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File: Z-8704
Planner: B. Turcotte

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: OLD OAK PROPERTIES 515 RICHMOND STREET PUBLIC PARTICIPATION MEETING ON MAY 8, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Old Oak Properties relating to the property located at 515 Richmond Street:

(a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 16, 2017 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Holding Downtown Area (h-3•DA2•D250) Zone **TO** a Downtown Area Bonus (DA2•B-(*)) Zone. The Bonus "B-(*)) Zone shall be implemented through a development agreement that would provide for increased height up to 101 metres and an increased density up to 342 units per hectare in return for the following services, facilities and matters which are described in greater detail in the proposed by-law:

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 shown in the attached Schedule "1" of the amending by-law.
2. High Design Standards

The site-specific building design to be constructed in this prominent Downtown location, promoted by:

Base Features:

- a. A base height equal to two stories, including floor to ceiling vision glass on the east façade and wrapping around partially to the south and north facades.
- b. 60% vision glass on the south, east and north facades, including a secondary entrance on the south façade facing the storefronts of the adjacent commercial building.
- c. Seven architectural stainless steel columns to the east and south of the building supporting the residential floors above.
- d. A large canopy supported by steel columns, extending towards the street on a slight angle with lighting integrated on the underside.
- e. An enclosed corridor attaching the main building to the parking structure, including alternating resident storage areas and vision glass into the corridor.

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Tower Features:

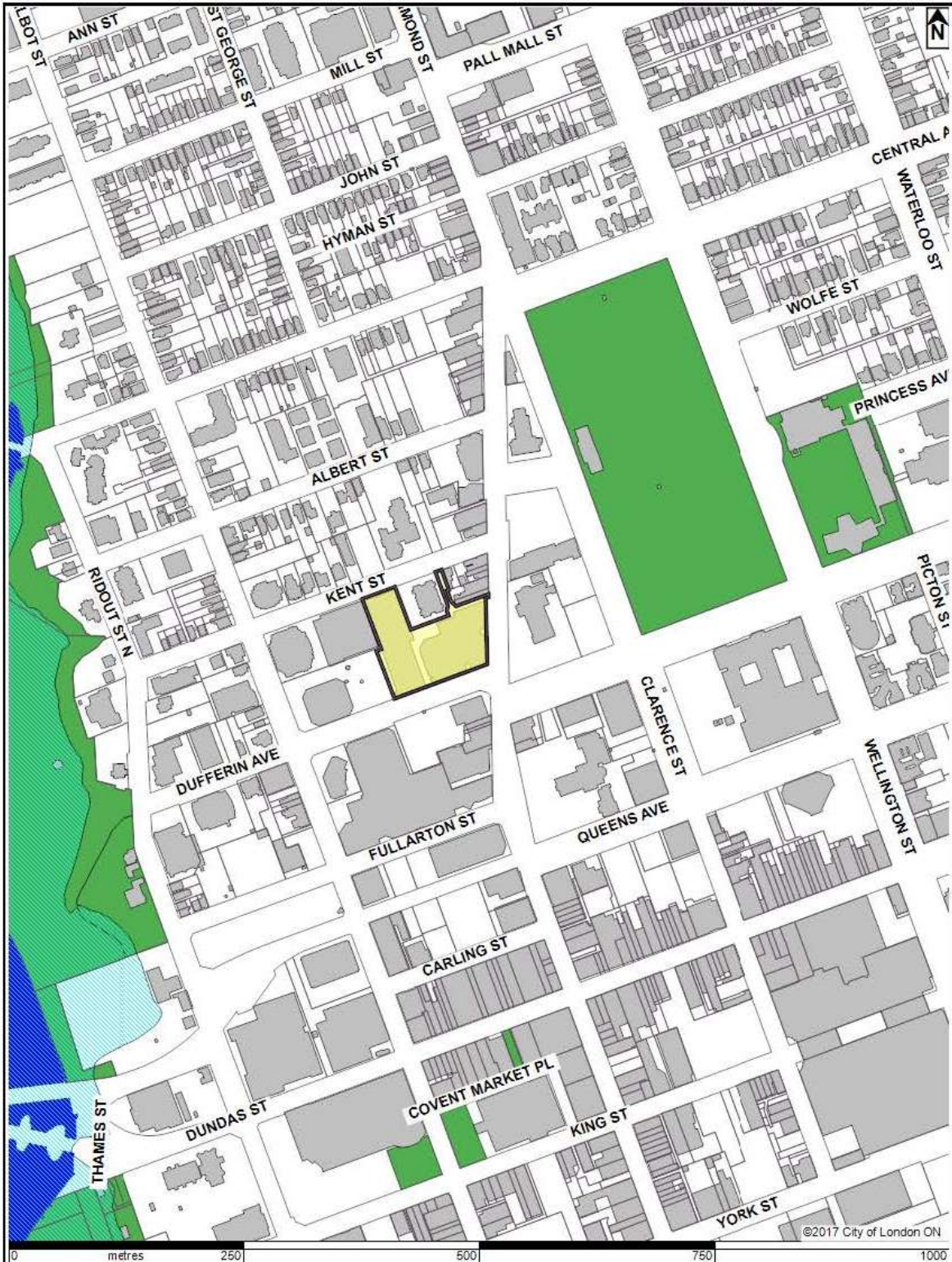
- a. A point tower form with a tower floor-plate maximum of 700 square metres.
- b. 60% (linear) vision glass on residential floors.
- c. Fully wrap-around balconies on floors 3 through 28, alternating every 4th or 5th floor between the following:
 - i. wood finish metal panel on the underside and visible portions of the balcony, paired with tinted glass and a coordinated colour for metal portions of the railing; balconies rotated on a slight angle (~ 3 degrees) from the angle of the building.
 - ii. Light grey finish metal panel on the underside and visible portions of the balcony, paired with clear glass and a coordinated colour for metal portions of the railing; balconies rotated on the opposite angle of above.
- d. Light grey finish metal panel balconies wrapping two separate portions of the building on floors 29 through 32, with wood finish metal panel balconies wrapping the north east corner with a higher portion of vision glass and a taller roof height and cap.
- e. A mechanical penthouse fully enclosed and clad in materials complimentary to the building.

Pedestrian Plaza and Forecourt:

- a. A pedestrian-only plaza located in the setback from Richmond Street, delineated from the public sidewalk by fixed, architectural planters with integrated seating.
- b. A decorative pavement pattern extending across the east entry plaza and into the linear plaza on the south side of the building.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 515 Richmond St Applicant: Old Oak Properties File Number: Z-8704 Planner: Brian Turcotte Created By: Brian Turcotte Date: 2017-04-03 Scale: 1:5000</p> <p style="text-align: center;">Corporation of the City of London Prepared By: Planning and Development</p>	<p style="text-align: center;">LEGEND</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	■	Assessment Parcels	■	Buildings	■	Address Numbers
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■	Parks										
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■	Address Numbers										

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Zoning By-law amendment is to permit the demolition of the northerly portion of an existing retail plaza to facilitate the development of a 101 metre tall apartment building containing 175 one and two bedroom units. An additional storey of parking is also to be added to the existing four-storey parking structure along Dufferin Avenue. The recommended Zoning By-law amendment further serves to remove a Holding “h-3” Zone requiring a wind impact assessment. To facilitate the increased height and density, a Bonus “B- (*)” Zone is recommended in return for the provision of services, facilities and matters that include an enhanced building design, a public plaza and a shared public space.

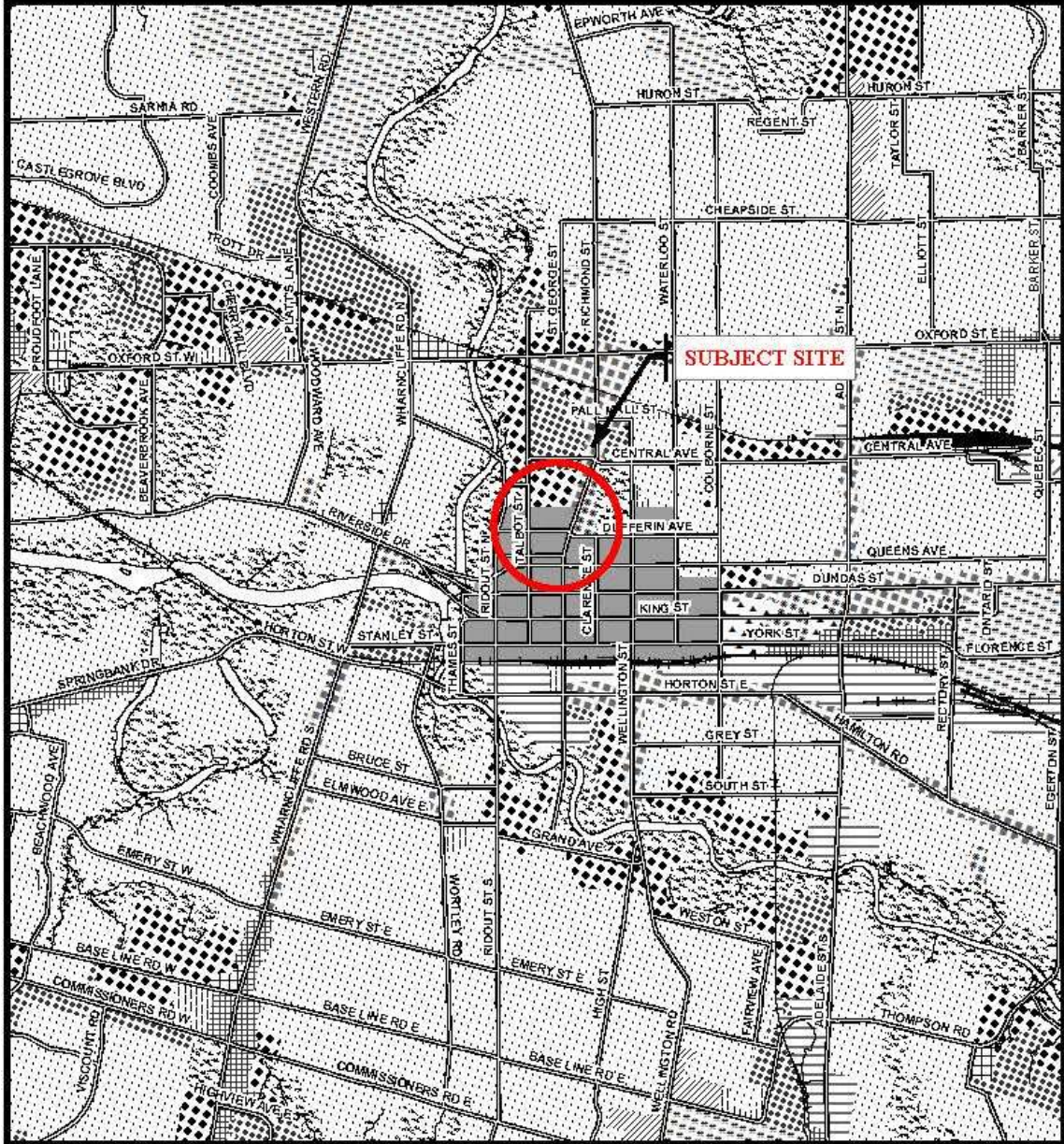
RATIONALE

1. The recommended Zoning By-law amendment is consistent with, and will serve to implement, the “*Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns*” policies of Section 1.0 of the *Provincial Policy Statement, 2014*;
2. The recommended Zoning By-law amendment is consistent with, and will serve to implement, the “*Wise Use and Management of Resources*” policies of Section 2.0 of the *Provincial Policy Statement*;
3. The recommended Bonus “B- (*)” Zone is consistent with, and will serve to implement, the Downtown Area, Urban Design and Bonus Zone policies of the City of London Official Plan and the Strategic Directions of the “*Our Move Forward: London’s Downtown Plan*” and design principles of the “*Downtown Design Manual*”;
4. The recommended Zoning By-law amendment is consistent with, and will serve to implement, the Cultural Heritage policies of the City of London Official Plan and the “*West Woodfield Heritage Conservation District*”;
5. The recommended Bonus “B- (*)” Zone, including the recommended front yard setback from Richmond Street, ensures that the building form and design, including the public plaza (that area to the south of the proposed apartment tower) and public arcade (that area to the east of the proposed apartment tower) fit within the surrounding area and provide for an enhanced design standard;
6. The removal of the Holding “h-3” Zone is viewed as being appropriate given the findings of the Pedestrian Level Wind Preliminary Impact Assessment submitted in support of the requested Zoning By-law amendment.

The recommended Zoning By-law amendment is also viewed as being consistent with, and serves to implement, the use, intensity and form policies of the Downtown Place Type of the London Plan.

