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: 560 and 562 Wellington Street

Public Participation Meeting

Date: November 1, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of 560 Wellington Holdings Inc., relating to the property located at 560 and 562 Wellington Street:

- (a) The request to amend the *Official Plan (1989)* to change the designation **FROM** a Low Density Residential designation, **TO** a Multi-Family, High Density Residential Designation, and to **ADD** a Specific Area Policy in Chapter 10 Policies for Specific Areas, **BE REFUSED** for the following reasons:
 - 1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.
 - 2. The proposed development does not conform to the *Official Plan (1989)* as it does not meet the criteria to establish new lands as Multi-Family, High Density Residential designation, does not conform to the policies of the Woodfield Neighbourhood Specific Residential Area, and does not conform to the Near Campus Neighbourhood Area policies.
 - 3. The proposed development represents an over-intensification of the site and does not pass all of the criteria of the Planning Impact Analysis.
 - 4. The proposed development is not in keeping with the West Woodfield Heritage Conservation District Plan.
 - 5. The subject site does not have any unique attributes which would warrant a Specific policy to allow the proposed development.
- (b) The request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Office (OF1) Zone, **TO** a holding Residential R10 Special Provision (h-5*R10-5(_)) Zone, **BE REFUSED** for the following reasons:
 - 1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.
 - 2. The proposed development does not conform to the *Official Plan (1989)* as the requested Multi-Family, High Density Residential designation is not recommended for approval.
 - 3. The proposed development and requested zoning represent an overintensification of the site and do not pass all of the criteria of the Planning Impact Analysis.
 - 4. The proposed development is not in keeping with the West Woodfield Heritage Conservation District Plan.

Executive Summary

The proposed development is for a 17 storey, mixed-use apartment building with 173 residential units, ground floor commercial space of 247m² and 219 parking spaces. The initial application was submitted on February 27, 2015 for a 25 storey building, and based on the public circulation and review of the application a second submission was

provided for a 22 storey building. The application for the 22 storey building was considered by the Planning and Environment Committee and Municipal Council in May of 2017, and was referred back to staff to continue working towards a development that could be supported.

The site is within a prominent central location opposite Victoria Park and within a low density residential neighbourhood and a heritage conservation district. The site is also within the Woodfield Neighbourhood Specific Residential Policy Area and the Near Campus Neighbourhood area, which both identify retention and preservation of the existing neighbourhoods and contemplate sensitive infill development forms only. The proposed amendment was deemed to be complete prior to *The London Plan* approval by Municipal Council and has been evaluated on the policies of the *Official Plan* (1989).

The proposed development represents a significant height and density that is inconsistent with the surrounding neighbourhoods and would be better suited to a location that contemplates and supports high-rise intensities, like the Downtown. Despite the central location of the site, and convenient proximity to transit and services, it is not identified, nor appropriate for the consideration of such high-intensity, high-rise development forms. The proposal is not compatible with the adjacent and surrounding low density residential neighbourhoods, does not provide adequate buffering or transitions to adjacent low-rise built forms and does not represent good planning.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended refusal is to maintain the existing Official Plan Designation as Low Density Residential and to maintain the existing Office (OF1) Zone on the property.

Rationale of Recommended Action

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

- 1. The proposed development is not consistent with the Provincial Policy Statement, 2020, which promotes intensification and redevelopment in appropriate locations, while conserving significant heritage resources.
- 2. The proposed development does not conform to the *Official Plan (1989)* as it does not meet the criteria to establish new lands as Multi-Family, High Density Residential designation, does not conform to the policies of the Woodfield Neighbourhood Specific Residential Area, and does not conform to the Near Campus Neighbourhood Area policies.
- 3. The proposed development represents an over-intensification of the site and does not pass all of the criteria of the Planning Impact Analysis.
- 4. The proposed development is not in keeping with the West Woodfield Heritage Conservation District Plan.
- 5. The subject site does not have any unique attributes which would warrant a Specific policy to allow the proposed development.

Linkage to the Corporate Strategic Plan

The Strategic Plan provides direction through Building a Sustainable City and Strengthening Our Community. Building a Sustainable City includes growth and development that is well planned and directed to strategic locations. The subject site is near, but not within a strategic location for growth and intensification. The Strategic Plan identifies that Strengthening our Community so that they have a strong character and sense of place is achieved by ensuring that new development fits within and enhances its surrounding community, and that London's heritage properties continue to be conserved. The site is within a heritage conservation district which promotes retention of existing building stock and sensitive infill development.

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 within strategic locations such as the downtown, transit villages and corridors. While the site is centrally located with proximity to transit services, it is not within an area identified to support the level of growth and intensification requested. Substantial development intensity should be directed to the strategic locations for growth like the downtown where they contribute best to achieving a compact and efficient development pattern that meets the intent of the Climate Emergency.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 8, 2017 – Planning and Environment Committee: Planning report recommending refusal of 22 storey proposal

April 30, 2018 – Planning and Environment Committee: Planning report recommending staff undertake a comprehensive plan for the properties surrounding Victoria Park

1.2 Planning History and Timeline

February 27, 2015: The application for Official Plan and Zoning By-law Amendment was

accepted as complete for a 25 storey building.

June 1, 2016: The application was requested to be placed 'on-hold' by the

applicant following initial circulation and comments.

December, 2016: Resubmission of materials for the 'second submission' which

included a lower building of 22 storeys.

May 8, 2017: The second submission proposal was brought forward to the

Planning and Environment Committee meeting with a staff

recommendation for refusal.

May 16, 2017: Municipal Council referred the matter back to staff to continue to

work with the applicant to submit a revised proposal that is more compatible with the surrounding context and planning framework.

April 30, 2018: Report to Planning and Environment Committee recommending

that planning staff be directed to review the existing plans, policies and guidelines that apply to the properties surrounding Victoria

Park comprehensively.

May 8, 2018: Municipal Council directed staff to undertake a comprehensive

(Secondary) plan for the properties surrounding Victoria Park.

June, 2021: Resubmission of materials for the 'current proposal' for a 17 storey

building were received and circulated.

1.3 Subject Site and Surrounding Context

The subject lands are located across from Victoria Park, on the east side of Wellington Street and north of Wolfe Street within the West Woodfield Heritage Conservation District. The subject lands currently consists of a two storey office building at 562 Wellington Street and a five storey office building at 560 Wellington Street. There were previously three stately homes on the subject lands that were demolished in the early 1970's.



Figure 1: Existing Buildings

The site is located between the low-rise, single detached dwellings that comprise the majority of Woodfield (east) and the large open space that is Victoria Park (west). Buildings on Wolfe Street and Wellington Street (north of the subject site) have a consistent heritage character and are designated under Part V of the Ontario Heritage Act as part of the West Woodfield Heritage Conservation District Plan.

Immediately to the north of the site are three converted residential buildings. Two of these buildings have A-Ratings and one has a B-Rating in the West Woodfield Heritage Conservation District Plan. Wolfe Street is characterized by single detached dwellings between the subject property and Waterloo Street, some of which have been converted to office or multiple-unit residential uses. Of the 20 other properties on Wolfe Street west of Waterloo Street, 14 have A-Ratings, 5 have B-Ratings, and one has a D-Rating in the West Woodfield Heritage Conservation District Plan.

The property directly to the south of the subject site located at 556 Wellington Street is currently used as a surface parking lot and is within a Downtown Area (DA1(1)) Zone. Despite the site being within an Office Area designation in the *Official Plan (1989)* and the Neighbourhoods place type in *The London Plan,* it permits high-rise development with a wide variety of land uses. The West Woodfield Heritage Conservation District Plan contemplates redevelopment of 8-10 storeys at 556 Wellington Street, however, the current zoning allows a maximum height of 90m with required stepbacks. A public site plan meeting was held on September 21, 2020 as part of application SPA19-046, and was endorsed by Municipal Council for approval.

1.4 Current Planning Information (see more detail in Appendix C)

- Official Plan (1989) Low Density Residential designation
- The London Plan Neighbourhoods Place Type
- Existing Zoning Office (OF1) Zone

1.5 Site Characteristics

- Current Land Use two office buildings
- Frontage 45.7m (Wolfe Street)
- Depth 47.5m (Wellington Street)
- Area 0.22 hectares
- Shape square

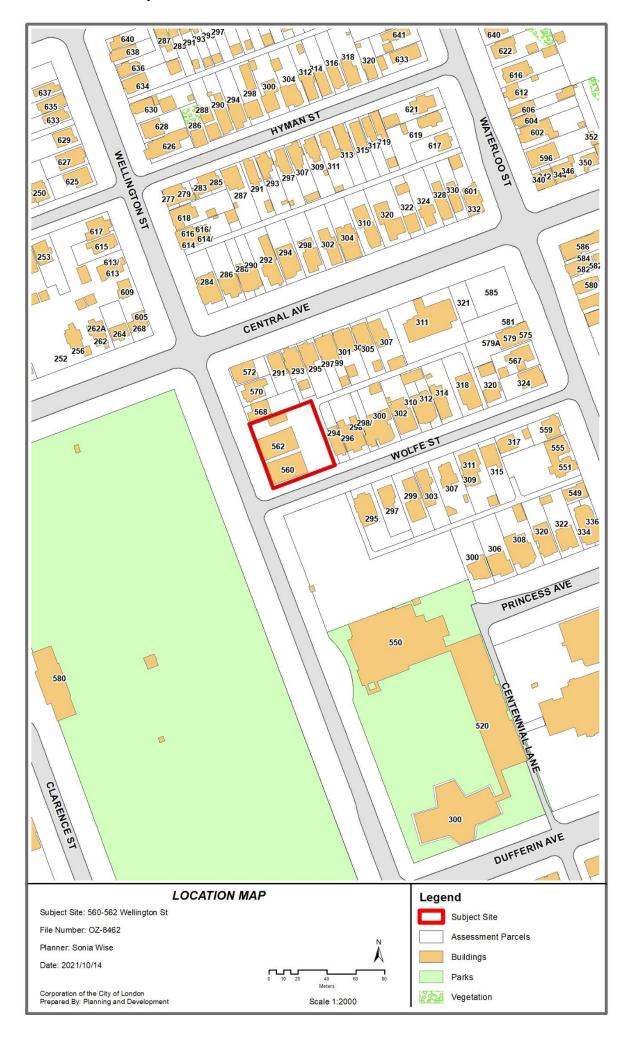
1.6 Surrounding Land Uses

- North converted residential uses
- East low density residential uses
- South surface parking and future development
- West open space (Victoria Park)

1.7 Intensification

• The 173 residential units represents intensification within the Built-Area Boundary and Primary Transit Area.

1.8 Location Map



2.0 Discussion and Considerations

2.1 Requested Amendment

An Official Plan and Zoning By-law Amendment have been received for the consideration of a mixed-use apartment building on the subject site. The proposed development is for a 17 storey, mixed-use apartment building with 173 residential units, ground floor commercial space of 247m² and 219 parking spaces. An Official Plan Amendment is requested to change from the existing Low Density Residential designation to a Multi-Family, High Density Residential designation, and to add a specific policy in Chapter 10 to allow for the proposed intensity of 800 units per hectare. A Zoning By-law Amendment is requested to change from the existing Office (OF1) Zone to a holding Residential R10 Special Provision (h-5*R10-5(_)) Zone, with special provisions for increase lot coverage, reduced and alternative landscaped open space, reduced building setbacks, site-specific height, increased density, and a range of ground floor commercial uses. The current proposal is the third iteration of the project, which evolved from the initial proposal of 25 storeys and a second submission at 22 storeys.

