

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

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

Subject: Vision SoHo Alliance c/o Indwell (Attn: Sylvia Harris)
370 South Street & 124 Colborne Street (Old Victoria Hospital
Lands)

Public Participation Meeting on: November 22, 2021

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Vision SoHo Alliance relating to the properties located at 370 South Street and 124 Colborne Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 7, 2021 to amend the Official Plan, 1989 to add policies to Section 19.15.4 Vacant Land Condominiums;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on December 7, 2021 to amend The London Plan, 2016 to add policies to Policy 1709 Vacant Land Condominiums;
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on December 7, 2021 to amend the Old Victoria Hospital Lands Secondary Plan to change the designation of a portion of the subject the subject lands **FROM** a Low-Rise Residential designation, **TO** a Mid-Rise Residential designation and amend policies pertaining to the Mid-Rise Residential designation and The Four Corners designation;
- (d) the proposed by-law attached hereto as Appendix "D" **BE INTRODUCED** at the Municipal Council meeting on December 7, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of a portion of the subject lands **FROM** R8 Special Provision (h*h-5* R8-4(56) Zone; Holding Residential R8 Special Provision (h*h-5* R8-4(57)); and, a Holding Residential R8 Special Provision (h*h-5*R8-4(58)) Zone to a Holding Residential R4 Special Provision/Residential R8 Special Provision (h*h-5*R4-6(13)/R8-4(59)) Zone, with amendments to the associated special provisions of the Residential R8-4 zones applicable to the subject lands.
- (e) that the requested amendment to the Old Victoria Hospital Lands Secondary Plan to remove policy from 20.6.4.1(iii) regarding commercial at the ground floor **BE REFUSED** given the goals and objectives for the designation within the secondary plan.

Executive Summary

Summary of Request

The application requests amendment to address three elements in support of the proposal.

1. Amendments to The London Plan and Official Plan, 1989 to allow for an Application of Draft Plan of Vacant Land Condominium to proceed as proposed with multiple apartment buildings above a shared underground parking garage.

2. Amendments to the Old Victoria Hospital Lands Secondary Plan to allow for apartment buildings no-taller than 5-storeys along Hill Street through policy amendments and a re-designation of lands to Mid-Rise Residential and policy amendments to The Four Corners designation.
3. Zoning amendments to allow for the technical details of the proposed design to proceed, including the addition of permission for apartment buildings on the lands fronting Hill Street.

Purpose and the Effect of Recommended Action

1. The purpose and effect of the recommended action is to make the necessary Official Plan, Secondary Plan and Zoning By-law amendments to allow for the development as proposed.

Rationale of Recommended Action

1. The proposed amendments are consistent with the Provincial Policy Statement (PPS), 2020 by providing a mix of residential uses including affordable housing in an appropriate location and at a time of defined need;
2. The proposed amendments conform to the in-force policies of the 1989 Official Plan, including but not limited to the Multi Family High Density Residential designation which applies to the subject lands;
3. The proposed amendments conform to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place type which applies to the subject lands; and,
4. The proposed amendments conform to the policies of the Old Victoria Hospital Lands Secondary Plan.
5. The amendment to the Old Victoria Hospital Lands Secondary Plan recommended for refusal is recommended as such because it is not consistent with the vision for the area set out within the objectives of the plan.

Analysis

1.0 Site at a Glance

1.1 Property Description

The site is made up of two distinct parcels 124 Colborne Street and the block surrounded by Hill, Waterloo, South and Colborne streets referred to hereafter as the 370 South Street block (noting that the addresses 346-392 South Street and 351-385 Hill Street are historically associated with the block).

124 Colborne Street is entirely hardscape with mature trees in various conditions along the southern half of the eastern property limit. 124 Colborne is a stubbed L-shape with the property deeper from Colborne in the southern two-thirds of the site.

The 370 South Street Block has been cleared of all but two historic structures which made up the former Victoria Hospital Site. The War Memorial Children's Hospital and the Health Services Building. The southeast corner of the block contains the SoHo Civic Space, a park currently in process of development and excepted from the application.

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

- Official Plan Designation – Multi-Family High-Density Residential
- The London Plan Place Type - Neighbourhoods

- Secondary Plan Character Area Land Use Designation: Low-Rise Residential, Mid-Rise Residential and The Four Corners (refer to Secondary Plan excerpt)
- Existing Zoning – Holding Residential R8 Special Provision (h*h-5* R8-4(56) Zone, Holding Residential R8 Special Provision (h*h-5*R8-4(57)) Zone, Holding Residential R8 Special Provision (h*h-5*R8-4(58)) Zone, and a Holding Residential R4 Special Provision/Residential R8 Special Provision (h*h-5*R4-6(13)/R8-4(59)) Zone. (refer to Zoning excerpt)

1.3 Site Characteristics

- Current Land Use – Vacant (124 Colborne) & Vacant with vacant heritage buildings (2) (370 South Street Block).
- Frontage – 101m along Colborne Street (124 Colborne) & 203m along South Street (370 South Street Block)
- Depth – 37m (124 Colborne Street) & 101m (370 South Street Block)
- Area – 0.32 ha (124 Colborne) & 1.89 ha (370 South Street Block)
- Shape – Stubbed L (124 Colborne) & Rectangular Block (370 South Street Block)

1.4 Surrounding Land Uses

- North – Low-rise residential
- East – Mid-rise residential and place of worship
- South – High-rise residential (under development)
- West – Office

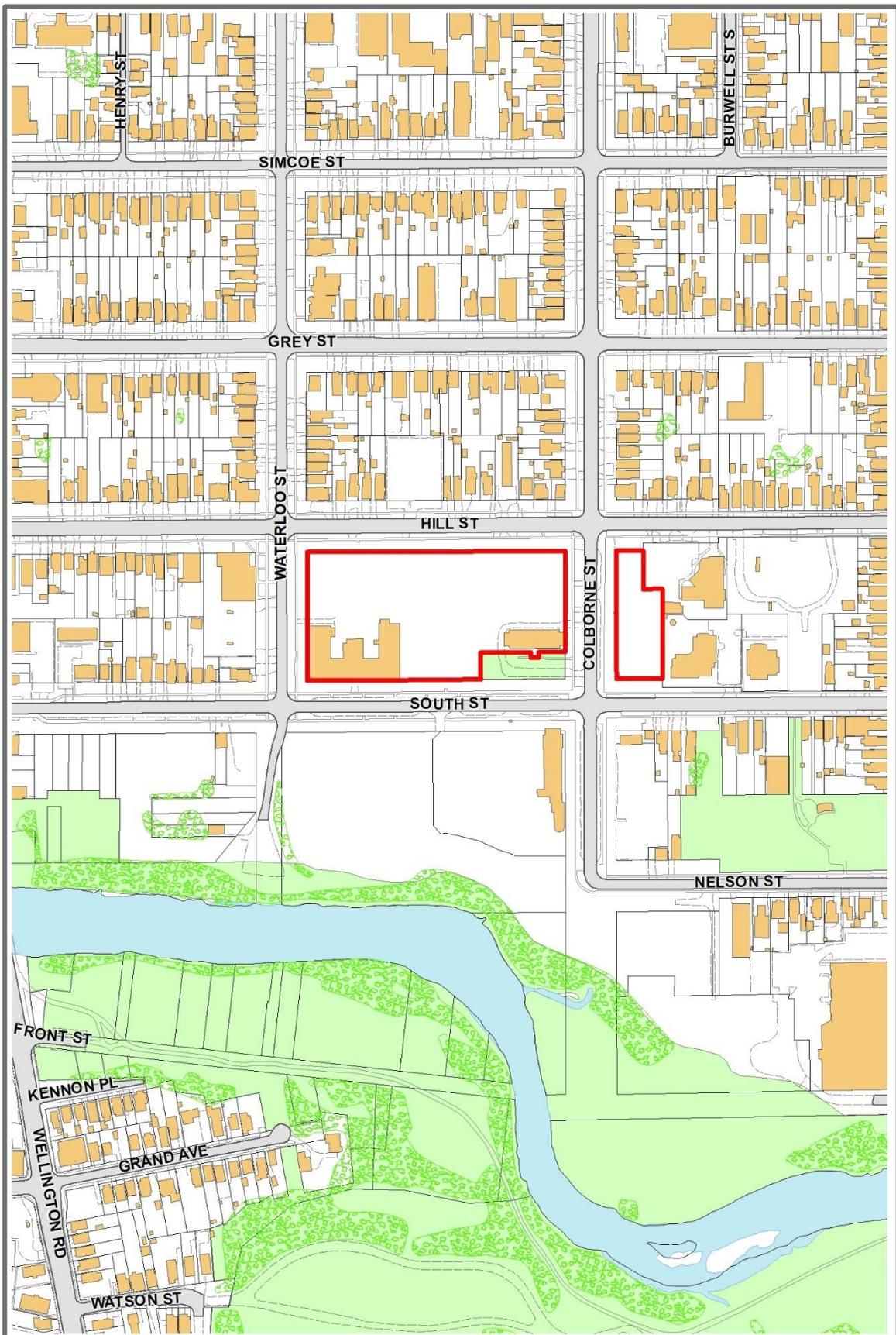
1.5 Intensification

- The proposed 674 apartments represent intensification within the Built-area Boundary. The proposed residential units are inside the Primary Transit Area.

1.6 Heritage

- Heritage Planning staff reviewed the Heritage Impact Assessment provided as part of OZ-9418. Staff will continue to work with the applicant on designation of the War Memorial Children's Hospital and Health Services Building pursuant to the Part IV of the Ontario Heritage Act. Staff will also anticipate the recommended Conservation Plan to be submitted as a part of a Heritage Alteration Permit (HAP) application to address the conservation and adaptive re-use of the existing buildings.

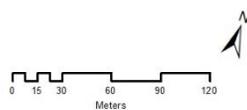
1.7 Location Map



LOCATION MAP

Subject Site: Old Victoria Hospital Lands
 File Number: OZ-9418
 Planner: Leif Maitland
 Date: 2021/09/28

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:6000

Legend

-  Subject Site
-  Buildings
-  Assessment Parcels
-  Parks
-  Vegetation

2.0 Description of Proposal

2.1 Development Proposal

The subject lands are proposed to be redeveloped to accommodate both mixed-use and stand-alone apartment buildings ranging between 5- and 11-storeys. The subject lands are proposed to be developed comprehensively and function as a single entity to the greatest extent possible in terms of shared access, parking, and amenity areas. However, given that Colborne Street physically separates the subject lands 124 Colborne Street is proposed to be developed independently from the 370 South Street Block. There are a total of seven (7) buildings on the subject lands that are proposed for development and are to be configured as shown in figure 2 below.

