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File: OZ-8114  
Planner: C. Smith

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: FINCORE GROUP 56 - 82 WELLINGTON ST, 283 - 323 SOUTH STREET AND 69 - 77 WATERLOO STREET  PUBLIC PARTICIPATION MEETING ON JUNE 18, 2013</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the Fincore Group relating to the property located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 25, 2013, to amend Section 3.5.1 (Policies for Specific Residential Areas) of the Official Plan within the lands bounded by Waterloo Street on the east, South Street on the north, the Thames River on the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West and to amend Section 4.4.1.13 (Specific Main Street Corridors), to add a policy to include the lands located on the east side of Wellington Street between South Street and the Thames River;
- b) Subject to Policy 19.1.1. of the Official Plan, the lands located south of the existing Upper Thames River Conservation Authority Regulated Area, **BE INTERPRETED** to be located within the "Open Space" designation;
- c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 25 , 2013 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 the subject property **FROM** a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone which permits a large range of commercial uses, churches and residential uses, a Residential R9 (R9-3\*H22) Zone which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) Zone which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres and a maximum density of 150 units per hectare, **TO** an Open Space (OS2) Zone to allow for conservation lands and public parks and a Holding Business District Commercial Special Provision/ Bonus (h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( )\*BDC( )\*B-( )) Zone which permits medical/dental office, clinics, a wide range of commercial uses, apartment buildings, nursing homes, lodging houses, offices, an Independent Health Facility on the second floor or above with a maximum gross floor area of 2000m<sup>2</sup> and a maximum height of 12m, with a bonus zone to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law, which includes a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:
  - underground parking spaces;
  - placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass,

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- metal panel, and stone veneer in proportions that, with minor variations at the City's discretion, match the elevations shown in Appendix "C", so the architecture of the building itself creates the Gateway;
- utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
  - orientation of the primary building and unit entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage in order to provide for the enhancement of the pedestrian environment;
  - a green roof atop the building podium portions to support innovative and environmentally sensitive development;
  - two publicly accessible pedestrian connections through the site, one from Wellington Street and one from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements
  - landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Wellington Street road allowances, to achieve high quality landscaping and the creation of an attractive street edge at this strategic Gateway location, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;

and a Holding Residential R5 /Residential R7 /Residential R9/Bonus (h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( )\* R5-7/R7\*D150\*H22/R9-7\*H22\*B(\*) Zone which permits apartments, senior apartments, nursing homes, townhouses, stacked townhouses to a maximum height of 22m and maximum density of 150 units/ha with a bonus zone to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law, which includes a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- underground parking spaces;
- placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City's discretion, match the elevations shown in Appendix "C", so the architecture of the building itself creates the Gateway;
- utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- orientation of the primary building and unit entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage in order to provide for the enhancement of the pedestrian environment;
- a green roof atop the building podium portions to support innovative and environmentally sensitive development;
- two publicly accessible pedestrian connections through the site, one from Wellington Street and one from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Wellington Street road allowances, to achieve high quality landscaping and the creation of an attractive street edge at this

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strategic Gateway location, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;

and a Holding Residential R5/Residential R7/Residential R9/Bonus (h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( )\*R5-7/R7\*D150\*H22/R9-7\*H22\*B(\*\*)) Zone which permits apartments, senior apartments, nursing homes, townhouses, stacked townhouses to a maximum height of 22m and maximum density of 150 units/ha with a bonus zone to facilitate a development design that is consistent with the text and illustration attached as Appendix "C" of this By-law which includes an 18-storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with 78 retirement lodges and 130 nursing home care units, 65 stacked townhouses dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses which include Convenience stores, Convenience service establishments, Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through and a church use which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- secured bicycle parking spaces and temporary bicycle parking spaces for a total of 150 bicycle parking spaces;
- orientation of buildings to the street so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to provide for the enhancement of the pedestrian environment;
- utilization of a podium base with multiple step-backs and a residential point tower above on the building abutting the northeast corner so as to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City's discretion, match the elevations shown in Appendix "C", and townhouse facades that vary in their projection and recession along South Street so that they do not appear as one solid plane, so as to ensure a high standard of design for buildings to be constructed in this prominent location at the perimeter of the Downtown, near the edge of the river valley;
- a green roof atop the parking structure and building podium portions to support innovative and environmentally sensitive development;
- a publicly accessible pedestrian and sight line connection through the site from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements;
- provision of enhanced landscaped open space at street level and along the Thames Valley corridor to support the provision of common open space that is functional for active or passive recreational use
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Waterloo Street road allowances, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;

- d) To determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System (identified on Schedule "B" of the Official Plan), a development agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-2" symbol.

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- e) a public participation meeting of the Planning and Environment Committee be held for consideration of the site plan required for this development prior to the removal of the "h-5" symbol;
- f) To ensure that development will not have a negative impact on an environmentally sensitive area, or natural feature, a development agreement shall be entered into specifying any necessary preventative measures, based on study(ies) to the satisfaction of the City of London conducted by qualified professional(s) demonstrating that development in the form proposed will not adversely affect the area or feature, prior to the removal of the "h-35" symbol
- g) To ensure the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development. The "h-55" symbol shall be deleted upon the acceptance of the traffic study by the City of London.
- h) To ensure the orderly development of the lands the h-89 symbol shall not be deleted until a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City Engineer.
- i) To ensure the Owner undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site in the above noted areas by the Professional Engineer, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority prior to removal of the "h- ( )" symbol; and
- j) To ensure that development will not have an adverse impact on pedestrian level wind conditions, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h- ( )" symbol;
- k) change Section 2, Definitions, of the City of London Z.-1 Zoning By-law to include the following definition: "Independent Health Facility" means a diagnostic facility that is funded by the Ministry to provide specific classes of diagnostic tests and is an ambulatory facility that provides surgical and therapeutic procedures for which the costs of carrying out the procedure are not included in the OHIP fee paid to physicians and is operated under the authority of a licence issued by the Director of Independent Health Facilities in accordance with all Ministry regulation including the *Independent Health Facilities Act* as may be amended, does not include overnight accommodation and requires parking to be provided at the same rate as for a clinic use.
- l) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone which permits a large range of commercial uses and residential use and a Residential R9 (R9-3\*H22) Zone which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres, **TO** a Holding Business District Commercial Special Provision (h-5\*BDC1 (2)\*D265\*H80) Zone which permits medical/dental office, medical/dental clinics, a wide range of commercial uses, townhouses and apartment buildings with a maximum height of 80 metres and maximum density of 265 units/ha, **BE REFUSED** for the following reasons:

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- 1) buildings of this size and intensity may not provide for a good fit, consistent with Official Plan infill policies in the absence of such measures as appropriate urban design measures, underground parking, and enhanced landscaping which cannot all be obtained through the "normal development approval process
  
- 2) a suitable approach to ensuring that the proposed development meets appropriate criteria for the SoHo Area is to permit zoning categories that allow an appropriate form of development and permit the requested additional heights and density through the application of a Bonus Zone.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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<b>June, 2011</b>	SOHO Community Improvement Plan – Built and Natural Environment Committee
<b>June 9, 2012</b>	Presentation of this proposal to IEPC by Fincore Canada – Investment and Economic Prosperity Committee
<b>July 16, 2012</b>	Information Report - processes underway relating to the south street campus lands- Planning and Environment Committee
<b>February 26, 2013</b>	Planning and Environment Committee- Fincore Canada- Proposed Official Plan and Zoning By-law amendment (referred back to staff at the applicants request and attached as Schedule 1)

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this Official Plan and Zoning change is to allow for the development of:

- a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650 m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail uses in the Business District Commercial lands located along the Wellington Street corridor; and
- a 18 storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with senior citizen apartments and nursing home care, 65 stacked townhouse dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses at ground level and a church use in the lands designated High Density Residential located on the easterly portion of the property.

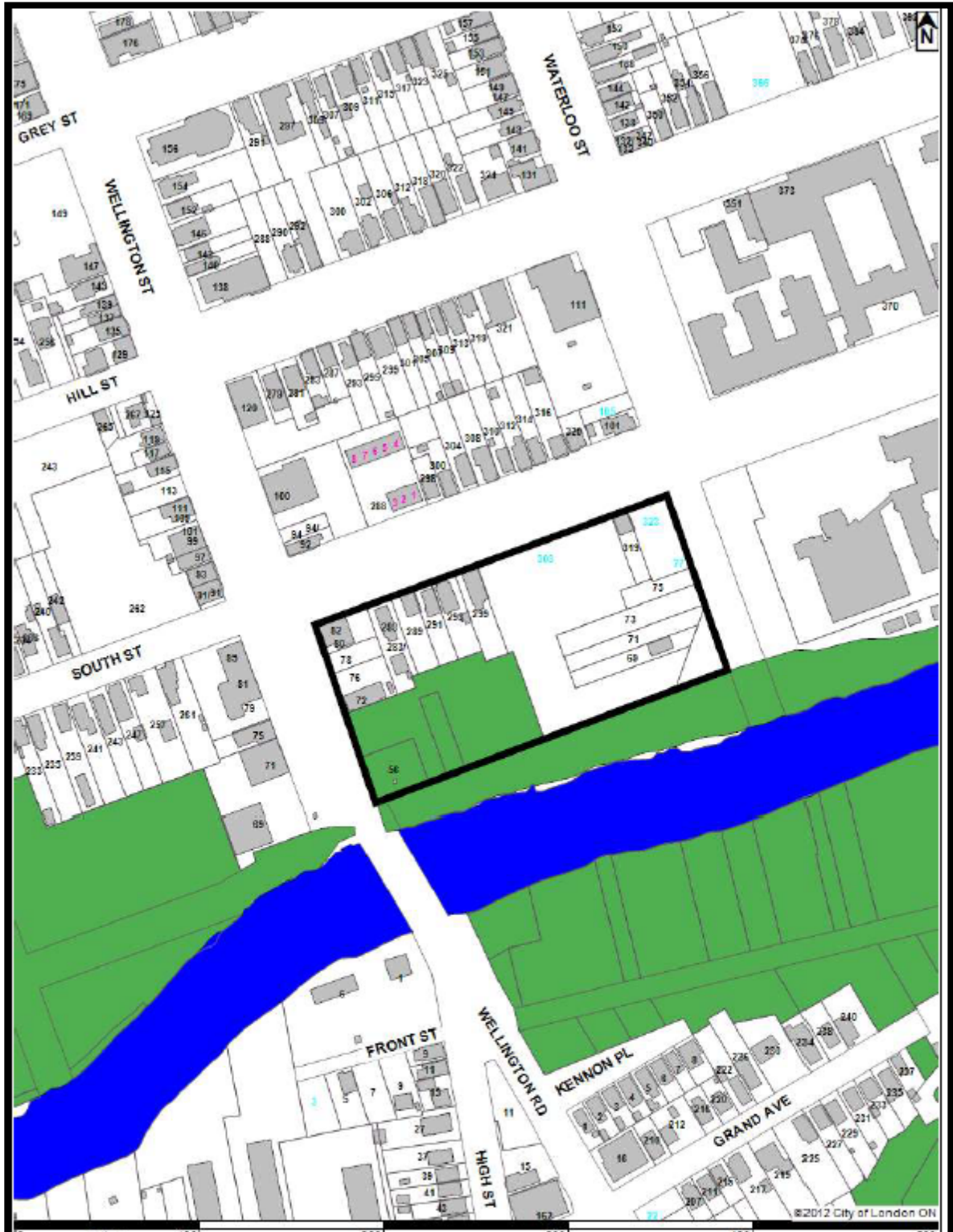
<b>RATIONALE</b>
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This proposed development is appropriate and suitable for the development of the subject lands for the following reasons:

- The proposed amendment is consistent with the PPS in that it encourages redevelopment, infill and intensification and the effective utilization of existing infrastructure;
- The proposed amendment is consistent with the City of London Official Plan policies and the SoHo Community Improvement Plan;
- The proposed amendment will allow for the development of an appropriate range of uses that will significantly contribute to revitalization of the SoHo Community Improvement;

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<p style="text-align: center;"><b>LOCATION MAP</b></p> <p>Subject Site: 56 - 80 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street                  Applicant: Fincore Group                  File Number: OZ-8114                  Planner: Craig Smith                  Created By: Craig Smith                  Date: 2012-10-23                  Scale: 1:2500</p>	<p style="text-align: center;"><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; border: 2px solid black; margin-right: 5px;"></span> Subject Site</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #90EE90; margin-right: 5px;"></span> Parks</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px dashed black; margin-right: 5px;"></span> Assessment Parcels</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #cccccc; margin-right: 5px;"></span> Buildings</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; text-align: center; line-height: 15px; font-size: 10px; margin-right: 5px;">123</span> Address Numbers</li> </ul>
<p>Corporation of the City of London                  Prepared By: Planning and Development</p>	

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- The proposed development will act as a gateway to the Downtown from the south and the SoHo neighbourhood;
- The proposed development provides for higher densities and a diverse mix of land uses strengthening the Wellington Street commercial corridor;
- The proposed development provides for the redevelopment of vacant and underutilized properties within the Wellington Street commercial corridor and provides a broad range of permitted uses at a scale which is compatible with adjacent development;
- The proposed development provides for underground parking, reducing impacts on the abutting properties;
- The site is located in close proximity to the City of London Downtown, transit, and public open space and recreational uses along the Thames River corridor;
- The provision of two pedestrian connections through the site from South Street to the Thames Valley corridor, one of which also provides a sightline connection between the two;
- The proposed development utilizes existing infrastructure to service the subject lands;
- The proposed development will be established through the bonus zone; the proposed bonus zone will only allow for higher intensity development if the specific development proposal agreed to is constructed and the facilities and matters to be provided for in return for the bonus are secured. Alternatives to this form of development will not be permitted without a zoning by-law amendment; and
- The proposed development, enshrined in the bonus zone, represents quality urban design, will enhance the design amenity along the Wellington Street corridor, and incorporates many design features to mitigate impacts on surrounding lands.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> October 10, 2012	<b>Agent:</b> Hisham Slim
<p><b>REQUESTED ACTION (as submitted by the applicant):</b> The purpose and effect of this Official Plan and Zoning change is to allow for the development two 26 storey (80m tall) residential apartment buildings with 499 units, 35 townhouse dwellings for a total of 534 dwelling units (260units/ha) and a 12 storey medical/dental office building with ground floor retail uses.</p> <p>Possible amendment to the Official Plan to Change the Official Plan land use designation from "Multi Family High Density Residential" to "Main Street Commercial".</p> <p>Possible change to Zoning By-law Z.-1 <b>FROM</b> a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) which permits a large range of commercial uses and residential use and a Residential R9 (R9-3*H22) which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres <b>TO</b> a Holding Business District Commercial Special Provision (h-5*BDC1(2)*D265*H80) Zone which permits medical/dental office, medical/dental clinics, a wide range of commercial uses, townhouses and apartment buildings with a maximum height of 80 metres and maximum density of 265 units/ha and will require a public site plan meeting prior to the removal of the holding provision. Further holding provisions may be identified to be required prior to staff's final recommendation to Council.</p>	

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<p><b>SITE CHARACTERISTICS:</b></p> <ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Offices, church, residential and vacant residential</li> <li>• <b>Frontage</b> – 100 metres (Wellington Street) and 203 metres (South Street)</li> <li>• <b>Depth</b> – irregular</li> <li>• <b>Area</b> – approx. 2ha</li> <li>• <b>Shape</b> – rectangular</li> </ul>
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<p><b>SURROUNDING LAND USES:</b></p> <ul style="list-style-type: none"> <li>• <b>North</b> - Residential (typically single detached dwellings)</li> <li>• <b>South</b> - Thames River</li> <li>• <b>East</b> - South Street Victoria Hospital Lands</li> <li>• <b>West</b> - Retail commercial</li> </ul>
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<p><b>OFFICIAL PLAN DESIGNATION:</b></p> <ul style="list-style-type: none"> <li>• Main Street Commercial (along Wellington Street frontage)</li> <li>• Multi Family High Density Residential (balance of property)</li> <li>• Open Space (along Thames River Corridor)</li> </ul>
<p><b>EXISTING ZONING:</b></p> <ul style="list-style-type: none"> <li>• Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) which permits a large range of commercial uses and residential use and a Residential R9 (R9-3*H22) which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres.</li> </ul>

<p><b>PLANNING HISTORY</b></p>
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On March 3, 2013 Council resolved:

*That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the application of the Fincore Group, relating to the properties located at 56 - 82 Wellington St, 283 -323 South Street and 69 - 77 Waterloo Street, the following actions be taken:*

a) the application **BE REFERRED** back to the Civic Administration for further discussion with the applicant and to report back at a second public participation meeting, to be held at a future meeting of the Planning and Environment Committee, on the following matters:

- i) the issues of property ownership;
- ii) the phasing of the proposed development;
- iii) the 100 year flood line as defined by the Upper Thames River Conservation Authority;
- iv) ensure the elegance of the design;
- v) the proposed limit of the Business District Commercial Special Provision/Neighbourhood Facility Zone; and,
- vi) the establishment of a work plan for the completion of sanitary and storm sewer studies, with sources of financing;



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**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS****Environmental Engineering Service Department**Traffic Planning & Design Division

*The Transportation Planning & Design Division has reviewed the Official Plan and Z-1 Zoning By-law amendment application for 56-82 Wellington St, 283-323 South St & 69-77 Waterloo St including the transportation study submitted with the application and has the following comments.*

*The Fincore transportation study will require some revisions/clarification before being finalized. The study indicated that development of these lands would not have any impact on transportation infrastructure in the area. Considering that the hospital is no longer in operation, and depending upon timing of development in relation to the hospital lands, it is possible that the existing infrastructure can accommodate the Fincore development. There are a few sections of the study that need explanation or revision including phasing of development, future horizon year analysis, trip generation calculations and trip distribution. These issues may have an impact on the conclusions of the study but can be resolved prior to site plan approval.*

*The transportation study did not include the impact of redevelopment of the South Street Campus of Victoria Hospital. Depending upon the construction timing of the Fincore Development the hospital lands may be under redevelopment at the same time. The South Street Campus is currently the subject of an area study focusing on redevelopment of the hospital lands. Part of the Campus study involves a transportation impact assessment (TIA) of proposed land uses. To ensure transportation impacts of all potential development in the area are reviewed in a comprehensive manner the Fincore lands will be included in the Campus TIA. We also do not know the timing of either the Fincore or Campus redevelopment and therefore it is important to understand the impact of all developments in the area. The Campus TIA will provide a better measure of the impacts development of lands within the area will have on existing transportation infrastructure.*

*Therefore we are requesting two holding provisions; the first for completion of the traffic assessment of the Fincore proposal to the satisfaction of the City Engineer and the second for the hospital lands area study completion.*

Water:

*Municipal water servicing is available from the existing 300 mm watermain on Wellington Street, and the existing 300 mm watermain on South Street. There is also an existing 200 mm watermain on Waterloo Street South which extends approximately 40 m south of South Street, however this is being considered for abandonment in conjunction with the demolition of the South Street Hospital lands. If there is a desire to maintain this for servicing of the Fincore lands, it may be beneficial to discuss with staff as soon as possible.*

*In conjunction with the demolition of the existing home located at 69 Waterloo Street, it will be a requirement to abandon the 25 mm water service and watermain on Waterloo Street South to this property.*

*The designer shall incorporate water quality into the design of on site water servicing. Where on site water quality may pose a hazard to the municipal water distribution system, the City reserves the right to require the installation of premise isolation at property line at the owner's cost.*

Sanitary:

*Further to our discussion this morning, the City will be engaging a consulting engineer to conduct a Sanitary Servicing Master Plan Study for the area surrounding the South Street Hospital Lands. This study will assess the combined sewer system and recommend appropriate mitigation measures to accommodate growth in this area. We will be able to provide you with the consultant's schedule for this study upon award of the assignment. Furthermore, we will*

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*ensure that our consultant coordinates with Development Engineering to consider the estimated sanitary flows from the proposed Fincore development.*

*As a result of the above, Development Engineering will not be required to conduct an in depth study to evaluate the downstream impacts to the sanitary sewer system as part of the rezoning application or Site Plan application. Any zoning amendment of the lands in the short term will require a holding provision that we will require to be kept in place until sanitary servicing capacity is available for the site. Obtaining sanitary capacity for this site will likely entail cost sharing by the applicant for its flow contribution to recommended mitigation measures arising out of the City's study*

Stormwater:

- *The subject site is located in the Central Thames subwatershed. There is an existing 825 mm diameter storm sewer on South Street and an existing 1650 mm diameter storm sewer on Wellington Street that should be used as the storm outlets for the north and the central portion of this site, subject to the availability of the capacity in these systems. There are concerns that these storm sewers that are identified as the proposed outlets may not have the adequate remain capacity to convey the projected peak flows from this site, because there is the sanitary relief sewer that discharging to this system . A capacity analysis of the storm sewers is required to be undertaken in order to confirm the remaining available capacities in these existing storm sewer systems and to protect the existing properties from the potential flooding conditions, all to the satisfaction of the City Engineer. The south/east portion of the proposed site does not currently have a storm sewer outlet and this portion of the subject lands are not a part of the storm drainage areas for the above noted outlets. Therefore, a new storm outlet to the Thames River for this portion of the subject lands would be necessary to consider, which will require UTRCA and MOE approvals (direct submission to the MOE for CoA/ECA).*
- *The proposed storm/drainage and Stormwater Management (SWM) works/measures to service this site will be required to provide SWM quantity control of the post - development storm peak flows/run-off for the subject lands to the pre- development peak flows (minor and major) and SWM water quality control for the post development conditions. Also, the minor and major flows conveyance systems up to the 250 year storm events, Erosion and Sediment Control Plan and all the above noted evaluations shall be included in this report. The post - development peak flows 'velocities may need to be controlled as well if a direct storm flow discharge to the Thames River will be considered.*
- *This site is proposed to be significantly intensified with a 30 storey hotel, 4 storey Wellness Centre, 27 Storey senior condo, and a 35 storey market rate condo, with ancillary parking facilities, as outlined in a proposal review submitted to the City on December 1st 2011. The owner will be required to provide a Storm/Drainage and SWM servicing design report that incorporates all the above comments and a grading plan designed by a Professional Engineer to ensure that the subject site storm flows do not adversely impact the adjacent properties all to the satisfaction of the City Engineer. All necessary servicing and drainage requirements/ controls, storm/drainage and SWM's easements and etc. will be addressed at the Site Plan approval stage.*
- *If the owner demonstrates that the subject lands are not able to reasonably comply with SWM targets and criteria; the owner may be permitted to apply reduced criteria for these lands and may request an exemption from the above noted criteria, subject to approval of the City's Planning, Environmental and Engineering Services Department, the SWM Unit.*
- *Please note that in accordance with the City's OP, Schedule 'B' a portion of the subject lands are identified:*
  - *within the UTRCA's Regulated Area; and*

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- *within the Wellington Valley City Park.*
- *Generally lands adjacent to the river has been obtained by the City to mitigate potential flooding in the Central Thames area under the extreme flooding conditions.*
- *The Owner will be required to undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site in the above noted areas by the Professional Engineer, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority.*
- *There is an existing 200mm diameter sanitary sewer traversing the site between Waterloo St. And Wellington St. through a City Park known as 56 Wellington St. This sewer conveys sanitary overflows from further upstream in the sanitary system and outlets to the Thames River under wet weather events.*
- *This site is proposed to be significantly intensified with a 30 storey hotel, 4 storey Wellness Centre, 27 Storey senior condo, and a 35 storey market rate condo, with ancillary parking facilities, as outlined in a proposal review submitted to the City on December 1st 2011.*
- *There is concerns from this Division that the surrounding sanitary sewers may not have the capacity to convey the projected flows from this site. Sanitary sewer upgrades will most definitely be needed at the Developers cost to facilitate this development. The Applicant will need to hire a Professional Consulting Engineer to provide a sanitary servicing report outlining sanitary servicing options for the site as well as a sanitary capacity study, all to the satisfaction of the City Engineer.*
- *It should be noted that some of the lands identified to be conveyed are regulated by UTRCA, and are part of a City Park as mentioned above. Generally lands adjacent to the river has been obtained by the City to mitigate potential flooding in the Central Thames area. Other Divisions will likely provide additional comment on this issue.*
- *If the lands over which the identified 200mm sanitary sewer are ultimately conveyed to new owners an easement will need to be provided to the City of London of appropriate width to accommodate the City's standard easement agreement to City of London Standards.*

**London Advisory Committee on Heritage**

*At its meeting held on November 14, 2012, the London Advisory Committee on Heritage (LACH) reviewed and received a Notice, dated October 22, 2012, from C. Smith, Senior Planner, relating to the properties located at 56-80 Wellington Street, 283-323 South Street and 69-77 Waterloo Street.*

*The LACH asked that the Senior Planner be advised that there are additional heritage properties on South Street, as part of the South Street Hospital complex, which were recommended for retention by the Consultant. (14/4/LACH)*

**Ministry of Natural Resources**

**Species at Risk**

*The Species at Risk in Ontario (SARO) List is Ontario Regulation 230/08 issued under the Endangered Species Act, 2007. The Endangered Species Act, 2007 (ESA) came into force on June 30, 2008 and provides both individual protection (section 9) and habitat protection (section 10) to species listed as endangered or threatened on the SARO List. The current SARO List, issued under the ESA 2007, can be found on e-laws (<http://www.e-laws.gov.on.ca/navigation?file=home&lang=en>). If an activity or project will result in adverse*

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effects to species and/or habitat protected under the ESA, an authorization under the ESA would be required to avoid contravening the act. Please note that authorizations are not guaranteed and that the review timelines for Authorization Request Packages can be several months. Site-specific investigation within and adjacent to the study area may find additional species and/or habitat location on or adjacent to the site.

An initial ESA Screening of 56-80 Wellington St., 283-323 South Street and 69-77 Waterloo Street has been completed. There are no known occurrences for species at risk on the site. However, there are numerous observations for Chimney Swift within the immediate area of the site. Chimney Swift is listed as threatened and receives species and general habitat protection under the ESA 2007.

According to DFO mapping, the Thames River, directly adjacent to the site, contains species at risk fish, including Black Redhorse and Spotted Sucker. According to DFO mapping, the Thames River, including the section adjacent to the site, contains protected species at risk mussels, including Wavy-rayed Lampmussel and Round Pigtoe. The Thames River, including the section adjacent to the site, is critical habitat for mussel species at risk under the federal Species at Risk Act. DFO should be contacted regarding the aquatic species at risk.

In the general area, there are known occurrences for the following species at risk:

- Peregrine Falcon (threatened) – receives species and regulated habitat protection.
- Spiny Softshell (threatened) – receives species protection
- Northern Map Turtle (special concern)
- Milksnake (special concern)
- Green Dragon (special concern)

Although there are no known occurrences within the general area, there is potential for Queensnake (endangered) to occur in the area. Queensnake is known to occur along the Thames River and receives species and general habitat protection under the ESA 2007.

It should be noted that this is an initial project screening for SAR and the absence of an element occurrence does not indicate the absence of species. The province has not been surveyed comprehensively for the presence or absence of SAR, and MNR data relies on observers to report sightings of SAR. Consequently, the presence of element occurrences is useful to flag the presence of SAR within the project location and surrounding area, but is not an appropriate tool to determine whether a species or habitat is present at the local (property-scale) level.

It is important to note that changes may occur in both species and habitat protection which could affect whether proposed projects may have adverse effects of SAR. The ESA applies to species listed on the SARO List ([www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/246809.html](http://www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/246809.html)). The Committee on the Status of Species in Ontario (COSSARO) meets regularly to evaluate species for listing and / or re-evaluate species already listed. As a result, species designations may change, which could in turn change the level of protection they receive under the ESA. Also, habitat protection provisions for a species may change (i.e. if a species-specific habitat regulation comes into effect). The regulation would prescribe the area as the habitat of the species.

**Environmental and Ecological Planning Advisory Committee**

That the Environmental and Ecological Planning Advisory Committee (EEPAC) reviewed and received a Notice dated October 22, 2012, from C. Smith, Planner II, with respect to an application submitted by the Fincore Group relating to the properties located at 56-80 Wellington Street, 283-323 South Street and 69-77 Waterloo Street, and noted that:

- (a) the application seems to have been accepted incomplete and suggests it should be deferred until such time as the Environmental Impact Study (EIS), geotechnical and hydrological reports have been completed; and,
- (b) be included in the circulation of the public site plan approval process.

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**Upper Thames River Conservation Authority**

*As shown on the enclosed mapping, the Upper Thames River Conservation Authority (UTRCA) owns and regulates a portion of the lands which the applicant Fincore Group is proposing to redesignate and rezone to permit a range of commercial and residential uses.*

*The UTRCA objects to this application for Official Plan and Zoning By-Law Amendment which includes Authority owned lands. We did not initiate this planning application nor did we authorize the applicant Fincore Group to initiate the application on our behalf.*

*The UTRCA also has concerns regarding the optics of this application which includes publicly owned lands that we understand the City of London will be making available for sale. It is also our understanding that Fincore Group has expressed interest in purchasing said public lands.*

*We are concerned about the fairness of a proposed public land sale process being led by the City of London that has one potential bidder proceeding with an application for re-zoning in advance of any land sale. This action is presumptuous and cannot be supported by the Authority.*

*Lastly, as indicated in our technical agency comments dated November 12, 2012, (please see enclosed) a geotechnical study is required to confirm the limit of the natural hazard lands on the subject site. The limits of these lands need to be confirmed so that they can be appropriately zoned. The UTRCA has reviewed the **DRAFT Preliminary Geotechnical Investigation and Slope Stability Assessment SOHO lands Wellington Street and South Street, London Ontario (dated October 12,2012)** prepared by Teraprobe and has identified concerns that need to be addressed in order for the Authority to provide a sign-off on the report.*

**Further comments January 12, 2013**

*The Authority is satisfied that the application for Zoning By-Law amendment can proceed without the detailed cross-sections given that City and UTRCA staff have agreed that the proposed zoning line will match the Authority's current Regulation Limit Line as shown on the enclosed mapping. While the UTRCA has advised City staff that the existing Regulation Limit Line is conservative with respect to the delineation of the hazard lands, we understand that this line captures the City's interests with respect to the Thames Valley Corridor lands as well as the natural heritage features located along the bank of the Thames River. Given the UTRCA's natural hazard interests and the City's interests, the Authority is of the opinion that the proposed zoning line will likely not shift significantly from the proposed location.*

**City of London Parks Planning**

*The Environmental and Parks Planning Section has reviewed the above application for Official Plan and Zoning By-law amendment to change the designation and zone from Multi-family, High Density Residential to Main Street Commercial and from a Business District Commercial Special Provision/Neighbourhood Facility (BDC(6)/NF1) to a Business District Commercial Special Provision (BDC1(2)-D265-H80) at the above address and offers the following comments to be considered:*

- *Environmental & Parks Planning interprets the subject lands to be designated Multi-family, High Density Residential and Open Space in the Official Plan. The Open Space designation reflects the natural heritage components identified on Schedules B-1 and B-2 of the Official Plan.*
  - *Schedule B-1 identifies a portion of the lands within the significant stream corridor of the Thames River; within the regulatory flood plain and within the Big Picture Meta-corridor.*
  - *Schedule B-2 identifies a portion of the lands within the Riverine Erosion Hazard Limit Thames River and the Conservation Authority Regulation Limits.*

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- *The subject lands are within the 50 meter trigger distance of the Thames River, a significant stream corridor, as outlined in Section 15.5 of the Official Plan. As such the applicant is required to undertake an Environmental Impact Study (EIS) for the proposed land use change. The report will address amongst other things an appropriate ecological boundary including buffers, minimum setback requirements, public access, restoration areas, migration measures and stewardship requirements.*
- *In addition, Section 15. 5 of the Plan also note that a proposed development within 100 meters of an area suspected to contain species at risk habitat will undertake an EIS. It is understood that a potential species at risk site is within the 100 meter trigger distance of this proposed development and needs to be addressed in an EIS.*
- *The subject lands fall within the boundary of the Thames Valley Corridor Plan. The Plan recommends a minimum 100 metres green corridor on either side of the river from the high water mark for the restoration of the natural riparian corridor and recreational pathway system. The Plan does recognizes this area as having an urban node feature which would allow small breaks in the corridor to permit public access. It is anticipated these breaks could be located at the terminus of the north/south streets but it is not anticipated that the entire riparian corridor in this area would be lost to a hard urban edge.*
- *The Corridor Plan further outlines the need for good quality urban design for any structures or building located within proximity to the river corridor. These structures and/or buildings are to be designed in a manner that is consistent with and sympathetic to the environment in which they are located. The Urban Design Review Panel, along with staff, will evaluate the compatibility of the building design adjacent to the corridor. It is recognized that the urban design brief will speak to the building design and its proximity to the river corridor.*
- *It is recognized that the final form of development is not known at this time and the applicant's desire is to proceed with the amendment application without the benefit of completing the required EIS. Staff is amenable to apply a holding provision over the lands in question with the understanding that the EIS will establish the ultimate ecological boundary; provided:*
  - *The lands within the holding provision are zoned Open Space and that the EIS must justify the refinement of the Opens Space limit to permit development.*
  - *It must also be recognized that the Thames Valley Parkway, a recreational pathway system with a minimum 15 metre corridor, is to be located adjacent to but outside of this ecological boundary. These two features will make-up the extent of the Open Space system and Zone.*
  - *The boundary of the Open Space Zone and the holding provision should be at a minimum consistent with the Conservation Authority Regulatory Limit.*
- *On March 21, 2012 Municipal Council declared a portion of the city owned lands surplus for their eventual sale. The sale of these lands is to follow the guidelines of the Thames Valley Corridor Plan and the SOHO Community Improvement Plan and be undertaken in a fair and open process. The boundary of the approved surplus land is coincidental with the boundary of the Conservation Authority Regulatory Limit. It is understood that a portion of the subject lands will remain in the ownership of the UTRCA.*
- *In accordance with Municipal Council's approval to dispose of the surplus land and the need to protect the investment of the riparian corridor and recreational corridor along the Thames River, E&PP staff a recommending the Open Space designation and zone be coincidental with the UTRCA regulatory boundary.*
- *Parkland dedication has not been collected for the subject lands and will be **required at the time of site plan approval.** Consistent with the regulations of the Ontario Planning Act, the applicant shall provide parkland for the proposed development; residential - 5% or 1 hectare*

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*per every 300 residential units/commercial 2% of the land area. If parkland is not required, the applicant can provide cash-in-lieu of parkland based on the residential rates set out in By-law CP-9 or 2% of the value of the commercial property assessed on the day before the day of issuance of a building permit. The commercial appraisal must be undertaken by an Accredited Appraiser (AACI) is to be submitted to Development Services for their review and the value of payment is to be included as a condition of site plan approval.*

**Urban Design Peer Review Panel**

*The following comments from the Panel are based on the submitted Urban Design Brief and questions asked by the Panellists to the Applicant on December 19, 2012.*

- 1. A connection to the river, both visually and physically, is important to support and act as a catalyst for development along the river's edge. The Panel recommends showing potential opportunities, whether they will be fully realized or not.*
- 2. The ratio of retail area to residential area will be important in this development to support the proposed retail component on this site. It is critical that the proposed retail component be supported by the residents in the immediate area. There is a large extent of retail space on South Street and the Panel supports this, however, also believes that retail space should be focused on Wellington Street as a priority.*
- 3. Consider re-examining the need for angled parking at the street edge on South Street. This is not ideal when creating a pedestrian focused streetscape. Also, should this street become two way traffic this parking would not be appropriate.*
- 4. The quantity of parking spaces proposed seems large. We recommend reviewing the number of actual required parking spaces with the City.*
- 5. Consider lowering the proposed canopy at the retail level along South Street to a pedestrian scaled height.*
- 6. Provide a direct pedestrian connection from the river's edge to Wellington Street at the south east corner of the site. This will further connect the site to the river and responds to the desired line of travel.*
- 7. The pedestrian and visual connection from South Street to the River could be stronger and should be emphasized.*
- 8. Consider how the design would respond should Waterloo Street extend to the river's edge. This is part of the City's plan for the area and we recommend working with the City to develop this street extension in conjunction with the proposed development.*
- 9. Consider how the proposed Townhouses address the Street and are accessed by the public.*
- 10. Review the pedestrian experience and the scale of the project as it steps back from the street along the South Street facade, in relation to the scale of the residential neighbourhood to the north.*
- 11. Given the possibility of the Waterloo Street extension, consider how the massing of the project will work at the north east corner of the site. The tower at this corner may want to set back further from the street edge and perhaps townhouses could wrap the corner which would tie into the scale of the surrounding neighbourhood and link the townhouses to the street.*

**City of London Urban Design Section**

**Building location/orientation/frontages**

- Locate a building at the corner of Wellington Street and South Street, as close to the property lines as possible, in order to frame the primary gateway into the SoHo and Downtown neighbourhoods in accordance with Official Plan policy 11.1.1 (xxi).*
- Orient the primary entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage and ensure the space between the building and the Wellington Street right-of-way is urban in character, as shown on figure 2b.03 of the urban design brief.*
- Locate midrise buildings, up to four stories, along South Street and orient them so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to create a positive pedestrian experience by creating an active frontage as shown on figure 2b.01*

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of the urban design brief.

- Ensure a building is placed at the corner of Waterloo St, as close to the property line as possible, in order to frame the future Waterloo Street Right-Of-Way and create an active frontage as shown on figure 2b.04 of the urban design brief.

**Building Massing & Architectural Elements**

- Modulate the massing of the proposed buildings both horizontally and vertically in order to add visual interest to the street and skyline as shown in figures 1c.03, 2f.01, 2f.02, 2f.03 of the urban design brief. In the case of the two proposed towers ensure a podium base with a point tower. In the case of the townhouses proposed along South Street, vary the projections and recession of their façades fronting the street so that each is expressed as a massing unit and not as one solid plane.
- Ensure a high design standard throughout the development; in particular, provide step-back cap portions on the two proposed towers as shown on figures 2a01, 2a03, 2a04, and 2a.05. in order to highlight the top of these buildings, to create a landmark in the city skyline and to conform to Official Plan policy 11.1.1. (iv).
- On building facades use a composition of high quality materials including glass, metal panel, and stone veneer as the material palette for the entire development as indicated on page 27 of the urban design brief. Use of high quality materials throughout will promote a high standard of design for buildings to be constructed in strategic or prominent locations and will 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 proportions of glass, metal, and stone veneer used in the design of all facades shall with minor variations at the City’s discretion, match the elevations shown in figures 2a.01 through to and including 2a.06 in the urban design brief.