2.2 Initial Proposal

The initial proposal submitted in February, 2015 consisted of:

- 25 storey building (85m)
- 4 storev podium
- 188 residential units
- Ground floor commercial space with a floor area of 375m²
- 280 parking spaces



Figure 2: Initial Design (25 storeys) – West and South elevations

2.3 Second Submission

A revised design was submitted in December, 2016 which consisted of:

- 22 storey building (78m)
- 3 storey podium
- 151 residential units
- 700uph
- 1 commercial retail unit with a floor area of 285m²
- 263 parking spaces



Figure 3: Second Submission (22 storeys) - West and South Elevations

2.4 Current Proposal

The current proposal (third submission) consists of:

- 17 storey building (61m)
- 3 storey podium
- 173 residential units
- density of 800uph
- 1 commercial retail unit with 247m²
- 219 parking spaces



Figure 4: Current Proposal (17 storeys) – South and West Elevations

2.5 Public Consultation

Public notice was provided as part of the initial application on March 19, 2015, a revised notice of application for the second submission was provided on January 4, 2017, and a revised notice of application for the current proposal was provided on June 28, 2021. There were 38 comments received after the first notice of application in 2015, and 27 individual comments were received after the revised notice was posted in 2017. In

addition to these individual comments a petition was received after the first notice that opposed the proposed development and included 546 signatures. A petition containing 38 signatures was received after the second notice was sent in opposition to the proposed development. The majority of the comments received opposed the proposed development and are available in more detail in Appendix A of this report.

There were 12 written comments received during the current proposal circulation. A summary of comments and concerns including the following:

- Impacts on park and ability to hold events in Victoria Park
- Shadow and wind effects will degrade the park
- Increased traffic and pedestrian safety
- Height is not sympathetic to the Neigbourhoods Place Type or the heritage conservation district
- Not an area identified for high-density development
- Too big for site and numerous changes required
- Proposal does not conform to policy framework including official plan and heritage policies
- No space for on-site plantings
- Precedent setting development will degrade the Heritage Conservation District
- Two submissions were supportive of the proposal and design

2.6 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020, provides policy direction on matters of provincial interest related to land use planning and development. The PPS encourages settlement areas (1.1.3) to be the main focus of growth and that their vitality and regeneration shall be promoted. Appropriate land use patterns within settlement areas are established by the Official Plan policies that designate areas of growth and development, and areas of preservation like the subject site. The PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns (1.1.1.a.). The proposed development represents a high-rise and intense built form that is inconsistent with the established land use pattern and surrounding neighbourhood.

The policies of the PPS also direct planning authorities to identify appropriate locations and promote opportunities for residential intensification and redevelopment (1.1.3.2.b) and 1.1.3.3) where this can be accommodated, while promoting appropriate development standards which facilitate intensification, redevelopment and compact form (Policy 1.1.3.4). The PPS also promotes the long-term economic prosperity by maintaining, and where possible, enhancing the vitality and viability of downtowns and mainstreets (1.7.1.d). The proposed development is located in a central area near the downtown but, is not within a designated growth area where intensification of the proposed scale would be desirable, or located within the Downtown designation where this level of intensity would be contemplated to enhance the downtown vitality.

The PPS directs that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of affordable and market-based residential types to meet long-term needs (1.1.1.b). The City's typical approach for intense development applications in identified growth areas is to require bonus zoning to support additional intensity, which has consistently included affordable housing as a priority for bonusable facilities, services or matters. The site-specific requested amendment is not consistent with the City's standard approach, and does not provide any measurable public benefit such as affordable housing that would normally be expected through a bonus zone that is consistent with the planning framework.

The PPS also states long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources (1.7.1.e). Further, the PPS identifies that significant built heritage resources "shall be conserved" (2.6.1). The site is a designated property within the West Woodfield Heritage Conservation District which is an area of significant cultural heritage

that is intended to be preserved and retained with only sensitive infill development contemplated that is in keeping with the established character.

2.7 Official Plan Policy Framework

The requested amendment was initially received in February of 2015 and the in force and effect policies at the time of the application acceptance were the *Official Plan* (1989) policies. The *Official Plan* (1989) policies are the determinative policies for the evaluation of the proposed amendment and all other official plan policies referenced in this report reflect policy direction without the same status.

In June of 2016 Council adopted *The London Plan*, the new Official Plan for the City. Following the adoption, a site-specific appeal to *The London Plan* was received for 560 and 562 Wellington Street. *The London Plan* policies referenced in this report provide Council's recently approved direction for the site, the area, and the City as a whole, but are not considered as the in-force or determinative, Official Plan policies for this application.

In May of 2018 the Victoria Park Secondary Plan was initiated by Council direction for the lands surrounding Victoria Park, including the subject site. As a result of the secondary plan process there have been background studies and community consultation undertaken to develop a draft Victoria Park Secondary Plan. The draft Secondary Plan has not been adopted by Municipal Council at this time, and does not represent approved Council direction.

3.0 Financial Impact/Considerations

There are no financial impacts or considerations for this proposal.

4.0 Key Issues and Considerations

4.1 Location

The City Structure Policies direct high and medium density residential development to appropriate areas within and adjacent to the Downtown, near the periphery of Regional and Community Shopping Areas, and in selected locations along major roads specifically along transit nodes and corridors and near Open Space designations. It is recognized that through infill, intensification and redevelopment, some high and medium density residential projects may be permitted in areas which have not been identified as preferred locations. The approval of these developments will be based on the ability of a site to accommodate development in a manner which requires compatibility concerns be addressed (Section 2.4.1 vi).

The subject site is within the Low Density Residential designation, and within two specific policy areas: the Near Campus Neighbourhood Area and the Woodfield Neighbourhood Specific Residential Policy Area. The Low Density Residential designation typically permits low-rise forms of development and up to four storeys and 75 units per hectare through the residential intensification policies. The Woodfield Neighbourhood Specific Residential Policy Area recognizes that the area is characterized by predominantly low density residential development and the policy intent is to maintain the neighbourhood as a low density residential area (3.5.4). The Near Campus Neighbourhoods policies apply to lands in proximity to the University of Western Ontario of Fanshawe College. The policies encourage appropriate intensification and direct preferred forms of intensification to appropriate locations.

The requested amendment is to change the land use designation from a Low Density Residential designation to the Multi-Family, High Density Residential designation in the *Official Plan (1989)*. Location Criteria are provided for new High Density Residential designations in Section 3.4.2 of the *Official Plan (1989)*. The preferred locations include those areas predominantly composed of existing or planned high density residential development, areas near the periphery of the Downtown that are appropriate for redevelopment, lands in close proximity to major commercial nodes, regional facilities

and open spaces, and lands abutting or proximate to arterial or primary collector roads (3.4.2).

The subject site meets some of the location criteria as it is located in Central London, on an arterial road (Wellington Street) and across from a designated open space (Victoria Park). The site however, is not in a location composed of existing or planned high density residential, and with the exception of the lands to the south, are surrounded by low rise residential uses. While there are certain locations in the periphery of the Downtown that are designated as Multi-Family, High Density Residential, this site is not within one of those areas and the various policies that apply to the lands identify preservation and conservation of the low-rise character for new developments.

Within the Near-Campus Neighbourhoods Specific Policy Areas, appropriate locations for intensification are identified as those that are designated as Multi-Family, Medium and High Density Residential that are located along major roads and well served by transit (3.5.19.6). The areas designated Low Density Residential within the Near-Campus Neighbourhoods, allow for Residential Intensification based on criteria that includes: if the proposal is unique within its context, if the proposal is appropriate in size and scale, if mitigation measures are incorporated to ensure the amenity of the surrounding residential land uses is not negatively impacted, the proposal demonstrates that all heritage attributes and resources are conserved, and that a positive and appropriate precedent for similar proposals is established (3.5.19.10). The proposed development is within an existing low density residential neighbourhood which is not considered a unique situation and could be considered precedent setting. The proposed scale and size of the tower represents a significant departure from the policy framework and does not provide mitigation or buffering to the surrounding residential areas, which are designated properties within the West Woodfield Heritage Conservation District.

The site is located within an established residential neighbourhood, and recommended to be retained in the existing Low Density Residential designation. The existing designation allows for a modest amount of redevelopment and range of uses that is consistent with the site context within the Woodfield Neighbourhood Specific Residential Policy Area, the Near Campus Neighbourhood Area, and the West Woodfield Heritage Conservation District, that directs retention and preservation of the existing building stock, and is addressed further in section 4.5 of this report.

4.2 Use

Lands within the Low Density Residential designation primarily allow for low-rise, low-density housing forms, with residential intensification that contemplates building heights up to four storeys, and up to 75 units per hectare.

The requested amendment would allow a high-rise apartment building with ground floor commercial space. The existing designation contemplates apartment buildings as a permitted use, and the apartment building 'use' is not considered to be an inappropriate land use for the subject site; it is the scale and intensity of the apartment building use that is not supported. The 17 storey form and 800 units per hectare represents a significant departure from the existing and requested permissions, which is outlined further in section 4.3 – Intensity, and section 4.4 – Form, of this report.

Part of the requested amendment is to also allow for a limited amount of ground floor commercial space as: art galleries, bake shops, convenience stores, dry cleaning and laundry depots, financial institutions, personal service establishments, florist shop, small-scale grocery or food store, restaurants, retail stores, studios and video rental establishments. The *Official Plan (1989)* generally encourages new convenience commercial uses to locate in the Commercial designations, but they may be permitted in the Multi-family, High Density Residential by Official Plan amendment and zoning change, subject to locational and scale criteria (Section 3.4.1 ii). If the site was considered to be appropriate for high-rise residential uses, then there could likewise be consideration for the commercial uses requested. The high-rise, apartment building proposed is not supported or recommended, which extends to the commercial uses requested as they are secondary in nature and subordinate to the high-rise residential

uses.

The existing Low Density Residential designation is consistent with the surrounding area, provides for an appropriate range of low-rise development forms and is recommended to be retained for the subject site.

4.3 Intensity

The current maximum density on the subject property is 75 units per hectare, and the standard maximum density in the Multi-Family, High Density Residential designation on sites within Central London is limited to 250 units per hectare. The requested amendment is for a density of 800 units per hectare with 173 residential units.

In the Multi-Family, High Density Residential designation, the *Official Plan (1989)* may permit development that exceeds standard maximum densities and heights through the use of a bonus zone (3.4.3.iv). This application is not proposing a bonus zone which is the standard approach set out by the policy framework and identifies only the site-specific Official Plan and Zoning By-law Amendment to support the request. If a bonus zone had been requested the development would be assessed under those provisions, though would still be required to fit in the context of the built form, as the *Official Plan (1989)* requires that "the height and density bonuses received should not result in a scale of development that is incompatible with adjacent uses" (Policy 19.4.4).

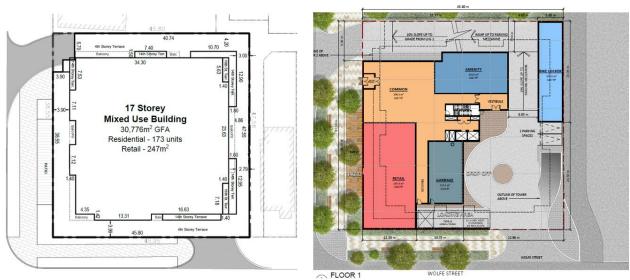


Figure 5: Site Concept Plan and Floor Plan

The use, intensity, and form of development that is proposed is what is generally envisioned and contemplated in the Downtown designation. The Downtown is distinguished from other areas in the City by its intensive, multi-functional land use pattern, and the delineation of the Downtown designation is "conducive to its development as a compact, densely built-up area" (4.1.3). The boundary of the Downtown designation is considered to be sufficient to accommodate considerable growth and redevelopment to promote vibrant activity and vitality.

While the site is close to the Downtown area, it is not within the boundary, and the type of development that would be contemplated by the Downtown designation is not appropriate in an established low-rise residential neighbourhood. The most intensive development forms in the City are strategically located in the downtown to promote revitalization and a compact development form. Allowing intensive developments outside of the Downtown can result in a less intense core and development pattern where the greatest intensity is not in the most beneficial location to contribute to, or gain from, the central location.

In the Woodfield Neighbourhood Specific Residential Policy Area, the Low Density Residential neighbourhoods within the area bounded by Wellington Street, Pall Mall Street, Waterloo Street and Princess Avenue shall only provide for infill where it is clearly compatible with the character, scale and intensity of the residential neighbourhood in this area (3.5.4). Similarly, one of the Near Campus Neighbourhood

policies for consideration of new development within the Low Density Residential designation is if the proposal is an appropriate size and scale, and does not represent an over-intensification of the site (3.5.19.10.iv). There is a high building coverage proposed with minor tower stepbacks from the podium edge, and 173 residential units that equate to 800 units per hectare. The intensity proposed represents an over-intensification of the site and is not considered to be an appropriate size and scale to integrate with the existing neighbourhood.