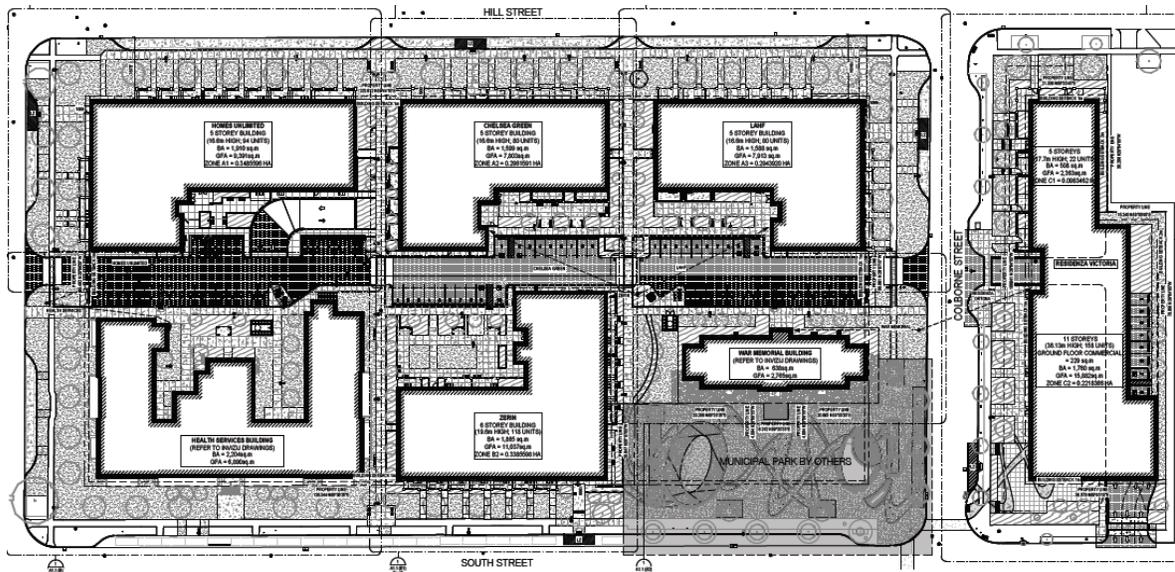


Figure 2: Site Concept Plan

A Site Plan approval application has also been received for the subject lands. Site Plan application SPA21-081 (assigned to the subject lands) is subject to a public site plan meeting. The report related to the Site Plan application, which accompanies this report as a separately scheduled item, contains more detailed graphics showing the following.

A total of 674 dwelling units are provided on the subject lands in all seven (7) buildings. In addition to surface parking spaces, underground parking is provided below the subject lands, save and except below the two heritage buildings (Victoria Health Sciences Building and the War Memorial Building). A total of 480 parking spaces are provided, including 28 barrier-free spaces. The project is an applicant driven affordable housing project with units to be provide at both CMHC defined affordable housing and deep-affordable rents.

The development is intended to proceed through a Plan of Condominium approval process with the apartment buildings forming the units of the condominium. The individual buildings proposed are as follows:

2.2 Homes Unlimited

- Fronting onto Hill Street to the north and Waterloo Street to the west;
- Apartment building with a height of 5-storeys, or 16.0m; and,
- A unit count of 94 units.

2.3 Chelsea Green

- Fronting onto Hill Street to the north;
- Apartment building with a height of 5-storeys, or 16.0m; and,
- A unit count of 80 units.

2.4 London Affordable Housing Foundation (LAHF)

- Fronting onto Hill Street to the north and Colborne Street to the east;
- Apartment building with a height of 5-storeys, or 16.0m; and,
- A unit count of 80 units.

2.5 Indwell - Victoria Health Sciences Building (Existing)

- Fronting onto South Street to the south and Waterloo Street to the west;
- A height of 2-storeys (as existing); and,
- A unit count of 80 units.

2.6 Zerin

- Fronting onto South Street;
- Apartment building with a height of 6-storeys, or 19.0m; and,
- A unit count of 118 units.

2.7 Indwell - War Memorial Building (Existing)

- Fronting onto South Street to the south, Colborne to the east;
- A height of 3-storeys, or 15.6m (as existing); and,
- A unit count of 42 units.

2.8 Residenza Victoria (Italian Senior's Project)

- Fronting onto Hill Street to the north, South Street to the south, and Colborne Street to the west;
- Comprised of two attached apartment buildings:
 - A southern building with a height of 11-storeys, or 36.0m, and;
 - A northern building with a height of 5-storeys, or 17.0m;
- A total unit count of 180 units and 229 m² of non-residential GFA at-grade:
 - A southern building with 158 units and 229 m² of non-residential GFA at-grade; and,
 - A northern building with 22 units.

3.0 Relevant Background

3.1 Planning History

In 2011, the Roadmap SoHo Community Improvement Plan was created for the broader South of Horton area of the city. Specifically related to the application was the identification of a riverfront promenade that extended from the west along south to terminate at Colborne Street.

In 2013, the South Street (Old Victoria Hospital) complex was closed entirely. The buildings were owned by London Health Sciences Centre (LHSC), but the majority of the lands on which they were situated were owned by the City. Arrangements were made between the City and for the demolition and the remediation of the site.

The Old Victoria Hospital Lands Secondary Plan was adopted in June 2014 to guide the redevelopment of all the lands previously part of the hospital complex.

The Old Victoria Hospital Lands have been divided and sold in phases. The first phase included the lands south of South Street. The sale of these lands, including the Colborne Building, to the Medallion Corporation and has resulted in the, currently ongoing, development of a tower at that site. The second phase includes the lands subject to this application.

As the owner of the subject site at the time, the City of London applied for an Official Plan Amendment and Zoning By-law amendment for the subject lands in June of 2020. The Official Plan amendment (O-9223) was specifically to the Old Victoria Hospital Lands Secondary Plan to address bonusing provisions which Provincial changes to the *Planning Act* made un-implementable. The zoning by-law amendment (Z-9224) established zoning for the subject lands which now forms the base zoning which the

application seeks to amend. Both amendments were passed by council September 29, 2020.

3.2 Requested Amendment

The application relies on amendments for three elements.

1. Amendments to The London Plan and Official Plan, 1989 to allow for the Vacant Land Condominium to proceed as proposed with multiple apartment buildings above a shared underground parking garage.
2. Amendments to the Old Victoria Hospital Lands Secondary Plan to allow for apartment buildings no-taller than 5-storeys along Hill Street through policy amendments and a re-designation of lands to Mid-Rise Residential and policy amendments to The Four Corners designation.
3. Zoning amendments to allow for the technical details of the proposed design to proceed, including the addition of permission for apartment buildings on the lands fronting Hill Street.

The particulars of the request are addressed below in section 4.

3.3 Community Engagement (see more detail in Appendix E)

On October 7, 2021 Notice of Application was provided in the Londoner. Written notice was also provided to both landowners and residents within the prescribed circulation area – a total of 432 notices were sent out.

Comments received requested the following changes were made to the proposal.

1. An increase in open space within the development specifically highlighting the possibility of a dog park.
2. The inclusion of a grocery store within the development.
3. An increase in the provided parking to avoid over-subscription of street parking.
4. Changes to the massing of the building at 124 Colborne Street to move the 11-storey portion to the north of the property.

The comments provided are discussed in the context of the application through the analysis provided in Section 4.

3.4 Policy Context (see more detail in Appendix F)

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 provide policy to guide planning within the province of Ontario. Policy 1.1.3.4 directs that: “Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area”. Given the well-documented need for affordable housing in London and provincially any mix of housing options located in an area planned for their use should be seen as addressing this defined need.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan designates the subject lands as Neighbourhoods Place Type. This place type provides for a broad range of residential uses and intensity from single-detached homes to apartment buildings with a commercial mixed-use portion up to a height of 6-storeys dependent location*. The London Plan also adopts The Old Victoria Hospital Lands Secondary Plan as a secondary plan under policy 1565 which allows the policies of the secondary plan to guide the development.

1989 Official Plan

The Official Plan, 1989 designates the subject lands Multi-Family High Density Residential. Under policy 3.1.4 Multi-Family High Density Residential designated lands should:

Support the development of multi-family, high density residential uses at locations which enhance the character and amenity of a residential area and where arterial streets, public transit, shopping facilities, public open space, and recreational facilities are easily accessible; and where there are adequate municipal services to accommodate the development.

Chapter 20 of the Official Plan, 1989 adopts the Old Victoria Hospital Lands Secondary Plan which allows the policies of the secondary plan to direct development on the subject lands.

The Old Victoria Hospital Lands Secondary Plan provide policy which guides the development of the subject lands. The subject lands are within the Low-Rise Residential, Mid-Rise Residential and The Four Corners Designations. The Low-Rise residential permissions range from single-detached up to stacked townhouses 5-storeys in height. This designation applies to the Hill Street fronting portion of the subject lands. The Mid-Rise Residential permissions range from converted dwellings to apartments up to 8-storeys in height. This designation applies to the southern and western portion of the 370 South Street Block. The Four Corners Designation is intended to provide a neighbourhood core for the area situated around the South and Colborne intersection. The policies provide for apartment buildings up to 11-storeys in height and encourage mixed-use buildings with small scale commercial at the ground floor. The War Memorial Childrens Hospital, SoHo Civic Space park and the southern portion of 124 Colborne are subject to the policies of this designation.

4.0 Key Issues and Considerations

The application relies on amendments for three elements to support the development as proposed.

1. Amendments to The London Plan and Official Plan, 1989 to allow for an application for a Draft Plan of Vacant Land Condominium to proceed as proposed with multiple apartment buildings above a shared underground parking garage.
2. Amendments to the Old Victoria Hospital Lands Secondary Plan to allow for apartment buildings no-taller than 5-storeys along Hill Street through policy amendments and a re-designation of lands to Mid-Rise Residential and policy amendments to The Four Corners designation.
3. Zoning amendments to allow for the technical details of the proposed design to proceed, including the addition of permission for apartment buildings on the lands fronting Hill Street.

4.1 Draft Plan of Vacant Land Condominium Related Official Plan Amendments

In order to facilitate the development of the 370 South Street block as one development the concept relies on the entirety of the site proceeding as a vacant land condominium.

Of note at this point is the entirety of the 370 South Street block is reliant on a single underground parking structure with a single entrance.

