

--	--

File: Z-8617
Planner: Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: RYGAR PROPERTIES INC. 100 FULLARTON STREET, 475-501 TALBOT STREET & 93-95 DUFFERIN AVENUE PUBLIC PARTICIPATION MEETING ON SEPTEMBER 6, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Rygar Properties Inc. relating to the properties located at 100 Fullarton Street, 475-501 Talbot Street and 93-95 Dufferin Avenue:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 13th, 2016 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Downtown Area Bonus (DA1•D350•B-25) Zone, a Downtown Area (DA2) Zone and a Holding Downtown Area (h-3•DA2•D350) Zone, **TO** a Downtown Area Bonus (DA2•D350•B(_)) Zone. The Bonus Zone shall be implemented through one or more agreements to provide for an increased height of up to 129 metres and an increased density of up to 1200 units per hectare in return for the following services, facilities and matters which are generally described below and described in greater detail in the proposed by-law:
- i) A high-quality building design which is consistent with the Site Plans, Elevations and Renderings attached as Schedule '1' to the amending by-law and includes such features as:
 - i. A modern architectural design that utilizes vision glass and spandrel glass (window-wall) as the primary form of cladding, contains a low proportion of exposed concrete and similar solid materials, and uses clear glass balcony barriers, all of which serve to mitigate the overall visual building mass and provide a light and refined appearance in the city skyline.
 - ii. A ground floor design that includes large proportions of clear glazing, active commercial uses with separate direct entrances to individual units and pronounced ceiling heights in order to create a vibrant pedestrian realm.
 - iii. A point-tower architectural style with tower floor-plates of less than 1,000m² to minimize the overall mass, visual impact and sunlight disruption of these tall buildings.
 - iv. A visually interesting building cap that conceals and incorporates mechanical elements into the overall architectural design of the building and will contribute positively to the London skyline.
 - ii) Heritage conservation through designation under Part IV of the *Ontario Heritage Act*, and the retention and incorporation of a significant portion of the listed heritage property at 93-95 Dufferin Avenue into Phase 3 of the proposed development, including the incorporation of the existing northerly and westerly facades into the development design as shown in Schedule "1" of the amending by-law.
 - iii) The commemoration of the Camden Terrace (479-489 Talbot Street) building through the salvage and documentation of materials, the construction of a commemorative monument which interprets significant heritage attributes of the Camden Terrace building facade on the rear wall of the internal lobby and commercial space utilizing original building materials, and the provision of plaques and/or interpretive signage as

--	--

File: Z-8617
Planner: Mike Davis

documented in the January 4, 2016 “Heritage Overview Report” prepared by Stantec Consulting Ltd. and further described in the accompanying August 19, 2016 “Commemoration Overview” letter.

- iv) The provision of an urban forecourt/plaza along Talbot Street that incorporates commemorative features to recognize the significance of Camden Terrace and includes the provision of two-storey clear glass panels along the abutting Talbot Street building facade to allow views to the aforementioned commemorative monument in perpetuity.
 - v) A parking configuration and design that includes a minimum of 3 levels of underground parking in Phase 1, a minimum of 4 levels of underground parking for subsequent phases and may also include up to 3 levels of above grade structured parking that is fully screened from the public street by the proposed building.
 - vi) Various streetscape and public realm improvements including the provision of raised planters, enhanced pavement/surface treatments and street trees.
 - vii) A public art contribution in the amount of \$250,000.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 12th, 2016 to amend Section 4.21 (Road Allowance Requirements – Specific Roads) of Zoning By-law Z.-1, in conformity with the Official Plan, to change the road allowance requirements for specific segments of Talbot Street.
- (c) pursuant to Section 34(17) of the *Planning Act*, as determined by Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as:
- i) The change in building height is minor in nature; and,
 - ii) The change in building height maintains the same form of development that has been vetted during the public circulation process.
- (d) the Civic Administration **BE DIRECTED** to report back at a future meeting with a Notice under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of the Municipal Council’s intention to designate the properties located at 93 and 95 Dufferin Avenue with a list of reasons generally reflecting the significant heritage attributes to be retained through the bonus zone as depicted in Schedule “1” of the amending zoning by-law attached to this report.

EXECUTIVE SUMMARY

The following report provides a recommendation to Municipal Council regarding a Zoning By-law amendment application submitted by Rygar Properties Inc. The requested amendment is intended to facilitate a comprehensive, phased, redevelopment of approximately 1/3 of a city-block in Downtown London. The report provides a detailed overview of the characteristics and existing conditions of the site, a detailed description of the proposed redevelopment, a summary of the planning history and the Zoning By-law amendment application process, a summary of comments relating to planning and technical issues, a detailed planning evaluation of the Zoning By-law amendment application and a recommendation from Planning Staff.

