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File: OZ-8462
Planner: J. Adema

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: GSP GROUP INC. 560 & 562 WELLINGTON STREET PUBLIC PARTICIPATION MEETING ON MAY 8, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of GSP Group Inc. relating to the property located at 560 & 562 Wellington Street:

- i. The request to amend the Official Plan to change the designation of the subject lands **FROM** a Low Density Residential designation, **TO** a Multi Family, High Density Residential designation, and to **ADD** a Specific Area policy in Chapter 10 – Policies for Specific Areas, and the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Office (OF1) Zone, **TO** a Residential R10 Special Provision (R10-5(_)) Zone, **BE REFUSED** for the following reasons:
 - 1. On balance, the proposed development is not consistent with the Provincial Policy Statement (2014), which encourages intensification where it is appropriate and can be accommodated taking into account existing building stock and the conservation of heritage resources;
 - 2. The proposed development does not conform to the West Woodfield Heritage Conservation District Plan;
 - 3. The proposed development does not meet the location criteria for the Multi Family, High Density Residential land use designation in the Official Plan;
 - 4. The proposed development represents an over-intensification of the subject site;
 - 5. The proposed development does not pass all of the criteria in a Planning Impact Analysis described in the Official Plan; and
 - 6. The proposed development is not consistent with The London Plan.

- ii. Should Council wish to support the proposed development, or a variation thereof, notwithstanding the recommendation in Clause (i), above, the matter **BE REFERRED** to Staff to work with the applicant to prepare a bonus zone that would “lock in” the design of the building and establish the facilities, services and matters that the applicant would provide in favour of the greater height and density at this site in accordance with the City of London Official Plan and Section 37 of the Ontario Heritage Act.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

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EXECUTIVE SUMMARY

Summary of Proposal

The subject lands are located on the east side of Wellington Street, where it intersects with Wolfe Street, and is across from Victoria Park. It is within the West Woodfield Heritage Conservation District and currently includes two office buildings – one of which is 5-storeys tall and the other is 2-storeys. The proposed development would replace these buildings with a 22-storey mixed-use building containing 151 dwelling units, one retail unit (279m²), and 227 parking spaces located underground and above ground in the podium.

Summary of Recommended Action

The proposed development includes a high-quality and well designed building that supports several of the City's planning goals that are described in *The London Plan*, but does not fit in the surrounding context of low-rise built forms and is therefore not appropriate in this location. The proposed development would help downtown regeneration, support rapid transit, contribute to the City's intensification targets, and constitute an efficient form of development. Despite these positive attributes it is recommended that this application be refused because it is not consistent with key policies that relate to the fit and appropriateness of intensification in its context.

The PPS (2014) requires that intensification be located taking into account the surrounding built form, and it requires the approval authority to identify these appropriate locations. The Official Plan (1989), the West Woodfield Heritage Conservation District Plan, and *The London Plan* provide policies related to fit and compatibility, and while the proposed building is of high quality and would support several of the City's planning goals, it is not an appropriate form of development in this location.

The proposed development and the required Zoning regulations needed to implement it are similar to the Downtown Area (DA) Zone, which indicates that this form of development would fit in the Downtown Area but not in an established and heritage-designated, low-rise neighbourhood.

The proposed development provides intensification on an arterial road and adjacent to a major open space. It is supportive of rapid transit and is in close proximity to the Downtown. Despite these positive attributes, the proposed development does not meet the location criteria for the High Density Residential land use designation as it does not fit the neighbourhood context or provide a sufficient buffer to the adjacent low density residential built form. The proposed development fails several important criteria in the Planning Impact Analysis and therefore cannot be supported in this location.

Rationale for Recommended Action

It is recommended that this application be refused for the following reasons:

- The proposed development is not consistent with the Provincial Policy Statement (2014), which encourages intensification where it can be accommodated taking into account existing building stock;
- The proposed development does not conform to the West Woodfield Heritage Conservation District Plan;
- The proposed development does not meet the location criteria for the Multi Family, High Density Residential land use designation in the Official Plan;
- The proposed development represents an over-intensification of the subject site;
- The proposed development does not pass all of the criteria in a Planning Impact Analysis described in the Official Plan; and
- The proposed development is not consistent with The London Plan..

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PROPERTY AT A GLANCE

Current Planning Information

- 1989 Official Plan Designation – Low Density Residential
- London Plan Place Type – Neighbourhoods, located at the intersection of a Civic Boulevard (Wellington Street) and a Neighbourhood Street (Wolfe Street).
- Existing Zoning – Office (OF1)

Site Characteristics

- Current Land Use – the site currently contains two buildings. A 5-storey office building is located at the Wolfe and Wellington intersection and a 2-storey office building is at the northwest corner of the site on the Wellington Street frontage. Surface parking is located behind the buildings and is accessible from Wolfe Street. Underground parking is accessible from Wellington Street.
- Frontage – 45.7m (Wolfe Street frontage)
- Depth – 47.5m (Wellington Street frontage)
- Area – 0.22 ha
- Shape – Square (approximately)



Figure 1 – Existing buildings, as seen from across Wellington Street

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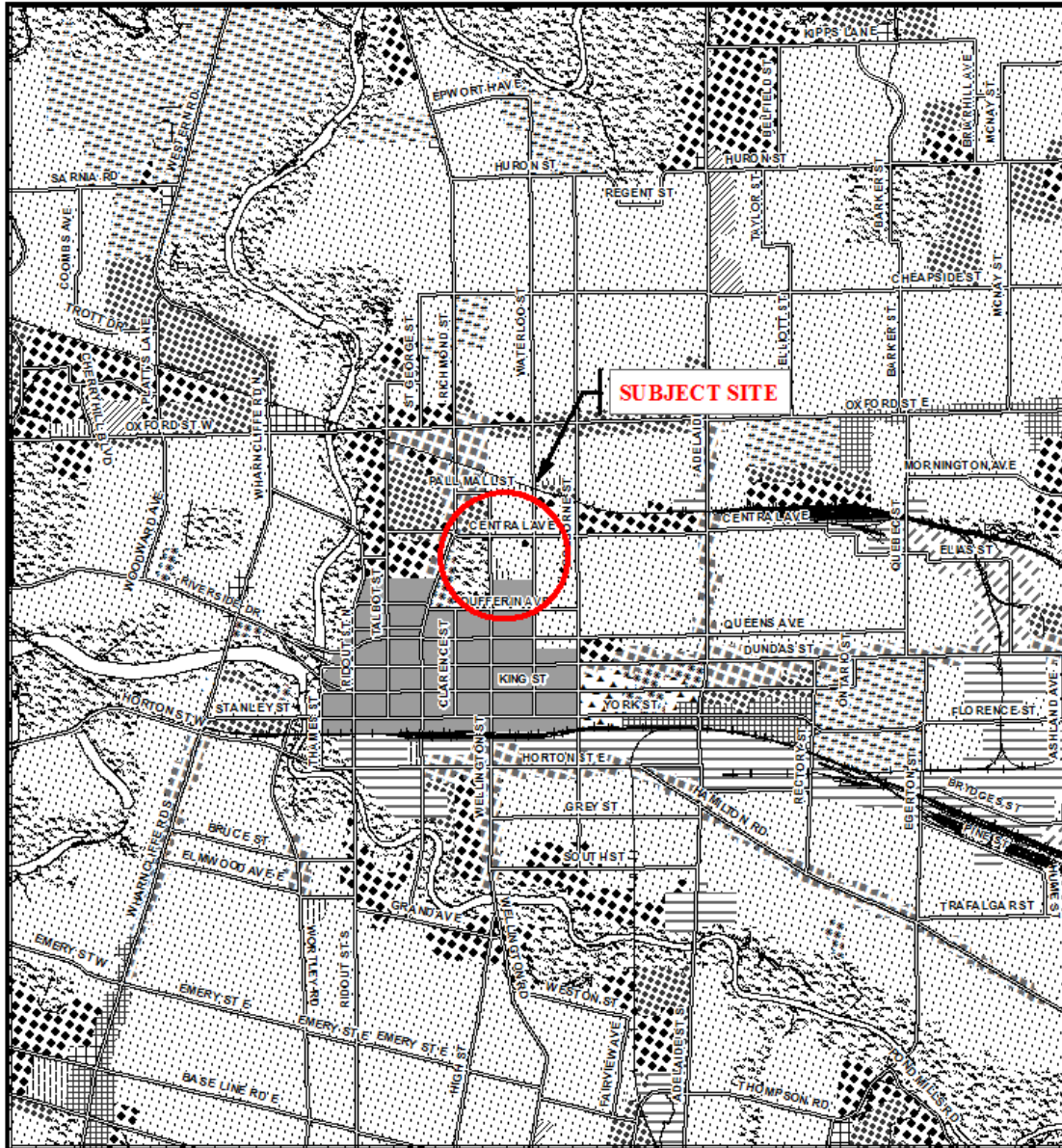
Figure 2 – Existing buildings, as seen from across Wolfe Street

Surrounding Land Uses

- North – immediately to the north are three converted residential buildings. Two of these buildings have A-Ratings and one has a B-Rating in the West Woodfield Heritage Conservation District Plan.
- South – the site immediately across Wolfe Street is currently used as a surface parking lot. Centennial Hall and City Hall are on the next parcel further south.
- East – Wolfe Street between the subject property and Waterloo Street is characterized by single detached dwellings, some of which have been converted to office or multiple-unit residential uses. Of the 20 other properties on Wolfe Street west of Waterloo Street, 14 have A-Ratings, 5 have B-Ratings, and one has a D-Rating in the West Woodfield Heritage Conservation District Plan.
- West – across Wellington Street is Victoria Park.

