

Report to Planning and Environment Committee

**To: Chair and Members
Planning & Environment Committee**
**From: John M. Fleming
Managing Director, Planning and City Planner**
**Subject: Paramount Development (London) Inc.
809 Dundas Street**

Public Participation Meeting on: November 12, 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 Paramount Development (London) Inc. relating to the property located at 809 Dundas Street:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 20, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Office Residential/Business District Commercial Special Provision (OR*BDC(20)*D250*H46) Zone, **TO** a holding Business District Commercial Special Provision Bonus (h-17*h-18*BDC(20)*D250*DH46*B-__) Zone; and to change the Parking Area of a portion of the subject property **FROM** Parking Area 3 **TO** Parking Area 1.

The B(__) Bonus Zone shall be implemented through one or more agreements to provide for a mixed-use apartment building with two 24 storey (82m (269ft)) buildings with an increased density up to 710 units per hectare in return for the provision of the following facilities, services, and matters:

- 1) A high quality development which substantially implements the site plan and elevations as attached in Schedules "1" and "2" to the amending by-law:

Base

- i) Division of the front façade along Dundas Street into multiple bays representative of separate individual units.
- ii) A ground floor design that includes large proportions of clear glazing as well as a variety of brick with separate direct entrances to individual commercial units to Dundas Street.
- iii) A ground floor to ceiling height that is greater than the height of all other individual storeys to activate the street and create a vibrant pedestrian realm.
- iv) Permanent architecturally integrated canopies/awnings above the ground floor entrances to differentiate the building base and provide overhead protection from natural elements.
- v) The provision of a portion of the top of the third level of the building (fourth floor terrace) as a greened outdoor amenity area for the residents.
- vi) Use of transparent glazing on the second and third floors
- vii) Pedestrian connection along the south of the building from the pick-up/drop-off area to Rectory Street

Middle

- viii) Slim tower architectural style with tower floor-plate of less than 1,060m² to minimize the overall mass, visual impact and sunlight disruption of the tower
- ix) Towers that utilize a high proportion of vision glass and spandrel glass (window-wall) as the primary form of cladding for the tower, to mitigate the overall visual building mass and provide a light and refined appearance in the Old East Village Skyline.
- x) A stepback of 11m of the tower portions of the buildings from Dundas Street

- above the third storey.
- xi) Utilize changes in colour and material to visually break up the massing of the tower

Top

- xii) Utilize building step-backs and variation in massing to define the building cap and completely conceal the mechanical and elevator penthouse within the overall architectural design of the top of the building to contribute to a dynamic Old East Village skyline.

2) Provision of one level of underground parking

3) Provision of Affordable Housing

The provision of 25 affordable housing units, established by agreement at 95% of average market rent for a period of 25 years. An agreement shall be entered into with the Corporation of the City of London, to secure said affordable housing units for the 25 year term.

- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following through the site plan process:
 - i) Provide directional lighting from the rear of the building to illuminate the municipal laneway;
 - ii) Formalize and pave the municipal laneway including the access to Rectory Street; and
 - iii) Provide a difference in paving, materials or treatment for the length of the municipal laneway to provide for enhanced pedestrian comfort and reflect that the space is shared.
- (c) That Staff **BE DIRECTED** to initiate an amendment to The London Plan for the property at 809 Dundas Street to **ADD** a new policy to the Specific Policies for the Rapid Transit and Urban Corridor Place Types, to allow for a maximum height of 24 storeys subject to a bonus zone.

Executive Summary

Summary of Request

The requested amendment is to rezone the subject site to remove the existing Office Residential zone, while retaining the Business District Commercial zone, and add a site-specific bonus zone to permit a mixed use, commercial/residential building. Holding provisions are being recommended to ensure that the necessary infrastructure is upgraded and that an archaeological assessment is completed prior to development.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment will allow for a mixed-use development with two apartment buildings of 24 storeys and a three storey podium containing ground floor commercial and office space.

Rationale of Recommended Action

- i) The recommended amendment is consistent with the *Provincial Policy Statement (PPS), 2014*, which promotes intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- ii) The recommended amendment is consistent with the policies of the *Provincial Policy Statement, 2014* which requires planning authorities to facilitate pedestrian and non-motorized movement by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative

transportation modes;

- iii) The recommended amendment supports the objectives of the Old East Village Main Street Commercial Corridor policies of the City of London Official Plan which encourages redevelopment in the Area of Transition and Redevelopment segments of the Main Street Commercial Corridor;
- iv) The recommended amendment will allow for an increase to height and density through a bonus zone which requires that the ultimate form of development be consistent with the site plan and elevations appended to the amending by-law.;
- v) The recommended amendment will facilitate an enhanced form of development in accordance with the OEV Commercial Design Guidelines which includes an architecturally defined base, middle and top with the base serving to frame the pedestrian realm at a human-scale;
- vi) The recommended bonus zone provides for an increased density and height in return for a series of bonusable features, matters and contributions that benefit the public in accordance with Section 19.4.4 of the Official Plan;
- vii) The recommended Policy for Specific Areas is appropriate as it maintains the existing place type identified through The London Plan while providing flexibility for the site to support the increased height and densities; and
- viii) The recommended amendment is appropriate for the site and context and will assist with the continued improvement and revitalization of old east village.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located at the southeast corner of the intersection of Dundas Street and Rectory Street and has an area of approximately 7,100m². The site is currently developed with two commercial buildings, including one mixed use building with residential on the second floor. The site is located within a Main Street Commercial Corridor, and is surrounded by a diverse range of uses including: the heritage designated Aeolian Hall located to the west; medical/dental offices, the Western Fair Regional Facility, and the Western Fair Farmer's Market located to the east and south east; a range of commercial, institutional and mixed use buildings along the north side of Dundas Street, as well as a residential neighbourhood and old east heritage conservation district located further north.

The site is an irregular shape with a 'notch out' to the west along Rectory where there is currently a two storey building not part of the proposed application and not proposed to change. The site has frontage on Dundas Street, Rectory Street, and abuts a municipal laneway located to the south.

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

- Official Plan Designation – Main Street Commercial Corridor (MSCC)
- The London Plan Place Type – Rapid Transit Boulevard
- Existing Zoning – (OR*BDC(20)*D250*H46) Zone

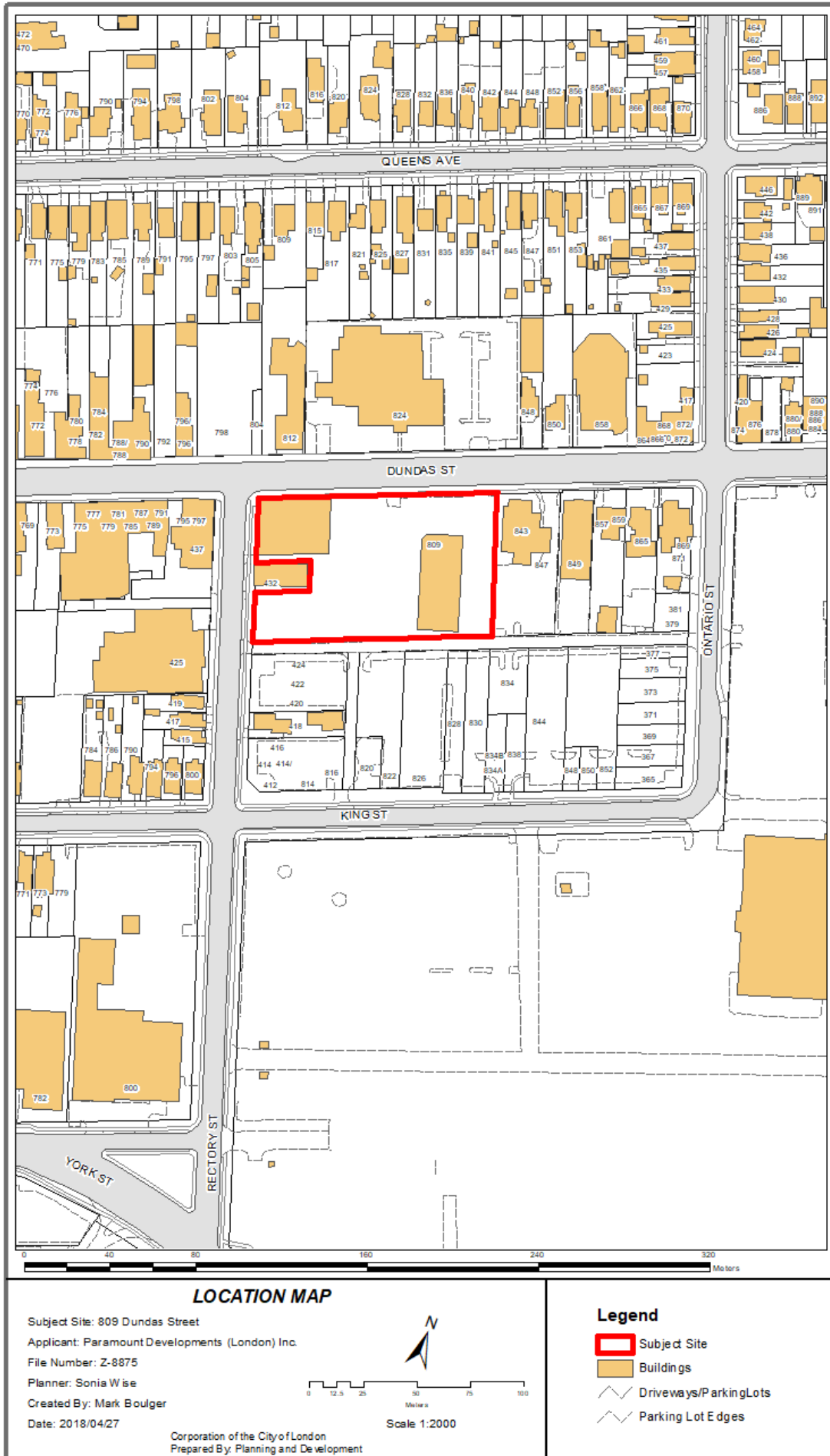
1.3 Site Characteristics

- Current Land Use – commercial
- Frontage – 23m (Rectory), and 111m (365 feet) along Dundas Street)
- Depth – 66m
- Area – 7,100m² (acres) or square metres (square feet)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Institutional/Commercial Corridor
- East – Commercial and Western Fair Farmer’s Market
- South – Western Fair (Parking)
- West – Recording Studio/Aeolian Hall/Commercial Corridor

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for a mixed use development with two 24-storey apartment buildings with a total of 480 residential units situated atop a 3-storey podium. A total of 332 parking spaces are proposed in one underground level and two above ground parking levels, accessed via the rear laneway. A total of 1,750m² (18,836 sq ft) of commercial gross floor area is proposed on the ground floor fronting Dundas Street, and the north portion of Rectory Street in a number of separate units (approximately 10 bays).

2.2 Requested Amendment

The requested amendment is for a site specific bonus zone to allow for the proposed mixed use development. The base Business District Commercial zone with existing height and density provisions is proposed to be maintained. The bonus zone will allow the specific proposal in return for bonusing provisions outlined further through the body of the report.

3.0 Relevant Background

3.1 Community Engagement (see more detail in Appendix C)

There were 22 responses provided through the community consultation period, including those from the Community Information Meeting, which was held on March 29, 2018, where approximately 29 people attended. The most commonly received comments include:

Support for:

- the project as proposed and the associated revitalization potential

Concerns and Suggestions for:

- no affordable housing being provided in a location that could support it
- the impact of the shadows and loss of sunlight cast by the buildings
- better design of the east wall (and the potential to incorporate a mural)
- provide distinctive treatments for storefronts and use materials found in area
- height proposed is too tall for area
- better connectivity to Dundas Street, the BRT station and Western Fair market
- increased traffic congestion and use of the laneway for vehicles
- area is currently under-parked, provide obvious parking for the proposal
- better address the Dundas Street and Rectory Street corner
- roof detail lacks continuity
- impacts of construction regarding noise, dust, vibration, and service interruptions
- overload on infrastructure with additional population, need to provide additional public facilities and services
- offer timed rental structure to encourage independent small businesses
- provide additional setbacks around 432 Rectory Street for access and function

A public participation meeting was held on June 18, 2018 which provided additional input and comments on the proposed development. Aspects such as the provision of affordable housing, impacts of shadowing, and pedestrian connectivity were raised. All public comments received through the public participation meeting, community meetings and other correspondence has been considered, addressed or incorporated where possible in the proposed development and detailed further through this report.

3.2 Policy Context (see more detail in Appendix D)

The Old East Village area has been the focus of numerous studies, plans and efforts to revitalize and invigorate the corridor. In 1998 there was the Mayor's Task Force on Old East London Report, followed by "Re-establishing Value-A Plan for the Old East Village"

prepared by the Planners Action Team in 2003. In 2004 Council adopted Official Plan Policies and Zoning By-law amendments to establish an Old East Village Community Improvement Plan Area and create separate and distinctive segments of focus. Most recently, the Old East Commercial Corridor Urban Design Manual was created in 2016.

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The policies support efficient and resilient development patterns through a range of uses, and appropriate infill and intensification in settlement areas and main streets.