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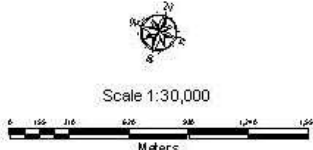


Legend

- | | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| NewFormat Regional Commercial Node | Office/Residential | Commercial Industrial |
| Community Commercial Node | Regional Facility | Transitional Industrial |
| Neighbourhood Commercial Node | Community Facility | Rural Settlement |
| Main Street Commercial Corridor | Open Space | Environmental Review |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth | Agriculture |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth | Urban Growth Boundary |

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

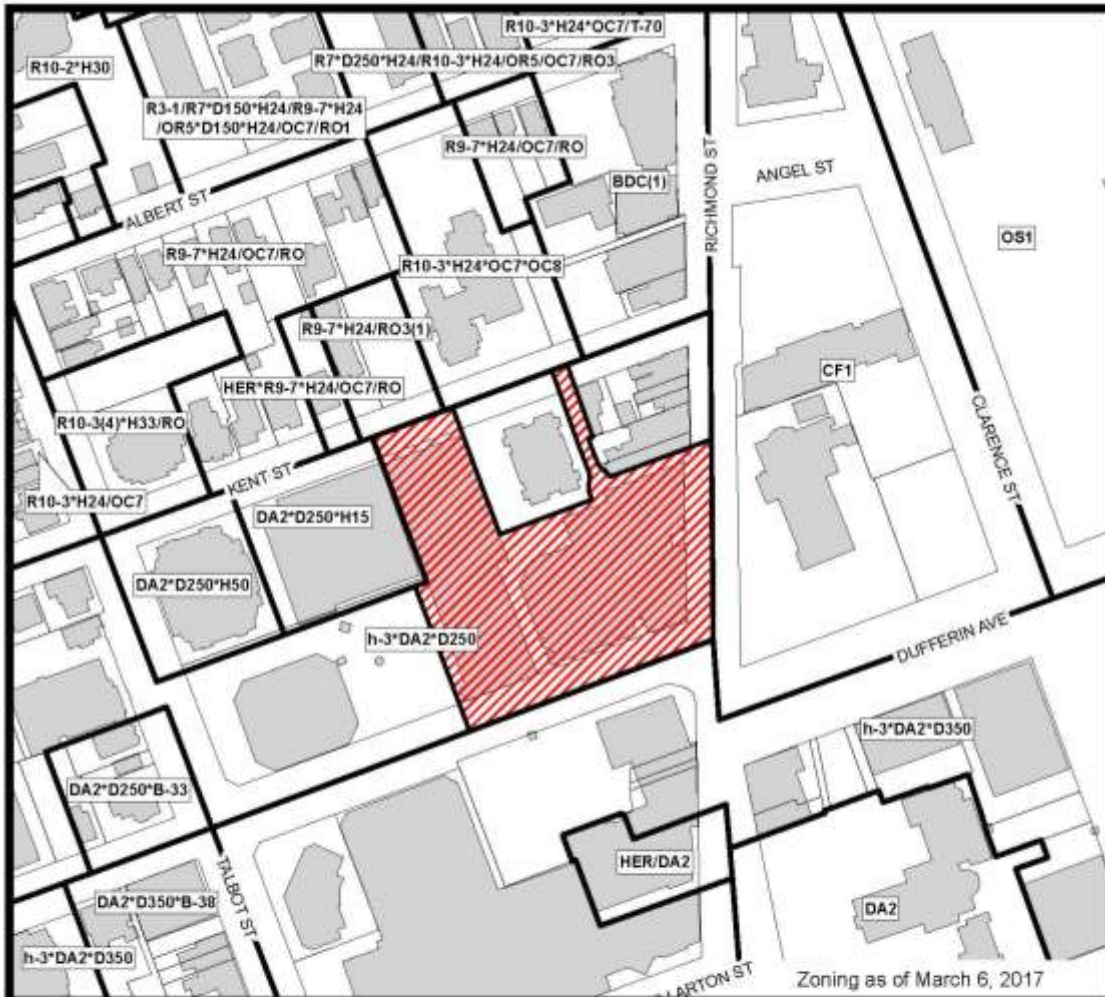
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8704
PLANNER: BT
TECHNICIAN: MB
DATE: 2017/04/10

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-3*DA2*D250

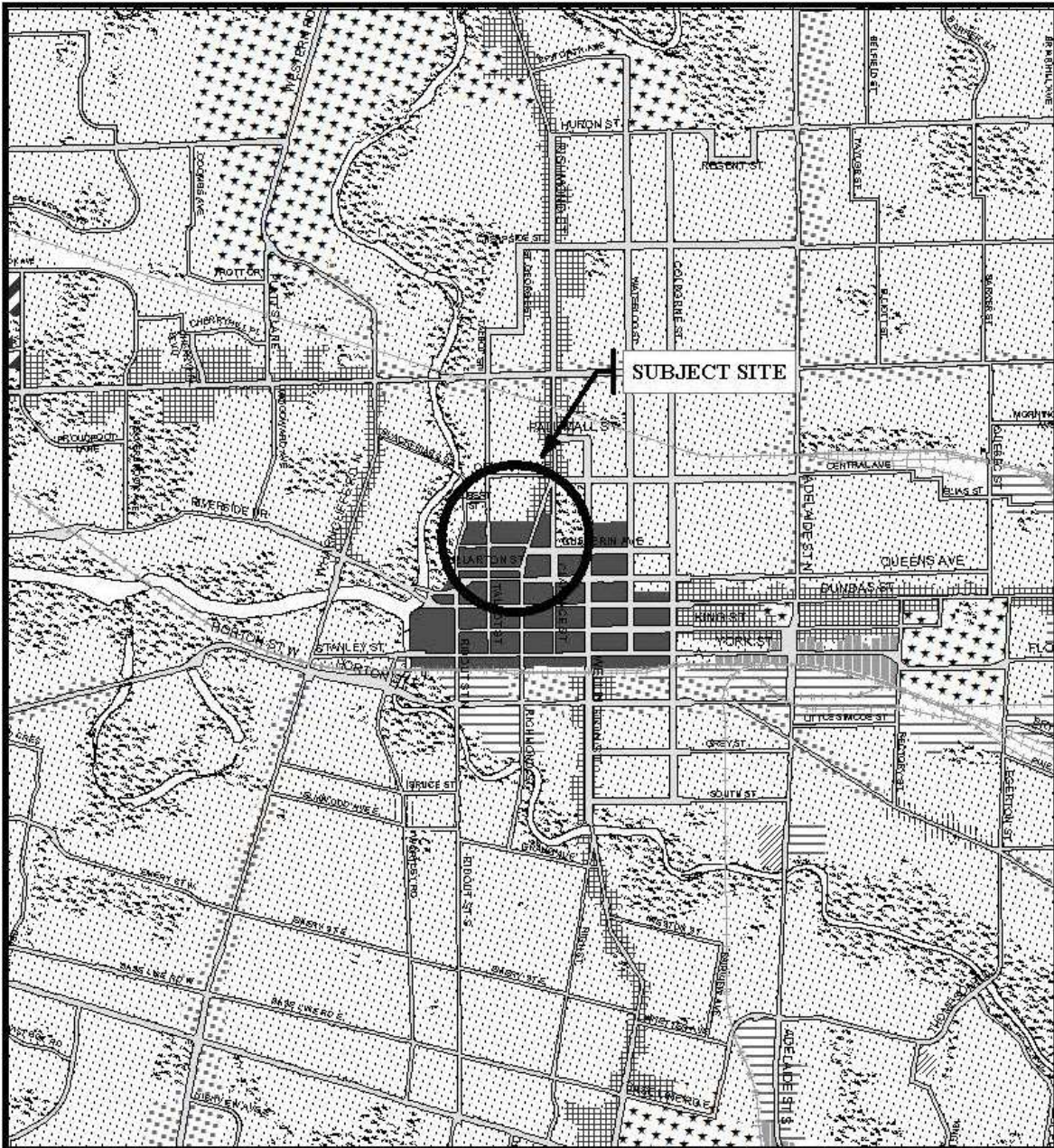
1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
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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 |
|--|---|

<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p>ZONING BY-LAW NO. Z.-1 SCHEDULE A</p> <p style="font-size: small;">THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>		<p>FILE NO: Z-8704 BT</p> <hr/> <p>MAP PREPARED: 2017/04/10 MB</p> <hr/> <p style="text-align: center;">1:2,500</p> <p style="text-align: center;">0 12.525 50 75 100 Meters</p>
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Legend

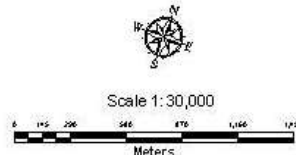
- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
Planning Services
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-8704
Planner: MB
Technician: MB
Date: 4/10/2017

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BACKGROUND

Date Application Accepted: October 18, 2016	Agent: Zelinka Priamo Ltd.
<p>REQUESTED ACTION: The applicant has requested a Zoning By-law Amendment to change the Z.-1 Zoning By-law as it applies to the subject site from a Holding Downtown Area (h-3•DA2•D250) Zone to a Downtown Area Special Provision (DA2(_)) Zone permitting apartment buildings with a maximum height of 101 metres, a maximum density of 342 units per hectare, and a maximum building setback of 4.5 metres along the Richmond Street frontage. The removal of the holding “h-3” provision requiring a wind impact assessment has also been requested. Alternatively, the City of London considered the use of a Bonus “B-(*)” Zone to provide for the increased height (101 m) and density (342 uph) in the requested Zoning By-law amendment.</p>	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – office/commercial plaza and parking structure • Frontage – 73 metres (240 ft.) on Richmond Street • Depth -105 metres (345 feet) on Dufferin Avenue) • Area – 0.957 hectares (2.36 acres) • Shape - irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - a variety of low-rise commercial uses; • South - office buildings, the Grand Theatre, restaurant uses; • East - institutional and open space uses; • West - office building, apartment building and a multi-level parking structure

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)	
<ul style="list-style-type: none"> • Downtown 	
THE LONDON PLAN PLACE TYPE: (refer to The London Plan Map)	
<ul style="list-style-type: none"> • Downtown 	
INTENSIFICATION: (175 one and two bedroom units)	
<ul style="list-style-type: none"> • The requested Zoning By-law amendment to increase the on-site density from 250 to 342 units per hectare represents residential intensification. 	<ul style="list-style-type: none"> • The proposed 175 residential units are inside the Primary Transit Area.
EXISTING ZONING: (refer to Zoning Map)	
<ul style="list-style-type: none"> • h-3•DA2•D250 	

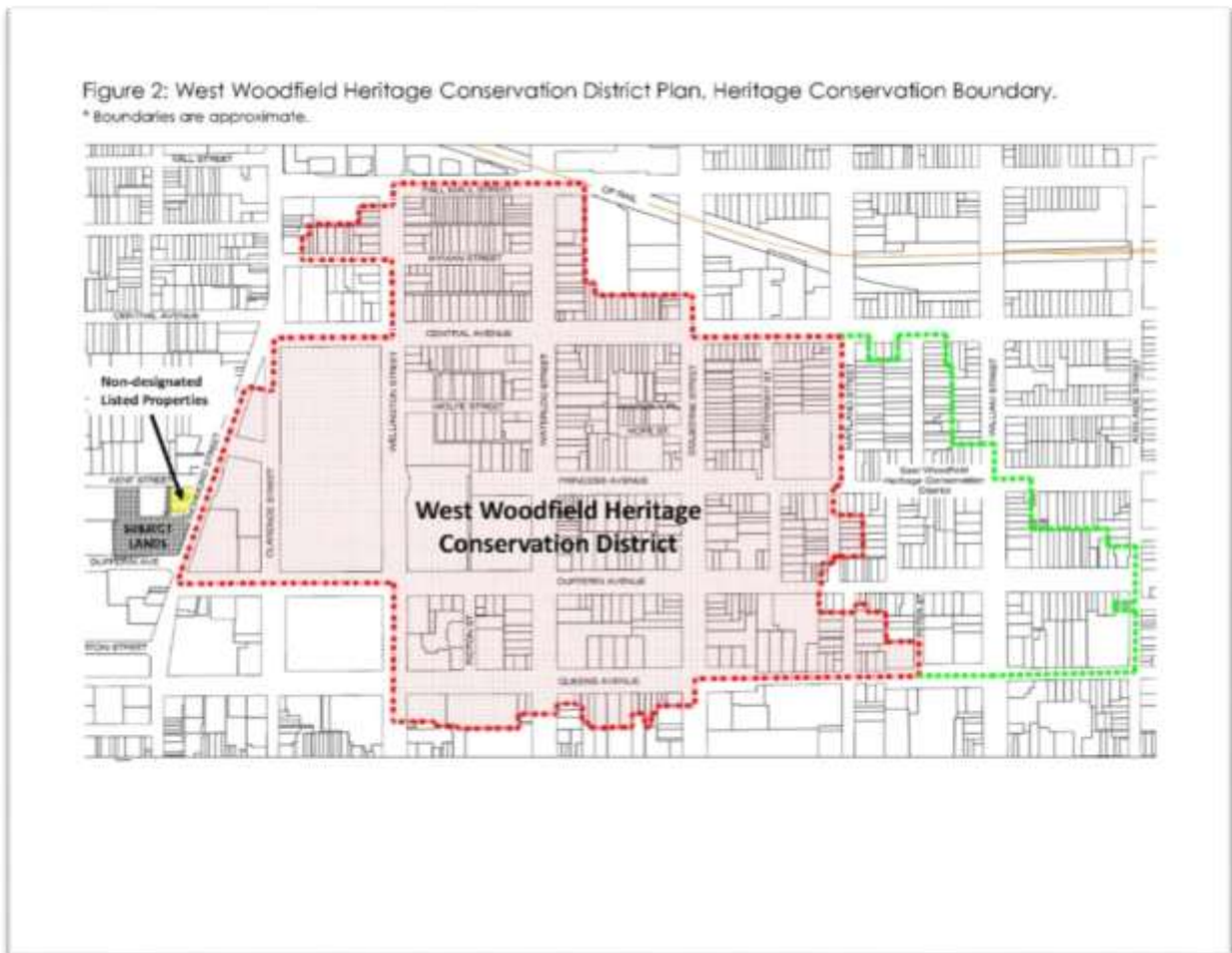
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PLANNING HISTORY

The subject site consists of a mixed-use development that includes a one-storey commercial plaza (with an internal pedestrian arcade) fronting Richmond Street, an eight storey office building fronting Dufferin Avenue and a four-storey parking structure that extends from Dufferin Avenue to Kent Street.

The subject site is not within the Downtown Heritage Conservation District but is adjacent to the West Woodfield Heritage Conservation District (which has been designated under Part V of the Ontario Heritage Act (see Figure 1). The West Woodfield Heritage Conservation District includes a number of “landmark” buildings including St. Peter’s Basilica (immediately to the east of the subject site). The subject site is also immediately south of six non-designated properties (519-531 Richmond Street and 177 Kent Street) that are listed on the City of London Inventory of Heritage Resources. (see Figure 1).

