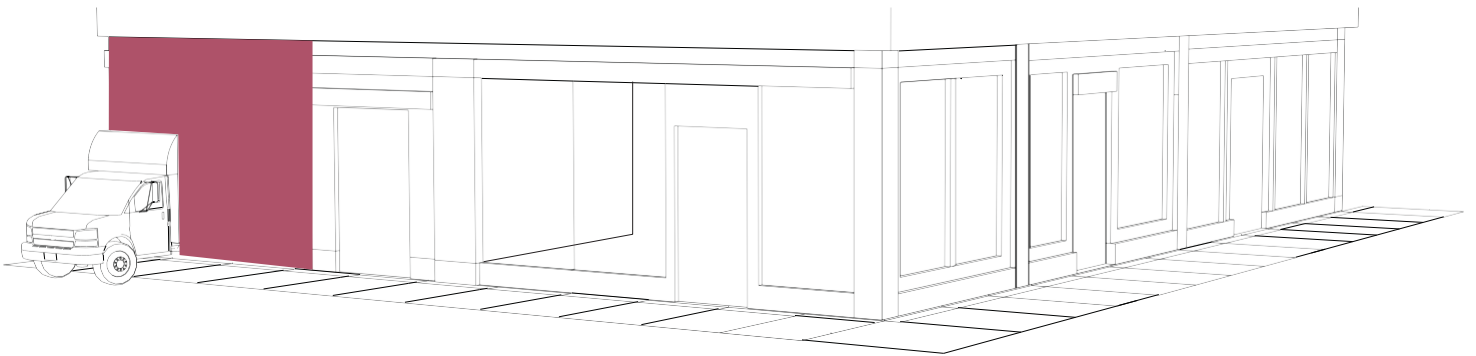
Public Realm

1. Incorporate active pedestrian uses at-grade for building facades facing abutting streets, open spaces and the Thames River, including a series of ground floor commercial and retail uses that promote high pedestrian traffic, patios and other street level activities.
2. Provide publicly accessible spaces, outdoor amenity areas and commercial patios that overlook the Thames River.
3. Provide publicly accessible entrances along Ridout Street, King Street, and from the plaza/ courtyard to ground-floor commercial units.
4. Emphasize the corner of Ridout and King Streets by orienting primary building entrances toward the intersection and articulating the building mass and architectural treatment to frame this prominent corner.
5. Further emphasize the corner by providing for an urban forecourt (constructed of hard surface materials and associated soft landscaping) that is integrated with the primary building entrances located towards the intersection of Ridout and King Streets.
6. Provide overhead weather protection along street-facing facades to contribute to a human-scale environment.
7. Provide transparent glass along commercial frontages to allow pedestrians to see into the interior of the buildings and for store employees to provide passive surveillance of the street and public spaces.
8. Incorporate, to the extent feasible, the provision of design features for universal accessibility.
9. Integrate public art into the building and site design.
10. Remove the current terraced parking on the lands to the west of the subject site and provide for an attractive interim landscape design treatment. The design treatments shall not preclude the opportunity for a future phase of development on those lands in the long term.
11. Ensure the built form provides a high quality design treatment and an active frontage at grade for the facades facing the Thames River.

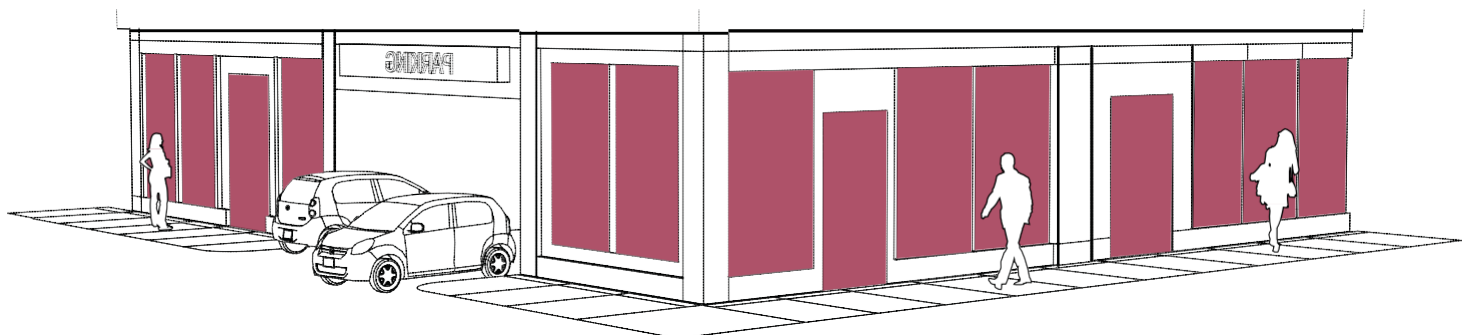


Access and Parking

1. Concentrate primary vehicular access to King Street but away from the Ridout Street intersection, ideally in alignment with existing driveways across the street.
2. Surface parking on site shall be replaced with in-building and underground parking, ensuring all vehicular access points, ramps and aisles are wrapped with at-grade pedestrian uses or otherwise screened from pedestrian view at grade.
3. Locate all loading and back-of-house functions along King Street but away from the Ridout Street intersection and where possible internal to the building.



Loading Area Access (King Street)



Parking Access (King Street)