To support this proposal the applicant has requested the following amendments:

1. *Notwithstanding Section 19.15.4(iii) in the 1989 City of London Official Plan and Policy 1709(3) in The London Plan, permit a vacant land condominium that results in units above or below any other unit.*
2. *Notwithstanding Section 19.15.4(iv) in the 1989 City of London Official Plan and Policy 1709(4) in The London Plan, permit multiple units within one dwelling/building.*
3. *Notwithstanding Section 19.15.4(v) in the 1989 City of London Official Plan and Policy 1709(5) in The London Plan, permit structures to cross unit boundaries at or after registration of the vacant land condominium.*

The Condominium Act, 1998 creates a statutory framework that sets out the rights and obligations of the unit owners and the condominium corporation, including the obligation to repair and maintain the common elements. A condominium corporation is required to be audited and maintain reserve funds to address shared concerns as they arise. The development is proposed to be developed comprehensively in a manner that reduces the vehicular impacts on the abutting streets through shared access and parking and with a collective approach to landscape open space, all of which are supported by policies within The London Plan (222A, 266, 269), which encourages a comprehensive and sensitive approach in redevelopment on such site. As such, the use of a condominium is an appropriate approach to establishing the proposed development on the subject lands.

The use of a condominium for affordable housing projects which require public funding is functionally limited to two types of condominiums vacant land and common element. Whereas a standard condominium requires the building(s) be completed prior to establishing the condominium, a vacant land and common element condominium can be formed prior to construction allowing for the applicant, in this case the various housing corporations that form the Vision SoHo Alliance, to seek funding to support construction. A vacant land condominium establishes units (for future development) and common elements (shared ownership through the condominium corporation). A common element condominium contains only common elements, often a private street. As the development relies on a significant underground parking structure as a common element which overlaps all potential units (physically the units are located above the parking structure) a vacant land condominium allows for a more accurate reflection of the unit boundaries in three-dimensions. The statutory responsibilities for the maintenance of the parking structure are greater under a vacant land condominium providing further support for that approach.

The requested amendments relate to policies within the Official Plan, 1989 and The London Plan which limit the form vacant land condominiums take.

The second requested amendment seeks to permit the housing providers to act as the units within the condominium corporation rather than individual dwelling units. Permitting this approach would create a situation which reflects the functional operation of the buildings and complete development through the condominium corporation formed. This policy is intended to prevent unfair arrangements amongst condominium unit owners, which can still be accomplished by the city through its evaluation of the condominium application. As proposed, the creation of a condominium corporation with four members each serving similar sized buildings and with similar responsibilities does not create a situation where one party can dominate the remainder of the condominium corporation.

The first and third requested amendments relate to the parking structure which is proposed as a common element. The policies are intended to address smaller vacant land condominiums where potential conflicts could arise over who possessed a specific

structure or where the units to be created were parcels within a subdivision on a shared laneway and could not physically overlap. Neither of these situations apply here. In this instance, the proposed common element is a necessary element for the proposal and creates a desirable and efficient form of development. Without exemption from these policies the parking would take up much greater space at ground level, and create a much less pleasant impact on the neighbours without achieving any discernable benefit relative to the design as proposed.

The request for exemption from the specific Official Plan, 1989 and The London Plan policies related to vacant land condominiums is recommended.

4.2 Amendments to the Old Victoria Hospital Lands Secondary Plan.

The amendments requested by the applicant to the Old Victoria Hospital Lands Secondary Plan are as follows:

1. *Notwithstanding "Schedule 2: Character Area Land Use Designation Plan" in the Old Victoria Hospital Lands Secondary Plan, re-designate all subject lands currently identified as "Low Rise Residential" to "Mid-Rise Residential" with a special policy to permit a maximum height of 5-storeys for all apartment buildings fronting onto Hill Street and a special policy to permit a minimum height of 2-storeys all existing buildings fronting onto South Street.*
2. *Notwithstanding Section 20.6.4.1(iii) in the Old Victoria Hospital Lands Secondary Plan, residential uses are permitted on the ground floor in the "Four Corners" land use designation, and relatedly, non-residential uses are not required on the ground floor.*
3. *Notwithstanding Section 20.6.4.1(iv) in the Old Victoria Hospital Lands Secondary Plan, building floorplates are not required to be designed to accommodate non-residential uses at-grade, nor is the height of the ground floor required to be greater than the height of any upper storey in the "Four Corners" land use designation.*
4. *Notwithstanding Section 20.6.4.1(iv) in the Old Victoria Hospital Lands Secondary Plan, direct vehicle access from South Street is permitted for Parcel '1' in the "Four Corners" land use designation.*

The first request is to redesignate the northern portion of the subject lands from Low-Rise Residential to Mid-Rise Residential whilst applying a policy to ensure the height remains similar to what was permitted under the existing Low-Rise Residential policies. This has the effect of adding apartment buildings as a use while maintaining the scale previously only permitted to develop as stacked townhouses so as to maintain a similar street feel and impact on adjacent lands. The additional permission for apartment buildings increases the potential use value for the subject lands by allowing for a broader range of forms. In allowing apartment buildings a developer not only has more freedom to design space efficiently but also increased accessibility requirements should they choose to (as the site plan application indicates the applicant intends to) develop the site as an apartment building. In planning for affordable housing the need to ensure designs are accessible for everyone is an important part of the comprehensive planning behind the provision of affordable housing more generally. This request (moving from low-rise to mid-rise) has the effect of removing the density maximum applicable to the lands, and as such the proposed height limitation policy would take over as the 'cap' on development for this portion of the lands. Together the re-designation and height limit policy are appropriate and recommended for approval.

The second and third requested amendments to the Old Victoria Hospital Lands Secondary Plan seeks to provide additional policy to support the development of residential uses without a commercial component at ground floor within The Four Corners. Policy 20.6.4.1 iii) which specifies the permitted uses within The Four Corners notes that the uses permitted within the Mid-Rise Policy Area are also to be permitted

within The Four Corners. This provides permission for apartment buildings (without a commercial component). The Four Corners area is proposed to provide the commercial to serve the neighbourhood. The need for local commercial has been highlighted in comments received from the public on this application.

Given the use proposed (apartment building without commercial component) is permitted under the current policy (and zoning) the requested policy amendment to reduce support for commercial within The Four Corners is recommended for refusal.

The third requested amendment to the Old Victoria Hospital Lands Secondary Plan seeks to allow the development of residential uses at the ground floor without the floorplate being designed to accommodate secondary permitted uses. The applicable policy currently reads:

j) Building floorplates shall be designed to accommodate for permitted secondary uses at grade with residential uses located above.

This policy requires that building floorplates be “designed to accommodate” permitted uses which are not intended to fill the space. Given the inappropriateness of requiring a space be designed to accommodate a use other than what will fill it, it is recommended that this policy be deleted from the Secondary Plan.

The third requested amendment would allow the ground floor to be the same as any storey above. This policy currently reads:

u) The ground floor height of all buildings shall be greater than the height of any upper storey.

This policy is intended to provide a commercial appearance to any ground floor within The Four Corners designation, as commercial uses generally request additional ceiling space. For the mixed-use building proposed for 124 Colborne Street following this policy would require a different height for the south and north portions of the building or constructing the northern portion of the building with a “commercial-scale” without any policy or regulatory support for commercial at that location. Given the arduous nature of this policy in terms of its architectural requirements it is recommended for removal.

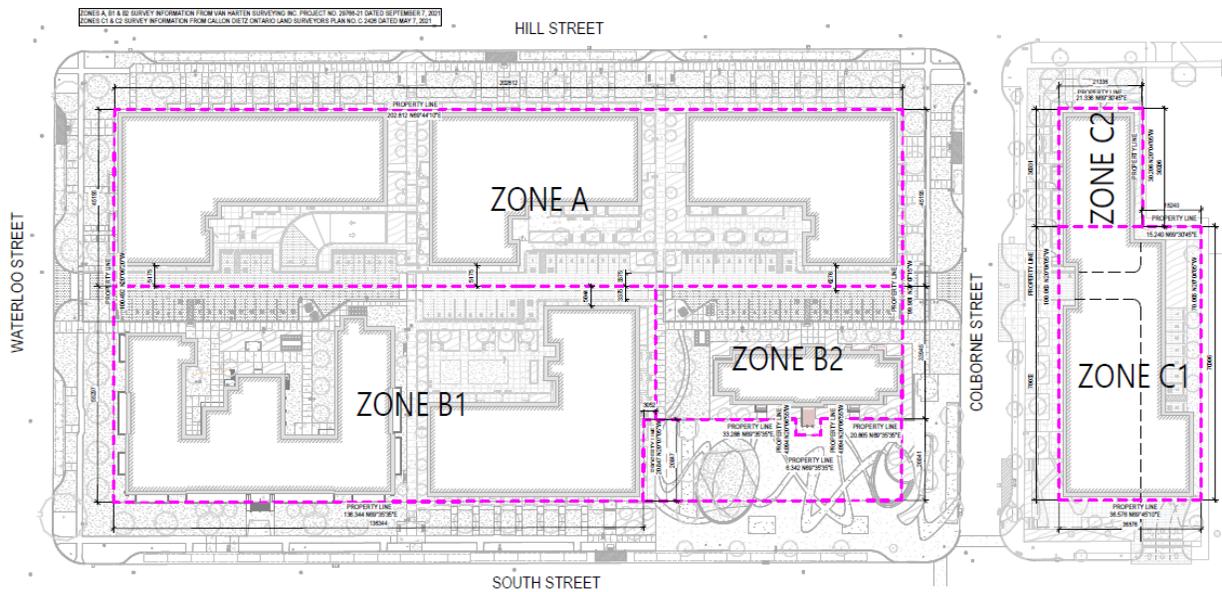
The fourth requested amendment to the Old Victoria Hospital Lands Secondary Plan is to allow for vehicular access from South Street to support the proposed concept for 124 Colborne Street. The current policy reads:

r) No individual direct vehicle access shall be permitted for any development lot along South Street.

This policy is intended to reduce the vehicular interruptions to the streetscape within The Four Corners. Based on the current proposed concept for 124 Colborne Street the access along South Street requiring this amendment is at the eastern extreme of The Four Corners adjacent the eastern property limit. This location allows for an efficient parking garage design and reduces conflicts with the bike lane on Colborne Street. Permitting the parking garage would not interfere with the riverfront promenade originally outlined in the Roadmap SoHo CIP which showed the promenade extending to Colborne but not west of South Street. As such a site-specific policy to allow for the vehicular access from South Street is proposed.

4.3 Zoning By-law Amendments

The Zoning By-law amendments maintain the existing Zones for the site and relate specifically to sub-regulations under the existing zones. The proposal relies on relocating a zone boundary and the addition of one permitted use, apartment buildings along Hill Street.



