

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Amiraco Properties Inc.
496 Dundas Street

Date: Public Participation Meeting
August 30, 2021.

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Amiraco Properties Inc. relating to the property located at 496 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 14, 2021, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** an Office Residential/Business District Commercial (OR*D250*H46/BDC) Zone **TO** a Business District Commercial Special Provision (BDC(_)*D530*H57) Zone;

Executive Summary

Summary of Request

The requested amendment to Zoning By-law Z.-1 is to change the zoning of 496 Dundas Street from a Business District Commercial/Office Residential (OR*D250*H46/BDC) Zone to a site-specific Business District Commercial Special Provision (BDC(_)*D350*H57) Zone, to permit a 16 storey mixed use development including 170 residential units, amenity space and commercial space on the ground floor. The requested amendment includes the following four (4) special provisions:

1. Permit a site-specific maximum building height of 57 metres;
2. Reduce the off-street parking requirement from 173 spaces to 153 spaces;
3. Prescribe a maximum residential density of 530 units per hectare;
4. Reduce the interior side yard setback to 0.0m; and,
5. Maintain all other standard permissions of the BDC Zone.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment is to permit the development of a mixed-use high-rise tower. The proposed tower would integrate a maximum of 170 residential units, with a range of apartment configurations to help meet market demands. Limited commercial space would also be provided on the first floor

Rationale of Recommended Action

- i. The recommended amendment to Zoning By-law Z.-1 is consistent with the *Provincial Policy Statement (PPS)* which encourages the following: promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types; promoting the vitality and regeneration of settlement areas; supporting transit-supportive development and active transportation; promoting energy efficiency and minimizing negative impacts to air quality and climate change; promoting intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety; and, conserving built heritage resources and cultural heritage landscapes.

- ii. The recommended amendment to Zoning By-law Z.-1 conforms to the Main Street Commercial Corridor policies of the 1989 *Official Plan*;
- iii. The recommended amendment to Zoning By-law Z.-1 conforms to the in-force policies of *the London Plan*, including but not limited to the Key Directions and the Urban Corridor Place Type policies;
- iv. The recommended amendment to Zoning By-law Z.-1 supports the in-force policies of the City Design policies of *the London Plan* as the project design aligns with the intent of character, streetscape, public space, site layout and building form policies of the Plan;
- v. The recommended amendment to Zoning By-law Z.-1 conforms with the policy direction and site-specific permissions in the Old East Village Dundas Street Corridor Secondary Plan;
- vi. The subject lands are well-suited for the proposed mixed-use development, given its size, location within a commercial corridor, and its proximity to arterial roads, public transit, active transportation routes and community amenities. Overall, the proposed development would support diversification, intensification and the vitality of the Dundas Street corridor.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations. This includes intensification and efficient use of existing urban lands and infrastructure and the regeneration of existing neighbourhoods. It also includes aligning land use planning with transportation planning to facilitate transit-supportive developments and encouragement of active transportation.

Linkage to the Corporate Strategic Plan

This application supports the Strengthening our Community and Building a Sustainable City areas of focus in the Corporate Strategic Plan by ensuring London's Neighbourhoods have a strong character and sense of place, and London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Property Description

The subject site is located on the north side of the Dundas Street corridor, generally mid-block between Maitland Street and William Street. The subject site is also located within the Old East Village Dundas Street Corridor Secondary Plan, which incorporates lands within the Dundas Street corridor between Colborne Street and Adelaide Street North. The subject site is approximately 0.33 hectares (0.81 acres) in size and currently contains a two-storey commercial/office building.

The subject site includes a vacant two-storey commercial building constructed in 1949. The existing building replaced a brick residence that was on site until circa 1945. The *Fire Insurance Plan 1912* indicates a wood frame building on the subject property located north-west of the property which no longer exists.



Figure 1: Structure at 496 Dundas Street, facing north.



Figure 2: Parking lot behind the structure at 496 Dundas Street, facing south.

The site is a regular rectangular shape with frontage along Dundas Street. The lands immediately surrounding the subject site consist of:

- Medium density residential building to the north (493-499 Queens Avenue);
- A funeral home and surface parking to the east (520 Dundas Street);
- Dundas Street corridor and the two institutional uses Southwest Ontario Aboriginal Health Access Centre (495 Dundas Street) and the Cross-Cultural Learner Centre (505 Dundas Street) to the south; and,
- Dundas Street Centre United Church to the west (482 Dundas Street).

Land uses in the broader area include:

- Low rise residential neighbourhood Woodfield and mid-rise apartment building (498 Queens Avenue) to the north of Dundas Street;
- Variety of commercial, low-rise residential and institutional uses to east along the Dundas Street and King Street corridors including the London Police Headquarters, Unity Homeless Shelter and several midrise residential buildings (430 William Street and 580 Dundas Street);

- Mix of commercial, institutional and residential uses to the south, including H.B. Beal Secondary School and high-rise towers to the south-west.
- Mix of commercial, institutional, cultural and residential uses to the west, including mid-rise apartment (470 Dundas Street) and Catholic Central High School.

Current Planning Information (see more detail in Appendix D)

- 1989 *Official Plan* Designation – Main Street Commercial Corridor
- *The London Plan* Place Type – Urban Corridor
- Existing Zoning – Office Residential/Business District Commercial (OR*D250*H46/BDC)

1.2 Site Characteristics

- Current Land Use - Main Street Commercial Corridor
- Frontage – 40.2 meters (131.9 ft)
- Depth – 82.2 meters (269.7 ft)
- Area – 0.3286 hectares (3,286 m² or 0.81 acres)
- Shape – regular (rectangular)

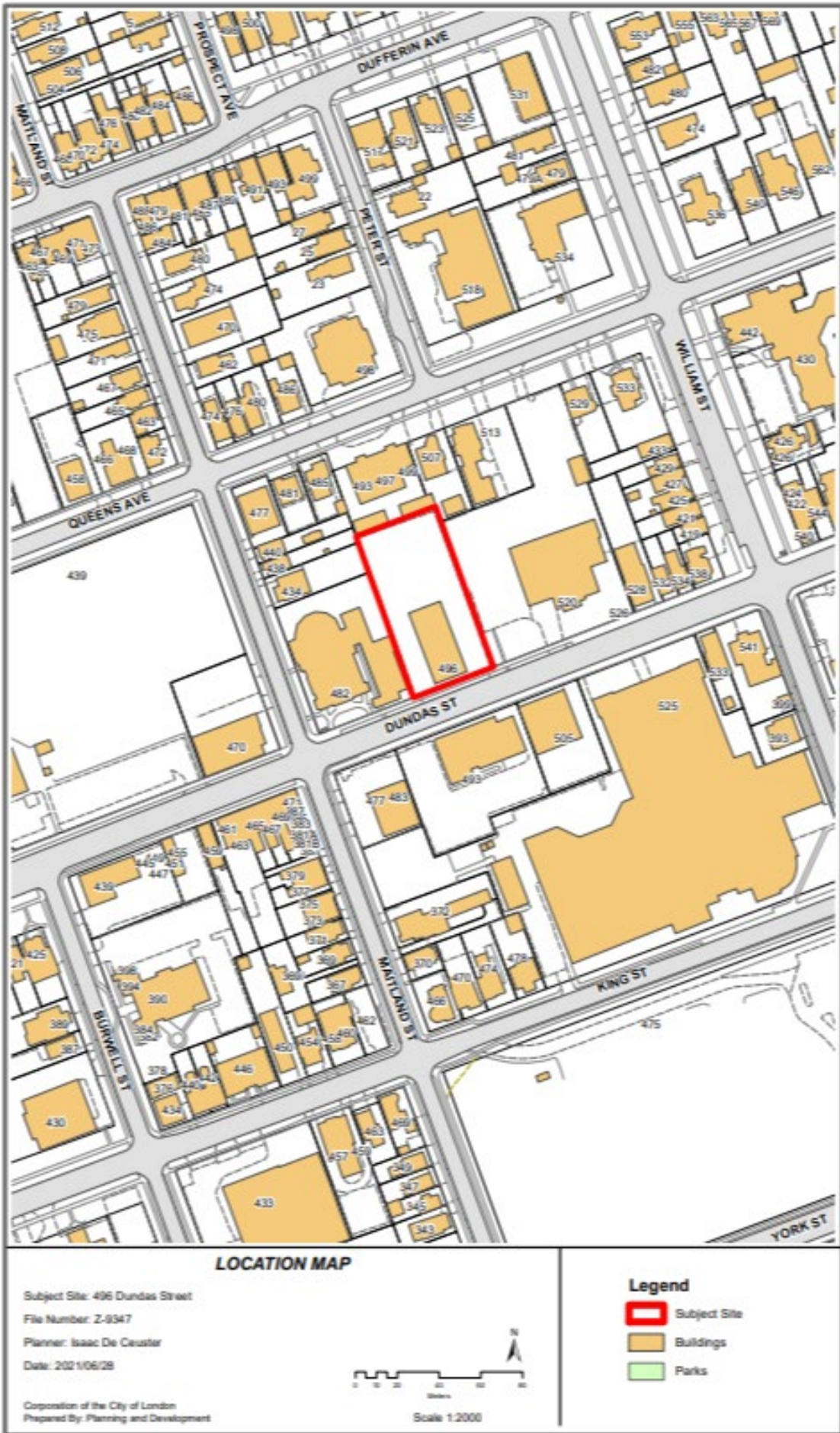
1.3 Surrounding Land Uses

- North – Low Density Residential
- East – Main Street Commercial Corridor
- South – Main Street Commercial Corridor
- West – Main Street Commercial Corridor

1.4 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



1.6 Aerial Perspective



Figure 4: Aerial perspective 496 Dundas Street.

2.0 Description of Proposal

2.1 Development Proposal

The requested zoning amendment is to permit the development of a mixed-use, high-rise apartment building containing 170 units, and a mix of retail space, amenity space, administrative areas, bicycle storage, storage lockers and residential units on the first floor of the subject site. The point tower design has a main floor (first floor) plate of approximately 1,059 m² and a typical floor plate of approximately 997 m². Further proposed are underground and at-grade parking providing a total of 153 vehicle stalls (17 surface; 136 subsurface), indoor bicycle storage and internal loading areas. Three parking spaces would be dedicated for the commercial use.

The application included renderings and conceptual site plan, shown on the following pages as Figures 5, 6, and 7.



Figure 5: Architectural rendering showing proposed building from Dundas Street.



Figure 6: Architectural rendering showing proposed building – bird's eye view looking northwest.