Re-establishing Value – A Plan for Old East Village 2003

The plan 'Re-establishing Value: A Plan for the Old East Village' was created in 2003 to revitalize the Old East Village Corridor. It was developed by the Planners Action Team (PACT) through the Ontario Professional Planners Institute (OPPI) to address the underlying issues impacting the corridor, and contained specific recommendations to improve the corridor. Priorities were identified in the PACT report which were further implemented through the Community Improvement Plan and other municipal processes.

Old East Village Community Improvement Plan (CIP) 2004

The Old East Village CIP was established in 2004 to provide the context for a coordinated municipal effort to improve the physical, economic and social climate of the Old East Village and implemented through OZ-6749. The focus was to improve private investment, property maintenance, renewal and desirability of the Old East Corridor and included a suite of financial incentives. The OEV CIP established a strategic vision for the larger commercial corridor and its constituent sub-districts to: serve as a focal point for the surrounding residential community; offer goods and services which are useful to, and used by, the surrounding community; offer some goods and services for a broader City-wide market; foster a pedestrian-oriented streetscape, while not excluding automobiles.

Old East Village Commercial Corridor Urban Design Manual 2016

The Old East Village Commercial Corridor Urban Design Manual (OEVCC UDM) was created in 2016, and recognizes that the Old East Village is an important area in London's history and future. The design manual is intended to guide new development, renovation, and restoration in a way that aligns the vision established for the area and the Community Improvement Plan. The goal of the manual is to provide a basis for promoting high quality design that will complement the existing area.

The London Plan

The subject site is located within the Rapid Transit Corridor place type and within the Old East Village Main Street segment (844). Rapid Transit Corridors are intended to be vibrant, mixed-use, mid-rise communities that border the length of our rapid transit services and include segments with unique character (826). The site is within the Main Street Specific Segment Policies of the London Plan for the Old East Village, which includes special policies for the lands that extend along Dundas Street from the Downtown to Quebec Street (844.1).

1989 Official Plan

The subject site is designated Main Street Commercial Corridor (MSCC), which takes the form of long established, pedestrian-oriented business or mixed-use districts, and is also located within the Old East Village Special Policy Corridor, which extends from Adelaide Street North to Charlotte Street along Dundas Street. The Special Policy recognizes that the corridor is not homogeneous and contains further guidance for development in the Old East Village. The existing conditions and future goals for the corridor differ from district to district, and area-specific policies have been established

for four separate segments along the corridor including: the Village Core (Adelaide to Lyle), the Village Annex (Village Core east to Rectory), the Entertainment and Recreation District (the Western Fair) and the Area of Transition and Redevelopment (Village Annex east to Charlotte), which is where the subject site is located.

4.0 Key Issues and Considerations

4.1 Revitalization

The London Plan provides direction to sustain, enhance and revitalize our downtown, main streets, and urban neighbourhoods to build a mixed-use, compact City (59_3). The 1989 Official Plan recognizes that the area has historically served as a commercial focal point for the surrounding neighbourhood which was the Town of East London, but that its role has diminished since the 1980's (4.4.1.13.2). The intent of the Main Street Commercial Corridor designation is to provide for the strengthening of this area for retail, personal service, office, and residential uses through revitalization, rehabilitation, some redevelopment and the implementation of improvement plans (4.4). This objective is consistently echoed in the various policy and guideline documents to provide and support opportunities for the redevelopment of vacant or underutilized properties, and to strengthen the existing corridor.

The Main Street Commercial Corridor policies 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 (4.4.1.1 i). The subject site is an underutilized parcel within a desirable location on a main street, in close proximity to a transit station and along the Old East Commercial Corridor. Further, the Rapid Transit Corridors are the connectors between the Downtown and Transit Villages, and the redevelopment of the site will positively enhance the corridor, frame the east gateway into the downtown and be supportive of transit (4.4.1.2.ix & 829).

4.2 Use

Provincial Policy Statement

The PPS promotes healthy, livable and safe communities by accommodating an appropriate range and mix of residential, employment, and other uses to meet long term needs (1.1.1 b) PPS). The proposal provides for a mix of residential and commercial uses which are suitable and encouraged in the main street location along Dundas Street. Densities and a mix of land uses are also promoted where they are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2.5).

The London Plan

The Rapid Transit and Urban Corridors contemplate a range of residential, retail, service, office, cultural, recreational and institutional uses (837.1). Mixed use buildings such as the proposed development are encouraged as well as the provision of active (commercial, retail and service) uses on the ground floor. The Old East Village Main Street segment allows for a broad range of uses to support a walkable neighbourhood scale that caters to providing shopping and commercial options (845). The uses proposed are appropriate for the main street location, allow for a diverse range of options and will support the rapid transit services.

The London Plan supports the provision of a variety of residential types with varying size, tenure and affordability so that a broad range of housing requirements are satisfied (830.11). The recommended action will result in the provision of affordable housing units as part of the bonusable provisions which will be implemented through an agreement with the City of London.

1989 Official Plan

The Main Street Commercial Corridor similarly allows a broad range of uses including 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, day care centres, correctional and supervised residences and residential uses (4.4.1.4). The ground floor along Dundas Street is proposed to be used for a variety of commercial uses, and no additional uses are being sought through the requested amendment.

Residential uses combined with commercial uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas to support day to night activities beyond traditional work hours (4.4.1.8). The residential uses are proposed above the third floor, which will provide additional population and activity directly on the corridor. The Area of Transition and Redevelopment sub-precinct also supports a mix of uses which is achieved by the proposed residential, commercial, office, retail and service uses (4.4.1.13.2 iii).

4.3 Intensity

Provincial Policy Statement

The PPS promotes cost-effective development patterns and standards to minimize land consumption and servicing costs, and encourages settlement areas to be the main focus of growth and development (1.1.3). Long-term economic prosperity is further supported by maintaining and enhancing the vitality and viability of downtowns and mainstreets, which is relevant for the proposal as development and investment in the Old East Village main street positively enhances the area as a whole (1.7.1. c) PPS).

The London Plan

A wide range of permitted uses and greater intensities of development are contemplated along Rapid Transit Corridors and in locations close to transit stations (830.4). The policies contemplate a minimum of 2 storeys (or 8m) to a maximum of 12 storeys with type 2 bonusing. Further, buildings in the Main Street segments, and properties within 100m of rapid transit stations may be considered up to 16 storeys with the provision of type 2 bonusing (847.2 & table 9). The subject site is within the Old East Main Street segment and located within approximately 100m of the future Ontario and Dundas Street Station which affords greater consideration for development potential. A site specific appeal to The London Plan policies as they relate to the subject site was received by the proponent and is ongoing.

1989 Official Plan

The Main Street Commercial Corridor policies encourage mixed-use development to reinforce the objectives of providing a diverse mix of land uses and achieving higher densities (4.4.1.1. iv). Residential densities within mixed-use buildings should be consistent with densities allowed in the Multi-Family, High Density Residential (MFHDR) designation and the provisions of section 3.4.3, which allows for up to 150 units per hectare. The site specific zoning that currently applies to the property provides greater density permissions up to 250 units per hectare. The request is for a density of 710 units per hectare, which represents a substantive increase in density beyond the current permissions. The Official Plan allows consideration of the requested amendment through a site specific Bonus Zone in accordance with section 3.4.3 and 19.4.4, in return for the facilities, services and matters that provide public benefit which are detailed in the Bonus Section of this report.

4.4 Form

Provincial Policy Statement

Built design is emphasized in the PPS by “encouraging a sense of place by promoting well-designed built form” (1.7.1 d) PPS). The proposal represents an attractive and appropriate built form for a property fronting on the important Dundas Street Corridor in the Old East Village.

The London Plan

The intensity policies for the Old East Village Main Street Segment allow for a minimum of 2 storeys up to 12 storeys maximum, with bonusing up to 16 storeys (847.3). The proposed height of 24 storeys is greater than that contemplated by the provisions of the London Plan, and the site specific permissions for the proposed development will be recognized through a future specific policy.

The form of development within the rapid transit corridors requires transit-oriented and pedestrian-oriented development forms (830.7). The proposal has a consistent street edge which is oriented to pedestrians, and has convenient access to the nearby transit station proposed along Ontario Street. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade, which is consistent with the active uses along Dundas and Rectory Streets (837.4).

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 (841.3). The site is proposing to utilize a podium at street level with the towers setback to minimize the impact that a shear wall would create. Large expanses of blank walls 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 (841.3). The Dundas and Rectory Streets are well activated by the proposed number of openings and uses.

1989 Official Plan

Development within the Old East Main Street Commercial Corridor is encouraged where it maintains the scale, setback and character of the existing uses, and achieves higher densities and mixed-use developments (4.4.1.1 ii, iv). The proposed development is consistent with the existing scale and character of the built form in the area and provides a compatible infill development.

The Area of Transition and Redevelopment sub-precinct is characterized as a portion of the corridor that does not form part of the continuous pedestrian commercial streetscape due to large gaps in the streetscape created by parking lots and other uses (4.4.1.13.2.iii). This district was not currently considered a viable part of a continuous pedestrian commercial streetscape in its existing form. The proposed development will positively enhance a continuous pedestrian oriented built form by removing the large gaps created between buildings from the parking areas and infilling with the proposed built form, establishing a consistent street edge.

4.5 Building Base

Redevelopment 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 (4.4.1.7). Unlike other segments of the corridor, however, it is not mandatory that development in the Area of Transition be required to support pedestrian-orientation, though the provision of pedestrian-orientation is highly preferable (4.4.1.13.2.iii). The proposed development forms a consistent street edge along both Dundas Street and Rectory Street, which is generally in keeping with the setback of the Aeolian Hall to the west. The Rapid Transit Corridors will also be fundamentally walkable streetscapes, with development that is pedestrian and transit-oriented (827). The proposed development contributes to a fundamentally walkable streetscape, which is oriented to pedestrians, and will cater to the nearby residential neighbourhoods within easy walking distance to provide local shopping options.

Buildings should be sited close to the front lot line, and be of a sufficient height to create a strong street wall (841.2). The Zoning By-law may allow new structures to be developed with zero front and side yards to promote a pedestrian streetscape (4.4.1.7 iv)). The site is fully developed along Dundas and Rectory Streets with the proposed building located on the property boundary to provide a strong street edge. Building design should provide appropriate building massing and height provisions in front of and

between buildings and define public spaces (4.4.1.9 iv)). There are additional setbacks provided beyond the minimum requirements around the EMAC building located at 432 Rectory Street which provides a positive integration with the existing building. The setbacks provide relief from the built form around the existing building and allow adequate space for tree planting.



Figure 1: Conceptual Rendering: Podium view from the northeast

Taller buildings should provide a minimum of either two storeys or eight metres in height at the street edge, and the three-storey podium proposed provides a human scale development at the street edge while minimizing the height of the towers at the street level (847.1). The podium provides a compatible and consistent scale to the surrounding established built form by setting the residential towers back from the street edge. Rooftop amenity areas on top of the podium are proposed to provide outdoor space for the residents which will activate the upper floors and take advantage of the space.

Built form in the Main Street Commercial Corridors typically consists of small, separately-owned and managed commercial properties that meet the frequent shopping needs for customers from a much larger areas (4.4.1.3). The design along the Dundas Street streetscape mimics individual buildings by breaking up of the massing through fenestration, change in cladding (materials), building projections and separation into individual 'bays'. The proposed materials include a variety of brick and vision glass on the building base, and canopies and awnings will provide weather protection and highlight entrance features. The massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity (11.1.1 v). The proposed three storey podium design is consistent with the scale of architectural and building styles found in the area, and the division of the façade into separate units is reminiscent of the style of smaller individual properties along the corridor. Transparent glazing on the second and third storeys will further increase activity instead of opaque or translucent openings.

4.6 Middle

The 'middle' of the development is comprised of the majority of the residential units contained within the two towers. A podium base, with a substantial step-back to the tower, should be used for buildings in excess of four storeys, to avoid sheer walls fronting onto these main street corridors (848.4). The two towers are set back 11m from the Dundas Street podium which minimizes the extent and impact of the tower on the activity along the street, and exceeds the 3m minimum identified in the OEVCC UDM to reduce any overpowering or overshadowing effects on the street or adjacent properties.

The proposed materials for the middle are stucco/coloured concrete with an extensive amount of vision glass. Articulation of the various individual components that make up the tower provide interest and distinction to the various tower facades. Residential development above commercial development should provide maximum privacy between private living spaces as well as adequate separation from commercial activity

(4.4.1.8). The residential towers are set back from the commercial component, and have a total distance of 23m between towers which provides adequate space to allow for separation, privacy, sunlight and breezes.



Figure 2: Conceptual Rendering: view from the northeast

4.7 Sunlight and Shadow

The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets. (11.1.1.ix). The orientation of the tower massing lies in the north-south axis which is preferred to minimize the impacts of shadowing on the surrounding area.

There was concern raised at the public participation and community information meetings that the shadow impacts of the proposal would negatively impact nearby properties utilizing existing solar panels. A comparison was undertaken between the maximum height permitted by the existing zoning, and the proposed maximum height of 24 storeys or 80m associated with the recommended bonus zone. The results of the analysis showed that during the months of April, May, June, July, and August, there were no shadow impacts from either the 15 or 24 storey form. During the month of December (which has the shortest amount of sunlight) both the 15 and 24 storey forms cast the same shadow over the solar panels at the same times, beginning at 1:30pm until the sunset just before 5pm. During the spring and fall, the extent of the shadow impacts and difference between the 15 and 24 storey form is the most noticeable.