Ensure the inclusion of 2 mid-block pedestrian publicly accessible pass-throughs, connection from Wellington St to the Open Space, and the publicly accessible green roof over the proposed parking garage between the proposed townhouse units as shown in figures 2c.02 and 2f.01 in accordance with Official Plan policy 19.4.4 (ii)(d) and 19.4.4(ii)(h).

<b>PUBLIC LIAISON:</b>	On October 23, 2012, Notice of Application was sent to 63 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on October 25, 2012. A “Possible Land Use Change” sign was also posted on the site.	11 replies were received
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**Nature of Liaison:** The purpose and effect of this Official Plan and Zoning change is to allow for the development two 26 storey (80m tall) residential apartment buildings with 499 units, 35 townhouse dwellings for a total of 534 dwelling units (260units/ha) and a 12 storey medical/dental office building with ground floor retail uses.

Possible amendment to the Official Plan to change the Official Plan land use designation from "Multi Family High Density Residential" to "Main Street Commercial".

Possible change to Zoning By-law Z.-1 **FROM** a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) which permits a large range of commercial uses and residential use and a Residential R9 (R9-3\*H22) which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres **TO** a Holding Business District Commercial Special Provision (h-5\*BDC1 (2)\*D265\*H80) Zone which permits medical/dental office, medical/dental clinics, a wide range of commercial uses, townhouses and apartment buildings with a maximum height of 80 metres and maximum density of 265 units/ha and will require a public site plan meeting prior to the removal of the holding provision. Further holding provisions may be identified to be required prior to staff's final recommendation to Council.

**Responses:** One telephone call was received in support of the development as it will provide opportunities for jobs.

One written response requesting information and to be notified of future meetings.

Two written responses not opposing development but listing concerns regarding this proposed amendment which include but is not limited to:

- Bonusing to be required to ensure that development as proposed is constructed
- A Reversion Clause for the sale of city owned land. So, if this project, for some reason, is not completed, the land will revert back to city ownership.
- An anti-flip clause, so the developer cannot build and sell it right away.
- Effortless access to the Thames River
- Effortless access to Community Space.

Seven written responses opposing the proposed amendment which include but are not limited to:

- Height, scale and mass of the project is far too intense at this location and in context with the existing abutting predominately single detached neighbourhood
- Height, scale and massing is not in keeping with the intent of the SoHo Area Plan
- Safety issues regarding possible storm events and flooding of the abutting Thames River
- Lack of pedestrian access and clear sightlines to the Thames River through the site
- Poor Urban Design that does not meet the intent of the City of London's Urban Design Guidelines
- Effects of Wind and Shadowing on abutting residential uses
- Applicant does not own the lands required for the proposed development
- Consolidation of properties the with no intent to ever develop the property as proposed
- The property will be "flipped" and not developed as proposed.

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**ANALYSIS**

**As per Council’s recommendation March 3, 2013.**

*the application BE REFERRED back to the Civic Administration for further discussion with the applicant and to report back at a second public participation meeting, to be held at a future meeting of the Planning and Environment Committee, on the following matters:*

**i) the issues of property ownership;**

**Property Ownership**

An application to amend the City’s Official Plan or Zoning By-law may be made by any person. The *Planning Act* provides (emphasis below is added):

Official Plans

**22.** (1) *If a person or public body requests a council to amend its official plan, the council shall, (a) forward a copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and (b) hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the official plan.*

Zoning By-law

**34.** (10.1) *A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council.*

Site Plan Control

**41.** (10) *Any agreement entered into under clause (7) (c) or (c.1) or under clause (8) (b) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.*

The term “person” is not defined in the Act and therefore, an entity other than the owner of the affected lands can submit an application to amend the official plan or zoning-by-law. Clearly, the Planning Act deliberately uses the term “person”, rather than “owner”, relating to Official Plan and Zoning By-law amendments. Other types of planning applications require that only an owner may make an application.

Both the Upper Thames River Conservation Authority and the property owner located at 80-82 Wellington Street oppose the proposed amendments as the applicant does not have ownership of their land. Council can consider any Official Plan or Zoning By-law amendment based on the planning merits of an application as provided for through the Official Plan. Council has adopted the SoHo Community Improvement Plan in June 2011, and the proposed amendments are in keeping with the long term goals as outlined in this Plan.

**ii) the phasing of the proposed development**

**Implementation of Bonus Zoning**

Official Plan Section 19.4.4 iv) states:

*As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to*

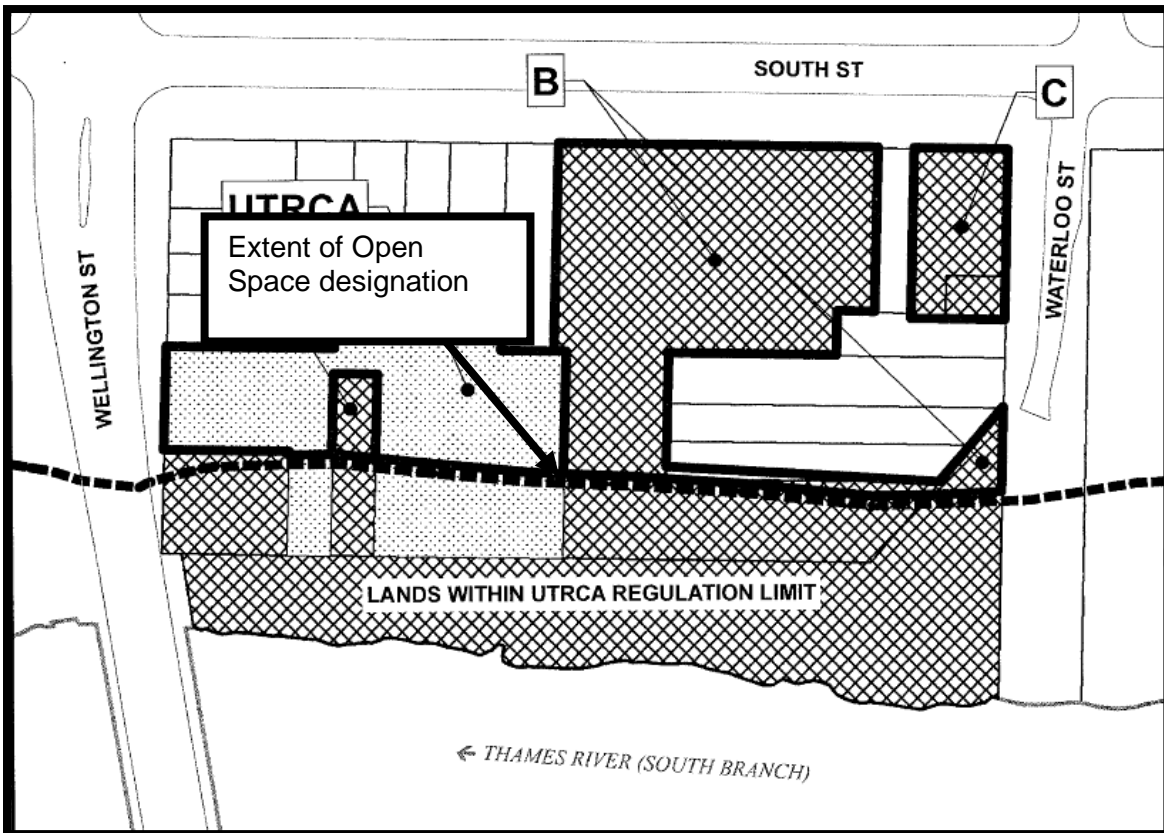
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be given.

Bonus zoning is implemented through a development agreement with the City that is registered on title to the lands. The development agreement is intended to establish the development as proposed. Through the public site plan process Council will review the site plan to ensure that all benefits that have been documented in the by-law to be provided in return for bonusing have been incorporated into the development agreement.

Site Plan approval will be required and a development agreement will be entered into with the owner of the lands. The proposed zoning amendment includes holding provisions for a development agreement to be entered into with the City and the owner of the lands. Site plan approval and building permits will require that the property owner of lands enter into an development agreement for any phase of development. The development agreement can be amended or a new development agreement be entered into depending on the phasing request of the applicant.

**iii) the 100 year flood line as defined by the Upper Thames River Conservation Authority;**

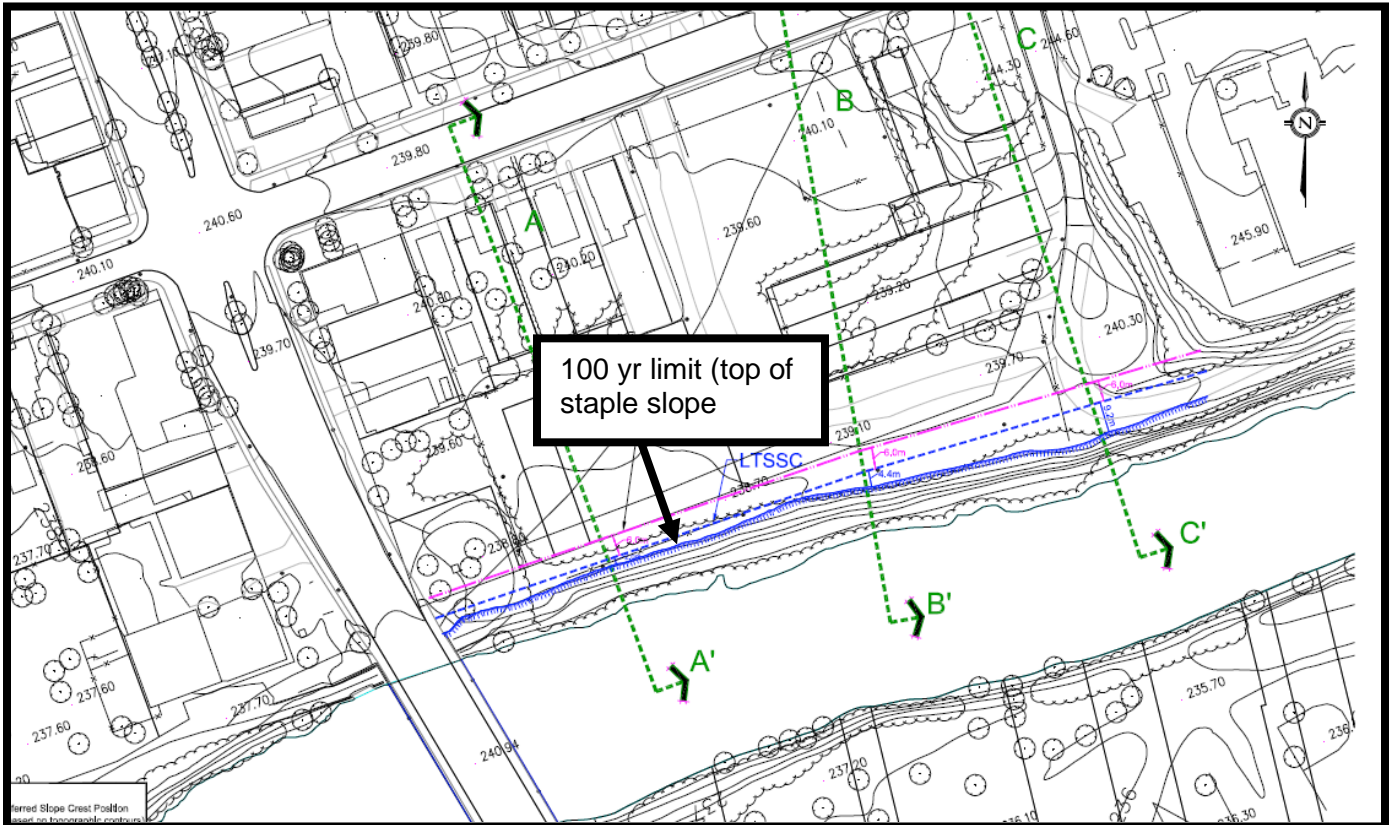


Through the disposition process of the City owned land, the City's consultant's (Terraprobe) report established that the 100 Year Erosion Line (which includes top of bank and additional required UTRCA setbacks) can be fully accommodated within the existing UTRCA regulation limit line as shown by the dashed line above. An Environmental Impact Study or independent geotechnical and hydrogeotechnical studies have not been completed for the proposed development. The City's consultant has completed preliminary evaluation of the stable slope and hazard limits (100 yr flood) (further surveyed refinements are required). As shown below the top of stable slope and hazard limit (100 yr flood) is located wholly within the existing UTRCA regulation limit. City staff and the UTRCA are satisfied that the existing regulation limit line is conservative with respect to the delineation of the hazard lands, and captures the City's interests with respect to the Thames Valley Corridor lands as well as the natural heritage

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features located along the bank of the Thames River. For the purpose of the proposed amendment the interpretation of the extent of the Open Space designation is appropriate to be interpreted as the existing UTRCA regulation limit line.

Terraprobe Slope limit (preliminary)



Holding provisions are required to be attached to the implementing Zoning amendment to ensure that:

- the extent to which the proposed development will be permitted and to ensure that development will not have a negative impact on the relevant components of the Natural Heritage System (the Thames River Corridor), appropriate development conditions and boundaries, will be established based on an a completed Environmental Impact Study that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, and the UTRCA:
- the development will not have a negative impact on the Natural Heritage System (the Thames River Corridor) an agreement shall be entered into specifying any necessary preventative measures, based on study(ies) to the satisfaction of the City of London conducted by qualified professional(s) demonstrating that development in the form proposed will not adversely affect the area or feature;
- the Owner will undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site by a Professional Engineer, all to the satisfaction of the City and the UTRCA.

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**iv) ensure the elegance of the design**

The intent of the proposed bonus zones is to facilitate a development design that is consistent with the text and illustrations attached as Appendix “C” of this By-law:

This includes all design criteria as shown for the proposed 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail which shall provide for the following services facilities and matters:

- underground parking spaces;
- placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City’s discretion, match the elevations shown in Appendix “C”, so the architecture of the building itself creates the Gateway;
- utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- orientation of the primary building and unit entrances into the ground floor commercial spaces so that they face and open onto the Wellington Street frontage in order to provide for the enhancement of the pedestrian environment;
- a green roof atop the building podium portions to support innovative and environmentally sensitive development;
- two publicly accessible pedestrian connections through the site, one from Wellington Street and one from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Wellington Street road allowances, to achieve high quality landscaping and the creation of an attractive street edge at this strategic Gateway location, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;

And all the design criteria shown for an 18-storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with 78 retirement lodges and 130 nursing home care units, 65 stacked townhouses dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses which include Convenience stores, Convenience service establishments, Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through and a church use which shall provide for the following services facilities and matters:

- secured bicycle parking spaces and temporary bicycle parking spaces for a total of 150 bicycle parking spaces;
- orientation of buildings to the street so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to provide for the enhancement of the pedestrian environment;
- utilization of a podium base with multiple step-backs and a residential point tower above on the building abutting the northeast corner so as to have regard for the

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impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;

- building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City’s discretion, match the elevations shown in Appendix “C”, and townhouse facades that vary in their projection and recession along South Street so that does not appear as one solid plane, so as to ensure a high standard of design for buildings to be constructed in this prominent location at the perimeter of the Downtown, near the edge of the river valley;
- a green roof atop the parking structure and building podium portions to support innovative and environmentally sensitive development;
- a publicly accessible pedestrian and sight line connection through the site from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements;
- provision of enhanced of landscaped open space at street level and along the Thames Valley corridor to support the provision of common open space that is functional for active or passive recreational use
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Waterloo Street road allowances, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;
- ensure that development will not have an adverse impact on pedestrian level wind conditions.

**v) the proposed limit of the Business District Commercial Special Provision/Neighbourhood Facility Zone;**

Proposed Depth of Main Street Commercial Corridor Designation

Official Plan Main Street Commercial Corridor Section 4.4.1.5. Location states:

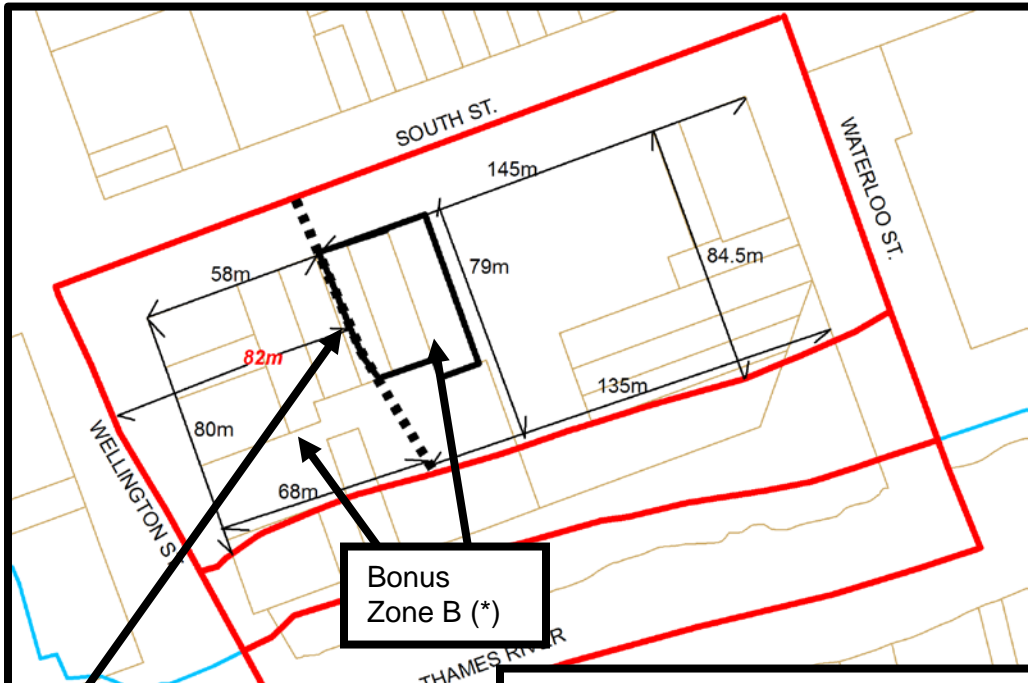
*The Main Street Commercial Corridor designation is applied to long established commercial areas, primarily along arterial roads, in older parts of the City that mostly consist of small, separately-owned and often pedestrian-oriented commercial uses, but may also include a mix of residential, light industrial uses, and community facilities. It is the intent of these policies to strengthen and enhance the existing Main Street Commercial Corridors.*

Official Plan Main Street Commercial Corridor Section 4.4.1.11. Applications to Expand or Add Main Street Commercial Corridor designations states:

*Minor expansions to and infill within Main Street Commercial Corridors may be permitted without amendment to the Official Plan, provided that the intent of the policies are not compromised and the following conditions are met:*

- i) the proposed expansion or enlargement or infill does not significantly affect the scale, location, form or function or the Main Street Commercial Corridor;*
- ii) the implementing zoning by-law and site plan address the size and nature of the uses and development; and,*
- iii) the expansion or infill is well integrated with the surrounding uses.*

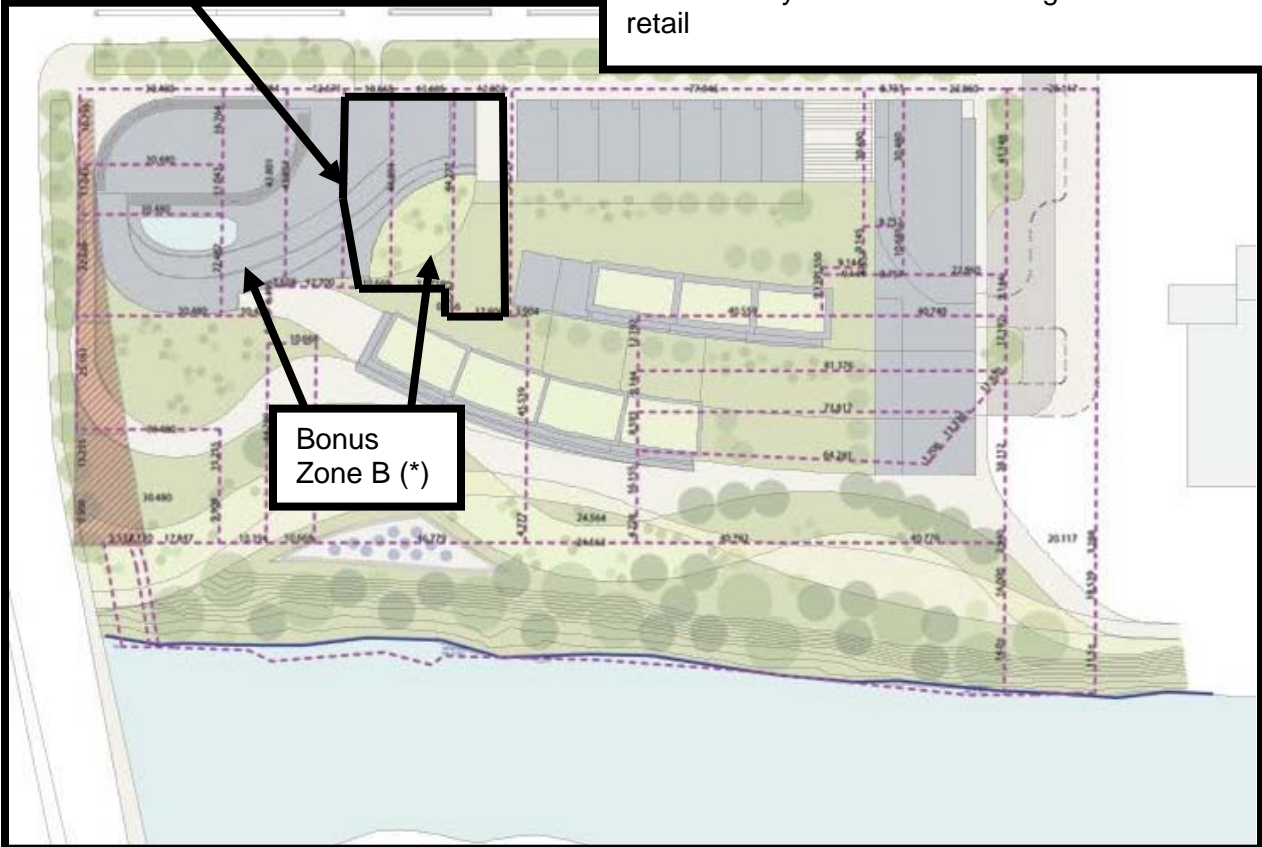
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Bonus Zone B (\*)

Depth of Main Street Commercial Corridor and base Business District Commercial Zone h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h\*( )BDC( )

Bonus B(\*) Zone which allows a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail



Bonus Zone B (\*)

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In summary the requested Official Plan amendment for a Special Main Street Commercial Corridor policy with a maximum depth of 82m from the centre line of Wellington Street is appropriate as it:

- meets the intent of the Official Plan policies 4.4.1. 5 and 4.4.1.11;
- encourages a strong main street commercial corridor;
- builds strong connection to the Downtown, the SoHo area and the Thames River;
- provides mixed-use projects that include street level commercial in association with uses appropriate to a pedestrian-oriented shopping;
- provides for an appropriate scale of new office medical/dental uses and residential development; and
- acts as a gateway to the Downtown from the south, subject to Bonusing as provided for in Section 19.4..

The proposed location of the Bonus B (\*) Zone would permit the proposed 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail building along the South Street frontage (as shown above) provided that all services facilities and matters as shown in Appendix "C" are provided.

**vi) the establishment of a work plan for the completion of sanitary and storm sewer studies, with sources of financing;**

Development Finance department:

*The Wastewater and Drainage Engineering Division has confirmed that the first draft of the storm and sanitary studies for the area has been completed. Subject to confirming the actual flows from the development, Engineering does not foresee any issues with servicing of the development. Clarification will be sought from Engineering and Development Finance regarding the financing of wastewater servicing works.*

*The servicing studies for the area are currently under review by Development Finance to assess cost implications of the proposed development. Based on an initial cursory review, infrastructure improvements for the area adjacent to the Fincore proposal are likely to have a high non-growth share arising from replacement/lifecycle renewal. Any oversizing of the servicing works would be eligible for Development Charge funding and would be included in the 2014 Development Charges Background Study.*

The h-55 and h-89 Holding provision have been included to address the City of London Environmental Engineering Servicing Departments comments regarding further studies and reports need to address sanitary, water, stormwater and traffic servicing issues. The Holding provisions will not be deleted until the following occur:

- adequate provision of municipal services, which includes sanitary and water serving are resolved and development agreement is entered into with the City.
- the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development.
- a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City Engineer.

Site Plan approval will be required and a development agreement will be entered into with the owner of the lands.



Agenda Item #    Page #

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File: OZ-8114  
Planner: C. Smith

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>C. SMITH COMMUNITY PLANNING AND DESIGN</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

May 15, 2013

JCS/

Attached

Y:\Shared\implemen\DEVELOPMENT APPS\2012 Applications 8003 to\8114OZ - 56 - 80 Wellington St, 283 - 323 South Street and  
69 - 77 Waterloo Street (CS)\7-postPECFeb28\8114OZ-PECparttwo.docx

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File: OZ-8114  
Planner: C. Smith

**Bibliography of Information and Materials  
OZ-8114**

**Request for Approval:**

City of London Official Plan and Zoning By-law Application Form, completed by Fincore, October 10, 2012

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Urban Design Brief Holibard and Root

Preliminary Traffic Impact Assessment FR Barry

Phase 1 Environmental Site Assessment exp Service Inc.

South Street, London, Vegetation Inventory Natural Resource Solutions Inc.

Pedestrian Wind Condition- Letter of Opinion RWDI Consulting Engineers and Scientists

SoHo Shadow Study Holabird and Root

Site Servicing Review for SoHo Wellington Centre Development Development Engineering

Preliminary Geotechnical Investigation exp Services Inc

**Correspondence: (all located in City of London File No. Insert File No. unless otherwise stated)**

Macpherson A., City of London Parks Planning and Design. Letter to H. McNeely. October 5, 2007.

**Departments and Agencies -**

Creighton C., UTRCA. Letter to C. Smith. November 12, 2012, January 7, 2013.

Creighton C., UTRCA. Various e-mails to H. McNeely. October 2012 to February 2013.

EEPAC, TAC, LACH

K. McClure, Ministry of Natural Resources (MNR). e-mail December 11, 2012

And all other materials that are contained in the City of London planning application file OZ-8114.

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File: OZ-8114  
Planner: C. Smith

**MACNEILL & BLAKE HOLDINGS LTD**  
82 Wellington Street  
London, Ontario N6B 2K3  
519-660-6060 Ext. 219



April 24, 2013

Attention: Mr. Craig Smith (via email)  
The Corporation of the City of London  
Planning Division  
P.O. Box 5035  
London ON N6A 4L9

Dear Sir:

I received a letter concerning the referral of the Fincore Group Development.

As discussed on the telephone, I have very real concerns over the overall process and, in particular, the "phasing of the proposed development".

It is astounding that Fincore would be allowed to phase this project, as if they do not complete the entire project it would not be in accordance with any community studies nor would it meet the requirements of the proposed amendment.

If the notion that this project would be the "gateway to the City of London", were to be accepted as a primary reason for this rezoning then why would you allow a phase of this project to proceed when it would be hidden from view, because it is on Waterloo Street. Moreover, that phase would only be a residential component.

The true rejuvenation of the SoHo area will come from the mixed complex phase. Phase 1, if it comes to pass, should be the first phase development and that includes the tower at South Street and Wellington Street.

The other particular matter, and this is a very serious planning matter which is being ignored, is that if the proposed redevelopment, and which you are supporting, must include my property at 82 Wellington Street. If it does not include my property, then a completely different project must be proposed and Fincore would not be entitled to the "bonus" zoning, as you describe it. In other

words, the whole process must start again, as the zoning application is very specific to the site that includes 82 Wellington Street, and the indicated development structure as proposed by Fincore.

Thank you for the opportunity to comment further on this project.

Yours very truly,

**MACNEILL & BLAKE HOLDINGS LTD**

James B. MacNeill

cc. Judy Bryant, Sandy White, Dale Henderson, Bud Poilhill, Paul Hubert

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File: OZ-8114  
Planner: C. Smith

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2013

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo 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 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. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on June 25, 2013.

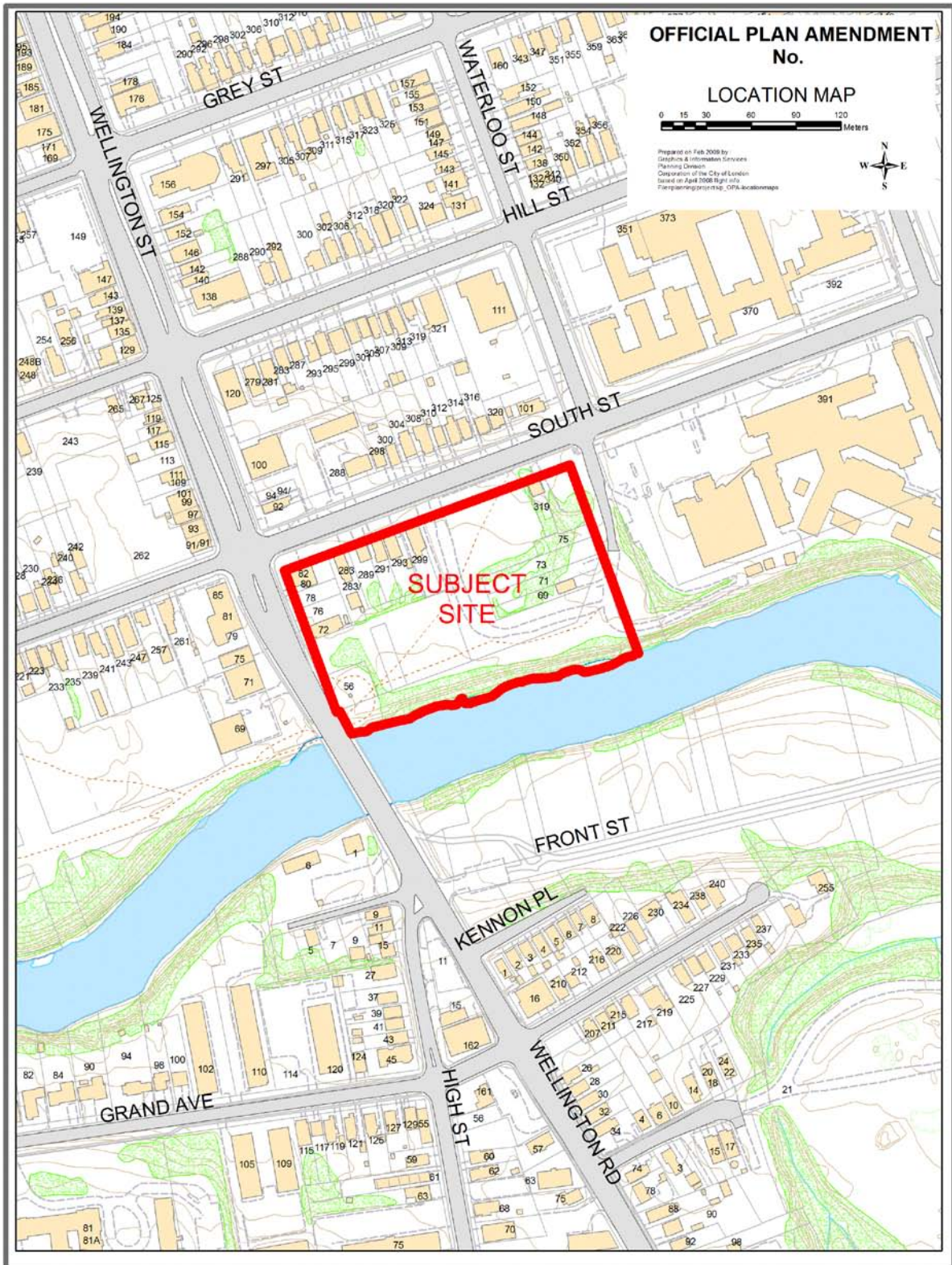
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – June 25, 2013  
Second Reading – June 25, 2013  
Third Reading – June 25, 2013

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File: OZ-8114  
Planner: C. Smith



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File: OZ-8114  
Planner: C. Smith

**AMENDMENT NO.**

**to the**

**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to amend Section 3.5.1 (Policies for Specific Residential Areas) of the Official Plan within the lands bounded by Waterloo Street on the east, South Street on the north, the limit of the Open Space designation to the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West and to amend Section 4.4.1.13 (Specific Main Street Corridors), to add a policy to include the lands located on the east side of Wellington Street between South Street and the Thames River.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street.

**C. BASIS OF THE AMENDMENT**

The proposed amendments contain specific policies, standards, and performance criteria that are detailed and are specifically required to provide more flexibility, in interpretation or implementation of the existing Official Plan Policies and provide specific direction for the preparation and review of development proposals, in this area.

**D. THE AMENDMENT**

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

1. Section 3.5 of the Official Plan for the City of London is amended by adding the following subsection:

The lands within the area, bounded by Waterloo Street on the east, South Street on the north, the limit of the Open Space designation to the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West may permit a range of Multi Family High Density Residential uses, a range of convenience commercial uses at grade along the South Street frontage and a neighbourhood facility use in the form of a church. The development will be consistent with the conceptual vision for the Old Victoria Hospital Lands identified in SoHo Community Improvement Plan, the Thames Valley Corridor Plan and will be required to demonstrate a high degree of application of the City's Urban Design principles in order to allow for the full range of permitted uses, densities and heights. The building height of new development shall be stepped down from South Street to provide a transition towards the Thames River in keeping with the Thames Valley Corridor Plan. The Zoning By-law will specify height limits based on criteria established by the SoHo Community Improvement Plan and the Thames Valley Corridor Plan and as provided for in Section 11 and 19.4 of the Official Plan.

In addition to the above policies, the following additional policies may apply subject to a Bonus zone as provided for in Section 19.4:

- i) Multi-Family, High Density Residential development may be permitted in this area that can accommodate increased height and densities which provide a transition from the residential uses to the Thames River corridor while providing for enhanced recreational uses and providing areas for community activities along the Thames River Corridor through the application of Urban Design principles approved

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File: OZ-8114  
Planner: C. Smith

for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan;

- ii) Convenience Commercial uses are permitted at grade along the South Street frontage and will not exceed a total gross floor area of 1000m<sup>2</sup> as provided for in Section 3.6.5; and
- iii) Neighbourhood facilities are permitted within a residential building as provided for in Section 3.6.4.

2. Section 4.4.1.13 to the Official Plan is amended by adding a new section as follows:

The land bounded by Wellington Street on the east side, between South Street and the limit of the Open Space designation, shall develop as a mixed-use area with retail stores, restaurants and personal services at street level and office uses including medical facilities and residential uses located above grade. To encourage a strong main street commercial corridor and to build strong connections to the Downtown, the SoHo area and the Thames River, mixed-use projects that include street level commercial in association with uses appropriate to a pedestrian-oriented shopping area will be required. The building height of new development shall be stepped down from South Street to provide a transition towards the Thames River in keeping with the Thames Valley Corridor Plan. The Zoning By-law will specify height limits based on criteria established by the SoHo Community Improvement Plan and the Thames Valley Corridor Plan and as provided for in Section 11 and 19.4 of the Official Plan.

In addition to the above policies, the following additional policies may apply subject to a Bonus zone as provided for in Section 19.4:

- i) Mixed Use development may be permitted in this area that can accommodate increased height and densities which provide a transition from the southeast corner of Wellington Street and South Street to the Thames River corridor while providing for enhanced recreational uses and providing areas for community activities along the Thames River Corridor through the application of Urban Design principles as provided for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan;
- ii) New office uses up to a medium scale of development may be permitted to be located in this area provided that the office use is primarily to provide medical/dental services on the second floor or above in a mixed use building.

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File: OZ-8114  
 Planner: C. Smith

**Appendix "B"**

Bill No. (number to be inserted by Clerk's Office)  
 2013

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street.

WHEREAS the Fincore Group Inc. has applied to rezone an area of land located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, as shown on the map attached to this by-law, as set out below;

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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, as shown on the attached map comprising part of Key Map No. A.107, from a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone, a Residential R9 (R9-3\*H22) Zone and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) Zone to a Open Space (OS2) Zone, a Holding Business District Commercial Special Provision/ Bonus (h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( )\*BDC( )\*B-( )) Zone, a Holding Residential R5 /Residential R7 /Residential R9/Bonus (h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( )\* R5-7/R7\*D150\*H22/R9-7\*H22\*B(\*) Zone and a Holding Residential R5/Residential R7/Residential R9/Bonus (h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( )\*R5-7/R7\*D150\*H22/R9-7\*H22\*B(\*\*)) Zone.

1) Section Number 25.4 of the Business Commercial District (BDC) Zone is amended by adding the following Special Provision:

- ) BDC ( ) The lands located at Wellington Street on the east side, between South Street and the Thames River
  - a) Additional Permitted Uses
    - i. Independent health facility
    - ii. Churches
  - b) Regulation[s]
    - i. Maximum gross floor area 2000m<sup>2</sup>  
 all office, medical/dental office  
 and independent health facility  
 uses.

2) Section 4 of the General Provisions to By-law No. Z.-1 is amended by adding the following Special Provision:

- 4.3 4) B-(\*\*) Lands within the area, bounded by Waterloo Street on the east, South Street on the north, the limit of the Open Space designation to the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the west excluding the lands municipally known as 293 and 299 South Street.

The subject site is being bonused to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law which includes an 18-storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with 78 retirement lodges and 130 nursing home care units, 65 stacked townhouse



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File: OZ-8114  
Planner: C. Smith

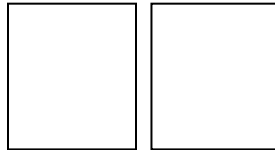
dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses which include Convenience stores, Convenience service establishments, Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through and a church use which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- secured bicycle parking spaces and temporary bicycle parking spaces for a total of 150 bicycle parking spaces;
- orientation of buildings to the street so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to provide for the enhancement of the pedestrian environment;
- utilization of a podium base with multiple step-backs and a residential point tower above on the building abutting the northeast corner so as to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City’s discretion, match the elevations shown in Appendix “C”, and townhouse facades that vary in their projection and recession along South Street so that they do not appear as one solid plane, so as to ensure a high standard of design for buildings to be constructed in this prominent location at the perimeter of the Downtown, near the edge of the river valley;
- a green roof atop the parking structure and building podium portions to support innovative and environmentally sensitive development;
- a publicly accessible pedestrian and sight line connection through the site from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements;
- provision of enhanced landscaped open space at street level and along the Thames Valley corridor to support the provision of common open space that is functional for active or passive recreational use
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Waterloo Street road allowances, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space.

