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File: OZ-8114
Planner: C. Smith

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: FINCORE GROUP 56 - 82 WELLINGTON ST, 283 - 323 SOUTH STREET AND 69 - 77 WATERLOO STREET JUNE 24, 2013

RECOMMENDATION

That, on the direction of Municipal Council, 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 located at 291-299 South Street and to amend Section 4.4.1.13 (Specific Main Street Corridors), to add a policy to include the lands located at 56-82 Wellington Street South and 283-289 South Street substantially located on the east side of Wellington Street to a depth of 82 metres from centreline of Wellington Street between South Street and the Thames River;
- b) the proposed by-law attached hereto as Appendix "B" **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 located at 303-323 South Street and 69-77 Waterloo Street which is substantially 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, excluding the lands located at 291-299 South Street ;
- c) 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;
- d) the proposed by-law attached hereto as Appendix "C" **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 applicable to the lands located at 56-82 Wellington Street and 283-299 South Street **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 2000m² 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 "E" of this Report, 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, 4,650m² gross floor area of medical/dental, clinic and independent health facility use and 929m² 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

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- discretion, match the elevations shown in the attached Appendix “E”, 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 “E” of this Report, 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, 4,650m² gross floor area of medical/dental, clinic and independent health facility use and 929m² 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 the attached Appendix “E”, 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;

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- e) the proposed by-law attached hereto as Appendix "D" **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 (b) above, to change the zoning applicable to the lands located at 303-323 South Street and 69-77 Waterloo Street **FROM** 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 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 "E" of this Report 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 1000m² 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 "E", 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;
- f) 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;

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g) 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:

- 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
- 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.

h) the bonusing provision requires that a development agreement be entered into to ensure that the subject development design shall be consistent with the text and illustrations contained in the attached Appendix “E”

i) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the attached by-law is a minor clerical change to the by-law as was proposed at the public participation meeting held on June 18, 2013;

IT BEING NOTED THAT the following issues will be addressed through the consideration of a future application prior to the lifting of the holding provisions for these lands:

- 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.
- 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;
- 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
- 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.
- 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.

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- 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
- 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;

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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 - 299 South 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.

