

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: John M. Fleming
Managing Director, Planning and City Planner
Subject: JAM Properties Inc.
147-149 Wellington Street, 253-257 Grey Street
Public Participation Meeting on: September 10, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of JAM Properties Inc. relating to the property located at 147-149 Wellington Street, 253-257 Grey Street:

- (a) The comments received from the public during the public engagement process attached hereto as Appendix "A", **BE RECEIVED**
- (b) Planning staff **BE DIRECTED** to make the necessary arrangements to hold a future public participation meeting regarding the above-noted application in accordance with the *Planning Act*, R.S.O 1990, c.P. 13.

IT BEING NOTED that staff will continue to process the application and will consider the public, agency, and other feedback received during the review of the subject application as part of the staff evaluation to be presented at a future public participation meeting.

Executive Summary

Summary of Request

The requested amendment is to permit a site-specific bonus zone to allow for an 18-storey (63 metre) L-shaped apartment building which will include 262 residential units (593uph). Two levels of underground parking will provide 162 parking spaces with another 38 spaces being provided at ground level.

Purpose and the Effect

The purpose and effect of the recommended action is to:

- i) Present the requested amendment in conjunction with the statutory public meeting;
- ii) Preserve appeal rights of the public and ensure Municipal Council has had the opportunity to review the Zoning By-law Amendment request prior to the expiration of the 150 day timeframe legislated for a Zoning By-law Amendment;
- iii) Introduce the proposed development and identify matters raised to-date through the technical review and public consultation;
- iv) Bring forward a recommendation report for consideration by the Planning and Environment Committee at a future public participation meeting once the review is complete.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located approximately 600 metres south of Downtown London and is along a future rapid transit corridor that will connect south London to the core of the City. The site is situated between two proposed transit stations at South Street and Horton Street E. The consolidated lands are approximately 0.44 ha in size and currently accommodates a restaurant with a large surface parking lot at 147-149 Wellington Street and 3 single detached dwellings at 253-257 Grey Street. North and South of the site along the Wellington Street corridor are a mix of vacant buildings, commercial/retail uses and residential uses generally at a scale of 1 to 2.5 storeys in height. To the west of the site is a mixed use community with two apartment buildings (9 & 12 Storeys in height) in close proximity to the subject site. To the east is the Soho community which is also considered a mixed use community.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Main Street Commercial Corridor/Multi-Family, High Density Residential
- The London Plan Place Type – Rapid Transit Corridor
- Existing Zoning – BDC(8), BDC(4)

1.3 Site Characteristics

- Current Land Use – Restaurant/Single Detached Dwellings
- Frontage – 72.2 metres (236.8 ft) Wellington St/ 66.9 metres (219.4ft) Grey St
- Depth – Varies
- Area – 0.44 ha (1.09ac)
- Shape – Irregular

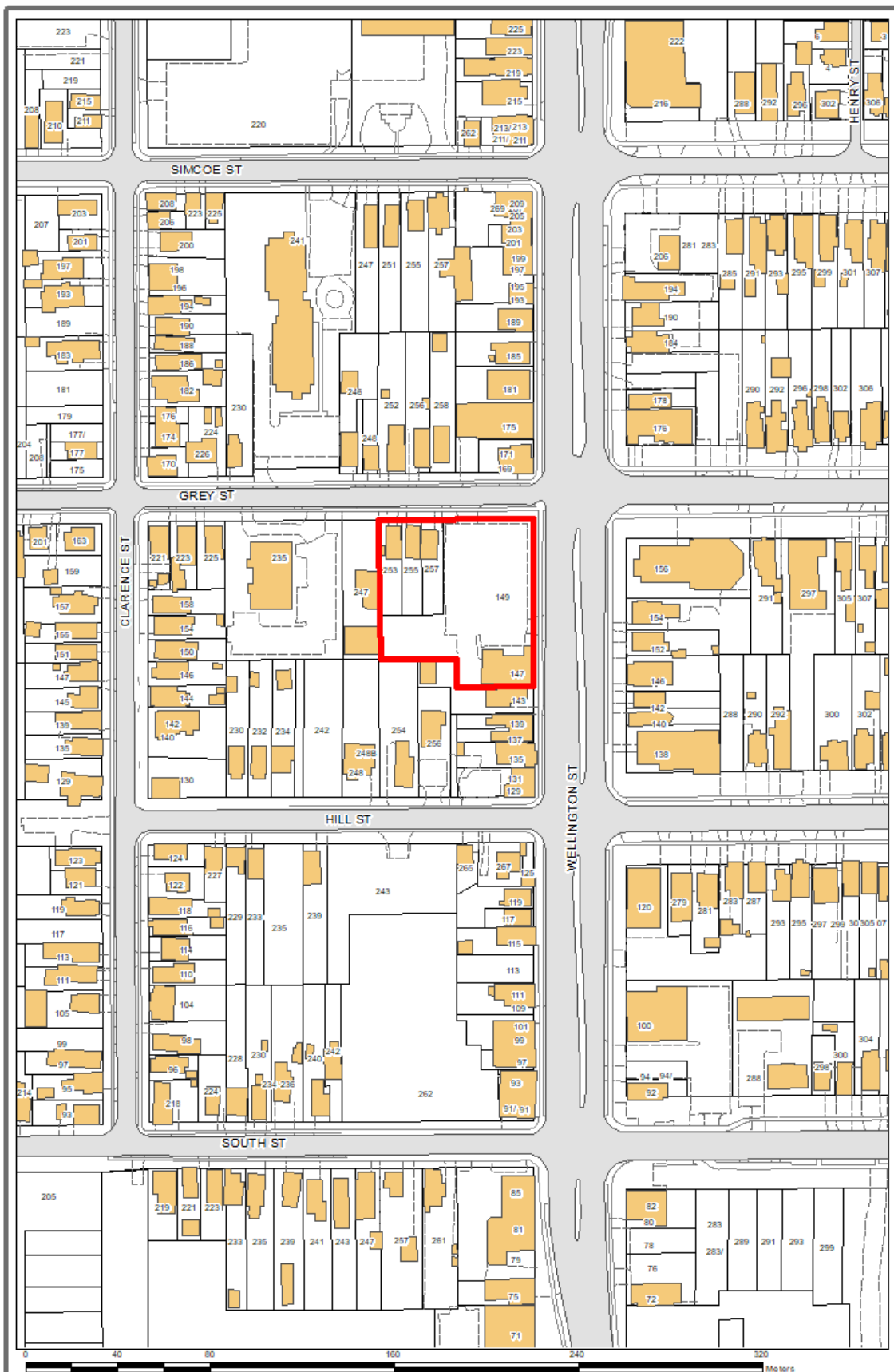
1.4 Surrounding Land Uses

- North – Commercial/ Single Detached Dwellings
- East – Church/Single Detached Dwellings
- South – Commercial/Single Detached Dwellings
- West – Apartment/Single Detached Dwellings

1.5 Intensification (identify proposed number of units)

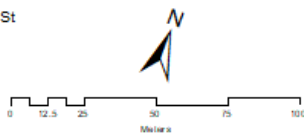
- The proposed development will represent intensification within the Built-area Boundary
- The proposed development will represent intensification within the Primary Transit Area