Based on the review of all the applicable local and provincial planning documents, the feedback received from the full range of stakeholders engaged through the process, and our overall assessment of the public interest, Staff have tabled a recommendation which would result in the site being rezoned to allow for a specific development design which includes three new buildings ranging from nine (9) to thirty-eight (38) storeys in height, a total of approximately 703 new residential units (1,200 units per hectare), and 1,670m² of new commercial space. In return for the additional height and density bonus, Rygar Properties Inc. will be required to enter into an agreement with the City of London to provide a series of facilities, services and matters outlined in the recommended Zoning By-law found on pages 38-41 of this report.



**File: Z-8617
Planner: Mike Davis**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2016

By-law No. Z.-1-16_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 100 Fullarton Street, 475-501 Talbot Street & 93-95 Dufferin Avenue.

WHEREAS Rygar Properties Inc. has applied to rezone an area of land located at 100 Fullarton Street, 475-501 Talbot Street & 93-95 Dufferin Avenue, 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:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 100 Fullarton Street, 475-501 Talbot Street & 93-95 Dufferin Avenue, as shown on the attached map comprising part of Key Map No. A107, from a Downtown Area Bonus (DA1•D350•B-25) Zone, a Downtown Area (DA2) Zone and a Holding Downtown Area (h-3•DA2•D350) Zone to a (DA2•D350•B(_)) Zone.
- 2) Section Number 4.3 (Bonus Zones) of the General Provisions is amended by adding the following Site-Specific Bonus Provision:

4.3(_) B(_) 100 Fullarton Street, 475-501 Talbot Street and 93-95 Dufferin Avenue

This bonus zone is intended to facilitate a development design which includes three new mixed-use apartment buildings ranging from 9 to 38 storeys (max. 129m tall) in height, with a maximum density of 1200 units per hectare across the overall site. It is intended that the proposed development will occur in a phased manner over time with Phase One including a 9-storey (39m) building with 92 residential units and 610m² of commercial space, with Phase Two including a 38-storey (128.85m) building with 349 residential units and 660m² of commercial space, and Phase Three including a 29-storey (101.5m) building with 262 residential units and 660m² of commercial space. The proposed development shall be implemented through one or more agreements in return for the provision of the following services, facilities and matters:

- 1. A building design which, with minor variations at the discretion of the Managing Director, Planning and City Planner, is consistent with the Site Plan and Illustrations attached as Schedule "1" to the amending by-law (variations may include, but are not limited to, the reduction of above-grade structured parking in lieu of additional underground parking and/or the reduction of the total number of parking spaces and variations in the proposed unit types).
- 2. High Design Standards

Specifically, the building design referred to in Clause 1 above, and shown in the various illustrations contained in Schedule "1" of the amending by-law, is being bonused for the following features which serve to support the City's objectives of promoting a high standard of design for buildings constructed in prominent locations such as the Downtown, as outlined in Chapter 11 of the Official Plan and the Downtown Design Guidelines:

Overall Design Features

- a. A modern architectural design that utilizes vision glass and spandrel glass (window-wall) as the primary form of cladding, contains a low proportion of

--	--

File: Z-8617
Planner: Mike Davis

exposed concrete, and uses clear glass balcony barriers, all of which serve to mitigate the overall visual building mass and provide a light and refined appearance in the city skyline.

Podium Design

- a. Incorporates architectural details that creates a prominent and distinctive base including ceramic panels skirting the face of the second and third floor terraces.
- b. A ground floor ceiling height that is appropriate for a range of commercial uses, with the façade comprised primarily of floor-to-ceiling vision glazing for views into and out of the building contributing to an animated streetscape.
- c. Separate and direct exterior entrances to commercial uses on the ground floor to animate the pedestrian realm from the city sidewalk.
- d. Permanent architecturally integrated canopies above the first floor to architecturally differentiate the building base and provide overhead protection from natural elements.

Tower Design

- a. Point tower forms with floor-plates no greater than 1,000m².
- b. Clad primarily in vision glass and spandrel glass (window-wall) panels.
- c. Includes horizontal projecting balconies and vertical precast end panels to create articulation and variation in the massing of the facades.