The proposed amendment is of a scale and intensity that would typically be suitable for consideration within the Downtown designation, and is not consistent with the level of intensity found in Central London, or contemplated by the Woodfield Neighbourhood or Near Campus Neighbourhoods policies. The existing Low Density Residential designation allows for an intensity of 75 units per hectare, and is recommended to be retained for the subject site.

4.4 Form

One of the overall objectives for the Multi-Family, High Density Residential designation is to promote the design of high density residential developments that are sensitive to the scale and character of adjacent land uses (3.1.4.iii). The subject site abuts a low-rise residential neighbourhood to the north and east and represents a high-rise development form with significant intensity in proximity to sensitive uses. Development proposals are further guided by the urban design principles in Chapter 11 for evaluation and review, including:

v) Architectural Continuity: The massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity or which are recognized as being of cultural heritage value or interest.

The site is within the West Woodfied Heritage Conservation District with low density heritage dwellings to the north and east. The massing of the 17 storeys is not considered to provide continuity of the existing low-rise form, or represent a harmonious fit with the existing architectural styles in the surrounding neighbourhood.



Figure 6: Rendering along Wellington Street

viii) Pedestrian Traffic Areas: In pedestrian traffic areas, new development should include street-oriented features that provide for the enhancement of the pedestrian environment, such as canopies, awnings, landscaped setbacks and sitting areas.

The site is within a central location and across from a major pedestrian destination point (Victoria Park). The podium feature along the street level provides a pedestrian-scale environment, however past iterations of the built form provided greater tower setbacks from the edge of the podium which was more successful in terms of minimizing the building mass from the street level. The proposed development has a building coverage of 95% which does not facilitate grade level landscaping, and a special provision is requested to consider green rooftop space as landscaped open space, which is not

supported and expressly excluded in the Zoning By-law as it would not provide any beneficial screening, buffering or pedestrian amenity or enhancement at street level.



Figure 7: Rendering – South view

ix) Access to Sunlight: The design and positioning of new buildings should have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets. In reviewing proposed developments, access to sunlight for adjacent properties should be maximized to enhance the potential for energy conservation and the amenity of residential areas and open space areas, such as parkettes and outdoor plazas.

The initial submission was a taller and more slender tower. Through revised submissions, the tower has become shorter but squatter in nature, which is less effective in mitigating shadowing. The overall massing of the building proposed in such close proximity to adjacent uses without the benefit of setbacks and stepbacks will exacerbate shadow impacts.





Figure 8: Southwest and West Renderings

On July 21, 2021, the Urban Design Peer Review Panel considered the proposed development and offered comments regarding:

- Reducing the building massing to be more aligned with previous versions
- Reducing the tower floorplate
- More careful consideration of articulation and material change
- A more cohesive building design for the podium and tower
- Removal of vehicular access point on Wellington Street
- Incorporate additional landscaped open space by revising the site design and layout.

City of London Urban Design staff have reviewed the application and commended certain positive features such as the continuous built edge along Wellington Street and Wolfe Street, the active ground floor uses, the location of the majority of the parking underground and the use of the articulation, colour and material change. There are however, numerous revisions suggested and concerns with the design based on the following comments:

- The building height and mass should be further reduced to be more compatible with the surrounding built form context and proximity to Victoria Park
- No functional setbacks are provided for the building along all sides of the property
- No significant transition in height and massing to minimize shadow, overlook, privacy, and show compatibility
- No parking or loading areas should be located at the ground and upper floors of the podium
- Include more functional outdoor amenity space on site

The proposed built form offers some positive features, though there are substantial design consideration and revisions that have been identified. Further, this type of built form is fundamentally in a location that would not support such height and intensity.

4.5 Heritage

Heritage is a prominent planning issue of consideration in this application, as the subject lands are within the West Woodfield Heritage Conservation District (WWHCD) Plan area. The evaluation of the submitted Heritage Impact Assessment and the WWHCD Plan provide a detailed analysis of heritage planning considerations and express concerns with regards to the scale of the proposed building.

The PPS provides strong policy support for the conservation of heritage resources. Section 2.6.1 states that "Significant built heritage resources and significant cultural heritage landscapes shall be conserved." The subject lands are located within a Heritage Conservation District, and as such, considered a significant heritage resource. Any planning decision regarding this property shall conserve its heritage attributes.

In the Official Plan (1989), policies identify that the historic perspective of the City will be recognized through the preservation and/or rehabilitation of older commercial, institutional and residential structures which have heritage value on the basis of their cultural heritage value or interest (Section 2.4.1 xix). The general objectives for residential designations the Official Plan (1989) include to "encourage the maintenance of buildings and/or areas considered by Council to be architecturally and/or historically significant to the community" (Policy 3.1.1.ix). The site is within a prominent location in a heritage conservation district which promotes retention and preservation over intensive redevelopment.

There is a high standard for compatibility of development that is within a heritage conservation district, specifically the West Woodfield neighbourhood. The *Official Plan (1989)* directs that "Council shall be guided by the policies of this Plan and the Heritage Conservation District Plan" (Policy 13.3.5). It goes on to state specifically about West Woodfield that "it is the intention of Council to maintain, protect, and conserve the West Woodfield Heritage Conservation District" (Policy 13.3.8.4). While the proposed development has certain positive built form attributes such as use of materials that are

compatible with the West Woodfield neighbourhood and a pedestrian scaled podium, its form does not align with the policy direction to preserve the West Woodfield neighbourhood character.

Some inconstancies between the proposed development and the WWHCD Plan include:

- High-rise buildings may be redeveloped at +/- 1 storey from the existing building height. In this context five storeys represents a tall building relative to the surrounding built form and is considered to be a high-rise building (Policy 4.3.c).
- Criteria for new development must include consideration of surrounding development patterns. The prevailing development pattern around the subject property includes single detached structures at 2-3 storeys (Policy 8.2.3).
- The HCD Plan recommends that a transition be provided to neighbouring development. The abrupt transition of 2-storeys to 17-storeys on adjacent properties is not consistent with the policy (Policy 8.1.9).
- The subject property is on the opposite site of Wolfe Street from the "City Hall Precinct," which includes City Hall, Centennial Hall, and the surface parking lot at the Southeast corner of Wolfe and Wellington. The HCD Plan contemplates a maximum height of 8-10 storeys in this precinct so as not to detract from the prominence of City Hall. It is logical that the subject lands, which are between the City Hall Precinct and existing low-rise development would continue the transition downward in height, rather than represent a new high-rise form that would need further buffering and transition.

On September 8, 2021, the revised application was considered by the London Advisory Committee on Heritage, and Municipal Council resolved on October 5, 2021 to advise staff that:

"despite the changes that have been brought forward in the Notice of Planning Application, dated June 28, 2021, from S. Wise, Senior Planner, with respect to Revised Official Plan and Zoning By-law Amendments, related to the properties located at 560 and 562 Wellington Street, the London Advisory Committee on Heritage, reiterates its comments from the meeting held on January 11, 2017 with respect to concerns about the following matters related to the compatibility of the proposed application with the West Woodfield Heritage Conservation District Plan guidelines, Victoria Park and the adjacent properties:

- i) the height of the building;
- ii) the massing of the building;
- iii) the setbacks of the building;
- iv) the design of exterior facades; and,
- v) shadowing impacts onto adjacent heritage properties."

Heritage staff have also reviewed the proposed development and Heritage Impact Statement and concluded the following:

New development should first be guided by good planning and urban design practices and issues around 'good fit' — essentially to demonstrate that the new development is sensitive to, and compatible with, the existing and planned context. Regarding this very point, the proposed development at 560-562 Wellington does not demonstrate fit with the existing or planned context, or to use heritage terminology, conserve cultural heritage value or interest. Based on the review of the HIA, heritage staff is not satisfied that the height and massing of the proposal is compatible with its heritage context. Also, the HIA does not provides justification that there will be no adverse impacts on Victoria Park, the West Woodfield Heritage Conservation District as a whole, and specifically on heritage designated properties adjacent to 560-562 Wellington Street as a result of the proposed development. It has not been sufficiently demonstrated that the cultural heritage value or interest of significant heritage resources has been conserved through mitigative measures.

The proposed building is not in keeping with the West Woodfield Heritage Conservation District, does not adequately conserve cultural heritage value, and does not fit the surrounding context. The existing Low Density Residential designation is recommended for retention, which aligns with the West Woodfield Heritage Conservation District.

4.6 New Multi-Family, High Density Residential designation

Considerations for designating new lands as Multi-Family, High Density Residential include criteria that relates to built form and location for: i) compatibility, ii) municipal services, iii) traffic, iv) buffering and v) proximity to transit and service facilities.

i) Compatibility: Development of the site or area for high density residential uses shall take into account surrounding land uses in terms of height, scale and setback and shall not adversely impact the amenities and character of the surrounding area.

The compatibility requirement in the *Official Plan (1989)* identifies that height, scale, and setbacks shall be compatible with the surrounding area, and must not detract from the character of the neighbourhood. The specific policies for the Woodfield Neighbourhood only contemplate infill that is "clearly compatible with the character" of the low density residential neighbourhood (3.5.4). The policies require a high level of sensitivity to the established context through compatibility. While the aspect of compatibility does not mean the 'exact same' development form, it refers to a harmonious fit with mitigated impacts. The proposed development is not in keeping with the established character, scale or intensity of this area, the Official Plan policies, or the West Woodfield Heritage Conservation District, and does not satisfy the compatibility criteria of this policy.

ii) Municipal Services: Adequate municipal services can be provided to meet the needs of potential development.

A preliminary servicing study has been prepared and will need to be updated to reflect the current development proposed, though there is water, wastewater and stormwater infrastructure available for the site.

iii) Traffic: Traffic to and from the location should not have a significant impact on stable low density residential areas.

A Transportation Impact Assessment was submitted with the initial proposal evaluating the anticipated traffic to be generated by the development. Transportation Planning and Design staff have reviewed the proposed development and have no concerns. Detailed comments regarding access design and location would be made through a possible future planning application for Site Plan.

iv) Buffering: The site or area is of suitable shape and size to accommodate high density housing and provide for adequate buffering measures to protect any adjacent low density residential uses.

Buffering is another criteria that needs to be considered, and it has to do with the transition from low to high density built form and can be addressed through on-site measures or intervening land uses. The site area is not sufficient to provide for appropriate on-site buffering between the adjacent low-rise residential built form and the proposed 17-storey building. There is very little stepback from the edge of the podium to the tower floorplate (2.8m) to provide separation and relief of the massing of the tower to the adjacent low density residential neighbourhood, resulting in an abrupt change in height. An alternative technique for buffering is identified in the *Official Plan* (1989) policies for an intervening land use, where the Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use (3.3). This

would provide mid-rise development forms as a transition from high-rise building heights to low density residential areas. The proposed development is not providing sufficient on-site buffering to the adjacent low density residential neighbourhood.

v) Proximity to Transit and Service Facilities: Public transit service, convenience shopping facilities and public open space should be available within a convenient walking distance.

The site is within a central location with convenient pedestrian access to quality public transit, shopping and open space facilities.

The proposed development meets a number of the criteria to establish a new Multi-Family, High Density Residential designation; but not all. While the subject property has access to municipal services, does not represent an unreasonable increase in traffic and is in proximity to transit facilities and shopping, it does not represent a compatible development form, or provide sufficient buffering to the adjacent low density residential neighbourhood. In order to support the addition of a new Multi-Family, High Density Residential designation it must meet all of the criteria.

4.7 Request for Specific Policy - Chapter 10

Chapter 10 allows Council to consider policies for specific areas where one or more of the four evaluation criteria apply, and the underlying designation is intended to be maintained. The application is to change from a Low Density Residential designation to a Multi-Family, High Density Residential designation, and utilize the specific policy of Chapter 10 to allow a greater density of 800 units per hectare.

Evaluation Criteria

i) The change in land use is site specific, is appropriate given the mix of uses in the area, and cannot be accommodated within other land use designations without having a negative impact on the surrounding area.

The area is comprised of primarily low-rise residential uses to the north and east, with Victoria Park to the west, and a future development site to the south. The proposal is a site specific request for an amendment to the Multi-Family, High Density Residential designation with increase lot coverage, reduced setbacks, reduced landscaped open space and an abrupt change in height to the adjacent heritage district, which area all indicative of an over-intensification of the site.