1.5 Location Map



LOCATION MAP

Subject Site: 147-149 Wellington St, 253-257 Grey St
 Applicant: JAM Properties Inc
 File Number: Z-8905
 Planner: Mike Corby
 Created By: Mark Boulger
 Date: 2018/07/31



Legend

- Subject Site
- Buildings
- Driveways/Parking Lots
- Parking Lot Edges

2.0 Description of Proposal

2.1 Development Proposal

The proposed development includes an 18-storey (63 metre) L-shaped apartment building which will include 262 residential units (593uph). The tallest portion of the building is located on the northeast corner of the site at the intersection of Grey and Wellington. The building reduces in height as you move west along Grey Street to 8 storeys in height with a 4 storey podium located the length of the building along Grey Street. Wellington Street also sees a reduction in height to an 8 storey building as you move south with a 5-storey podium running the length of the building. Ground floor residential units are proposed on all frontages of the apartment. These units will be constructed in a manner that will allow for transition to commercial uses at a future date when it becomes economically viable to do so. Two levels of underground parking will provide 162 parking spaces with another 38 spaces being provided on at ground level. Vehicular access will be provided from Grey Street and the above ground parking will provide a potential green roof canopy as a unique design feature.



Figure 1: Conceptual Site Plan



Figure 2: Conceptual Rendering: street level view



Figure 3: Conceptual Rendering: view from the northeast.

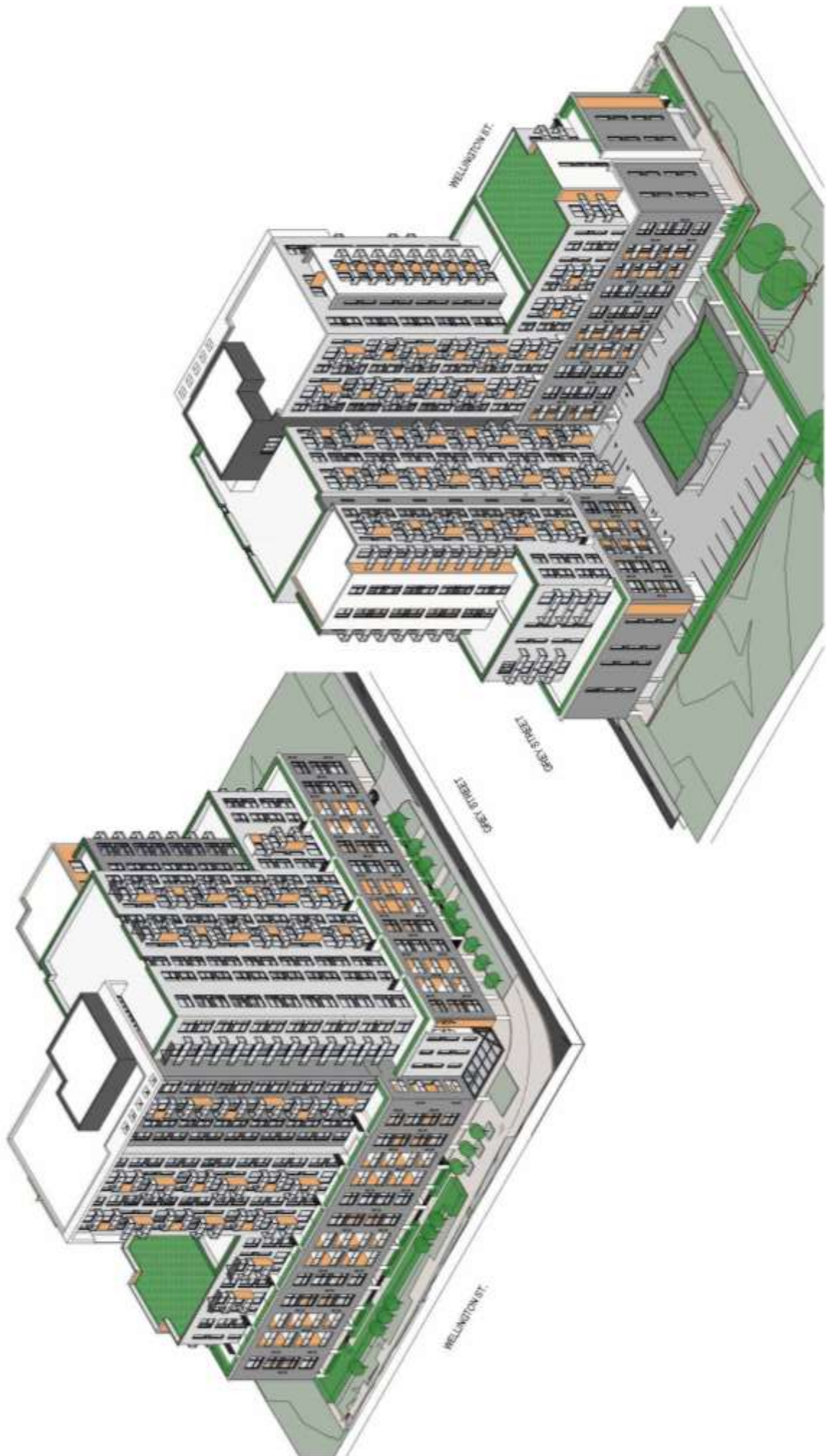


Figure 4: Conceptual Rendering: view from the northeast/southwest

2.2 Submitted Studies

The application was accepted as completed on April 25, 2018. The following information was submitted with the application:

- Planning Justification Report
- Conceptual Site Plan
- Urban Design Brief
- Heritage Impact Assessment
- Servicing, Feasibility Study
- Pedestrian Wind Study
- Zoning Referral Record

2.3 Requested Amendment

The requested amendment is for a Zoning By-law amendment from a Business District Commercial Special Provision (BDC(8)) Zone and Business District Commercial Special Provision (BDC(4)) Zone to a Business District Commercial Special Provision Bonus (BDC(8))*B() Zone and Business District Commercial Special Provision Bonus (BDC(4))*B() Zone. The bonus zone is requested to permit the following:

3.0 Relevant Background

3.1 Community Engagement (see more detail in Appendix B)

There were 5 responses received during the community consultation period with an additional 8 submitted at the Community Information Meeting, which was held on June 26, 2018. The most commonly received comments include:

Support for:

- Proposal will help change the face of the area
- Bring new life to neighbourhood
- Good use of an underused site
- Modern Design
- Underground Parking
- Increased residential population close to the core.
- Meets needs to balance the neighbourhood

Concerns for:

- Height
- Potential increase in parking issues
- Increased Traffic
- Shadows affecting surrounding lands
- Prefer owned units vs rental

3.2 Policy Context

The subject site is currently located in a Main Street Commercial Corridor (MSCC) with the 3 single detached dwellings fronting Grey Street being located in a Multi-Family, High Density Residential (MFHDR) designation. The London Plan also identifies the subject site and Wellington Street Corridor as a Rapid Transit Corridor.

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use

Patterns of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas (1.1.3 Settlement Areas) to be the main focus of growth and development. Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources along with the surrounding infrastructure, public service facilities and are also transit-supportive (1.1.3.2).

The policies 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 [1.1.3.3] while promoting appropriate development standards which facilitate intensification, redevelopment and compact form [1.1.3.4] and promoting active transportation limiting the need for a vehicle to carry out daily activities [1.1.3.2, 1.6.7.4].