The 24 storey form begins casting a shadow on the solar panels at 866 Dundas Street the week beginning on September 17 for a duration of 47 minutes between the approximate hours of 3:18pm to 4:05pm. There is a gradual increase in the duration of the shadow impact with the most shadowing occurring the week beginning on October 15 for a duration of 2:25 hours. From the next week beginning on October 22, the 15 storey form begins casting shadows on the site, and the difference between the duration of shadows is an additional 1:21 hours for the 24 storey form. A similar pattern also occurs in the Spring months. There will be shadow impacts on 866 Dundas Street from development of the site under the existing maximum zoning regulations, and the increased height requested for the proposed development will also cast shadows beginning earlier in the fall and lasting later into the spring. The shadows begin to fall on the subject site in the afternoon, and move with the changing location of the sun. Though there will be shadow impact on the property, there is still an adequate provision of sunlight during the day, and the proposed development does not result in excessive or detrimental over-shadowing. Additional setbacks have subsequently been incorporated on the top levels of the building which will create more of a point tower that will reduce shadowing impacts.

4.8 Top

The top of the building consists of the highest three floors that form the cap to the built form. The OEVCC UDM identifies a successful façade whose top, middle, and bottom are clearly definable and visually separated through materials and architectural treatment (p.6 1.1). The top of the proposed development has a tapering of the top floors in opposite directions which adds interest and helps reduce the perceived width of the tower from the east and west perspectives. There is no exposed mechanical equipment visible, and the roof is proposed to be clad in materials that enhance the buildings and contribute positively to the Old East skyline.

4.9 Bonusing

The requested amendment is for a Site Specific Bonus Zone to allow for the increase in building height and density. The consideration for bonus zoning is through chapter 19 of the 1989 Official Plan and policies 1638 of The London Plan which sets out the various facilities, services and matters that can be provided as a public benefit for the increase. In addition to the enhanced urban design and underground parking proposed, Council resolved at its meeting of June 26, 2018:

the Civic Administration BE REQUESTED to include, as part of any recommended bonus zoning, the provision of a portion of the total units of the proposed building as affordable housing units;

Planning staff have consulted with the Housing Development Corporation (HDC) to determine what the suitable amount of affordable housing would be for the proposed development, taking into consideration the proposed bonusing, scale of the increased height and density, the location and context, and the 'lift' from the existing zone to the proposed bonus zone.

The recommended Bonus Zone is to provide 25 affordable housing units at a rate of 95% average market rent for a duration of 25 years, which was established through HDC's in-house knowledge of local affordable housing needs and demands, local industry measures including CMHC rental market and housing analytics, City neighbourhood profiles, labour market data, as well as a review of the bonusing policies and practices of other major urban centres. HDC recognized the proposed building plans and attributes and understands that this development is within an existing Community Improvement Plan (CIP) area. The recommended Bonus Zone considers the difference between the number of units permitted under the existing height and density permissions and the height and density being sought through the Bonus Zone.

4.10 Transportation

As a measure of how the proposed intensity will be accommodated and supported by the subject site, consideration is given to the servicing and transportation impacts. The PPS promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support the use of transit and active transportation (1.6.7.4 PPS). The subject site has direct access to the rapid transit network including convenient access to the station proposed at Ontario and Dundas Streets. The PPS also promotes densities and a mix of land uses which "are transit supportive, where transit is planned, exists or may be developed" (1.1.3.2.a) 5 PPS), which includes consideration of the future rapid transit corridor intended through SHIFT.

Municipal Laneway

The proposed vehicular access for the property is at the rear of the site from the municipal laneway running east to west parallel to Dundas Street. The rear access is preferred to the alternatives of using Dundas Street or Rectory Street as these streetscapes are uninterrupted by vehicular movements and instead maintain a strong and consistent pedestrian focus.

Historically, most laneways in the City were created prior to the 1930's to facilitate horse drawn carriage access to the rear of properties where carriage sheds were typically

located, which is consistent with the subject laneway that was established as part of Registered Plan RP411 in 1884. Over time, the City became the eventual administrative owner, but did not assume maintenance for the lanes. As per the Lane Maintenance Policy By-law A.-6168-43, the only use of a public lane is to provide access from a street to private property and vice versa. Lane maintenance is generally left up to the abutting property owners to address and share responsibility.

As part of the June Planning and Environment Committee there was direction to consider better pedestrian connectivity along the laneway to the future transit station. The width of the laneway does not allow for the provision of a sidewalk or footpath within the right of way and maintain the two-way traffic required for the fire route in this location. Unlike a public road where there is a public boulevard to accommodate sidewalks, the lands abutting the laneway on the north and south sides are privately owned and contain obstructions such as structures, tree planting, and grade changes that would make the installation of a sidewalk challenging. The use of the laneway will require various improvements such as paving, which will be addressed through the development agreement as recommended to the Site Plan Approval Authority. The intent is to also require a different paving or surface treatment within the laneway to visually differentiate the space as unique from a right of way to enhance pedestrian comfort and use, while maintaining a level surface for a functional fire route.

Parking

Common parking areas are encouraged instead of individual access points and individual parking areas in the Main Street Commercial Corridors (4.4.1.1 iii). The subject site provides the parking for the various commercial and residential units in one location at the rear of the property, which maintains the built form along the Dundas and Rectory Streets. Similarly, The London Plan policies direct that Urban Corridors are to be linear in configuration and street-oriented with parking generally located at the rear or underground (845).

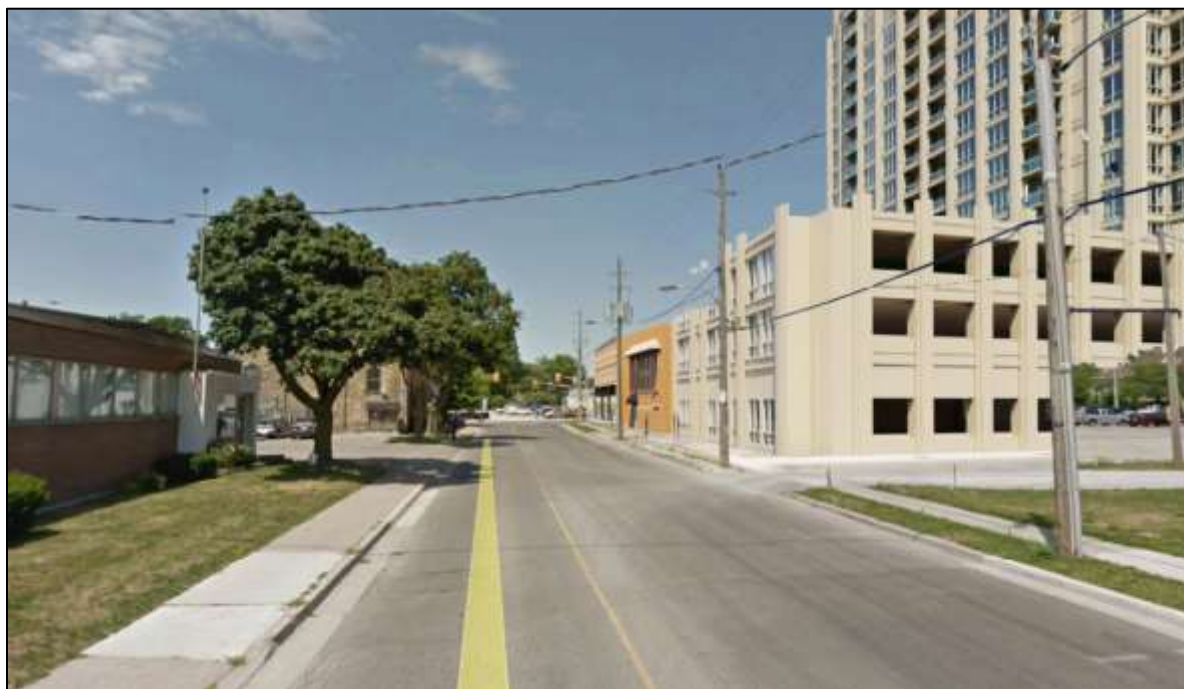


Figure 3: South Rendering Rectory Street

The London Plan encourages underground parking and structured parking integrated within the building design (841.12). There is one level of underground parking proposed, and two levels of above ground parking in the second and third storeys above the active ground floor. The parking requirements for this site were developed through planning application OZ-6749 to provide an incentive for new residential uses that will support rehabilitation of the Old East Village Corridor. The minimum parking requirement for existing and new residential development for sites located within Parking Area 1 was waived, and this provision is appropriate to continue to apply to the scale of development requested through the bonus zone. The applicant is proposing a

total of 332 parking space to facilitate and support the commercial and residential components.

Parking rates in the City of London are determined by dividing the City into three parking area standards based on anticipated vehicle trips. The site is located on the boundary between Parking Area 1 and Parking Area 3, with the majority of the site located within Parking Area 1 and a small portion located within Parking Area 3. An amendment is recommended to include the entire subject site within Parking Area Standard 1 to recognize the entire legal parcel and allow for the utilization of the reduced parking rate.

Public Transit

The site is well-serviced by existing LTC services including: routes 2 and 20 directly on Dundas Street servicing the downtown, Fanshawe College and Argyle Mall, route 7 along York Street servicing the east, and two routes along Adelaide Street, 16 and 92, servicing the southeast, the Victoria Hospital, and Masonville Mall in the north. The site is also located in proximity to the proposed rapid transit routes along Dundas Street east of Ontario Street, and King Street to the west. A station is proposed along Ontario Street which is within 100m of the subject site and will provide convenient and frequent transit services.

4.11 Servicing

The proposed development is able to connect to the existing water and stormwater infrastructure, though the sanitary modeling in this area has a potential constraint regarding capacity. Dundas Street has been identified for lifecycle renewal infrastructure improvements from Adelaide Street to Rectory Street, as well as English Street. These works will provide additional capacity to support the proposed intensity, and a holding provision is recommended until upgrades in the downstream system are completed prior to development.

4.12 Heritage

The subject site is not within a heritage conservation district or comprised of buildings that are listed or designated on the Heritage Register. The site is located adjacent to a heritage listed property at 432 Rectory Street, and across the street from a heritage designated property at 795-797 Dundas Street. The property at 432 Rectory Street was added to the Inventory of Heritage Resources as a listed property during the LACH review of the proposed application, and consists of a two-storey converted office building proposed to be retained.



Figure x: Northwest view of Aeolian Hall and proposal

One objective of the Main Street Commercial Corridor, is to 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 (4.4.1.2 viii). Further, the corridor's heritage building stock is a key asset and the protection, enhancement and celebration of significant heritage structures will be encouraged through all of the revitalization activities that are initiated (4.4.1.13.2). The heritage designated property located at the southwest corner of Rectory and Dundas Street is the Aeolian Hall which was formerly utilized as a town hall for the Town of East London. The proposed built form relates well to the Aeolian Hall and the podium height of three storeys is sympathetic and slightly lower in height than the Aeolian.

The site is within an area of potential archaeological significance and is located in proximity to, or directly on, the former St. Paul's cemetery. Prior to the development of the site, an archaeological assessment will be required, which is recommended through the use of a holding provision.

5.0 Conclusion

The Old East Village has long been the focus of many revitalization studies and community improvement initiatives. The recommended amendment is consistent with the Provincial Policy Statement, 2014 and conforms to the 1989 Official Plan policies and represents an appropriate amendment to The London Plan. The proposal facilitates the development of an underutilized site and provides an appropriate form and scale of development. The bonusing of the subject site ensures the building form and design will contribute positively to the surrounding area while providing affordable housing units within the building. The subject lands are located where intensification can be accommodated given the existing and future provision of municipal infrastructure, location on a main street in the Old East Village, and existing and future public transit facilities in the area.

Prepared by:	Sonia Wise, MCIP, RPP Senior Planner, Development Services
Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

November 5, 2018

/sw

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Appendix A

Bill No.(number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 809
Dundas Street.

WHEREAS Paramount Development (London) Inc. has applied to rezone an area of land located at 809 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 809 Dundas Street, as shown on the attached map comprising part of Key Map No. A108 from an Office Residential/Business District Commercial Special Provision (OR*BDC(20)*D250*H46) Zone to a holding Business District Commercial Special Provision Bonus (h-17*h-18*BDC(20)*D250*DH46*B-__) Zone.
- 2) Schedule "B" to By-law No. Z.-1 is amended by extending Parking Area 1 to the entirety of the subject lands.
- 3) Section Number 4.3 of the General Provisions is amended by adding the following Site Specific Bonus Provision:

4.3.4(_) B(_) 809 Dundas Street

The Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality apartment building with a maximum of 24 storeys, 480 dwelling units and density of 710 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" and Schedule "2" to the amending by-law; and

- i) Provision of one level of underground parking
- ii) Provision of Affordable Housing

The provision of 25 affordable housing units, established by agreement at 95% of average market rent for a period of 25 years. An agreement shall be entered into with the Corporation of the City of London, to secure said affordable housing units for the 25 year term.