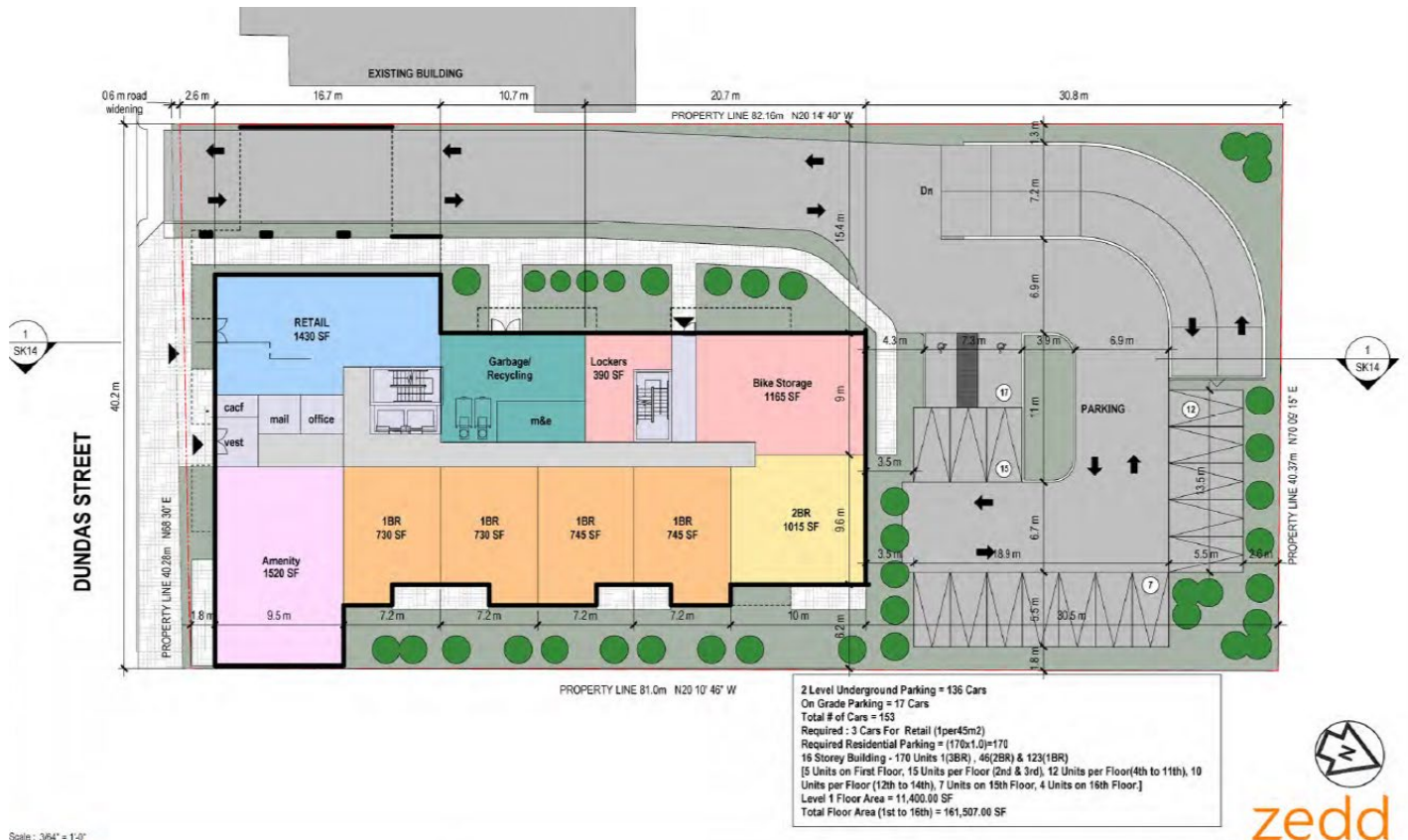


Figure 7: Conceptual site plan depicting first floor layout.

2.2 Requested Amendments

The subject property is designated Main Street Commercial Corridor (MSCC) in the 1989 *Official Plan*. This designation permits residential uses and units created through the conversion of existing buildings, or through the development of mixed-use buildings. In the London Plan the subject property is in the Urban Corridor Place Type and Dundas Street has a Main Street classification. In addition, the subject property is located within the *Old East Village Dundas Street Corridor Secondary Plan* (Map 7-Specific Policy Areas) and therefore constitutes part of *The London Plan* (1565) and 1989 *Official Plan* (19.2). Secondary Plans allow for the development of Official Plan policies for a specific area that may be more detailed than the general policies of the Plan. Where there is a conflict between the general policies of the *Official Plan* and the Secondary Plan, the policies and Schedules of the Secondary Plan shall prevail.

The requested amendment to the Zoning By-law Z.-1 is to change from an Office Residential/Business District Commercial (OR*D250*H46/BDC) Zone to Business District Commercial Special Provision (BDC(_)*D530*H57) Zone. The applicant is requesting the following special provisions to address the following matters, and to provide flexibility to accommodate minor design modifications that may arise:

1. Permit a site-specific maximum building height of 57 meters or 16 storeys, whichever is lower, to reflect the planned 16 storey high-rise tower in accordance with the permissions of the Old East Village Dundas Street Corridor Secondary Plan;
2. Reduce the off-street parking requirement from 173 spaces to 153 spaces to recognize that demands for parking spaces generated by the proposed mix of uses would be mitigated by the close proximity of the Site to public transit, bike lanes, existing commercial/office uses and established residential neighbourhoods.
3. Prescribe a maximum residential density of 530 units/ha to permit an intensive, mixed-use form on the Site that would support the efficient use of existing infrastructure and public services;
4. Reduce the interior side yard setback to 0.0 meter to support a more contiguous street wall; and,

5. Maintain all other standard permissions of the BDC Zone.

2.3 Community Engagement

On May 19, 2021, Notice of Application was sent to 64 property owners in the surrounding area. Notice of application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday May 20, 2021, 2021. A “Planning Application” sign was also placed on the site.

The public was provided with opportunities to provide comments and input on the application. At the time of writing this report, one comment has been received from members of the public, and it is included in Appendix B.

2.4 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in 4.0 of this report. Detailed comments are included in Appendix C of this report. Through this circulation no major issues have been identified.

2.5 Policy Context

The subject site is located in the Main Street Commercial Corridor (MSCC) in the 1989 *Official Plan*. The site is in the Main Street segment of the Urban Corridor Place Type in the *London Plan*. The site is within the Old East Village Dundas Street Corridor Secondary Plan area, where it is subject to a site-specific policy. Note that certain London Plan maps and policies are under appeal before the Local Planning Appeal Tribunal (LPAT).

Provincial Policy Statement (PPS), 2020

The *Provincial Policy Statement, 2020* (PPS) provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario. The PPS supports a comprehensive, integrated, and long-term approach to planning, and in accordance with Section 3 of the *Planning Act*, all planning decisions shall be consistent with the PPS. The PPS is meant to be read in its entirety, with no implied priority in the order in which the policies appear. Part IV of the PPS sets out a vision that focuses growth and development within settlement areas and encourages efficient development patterns to optimize the use of land, resources and public investment in infrastructure and public service facilities. The proposed development is consistent with the PPS, the following section summarizes the most relevant policies.

The PPS encourages healthy, liveable and safe communities, promoting efficient development and land use patterns; intensification, redevelopment and compact form; accommodating an appropriate range and mix of residential types and other uses to meet long-term social, health, economic and well-being requirements of current and future residents; and requiring transit-supportive development and prioritizing intensification in proximity to transit corridors and stations,(1.1.1 a, b, e, 1.1.1.2, 1.1.3.1, 1.1.3.2, 1.1.3.4, 1.4.3). The PPS promotes planning to meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (1.5.1). The PPS promotes efficient use of current and planned infrastructure, ensuring a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support use of transit and active transportation (1.6.1, 1.6.7). The PPS also promotes long-term economic prosperity by providing the necessary housing supply and range of housing options for a diverse workforce; maintaining and enhancing the vitality and viability of downtowns and main streets; supporting energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions; and conserving cultural heritage (1.7.1 b, d, 1.8.1, 2.6).

The intended use of the site aligns with the vision of the *PPS* to achieve healthy, liveable and safe communities by promoting efficient development and land use patterns. The development supports a compact urban form, as it seeks to intensify lands within the Urban Growth Boundary (UGB), in proximity to the downtown core and offices, retail, schools, recreational, entertainment, cultural facilities and residential uses. The redevelopment considers the existing context and character of the surrounding area, encourages active transportation and is in close proximity to transit services and the arterial road network. The intended use of the site integrates a mix of high density residential and commercial uses which will support the vitality of the Dundas Street corridor and Old East Village. Finally, the lands have no significant archaeological, environmental/ natural heritage, mineral or petroleum resources.

Official Plan, 1989

The 1989 *Official Plan* contains the objectives and policies to guide the physical development of all lands within the boundary of the municipality and is consistent with the policy direction prescribed in the *PPS*.

The subject site is designated as Main Street Commercial Corridor (MSCC), Section 4.4 sets out: *“Main Street Commercial Corridors take the form of either long-established, pedestrian-oriented business districts or mixed-use areas, where, through conversion of small-scale redevelopment, there has been a transition from predominantly low density residential housing to a mix of commercial, office and remnant residential uses. The wide range of uses to be permitted, their proximity to established neighbourhoods, and the need to minimize disruption to traffic and neighbouring residential uses necessitate controls on site planning and development scale”*.

An objective of the Main Street Commercial Corridor as set out in the 1989 *Official Plan* is to strengthen these areas by encouraging infilling and redevelopment which conforms to the existing form of development and improves the aesthetics of the business area (4.4.1). In addition, encouraging intensification and redevelopment in existing commercial areas within the built-up area of the City will help to meet commercial needs, makes better use of existing City infrastructure and to strengthen the vitality of these areas (4.2.1 iv). The requested mix of uses is consistent with the intent of the Main Street Commercial Corridor to allow for a wide variety of uses, enhance the street edge, create high quality public places and provide for pedestrians and transit-users (4.4.1.2, 4.4.1.4).

The Official Plan indicates that redevelopment or infilling of commercial uses within a MSCC designation shall form a continuous, pedestrian-oriented shopping area and shall maintain a setback and storefront orientation that is consistent with adjacent uses. Further, residential densities within mixed-use buildings should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations in accordance with the Section 3 of the 1989 *Official Plan*. As Main Street Commercial Corridors are pedestrian-oriented, 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). MSCC policies also support commercial and residential uses that promote active street life and movement in those areas beyond the work-day hours (4.4.1.8).

Finally, the Main Street Commercial Corridors shall be developed in accordance with the urban design guidelines, Commercial Urban Design Guidelines and specific policy areas. These urban design guidelines ensure continuity of the urban fabric, incentives and flexibility for redevelopment opportunities, protects heritage buildings and maintains the diversity of the urban environment, provides appropriate building massing and height provisions, and provides for architectural guidelines, signage policies and guidelines for landscaping and streetscaping.

The requested uses for the subject site are consistent with the Main Street Commercial Corridor policies regarding function, permitted uses and urban design in the 1989 *Official Plan*, and support the objectives for the MSCC designation.

The London Plan, 2016

The City of London Council adopted a new Official Plan in 2016, and the majority is in force and effect (some policies and schedules are under appeal at the Local Planning Appeal Tribunal). Map 1 of *the London Plan* designates the project site in the Urban Corridor Place Type, and the site is subject to the Main Street segment policies.

The London Plan provides Key Directions that address the priorities that must be considered to achieve the vision of creating *an exciting, exceptional and connected London by 2035* (53_, 54_). The Key Directions provide planning strategies to guide planning and development over the next 20 years. The next section summarized the Key Directions and policies in *the London Plan* most relevant to this application.

Key Direction #1 is to “Plan strategically for a prosperous city” (55_). Policies 1, 4 and 11 of this Key Direction are to plan for and promote strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities, to revitalize our urban neighbourhoods and business areas, and to plan for cost-efficient growth patterns that use our financial resources wisely.

Key Direction #5 is to “Build a mixed-use compact city” (59_). The proposal support Policies 1, 2, 3, 4 and 5 of this Key Direction, including focusing high-intensity, mixed use development to strategic locations, planning to achieve a compact, contiguous pattern of growth, looking “inward and upward”, revitalizing our main streets, planning for infill and intensification to take advantage of existing services and facilities to reduce our need to grow outward, and to ensure a mix of housing types within our neighbourhoods so they are complete and support aging in place.

Key Direction #6 is to “Place a new emphasis on creating attractive mobility choices” (60_). As per Policies 5 and 6 of this Key Direction, the application focuses intense, mixed-use development to centres that will support and served by rapid transit integrated with walking and cycling and promotes and encourages transit-oriented development forms.

Key Direction #7 is to “Build strong, healthy and attractive neighbourhoods for everyone”. Policy 1 sets out to plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environment and supply well distributed health services. Further policies 2 and 3, promote designing complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities and implementing ‘placemaking’ through neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.

Key Direction #8 is to “Make wise planning decisions”. Policies 1, 2 and 4 direct to ensure that all planning decisions and municipal projects conform with *the London Plan* and are consistent with the *Provincial Policy Statement*, plan for sustainability – balance economic, environmental, and social considerations in all planning decisions and to plan so that London is resilient and adaptable to change over time. Consistent with Policies 8 and 9 of this Key Direction, avoiding current and future land use conflicts and ensuring new development is a good fit within the context of an existing neighbourhood contribute to wise planning decisions.

The subject site is designated as Urban Corridor Place Type (UC PT) on Map 1 – Place Types of *the London Plan*.

The Urban Corridor Place Type encourages intensification, so that they can mature to support higher-order transit at some point in the future (828_). The range of permitted uses within the Urban Corridor Place Type includes residential, retail, service, office, cultural, recreational, and institutional uses. Mixed-use buildings are encouraged, and large floor place, single use buildings are discouraged in Urban Corridors. The mix of uses and requested intensity align with the vision for the Urban Corridor The proposed design also has regard to Policy 837, that indicates that where there is a mix of uses

within an individual building, retail and service uses will be encouraged to front the street at grade.