The PPS also promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4 Housing). It directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs. It encourages densities for new housing which efficiently use land, resources, and the surrounding infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The PPS ensures consideration is given to culturally significant heritage properties and that they are protected from adverse impacts by restricting development and site alteration on adjacent lands to protected heritage property unless it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.” [2.6.3.].

In accordance with section 3 of the Planning Act, all planning decisions ‘shall be consistent with’ the PPS.

Official Plan

The subject site is designated Main Street Commercial Corridor which generally take the form of either long-established, pedestrian-oriented business districts or newer mixed-use areas. They have a street-oriented form with buildings close to the street. The street frontages of individual uses are generally of a scale that provides for easier pedestrian movement. They include a broad range of uses, that cater to the adjacent residential neighbourhoods within easy walking distance.

The following are policy excerpts from the Official Plan that are relevant to this development application:

4.4.1.1. Planning Objectives

- i) Provide for the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development;
- ii) Encourage development which maintains the scale, setback and character of the existing uses;
- iii) Encourage common parking areas instead of individual access points and individual parking areas; and
- iv) Encourage mixed-use development to achieve higher densities and to reinforce the objectives of achieving a diverse mix of land uses.

4.4.1.2. Urban Design Objectives

- i) Encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics;
- ii) Provide for and enhance the pedestrian nature of the Main Street Commercial Corridor;
- iii) Enhance the street edge by providing for high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting;
- iv) Design development to support public transit;
- v) Create high quality public places;
- vi) Maintain and create a strong organizing structure;
- vii) Maintain or create a strong identity and place;
- viii) Maintain the cultural heritage value or interest of listed buildings and ensure through the application of the Commercial Urban Design Guidelines that new development is consistent with the form of existing development; and
- ix) Encourage the transition and connection between the gateway Main Street Commercial Corridors and the Downtown through pedestrian, transit and design linkages.

4.4.1.3. Function

The Main Street Commercial Corridor designation is normally applied to long established, pedestrian-oriented shopping areas in the older parts of the City. This designation may also be applied to new commercial areas provided that a mixed use, street oriented form of development is proposed. Proposals for the creation of new Main Street Commercial Corridors shall be supported by a comprehensive design concept and design guidelines. These areas typically consist of small, separately owned and managed commercial properties that meet the frequent shopping and service needs of nearby residents or provide specialty shopping for customers from a much larger area. Those Main Street Commercial Corridors adjacent to the Downtown will be regarded as gateway areas and subject to additional policies.

4.4.1.4. Permitted Uses

Permitted uses in Main Street Commercial Corridors include small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings. Zoning on individual sites may not allow the full range of permitted uses.

4.4.1.7. Scale of Development

Redevelopment or infilling of commercial uses within a Main Street Commercial Corridor designation shall form a continuous, pedestrian oriented shopping area and shall maintain a setback and storefront orientation that is consistent with adjacent uses.

Residential Densities

- iii) Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.3. of this Plan.

Form

- iv) Main Street Commercial Corridors are pedestrian-oriented and the Zoning By-law may allow new structures to be developed with zero front and side yards to promote a pedestrian streetscape.

4.4.1.8. Mixed Use Development

Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours. Residential development above existing commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity.

4.4.1.9. Urban Design

Main Street Commercial Corridors shall be developed and maintained in accordance with the urban design guidelines in Chapter 11, the Commercial Urban Design Guidelines and specific policy areas. Given the diversity of the Main Street Commercial Corridors, separate guidelines for specific areas to include recommendations for the private realm, and the public realm, including streets and open spaces where direct municipal investment can assist in creating more pedestrian and transit friendly environments, may be required.

Main Street Commercial Areas should ensure that urban design:

- i) provides continuity of the urban fabric;
- ii) provides incentives and flexibility for redevelopment opportunities;
- iii) protects heritage buildings and landscapes and maintains the diversity of the urban environment;
- iv) provides appropriate building massing and height provisions to ensure main streets define the public spaces in front of and in between buildings.
- v) provides for architectural guidelines to enable greater influence on building elevations, entrances and materials;
- vi) provides for signage policies and regulations that are sensitive to the main street environment; and
- vii) provides guidelines with strong direction on the provision of landscaping and streetscaping, open spaces and on-street parking as elements of the public realm.

When implementing residential densities the MSCC designation defers to the policies of the Multi-Family, High Density Residential. The following MFHDR policies apply to the subject site.

3.4.3. Scale of Development

Net residential densities in the Multi-Family, High Density Residential designation will vary by location and will be directed by the policies in this Plan. Excluding provisions for bonusing, net residential densities will normally be less than 350 units per hectare (140 units per acre) in the Downtown Area, 250 units per hectare (100 units per acre) in Central London (the area bounded by Oxford Street on the north, the Thames River on

the south and west and Adelaide Street on the east), and 150 units per hectare (60 units per acre) outside of Central London.

Density Bonusing

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

The bonusing provisions set out in the Official Plan are as follows:

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

Principle

- i) The facilities, services or matters that would be provided in consideration of a height or density bonus should be reasonable, in terms of their cost/benefit implications, for both the City and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted. Also, 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.

19.4.4 Objectives

- ii) "Bonus Zoning is provided to encourage development features which result in a public benefit which cannot be obtained through the normal development process. Bonus zoning will be used to support the City's urban design principles, as contained in Chapter 11 and other policies of the Plan, and may include one or more of the following objectives:

(a) to support the provision of the development of affordable housing as provided for by 12.2.2.

(b) to support the provision of common open space that is functional for active or passive recreational use;

(c) to support the provision of underground parking;

(d) to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;

(e) to support the provision of, and improved access to, public open space, supplementary to any parkland dedication requirements;

(f) to support the provision of employment-related day care facilities;

(g) to support the preservation of structures and/or districts identified as being of cultural heritage value or interest by the City of London,

(h) to support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit;

(i) to support the preservation of natural areas and/or features; and

(j) to support the provision of design features that provide for universal accessibility in new construction and/or redevelopment.”

London Plan

The subject site is located in a Rapid Transit Corridor in The London Plan. Rapid Transit Corridors are the connectors between our Downtown and our Transit Villages. They offer great opportunities for people to live and work close to high-order transit to give them attractive mobility choices. These corridors will vary from segment to segment, depending upon their context, the degree to which they are transitioning from one form to another and City Council’s goals for their future development. The Urban Corridors are also mid-rise, mixed-use areas that may develop into good candidates for future rapid transit corridors beyond the life of this Plan [ROLE WITHIN THE CITY STRUCTURE_829].

PERMITTED USES 837_ The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise identified by the Specific-Segment policies in this chapter:

1. A range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted within the Corridor Place Type.
2. Mixed-use buildings will be encouraged.
3. Large floor plate, single use buildings will be discouraged in Corridors.
4. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade.
5. The full range of uses described above will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types.

INTENSITY

839_ Table 9 shows the minimum height, maximum height, and maximum height with bonus zoning that may be permitted in the Rapid Transit and Urban Corridor Place Types.