Further, the policies set out a framework for increasing the height and or density in the Multi-Family, High Density Residential designation, which includes bonus zoning to allow for increases in density above the limits otherwise permitted in return for the provision of certain public facilities, amenities or design features. Municipal Council has identified affordable housing as a priority deliverable for bonus zoning, and the provision of affordable housing has been a standard consideration for proposals of similar intensity. There is no bonus zone requested, and no provision of services, facilities or matters that would result in a public benefit to contemplate greater intensity in this location. While the merits of the proposal would still need to demonstrate compatibility with the surrounding area and be an appropriate use for the site, the bonus zone approach would allow the proposed development to be accommodated within the Multi-Family, High Density Residential designation, without the need for a specific policy in Chapter 10. As such, the change in land use requested does not meet this criterion.

ii) The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.

The requested amendment is not to maintain the existing Low Density Residential designation, but to change to a Multi-Family, High Density Residential designation, and add the specific policy to allow for the consideration of the increased density of 800 units per hectare, where the proposed Multi-Family, High Density Residential designation that would only permit up to 250 units per hectare. As described above, the

request for such an increase in density is described in the planning framework in section 3.4.3.iv) that Council may allow an increase in the density above the limit otherwise permitted as a site specific bonus zone. Contemplating a specific policy to allow the greater density proposed would not provide any facilities, services or matters that would result in a public benefit as considered under the bonusing policies, and represents a departure from the standard approach as specified in the policy framework.

iii) The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required.

The existing Low Density Residential designation is appropriate for the lands and adequate to direct future development as the character in the area is well-established and mostly comprised of low rise residential uses and forms. The subject site is currently zoned to allow for the existing office uses, however the underlying designation is Low Density Residential which provides the future direction on land use and scale of development for any future redevelopment or adaptive reuse. The existing and future land uses in the area are consistent with the permission and intent of the Low Density Residential designation, which is recommended to be retained.

iv) The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.

The specific policy is not being requested to restrict the scale or density of development, but to permit a greater density to allow for the proposed mixed-use, apartment building. The requested specific policy to permit an increase in density represents a departure from the established approach in the policy framework which identifies that bonus zoning is the mechanism to consider increases in height or density as it provides for facilities, services and matters that result in a public benefit. There are no unique circumstances associated with the development proposal or site that would justify the creation of a new specific policy to support such a significant departure from the existing permissions of the Low Density Residential designation and the Multi-Family, High Density Residential designation, and a built form that is not providing buffering or considered to be compatible with the surrounding area.

4.8 Planning Impact Analysis

Consistent with the requirements of Chapter 3 and Chapter 10, a Planning Impact Analysis will be required on all applications for an Official Plan amendment and policies for Specific Areas to determine the appropriateness of a proposed change in land use.

- a) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.
 - The proposed development is not compatible with adjacent built forms and there is not an adequate transition provided to adjacent low-rise forms of development. It is not consistent with the WWHCD Plan or the Woodfield Neighbourhood Policies in the *Official Plan (1989)*. This criteria is not met.
- b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use.

The site specific zoning regulations requested indicate that the site is unable to accommodate the proposed intensity. Lot coverage within the R10 zone is contemplated up to 50% maximum and the request is for 95%. The minimum landscaped open space is 20% and the request is for 0%. A request for a minimum 0m setback between the podium and all property boundaries is also required to accommodate the proposed built form. The substantial relief requested from the regulations cumulatively represent an over intensification of the site and a development form that should be located elsewhere. This criteria is not met.

c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use.

There are multiple vacant sites in areas that could accommodate this form of high density development. The site is in proximity to the Downtown where the most intensive forms of development, including the density proposed of 800 units per hectare could be considered appropriate. There are multiple plans, strategies and Municipal Council directives that encourage redevelopment and revitalization of the Downtown which does not include the subject site. This criterion is not met.

d) the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.

The proposed development is adjacent to Victoria Park, is in proximity to downtown and has access to transit services and community facilities. This critierion is met.

e) the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.

Municipal Council has committed to providing new affordable housing units to address the affordable housing crisis. One way that new affordable housing units are delivered is through a bonus zone in exchange for greater development height and/or density. The standard approach as described in the policy framework and common application for a proposed density of this amount is through consideration of a bonus zone. There is no bonus zone proposed, and no provision of affordable housing associated with this proposal. This criterion is not met.

f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.

The proposed building form will impact the heritage character of the surrounding properties that are within the WWHCD. The revised application is proposing a larger tower floorplate than the initial version and second version of the building, which exacerbates the impacts of shadowing and reduces the stepback from the podium that brings the building closer to the property edge. This criterion is not met.

g) the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area.

The site does not contain desirable vegetation or natural features. This criterion is met.

h) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties.

Transportation Planning and Design staff have reviewed the proposed development and have no concerns. Detailed comments regarding access design and location would be made through a possible future planning application for Site Plan. This criterion is met.

i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area.

The proposed development is not integrated with adjacent uses and does not provide for sufficient transition in height. The scale, bulk and form of development is not consistent with the WWHCD Plan. This criterion is not met.

 the potential impact of the development on surrounding natural features and heritage resources.

The site does not contain any identified natural features and heritage resources. This criterion is met.

k) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development.

There are no environmental constraints identified. This criterion is met.

I) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law.

The subject property does not confirm to the *Official Plan (1989)* as it does not meet location criteria for the Multi-Family, High Density Residential designation. The proposed development is also inconsistent with the Neighbourhoods Place Type in *The London Plan*. This criterion is not met.

m) measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.

The proposed development is not in keeping with the West Woodfield Heritage Conservation District, does not adequately conserve cultural heritage value, mitigate impacts on the surrounding land uses or fit the local context. This criterion is not met.

n) impacts of the proposed change on the transportation system, including transit.

Transportation Planning and Design staff have reviewed the proposed development and have no concerns. The subject lands are well served by transit, opportunities for active mobility, and personal vehicle transportation. This criterion is met.

The proposed development does not meet 8 of the criteria contained in the Planning Impact Analysis and is not considered to be an appropriate change in land use.

4.9 The London Plan

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

The subject lands are within the Neighbourhoods Place Type, which permits a maximum height of 4 storeys, or 6 through the approval of a Bonus Zone, along a Civic Boulevard street classification (Wellington Street). The proposed development well exceeds the contemplated heights and would not conform to the policies of the Neighbourhoods Place Type.

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

Conclusion

The site is within a prominent central location opposite Victoria Park, within a low

density residential neighbourhood and a heritage conservation district. The site is also within the Woodfield Neighbourhood Specific Residential Policy Area and the Near Campus Neighbourhood area in the *Official Plan (1989)*, which both identify retention and preservation of the existing neighbourhoods and promote sensitive infill development forms.

The proposed development represents a significant height and density that is inconsistent with the surrounding neighbourhoods and would be better suited to a location that would contemplate and support high-rise intensities like the Downtown. Despite the central location of the site, and convenient proximity to transit and services, it is not identified, nor appropriate for the consideration of such a highly intensive, high-rise development form. The proposal is not compatible with the adjacent and surrounding low density residential neighbourhoods, does not provide adequate buffering or transitions to adjacent low-rise built forms and overall does not represent good planning. The recommendation is for refusal and retention of the existing Official Plan designation and Zoning.

Prepared by: Sonia Wise, MCIP, RPP

Senior Planner, Site Plans

Reviewed by: Michael Corby, MCIP, RPP

Manager, Development Implementation

Recommended by: Gregg Barrett, AICP

Director, Planning and Development

Submitted by: George Kotsifas, P.Eng.

Deputy City Manager, Planning and Economic

Development

Appendix A – Community Consultation

Community Engagement

Public liaison: On June 28, 2021, Notice of Revised Application was sent to 108 property owners and residents in the surrounding area. Notice of Revised Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 16, 2018. A "Planning Application" sign was also posted on the site. Additional notification of the public participation meeting held on October 9, 2018 was provided on September 20, 2018.

11 replies were received

Nature of Liaison: The purpose and effect of this Official Plan and Zoning By-law amendment is to permit a 17-storey, mixed-use residential/commercial apartment building with 173 residential apartments and 1 commercial unit. Possible change to the 1989 Official Plan FROM Low Density Residential TO Multi-family, High Density Residential with a Specific Residential Area policy to permit a height of 17-storeys, a floor area ratio of 10:1, and to permit commercial uses on the ground floor. Possible amendment to the Zoning By-law Z.-1 FROM an Office Area (OF1) Zone TO a holding Residential R10 Special Provision (h-5*R10-5(_)) Zone to permit a 17-storey, mixed-use residential/commercial apartment building. The special provision is requested to add the following additional permitted uses on the ground floor: Art Galleries, Bake Shops, Convenience Stores, Dry Cleaning and Laundry Depots, Financial Institutions, Personal Service Establishments, Florist Shop, Grocery or Food Store (under 250m²), Restaurants, Retail Stores, Studios, and Video Rental Establishments. The special provision is also requested to add the following regulations: Yard Depths of 0m from the podium portion, Yard Depths ranging between 3.0m-4.0m from the tower portion, Yard Depths ranging from 3.75m-5.5m from the top portion, a maximum building height of 61m, a maximum Floor Area Ratio of 10:1, a maximum lot coverage of 95%, a maximum density of 800uph, a minimum landscaped open space of 20%, recognizing landscaped open space areas within roof-top areas, and a minimum 0m parking area setback from a property line. Council may also consider a Policy for Specific Area (Chapter 10) and/or a Bonus zone for the aforementioned requested uses and regulations in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan.

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

A summary of comments and concerns including the following:

- Impacts on park and ability to hold events in Victoria Park
- Shadow and wind effects will degrade the park
- Increased traffic and pedestrian safety
- Height is not sympathetic to the neigbourhoods place type or the heritage conservation district
- Not an area identified for high-density development
- Too big for site and numerous changes required
- Proposal does not conform to policy framework including official plan and heritage policies
- No space for on-site plantings
- Precedent setting development will degrade the Heritage Conservation District
- Two submissions were supportive of the proposal and design

Comments Received Following Current Proposal (Notice Provided June 28, 2021)

Kate Rapson, Woodfield Community Association

Hazel Elmslie, 63 Arcadia Crescent

Fanny Latvanen, 298 Wolfe St.

AnnaMaria Valastro

J. Fooks 706-520 Talabot Street

Danya Walker, 570 Wellington Street

Burton Moon, 485 Dufferin Avenue

Mary Ann Hodge, 310 Wolfe St.

Greg Bruzas

Fred Dick, 618 Wellington St.

Ben Lansink, 507 Colborne St.

Jeff Petrie, 900-255 Queens Avenue

Comments Received Following Second Submission (Notice January 4, 2017)

Burton and Hilary Moon, 485 Dufferin Ave.

Fred Dick, 618 Wellington St.

Lynne Zarbatany, 41 Palace St.

MaryAnne Hodge, 312 Wolfe St.

Don McLeod, 165 Egerton St.

Barbara Hoover, 360 Central Ave.

Ruth Hoch, 500 Dufferin Ave.

Keith McAlister, 131 Rose Hip Crt.

Barry & Audrey Francis, 503 Central Ave.

Ben Lansink, 507 Colborne St.

Rosy Loewith, 26 Prospect Ave.

Jim Fentin, 481 Dufferin Ave.

Lila Neumann, 24 Regina St.

Fanny Latvanen, 298 Wolfe St.

Tom Okanski, 310 Wolfe St.

David & Ann Lindsay, 510 Princess St.

Danya Walker, 570 Wellington St.

Garth Webster & Janet Menard, 320 Wolfe St.

Larry and Frances Coste, 315 Wolfe St.

Architectural Conservancy Ontario, London Branch, 1017 Western Rd.

Kelley McKeating, 329 Victoria St.

Woodfield Community Association, c/o Kate Rapson, PO Box 452, Station B.

Jeffrey Petrie, 532 Dufferin Ave.

Michael Coon, 38 Medway Cr.

Petition – containing 38 signatures

Comments Received Following First Submission (Notice March 19, 2015)

Barbara Hoover, 360 Central Ave.

Barry and Audrey Francis, 503 Central Ave.

Ben Lansink, 507 Colborne St.

B.J. Hardick, 331 Queens Ave.