Figure 1 – The Subject Site and the West Woodfield Heritage Conservation District



At its meeting held on November 22, 2016, Municipal Council resolved “...that the following actions be taken with respect to the 11th Report of the London Advisory Committee on Heritage from its meeting on November 9, 2016:

- i. the Civic Administration BE ADVISED that the LACH is satisfied with the research in the Heritage Impact Assessment, dated August, 2016 prepared by Zelinka Priamo Ltd., for the property located at 515 Richmond Street;
- ii) the Civic Administration BE ADVISED that the LACH has no concerns with potential impacts on the subject property; and,

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iii) the Civic Administration BE ADVISED that the LACH has no concerns about the potential impact on adjacent heritage properties as the proposed development is in an area with a lot of commercial structures of various sizes, ages and architectural diversity and the proposed development fits in with the more diverse mix of buildings in the area; it being noted that the LACH had difficulty reviewing the shadow study with the small images;”

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Urban Design Peer Review Panel:

The Urban Design Peer Review Panel comments:

1. *“Reconsider retention of the existing adjacent single storey commercial building to the south;*
2. *In its current form, the proposed development dramatically exacerbates the existing issue of inappropriate scale, relative to the adjacent 8 -10 storey office buildings to the west and south, 12-15 storey residential apartment buildings to the northwest, 2-3 storey commercial buildings to the north and St. Peter’s Cathedral Basilica to the east.*
3. *The existing single storey commercial building to the south is a visually prominent site, with dual frontage at the intersection of Richmond Street and Dufferin Avenue. The site’s adjacency to St. Peter’s Cathedral Basilica adds to the site’s visual prominence, as the Basilica’s significant setbacks and landscaping treatment ensures that the southern-most portion of the subject property is visible from both Clarence and Wellington Street, at their respective intersections with Dufferin Avenue. The site’s location, relative to Richmond Street’s eastward diagonal jog, which begins north of Queens Avenue and continues south of Hyman Street, positions the southern-most portion of the subject property as a significant visual terminus, when looking north from Richmond Street, south of Dufferin Avenue.*
4. *The proposed development, in its existing form, effectively sterilizes the southern-most portion of the subject property, significantly limiting its redevelopment potential by creating primary views and significant window opening adjacent to the site, which would necessitate significant setbacks in the event of future redevelopment.*
5. *Given the significant issues of scale, visual prominence and sterilization, as noted above, consider redevelopment of the southern-most portion of the subject property with a 4-6 storey mid-rise mixed-use building, which frames the edges of both street frontages, transitions as it rises through the use of step backs, and connects with the proposed residential tower to the north.*
6. *It is noted that the submitted shadow impact study illustrates proposed shadows extending beyond the extent of the aerial images. As such, the panel is unable to comment on the extent of the proposed shadow, and whether it constitutes an appropriate condition. However, the existing analysis appears to demonstrate significant impacts on sensitive adjacencies, which may not be appropriate. It is recommended that the applicant submit a revised shadow impact study, which clearly demonstrates the extents of the proposed shadow between 9am and 6pm during the spring / fall equinoxes and summer solstice, and that Staff undertake a rigorous review and analysis of the resulting impacts. Sensitive adjacencies, including St. Peter’s Cathedral basilica, St. Paul’s Cathedral, and Victoria Park, should be protected from significant shadow impacts, particularly during peak usage.*
7. *Given that the prevailing height of existing adjacent and surrounding residential and office developments ranges between 8 – 15 storeys, and the likelihood that the proposed development, in its current form, will result in significant shadow impacts to sensitive adjacencies, it is recommended that the applicant consider a reduction in tower height, with the aim of retaining the established scale of the neighbourhood, and protecting sensitive*

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adjacencies from significant shadow impacts. This can be achieved by redeveloping the southern-most portion of the subject property, as outlined above, and transferring a small portion of the proposed density from the tower to a mid-rise base building to the south.

8. *Reconsider large vehicle drop-off feature. The degree of resulting disruption to the public sidewalk, from the provision of dual curb cuts and a large paved surface, is not appropriate in this prominent and pedestrian oriented location along Richmond Street. Consider removing the feature in its entirety, as it is not required to support the proposed development and establishes a precedent for future multi-unit residential developments in the downtown area.*
9. *Alternatively, consider replacement of this feature with a small lay-by parking area, in order to minimize disruptions and ensure continuity of the pedestrian environment.*
10. *Consider transforming the setback along Richmond Street into a high quality urban plaza, with a special paving treatment, furnishings, and a prominent public art feature.*
11. *Consider extending the lower floors of the east elevation towards Richmond Street to continue a proportionate scale to the established streetscape that could double as a covered entry to the building.*
12. *Ensure all laneway and mid-block connections receive material treatments which are consistent with the urban plaza, with an appropriate degree of down-cast pedestrian-scaled lighting. Where possible, ensure direct views are provided between these connections and interior spaces, so as to promote casual surveillance and contribute toward the animation of the public realm.*
13. *For this particular architectural expression the balcony, underside of balcony and main walls are critical to the buildings overall sculptural success which this design promotes. Particular attention therefore to the detail of the balconies as described in the Design Brief is critical to maintain, as is the underside of balcony treatments. The main building itself shielded by the rotating square rings of balcony should emulate conceptually something to be worthy of protection which in this instance suggests full glazed walls as opposed to punched openings in a masonry wall.*
14. *If the architectural expression desired for this building cannot be realized due to other considerations given the highly visible and important location on London's Main Street facing the Cathedral, then perhaps an alternate design solution should be a consideration;.*
15. *To ensure aesthetic success for this building where the materials and detail are critical, the panel supports Planning's Bonus designation for this project;*
16. *Ensure sufficient bicycle and other storage in the development to avoid unsightly use of the balconies.*
17. *Where adding a parking level to the existing garage explore the opportunity to update the massing with materials to lighten the appearance."*

City of London Development Services:

City of London Development Services comments:

"A Servicing and Lot Grading Plan stamped by a professional engineer will be required for the subject property. This Servicing and Lot Grading Plan is to be reviewed by Development Services prior to any development of this site. Attached are notes and commentary to assist the applicant in providing the necessary Site Servicing and Grading Plan and engineering reports to progress this development.

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General Comments:

1. *The site serving and grading plans are to show current conditions on the adjacent streets and properties such as existing roads, accesses, sidewalks, sewers, water mains, utilities, etc.;*
2. *Should a private drain connection(s), or other works be installed on a City street to service this site, then details of these works including restoration of the City street are to be shown on the site servicing plan or a separate drawing to City standards;*
3. *A Traffic Management Plan may be required prior to issuance of a Permit of Approved Works; and,*
4. *The Owner is required to obtain all other necessary and relevant permits and approvals such as Ministry of the Environment Certificates of Approvals, Permits for Approved Works (PAWS) etc.”*

Stormwater Management comments:

5. *“The site is tributary to multiple stormwater sewersheds, in order to utilize a connection to a single sewershed, then the entire site must be controlled to the respective sewershed area flows. i.e. if the site is 1ha and the tributary sewershed area being connected to is only sized for 0.4 ha, then the entire 1ha site must be controlled to discharge at the same flow rate as the 0.4 ha produces;*
6. *The Owner shall submit a servicing report prepared by a Professional Engineer, licensed in the province of Ontario, for the subject site. The report is to be in accordance with City of London and MOECC standards and guidelines, all to the satisfaction of the City Engineer. The report shall take into account any drawings, reports, and previously prepared development agreements;*
7. *The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, where possible, to the satisfaction of the City Engineer;*
8. *The Owner is required to provide a lot grading plan for stormwater flows and address major overland flow paths to safely convey the 250 year storm event;*
9. *The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands;*
10. *Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands; and,*
11. *The Owner agrees to develop an erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MOECC standards and requirements, all to the specification and satisfaction of the City Engineer.”*

Water Engineering comments:

12. *“Water is available from the 300 mm diameter PVC watermain on Richmond Street;*
13. *A new water service is required for the proposed building; and,*
14. *The Owner's Engineer is to provide a water servicing report including fire protection and water turnover calculations”.*

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Transportation comments:

15. *Detailed comments regarding lay-by location and design will be made during the site plan process.*

UTRCA:

The UTRCA comments that they “....have no objections to this proposal.”

PUBLIC LIAISON:	<p>On October 26th, 2016, Notice of Application was sent to 266 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on October 27, 2016. A “Possible Land Use Change” sign was also posted on the site.</p>	<p>Seven (8) written replies and one (1) telephone call were received in response to the Notice of Application.</p>
<p>Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to permit the demolition of the northerly portion of an existing retail plaza to facilitate the development of a 101 metre tall apartment building containing 175 one and two bedroom units (see attached Figures 1 and 2). An additional storey of parking is also proposed to be added to the existing four-storey parking structure along Dufferin Avenue. A removal of a holding provision requiring a wind impact assessment will also be considered.</p> <p>Change Zoning By-law Z.-1 from a Holding Downtown Area (h-3•DA2•D250) Zone which permits a wide range of retail, commercial and office uses as well as apartment buildings and apartment hotels to a maximum density of 250 units per hectare and a maximum height of 90 metres to a Downtown Area Special Provision (DA2(_)) Zone to permit: a wide range of retail, commercial and office uses as well as apartment buildings and apartment hotels. The requested Special Provision would allow for an apartment building with: a maximum density of 342 units per hectare; a maximum building height of 101 metres; and, a maximum building setback of 4.5 metres along the Richmond Street frontage. The City will also consider the use of a Bonus “(B-_)” Zone to provide for the increased height and density in the requested Zoning By-law Amendment. The Bonus “(B-_)” Zone would permit a 175 unit apartment building with: a maximum density of 342 units per hectare; a maximum building height of 101 metres; and a maximum building setback of 4.5 metres along the Richmond Street frontage in return for the provision of services, facilities, and matters that include an enhanced building design, a public plaza and a shared public space along the Richmond Street frontage.</p>		
<p>Responses: Responses to the Notice of Application have been included as Attachments 1a) to 1h) to this report. Concerns raised in the responses to the Notice of Application included, but are not limited to:</p> <ul style="list-style-type: none"> • shadow impacts; • traffic congestion and vehicular access to parking opportunities; • wind impacts/loss of views; • pedestrian circulation patterns on and off-site; • construction impacts to business operations and adjacent structures; and, • loss of privacy. 		

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THE SUBJECT SITE AND ENVIRONS

The subject lands are located at the northeast corner of Richmond Street and Dufferin Avenue at the northerly limit of the downtown core. The site is approximately 0.96 hectares in size and has frontage on Richmond Street, Dufferin Avenue and Kent Street. The subject site contains a mixed use development that includes a one-storey retail plaza fronting Richmond Street, a three-storey parking garage extending from Dufferin Avenue to Kent Street, and an eight-storey office building fronting Dufferin Avenue. The existing commercial and retail floor space on the site equates to approximately 16,320 sq² (175,667 ft.²). The parking structure contains the required parking spaces for the retail uses and the office building. The parking structure also provides parking for a fourteen-storey apartment building located on lands known municipally as 155 Kent Street.

An enclosed pedestrian arcade (known as Richmond Court) is shown on Figures 2 and 3. The arcade extends from Richmond Street in a westerly direction to an outdoor public plaza immediately to the north of an existing office building. This outdoor plaza can also be accessed via the Richmond Court entrance off of Dufferin Avenue (see Figure 4). The laneway to the north of the existing commercial plaza is also visible in Figure 2. The laneway egresses onto Kent Street immediately east of lands known municipally as 155 Kent Street (see Figure 5). The Richmond Court Arcade and the laneway to the north of the existing commercial plaza allows for pedestrian circulation on and through the site.

Figure 2 – The Richmond Court Arcade, Outdoor Plaza and Laneway



Figure 3 – The Richmond Court Arcade (Richmond Street access)



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Figure 4 – The Richmond Court Arcade (Dufferin Avenue access)



Figure 5 – the Laneway exiting Kent Street



Several office buildings, including the Talbot Centre and the Dominion Public Building, restaurants, and the Grand Theatre are to be found to the south of the subject site. Lands to west of the subject site are occupied by an apartment building, an office building and a multi-storey parking garage. Lands to the east of the subject site include institutional (St. Peter's Basilica) and open space (Victoria Park) uses. A private laneway separates the subject site from a mix of low-rise commercial uses fronting Richmond Street. A fourteen-storey apartment building (155 Kent Street) and a twelve-storey retirement residence (170 Kent Street) abut the site to the north.

Building heights in the vicinity of the subject site range from two to eighteen-storeys. A wide range of architectural styles are found in the immediate vicinity of the subject site.

The subject site has frontage on Dufferin Avenue, Kent Street and Richmond Street. Dufferin Avenue is classified as a Primary Collector Road in the City of London Official Plan. Kent Street is classified as a Local Street. Richmond Street is classified as an Arterial Road. Richmond Street is serviced by public transit and transit supportive infrastructure. Additional transit routes along Queens Avenue and Dundas Street are to be found in the immediate vicinity of the site. The site is located within a convenient walking distance to amenities in the Downtown Area including a wide variety of retail, service, entertainment, and office uses.

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THE DEVELOPMENT PROPOSAL AND DEFINING DESIGN ELEMENTS

The development proposal (as advanced in the applicant’s Urban Design Brief and Planning Justification Report) envisions the demolition of 1,205 m² of the northerly portion of the existing retail plaza and the construction of a new 101 m (thirty-two storey) point tower apartment building containing a total of 175 one and two bedroom units (see Figure 6). The density of the proposed apartment building (factoring the remaining commercial floor space) would equate to 342 units per hectare. Although not required under the existing Z.-1 regulatory framework, an additional level of parking is proposed to the current four-storey parking structure.

The development proposal incorporates a number of building and site specific design elements including:

- a point tower building which makes use of a variety of cladding materials, extensive glazing, off-set and angled balcony projections and decorative balcony detailing. Seven off-set sections are included in the point-tower design;
- a distinguishable base, middle and top. The tower has been designed with a floor plate area of 676 m² (7,277 ft²);
- the first two floors (or base) of the point tower feature floor to ceiling windows on all elevations facing the public realm allowing sunlight penetration into the building and facilitating street animation (see Figure 7). Additionally, the proposed floor to ceiling windows will serve to enhance the visibility and viability of the existing ground floor retail uses on the north side building face of the retained commercial plaza (see Figure 3 above and 7 and 8 below for comparative purposes);
- The base also features unique “Y” shaped pillars that serve to support a wood paneled roof that partially overhangs the north, south, and east building face (see Figures 8 and 10). This overhang feature serves not only to differentiate the “base” from the “middle” but to enhance (through shading and weather protection) the public plaza (to the south of the building) and the proposed pedestrian arcade fronting Richmond Street. The requested Special Provision to provide for a 4.5 metre front yard setback along the Richmond Street frontage would provide for the installation of the wood paneled overhang;
- The floor plan for the ground floor provides for a 150 m² amenity space (on the south side of the building fronting the retained commercial plaza – see Figure 8), and a lobby area, a garbage room, and a service room on the north side of the building adjacent to the laneway (see Figure 9). An enclosed walkway extending from the proposed tower to the existing parking structure is also contemplated.