840_ The following intensity policies apply within the Rapid Transit and Urban Corridor Place Types unless otherwise identified:

1. Development within Corridors will be sensitive to adjacent land uses and employ such methods as transitioning building heights or providing sufficient buffers to ensure compatibility.
3. Lot assembly is encouraged within the Corridor Place Types to create comprehensive developments that reduce vehicular accesses to the street and to allow for coordinated parking facilities.
4. Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses.
8. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites.
9. The full extent of intensity described above will not necessarily be permitted on all sites within the Rapid Transit and Urban Corridor Place Types.

FORM

841_ The following form policies apply within the Rapid Transit and Urban Corridor Place Types:

1. All planning and development applications will conform with the City Design policies of this Plan.
2. Buildings should be sited close to the front lot line, and be of sufficient height, to create a strong street wall along Corridors and to create separation distance between new development and properties that are adjacent to the rear lot line.
3. The mass of large buildings fronting the street should be broken down and articulated at grade so that they support a pleasant and interesting pedestrian environment. Large expanses of blank wall will not be permitted to front the street, and windows, entrances, and other building features that add interest and animation to the street will be encouraged.
4. Development should be designed to implement transit-oriented design principles.
5. Buildings and the public realm will be designed to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure and general site layout that reinforces pedestrian safety and easy navigation.
6. Convenient pedestrian access to transit stations will be a primary design principle within Rapid Transit Corridors. New development adjacent to rapid transit stations and transit stops should make strong, direct connections to these facilities.
7. On-street parking within Corridors is encouraged wherever possible and when conflicts with public transit services and on-street bike paths can be avoided or mitigated.
8. While access to development along Corridors may be provided from "sidestreets", traffic impacts associated with such development will be directed away from the internal portions of adjacent neighbourhoods.
9. All public works will ensure a highquality pedestrian environment through streetscape improvements such as widened sidewalks, upgrading the sidewalk material, planting street trees, installing benches and other street furniture, providing pedestrian lighting, and integrating public art.
10. Planning and development applications will be discouraged if they result in the creation of one or more isolated remnant lots that cannot be reasonably developed or assembled with other parcels in the Place Type to develop in accordance with the long-term vision for the Corridor.
11. Where appropriate, block concepts should be developed to provide for rear drive lanes and to coordinate automobile access and circulation.
12. Surface parking areas should be located in the rear and interior side yard. Underground parking and structured parking integrated within the building design is encouraged.
13. An appropriate transition of building scale and adequate setback distances should be provided between the Corridor and adjacent neighbourhood areas.

SPECIFIC-SEGMENT POLICIES

844_ The Main Street policies apply to the following Rapid Transit and Urban Corridor segments:

1. Old East Village - Dundas Street from the Downtown Place Type Boundary to Quebec Street
2. Richmond Row - Richmond Street from Oxford Street to Kent Street
3. SoHo - Wellington Street from the CN tracks to the south branch of the Thames River and Horton Street from Colborne Street to lands just west of Richmond Street

SEGMENT GOALS

845_ Main Street segments are streets that have been developed, historically, for pedestrian oriented shopping or commercial activity in the older neighbourhoods of the city. In an effort to provide local shopping and commercial options so that residents can walk to meet their daily needs, this Plan will support main streets within specific segments of the Rapid Transit Corridor and Urban Corridor Place Types. These areas will be in a linear configuration and street-oriented, meaning buildings will be close to the street with parking generally located to the rear of the site or underground. A broad range of uses at a walkable neighbourhood scale will be permitted within these areas.

PERMITTED USES

846_ The Permitted Use policies of the Rapid Transit Corridor Place Type will apply.

INTENSITY

847_ The Intensity policies for the Rapid Transit Corridor Place Type will apply, in addition to the following policies:

1. Within the Old East Village, Richmond Row, and SoHo segments, buildings will be a minimum of either two storeys or eight metres in height. Podiums for taller buildings will be a minimum of either two storeys or eight metres in height.
2. Buildings in these three Main Street segments will be a maximum of 12 storeys in height. Type 2 Bonus Zoning beyond this limit, up to 16 storeys, may be permitted in conformity with the Our Tools part of this Plan.
3. Office uses will not exceed 5,000m² per building.

FORM 848_ Development within all three Main Street segments will conform with the City Design and the Rapid Transit Corridor Form policies of this Plan. In addition, the following policies will apply:

1. Cultural heritage resources shall be conserved in conformity with the Cultural Heritage policies of this Plan and in accordance with the Ontario Heritage Act. Development proposals adjacent to cultural heritage resources will be required to assess potential impact on these cultural heritage resources and design new development to avoid and mitigate such impact.
2. The design and building materials of new structures will be in keeping with, and supportive of, the form and character of the Main Street segment. It is important to recognize that this policy is intended to support character, but not limit architectural styles. A variety of architectural styles could successfully integrate and fit within the context of all three Main Street segments if designed appropriately.
3. Signage will be integrated with the architecture of the building, fixed to the building, and its size and application will be appropriate for the character of the area. Stand-alone signage in the front yard is strongly discouraged. This does not apply to regulatory road signage.
4. A podium base, with a substantial stepback to the tower, should be used for buildings in excess of four storeys, to avoid sheer walls fronting onto these main street corridors.

Bonusing Provisions Policy 1652

“Under Type 2 Bonus Zoning, additional height or density may be permitted in favour of facilities, services, or matters such as:

- 1) *Exceptional site and building design.*
- 2) *Cultural heritage resources designation and conservation.*
- 3) *Dedication of public open space.*

- 4) *Provision of off-site community amenities, such as parks, plazas, civic spaces, or community facilities.*
- 5) *Community garden facilities that are available to the broader neighbourhood.*
- 6) *Public art.*
- 7) *Cultural facilities accessible to the public.*
- 8) *Sustainable forms of development in pursuit of the Green and Healthy City policies of this Plan.*
- 9) *Contribution to the development of transit amenities, features and facilities.*
- 10) *Large quantities of secure bicycle parking, and cycling infrastructure such as lockers and change rooms accessible to the general public.*
- 11) *The provision of commuter parking facilities on site, available to the general public.*
- 12) *Affordable housing.*
- 13) *Day care facilities, including child care facilities and family centres within nearby schools.*
- 14) *Car parking, car sharing and bicycle sharing facilities all accessible to the general public.*
- 15) *Extraordinary tree planting, which may include large caliper tree stock, a greater number of trees planted than required, or the planting of rare tree species as appropriate.*
- 16) *Measures that enhance the Natural Heritage System, such as renaturalization, buffers from natural heritage features that are substantively greater than required, or restoration of natural heritage features and functions.*
- 17) *Other facilities, services, or matters that provide substantive public benefit.”*

4.0 Matters to be Considered

A complete analysis of the application is underway and includes a review of the following matters, which have been identified to date:

Provincial Policy Statement (PPS)

- Consideration for consistency with policies related to promoting appropriate intensification, efficient use of land, infrastructure and services that support transit.

Official Plan

- Conformity to policies related to the appropriateness of the level of proposed intensification with respect to the bonusable provisions.
- Impacts on adjacent properties.
- Compatibility with the surrounding area.

London Plan

- Conformity to policies related to the appropriateness of the level of proposed intensification with respect to the bonusable provisions.

Technical Review

- Appropriate and desirable design of the proposed apartment.

- Ensure sanitary servicing capacity is available to support the increase in density being sought or an alternative solution is arranged.
- Identifying matters that could be directed to the site plan approval stage.