Robert Sutherland, 621 Waterloo St.

Hilary Alderson Moon, 485 Dufferin Ave.

Carol Agocs, 1454 Sprucedale Ave.

Christine Guptill, 1034 William St.

Danya Walker, 570 Wellington St.

Fanny Latvanen, 298 Wolfe St.

Fred Dick, 618 Wellington St.

Jason Kipfer, 596 Maitland St.

Jay Jeffrey, 1801-380 King St.

Jim Fentin, 481 Dufferin

Kelley McKeating, 329 Victoria St.

Ken Somerville, 315 Huron St.

Laura Wythe, 2-512 William St.

Lynn Funston, 524 Dufferin Ave.

Marcus Coles, 38 Palace St.

Tom Okanski and Mary Ann Hodge, 310 Wolfe St.

Mary Ellen Kirk, 3-570 Waterloo St.

Janet Menard & Garth Webster, 320 Wolfe St.

Norman Charles William Hoch, 500 Dufferin Ave.

Pat Tripp, 405-7 Picton St. Rosy Loewith, 26 Prospect Ave.

Scott MacDougall-Shackleton, 802 Hellmuth Ave.

Sheila Scott, 732 Cedar Ave.

Shelley Kopp, 101 Rollingwood Circle

Wendy Dickinson, 522 Princess Ave.

Mary Anne Hodge, 312 Wolfe St.

Petition – containing 546 signatures.

Comments received as part of the current proposal are as follows:

October 13, 2021

City of London File OZ-8462

To: Sonia Wise <swise@london.ca> and Catalina Barrios, <cbarrios@london.ca>

From: Ben Lansink

Re: Highest and Best Use of Land next to or close to a Public Park

Ben Lansink Supports 560 Wellington Holdings Inc. OZ-8462 application

Most cities in the World construct buildings housing multiple residential dwelling units (Residential Hi-Rise) close to or next to public parks or open spaces. London is no exception. The highest and best uses of many core area sites close to or next Public Parks is high density residential high-rise buildings with on-site parking. Core area Parks considered in this report are Victoria Park, Harris Park, and Ivey Park (the parks). High-Rise are now luxurious with loads of amenities, spectacular views and easy access to fancy retail shops, parks and public transit, amenities available at the doorstep of the Victoria Park neighbourhood. A minority of Individuals and Community Groups argue:

"There has been no study to look at how this level of intensification will impact the health of the park in terms of shadowing, wind, vehicular traffic, rain, and so on."

"To study this issue on a case-by-case basis is not effective. The groups, Friends of Victoria Park and the Woodfield Community Association, have asked, and will ask again, for a full environmental impact study before this plan is finalized so as to best inform the public and City council on this important matter."

"We have one chance to get this plan right. The best way to do that is to understand what this current plan means to the park. Intensification is good, but not at the expense of this small urban green space shared and enjoyed by the entire city."

Victoria Park is a city block bordering 4 public streets consisting of 14.18 acres or 617,869 sq. ft. It is not "a small urban green space." Since the mid-1980s Ben Lansink has and continues to walk Victoria Park daily and has never witnessed overcrowding. There are good crowds and bad crowds, more people in the Park will have the effect of diminishing bad crowds.

It would be a waste of tax dollars for Council to purchase "a full environmental impact study." Each hi-rise building, including 517 Richmond, detailed in this report has NOT resulted in any "impact the health of the park in terms of shadowing, wind, vehicular traffic, rain, and so on."

Every time a structure is built, regardless of height, shadowing takes place. If shadowing is an issue, we must stop all future building including low density houses separated by a few feet. There is shadowing on all abutting houses in a community. The earth revolves around the sun which means shadows constantly move. Each building in this report cast a shadow that is always on the move. Society accepts shadowing as a natural occurrence.

Individuals and Community Groups are correct to note "Intensification is good...". We must use existing expensive service infrastructure, roads, sidewalks, bike lanes, storm & sanitary sewers, electrical, natural gas, public transit, Covent Market, our Library, Public Parks, YMCA, Budweiser Gardens, Labatt Park, Via Rail, Greyhound Canada, all located downtown, and yes, LTC public transit. Building up, not out, benefits all society. Additional hi-rise buildings, like the ones detailed in this report, next to or close to core area Parks will continue to help alleviate London's housing crises and will also boost our beleaguered downtown.

"We have one chance to get this plan right", yes, but not by the minority, by the majority.

Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 1 of 11

Oct 13, 2021 by Ben Lansink, City of London File O-8978, now OZ-8462 Highest and Best use lands near a public park. Photos Nov 14, 2020 by B Lansink



Standing in Victoria Park looking at 517 Richmond Street

Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 2 of 11



517 Richmond Street a 31-story building nearing construction completion November 14, 2020. This residential high-rise building is across the street from the Victoria Park Secondary Plan and overlooks Victoria Park.

Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 3 of 11



517 Richmond Street a 31-story building nearing construction completion November 14, 2020. This residential building is across the street from the Victoria Park Secondary Plan and it overlooks Victoria Park.

549 Ridout North, 505 Talbot Street, and 500 Ridout North, all overlook Harris Park

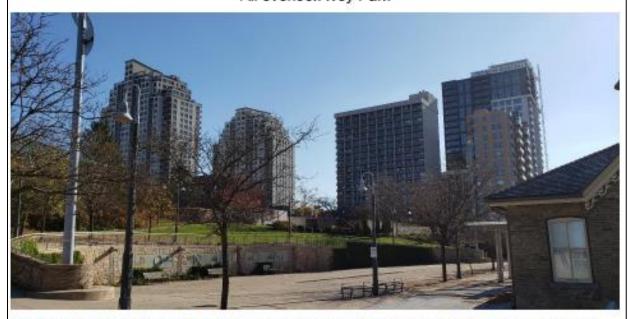


549 Ridout North, 505 Talbot Street, and 500 Ridout North, overlook Harris Park 71 King, 350 Ridout, 21 King, 19 King, 320 Thames, overlook Ivey Park



Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 5 of 11

71 King Street, 350 Ridout Street, 21 King Street, 19 King Street, 320 Thames Street All overlook Ivey Park



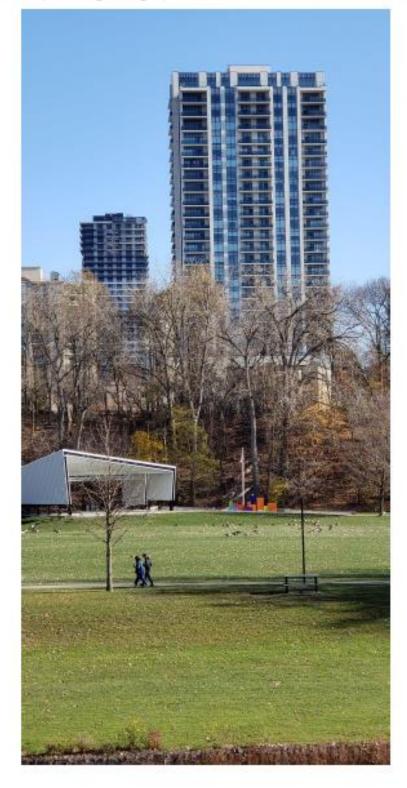
71 King Street, 350 Ridout Street, 21 King Street, 19 King Street, 320 Thames Street All overlook Ivey Park



Support OZ-8462 Application -- Land Near Public Parks -- B Lansink

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517 Richmond Street, building on left, overlooks Victoria Park and Harris Park. 505 Dufferin Avenue, building on right, overlooks Harris Park and Victoria Park.



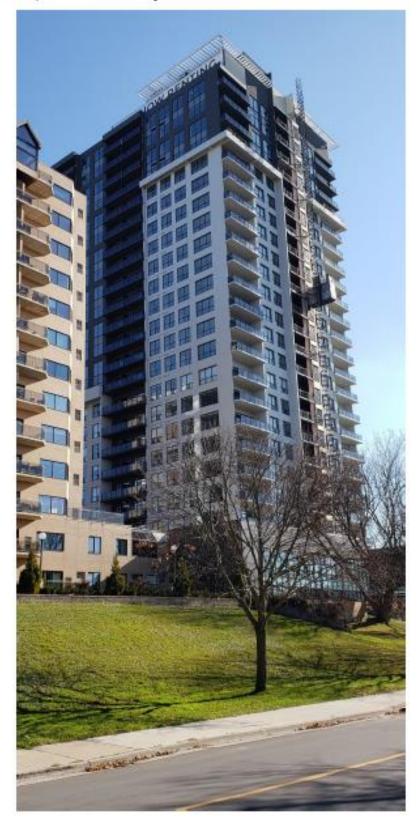
Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 7 of 11

500 Ridout Street North, across from Eldon House, overlooks Harris Park



Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 8 of 11

320 Thames Street, across from Ivey Park.



Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 9 of 11

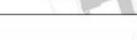
300 Dufferin, 11-storey City Hall, across from and overlooks Victoria Park



Support OZ-8462 Application -- Land Near Public Parks -- B Lansink Page 10 of 11

I, Ben Lansink, support:





File: OZ-8462

Applicant: 560 Wellington Holdings Inc.

What is Proposed?

Official Plan and Zoning amendments to allow:

- 17-storey, mixed-use residential/commercial apartment building containing 173 residential apartments and 1 commercial unit
- Special provisions to add a range of small-scale commercial uses on the ground floor
- Reductions to yard depths for all sides between the building and property lines
- Maximum height of 61m and lot coverage of 95%
- Minimum landscaped open space of 20% including roof-top areas
- . Minimum 0m parking area setback from the road





Southwest and West views to Proposed Development (from Victoria Park)

I wish to be notified of the decision of the City of London on the proposed official plan amendment and zoning by-law amendment, this is my written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca.

I support and agree: Collection of Personal Information -- information is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 RSO 1990, c.P. 13, and will be used by Members of Council and City of London staff in their consideration of this matter. This report may be part of the public record.

Ben Lanourk

From: Petrie, Jeffrey <>

Sent: Thursday, October 14, 2021 10:31 AM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] 560 and 562 Wellington Street Application

Morning Sonia,

I received the Notice for the above development.

I live in Woodfield, and own a building downtown as well, both within a few blocks of the proposed development, as well as working downtown within a few blocks of the site.

I regularly walk past this location on the way to the park and downtown, and think the proposal would add a hue amount of value.

Given the development slightly south, I am not sure why this wouldn't receive the same support.

I fully support this development, please take this email as my letter of support, as I may not be able to attend in person.

Jeffrey E Petrie FMA CIM Portfolio Manager, Director

Scotia Wealth Management™ | ScotiaMcLeod®, a division of Scotia Capital Inc. 900-255 Queens Ave. London. ON N6A 5R8

From: Kate Rapson <>

Sent: Wednesday, July 28, 2021 11:30 AM **To:** Wise, Sonia <swise@london.ca>

Cc: Kayabaga, Arielle <akayabaga@london.ca>; O'Hagan. Britt

<body><bohagan@london.ca>;MaryAnn Hodge < >;Tom Okanski < >;Fred Dick < >;Arthur

Lierman < >; Reini / Mary < >; Delilah Cummings < >; Sandra Miller < >

Subject: [EXTERNAL] RE: OZ-8462 – Official Plan Amendment Application for 560 &

562 Wellington Street

Dear Sonia,

Please see attached for the response from the Woodfield Community Association. Please let me know if you have any questions or wish to set up a meeting to discuss this further. We are open as always to collaboration to try to come to a collective agreement!

Please note, I am copying members of the Friends of Victoria Park committee, as this group was formed to ensure the health of the park is represented during the study period of the Victoria Park Secondary Plan.

Many thanks for your time and consideration of this important matter.

Kate Rapson

Chair, Woodfield Community Association

Kate Rapson,

Chair, Woodfield Community Association

. . .

July 28, 2021

Sonia Wise

File Planner, City of London VIA EMAIL: swise@london.ca

RE: OZ-8462 – Official Plan Amendment Application for 560 & 562 Wellington Street

Dear Sonia.

The Woodfield Community Association would like to express our concerns with respect to the proposed development at 560 and 562 Wellington Street (OZ-8462). While the proposed development concept has been revised, we want to reiterate the concerns we and other members of our community have submitted on this application previously, which we do not feel have been adequately addressed.