The following special regulations apply within the bonus zone:

a) Regulations:

i) For the purpose of this by-law the front lot line shall be deemed to be Dundas Street

ii) Density: 710 units per hectare
(Maximum)

iii) Height: (Maximum)	82 metres (269 ft)
iv) Front Stepback of Tower above the Third Storey (Minimum)	11m (36 ft)
v) Individual Tower floor plate above 3 rd Storey (Maximum)	1,060m ² (11,409 sq ft)
vi) Ground Floor Commercial Uses: (Minimum)	1,750m ² (18,836 sq ft)

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

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

PASSED in Open Council on November 20, 2018.

Matt Brown
Mayor

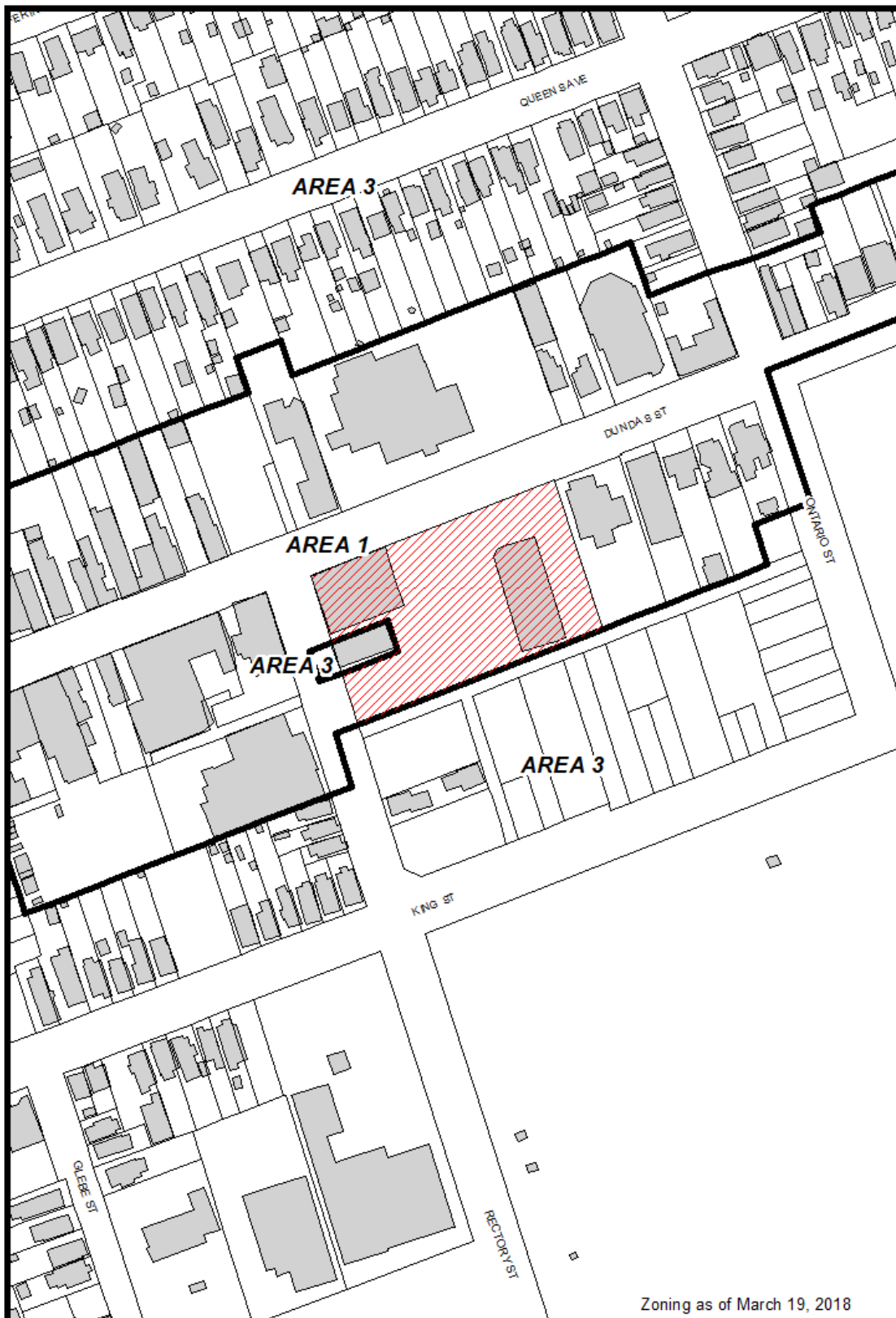
Catharine Saunders
City Clerk

First Reading – November 20, 2018
Second Reading – November 20, 2018
Third Reading – November 20, 2018


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



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



File Number: Z-8875
Planner: SW
Date Prepared: 2018/04/27
Technician: ZZ
By-Law No: Z.-1-