Zoning

- Suitability of the requested bonus zone and regulation amendments in relation to the proposed development.

5.0 Conclusion

Planning staff will review the comments received with respect to the proposed Zoning By-law amendment and will report back to Council with a recommendation based on the current application or a potential revised application for a Zoning By-law Amendment. A future public participation meeting will be scheduled when the review is complete and a recommendation is available.

Prepared by:	Mike Corby, MCIP RPP Senior Planner, Current Planning
Submitted by:	Michael Tomazincic, MCIP RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP RPP Managing Director, Planning and City Planner
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning Services	

August 31, 2018

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Appendix A – Public Engagement

Public liaison: On May 9, 2018 Notice of Application was sent to 115 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 10, 2018. A “Planning Application” sign was also posted on the site.

5 replies were received

Nature of Liaison: The purpose and effect of this zoning change is to permit an 18-storey (63 metre) L-shaped apartment building which will include 262 residential units (593uph). Two levels of underground parking will provide 162 parking spaces with another 38 spaces being provided on at ground level.

Possible change to Zoning By-law Z.-1 from a Business District Commercial Special Provision (BDC(8)) Zone and Business District Commercial Special Provision (BDC(4)) Zone to a Business District Commercial Special Provision Bonus (BDC(8))*B() Zone and Business District Commercial Special Provision Bonus (BDC(4))*B() Zone. The bonus zone would permit a residential density of 593uph and maximum height of 63 metres in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan. Other provisions such as setbacks, lot coverage and a parking reduction may also be considered through the re-zoning process as part of the bonus zone.

Responses:

From: Sharon

Sent: Wednesday, May 30, 2018 8:03 AM

To: Corby, Mike <mcorby@London.ca>; Park, Tanya <tpark@london.ca>

Subject: 147- 149 Wellington Street and 253-257 Grey Street

I am a resident on South Street and have read over the proposal for the above site. I would like to make a few comments.

1. A building of the suggested height will be an eyesore in this location. Looking around the neighbourhood most residences and businesses are low rise. Even the apartment buildings on Grey and Simcoe do not reach the proposed height. Look at the new dwellings being constructed on Commissioners Road across from Byron Northview school are only 4 stories and “fit” well within the area. An 18 storey monolith does not. A smaller development with lawns and gardens would be more reasonable.
2. Being a resident of SoHo, I witness on a daily basis the traffic congestion on Wellington. How are the residents of this structure suppose to access Wellington? I can see only one exit onto Grey Street which means they either go west on Grey and turn south on Clarence and either access Wellington via Hill Street or South Street. Have either of you been on South Street in the morning or evening rush hour? The street is a pass through for people trying to avoid Wellington and Horton either coming off Wellington or coming from or heading to Richmond. I have even posted a slow down sign to deter speedsters.
3. My other concern is the water table and drainage. Since Canada Bread was torn down we have had to deal with flooded basements at both of our properties. Since we are lower than Grey Street and this proposed development has underground parking, I am wondering what this is going to do to the water flow and drainage. We all know water drains to the lowest point and that would be towards South Street.
4. The Family Circle restaurant is a cornerstone of our community. If the owners are wanting to retire that is one thing but if they are being forced out by the city and developers than that is wrong.

File: Z-8905
Planner: Mike Corby

SoHo is an unique area of London. We are not downtown, or Byron or even Wortley Village but we are an established locale of working people who tend to our gardens, walk our streets and take pride in our properties. To erect such a huge building (similar in size to the TD tower) would ruin the ambience of this area.

Please consider my concerns. Thank you.

S. Weames

Sunday, May 20, 2018

Mike Corby, Planning Services, City of London

RE: Notice of Application - 147-149 Wellington St. and 253-257 Grey St. - Z-8905

Dear Mr. Corby,

It has come to the attention of ACO London that JAM Properties wishes to build an 18-storey building on the site of 147-149 Wellington Street and to the west at 253-257 Grey Street.

This is the kind of infill development ACO London wishes to encourage. Most of the development site is a parking lot and the buildings to be demolished are neither designated nor on London's heritage inventory. The SoHo neighbourhood is only a potential Heritage Conservation District at this time. Nearby heritage buildings such as the Red Antiquities building – one of London's oldest surviving wooden structures – and Christ Church – the second oldest Anglican church building in the city, now Living Fountain Christian Centre – are not harmed by this proposal.

Some heritage advocates may consider the proposed tower too high, not blending well into the neighbourhood. However, any development that encourages Londoners to live in the core, yet preserves the heritage elements that make the core worth inhabiting, is a step in the right direction. ACO will continue to advocate for London's built heritage while supporting the development of underutilized spaces such as this corner.

Sincerely,

Jennifer Grainger

President, London Region Branch

Architectural Conservancy Ontario

From: Lisa McGonigle

Sent: Monday, May 14, 2018 8:24 PM

To: Corby, Mike <mcorby@London.ca>

Subject: 147-149 Wellington Street and 253-257 grey street

Mike

I received the notification for a zoning amendment File Z-8905 for an 18 floor apartment building. I am concerned about the impact this will have on My property , a building of this height will block any afternoon /evening natural light my property currently receives.

I also am concerned about the increase in traffic flow in the local area.
How does one protest this planning application?

Thank you

Lisa McGonigle
290 Hill Street
London, Ontario

From: Kimberly Haycock
Sent: Friday, June 1, 2018 2:33 PM
To: Corby, Mike <mcorby@London.ca>
Cc: Raymond Deleary ; Park, Tanya <tpark@london.ca>
Subject: Notice of Planning 147-149 Wellington and 253-257 Grey Street

Good Afternoon,

I am e-mailing you on behalf of Atlohsa Native Family Healing Services specifically our 256 Hill Street location, Zhaawanong Shelter.

On May 11, 2018 we received a notice of planning application from the City of London. The application is in regards to an 18-storey apartment building proposed for 253-257 Grey Street and 147-149 Wellington. At Zhaawanong Shelter we service women and their children who have fled abusive situations and the safety and security of our residents is our top priority. We are concerned that an 18-storey apartment building would overlook our property and pose a safety and privacy risk to the women and children accessing our services. Furthermore, based on the proposed plan the building would cause an obstruction of view of the property.

I would greatly appreciate the opportunity to discuss this matter further and can be reached by phone at _____. Thank you for your time and consideration.

Sincerely,

Kimberly Haycock
Shelter Coordinator
Zhaawanong Shelter
256 Hill Street
London, ON N6B1C9

From: Craig Linton
Sent: Friday, May 18, 2018 1:32 PM
To: Corby, Mike <mcorby@London.ca>
Subject: ZBA Z-8905

Hi Mike,

I received notice of the above noted ZBA, as my office is located fairly close by. Neither I nor my client have any issues with the application.

I would like to be kept informed of this application progress, as I am interested to see how the London Plan policies will be applied here.

It is my understanding that this site is located on the RT corridor, but not within 100m of an RT station, or a civic boulevard or urban thoroughfare. As such, from what I see on table 9, the "standard" maximum height is 8 storeys, or 12 stories with type 2 bonus zoning. Can you confirm my interpretation of this table is correct as it applies to this particular property?

Sincerely,
Craig
Craig Linton
DEVELOPRO LAND SERVICES INC.