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<p>Legend</p> <table border="0"> <tr> <td> Downtown</td> <td> Multi-Family, Medium Density Residential</td> <td> Office Business Park</td> </tr> <tr> <td> Wonderland Road Community Enterprise Corridor</td> <td> Low Density Residential</td> <td> General Industrial</td> </tr> <tr> <td> Enclosed Regional Commercial Node</td> <td> Office Area</td> <td> Light Industrial</td> </tr> <tr> <td> New Format Regional Commercial Node</td> <td> Office/Residential</td> <td> Commercial Industrial</td> </tr> <tr> <td> Community Commercial Node</td> <td> Regional Facility</td> <td> Transitional Industrial</td> </tr> <tr> <td> Neighbourhood Commercial Node</td> <td> Community Facility</td> <td> Rural Settlement</td> </tr> <tr> <td> Main Street Commercial Corridor</td> <td> Open Space</td> <td> Environmental Review</td> </tr> <tr> <td> Auto-Oriented Commercial Corridor</td> <td> Urban Reserve - Community Growth</td> <td> Agriculture</td> </tr> <tr> <td> Multi-Family, High Density Residential</td> <td> Urban Reserve - Industrial Growth</td> <td> Urban Growth Boundary</td> </tr> </table>			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	New Format 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
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Figure 3 – Official Plan Map

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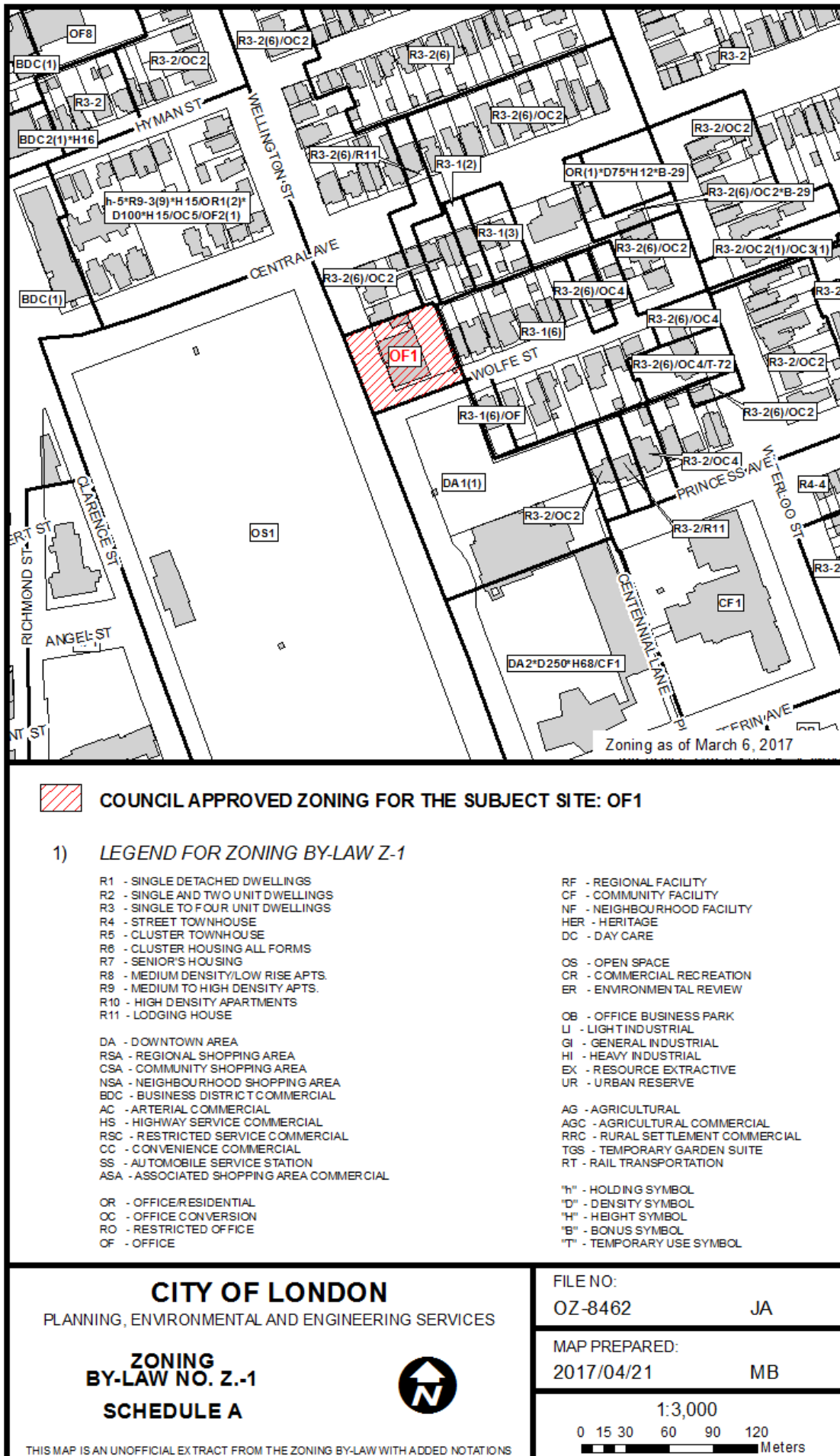


Figure 4 – Zoning Map

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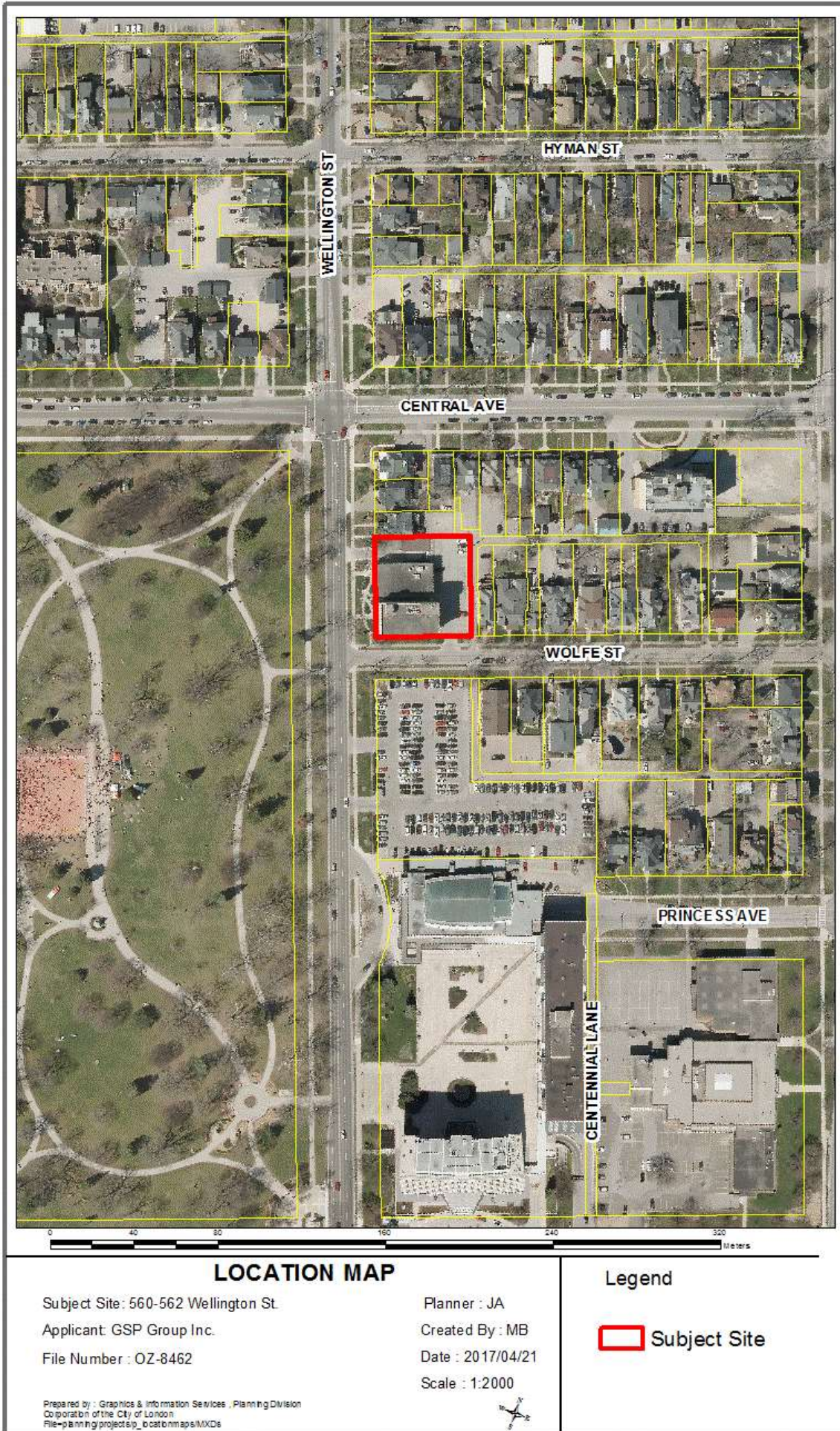


Figure 5 – Air Photo

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Description of Subject lands and Their Context

The subject site includes office buildings that are set within the context of the historic Woodfield neighbourhood. The site is located between the low-rise, single detached dwellings that make up the majority of Woodfield and the large open space that is Victoria Park. The site is visually prominent due to its exposure to the park. Buildings on Wolfe Street and Wellington Street (north of the subject site) have a consistent heritage character. These buildings to the north and east are protected by the West Woodfield Heritage Conservation District Plan and are not expected to be redeveloped.