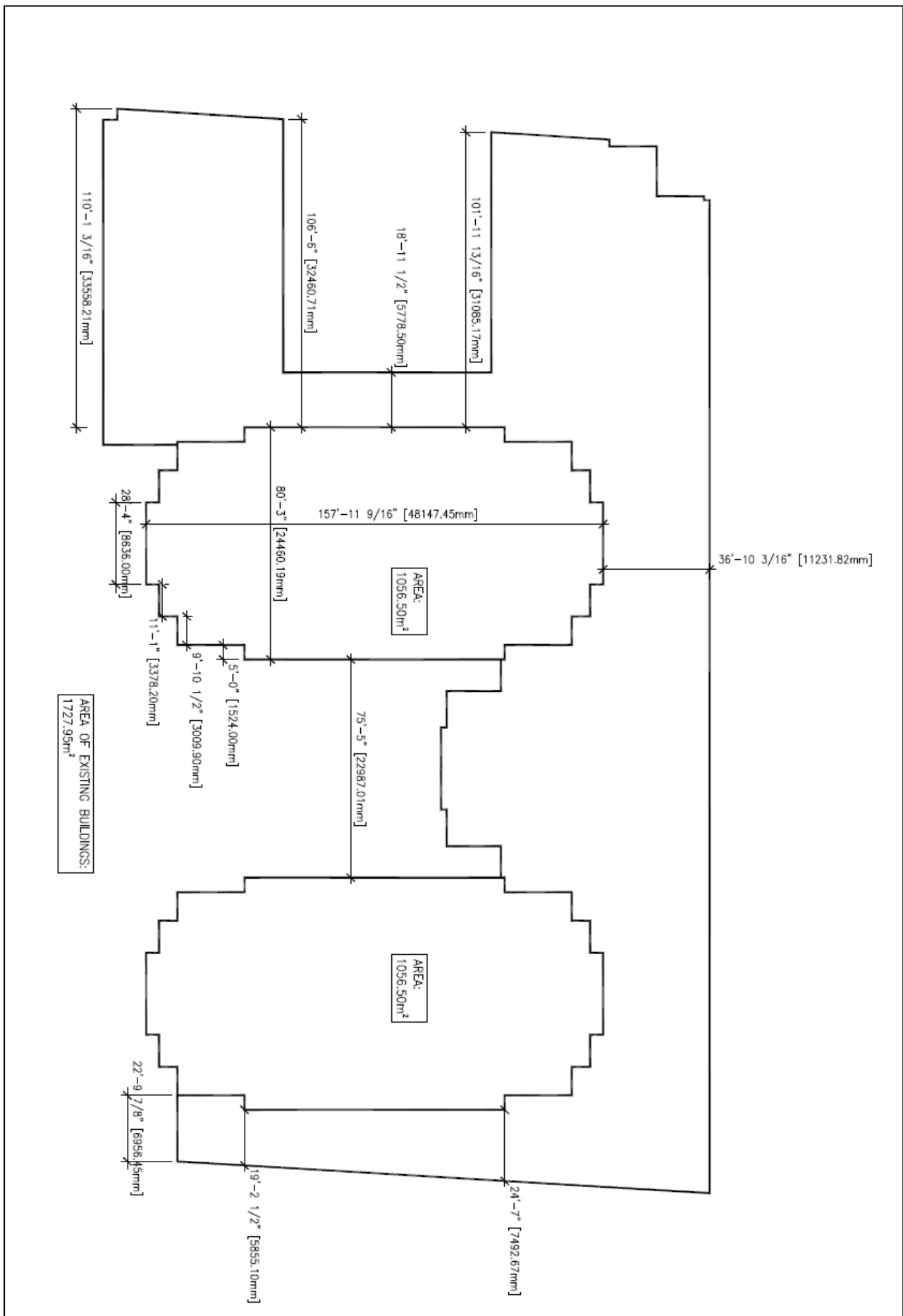
SUBJECT SITE 

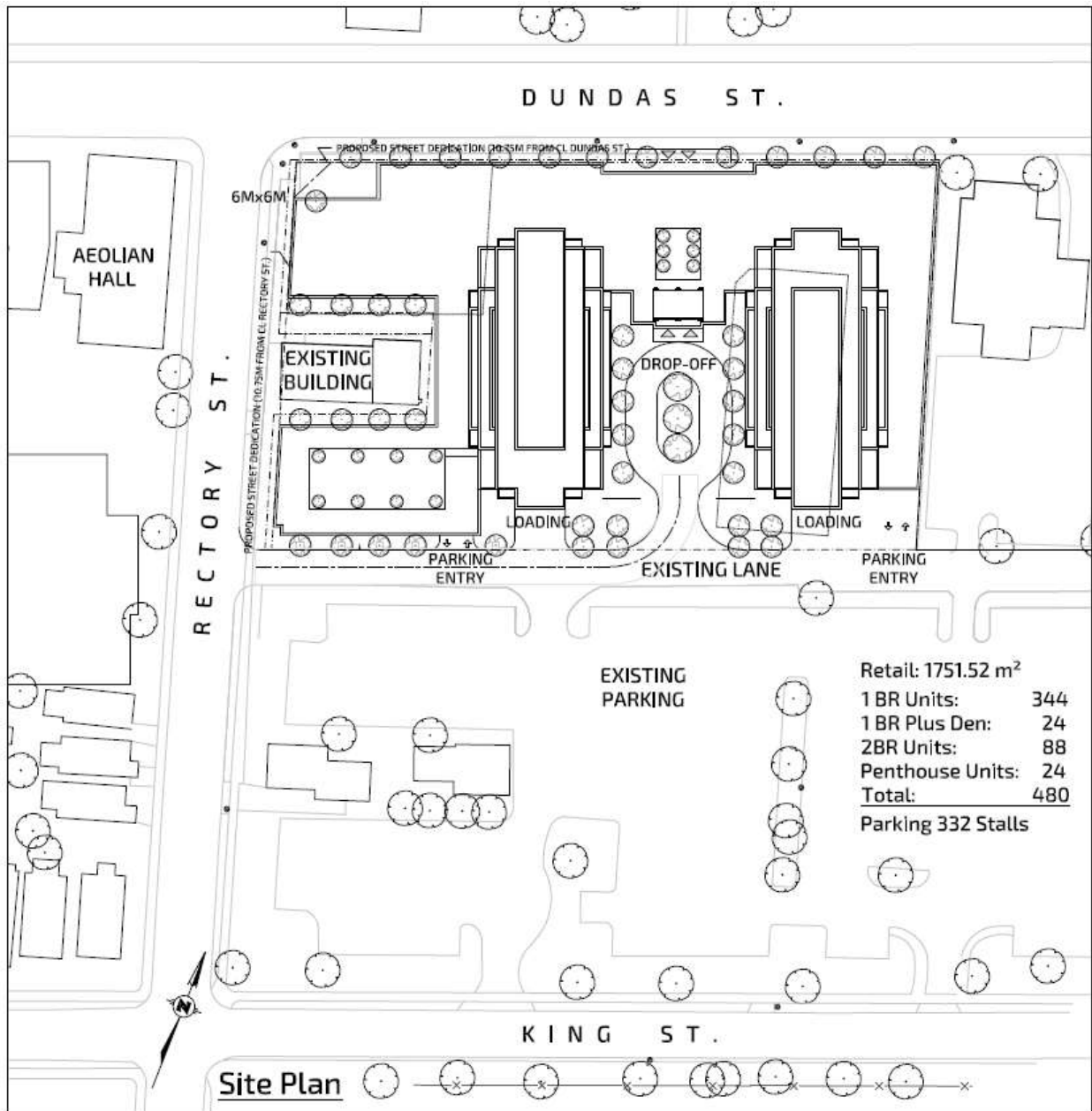
1:2,000

0 10 20 40 60 80 Meters



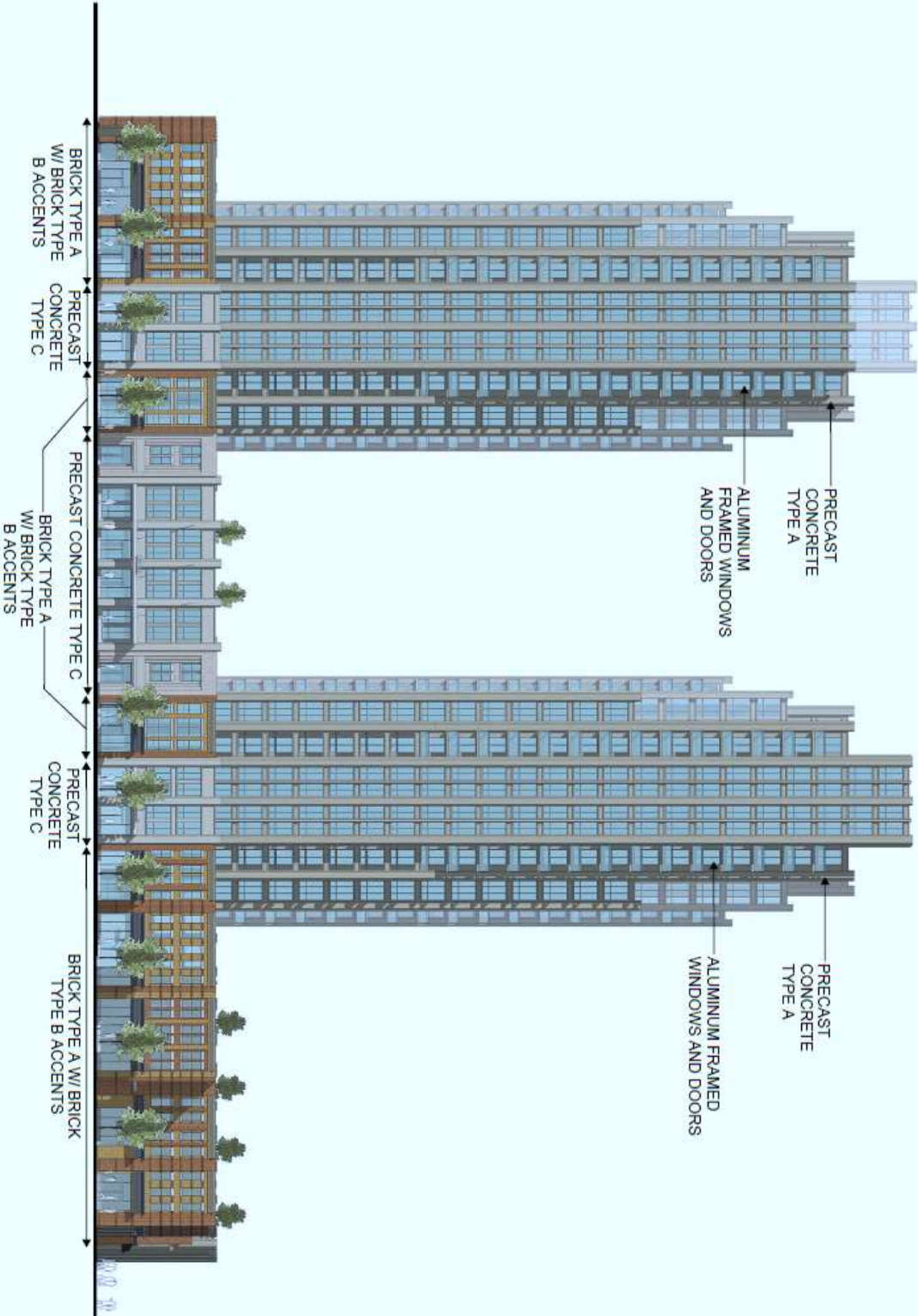
Schedule 1

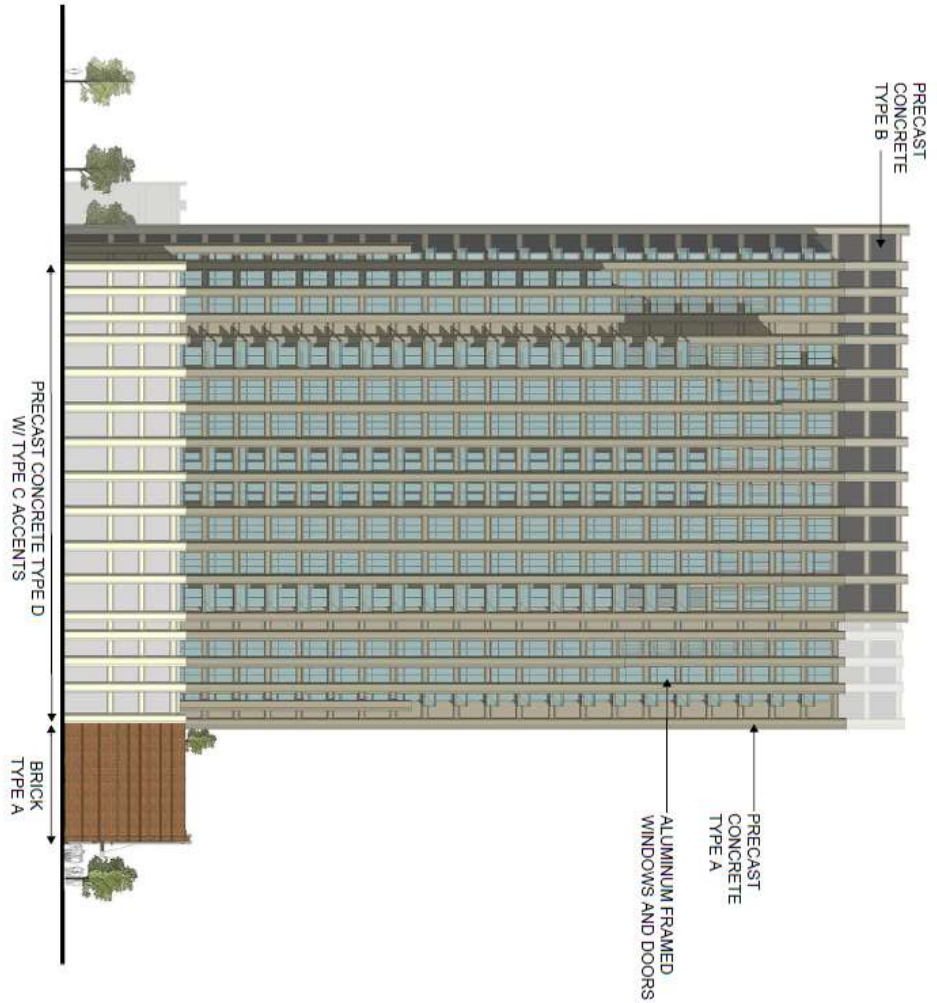




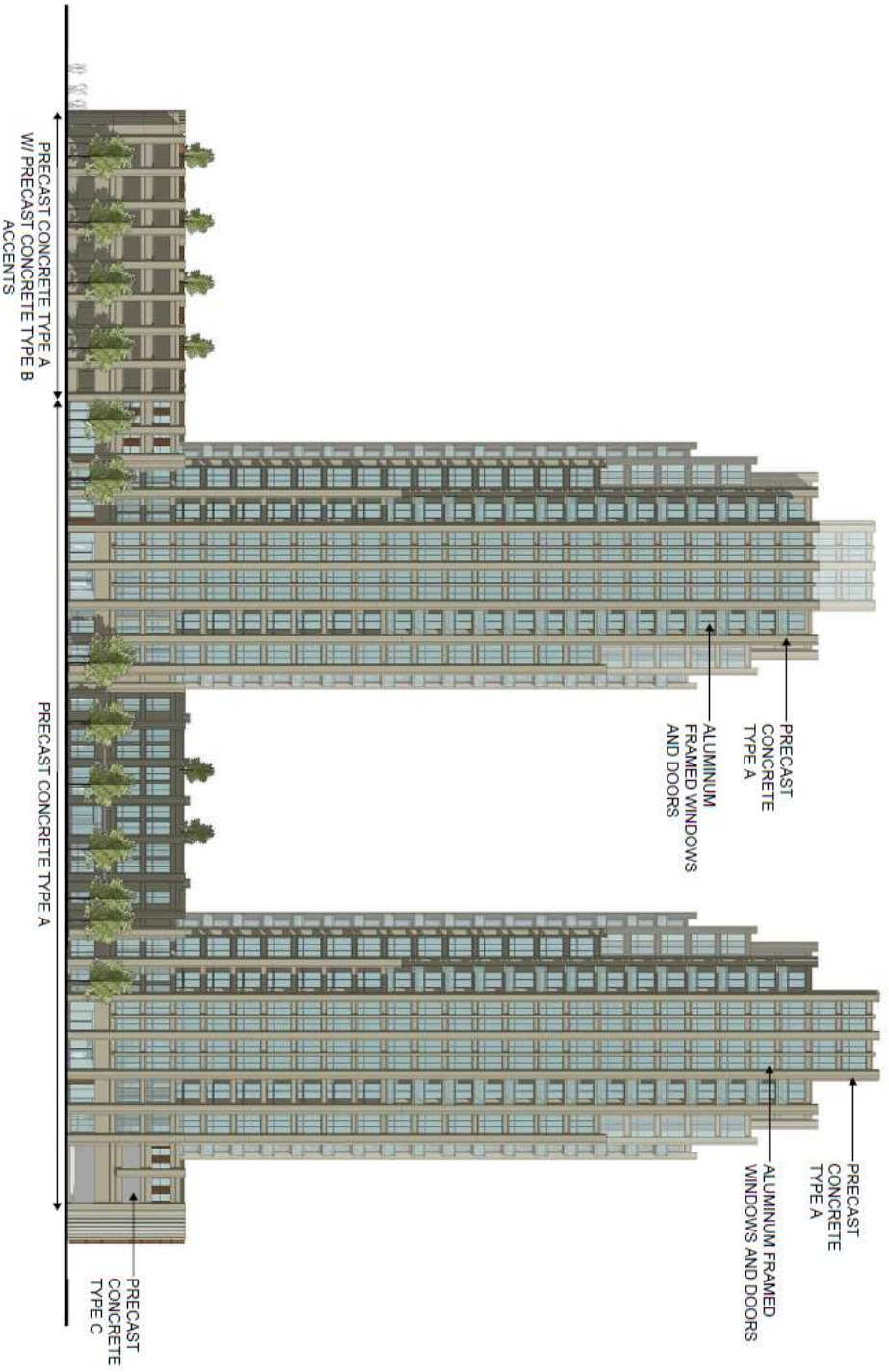
Schedule 2

809 DUNDAS ST.
NORTH ELEVATION



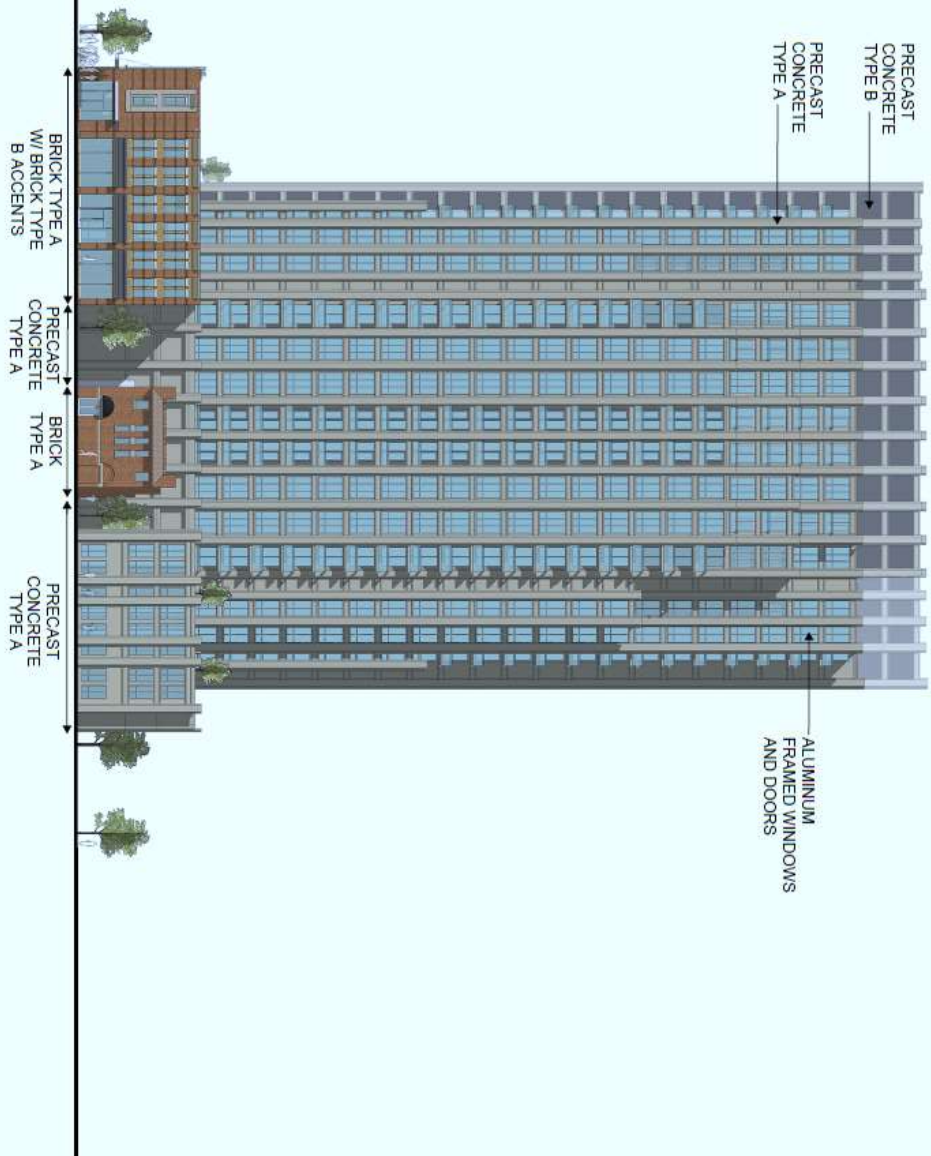


809 DUNDAS ST.
EAST ELEVATION



809 DUNDAS ST.
SOUTH ELEVATION

NICHOLSON
SHEFFIELD
ARCHITECTS
INC.