Appreciating the need to intensify our community, we do not believe that a 17-storey development is appropriate directly abutting single family homes within the Woodfield neighbourhood. The proposal has not adequately addressed the impacts on the neighbouring residential areas including the increase in traffic particularly on Wolf Street but also on the neighbourhood as a whole.

In addition, the impacts to Victoria Park, as a crucial open space for residents, have also not been adequately addressed. Wind tunneling, shadows, and traffic all have the potential to create impacts on the Park that is enjoyed by the entire City. The Victoria Park Secondary Plan was initiated to better understand the cumulative impacts of development and set a vision for the area but has yet to be adopted. In addition, the Great West development has been approved and will have over 400 units. Understanding these cumulative impacts are vital to maintaining the character and vitality of the neighbourhood, so how can this development move forward prior to finalizing the Secondary Plan? Without that Plan in place, we can not support this application.

It is also unclear how this development can be contemplated in the context of the West Woodfield Heritage Conservation District Plan, which emphasizes the residential character, pedestrian scale, and the importance of Victoria Park.

With regard to specifics of the proposed development, the reduction in yard depths, increase in lot coverage, and use of rooftop areas for the calculation of landscaped open space are not appropriate for the site. While we appreciate the multiple revisions to the proposal in an attempt to mitigate impacts, the impacts of a 17-storey building on directly abutting low density residential cannot be mitigated. We do not believe this site is appropriate for the proposed development and will set a precedent for other sites abutting the park.

We would like to note that we are happy to meet with both the City and development proponent to share our concerns and collaborate on solutions. We'd also like to echo concerns being expressed by others that the public meetings before the Planning and Environment Committee and Council, while required under the *Planning Act*, do not represent meaningful community engagement.

We urge the City to consider this proposal in the context of these impacts to the community, including the Park, Wolfe Street, the near neighbours, and community as a whole.

Woodfield Community Association

C/O Kate Rapson, Chair

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cc'd: Members of the Friends of Victoria Park Committee

From: Hazel Elmslie < >

Sent: Tuesday, July 27, 2021 11:44 AM **To:** Wise, Sonia <swise@london.ca>

Cc: Tom Okanski < >; Kate Rapson < >; Kayabaga, Arielle <akayabaga@london.ca>;

van Holst, Michael <mvanholst@london.ca>

Subject: [EXTERNAL] OZ-8462 560/562 Wellington St.

Attached is my response to this proposal.

regards, Hazel Elmslie 63 Arcadia Crescent London, ON, N5W 1P5

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RE: OZ-8462 560/562 Wellington St

I am replying to the notice of 24 June 2021 requesting comment on this 4th or 5th iteration of unacceptable plans for this site. It is obvious to me that the plans have been unacceptable as only one ever arrived at City Council (2017) and Council referred that back to staff. At that time is was 22 stories with a 3 storey podium.

I oppose this proposal as it is too big for this site. The size requested results in numerous changes to various plans that have been in place since at least 1989, which is 30 years. The City prepares "official plans" for various reasons, including continuity in neighborhoods and comfortable living spaces. This plan does not provide continuity and disrupts the comfortable living spaces of the people who already live here. This

proposal goes against all good planning principles as envisaged in the 1989 Official Plan and the current London Plan. Why have plans if we allow such huge changes to them?

In summary:

- 1. It does not conform to the 1989 Official Plan
- 2. It does not conform to the London Plan, appeals notwithstanding
- 3. It does not conform to the West Woodfield Heritage Conservation District Plan
- 4. It has ignored the Victoria Park Heritage Conservation District Plan
- 5. It has ignored the all of the various proposals of the Victoria Park Secondary Plan.
- 6. It has provided seven year old documents with that were found deficient by this writer (among others) in the past.
- 7. There is no traffic study
- 8. It has ignored the impact of the approved development at 556 Wellington St.
- 9. I do not believe that this proposal should be approved until the London Plan is fully in force and effect.
- 10. The owner of this property has objected to many parts of the London Plan as they relate to this property. I will provide an analysis that this owner is the major objector to the London Plan, and that most of the London development community has accepted the London Plan.

I am still waiting for a reply to the following request:

26 July 2021 email to planning@london.ca requesting a copy of the content of the appeals to the London Plan as they relate to this property. Other than the generic "thankyou" I have not yet received an acknowledgement.

Hazel Elmslie

63 Arcadia Crescent

London, ON, N5W 1P5

From: Fanny Latvanen < >

Sent: Monday, July 26, 2021 4:14 PM **To:** Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] OZ-8462 (560 & 562 Wellington Street).

Once again we are faced with the decision that needs to be made with this site. I know you have been presented with all the pros and cons over literally this last few years and so i wont present them here.

I live on Wolfe st and i feel no one has made it clear to council that there will be many people injured or killed with this many people trying to access the park at all hour .In the traffic study no where does it address the projected number of pedestrians that will be regularity in the area . As is now few people go to the lights to cross and that wont change .

Over the years i have personally seen so many near misses that it frightens me to think of what may come .With these two residential high rises that will be built on both corners on Wolfe st i am certain many will be injured or killed if the tragic is not rerouted at Dufferin to flow East and West and the likewise rerouted flowing south on Wellington .Its crazy to think that traffic does not need to change in the area with this increased density.With the activities offered in the park and the night life on Richmond st this will only increase the odds of a fatality as so many people are from out of the area. Please reconsider the size of the development as the pedestrian injuries will be untenable for the city to manage as i know for certain there will be law suits and need for future closure of this stretch of Wellington to cars for pedestrian safety. In all the documents i have read none have adequately addressed this issue .At the very least could a traffic flow study be repeated to reflect a more accurate situation as if

i recall it was last done several years back and things have changed greatly even in this time of Covid.I drive and walk this area daily and since this development was first put forward this has been my major concern.

Too many people at risk so a developer gets to tarnish a historical site and put people at risk

Fanny Latvanen 298 Wolfe St Unit 5 London

From: <>

Sent: Saturday, July 24, 2021 9:01 PM **To:** Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] File: OZ-8462 Applicant: 560 Wellington Holdings Inc

typos corrected Please use this version as it reads better. Thank You

File: OZ-8462 Applicant: 560 Wellington Holdings Inc.

The London Plan was hailed at the time of completion as a forward looking approach to city planning and touted the extensive participation of Londoners. Today there is deep disappointment as to how city planning and Council are diverting from a document that spoke of intensification balanced with good quality living. The London Plan seems all but ignored except for the inward and upwards concept of intensification. Intensification alone without respecting the nuance of good planning principles such as setbacks, ground green space, and the surrounding community fails the intent of the London Plan.

This planning application cannot be reviewed without looking at the surrounding community and past planning decisions already approved. Another approved twin tower immediate across the narrow road of Wolfe St. combined with this proposed tower will bury the residents living on Wolfe Street and add substantial shadowing to Victoria Park in the morning and to residents in the afternoon and evening. Removing sun from residents can completely change the quality of their living space.

The design of the building completely ignores the neighbourhood character and is now common place. No bonus zone should be awarded for design as it is nothing special and doesn't even try to be complimentary to the heritage quality of the Woodfield Heritage Conservation District.

My personal opinion is that current Members of the Planning and Environment Committee and Mayor Holder have little respect for the heritage of our city despite the fact that Londoners campaigned for inclusion and preservation of built heritage in the London Plan. Nor does the issued public notice informing readers of this development mention that it is within the Woodfield Heritage Conservation District. This seems to be a departure of the planning department which leads me to believe that the recommendations being forwarded by your department will not consider heritage as a consideration.

The planning department in its recommendations routinely waiver good planning principles such as setback and ground open space in the Core even though these requirements serve an important role in assuring livability by providing space and privacy between properties.

By approving no setbacks, the city is creating a halo where no canopy trees can be planted in the Core – a direct violation of the basic principles of Neighborhood descriptions, character and vibrancy. And does not support the Urban Forestry Strategy as the plan does omit the Core. Waivering good planning principles for people that live in the core is discriminatory and a good case can be argued that the city ignores basic and good planning principles because of where people live or because of land scarcity. If land is scare, a building still needs to comply with good planning principles. And people still need good living conditions. Otherwise, you are creating a concrete jungle. Terrace space is not green space. It does not provide space for people with dogs, shade, trees or space for physical play. It is not a substitute for ground space.

This building is a luxury condo and is exclusionary as most people would not be able to afford to live there. This alone is undesirable and contributes to the housing crisis. It deserves no special provision unless it offers 'rent geared to income'. Market value units are unaffordable as market value is unaffordable. Even below market value no longer provides

shelter as prices for housing continue to increase and beyond the increases of average salaries.

The 'wall' in the rear of this building does not resolve the incompatibility of the design and size of this building and basically is just a wall that cuts off the neighbourhood.

In the end the planning staff decides whether to toss out the details of the London Plan that speak to livability and compatibility and only look at intensification. But Londoners did not buy into the London Plan as it is being implemented by the planning dept. and Council and some are pushing back by appealing decisions that they believe are based on selective policy as a means to an end and ignore the more intrinsic policy that made Londoners more accepting of intensification. If feels like a betrayal. Stick to the plan. There is no reason why the plan cannot be upheld as there is no shortage of luxury condos being built downtown.

Thank You

AnnaMaria Valastro

From: J F < >

Sent: Monday, July 19, 2021 11:58 AM

To: Wise, Sonia <swise@london.ca>; Saunders, Cathy <csaunder@london.ca>

Cc: Kayabaga, Arielle <akayabaga@london.ca>

Subject: [EXTERNAL] Development

Good morning

As a resident of the downtown, I'm writing this morning to state my opposition to the plan to build a 17-storey tower on the northeast corner of Wolfe St. and Wellington St. across from Victoria Park.

Considering that Council has already approved two towers - 18 and 12 storeys - on the opposite corner next to Centennial Hall, this development is clearly redundant.

I'm disappointed that although the zoning for the development allows for a maximum height of 5 storeys, the developer is asking for 17 storeys. This cavalier attitude on the part of the developer is matched by the insouciance of the planning department, which sees downtown residents as pawns in a larger game and which treats the London Plan as an object of derision.

I urge you to treat Woodfield residents with greater respect and to follow the guidelines of the London Plan when determining the suitability of future development.

Sincerely

J. Fooks

706-520 Talbot Street

LONDON ON N6A6K4

From: <>

Sent: Friday, July 16, 2021 1:55 PM **To:** Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Response to Project OZ-8462

Sonia,

I am not in favour of the application filed by Auburn Developments for the 17-storey condominium at Wolfe and Wellington Streets.

Attached please find letter of appeal to Project Reference Number OZ-8462. I ask that you take my feedback into consideration.

Danya Walker

570 Wellington Street

London, ON N6A 3R3

Project Reference Number **OZ-8462** 560, 562 Wellington Street

As you review the application # 0Z-8462, 560 and 562 Wellington Street, I ask you to consider the following information.

The Planning Department of the city of London determines the appropriate use or zoning for property across the city. Neither the newly developed London Plan nor the existing Official Zoning Plan identifies the combined property at 560 and 562 Wellington Street as part of the "urban corridor" (which ends more than a block away at Dufferin Street). Therefore, this property is not designated as suitable for high density development. The developers intend to more than triple the density of this property with the plan to move from five stories to seventeen stories.

Buildings in the downtown zone are encouraged to build right up to the property line. However, the property under consideration is not considered by city planners to be part of the urban corridor and should not be allowed to build right up to the property line. As the property abuts a laneway that services the houses on Wolfe Street, the present laneway would need to be re-aligned onto the property east of the building. This would impact the desirability of the property to the east of the proposed building.

Neither the proposed height of the structure nor building to the property line is sympathetic to the "neighbourhood place type" and the West Woodfield Heritage Conservation Plan. The West Woodfield Heritage Conservation Plan in Section 4.3 states: "In cases where the new building is replacing a high-rise, the height should be restricted to match the existing building plus or minus one floor." This would entail restricting the new building to 4 to 6 stories.

The property at 560 and 562 Wellington Street is also subject to the Victoria Park Secondary Plan which is still under review. The draft of this plan indicates that properties should not be more than twelve stories in height. Following this proposal would seem to be a good compromise between the present plans of the developer and the more restricted height suggested by the West Woodfield Heritage Conservation Plan. My concern is that the developer might be wanting to rush this property into development before the secondary plan is finalized.