The property on the south side of Wolfe Street across from the subject property, 556 Wellington Street, is currently used as a surface parking lot and represents a development opportunity. This site is designated Neighbourhoods in *The London Plan*, which means that given its location on a Civic Boulevard, it could be developed with residential uses up to 4 storeys in height, or 6 with bonusing. The site is in an Office Area designation in the 1989 Official Plan, which permits mid-rise development. The West Woodfield Heritage Conservation District Plan contemplates redevelopment of 8-10 storeys on 556 Wellington Street.

Despite these policies, the property is currently in a Downtown Area (DA1(1)) Zone, which permits high-rise development and a wide variety of land uses. The maximum height on this site is 90m; for residential components of a building, a 1.2m setback per 3m of building height above 15m is required.

The Streetscape drawings in Figures 6 and 7 were prepared by Planning Services to illustrate the relationship of the proposed development to surrounding land uses. Note that these figures only show buildings that have frontage on Wolfe Street or Wellington Street.



Figure 6 – Streetscape Elevation – North side of Wolfe Street between Wellington Street and Waterloo Street

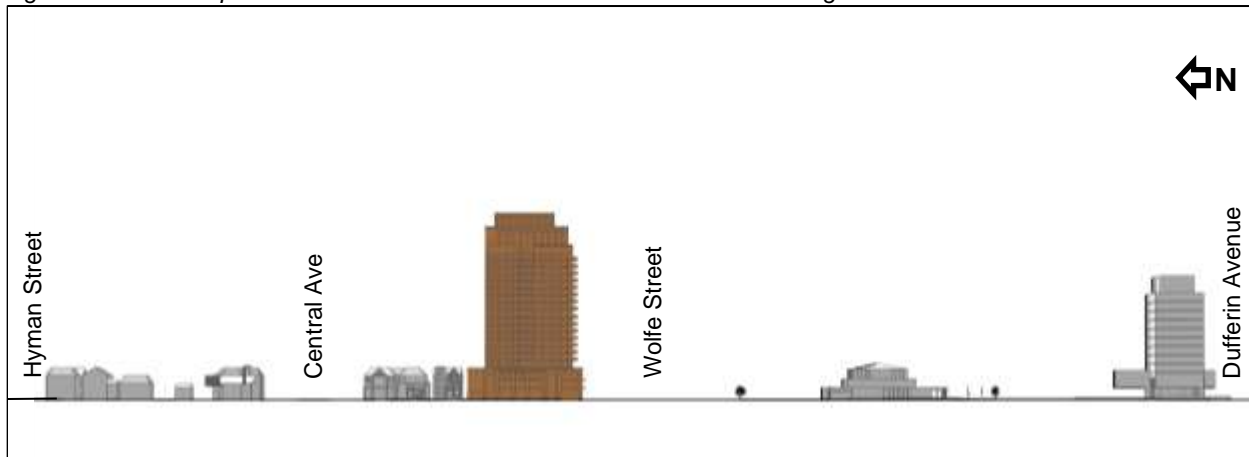


Figure 7 – Streetscape Elevation – East side of Wellington Street between Hyman Street and Dufferin Avenue

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Figure 8 – Adjacent built form on Wolfe Street



Figure 9 – Adjacent built form on Wellington Street

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PROPOSED DEVELOPMENT AND REQUIRED AMENDMENTS

Application Details

- Date accepted – February 27, 2015
- Date placed on hold at applicant’s request – June 1, 2016
- Date re-activated following submission of revised materials – December 1, 2016
- Agent – GSP Group Inc. (c/o Hugh Handy)
- Requested action (in revised application):
 - Change Official Plan land use designation **FROM** Low Density Residential **TO** Multi Family, High Density Residential and **ADD** a Specific Area Policy that provides site specific regulations to permit a maximum height of 22 storeys, a maximum floor area ratio of 9.25, and permissions for a limited range of retail and service commercial related uses on the ground floor.
 - Change Zoning By-law Z.-1 **FROM** an Office (OF1) Zone, which permits offices and medical/dental offices, **TO** a Residential R10 Special Provision (R10-5(_)) Zone, which will permit the proposed 22-storey building. The Special Provision will permit a range of commercial uses and includes site specific regulations including maximum building height of 78m, maximum density of 700 units per hectare, minimum setback of 0m on all sides of the building’s podium, minimum landscaped area of 20% which includes the rooftop amenity areas, and other regulations.

Development Proposal

The proposed development includes a mixed-use building with the following characteristics:

- 22-storeys (78m) in total height
- A 3-storey (13.1m tall) podium. (note that one of the podium storeys is double-height, so the visual impact is that of a 4-storey podium)
- 151 residential units, for a density of 700 units/ha.
- 1 retail unit, with a floor area of 285.3m² (3,071ft²), located at the corner of Wolfe and Wellington
- 0m setbacks from all four property lines (applies to the podium).
- 95% lot coverage.
- No landscaped open space at ground level.
- 263 parking spaces, which includes two levels of underground parking and two levels of above-ground parking in the podium (floors two and three)

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Figure 10 – Ground Floor Concept Plan



Figure 11 – Rendering Illustrating Podium Details.

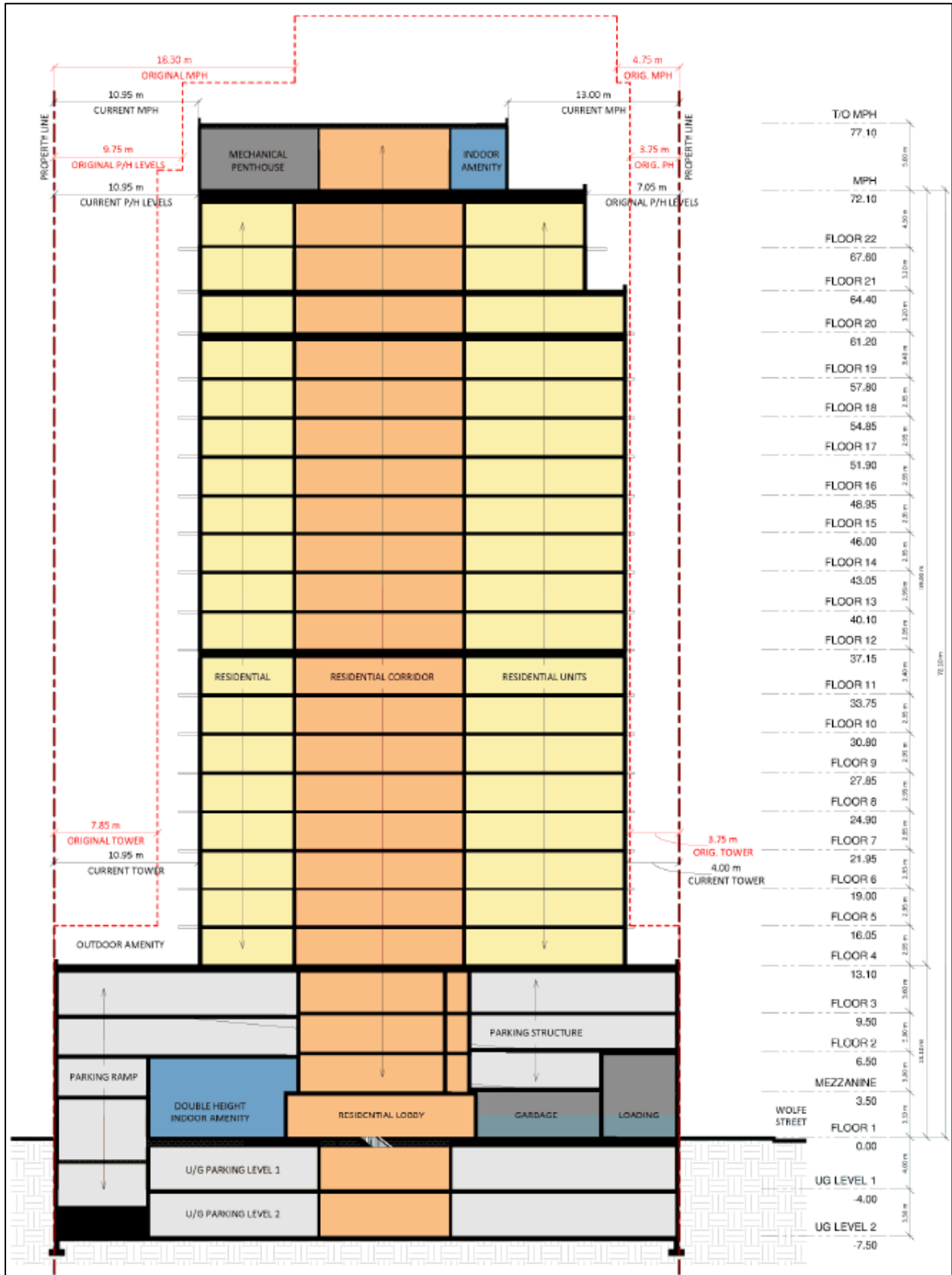


Figure 12 – North-South Section

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Figure 13 – West (left) and South (right) Building Elevations



Figure 14 – East (left) and North (right) Building Elevations

Intensification

- The proposed development constitutes residential intensification, as it includes the creation of 151 dwelling units on a site where no dwelling units currently exist.
- The site is within the Built Area Boundary and Primary Transit Area, and will contribute to achieving *The London Plan* intensification target of 45%, as well as the Target of 75% of intensification in the Primary Transit Area.

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PLANNING HISTORY

The subject property was formerly the site of three stately homes, which were demolished in the early 1970s to make way for the two office buildings that are currently on the site. They have remained in use as office buildings ever since.