The London Plan: Urban Corridor Built Form

The proposed development conforms with the Urban Corridor Built form policies (841_), the following policies are relevant to the proposal:

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.
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"

The London Plan: Main Street Segment Policies

Main Street segment policies of the Urban Corridor Place Type apply to the site as it is located in the Old East Village – Dundas Street corridor, extending from the Downtown Place Type Boundary to Quebec Street. In addition to the intensity policies that apply, Policy 847 permits a maximum building height of 12 storeys on the subject site, and up to 16 storeys may be permitted within Type 2 Bonus Zoning. The proposed design conforms with the form policies of the Main Street segment (848_), including:

1. Cultural heritage resources shall be conserved in conformity with the Cultural Heritage policies of *the London 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 material 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.
4. 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.

The London Plan: Near-Campus Neighbourhoods

Map 7 of *the London Plan* identifies that the subject site is located within the Near-Campus Neighbourhoods planning area. These neighbourhoods are located within proximity to Western University and Fanshawe College. Policy 965 defines a vision statement for Near-Campus Neighbourhoods recognizing the value of these neighbourhoods to the London community. Relevant goals include:

1. Plan for residential intensification in a proactive, coordinated and comprehensive fashion, utilizing secondary plans and master plans where appropriate.
2. Identify strategic locations where residential intensification is appropriate within Near-Campus Neighbourhoods and zone these opportunities accordingly, use strong transit connections to link these residential intensification opportunities to campuses.
7. Encourage a balanced mix of residential structure types while preserving stable residential areas.
8. Encourage residential intensification in mid-rise and high-rise forms of development and discourage a concentration of residential intensification in low-rise forms of housing.

9. Direct residential intensification to significant transportation nodes and corridors and way from the interior of neighbourhoods.
13. Ensure intensification is located and designed to respect the residential amenity of nearby properties.

The proposed development conforms with these policies as it represents an appropriate form of intensification in a good location where high intensity development is desirable to achieve the purpose and function of the Place Type.

Old East Village Dundas Street Corridor Secondary Plan

The subject site is located within the *Old East Village Dundas Street Corridor Secondary Plan* area, approved by Council on June 25, 2019 and subsequently amended by the LPAT (also known as the Ontario Land Tribunal). The vision of the Secondary Plan for this area has been developed: “to continue the momentum of three decades of revitalization efforts, the ongoing evolution and the current success of Old East Village and the surrounding areas. The development of the Secondary Plan principles was guided by the following principles:

- Foster the local and creative entrepreneurial spirit and support community economic development;
- Respect and reinvest in cultural heritage resources to enhance the unique character of the area;
- Provide distinct retail options with a wide range of commercial uses including restaurants and cafes;
- Create a welcoming environment for pedestrians and cyclist of all ages and abilities;
- Establish safe connections to the local transit system and surface parking lots; and,
- Support appropriately-scaled residential growth.

The *Old East Village Dundas Street Corridor Secondary Plan* area is broadly made up of four character areas: Midtown, Old East Village Core, Old East Village Market Block, and King Street. The subject site forms part of the Midtown Character Area, which is characterized by low-rise institutional/commercial buildings and significant cultural heritage resources fronting the Dundas Street Corridor. The Secondary Plan also sets out that the Midtown Character Area provides a transition between the downtown to the west, and the core of Old East Village to the east. The vision for the area is defined as: “*the vision for Midtown is for the area to be a vibrant and pedestrian-oriented connection between the downtown and Old East Village. Supporting the continued retail health is a priority for this character area*”.

Section 3.2 of the Secondary Plan permits a broad range of residential, retail, service, office, cultural, recreational, and institutional uses in the planning area. Mixed-use buildings are encouraged as the preferred form of development. The intended mix of uses for the site conforms with the land use permissions as set out in the Secondary Plan.

Section 3 provides built form policies for development in the *Old East Village Dundas Street Corridor* planning area. For the subject site, a site-specific policy is established in Section 3.3.1 addressing the following development permissions and design considerations:

3.3.1i) Notwithstanding the Permitted Heights policies contained in this Secondary Plan, a maximum building height of 16 storeys, excluding the mechanical penthouse, may be permitted on lands located at 496 Dundas Street, subject to the following conditions:

- *In keeping with the intent of policy 3.3.3 b) of this Secondary Plan, a height transition is provided that contains the massing of all built form on 496 Dundas Street within a 45-degree angular plane taken from a height of 7.0 metres above the property line of the properties adjacent to the north of 496 Dundas Street to*

provide a sensitive transition to the lands situated within the Area of Special Sensitivity illustrated in Schedule 1; and,

- *Built form exceeding 8-storeys in height conforms with the policies contained in 3.3.4 High-Rise Form of this Secondary Plan, excluding policy 3.3.4 g).*

Policy 3.3.3 b prescribes that within a Height Transition Area, all building massing should be contained within a 45-degree angular plane taken from a height of 7.0 metres above the closest property line of the nearest property within an Area of Special Sensitivity or a Heritage Conservation District, to ensure an appropriate transition.

Policy 3.3.4 directs built form policies for high-rise forms. Relevant policies include:

- a) The podium of a high-rise building shall be designed to support a pedestrian-scaled environment at street level.
- b) High-rise buildings shall stepback a minimum of five metres at the second, third or fourth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear, support or enhance the existing street character at street level, and limit the visual impact of the building at street level.
- c) High-rise buildings should be designed with slender towers that reduce shadow impact, minimize the obstruction of views, and are less massive to neighbouring properties. Point towers with floor plates of approximately 1,000 square metres or less is a reasonable target to achieve this goal.
- d) Towers shall not have any blank facades.
- e) The top portions of the tower shall be articulated through the use of a small setback, difference in articulation, or the use of an architectural feature. The mechanical penthouse shall be integrated into the design of the tower.

The proposed development has regard for the applicable policies in the following ways:

- a) The three-storey podium component of the building is intended to create an active, pedestrian-oriented frontage along the Dundas Street corridor to enhance and further define the existing streetscape. This element would contain a retail use, amenity space, lobby space, bike storage, residential uses, and accesses from the street at grade. Additional residential uses would be provided in the second and third storeys of the podium.
- b) The tower design incorporates a five metre stepback from the podium above the third storey.
- c) The high-rise design includes a slender tower component above the podium having a typical floor plate of approximately 1,000 m².
- d) The proposed tower design does not integrate blank façades.
- e) The top portions of the tower are articulated through the use of small setback elements and step downs. In particular, the penthouse is incorporated into the design of the tower and recessed above the 15th storey. This component is also surrounded by common terrace areas to incorporate it into the building design. Further, the design steps down building height from 16 storeys adjacent to the Dundas Street corridor to 15 and 11 storeys along the northern façade.

Based on the proposed design, the mixed-use, high-rise tower design complies with the overall policy direction and site-specific permissions of the *Old East Village Dundas Street Corridor Secondary Plan*.

Zoning

As described in Section 1.2 of this report, the Site is zoned as 'Office Residential/ Business District Commercial (OR*D250*H46/BDC)' pursuant to City of London Zoning By-law Z.-1. Business District Commercial zones are typically located along pedestrian-oriented business districts in older parts of the City, in hamlets or small business areas in rural areas, and in corridors with a main street character. Section 25.1 prescribes that a variety of retail, neighbourhood facility, restaurant, office and residential uses are permitted within the BDC zone.

Because the subject site is also zoned as Office Residential (OR) Zone, Section 16.1 of the Zoning By-law regulates offices and residential uses within mixed-use buildings, normally within the transition areas between the Downtown and nearby residential

neighbourhoods. Section 16.2 of the Zoning By-law identifies that residential uses are permitted in the OR zone.

The requested zone is BDC()*D530*H57) to permit the proposed mixed-use, high-rise tower. Section 25.2 of the Zoning By-law sets out that the Business District Commercial (BDC) Zone is applied to corridors with a main street character. The BDC Zone provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses. In addition, apartment buildings are permitted in the zone, with any or all of the other permitted uses on the first floor (Z.-1-94236).

Section 25.3 prescribes the following regulation for apartment buildings in the BDC Zone: "In the BDC Zone variations, the height and density of each apartment building over the standard zone height and/or containing units outside existing structures, will be established through a zoning by-law amendment application and be indicated on Schedule A of the Zoning By-law."

3.0 Financial Impacts

There are no financial impacts to the City of London associated with this application.

4.0 Key Issues and Considerations

4.1. Issue and Consideration #1 – Use

The PPS 2020 encourages settlement areas to be the main focus of growth and development (1.1.3.1). Within settlements areas, sufficient land shall be made available through intensification and redevelopment (1.1.2). Appropriate land use patterns within the urban growth boundary are established by providing densities and a mix of land uses that efficiently use land and resources, infrastructure and public service facilities available, are transit-supportive, as well as minimizing impacts of climate change. This redevelopment proposal would help to promote efficient use of land and services in Central London. The subject lands are located within a diverse area containing a range of residential, commercial and institutional uses, the proposed development will fit within the existing mix of forms, densities, and uses along Dundas Street and the surrounding area. The residents, employees and patrons of this development would support the viability of Central London and the Dundas Street corridor. Finally, implementation of this proposal would help to diversify the range and mix of multiple-unit housing in the Central London Planning area.

Official Plan, 1989

Pursuant to section 4.4.1.4, the primary permitted uses in the Main Street Commercial Corridor (MSCC) include a variety of retail, personal and business services, commercial, cultural and entertainment uses. In addition, residential uses and units created through the development of mixed-use buildings are also permitted within the MSCC designation. The service/retail commercial uses intended for the main floor would be consistent with the permissions of the MSCC (2.4.1).

The London Plan

The Urban Corridor Place Type policies permits a range of residential, retail, service, office cultural, recreational, and institutional uses (837_). Further, mixed-use buildings are encouraged and retail and service uses will be encouraged to front the street at grade. The street-classification of Dundas Street is a Main Street (per Map 3). Additionally, the Site is subject to Main Street segment policies of the Old East Village – Dundas Street Corridor (844_), where a broad range of uses will be permitted. The site is also located within walking distance of London Transit Commission (LTC) bus stops along Dundas Street. Rapid transit service is anticipated to run along King Street from the downtown to Ontario Street, then proceed along Dundas Street from Ontario Street eastward. The closest transit stations (along the King Street BRT) to the subject site will be at the Colborne Street and Adelaide Street intersections, both approximately 500 metres away. The area is also anticipating cycling infrastructure

improvements on Dundas Street and Queens Avenue; eastbound and westbound cycling lanes will be provided on Dundas Street between the downtown and William Street.

Old East Village Dundas Street Corridor Secondary Plan

The Secondary Plan permits a broad range of residential, retail, service, office, cultural, recreational, and institutional uses within the planning area. Consistent with *the London Plan*, Section 3.2 of the Secondary Plan states that mixed-use buildings are the preferred form of development.

The Secondary Plan sets out that all planning and development applications will be with evaluated based on the planning and development applications policies in the Our Tools Section of *the London Plan* (1577_). The evaluation criteria for planning and development applications include consistency with the PPS and all applicable legislation, conformity with all directions and policies of *the London Plan*, consideration of guideline documents, availability of municipal services and conformity with Growth Management policies, and impacts of development on surroundings.

The subject site is located within the Urban Growth Boundary, Near-Campus Neighbourhoods and the Primary Transit Area of the City. The proposed development is consistent with key directions for infill and intensification and achieves a compact form of development, growing our city inwards and upwards. The proposed mixed-use redevelopment conforms with the Urban Corridor framework and Main Street segment of this place type.

4.2. Issue and Consideration #2 – Intensity

The PPS requires municipalities to accommodate an appropriate affordable and market-based range and mix of residential types and promote transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns (1.1.1). The proposed high-rise mixed-use building provides a compact form that forms an appropriate intensification of an underutilized site located within the Primary Transit Area in the Central London planning district. The proposed development meets the intent of the PPS 2020 by providing the necessary housing supply and a range of housing options for a diverse workforce and contributes to enhancing the vitality and viability of main streets (1.7.1). The site also benefits from close proximity to arterial roads, transit services and public facilities. This aligns with the direction for planning authorities to support energy conservation, energy efficiency and preparing for the impacts of a changing climate by promoting compact form, promoting use of active transportation and transit and intensification (1.8.1). The proposed reduction in off-street parking from 173 spaces to 153 spaces was evaluated by Paradigm Transportation Solutions as part of its parking assessment of this project. Generally, with consideration for the matters noted above, it is concluded in the associated study report, dated March 2021, that there is sufficient parking on-site to meet the parking demands of this development

Official Plan, 1989

The proposed use of a mixed-use tower is permitted in the Main Street Commercial Corridor. Residential densities within mixed-use buildings in a MSCC designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations as set out in the Section 3.4.3 of the 1989 *Official Plan*. The MFHDR designation generally permits 250 units per hectare in Central London, which may be increased up to 25% greater than the density permitted by the non-bonus site. The concept plan proposes a total of 170 within a 0.33-hectare site, equating to a residential density of 518 units/ha.