The diagram above shows the requested final zone boundary. The proposed relocates the zone boundary so that the zone applicable along Hill Street is now applicable to a larger portion of the 370 South Street block. For 370 South Street the relocation of the zone line (14 meters to the south) has the effect of increasing the portion of the block which is limited to 5-storays in height. In so doing it does not preclude the protection of the heritage features on site or the development of commercial uses along South Street or at The Four Corners. In relocating the zone line, as proposed, a functional multifamily space which includes communal amenity can be developed. As such the relocation of the zone boundary does not detract from the goals and policies set out within the Old Victoria Hospital Lands Secondary Plan. The relocation of the zone line between the zones label B1 and B2 is negligible (3.0m internally within the block) and provides more functional access to the Zerín building (Zone B1 in the diagram or R8-4(58)) while maintaining space for amenity at the War Memorial Hospital building. This minor amendment can be considered technical in nature. The Zone boundary between B2 on the diagram above and the park in the southeast corner of the block is also a technical amendment. The zone line proposed aligns with the boundary of the lands to be dedicated for a park and those to be severed for development. Subject to 3.10 of the Zoning by-law which guides the establishment of zone boundaries should fall along property boundaries, which the requested zone boundary does.

Given the above factors the relocation of the zone boundaries as requested by the applicant is recommended for approval.

4.4 Comprehensive Regulation Changes:

There are two requested regulation changes which relate to the encroachment of architectural elements into the yards surrounding the development. The requested amendments are as follows:

1. *Notwithstanding Section 4.27 of the City of London Z.-1 Zoning By-Law, unlimited encroachment of at-grade terraces/patios/porches is permitted, with up to an additional 2.0m encroachment into the City of London right-of-way with the appropriate encroachment agreements in place; and,*
2. *Notwithstanding Section 4.27 of the City of London Z.-1 Zoning By-Law, unlimited encroachment of canopies is permitted.*

In evaluating encroachment neither The London Plan nor the Old Victoria Hospital Lands Secondary Plan provide direct policy guidance. Encroachment is governed by the Zoning by-law only up to the property line with an encroachment agreement required for any actual encroachment in the City right-of-way. Encroachment agreements are a common tool for signage and elements that remain in the city right-of-way following the acquisition or dedication of lands for road widening. Encroachment

agreements are reviewed by Risk Management and subject to insurance and clauses to protect the City.

In evaluating the appropriateness of encroachment under the Zoning by-law the relationship between the right-of-way, streetscape and proposed encroachment is the subject of review. The subject lands in this instance are on a particularly large right-of-way with a comparatively thin roadway. The distance between the front of building and the curb-edge is some of the largest in the City. In this instance, the large area to be landscaped between the front of the buildings and the sidewalk will not unlikely be perceived as front yard of the development even when the only the first meter is actually within the same property limit as the development. This distance also allows any projection from the building to remain distant from the sidewalk and street leaving them clear and open with reduced risk of interference from any projections. As such, the requested encroachment for elements that improve the design of the building and quality of life for residents are appropriate.

Permitted encroachments for balconies, architectural features, terraces, patios, porches and canopies up to 0.0m from the lot line is recommended.

4.5 Site Specific- Regulation Changes:

In order to facilitate the development of the subject lands, as proposed, site specific regulation changes are requested to three of the four Residential R8-4 Zones applicable to the subject lands.

The Requested amendments specifically to the R8-4(57) Zone (southern portion of 124 Colborne Street) are as follows:

1. Recognize Colborne Street as the front lot line;
2. Interior Side Yard Depth (min.) of 0.0m;
3. Rear Yard Depth (min.) of 2.0m;
4. Landscaped Open Space (min.) of 16.4%; and,
5. Parking rate (min.) of 0.0 spaces per sq.m. for non-residential uses at-grade

The first request, to recognize Colborne Street as the front lot line is a technical change for a corner lot, which under the Zoning by-law provisions existing would treat South Street as the front lot line. The front change has the effect of switching what is considered the interior and rear yards. Prior to the requested change the eastern yard is considered the interior yard and subject to a 2.0m minimum setback requirement. Following the requested change, the eastern yard would be considered the rear yard and subject to a 2.0m minimum setback requirement. The northern yard is considered the rear yard and subject to a 3.0m minimum setback requirement prior to the requested change. After the requested change it would be considered the interior side yard and have 0.0m minimum setback. The 0.0m setback facilitates the development of 124 Colborne as one building under the proposal. Given the minor technical nature of the changes proposed the front lot line, interior side yard and rear yard requested changes are recommended for approval.

It should be noted that none of the above changes affect the location of the 11-storey tower portion of the proposed development at 124 Colborne Street. The location of the 11-storey portion being established through previous applications is not under review at this time and the change requested through public comment cannot be accommodated given the policy and site constraints in place.

The fourth requested amendment is for a reduced landscaped open space. As noted in the previous review in encroachments, the amount of space available for landscaped amenity within the city right-of-way is very significant adjacent to the subject lands. In the R8-4(57) zone the design currently provided through the site plan review process for this area shows the development of a plaza which takes up the design elements from the SoHo Civic Space park located across Colborne Street. The building design also allows for a significant terrace to provide the amenity area expected with apartment development of this type. Given the above and the reduced landscaped open space is

not inappropriate and the request for a reduced landscaped open space is recommended for approval.

It should be noted here that public comment has requested an increase in the park space available within the development. Park space is distinct from landscaped open space and a park is in development for the southeast corner of the 370 South Street Block named the SoHo Civic Space.

The fifth requested amendment is for a parking rate of 0 spaces for non-residential (commercial) uses at grade. Within The Four Corners area the intention is that new developments “integrate a modest amount of mixed-use/commercial, and other employment generating uses, within existing and new buildings, to serve the local neighbourhood.” Given the on-street parking already provided along South and Colborne streets providing additional parking would change the character from neighbourhood serving to something intended to draw from a larger area. A zero (0)space parking requirement at this location for commercial is appropriate and recommended for approval.

The Requested amendments specifically to the R8-4(58) Zone (southwest portion of 370 South Street block) are as follows:

1. Recognize South Street as the front lot line.

The single proposed new building for this zone is the Zerín building which has frontage only on South Street. Recognizing South Street as the front lot line is therefore appropriate and recommended.

The Requested amendments specifically to the R8-4(59) Zone (Hill Street frontage) are as follows:

1. Add apartment buildings to the list of permitted uses;
2. Recognize Hill Street as the front lot line (for the block bounded by Waterloo, Hill, Colborne and South Streets);
3. A parking rate of 0.5 spaces (minimum) per unit for new buildings;
4. Recognize Colborne Street as the front lot line (for the block bounded by Colborne, Hill, Maitland and South Street);
5. Interior Side Yard Depth (min.) of 0.0m (for the block bounded by Colborne, Hill, Maitland and South Street);
6. Rear Yard Depth (min.) of 2.0m (for the block bounded by Colborne, Hill, Maitland and South Street); and
7. Landscaped Open Space (min.) of 17.3%; (for the block bounded by Colborne, Hill, Maitland and South Street).

The first requested amendment is for adding apartment buildings to the list of permitted uses in the Zone. This request follows the requested amendment to the Old Victoria Hospital Lands Secondary Plan, detailed above, that seeks to redesignate the area for mid-rise residential while providing the same 5-storey height limit currently in place under the existing zoning which permits solely stacked townhouses. As outlined above, apartment buildings at this location provide not only flexibility for a developer to create varied internal options for future residents but also increased accessibility requirements should they chose to do so. Adding apartment buildings to the list of permitted uses is appropriate at this location and recommended in keeping with the Secondary Plan amendments recommended earlier.

The second requested amendment is a technical amendment to recognize Hill Street as the front lot line within the 370 South Street Block. The proposed development contains three units (apartment buildings and) which only share frontage on South Street and which the middle one – The Chelsea Green building has only frontage on South Street. As such the use of South Street as the front lot line is appropriate as a standard for the block and recommended.

The third requested amendment is to reduce the parking requirement from 1 space per dwelling unit to 0.5 space per dwelling unit for new buildings to apply the same standard

as the remainder of the subject lands. The previous zoning by-law amendment (Z-9223) established 0.5 spaces per dwelling unit as an appropriate rate given the local context (near transit and downtown, well served by cycling infrastructure). Contemporary planning across North America is increasingly moving toward the removal of parking requirement entirely to assist in reaching climate change targets. A parking rate for all new residential buildings of 0.5 space per unit is appropriate for the development proposed and recommended for approval.

The fourth, fifth and sixth requested amendments are for the northern portion of the 124 Colborne Street property. In recognizing Colborne (rather than Hill) the property is able to technically meet the lot frontage requirement (30m under the R8-4 Zone). The interior side yard depth requirement of 0.0m requested allows this portion of the site to be developed together with the remainder of 124 Colborne (discussed above under changes to the R8-4(57) zone). The rear yard depth requested requirement of 2.0m is identical to the interior side yard requirement that would be applied were Hill to be considered the front lot line. These technical amendments are appropriate as requested and recommended for approval.

The final requested amendment is for a reduction in landscaped open space. As this portion of 124 Colborne Street is to be developed as one building with the remainder of 124 Colborne. The landscaped open space reduction recommended for the southern portion of the property is appropriate and recommended for this northern portion within the R8-4(59) zone.

One additional amendment which was not requested by the applicant is proposed - to remove the density maximum under the current special provision. This change implements the Old Victoria Hospital Lands Secondary Plan redesignation recommended above and allows height rather than density to act as the 'cap' on the development in accordance with secondary plan policy and the intentions outlined through The London Plan.

More information and detail is available in Appendix F and G of this report.

5.0 Conclusion

The subject lands are proposed to be redeveloped to accommodate both mixed-use and stand-alone apartment buildings ranging between 5- and 11-storeys. The subject lands are proposed to be developed comprehensively and function as a single entity to the greatest extent possible in terms of shared access, parking, and amenity areas. However, given that Colborne Street physically separates the subject lands 124 Colborne Street is proposed to be developed independently from the 370 South Street Block. There are a total of seven (7) buildings on the subject lands that are proposed for development.

The application relies on amendments for three elements to support the development as proposed.

1. Amendments to The London Plan and Official Plan, 1989 to allow for the Vacant Land Condominium to proceed as proposed with multiple apartment buildings above a shared underground parking garage.
2. Amendments to the Old Victoria Hospital Lands Secondary Plan to allow for apartment buildings no-taller than 5-storeys along Hill Street through policy amendments and a re-designation of lands to Mid-Rise Residential and policy amendments to The Four Corners designation.
3. Zoning amendments to allow for the technical details of the proposed design to proceed, including the addition of permission for apartment buildings on the lands fronting Hill Street.

The vacant land condominium amendments requested are recommended as they are required to facilitate a desired form of development and support its maintenance in the long-term.

Amendments to the Old Victoria Hospital Lands Secondary Plan are recommended to allow for a more flexible range of development in the area. The request to remove policy supportive of commercial at The Four Corners is not recommended for approval given it weakens the ability of the Secondary Plan to achieve its objectives. The proposed and recommended amendments do not conflict with the purpose of the secondary plan and maintain the heights, intensities and use permitted under the existing policy framework.