The application was submitted in February, 2015 and originally included a proposal for a 25-storey building with a 4-storey podium. That application was circulated and received a significant negative response from residents in the Woodfield neighbourhood and surrounding area. A Public Information Meeting was held on April 22, 2015. In June, 2015 the applicant requested that the file be placed on hold, to allow them time to review the responses to their proposed development and consider possible design changes to resolve some of the issues.

A revised proposal was submitted in December, 2016 for consideration by the City. In a letter provided with the re-submission the applicant summarized some of the key changes between the first and second submission. These include:

1. A reduced overall height from 25-storeys to 22-storeys, and
2. Refined design details in the podium and tower portions of the proposed development, which includes:
 - Reduced podium height from 4-storeys to 3-storeys (13.1m) to better respond to the Heritage Conservation District (note that one storey is double-height, so the visual impact of the revised podium is that of a 4-storey structure).
 - Use of materials that are similar to the adjacent heritage buildings, such as red and buff-yellow brick.
 - Enhanced façade treatment on the podium, including a series of bay-like volumes that resemble individual residential units
 - Use of a bold podium cornice that reinforces horizontality over verticality.
 - Different materials on the tower portion that are consistent with the design changes to the podium.
 - Greater setback of the tower to the residential neighbourhood (an 11.1m setback is provided from the tower to the east property line, where the original submission provided a 10.45m setback).

SUMMARY OF COMMENTS RECEIVED

Public Liaison

On January 4, 2017 a Revised Notice of Application was sent to property owners in the surrounding area and to anyone who had provided comments regarding the first submission. Notice was placed in the Public Notices and Bidding Opportunities section of *The Londoner* on January 5, 2017. A "Possible Land Use Change" sign was also posted on the subject lands.

27 individual comments were received after the revised notice was posted, in addition to the 38 comments received after the first notice of application was sent in 2015. In addition to these individual comments a petition was received after the first notice that opposed the proposed development and included 546 signatures. A petition containing 38 signatures was received after the second notice was sent in opposition to the proposed development.

In addition to the petitions, most comments that have been received oppose the proposed development. 24 of the 27 individual comments received after the second submission indicate concerns with the applications. Some specific concerns that are commonly identified include:

- Negative impacts on the heritage character of the West Woodfield neighbourhood.

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- Negative Impact on Victoria Park, including creating a sense of enclosure around the park where the park currently feels open,
- Negative impact on the heritage character of development around the park.
- Traffic impacts
- Precedent for future high-rise applications in Woodfield and by Victoria Park
- Lack of conformity to the policies currently in place.
- Wrong location – development at this scale should be directed to the Downtown and not heritage conservation districts. Several comments indicated that they support residential intensification and infill development in Central London, however that they feel this proposal is too tall and intense for its location.

A list of the individuals who provided these comments is included at the end of this report.

Summary Department and Agency Comments

Comments were received from a variety of City Departments and Agencies. The most significant comments relate to the urban design and heritage planning considerations in evaluating the proposed development. Because of the significance of these issues to reviewing this application, the comments provided in regards to these issues are copied below in their entirety. Other comments that were received do not raise major concerns or objections to the proposed development and are copied in Appendix “A”.

Heritage Comments (Verbatim):

This Memorandum is further to the previous Memorandum sent December 11, 2014 regarding the previous Heritage Impact Assessment submitted for 560 and 562 Wellington Street as part of the Official Plan Amendment/Zoning By-law Amendment application (OZ-8462). The focus of this Memorandum is the Heritage Impact Statement dated November 17, 2016 prepared by Stantec Consulting Ltd.

A Heritage Impact Statement has several purposes:

- *To articulate an understanding of the cultural heritage value or interest of a particular place;*
- *To describe a proposed development or change;*
- *To assess the impacts of the proposed development against the cultural heritage value;*
- *To make recommendations to mitigate any adverse impact that may arise.*

The Heritage Impact Statement (HIS) submitted as part of the Zoning By-law Amendment application for 560 and 562 Wellington Street was prepared using the Ministry of Tourism, Culture and Sport’s InfoSheet #5: Heritage Impact Assessments and Conservation Plans from the Heritage Resources in the Land Use Planning Process. However it did not clearly demonstrate how significant cultural heritage resources will be conserved during the process of change (Section 2.6.1, Provincial Policy Statement 2014) and did not offer recommendations to sufficiently mitigate the adverse impacts of the proposed development on the property, adjacent properties, or the West Woodfield Heritage Conservation District (WWHCD) (Section 2.6.3, Provincial Policy Statement 2014).

The subject properties, 560 and 562 Wellington Street, are located within the WWHCD, designated under Part V of the Ontario Heritage Act. Both properties are assigned a “B-ranking” by the WWHCD Plan. WWHCD, itself and properties contained within its boundaries, is a significant cultural heritage resource, as articulated by the WWHCD Plan and policies of the Official Plan (1989, as amended). Properties within its boundaries are protected heritage properties per the definition provided by the Provincial Policy Statement (2014). Policies supporting the conservation of WWHCD are found within the Official Plan (1989 as amended).

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Heritage Comments - Development Pattern

The objectives for the designation of WWHCD under the Ontario Heritage Act are articulated in Section 3.0 of the WWHCD Plan. Pursuant to Section 41.2(1)(b) a municipal council may not pass a by-law for any purpose that is contrary to the objectives set out in the plan. The land use goal for the WWHCD states,

Goal: Maintain the low-density residential character of the West Woodfield Heritage Conservation District as the predominant land use, while recognizing that certain areas of the District already have or are intended for a wider range of uses by:

- *Ensuring the appropriate Official Plan policies, designations and zoning regulations are in effect that support the residential community;*
- *Establishing policies that will consider and mitigate the potential impacts of non-residential or higher intensity residential uses on the heritage character of low-density residential areas;*
- *Developing area or site-specific policies and guidelines for those areas intended for non-residential or higher intensity residential uses that will protect key heritage attributes, while allowing greater latitude for potential alterations or redevelopment;*
- *Ensuring that infill development or redevelopment is compatible with the heritage character and pedestrian scale of the District (Section 3.1, WWHCD Plan).*

These objectives support the retention of the existing low-density residential character of the WWHCD and direct higher intensity residential uses to particular areas that are capable of accommodating such uses through demonstrated compatibility with the WWHCD. Development Pattern policies of the WWHCD Plan (Section 4.1) support these objectives in discouraging new land uses that are out of keeping with the general residential characteristics of WWHCD, supporting the low-density residential land use character as dominant. It directs higher intensity uses outside of the residential district and in areas already designated for intensification.

The WWHCD Plan provides specific policies for the “City Hall Precinct” within Section 5.10.2. The policies focus on providing for redevelopment opportunity but not at the expense of compatibility with the surrounding areas. The subject properties are not located within the “City Hall Precinct” as defined by the WWHCD Plan.

While 90-metres may be the maximum height possible under the current zoning for properties adjacent to the subject properties, it is not appropriate to presume that a 90-metre building could meet all of the compatibility requirements for a development within the WWHCD. Section 5.10.2 of the WWHCD Plan for the “City Hall Precinct” suggests heights of 8-10 stories on Dufferin Avenue and Wellington Street, and transitioning to “perhaps three stories” adjacent to Wolfe Street and Princess Avenue. It is clear from this direction in the WWHCD Plan that transition from higher forms of development within the City Hall Precinct to the existing low rise built form of the area beyond it is the essential criterion in evaluating compatibility regarding form and height.

The height of the proposed development is unmitigated in its impacts on the adjacent and surrounding area. This will have an adverse impact on adjacent properties that are predominantly two-and-a-half stories in height, as demonstrated by the shadow study included within the HIS. Mitigation measure should not only be considered for the adjacent or nearby properties, but should also influence the design of a compatible development for the subject properties. Similarly, an overbearing adjacent development can isolate individual properties and minimize their contextual value within a HCD; the proposed development will isolate adjacent properties from the surrounding WWHCD, resulting in an unmitigated adverse impact

The HIS notes “the relatively narrow development parcel of the proposed design provides limited opportunity to provide transition or stepback of the podium base” (p.3.8, HIS). This questions the appropriateness of the proposed location of the building as it is not possible to provide sufficient

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transition between the proposed development and the existing low rise built form of the surrounding area.

Development pattern policies of the WWHCD Plan direct higher intensity uses or redevelopment opportunities outside of the residential district and in areas designated for intensification; it is inappropriate to suggest compatibility to an unbuilt form of an adjacent property (Table 4, p.6.2). Higher intensity uses or redevelopment opportunities exist elsewhere and not on the subject properties at the form or intensity proposed.

Heritage Comments - Demolition

The demolition of an existing building is strongly discouraged by the policies of the WWHCD Plan (Section 4.2), noting the potential for new development is considered, in such examples as loss of a building through fire or severe structural decay. Some properties, such as those with a “D-ranking” may be suitable candidates for redevelopment.

The subject properties are “B-ranking” properties as defined by the WWHCD Plan. The HIS found that the subject properties do not demonstrate cultural heritage value or interest, which was predicated on an evaluation of the properties using the criteria of Ontario Heritage Act Regulation 9/06 – “Criteria for Determining Cultural Heritage Value or Interest.” The criteria of Regulation 9/06 are prescribed for the evaluation of individual properties under the Ontario Heritage Act, however are not applicable to properties located within an HCD. This methodological error has underestimated the cultural heritage value or interest of the subject properties by not recognizing the relationship between elements that contribute to the significance of WWHCD. This methodology was also applied to adjacent and nearby properties which may have minimized the assessment of potential impacts for these properties.

While the subject site diverges from the wider character of WWHCD, the properties are nonetheless B-ranked by the WWHCD Plan which highlights their importance in articulating the evolution of Wellington Street, which is noted by the HIS. As purpose-built, mid-century office buildings they contribute to the heritage character of WWHCD. The assertion that these properties do not have any cultural heritage value or interest is not appropriate.