Further, the 1989 *Official Plan* directs high and medium density residential development to appropriate locations within and adjacent to the Downtown, near Regional and Community Shopping Areas, and in selected locations along transit nodes and corridors (2.4.1). Further, it is recognized that there may be redevelopment, infill, and intensification in some established residential neighbourhoods, higher intensity land

uses will be directed to locations where the character of the residential area is enhanced, and existing land uses are not adversely affected.

As discussed in Section 2.5 of this Report, a key goal for the Near-Campus Neighbourhood Area is to encourage appropriate intensification. Residential intensification is preferred in the form of medium and large-scale buildings at appropriate locations (3.5.19.6). Appropriate intensification is characterized as projects **not** comprised of one or more of the following attributes (3.5.19.5):

- i. Developments within low density residential neighbourhoods that have already absorbed significant amounts of residential Intensification;
- ii. Developments proposed along streetscapes and within neighbourhoods that are becoming unsustainable due to a lack of balance in the mix of short- and long-term residents;
- iii. Residential intensity that is too great for the structure type that is proposed;
- iv. Inadequately sized lots that do not reasonably accommodate the density and intensity of the proposed use;
- v. Proposed lots and buildings requiring multiple variances that, cumulatively, are not in keeping with the spirit and intent of the zoning that has been applied;
- vi. A lack of on-site amenity area;
- vii. Inadequate parking areas to accommodate expected level of Residential Intensity
- viii. Excessive proportions of the site devoted to parking areas and driveways;
- ix. Built forms or building additions which are not consistent in scale and character with the neighbourhood, streetscape and surrounding buildings;
- x. Developments which continue an ad-hoc and incremental trend towards Residential Intensification within a given street, block, or neighbourhood, rather than a proactive, coordinated, and planned approach toward Residential Intensification.

Staff is satisfied that the proposed development has regard for the objectives of the Near Campus Neighbourhood policies. The site is suitable for the intended high-rise tower and is compatible with the character of the local streetscape and mix of land uses near the subject lands, including mid- and high-rise towers in proximity to the site. The site represents an appropriate area for Residential Intensification as the lands are designated MSCC, which permits residential developments in accordance with the permissions of the Multi Family Medium & Multi Family High Density Residential Designation.

The London Plan

The London Plan promotes intensification in appropriate locations and in a way that is sensitive to existing neighbourhoods and represents a good fit (83_). *The London Plan* controls the intensity of development through specific criteria and a height-framework but does not limit densities of development by Place Type. As discussed, the Urban Corridor Place Type applies to mid-rise, mixed-use areas that are to encourage intensification to support higher-order transit at some point in the future (828_). Table 9 prescribes that the maximum building heights permitted in Urban Corridors are six storeys with Type 1 bonusing and up to eight storeys with Type 2 bonusing (839_). These prescribed building heights do not include Secondary Plan permissions or site-specific permissions. With regards to development intensity, there is no maximum residential density permission defined for the Urban Corridor Place Type.

The proposed design has regard to the intensity policies associated with the place type (840_). The development will be sensitive to adjacent land uses and employs methods to transition building heights to ensure compatibility with surrounding uses. The commercial component on the main floor fronting Dundas Street is in keeping with the permissions of the UC PT and does not exceed 6,000 m². Finally, the subject site is of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses.

Old East Village Dundas Street Corridor Secondary Plan

Consistent with *the London Plan*, the Secondary Plan doesn't specify a maximum residential density for this planning area. The Secondary Plan establishes a site-specific policy that permits a maximum building height of 16 storeys on lands located at 496 Dundas Street, excluding the mechanical penthouse, subject to the following conditions (3.3.1. i):

- In keeping with the intent of policy 3.3.3 b) of this Secondary Plan, a height transition is provided that contains the massing of all built form on 496 Dundas Street within a 45-degree angular plane taken from a height of 7.0 metres above the property line of the properties adjacent to the north of 496 Dundas Street to provide a sensitive transition to the lands situated within the Area of Special Sensitivity illustrated in Schedule 1; and,
- Built form exceeding 8-storeys in height conforms with the policies contained in 3.3.4 High-Rise Form of this Secondary Plan, excluding policy 3.3.4 g).

The proposed design integrates a 16-storey building height and contains the massing of all built form within the required 45-degree angular plane. The built form direction for high-rise forms (3.3.4) is addressed in section 4.3 of this report, below.

4.3. Issue and Consideration #3 – Form and Design

The proposed development is consistent with the PPS 2020 by providing intensification at an appropriate urban location, taking account of the existing building stock and neighbourhood fit and context. The proposed development supports a compact urban form, as it intensifies the residential and commercial use on the subject site. The proposed development provides a compact, high-rise built form, which will be required to meet current development standards. Some of the design elements of the proposed development include:

- A high-rise tower positioned along the Dundas Street frontage, with building mass stepped back from the three-storey podium;
- Podium element reflects the built form along the corridor and reinforces pedestrian realm;
- Rear portion of the building would also step down from the 16-storey maximum height to 15 and 11 storeys along the northern façade;
- Development includes larger rear yard setback to provide a sensitive transition in height between the proposed tower and low-rise apartment building north of the site;
- Massing of the tower distinguishes a podium, middle and top element
- Massing of the building encompasses a 45-degree angular plane measured from a height of 7.0 metres above the property line of the lands adjacent to the north.

The conceptual site design will be confirmed through a subsequent site plan application process. All types of development or redevelopment will be subject to Site Plan Control (_1674). Without limiting the generality of the policy, if any of the following conditions exist as the result of development or redevelopment, it will be considered a substantial increase in the usability of a building through alteration, and will be subject to site plan control (_1677):

1. Altering a building for a use or purpose that has substantively higher parking requirement than that which applied to the previous use of the building before it was altered.
2. Altering a building for a use or purpose that will lead to substantively higher traffic generation during all or a specific portion of the day or night.
3. Altering a building to house a greater number of residential units.
4. Altering all or a portion of a building for residential use, from a non-residential use, such that the residential use is likely to cause a substantive increase in traffic or likely to impose a greater planning impact.
5. Altering all or a portion of a building for non-residential use or purpose, from a residential use, such that the new use or purpose is likely to cause a substantive increase in traffic or likely to impose a greater planning impact.
6. Altering a building, including demolition or otherwise, such that the existing site layout must be substantively altered to accommodate new or modified

vehicular or pedestrian access points, new or expanded parking areas for automobiles or bicycles, new loading facilities, or increased lighting.

Official Plan, 1989

The 1989 Official Plan sets out extensive urban design principles and preceded *The London Plan*. It should be recognized that the *Old East Village Dundas Street Corridor Secondary Plan* in force with a site-specific policy for the site takes precedence over *The London Plan*, which in turn is in force for this site and takes precedence over the *1989 Official Plan*. The main urban design objectives for the Main Street Commercial Corridor are summarized underneath, more information can be found in Sections 4.4 and 11.1 of the Official Plan.

The objectives of the Main Street Commercial Corridor (MSCC) designation are to “strengthen these areas by encouraging infilling and redevelopment which conforms to the existing form of development and improves the aesthetics of the business area” (4.4.1). Redevelopment or infilling of commercial uses within a MSCC 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). Further, residential uses combined with commercial uses or free-standing residential uses will be encouraged in the MSCC 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.

Section 4.4.1.2 provides the following urban design objectives for the Main Street Commercial Corridor Designation:

- 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.

The proposed application addresses urban design elements of the project, and aligns with the intent of the urban design objectives for the MSCC designation:

- The proposed development builds on the ongoing efforts to revitalize the Midtown sections of the Dundas Street corridor, which was identified for renewal through the Old East Village Dundas Street Corridor Secondary Plan.
- The proposed development would help to enhance the pedestrian nature and street edge along Dundas Street by providing a street-oriented building with accessible and walkable connections to the sidewalks;
- Appropriate lighting would be provided to enhance safety and the pedestrian environment along the building frontage;
- The proposed development would help to create a strong identity and sense of place by providing a structure with high design standards in a Central London location proximate to downtown.

The proposal has regard for the Urban Design policies as set out in the *1989 Official Plan* and provides has been design components that help the project to effectively integrate with the Dundas Street corridor and Central London.

The London Plan

The London Plan includes building and site design considerations, including for Rapid Transit and Urban Corridor Place Types. The City Design policies of the Plan apply city-wide, and additional urban design considerations are evaluated for residential intensification in the Urban Corridor Place Type. Policies 189 to 306 of *the London Plan* define the City Design policies that are intended to guide the character and form of development. The proposed development and conceptual site plan are in conformity with City Design policies of *the London Plan*, including but not limited to:

- A built form designed to have a sense of place and character consistent with the planned vision of the Place Type, by using things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage (197_);
- All planning and development proposals within existing and new neighbourhoods will be required to articulate the neighbourhood's character and demonstrate how the proposal has been designed to fit within that context (199_).
- The site layout of new development should be designed to respond to its context and the existing and planned character of the surrounding area (252_).
- Site layout should be designed to minimize and mitigate impacts on adjacent properties (253_).
- Site layout will promote connectivity and safe movement between, and within, sites for pedestrians, cyclists, and motorists (255_).
- Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings (256_).
- Loading, garbage and other service areas will be located where they will not detract from pedestrian connections and where they will not have a negative visual impact from the street (266_).
- Buildings should be sited to minimize the visual exposure of parking areas to the street (269_).
- High and mid-rise buildings should be designed to express three defined components: a base, middle, and top. Alternative design solutions that address the following intentions may be permitted (289_).
 1. The base should establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, forecourts, patios, awnings, lighting, and the use of materials that reinforce a human scale.
 2. The middle should be visually cohesive with, but distinct from, the base and top.
 3. The top should provide a finishing treatment, such as a roof or a cornice treatment, and will serve to hide and integrate mechanical penthouses.
- High-rise buildings should incorporate a podium at the building base, to reduce the apparent height and mass of tall buildings on the pedestrian environment, allow sunlight to penetrate into the right-of-way, and reduce the wind tunnel effect (292_).
- High-rise buildings should be designed with slender towers that reduce shadow impact, minimize the obstruction of views, and are less massive to neighbouring properties. A typical floor plate of approximately 1,000 m² is a reasonable target to achieve this goal (293_).
- An appropriate transition of building height, scale and massing should be provided between developments or significantly different intensities. This may be an important consideration at the interface of two different place types (298_).

The design elements of the proposed development are in keeping with the design direction provided in *the London Plan*. The building promotes a sense of place, reinforces the prevailing street wall, integrates effectively within the local development context, provides a transition in height and massing, and minimizes potential impacts on adjacent properties.

Old East Village Dundas Street Corridor Secondary Plan

The Secondary Plan recognizes the area's rich and complex built environment with various building forms and types that contribute to a unique sense of place (3.3). The Plan provides guidelines to coordinate and guide future development while celebrating the continued diversity in the urban fabric.

The site has a site-specific policy that permits a maximum building height of 16-storeys (excluding the mechanical penthouse), subject to the following conditions:

- In keeping with the intent of policy 3.3.3 b) of the Secondary Plan, a height transition is provided that contains the massing of all built form on 496 Dundas Street within a 45-degree angular plane taken from a height of 7.0 metres above the property line of the properties adjacent to the north to provide a sensitive transition to the lands situated within the Area of Special Sensitivity identified in Schedule 1 of the Secondary Plan; and,
- Built form exceeding 8-storeys in height conforms with the policies contained in 3.3.4 High-Rise Form of this Secondary Plan, excluding policy 3.3.4.

Section 3.3.4 includes the following direction for high-rise built forms:

- a) "The podium of a high-rise building shall be designed to support a pedestrian-scaled environment at street level."