The following regulations apply with the approved site plan:

Lot Area (minimum):	0.87 ha
Lot Frontage (minimum):	118m
Front Yard Setback (minimum):	1.0
Exterior Side Yard – west (minimum):	1.0
Lot Coverage (%) (maximum):	46%
Height (maximum):	67.0 metres
Density – units per hectare (maximum):	275
Parking:	232
Bicycle Parking	150 (secure)

The cumulative impact of using this bonusing provision shall result in a density not greater than 275 units per hectare and a building height not greater than 67metres.



3) Section 4 of the General Provisions to By-law No. Z.-1 is amended by adding the following Special Provision:

4.3 4) B-(\*) the lands located on Wellington Street on the east side, between South Street and the Thames River

The subject site is being bonused to facilitate a development design that is consistent with the text and illustrations attached as Appendix “C” of this By-law, which includes a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- underground parking spaces;
- placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City’s discretion, match the elevations shown in Appendix “C”, so the architecture of the building itself creates the Gateway;
- utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- orientation of the primary building and unit entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage in order to provide for the enhancement of the pedestrian environment;
- a green roof atop the building podium portions to support innovative and environmentally sensitive development;
- two publicly accessible pedestrian connections through the site, one from Wellington Street and one from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Wellington Street road allowances, to achieve high quality landscaping and the creation of an attractive street edge at this strategic Gateway location, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space.

The following regulations apply with the approved site plan:

Lot Area (minimum):	0.47ha
Lot Frontage (minimum):	50m
Front Yard Setback (maximum):	1.0
Exterior Side Yard – (maximum):	1.0
from the future Bus Rapid Transit road widening	
Lot Coverage (%) (maximum):	78%
Height (maximum):	94.0 metres
Density – units per hectare (maximum):	354
Parking:	510
Bicycle Parking	36
Rear and Interior Side Yard Setbacks (minimum)	0.0m

The cumulative impact of using this bonusing provision shall result in a density not greater than 354 units per hectare and a building height not greater than 94metres.

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File: OZ-8114  
Planner: C. Smith

4) Section 2, Definitions, to By-law No. Z.-1 is amended to include the following definition:

“Independent Health Facility” means a diagnostic facility that is funded by the Ministry to provide specific classes of diagnostic tests and is an ambulatory facility that provides surgical and therapeutic procedures for which the costs of carrying out the procedure is not included in the OHIP fee paid to physicians and is operated under the authority of a licence issued by the Director of Independent Health Facilities in accordance with all Ministry regulation including the *Independent Health Facilities Act* as may be amended, does not include overnight accommodation and requires parking to be provided at the same rate as for a clinic use.

5) Section Number 3.8(2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following holding provisions:

h\_\_\_) Purpose: To ensure the Owner undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site in the above noted areas by the Professional Engineer, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority prior to removal of the "h- (\_\_\_)" symbol.

h\_\_\_) Purpose: To ensure that development will not have an adverse impact on pedestrian level wind conditions, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h- (\_\_\_)" symbol;

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. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

Agenda Item #      Page #

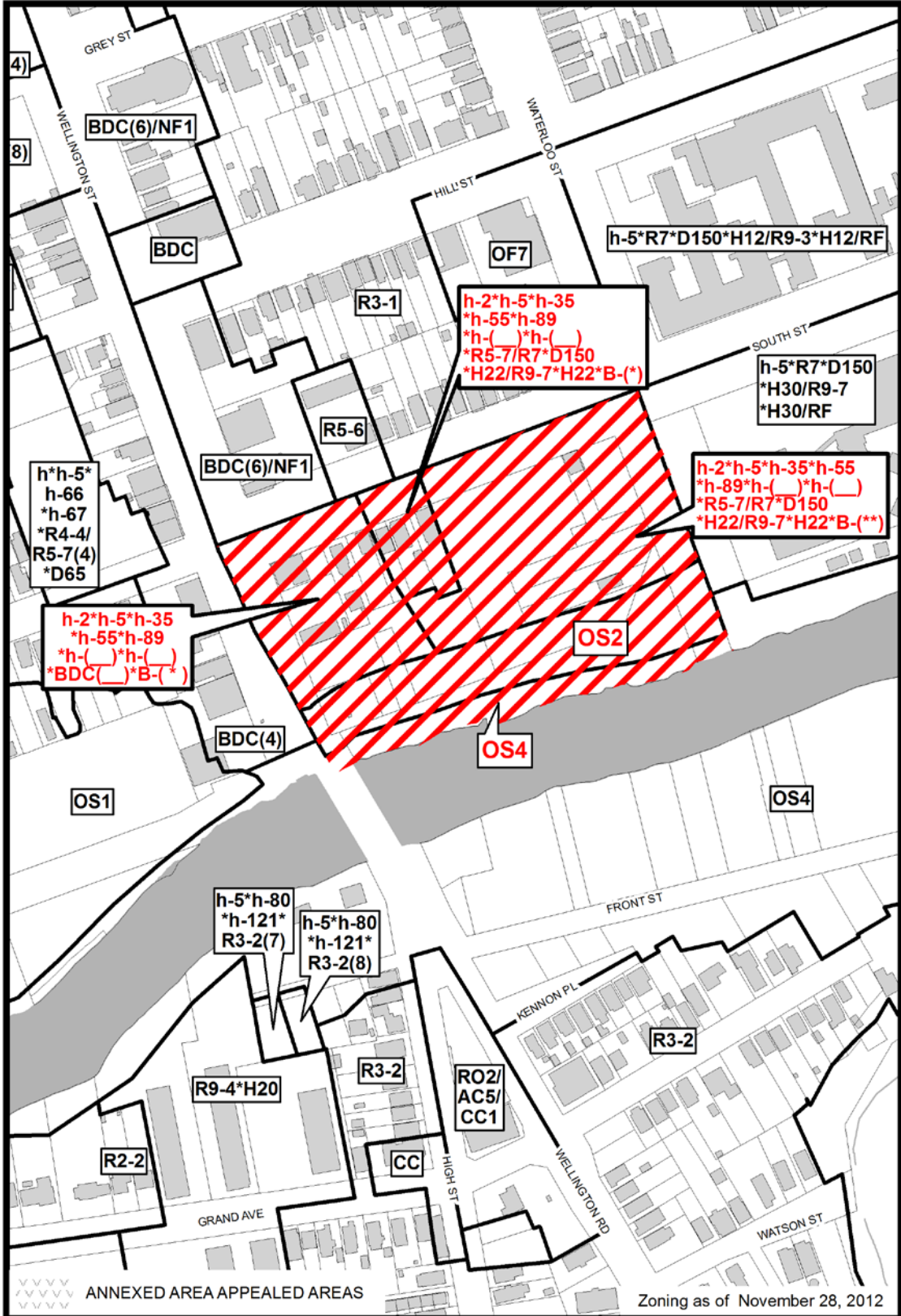
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File: OZ-8114  
Planner: C. Smith

First Reading - June 25, 2013  
Second Reading – June 25, 2013  
Third Reading - June 25, 2013

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



ANNEXED AREA APPEALED AREAS

Zoning as of November 28, 2012

File Number: OZ-8114  
 Planner: CS  
 Date Prepared: 2013/02/15  
 Technician: CK  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,600

0 12.525 50 75 100 Meters

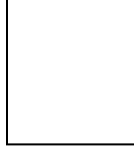


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File: OZ-8114  
Planner: C. Smith

**Appendix "C"**





REVISED 04.25.2013

EXECUTIVE SUMMARY

Holbird & Root is pleased to present the revised Soho Wellington Centre Urban Design Brief per the review of the January 29, 2013 Urban Design Brief revisions.

The Urban Design Brief has been updated to reflect the clarifications with every effort to interpret and meet the requirements of these changes to better meet the needs of the City of London and Fincore Canada. Following are the responses for ease of reference and location within the Brief.

BDC Zone

BDC Area: 6,239 m<sup>2</sup>  
 Building Coverage: 40.7%  
 Total Clinic GFA: 14,492 m<sup>2</sup>  
 Total Retail GFA: 1,124 m<sup>2</sup>  
 Total Dwelling Units: 110  
 Total Vehicle Parking: 228 stalls  
 Total Bicycle Parking: 35 public stalls

Residential Zone

Residential Area: 13,273 m<sup>2</sup>  
 Building Coverage: 42.4%  
 Total Townhouse: 58 units  
 Total Retirement: 78 units  
 Total Nursing Home: 130 units  
 Total Vehicle Parking: 614 stalls  
 Total Bicycle Parking: 150 stalls

See Figure 1c.03 Site Plan—Vehicular Entrances, Public Transit, Adjacent Zoning, page 17 for the Church location.

See Page 11 for updated program, reflecting the permitted uses provided by the City of London.

All elevations, diagrams, plan diagrams, sections, and renderings have been updated to illustrate recent adjustments to the layout. The West Tower has been altered to accommodate the Upper Thames Land.

Design Guideline: SoHo Wellington Centre's final design will acknowledge the City's request that the South Street Townhouses will have facades with varied depth to create a more dynamic and varied street wall.

EXECUTIVE SUMMARY

Holabird & Root is pleased to present the revised SoHo Wellington Centre Urban Design Brief per the January 14, 2013 Fincore Design Options Review Meeting Comments. The Urban Design Brief has been updated to reflect the revisions with every effort to interpret and meet the requirements of these changes to better meet the needs of the City of London and Fincore Canada. Following are the required revisions and responses for ease of reference and location within the Brief. Responses are in italics. Where there is no response written, the statement has been compiled with or is evident in the design without further description.

SITE VEHICULAR ACCESS

East

- Waterloo Street to be extended for vehicular access to east tower. Plan to show two access options, one from existing Waterloo Street right-of-way and one from realigned Waterloo Street.
  - See Figure 1c.03, Page 17

North

- Buildings to be "at property line" therefore strive for near-zero setback.
  - See Figure 2b.01 & Figure 2b.02, Pages 36 & 37

- Clearly indicate on plan those features implementing the SOHO-CIP "Green Street" that are on public property, and indicate the applicant's position on providing for their construction/installation in the event they are not provided using City funds.
  - The applicant, Fincore Canada, will work with the City of London to realize needed site improvements.
    - See Figure 2b.01, Figure 2b.02 & Figure 2c.02 Pages 36, 37 & 43

- Access on South St. to be a minimum of 7.5 meters from the center line of Wellington St.
  - Only parallel parking on South St. will be supported.

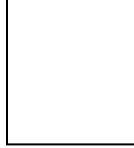
West

- Buildings to be "at property line", therefore strive for near-zero setback, incorporating the Bus Rapid Transit ultimate right-of-way of 24 meters from the center of Wellington St. pavement.
  - See Figure 2b.01 & Figure 2b.02, Pages 36 & 37 for zero-setback
    - See Figure 1c.02, Pages 16 for BRT right-of-way

- No vehicular access from Wellington St.
  - Applicant seeks no special zoning provision for required number of parking spaces.

- Uses/Volumes
  - West portion of site to be MSC designation/BDC Zone not to exceed 1/3 of South St. frontage west of Wellington St.
    - Eastern two-thirds of the site to be HDR designation/ higher order R-Zone.
      - See Figure 1c.03, Page 17

- Total West Tower height equal to maximum 26 "residential stories"
  - Total East Tower height equal to maximum 18 "residential stories"
    - Stepping down and modulating of massing for "middle" wellness centre required.
      - See Page 17 for programmatic description





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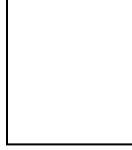
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Planner: C. Smith



DESIGN GOALS AND OBJECTIVES

Soho Wellington Centre is designed to act as a catalyst for the redevelopment of the SoHo area located within Downtown London. Soho Wellington Centre's scale and intensity create a vibrant node within the SoHo Neighbourhood. It is pedestrian-friendly, adjacent to public transportation, and connected to the surrounding pedestrian, commercial and residential fabric. The elegant design of the proposal is based on principles of urban sustainability. As an infill project, the SoHo Wellington Centre reduces sprawl, ties into existing infrastructure and provides a pedestrian-friendly streetscape focused on green space.

Charged with the task of unifying the space between the natural amenities the Thames River provides to the south and the urban context to the north, east, and west, SoHo Wellington Centre achieves this by drawing the park landscape up the riverbank and layering it in varying degrees from public to private residential spaces within the urban environment. This landscape reaches the pedestrian-oriented residential area and the retail area on the west end of South Street, lined with sidewalk cafes and vibrant street life.

Pragmatically responding to the redevelopment goals of the SoHo Community, the design aesthetically and functionally responds to and integrates with the surrounding landscape and mixed commercial, business, and residential uses surrounding it. The high-density development preserves a sense of openness by concealing utilitarian uses such as parking and loading beneath an expansive green area, showcasing the habitable building elements rising above the green space and punctuating its position at the Wellington

Street/South Street gateway to Downtown London. The towers provide residents with desirable views to the Downtown, the Thames River and parklands, and beyond.

Soho Wellington Centre will contain the following programmatic elements:

A 26-storey tower at the northwest corner of the block, with frontage along Wellington and South Streets, comprising:

- 19 storeys of market-rate condominiums
- 6 storey Clinic/Independent Health Facility
- 1 storey of ground-level Retail/Restaurant/Convenience and building services.

An 18-storey tower on the northeast corner of the block, adjacent to the townhouses and east of the ground level retail, comprising:

- 10 storey Retirement Home
- 7 storey Nursing Home
- 1 storey Commercial Convenience (1,000 m<sup>2</sup>) and building services

35 townhouse units will be placed within the centre and southern portions of the block, most of which have direct vistas to the Thames River and adjacent parklands.

21 townhouse units will be located along South Street, between the East and West Towers.

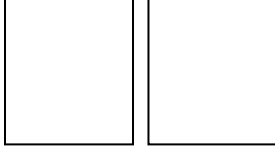
A church will be positioned between the South Street

townhouses and Riverfront townhouses within the middle portion of the block. A grand stair leading from South Street up to the top of the green-roofed parking deck provides access, frontage and a place of significance for the church.

An ancillary enclosed parking structure will be built to connect the above referenced buildings and uses. A green structure, covering most of the enclosed parking structure, will be utilized as a landscaped open space area.

SECTION ONE

Soho Wellington Centre is located at a prominent corner of the SoHo Neighbourhood, bounded by Wellington Street to the west, South Street to the north, Waterloo Street to the west, and the Thames River to the south. The intersection of Wellington and South Streets is a gateway to Downtown London. Wellington Street is a main artery and commercial corridor into Downtown London. The new pedestrian-oriented retail corridor along South Street will extend retail uses beyond the Wellington Street corridor.



section one // design response to city documents

DESIGN RESPONSE TO CITY DOCUMENTS

CITY OF LONDON OFFICIAL PLAN

Soho Wellington Centre addresses the following aspects of the City of London's Official Plan:

*(i) Promote a high standard of design for buildings to be constructed in the strategic or prominent locations of the Downtown:*

The Wellington / South Street intersection is a gateway to Downtown London, connecting to and extending the Wellington Street commercial corridor along South Street. As such, it is a strategically significant site to spur further development in the area and create a sense of identity and a node of commercial and residential activity in the Soho Neighbourhood.

*(iv) Design new development to complement the appearance and function of any significant natural features and public open spaces that are adjacent to the site:*

The Thames River landscape bounding the south edge of the site is visually and functionally integrated into the development by aesthetically responding to the sloped, vegetated embankment and functionally expanding the public park space.

*(v) To the extent feasible, position new development to minimize the obstruction of view corridors to natural features and landmarks:*

Soho Wellington Centre is a high-density project that minimizes visual obstructions by positioning the slender, north-south oriented towers on opposite ends of the site. Further, it provides opportunities to view and pass through and around parts of the development at the pedestrian level, maintaining public access to the riverfront. Direct access to the river is provided in four locations—two within the site, and one along Wellington Street and one along Waterloo Street.

4.4.1.2 Urban Design Objectives

*(j) Encourage the rehabilitation and renewal of Main Street Commercial Corridors.*

*(k) Provide for and enhance the pedestrian nature of the Main Street Commercial Corridor;*

*(l) Enhance the street edge by providing for high quality rampade design, accessible and walkable sidewalks, street furniture and proper lighting;*

The western one-third of Soho Wellington Centre will extend the Wellington Street Commercial Corridor and present a welcoming street presence on South Street, providing opportunities for commercial uses, retail and dining. The broad sidewalk will enhance the pedestrian experience by accommodating ample walking space, street furniture beneath shade trees and adjacent to benches, pedestrian level lighting, and outdoor seating for restaurants and cafes. A row of parallel parking on the north edge of the sidewalk provides ease of access to

the site from other areas in the City while acting as a buffer between the sidewalk and South Street traffic. The West Tower is set back from Wellington Street in observance of the Bus Rapid Transit right-of-way.

*(v) Design development to support public transit:*  
Higher-density development supports public transit. Soho Wellington Centre will be home to a diverse population with varying transit needs and options. The development site is adjacent to bus lines along Wellington and South Streets. The West Tower is set back from Wellington Street in observance of the Bus Rapid Transit right-of-way.

*(v) Create high quality public places;*  
Diversity of activities and spaces add to public life. Different groups of people will live at and visit Soho for many different reasons. The diverse program is buttressed by a variety of physical spaces: multiple zones along the South Street sidewalk allow dining, shopping, passage, and opportunities to sit and rest beneath shade trees. Access to the Thames River and Promenade adds to the attractiveness of the development, making it a true destination and center of public activity.

*(vii) Maintain or create a strong identity and place;*

Soho Wellington Centre has a cohesive architectural identity, with the various buildings communicating a

united and coherent whole. The identity operates on multiple scales in that it is identifiable as a whole from afar, while maintaining opportunities for individual identity for businesses along the west end of South Street. A high degree of transparency defines the commercial frontage, creating visual connections between the interior and exterior. The high degree of visibility enhances feelings of safety and connectedness in the public realm. The unique streetscape, where the buildings meet the public realm, serves to reinforce that these individual businesses are part of a larger district, thus allowing for the individual businesses' identities to operate within the Soho Neighbourhood identity.

*(x) Encourage the transition and connection between the gateway Main Street Commercial Corridors and the Downtown through pedestrian, transit and design linkages.*

Positioned at the Wellington South Street gateway to Downtown, Soho Wellington is strategically situated to take advantage of existing transit lines leading to and from Downtown and the Thames River pathways. The design facilitates pedestrian passage along the River and between South Street and the Riverfront.

CITY OF LONDON ZONING BY-LAW

There is a pending application to re-zone the development site to a Business District Commercial Zone (BCD(12) D665 H80).

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section one // spatial analysis

**SPATIAL ANALYSIS**

The existing site is largely vacant and open as characterized by the site photos. There is a church that will be replaced within the new development. There is low-density development to the north of the site, and the large-scale Victoria Hospital to the east. To the west, Wellington Street creates a strong boundary. The variety of scale and density of development around the site suggest an opportunity to set a new precedent and direction for future development in terms of scale and density.

The site is well positioned to take advantage of the Downtown Gateway location and integrate with existing public transit lines, proximity to the Wellington Street Commercial corridor, residential uses to the north, and the Thames River promenade to the south.

**Section 1c Spatial Analysis**

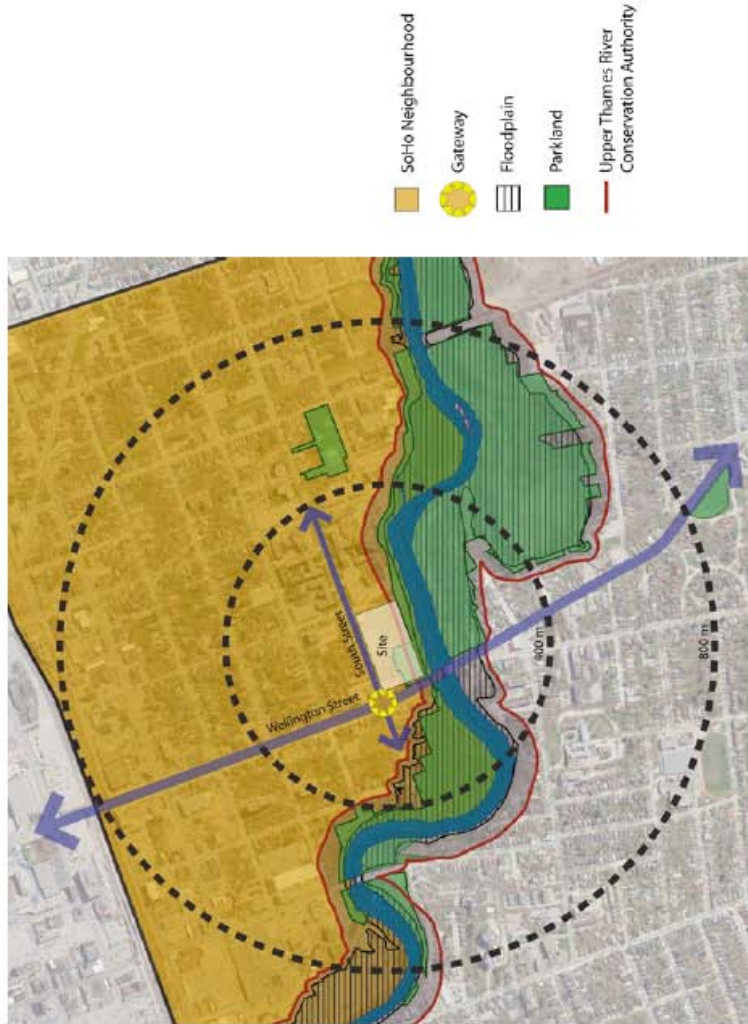
Figure 1c.01 Regional Spatial Analysis

Figure 1c.02 Site Plan—Views and Embankment/Tree Preservation Areas

Figure 1c.03 Site Plan—Vehicular Entrances, Public Transit, Adjacent Zoning

Figure 1c.04 Site Plan—Overlaid Parcels

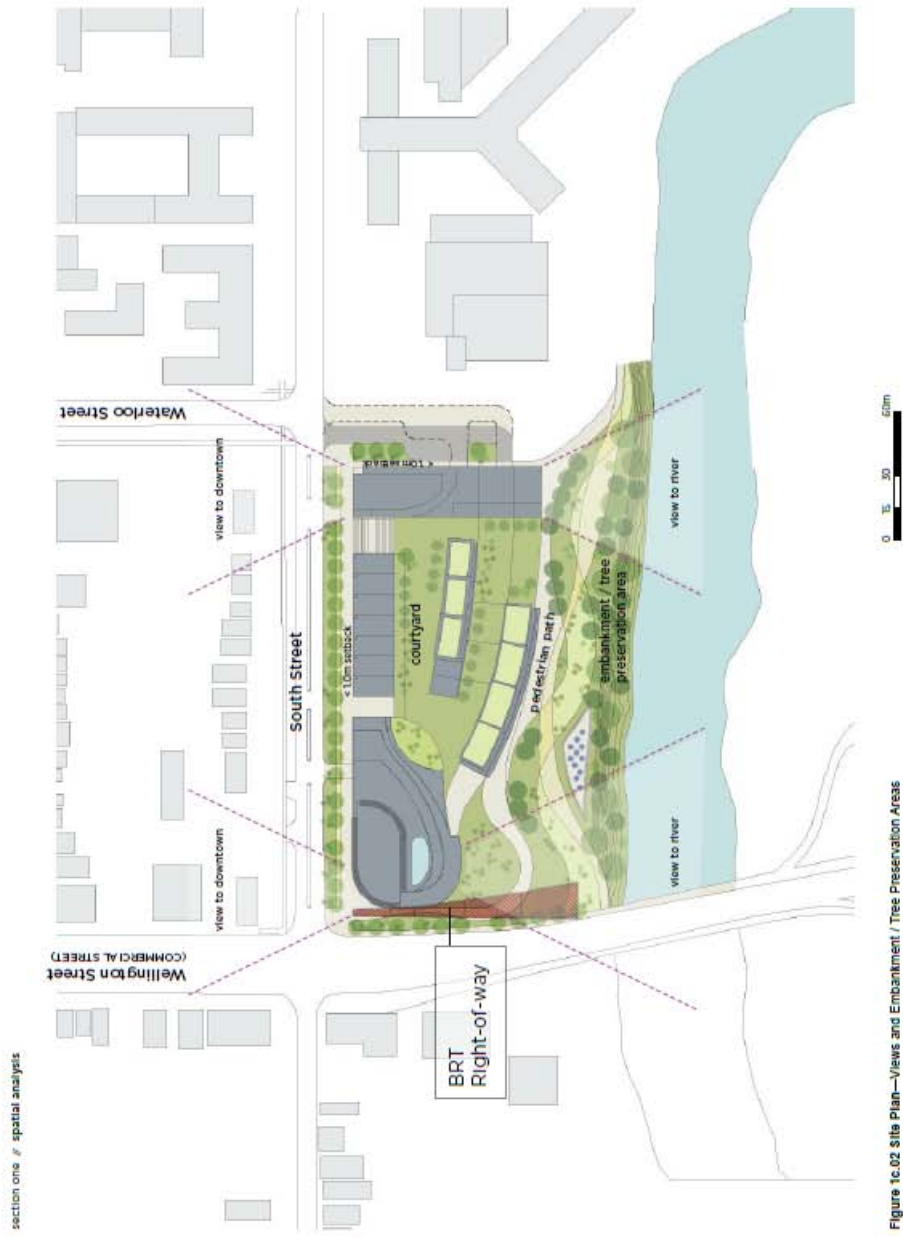
Figure 1c.05 Key Plan—Photos of Existing Site Conditions and Context



Section 1c.01 Regional Spatial Analysis

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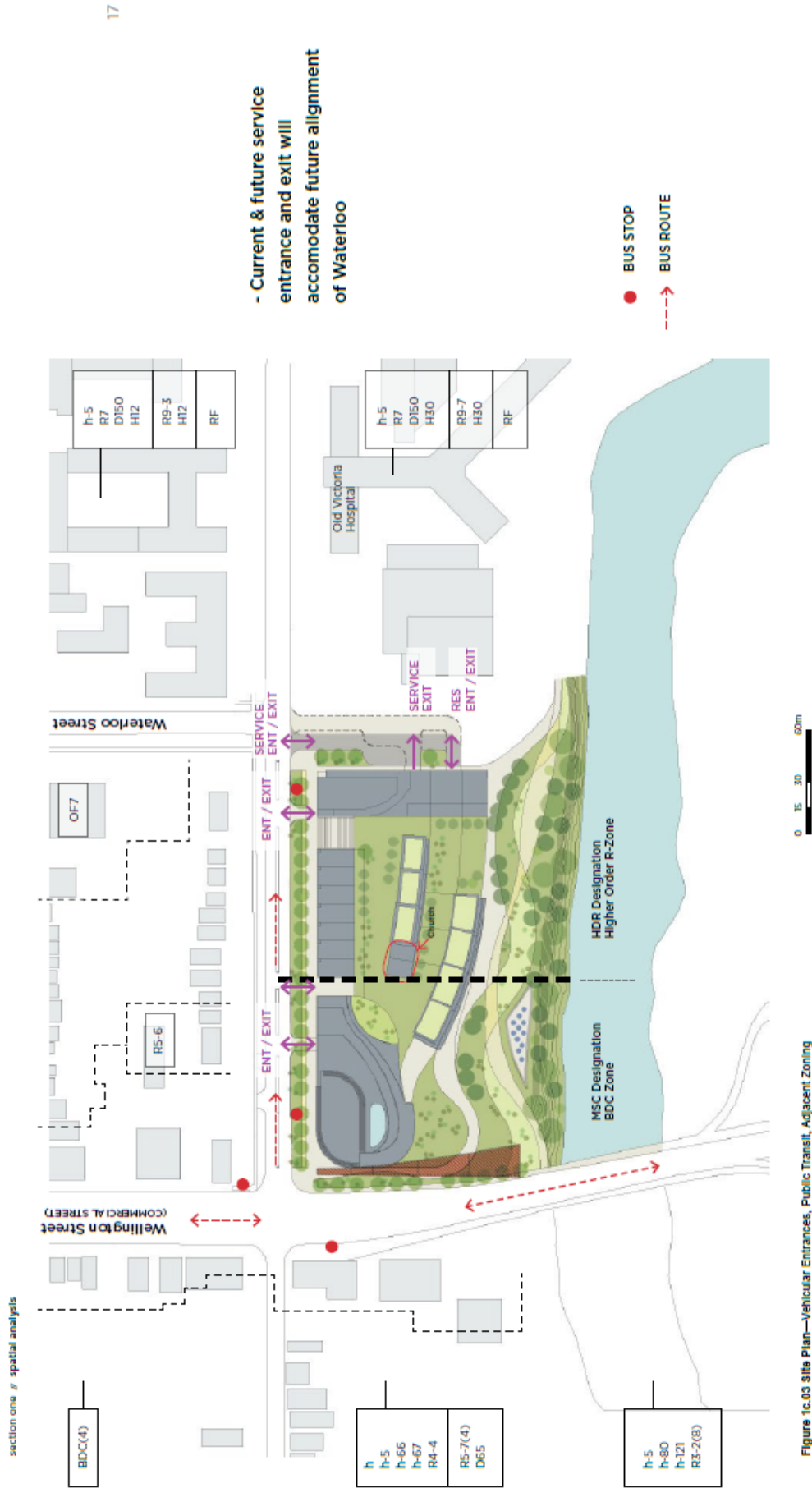


Figure 1c.03 Site Plan—Vehicular Entrances, Public Transit, Adjacent Zoning

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Figure 1c.05 Key Plan—Photos of Existing Site Conditions and Context

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section one # spatial analysis



Figure 1c.05 Photos of Existing Site Conditions and Context

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Figure 1c.05 Photos of Existing Site Conditions and Context

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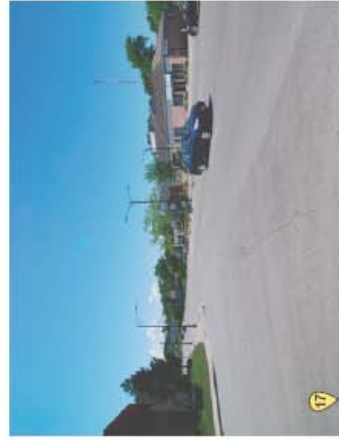


Figure 1c.04 Photos of Existing Site Conditions and Context

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Figure 1c.04 Photos of Existing Site Conditions and Context

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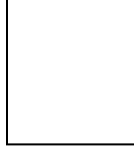
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Figure 1c.05 Photos of Existing Site Conditions and Context

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**CONCEPTUAL DESIGN**

**SITE DESIGN**

Soho Wellington Centre has been designed to support the surrounding area as much as the buildings within. The site provides convenient access to existing bus routes along Wellington Street and South Street. The buildings are set back in acknowledgement of the conservation area along the Thames River to the south, and the River promenade allows pedestrians and cyclists to pass through or enter the site. The sidewalk along South Street is designed to allow numerous activities to coexist; outdoor dining and cafes, retail, and a safe walking environment are complemented by pedestrian-level lighting, street furniture, shade trees, bio-swales, and a zone of parallel parking that buffers the sidewalk experience from traffic on South Street. The building edge is adjacent to the sidewalk, providing a continuous public space from the building face to the street. The location of commercial uses on the ground floor facilitates the public aspect and encourages activity. Vehicular entrances and exits for service and within-site parking are spaced far apart to reduce the number of curb cuts along the sidewalk and create a safer pedestrian environment with greater spatial continuity.

**BUILT FORM, MASSING AND ARTICULATION**

The following figures illustrate the proposed built form, massing, articulation, street and sectional relationships among the buildings and the site.

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**Section 2c / Plans**

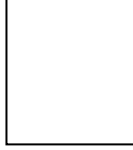
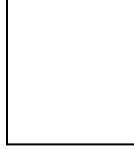
- Figure 2c.01 Site Plan In Context
- Figure 2c.02 Landscape Plan

**Section 2d Sections**

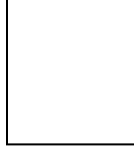
- Figure 2d.01 Site Section Through Market-Rate Condo Tower
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section two // conceptual design

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<p><b>CHARACTER AND IMAGE</b></p> <p>Soho Wellington introduces a contemporary model of development that will serve as a catalyst for further improvements in the District. The location is strategically significant, positioned at the gateway to SoHo and Downtown London, and creates a welcoming and sophisticated identity; the northwest tower marks this gateway, on the corner of Wellington and South Streets.</p> <p>Soho Wellington Centre is responsive to its surroundings because it respects the site, the nearby natural amenities, and fosters a vibrant urban destination for the community. Its role in the context of the community, however, is to be a catalytic project that will set a "SoHo District-wide precedent for infill and intensification". As such, it offers in scale from lower development densities in the area and redefines the streetscape. The tower bases are more consistent with the scale of the Victoria Hospital immediately to the east of the site and the towers signify its inclusion as part of Downtown London and future development and intensification.</p>	<p><b>ARCHITECTURAL TREATMENT</b></p> <p>In keeping with the forward-looking nature of the development, the architectural treatment is contemporary. Glass provides access to natural light and dramatic views for residences and visibility between businesses and the public streetscape.</p> <p>A neutral color palette anticipates visual compatibility with future development in the area and allows the buildings to recede visually by letting the colors of the sky and Thames River landscape dominate. The material palette is a composition of glass, metal panel and stone veneer.</p> <p><b>LIGHTING</b></p> <p>Soho Wellington will utilize pedestrian level lighting at the street level, and appropriate lighting techniques throughout the development to maximize comfort and safety for residents. Light posts are spaced at approximately 17 m on centre along the edge of the sidewalks and paths - appropriate for a streetlight height of 4.25 m.</p>	<p><b>SERVICING</b></p> <p>Site access is available through vehicular, bicycle, public transit, and pedestrian modes. Sidewalks and building entrances are designed to accommodate people with disabilities. Service areas for trucks, deliveries, and waste disposal are located within the base levels beneath the green space that covers the parking area. Residential drop-off and pick-up areas are separated from the public streetscape to maintain entrances that are both visually distinct from the commercial area, and to separate residential and commercial traffic.</p> <p><b>STRATEGY FOR SHAPING TALL BUILDING FLOORPLATES</b></p> <p>The strategy for shaping the floorplates of the towers is to elongate them in the north-south direction, thereby minimizing view obstruction to and from Downtown London. This orientation aids in keeping a feeling of openness as the towers appear to be further apart than if they were elongated in an east-west orientation. This orientation also casts narrower shadows overall, makes it easier to control solar gain, and it allows ample daylight into the buildings.</p>	<p><b>DESIGN FOR COMFORT AND SAFETY</b></p> <p>Ample lighting and a high degree of transparency in the facade design provide visibility and opportunities to have "eyes on the street," a key component for a safe environment. Vehicular entrances are spaced to minimize crossing with public pedestrian areas and separate the residential zone from the retail zone.</p>
<p><b>SIGNAGE</b></p> <p>All signage will be designed to adhere to the City of London's Sign Control By-Laws.</p>	<p><b>SIGNAGE</b></p>	<p><b>SHADOWING</b></p> <p>See Figure 2f.04 through Figure 2f.07 Shading Studies.</p>	

<sup>1</sup> SoHo Wellington Centre: A Gateway to the SoHo District and Downtown London, Fincore Canada, June 7, 2012

**PUBLIC REALM**

**Public spaces, continuity of the streetscapes, facade zones, site furnishing**

Green Streets: The SoHo-CIP Implementation plan, statement 4.1 states "4.1 Incorporate boulevard trees and enhanced landscaping as part of the overall plan for all future roadwork improvements in all areas of SoHo identified as "Green Streets" including wider landscape boulevards and reduced pavement widths." The streetscape design is intended to support this goal.

**Green space:** The south side of the site has extensive green space as an extension of the riverfront park lands. Significant public green space is also provided throughout the interior of the complex, allowing for a generous landscaped connection from north to south, as well as a publicly-accessible green roof along South Street.

**Streetscape:** As indicated above, the public streetscape has a strong connection to the building edge. A colonnade and recessed entrances along the commercial corridor create a distinct zone of entry, and provide shelter from the elements for pedestrians. Continuity is maintained by limiting curb cuts, and pacing them so they help to define the various zones of the streetscape, separating the commercial area from the residential areas.

**Site Furnishing:** Benches situated along select sidewalks and pathways provide shaded sitting areas for the public.

**Pedestrian circulation, linkages to open space, privacy, integration with transit**

Sidewalks are located on Wellington Street, South Street, and the Waterloo Street R.O.W. They provide direct access to commercial and residential uses as well as access to paths along the riverfront green space. Residential entrances on South Street are slightly elevated and recessed to create defensible space for owners, while keeping the zero-setback location of the townhouses. Immediate adjacency to existing bus lines on Wellington and South Streets integrates the public realm with transit.

In addition to the circulation around the perimeter of the site, there are a number of linkages established through the site for increased connectivity. The primary public linkage from the north to the south side of the site is a grand stair that carries the public over two stories of parking, through the central green roof area of the development, ultimately bringing pedestrians to the Thames Riverfront pathways. A second link allows pedestrians to pass directly through the site, bypassing the elevated green space.

**Landscape design**

The landscape design is a central feature of SoHo Wellington Centre, providing functional and aesthetic amenities. The green roof covering the parking and service area, as well as bio-swales in the South Street sidewalk, provides stormwater management. Trees along South Street provide shade and aesthetic appeal. Vegetation along the Thames River embankment provides opportunities for tree preservation where possible.

**Transition space between building facade and public right of way**

Within the retail zone, the transition between the building facade and public right-of-way occurs within an entry zone that is defined by a colonnade along the slightly inset window wall. This additional layer of space provides shelter from the elements and clearly defines the transition from interior to exterior spaces. A high degree of transparency along the storefronts creates viable retail spaces, and a grade-level passage through the site connects the public on South Street with the Thames Riverfront and its amenities. The South Street townhouses also observe the zero-setback position. In order to create a degree of privacy and a sense of defensible space for the townhouse residents, the entrances are slightly elevated and recessed, to create a front porch. This is a time-tested approach to the transition between private and public space.

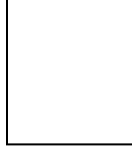


**SUSTAINABILITY TECHNIQUES**

Soho Wellington Centre will utilize a number of sustainability techniques. Some aspects of the project that contribute to enhanced environmental performance are gained by virtue of the site's location. Walking distance from Downtown London and with easy transit access, this high-density development provides numerous means to reduce car trips and partake in the healthier alternatives of walking or biking to nearby destinations. The higher density makes for more efficient use of city infrastructure.