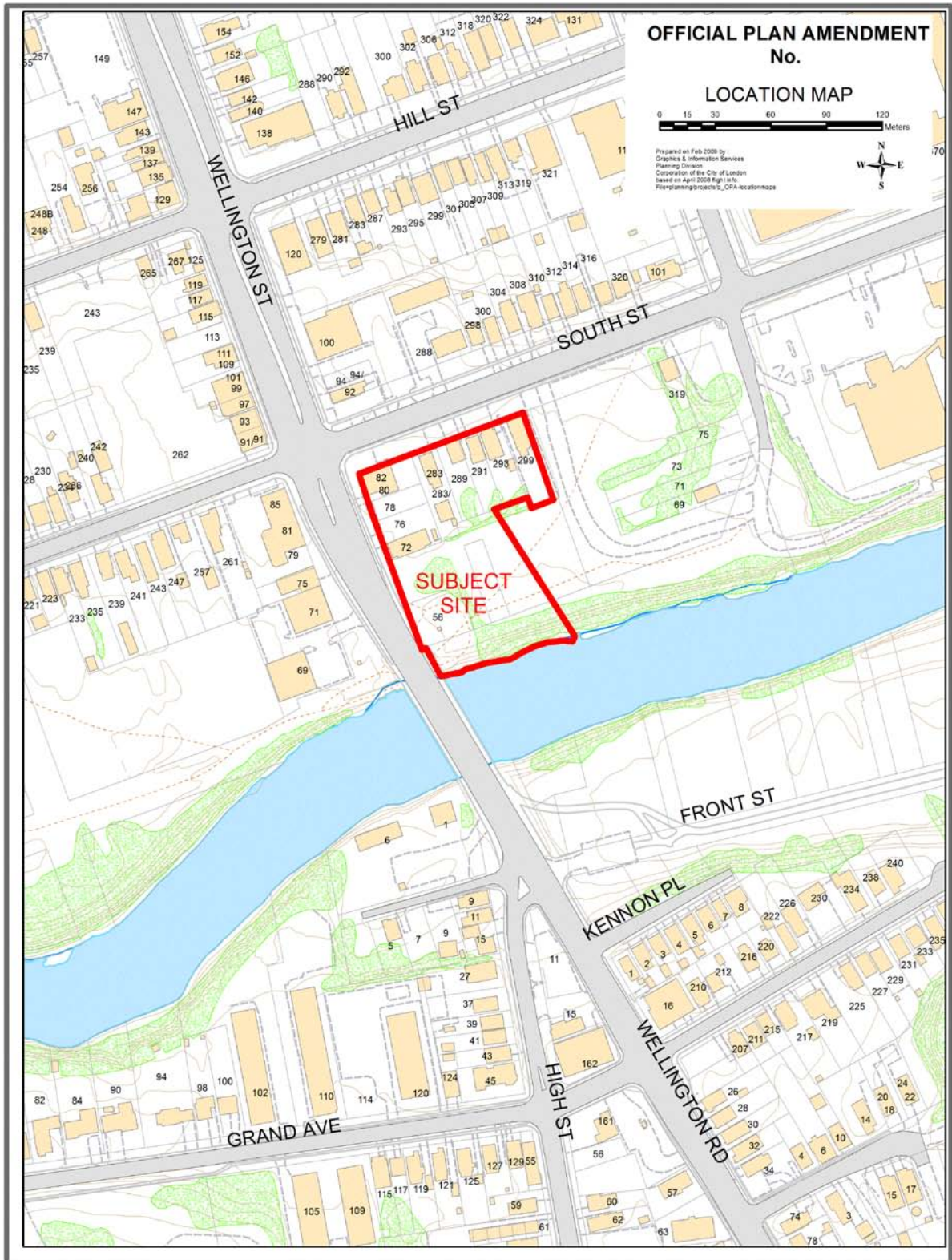
Joe Fontana
Mayor

Catharine Saunders
City Clerk

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

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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 located at 291-299 South Street and to amend Section 4.4.1.13 (Specific Main Street Corridors), to add a policy to include the lands located at 56-82 Wellington Street South and 283-289 South Street located on the east side of Wellington Street to a depth of 82 metres from centerline 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 - 299 South 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 3.5.1 of the Official Plan for the City of London is amended by adding the following subsection:

The lands located at 291-299 South Street 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 for in the SoHo Community Improvement Plan and Section 11 and 19.4 of the Official Plan;

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- ii) Convenience Commercial uses are permitted at grade along the South Street frontage and will not exceed a total gross floor area of 1000m² 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 located at 56-82 Wellington Street South and 283-289 South Street bounded by Wellington Street on the east side, between South Street and the limit of the Open Space designation to a depth of 82 metres from centerline of Wellington Street, 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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Appendix "B"

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 303 - 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.