809 DUNDAS ST.
WEST ELEVATION

NICHOLSON
SHEFFIELD
ARCHITECTS
INC.

Appendix B

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for
the City of London, 2016 relating to 809
Dundas Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for
the City of London Planning Area – 2016, as contained in the text attached hereto and
forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of
the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on _____, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

**AMENDMENT NO.
to the
THE LONDON FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add new policies to the Specific Policies for the Rapid Transit and Urban Corridor Place Type and adding the subject lands to Map 7 – Specific Policy Areas – of The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 809 Dundas Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement, 2014 and Policies for Specific Areas of The London Plan. The recommendation provides the opportunity for a mixed-use development with a greater height and density that will revitalize the old east commercial corridor. The use of the Policies for Specific Areas will maintain the existing place type while providing additional development potential for the specific site.

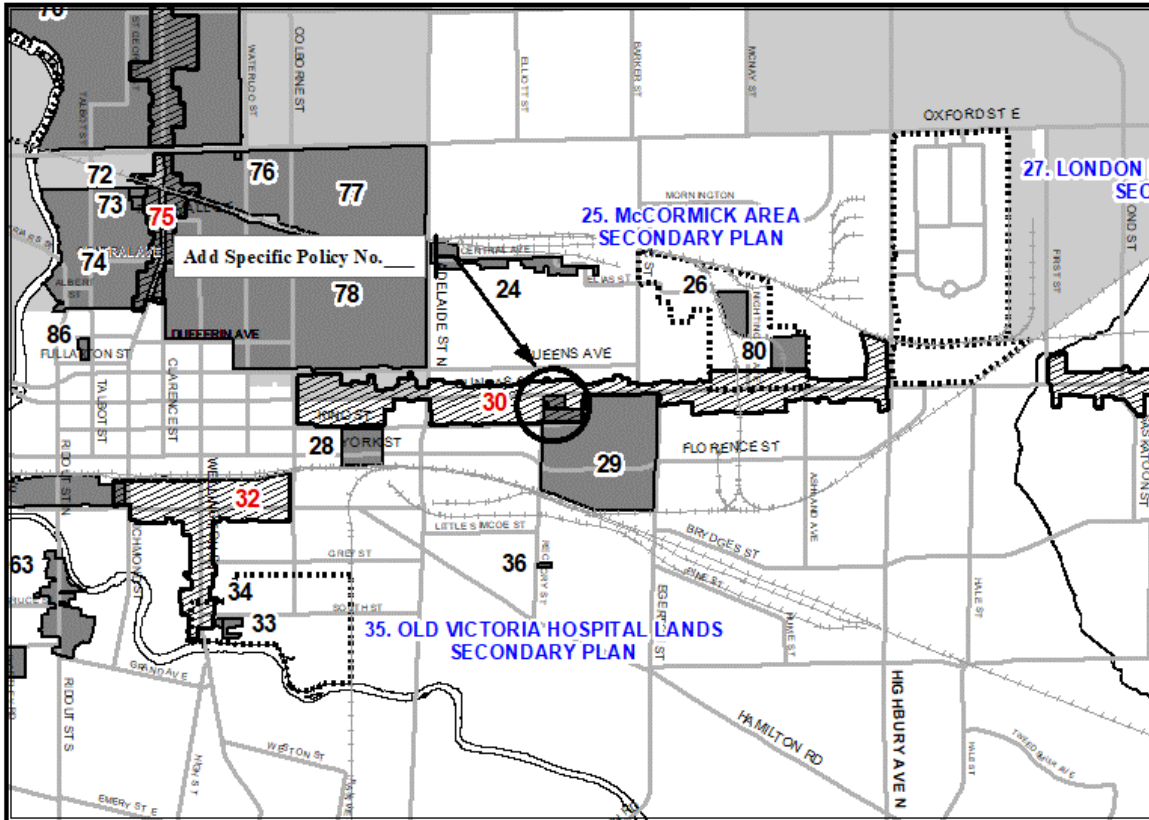
D. THE AMENDMENT

The London Plan is hereby amended as follows:





1. Specific Policies for the Rapid Transit and Urban Corridor Place Type of The London Plan for the City of London is amended by adding the following:

()_ In the Rapid Transit Corridor Place Type located at 809 Dundas Street, greater height of 24 storeys and density of up to 710 units per hectare may be considered through a site specific bonus zone.
2. Map 7 – Specific Policies Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 809 Dundas Street in the City of London, as indicated on “Schedule 1” attached hereto.





AMENDMENT NO: _____



LEGEND

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

**SCHEDULE #
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



Scale 1:30,000



FILE NUMBER: Z-8875

PLANNER: SW

TECHNICIAN: MB

DATE: 4/27/2018

Appendix C – Public Engagement

Public liaison: On February 22, 2018 Notice of Application was sent to 71 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 23, 2018. A “Planning Application” sign was also posted on the site.

22 replies were received

Nature of Liaison: Possible change Zoning By-law Z.-1 from an Office Residential/Business District Commercial Special Provision (OR*BDC(20)*D250*H46) Zone which permits a wide range of commercial, retail and residential uses with a maximum density of 250 units per hectare and an approximate height of 15 storeys (46m), to a Business District Commercial Special Provision Bonus (BDC(20)*D250*H46*B-___) Zone to permit the existing range of uses permitted by the Business District Commercial Zone variation, with an increased lot coverage, an increased height of 82m, and an increased maximum density of 710 Units per hectare through a bonus zone, in return for eligible facilities, services and matters outlined in Section 19.4.4 of the Official Plan, such as the provision of enhanced urban design and underground parking.

Responses: A summary of the various comments received include the following:

Support for:

Tasteful and appropriate design, quality materials, supportive of/excited for project (x 9), project will provide revitalization for area (x 4), traditional street frontage design

Concern for:

Affordable Housing:

Provide some affordable housing units (x4), as a mix of the total units (x 2), as part of the bonusing provisions, provide a minimum of 20%

Sunlight and Shadowing:

Shadow cast from building affect solar panels on Life Spin building (x 4), 12 storey form would cast less shadow, impacts on both sides of Dundas Street, creation of gloomy spaces

Building Design:

East blank wall needs to be addressed with better treatment (x 4), utilize east wall for a mural (x 2), provide distinctive treatment of storefronts (x 2), replicate materials found on existing storefronts in area, provide heritage design in heritage district, better address Rectory and Dundas corner, roof detail lacks continuity and visually splits the building,

Height

Highrise buildings are changing the skyline of OEV, no more than 15 storeys, 12 storeys should be the maximum, zoning requirements should be more inclusive than just height regulations, proposed height is too drastic compared to what is there now

Connectivity

Connectivity to Dundas St should be a high priority, pedestrian connectivity to BRT station at Dundas & Ontario (x 2), provide sidewalk along laneway to connect to Western Fair

Transportation

Concern for the high traffic volume on the laneway, currently inadequate public parking in area (x 2), commercial parking should be obvious, support increased demand for parking with increased provision of spaces, traffic congestion

Construction

Impacts of construction on business operations (x 3), noise impacts (x 3), dust (x 2), vibration (x 3) structural impacts (x 3), street closures and service interruptions (x 4), damage from construction vehicles

Servicing

Overload on infrastructure, the area can't support the influx of several hundred more residents, public spaces/schools need to accommodate tower dwellings

Other

Offer timed rental structure to encourage independent small businesses, provide additional setbacks for 432 Rectory Street for function and emergency access (x 2)

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Paul Moisesshyn
	Robert Nation & Joe Vaughn (EMAC) 432 Rectory St, London ON N5W 3W4
	Nicholas Hogg 843 Dundas St, London ON N5W 2Z8
	Victor Wagner 849 Dundas St, London ON N5W 2Z8
	Jesse Helmer 706 Princess Ave, London ON N5W 3M3
	Kate Fowler 1018 Dundas St, London ON N5W 3A3
	Jeff Pastorius 623 Dundas St, London ON N5W 2Z1 & 778 Elias St, London ON
	Frank Filice 831 Elias St, London ON N5W 3N9
	Sarah Meritt 831 Elias St, London ON N5W 3N9
	Louis Polakovic 925 Plantation Rd, London ON N6H 2Y1
	Lewis Seale 1-1036 Dundas St, London ON N5W 3A5
	Zack Lawlis 78 Stuart St, London ON N5Y 1S3
	Kathryn Eddington 709 Princess Ave, London ON N5W 3M2
	Esther Andrews 481 Dorinda St, London ON N5W 4B3
	Jacqueline Thompson 866 Dundas St, London ON N5W 2Z7
	Cassie Norris 23-1290 Sandford St, London ON N5V 3X8
	Caleb Denomme 766 Princess Ave – Upper London ON N5W 3M4
	Jason Jordan 970 Willow Dr, London ON N6E 1P3
	Vito Pettinato 724 Dundas St, London ON N5W 2Z4
	Bryan Clark/Andrew Rosser (Aeolian Hall) 795 Dundas St, London ON N5W 2Z6

Agency/Departmental Comments

Development Services Engineering – March 21, 2018

Transportation

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

- Road widening Dedication:
 - Dedicate 0.692m to obtain 10.75m from centreline along Dundas Street.
 - Dedicate 0.692m to obtain 10.75m from centreline along Rectory Street.
 - Dedicate new 6.0m x 6.0m sight triangle on the southeast corner of Dundas Street and Rectory Street.
- King Street, Ontario Street, and Dundas Street have been identified as rapid transit corridors in the Council approved Rapid Transit Master Plan (RTMP). The preliminary recommendations have identified Ontario Street as a candidate for a transit station, through the ongoing Transit Project Approval Process (TPAP) and has also been identified for a conversion from one way northbound traffic to a two way street with the addition of a southbound lane for traffic, the corridors and transit station locations will be refined in greater detail through the TPAP process. For information regarding the RTMP or TPAP please use the following web link: <https://www.shiftlondon.ca/>

Stormwater Engineering

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

- Please note that as per City as-constructed drawing 17211, the site, at a C=0.37, is tributary to the existing 750mm storm sewer on Ontario Street via the 600mm storm sewer on Dundas Street fronting the site. However, the 750mm storm sewer on Ontario (STMH3 to STMH2 in as-con 17211) appears to be in surcharge condition and therefore hydraulic calculations should be required (storm sewer capacity analysis) to demonstrate the capacity of the existing 750 storm sewer system is not exceeded.
- Proving there is sufficient pipe capacity to service the site, on-site SWM controls should be designed to the satisfaction of the City Engineer. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, etc.
- Considering the number of parking spaces, the owner may be required to have a consulting Professional Engineer confirming that water quality will be addressed to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators, catchbasin hoods, bioswales, etc.
- The subject lands are located in the Central Thames Subwatershed. The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure 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.

Wastewater and Drainage Engineering

- As part of the City's Pollution Prevention Control Plan (PPCP) and sanitary modeling in this area, it has been flagged that there is potential constraints in the English Street sanitary sewers downstream of this subject site. The English Street sanitary sewers downstream of this proposed development has been the subject of flow monitoring. Consequently WADE is taking steps to do additional flow monitoring to evaluate sanitary flows including wet weather.
- Dundas Street from Rectory to Adelaide has been identified for lifecycle replacement infrastructure works tentatively in 2020. English Street is still being

considered for lifecycle replacement infrastructure works tentatively for 2021 pending budgets and approvals.

- Based on the significant intensification proposed as part of the initial zoning pre-application WADE requested a preliminary sanitary sewer capacity assessment. WADE is asking that the assessment be revised to include an inventory of all existing and abandoned connections to the municipal system inclusive of all storm sewers and connections on this site be accounted for to ensure no storm p.d.c.'s or connections are directed to the sanitary system.
- WADE is recommending an 'h' provision be applied until this density is supportable or upgrades in the downstream system have been undertaken.

Water

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

- Water is available from the 250 CI on Dundas Street and the 200mm CI on Rectory.
- Based on the number of units and the potential height of the development, water servicing (including looping requirements) must be in compliance with section 7.9.3 of the City of London Design specifications.
- The design should consider the potential ownership structure of the property, ie. condo corporation, single ownership etc. and the servicing requirements based on that ownership structure.

London Hydro – March 19, 2018

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

UTRCA – March 19, 2018 Excerpt

No objections.

Urban Design – March 21, 2018

Urban Design staff commend the applicant for incorporating the following into the design; Providing for a continuous street wall along the Dundas Street frontage; Providing appropriate scale/ rhythm/ materials/ fenestration of the podium along the Dundas Street and Rectory Street frontages in keeping with the Old East Village Commercial Corridor Urban Design Manual; Incorporating all parking within the structure; Providing for appropriate tower setbacks from Dundas Street; Providing a north-south orientation of the towers, which limits the extents of shadows; Including a high proportion of transparent glazing on the towers; Providing for articulation on the exterior concrete columns on the towers.

Urban design staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised by the community, the Urban Design Peer Review Panel, and City staff. Some of the design concerns that remain outstanding include;

- Treatment of the podium at the intersection of Rectory and Dundas; include further windows on the ground floor elevations and further details on the upper facades.
- Treatment of the podium on the north half of the east façade; consider including openings or variation on this façade as it will be highly visible for the foreseeable future.
- Tower variation; Provide some variation between the two towers to address the perception of width and to add interest to the skyline
- Tower Massing, consider further articulation on the east and west facades of the towers, and consider the addition of colour to the towers in order to further break up the massing.