Heritage Comments - New Development

Policies of the WWHCD Plan compel new buildings to be respectful and compatible with the heritage character of West Woodfield through height, built form, setback, massing, material, and other architectural elements (Section 4.3.a). The HIS does not sufficiently demonstrate how the proposed development is compatible with the heritage character of WWHCD, but recommends that “the design guidelines of the WWHCD be followed” noting that modifications are required to the current design (Section 8.3).

The HIS focuses its discussion on the three storey podium of the proposed development but does not adequately address the tower component and the proposed development as a cohesive whole. In Table 4 (p.6.4) the HIS states,

“Some guidelines, such as materials, architectural treatment, setback etc. can be met in the podium. Others, such as transitioning to neighbouring properties, may be more difficult to meet with the tower form.”

Statements such as this articulate that the form of the proposed development is incompatible with the WWHCD Plan, regardless of what details or treatment can be applied to its exterior façade. It is not clear from the information submitted if the setback of the proposed development is consistent with that of adjacent properties.

Regarding height, Section 4.3.c of the WWHCD Plan states, “in cases where the new building is replacing a highrise, the height should be restricted to match the existing building plus or minus

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one floor.” This policy is reinforced through the Guidelines of WWHCD Plan (Section 8.2.3), which also notes the opportunities for new buildings within WWHCD are limited.

The term “high rise” is not defined by the WWHCD Plan. However, in an HIS it must be evaluated within its policy context. WWHCD is dominated by two-and-a-half storey Victorian buildings. Within this context, a five-storey building should be considered a “high rise.” The HIS considers the building to be a “mid-rise” form and finds that the policy of Section 4.3.c of the WWHCD Plan does not apply. The HIS interprets the policy regarding the height of a replacement building as “where higher density development does exist within the HCD, a similar scale is appropriate if the site is to be redeveloped” (pp.6.4-6.5, HIS). This interpretation would suggest that a 3-6 storey building may be appropriate, rather than a 22 storey building.

The suggestion that characteristics of the WWHCD may be “enhanced” by the proposed development is not substantiated (p.6.22, HIS). The HIS couches this language with the concepts of “appropriate design” of the building and landscape, however compatibility with the WWHCD is not demonstrated.

Heritage Comments - Adjacent Properties and Public Realm

The HIS found only potential for impacts related to ground disturbances for properties within the immediate vicinity of the subject properties. While this is valid, it is not clear how the recommended mitigation of establishing a 10m buffer will be implemented. 568 Wellington Street abuts the subject properties and 294 Wolfe Street is only afforded the separation of a 3.5m wide laneway; neither of these properties are can provide a 10m buffer.

Impacts of shadowing and isolation were not adequately dealt with by the Evaluation of Potential Impacts in Table 5 (Section 6.3.2) of the HIS, as noted above. No mitigation measures were recommended, either through changes to the proposed design or for individual properties, to mitigate these adverse impacts.

The proposed development will have an adverse impact on Victoria Park, which is adjacent to the subject properties. Victoria Park (580 Clarence Street) appears to have been excluded from Table 5 in Section 6.3.2 of the HIS (Subject Site and Adjacent Properties). However, Victoria Park was the predominant topic of Table 6 (Evaluation of Potential Impacts to Views, Vistas and Streetscapes (Victoria Park)) in Section 6.3.3 of the HIS.

The proposed development will have an adverse impact on views and the context of the subject properties and WWHCD, as articulated by the discussion found in Table 6. Recommended mitigation for these adverse impacts are contained within Table 10 and summarized in Section 8.2 of the HIS. One of the recommendations is to implement a strategic planting implementation plan to screen the adverse impacts of the proposed development by planting evergreen trees within Victoria Park, this is inappropriate. Victoria Park, as a designed landscape, is significant as part of the WWHCD and individually designated under Part IV of the Ontario Heritage Act (By-law No. LSP-3311-283). The recommended strategic planting implementation plan may minimize adverse impacts of the proposed development but threaten the heritage attributes and heritage character of Victoria Park. The addition of more trees in inappropriate locations could compromise the significance of Victoria Park’s cultural heritage value. Additionally, Victoria Park is a registered archaeological site, which requires interventions to be carefully planned to ensure that the significant archaeological resources contained within Victoria Park are not destroyed during interventions; Stage 4 archaeological assessment has been required for individual tree planting activities in the past. There is very high potential for archaeological resources to be located of Victoria Park, including along its eastern edge.

The HIS noted that the impact to views along Wellington Street “cannot be fully mitigated” demonstrating the inappropriateness of the proposed development for this location.

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Heritage Comments - Conclusions

WWHCD is a significant place. Its cultural heritage value or interest is protected by Provincial policy and legislation, as well as Official Plan policies and the WWHCD Plan. As noted by the HIS, “HCDs are not created to prevent change within a specific area but rather to manage it and, where appropriate, to guide the change” (p.3.5).

The WWHCD Plan provides specific policy and guidelines to help manage and guide change to ensure the conservation of its cultural heritage value or interest. The intent of policies is to support change that is compatible and avoid changes that do not enhance the WWHCD. The proposed development will have adverse impacts on the WWHCD that cannot be mitigated.

The HIS noted that further refinement to the proposed design will be required to respond to the guidelines of the WWHCD Plan. No amount of applied details or treatment can make a built form that is incompatible with its context into a compatible development. The proposed development will have an adverse impact on adjacent properties and the WWHCD as a whole. The impacts of the proposed development identified by the HIS remain unmitigated, and it is not apparent that these impacts can be mitigated. The proposed development is contrary to the objectives of the WWHCD Plan and therefore does not comply with Section 41.2(1) of the Ontario Heritage Act, the Provincial Policy Statement (2014), our Official Plan policies, or the WWHCD Plan.

London Advisory Committee on Heritage Comments (Verbatim):

- *the London Advisory Committee on Heritage (LACH) strongly disputes the conclusions of the Heritage Impact Assessment (2016), prepared by Stantec, for the properties located at 560 & 562 Wellington Street; and*
- *the LACH encourages the reassessment of the following matters with respect to compatibility of the proposed application with the West Woodfield Heritage Conservation District Plan guidelines, Victoria Park and the adjacent properties:*
 - i) the height of the building;*
 - ii) the massing of the building;*
 - iii) the setbacks of the building;*
 - iv) the design of exterior facades; and,*
 - v) shadowing impacts onto adjacent heritage properties.*

Urban Design Division Comments (Verbatim):

- *In accordance with the West Woodfield Heritage Conservation District Plan, the Official Plan (in particular the Urban Design Policies for the Near Campus Neighbourhood [3.5.19.13] and chapter 11 Urban design), the London Plan and the comments made by the UDPRP in February 2015 the building height should be further reduced to be in keeping with the buildings surrounding Victoria Park.*
- *Notwithstanding the above comment, the following relate to the building design as has been presented in the December 2016 Urban Design Brief;*
 - *Ensure proposed building setbacks take into consideration the existing established building line along both Wellington Street and Wolfe Street.*
 - *Ensure that tower portion of the building includes further articulation in particular on the west, east and south façades in order to break up the horizontal massing of the building. This can be achieved by recessing the balconies and/or recessing certain portions of the elevations.*
 - *Explore opportunities to include further active uses such as the amenity areas along the street frontages in particular along the Wolfe Street frontage in order to avoid a dead frontage and help activate the street edge.*
 - *Explore opportunities to animate the upper levels of the south and west podium facades where the parking levels are located in order to help activate the street edge. This can be achieved by including clear glazing into the parking structure.*

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- *Ensure a hardscape treatment along the Wellington Street frontage between the building and the City sidewalk, in particular at the corner of Wolfe St and Wellington Street in order to create a pedestrian plaza with access to the retail unit.*

Urban Design Peer Review Panel Comments (Verbatim – Note that these comments were provided for the original, 25-storey proposal. Given the generality of many of the comments and that most also apply the revised proposal, the revised application was not recirculated to the UDPRP):

UDPRP Comments - Urban Design Context

- *In evaluating the proposed development at the northeast corner of Wellington Street and Wolfe Street the adjacent land use, building form and public realm has been considered.*
- *The subject development site is comprised of two properties within the West Woodfield Heritage Conservation District; therefore, the 2008 West Woodfield Heritage Conservation District Plan (WWHCDP) policies will be applied in this review.*
- *There are two existing buildings of heritage significance that would be destroyed to allow for the proposed development: one five storey, one two storey; both rated as second or “B” quality buildings within the “A” – “D” WWHCDP building rating system.*
 - *The architectural quality of the existing buildings and their contribution to the quality of the public realm does not merit their protection necessarily.*
- *Current site zoning is OF1; proposed site zoning is R10-5. Such a zone is not incompatible with the existing context necessarily; however, the proposed building requires significant variation as a mixed-use, 25 storey high-rise, characterized by a four storey base block containing commercial space, building and site service areas and four parking levels with a 188 residential unit tower section above.*
 - *Contrary to the claim of appropriate development (UD Brief, 2015, p. 41) the proposed building is out of character with the neighbourhood’s predominant 19th and early 20th centuries residential building form.*
 - *Further to the above, the proposed 100% site coverage (+/- .22 hectares) as compared to allowed R10-5 site coverage of 50% (+/- .11 hectares) is not justified as explained below.*
 - *As well, the proposed +/- 188 units/.22 hectares or +/- 854 units/hectare development density as compared to the allowed R10-5 density of 350 units/hectare maximum, meaning 77 units rather than the proposed 188 units or 144% greater than permitted density is not justified.*
- *Related to the proposed density, the proposed building height is +/- 90 metres in 25 storeys as compared to One London Place at +/- 113 metres in 24 storeys, for example.*
- *The height of the proposed building is excessive relative to the height of neighbourhood buildings generally and to the nearby City Hall at +/- 55 metres in 12 storeys.*
 - *City hall is a landmark building and should be prominent given its function and symbolic meaning. The proposed building would be almost twice as high as City Hall and rise above Victoria Park as an exclusive, architectural landmark. For one the proposed architecture does not merit that distinction and secondly, where tall buildings do address a large city park or open space, it is in conjunction with buildings of a similar scale and height and even design in some cases.*
 - *The reference by the proponents to the Urban Design Department’s conceptual high-rise scheme across the park at Richmond Street as a justification for the proposed building has no merit. The open space and large trees of Victoria Park provide a necessary transition and relief from the imagined high density, high-rise form of the Richmond Street corridor to the predominantly lower density, low-rise Woodfield neighbourhood.*
- *The proposed base building block is characterized as a ‘podium’. It is a parking garage primarily with some secondary commercial and residential building lobby and amenity uses on the ground floor. Parking, servicing, loading, and wide curb cuts characterize the Wolfe Street frontage and amenity space is hidden from the street within the base building.*

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Such a building fails to animate the street as is intended by city urban design guidelines and evident with mixed-use podium style buildings in other cities.