Building Caps

- a. A visually interesting building top and distinguishable cap of a design quality that will contribute positively to London’s skyline.
- b. The use of building step-backs and variation in massing to define the building cap with mechanical elements completely concealed within the overall architectural design of the top of the buildings.
- c. Significant amounts of clear glazing on the building cap.

3. Heritage Conservation (93-95 Dufferin Avenue)

The significant attributes of the built heritage resource located at 93 and 95 Dufferin Avenue shall be conserved in the following manner:

- a. The designation of heritage attributes (generally associated with the northerly and westerly facades) of the original building under *Part IV* of the *Ontario Heritage Act*.
- b. The complete retention, in-situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Phase 3 of the proposed redevelopment.
- c. The incorporation of significant heritage attributes of the original building, including the northern and western facades in situ, into the overall design of Phase 3 of the new development as is depicted in Schedule “1” to the amending by-law.

4. Heritage Commemoration – Camden Terrace (479-489 Talbot Street)

- a. The documentation and appropriate storage of original materials including brick and exterior masonry work to retain their integrity.
- b. The construction of a commemorative monument which interprets a range of the significant heritage attributes of the Camden Terrace front facade in the manner documented in the January 4, 2016 “Heritage Overview Report” prepared by Stantec Consulting Ltd. and further described in the accompanying August 19, 2016 “Commemoration Overview” letter and shown in Schedule “1” to the amending by-law, and which generally includes the following features:
 - i. Multi-structure residential row house proportions including six buildings enclosed within three sections, with each containing two terrace residences with mirrored facades;
 - ii. With the individual row house sections containing the same proportion of bay windows, doors and upper-storey windows as the original structures.
 - ii. A uniformed setback from the public sidewalk.

--	--

**File: Z-8617
Planner: Mike Davis**

- iii. A uniformed roof line.
 - iv. The use of original building materials salvaged during the demolition of Camden Terrace including stone lintels and original yellow (London) brick.
 - v. Other details such as pilasters, drip course, and cornice frieze, high transforms above front entry doors, and half elliptical lintels on upper storeys.
 - c. The provision of plaques, interpretive signage and/or other commemorative items which relate to the heritage attributes of the site and includes the following subject matter: site history with an emphasis on 19th century character of the Talbot Street Corridor; the origins and construction of Camden Terrace; and, details regarding the deconstruction and reconstruction of the commemorative monument (facade replication).
 - d. The provision of clear glazing along the length of the Talbot Street building façade which is east of the commemorative monument so as to maintain public views to the monument in perpetuity.
- 5. Urban Plaza/Forecourt
 - a. The provision of a publically accessible urban plaza/forecourt along the Talbot Street frontage which is generally located in the vicinity of the primary entrance to the Talbot Street building (Phase 1), east of the commemorative monument as shown in Schedule “1” to the amending by-law.
 - b. The provision of two-storey vision glass panels along portions of the Talbot Street building facade that front the urban plaza/forecourt to maintain views to active ground floor uses and the commemorative monument.
- 6. Parking Strategy
 - a. A minimum of 3 levels of underground parking for Phase 1 and a minimum of 4 levels of underground parking for subsequent phases.
 - b. Any necessary above grade structured parking is to be located to rear of the proposed building(s) and screened from the street by commercial and/or residential uses.
- 7. Site Landscaping/Public Realm

Landscaping used to enhance the appearance of building setback and yard areas by:

 - a. A continuous row of planting along the western lot line of the property currently known as 93 Dufferin Avenue.
 - b. Raised concrete planters along Talbot Street and Dufferin Avenue and Fullarton Street, to define the interface of the subject site and the public right of way and to function as informal seating, as approved by the City through the site plan process.
 - c. Shade trees in the raised concrete planters.
 - d. The incorporation of non-asphalt materials and paving patterns into pedestrian sidewalks and pathways adjacent to the proposed buildings as approved by the City through the site plan process.
- 8. Public Art Contribution
 - a. The contribution of funding for public art in the amount of \$250,000 to be provided during the site plan approval process for Phase One.
 - b. Such public art will be established through a process that is consistent with the City’s public art policy as applicable, to the satisfaction of the Manager of Culture and The City Planner, and ensuring input from the developer.

The following special regulations apply within the bonus zone:

- a) Regulations:

--	--

**File: Z-8617
Planner: Mike Davis**

- i) Density: 1200 units per hectare
(Max.)
- ii) Height: 129 metres
(Max.)
- iii) Setback for Residential Component of Buildings:
(Min.) 0 metres

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 September 13, 2016

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – September 13, 2016
Second Reading – September 13, 2016
Third Reading – September 13, 2016