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Figure 6 – The Proposed 101 metre Point Tower



Figure 7 – The Base

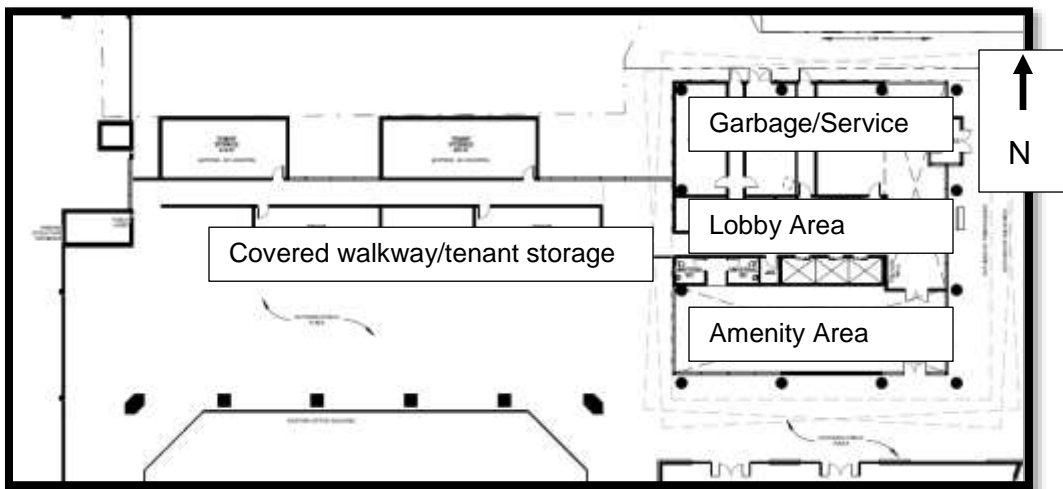


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Figure 8 – The “Opened” Public Plaza and adjacent Amenity Space



Figure 9 – The Ground Floor Plan



- The “middle” of the point tower “....has been designed to feature two different sections that are distinguishable by balcony angle and railing colour. The first section, from floors three to seven, features a balcony angle that results in a wider balcony on the north side of the Richmond Street elevation with a light-toned railing material. The second section, from floors eight to eleven, has an opposite balcony angle (wider portion on the south side of the Richmond Street elevation) and a dark-toned railing material. The sections alternate to produce seven distinct portions of the building (see Figure 10).”
- The “top” of the point tower, from floors 29 to 32, “...feature both light and dark-toned balcony railing materials; dark-toned is used at the northeast corner of the building while light-toned is used for the remaining elevations, but are separated by a break in the balcony structure. The building is capped by an off-set, overhanging roof with the northerly half being approximately 3 metres higher than the southerly half”....Mechanical features on the roof will largely be out of view and not visible from pedestrian areas” (see Figures 11 and 12);

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Figure 10 – Off-set Balcony Angles and Railing Colours

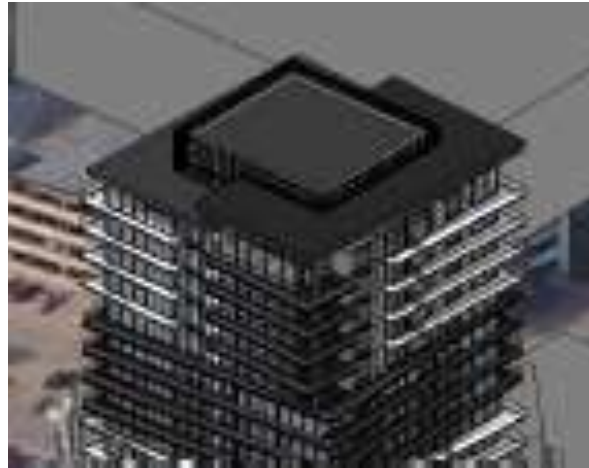


Figure 11 – The “Break in the Balcony Structure”



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Figure 12 – “Off-set Overhanging Roof “and hidden Mechanical Features



- The design proposal originally submitted by the applicant also provided for a “*hardscaped*” outdoor plaza (pedestrian arcade) and layby between the building entrance and Richmond Street. The pedestrian arcade was envisioned to serve as a shared flex-space area where both pedestrians and vehicular traffic could be accommodated. The space would provide vehicular access off of Richmond Street for temporary deliveries and resident drop-offs and pick-ups. A continuous surface treatment was envisioned for this area. A loading area was also to be accommodated within the laneway located off of Richmond Street along the north side of the proposed apartment (see Figure 13);
- Noting the importance of Richmond Street as a pedestrian shopping corridor, and citing safety concerns regarding a shared pedestrian/vehicular layby/sidewalk, Planning staff worked with the development proponent to redesign the proposed pedestrian arcade. The redesigned pedestrian arcade relocates the proposed drop-off/pick up area into an extended southbound right turn lane on Richmond Street (see Figure 14). The layby (the extended south-bound right turn lane) would have a barrier curb along the inside edge and would utilize a different pavement treatment with proper signage to restrict parking. The relocation of the layby provides for the development of a new pedestrian only pedestrian arcade fronting Richmond Street. The pedestrian arcade is envisioned to include raised planters (angled to mirror established building lines to the north and south), seating, plantings, trees, bicycle parking infrastructure, lighting and a textured surface area that would tie into the public plaza on the south side of the proposed apartment building. Access to the existing public plaza to the west of the new tower (immediately north of the existing office building) would also be maintained. The off-set overhang (above the podium) would enhance the comfort and enjoyment of the both the pedestrian arcade and the public plaza and the two-storey glass lobby area and amenity space would serve to light the public space and animate the street (see Figure 14);

THE NATURE OF THE APPLICATION

The Development Proposal:

The design specifics of the proposed apartment building and new pedestrian arcade and public plaza have been described above. The apartment building is proposed to replace the existing one-storey commercial plaza at the north end of a mixed use development site. The mixed use development site presently includes: two one-storey commercial plazas joined by an enclosed pedestrian arcade; an eight-storey office building; a four storey parking structure; and, an outdoor public plaza. The proposal also anticipates the addition of one level of parking to the existing four-storey parking structure and an enclosed ground level pedestrian connection linking from the parking structure to the new apartment building.

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Figure 13 – A Pedestrian/vehicular Shared Space



Figure 14 – The Revised Layby and Pedestrian Arcade

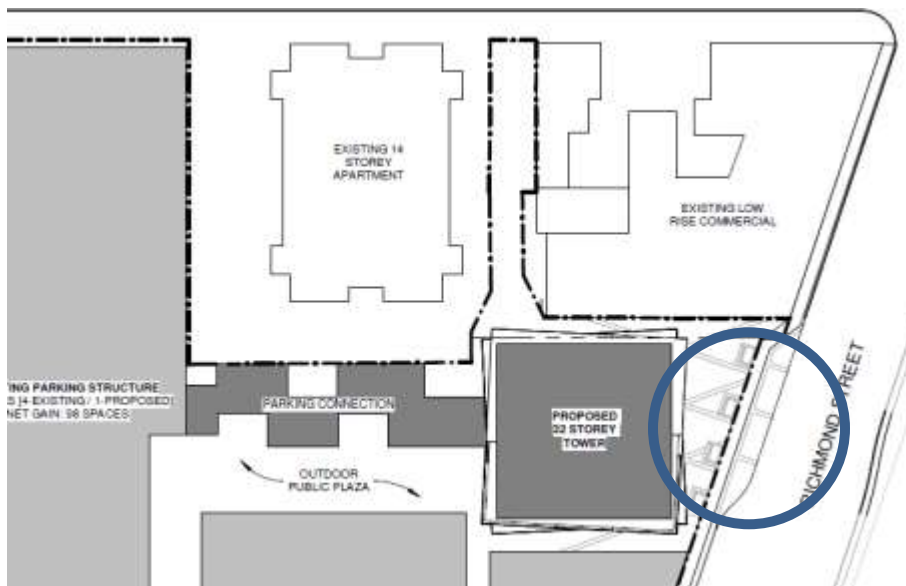


Figure 15 – The Revised Pedestrian Arcade and Public Plaza



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The Existing Policy and Regulatory Framework:

The Official Plan states that the greatest height and density of retail, service, office and residential development permitted within the City of London will be accommodated in the Downtown. The Official Plan states that development within the Downtown will not normally exceed 350 units per hectare. Increases in density may be permitted without an amendment to the Official Plan subject to the density bonusing provisions and conformity with the City’s Downtown Design Guidelines.

The Official Plan does note however that 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 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 activity.

The subject lands are located on the south side of Kent Street at the northerly limit of the Downtown and Downtown Shopping Area. Lands on the north side of Kent Street have been designated Multi-Family High Density Residential.

The subject site is zoned Holding Downtown Area (h-3•DA2•D250) which permits a wide range of retail, commercial and office uses as well as apartment buildings and apartment hotels to a maximum density of 250 units per hectare and a maximum height of 90 metres.

To realize the development vision, and citing the policies of the Official Plan which anticipate maximum residential densities in the Downtown Area up to 350 units per hectare, the applicant has requested a Zoning By-law amendment to change the zoning of the subject site from a Holding Downtown Area (h-3•DA2•D250) Zone to a Downtown Area Special Provision (DA2(*)) Zone. The Special Provision “(*)” would allow for a maximum density of 342 units per hectare and a maximum height of 101 metres. The Special Provision “(*)” Zone would also serve to establish a maximum front yard setback of 4.5 metres from Richmond Street.

As an alternative to the requested Special Provision Zone, on April 27, 2017 the applicant formally amended their application, after discussion with Planning Staff, to request the same form of development by way of a Bonus Zone. Planning Staff have considered the planning merits of an implementing Bonus “B-(*)” Zone to provide for the increased height and density.

SUPPORTING STUDIES

In support of the requested Zoning By-law amendment, and the design proposal specifically, the applicant submitted: a Pedestrian Wind Level Assessment; a Shadow Study; a Noise Assessment; a Traffic Review Study; an Urban Design Brief; and, a Heritage Impact Statement. The conclusions of these studies have been identified below with a mind to responding to public concerns raised through the consultation process.

The Pedestrian Level Wind Assessment:

The Z.-1 Zoning By-law zones the subject site a Holding Downtown Area (h-3•DA2•D250) Zone. To ensure that development over 15 metres in the Downtown Area DA2 Zone will not have an adverse impact on pedestrian level wind conditions in the Downtown Area, a wind impact assessment (prepared by a qualified professional) is required by the City of London prior to the removal of the Holding “h-3” Zone provision.

The proposed tower is 101 metres in height. A Pedestrian Level Wind Assessment, prepared by the Boundary Layer Wind Tunnel Laboratory at the University of Western Ontario, reviewed the existing and post-development wind conditions concluding that “...the development is not expected to have [a] negative impact to the nearby street level environment. Furthermore, its

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limited impact is not anticipated to extend beyond the immediate sidewalk area. From a comfort perspective, all nearby street level areas and park areas are judged suitable for the intended and expected activities, both before and following the proposed development”.

Given the conclusions of the Pedestrian Level Wind Assessment, the Holding “h-3” Zone provision is recommended to be removed as part of this Zoning By-law amendment.

The Shadow Study:

In support of the requested Zoning By-law amendment, and the design proposal specifically, a Shadow Study was prepared by SRM Architects.

During the spring and fall equinoxes (March 20 and September 23) the Shadow Study identified the following impacts on adjacent buildings from the proposed development:

- *“10 AM – Minor shadowing is present on 155 Kent Street (portions of the south and east elevations);*
- *12 PM – Shadowing on the rear of the low-rise commercial buildings to the north (front elevations in full sun);*
- *2 PM – Shadows cover nearly all of the adjacent commercial facades to the north and extend to approximately the east side of Richmond Street;*
- *4 PM – Shadowing is present on the south façade of 533 Clarence Street (St. Peter’s Auditorium building), and a portion of the northerly end of St. Peter’s Cathedral Basilica; and,*
- *6 PM – Shadows fall on St. Peter’s Cathedral Basilica, however, it is noted that nearly the entire block is in shadow generated from two other high-rise buildings on the west side of Richmond Street (150 Dufferin Avenue and 155 Kent Street).”*

The Shadow Study further concluded that *“Overall, the only shadowing impacts on residential areas during the equinox months are minor shadowing in the morning on portions of 155 Kent Street. Summer Shadow impacts are limited to minor shadowing of Richmond Street and late afternoon shadowing of St. Peter’s Cathedral Basilica. However, given the large number of proximate high-rise buildings, the proposed apartment does not add significant amounts of shadow to the area.”* The Shadow Study further noted that shadowing for the winter months was not included *“...due to the low angle of the sun and the proximity of other high-rise buildings.”*

Given the conclusions of the Shadow Study, staff are satisfied that the proposed 32 storey, 101 metre tall apartment building will not have a significant impact on adjacent land uses or the pedestrian streetscape and shopping corridor;

Noise Assessment:

A Noise Assessment was prepared having consideration for both the dwelling units in the apartment building and the outdoor public plaza. The Noise Study identified *“...noise levels that will meet the Ministry of the Environment’s requirements for this development.”*

A Traffic Access Review Study:

The proposed development envisions the construction of a thirty-two storey apartment building containing 175 dwelling units (totaling 295 bedrooms). Parking for the proposed tower is to be provided in the parking structure to the west of the development with access from Dufferin Avenue. Any move-in/move-out traffic from the proposed tower is to be accommodated via the laneway on the north side of the proposed building.

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Paradigm Transportation Solutions was retained by the developer to assess the transportation impacts of the Richmond Street layby shown on Figure 13 above. While the layby is no longer contemplated, certain information contained in the Access Review Study serves to answer a number of questions raised during the public consultation process. In response to these inquiries the following information is provided:

- *“The City of London provided traffic volumes (dated March 2015) for the nearby intersection of Richmond Street (an Arterial Road) and Dufferin Avenue (a Primary Collector). The two-way traffic volumes along Richmond Street in front of the development are approximately 1,150 vehicles during the AM peak hour and 1,300 vehicles during the PM peak hour. With Richmond Street having a four-lane cross section, it can be assumed that the road could handle approximately 7,200 vehicles per hour (1,800 per lane per hour). As such, no road capacity issues are anticipated along Richmond Street”; and,*
- *The number of new net trips generated by the proposed development would equate to 89 AM peak hour trips (18 in and 71 out); and 109 PM peak hour trips (71 in and 38 out).*

A Heritage Impact Study:

The subject site is located immediately west of the Woodfield Heritage Conservation District and immediately south of a number of Priority 1 (non-designated) properties identified on the City of London Inventory of Heritage Resources.