The three-storey podium of the building is intended to create an active, pedestrian-oriented frontage along the Dundas Street corridor. This element would include a retail use, amenity space, lobby, bike storage, residential uses, and access from the street at grade. Additional uses would be provided in the second & third storeys of the podium.

- b) "High-rise buildings shall stepback a minimum of five metres at the second, third or fourth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear, support or enhance the existing street character at street level, and limit the visual impact of the building at street level."

The tower design incorporates a five-meter stepback from the podium above the third storey.

- c) "High-rise buildings should be designed with slender towers that reduce shadow impact, minimize the obstruction of views, and are less massive to neighbouring properties. Point towers with floor plates of approximately 1,000 square metres or less is a reasonable target to achieve this goal."

The high-rise tower has a slender tower design above the podium having a typical floor plate of approximately 1,000 m².

- d) "Towers shall not have any blank façades."

The proposed design incorporates a contemporary faced style integrating extensive glazing with high quality materials. The tower does not integrate blank facades.

- e) "The top portions of the tower shall be articulated through the use of a small setback, difference in articulation, or the use of an architectural feature. The mechanical penthouse shall be integrated into the design of the tower."

The top portions of the tower are articulated through the use of small setback elements and step downs. The design steps down the building height from 16 storeys adjacent to Dundas Street to 15 and 11 storeys along the northern façade. The penthouse is incorporated into the design of the tower and recessed above the 15th storey.

Because the proposed design includes the provided 45-degree angular plane and complies with the high-rise form (3.3.4) policies of the Secondary Plan, the site-specific permissions permitting a maximum building height of 16-storeys apply to the site.

4.4. Issue and Consideration #4 – Heritage

PPS

The PPS 2020 requires that significant built heritage resources and significant cultural heritage landscapes shall be conserved (2.6.1). Further, the PPS directs: “*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*” (2.6.3).

The **Ontario Heritage Act** is the guiding legislation for the conservation of significant cultural heritage resources in Ontario. The submitted Heritage Impact Assessment (HIA) has been guided by the criteria and complies with *Regulation 9/06* of the *Ontario Heritage Act*.

Official Plan, 1989

Section 13 of the 1989 *Official Plan* addresses the designation of built heritage in London. The Official Plan sets out criteria for designating heritage buildings, and permits no alteration, removal, or demolition to be undertaken which would adversely affect the reason for designation except in accordance with the *Ontario Heritage Act*. The property is not located in a heritage conservation district or on a ‘historic main street as identified in Figure 15 of the 1989 *Official Plan* but is in close proximity to the *West & East Woodfield Heritage Conservation District* located to the north.

The London Plan

The London Plan requires that a Heritage Impact Assessment be completed when development is proposed adjacent to cultural heritage resources to assess potential impacts, explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes (565_). *The London Plan* defines ‘adjacent’ as: “*Adjacent when considering potential impact on cultural heritage resources means sites that are contiguous; sites that are directly opposite a cultural heritage resource separated by a laneway, easement, right-of-way, or street; or sites upon which a proposed development or site alteration has the potential to impact identified visual character, streetscapes or public views as defined within a statement explaining the cultural heritage value or interest of a cultural heritage resource*”. Finally, Policy 152 of *the London Plan* supports the importance of urban regeneration in the City including the conservation, restoration, and appropriate use of cultural heritage resources while ‘facilitating intensification within our urban neighbourhoods, where it is deemed to be appropriate and in a form that fits well within the existing neighbourhood’.

Old East Village Street Corridor Secondary Plan

The Old East Village Street Corridor Secondary Plan applies to the area bounded by Dundas Street between Colborne Street and Burbook Place, and King Street between Colborne and Ontario Street. One of the guiding principles of the Secondary Plan is to “*Respect and reinvent in heritage resources to enhance the unique character of the area*”. The subject property is adjacent to four listed properties and one designed property on the Municipal Heritage Register: 434 Maitland Street, 438 Maitland Street, 520-526 Dundas Street, 507 Queens Avenue and 482-484 Dundas Street (Designated Part IV in 1985). The subject site is not identified by the City of London as part of a cultural heritage landscape as per Map 9 (Heritage Conservation Districts and Cultural Heritage Landscapes) of *the London Plan*. The subject property is not listed or designated on the Municipal Heritage Register.

The properties located at 438 Maitland Street and 507 Queens Avenue are located within the ‘*Area of Special Sensitivity*’ as set out in the *Old East Village Dundas Street Corridor Secondary Plan* area boundary. The properties located at 482-484 Dundas Street and 520-526 Dundas Street are located within the boundary in the character area identified as ‘*Dundas Street-Midtown*’. The Secondary Plan discusses the integration of new development within the existing neighbourhood: “*New development is envisioned,*

especially on the south side of the corridor, in a form that is well integrated into the existing context and is respectful of the cultural heritage resources in the area”.

Because the proposed development is located adjacent to four listed and one designated cultural heritage resource, the Secondary Plan states that the City will: *“Require a Heritage Impact Assessment (HIA) to ensure that significant cultural heritage resources are conserved. Any assessment must include consideration of its historical and natural context within the City of London, and should include a comprehensive evaluation of the design, historical, and contextual values of the property.*

As part of the complete application, a Stage 1 Archaeological Background Study and Heritage Impact Assessment (HIA) were submitted. The Stage 1 inspection of 496 Dundas determined that the entire study area has been subjected to extensive and deep land alterations that have severely damaged the integrity of any archaeological resources, including but not limited to, the construction of a modern commercial building and installation of a parking lot with subterranean catchment basin network. As such, the property does not retain archaeological potential and no further archaeological assessment of the property is recommended.

In addition, a Heritage Impact Assessment (HIA) was conducted to assess the impact of the proposed construction of a 16-storey apartment building located at 496 Dundas Street. The HIA indicated that the proposed development does not result in destruction or alteration of any heritage attributes of the adjacent listed properties. The proposed development will also not result in shadows that negatively impact heritage attributes. The relationship of the adjacent buildings to the street will not change, and there will be no change in land use.

There is a potential for land disturbance with the rear ancillary building now associated with 507 Queens Avenue and with 482-484 Dundas Street (Dundas Street Centre United Church). The coach house located at 507 Queens Avenue is constructed of brick with a rubble stone foundation. The building does not include a basement which significantly reduces impacts of land disturbances as a result of the construction of the underground parking, however, there is a potential impact of land disturbances. The original north-east wing of the Dundas Street Centre United Church is 10 metres from the construction of the underground garage and is adjacent to an entry point that will likely be used for traffic during construction. Thus, the HIA concludes that there is a potential impact of land disturbances.

The Old East Village Street Corridor Secondary Plan states that within the Midtown character area: *“the placement of buildings will respond to the immediately adjacent built form context”* (Section 3.3.2 b). The proposed front yard setback for the first three floors of development is 0.8 meter, consistent with the existing buildings along Dundas Street to the east (520-526 Dundas Street). Further, the proposed design of the building includes a stepback along the southern portion on the west elevation, front façade and along the south portion of the east elevation after the first three levels. There is an additional stepback on the southern side of the building at the 15th level to 16th level which is 6.3 metres. The stepbacks reduce the amount of massing to the rear of the property as it transitions to the “sensitive area” on the north half of the block which acts as a buffer for the HCDs to the north.

The first three levels are proposed to be primarily constructed of brick that is a similar hue of the adjacent church, and this brick will also be incorporated in the higher levels of the building. Glazing used in the upper levels reduces the perspective of mass and scale of the building. The architectural design details of Dundas Street Centre United Church inspire architectural elements of the proposed development inspire, such as the vertical strip of windows openings along the front elevation, mimics the narrow niches that are exemplified on the exterior of the church. The alternation of material and associated natural hues, reduces perspective of mass and scale to promote its integration with the surrounding area and in particular, its integration with the context of the adjacent cultural heritage resource. The combination of sympathetic material and

architectural articulation (step backs) allows for a rhythmic streetscape and sense of consistency with the surrounding context.

Section 3.7 of the Old East Village Street Corridor Secondary Plan outlines potential mitigation approaches for consideration and application for minimizing impacts from proposed developments on or adjacent to listed, designated, and potential cultural heritage resources within the Secondary Plan area:

- a) Avoidance and mitigation to allow development to proceed while retaining the cultural heritage resources in situ and intact;
- b) Adaptive re-use of built heritage structures or cultural heritage resources, including the integration of cultural heritage resources into new developments;
- c) Transitions of height, form, and mass compatible with nearby heritage designated and heritage listed properties, and properties with potential cultural heritage resources;
- d) Commemoration of the cultural heritage of a property/structure/area through historical commemoration means such as plaques or cultural heritage interpretive signs; and,
- e) Urban design policies and guidelines for building on, adjacent, and nearby to heritage designated and heritage listed properties, and properties with potential cultural heritage resources to ensure compatibility by integrating and harmonizing mass, setback, setting, and materials.

As discussed, the HIA report concluded that there is a potential impact of land disturbances to the coach house associated with 507 Queen Avenue and the original north-east wing of the Dundas Street Centre United Church. The HIA recommends the following measures to mitigate potential impacts of land disturbances in accordance with section 3.7 of the Old East Village Street Corridor Secondary Plan:

- A *Temporary Protection Plan* (TPP) that would include:
 - A Vibration Monitoring Plan for both the Coach House of 507 Queen Avenue and the adjacent Dundas Street Centre United Church at 482-484 Dundas Street and any other building or structure identified by the engineer in the findings of the assessment and Plan; and,
 - Certification by an engineer of the footings and foundation of the new building will be constructed in a way that will avoid damage to the coach house at 507 Queens Avenue.

The HIA report also recommends that a landscaped buffer be developed along the rear of the property to provide a buffer between the new construction and existing mature neighbourhood. This buffer can also allow for a more aesthetically pleasing background view at ground level. Lighting and signage used for the proposed development should be sympathetic to adjacent heritage properties. Signage should not obstruct views of the Dundas Street Centre United Church.

Overall, the HIA concludes that adverse impacts of the proposed development on adjacent heritage properties are limited to: *“potential impact of land disturbances for the coach house associated with 507 Queen Avenue and the north-east wing of the Dundas Street Centre United Church as it relates to the construction of the underground parking garage and anticipated construction traffic along the western side of the subject property”*. The mitigation measures including the Temporary Protection Plan will ensure any potential impacts are sufficiently minimized.



Figure 8: Heritage map demonstrating listed and designated heritage properties and districts, boundary of the Dundas-Midtown Area and Area of Special Sensitivity.

The London Advisory Committee on Heritage resolved on its meeting held on June 9, 2021, that they are satisfied with the research, assessment, and conclusion of the Heritage Impact Assessment (HIA) for the property located at 496 Dundas Street. The London Advisory Committee on Heritage supports the mitigation and conservation recommendations within the HIA.

4.5. Issue and Consideration #5 – Parking

The site is in an Urban Corridor, accessible by public sidewalks and close to established neighbourhoods, service/retail and public institutions. The site is currently serviced by London Transit Commission (LTC) bus services; Route #2 and Route #20. The nearest stop for both routes is located on the north side of Dundas Street, directly east of Maitland Street (40 metres from the subject site). As explored in section 4.1 of this report, rapid transit service is anticipated to run along King Street from the downtown to Ontario Street, then proceed along Dundas Street eastwards. The Eastern London Link will revitalize more than 6 km of road, install transit stations, and also improve active transportation infrastructure supporting cycling and walking.

In addition, the area is anticipating cycling infrastructure improvements on Dundas Street. The subject site will be served with eastbound and westbound cycling lanes on Dundas Street, providing convenient and safe active transportation connections with Downtown and Old East Village.

The proposed development consists of a 16-storey apartment building with 170 units and approximately 133 m² (1,430 square feet) commercial use. A total of 153 parking spaces will be provided on-site including 136 underground parking spaces and 17 surface spaces, to accommodate 150 residential parking spaces and three (3) commercial parking spaces. Under the City's Zoning By-Law (ZBL), the development will require a total 173 parking spaces at 1.0 spaces per unit for the residential component (170 spaces) and one space per 45 square meters for the commercial component (3 spaces). Figure 9 summarizes the parking requirements for the proposed land uses in the subject development based on the City's ZBL.

Zoning By-law Parking Requirements

Land Use	Number of Units	ZBL Parking Rate	Parking Requirement
Apartment	170	1.0	170
Non-residential (m ²)	132.85 (m ²)	1 per 45 m ²	3
Total			173

Figure 9: Zoning By-law requirements for 496 Dundas Street.