Other sustainable features include solar and geothermal energy production, and the expansive green roof concealing the parking garage and bike storage. This roof functions as a stormwater management tool, minimizes the heat island effect and provides the public amenity of vegetated open space. Furthermore, the hardscape of the sidewalk along the building frontages on Wellington Street, South Street, and the Waterloo Street R.O.W. will shed stormwater to bio-swales that punctuate the streetscape at numerous intervals.

The buildings themselves will be equipped with energy-efficient appliances and equipment and, due to the narrow floorplates of the buildings, daylighting strategies will be utilized to reduce lighting energy usage throughout the development.



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section two // conceptual design

2a / Streetscape Elevations



Figure 2a.01 North Elevation—South Street

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section two // conceptual design

2a / Streetscape Elevations



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Figure 2a.02 North Elevation—Detail at Proposed South Street Retail

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section two // conceptual design

2a / Streetscape Elevations



Figure 2a.03 West Elevation—Wellington Street

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2a / Streetscape Elevations



Figure 2a.04 East Elevation—Waterloo Right of Way

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2a / Streetscape Elevations



Figure 2a.05 South Elevation—Thames Riverfront

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2a / Streetscape Elevations



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Figure 2a.05 South Elevation—Detail at Thames Riverfront

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2b / Streetscape Diagrams

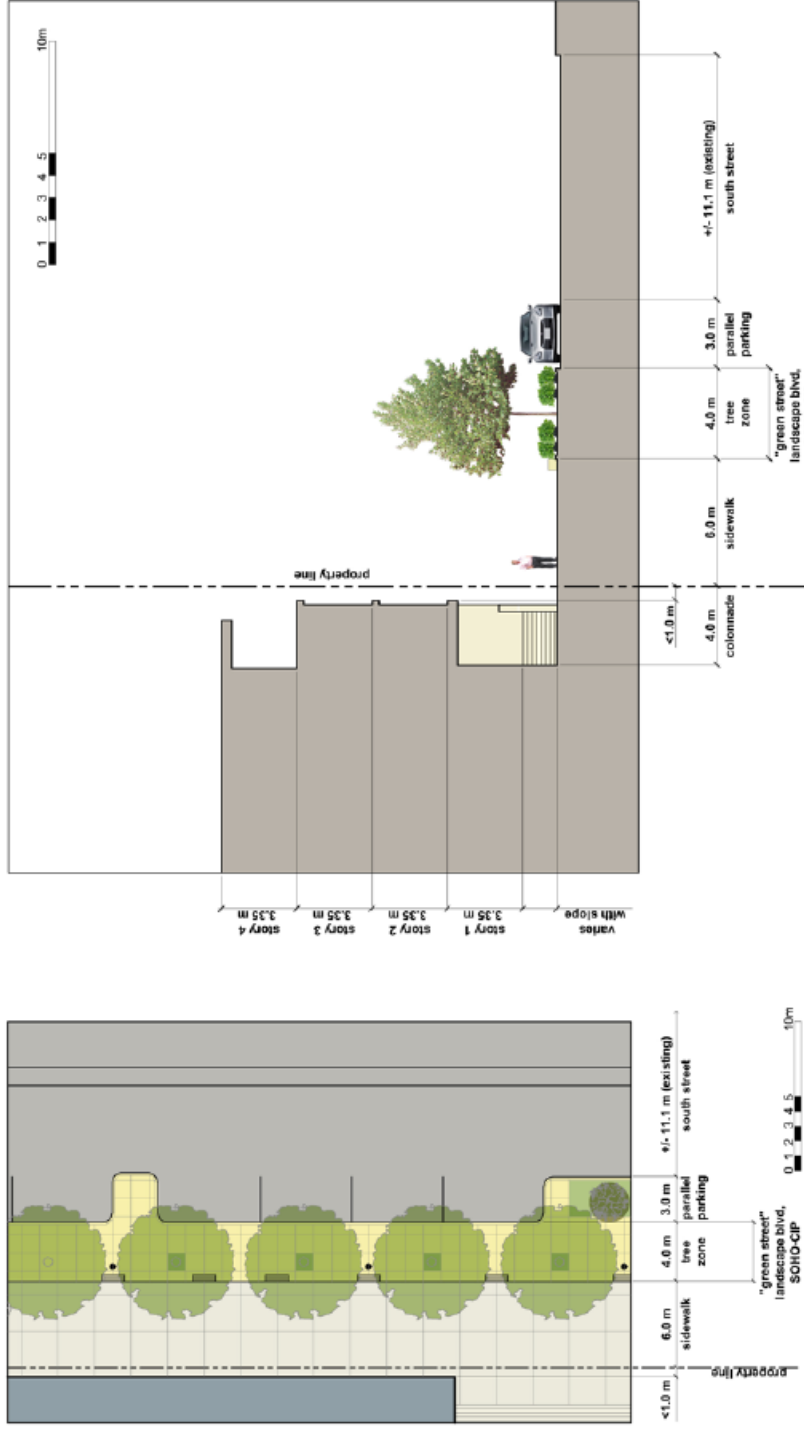
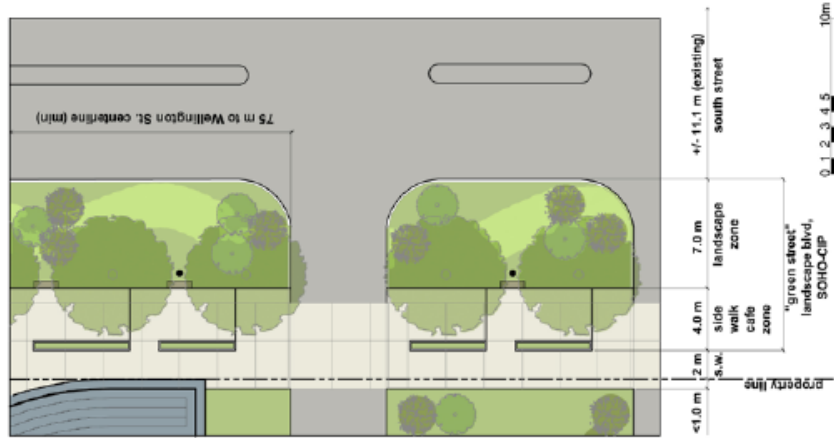
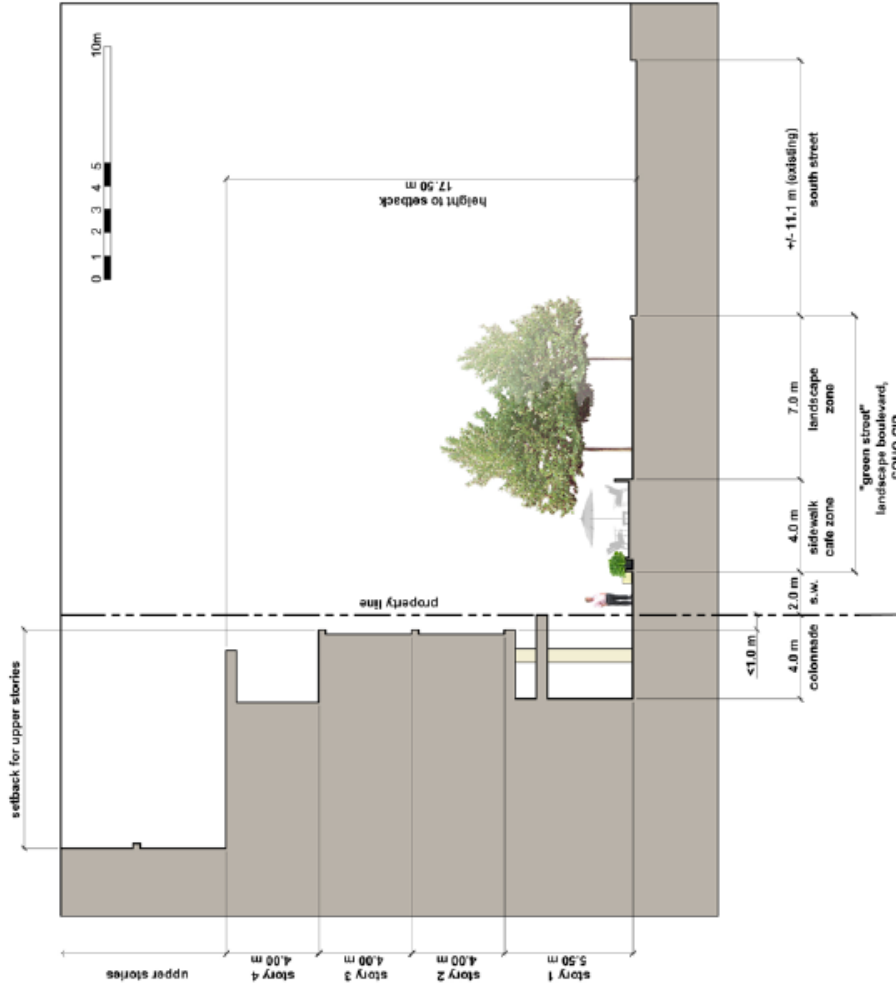


Figure 2b.01 South Street Retail Streetscape Plan and Section

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Figure 2b.02 South Street Streetscape Plan and Section

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2b / Streetscape Diagrams

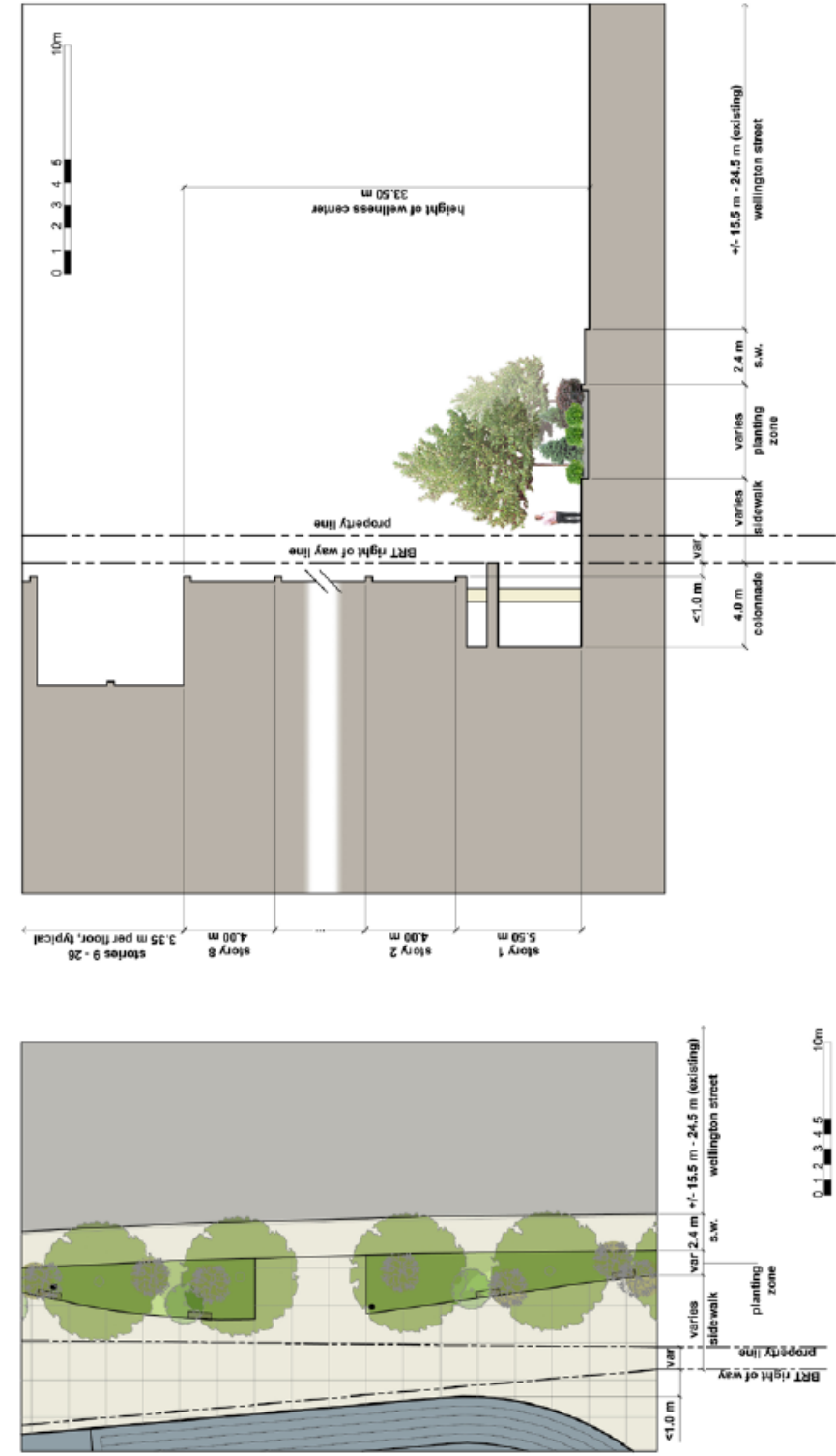


Figure 2b.03 Wellington Street Streetscape Plan and Section

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2b / Streetscape Diagrams

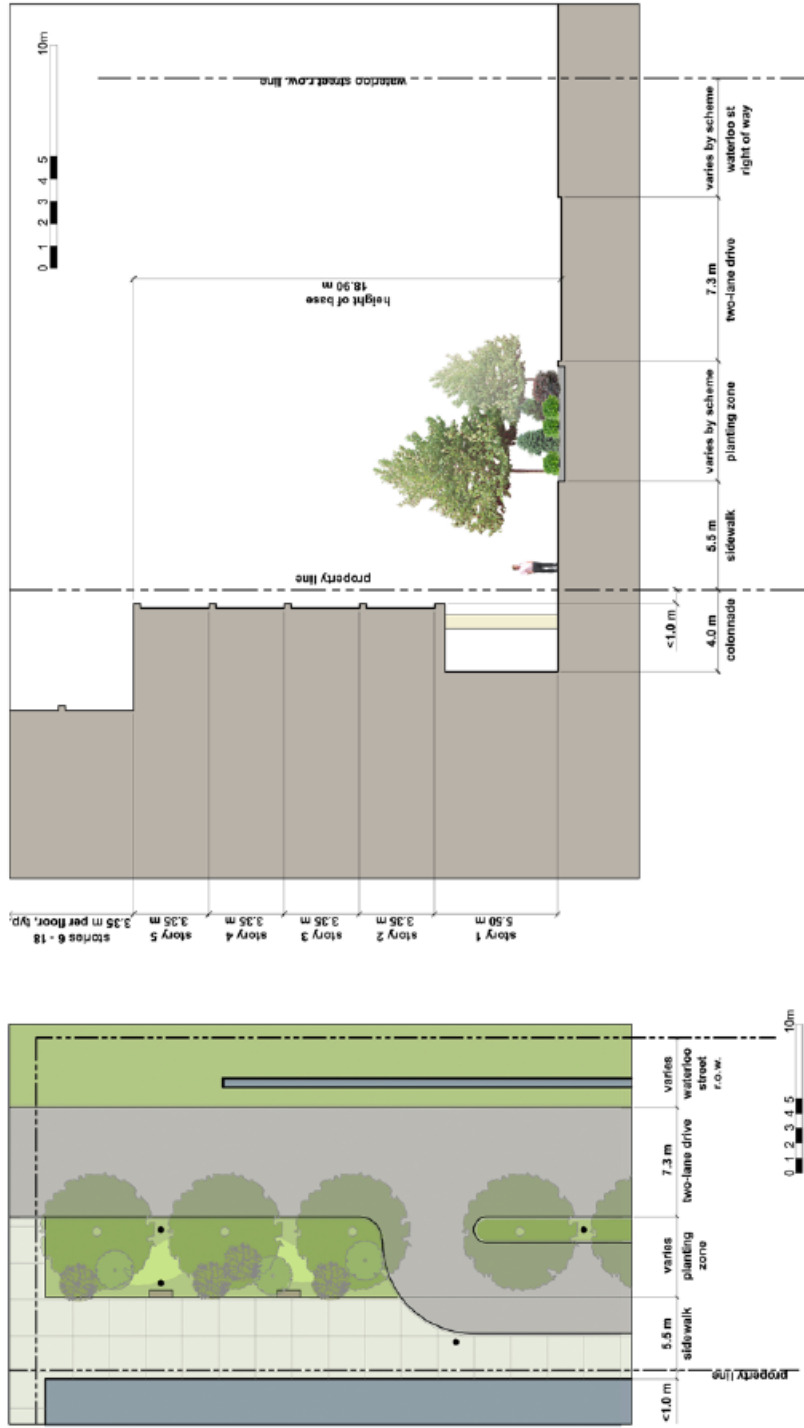


Figure 2b.04 Waterloo Street Right of Way Streetscape Plan and Section

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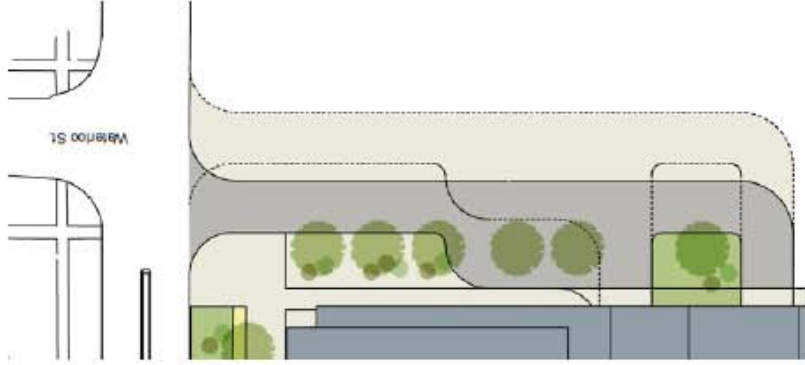


Figure 2b.06 Waterloo St - Extension Options

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2b / Streetscape Diagrams



Figure 2b.05 Thames Riverfront Plan

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2b / Streetscape Diagrams

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Figure 2b.07 Thames Riverfront Section

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2c / Plans

Figure 2c.01 Site Plan in Context

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2c / Plans



Figure 2c.02 Landscape Plan

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section two // conceptual design

2d / Sections

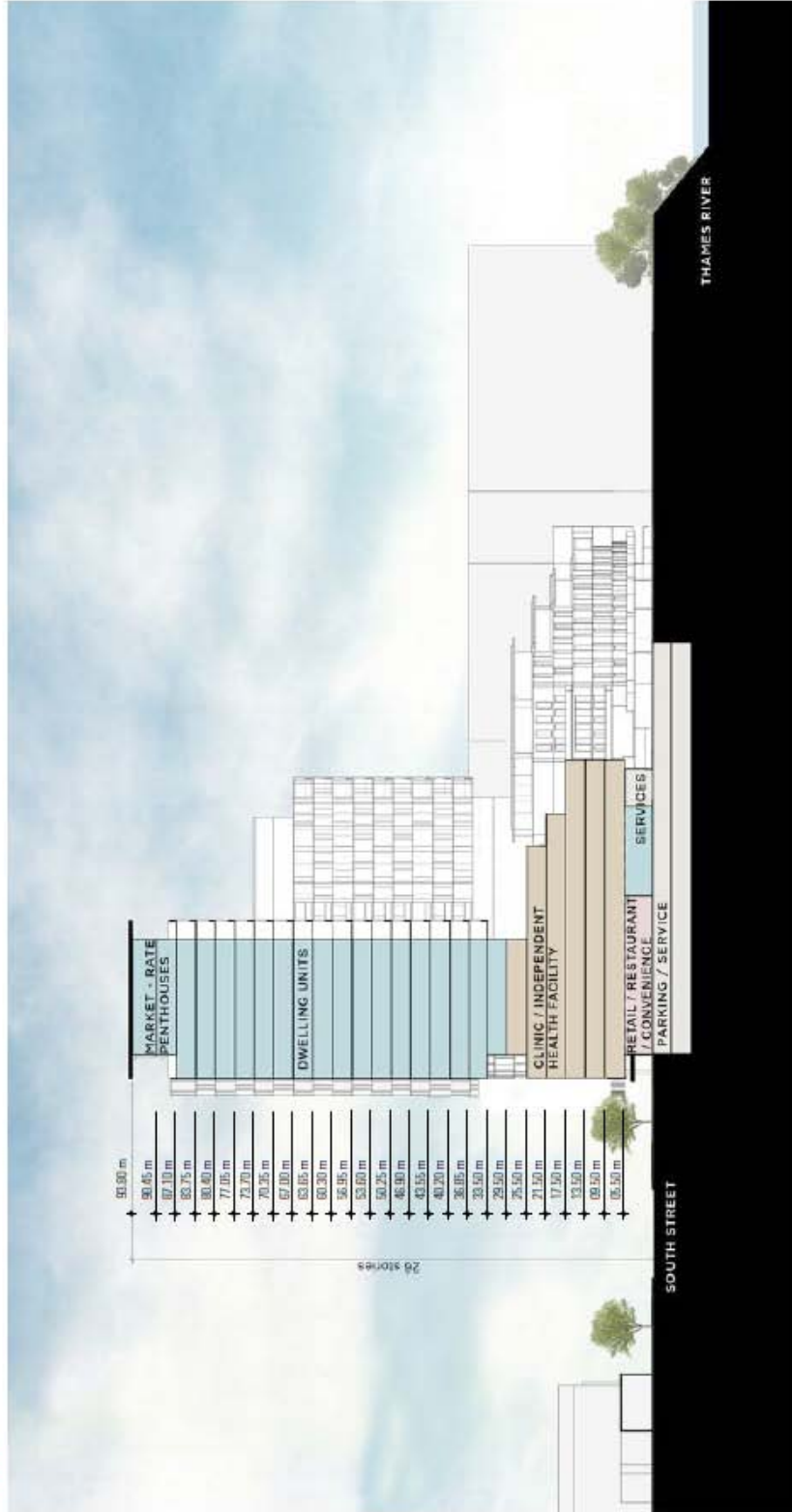


Figure 2d.01 Site Section Through Market-Rate Condo Tower

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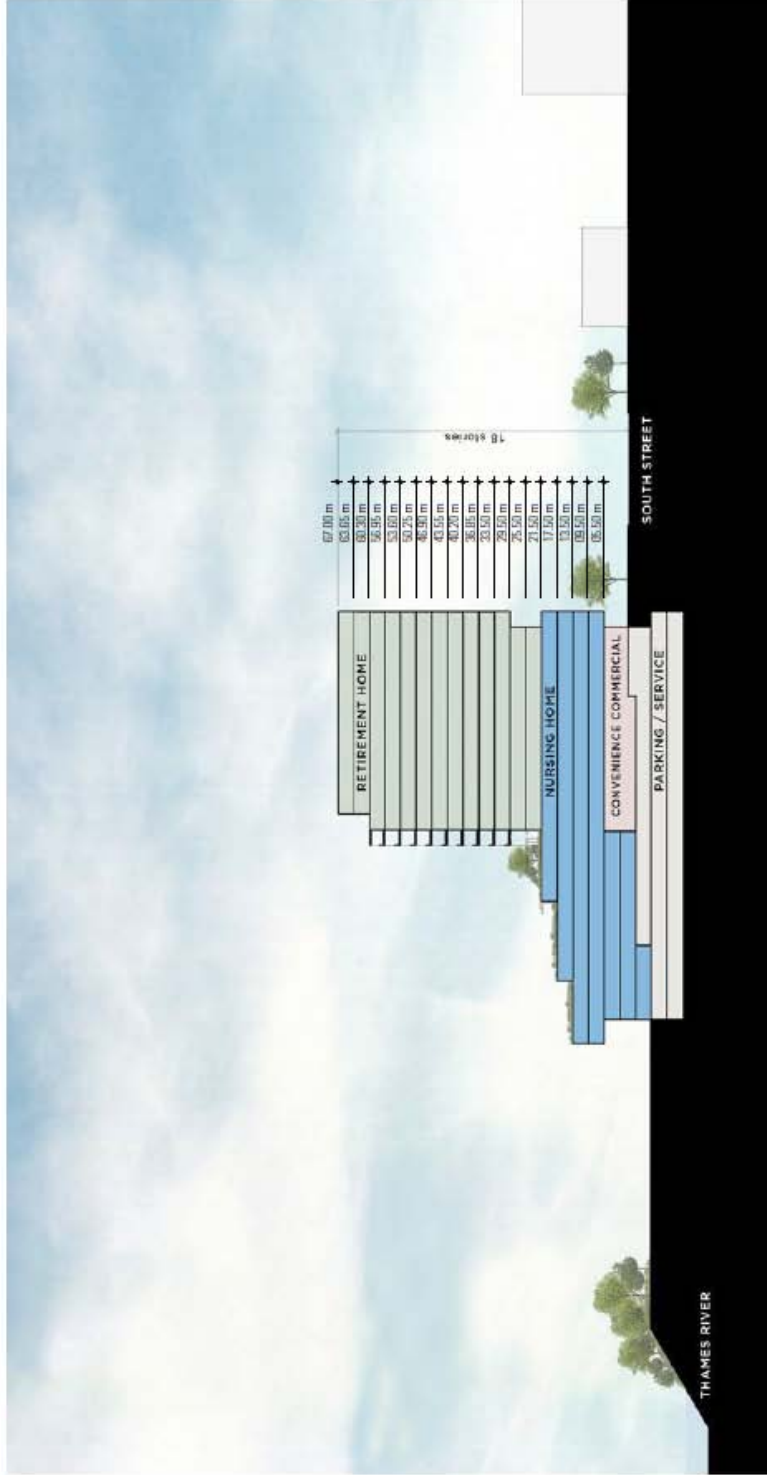


Figure 2d.02 Site Section Through Senior Condo Tower and Convalescence Centre

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2d / sections



Figure 2d.03 Site Section Through Wellness Centre and Townhouses

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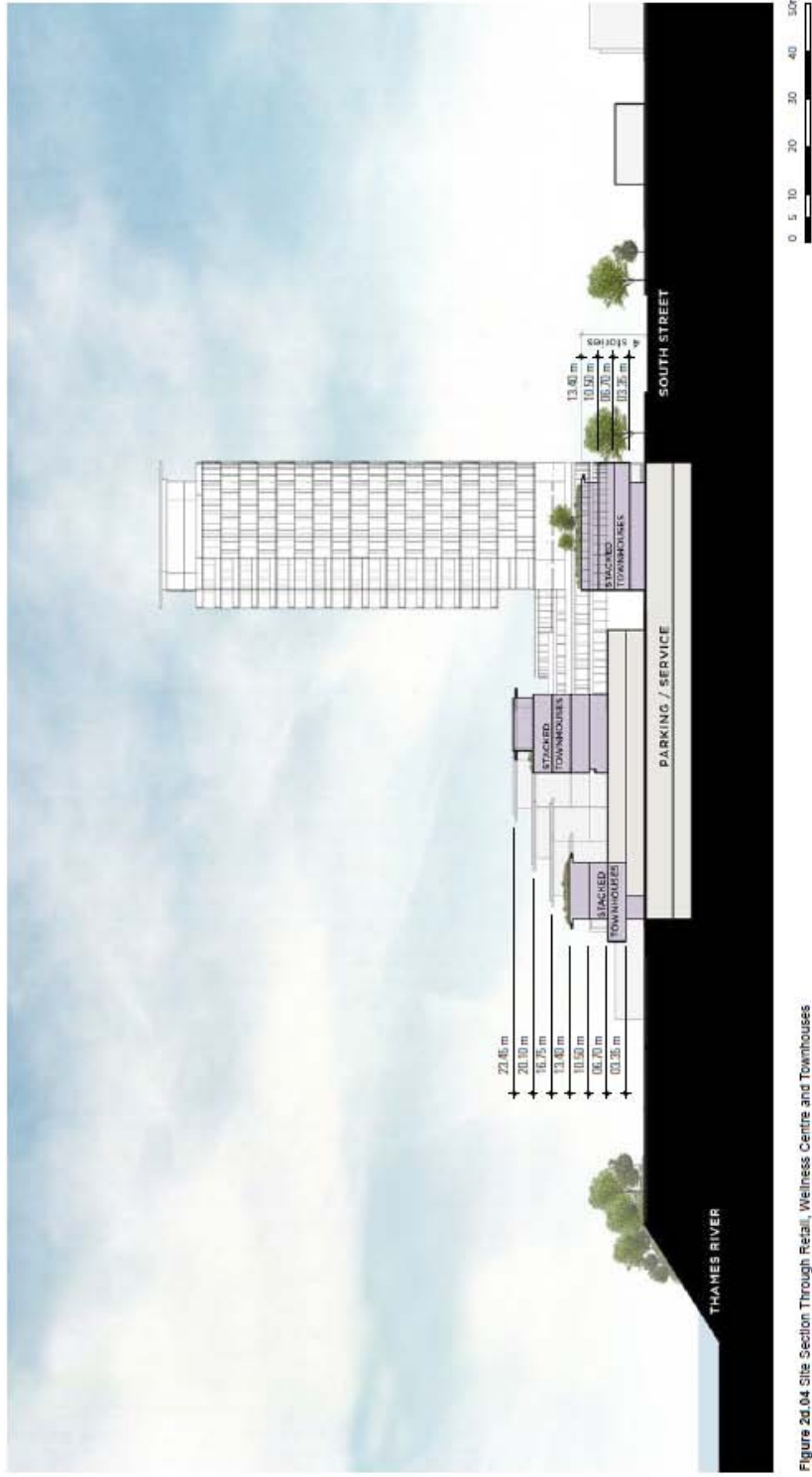


Figure 2d.04 Site Section Through Retail, Wellness Centre and Townhouses

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Planner: C. Smith

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2d / sections

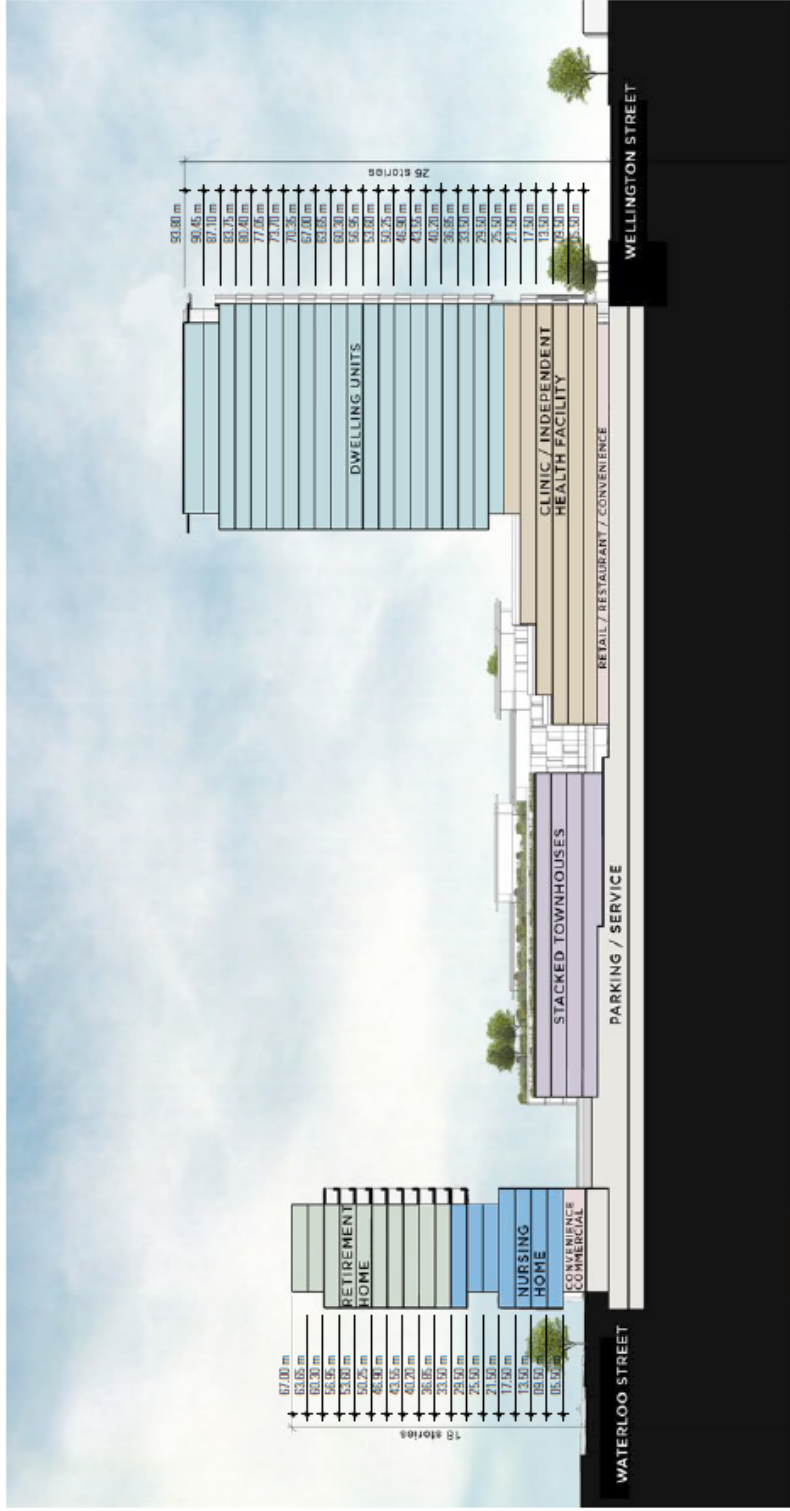


Figure 2d.05 Longitudinal Site Section Along South Street

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21 / Three Dimensional Views



Figure 21.01 Aerial View from Thames River

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21 / Three Dimensional Views



Figure 21.02 Aerial View of Proposed South Street Retail Corridor

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21 / Three Dimensional Views



Figure 21.03 Perspective Looking Southeast Along South Street

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27 / Three Dimensional Views



March 21st / 10 am



March 21st / 2 pm

Figure 27.04 Shading Studies—March

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June 21st / 10 am



June 21st / 2 pm

Figure 27.05 Shading Studies—June

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2f / Three Dimensional Views



September 21st / 10 am



September 21st / 2 pm

Figure 2f.06 Shading Studies—September

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December 21st / 10 am



December 21st / 2 pm

Figure 2f.07 Shading Studies—December

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Planner: C. Smith

**Schedule 1**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: FINCORE GROUP 56 - 82 WELLINGTON ST, 283 - 323 SOUTH STREET AND 69 - 77 WATERLOO STREET  PUBLIC PARTICIPATION MEETING ON FEBRUARY 26, 2013</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the Fincore Group relating to the property located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street:

- m) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 5, 2013, to amend Section 3.5.1 (Policies for Specific Residential Areas) of the Official Plan within the lands bounded by Waterloo Street on the east, South Street on the north, the Thames River on the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West and to amend Section 4.4.1.13 (Specific Main Street Corridors), to add a policy to include the lands located on the east side of Wellington Street between South Street and the Thames River;
- n) Subject to Policy 19.1.1. of the Official Plan, the lands located south of the existing Upper Thames River Conservation Authority Regulated Area, **BE INTERPRETED** to be located within the "Open Space" designation;
- o) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on March 5, 2013 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 the subject property **FROM** a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone which permits a large range of commercial uses, churches and residential uses, a Residential R9 (R9-3\*H22) Zone which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) Zone which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres and a maximum density of 150 units per hectare, **TO** an Open Space (OS2) Zone to allow for conservation lands and public parks and a Holding Business District Commercial Special Provision/ Bonus (h\*h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h\*( )BDC( )\*B-(\*)) Zone which permits medical/dental office, clinics, a wide range of commercial uses, apartment buildings, nursing homes, lodging houses, offices, an Independent Health Facility on the second floor or above with a maximum gross floor area of 2000m<sup>2</sup> and a maximum height of 12m, with a bonus zone to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law, which includes a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:
  - underground parking spaces;
  - placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City's discretion, match the elevations shown in Appendix "C", so the architecture of the building itself creates the Gateway;
  - utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the

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 Planner: C. Smith

form and design of the new development complements the river valley and parklands located adjacent to the site;

- orientation of the primary building and unit entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage in order to provide for the enhancement of the pedestrian environment;
- a green roof atop the building podium portions to support innovative and environmentally sensitive development;
- two publicly accessible pedestrian and sight line connections through the site, one from Wellington Street and one from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Wellington Street road allowances, to achieve high quality landscaping and the creation of an attractive street edge at this strategic Gateway location, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;

and a Holding Residential R5/Residential R7/Residential R9/Bonus (h\*h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h\*( )R5-7/R7\*D150\*H22/R9-7\*H22\*B-(\*\*)) Zone which permits apartments, senior apartments, nursing homes, townhouses, stacked townhouses to a maximum height of 22m and maximum density of 150 units/ha with a bonus zone to facilitate a development design that is consistent with the text and illustration attached as Appendix “C” of this By-law which includes an 18-storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with 78 retirement lodges and 130 nursing home care units, 65 stacked townhouses dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses which include Convenience stores, Convenience service establishments, Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through and a church use which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- secured bicycle parking spaces and temporary bicycle parking spaces for a total of 150 bicycle parking spaces;
- orientation of buildings to the street so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to provide for the enhancement of the pedestrian environment;
- utilization of a podium base with multiple step-backs and a residential point tower above on the building abutting the northeast corner so as to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City’s discretion, match the elevations shown in Appendix “C”, and townhouse facades that vary in their projection and recession along South Street so that does not appear as one solid plane, so as to ensure a high standard of design for buildings to be constructed in this prominent location at the perimeter of the Downtown, near the edge of the river valley;
- a green roof atop the parking structure and building podium portions to support innovative and environmentally sensitive development;
- a publicly accessible pedestrian and sight line connection through the site from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements;
- provision of enhanced of landscaped open space at street level and along the Thames Valley corridor to support the provision of common open space that is functional for active or passive recreational use
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Waterloo Street road allowances, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space;

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subject to holdings provisions which:

- ensure the orderly development of lands and the adequate provision of municipal services;
  - ensure that development will not have a negative impact on relevant components of the Natural Heritage System;
  - require a public participation meeting be held for consideration of the site plan required for this development to confirm the facilities, services or matters to be provided that benefit the general public;
  - ensure that development will not have a negative impact on an environmentally sensitive area, or natural feature by demonstrating that development in the form proposed will not adversely affect the area or feature;
  - ensure the appropriate development of the site and limit the impact of the development on the existing roadways;
  - to ensure that a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented;
  - ensure the Owner undertake a hydrogeotechnical evaluation and identify geotechnical conditions which include all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and to ensure that all matters of slope stability are adequately engineered; and,
  - ensure that development will not have an adverse impact on pedestrian level wind conditions.
- p) change Section 2, Definitions, of the City of London Z.-1 Zoning By-law to include the following definition: “Independent Health Facility” means a diagnostic facility that is funded by the Ministry to provide specific classes of diagnostic tests and is an ambulatory facility that provides surgical and therapeutic procedures for which the costs of carrying out the procedure are not included in the OHIP fee paid to physicians and is operated under the authority of a licence issued by the Director of Independent Health Facilities in accordance with all Ministry regulation including the *Independent Health Facilities Act* as may be amended, does not include overnight accommodation and requires parking to be provided at the same rate as for a clinic use.
- q) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone which permits a large range of commercial uses and residential use and a Residential R9 (R9-3\*H22) Zone which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres, **TO** a Holding Business District Commercial Special Provision (h-5\*BDC1 (2)\*D265\*H80) Zone which permits medical/dental office, medical/dental clinics, a wide range of commercial uses, townhouses and apartment buildings with a maximum height of 80 metres and maximum density of 265 units/ha, **BE REFUSED** for the following reasons;
- 3) buildings of this size and intensity may not provide for a good fit, consistent with Official Plan infill policies in the absence of such measures as appropriate urban design measures, underground parking, and enhanced landscaping which cannot all be obtained through the “normal development approval process
  - 4) a suitable approach to ensuring that the proposed development meets appropriate criteria for the SoHo Area is to permit zoning categories that allow an appropriate form of development and permit the requested additional heights and density through the application of a Bonus Zone.