Allowing a height of twelve stories would also reduce the need for parking. The developer is concerned about the cost of underground parking for seventeen floors due to the water table. It is possible that restricting the height of the building to twelve stories would enable the developer to provide underground parking and use the first two stories of the building for more desirable purposes.

As London is in need of more housing, I suggest that the height restrictions of the Victoria Park Secondary Plan proposal be adopted (12 stories), which would more than double the present density. A building of this height would not cast as much of a shadow on my property at 570 Wellington as would a structure of 17 stories. I further suggest that the building should not extend to the property line in order to preserve the integrity of the property on the east of the proposed development.

As a home owner of 570 Wellington Street (the second house north of the proposed structure), I was compelled to restore rather than replace windows to preserve the heritage nature of this area. Does it seem fair that my private residence must reflect the heritage nature at considerable cost while a developer can circumvent this requirement?

If this development is allowed to proceed as described by the developer, what rationale can be used to prevent similar rezoning applications for other properties in this vicinity, resulting in further degradation of the heritage area?

Danya Walker 570 Wellington Street

From: <>

Sent: Tuesday, July 13, 2021 1:05 PM **To:** Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] OZ-8462 Application. Not a supporter

You have probably received several copies of Tom Okanski and Mary Ann Hodges objection to the repeat modified application from Auburn. I second every objection they state in their letter. Auburn should be ashamed of itself for bullying their neighbours and continuing to disregard all the work that the planning department has put into creating an official plan and their efforts in getting a secondary plan together for Victoria Park. Clearly they have very little respect for the City of London planners.

Sincerely, Burton Moon

485 Dufferin Ave.

London, On. N6B 2A1

From: MaryAnn Hodge < >

Sent: Saturday, July 10, 2021 9:56 PM **To:** Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Auburn Development Application - project reference number OZ-

8462 (560 & 562 Wellington Street).

Sonia,

As you review the application #0Z-8462, 560 and 562 Wellington Street, I ask you to consider the following reasons to refuse the proposal:

1. Urban planning is a profession that is supported by the City of London. The Planning Department takes pride in helping to mold the fabric of the city in a way that benefits all of the citizens of the city. One of the roles of a planning department is to determine the appropriate use or zoning for property across the

- city. London has recently renewed its plans for the city with "The London Plan" which highlights areas for development.
- 2. Although parts of the London Plan are still being addressed in appeals, it has not stopped development from happening. It is understood that if a section of the London Plan is under appeal, then the previous Official Zoning Plan is still valid.
- 3. Neither the new London Plan nor the existing Official Zoning Plan identify the property at 560 and 562 Wellington Street as part of the 'urban corridor', and therefore not designated as suitable for high density development. There needs to be a line somewhere and the planners determined that Dufferin Street was that line. 560 and 562 is more than a block from Dufferin Street.
- 4. Yes, we need housing, but that does mean that we toss all the rules out the window. There are many parking lots in the downtown core that need high density housing. If we put it in other places, there is less opportunity/demand to put it where it really needs to go. How do you entice developers to build downtown when you allow them to change the zoning on properties that are not zoned for this.
- 5. Yes, we need to increase density. Moving from 5 storeys to 12 storeys is more than doubling the density on this property. If we were to double the density on all the properties in London, we would not have a housing shortage.
- 6. Buildings in the downtown zone are encouraged to build right up to the property line. This is not sympathetic to the "neighbourhood place type" and the West Woodfield Heritage Conservation Plan. Yet, this is the request for this development proposal. The following excerpt is from the Heritage Conservation District Plan which would result in a 5-7 storey height restriction:

4.3 New Development

- •4.3 (c) In cases where the new building is replacing a highrise, the height should be restricted to match the existing building plus or minus one floor.
- 7. This property butts a laneway that services the houses on Wolfe Street and proposes a 10m blank wall for the full length of the building's east wall and requiring a re-alignment of the laneway onto the property east of the building (also owned by the developer), forever impacting the desirability of that property.
- 8. This property is subject of the Victoria Park Secondary Plan which is still under review. The draft of this plan indicates this property should not be more than 12 storeys. This seems to be a good compromise. Is this developer wanting to rush this property through before the secondary plan is finalized?
- 9. The height of the proposed building requires several floors of parking, and the cost of building the required parking underground is considered too expensive by the developer due to the water table. Limiting the height of the building will reduce the need for so much parking. Keeping the parking underground allows the first 2 storeys for more desirable uses than parking.
- 10. If this development is allowed to proceed as described, what rationale can be used to prevent similar rezoning applications for other properties in this vicinity, resulting in further degradation of the heritage area?

Thank you for your consideration,

Sincerely,

Mary Ann Hodge

From: Greg Bruzas < >

Sent: Friday, July 9, 2021 1:11 PM **To:** Wise, Sonia <swise@london.ca> **Subject:** [EXTERNAL] File: OZ-8462

Sonia, I am the owner of 568 Wellington Street since 2006. I also own the historical building 2 lots west at 572 Wellington Street. Both properties are in the Woodfield Historic District located next to the Critch family Auburn Homes properties at 560 and 562 Wellington Street.

I have serious concerns about the proposed revised Zoning Amendment/Application of the Critch properties at 560 and 562 Wellington Street.

I would like you to call me and discuss my options including:

- 1) Tearing down my 2 historic properties in Woodfield located at both 572 and 568 Wellington Street (Currently occupied by THINQ Technologies)
- 2) The proposed property lines and how it will affect my side entrances at 568 Wellington Street
- 3) Structural damage during construction
- 4) Office re-allocation during construction because of noise and safety concerns.
- 5) The rear back lane off Wolf Street which is the only access to the back yard parking. Thus, I am requesting a zoning permit for a driveway off Wellington Street at 568 Wellington Street property.

I also own and occupy the historic property at 293 Central Avenue that used the back alley for access to rear parking.

You may call me at < > at your earliest convenience.

Regards,

Greg Bruzas

CEO

THINQtech.com

----Original Message-----

From: Frederick Andrew Dick < > Sent: Monday, June 28, 2021 2:45 PM To: Wise, Sonia <swise@london.ca>

Cc: Kate Rapson < >; Kayabaga, Arielle <akayabaga@london.ca>

Subject: [EXTERNAL] Comments on OZ-8462 (560 and 562 Wellington St)

Dear Sonia,

As a longtime resident of West Woodfield that lives on Wellington St, I have to say that I'm really shocked to see this application, again! It is essentially the same as the last one for this pair of properties. The only change I think I see here is the name of the applicant, which is no longer Auburn.

To re-iterate the comments that have been brought up numerous times in the last number of years over applications for zoning changes to this property.

1) The height is inappropriate this close to the park. The shadow and wind tunnel effects will degrade the park and potentially damage trees. Everyone in the city enjoys events in Victoria Park this project will reduce its ability to hold these events. The effects of shadowing have been documented extensively for a 28+ floor building and

these concerns were re-stated the last time we saw this application for a similarly sized building.

- 2) The setback, or lack thereof, will make this the most prominent building on Wellington St that borders the park! Why? In the Victoria Park secondary plan study the need to respect the setback on all city blocks that surround the park is routinely stated and not discussed further simply because the park shouldn't be crowded by any one building. The only reason to need the entire lot for building on this site is the inappropriate scale of what is being proposed.
- 3) There is no need for retail at this location. In nearly 20 years living here, the commercial occupancy of store fronts in Centennial House has always been poor. There is a glut of unfilled stores on Richmond St that is growing! Unused retail space will only bring the appearance of more urban decay.
- 4) The above ground parking hidden within a 'pedestal' is inappropriate for the neighborhood. We need eyes on the street to build a safe and walkable community. The concrete block with no windows for the first few floors ensures that this section of the street will be forlorn. The recently opened One Richmond Row condos illustrate how this style isn't necessary or appropriate for this area in downtown.

Sincerely,

Fred Dick 618 Wellington St

London Hydro: June 28, 2021

No objections

Parks Planning and Design: July 13, 2021

 Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

Urban Design Peer Review Panel Memo

To: Proponents

- Kevin Muir, Senior Planner, GSP Group
- Anita Yu, Associate, Turner Fleisher Architects

From: Urban Design Peer Review Panel (UDPRP)

- Mike Davis, Planner
- Leo Lin, Architect
- Adrienne Hossfeld, Architect
- Terence Lee, Landscape Architect

Regrets:

- Kyle Poole, Landscape Architect
- Tim Wickens, Architect

RE: Zoning By-law Amendment Application, 560-562 Wellington Street, July 21, 2021

This application provided a difficult context for effective UDPRP review and comment. There appears to be a significant disconnect between the planned intent for this site expressed in the City's Planning Documents and the height and massing of the proposed development.

The Panel would suggest that the ultimate solution for the height and massing of new

development adjacent to Victoria Park is best considered through a community planning

process. Once the issues of height and massing are resolved, it is recommended that the application return to UDPRP for detailed design review.

The Panel noted that further UDPRP review and consideration of the proposed Zoning By-law Amendment in advance of resolution of the Victoria Park Secondary Plan seems premature.

Notwithstanding the fundamental planning challenges with the proposed development outlined above and highlighted in previous UDPRP memos, this panel provides the following comments to inform on-going review of the application.

- The building massing has appeared to be enlarged from previous versions it is difficult to understand how the enlarged massing provides a better design response for this unique urban context.
- If a tower is to be supported on this site, the massing and floorplate size should be carefully considered. As currently design, the scale of the tower is significantly larger than what comparable urban municipalities consider a point tower (e.g., 750m2 800m2), and almost 50% greater than London's current definition (1,000m2).
- The design of the tower would benefit from a more careful consideration of articulation and material changes. Currently where the tower would presumably use material changes to transition down to the east, that corner is rendered as the tallest masonry block. Other elevations attempt to use material changes to identify 3 distinct masses or elevations, but they all terminate at the 14th floor creating a negative impression of the elevations being both static and blocky as well as chaotic and unresolved.
- The Panel noted that the architectural design of the podium appears unresolved. The tower component has taken a more modern interpretation of the cornice treatment. The Panel recommends a similar and more simplified approach should be applied on the podium to present a more cohesive building.
- The Panel questioned the "angling" of the north curb cut and whether, in fact, the access on Wellington Street is a necessary component of the development. The Panel recommends this proposed vehicular access point be removed to preserve the pedestrian realm along Wellington.
- The Panel noted some inconsistencies between the Site Plan, Renderings and Elevation drawings, particularly regarding the podium design and landscape treatment. For example, a large hardscape area on Wellington is shown in plan, while less hardscape is shown in a 3D perspective view during the presentation.
- Minimal (5%) landscape area has been proposed on site. The Panel recommends the applicant review the site design and layout, incorporating additional landscape areas on site and achieving a more appropriate landscape to site area coverage ratio.

Concluding comments:

The Panel recommends that this application be paused until such time as the Victoria Park Secondary Plan is complete. The secondary plan would presumably provide revised height and massing policies that are based on multi-stakeholder input and balancing of planning objectives by City Council. UDPRP would be pleased to conduct further review of the application at that time.



MEMO

To: Sonia Wise, Senior Planner

From: Laura E. Dent, Heritage Planner

Date: August 31, 2021

Re: Heritage Impact Assessment – Heritage

Comments

560 & 562 Wellington Street (OZ-8462)

1. Overview

560 Wellington Street is a heritage designated property pursuant Part V of the *Ontario Heritage Act*, it is located in the West Woodfield Heritage Conservation District and is subject to the principles, goals, objectives, policies and guidelines of the *West Woodfield Heritage Conservation District Plan* (WW-HCD Plan). The property at 560 Wellington Street includes (2) heritage designated buildings, addressed, 560 and 562 Wellington Street. The property is also located adjacent to Victoria Park, which is designated pursuant Part IV and V of the Ontario Heritage Act.

A heritage impact assessment (HIA) was prepared by Stantec (Nov 2016) and an update memo was submitted with a recently revised application (Stantec, Mar 2021). The application is for an OP/ZBA for a proposed 17-storey development with a 3-4-storey podium. The development is primarily residential, with retail, amenity space and a common area at grade, and combination of underground and above ground parking.

Please note that the analysis and conclusions outlined in a previously submitted Memorandum – prepared by heritage planner Kyle Gonyou (February 9, 2017) – remains relevant to this application and should be referenced along with this Memo.