The applicant has requested a parking reduction from 173 on-site parking spaces to 153 on-site parking spaces. This is a reduction from the 173 spaces that would be required for the requested uses under the current Zoning By-law parking standards. The applicant provided a parking study completed by Paradigm Transportation Solutions to support this request.

Paradigm Transportation Solutions notes that the subject site is located less than 200 metres from the City's Rapid Transit Corridor and approximately 300 meters from the Downtown area boundary." *This will create opportunities for reducing auto-mode usage and reducing parking demand in the subject development, similar to developments in downtown areas.*" The Parking Study sets out that commercial and residential land uses are complementary, providing an opportunity to implement shared parking on the surface level parking spaces. The peak demand for the subject development occurs (late) at night when the residential parking demand is at its maximum and the commercial parking demand is at zero. The surface parking spaces can accommodate the commercial parking demand during the daytime and resident/ visitor parking needs in the evening and overnight. The report concludes that the proposed development is located in an area conducive to alternative transportation modes such as walking, cycling and transit; reducing the need for single occupancy vehicles

Policies in the *PPS, 1989 Official Plan, and the London Plan* support Traffic Demand Management (TDM) to reduce vehicle use, and support transit-oriented development and active transportation. The PPS provides direction to achieve cost-effective development patterns through intensification and redevelopment within settlement areas, transit-supportive development and use of existing municipal services (1.1.1, 1.1.3.2). The development promotes appropriate densities for new housing and supports the use of active transportation and transit (1.4.3. d).

The proposed development is consistent with the Transportation Objectives as set out in Section 18.1 of the *1989 Official Plan*. The development provides an opportunity to minimize reliance on the automobile and is supportive of promoting public transit use and alternative modes of transportation (18.1).

One of the Key Directions in *the London Plan* is to "*Become one of the greenest cities in Canada*" (58_). Policies 1, 5 and 6 of this Key Direction specifically pertain to this application. The redevelopment will support the use of existing (LTC) and anticipated transit-networks (BRT) which reduces the reliance on cars and ultimately our carbon footprint. The development proposal supports and promotes active forms of mobility as the site will be well connected to existing sidewalks and future cycling lanes. Key Direction #6 in *the London Plan* is to: "*Place a new emphasis on creating attractive mobility choices*". The proposal complies with the direction to focus intense, mixed-use development to centres that will be supported and served by rapid transit integrated with walking and cycling (60_). The mix of uses on the site will attract activity throughout the entire day (beyond standard working hours), supporting active transportation and public transit use.

The City Design policies of the *London Plan* provide that the Zoning By-law will establish automobile parking standards, ensuring that excessive amounts of parking are not required. *The London Plan* further states: "*Requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction*" (271_). The subject-site is currently well-served by public transit. Consistent with the form policies (841_) of *the London Plan*, the on-site parking is located at the rear of the site and underground parking is provided.

Finally, the Old East Village Street Corridor Secondary Plan prescribes that parking shall not be located between the building and public right-of-way, and provides for landscape treatment along the edge of parking lots to mitigate water runoff, heat-island effect and enhance the user experience. The proposed development complies with the

Secondary Plan direction to minimize parking access to reduce pedestrian conflict, as it reduces the existing two accesses to one access-point to Dundas Street.

Staff is supportive of the requested reduction in on-site parking. The subject site is well-connected with active transportation infrastructure and public transit, and the anticipated rapid transit system and active transportation improvements on Dundas Street will contribute to reducing the demand for on-site parking. Based on these considerations, it's reasonable to conclude that the requested reduction of on-site parking spaces from 173 to 153 spaces would be sufficient to meet the parking requirements. The parking-reduction is supported by the location, existing and future infrastructure, policies and direction provided in the *PPS*, 1989 *Official Plan*, *The London Plan* and *OEV-Dundas Corridor Secondary Plan*.

Conclusion

It is recommended that City Council approve the requested amendments to Zoning By-law Z.-1 to change the zoning from Business District Commercial/Office Residential (OR*D250*H46/BDC) to a site-specific Business District Commercial Special Provision (BDC(_)*D350*H57) Zone. The recommended amendments are consistent with the *Provincial Policy Statement, 2020*, and conform with the City of London 1989 *Official Plan*, *The London Plan* and *Old East Village Dundas Street Corridor Secondary Plan*. The proposal facilitates the redevelopment of a vacant site and provides a mix of land uses to support (residential) intensification, regeneration and compact and efficient forms of growth.

The recommended amendment to permit a site-specific maximum building height of 57 metres is in keeping with the site-specific permitted heights in the *Old East Village Dundas Street Corridor Secondary Plan*, subject to the angular plane and built form conditions. The amendment is also consistent with *the London Plan* direction and Council's Climate Change Emergency declaration, as the proposed development is in an area conducive to alternative transportation, uses existing municipal services and infrastructure and assists with reducing emissions by reducing on-site parking.

The building and site design will be confirmed through a subsequent public site plan application, including public participation opportunity. The recommended amendment to permit a maximum residential density of 530 units/ha conforms with the intensity policies associated with the Urban Corridor Place Type and Main Street policies of *the London Plan*. The subject site is situated in a location where intensification can be accommodated, and the proposed development is an appropriate land use, intensity and form in keeping with the surrounding context.

Prepared by: Isaac de Ceuster,
Planner I, Long Range Planning & Research
Reviewed by: Justin Adema, MCIP, RPP
Manager, Long Range Planning & Research
Recommended by: Gregg Barrett, AICP
Director, Planning & Development
Submitted by: George Kotsifas, P. Eng.
Deputy City Manager, Planning and Economic
Development

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 10, 2021

Y:\Shared\Planning APPLICATIONS\Applications\2021\9347Z-496 Dundas Street (IDC)

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 496 Dundas Street.

WHEREAS Amiraco Properties Inc. has applied to rezone an area of land located at 496 Dundas Street, as shown on the map attached to this by-law, as set out below.

AND WHEREAS this rezoning conforms with 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 496 Dundas Street, from an Office Residential/Business District Commercial (OR*D250*H46/BDC) Zone to a Business District Commercial Special Provision (BDC(_)*D530*H57) Zone.
- 2) Section Number 25.4 of the Business District Commercial (BDC) Zone is amended by adding the following special provisions:

)	BDC()	496 Dundas Street	
	a)	Regulations	
		i) Building height (Maximum)	16 storeys or 57 meters (187ft)
		ii) Density (Maximum)	530 units per hectare (214.5 units per acre)
		iii) Off-street parking (Minimum)	153 spaces (ratio of 0.9 parking spaces per unit)
		iv) Interior side yard depth (Minimum)	0.0 meters (0 ft)

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

PASSED in Open Council on September 14, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 14, 2021
Second Reading – September 14, 2021
Third Reading – September 14, 2021

Appendix B – Public Engagement

Community Engagement

Prescribed Agency and City Department liaison: On May 19, 2021, Notice of Application was sent to prescribed agencies and City departments.

Public liaison: On May 19, 2021, Notice of Application was sent to 64 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 20, 2021. A “Planning Application” sign was also posted on the site.

Two replies were received.

Nature of Liaison: The purpose and effect of the proposed Zoning By-law Amendment is to permit a sixteen-storey (16-storey), mixed use high-rise tower accommodating 170 residential units and a limited amount of commercial space on the main floor. Possible amendments to Zoning By-law Z.-1 **FROM** a Office Residential/Business District Commercial (OR*D250*H46*BDC) **TO** a Business District Commercial Special Provision (BDC(_)*D530*H57) Zone. Site-specific regulations requested through the Zoning-By-law Amendment include a maximum building height of 57 meters, permitting a density of 530 units per hectare (170 total units), reduction of off-street parking requirements to 153 spaces and a reduction of the interior side yard setback to 0.0 metres.

Responses:

A public comment was received with concerns regarding the use of street parking and an increased risk of accidents due to higher density of people and cars.

Another public comment was received with questions regarding shading, type of business on ground the ground floor, level of affordability, barrier, construction-time and parking.

Another public comment expressed support for the change in zoning to allow for a mixed-use, high-rise tower as the resident indicated a desperate need for more (dense) housing options in the core due to rising house- & rental-prices and an increasing population.

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

From: Stephanie Woo Dearden
Sent: Saturday, May 22, 2021 10:20 AM
To: de Ceuster, Isaac
Subject: Comments on File Z-9347

Hello,

I'm a resident of Woodfield and wanted to comment with my support for changing the zoning for 496 Dundas St to allow for a mixed-use, high-rise tower. This city desperately needs to allow more dense housing in the core and this zoning change will help. As housing and rental prices skyrocket and London's population booms, Londoners need more housing options.

Take care,
Stephanie

From: Cheryl Watson
Sent: Saturday, June 17, 2021 1:03 PM
To: de Ceuster, Isaac

Subject: Comments on File Z-9347

Dear Mr de Ceuster,

I am writing in regard to the Notice of Planning Amendment for 496 Dundas St. This property is adjacent to our property at 438 Maitland St., on the north east corner. I have a few questions regarding this plan.

1. Will a building this tall shade the backyards of the properties on Maitland St between Dundas St and Queens Avenue?
2. What type of businesses will occupy the main floor of the building?
3. Will this be a low rental property?
4. Will there be a barrier built by Amiraco between the properties to prevent noise, gas fumes, and protect privacy?
5. How long will the build take?

Will this affect the small amount of parking allowed on Maitland Street.

Looking forward to your response, thank you

Cheryl Watson

From: Valerian Marochko, Cross Cultural Learner Centre
Sent: Saturday, June 29, 2021 8:59 AM
To: de Ceuster, Isaac
Subject: File Z-9347

Good morning Isaac,

The London Cross Cultural Lerner Centre (CCLC) is situated about 30 m South-East from 496 Dundas St. We have parking concerns for the clients who come to CCLC and use street parking, which will become less available because of not enough off-street parking in the proposed zoning amendment. It is a busy area with the H.B. Beal Secondary School students and parents driving them, and the 528 Dundas St. clinic clients. Higher density of people and cars will increase the risk of accidents for the refugees and immigrant accessing the services at CCLC, particularly newly arrived families who are still learning how to keep their children safe in high-traffic areas.

Thank you,
Valerian Marochko

Agency/Departmental Comments

Architectural Conservancy Ontario - London Region – May 21, 2021

Hi Isaac:

ACO London received the Planning Justification Report for the above noted ZBA application at 496 Dundas Street.

Could you please forward a copy of the Notice of Application together with the Heritage Impact Assessment referenced in the Justification Report?

Thanks!

CN Rail – May 21, 2021

Thank you for circulating CN the proposed project mentioned in subject. This is to confirm that we have reviewed the information and site location. CN Rail does not have any comments concerning this application.

Enbridge – May 25, 2021

Thank you for your correspondence with regard to the proposed Site Plan Application. Enbridge Gas Inc, operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed Site Plan.

Should the proposed site plan impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required would be at the cost of the property owner.

If there is any work (i.e. underground infrastructure rebuild or grading changes...) at our easement and on/near any of our existing facilities, please contact us as early as possible (1 month in advance at least) so we can exercise engineering assessment of your work. The purpose is to ensure the integrity of our main is maintained and protected.

Confirmation of the location of our natural gas pipeline should be made through Ontario One Call 1-800-400-2255 for locates prior to any activity.

We trust the foregoing is satisfactory.

Development Services

Urban Design (pre-consultation) – August 4, 2020.