The Zoning by-law amendments are primarily technical in nature. The addition of a permission for apartment buildings along Hill Street is in keeping with the amendments to the Old Victoria Hospital Lands Secondary Plan recommended above. A zone boundary adjustment is also recommended to align the zone boundary with the future park and facilitate the development of the site in a comprehensive manner.

Prepared by: Leif Maitland
Site Development Planner

Reviewed by: Michael Pease, MCIP, RPP
Manager, Site Plans

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

November 12, 2021

cc: Heather McNeely, Manager, Current Development

Appendix A

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

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 370
South Street and 124 Colborne Street.

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

1. Amendment No. # to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on December 7, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 7, 2021
Second Reading – December 7, 2021
Third Reading – December 7, 2021

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add a policy in Section 19.15.4 of the Official Plan for the City of London to permit the development of multiple apartment buildings with a shared underground parking garage through a vacant land condominium on the subject lands.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 370 South Street and 124 Colborne Street in the City of London.

C. BASIS OF THE AMENDMENT

1. The proposed amendments are consistent with the PPS, 2020 by providing a mix of residential uses including affordable housing in an appropriate location and at a time of defined need;
2. The proposed amendments conform to the in-force policies of the 1989 Official Plan, including but not limited to the Multi Family High Density Residential designation which applies to the subject lands;
3. The proposed amendments conform to the policies of the Old Victoria Hospital Lands Secondary Plan.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 19.15.4 Vacant Land Condominium Policies of the Official Plan for the City of London is amended by adding the following to the list of policies:
 - vii) For the lands located at 370 South Street and 124 Colborne Street policies iii, iv and v above shall not apply to vacant land condominiums on those lands.

Appendix B

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

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

A by-law to amend The London Plan for
the City of London, 2016 relating to 370
South Street and 124 Colborne Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for
the City of London Planning Area – 2016, as contained in the text attached hereto and
forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection
17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on December 7, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 7, 2021
Second Reading – December 7, 2021
Third Reading – December 7, 2021

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add to Policy 1709 Vacant Land Condominiums of The London Plan for the City of London to permit the development of multiple apartment buildings with a shared underground parking garage through a vacant land condominium on the subject lands.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 370 South Street and 124 Colborne Street in the City of London.

C. BASIS OF THE AMENDMENT

1. The proposed amendments are consistent with the PPS, 2020 by providing a mix of residential uses including affordable housing in an appropriate location and at a time of defined need;
2. The proposed amendments conform to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place type which applies to the subject lands; and,
3. The proposed amendments conform to the policies of the Old Victoria Hospital Lands Secondary Plan.

D. THE AMENDMENT

The London Plan for the City of London is hereby amended as follows:

1. Policy 1709 Vacant Land Condominium Policies of The London Plan for the City of London is amended by adding the following new policy underneath the list of policies:

1709A_ Old Victoria Hospital Lands

For the lands located at 370 South Street and 124 Colborne Street policies 3, 4 and 5 above shall not apply to vacant land condominiums on those lands.

Appendix C

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

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 370
South Street and 124 Colborne Street.

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

1. Amendment No. # to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on December 7, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 7, 2021
Second Reading – December 7, 2021
Third Reading – December 7, 2021

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To amend the Old Victoria Hospital Lands Secondary Plan by redesignating the portion of the subject lands on the south side of Hill Street to Mid-Rise Residential which is currently designated Low-Rise Residential.
2. To add a policy to the Old Victoria Hospital Lands Secondary Plan limiting the height of apartment buildings fronting on Hill Street within the Mid-Rise Residential Designation to 5-storeys.
3. To amend the Old Victoria Hospital Lands Secondary Plan policies related to The Four Corners.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 370 South Street and 124 Colborne Street in the City of London.

C. BASIS OF THE AMENDMENT

1. The proposed amendments are consistent with the PPS, 2020 by providing a mix of residential uses including affordable housing in an appropriate location and at a time of defined need;
2. The proposed amendments conform to the in-force policies of the 1989 Official Plan, including but not limited to the Multi Family High Density Residential designation which applies to the subject lands;
3. The proposed amendments conform to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place type which applies to the subject lands; and,
4. The proposed amendments conform to the policies of the Old Victoria Hospital Lands Secondary Plan.

D. THE AMENDMENT

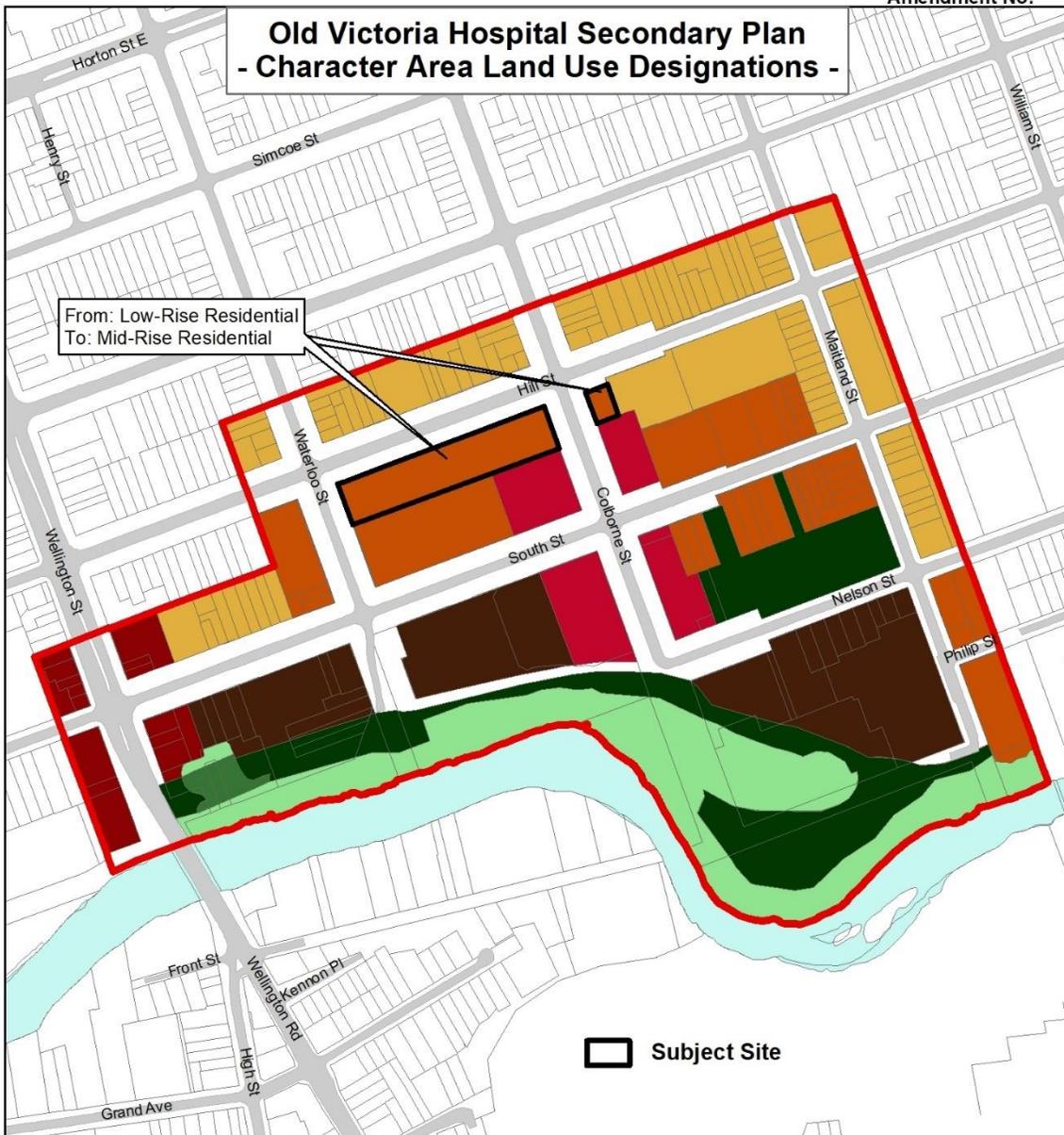
The Official Plan for the City of London is hereby amended as follows:

1. Section 20.6.4.1 iv – Built Form and Intensity of the Old Victoria Hospital Lands Secondary Plan is amended by replacing policy (r) with the following within the list of polices:
 - s) No individual direct vehicle access shall be permitted for any development lot along South Street west of Colborne Street.
2. Section 20.6.4.1 iv – Built Form and Intensity of the Old Victoria Hospital Lands Secondary Plan is amended by deleting the following from the list of polices:
 - k) Building floorplates shall be designed to accommodate for permitted secondary uses at grade with residential uses located above.

- v) The ground floor height of all buildings shall be greater than the height of any upper storey.
3. Section 20.6.4.3.2 iii – Built Form and Intensity of the Old Victoria Hospital Lands Secondary Plan is amended by adding the following to the list of polices:
- s) For the lands fronting on the south side of Hill Street a maximum height of 5-storeys is permitted.
4. Schedule 2 – Character Area Land Use Designations of the Old Victoria Hospital Lands Secondary Plan is amended by redesignating the subject lands fronting Hill Street from Low-Rise Residential to Mid-Rise Residential as shown on the attached Schedule 1 below.

SCHEDULE 1

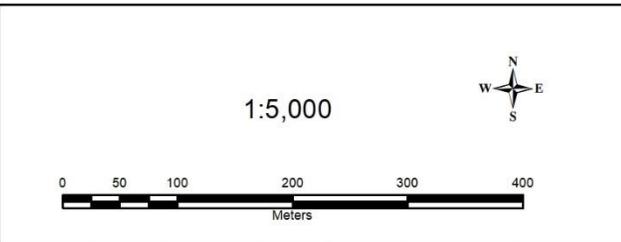
Amendment No:



LEGEND

 The Four Corners	 High-Rise Residential
 Transit-Oriented Mainstreet Corridor	 Parklands
 Low-Rise Residential	 Parklands Constrained by Significant Wildlife
 Mid-Rise Residential	 Natural Heritage Lands

File Number: OZ-9418
 Planner: Leif Maitland
 Date: October 29, 2021



Appendix D

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

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 370 South Street and 124 Colborne Street.