As required by the *Ontario Heritage Act*, the *Provincial Policy Statement*, and the policies of the City of London Official Plan, a Heritage Impact Statement has been prepared and submitted in support of the requested Zoning By-law Amendment. The Heritage Impact Statement (HIS) included a Table (see Table 1) that identified the possible impacts of the proposed apartment tower on the heritage resources to the north and east of the subject site:

The Heritage Impact Statement concluded that the requested Zoning By-law Amendment is consistent with the policies of the Provincial Policy Statement in that *“...No historically significant buildings will be removed for the proposed development and the significant built heritage resources of the surrounding properties will be conserved.”*

The Heritage Impact Statement further concluded that the proposed development, *“...sensitive as it is to the characteristics of the adjacent protected heritage properties...”* is *“...consistent with the Cultural Heritage policies of the City of London Official Plan”*. In support of this conclusion the Heritage Impact Statement also referenced the findings of the Shadow Study identified on page 22 to this report.

Staff has reviewed the Heritage Impact Statement (HIS) and would note that, rather than providing a detailed discussion of potential impacts on adjacent heritage listed properties, St. Peter’s Basilica, and the West Woodfield HCD, the HIS took a general approach in assessing potential impacts broadly. This approach resulted in a limited assessment of the potential adverse impacts as a result of the proposed development particularly the compatibility with adjacent heritage listed properties, views and shadowing. For example, the HIS was silent in respect to the proposed podium setback relative to the setback of the existing heritage listed properties to the north. However, it is noted that the design proposal envisions a two storey building base similar in height to the adjacent 2.5 storey listed properties. Additionally, the planters proposed in the public plaza fronting Richmond Street are to be installed at an angle that mimics the established building line of these properties.

The proposed 32 storey tower will exceed the height of adjacent listed properties. That being said, the Downtown Area designation anticipates and provides for the highest built form in the City. The existing regulatory framework, which serves to implement Official Plan policy, currently permits a maximum building height of 90 metres. When considering the potential impacts of the development proposal on the listed properties, we must also consider the existing policy and regulatory framework, the existing built form, and how the development proposal responds to

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potential impacts on adjacent properties. High-rise buildings, according to the London Plan, should be designed with slender towers that reduce shadow impact, minimize obstruction of views, and are less massive to neighbouring properties. A typical floor plate of approximately 1,000 square metres is a reasonable target. Staff are satisfied that the proposed floor plate of 672 square metres will serve to minimize potential impacts on adjacent listed properties.

It should be noted that the London Advisory Committee on Heritage also reviewed the design proposal and arrived at a different conclusion about the HIS. LACH has advised Municipal Council that "...LACH is satisfied with the research in the Heritage Impact Assessment...", and that "...It has no concerns about the potential impact on adjacent heritage properties as the proposed development is in an area with a lot of commercial structures of various sizes, ages and architectural diversity and the proposed development fits in with the more diverse mix of buildings in the area....".

Table 1 – Heritage Impact Assessment

Possible Impacts	Assessment
Destruction of any, part of any, significant heritage attributes or features;	No negative impact. The subject site is not a listed or designated heritage property and the proposal will not change or alter the historic attributes of the adjacent protected and listed non –designated heritage properties.
Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;	No negative impact. The subject site is not a listed or designated heritage property. The setback of the proposed building is consistent with the existing building. The neighbouring streetscape along Richmond Street,
Shadows created that alter the appearance of a heritage attribute or change the visibility of an associated natural feature, plantings, such as a garden;	No negative impact. Please refer to Section 6.4 for the shadow study prepared by SRM Architects.
Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;	No negative impact. The subject site is not a listed or designated heritage property. The proposal does not isolate heritage attributes of the adjacent protected and listed non –designated heritage properties.
Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;	No negative impact. The proposal is located on the west side of Richmond Street and will have no impact on any significant views of West Woodfield Conservation District, specifically St. Peter's Basilica. The proposal will not block or have an impact on significant views of the neighbouring heritage properties. The setback of the proposed building will be consistent with the current building. Please refer to Appendix 4.
A change in land use where the change in use negates the property's cultural heritage value;	No negative impact. Historically the area has been mixed uses and the proposed residential use is in-keeping with the uses of the adjacent protected and listed non –designated heritage properties.
Land disturbances such as change in grade that alters soils, and drainage patterns that adversely affect cultural heritage resources.	No negative impact.

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A REVIEW OF THE EXISTING POLICY FRAMEWORK

The Development Proposal and the Provincial Policy Statement, 2014:

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

Section 1.1.1b) of the PPS encourages an appropriate range and mix of residential, employment, recreation and open space uses to meet the long-term needs of the community. The recommended Zoning By-law amendment will facilitate the development of a 175 unit residential apartment building, pedestrian arcade and public plaza on a mixed-use development site that currently contains an eight-storey office building, a one-storey commercial plaza and a four-storey parking garage. The recommended Zoning By-law will also serve to increase the visibility and viability of those “hidden” commercial uses on the north side of the retained southern plaza. The redevelopment of this mixed use site to include a residential land use component is viewed as being consistent with, and serving to implement, policy 1.1.1b) of the PPS.

The policies of Sections 1.1.2 and 1.1.3 of the PPS require municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock and the availability of existing or planned infrastructure. The development proposal envisions the demolition of an existing one-storey commercial plaza and its replacement with a 101 metre (32 storey), 175 unit apartment building. Building heights in the vicinity of the redevelopment site range in height from two to eighteen storeys. The site, relative to the existing policy and regulatory framework of the Official Plan and implementing Z.-1 Zoning By-law, is underutilized. In keeping with the policies of Section 1.1.2 and 1.1.3 of the PPS, the recommended Zoning By-law amendment will provide for the redevelopment and intensification of a mixed-use site with a high density residential use that is both compatible with surrounding land uses and transit supportive. The redevelopment and intensification of the site is also consistent with, and serves to implement, the policies of the PPS which call for densities and a mix of uses that efficiently utilize existing municipal infrastructure.

The development site is located on a major bus route. The subject site is also located within the Downtown Area which is currently being considered as the hub of a future rapid transit system. The proposed redevelopment of the site will maintain and enhance the existing system of laneways and pedestrian arcades that serve to connect the site to the larger Downtown area and an adjacent residential neighbourhood. The maintenance and enhancement of these laneways and arcades is consistent with, and will serve to implement, the policies of Section 1.6.7 of the PPS which encourage “...a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation”.

The recommended Zoning By-law amendment is also consistent with, and will serve to implement, the Long-Term Economic Prosperity policies of Section 1.7 of the PPS which seek to maintain and, where possible, enhance the vitality and viability of downtowns and main streets. The recommended Zoning By-law amendment will provide for a development concept that establishes a high density residential use, a new pedestrian arcade and public plaza on an established pedestrian shopping corridor. The development concept will also enhance the visibility (and viability) of a number of ground floor commercial uses that are currently hidden from the commercial traffic (both pedestrian and vehicular) in the existing Richmond Arcade.

The subject site is located immediately west of the Woodfield Heritage Conservation District. The recommended Zoning By-law amendment is also consistent with, and will serve to implement, the Cultural Heritage policies of Section 2.6 of the PPS which state that built heritage resources and significant cultural heritage landscapes shall be conserved. The Heritage Impact Assessment prepared in support of the requested Zoning By-law amendment (and accepted by the LACH) determined that the proposed development will not negatively impact the adjacent heritage resources to the north or the east of the subject site. The Shadow Study, and the Pedestrian Level

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Wind Impact Assessment, further concluded that the development proposal will not have an impact on adjacent land uses.

Given the above, the recommended Zoning By-law amendment is viewed as being consistent with, and serving to implement, the policies of the PPS.

The Development Proposal and the Policies of the City of London Official Plan and the Our Move Forward: London’s Downtown Plan:

Section 4.1 of the Official Plan identifies Council’s stated objectives in the consideration of development proposals within the Downtown Area. These objectives serve to: support the growth of the residential population; encourage the consolidation and enhancement of a compact-pedestrian-oriented shopping area; and, facilitate vehicular and pedestrian movement into and within the Downtown through improvements to the network of transit roads, parking areas, and pedestrian facilities.

The recommended Zoning By-law amendment is consistent with, and will serve to implement, the stated objectives of Section 4.1 of the Official Plan. The development proposal, and implementing Zoning By-law amendment, will serve to increase the residential population in the core. It will provide for a built form that both maintains and enhances pedestrian movement within and through the site through a system of laneways, mid-block connections, a pedestrian arcade and a public plaza. The proposed public plaza will serve to increase the visibility and viability of existing commercial uses on the north building face of the retained pedestrian plaza. The proposed public plaza will also serve to enhance the existing pedestrian infrastructure in the Richmond Row shopping area with the installation of sheltered canopies, seating, trees and planters.

Section 4.1.4 of the Official Plan identifies the subject site as being within the Downtown Shopping Area. Within the Downtown Shopping Area, non-service office uses, residential uses and surface parking lots are discouraged at street level as such uses typically do not lend themselves to a desired level of street animation. The ground floor plan (Figure 9) provides for a 150 m² amenity space fronting the retained commercial plaza and a lobby area and service room. The first two floors (base) of the tower feature floor to ceiling windows on all elevations facing the public realm allowing sunlight penetration into the building, facilitating the street animation sought for by way of Section 4.1.4 of the Official Plan and providing the opportunity for a commercial unit to occupy the lobby (i.e. café) at a future date. Additionally, the proposed floor to ceiling windows will serve to enhance the visibility and viability of the existing ground floor retail uses on the north side building face of the retained commercial plaza. The recommended Zoning By-law amendment is viewed as being consistent with, and serving to implement, the policies of Section 4.1.4 of the Official Plan.

Section 4.1.6 of the Official Plan states that the development of a variety of high and medium density housing types in the Downtown will be supported either through new development or through the conversion (or redevelopment) of vacant or underutilized space in existing buildings. Support is also given under Section 4.1.6 of the Official Plan to publically-accessible open space areas in major development projects. The recommended Zoning By-law amendment will provide for a permitted high density residential use. The recommended Zoning By-law amendment will further serve to provide for the development of a new pedestrian arcade and public plaza.

The policies of Section 4.1.7 of the Official Plan state that the Downtown will accommodate the greatest height and density of retail, service, office and residential development permitted within the City. These policies anticipate a maximum density of 350 units per hectare.

The locational importance of this site not only to the Downtown but the larger City of London, cannot be understated. The subject site is:

- at the gateway to the downtown;

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- at the interface of two distinct yet complimentary land use designations (the Downtown Area designation and the Main Street Commercial Corridor designation);
- immediately to the west of iconic, historically significant London landmarks (St. Peter's Basilica and Victoria Park);
- dissected by an existing system of laneways and pedestrian arcades (that serve to facilitate the enhanced pedestrian systems and mid-block connections envisioned in the Official Plan);
- anchors the southern limits of "Richmond Row"; and,
- the site abuts the West Woodfield Heritage Conservation District.

The applicant's Urban Design Brief recognizes the importance of this site:

- Section 1.5.1iv) – *"The unique look of this building and use of decorative details conveys a high standard of design at this prominent location along Richmond Street";*
- Section 1.5.2.i) – *"The proposed apartment building exhibits a high design standard appropriate for its prominent location as a gateway to the downtown";* and,
- Section 1.5.3 – *"The gateway location of the subject lands, at the north end of the downtown, is suitable for a landmark building, such as being proposed".*

Noting the above, it is imperative that the "right tools", or planning mechanisms, be utilized to ensure that the development vision, as articulated in the Urban Design Brief submitted in support of the requested action, is realized. The applicant initially requested a Special Provision Zone to implement the development concept. This requested Special Provision Zone however would simply establish a maximum height of 101 metres and a maximum density of 342 units per hectare in regulation. Outside of the maximum height and density regulations, the requested Special Provision would not serve to guarantee the implementation of any of the architectural details and site design elements inherent in the proposal (the off-set and angled balconies and balcony glazing systems, the two-storey ground to floor glazed "bottom"; the new pedestrian arcade and public plaza, public plaza; and revamped "commercial plaza on the south side of the proposed building).

The applicant has modified the amendment to request a Bonus "B-__" Zone to permit increases in height (from 90 metres to 101 metres) and density of development (from 250 to 342 units per hectare) beyond what is otherwise permitted in the Zoning By-law in return for the provision of such facilities, services and matters as are set out in the Bonus "B-__" Zone. A Bonus Zone would append building elevations and a site plan to the adopting by-law. This in turn facilitates a greater degree of certainty that the "final product" envisioned by way of the requested Zoning By-law amendment for this "*prominent site*" and "*landmark building*" is realized. The recommended Zoning By-law amendment serves to implement the applicant's stated development vision including building elevations, architectural detail, and site design elements.

Sections 4.1.2 and 4.1.7ii) of the Official Plan states that the proponents of development projects in the Downtown will be encouraged to achieve the urban design objectives and principles contained in Chapter 11 and conform to the Downtown Plan. 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.

In support of the requested Zoning By-law amendment the applicant has submitted an Urban Design Brief. Staff have reviewed the Urban Design Brief relative to the Design Objectives and Principles of Chapter 11 of the Official Plan and would agree with the Brief's conclusion that "*The Proposed development meets the City's Urban Design requirements by providing a modern, contemporary architectural design and enhancing the streetscape along the Richmond Street*

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corridor". More specifically, the proposed development responds to the following Design Principles of Section 11.1.1:

- High Design Standards - *"The apartment building provides a strong, contemporary architectural presence that compliments the surrounding uses...the unique look of the building and the use of decorative details conveys a high standard of design at this prominent location along Richmond Street"*;
- Architectural Continuity – *"Richmond Street exhibits a variety of architectural styles and is more defined by an active pedestrian streetscape than a particular style of architecture. As the proposed building maintains an active street frontage, the continuity of Richmond Street is maintained"*;
- Redevelopment – *"The proposed apartment building will make more efficient use of this portion of the subject lands"*;
- Streetscape – *"The proposed building has been placed close to the ultimate road allowance on Richmond Street and maintains the existing building line. This positioning creates a strong street presence, similar to what exists to the north and the south of the subject lands on the west side of Richmond Street. An animated street frontage is accomplished by a landscaped public plaza, extensive [ground floor] glazing, multiple entrance locations The use of a two-storey podium allows for a human-scale streetscape experience along Richmond Street"*;
- Pedestrian Traffic Areas – *"Pedestrian traffic will be enhanced through the strengthening of the streetscape, a public plaza, and a public space (pedestrian arcade) in front of the building"*;
- Access to Sunlight – *"Generous amounts of windows are proposed for all elevations..... The narrow, point tower design of the building also ensures that shadows on adjacent lands will be minimal"* (see the conclusions of the Shadow Impact Background Study detailed above);
- Landscaping – *"Landscaping in the form of concrete planters is proposed for the internal public plaza. Landscaping will provide additional shade for this public gathering area and soften the appearance of impervious surfaces in the plaza"*;
- Outdoor Space – *"A public plaza is proposed on the subject lands between the proposed apartment building and the existing commercial space to the south. This plaza will provide an inviting pedestrian environment to interface with the commercial uses and residential uses. The existing public plaza to the rear of the proposed building (immediately north of the existing office building) is to be maintained"* (see Figure 14 above); and,
- Gateways – *"The subject lands are located at the northerly end of the downtown area. The height of the proposed apartment, together with the building's architectural design and features, creates a prominent gateway feature into downtown"*.