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**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

<b>June, 2011</b>	SOHO Community Improvement Plan – Built and Natural Environment Committee
<b>June 9, 2012</b>	Presentation of this proposal to IEPC by Fincore Canada – Investment and Economic Prosperity Committee
<b>July 16, 2012</b>	Information Report - processes underway relating to the south street campus lands- Planning and Environment Committee

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of this Official Plan and Zoning change is to allow for the development of:

- a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650 m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail uses in the Business District Commercial lands located along the Wellington Street corridor; and
- a 18 storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with senior citizen apartments and nursing home care, 65 stacked townhouses dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses at ground level and a church use in the lands designated High Density Residential located on the easterly portion of the property.

**RATIONALE**

This proposed development is appropriate and suitable for the development of the subject lands for the following reasons:

- The proposed amendment is consistent with the PPS in that it encourages redevelopment, infill and intensification and the effective utilization of existing infrastructure;
- The proposed amendment is consistent with the City of London Official Plan policies and the SoHo Community Improvement Plan;
- The proposed amendment will allow for the development of an appropriate range of uses that will significantly contribute to revitalization of the SoHo Community Improvement;
- The proposed development will act as a gateway to the Downtown from the south and the SoHo neighbourhood;
- The proposed development provides for higher densities and a diverse mix of land uses strengthening the Wellington Street commercial corridor;
- The proposed development provides for the redevelopment of vacant and underutilized properties within the Wellington Street commercial corridor and provides a broad range of permitted uses at a scale which is compatible with adjacent development;

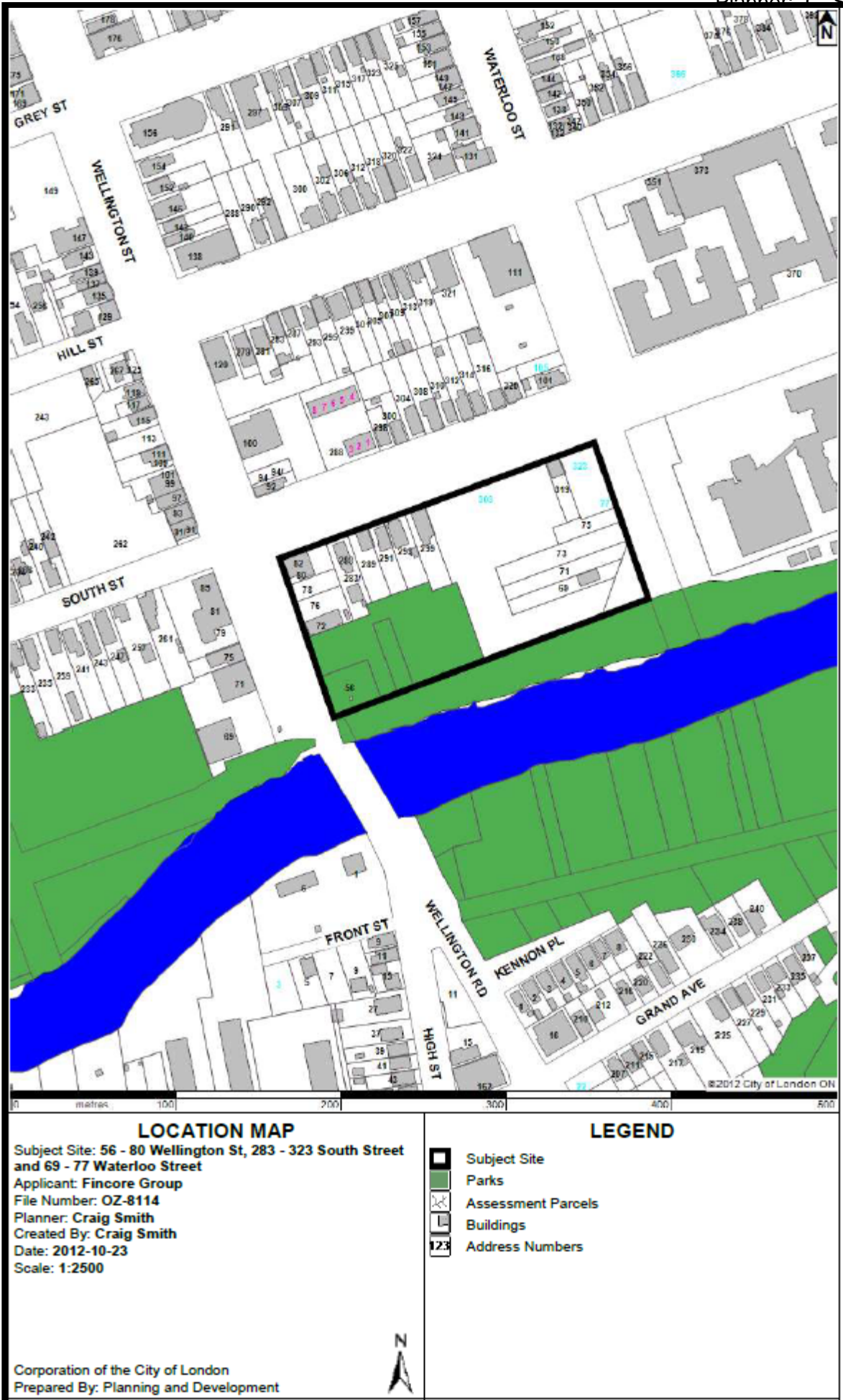
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File: OZ-8114  
Planner: C. Smith

- The proposed development provides for underground parking, reducing impacts on the abutting properties;
- The site is located in close proximity to the City of London Downtown, transit, and public open space and recreational uses along the Thames River corridor;
- The provision of two pedestrian and sight line connections through the site from Wellington South Street to the Thames Valley corridor;
- The proposed development utilizes existing infrastructure to service the subject lands;
- The proposed development will be established through the bonus zone; the proposed bonus zone will only allow for higher intensity development if the specific development proposal agreed to is constructed and the facilities and matters to be provided for in return for the bonus are secured. Alternatives to this form of development will not be permitted without a zoning by-law amendment which will allow for full review and consideration; and
- The proposed development, enshrined in the bonus zone, represents quality urban design, will enhance the design amenity along the Wellington Street corridor, and incorporates many design features to mitigate impacts on surrounding lands.



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**BACKGROUND**

<b>Date Application Accepted:</b> October 10, 2012	<b>Agent:</b> Hisham Slim
<p><b>REQUESTED ACTION (as submitted by the applicant):</b> The purpose and effect of this Official Plan and Zoning change is to allow for the development two 26 storey (80m tall) residential apartment buildings with 499 units, 35 townhouse dwellings for a total of 534 dwelling units (260units/ha) and a 12 storey medical/dental office building with ground floor retail uses.</p> <p>Possible amendment to the Official Plan to Change the Official Plan land use designation from "Multi Family High Density Residential" to "Main Street Commercial".</p> <p>Possible change to Zoning By-law Z.-1 <b>FROM</b> a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) which permits a large range of commercial uses and residential use and a Residential R9 (R9-3*H22) which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres <b>TO</b> a Holding Business District Commercial Special Provision (h-5*BDC1(2)*D265*H80) Zone which permits medical/dental office, medical/dental clinics, a wide range of commercial uses, townhouses and apartment buildings with a maximum height of 80 metres and maximum density of 265 units/ha and will require a public site plan meeting prior to the removal of the holding provision. Further holding provisions may be identified to be required prior to staff's final recommendation to Council.</p>	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Offices, church, residential and vacant residential</li> <li>• <b>Frontage</b> – 100 metres (Wellington Street) and 203 metres (South Street)</li> <li>• <b>Depth</b> – irregular</li> <li>• <b>Area</b> – approx. 2ha</li> <li>• <b>Shape</b> – rectangular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Residential (typically single detached dwellings)</li> <li>• <b>South</b> - Thames River</li> <li>• <b>East</b> - South Street Victoria Hospital Lands</li> <li>• <b>West</b> - Retail commercial</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)
<ul style="list-style-type: none"> <li>• Main Street Commercial (along Wellington Street frontage)</li> <li>• Multi Family High Density Residential (balance of property)</li> <li>• Open Space (along Thames River Corridor)</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map)

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- Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) which permits a large range of commercial uses and residential use and a Residential R9 (R9-3\*H22) which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres.

**PLANNING HISTORY**

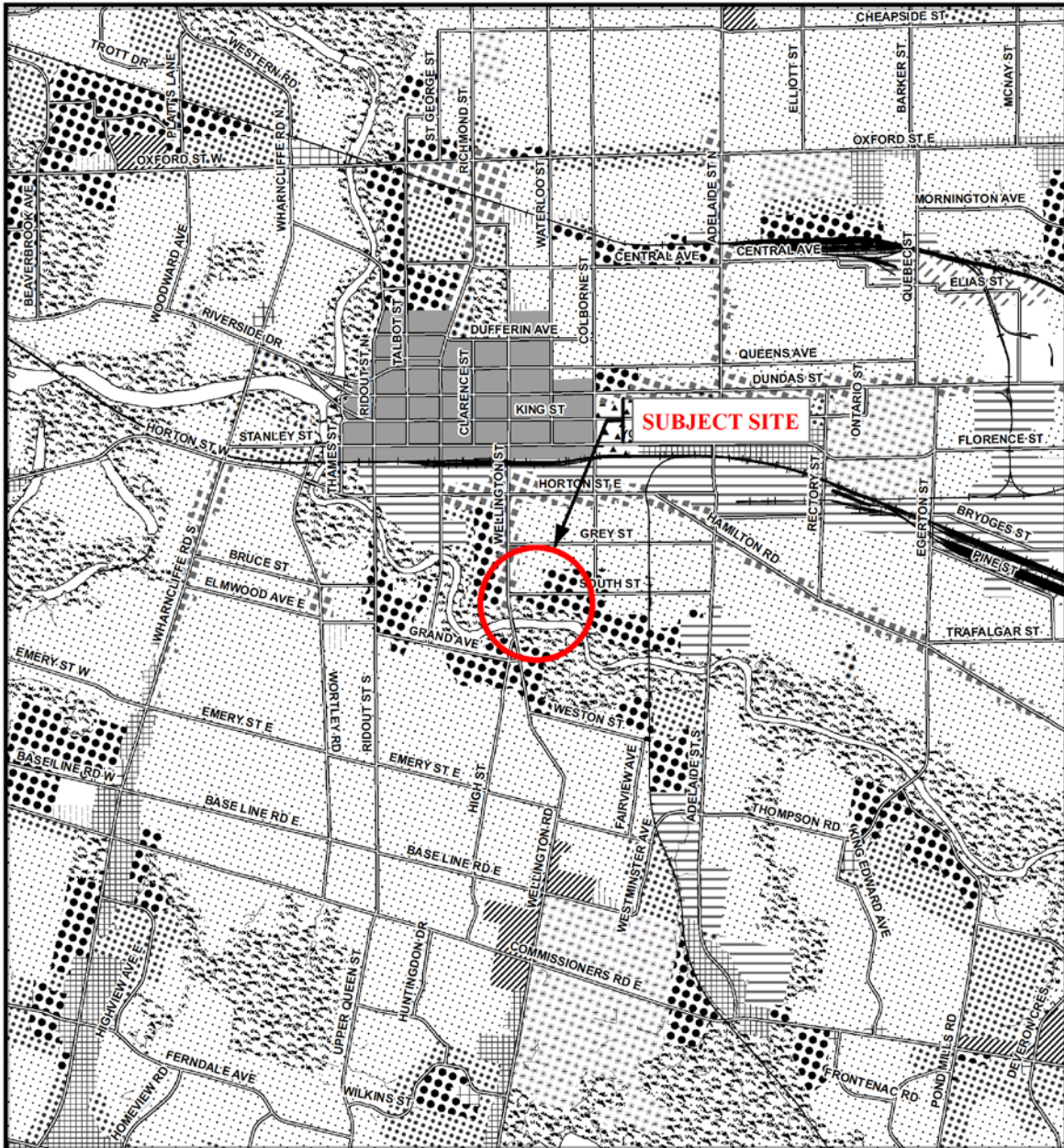
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|-------------------------|---|
| <b>June, 2011</b>       | SOHO Community Improvement Plan – Built and Natural Environment Committee   |
| <b>December 2011</b>    | South Street Campus Decommissioning – Planning and Environment Committee  |
| <b>January, 2012</b>    | South Street Campus Heritage Evaluation – Planning and Environment Committee  |
| <b>January 23, 2012</b> | Developing a Strategic Investment and Economic Prosperity Plan – Investment and Economic Prosperity Committee         |
| <b>March 20, 2012</b>   | Declare Surplus – portion of South Street lands – Finance and Administration Committee                                |
| <b>June 9, 2012</b>     | Presentation of this proposal to IEPC by Fincore Canada – Investment and Economic Prosperity Committee                |
| <b>July 16, 2012</b>    | Information Report - processes underway relating to the South Street Campus Lands- Planning and Environment Committee |

The proposed Official Plan and Zoning By-law Amendment is one of three processes that are currently underway relating to the South Street campus lands in the SOHO (South of Horton) area. The other two processes are:

1. a master development plan and associated secondary planning process for the Old Victoria Hospital lands;
2. a process for disposing of surplus, City-owned lands on the same block as the Fincore Canada development proposal.

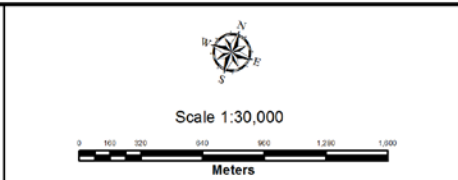
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Planner: C. Smith



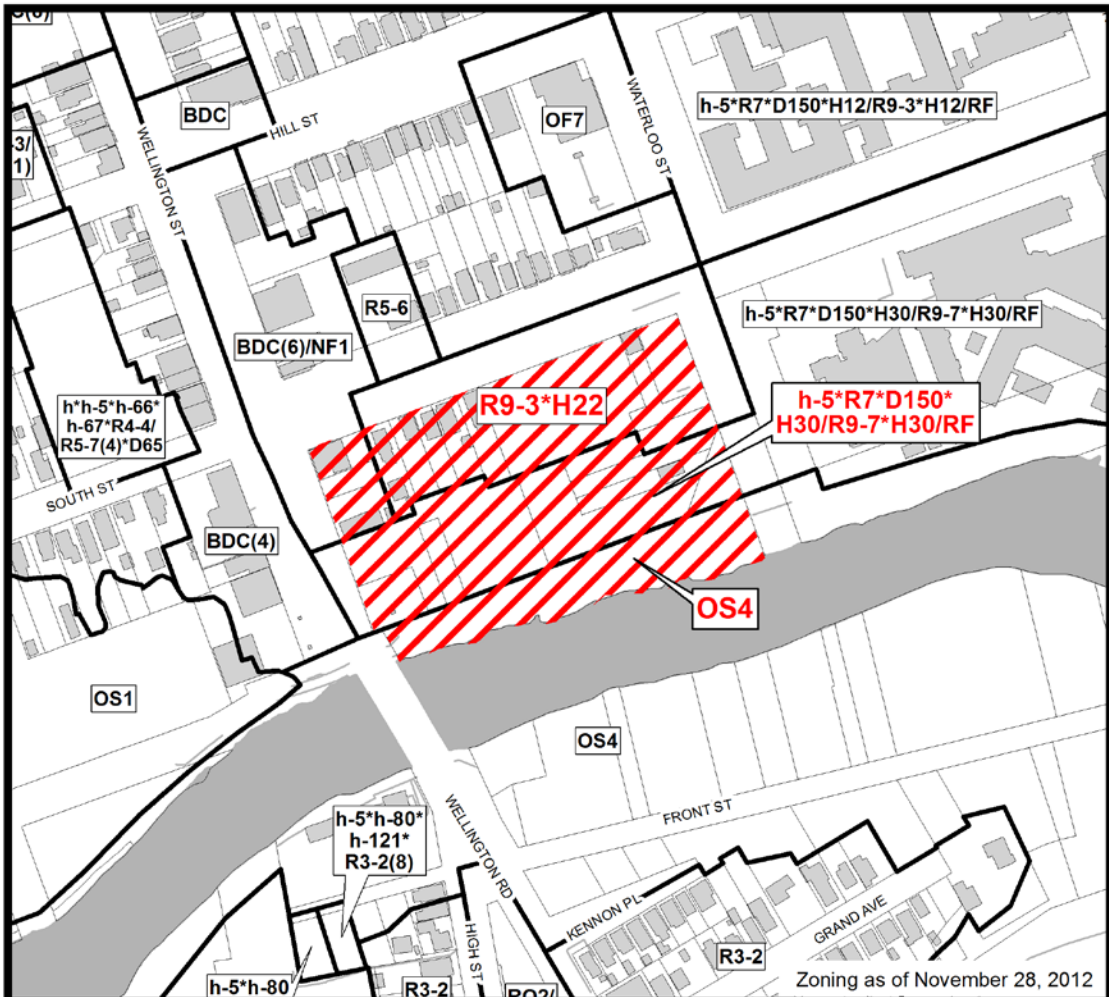
Legend	
Downtown	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth
Multi-Family, Medium Density Residential	Rural Settlement
Low Density Residential	Environmental Review
Office Area	Agriculture
Office/Residential	Urban Growth Boundary

**CITY OF LONDON**  
Department of  
Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
- LANDUSE -  
PREPARED BY: Graphics and Information Services



**FILE NUMBER:** OZ-8114  
**PLANNER:** CS  
**TECHNICIAN:** CK  
**DATE:** 2013/01/02

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Zoning as of November 28, 2012

**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R9-3\*H22, h-5\*R7\*D150 \*H30/R9-7\*H30/RF & OS5**

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

- 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
  
- 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

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

<p><b>CITY OF LONDON</b> PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p><b>ZONING BY-LAW NO. Z.-1</b></p> <p><b>SCHEDULE A</b></p> <p style="font-size: small;">THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>		<p>FILE NO: <b>OZ-8114</b>                      <b>CS</b></p> <hr/> <p>MAP PREPARED: <b>2013/01/02</b>                      <b>CK</b></p> <hr/> <p style="text-align: center;">1:3,000</p> <p style="text-align: center;">0 15 30 60 90 120 Meters</p>
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 Planner: C. Smith

Through the disposition of land process the City of London has engaged its own Engineering consultant (Terraprobe) to provide a geotechnical investigation and slope stability assessment for the Wellington Street and South Street lands in the SoHo area. That assessment report is for the purpose of the proposed disposition of land process only. The property development limit established through the disposition of land process will form the basis for the property development limit of the proposed Official Plan and Zoning By-law amendments pending further investigation that is specific to the proposed development.

At the site plan stage, additional and independent geotechnical and hydrogeotechnical studies need to be completed by the applicant that are specific to the proposed development and include the completion of the required Environmental Impact Study (all studies require further consultation with UTRCA), prior to development approval. Pending the completion of all required reports and studies the property development limit may change and may result in the alteration of the proposed development. Holding provisions are proposed to be applied to the proposed zoning to ensure that all required studies and reports are completed and that the extent of development will not have any adverse impacts on the Thames River Corridor, the Significant Natural Feature abutting to the south.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**Environmental Engineering Service Department**

Traffic Planning & Design Division

*The Transportation Planning & Design Division has reviewed the Official Plan and Z-1 Zoning By-law amendment application for 56-82 Wellington St, 283-323 South St & 69-77 Waterloo St including the transportation study submitted with the application and has the following comments.*

*The Fincore transportation study will require some revisions/clarification before being finalized. The study indicated that development of these lands would not have any impact on transportation infrastructure in the area. Considering that the hospital is no longer in operation, and depending upon timing of development in relation to the hospital lands, it is possible that the existing infrastructure can accommodate the Fincore development. There are a few sections of the study that need explanation or revision including phasing of development, future horizon year analysis, trip generation calculations and trip distribution. These issues may have an impact on the conclusions of the study but can be resolved prior to site plan approval.*

*The transportation study did not include the impact of redevelopment of the South Street Campus of Victoria Hospital. Depending upon the construction timing of the Fincore Development the hospital lands may be under redevelopment at the same time. The South Street Campus is currently the subject of an area study focusing on redevelopment of the hospital lands. Part of the Campus study involves a transportation impact assessment (TIA) of proposed land uses. To ensure transportation impacts of all potential development in the area are reviewed in a comprehensive manner the Fincore lands will be included in the Campus TIA. We also do not know the timing of either the Fincore or Campus redevelopment and therefore it is important to understand the impact of all developments in the area. The Campus TIA will provide a better measure of the impacts development of lands within the area will have on existing transportation infrastructure.*

*Therefore we are requesting two holding provisions; the first for completion of the traffic assessment of the Fincore proposal to the satisfaction of the City Engineer and the second for the hospital lands area study completion.*

Water:

*Municipal water servicing is available from the existing 300 mm watermain on Wellington Street, and the existing 300 mm watermain on South Street. There is also an existing 200 mm watermain on Waterloo Street South which extends approximately 40 m south of South Street, however this is being considered for abandonment in conjunction with the demolition of the South Street Hospital lands. If there is a desire to maintain this for servicing of the Fincore lands, it may be beneficial to discuss with staff as soon as possible.*

*In conjunction with the demolition of the existing home located at 69 Waterloo Street, it will be a requirement to abandon the 25 mm water service and watermain on Waterloo Street South to*

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*this property.*

*The designer shall incorporate water quality into the design of on site water servicing. Where on site water quality may pose a hazard to the municipal water distribution system, the City reserves the right to require the installation of premise isolation at property line at the owner's cost.*

Sanitary:

*Further to our discussion this morning, the City will be engaging a consulting engineer to conduct a Sanitary Servicing Master Plan Study for the area surrounding the South Street Hospital Lands. This study will assess the combined sewer system and recommend appropriate mitigation measures to accommodate growth in this area. We will be able to provide you with the consultant's schedule for this study upon award of the assignment. Furthermore, we will ensure that our consultant coordinates with Development Engineering to consider the estimated sanitary flows from the proposed Fincore development.*

*As a result of the above, Development Engineering will not be required to conduct an in depth study to evaluate the downstream impacts to the sanitary sewer system as part of the rezoning application or Site Plan application. Any zoning amendment of the lands in the short term will require a holding provision that we will require to be kept in place until sanitary servicing capacity is available for the site. Obtaining sanitary capacity for this site will likely entail cost sharing by the applicant for its flow contribution to recommended mitigation measures arising out of the City's study*

Stormwater:

- *The subject site is located in the Central Thames subwatershed. There is an existing 825 mm diameter storm sewer on South Street and an existing 1650 mm diameter storm sewer on Wellington Street that should be used as the storm outlets for the north and the central portion of this site, subject to the availability of the capacity in these systems. There are concerns that these storm sewers that are identified as the proposed outlets may not have the adequate remain capacity to convey the projected peak flows from this site, because there is the sanitary relief sewer that discharging to this system . A capacity analysis of the storm sewers is required to be undertaken in order to confirm the remaining available capacities in these existing storm sewer systems and to protect the existing properties from the potential flooding conditions, all to the satisfaction of the City Engineer. The south/east portion of the proposed site does not currently have a storm sewer outlet and this portion of the subject lands are not a part of the storm drainage areas for the above noted outlets. Therefore, a new storm outlet to the Thames River for this portion of the subject lands would be necessary to consider, which will require UTRCA and MOE approvals (direct submission to the MOE for CoA/ECA).*
- *The proposed storm/drainage and Stormwater Management (SWM) works/measures to service this site will be required to provide SWM quantity control of the post - development storm peak flows/run-off for the subject lands to the pre- development peak flows (minor and major) and SWM water quality control for the post development conditions. Also, the minor and major flows conveyance systems up to the 250 year storm events, Erosion and Sediment Control Plan and all the above noted evaluations shall be included in this report. The post - development peak flows 'velocities may need to be controlled as well if a direct storm flow discharge to the Thames River will be considered.*
- *This site is proposed to be significantly intensified with a 30 storey hotel, 4 storey Wellness Centre, 27 Storey senior condo, and a 35 storey market rate condo, with ancillary parking facilities, as outlined in a proposal review submitted to the City on December 1st 2011. The owner will be required to provide a Storm/Drainage and SWM servicing design report that incorporates all the above comments and a grading plan designed by a Professional Engineer to ensure that the subject site storm flows do not adversely impact the adjacent properties all to the satisfaction of the City Engineer. All necessary servicing and drainage requirements/ controls, storm/drainage and SWM's easements and etc. will be addressed at the Site Plan approval stage.*
- *If the owner demonstrates that the subject lands are not able to reasonably comply with SWM targets and criteria; the owner may be permitted to apply reduced criteria for these lands and may request an exemption from the above noted criteria, subject to approval*

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of the City's Planning, Environmental and Engineering Services Department, the SWM Unit.

- Please note that in accordance with the City's OP, Schedule 'B' a portion of the subject lands are identified:
  - within the UTRCA's Regulated Area; and
  - within the Wellington Valley City Park.
- Generally lands adjacent to the river has been obtained by the City to mitigate potential flooding in the Central Thames area under the extreme flooding conditions.
- The Owner will be required to undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site in the above noted areas by the Professional Engineer, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority.
- There is an existing 200mm diameter sanitary sewer traversing the site between Waterloo St. And Wellington St. through a City Park known as 56 Wellington St. This sewer conveys sanitary overflows from further upstream in the sanitary system and outlets to the Thames River under wet weather events.
- This site is proposed to be significantly intensified with a 30 storey hotel, 4 storey Wellness Centre, 27 Storey senior condo, and a 35 storey market rate condo, with ancillary parking facilities, as outlined in a proposal review submitted to the City on December 1st 2011.
- There is concerns from this Division that the surrounding sanitary sewers may not have the capacity to convey the projected flows from this site. Sanitary sewer upgrades will most definitely be needed at the Developers cost to facilitate this development. The Applicant will need to hire a Professional Consulting Engineer to provide a sanitary servicing report outlining sanitary servicing options for the site as well as a sanitary capacity study, all to the satisfaction of the City Engineer.
- It should be noted that some of the lands identified to be conveyed are regulated by UTRCA, and are part of a City Park as mentioned above. Generally lands adjacent to the river has been obtained by the City to mitigate potential flooding in the Central Thames area. Other Divisions will likely provide additional comment on this issue.
- If the lands over which the identified 200mm sanitary sewer are ultimately conveyed to new owners an easement will need to be provided to the City of London of appropriate width to accommodate the City's standard easement agreement to City of London Standards.

**London Advisory Committee on Heritage**

At its meeting held on November 14, 2012, the London Advisory Committee on Heritage (LACH) reviewed and received a Notice, dated October 22, 2012, from C. Smith, Senior Planner, relating to the properties located at 56-80 Wellington Street, 283-323 South Street and 69-77 Waterloo Street.

The LACH asked that the Senior Planner be advised that there are additional heritage properties on South Street, as part of the South Street Hospital complex, which were recommended for retention by the Consultant. (14/4/LACH)

**Ministry of Natural Resources**

**Species at Risk**

The Species at Risk in Ontario (SARO) List is Ontario Regulation 230/08 issued under the Endangered Species Act, 2007. The Endangered Species Act, 2007 (ESA) came into force on June 30, 2008 and provides both individual protection (section 9) and habitat protection (section



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 Planner: C. Smith

10) to species listed as endangered or threatened on the SARO List. The current SARO List, issued under the ESA 2007, can be found on e-laws (<http://www.e-laws.gov.on.ca/navigation?file=home&lang=en>). If an activity or project will result in adverse effects to species and/or habitat protected under the ESA, an authorization under the ESA would be required to avoid contravening the act. Please note that authorizations are not guaranteed and that the review timelines for Authorization Request Packages can be several months. Site-specific investigation within and adjacent to the study area may find additional species and/or habitat location on or adjacent to the site.

An initial ESA Screening of 56-80 Wellington St., 283-323 South Street and 69-77 Waterloo Street has been completed. There are no known occurrences for species at risk on the site. However, there are numerous observations for Chimney Swift within the immediate area of the site. Chimney Swift is listed as threatened and receives species and general habitat protection under the ESA 2007.

According to DFO mapping, the Thames River, directly adjacent to the site, contains species at risk fish, including Black Redhorse and Spotted Sucker. According to DFO mapping, the Thames River, including the section adjacent to the site, contains protected species at risk mussels, including Wavy-rayed Lampmussel and Round Pigtoe. The Thames River, including the section adjacent to the site, is critical habitat for mussel species at risk under the federal Species at Risk Act. DFO should be contacted regarding the aquatic species at risk.

In the general area, there are known occurrences for the following species at risk:

- Peregrine Falcon (threatened) – receives species and regulated habitat protection.
- Spiny Softshell (threatened) – receives species protection
- Northern Map Turtle (special concern)
- Milksnake (special concern)
- Green Dragon (special concern)

Although there are no known occurrences within the general area, there is potential for Queensnake (endangered) to occur in the area. Queensnake is known to occur along the Thames River and receives species and general habitat protection under the ESA 2007.

It should be noted that this is an initial project screening for SAR and the absence of an element occurrence does not indicate the absence of species. The province has not been surveyed comprehensively for the presence or absence of SAR, and MNR data relies on observers to report sightings of SAR. Consequently, the presence of element occurrences is useful to flag the presence of SAR within the project location and surrounding area, but is not an appropriate tool to determine whether a species or habitat is present at the local (property-scale) level.

It is important to note that changes may occur in both species and habitat protection which could affect whether proposed projects may have adverse effects of SAR. The ESA applies to species listed on the SARO List ([www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/246809.html](http://www.mnr.gov.on.ca/en/Business/Species/2ColumnSubPage/246809.html)). The Committee on the Status of Species in Ontario (COSSARO) meets regularly to evaluate species for listing and / or re-evaluate species already listed. As a result, species designations may change, which could in turn change the level of protection they receive under the ESA. Also, habitat protection provisions for a species may change (i.e. if a species-specific habitat regulation comes into effect). The regulation would prescribe the area as the habitat of the species.

**Environmental and Ecological Planning Advisory Committee**

That the Environmental and Ecological Planning Advisory Committee (EEPAC) reviewed and received a Notice dated October 22, 2012, from C. Smith, Planner II, with respect to an application submitted by the Fincore Group relating to the properties located at 56-80 Wellington Street, 283-323 South Street and 69-77 Waterloo Street, and noted that:

- (a) the application seems to have been accepted incomplete and suggests it should be deferred until such time as the Environmental Impact Study (EIS), geotechnical and hydrological reports have been completed; and,
- (b) be included in the circulation of the public site plan approval process.

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File: OZ-8114  
 Planner: C. Smith

**Upper Thames River Conservation Authority**

*As shown on the enclosed mapping, the Upper Thames River Conservation Authority (UTRCA) owns and regulates a portion of the lands which the applicant Fincore Group is proposing to redesignate and rezone to permit a range of commercial and residential uses.*

*The UTRCA objects to this application for Official Plan and Zoning By-Law Amendment which includes Authority owned lands. We did not initiate this planning application nor did we authorize the applicant Fincore Group to initiate the application on our behalf.*

*The UTRCA also has concerns regarding the optics of this application which includes publicly owned lands that we understand the City of London will be making available for sale. It is also our understanding that Fincore Group has expressed interest in purchasing said public lands.*

*We are concerned about the fairness of a proposed public land sale process being led by the City of London that has one potential bidder proceeding with an application for re-zoning in advance of any land sale. This action is presumptuous and cannot be supported by the Authority.*

*Lastly, as indicated in our technical agency comments dated November 12, 2012, (please see enclosed) a geotechnical study is required to confirm the limit of the natural hazard lands on the subject site. The limits of these lands need to be confirmed so that they can be appropriately zoned. The UTRCA has reviewed the **DRAFT Preliminary Geotechnical Investigation and Slope Stability Assessment SOHO lands Wellington Street and South Street, London Ontario (dated October 12,2012)** prepared by Teraprobe and has identified concerns that need to be addressed in order for the Authority to provide a sign-off on the report.*

Further comments January 12, 2013

*The Authority is satisfied that the application for Zoning By-Law amendment can proceed without the detailed cross-sections given that City and UTRCA staff have agreed that the proposed zoning line will match the Authority's current Regulation Limit Line as shown on the enclosed mapping. While the UTRCA has advised City staff that the existing Regulation Limit Line is conservative with respect to the delineation of the hazard lands, we understand that this line captures the City's interests with respect to the Thames Valley Corridor lands as well as the natural heritage features located along the bank of the Thames River. Given the UTRCA's natural hazard interests and the City's interests, the Authority is of the opinion that the proposed zoning line will likely not shift significantly from the proposed location.*

**City of London Parks Planning**

*The Environmental and Parks Planning Section has reviewed the above application for Official Plan and Zoning By-law amendment to change the designation and zone from Multi-family, High Density Residential to Main Street Commercial and from a Business District Commercial Special Provision/Neighbourhood Facility (BDC(6)/NF1) to a Business District Commercial Special Provision (BDC1(2)-D265-H80) at the above address and offers the following comments to be considered:*

- *Environmental & Parks Planning interprets the subject lands to be designated Multi-family, High Density Residential and Open Space in the Official Plan. The Open Space designation reflects the natural heritage components identified on Schedules B-1 and B-2 of the Official Plan.*
  - *Schedule B-1 identifies a portion of the lands within the significant stream corridor of the Thames River; within the regulatory flood plain and within the Big Picture Meta-corridor.*
  - *Schedule B-2 identifies a portion of the lands within the Riverine Erosion Hazard Limit Thames River and the Conservation Authority Regulation Limits.*
- *The subject lands are within the 50 meter trigger distance of the Thames River, a significant stream corridor, as outlined in Section 15.5 of the Official Plan. As such the applicant is required to undertake an Environmental Impact Study (EIS) for the proposed land use change. The report will address amongst other things an appropriate ecological boundary including buffers, minimum setback requirements, public access, restoration areas, migration measures and stewardship requirements.*

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 Planner: C. Smith

- *In addition, Section 15.5 of the Plan also note that a proposed development within 100 meters of an area suspected to contain species at risk habitat will undertake an EIS. It is understood that a potential species at risk site is within the 100 meter trigger distance of this proposed development and needs to be addressed in an EIS.*
- *The subject lands fall within the boundary of the Thames Valley Corridor Plan. The Plan recommends a minimum 100 metres green corridor on either side of the river from the high water mark for the restoration of the natural riparian corridor and recreational pathway system. The Plan does recognize this area as having an urban node feature which would allow small breaks in the corridor to permit public access. It is anticipated these breaks could be located at the terminus of the north/south streets but it is not anticipated that the entire riparian corridor in this area would be lost to a hard urban edge.*
- *The Corridor Plan further outlines the need for good quality urban design for any structures or building located within proximity to the river corridor. These structures and/or buildings are to be designed in a manner that is consistent with and sympathetic to the environment in which they are located. The Urban Design Review Panel, along with staff, will evaluate the compatibility of the building design adjacent to the corridor. It is recognized that the urban design brief will speak to the building design and its proximity to the river corridor.*
- *It is recognized that the final form of development is not known at this time and the applicant's desire is to proceed with the amendment application without the benefit of completing the required EIS. Staff is amenable to apply a holding provision over the lands in question with the understanding that the EIS will establish the ultimate ecological boundary; provided:*
  - *The lands within the holding provision are zoned Open Space and that the EIS must justify the refinement of the Open Space limit to permit development.*
  - *It must also be recognized that the Thames Valley Parkway, a recreational pathway system with a minimum 15 metre corridor, is to be located adjacent to but outside of this ecological boundary. These two features will make-up the extent of the Open Space system and Zone.*
  - *The boundary of the Open Space Zone and the holding provision should be at a minimum consistent with the Conservation Authority Regulatory Limit.*
- *On March 21, 2012 Municipal Council declared a portion of the city owned lands surplus for their eventual sale. The sale of these lands is to follow the guidelines of the Thames Valley Corridor Plan and the SOHO Community Improvement Plan and be undertaken in a fair and open process. The boundary of the approved surplus land is coincidental with the boundary of the Conservation Authority Regulatory Limit. It is understood that a portion of the subject lands will remain in the ownership of the UTRCA.*
- *In accordance with Municipal Council's approval to dispose of the surplus land and the need to protect the investment of the riparian corridor and recreational corridor along the Thames River, E&PP staff are recommending the Open Space designation and zone be coincidental with the UTRCA regulatory boundary.*
- *Parkland dedication has not been collected for the subject lands and will be **required at the time of site plan approval**. Consistent with the regulations of the Ontario Planning Act, the applicant shall provide parkland for the proposed development; residential - 5% or 1 hectare per every 300 residential units/commercial 2% of the land area. If parkland is not required, the applicant can provide cash-in-lieu of parkland based on the residential rates set out in By-law CP-9 or 2% of the value of the commercial property assessed on the day before the day of issuance of a building permit. The commercial appraisal must be undertaken by an Accredited Appraiser (AACI) is to be submitted to Development Services for their review and the value of payment is to be included as a condition of site plan approval.*

**Urban Design Peer Review Panel**

*The following comments from the Panel are based on the submitted Urban Design Brief and questions asked by the Panellists to the Applicant on December 19, 2012.*

12. *A connection to the river, both visually and physically, is important to support and act as a catalyst for development along the river's edge. The Panel recommends showing potential opportunities, whether they will be fully realized or not.*
13. *The ratio of retail area to residential area will be important in this development to support*

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Planner: C. Smith

*the proposed retail component on this site. It is critical that the proposed retail component be supported by the residents in the immediate area. There is a large extent of retail space on South Street and the Panel supports this, however, also believes that retail space should be focused on Wellington Street as a priority.*

14. *Consider re-examining the need for angled parking at the street edge on South Street. This is not ideal when creating a pedestrian focused streetscape. Also, should this street become two way traffic this parking would not be appropriate.*
15. *The quantity of parking spaces proposed seems large. We recommend reviewing the number of actual required parking spaces with the City.*
16. *Consider lowering the proposed canopy at the retail level along South Street to a pedestrian scaled height.*
17. *Provide a direct pedestrian connection from the river's edge to Wellington Street at the south east corner of the site. This will further connect the site to the river and responds to the desired line of travel.*
18. *The pedestrian and visual connection from South Street to the River could be stronger and should be emphasized.*
19. *Consider how the design would respond should Waterloo Street extend to the river's edge. This is part of the City's plan for the area and we recommend working with the City to develop this street extension in conjunction with the proposed development.*
20. *Consider how the proposed Townhouses address the Street and are accessed by the public.*
21. *Review the pedestrian experience and the scale of the project as it steps back from the street along the South Street facade, in relation to the scale of the residential neighbourhood to the north.*
22. *Given the possibility of the Waterloo Street extension, consider how the massing of the project will work at the north east corner of the site. The tower at this corner may want to set back further from the street edge and perhaps townhouses could wrap the corner which would tie into the scale of the surrounding neighbourhood and link the townhouses to the street.*

### **City of London Urban Design Section**

#### **Building location/orientation/frontages**

- *Locate a building at the corner of Wellington Street and South Street, as close to the property lines as possible, in order to frame the primary gateway into the SoHo and Downtown neighbourhoods in accordance with Official Plan policy 11.1.1 (xxi).*
- *Orient the primary entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage and ensure the space between the building and the Wellington Street right-of-way is urban in character, as shown on figure 2b.03 of the urban design brief.*
- *Locate midrise buildings, up to four stories, along South Street and orient them so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to create a positive pedestrian experience by creating an active frontage as shown on figure 2b.01 of the urban design brief.*
- *Ensure a building is placed at the corner of Waterloo St, as close to the property line as possible, in order to frame the future Waterloo Street Right-Of-Way and create an active frontage as shown on figure 2b.04 of the urban design brief.*

#### **Building Massing & Architectural Elements**

- *Modulate the massing of the proposed buildings both horizontally and vertically in order to add visual interest to the street and skyline as shown in figures 1c.03, 2f.01, 2f.02, 2f.03 of the urban design brief. In the case of the two proposed towers ensure a podium base with a point tower. In the case of the townhouses proposed along South Street, vary the projections and recession of their façades fronting the street so that each is expressed as a massing unit and not as one solid plane.*
- *Ensure a high design standard throughout the development; in particular, provide step-back cap portions on the two proposed towers as shown on figures 2a01, 2a03, 2a04, and 2a.05. in order to highlight the top of these buildings, to create a landmark in the city skyline and to conform to Official Plan policy 11.1.1. (iv).*
- *On building facades use a composition of high quality materials including glass, metal panel, and stone veneer as the material palette for the entire development as indicated on page 27 of the urban design brief. Use of high quality materials throughout will promote a high standard of design for buildings to be constructed in strategic or prominent locations and will provide for continuity and harmony in architectural style*

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File: OZ-8114  
Planner: C. Smith

*with adjacent uses which have a distinctive and attractive visual identity or which are recongnized as being of cultural heritage value or interest. The proportions of glass, metal, and stone veneer used in the design of all facades shall with minor variations at the City's discretion, match the elevations shown in figures 2a.01 through to and including 2a.06 in the urban design brief.*

*Ensure the inclusion of 2 mid-block pedestrian publicly accessible pass-throughs, connection from Wellington St to the Open Space, and the publicly accessible green roof over the proposed parking garage between the proposed townhouse units as shown in figures 2c.02 and 2f.01 in accordance with Official Plan policy 19.4.4 (ii)(d) and 19.4.4(ii)(h).*

<b>PUBLIC LIAISON:</b>	On October 23, 2012, Notice of Application was sent to 63 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on October 25, 2012. A "Possible Land Use Change" sign was also posted on the site.	11 replies were received
<p><b>Nature of Liaison:</b> The purpose and effect of this Official Plan and Zoning change is to allow for the development two 26 storey (80m tall) residential apartment buildings with 499 units, 35 townhouse dwellings for a total of 534 dwelling units (260units/ha) and a 12 storey medical/dental office building with ground floor retail uses.</p> <p>Possible amendment to the Official Plan to change the Official Plan land use designation from "Multi Family High Density Residential" to "Main Street Commercial".</p> <p>Possible change to Zoning By-law Z.-1 <b>FROM</b> a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) which permits a large range of commercial uses and residential use and a Residential R9 (R9-3*H22) which permits apartment buildings with a maximum height of 22 metres and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) which permits retirement homes, continuum of care facilities and apartment buildings with a maximum height of 30 metres <b>TO</b> a Holding Business District Commercial Special Provision (h-5*BDC1 (2)*D265*H80) Zone which permits medical/dental office, medical/dental clinics, a wide range of commercial uses, townhouses and apartment buildings with a maximum height of 80 metres and maximum density of 265 units/ha and will require a public site plan meeting prior to the removal of the holding provision. Further holding provisions may be identified to be required prior to staff's final recommendation to Council.</p>		

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**Responses:** One telephone call was received in support of the development as it will provide opportunities for jobs.