- *If a parking structure is to be allowed, then a bona-fide face-building on Wellington and Wolfe Streets would be preferable to the proposed building form and use.*
- *Full site coverage means there is no ground space to provide the 20% minimum landscaped open space required under R10-5 zoning.*
 - *There is significant public space on Wellington and Wolfe Streets given the 9 and 3 metres property line setback respectively but that does not compensate for the lack of common private space.*
- *The height of the base block is continuous at four storeys over 100% of the site. The 2015 Draft Urban Design Manual calls for a base building block to transition in height or step down relative to adjacent buildings; in this case, two storey residential scale buildings.*
 - *100% site coverage also prevents a transition of the base building footprint from the property line to the setback of adjacent buildings on Wolfe Street and contravenes the 4.5 metre minimum side yard depth/setback requirement.*
- *The WWHCDP does not dismiss the possibility of multi-storey buildings but it does restrict the height of such buildings to one storey above a building being replaced. That means a 6 storey building could be proposed legitimately in place of the 5 storey building proposed to be destroyed.*
- *Such a building would be supportable and in keeping with the height, form and mass of existing residential buildings south of City Hall on Wellington Street, for example.*
- *The tower portion of the proposed building is characterized as a 'point tower'. This is a descriptor for a high-rise building form popular in Vancouver and now Toronto identified by its small floor area relative to the low-rise podium or base building. The floor area of the proposed tower results in a more massive building than is common to a 'point tower' further contributing to its inappropriateness in the Woodfield neighbourhood and to the edge of Victoria Park.*
 - *One reason for a narrow 'point tower' form is to reduce the perceived impact of the building shadow on land to the east, west and north. The proposed building casts a more significant shadow than it would if the tower floor plate areas were smaller.*
- *The sense of the scale of the four storey base is visually diminished in a pictorial building elevation by the size and height of the proposed canopy. A canopy is a necessary feature for weather protection at the ground level. As proposed, however, the proper function of the canopy is questioned.*
- *Much is made of the materials proposed for the four storey building base and their reference to the buildings in the area. That is important and commendable but the scale and design of the base negates the positive benefits of such architectural referencing.*
- *A balance between traditional and contemporary expression on the tower portion (UD Brief, 2015, p. 41) is not achieved and cannot be achieved with such a building form as it has no precedent in the Woodfield neighbourhood. The building design is fully contemporary; that is not unsupportable necessarily just not supportable as proposed.*

UDPRP Comments - Summary

- *The proposed building development is unsupportable as presented:*
 - *A rezoning from office use to residential use could be supportable; however, the proposed variations to the proposed R10-5 zoning are unjustified and therefore unsupportable.*
 - *A contextually-relevant, multi-storey, residential development could be supportable on the subject site in relation to the WWHCDP; however, the proposed building would be more appropriate to the Downtown core.*
 - *The subject development if allowed as proposed would be precedent setting in its contravention of existing city policy. That in itself is not unprecedented; nevertheless, the proposed development bears no relationship beyond proximity and some architectural references to the neighbourhood.*

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- *This UDPRP review is based on City planning and urban design policy, the submitted design brief and noted presentation. It is intended to inform the ongoing planning and design process by making clear why the proposed development is unsupportable.*

ANALYSIS

The planning analysis for the proposed development can be described in terms of four main themes. These include:

1. Heritage
2. Location Criteria – Compatibility & Buffering
3. Intensity
4. Planning Impact Analysis

The primary applicable policies included in this analysis are the Provincial Policy Statement, 2014 (PPS), City of London Official Plan, 1989 (Official Plan), and West Woodfield Heritage Conservation District Plan, 2008 (WWHCD Plan). *The London Plan*, which is the new Official Plan for the City of London, was approved by the Province in December, 2016. It was not in effect at the time that this application was submitted so it may be referenced but is not considered as the in-force Official Plan for this application. *The London Plan* has also been appealed by 560 Wellington Holdings Inc. in its entirety as it relates to 560 & 562 Wellington Street.

Heritage

Heritage is a prominent planning issue for consideration in this application, as the subject lands are within the WWHCD Plan area. The evaluation of the submitted Heritage Impact Study and the WWHCD Plan provide a detailed analysis of heritage planning considerations and express concerns with regards to the scale of the proposed building. Some inconsistencies between the proposed development and the WWHCD Plan include:

- High-rise buildings may be redeveloped at +/- 1 storey from the existing building height. While there may be a debate around what constitutes high-rise development, in this context five storeys represents a tall building relative to the surrounding built form, and therefore this policy does apply (Policy 4.3.c). The applicant's Heritage Impact Study concurs with this assessment by interpreting the policy by stating "where higher density development does exist within the HCD, a similar scale is appropriate if the site is to be redeveloped" (HIS, p. 6.4-6.5).
- Criteria for new development must include consideration of surrounding development patterns. The prevailing development pattern around the subject property includes single detached structures at 2-3 storeys (Policy 8.2.3).
- The HCD Plan recommends that a transition be provided to neighbouring development. The abrupt transition of 2-storeys to 22-storeys on adjacent properties is not consistent with the policy (Policy 8.1.9).
- The subject property is on the opposite side of Wolfe Street from the "City Hall Precinct," which includes City Hall, Centennial Hall, and the surface parking lot at the Southeast corner of Wolfe and Wellington. The HCD Plan contemplates a maximum height of 8-10 storeys in this precinct so as not to detract from the prominence of City Hall. It is logical that the subject lands, which are between the City Hall Precinct and existing low-rise development would continue the transition downward in height.

The PPS provides strong policy support for the conservation of heritage resources. Section 2.6.1 states that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." The subject lands, as part of a Heritage Conservation District, meet the definition for a significant built heritage resource. It is therefore required that any planning decision regarding this property conserve its heritage attributes. The proposal does not meet the PPS requirements for heritage conservation.

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The Official Plan also gives clear direction regarding conservation of heritage attributes. The general objectives for residential designations in the Official Plan include to “Encourage the maintenance of buildings and/or areas considered by Council to be architecturally and/or historically significant to the community” (Policy 3.1.1.ix).

There is a high standard for compatibility of development that is within a heritage conservation district, specifically the West Woodfield neighbourhood. The Official Plan includes that “Council shall be guided by the policies of this Plan and the Heritage Conservation District Plan” (Policy 13.3.5). It goes on the state specifically about West Woodfield that “it is the intention of Council to maintain, protect, and conserve the West Woodfield Heritage Conservation District” (Policy 13.3.8.4). While the proposed development includes a well-designed and high-quality building that makes use of materials that are compatible with the West Woodfield neighbourhood and includes a pedestrian scaled podium, its form does not align with the policy direction to preserve the West Woodfield neighbourhood character, and as such the proposed building does not fit this context and would be more appropriate if located downtown.

The planning justification submitted in support of this application argues that because the subject lands are adjacent to Victoria Park they form the edge of the West Woodfield Neighbourhood. Therefore, they suggest that fit should not be considered in terms of compatibility but rather how well it frames the neighbourhood. The WWHCD Plan studied this area in depth and determined that Victoria Park is not outside the neighbourhood, but rather is “an integral part of the identity of the neighbourhood, and the city” (Policy 9.2.3). As such the objectives of the WWHCD Plan to protect neighbourhood character apply to the lands that surround Victoria Park.

Location Criteria – Compatibility & Buffering

The proposed development is a well-designed and good quality building, however it does not lend itself to the existing context. The proposed form of development would be appropriate in Downtown or in a Transit Village as outlined in *The London Plan*, but it is not compatible with its low-rise neighbourhood context.