- Overall the proposed conceptual plan is generally in keeping with urban design related policies of the Old East Village Dundas Corridor Secondary Plan. The following are some refinements to the design to ensure conformity with the secondary plan:
 - Ensure the tower floor plate (above the eighth storey) creates a slender tower, the tower portion of the current proposal creates a slab like building. (3.3.4 c);
 - Provide for a minimum setback of 5m above the third storey. (3.3.4 b);
 - Extend the low-rise portion of the building (up to the third storey) east along the Dundas Street frontage in order to provide for a built and active edge;
 - Include landscape islands within the surface parking area to reduce the heat island effect and implement the Parking Lot Design Standards of the Site Plan Control By-Law.
- The applicant should provide for a zoning framework that will ensure that future development of the site is developed in a manner that generally implements the concept, with the proposed changes in the comments above. In order to achieve this, include zoning provisions that;
 - Limit the height (m or storeys);
 - Limit the tower portion floor plates to a max. Square footage, this would apply to anything above the eight storey;
 - Implements the angular plane from the north property line;
 - Provide appropriate interior side yard for the low, mid, and high-rise portions of the building;
 - Limit the amount of surface parking and its location;
 - Prohibit front side yard parking between the building and the street;
 - Include a min. and max setback for the front yard;
 - Include a min. step-back of 5m from the front face of the podium (for all floors above the 3rd storey);

- Through the submission materials at the Zoning By-Law Application and subsequent Site Plan process the proposed building design should incorporate the following:
 - The tower should have a distinctive base, middle & top (3.3.2 h);
 - Provide for human-scaled elements on podium at street level including windows with transparent glass, awnings, lighting, materials, etc. (3.3.2 h), (3.3.4 a);
 - The façade at grade along Dundas Street should be designed to support the existing character along Dundas Street and should address and frame the public street (3.3.2 j), (3.3.2 k);
 - Ensure the tower portion of the building shall have no blank facades (3.3.2 i), (3.3.4 d);
 - Top portion of the tower shall be articulated through use of setback, difference in articulation or an architectural feature & mechanical penthouse shall be integrated into the design of the tower (3.3.2 h), (3.3.4 e).
- This application is to be reviewed by the Urban Design Peer Review Panel (UDPRP), and as such, an Urban Design Brief will be required. UDPRP meetings take place on the third Wednesday of every month, once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the assigned planner as well as the applicant's agent will be notified. If you have any questions relating to the UDPRP or the Urban Design Briefs please contact Wyatt Rotteau at 519.661.2500 x7545 or by email at wrotteau@london.ca.
- Along with the standard requirements of the Urban Design Brief (as outlined in the Terms of Reference), please ensure the following visuals are included to facilitate a comprehensive review by the UDPRP.
 1. A Spatial Analysis of the surrounding neighbourhood;
 2. Site Plan;
 3. Landscape Plan with a detailed streetscape plan;
 4. Massing Model of proposed within the existing context;
 5. Conceptual building elevation and/or precedent images;
 6. Section drawings to include: East- west and north-south showing how the proposed building interfaces with the adjacent street and existing neighbouring properties and buildings;
 7. Layout of the ground floor with proposed internal uses;
 8. Plan view of the extents of the towers, mid-rise portions and all proposed step backs, including with measurements;
 9. Shadow Study.

Heritage (pre-consultation) – August 4, 2020

- Archaeological potential at the subject property is identified on the City's 2018 Archaeological Mapping, and soil disturbance is reasonably anticipated due to new development on the property. This property was identified in the Stage 1 Archaeological Resource Assessment of the Old East Village-Dundas Street Corridor Secondary Plan as area of archaeological potential, requiring a Stage 2 Archaeological Assessment.
- The subject property is adjacent to 482-484 Dundas St, which is individually designated under Part IV of the OHA, and (4) other properties that are LISTED on the City's Register: 520-526 Dundas St; 434 Maitland St; 438 Maitland St; and, 507 Queens Ave.
- From a heritage perspective, this can be a complicated site for development. The subject property is a deep lot which extends from the commercial character of Dundas St to the small scale residential area along Queens Avenue. It surrounded nearly on all sides by properties currently having, or potentially having, cultural heritage value. Some heritage design considerations will involve the mitigation of potential impacts on multiple heritage properties surrounding the subject property, and ensuring a good fit of the new development within its heritage context by

considering the surrounding character of the area, compatible massing of form and setbacks and application of materials and color palette. The subject property is governed by the policies (specifically cultural heritage policies) in the Old East Village Dundas Street Corridor Secondary Plan (March 2020).

- A Heritage Impact Assessment (HIA) is required as part of a complete application:
 - This assessment should respond to information requirements in the Ministry's InfoSheet #5.
 - Heritage Impact Assessments should be prepared by heritage planner, heritage consultant and or a member of the Canadian Association of Heritage Professionals (CAHP).
 - Resumes of those involved in the preparation of the HIA should be included in the appendix.
- Archaeological Assessment Stage 2 of the entire property is required as part of a complete application:
 - The proponent shall retain a consultant archaeologist, licensed by the Ministry of Heritage, Sport, Tourism and Culture Industries under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 2 archaeological assessment on the entire property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4).
 - The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists, Ministry of Tourism, Culture and Sport.
- If an archaeological assessment has already been completed and received a compliance letter from the Ministry, the compliance letter along with the assessment report may be submitted for review to ensure they meet municipal requirements.
- All archaeological assessment reports will to be submitted to the City of London once the Ministry of Heritage, Sport, Tourism and Culture Industries has accepted them into the Public Registry; both a hard copy and PDF format of archaeological reports should be submitted to Development Services.
- No soil disturbance arising from demolition, construction, or any other activity shall take place on the properties prior to Development Services receiving the Ministry of Heritage, Sport, Tourism and Culture Industries compliance letter indicating that all archaeological licensing and technical review requirements have been satisfied.
- It is an offence under Section 48 and 69 of the Ontario Heritage Act for any party other than a consultant archaeologist to make alterations to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from an archaeological site.
- Should previously undocumented (i.e. unknown or deeply buried) archaeological resources be discovered, they may be a new archaeological site and therefore be subject to Section 48(1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the Ontario Heritage Act. Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48(1) of the Ontario Heritage Act and may not be altered, or have artifacts removed from them, except by a person holding an archaeological license.
- If human remains/or a grave site is discovered, the proponent or person discovering the human remains and/or grave site must cease alteration of the site immediately. The Funerals, Burials and Cremation Services Act requires that any person discovering human remains must immediately notify the police or coroner and the Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, Ontario Ministry of Government and Consumer Services.

Site Plan (pre-consultation) – August 4, 2020

- Ensure there is sufficient spacing at the rear and sides (3.0m) of the site to provide for perimeter tree planting.

Landscape Architecture (pre-consultation) – August 4, 2020

- A setback will be required along the west side of property. There are some large canopy trees on adjacent properties to the west 482 Dundas and 436 Maitland.
- Consider shifting the building footprint further east.

Parks Planning and Design (pre-consultation) – August 4, 2020

- Parkland dedication will be required as cash-in-lieu at Site Plan.

Transportation (pre-consultation) – August 4, 2020

- Right of way widening dedication of 10.75m from centre line required along Dundas Street.
- Detailed comments regarding access location and design will be made through the site plan process.
- Dundas Street projects will be undergoing construction from 2020-2021 additional information can be found at <https://www.london.ca/residents/RoadsTransportation/TransitProjects/Pages/Dundas-Street-OEV.aspx> & <http://www.london.ca/residents/Roads-Transportation/infrastructure-roadprojects/Pages/Dundas-Cycle-Track-3.asp>

Sewers Engineering (pre-consultation) – August 4, 2020

- The municipal sanitary sewer available is a 250mm diameter sanitary sewer on Dundas Street. As per Sanitary Drainage Area & Design Sheet, the density and population being proposed exceeds the allocated for the subject land. As part of complete application, the owner's engineer to submit their capacity report include the maximum population and flow being generated by the subject development. In addition the Owner's engineer to include the areas tributary to the same outlet and ensure available capacity as per Owner's request and confirmation letter to certify there are no negative impacts. A holding provision may be required.

Water (pre-consultation) – August 4, 2020

1. As per as-constructed drawing 27148, the site is tributary to the existing 1350 mm storm sewer on Dundas Street.
2. The Developer shall be required to provide a Storm/Drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms.
3. As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4); therefore, the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
 - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
 - the design must account for the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and,
 - shall comply with riparian right (common) law. The consultant shall update the servicing report and drawings to provide calculations, recommendations and details to address these requirements. 4.
4. Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. Please note that the installation of monitoring wells may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.

5. The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
6. 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 up to and including 100-year storm events.
7. The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.
8. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
9. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
10. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
11. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.
12. Additional SWM related comments will be provided upon future review of this site.

Urban Design Peer Review Panel – July 21, 2021

The Panel commends the Applicant for a well-considered design outcome that includes an appropriate amount of articulation, a contextually appropriate material palette and thoughtful/contemporary architectural detailing.

- The Panel commended the Applicant for extending the podium form to the west site boundary to provide for a more continuous built edge along Dundas Street.
- The Panel questioned the intent for loading and waste storage and collection. It was clarified that waste collection/loading may be integrated into the west portion of the building at-grade. In this regard it was recommended that the proponent employ architectural elements and landscape design to screen site servicing from view of balcony spaces on upper-level units. Such screening would also help mitigate noise and air quality issues.
- The Panel generally appreciates the scale of the proposed podium and the proposed 5- metre tower step-back.
- The Panel encouraged the applicant to consider further reduction of the tower floorplate to align with the applicable policies of the Old East Village – Dundas Street Secondary Plan (i.e., 1,000m²).
- The Panel questioned the suitability of the proposed east side yard setback and encouraged the proponent to explore further modifications to the tower placement/massing to meet the tower separation policies of the OEV-Dundas Street Secondary Plan.
- To further break down the massing of the proposed tower, the Panel recommends exploring variation in the height of the vertical columns on the tower facades.
- The Applicant is encouraged to explore further modifications to the architectural design of the podium with the goal of better relating to the style and proportions of the adjacent heritage church/addition.

- It was mentioned that the applicant's landscape plan should be revised to accurately depict the nature of the building's Dundas Street frontage. Building columns and covered areas adjacent to proposed planting should be shown on the plan.
- The Panel recommends consideration be given to providing a wider, dedicated landscape strip along the Dundas Street frontage to soften the transition between building and streetscape while enhancing the pedestrian realm.
- Provisions for additional greenspace on site should be investigated both at ground level and via green roofs or terrace planting on the 3rd, 11th, 15th and/or 16th floor outdoor areas. The landscape plans should be updated to reflect any proposed landscape alterations to these areas while labelling outdoor amenity spaces.

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 will make a positive contribution to the Dundas Street corridor and downtown skyline.

Appendix C – Policy Context

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

Provincial Policy Statement, 2020

- 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
 - 1.1.1 a, b, e; 1.1.2
 - 1.1.3 Settlement Areas
 - 1.1.3.1, 1.1.3.2, 1.1.3.4
- 1.4 Housing
 - 1.4.3
- 1.5 Public Spaces, Recreation, Parks, Trails and Open Space
 - 1.5.1
- 1.6 Infrastructure and Public Service Facilities
 - 1.6.1
- 1.6.7 Transportation Systems
 - 1.6.7
- 1.7 Long-Term Economic Prosperity
 - 1.7.1 b, d
- 1.8 Energy Conservation, Air Quality and Climate Change
 - 1.8.1
- 3.0 Cultural Heritage and Archaeology
 - 2.6.1

1989 Official Plan

- 2.4.1 City Structure Policies
- 3.4.3 Scale of Development
- 3.5.10 Policies for Near-Campus Neighbourhoods
- 4.2.1 Planning Objectives for all Commercial Land Use Designations
- 4.4 Commercial Corridors
 - 4.4.1 Main Street Commercial Corridor
 - 4.4.1.2 Urban Design Objectives
 - 4.4.1.4 Permitted Uses
 - 4.4.1.7 Scale of Development
 - 4.4.1.8 Mixed Use Development
- 5.1 Objectives for Office Designations
 - 11.1.1 Urban Design Principles

The London Plan

- Key Directions – 55 to 62
- City Structure Plan (Intensification, Primary Transit Area) – 79 to 92, Figure 3
- City Building Policies – 189 to 306
- Rapid Transit and Urban Corridors – 826 to 841
- Main Street – 844 to 852
- Near-Campus Neighbourhood – 962 to 974
- Our Tools – 1566 to 1683

Z.-1 Zoning By-law

- Section 3: Zones and Symbols
- Section 4: General Provisions
- Section 16: Office Residential (OR) Zone
- Section 25: Business District Commercial (BDC) Zone

Old East Village Dundas Street Corridor (2020)

- 1.4 Vision and Principles
- 3.1 Overview Policies
- 3.2 Land Use
- 3.3 Built Form
 - 3.3.1g, h, i, Permitted Heights
 - 3.3.3 Mid-Rise Form
 - 3.3.4g High-Rise Form

Submitted Studies

Lincoln Environmental Consulting – Stage 1 Archaeological Background Study – October 2020