The development proposal, and the recommended Zoning By-law amendment, is consistent with, and will serve to implement, the Urban Design policies of Chapter 11 of the City of London Official Plan.

The development proposal has also been reviewed relative to the Our Move Forward: London's Downtown Plan. While it is noted that there are no "Transformational Projects" that affect the subject lands or the proposed development, the design proposal is viewed as being consistent with, and supportive of the following Strategic Directions:

- Strategic Direction 5.1 (the proposal supports the development of a larger residential community in the downtown to foster a local trade market to offer a diverse array of daily needs commercial enterprise);

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- Strategic Direction 5.3 (the proposal supports the creation of intimate urban spaces through the reinstatement and incorporation of existing laneways, and mid-block pedestrian connections into new development);
- Strategic Direction 4.12 (the proposed public plaza and now open public arcade to the east and south of the proposed apartment building support a safe and active pedestrian environment); and,
- Strategic Direction 5.3 (the proposed development will contribute positively to the image of the downtown).

The development proposal, and the recommended Zoning By-law amendment, is consistent with, and will serve to implement, the policies of the Our Move Forward: London’s Downtown Plan. The Downtown Design Manual is used in combination with the Official Plan and London’s Our Move Forward Downtown Plan to guide public works in the publically owned rights-of-way as well as within public gathering places. The Guideline is also used for reference purposes by developers. In response to the identified principles advanced in the Downtown Design Manual, the proposal incorporates:

- widened sidewalks (Section 1.2), street furniture (Section 1.6), a public plaza and pedestrian arcade (Section 1.7), pedestrian arcade overhang (Section 2.4);
- the building features a distinguishable point tower design with significant glazing, a distinct second-storey awning projection and off-set and angled balcony projections (Sections 2.3., 2.4 and 2.5); and,
- a public plaza and pedestrian arcade [to be] designed in accordance with the Patio Design Guidelines of the Design Manual (Section 3).

The development proposal, and recommended Zoning By-law amendment, is consistent with, and will serve to implement, the design principles advanced in the Downtown Design Manual.

The proposal has been shown to be consistent with the Urban Design policies of Chapter 11 of the Official Plan, the Strategic Directions of the Downtown Plan, and the design principles advanced in the Downtown Design Manual. As such, the development proposal, and recommended Zoning By-law amendment, is viewed as being consistent with, and serving to implement, the Design Consideration policies of Section 4.1.7ii) of the City of London Official Plan.

Section 4.1.7iii) of the Official Plan states that the design and positioning of new buildings in the Downtown shall have regard for the potential impact that 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. The Pedestrian Level Wind Impact Assessment carried out by the Boundary Layer Wind Tunnel Laboratory at the University of Western Ontario concluded that the development “*is not expected to have [a] negative impact to the nearby street level environment. Furthermore, its limited impact is not anticipated to extend beyond the immediate sidewalk area. From a comfort perspective, all nearby street level areas and park areas are judged suitable for the intended and expected activities, both before and following the proposed development*”. The development proposal, and recommended Zoning By-law amendment, is viewed as being consistent with, and serving to implement, the Street Level Wind Impact policies of Section 4.1.7iii) of the Official Plan.

Section 4.1.8 of the Official Plan encourages the efficient utilization of lands and buildings in the Downtown through the development of vacant or underutilized land. The purpose and effect of the recommended Zoning By-law amendment will serve to replace an existing one-storey building with a new thirty-two storey, 101 metre tall residential tower on a parcel of land that is fully serviced with municipal works. The recommended Zoning By-law amendment is viewed as being

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consistent with, and serving to implement, the Redevelopment policies of Section 4.1.8 of the Official Plan.

The Pedestrian Circulation policies of Section 4.1.9 of the Official Plan state that new development within the Downtown Shopping Area shall enhance pedestrian circulation and contribute to the appearance and continuity of the shopping environment. The policies further encourage pedestrian-oriented design features such as widened sidewalks, the provision of landscaped areas accessible to pedestrians, and street benches. The development proposal specifically addresses the policies of Section 4.1.9. The proposal: retains the existing laneway and mid-block pedestrian connections; introduces a new pedestrian arcade fronting Richmond Street (including planters, trees, benches, textured surface treatments); redesigns and replaces the previously enclosed Richmond Arcade with an open public plaza; and, includes a building base design that serves to animate the street, increase the visibility and viability of the commercial uses on the north building face of the retained one-storey plaza, and provides (through the overhang) weather sheltering. The recommended Zoning By-law amendment is viewed as being consistent with, and serving to implement, the Pedestrian Circulation policies of Section 4.1.9 of the Official Plan.

Section 4.1.10 of the Official Plan states that Council shall support the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown. While there are no parking requirements for new residential uses in the Downtown in the Z-1 Zoning By-law, the development proposal provides for an additional level of parking to an existing on-site parking structure.

The Development Proposal and the Cultural Heritage Policies of the Official Plan:

The subject lands are adjacent to the West Woodfield Heritage Conservation District. The West Woodfield Heritage Conservation District includes a number of “landmark” buildings including St. Peter’s Basilica (immediately to the east of the subject site). The subject site is also immediately south of six properties (519-531 Richmond Street and 177 Kent Street) that are listed on the City of London Heritage Inventory.

Section 13.2.3.1. of the Official Plan states that where a building is protected under Parts IV, V or VI of the Ontario Heritage Act, development 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. As noted above, the applicant submitted a Heritage Impact Statement in support of their requested Zoning By-law amendment. The Heritage Impact Statement concluded that the proposed development would “no negative impact” on adjacent heritage properties. The LACH has reviewed the Heritage Impact Statement and has previously advised Municipal Council that “LACH is satisfied with the research in the Heritage Impact Assessment... and thatIt has no concerns about the potential impact on adjacent heritage properties as the proposed development is in an area with a lot of commercial structures of various sizes, ages and architectural diversity and the proposed development fits in with the more diverse mix of buildings in the area....”. The recommended Zoning By-law is viewed as being consistent with, and serving to implement, the Cultural Heritage policies of Section 13.2.3.1 of the Official Plan.

The Development Proposal and the Implementing Bonus Zone:

As noted previously, the initial zoning request would only serve to implement a maximum height regulation of 101 metres and a maximum density of 342 units per hectare. However, it would not embed in regulation the architectural features and design elements envisioned in the proposal for this strategically important site at the gateway to the Downtown.

Section 19.4.4 of the Official Plan states that the City may include in its Zoning By-law, regulations that permit increases in 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.

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On April 27, 2017 the applicant modified their application to request a Bonus Zone to provide for a height and density above the 90 metres and 250 units per hectare currently provided for in the Downtown Area (DA2•D250) Zone. The recommended Zoning By-law utilizes a Bonus Zone, the purpose and effect of which is to provide for a maximum height of 101 metres and a maximum density of 342 units per hectare in return for design features and architectural elements that are supportive of the City’s Urban Design principles. In comparison to other requested amendments for Bonus Zoning in the Downtown that have approached or exceeded 1,000 units per hectare, this request represents a more modest amendment to the Zoning By-law and is less than the maximum density outlined in the Official Plan. Therefore, the recommended Bonus “B-(*)” Zone will facilitate the height and density sought by way of the proposal and establish in regulation those design elements and features considered critical for the development of the site. These design elements and features collectively represent a commensurate provision of facilities, services and matters in return for the requested increase height and density. The recommended Bonus “B-(*)” Zone is viewed as being consistent with, and serving to implement, the Bonus Zone policies of Section 19.4.4 of the Official Plan.

The Development Proposal and the London Plan:

The use of a Bonus “B-” Zone to implement the development would be consistent with, and would serve to implement, the permitted use, intensity and form policies of the Downtown Place Type of the Council adopted London Plan. Of particular relevance to the requested Zoning By-law amendment that seeks to increase the allowable height from 90 metres to 101 metres and the allowable density from 250 to 342 units per hectare would be the following policies:

- Policy 800 1. – *“A broad range of residential, retail, service, office, cultural....and other related uses may be permitted in the Downtown Place Type”;*

The recommended Zoning By-law amendment would provide for a permitted high density residential use.

- Policy 802_1. – *“Buildings within the Downtown Place Type will be a minimum of either three storeys or nine metres in height and will not exceed 20 storeys in height. Type 2 Bonus Zoning beyond this limit, up to 35 storeys, may be permitted in conformity with the Our Tools policies of this Plan”;*

The policy framework of the London Plan does not specify a maximum density in the Downtown Place Type as a means to regulate intensity. Rather, the London Plan relies on built form to regulate intensity specifying a minimum (3 storeys) and maximum (20 storeys) building height – after which Bonusing may be permitted. The development proposal contemplates a 101 metre, 32 storey residential apartment building. The proposal, under the policy regime of the London Plan would require bonusing. The recommended Zoning By-law amendment, relying as it does on a Bonusing principle, would be consistent with, and would serve to implement, the policies of the London Plan.

- Policy 802_3. – *“The evaluation of height and built form will take into account access to sunlight by adjacent properties, wind impacts, view corridors, and potential impacts on public spaces and heritage properties located in close proximity to proposed development.”*

The Background Studies submitted in support of the requested Zoning By-law amendment application have responded to the considerations detailed in this policy and have concluded that the proposed development will not have a negative impact.

- 803_3. – *“All planning and design that that is undertaken Downtown will place a priority on the pedestrian experience through site layout, building location and a design that reinforces pedestrian comfort and safety”.*

Previous sections to this report have spoken to the conformity of the development proposal relative to pedestrian circulation patterns.

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- 1649_ - *Type 2 Bonus Zoning may allow for a height or density that exceeds the standard height or density limit otherwise permitted by the applicable place type*”.
- 1652 _ - *Under Type 2 Bonus Zoning, additional height or density may be permitted in favour of facilities, services, or matters such as exceptional site and building design, dedication of public open space, the provision of commuter parking facilities on site available to the general public....”.*

The recommended Zoning By-law amendment identifies the specific facilities, services or matters (in this case exceptional building and site design) for which a building height in excess of the prescribed 90 metres is considered appropriate. The recommended Zoning By-law amendment is viewed as being consistent with, and serving to implement, the use, intensity and form policies of the London Plan.

THE RECOMMENDED ZONING BY-LAW

To provide for the development concept the applicant has requested a Zoning By-law amendment that utilizes a Bonus “B-(*)” Zone to specifically identify those facilities, services or matters (in this case the architectural features and site design elements depicted and described in this report) that warrant, and embed in regulation, the requested height and density. This planning approach would be consistent with, and would serve to implement, not only the existing policy framework of the Provincial Policy Statement and the City of London Official Plan, but also the policies of the London Plan which contemplate the use of Type 2 Bonusing for all development in the Downtown Place Type above 20 storeys in height. Noting the findings of the applicant’s Pedestrian Level Wind Impact Assessment, the removal of the Holding “h-3” Zone provision is further recommended.

CONCLUSION

The recommended Zoning By-law amendment has been shown to be consistent with, and serving to implement, the relevant policies of the *Provincial Policy Statement, 2014*, the City of London Official Plan, the *Our Move Forward: London’s Downtown Plan*; and the Downtown Design Manual. The recommended Zoning By-law amendment will provide for the implementation of a “landmark building” on a prominent site at the gateway to the Downtown.

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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April 27, 2017 BT/bt "Attach."

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File: Z-8704
Planner: B. Turcotte

Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Telephone</u>	<u>Written</u>
Betty Weaver 306-155 Kent Street (wind shear, privacy, shading)	Julia and Murray Prettii 1005-155 Kent Street London ONN6A 5N7

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File: Z-8704
Planner: B. Turcotte

Attachment 1a) – Email from Steve Rawlin (November 18, 2016)

“Hi Brian - thank you for speaking with me on the telephone last week.

I am an owner of a condominium at 155 Kent Street and I will be negatively impacted by this proposed development.

My concerns with regard to the application are as follows:

- the proposed building will have a material and negative impact on the amount of sunlight reaching my unit and balcony. It will have a direct negative impact on the unit's property value and impact the quality of life given the amount of shade created by the new building.*
- additional density in the immediate area will cause further traffic congestion and noise*
- has any consideration been given to the additional air pollution created by this development?*
- I am concerned about the potential for wind impacts after this proposed structure is built*
- encouraging transit use would certainly be preferable to adding an additional level of parking at the development*

I am firmly against the City of London permitting this development, let alone an amendment to the existing by-law which would permit additional density and height, as proposed in the notice of October 26th, 2016.

Please consider my objections, and I confirm my desire to have a right to appeal any decisions reached. As such I would like to remain informed as this process unfolds.

I appreciate your consideration in this matter. Please confirm receipt.”

Best,

Steve Rawlin

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File: Z-8704
Planner: B. Turcotte

Attachment 1b) – Email from Devan Vanden Boomen (October 31, 2016)

“Hi there,

I am writing in favour of the application to demolish 515 Richmond St (Z-8704). The proposed tower would be an ideal addition to our skyline, and I believe it aligns well with strategies set forth in the London Plan and the Downtown Master Plan.

I only ask that should 515 Richmond be approved for demolition, a temporary surface parking lot not take its place. Too many instances of demolition have occurred for this purpose.”