The requested amendment includes changing the land use designation from Low Density Residential to High Density Residential in the Official Plan. Location Criteria are provided for new High Density Residential designations in Section 3.4.2 of the Official Plan, which states:

- 3.4.2. Locations**
- In addition to areas predominantly composed of existing or planned high density residential development, the preferred locations for the Multi-Family, High Density Residential designation shall include areas near the periphery of the Downtown that are appropriate for redevelopment; lands in close proximity to Enclosed Regional Commercial Nodes or New Format Regional Commercial Nodes or Community Commercial Nodes, Regional Facilities or designated Open Space areas; and, lands abutting or having easy access to an arterial or primary collector road. Other locations which have highly desirable site features and where surrounding land uses are not adversely affected may also be considered for high density residential development. Consideration will be given to the following criteria in designating lands for Multi-Family, High Density Residential use:*
- Compatibility* i) *Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area.*
 - Municipal Services* ii) *Adequate municipal services can be provided to meet the needs of potential development.*



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| <i>Traffic</i> | iii) | <i>Traffic to and from the location should not have a significant impact on stable low density residential areas.</i> |
| <i>Buffering</i> | iv) | <i>The site or area is of suitable shape and size to accommodate high density housing and provide for adequate buffering measures to protect any adjacent low density residential uses.</i> |
| <i>Proximity to Transit and Service Facilities</i> | v) | <i>Public transit service, convenience shopping facilities and public open space should be available within a convenient walking distance</i> |

The proposed development meets certain criteria quoted above, but not all. The subject property is in close proximity to a designated Open Space (Victoria Park), has access to an Arterial Road (Wellington Street), is near to the periphery of Downtown, and is in proximity to transit facilities (planned rapid transit corridor on Richmond Street). All of these locational attributes could support High Density Residential uses through a site-specific policy such as that requested.

Other aspects of the location criteria do not support the proposed development. These include the requirement that development be compatible with surrounding built forms and that there be buffering between high and low density residential developments. In order to support the addition of a new High Density Residential designation it must meet all of the location criteria.

The compatibility requirement in the Official Plan mentions the height, scale, and setback being compatible with the surrounding area. In order for development to be compatible it must not detract with the character of the neighbourhood. To be clear, compatibility does not imply sameness, but rather that the variety in uses are complementary and the neighbourhood's qualities are enhanced. The subject property's location on an arterial road and across from Victoria Park warrants a level of intensification that is above what would be appropriate on one of the lower order streets. However there must also be consideration for how much intensification can be accommodated and how abrupt a transition is appropriate.

Buffering is another criteria that needs to be considered, and it has to do with the transition from low to high density built form. The site area is not sufficient to provide for appropriate buffering between the adjacent low-rise residential built form and the proposed 22-storey building. The location criteria for the Medium Density Residential designation is similar to the High Density Residential, except that it includes that "The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use" (Policy 3.3). This implies that there should be an intervening land use separating Low Density Residential and High Density Residential developments. The proposed development does not provide any buffer to the Low Density Residential neighbourhood.

The PPS encourages intensification, compact built forms, and efficient development patterns. However, the PPS also includes that:

Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (Policy 1.1.3.3).

The PPS does not support the level of intensification that is proposed on the subject property as the application does not adequately take into account the appropriateness of the location, taking into account the existing building stock or areas. In addition, his level of intensification at this location does not conserve heritage resources as prescribed by the PPS.

The Official Plan also includes specific policies for the Woodfield Neighbourhood. These include:

The low density residential neighbourhood within the area bounded by Wellington

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Street, Pall Mall Street, Waterloo Street and Princess Avenue shall only provide for infill and intensification where such development is clearly compatible with the character, scale and intensity of the low density residential neighbourhood in this area. Area-specific zoning regulations such as, but not limited to, maximum floor area ratio, maximum dwelling size and on-site parking limitations may be applied to ensure that future development meets this objective (Policy 3.5.4).

These neighbourhood policies require a high level of sensitivity to the established context by requiring that that new development be clearly compatible with the existing neighbourhood character. The proposed development does not comply with this policy.

Intensity

The current maximum density on the subject property is 75 units per hectare, and the standard maximum density in the High Density Residential designation on sites within Central London is limited to 250 units per hectare. The requested amendment would permit a density of 700 units per hectare. This is one example of the specific provisions that have been requested in the site-specific zone being significantly out of sync with the existing planning policies or even the High Density Residential provisions. Some of the specific zoning regulations that have been requested, as compared to the standard Residential R10 (R10-5) Zone include:

- 700 units per hectare in density, whereas the standard R10-5 Zone permits a maximum of 350 units per hectare.
- 95% lot coverage, whereas the standard R10-5 Zone requires a maximum of 50%
- 0m setbacks to all four lot lines, whereas the standard R10-5 Zone requires a 8m setback to Wellington Street, a 6m setback to Wolfe Street, a 7m rear yard setback, and a 4.5m interior side yard setback. In addition to these setbacks, the rear and interior side yards require step-backs of 1.2m per 3m of building height
- 0% landscaped open space, whereas the standard R10-5 Zone requires a minimum of 20% landscaped open space (note that outdoor amenity space is proposed on top of the podium, but none on the ground level)
- Building height of 77.5m, whereas buildings heights in the R10 Zone are established on a site-specific basis but generally do not exceed 37m.
- 12 separately defined commercial uses, whereas the standard R10-5 zone does not permit non-residential development.

In addition to these significant variances, it must also be noted that even the application of a standard Residential R10 (R10-5) Zone would require re-designation to High Density Residential, in conformity with the location criteria described earlier in this report. The proposed development does not meet the location criteria for High Density Residential, and permitting additional density beyond this is not consistent with the Official Plan.

The use, intensity, and form of development that is proposed is akin to what would be permitted in the Downtown (DA) Zone. This demonstrates that the proposed development would fit the Downtown context, but is not appropriate in an established low-rise neighbourhood.

The Official Plan may permit development that exceeds standard maximum densities and heights through the use of a bonus zone. This application does not seek any bonusing provisions and speaks only to creating site-specific Official Plan and Zoning regulations. Had a Bonus Zone been requested the development would still be required to fit in the context of the built form. The Official Plan requires that “the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses or exceeds the capacity of available municipal services” (Policy 19.4.4).

Planning Impact Analysis

Section 3.7 in the Official Plan provides information for completing a Planning Impact Analysis to

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be used in the evaluation of planning applications. It includes 14 criteria for consideration. These criteria and their application to the proposed development are described in Table 1.

Table 1 – Planning Impact Analysis for Proposed Development

Planning Impact Analysis Criteria (Section 3.7.2)	Application to the Proposed Development
(a) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.	The proposed development is not compatible with adjacent built forms and there is not an adequate transition provided to adjacent low-rise forms of development. It is not consistent with the WWHCD Plan or the Woodfield Neighbourhood Policies in the Official Plan.
(b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;	The site specific zoning requirements indicate that the site is unable to accommodate the proposed intensity. Locating the tower towards the west of the site is not a sufficient mitigation measure. The site is not adequately sized to be able to accommodate the proposed use.
(c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use;	There are multiple vacant and re-developable sites in areas that could accommodate this form of high density development, including the nearby Downtown Area designation.
(d) the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.	The proposed development is adjacent to Victoria Park, is in proximity to downtown and will support its businesses, and has access to transit services. The proposed development meets this criteria.
(e) the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.	N/A – this proposal does not include affordable housing.
(f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The proposed building form will impact the heritage character of the surrounding properties that are within the WWHCD.
(g) the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;	The site does not contain desirable vegetation or natural features. The proposed development meets this criteria.
(h) the location of vehicular access points and their compliance with the City’s road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;	Transportation Planning and Design staff have reviewed the proposed development and have no concerns. The proposed development meets this criteria.
(i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The proposed development is not integrated with adjacent uses and an adequate transition in height is not provided. The scale of development is not consistent with the WWHCD Plan.

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Planning Impact Analysis Criteria (Section 3.7.2)	Application to the Proposed Development
(j) the potential impact of the development on surrounding natural features and heritage resources;	N/A – The site does not contain any identified natural features and heritage resources.
(k) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;	N/A – No environmental constraints have been identified.
(l) compliance of the proposed development with the provisions of the City’s Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and	The subject property does not meet location criteria for the High Density Residential designation in the Official Plan. If a High Density Residential designation were to be applied, the proposed development still would not be appropriate as the level of intensity cannot be accommodated on the subject property.
(m) measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;	The proposed development includes significant, unmitigated impacts on the WWHCD.
(n) impacts of the proposed change on the transportation system, including transit.	Transportation Planning and Design staff have reviewed the proposed development and have no concerns. The subject lands are well served by transit, opportunities for active mobility, and personal vehicle transportation. The proposed development meets this criteria.

The proposed development does not meet 7 of the 14 criteria for a Planning Impact Analysis. The purpose of completing this exercise is to determine the appropriateness of a proposed planning application and identify ways of reducing any adverse impacts. The criteria that are not met speak to fundamental aspects of the proposed development and make it clear that the subject property is not an appropriate location for the scale and intensity of development that is proposed.

Specific Area Policy

The requested amendment would establish a specific area policy in Chapter 10 – Policies for Specific Areas of the Official Plan. There are four criteria for the establishment of a policy in Chapter 10. These are:

- i) The change in land use is site specific, is appropriate given the mix of uses in the area, and cannot be accommodated within other land use designations without having a negative impact on the surrounding area.*
- ii) The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.*
- iii) The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required.*
- iv) The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints (Policy 10.1.1).*

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These criteria require compatibility with adjacent land uses in the area. The proposed development is not compatible as described earlier in this report. The criteria also requires that the existing mix of uses in an area does not lend itself to development under an established land use designation. The subject lands are within an established low-rise neighbourhood and could be appropriately developed under the existing in-force policies or possibly under the policies for Medium Density Residential land use designation. Therefore there is not a need to establish a Specific Area Policy for the subject property.

Consideration of *The London Plan*

While the requested amendment was submitted prior to Council's adoption of *The London Plan*, and *The London Plan* has been appealed in its entirety as it relates to the subject property by 560 Wellington Holdings Inc., City staff have considered whether the proposed development is consistent with the new policy direction established in *The London Plan*.

The London Plan includes the subject lands in the Neighbourhoods Place Type, which permits a maximum height of 4 storeys, or 6 through the approval of a Bonus Zone, along a Civic Boulevard street classification (Wellington Street). This maximum height is consistent with a Medium Density Residential designation in the current Official Plan, and is consistent with the WWHCD Plan.