MHBC – Heritage Impact Assessment – December 15, 2020

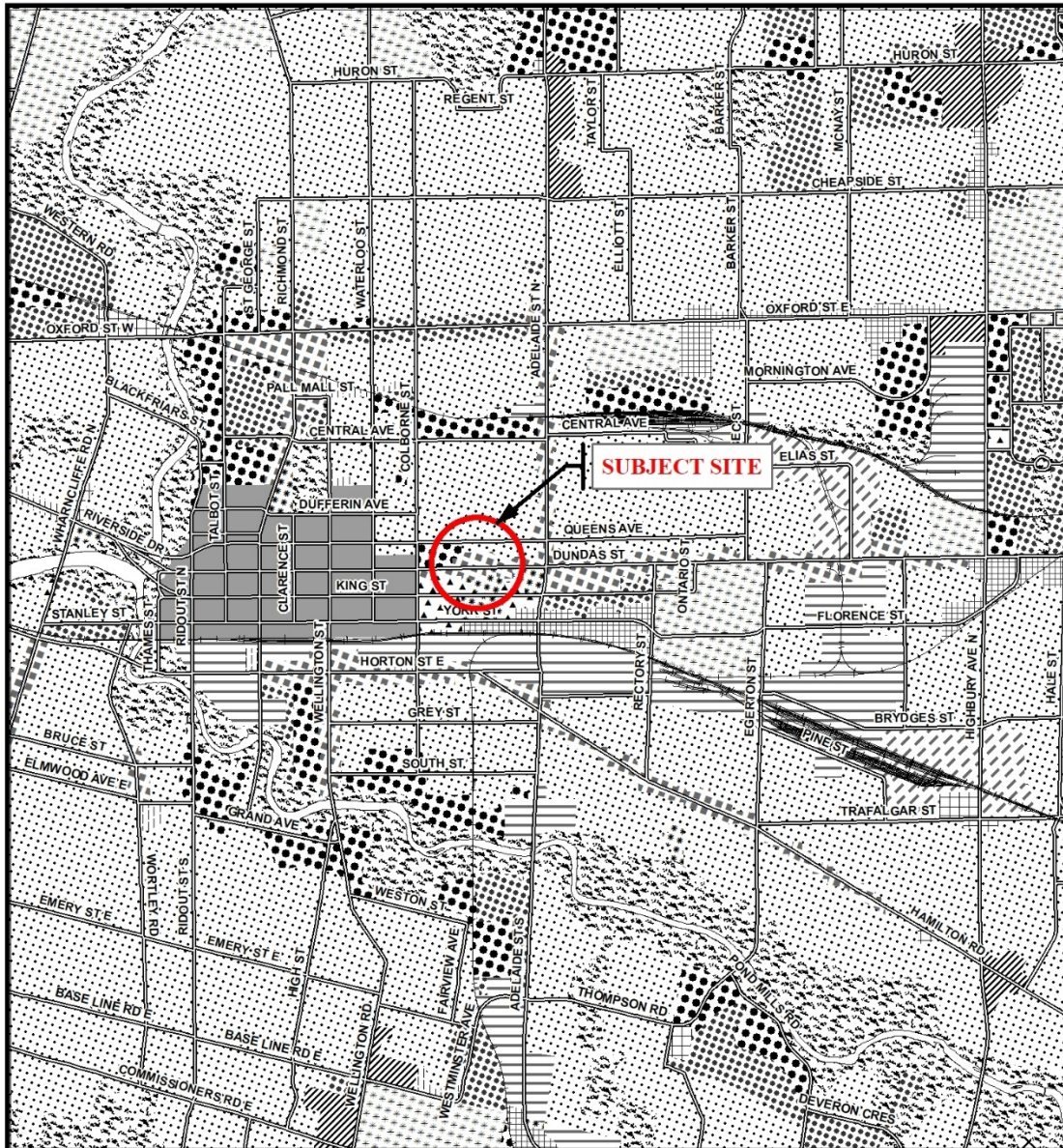
MHBC – Planning Justification Report – March 2021

Paradigm Transportation Solution Limited – Parking Study – 5 March 2021

Stantec – Preliminary Servicing Analysis – October 30, 2020

Appendix D – Additional Maps

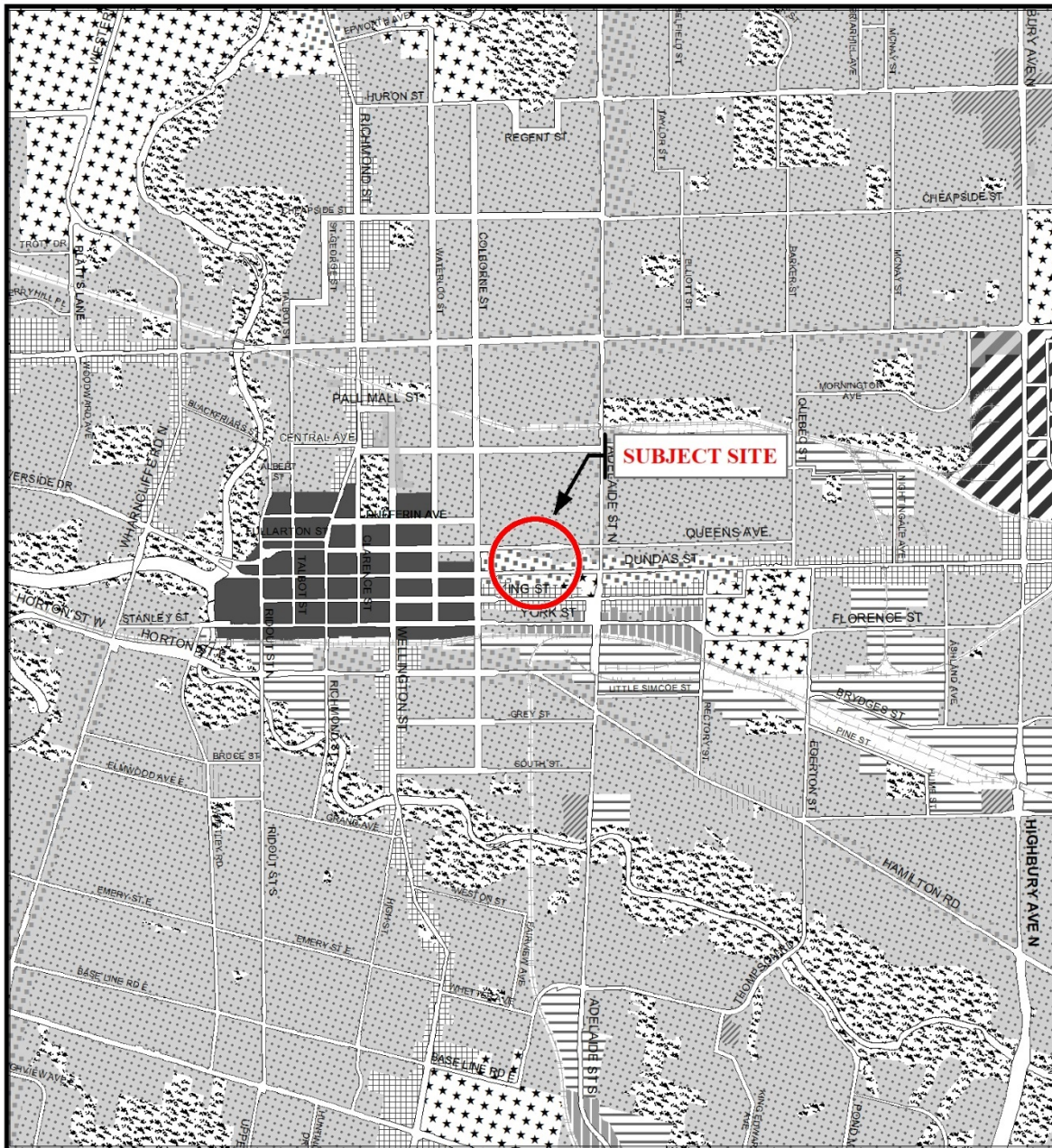
Official Plan Schedule A – Land use



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>PREPARED BY: Graphics and Information Services</p>	 Scale 1:30,000 0 155 310 620 930 1240 1550 Meters	<p>FILE NUMBER: Z-9347</p> <p>PLANNER: ID</p> <p>TECHNICIAN: MB</p> <p>DATE: 2021/06/28</p>
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London Plan Map 1 – Place Types



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 | Areas Withheld from LPAT Approval |
| 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.

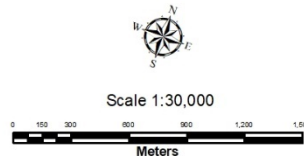
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning & Development

**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning & Development



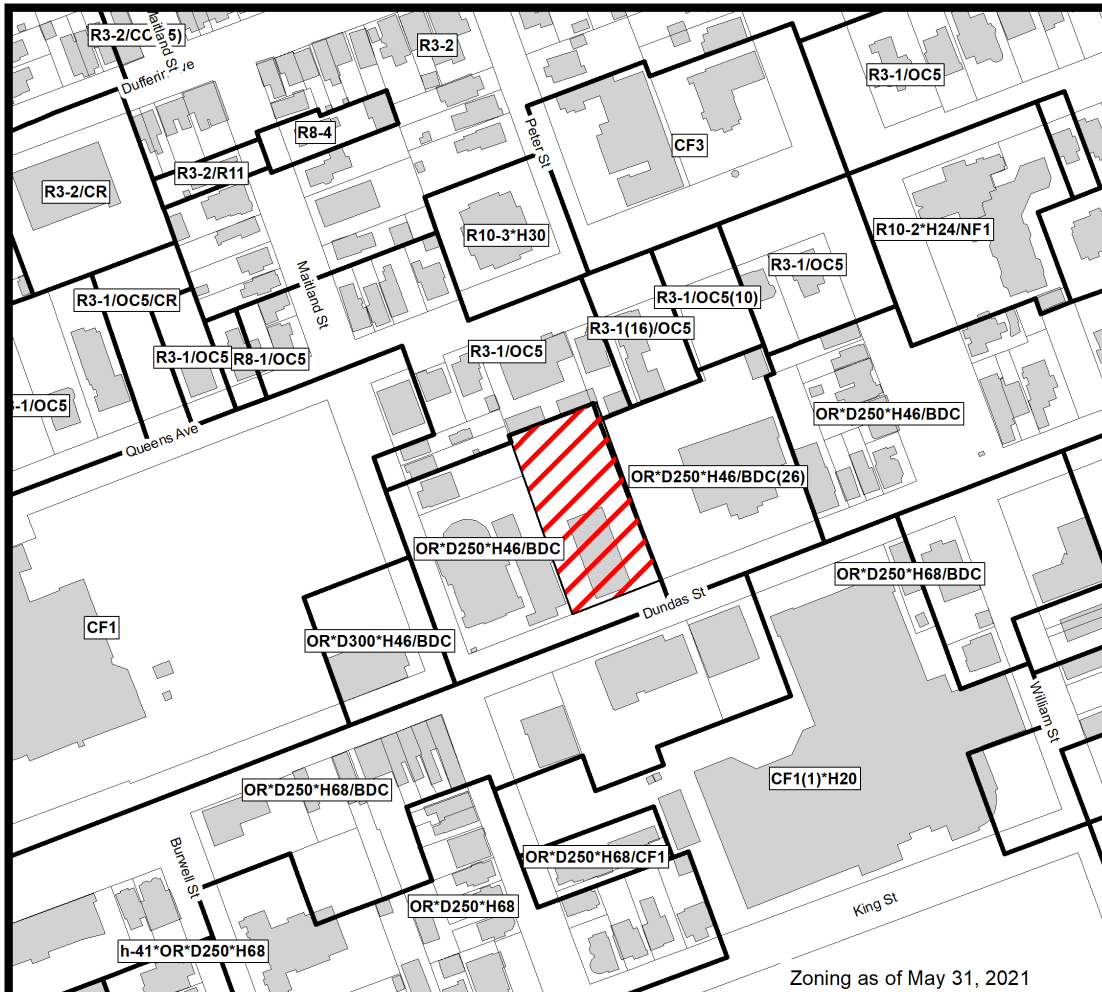
File Number: Z-9347

Planner: ID

Technician: MB

Date: 2021/06/28

Zoning By-Law No. Z.-1 Schedule 1



Zoning as of May 31, 2021



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

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**



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

FILE NO:

Z-9347

ID

MAP PREPARED:

2021/06/23

MB

1:2,500

0 12.525 50 75 100
 Meters