*Best,
Devan Vanden Boomen*

DEVAN VANDEN BOOMEN
learning & development specialist
13 Cathcart Street
London ON N6C 3L5

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**File: Z-8704
Planner: B. Turcotte**

Attachment 1c) – MD Management Group (November 17, 2016)

MD Management Limited, MD Group of Companies
150 Dufferin Avenue, 10th Floor
London, ON, N6A 5N6

November 17th, 2016

The City of London, Planning Services
PO Box 5035
London, ON, N6A 4L9
Attention: B. Turcotte

RE: Z-8704 - Change Zoning By-law Z.-1 from a Holding Downtown Area Zone to a Downtown Area Special Provision (DA2() Zone

Dear Mr. Turcotte,

Please accept this response to your request for comments regarding the Application to amend the Zoning by Old Oak Properties in Zone (h-3 DA2 D250) on behalf of MD Management Limited (MDM.) We occupy the space on the 10th floor of 150 Dufferin Avenue, the neighboring building to 515 Richmond Street for which Old Oak Properties have requested a Zoning By-law Amendment.

MDM moved into 150 Dufferin in March 2016 and signed a 10-year lease which expires in 2026. During the lease negotiation there was no indication that there would be a new development next door. As a new tenant in the neighboring building, MDM has the following concerns with the zoning amendment and proposed development:

- Inconvenience, possible detours and parking reassignment for our clients and employees
- Noise disruption to our business
- Dust and debris which will require additional costs for cleaning as well as pose potential health risks to our employees and clients
- That the height and proximity of new building will eclipse the natural light into our space
- Loss of green space. Landscaping plan for new building and areas of neighboring building that could be affected.
- Increased traffic in particular at peak times will cause disruptions to the business in making it more difficult for our clients to access the building. To this affect, please advise on how the additional traffic will be managed ie: will road widening or an additional entrance be required?
- Whether our employees and clients will have sufficient space to park. Will parking lot be expanded & shared with new building? How will this be managed?
- On-going construction will require the business to manage client meetings in accordance with the construction schedule, and we are concerned that we would not have the relevant

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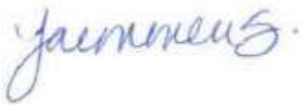
information to properly advise our business. Will there be regular updates on the progress, changes to parking, detours, etc throughout the course of construction?

- As the proposed amendment is to support a 101 metre tall building and an additional floor on the existing parking structure, this will be extremely disruptive to MD Management employees and clients.
- Our determination of where to locate is based on the nature of the community including the uses of surrounding businesses and how they impact the prestige and brand of the neighborhood. We are concerned that the types of businesses proposed may change the professional culture of the neighborhood to that of a retail and residential neighborhood.

For the reasons stated above our preference is that the site is not rezoned to accommodate the 101m structure.

Please let me know if you have any questions regarding MDM's opinion.

Thank you,



Jacqueline Emmens
Facilities Manager, Organization Experience

MD Financial Management, CMA Companies
1870 Alta Vista Drive, Ottawa, ON, K1G 6R7

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File: Z-8704
Planner: B. Turcotte

Attachment 1d) – Email from Vivian Cothros (November 16, 2016)

Dear Planner Turcotte:

I am writing to you to provide my comments regarding amending the zoning for the above location, because it will impact the quality of my life.

I am totally opposed to this change and I'll try to explain why: I see a downtown that is already full of people, cars, empty retail space and dirty sidewalks. I am old enough to remember when this was not the case.

I was walking downtown (trying to avoid the dirt on the sidewalk, which is almost impossible) asking myself: do we need more tattoo parlors, consignment stores, fast food outlets, empty retail space, cars and noise?

Even though I understand the concept of intensification, I believe there are many other ways of doing it. A humongous tall building in that space will reduce the light and sun to other existing dwellings, a significant reduction in quality of life. We have a railway crossing very close which produces a disruption in traffic. We will have more disruption.

Victoria Park will become even more smaller as intensification increases.

How is changing the zoning improve the quality of life downtown? The answer to me is clearly no improvement, rather a decrease in quality of life for those who live in the surrounding area. I would like to see people's quality of life as the first concern with any changes.

I apologize for my rambling. I truly appreciate the work the city employees do and I hope my comments will be of help.

Yours truly,

Vivian Cothros

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File: Z-8704
Planner: B. Turcotte

Attachment 1e) – Email from Somia and Joram Ditor (November 18, 2016)

Dear Mr. Turcott & Ms. Park

I am writing in reference to application to amend the zoning by-law by Old Oak Properties, file #Z-8704.

I reside and own a condominium at 155 Kent Street and have grave concerns about the proposed 101 metre tall apartment building Old Oak is proposing. In their artist rendering, you cannot even see our 14 floor condominium building as Old Oaks building COMPLETELY eclipses our building and all the surrounding ones. Old Oak owns the property all around our building so if their building is built, their apartments will literally be in our backyard-actually closer. We will have no privacy, no view, and no sun as their tall building will eclipse us. Old Oak has rented us the bottom floor of their parking garage that is besides our building since 155 Kent was built. Up until last year, they charged us around \$125/month per parking space. Last year they jacked the price up by \$200/month, yes \$200 so now Old Oak charges us over \$300/month for a parking spot. Obviously tenants and owners found cheaper parking downtown but we still had to pay Old Oak the over \$300 per parking spot and the Board of Directors of 155 Kent had no choice but to raise our condominium fees to include \$300 parking spots which raised our condo fees to over \$600/month. Previously parking spots were optional but now they're mandatory. This increase to fees because of Old Oak has dramatically decreased sales of the units here which has resulted in lower selling prices if sellable at all. If the city allows Old Oak to build the 101 metre tall building, our units will be completely unsellable- the high condo fees plus absolutely no view will completely cripple the sale ability. It also seems clear to me now that they raised the parking fees so we would be more open to cancelling the 99 year lease we have with Old Oak- in their application, they also ask to add an additional storey to the parking garage which they wouldn't need if we no longer rented the bottom floor of the parking garage.

To have such a large building on Richmond Street will ruin the current quaint and unique qualities that have been part of Richmond Row for decades. I cannot imagine a large building right across and kitty corner to the cities more beautiful churches. Plus there are a number of larger buildings going up within the same block on Talbot, as well as the one on King- the rental and condominium market will become saturated and that will be worse for downtown in the end. As someone who has lived in the core for over 25 years, I believe the city needs to work on revitalizing the downtown with more shops and beautification- we have lots of people living and working in the core already- but they go to the suburbs to do all their shopping. Has anyone studied the vacancy rate in the core yet? One clear losers are the landlord who won triplexes and duplexes- the more apartment buildings that go up, the less people are likely to rent a house. Currently there is a strong wind draft between our buildings- putting a larger building will increase the updrafts- has anyone conducted a wind test for the proposed structure?

In conclusion, I am very opposed to the proposed building by Old Oak. I feel this would not enhance Richmond Row or downtown and in fact would do the opposite. People who have bought into the live, work and play downtown and have been here for over 20 years, shouldn't be penalized and find themselves with a property whose value has decreased immensely. I also feel the city should have a moratorium on erecting new apartment buildings until the ones that are already being built have been finished while also keeping in mind the buildings that have already been approved in the core. The last thing our downtown needs is a high vacancy rate- more & bigger isn't always better.

I would like to be kept informed on the status of their application and of any public meetings that are to be held in the future. I would really welcome your feedback and comments on this issue.

Thank you very much for taking the time to read this, and I hope you will find my concerns valid and will take them into consideration.

Sincerely,

Somia & Joram Ditor
704-155 Kent Street

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**File: Z-8704
Planner: B. Turcotte**

**Attachment 1f) – Email from F. Tranquilli for Middlesex Condominium Corporation 126
(November 18, 2016)**



Lerners LLP
 85 Dufferin Avenue
 P.O. Box 2335
 London, Ontario N6A 4G4
 Telephone: 519.672.4510
 Facsimile: 519.672.2044
 www.lerners.ca

Fred W. Tranquilli
 Direct Line: 519.640.6353
 Direct Fax: 519.932.3353
 ftranquilli@lerners.ca

November 18, 2016

DELIVERED VIA EMAIL and FACSIMILE

Brian Turcotte, Planner
 City of London
 300 Dufferin Ave.
 London, ON N6A 4L9

Dear Mr. Turcotte:

**Re: Matter: Z-8704
 Applicant: Old Oak Properties
 Location: 515 Richmond Street, London, ON**

This firm is retained with respect to the above noted Application by Middlesex Condominium Corporation 126 (MCC 126) located at 155 Kent Street, London, Ontario. I am writing in follow up to your meeting and site visit of November 13, 2016.

MCC 126 has significant concerns with respect to the above-noted Application which include, but are not limited to:

- impacts of the proposed development on the east laneway which is currently being used to service several buildings, including 155 Kent Street;
- the impact the proposed development will have on traffic along Kent Street;
- increased pedestrian flow along the west property line of MCC 126;
- the impact of the proposal on the occupants' views and exposure to the sun;
- the safety of pedestrian owners / tenants;
- the impact of the proposal on vehicular traffic entering / exiting the existing parking garage; and,
- the effect the development will have on access to bus routes, public spaces and the amenities associated with MCC 126.

The proposed development will have a significant and material impact on the owners and occupants of 155 Kent Street. MCC 126 is formally requesting that it be kept apprised with respect to this Application and advised of any opportunities to provide input.

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File: Z-8704
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MCC 126 asks that this written submission be considered at the public meeting in this matter thereby preserving the rights of MCC 126 to appeal any Decision of the Municipal Council of the City of London to the Ontario Municipal Board.

Feel free to contact me or Sean Eglinton (sean@thomereproperty.com) if you have any questions.

Yours very truly,

A handwritten signature in black ink, appearing to read "Fred W. Tranquilli".

Fred W. Tranquilli
FWT/bd

6327639.1

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File: Z-8704
Planner: B. Turcotte

Attachment 1g) – Hand written letter from Julia and Murray Pretti (received October 31, 2016). This letter has been reproduced below.

*“Saturday, Oct. 29th
2016*

Dear Mr. B. Turcotte

*Re: Z-8704; 515 Richmond Street
Applicant: Old Oak Properties*

Received your letter yesterday, to which my immediate response was dismay/desperation! This morning, I continue to be very upset, realizing the intent of your letter and the subsequent and ongoing heartache!

An apartment building, as constructed, as Old Oak is requesting, absolutely destroys our beautiful city scape, our view from our balcony, our peaceful surroundings from the 10th floor, and blocks our sunshine from the south....all of which we were intending to enjoy, in these our retirement years. There is also a network of duck/geese/birds which call our area home! We are interested in their activity and future!

The demolition process is also disconcerting and will disrupt many, many people’s lives, as well as causing damage to foundations and present structures.

We could not possible have foreseen a request of this nature when purchasing our condo 25 years prior. Please, please consider the established, loyal residing families who continue to contribute to downtown London in all its facilities; including attending worship at our beautiful church across the street – this monumental building (church) would be total blocked from our view. People come worldwide to appreciate St. Peter’s Basilica...why then, should we Londoners be denied this privilege!

The possible amendment from a Holding Downtown Area to a Downtown Special Policy Provision, allowing even larger capacity, and a maximum building setback of 4.5 metres along Richmond Street frontage, would allow the creation of an obtrusive eyesore, to anyone who appreciates this section of Richmond Row, as do the owners/tenants of 155 Kent St.

Old Oak Properties.....a business intent on the gamble of the almighty dollar, has no regard for the spirit within mankind.

My husband and I are extending an invitation to you and all concerned, to come visit us, and digest our tremendous loss, should Old Oak’s application be allowed to proceed.”

Sincerely

*Julia Pretti
Murray Pretti*

1005-155 Kent Street, London Ontario N6A 5N7 “

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File: Z-8704
Planner: B. Turcotte

Attachment 1h) – email from M. Borrie, received April 24, 2017

Dear Mr. Turcott,

Thank you for the notice of application and notice of public meeting dated April 13, 2017 regarding the meeting on Monday May 8, 2017. I met you at the public information session on March 22, 2017. My interest in the proposed development is that my daughter and I co-own a condominium at 155 Kent Street. I've reflected on the information and I have several questions.

The building, if build as requested, will be the second highest building in London and has a much smaller footprint than 1 London Place, the tallest building.

- 1) In considering the request to increase the height, has the city or the builder made the necessary adjustment for building sway and the adverse effect it could have on tenants?
- 2) What are the city's current guidelines on allowable sway in newly constructed tall buildings?
- 3) What will be the approved construction hours and days of the week in consideration of residents living in close proximity?
- 4) What will be the noise and dust mitigating guidelines for the construction company?
- 5) Will there be unfettered access between Kent Street and Dufferin Street as exists now?
- 6) At the public meeting you indicated that you had not had time to review the wind studies. Having reviewed them now, what are the city's independent conclusions?

Your Sincerely,

Michael Borrie
#607, 155 Kent Street
London, Ontario

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File: Z-8704
Planner: B. Turcotte

Bibliography of Information and Materials
Z-8704

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Zelinka Priamo Ltd., September 30, 2016

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*, 2014.

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

City of London. *The London Plan*, June

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

Planning Justification Report for 515 Richmond Street, Zelinka Priamo Lt., September 29, 2016.

Urban Design Brief and Shadow Study for 515 Richmond Street, Zelinka Priamo Ltd and SRM Architects Inc., August 30, 2016.

Heritage Impact Statement for 511 Richmond Street, Zelinka Priamo Ltd., August 2016.

Pedestrian Level Wind Preliminary Impact Assessment, The Boundary Layer Wind Tunnel Laboratory at the University of Western Ontario, July 7, 2016.

Noise Assessment for 515 Richmond Street, Development Engineering, July 6, 2016.

Access Review Study for 515 Richmond Street, Paradigm Transportation Solutions, September 20, 2016.

Correspondence: (all located in City of London File No. Z-8704 unless otherwise stated)

City of London -

Other:

Site visits

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**File: Z-8704
Planner: B. Turcotte**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. Z.-1-17_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 515
Richmond Street.