One written response requesting information and to be notified of future meetings.

Two written responses not opposing development but listing concerns regarding this proposed amendment which include but is not limited to:

- Bonusing to be required to ensure that development as proposed is constructed
- A Reversion Clause for the sale of city owned land. So, if this project, for some reason, is not completed, the land will revert back to city ownership.
- An anti-flip clause, so the developer cannot build and sell it right away.
- Effortless access to the Thames River
- Effortless access to Community Space.

Seven written responses opposing the proposed amendment which include but are not limited to:

- Height, scale and mass of the project is far too intense at this location and in context with the existing abutting predominately single detached neighbourhood
- Height, scale and massing is not in keeping with the intent of the SoHo Area Plan
- Safety issues regarding possible storm events and flooding of the abutting Thames River
- Lack of pedestrian access and clear sightlines to the Thames River through the site
- Poor Urban Design that does not meet the intent of the City of London's Urban Design Guidelines
- Effects of Wind and Shadowing on abutting residential uses
- Applicant does not own the lands required for the proposed development
- Consolidation of properties the with no intent to ever develop the property as proposed
- The property will be "flipped" and not developed as proposed.

## ANALYSIS

### Nature of Application

The proposed development takes up most of the northerly half of the block bounded by Wellington Street, South Street, Waterloo Street and the Thames River. The proposed amendment will allow:

On the Business District Commercial lands located along the Wellington Street corridor:

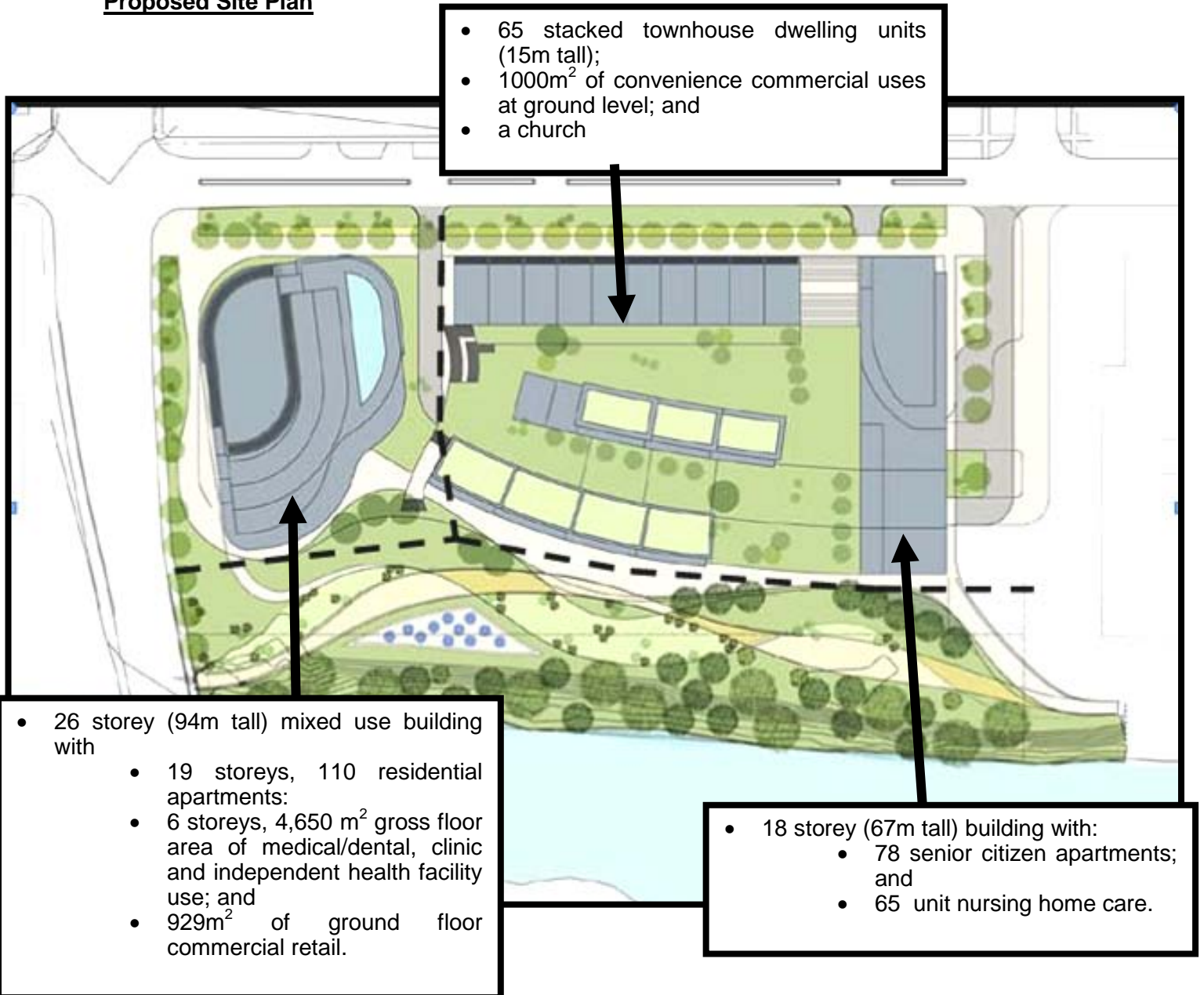
- a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with
  - 19 storeys, 110 residential apartments:
  - 6 storeys, 4,650 m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use; and
  - 929m<sup>2</sup> of ground floor commercial retail.

On the High Density Residential lands located on the easterly portion of the property:

- a 18 storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with:
  - 78 senior citizen apartments; and
  - 65 nursing home care.
- 65 stacked townhouses dwelling units (15m tall);
- 1000m<sup>2</sup> of convenience commercial uses at ground level; and
- a church.

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**Proposed Site Plan**



- 65 stacked townhouse dwelling units (15m tall);
- 1000m<sup>2</sup> of convenience commercial uses at ground level; and
- a church

- 26 storey (94m tall) mixed use building with
  - 19 storeys, 110 residential apartments;
  - 6 storeys, 4,650 m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use; and
  - 929m<sup>2</sup> of ground floor commercial retail.

- 18 storey (67m tall) building with:
  - 78 senior citizen apartments; and
  - 65 unit nursing home care.

**Description of the Proposed Development**

The proposed amendment is to allow for the development of a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650 m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail, a 18 storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with senior citizen apartments and nursing home care, 65 stacked townhouses dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses at ground level and a church use:

**Design Features** (as shown on the following attached Elevations and Site Plan)

**Building location/orientation/frontages**

- Buildings located at the corner of Wellington Street and South Street, with a 1.0m setback to the property lines framing the primary gateway into the SoHo and Downtown neighbourhoods;
- Orientation of primary entrances into the ground floor commercial spaces facing onto the Wellington street frontage;
- providing a pedestrian oriented space between the building and the Wellington Street right-of-way that is urban in character;
- Location of midrise buildings, up to four stories, along South Street;
- Orientation of all principal facades of all units facing the street including active building elements such as primary entrances, porches, canopies and windows creating a positive pedestrian;
- Placement of the building at the corner of Waterloo Street and South Street, 1.0m from

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the property line framing the future Waterloo Street Right-Of-Way and creating active street frontages.

**Building Massing & Architectural Elements**

- Modulation of the massing of the proposed buildings both horizontally and vertically adding visual interest to the street and skyline;
- Provides for two podium based point towers;
- Provides townhouses along South Street with an articulated façade fronting the street so that it does not appear as one solid plane;
- Provides step-back cap portions on the two proposed towers highlighting the top buildings creating a landmark in the city skyline;
- Utilization on the building facades a composition of high quality materials including glass, metal panel, and stone veneer as the material palette for the entire development;
- Use of high quality materials throughout the proposed development promoting a high standard of design for the buildings;
- Location of the buildings in a strategic and prominent locations that provide for continuity and harmony in architectural style with adjacent uses; and
- Inclusion of a publicly accessible green roof over the proposed parking garage between the proposed townhouse units and the Thames Valley corridor.

**Pedestrian Movement**

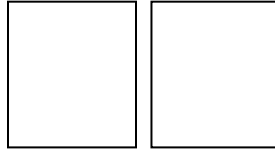
- Includes a publicly accessible pedestrian pass-through along the entire length of the south edge of the site, and links the existing path under the Wellington Street bridge to a future pedestrian promenade located along side of the future Waterloo street right-of-way;
- Includes two publicly accessible pedestrian pass-through connections from South Street through the site to the river corridor in creating linkages and preserve views lines to the Thames Valley corridor;
- Provides for direct pedestrian connection between the pass-through along the river and the public sidewalk on Wellington Street preserving the existing connection the Thames Valley corridor; and
- Provides for a green streets as detailed in the SoHo Community Improvement Plan.



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Proposed Elevations:





section two conceptual design

2a / Streetscape Elevations



Figure 2a.03 West Elevation—Wellington Street

section two conceptual design

2a / Streetscape Elevations



Figure 2a.04 East Elevation—Waterloo Right of Way

section two # conceptual design

2a / Streetscape Elevations

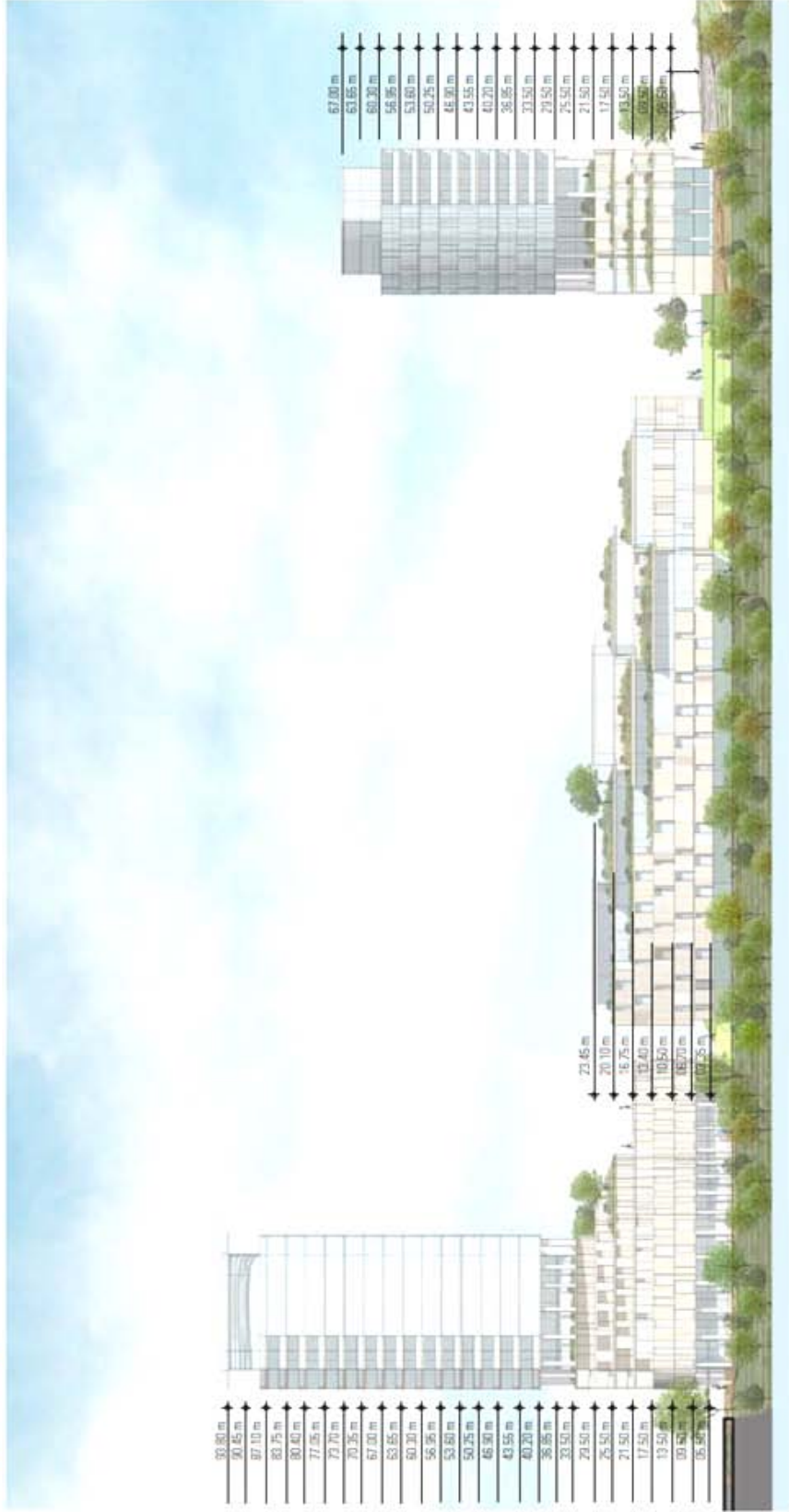


Figure 2a.05 South Elevation—Thames Riverfront

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**Provincial Policy Statement (PPS)**

The PPS promotes and directs efficient land use and development patterns. The proposed development is consistent with Section 1.0 Building Strong Communities and Section 3.0 Protecting Public Health and Safety as it:

- provides for intensification
- provides for redevelopment
- efficiently utilizes existing infrastructure
- provides for a mix of residential uses
- efficiently uses land and resources in the City of London
- provides for the utilization of the existing public transit systems; and
- Promotes a healthy community

**Official Plan Policy**

The proposed amendment will allow a development that is consistent with Official Plan Policies:

**Section 2.4 City Structure Policies**

- The site is located within an area of transition, and is appropriate for conversion and redevelopment to higher density of commercial, office and residential to support the Wellington Street commercial corridor and the SoHo Area.
- The proposed development promotes a compact urban form and efficient use of serviced land. The proposed high density development maximizes the use of existing services, is conducive to the provision of the existing Wellington Street public transit corridor and minimizes the need for and cost of new infrastructure.
- The proposed amendment will allow a development that provides for residential and commercial development that infills and intensifies the lands at an appropriate scale.

**Section 2.9 Energy Conservation Policies**

- The proposed development encourages a denser contiguous development: in an existing built up area and promotes the efficient use of existing infrastructure;
- Utilizes green roof technology; and
- The proposed development provides secure bicycle parking facilities and is located in close proximity to the Wellington Street public transit corridor providing transportation alternatives to the automobile.

**Section 2.11.3 Transportation Planning**

The proposed development provides for dense form of residential development that utilizes existing transit infrastructure.

- Promotes and supports the existing public transit corridor.
- Promotes and supports the Bus Rapid Transit corridor as approved by Council through the recently adopted Traffic Master Plan;
- Provides a transit friendly compact development with pedestrian linkages to the Thames Valley corridor and Wellington Street.

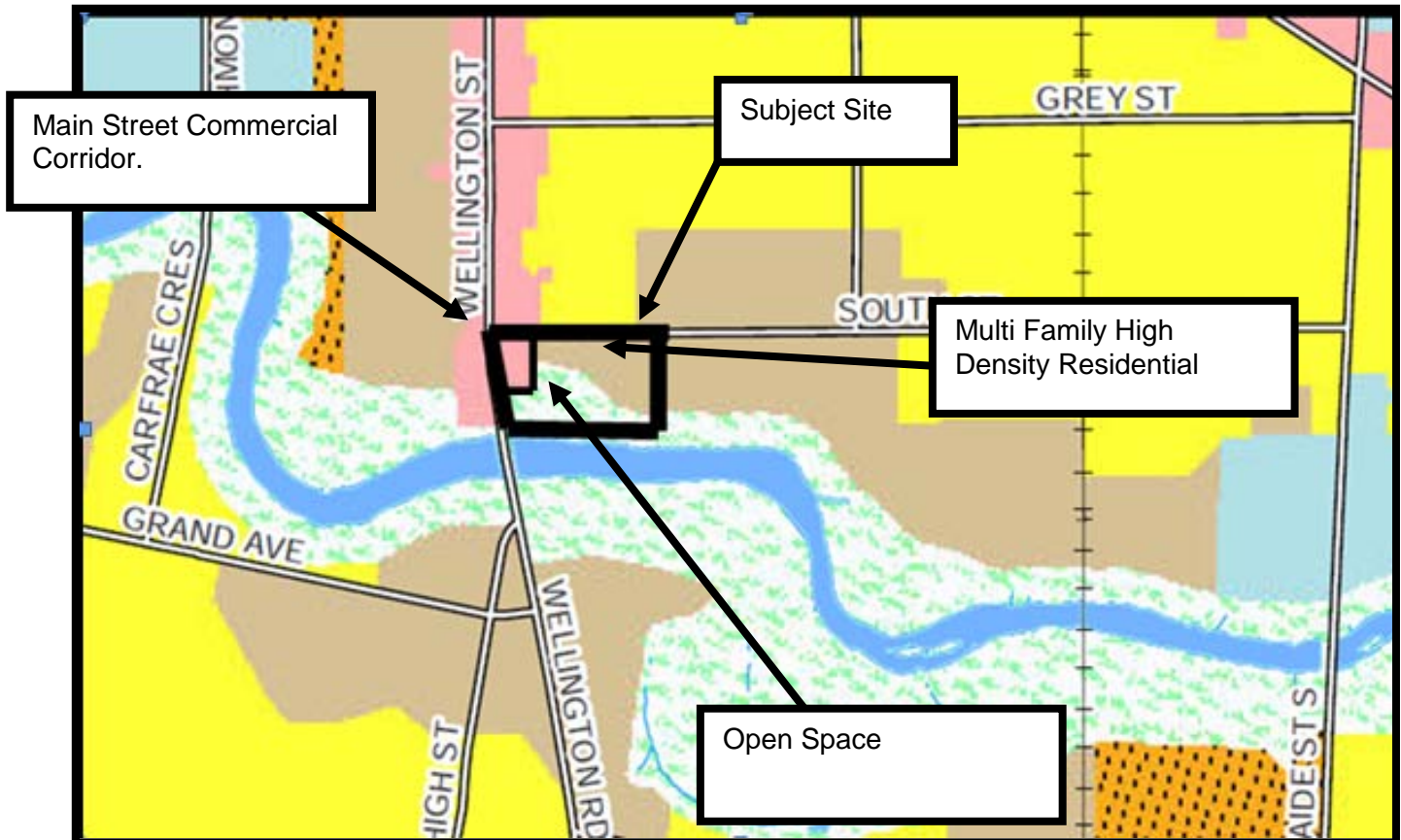
**Section 11 Urban Design**

- Complements and protects the significant natural feature, the Thames Valley corridor.
- Provides for two mid block connections minimizing the obstruction of views and pedestrian access to the Thames Valley corridor.
- Provides for a high standard of building design that enhances the major entry into the Downtown and SoHo neighbourhood.
- Redevelops underutilized lands along the commercial and Thames Valley corridors.
- Provides enhanced landscaping including the provision of a green roof.
- Uses podium base and point tower construction providing access to sunlight on abutting lands.
- Provides three levels of underground parking in the mixed use building on the Business District Commercial lands located along the Wellington Street corridor.

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**Existing Official Plan Designations**

The lands are currently designated Main Street Commercial Corridor along Wellington Street, Open Space along the Thames River Corridor and Multi Family High Density Residential on the balance of the lands.



**SoHo Community Improvement Plan**

The lands are located within the SoHo Area. In June 2011, the City of London Municipal Council adopted the SoHo Community Improvement Plan. The Community Improvement Plan provides strategic directions for this area. These directions are:

Economic:

- Build strong, safe connections with the Downtown, the Thames River, the commercial corridors and adjacent neighbourhoods
- Maximize the unique opportunity presented by the newly available lands at the South Street Campus of the LHSC
- Create strong main street commercial corridors along Wellington and Horton Streets

Social:

- Enhance recreational opportunities throughout the neighbourhood
- Evaluate and plan for social services in a balanced and integrated manner
- Identify opportunities for places and activities that foster community interaction

Environmental:

- Celebrate the neighbourhood's built and cultural heritage
- Enhance the public realm, including streetscapes, public spaces and infrastructure
- Seek out opportunities for sustainability

The proposed development is consistent with the SoHo Community Improvement Plan:

- Connects with the Downtown, the Thames River, and strengthens the commercial corridors along Wellington Street.
- Redevelops a portion of the Old Victoria Hospital lands.
- Provides for street oriented commercial retail uses along the Wellington Street main street commercial corridor.
- Complements and protects the significant natural feature, the Thames Valley corridor;

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File: OZ-8114  
Planner: C. Smith

- Minimizes the obstruction of views of the natural feature;
- Provides street oriented features that provide for the enhancement of the pedestrian environment;
- Provides common open space that is functional for active or passive recreational use;
- Provides for the enhancement of the abutting road allowances, including financial contribution, for green streets redevelopment as detailed in the SoHo Community Improvement Plan

The proposed development is located on a portion of the Old Victoria Hospital lands as identified in the SoHo Community Improvement Plan. The City is in the process of developing a secondary plan for the development of the area centered on these lands. The proposed development is consistent with the intent of the SoHo Community Improvement Plan and will be considered during the secondary plan process currently underway.

**Proposed Specific Official Plan Amendments**

The proposed Official Plan amendments to add specific policies to the Main Street Corridor designation and to the Multi Family High Density designation are to ensure that the strategic directions of the SoHo Community Improvement Plan, Thames Valley Corridor Plan and the City’s Official Plan are implemented. The Specific Official Plan amendments are applied to specific areas where it is appropriate to address development opportunities, and constraints through specific policies to provide further guidance to development in these areas.

**Main Street Commercial Corridor**

The proposed polices are for the lands located in the Business District Commercial along the Wellington Street corridor. The existing Main Street Commercial Corridor policies are listed in right hand column and the proposed Special Policy is located in the left column.

Existing Main Street Commercial Corridor Policies Section 4.4.1	Proposed Special Policy amendment to Section 4.4.1.13
Use:	Use:
<i>Provide for the redevelopment of vacant, underutilized or dilapidated properties within Main Street Commercial Corridors for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development</i>	This specific Main Street Commercial Corridor area shall develop as a mixed-use area with retail stores, restaurants and personal services at street level and office uses including medical facilities and residential uses located above grade. To encourage a strong main street commercial corridor and to build a strong connection to the Downtown, the SoHo area and the Thames River, mixed-use projects that include street level commercial uses in association with uses appropriate to a pedestrian-oriented shopping area will be required. This area is distinguished from the other Main Street Commercial Corridors by the scale of permitted office medical/dental uses and residential uses, because of its strategic prominent location conducive to acting as a gateway to the Downtown from the south, subject to Bonusing as provided for in Section 19.4.
<i>Uses in Main Street Commercial Corridors include small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings. Zoning on individual sites may not allow the full range of permitted uses.</i>	
Intensity:	Intensity:
<i>Encourage development which maintains the scale, setback and character of the existing uses</i>	The maximum permitted height of new development shall be stepped down from South Street to provide a transition towards the Thames River in keeping with the Thames Valley Corridor Plan. The Zoning By-law will specify height limits based on criteria established by the SoHo Community Improvement Plan and the Thames
<i>The height and scale of office buildings in a Main Street Commercial Corridor designation shall be limited through</i>	

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<p><i>regulations in the Zoning By-law to a size which is compatible with surrounding land uses. Larger office buildings which would be more appropriately located in the Downtown or Office Area designations shall be discouraged within Main Street Commercial Corridors</i></p> <p><i>Residential densities within mixed-use buildings in a Main Street Commercial Corridor designation should be consistent with densities allowed in the Multi-Family, High Density and Medium Density Residential designations according to the provisions of Section 3.4.3. of this Plan.</i></p>	<p>Valley Corridor Plan and as provided for in Section 11 and 19.4 of the Official Plan;</p> <p>Subject to Sections 11 and 19.4 of the Official Plan, large scale office development may be permitted within a mixed-use residential/office/commercial building through the application of a bonus zone, provided the office use is primarily to provide medical/dental services on the second floor or above.</p>
<p>Form:</p> <p><i>Encourage mixed-use development to achieve higher densities and to reinforce the objectives of achieving a diverse mix of land uses.</i></p> <p><i>Residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours.</i></p>	<p>Form:</p> <p>Mixed Use development will be permitted in this area, that may accommodate increased height and densities through the use of bonus provisions, and will provide a transition from the southeast corner of Wellington Street and South Street to the Thames River corridor while providing for enhanced recreational uses and providing areas for community activities along the Thames River Corridor through the application of Urban Design principles as provided for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan;</p>

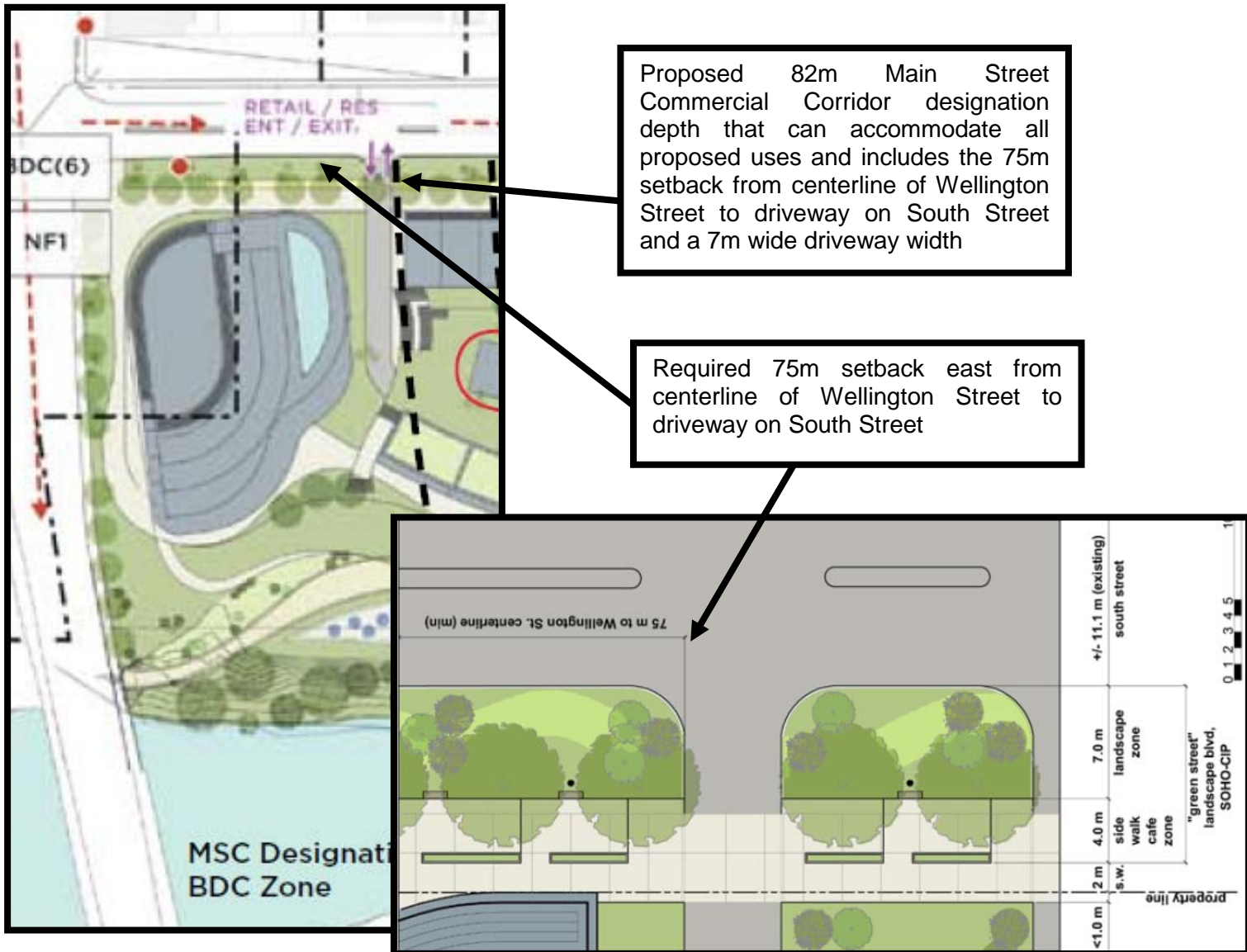
Proposed Depth of Main Street Commercial Corridor

To accommodate the proposed mixed use development to be located at the Southeast corner of South Street and Wellington Street at a MSCC designation at a depth of 82m is appropriate as:

- the proposed mixed use building strengthens the the Main Street Commercial Corridor along Wellington Street;
- the implementing zoning by-law and site plan address the size and nature of the uses and development; and
- the proposed infill is appropriately integrated with the surrounding uses.

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Proposed Depth of Main Street Commercial Corridor Designation



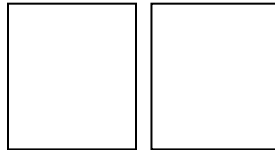
Proposed 82m Main Street Commercial Corridor designation depth that can accommodate all proposed uses and includes the 75m setback from centerline of Wellington Street to driveway on South Street and a 7m wide driveway width

Required 75m setback east from centerline of Wellington Street to driveway on South Street

In summary the requested Official Plan amendment for a Special Main Street Commercial Corridor policy with a maximum depth of 82m from the centre line of Wellington Street is appropriate as it:

- encourages a strong main street commercial corridor;
- builds strong connection to the Downtown, the SoHo area and the Thames River;
- provides mixed-use projects that include street level commercial in association with uses appropriate to a pedestrian-oriented shopping;
- provides for an appropriate scale of new office medical/dental uses and residential development; and
- acts as a gateway to the Downtown from the south, subject to Bonusing as provided for in Section 19.4..





Multi Family High Density Residential

The proposed polices are for the lands located in the High Density Residential designation located on the easterly portion of the property. The existing High Density Residential policies are listed in the left column and the proposed Special Policy is located in the right column.