WHEREAS Vision SoHo Alliance have applied to rezone an area of land located at 370 South Street and 124 Colborne Street, as shown on the map attached to this by-law, as set out below;

Select one of the following statements

AND WHEREAS this rezoning conforms to the Official Plan;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 370 South Street, from a Holding Residential R8 Special Provision (h*h-5* R8-4(56) Zone and Holding Residential R8 Special Provision (h*h-5*R8-4(58)) Zone to a Holding Residential R4 Special Provision/Residential R8 Special Provision (h*h-5*R4-6(13)/R8-4(59)) Zone.
- 2) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 370 South Street, from a Holding Residential R8 Special Provision (h*h-5* R8-4(56) Zone to a Holding Residential R8 Special Provision (h*h-5*/R8-4(58)) Zone.
- 3) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 370 South Street, from a Open Space Special Provision (OS1(8)) Zone to a Holding Residential R8 Special Provision (h*h-5* R8-4(56) Zone.
- 4) Section Number 12.4 of the Residential R8 Zone – R8-4(56) Old Victoria Hospital Lands Phase II - is amended by replacing the following within b) Regulations under the existing special provision, with the new regulations below:

xi) Density (minimum)	50 UPH
(no maximum)	
- 5) Section Number 12.4 of the Residential R8 Zone – R8-4(57) Old Victoria Hospital Lands Phase II - is amended by adding the following to b) Regulations under the existing special provision:

_) Front Lot Line	Notwithstanding Section 2 of this by-law, for 124 Colborne Street - Colborne Street is recognized as the front lot line.
_) Parking for commercial uses	0
(minimum)	

- _) Yard Encroachments Notwithstanding Section 4.27 of this by-law yard encroachments up to 0.0m from the lot line are permitted for balconies, architectural features, terraces , patios, porches and canopies.
- 6) Section Number 12.4 of the Residential R8 Zone – R8-4(57) Old Victoria Hospital Lands Phase II - is amended by replacing the following within b) Regulations under the existing special provision, with the new regulations below:
- | | |
|---|--------|
| iv) Rear Yard Depth
(minimum) | 2.0 m |
| iv) Interior Side Yard Depth
(minimum) | 0.0 m |
| iv) Landscaped Open Space
(minimum) | 16.4 % |
| ix) Density (minimum)
(no maximum) | 50 UPH |
- 7) Section Number 12.4 of the Residential R8 Zone – R8-4(58) Old Victoria Hospital Lands Phase II - is amended by adding the following to b) Regulations under the existing special provision:
- _) Front Lot Line Notwithstanding Section 2 of this by-law, for 370 South Street – South Street is recognized as the front lot line.
- _) Yard Encroachments Notwithstanding Section 4.27 of this by-law yard encroachments up to 0.0m from the lot line are permitted for balconies, architectural features, terraces, patios, porches and canopies.
- 8) Section Number 12.4 of the Residential R8 Zone – R8-4(58) Old Victoria Hospital Lands Phase II - is amended by replacing the following within b) Regulations under the existing special provision, with the new regulations below:
- | | |
|--------------------------------------|--------|
| x) Density (minimum)
(no maximum) | 30 UPH |
|--------------------------------------|--------|
- 9) Section Number 12.4 of the Residential R8 Zone – R8-4(59) Old Victoria Hospital Lands Phase II - is amended by adding the following to a) Permitted Uses under the existing special provision:
- ii) Apartment buildings
- 10) Section Number 12.4 of the Residential R8 Zone – R8-4(59) Old Victoria Hospital Lands Phase II - is amended by adding the following to b) Regulations under the existing special provision:
- _) Front Lot Line Notwithstanding Section 2 of this by-law, for 124 Colborne Street - Colborne Street is recognized as the front lot line.
- Notwithstanding Section 2 of this by-law, for 370 South Street - Hill Street is recognized as the front lot line.

- | | |
|---|--|
| _) Rear Yard Depth
- 124 Colborne Street
(minimum) | 2.0 m |
| _) Interior Side Yard Depth
- 124 Colborne Street
(minimum) | 0.0 m |
| _) Landscaped Open Space
- 124 Colborne Street
(minimum) | 17.3 % |
| _) Yard Encroachments | Notwithstanding Section 4.27 of this by-law yard encroachments up to 0.0m from the lot line are permitted for balconies, architectural features, terraces, patios, porches and canopies. |
- 11) Section Number 12.4 of the Residential R8 Zone – R8-4(59) Old Victoria Hospital Lands Phase II - is amended by replacing the following within b) Regulations under the existing special provision, with the new regulations below:
- | | |
|---|------------------------------|
| xi) Parking for Residential Uses
(minimum) | 0.5 spaces per dwelling unit |
| ix) Density (minimum)
(no maximum) | 15 UPH |
- 12) Section Number 12.4 of the Residential R8 Zone – R8-4(59) Old Victoria Hospital Lands Phase II - is amended by removing the following within b) Regulations under the existing special provision:
- | | |
|----------------------|--------|
| x) Density (maximum) | 75 UPH |
|----------------------|--------|

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

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

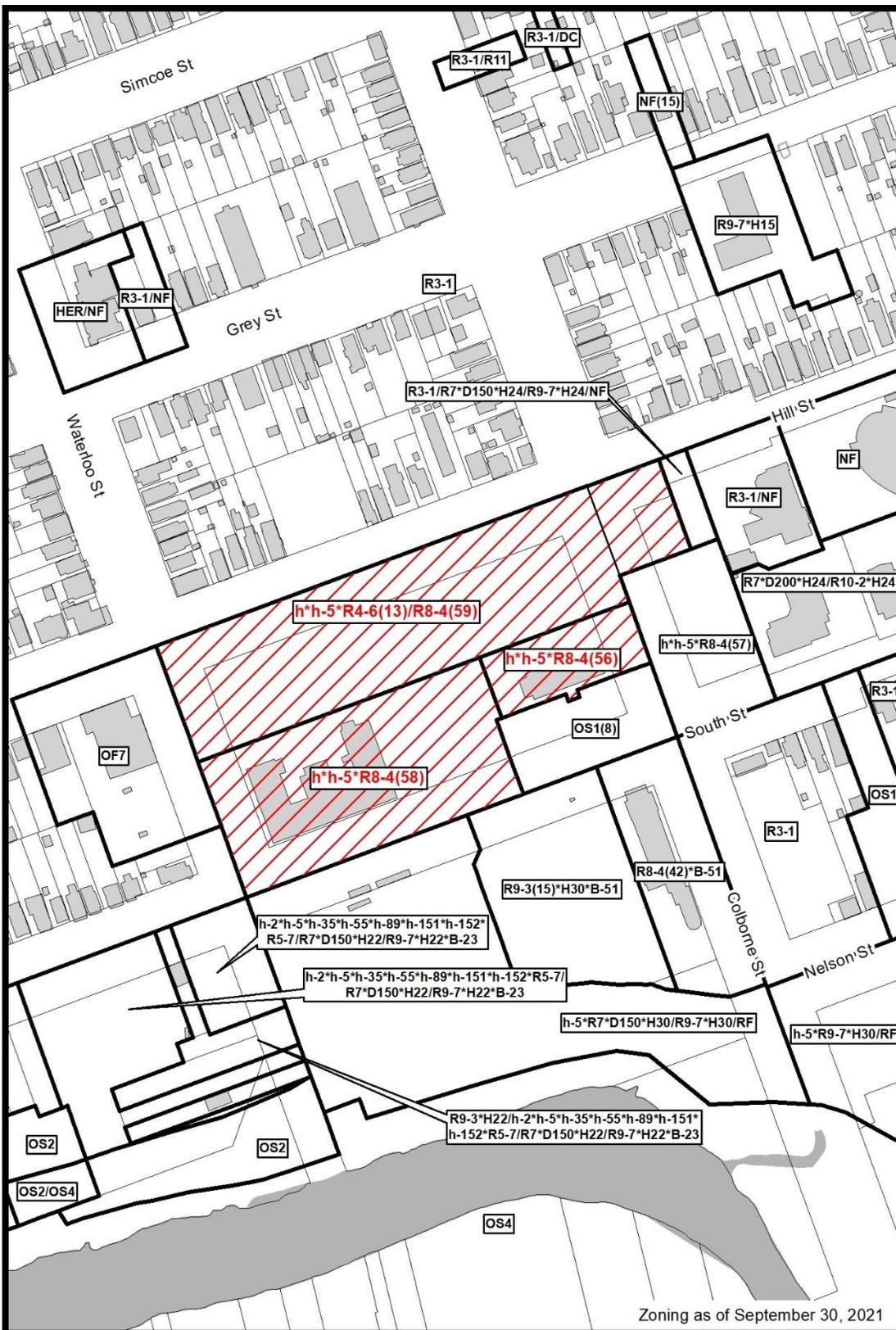
PASSED in Open Council on December 7, 2021.

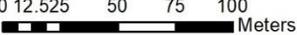
Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 7, 2021
Second Reading – December 7, 2021
Third Reading – December 7, 2021

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



<p>File Number: OZ-9418 Planner: LM Date Prepared: 2021/10/29 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters </p> <p></p>
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Appendix E – Public Engagement

Community Engagement

Public liaison: On October 6, 2021 Notice of Application was sent to 432 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on October 7, 2021. A “Planning Application” sign was also posted on the site.

3 replies were received

Nature of Liaison:

370 South Street & 124 Colborne Street (Old Victoria Hospital Lands) – The purpose and effect of this Official Plan and zoning change is to permit the development of five apartment buildings (three 5 storeys, one 6 storeys and one 11 storeys in height) and the conversion of the 2 existing buildings to apartments.

Requested Official Plan Amendment

Possible amendments to the City of London Official Plan (1989) and The London Plan to permit a vacant land condominium on the subject lands to permit: a vacant land condominium that results in units above or below any other unit; multiple units within one dwelling/building; and, structures to cross unit boundaries at or after registration of the vacant land condominium.

Possible amendments to the Old Victoria Hospital Lands Secondary Plan to redesignate the north portion of the subject lands currently designated Low Rise Residential and amendments to the Four Corners Designation, specifically: To re-designate all subject lands currently identified as “Low Rise Residential” to “Mid-Rise Residential”; add a special policy to permit a maximum height of 5-storeys for all apartment buildings fronting onto Hill Street; add a special policy to permit a minimum height of 2-storeys all existing buildings fronting onto South Street; permit residential uses on the ground floor in the “Four Corners” land use designation; not require non-residential uses on the ground floor in the “Four Corners” land use designation; not require building floorplates are be designed to accommodate non-residential uses at-grade in the “Four Corners” land use designation; not require the height of the ground floor required to be greater than the height of any upper storey in the “Four Corners” land use designation; and, allow direct vehicle access from South Street in the “Four Corners” land use designation.

Requested Zoning By-law Amendment

The lands are zoned Holding Residential R8 Special Provision (h*h-5* R8-4(56) Zone, Holding Residential R8 Special Provision (h*h-5*R8-4(57)) Zone, Holding Residential R8 Special Provision (h*h-5*R8-4(58)) Zone, and a Holding Residential R4 Special Provision/Residential R8 Special Provision (h*h-5*R4-6(13)/R8-4(59)) Zone. The requested amendment seeks the relocation of the zone boundary between the R8-4(59) and the R8-4(56) and R8-4(57) zones south within the block bounded by Waterloo, Hill, Colborne and South streets.