WHEREAS Old Oak Properties has applied to rezone an area of land located at 515 Richmond 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:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 515 Richmond Street, as shown on the attached map comprising part of Key Map No. A107, from a Holding Downtown Area (h-3●DA2●D250) Zone to a Downtown Area Bonus (DA2●B-(*)) Zone.
- 2) Section Number 4.3 of the General Provisions of By-law Z.-1 is amended by adding the following Site Specific Bonus Provision:

4.3_) B-(*) 515 Richmond Street

The increase in height and density to the zoning of the subject lands shall be permitted in return for the enhanced urban design elements described below consisting of a residential point-tower, pedestrian plaza and forecourt which, with minor variations at the discretion of the Managing Director, Planning and City Planner, is in keeping with the architectural elevations, site plan and renderings included as Schedule 1 of the amending by-law, and shall be implemented through a development agreement in return for the provision of the following services, facilities, and matters:

Base Features:

- a. A base height equal to two stories, including floor to ceiling vision glass on the east façade and wrapping around partially to the south and north facades.
- b. 60% vision glass on the south, east and north facades, including a secondary entrance on the south façade facing the storefronts of the adjacent commercial building.
- c. Seven architectural stainless steel columns to the east and south of the building supporting the residential floors above.
- d. A large canopy supported by steel columns, extending towards the street on a slight angle with lighting integrated on the underside.
- e. An enclosed corridor attaching the main building to the parking structure, including alternating resident storage areas and vision glass into the corridor.

Tower Features:

- a. A point tower form with a tower floor-plate maximum of 700 square metres.
- b. 60% (linear) vision glass on residential floors.

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File: Z-8704
Planner: B. Turcotte

- c. Fully wrap-around balconies on floors 3 through 28, alternating every 4th or 5th floor between the following:
 - i. wood finish metal panel on the underside and visible portions of the balcony, paired with tinted glass and a coordinated colour for metal portions of the railing; balconies rotated on a slight angle (~ 3 degrees) from the angle of the building.
 - ii. Light grey finish metal panel on the underside and visible portions of the balcony, paired with clear glass and a coordinated colour for metal portions of the railing; balconies rotated on the opposite angle of above.
- d. Light grey finish metal panel balconies wrapping two separate portions of the building on floors 29 through 32, with wood finish metal panel balconies wrapping the north east corner with a higher portion of vision glass and a taller roof height and cap.
- e. A mechanical penthouse fully enclosed and clad in materials complimentary to the building.

Pedestrian Plaza and Forecourt:

- a. A pedestrian-only plaza located in the setback from Richmond Street, delineated from the public sidewalk by fixed, architectural planters with integrated seating.
- b. A decorative pavement pattern extending across the east entry plaza and into the linear plaza on the south side of the building.

a)	Regulation[s]	
	i) Height (maximum))	101 metres (332 ft.)
	ii) Density (maximum)	342 units per hectare (845 units per acre)
	iii) Front Yard Depth (maximum)	4.5 (15 ft.)

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 May 16, 2017.

Matt Brown
 Mayor

Catharine Saunders
 City Clerk

First Reading - May 16, 2017
 Second Reading – May 16, 2017
 Third Reading - May 16, 2017


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File: Z-8704
Planner: B. Turcotte

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



File Number: Z-8704
 Planner: BT
 Date Prepared: 2017/04/10
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 
 1:2,000
 0 10 20 40 60 80 Meters

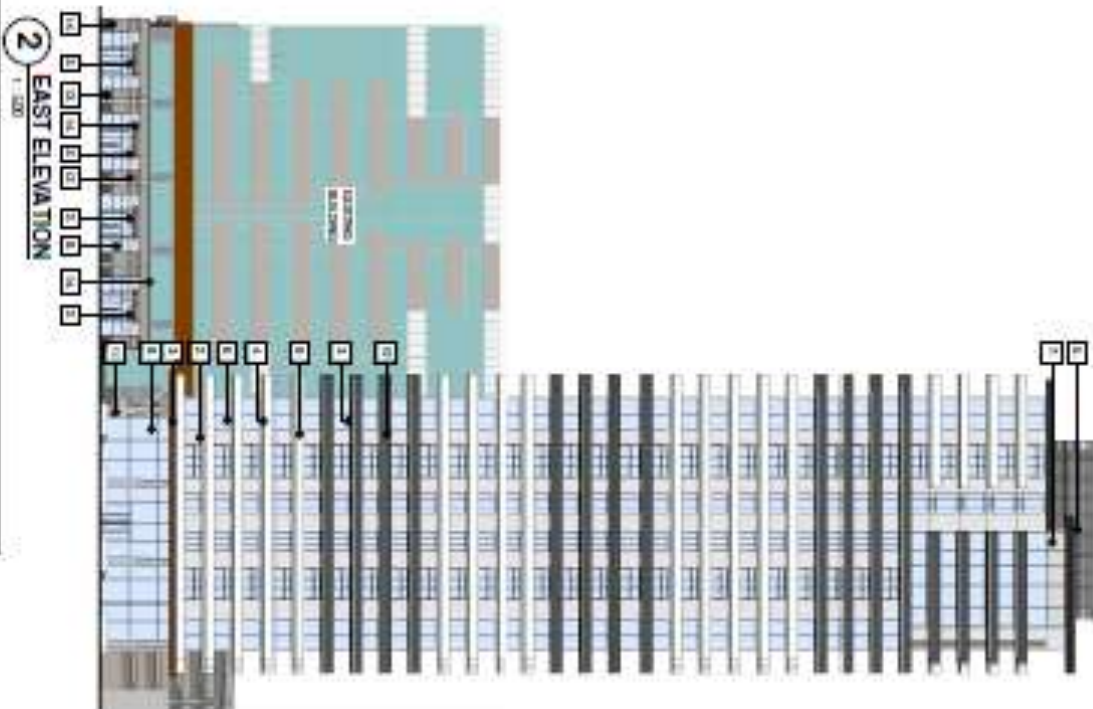
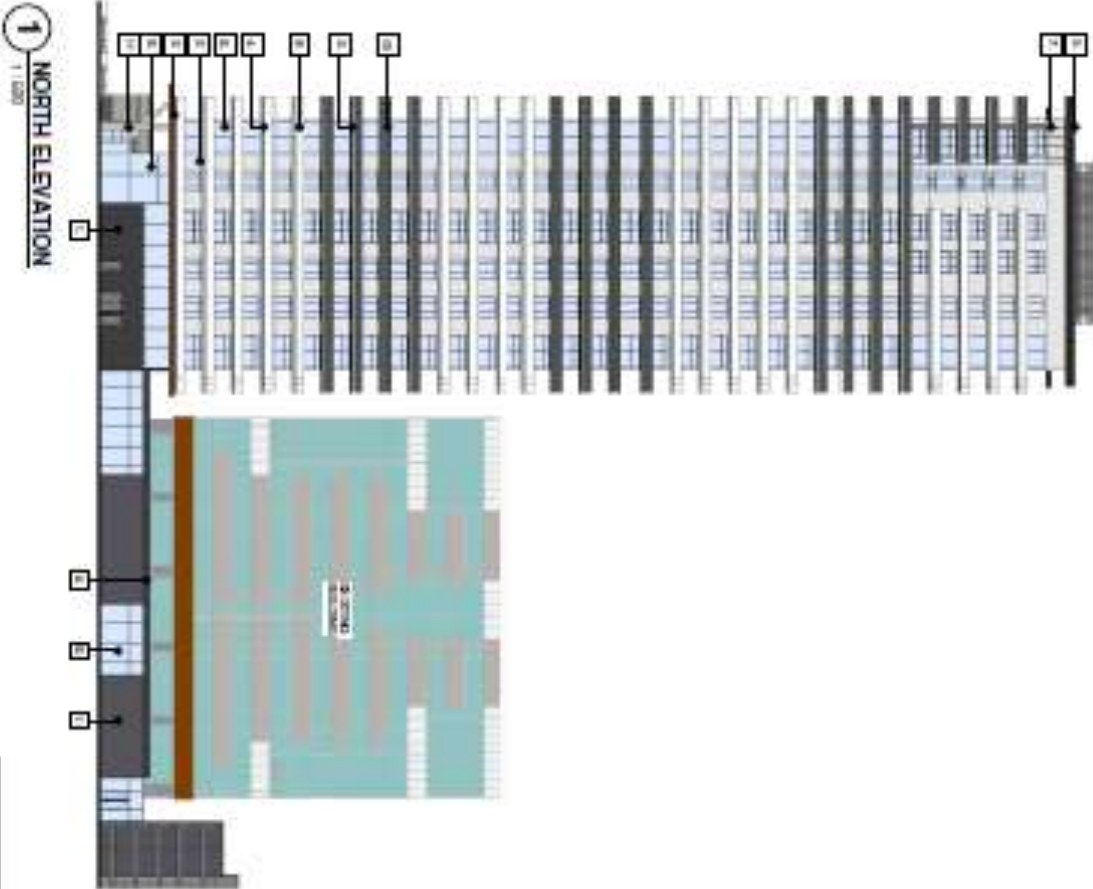


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File: Z-8704
 Planner: B. Turcotte

Schedule 1 to Appendix A - North and East Elevations

NORTH & EAST ELEVATIONS
 515 RICHMOND STREET, LONDON



MATERIAL LEGEND	
1	Deck Material - Deck
2	Shore - Oil Water
3	Composite Metal Panel - Wood Finish
4	Composite Metal Panel - Light Gray Finish
5	Composite Metal Panel - Charcoal Finish
6	Window Wall Vision Cladding
7	Window Wall Spandrel Cladding
8	Shore - Dark
9	Shore - Light
10	Shore - Medium
11	Shore - Dark
12	Shore - Light
13	Composite Metal Panel - Charcoal
14	Composite Metal Panel - Wood
15	Composite Metal Panel - Light Gray
16	Composite Metal Panel - Charcoal

2017-04-06

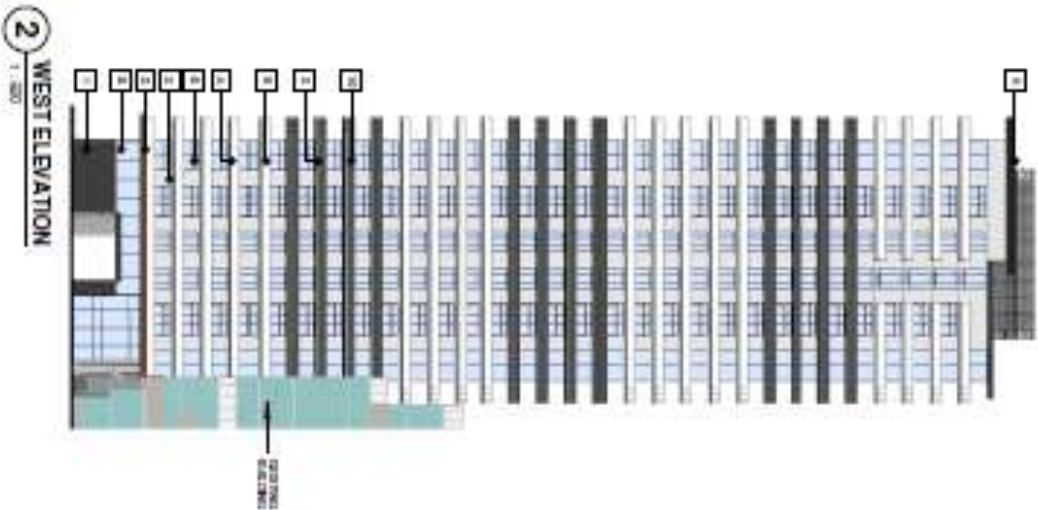
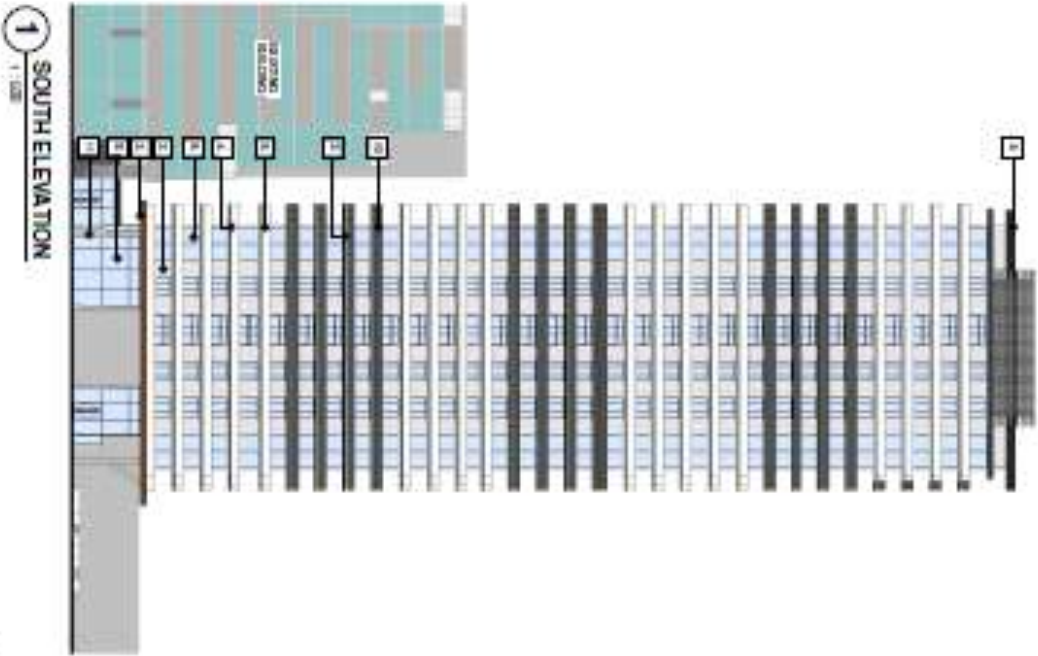


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File: Z-8704
 Planner: B. Turcotte

Schedule 1 to Appendix A - North and East Elevations

SOUTH & WEST ELEVATION
 515 RICHMOND STREET, LONDON



MATERIAL LEGEND

1. Brick Masonry - Dark	7. Window and Sashless Cladding	13. Fibreglass Deck - Dark Grey
2. Stucco - Off White	8. Sashless Cladding	14. Composite Metal Panel - Stainless
3. Composite Metal Panel - Wood Grain	9. Sashless Cladding - Silver Glass	15. Paper Brick
4. Composite Metal Panel - Light Grey Brick	10. Sashless Cladding - Silver Glass	16. Sashless Cladding - Silver Glass
5. Composite Metal Panel - Dark Grey Brick	11. Sashless Cladding - Silver Glass	17. Sashless Cladding - Silver Glass
6. Window and Sashless Cladding	12. Fibreglass Deck - Light Grey	

2017-04-06



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File: Z-8704
Planner: B. Turcotte

Schedule 1 to Appendix A – Building Renderings

VIEW LOOKING WEST
515 RICHMOND STREET, LONDON



2017-04-06