2. Comments + summary

Heritage planning staff has reviewed the Heritage Impact Assessment + Memorandum (Stantec Consulting Ltd., Nov 2016; March 2021) for the Official Plan + Zoning By-law Amendment (OZ-8462) at the above noted address and provides the following comments. These comments are thematically organized and issue specific. Heritage commenting is consistent with the *Provincial Policy Statement* (PPS), the *Ontario Heritage Act* (OHA), *Ontario Regulation 9/06*, *The London Plan*, and the *West Woodfield Heritage Conservation District Plan* (WW-HCD Plan).

2.1 Demolition

Demolition of buildings on heritage designated properties is strongly discouraged. This development is predicated on the demolition of (2) contiguous heritage designated buildings. Policy 4.2.2.c of the WW-HCD Plan states that "[w]here demolition of a heritage building is proposed, the property owner shall provide supporting documentation demonstrating appropriate reasons for the demolition." The reasons for demolition have not been sufficiently demonstrated, along with how (or even if) the loss of these heritage buildings within the context of WW-HCD can be mitigated.

2.2 Cultural heritage value or interest (CHVI)

The heritage impact assessment (HIA – Stantec, 2016) included an evaluation of the subject property (560 & 562 Wellington Street) used 9/06 Criteria to determine CHVI and identify heritage attributes. Since the property is already designated as part of the West Woodfield Heritage Conservation District (WW-HCD), further evaluation of the property's heritage attributes is not required. It is irrelevant since the property has already been determined to retain CHVI as part of the WW-HCD. Note that the WW-HCD Plan (its principles, goals, objectives, policies and guidelines) is used to evaluate impacts of development; these impacts are specific to the property's context within the District. Conclusions of the HIA (p6.3; Appendix-B) that found the

subject property to not retain CHVI, did not recognize the distinction between Part IV and Part V Ontario Heritage Act (OHA) designation.

2.3 Height

The current proposed 17-storey height is not supported per the policies and guidelines of the *West Woodfield Heritage Conservation District Plan* (WW-HCD Plan) which are intended to maintain the low-density residential character of the District as the predominant land use. 560-562 Wellington Street is outside the City Hall Precinct area noted in the WW-HCD Plan (p57) and is not subject to allowances for increased height and density per policies in 5.10.2. The recent approval of the proposal at 556 Wellington Street is not a sufficient rationale to support a 17-storey high-rise on the subject site; circumstances around its approval are unique to the property and demolition of heritage buildings were not required. The opinion that a high-rise on the subject site is now compatible to the local character due to the approved proposal on 556 Wellington Street is flawed. Ultimately, this logic would undermine any attempts at long-term retention of the character defined in the WW-HCD Plan.

2.4 Scale, massing and character

The intent of the West Woodfield Heritage Conservation District Plan (WW-HCD Plan) (as considered in all parts – its goals, objectives, policies and guidelines) is to maintain the predominantly low-density, residential character of the current District. The proposed development is not responsive to its heritage context. It does not reflect the dominant low-density, residential land-use character (lot patterning, overall form, architectural styling and details). It is not compatible with the smaller, highly, detailed scale and character of the Park and residential District's Victorian heritage character. General design measures are identified in the HIA to mitigate the impact of the scale and form of the proposed development and to enhance its compatibility with the heritage character of the area; these include an articulated podium design and materiality and other measures to be determined. Ultimately, these measures will be insufficient to mitigate the dominant scale of the development. The application of a podium (such as in this design) is customary in high-rise design and the treatment of its exterior is no more unique. Currently, it is not clear in the HIA what will make the proposed development compatible with West Woodfield's character.

2.5 Adjacencies, transitioning and mitigation of negative impacts

The guidelines of the West Woodfield Heritage Conservation District Plan (WW-HCD Plan) address the fit and compatibility of new development in relationship to adjacencies and transitioning to surrounding properties. "...[T]he design of new buildings taller than 3 floors, should be required to provide an adequate transition to neighbouring building types and heights..." (Section 8.1.9) On the subject property, a three-storey height is recommended to transition to adjacent buildings (WW HCD Plan, 5.10.2). The architectural vocabulary for the proposed development relies on a podium base, which is intended to mitigate the scale and massing of the high-rise building, and to relate to the pedestrian scale of the street and to the varying profile of the surrounding neighbourhood. Note as well that the east and north facades of the development are blank and utilitarian and 'butt-up' against adjacent residential heritage homes. Even with a 3-4-storey podium and step backs of the tower form, the immensity of the height and scale of the proposed development, and impacts on adjacent properties, will be overwhelming and not compatible with the smaller, highly detailed scale and heritage character of the district.

The proposed development also has the potential to have negative impacts caused by shadowing, obstruction of views, and 'perceived isolation' of Victoria Park from the District; the proposed design has not been responsive to mitigating these impacts. The form, scale and height of the development separates and isolates the western edge of the District from the Park, which is not only a Part IV designated property, but a resource of West Woodfield as well. This isolation affects the quality of the environment and, more broadly, Londoners' experience of their City.

2.6 Representation of proposal

The proposed development is depicted without its context and with very little reference to adjacencies. The applicant is encouraged to have renderings prepared that illustrate the proposal within its context – adjacent to Victoria Park, park-edge buildings and residential buildings along Wolfe Street. Accurately drafted sections that show the relationship between massing/height of

the proposal and adjacent buildings is necessary to be able to understand and assess impacts realistically. Given the significance of Victoria Park and its landscape setting and the close proximity of many residential properties, heritage staff is recommending that a more fine-grain shadow study be prepared to better assess shadowing impacts and potential impacts on the micro-climate of the Park and backyards of residential homes.

3. Conclusions

New development should first be guided by good planning and urban design practices and issues around 'good fit' — essentially to demonstrate that the new development is sensitive to, and compatible with, the existing and planned context. Regarding this very point, the proposed development at 560-562 Wellington does not demonstrate fit with the existing or planned context, or to use heritage terminology, conserve cultural heritage value or interest. Based on the review of the HIA, heritage staff is not satisfied that the height and massing of the proposal is compatible with its heritage context. Also, the HIA does not provides justification that there will be no adverse impacts on Victoria Park, the West Woodfield Heritage Conservation District as a whole, and specifically on heritage designated properties adjacent to 560-562 Wellington Street as a result of the proposed development. It has not been sufficiently demonstrated that the cultural heritage value or interest of significant heritage resources has been conserved through mitigative measures.

4. Further considerations

4.1 Demolition approval

Municipal council approval will be required for the demolition of the (2) buildings on the subject property. Consultation with the London Advisory Committee on Heritage (LACH) is required prior to council decision.

4.2 Heritage alteration permit approval (HAP)

As per Section 42(1) of the *Ontario Heritage Act* (OHA), heritage permit approval will be required for alterations to properties designated in the West Woodfield Heritage Conservation District. The London Advisory Committee on Heritage (LACH) will provide a recommendation to Municipal Council on the HAP, with Council having approval authority. Heritage alteration permit approval is required prior to issuance of a Building Permit.

Urban Design: August 31, 2021

Please find below UD Comments for OP/ZBA related to 560-562 Wellington Street.

- Urban Design staff have reviewed the re-submitted site development concept and elevations for the zoning by-law amendment application at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and guidance provided by the Urban Design Peer Review Panel(UDPRP);
- The applicant is commended for providing a site and building design with following features: A mixed-use form with continuous built edge along Wellington Street and Wolfe Street; active ground floor uses along Wellington Street; appropriate use of articulation with colour and material changes; locating majority of the parking underground and away from the street.
- In accordance with the West Woodfield Heritage Conservation District Plan, the
 Official Plan (in particular the Urban Design Policies for the Near Campus
 Neighbourhood [3.5.19.13] and Chapter 11 Urban Design), The London Plan (in
 particular the City Design Policies) and the comments made by the UDPRP in
 February 2015 and July 2021, the building height and mass should be further
 reduced to be more compatible with the surrounding built form context and
 proximity to Victoria Park.
- Notwithstanding the above comments, the following relates to the revised building design presented in the April 2021 Urban Design Brief.
 - No functional setbacks are provided for the building along all sides of the property

- Provide a minor setback (approximately 1-2m) for the podium along the shared property lines to avoid negative impacts on adjacent properties and allow for appropriate maintenance and functional circulation.
- There is no significant transition in height and massing that minimize shadow, overlook, privacy concerns and show compatibility particularly towards low rise dwellings towards North and East and the public realm towards west (Victoria Park)
 - The tower floorplate is very large causing prolonged shadowing of the adjacent park and neighbourhood. A slender tower should be provided with a floorplate of less than 1000m square, to minimize shadow impacts, obstruction of sky views and be less imposing visually on neighbouring properties and public spaces.
 - Ensure an adequate setback of the tower portion (above the podium) to the shared property line(s) to provide for separation distances that allow a transition to the lower building forms and provide relief from privacy and shadow impacts on the private amenity areas for the nearby residential properties.
 - Ensure a stepback is provided along the Wellington St frontage above the podium that is deep enough to establish a pedestrianscale environment and minimize the presence of the tower portion at street-level.
- No parking or loading areas should be located the ground and upper floors
 of the podium along public street frontages. The existing above grade
 parking creates blank, inactive facades along the pedestrian environment.
 - Provide transparent/translucent glazing treatment for windows on the parking structure levels as opposed to spandrel glazing along Wellington Street and Wolfe Street-facing podium floors to allow for visual connection into and from the building interior areas, and to provide a sense of movement and activation of the building facades.
- Include more functional outdoor amenity spaces on site. Provide an
 adequately sized outdoor amenity space in addition to the proposed
 amenity areas(fourth level) for the number of units particularly as there is
 very minimal landscape open spaces on site. A reduced tower floorplate
 for the building will increase the amount of possible rooftop amenity
 space.

Development Services Engineering: September 2, 2021

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

Transportation

- As part of a future site plan application, the Traffic Impact Assessment prepared by Stantec, dated November 5th, 2014, will need to be updated to reflect the current conditions of the development and surrounding transportation network.
- 6.0mx6.0m daylight triangles required at Wellington Street/Wolfe Street intersection.
- Detailed comments regarding access design and location will be made through the site plan process.

Water

 Water is available to the site via the municipal 450mm CI watermain on Wellington Street

Wastewater

• As part of a future site plan application, the preliminary servicing report prepared by Stantec, dated November 4th, 2014, will need to be updated to reflect the current conditions of the development and drainage area.

Stormwater

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

London Advisory Committee on Heritage – September 8, 2021 – Council Resolution

S.Wise, Senior Planner, BE ADVISED that, despite the changes that have been brought forward in the Notice of Planning Application, dated June 28, 2021, from S. Wise, Senior Planner, with respect to Revised Official Plan and Zoning By-law Amendments, related to the properties located at 560 and 562 Wellington Street, the London Advisory Committee on Heritage, reiterates its comments from the meeting held on January 11, 2017 with respect to concerns about the following matters related to the compatibility of the proposed application with the West Woodfield Heritage Conservation District Plan guidelines, Victoria Park and the adjacent properties:

- i) the height of the building;
- ii) the massing of the building;
- iii) the setbacks of the building;
- iv) the design of exterior facades; and,
- v) shadowing impacts onto adjacent heritage properties.

Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, bylaws, 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
- 1.1.3 Settlement Areas
- 1.7 Long-Term Economic Prosperity

1989 Official Plan

- 2.1 Council Strategic Plan
- 3.4. Multi-Family, High Density Residential
- 3.5.4 Woodfield Neighbourhood Specific Residential Policy Area
- 3.5.19 Near Campus Neighbourhood Policies
- 3.6.5 Convenience Commercial and Service Stations

Chapter 11 – Urban Design

Chapter 12 – Housing Polices

Chapter 13 – Heritage Policies

The London Plan

54 Our Strategy

79 Our City - City Structure Plan

193 City Design Policies

309 City Building Policies

516 Affordable Housing

916 Neighbourhoods

1577 Evaluation of Planning Applications

Z.-1 Zoning By-law

Section 3: Zones and Symbols

Section 4: General Provisions

Section 13: Residential R9 Zone

Section 18: Restricted Office Zone

Section 29: Convenience Commercial (CC) Zone

West Woodfield Heritage Conservation District Plan

Appendix C - Additional Maps