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

Telephone	Written
	Sharon Weames 76 Anderson Ave London On N5Z 2A9
	Jennifer Grainger President, London Region Branch Architectural Conservancy Ontario 1017 Western Road London, ON N6G 1G5
	Lisa McGonigle 290 Hill Street London, Ontario
	Kimberly Haycock Shelter Coordinator Zhaawanong Shelter 256 Hill Street London, ON N6B1C9
	Craig Linton DEVELOPRO LAND SERVICES INC.

Agency/Departmental Comments

London Hydro – May 25, 2018

This site is presently serviced by London Hydro. Contact Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. A blanket easement may be required.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Development Services – June 8, 2018

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Zoning By-Law amendment application:

Wastewater

Comments related to the re-zoning application:

The municipal sanitary sewer available for the subject lands is the 375mm diameter sanitary sewer on Grey St which outlets to a 300mm sanitary sewer on Wellington Street.

The downstream sewers has been the subject of basement flooding. The City is currently undertaking flow monitoring to quantify the high upstream inflow and infiltration. (I&I).

Based on the increase in density being sought and noting the constraints in the downstream system WADE would recommend a **holding provision**.

WADE is prepared to consider a development if it stays within their current zoning density.

Transportation

No comments for the re-zoning application.

The following items are to be considered during the site plan approval stage:

- Road Widening dedication of 24.0m from centre line required on Wellington Street
- 6.0mx6.0m daylight triangle required at Wellington Street and Grey Street
- Grey and South Street are tentatively scheduled for conversion from one to two way operation in 2026
- Wellington Street has been identified as a Rapid Transit Corridor in the Council approved Draft Environmental Project Report (EPR). Through the TPAP and detailed design, the corridor and station locations will be refined and examined in greater detail. Future access to Wellington Street will be restricted to right in/right out where there is no signalized intersection.
- For information about the BRT project, the Applicant can use the following web links: <http://www.shiftlondon.ca/> or www.ShiftLondon.ca/brt_epr (refer to Appendix A: South Corridor, Part 2, page 6 of 9).
- Detailed comments regarding access design and location will be made through the site plan process

Stormwater

No comments for the re-zoning application.

The following items are to be considered during the site plan approval stage:

- The information presented in section 4 of the Servicing Feasibility Study is adequate for the purpose of this application. It is the SWED expectation to have a comprehensive storm servicing and stormwater management analysis and calculations as part of the required storm/drainage servicing report.

Water

No comments for the re-zoning application.

Additional comments may be provided upon future review of the site

If you have any questions, please feel free to contact Brent Lambert at (519) 661-2489 ext. 4956.

Urban Design Peer Review Panel – June 18, 2018

The Panel provides the following feedback on the submission to be addressed through the Zoning Bylaw amendment underway:

- The Panel commends the high level of the Applicant's submission documents. Furthermore, presenting the evolution of the project was very helpful and offered insight into opportunities that could be explored further to assist in breaking down the proposed massing.
- The Panel has concern over the massing of the proposed building on the site and its significant presence at the corner of Wellington Street and Grey Street. Consideration should be made for additional volume at the entrance, and possible glazing, to mitigate this concern.
- The Panel noted that the length of the tower wings on both Wellington Street and Grey Street seem out of scale to the existing and planned context of the site and neighbourhood, resulting in a large street wall affecting the public realm.
- The Panel noted that the size and height of the podium massing is large in comparison to the surrounding residential neighbourhood, creating a disconnect between this development and its context. It was noted the podium would benefit from further articulation, to breakdown its scale, making it relate more to the context and reduce its presence on the streetscape.
- The Panel noted that the overall massing would cast significant shadowing for an extended period on the surrounding low-rise residential neighbourhoods outside of the planned transit corridor.
- The Panel suggested considering warmer materials to better relate to the surrounding context.
- The Panel commended the applicant on the design details that incorporate the orange accent colour and the texture, depth and articulation of the building.
- The Panel noted that the balcony features emphasize the horizontality of the building wings, seemingly extending the massing and length of the building – they may benefit from emphasizing the verticality of the project, reducing its perceived width.
- The Panel noted that the building would benefit from a simplification of form and elements, to help reduce its massing and reduce its presence on the site.
- There is concern from the Panel about the proposed "bonusable" features that would support an increase in height from the allowable 12 storeys to 16 storeys, per the London Plan, let alone the proposed 18 storeys. The panel appreciates the underground parking and the level of design attention and detail given to this project. However, the Panel would recommend that the massing reduce to better

relate to the surrounding public realm and be in keeping with the allowable building heights outlined in the London Plan.

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process.

LACH – June 27, 2018

I hereby certify that the Municipal Council, at its meeting held on June 26, 2018 resolved:

That the following actions be taken with respect to the 7th Report of the London Advisory Committee on Heritage from its meeting held on June 13, 2018:

b) M. Corby, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage does not support the conclusions of the Heritage Impact Statement, dated April 2018, with respect to the property located at 147 Wellington Street, for the following reasons:

- the lack of compatibility and sympathy with the adjacent heritage listed and designated properties with respect to setback, material and design, particularly as it relates to the property located at 143 Wellington Street;
- it does not encourage active commercial uses at grade in order to continue to support the historically commercial streetscape; and,
- it does not properly consider the potential cultural heritage value of the on-site building at 147-149 Wellington Street;

Heritage – July 31, 2018

The subject properties at 253, 255, 257 Grey Street and 147-149 Wellington Street are located adjacent to the heritage listed properties:

- 169-171 Wellington Street
- 156 Wellington Street
- 154 Wellington Street
- 152 Wellington Street¹
- 146 Wellington Street
- 143 Wellington Street²
- 254 Hill Street

1 Added to the Register (Inventory of Heritage Resources) by Municipal Council at its meeting on March 27, 2018.

2 Added to the Register (Inventory of Heritage Resources) by Municipal Council at its meeting on March 27, 2018.

Additionally, the subject property at 147-149 Wellington Street was added to the Register (Inventory of Heritage Resources) by Municipal Council at its meeting on March 27, 2018.

Because of the adjacency of the subject properties to heritage listed properties, a Heritage Impact Assessment (Heritage Impact Statement) was required as part of a complete application for Official Plan Amendment and Zoning By-law Amendment to permit the development of the subject property for a high rise development. A *Heritage Impact Statement* (prepared by Zelinka Priamo Ltd., dated April 2018) was submitted as part of a complete application.

On-Site Potential Cultural Heritage Resources

Section 2.6.1 of the *Provincial Policy Statement* directs that,
Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

The proposed development will affect the on-site potential cultural heritage resource.

Perhaps due to the timing of its addition to the Register (Inventory of Heritage Resources), the property at 147-149 Wellington Street was not considered by the *Heritage Impact Statement* as a potential cultural heritage resource. The *Heritage Impact Statement* should be revised to include an evaluation of this property to determine if it is a significant built heritage resource and assessment of impacts as a result of the proposed development with regards to this on-site potential cultural heritage resource.

Adjacency to Heritage Listed Properties

Development or site alteration adjacent to cultural heritage resources can result in adverse impacts to their cultural heritage value or interest. Policy 2.6.3 of the *Provincial Policy Statement* (2014) states,

Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The *Provincial Policy Statement* represents minimum standards; a municipality may exceed those minimum standards provided doing so would not conflict with any policies of the *Provincial Policy Statement*. As reflected in the policies of *The London Plan*, Municipal Council has decided to affording consideration of potential impacts to adjacent heritage listed properties. Policy 565_ of *The London Plan* states:

New development, redevelopment, and all civic works and project on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.