Requested amendment to the R8-4(57) Zone:

The creation of regulations which: specify a parking rate of 0.5 spaces (minimum) per unit for new buildings; recognize Colborne Street as the front lot line; permit a minimum Interior Side Yard Depth of 0.0m; permit a minimum Rear Yard Depth of 2.0m; permit a minimum Landscaped Open Space area of 16.4%; and, specify a parking rate of 0.0 spaces per sq.m. (minimum) for non-residential uses at-grade; permit unlimited encroachment of at-grade terraces/patios/porches, with up to an additional 2.0m encroachment into the City of London right-of-way; and, permit unlimited encroachment of canopies.

Requested amendment to the R8-4(58) Zone:

The creation of regulations which: specify a parking rate of 0.5 spaces (minimum) per unit for new buildings; recognize South Street as the front lot line; permit unlimited encroachment of at-grade terraces/patios/porches, with up to an additional 2.0m

encroachment into the City of London right-of-way; and, permit unlimited encroachment of canopies.

Requested amendment to the R8-4(59) Zone:

The creation of regulations which: add apartment building to the list of permitted uses; specify a parking rate of 0.5 spaces (minimum) per unit for new buildings; recognize South Street as the front lot line; recognize Hill Street as the front lot line (for the block bounded by Waterloo, Hill, Colborne and South Streets); recognize Colborne Street as the front lot line (for the block bounded by Colborne, Hill, Maitland and South Street); permit a minimum Interior Side Yard Depth of 0.0m (for the block bounded by Colborne, Hill, Maitland and South Street); permit a minimum Rear Yard Depth of 2.0m (for the block bounded by Colborne, Hill, Maitland and South Street); permit a minimum Landscaped Open Space area of 17.3%; and (for the block bounded by Colborne, Hill, Maitland and South Street; permit unlimited encroachment of at-grade terraces/patios/porches, with up to an additional 2.0m encroachment into the City of London right-of-way; and, permit unlimited encroachment of canopies.

The City may also consider additional or amended special provisions as required to support the application.

File: OZ-9418 Planner: L. Maitland.

Responses: Comments received requested the following changes were made to the proposal.

1. An increase in open space within the development specifically highlighting the possibility of a dog park.
2. The inclusion of a grocery store within the development
3. An increase in the provided parking to avoid over-subscription of street parking.
4. Changes to the massing of the building at 124 Colborne Street to move the 11-storey portion to the north of the property.

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

Phone:

- A request that a supermarket or other food store is included within the development

Bonnie Smith

430 South Street

Written:

Dear sir,

430 & 440 South Street just recently received notice of the project development for South and Colborne Streets. In brief discussions with tenants of both buildings, and take into consideration that approximately 35-40 of the units are occupied by non-English speaking Polish-Canadian citizens who don't read or seem to understand English and notices well and will probably throw your notice in the garbage as many did with the Census, there are a few concerns:

1. Initially from looking at the plans, there seems to be a lack of good open spaces such as a mini park setting. Some tenants suggested a dog park as well.
2. There are so many units and along with the current construction of housing at the old St. Joe's Hptl., where are the new tenants going to grocery shop? The nearest grocery stores are one mile away at Commissioners - Wellington and also at Oxford and Richmond. Can your Planning & Development not discuss with the builders to include a

modest size grocery store or pharmacy? Shoppers Drug Mart carries groceries. Are there commercial units along the first floors such as at City Hall apartments?

3. Residenza Victoria is out of size and place for our building. It is next to and within 100 feet of the seven story 430 South Street and will overpower and block the western sunlight. We feel it will be too closed in and one suggestion is to reverse the two buildings so that the 5 story is near 430 South and the 11 story overlooks the Polish Catholic church? Even if you reduce it to match our 7 floors it still blocks too much light. In that regard, what is the new barrier consisting of? A fence? Tall trees and landscaping? Be a good neighbor and don't close us in.

Sincerely,

Wayne Ray

430 South Street

I reviewed your notice that was sent to my husband and me we did not see in the plans any parking on the property I hope that you are not expecting street parking to satisfy the need for something like almost 1000 units in a small space . We will be calling the authorities often if we cannot access our property. I live across the street at 354 Hill Street. This is going to over wealm the utilities etc. in this small area . I am glad to see development but I am concerned that this is too much in a small area I can see problems arising as a result. Nancy Hamm p.s. I know that you will not take our comment very seriously but I can see a lot of very serious problems coming. I cannot not contact a councillor who is not active in our area so I do not have anyone to contact.

Nancy Hamm

354 Hill Street

Agency/Departmental Comments

Heritage

This memo is to confirm that I have reviewed the following and find the report's analysis, conclusions, and recommendations to be sufficient to fulfill the Heritage Impact Assessment requirements for OZ-9418:

- Megan Hobson, Built Heritage Consultant, Heritage Impact Assessment, Health Services Building and War Memorial Children's Hospital, Old Victoria Hospital Lands, London, Ontario, October 8, 2021.

Key approaches to the proposed development that support the conservation of the cultural heritage resources on the property including the War Memorial Children's Hospital and the Health Services Building include the adaptive re-use of the two extant buildings for residential use, as well as a "sensitive" approach to the arrangement, scale, setbacks, and material finishes of the new development proposed on the property. The Heritage Impact Assessment notes that the new buildings on the north side of property will maintain a lot pattern that are aligned with the existing heritage buildings, and the setback of the new building located in between the War Memorial Children's Hospital and the Health Services Building is intended to be consistent with the existing buildings. To address potential direct or indirect impacts to the existing buildings, the Heritage Impact Assessment identifies that a Conservation Plan be prepared to identify specific conservation strategies for the exterior and interior heritage attributes of the existing buildings.

The following conclusions and recommendations are included within the report:

- “that the owner agrees to Designation of the Health Services Building and the War Memorial Children’s Hospital
- that further details be provided to heritage staff regarding the proposed conservation work and replacement windows
- that more detailed drawings be provided to heritage staff for the new building to be constructed between the Health Services Building and the War Memorial Children’s Hospital, to ensure that the height and setback are sensitive to adjacent heritage buildings.”

Please be advised that Heritage Planning staff recognize and support the conclusions and recommendation of the Heritage Impact Assessment. Staff will continue to work with the applicant on designation of the War Memorial Children’s Hospital and Health Services Building pursuant to the Part IV of the Ontario Heritage Act. Staff will also anticipate the recommended Conservation Plan to be submitted as a part of a Heritage Alteration Permit (HAP) application to address the conservation and adaptive re-use of the existing buildings.

It has been sufficiently demonstrated that the cultural heritage value or interest of the property will be conserved, and the Heritage Impact Assessment has fulfilled the heritage requirements for OZ-9418.

Sincerely,

Michael Greguol, CAHP

Parks Planning and Design

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- - Parkland dedication will be calculated at 5% of the total site area or 1 ha per 300 residential units, whichever is greater, cash in lieu as per By-law CP-9 will be required for the proposed development.
 - The proposed development abuts the City’s proposed Civic Square on the north west corner of Colborne Street and South Street as required in the Old Victoria Hospital Lands Secondary Plan.
 - Parks Planning and Design Staff wish to coordinate closely with the applicant regarding the development of the City’s Civic Square and the existing heritage building and proposed residential development including any works on perimeter development of the Civic Square and the proposed abutting development.
 - Parks Planning and Design would be willing to work with the applicant if the applicant is proposing any shared spaces between the Civic Square and the proposed development.
 - Staff are willing to meet with the applicant to discuss any of the above.

Water Engineering

Water Engineering has no comments for the OP and ZBL amendments for 370 South Street and 124 Colborne Street (OVHL). Water servicing will be as per the approved site plan drawings.

Appendix F – Policy Context

Provincial Policy Statement (2020)

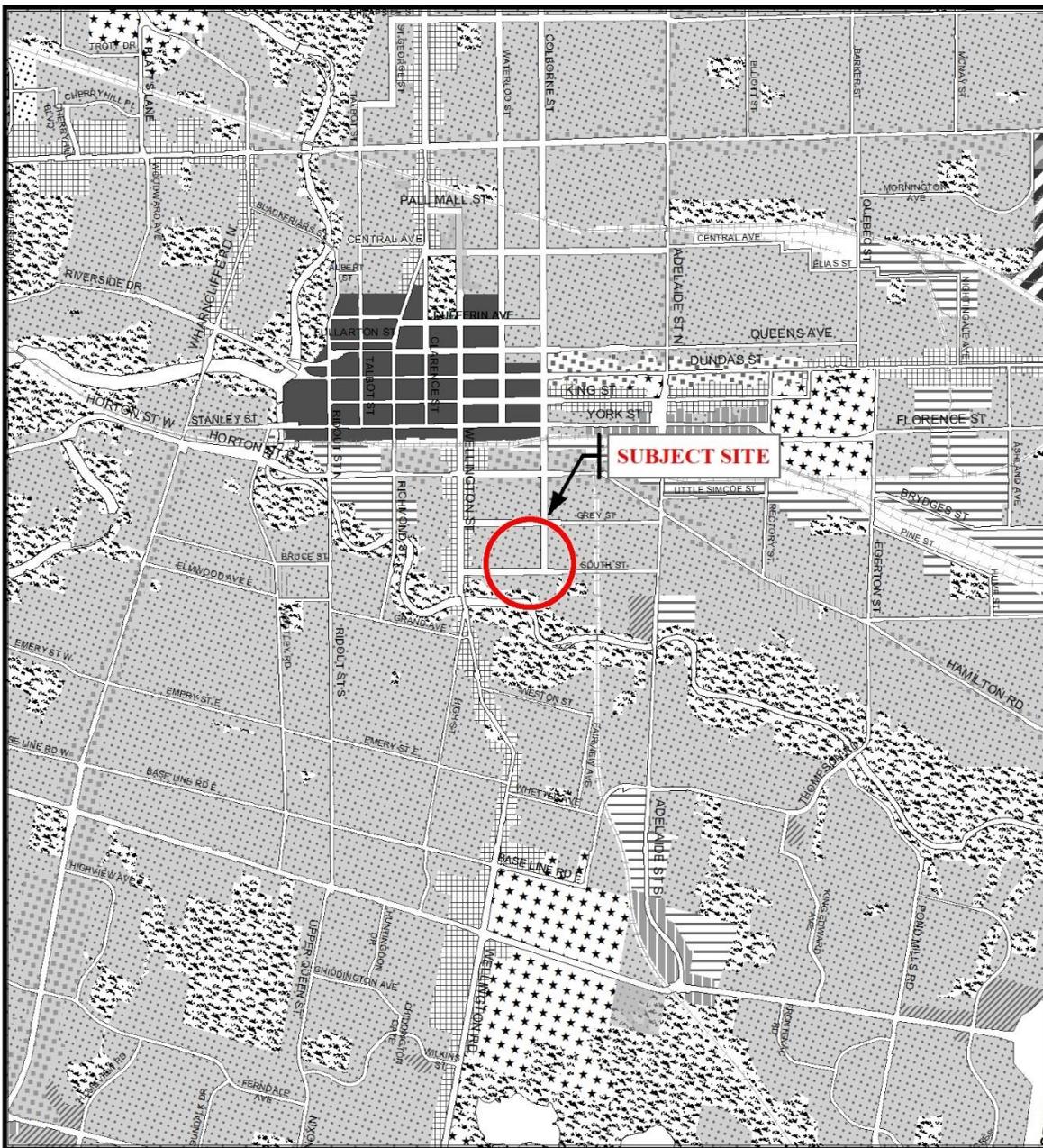
The London Plan (2016)