The applicant should provide a response to the UDPRP Memo issued following the March 2018 meeting detailing how they have considered all of the Panels comments.

Urban Design Peer Review Panel – March 29, 2018

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

- The Panel is supportive of the 3-storey podium which creates a pedestrian scale to the development along Dundas Street in character with the area.
- The Panel has a concern with the amount of overlap between the two proposed towers in terms of overlook and shadows cast on the space in-between them. There is a preference for the towers to stagger, providing offset between the towers in plan. This could involve a reduction in floor plate (and possibly dispersing density in a different manner e.g. additional floors on a stepped back podium or additional height on one or both towers) to allow for the staggering.
- The Panel suggests that the proponent and City staff evaluate the east tower relative the east property line to ensure appropriateness of separation with respect to tower overlook and impact on the possibility of a future tower development, should future tall buildings be deemed appropriate for the area.
- As an alternative to commercial ground floor space, the proponent could also consider street-fronting town houses in the podium. These could be multi-storey and provide additional screening for the upper parking garage levels facing the street.
- The Panel is supportive of the articulation of tower. Consideration should be given to providing some variation among the two towers to address the perception of width and add interest to the skyline.
- The Panel supports the canopy feature over the Dundas Street residential entrance and suggests further emphasizing this area to define it along the length of the façade.
- The Panel supports all parking located within the building. Consideration should be given for active openings to the second and third floor parking garage. Additionally, the Panel encourages a design that includes some active use (residential or commercial) on at least a portion of these upper floors for more “eyes on the street”, particularly after hours when commercial units are closed.
- The symmetry of the two tower scheme works well at the drop-off area, where the towers land on the ground, but from the Dundas Street perspective, consideration could be given to provide more variation to the skyline.
- Openings/variation along the eastern façade should be considered, even if minor, knowing that a future development may hide this façade in the future.

Concluding comments:

The Panel supports the overall design concept with the integration of the design recommendations noted above and commends the applicant for their thoughtful approach to the design at this early stage of development. 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. Subject to the comments and recommendations above, the proposed development represents an appropriate solution for the site.

LACH – March 28, 2018

BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied with the research contained in the Heritage Impact Statement dated January 2018, prepared by Zelinka Priamo Ltd. for the adjacent property located at 795 Dundas Street;



October 24, 2018

TO: City of London Planning Services
Attention: Michael Tomazincic, Manager, Current Planning
Sonia Wise, Planner II, Current Planning

REGARDING: Bonusing for Affordable Housing at 809 Dundas St., London
City of London Planning File: Z-8875
HDC File: 809 Dundas

Background:

Housing Development Corporation, London (HDC) was engaged as a third party to support information, facilitate negotiation, and assist in the provision of a fair recommendation to Planning Services in response to the following resolution of Municipal Council to consider Section 37 bonusing provisions (*Planning Act RSO 1990, S. 37*) for the purposes of advancing affordable housing at 809 Dundas:

“...c) the Civic Administration BE REQUESTED to include, as part of any recommended bonus zoning, the provision of a portion of the total units of the proposed building as affordable housing units...”

- *Municipal Council, June 26 2018.*

Requested Zoning By-law Amendment:

The purpose and effect of the zoning by-law amendment requested by Paramount Developments is to provide for a mixed-use development with two 24-storey apartment buildings containing a total of 480 residential units.

The details of the requested Zoning By-law Amendment, including consideration of facilities, services, and matters of public benefit, were previously identified in the June 18, 2018, report of the City Planner to the Planning and Environment Services Committee. This report informed the process.

This letter reflects the recommendation of HDC to the City of London Planning Services as fair consideration of bonusing for affordable rental housing within the proposed development at 809 Dundas St., London, advanced by Paramount Developments. These recommendations are further to our meetings with Paramount Development and Planning Services and the established rationale noted below.

RECOMMENDATION:

Based on the review of the proposed project plans for 809 Dundas, as submitted to the City of London Planning Services by Paramount Developments, it is the recommendation of HDC that the City Planner advance the following requirements within the affordable housing Bonus Zone:



1. **25 single (one bedroom) units at the proposed 809 Dundas development be considered for dedication to affordable rental housing in exchange for the granting of increased height and density, as the provision of services pursuant to the *Planning Act RSO 1990, S. 37*;**
 -
2. **“Affordability” for the purpose of any associated encumbrance agreement (see below) be defined as rents not exceeding 95% of the Average Market Rent (AMR), as defined at the time of occupancy, and where:**
 - i. **AMR of the affordable units be defined as the one-bedroom AMR rate for the London Census Metropolitan Area by CMHC at the time of building occupancy;**
 - ii. **the identified units will be scattered throughout the development and may be constructed to a more modest level but within the affordable housing size and attribute guidelines of HDC; and**
 - iii. **the rents of the defined affordable units will only be incremented in rents to the allowable maximum once per 12-month period in accordance with the *Residential Tenancies Act* or any successor legislation.**
 -
3. **The duration of the affordability period be set at 25 years from the point of initial occupancy of all 25 designated affordable rental units. Sitting tenants residing in designated affordable housing units at the conclusion of the agreement would retain security of tenure and adjusted affordable rents until end of their tenancy. These rights would not be allowed to be assigned or sublet.**
 -

These, and any other amended conditions to be confirmed by Municipal Council need to be secured through an encumbrance agreement ensuring compliance and to retain the value of the affordable rental housing Bonus Zone (at an estimated rate of approx. 50% of the construction cost of the affordable units) over the 25-year affordability period. An agreement would also address other conditions including tenant selection.

Any such agreement to retain the affordable rental housing would be subject to terms defined by the City Solicitor and compliance reviews and remedies similar to other affordable housing development agreements of the City and HDC and as managed through the City’s Housing Division.

Rationale for Affordable Housing Bonus:

The initial recommended Bonus Zone was established at 30 affordable rental housing units for a 20-year affordability period. This was based on a proportional factoring of units between the existing permitted height and density and the plans being sought through the Bonus Zone and was consistent with Council’s Key Directions and Strategies in the London Plan and local housing plans. (London Plan Policy 517_).

Through discussion and concurrence of Planning Services and Paramount Developments, this recommendation has been modified to provide for 25 affordable rental units (at 95% AMR) over 25 years. This revised recommendation provides an alternative approach to achieving similar value and meets the intentions of Paramount Developments and the service exchange providing long term affordable housing.

The recommended Bonus Zone considers local affordable housing needs and demands, local industry measures including CMHC rental market and housing analytics, City neighbourhood profiles, labour market data, as well as a review of the bonusing policies and practices of other major urban centres.



HDC recognizes the proposed location, building plans, and other project attributes are within an existing Community Improvement Plan (CIP) area where other non-bonusing related incentives are also available. The final recommended Bonus Zone remains based on the difference between the existing height and density permissions and those being sought through the Bonus Zone.

The recommended Bonus Zone is specific to the proposed development at 809 Dundas St., London and does not apply to any other development by virtue any perceived similarity in height and density increase or built form.

Conclusion:

Section 37 of the *Planning Act* provides municipalities the ability to advance public facilities, services and matters in exchange for additional height and density above existing zoning permissions. The ability to utilize this important tool as a mechanism to advance affordable rental housing aligns with a critical need in London, noting that London is currently ranked 5th in Canada for the highest percentages of households in “Core Housing Need” in major urban centres. (CMHC, July 2018).

This recommendation recognizes Council’s expressed interest to seek “...options for implementing and coordinating [planning] tools to be most effective...” to “...promote the development of affordable housing in London”. (4.4/12/PEC, July 25, 2018)

HDC will be available to the Planning and Environment Committee and to Civic Administration to further inform this recommendation or respond to any associated questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Giustizia', written over a circular stamp or mark.

Stephen Giustizia
CEO, HDC

- c. Brian Turcotte, Development Manager, HDC
- Isabel da Rocha, Business and Program Manager, HDC

For Copy through Planning Services to:

Paramount Developments (London) Inc. (Developer)

Attention: Roger Caranci
Bill Carter
Ian Stone
Harry Froussios, Zelinka Priamo Ltd.

Appendix D – Policy Context

Application

City of London Zoning By-law Amendment Application Form, completed by Harry Froussios, submitted February 2, 2018.

Reference Documents

The following policy and regulatory documents were 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:

PPS

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1 a, b, c, e, f
- 1.1.3 Settlement Areas
 - 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.6
- 1.4 Housing
 - 1.4.1
- 1.6.7 Transportation Systems
 - 1.6.7.4

Official Plan

- 3.4. Multi-Family, High Density Residential
 - 3.4.3. Scale of Development
 - 4.4.1 Main Street Commercial Corridor
 - 4.4.1.3. Function
 - 4.4.1.1. Planning Objectives
 - 4.4.1.2. Urban Design Objectives
 - 4.4.1.4. Permitted Uses
 - 4.4.1.7. Scale of Development
 - 4.4.1.9. Urban Design
 - 4.4.1.13. Specific Main Street Commercial Corridors
 - 4.4.1.13.2. Old East Village (iii)
- 19.4 Zoning
 - 19.4.4 Bonus Zoning

London Plan

- Rapid Transit and Urban Corridors
- Permitted Uses – 837
- Intensity – 840
- Form – 841
- Bonus Zoning 1645-1655

Lane Maintenance Policy By-law A.-6168-43

Relevant Correspondence

B. Turcotte, S. Giustizia, & I. Da Rocha. Housing Development Corporation. Emails to S. Wise. April – October 2018.

A. Giesen. City of London – Transportation Planning & Design, Emails to S.Wise. March – October 2018.

Z-8875
S.Wise

K. Gonyou. City of London – Urban Regeneration. Emails to S.Wise February – June 2018.

K. Graham & B. Moore. City of London – Wastewater and Drainage Engineering. Emails to S.Wise April, 2018.

B. Lambert. City of London – Development Services – Engineering. Emails to S. Wise March - May 2018.

S. Lepik. London Hydro. Email to S. Wise March 19, 2018.

A. Lockwood. City of London – Development Services – Planning. Emails to S. Wise May – October, 2018.

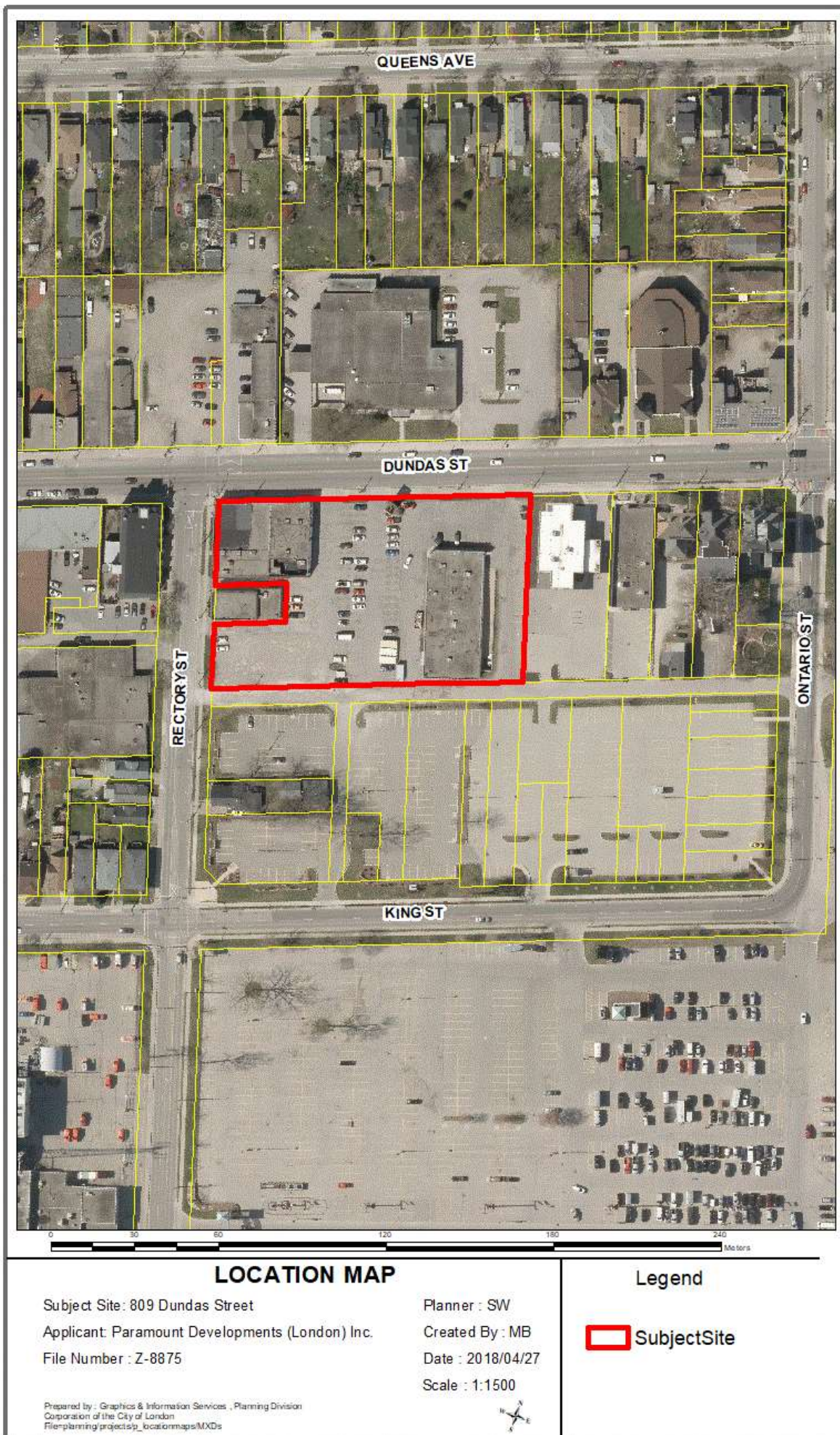
J. Smolarek. City of London – Urban Design – Emails to S. Wise April – October, 2018.