It is the obligation of the proponent to demonstrate that the potential heritage attributes of adjacent heritage listed properties are conserved through the development process. This may require evaluation of those adjacent properties using the criteria of *Ontario Heritage Act* Regulation 9/06.

Heritage Listed Properties

Section 27(1.2) of the *Ontario Heritage Act* enables Municipal Council to add properties that it “believes to be of cultural heritage value or interest” to the Register. This action does not require a formal evaluation, but the belief of Municipal Council that these properties are of potential cultural heritage value or interest. The policies of *The London Plan* recognize the interest that Municipal Council has in ensuring the conservation of cultural heritage resources, including heritage listed properties.

Heritage Impact Statement

The *Heritage Impact Statement* (Zelinka Priamo Ltd., April 2018) was exceedingly brief, and failed to offer a comprehensive assessment of the potential impacts of the proposed development on adjacent heritage listed properties or consider alternative development approaches. Instead the *Heritage Impact Statement* (Zelinka Priamo Ltd.,

April 2018) focused on why it felt that consideration of adjacent heritage listed properties should not be completed.

Staff are not satisfied that the proposed development is compatible with adjacent heritage listed properties, and that the proposed development may result in adverse impacts which remain unmitigated.

Additionally, the potential cultural heritage resource on-site at 147-149 Wellington Street, as well as adjacent heritage listed properties, requires consideration through revision to the *Heritage Impact Assessment*.

Appendix B – Policy Context

The following policy and regulatory documents are being considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

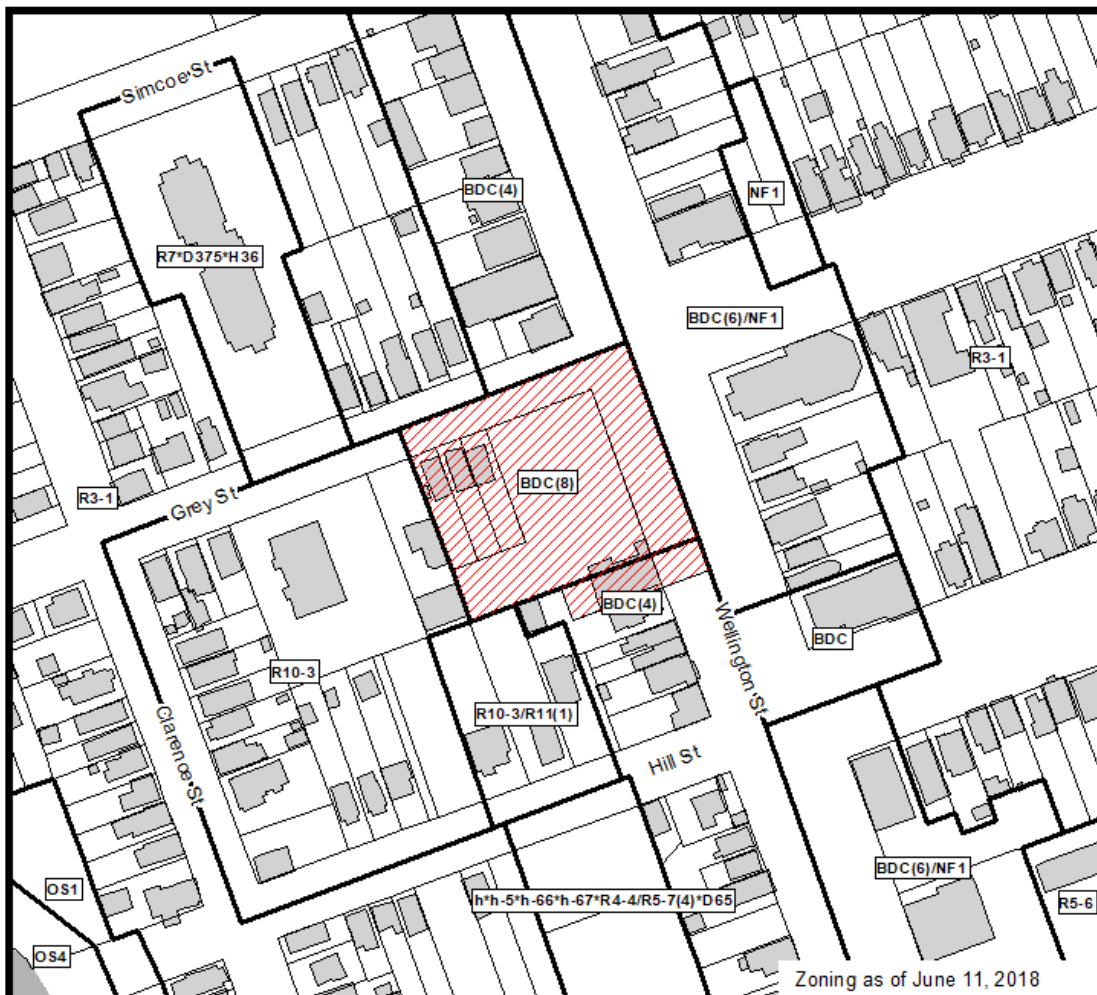
City of London Official Plan

Z.-1 Zoning By-law

Site Plan Control Area By-law

Appendix C – Additional Information

Additional Maps



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: BDC(4) and BDC(8)

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| DA - DOWNTOWN AREA | LI - LIGHT INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | GI - GENERAL INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| NSA - NEIGHBOURHOOD SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | UR - URBAN RESERVE |
| AC - ARTERIAL COMMERCIAL | |
| HS - HIGHWAY SERVICE COMMERCIAL | AG - AGRICULTURAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION | TGS - TEMPORARY GARDEN SUITE |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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