The Official Plan (1989)

The Old Victoria Hospital Lands Secondary Plan (2014)

Appendix G – Relevant Background

Additional Maps



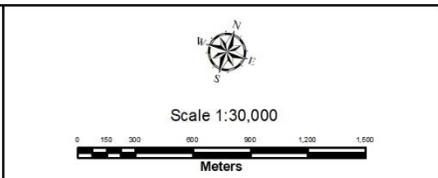
Legend

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

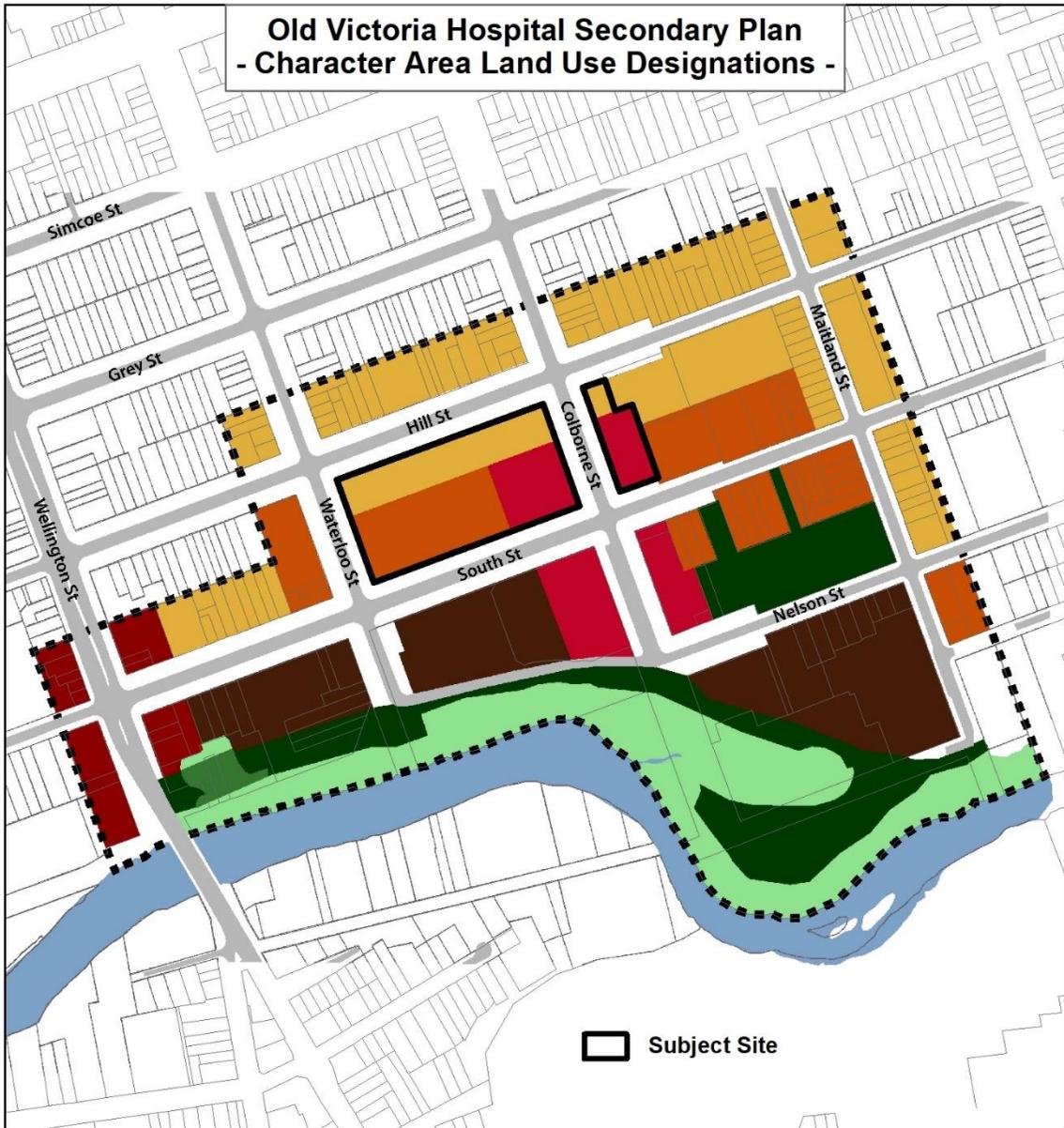
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

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

CITY OF LONDON
 Planning & Development
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning & Development



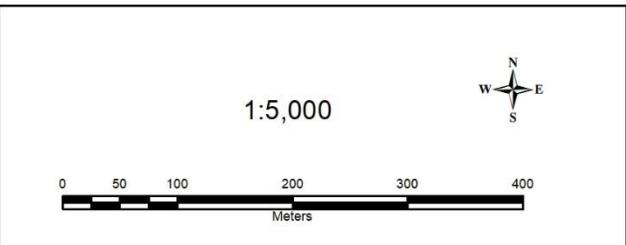
File Number: OZ-9418
Planner: LM
Technician: MB
Date: 2021/09/28

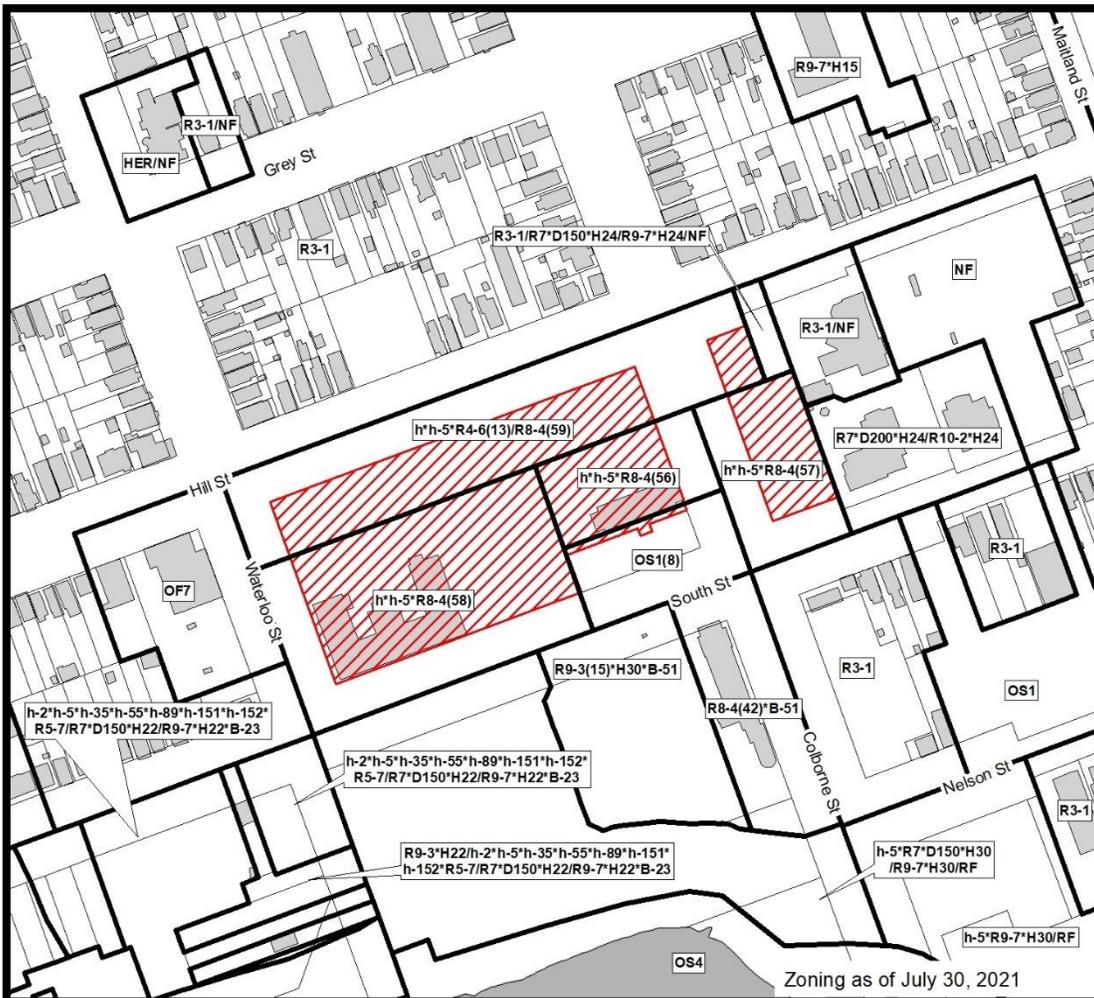


LEGEND

 The Four Corners	 High-Rise Residential
 Transit-Oriented Mainstreet Corridor	 Parklands
 Low-Rise Residential	 Parklands Constrained by Significant Wildlife
 Mid-Rise Residential	 Natural Heritage Lands

File Number: OZ-9418
 Planner: Leif Maitland
 Date: October 28, 2021





 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:** h'h-5'R8-4(58) and h'h-5'R4-6(13)/R8-4(59) and h'h-5'R8-4(56) and h'h-5'R8-4(57)

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "d" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

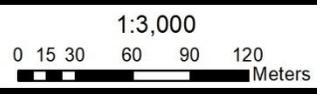
ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:
 OZ-9418 LM

MAP PREPARED:
 2021/09/28 MB



Additional Reports

September 21, 2020: Report to Planning and Environment Committee – The Old Victoria Hospital Lands Secondary Plan Area and 124 Colborne Street and the Block Bounded by Hill Street, Colborne Street, South Street, and Waterloo Street (Known as the Old Victoria Hospital Phase II Lands) (O-9223/Z-9224)

June 17, 2014: Report to Planning and Environment Committee – Old Victoria Hospital Lands Secondary Plan and Associated Official Plan Amendments and Old Victoria Hospital Lands Zoning Study (O-8158/Z-8344)

October 7, 2014: Report to Planning and Environment Committee – City of London Old Victoria Hospital Lands Zoning Study (Z-8344)