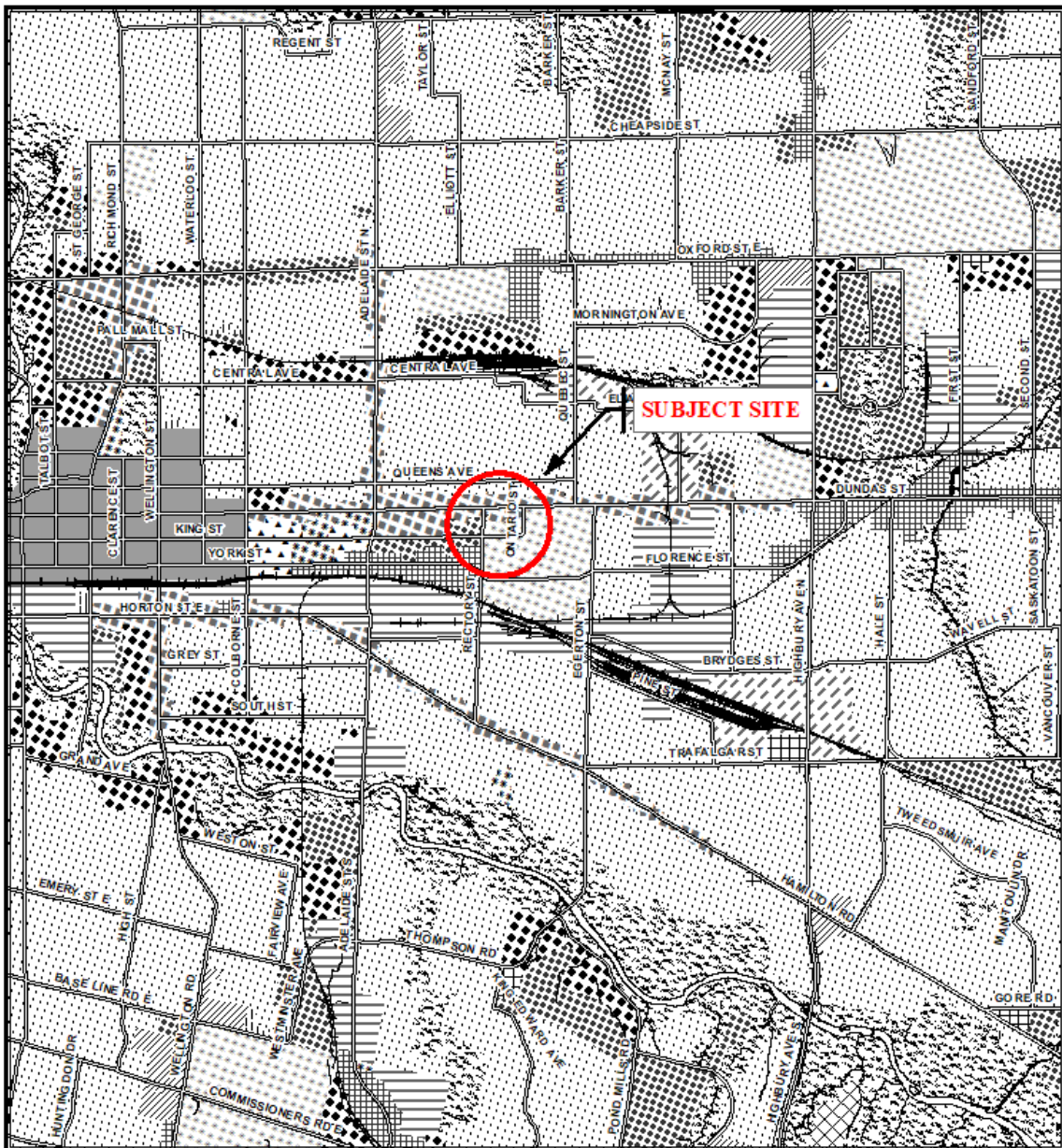
Other

Site visit March 6

Appendix E – Relevant Background

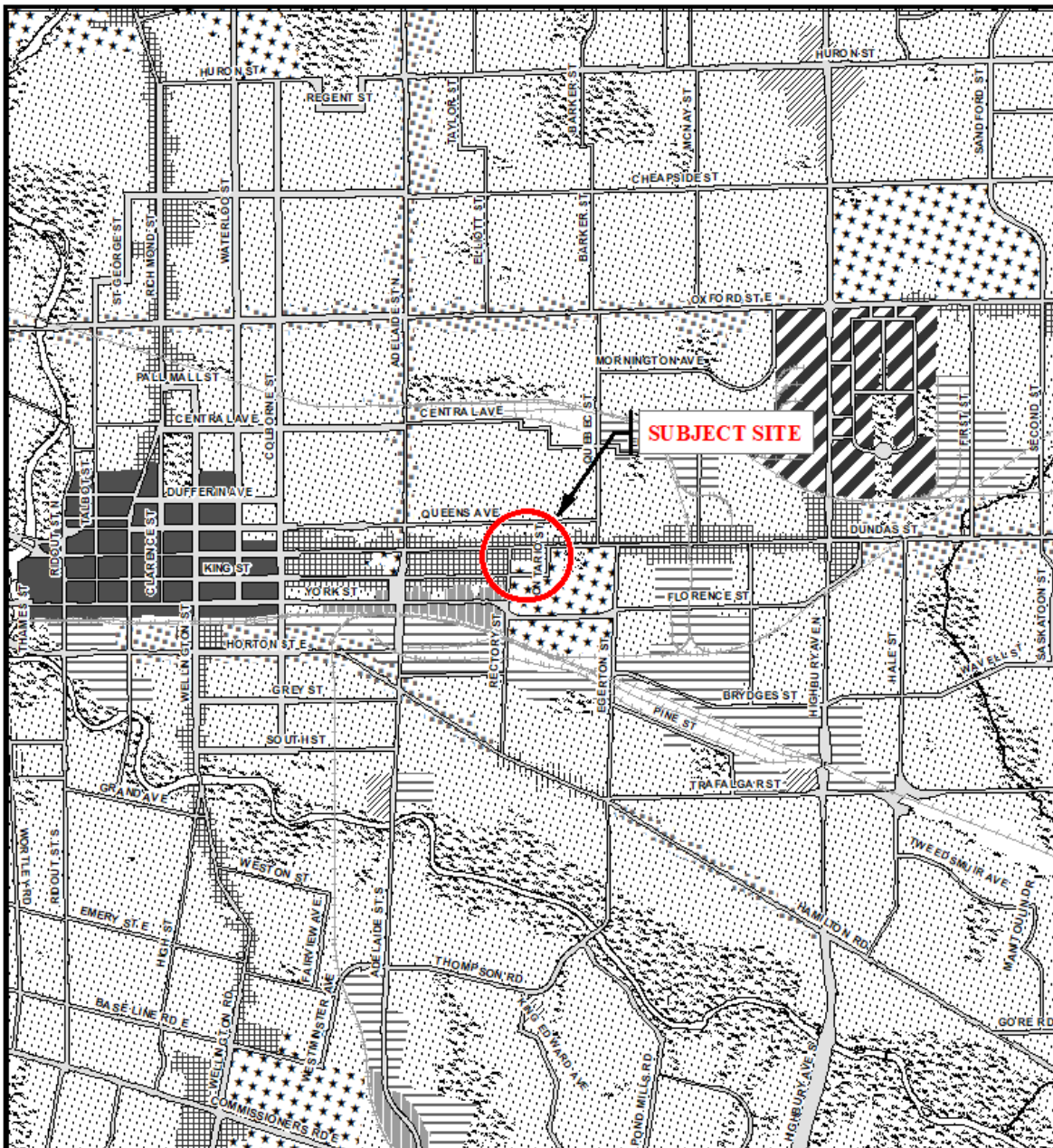
Additional Maps





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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 <p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8875</p> <p>PLANNER: SW</p> <p>TECHNICIAN: MB</p> <p>DATE: 2018/04/27</p>
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Legend

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

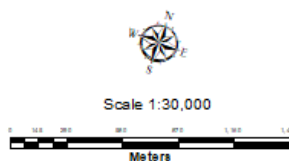
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

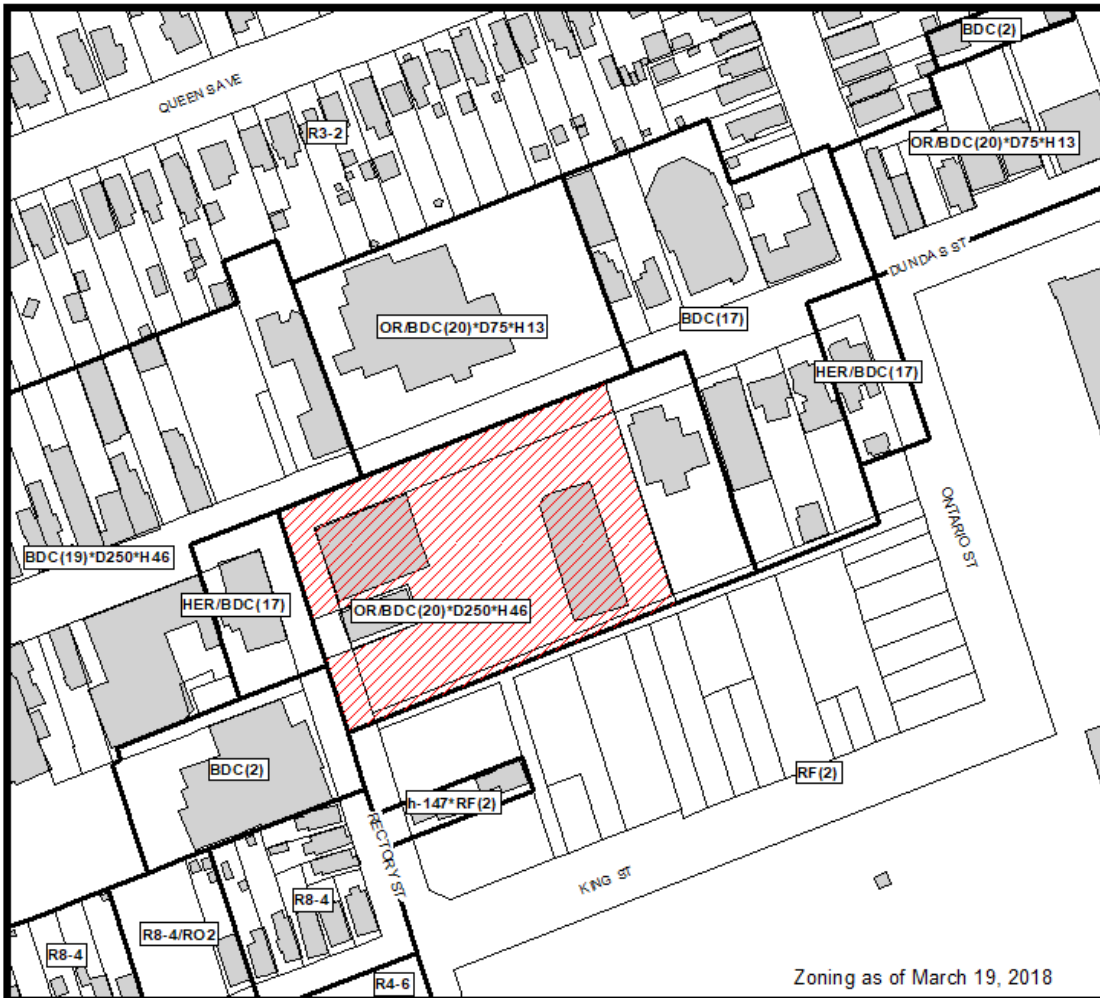
CITY OF LONDON
Planning Services /
Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



File Number: Z-8875
Planner: SW
Technician: MB
Date: April 27, 2018



Zoning as of March 19, 2018



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: OR/BDC(20)*D250*H46

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 |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| 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**



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

FILE NO:

Z-8875 SW

MAP PREPARED:

2018/04/27 MB

1:2,000

0 10 20 40 60 80 Meters

Additional Reports

November 2004 - OZ-6749 - Old East Village Corridor Community Improvement Area (CIP), including Official Plan and Zoning By-law Amendments.

April 2008 - Expansion of the Old East Village Corridor Community Improvement Plan.

June 15, 2008 - Z-7519 – Planning and Environment Committee

June 18, 2018 – Z-8875 – Planning and Environment Committee – Public Participation Meeting