High-rise development similar to what is proposed on the subject property could be permitted in Downtown or in Rapid Transit Corridor Place Types by *The London Plan*. This is consistent with the findings based on the analysis completed using the WWHCD Plan and the 1989 Official Plan, which concludes that the proposed building is of high quality but is not in an appropriate location.

CONCLUSION

The proposed development, while including a high quality building that would contribute to achieving several of the City of London's planning objectives, is not an appropriate form of development on the subject property. The proposed development is not consistent with the PPS, and it does not conform to the City's planning policies in the Official Plan, the West Woodfield Heritage Conservation District Plan, or the intent of *The London Plan*.

Should Council wish to support this development proposal, or a variation thereof, notwithstanding this recommendation, Staff recommend that the application be referred back to staff to:

- Establish a bonus zone that "locks in" a building design that must be followed to avail of the greater height and density that is allowed through the bonus zone. Given the sensitivity of this site to the surrounding low-rise residential neighbourhood, the heritage conservation district and the adjacent Victoria Park, it is extremely important that the building design be established at this zoning stage. The applicant has not applied for a bonus zone.
- Establish a bonus zone that will identify the facilities, services and matters that the applicant will provide in favour of the greater height and intensity provided by the bonus zone – all in accordance with the bonus provisions of the Official Plan and Section 37 of the Planning Act.

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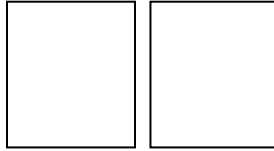
File: OZ-8462
Planner: J. Adema

PREPARED BY:	SUBMITTED BY:
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RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

April 24, 2017

JA

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

<u>Comments Received Following Second Submission (Notice Provided January 4, 2017)</u>
Burton and Hilary Moon, 485 Dufferin Ave.
Fred Dick, 618 Wellington St.
Lynne Zabatany, 41 Palace St.
MaryAnne Hodge, 312 Wolfe St.
Don McLeod, 165 Egerton St.
Barbara Hoover, 360 Central Ave.
Ruth Hoch, 500 Dufferin Ave.
Keith McAlister, 131 Rose Hip Crt.
Barry & Audrey Francis, 503 Central Ave.
Ben Lansink, 507 Colborne St.
Rosy Loewith, 26 Prospect Ave.
Jim Fentin, 481 Dufferin Ave.
Lila Neumann, 24 Regina St.
Fanny Latvanen, 298 Wolfe St.
Tom Okanski, 310 Wolfe St.
David & Ann Lindsay, 510 Princess St.
Danya Walker, 570 Wellington St.
Garth Webster & Janet Menard, 320 Wolfe St.
Larry and Frances Coste, 315 Wolfe St.
Architectural Conservancy Ontario, London Branch, 1017 Western Rd.
Kelley McKeating, 329 Victoria St.
Woodfield Community Association, c/o Kate Rapson, PO Box 452, Station B.
Jeffrey Petrie, 532 Dufferin Ave.
Michael Coon, 38 Medway Cr.
Petition – containing 38 signatures
<u>Comments Received Following First Submission (Notice Provided March 19, 2015)</u>
Barbara Hoover, 360 Central Ave.
Barry and Audrey Francis, 503 Central Ave.
Ben Lansink, 507 Colborne St.
B.J. Hardick, 331 Queens Ave.
Robert Sutherland, 621 Waterloo St.
Hilary Alderson Moon, 485 Dufferin Ave.
Carol Agocs, 1454 Sprucedale Ave.
Christine Guphill, 1034 William St.
Danya Walker, 570 Wellington St.
Fanny Latvanen, 298 Wolfe St.
Fred Dick, 618 Wellington St.
Jason Kipfer, 596 Maitland St.
Jay Jeffrey, 1801-380 King St.
Jim Fentin, 481 Dufferin
Kelley McKeating, 329 Victoria St.
Ken Somerville, 315 Huron St.
Laura Wythe, 2-512 William St.
Lynn Funston, 524 Dufferin Ave.
Marcus Coles, 38 Palace St.
Tom Okanski and Mary Ann Hodge, 310 Wolfe St.
Mary Ellen Kirk, 3-570 Waterloo St.
Janet Menard & Garth Webster, 320 Wolfe St.
Norman Charles William Hoch, 500 Dufferin Ave.
Pat Tripp, 405-7 Picton St.
Rosy Loewith, 26 Prospect Ave.
Scott MacDougall-Shackleton, 802 Hellmuth Ave.
Sheila Scott, 732 Cedar Ave.
Shelley Kopp, 101 Rollingwood Circle
Wendy Dickinson, 522 Princess Ave.

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Mary Anne Hodge, 312 Wolfe St.
Petition – containing 546 signatures.

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File: OZ-8462
Planner: J. Adema

**Bibliography of Information and Materials
OZ-8462**

Request for Approval:

City of London Combined Official Plan and Zoning Amendment Application Form, completed by Hugh Handy, GSP Group Inc, November 25, 2014.

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

City of London. *The London Plan*. June 23, 2016

GSP Group Inc. *Planning Justification Report Update*, December 2016.

GSP Group Inc. *Urban Design Brief Update*. December 2016.

RWDI Consulting Engineers and Scientists. *Pedestrian Wind Study Wind Tunnel Tests*. September 18, 2014.

RWDI Consulting Engineers and Scientists. *Letter of Opinion – Wind Effects of Design Revisions*. November 30, 2016.

Stantec Consulting Ltd. *Preliminary Servicing Analysis*. November 4, 2014.

Stantec Consulting Ltd. *Transportation Impact Assessment*. November 5, 2014.

Stantec Consulting Ltd. *Heritage Impact Statement*. November 17, 2016.

Turner Fleischer Architects Inc. *Statistics, Floor Plans, Elevations, & Sections*. December 1, 2016

Correspondence: (all located in City of London File No. OZ-8462 unless otherwise stated)

Creighton, C. Upper Thames River Conservation Authority. Letter to J. Adema. January 17, 2017.

Roobroeck, R. City of London Development Services. Memo to J. Adema. January 27, 2017.

Gonyou, K., City of London Heritage Planner. Memo to J. Adema. February 9, 2017.

London Advisory Committee on Heritage. Report. January 11, 2017.

Moore, R. City of London Wastewater and Drainage Engineering. Email to J. Adema. January 26, 2017.

Giesen, A. City of London Transportation Planning & Design. Email to J. Adema. January 11, 2017.

Smolarek, J. City of London Urban Designer. Memo to J. Adema. February 10, 2017.

Urban Design Peer Review Panel, Memo. March 18, 2015

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Public Comments, as listed in report. April-May, 2015 & January-March, 2017.

Other:

Site visit April 10, 2017 and photographs of the same date.

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Appendix "A"

Department and Agency Comments

Christine Creighton, Land Use Planner, Upper Thames River Conservation Authority

The UTRCA has no objections to this application.

Kyle Gonyou, Heritage Planner, Planning Services,

See comments in body of this report

Kat Hodgins, Forestry Technologist, Urban Forestry, Planning Services

Thank you for providing the opportunity to comment on this file. At this time, Urban Forestry has no comments. Any forestry concerns will be addresses through the Site Plan process.

London Advisory Committee on Heritage

See comments in body of this report

Development Services

Verbatim comments as per the Transportation Division:

- A Transportation Impact Assessment (TIA) was included and reviewed as part of the original application in 2015, the TIA indicated the development would have little impact on traffic in the immediate area including Wolfe and Wellington Street. Traffic issues to be discussed in greater detail through the site plan process include the design for a proposed right in only access that will require the construction of a median on Wellington Street between Central and Wolfe Street.

Verbatim comments as per the SWM Divisoin:

Stormwater Engineering Staff have no objection to the above-noted application to amend the Official Plan and Zoning By-law. Please ensure the applicant is informed about the need to address/consider, among others, the following SWM requirements/concerns during the site plan application stage:

- The subject lands are located in the Central Thames Subwatershed. The applicant shall be required to apply the proper SWM practices to ensure that the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
- The design and construction of SWM servicing works for the subject land shall be in accordance with:
 - The SWM criteria and targets for the Central Thames Subwatershed
 - Any as-constructed information and any accepted report or development agreement for the area.
 - The City Design Requirements for on-site SWM controls which may include but not be limited to quantity/quality and erosion controls, and
 - The City’s Waste Discharge and Drainage By-Laws; the Ministry of the Environment Planning & Design Manual; as well as all applicable Acts, Policies, Guidelines, Standards and Requirements of all approval agencies.
- The design of the SWM servicing work shall include but not be limited to such aspects as requirements for Oil/Grit separators for the proposed parking area, on-site SWM controls design, possible implementation of SWM Best Management Practices (e.g. Low Impact Development “LID” features), grading and drainage design (minor, and major flows), storm drainage conveyance from external areas (including any associated easements), hydrological conditions, etc.

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- The applicant and his consultant shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.
- Additional SWM related comments may be required and provided upon further review of this site.

Verbatim comments as per the WADE division:

The municipal sanitary outlet for the subject lands is the 250mm sanitary sewer on Wellington Street which outlets to the Pall Mall trunk sanitary sewer system at Wellington and Pall Mall Streets.

Prior to moving forward the applicant shall have his consultant update their Preliminary Servicing Analysis for 560 – 562 Wellington and confirm assumptions through field verification and possibly dye testing to identify any storm flows that can be removed from the sanitary system as a result of the redevelopment of the site. The final report is to be stamped by the Owner' professional engineer. WADE can be contacted, if needed, for further direction relating to this report.

The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.

Jerzy Smolarek, Urban Designer, Planning Services

See comments in body of this report

Urban Design Peer Review Panel

See comments in body of this report