Existing Multi Family High Density Residential Policies Section 3.3	Proposed Special Policy amendment to Section 3.5
Use:	Use:
<p><i>The primary permitted uses in the Multi-Family, High Density Residential designation shall include low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses</i></p> <p><i>Secondary permitted uses including group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions, Variety stores; video rental outlets; film processing depots; financial institutions; medical/dental offices; small take-out restaurants, small food stores; and gasoline sales associated with a variety store. For convenience commercial sites with a gross floor area in excess of 500m<sup>2</sup>, additional uses including offices, studios, commercial schools, day care centres, bake and florist shops, pharmacies, restaurants eat-in and convenience business service establishments may be permitted.</i></p>	<p>Lands within the area, bounded by Waterloo Street on the east, South Street on the north, the Thames River on the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the west will permit a range of Multi Family High Density Residential uses, a range of convenience commercial uses at grade along the South Street frontage and a neighbourhood facility use in the form of a church. The development will be in keeping with the SoHo Community Improvement Plan, the Thames Valley Corridor Plan and will be required to demonstrate a high degree of application of the City's Urban Design principles in order to allow for the full range of permitted uses, densities and heights, subject to Bonusing as provided for in Section 19.4.</p> <p>Neighbourhood facilities are permitted in association with a residential development as provided for in Section 3.6.4</p>
Intensity:	Intensity:
<p><i>250 units per hectare (100 units per acre) are permitted in Central London (the area bounded by Oxford Street on the north, the Thames River on the south and west and Adelaide Street on the east),</i></p> <p><i>The determination of appropriate height and density limitations for areas designated Multi-Family, High Density Residential, may be based on a secondary plan, in accordance with Section 19.2 of the Plan. Alternatively, for individual sites the determination of appropriate height and density limitations may be based on a concept plan showing how the area will be developed and integrated with surrounding uses.</i></p>	<p>The height of new development shall be stepped down from South Street to provide a transition towards the Thames River in keeping with the Thames Valley Corridor Plan. The Zoning By-law will specify height limits based on criteria established by the SoHo Community Improvement Plan and the Thames Valley Corridor Plan and as provided for in Section 11 and 19.4 of the Official Plan;</p> <p>Convenience Commercial uses are permitted at grade along the South Street frontage and will not exceed a total gross floor area of 1000m<sup>2</sup> as provided for in Section 3.6.5.</p>
Form:	Form:
<p><i>Provide opportunities for the development of multi-family, high density residential buildings at locations adjacent to major</i></p>	<p>Multi-Family, High Density Residential development may be permitted in this area that can accommodate increased height and</p>

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<p><i>public open space areas where compatibility with adjacent land uses can be achieved.</i></p> <p><i>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</i></p> <p><i>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</i></p>	<p>densities subject to bonusing provisions and will provide a transition from the residential uses to the Thames River corridor while providing for an enhanced recreational uses and providing areas for community activities along the Thames River Corridor through the application of Urban Design principles provided for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan</p>
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In summary the requested Official Plan amendment for a Special Multi Family High Density Residential policy is appropriate as it:

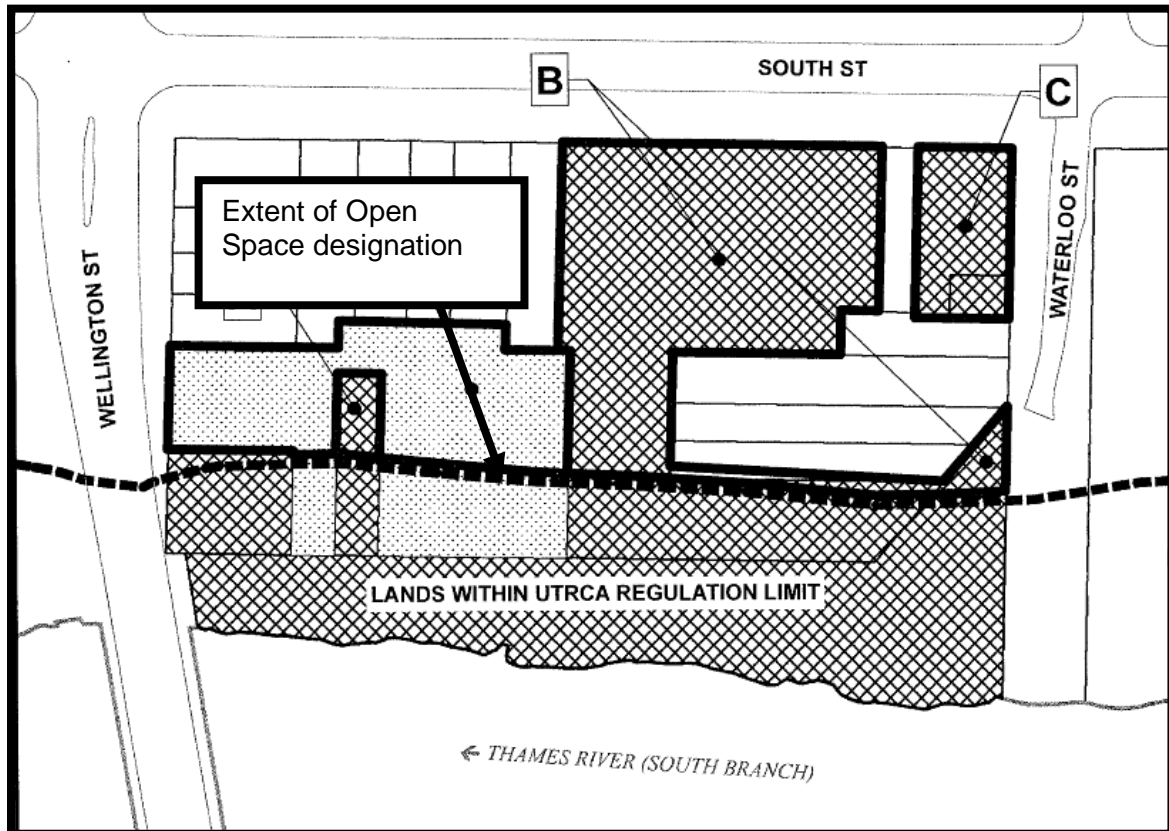
- will permit a range of Multi Family High Density Residential uses;
- a range of convenience commercial uses at grade along the South Street frontage;
- a neighbourhood facility use in the form of a church;
- will be consistent with the SoHo Community Improvement Plan, the Thames Valley Corridor Plan; and
- will be required to demonstrate a high degree of application of the City's Urban Design principles in order to allow for the full range of permitted uses, densities and heights, subject to Bonusing as provided for in Section 19.4.

Open Space

Section 19.1.1 Boundaries between Land Use Designations states:

*The delineation of the flood plain fill and erosion lines and environmental features as shown on Schedule "B" - Flood Plain and Environmental Features, is not intended to be precise delineation of the flood plain and fill regulated areas shall be as shown on the flood plain and fill line mapping available through the appropriate Conservation Authority. The 100 Year Erosion Line is more accurately shown on mapping available through the City of London Planning and Development Department. The precise delineation of other environmental features shall be determined through area studies or environmental impact studies undertaken in conformity with the policies of this Plan.*

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Through the disposition of the City owned land process, the City's consultant's (Terraprobe) report established that the 100 Year Erosion Line (which includes top of bank and additional required UTRCA setbacks) can be fully accommodated within the existing UTRCA regulation limit line as shown by the dashed line above. An Environmental Impact Study or independent geotechnical and hydrogeotechnical studies have not been completed for the proposed development. City staff and the UTRCA are satisfied that the existing regulation limit line is conservative with respect to the delineation of the hazard lands, and captures the City's interests with respect to the Thames Valley Corridor lands as well as the natural heritage features located along the bank of the Thames River. For the purpose of the proposed amendment the interpretation of the extent of the Open Space designation is appropriate to be interpreted as the existing UTRCA regulation limit line.

The proposed development is located within the 50 meter trigger distance of the Thames River, a significant stream corridor, as outlined in Section 15.5 of the Official Plan. The Official Plan requires that the applicant undertake an Environmental Impact Study (EIS) for applications to amend the Official Plan, Zoning By-law or obtain Sit Plan approval. A completed EIS will address an appropriate ecological boundary including buffers, minimum setback requirements, public access, restoration areas, migration measures and stewardship requirements. An EIS has not been completed at this time and holding provisions will be required to confirm the extent of the Open Space designation, protection of the significant natural feature and protection of possible species at risk. Pending the completion of all required reports and studies the limit of development may change and may affect the final built form.

Holding provisions are required to be attached to the implementing Zoning amendment to ensure that:

- the extent to which the proposed development will be permitted and to ensure that development will not have a negative impact on the relevant components of the Natural Heritage System (the Thames River Corridor), appropriate development conditions and boundaries, will be established based on an a completed Environmental Impact Study that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, and the UTRCA:
- the development will not have a negative impact on the Natural Heritage System (the Thames River Corridor) an agreement shall be entered into specifying any necessary preventative measures, based on study(ies) to the satisfaction of the City of London

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conducted by qualified professional(s) demonstrating that development in the form proposed will not adversely affect the area or feature;

- the Owner will undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site by a Professional Engineer, all to the satisfaction of the City and the UTRCA.

The Open Space (OS2) zone will be applied to these lands that have been interpreted to be located within the Open Space designation (Significant Natural Corridor) through the disposition of land process. The intent of the zone will allow for the development of these lands in accordance with the Thames Valley Corridor Plan. Further discussion will need to occur through the Public Site Plan process to address and implement the appropriate transition between the proposed development and the Thames Valley corridor.

### **Bonsing**

#### What is being provided in return for bonusing?

Section 19.4.4 of the Official Plan allows for bonus zoning. In general, the policy allows for increases to the height and density limits applicable to a proposed development in return for the provision of facilities, services or matters. The policy indicates that *“this practice, commonly referred to as bonus zoning, is considered to be an appropriate means of assisting in the implementation of the Plan.”* The policy also states that *“bonus zoning will be used to support the City’s urban design principles, as contained in Chapter 11 and other policies of the Plan..”* The plan goes on to list a number of objectives that may be supported in favour of bonus zoning (without forgoing the generality of the above statement). For example, bonusing may be provided for the following:

- “to support the provision of common open space that is functional for active or passive recreational use....
- To support the provision of underground parking.....
- To encourage aesthetically attractive developments through the enhanced provision of landscaped open space.....
- To support innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit....”

The following describes the project elements and attributes which factor into the bonusing analysis:

- Supportive of many Official Plan policies and Council initiatives, this residential project will significantly contribute to SoHo area revitalization
- Is located at a strategic location at Wellington Street and the Thames River which serves as a gateway to the Downtown from the south and the SoHo neighbourhood.
- Will support the economic strategic direction established in the SoHo Community Improvement plan by supporting the many restaurants and other retail and services uses along the Wellington Street main street corridor;
- Enhanced landscaping, including raised irrigated tree planters, large street trees, decorative concrete paving and brick treatments and enhanced lighting along South Street in keeping with the SoHo green street initiatives;
- Provides for a development that transitions from the Thames River to South Street by utilizing “stepping” of height and reducing mass from the Thames River in keeping with the Thames Valley Corridor Plan;
- The support for alternative modes of transportation, including walking and cycling by establishing high residential densities along the Wellington Street transit corridor and the Thames Valley corridor.
- The provision of ground-floor retail uses to support streetscape continuity and street “animation” along the Wellington Street frontage (and, to a lesser extent, along South Street frontage).

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- Provides for two mid block connections minimizing the obstruction of views and optimizing pedestrian access to the Thames Valley corridor
- The integration of various positive building design attributes and materials that help to visually break up the mass of the building and enhance the aesthetic quality of the building.
- The provision of underground parking, in support of Official Plan policies.
- The provision of a green roof which is intended to provide common open space for the large number of residents in the development and the neighbourhood and to provide some level of environmental benefit and a transition to the Significant Natural corridor along the Thames River corridor.

There is no quantitative guideline relating to the amount of additional density or height that may be provided through bonus zoning. Rather, it is Council's role to determine whether the proposed development, on the whole, results in a benefit to the general public and/or an enhancement of the design or amenities of this development to the extent that a greater density or height is warranted and result in a public benefit which cannot be obtained through the normal development process. Furthermore, the resulting density and height must represent sound planning on the whole.

Staff believe that the proposed project, on balance, meets this test and the proposal for a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650 m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 1,124m<sup>2</sup> of ground floor commercial retail, a 18 storey (67m tall) residential building on the Southwest corner of South Street and Waterloo Street is appropriate and desirable if the project is constructed as proposed in the text and illustrations provided in the urban design brief.

Implementation of Bonus Zoning

Section 19.4.4 iv) states:

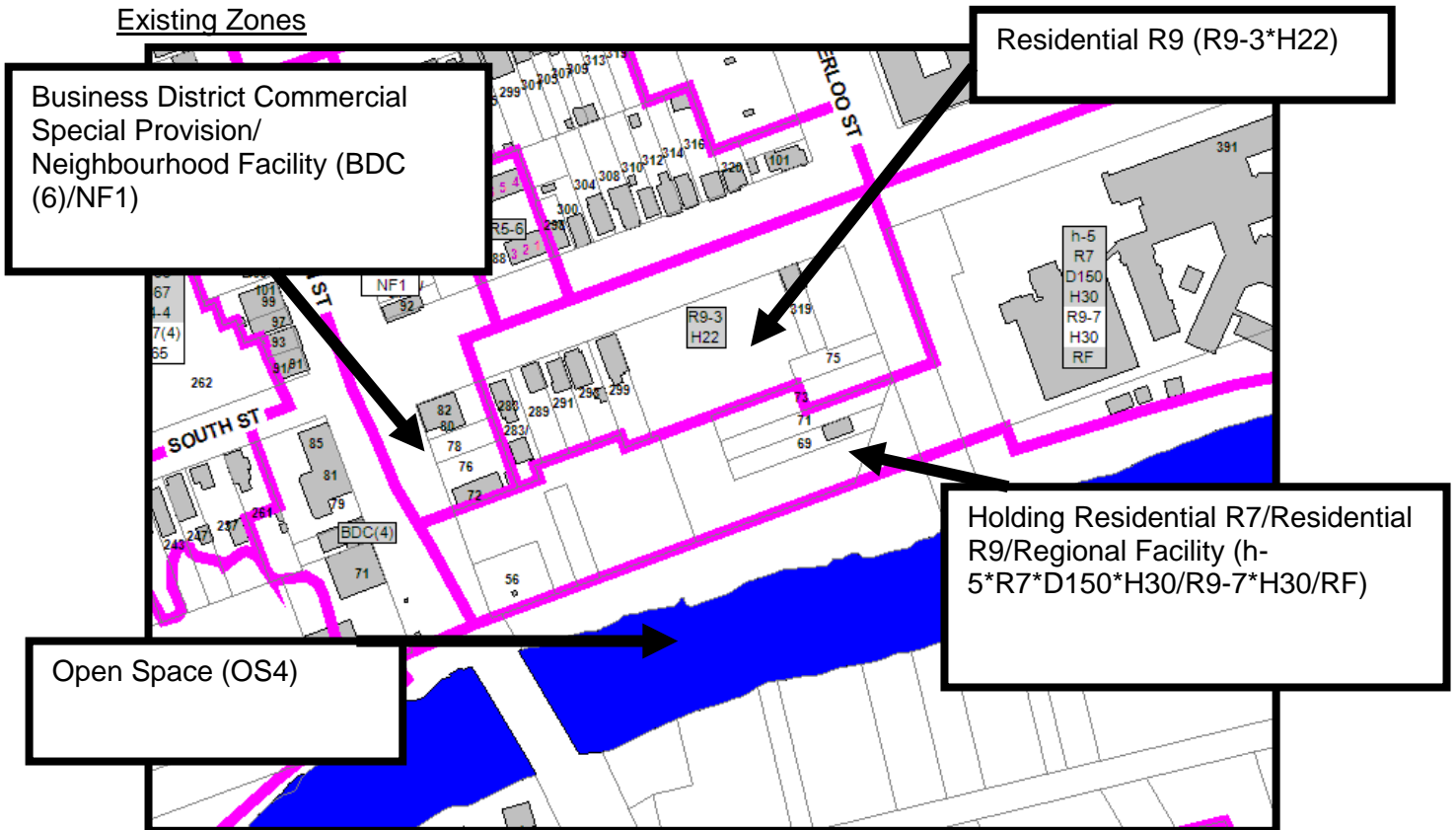
*As a condition to the application of bonus zoning provisions to a proposed development, the owner of the subject land will be required to enter into an agreement with the City, to be registered against the title to the land. The agreement will deal with the facilities, services, or matters that are to be provided, the timing of their provision, and the height or density bonus to be given.*

Bonus zoning is implemented through a development agreement with the City that is registered on title to the lands. The development agreement is intended to establish the development as proposed. Through the public site plan process Council will review the site plan to ensure that all benefits that have warranted bonusing have been incorporated into the development agreement.

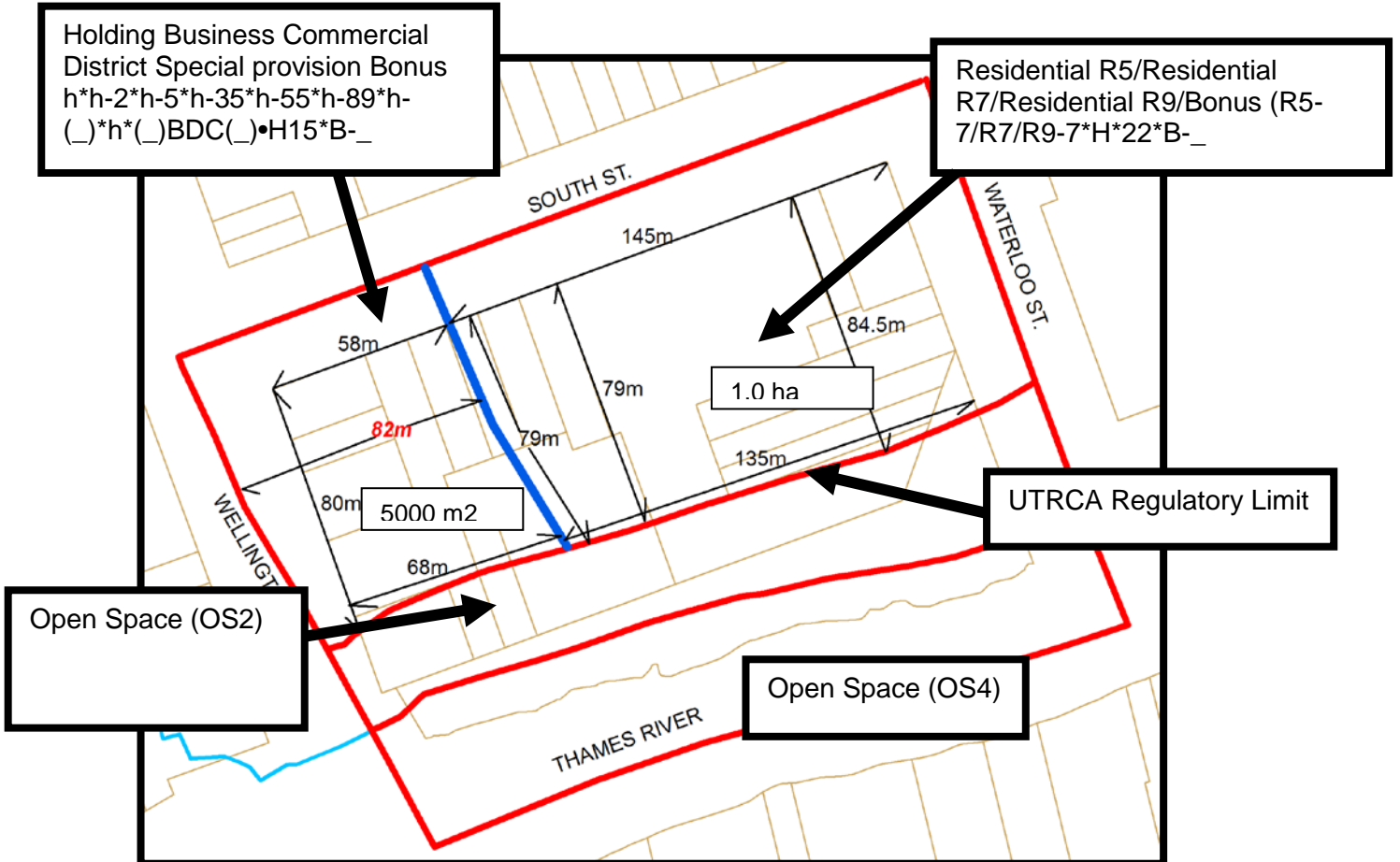
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**Zoning**

Existing Zones



Proposed Zoning



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**Business District Commercial**

Existing Zoning: BDC (6)/NF1	Proposed "base" Zone: h*h-2*h-5*h-35*h-55*h-89*h- ( )*h*( )BDC( )	Proposed Bonus Zone: B-__
Permitted Uses:		
<p>Apartment buildings, with any or all of the other permitted uses on the first floor, Bake shops, Clinics, Commercial recreation establishments, Day care centres, Dry cleaning and laundry depots, Emergency care establishments, Existing dwellings; Financial institutions, Grocery stores, Laboratories, Laundromats, Libraries, Medical/dental offices, Offices, Personal service establishments, Private clubs, Restaurants, Retail stores, Service and repair establishments, Studios, Lodging house class 2., Cinemas, Brewing on Premises Establishment, Food Store, Animal Clinic Convenience Store, Post Office, Convenience service establishments, Dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor, Bed and breakfast establishments, Antique store, Church and elementary schools</p>	<p>Apartment buildings, with any or all of the other permitted uses on the first floor, Bake shops, Clinics, Commercial recreation establishments, Day care centres, Dry cleaning and laundry depots, Emergency care establishments, Existing dwellings; Financial institutions, Grocery stores, Laboratories, Laundromats, Libraries, Medical/dental offices, Offices, Personal service establishments, Private clubs, Restaurants, Retail stores, Service and repair establishments, Studios, Lodging house class 2., Cinemas, Brewing on Premises Establishment, Food Store, Animal Clinic Convenience Store, Post Office, Convenience service establishments, Dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor, Bed and breakfast establishments, Antique store, Church</p> <p>An additional permitted use Independent Health Facility Maximum GFA 2000m<sup>2</sup> located above the first floor</p>	<p>A mixed use building with any of the uses as listed in the Business District Commercial Special Provision (BDC ( )) Zone, with a maximum height of 96 metres (26 storeys) and maximum density of 332 units per hectare (110 units)</p> <p>A medical/ dental office, clinic and independent health facility use to be located within a mixed use building on the second floor or above with a maximum gross floor area of 4,650m<sup>2</sup>,</p>
Regulations		
<p>Minimum lot frontage: 8.0m Minimum lot Area: N/A Maximum Front Yard Setback: 3.0m Minimum Front Yard Setback:0.0m Maximum Height:12m Lot Coverage 70%</p>	<p>Same as existing</p>	<p>Minimum frontage: 58m Minimum lot area: 5000m<sup>2</sup>, lot coverage: 72% Maximum front yard setback: 1.0m Maximum exterior side yard setback from the future Bus Rapid Transit road widening: 1.0m Maximum Height: 96m Density: 332/ha Minimum of 510 parking spaces</p>

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File: OZ-8114  
Planner: C. Smith

The proposed Holding Business District Commercial Special Policy (h\*2h-5h-35h-55h-89h-( )h\*( )BDC( )) Zone will permit the same range of uses with the same zoning regulation as the existing Business District Commercial Special Provision/Neighbourhood Facility BDC (6)/NF1) Zone.

Section 3.9.1 of the Zoning By-law states:

*Where a lot is divided into two or more zones, each such portion of the said lot shall be considered a separate lot as defined herein and shall be used in accordance with the provisions of this By-Law which are applicable to the zone wherein such portion of the said lot is located*

Accordingly, the proposed zoning amendment to permit Business District Commercial zoning along the Wellington Street corridor to depth of 82 metres and High Density Residential zoning on the balance of the developable lands to the east creates two separate "lots" for the purpose of calculating zoning requirements of the lot. The Business District Commercial portion has a lot area of 0.5ha and the High Density Residential area has a lot area of 1.1ha.

**Calculation of Density**

Section 3.4.1 of the Zoning By-law states:

*Where a lot is used for both residential and non-residential purposes, the maximum number of dwelling units permitted by the applicable maximum density regulations or "D" zone shall be reduced at the rate of one dwelling unit for each 100.0 square metres (1,076 sq. ft.) of gross floor area devoted to non-residential uses.*

The proposed development in the Business District Commercial zone is to allow for 110 dwelling units located above the first floor, 929m<sup>2</sup> at-grade retail, a medical/ dental office, clinic and independent health facility use, within a mixed use building on the second floor or above, with a maximum gross floor area of 4, 650m<sup>2</sup>.

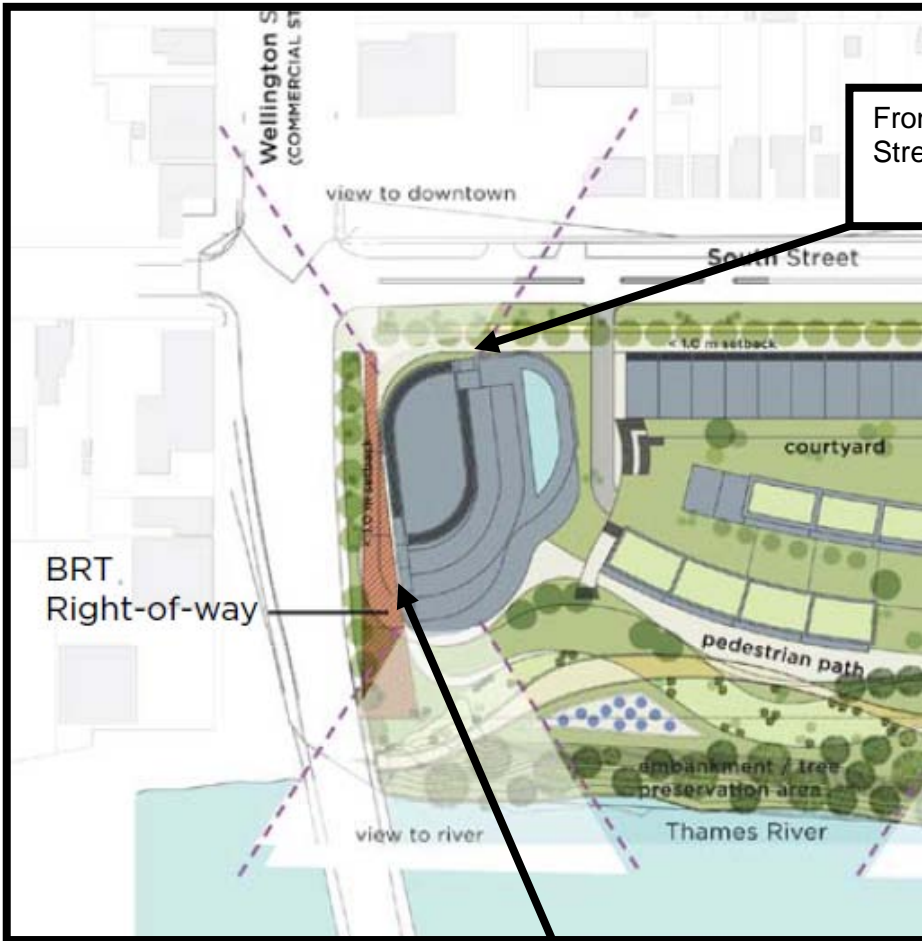
Therefore 4650m<sup>2</sup> of proposed office use plus 929m<sup>2</sup> of proposed retail use totals 5579m<sup>2</sup> of non-residential use. Dividing this total by 100m<sup>2</sup> (100m<sup>2</sup> of non-residential use equals 1 dwelling unit) results in the equivalent of an additional 56 units to the proposal for the purpose of calculating density. The 56 derived units plus the 110 proposed dwelling units equals 166 units as per the by-law provision. The 166 units divided by the lot 0.5 ha lot area results in a mathematically calculated maximum density of 332 units per hectare

Through the Bonus zone the 94 metre height, 332 units per hectare density and mixed use building form with a 4,650m<sup>2</sup> medical/dental, clinic and independent health facility is permitted on the southeast corner of Wellington Street and South Street. This Bonusing is permitted in return for the construction of the development proposed as described in accordance with the text and illustrations attached as Appendix "C".



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Front and Exterior Side Yard Setback

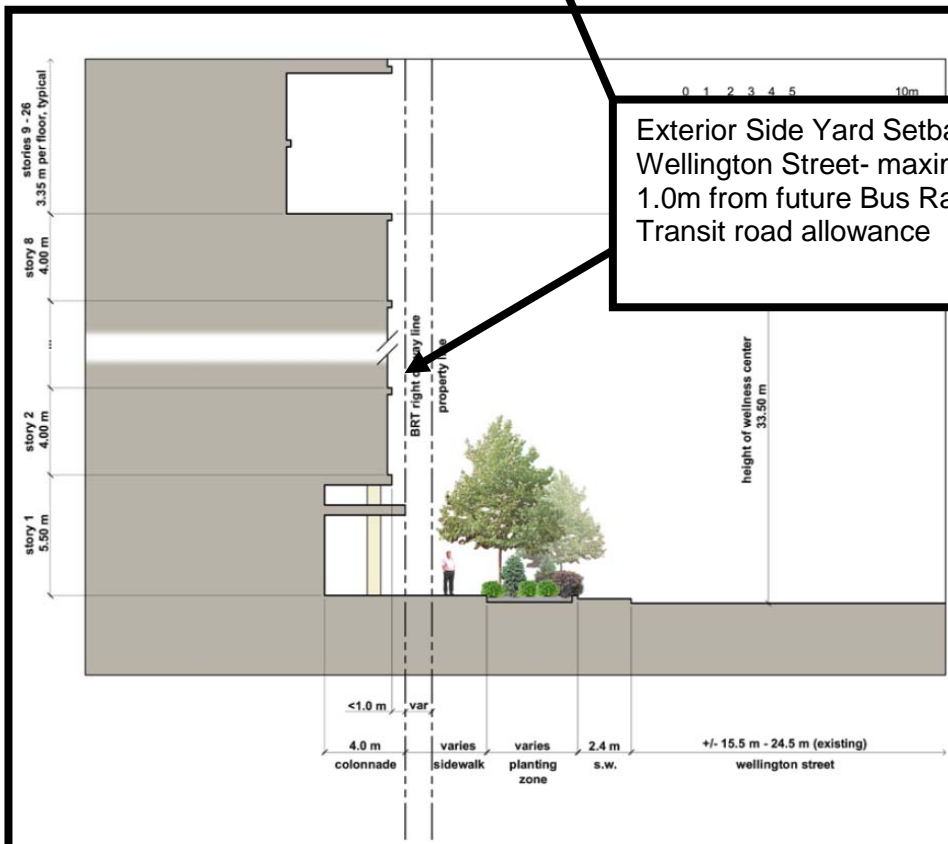


Front Yard Setback South Street- Maximum 1.0m

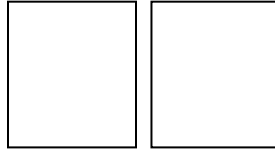
The intent of the maximum 1.0m front and exterior side yard setback is to ensure that the mixed use building is located on the southeast corner of Wellington Street and South Street and will provide for:

- a strong main street commercial corridor;
- street level commercial uses appropriate to a pedestrian-oriented shopping; and
- A strong, clearly defined gateway feature.

Proposed Wellington Street Cross Section



Exterior Side Yard Setback- Wellington Street- maximum 1.0m from future Bus Rapid Transit road allowance



**Residential**

<p>Existing Zone: Residential R9 (R9-3*H22) and a Holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF)</p>	<p>Proposed "Base" Zone: Holding Residential R5/Residential R7/Residential R9/Bonus (h*h-2*h-5*h-35*h-55*h-89*h-(_)*h*(_)R5-7/R7/R9-7*H*22</p>	<p>Proposed Bonus Zone: B-__</p>
<p>Permitted Use:</p>	<p>Permitted Use:</p>	<p>Permitted Use:</p>
<p>Apartment buildings, retirement homes, continuum of care facilities, Senior citizens apartment buildings, Handicapped person apartment buildings, Continuum-of-care facilities Emergency care establishments, churches, and hospitals</p>	<p>Apartment buildings, senior apartments, nursing homes, townhouses, stacked townhouses Handicapped persons apartment buildings Continuum-of-care facilities Emergency care establishments</p>	<p>The uses as listed in the Residential R5/Residential R7/Residential R9/Bonus (R5-7/R7/R9-7*H*22) Zone including a 67 metres (18 storeys) senior apartment and nursing home with a density of 240 units/ha</p> <p>Church and 1000m<sup>2</sup> of Convenience Commercial which include Convenience stores, Convenience service establishments, Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through</p>
<p>Regulations:</p>	<p>Regulations:</p>	<p>Regulations:</p>
<p>Residential R9 (R9-3*H22) Permits apartment buildings maximum height: 22 metres and maximum density of 100 units/ha Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) Zone maximum height 30 metres and a maximum density of 150 units/ha Lot Coverage 30% Front yard setback minimum: 6.0m Lot Frontage minimum:30m Lot area minimum: 1000m<sup>2</sup></p>	<p>Maximum height: 22m Density: 150 units/ha Lot Coverage: 30% Front yard setback minimum: 6.0m Lot Frontage minimum:30m Lot area minimum: 1000m<sup>2</sup></p>	<p>Maximum height of 67 metres (18 storeys) Maximum density of 240 units/ha (273 units) Lot Coverage: 40% Lot frontage minimum: 145m Lot area minimum: 1.0 ha Minimum of 614 parking spaces be provide in association with 740 parking spaces for all uses as permitted through bonusing provisions on the lands bounded by Wellington Street, South Street, Waterloo Street and the Thames River.</p>

The proposed Holding Residential R5/Residential R7/Residential R9/Bonus (h\*h-2\*h-5\*h-35\*h-55\*h-89\*h-(\_)\*h\*(\_)R5-7/R7\*D150\*H22/R9-7\*H\*22) Zone will permit the same range of uses with the same zoning regulations as the existing Business District Commercial Special Provision/Neighbourhood Facility Residential R9 (R9-3\*H22) and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) Zone. The only significant change is the removal of the Regional Facility zone which permits hospital uses. The Province no longer wishes to operate a hospital at this location and the Regional Facility zone can be removed at this time.

Through the Bonus zone the following uses are permitted: a 67 metres (18 storeys) senior apartment and nursing home with a density of 240 units/ha on the southwest corner of South Street and Waterloo Street, a Church, and 1000m<sup>2</sup> of Convenience Commercial use which include Convenience stores, Convenience service establishments, Financial institutions,

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File: OZ-8114  
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Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through. This Bonusing is permitted in return for the construction of the development proposed and described in accordance with the text and illustrations attached as Appendix "C".

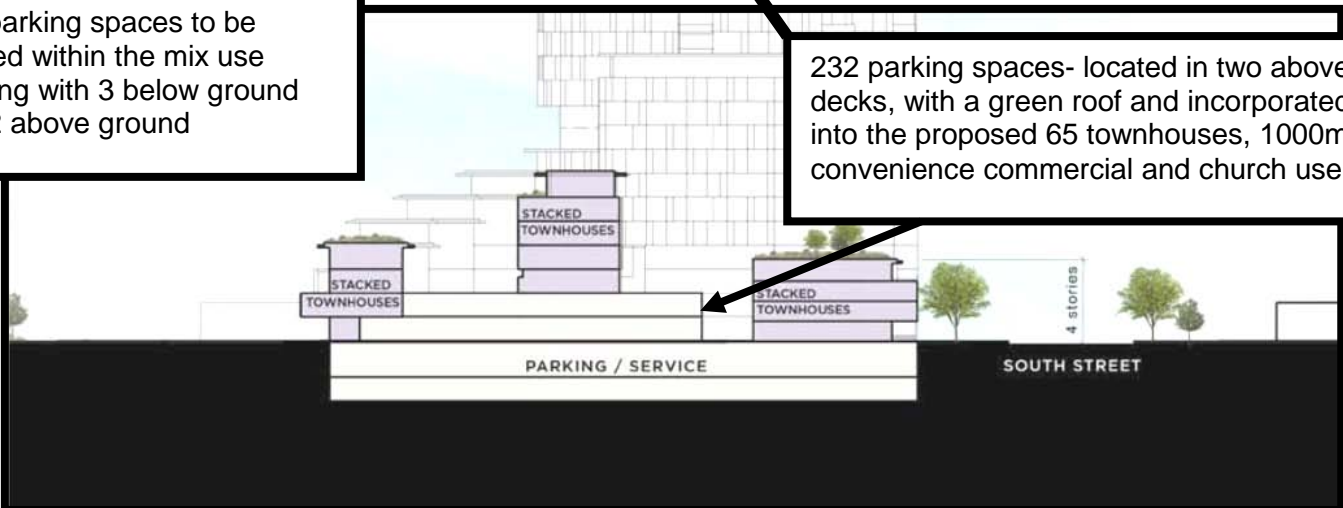
Parking

The applicant proposes to provide 510 vehicle parking spaces in the mixed use building located on the southeast corner of Wellington Street and South Street. The spaces will be accommodated in 3 underground and 2 above ground levels that are fully contained in the building. 232 parking spaces are to be provided in above ground structures on the residential lands. The intent is the structures will be located behind the street townhouses on South Street and incorporated into the 65 townhouses and church on the top deck with a green roof, and the 1000m<sup>2</sup> of convenience commercial uses along South Street. The structure will be fully enclosed by townhouse units. In total the proposed development will provide 742 parking spaces. There are no surface parking lots proposed for this site.



510 parking spaces to be located within the mix use building with 3 below ground and 2 above ground

232 parking spaces- located in two above decks, with a green roof and incorporated into the proposed 65 townhouses, 1000m<sup>2</sup> convenience commercial and church use



Bonus

Bonus Zones are specifically intended to establish the development as proposed. In other words, the allowance for higher density and height will only be realized if the specific development is built as proposed. The zoning would not allow for other proposals at this height or density unless a separate zoning amendment application is submitted and approved.

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File: OZ-8114  
Planner: C. Smith

**Public Comment**

Of the 13 comments received, 8 responses were received that opposed the proposed amendment, specifically:

- Height, scale and mass of the project is far too intense at this location and in context with the existing abutting pre dominate single detached neighbourhood
- Height, scale and massing is not in keeping with the intent of the SoHo Area Plan
- Safety issues regarding possible storm events and flooding of the abutting Thames River
- Lack of access pedestrian and clear sightlines to the Thames River through the site
- Poor Urban Design that does not meet the intent of the City of London’s Urban Design Guidelines
- Effects of Wind and Shadowing on abutting residential uses
- Applicant does not own the lands required for the proposed development
- Consolidation of properties the with no intent to ever develop the property as proposed
- The property will be “flipped” and not developed as proposed.

**Property Ownership**

An application to amend the City’s Official Plan or Zoning By-law may be made by any person. The *Planning Act* provides (emphasis is added):

Official Plans

**22.** (1) *If a person or public body requests a council to amend its official plan, the council shall, (a) forward a copy of the request and the information and material required under subsections (4) and (5), if any to the appropriate approval authority, whether or not the requested amendment is exempt from approval; and (b) hold a public meeting under subsection 17 (15) or comply with the alternative measures set out in the official plan.*

Zoning By-law

**34.** (10.1) *A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council.*

Site Plan Control

**41.** (10) *Any agreement entered into under clause (7) (c) or (c.1) or under clause (8) (b) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.*

The term “person” is not defined in the Act and therefore, an entity other than the owner of the affected lands can submit an application to amend the official plan or zoning-bylaw. Clearly, the Planning Act deliberately uses the term “person”, rather than “owner”, relating to Official Plan and Zoning By-law amendments. Other types of planning applications require that only an owner may make an application.

Both the Upper Thames River Conservation Authority and the property owner located at 80-82 Wellington Street oppose the proposed amendments as the applicant does not have ownership of their land. Council can consider any Official Plan or Zoning By-law amendment based on the planning merits of an application as provided for through the Official Plan. Council has adopted the SoHo Community Improvement Plan in June 2011, and the proposed amendments are in keeping with the long term goals as outlined in this Plan.

Site Plan approval will be required and a development agreement will be entered into with the owner of the lands. The proposed zoning amendment includes holding provisions for a development agreement to be entered into with City and the owner of the lands. Site plan approval and building permits will require that the property owner of lands enter into an agreement before being finalized.

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The proposed development is located on a portion of the Old Victoria Hospital lands as identified in the SoHo Community Improvement Plan. The City is in the process of developing a secondary plan for the development of the area centered on these lands. The proposed development is consistent with the intent of the SoHo Community Improvement Plan and will be considered during the secondary plan process currently underway.