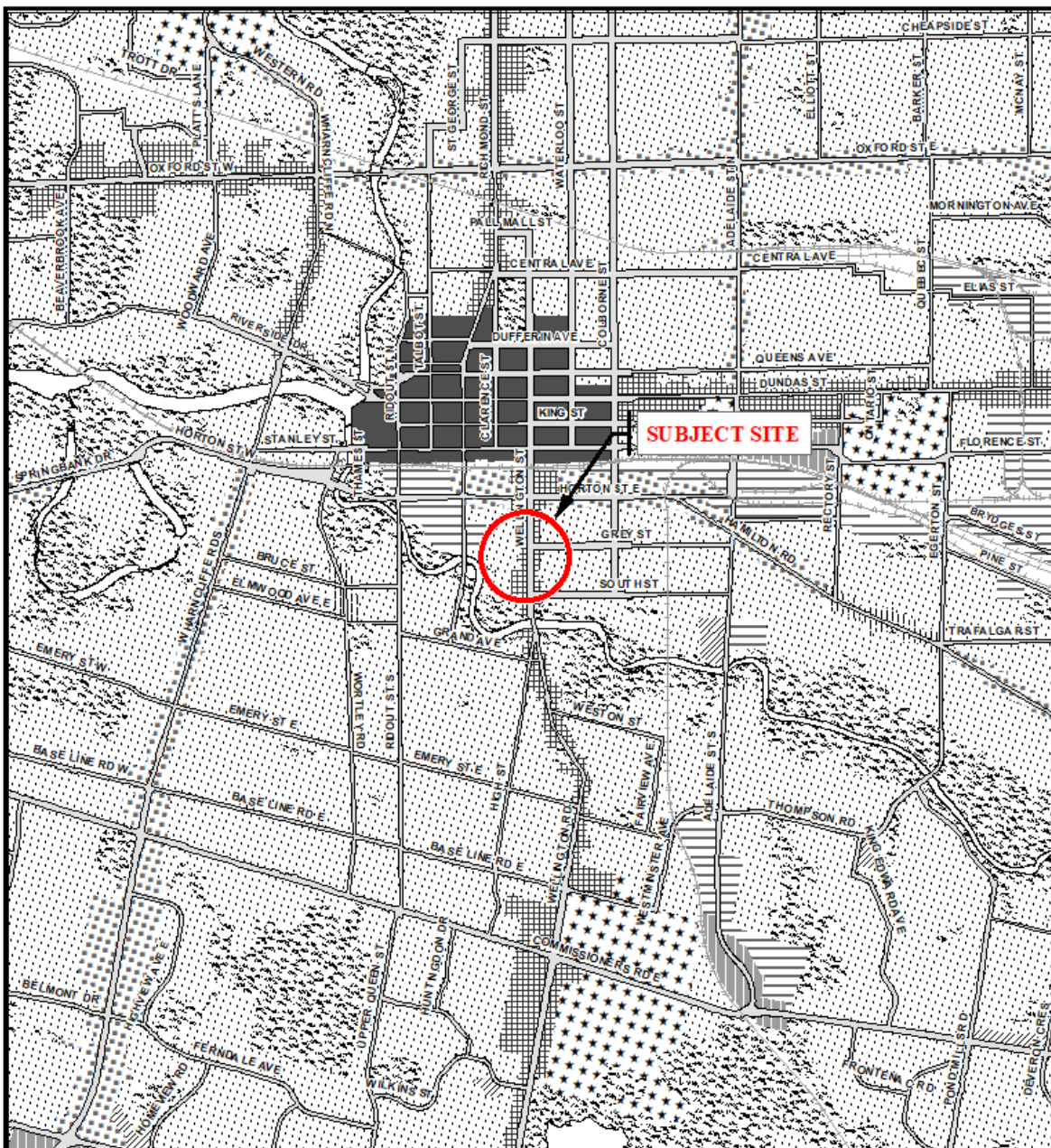


FILE NO:
Z-8905 MC

MAP PREPARED:
2018/07/31 MB



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



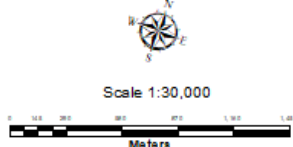
Legend

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

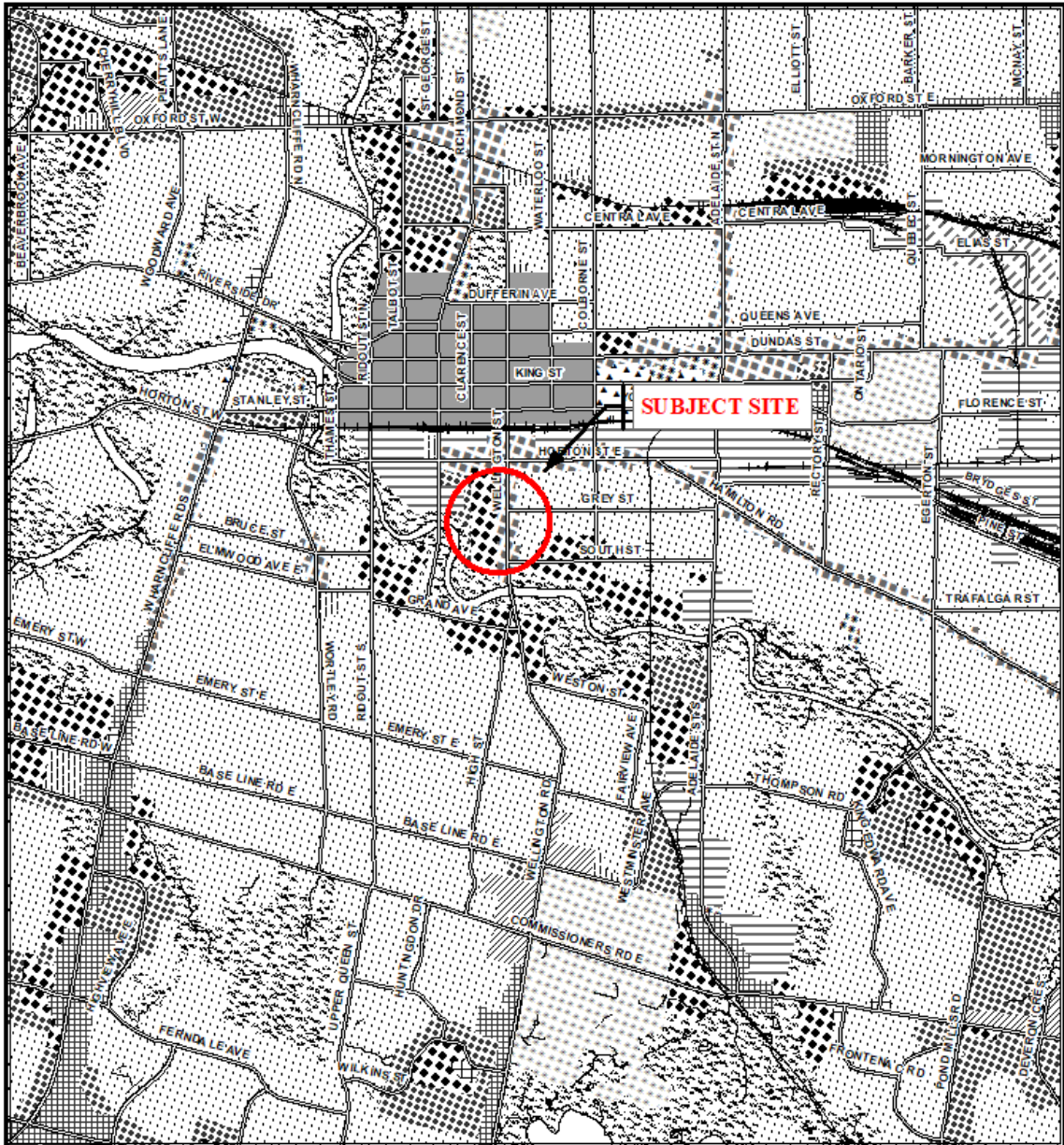
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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 /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: Z-8905
Planner: MC
Technician: MB
Date: July 31, 2018

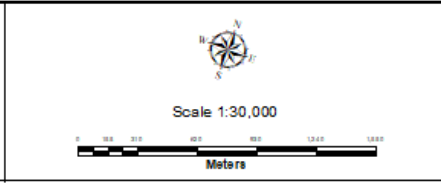


Legend

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
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

CITY OF LONDON
 Planning Services /
 Development Services
 OFFICIAL PLAN SCHEDULE A
 - LAND USE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8905
 PLANNER: MC
 TECHNICIAN: MB
 DATE: 2018/07/31