**Height Scale and Massing**

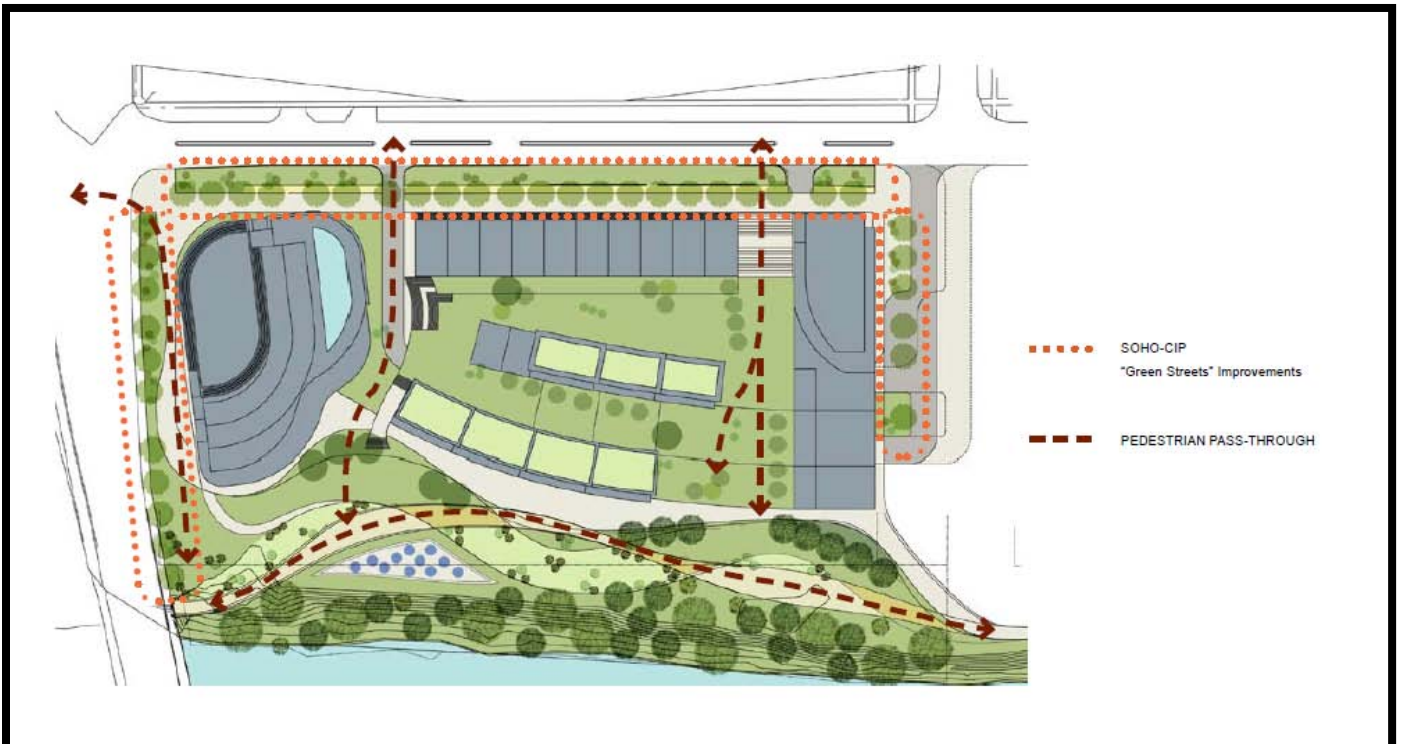
A requirement for a public site plan process will allow Council to ensure that the facilities and matters being offered in return for the zoning bonus are established. Also, at the time of the public site plan meeting the concerns identified by the neighbouring properties which includes, access and view corridors through the site to the Thames River, conformity with the SoHo Community Improvement Plan and Thames Valley corridor will be considered by Council.

A public site plan meeting will ensure that the design as proposed is incorporated into a development agreement that is registered on title, ensuring that the reason for the bonus zoning is implemented.

**Safety Issues**

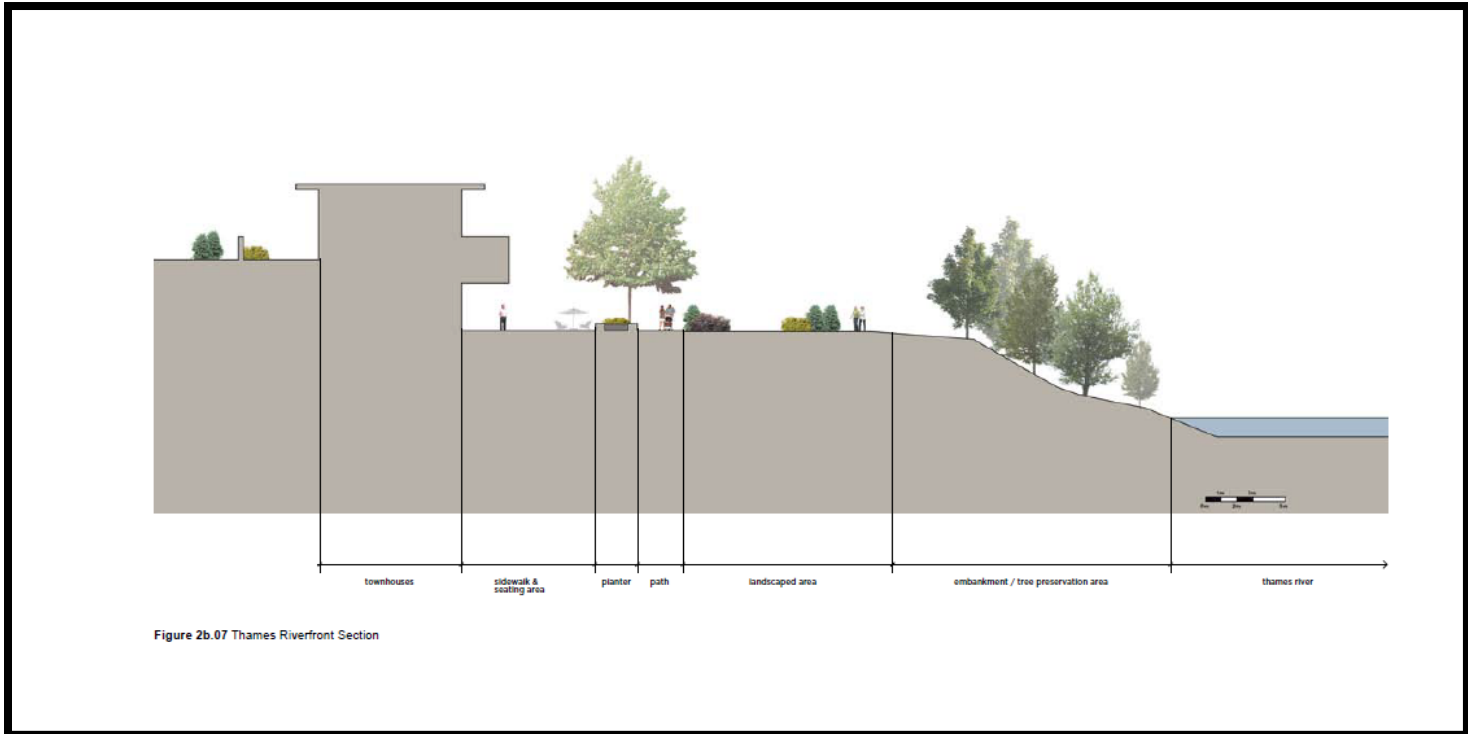
Through the disposition of land process it has been determined that any development on these lands will not be permitted any closer to the Thames River than the existing Regulatory limit. Further studies including an Environment Impact Study, are required to be completed to the satisfaction of the City of London and the UTRCA. Holding provisions are proposed to require the completion of all required studies prior to entering into development agreements.

**Access through the Site and Transition to Thames River**



The applicant is proposing two mid block publicly accessible connections through the site and improving the existing connection along Wellington Street and Waterloo Street to the Thames Valley corridor.

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The use of the existing UTRCA regulatory limit provides the opportunity to transition from the development to the Thames River as shown above. Holding provisions are proposed to ensure that further studies are completed that confirm the limit of this development and for improvements along the Thames River in conformity with the Thames Valley Corridor Plan.

**Holding Provisions**

The following recommended Holding provisions have been included to further address the concerns raised through the circulation process:

The h-2, h-35 and h-(\_) Holding provisions are required to address the Official Plan requirements to complete all studies required, including an Environmental Impact Study, to ensure that development will not negatively impact the Thames River, a Significant Natural Corridor feature. The holding provision will not be deleted until the completion of the following studies or reports to:

- determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System (identified on Schedule "B" of the Official Plan), an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London.
- ensure that development will not have a negative impact on an environmentally sensitive area, or natural feature, an agreement shall be entered into specifying any necessary preventative measures, based on study(ies) to the satisfaction of the City of London conducted by qualified professional(s) demonstrating that development in the form proposed will not adversely affect the area or feature.
- ensure the Owner undertake a hydrogeotechnical evaluation and identify geotechnical conditions as well as all required erosion set back maintenance, erosion, structural, geotechnical setbacks, and ensure that all matters of slope stability are adequately engineered for the subject site in the above noted areas by the Professional Engineer, all to the satisfaction of the City Engineer and the Upper Thames River Conservation Authority.

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 Planner: C. Smith

The h-, h-55 and h-89 Holding provision have been included to address the City of London Environmental Engineering Servicing Departments comments regarding further studies and reports need to address sanitary, water, stormwater and traffic servicing issues. The Holding provisions will not be deleted until the following occur:

- adequate provision of municipal services, which includes sanitary and water serving are resolved and development agreement is entered into with the City.
- the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development.
- a stormwater servicing report has been prepared and confirmation that stormwater management systems are implemented to the satisfaction of the City Engineer.
- Site Plan approval will be required and a development agreement will be entered into with the owner of the lands.

The h-(  ) Holding provision is required to address the need for further wind studies as identified in the *Pedestrian Wind Conditions- Letter of Opinion* provided by RWDI Consulting Engineers and Scientist, dated June 1, 2012. The holding provision will ensure that the development will not have any adverse impact on pedestrian level wind conditions, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h- (  )" symbol.

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File: OZ-8114  
Planner: C. Smith

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>C. SMITH- COMMUNITY PLANNING AND URBAN DESIGN SECTION</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

CS/  
"Attached"

Y:\Shared\implemen\DEVELOPMENT APPS\2012 Applications 8003 to\8114OZ - 56 - 80 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street (CS)\8114OZ-PECReport2.docx



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File: OZ-8114  
 Planner: C. Smith

**Responses to Public Liaison Letter and Publication in “Living in the City”**

<u>Telephone</u>	<u>Written</u>
Mark Glaab 72 Wellington Street	Gabor Sass
	Debra Martin 310 South Street
	Wendy Russell 285 Simcoe Street
	Mark Woodward 142 Waterloo Stree
	Nancy and Eric Hamm 354 Hill Street
	Ralph Topp 202 Maitland Street
	Faith Coates and Alan Hogan 298 South Street
	Ellen Innes 412 Simcoe Street
	Tanya Parks- President SoHo Area Association
	James MacNeill MacNeill and Blake Holdings Inc 82 Wellington Street

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File: OZ-8114  
Planner: C. Smith

**MACNEILL & BLAKE HOLDINGS LTD**

82 Wellington Street  
London, Ontario N6B 2K3  
519-660-6060 Ext. 219



January 24, 2013

Attention: Mr. Craig Smith (via email)

The Corporation of the City of London  
Planning Division  
P.O. Box 5035  
London ON N6A 4L9

Dear Sir:

**RE: FILE NO. OZ-8114 – APPLICATION TO AMEND THE OFFICIAL PLAN AND ZONING  
BY-LAW APPLICANT: FINCORE GROUP**

As you are aware, I am a director of MacNeill & Blake Holdings Ltd., which is the legal owner of what is known municipally as 82 Wellington Street in London, Ontario, and these lands appear to be part of the above-noted Official Plan and Zoning By-Law Amendment.

As discussed with yourself and Mr. Fleming, I have substantial concerns over this process and, therefore, object to this application for two main reasons:

- 1) The first reason is that there is a presumption of a particular re-zoning in advance of any land sale to Fincore. This not only includes my property, but also the lands that are owned by the UTRCA. Further, Fincore has represented incorrectly to yourself and to the public at large that they are the owners (or controllers) of my lands.

I know that both yourself and Mr. Fleming have indicated it is possible for persons other than the landowners to make an application for a Zoning By-Law change. However, the deliberate misrepresentation by Fincore, on the matter of "owning or controlling" my lands, instigates a misrepresentation of the overall project, and its consequences. The most important consequence is that Fincore seems to have your blessing to proceed with an initial phase of the overall project. But what is the overall project? It is being represented that the overall project constructs a 26-storey condominium tower on my property, together with a medical centre and another 26-storey condominium tower located elsewhere on the overall site.

If they cannot carry out the intended project, that includes site-plans made available to you, wherein a substantial portion (i.e., one of the condominium towers) of the "project" cannot be executed as purported, then Fincore should not be able to proceed with an initial phase of a project that cannot be completed as portrayed to you and the public in general.

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File: OZ-8114  
Planner: C. Smith

- 2) In discussion with Mr. Fleming and Mr. Warner, it was indicated to me that the City lands and UTRCA lands would be “exposed” to the market place and sold to the highest bidder (subject to a reserve bid).

By the clear favouring of Fincore in this project, they have effectively tied up the potential development of these lands by acquiring only seven (7) separate parcels, with substantial consideration owed back to a number of sellers (purported to me by these persons, and which are in accordance with an offer made to me).

The way this process has been managed, it has essentially shut out anyone else from being a part of the so called “exposure to the market place”.

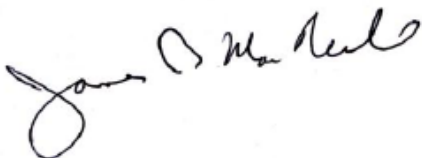
Each of yourself, Mr. Fleming, and Mr. Warner used the expression “transparency” to describe the process that has been applied to this development. What is clear to me, is that Fincore has been granted a green light in acquiring, or at least controlling these lands.

As you are no doubt aware, these lands will be considerably more valuable, after the presumptive new zoning is applied, and my fear is that Fincore will simply turn around and sell these lands to someone else, and that transaction will be the true “exposure to the market place”. In other words, Fincore is simply using the bureaucratic planning process to capture this economic lift in value with very little financial investment and a tremendous consumption of city resources, together with a dubious intention to complete the portrayed project in the first place.

Thank you for the opportunity to comment on this application.

Yours very truly,

**MACNEILL & BLAKE HOLDINGS LTD**



James B. MacNeill

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File: OZ-8114  
Planner: C. Smith

**From:** SoHo London [mailto:[soho.london.ca@gmail.com](mailto:soho.london.ca@gmail.com)]  
**Sent:** Wednesday, November 07, 2012 10:04 PM  
**To:** Smith, Craig  
**Subject:** Thank You!!

Hello

Firstly, I'd like give Craig Smith a GIANT thank you for coming to our special meeting. I think his presence and knowledge alleviated a lot of people's concerns. Secondly, I'd like to give a GIANT thank you to everyone who came out to our meeting and to those who provided input via [www.surveymonkey.com](http://www.surveymonkey.com). Everyone's opinion on this matter is important.

I haven't had the time to sift through my wack of notes, but I will do my best to do them over the weekend. I will make them as concise as I can.

For now, what I can say is that we arrived at the consensus that the SoHo Community Association will advocate for the following:

1. Bonusing for Urban Design (so the developer receives points for design and amenities that the neighbourhood would like to see).
2. A Reversion Clause for the sale of city owned land. So, if this project, for some reason, is not completed, the land will revert back to city ownership.
3. An anti-flip clause, so the developer cannot build and sell it right away.
4. Effortless access to the Thames River
5. Effortless access to Community Space.

Please do not forget to send any and all concerns to Craig Smith ([crsmith@london.ca](mailto:crsmith@london.ca)), so he may add them into his report. We will do the same.

Tanya Park

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File: OZ-8114  
 Planner: C. Smith

November 12, 2012

Dear Mr. Smith;

I am a SoHo resident, and I write in response to file **OZ-8114**, which is a request to change the zoning for **56 - 80 Wellington Street, 283 - 323 South Street and 69 - 77 Waterloo Street**. As I outline below, I do not support this application for zoning change. As I also point out below, I do not support the developer's proposal for these properties. I oppose this zoning change for two reasons. First, because the developer is asking for a zoning change to accommodate its project, even though the developer has not yet secured all of the land it needs for that development. The developer is asking for a less-restrictive zoning for the small fringe of properties it does own before it owns the remaining lands necessary to accomplish the proposed development. This is an unusual situation, and it seems to amount to an attempt to rush the process, and for no clear reason.

And yet, rushing this zoning amendment has a clear risk: namely, this zoning amendment has the potential to shape, even pre-determine, the future of adjoining land. Part of the adjoining property is owned by the City of London and, adjoining that, part is owned by the Upper Thames River Conservation Authority. The City portion of this land is potentially available for sale to a developer, and the UTRCA land is not (though it appears it could be sold to the City). It is the future of these two properties- owned by the City and the UTRCA land- that is of most concern to me. It seems to me that rezoning the properties that adjoin this City and UTRCA land very nearly forecloses on any alternative development on the two properties the developer does not own.

And the Municipal and UTRCA land mentioned above is used and valued as a commonly accessible green space at present. It provides valuable access to views of the Thames River, spaces for leisure and natural areas to be enjoyed in common. We can access the river and enjoy river views from this land. This property now provides a 'natural benefit' to our residential neighbourhood, and I feel that changing the zoning on the properties that are on the fringes of this land puts that natural benefit at risk.

The second reason I oppose the zoning amendment flows also from above, and that is the risk that a piece of property that has high, though intangible, value to the community would become a very valuable parcel of land if this zoning change went through and if the developer acquired the Municipal and UTRCA land it needs for this development. This valuable piece of land would be held by a developer with no demonstrated experience developing on this scale. The risk as I see it is that this zoning amendment contributes to the creation of a valuable parcel of land that could all too easily fall out of this developer's ownership if they were not able to deliver their very expensive, intensive development. The neighborhood would have lost a valuable piece of riverfront access in the process, and I think this is too big of a risk for the entire neighborhood. As you know, the river was a high-priority matter for those of us who participated in various planning exercises in the community, and I believe that this zoning amendment would not protect that community interest.

Finally, I oppose the developer's proposal to which this zoning amendment applies for many of the same reasons discussed above: it encroaches on river access, and it is a huge project being proposed by a developer with little demonstrated capacity to carry out a development of this scale. More specifically, however, I would also point out that this development is physically completely out of scale with the surrounding residential area. There are other places to put a project of this scale that are more sensitive to the neighborhood, and some of them right here in SoHo.

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File: OZ-8114  
Planner: C. Smith

In conclusion, I oppose the zoning amendment because it is being rushed ahead of the developer acquiring the land it requires for this development, and because that rush maybe predetermines the future of adjoining lands, and because those adjoining lands currently act as parkland and riverfront access for the neighborhood. I would much prefer to see this process of developing this whole block of land proceed with much greater opportunity for other options and community concerns to get a fair hearing. I feel this opportunity is lost if this zoning amendment goes ahead.

Sincerely,

Wendy Russell

285 Simcoe Street

N6B 1J4

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File: OZ-8114  
Planner: C. Smith

**Bibliography of Information and Materials  
OZ-8114**

**Request for Approval:**

City of London Official Plan and Zoning By-law Application Form, completed by Fincore, October 10, 2012

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Urban Design Brief Holibard and Root

Preliminary Traffic Impact Assessment FR Barry

Phase 1 Environmental Site Assessment exp Service Inc.

South Street, London, Vegetation Inventory Natural Resource Solutions Inc.

Pedestrian Wind Condition- Letter of Opinion RWDI Consulting Engineers and Scientists

SoHo Shadow Study Holabird and Root

Site Servicing Review for SoHo Wellington Centre Development Development Engineering

Preliminary Geotechnical Investigation exp Services Inc

**Correspondence: (all located in City of London File No. Insert File No. unless otherwise stated)**

Macpherson A., City of London Parks Planning and Design. Letter to H. McNeely. October 5, 2007.

**Departments and Agencies -**

Creighton C., UTRCA. Letter to C. Smith. November 12, 2012, January 7, 2013.

Creighton C., UTRCA. Various e-mails to H. McNeely. October 2012 to February 2013.

EEPAC, TAC, LACH

K. McClure, Ministry of Natural Resources (MNR). e-mail December 11, 2012

And all other materials that are contained in the City of London planning application file OZ-8114.

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File: OZ-8114  
Planner: C. Smith

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2013

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo 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 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. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on March 5, 2013.

Joe Fontana  
Mayor

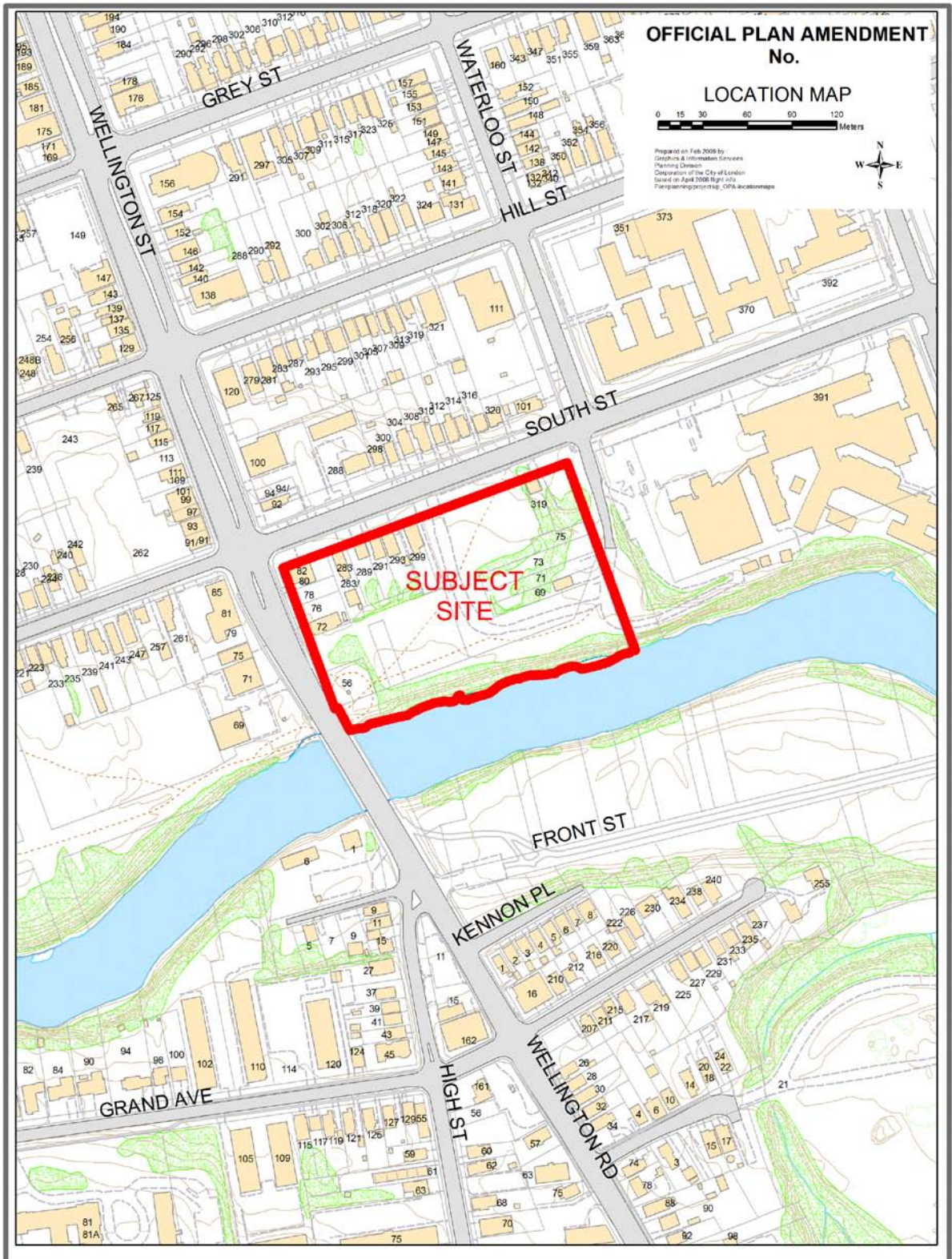
Catharine Saunders  
City Clerk

First Reading – March 5, 2013  
Second Reading – March 5, 2013  
Third Reading – March 5, 2013



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File: OZ-8114  
Planner: C. Smith



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File: OZ-8114  
Planner: C. Smith

**AMENDMENT NO.**

**to the**

**OFFICIAL PLAN FOR THE CITY OF LONDON**

PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend Section 3.5.1 (Policies for Specific Residential Areas) of the Official Plan within the lands bounded by Waterloo Street on the east, South Street on the north, the limit of the Open Space designation to the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West and to amend Section 4.4.1.13 (Specific Main Street Corridors), to add a policy to include the lands located on the east side of Wellington Street between South Street and the Thames River.

LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street.

C. BASIS OF THE AMENDMENT

The proposed amendments contain specific policies, standards, and performance criteria that are detailed and are specifically required to provide more flexibility, in interpretation or implementation of the existing Official Plan Policies and provide specific direction for the preparation and review of development proposals, in this area.

D. THE AMENDMENT

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

- 3. Section 3.5 of the Official Plan for the City of London is amended by adding the following subsection:

The lands within the area, bounded by Waterloo Street on the east, South Street on the north, the limit of the Open Space designation to the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West may permit a range of Multi Family High Density Residential uses, a range of convenience commercial uses at grade along the South Street frontage and a neighbourhood facility use in the form of a church. The development will be consistent with the conceptual vision for the Old Victoria Hospital Lands identified in SoHo Community Improvement Plan, the Thames Valley Corridor Plan and will be required to demonstrate a high degree of application of the City's Urban Design principles in order to allow for the full range of permitted uses, densities and heights. The building height of new development shall be stepped down from South Street to provide a transition towards the Thames River in keeping with the Thames Valley Corridor Plan. The Zoning By-law will specify height limits based on criteria established by the SoHo Community Improvement Plan and the Thames Valley Corridor Plan and as provided for in Section 11 and 19.4 of the Official Plan.

In addition to the above policies, the following additional policies may apply subject to a Bonus zone as provided for in Section 19.4:

- iv) Multi-Family, High Density Residential development may be permitted in this area that can accommodate increased height and densities which provide a transition from the residential uses to the Thames River corridor while providing for enhanced recreational uses and providing areas for community activities along the Thames River Corridor through the application of Urban Design principles approved

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for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan;

- v) Convenience Commercial uses are permitted at grade along the South Street frontage and will not exceed a total gross floor area of 1000m<sup>2</sup> as provided for in Section 3.6.5; and
- vi) Neighbourhood facilities are permitted within a residential building as provided for in Section 3.6.4.

4. Section 4.4.1.13 to the Official Plan is amended by adding a new section as follows:

The land bounded by Wellington Street on the east side, between South Street and the limit of the Open Space designation, shall develop as a mixed-use area with retail stores, restaurants and personal services at street level and office uses including medical facilities and residential uses located above grade. To encourage a strong main street commercial corridor and to build strong connection to the Downtown, the SoHo area and the Thames River, mixed-use projects that include street level commercial in association with uses appropriate to a pedestrian-oriented shopping area will be required. The building height of new development shall be stepped down from South Street to provide a transition towards the Thames River in keeping with the Thames Valley Corridor Plan. The Zoning By-law will specify height limits based on criteria established by the SoHo Community Improvement Plan and the Thames Valley Corridor Plan and as provided for in Section 11 and 19.4 of the Official Plan.

In addition to the above policies, the following additional policies may apply subject to a Bonus zone as provided for in Section 19.4:

- iii) Mixed Use development may be permitted in this area that can accommodate increased height and densities which provide a transition from the southeast corner of Wellington Street and South Street to the Thames River corridor while providing for enhanced recreational uses and providing areas for community activities along the Thames River Corridor through the application of Urban Design principles as provided for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan;
- iv) New office uses up to a medium scale of development may be permitted to be located in this area provided that the office use is primarily to provide medical/dental services on the second floor or above in a mixed use building.

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**Appendix "B"**

Bill No. (number to be inserted by Clerk's Office)  
2013

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street.

WHEREAS the Fincore Group Inc. has applied to rezone an area of land located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, as shown on the map attached to this by-law, as set out below;

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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, as shown on the attached map comprising part of Key Map No. 93, from a Business District Commercial Special Provision/ Neighbourhood Facility (BDC (6)/NF1) Zone, a Residential R9 (R9-3\*H22) Zone and a Holding Residential R7/Residential R9/Regional Facility (h-5\*R7\*D150\*H30/R9-7\*H30/RF) Zone to a Open Space (OS2) Zone, a Holding Business District Commercial Special Provision/ Bonus (h\*h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( )BDC( )\*B-(\*\*)) Zone and a Residential R5 /Residential R7 /Residential R9/Bonus (h\*h-2\*h-5\*h-35\*h-55\*h-89\*h-( )\*h-( ) (R5-7/R7\*D150\*H22/R9-7\*H\*22\*B(\*\*)) Zone.

2) Section Number 25.4 of the Business Commercial District (BDC) Zone is amended by adding the following Special Provision:

- ) BDC ( ) The lands located at Wellington Street on the east side, between South Street and the Thames River
- c) Additional Permitted Uses
  - i. Independent health facility
  - ii. Churches
- d) Regulation[s]
  - i. Maximum gross floor area 2000m<sup>2</sup>  
all office, medical/dental office  
and independent health facility  
uses.

2) Section 4 of the General Provisions to By-law No. Z.-1 is amended by adding the following Special Provision:

- 4.3 4) B-(\*\*) Lands within the area, bounded by Waterloo Street on the east, South Street on the north, the limit of the Open Space designation to the south, and the limit of the Main Street Commercial Corridor designation on Wellington Street to the West.

The subject site is being bonused to facilitate a development design that is consistent with the text and illustrations attached as Appendix "C" of this By-law which includes an 18-storey (67m tall) residential building on the southwest corner of Waterloo Street and South Street with 78 retirement lodges and 130 nursing home care units, 65 stacked townhouse dwelling units (15m tall) along South Street with a maximum of 1000m<sup>2</sup> of convenience commercial uses which include Convenience stores, Convenience service establishments,

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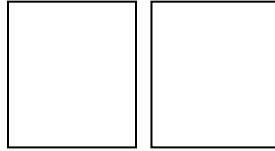
Financial institutions, Personal service establishments, Bake shops, Commercial schools, Florist shops, and Restaurants, at ground level without a drive through and a church use which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- secured bicycle parking spaces and temporary bicycle parking spaces for a total of 150 bicycle parking spaces;
- orientation of buildings to the street so that all principal facades of all units face the street and include active building elements such as primary entrances, porches, canopies and windows in order to provide for the enhancement of the pedestrian environment;
- utilization of a podium base with multiple step-backs and a residential point tower above on the building abutting the northeast corner so as to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City’s discretion, match the elevations shown in Appendix “C”, and townhouse facades that vary in their projection and recession along South Street so that does not appear as one solid plane, so as to ensure a high standard of design for buildings to be constructed in this prominent location at the perimeter of the Downtown, near the edge of the river valley;
- a green roof atop the parking structure and building podium portions to support innovative and environmentally sensitive development;
- a publicly accessible pedestrian and sight line connection through the site from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements;
- provision of enhanced of landscaped open space at street level and along the Thames Valley corridor to support the provision of common open space that is functional for active or passive recreational use
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Waterloo Street road allowances, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space.

The following regulations apply with the approved site plan:

Lot Area (minimum):	1.0ha
Lot Frontage (minimum):	145m
Front Yard Setback (minimum):	1.0
Exterior Side Yard – west (minimum):	1.0
Lot Coverage (%) (maximum):	40%
Height (maximum):	67.0 metres
Density – units per hectare (maximum):	240
Parking:	232
Bicycle Parking	150 (secure)

The cumulative impact of using this bonusing provision shall result in a density not greater than 240 units per hectare and a building height not greater than 67metres.



3) Section 4 of the General Provisions to By-law No. Z.-1 is amended by adding the following Special Provision:

4.3 4) B-(\*) the lands located on Wellington Street on the east side, between South Street and the Thames River

The subject site is being bonused to facilitate a development design that is consistent with the text and illustrations attached as Appendix “C” of this By-law, which includes a 26 storey (94m tall) mixed use building on the southeast corner of Wellington Street and South Street with 19 storeys of residential apartment use, 6 storeys, 4,650m<sup>2</sup> gross floor area of medical/dental, clinic and independent health facility use and 929m<sup>2</sup> of ground floor commercial retail which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- underground parking spaces;
- placement of the building at the corner of Wellington and South Streets, with the design at its skyline to provide visual signals that both define and distinguish the Gateway area, and building facades using a composition of high quality materials including glass, metal panel, and stone veneer in proportions that, with minor variations at the City’s discretion, match the elevations shown in Appendix “C”, so the architecture of the building itself creates the Gateway;
- utilization of a non-residential podium base with multiple step-backs, and above it a residential point tower, to have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and to ensure the form and design of the new development complements the river valley and parklands located adjacent to the site;
- orientation of the primary building and unit entrances into the ground floor commercial spaces so that they face and open onto the Wellington street frontage in order to provide for the enhancement of the pedestrian environment;
- a green roof atop the building podium portions to support innovative and environmentally sensitive development;
- two publicly accessible pedestrian and sight line connections through the site, one from Wellington Street and one from South Street to the public open space bordering the Thames River to minimize the obstruction of views of natural features and to provide for improved access to riverside public open space supplementary to any parkland dedication requirements
- landscaping enhancements including financial contribution therefor that are above City standards, of the abutting South Street and Wellington Street road allowances, to achieve high quality landscaping and the creation of an attractive street edge at this strategic Gateway location, to provide for Green Streets as detailed in the SoHo Community Improvement Plan, for suitable locations to accommodate the planting of street trees, and to encourage aesthetically attractive residential developments through the enhanced provision of landscaped open space.

The following regulations apply with the approved site plan:

Lot Area (minimum):	0.5ha
Lot Frontage (minimum):	58m
Front Yard Setback (maximum):	1.0
Exterior Side Yard – (maximum):	1.0
from the future Bus Rapid Transit road widening	
Lot Coverage (%) (maximum):	72%
Height (maximum):	94.0 metres
Density – units per hectare (maximum):	332
Parking:	510
Bicycle Parking	36

The cumulative impact of using this bonusing provision shall result in a density not greater than 332 units per hectare and a building height not greater than 94metres.

4) Section 2, Definitions, to By-law No. Z.-1 is amended to include the following definition:

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“Independent Health Facility” means a diagnostic facility that is funded by the Ministry to provide specific classes of diagnostic tests and is an ambulatory facility that provides surgical and therapeutic procedures for which the costs of carrying out the procedure is not included in the OHIP fee paid to physicians and is operated under the authority of a licence issued by the Director of Independent Health Facilities in accordance with all Ministry regulation including the *Independent Health Facilities Act* as may be amended, does not include overnight accommodation and requires parking to be provided at the same rate as for a clinic use.

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. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on.

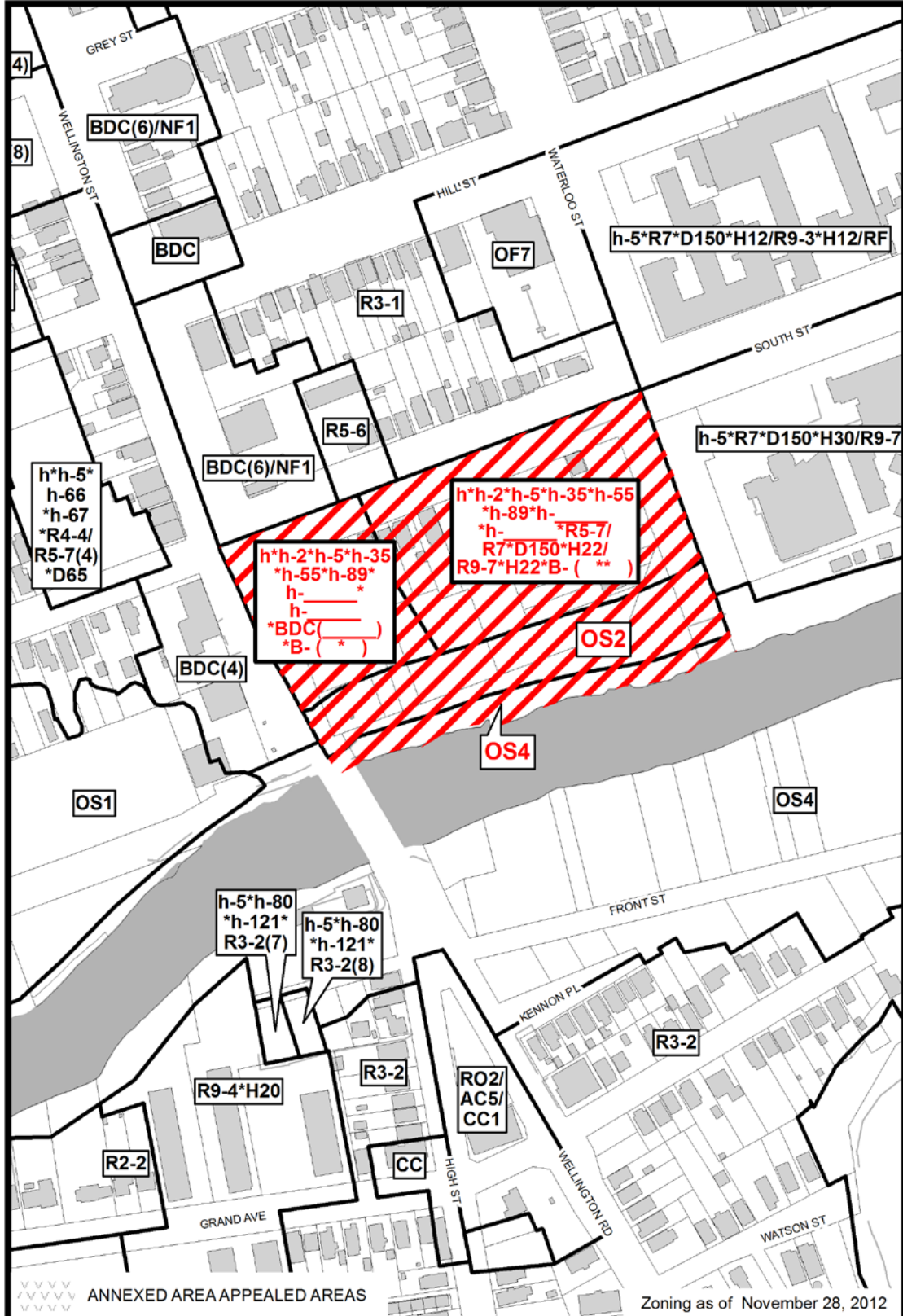
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - March 5, 2013  
Second Reading – March 5, 2013  
Third Reading - March 5, 2013

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



<p>File Number: OZ-8114 Planner: CS Date Prepared: 2013/02/15 Technician: CK By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,600</p> <p>0 12.525 50 75 100 Meters</p> <div style="text-align: right;"> </div>
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Agenda Item # Page #

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Planner: C. Smith