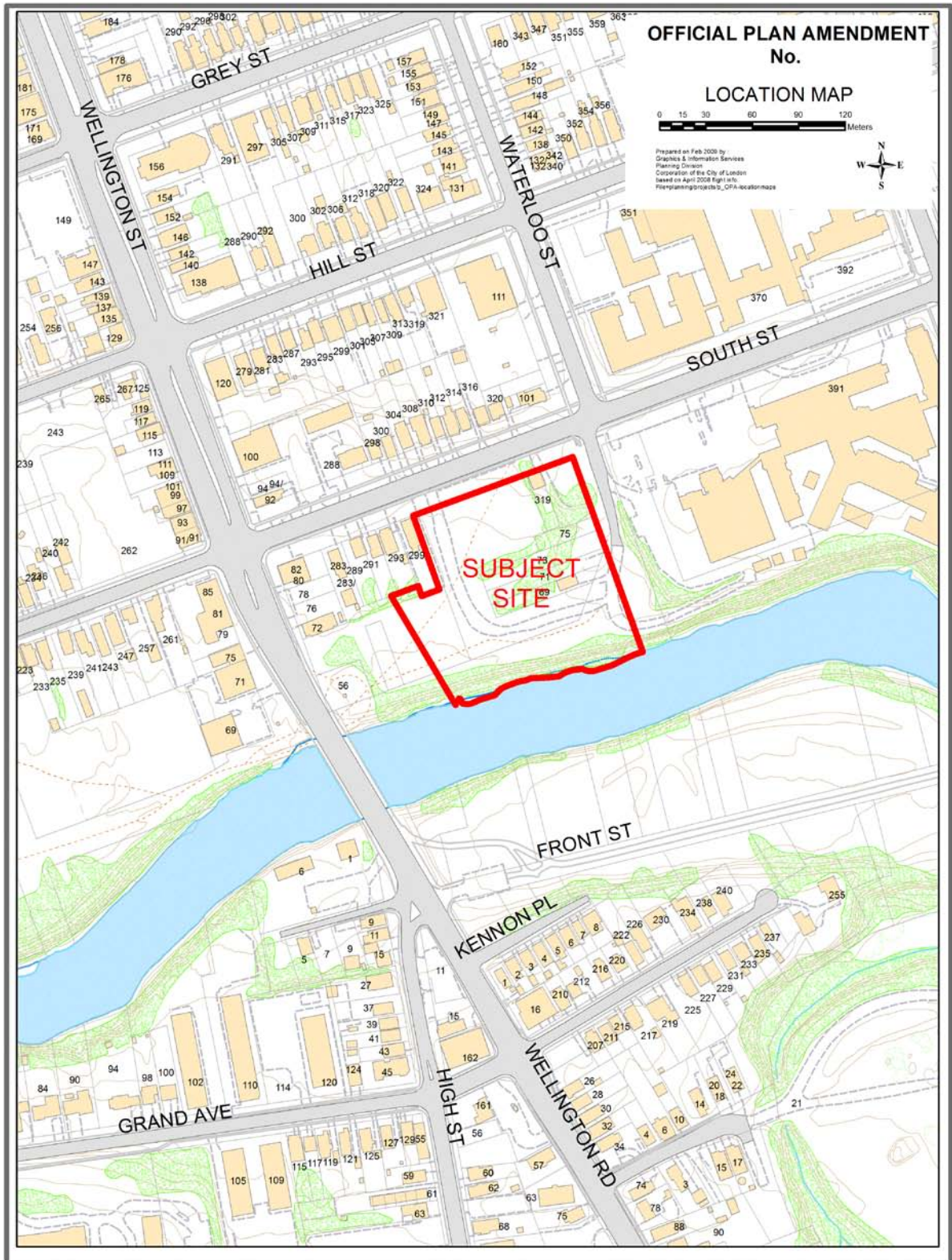
Joe Fontana
Mayor

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
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File: OZ-8114
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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 for lands located at 303-323 South Street and 69-77 Waterloo Street 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 excluding the lands located at 291-299 South Street.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 303 - 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 3.5.1 of the Official Plan for the City of London is amended by adding the following subsection:

The lands located at 303-323 South Street and 69-77 Waterloo Street 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 located at 291-299 South Street 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

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Corridor through the application of Urban Design principles approved 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 1000m² 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.

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Appendix "C"

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 - 299 South Street.

WHEREAS the Fincore Group Inc. has applied to rezone an area of land located at 56 - 82 Wellington St, 283 - 299 South Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number ____ this rezoning will conform to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 56 - 82 Wellington St, and 283 - 299 South 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 an 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, 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.

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

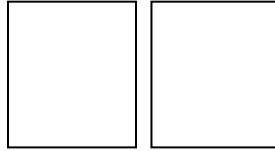
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| BDC (____) | The lands located at Wellington Street on the east side, between South Street and the Thames River |
| a) | Additional Permitted Uses <ul style="list-style-type: none"> i. Independent health facility ii. Churches |
| b) | Regulation[s] <ul style="list-style-type: none"> i. Maximum gross floor area 2000m²
all office, medical/dental office and independent health facility uses. |

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

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 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, 4,650m² gross floor area of medical/dental, clinic and independent health facility use and 929m² of ground floor commercial retail which shall be implemented through a development agreement, in accordance with section 37 of the *Planning Act*, R.S.O. 1990, c.P.13, in a form that shall be consistent with the text and illustrations contained in Appendix "E" attached to the Staff Report dated June 20, 2013 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 “E” attached to the Staff Report dated June 2013, 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.

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.

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File: OZ-8114
Planner: C. Smith

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.

6. 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.

7. 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 June 25, 2013.

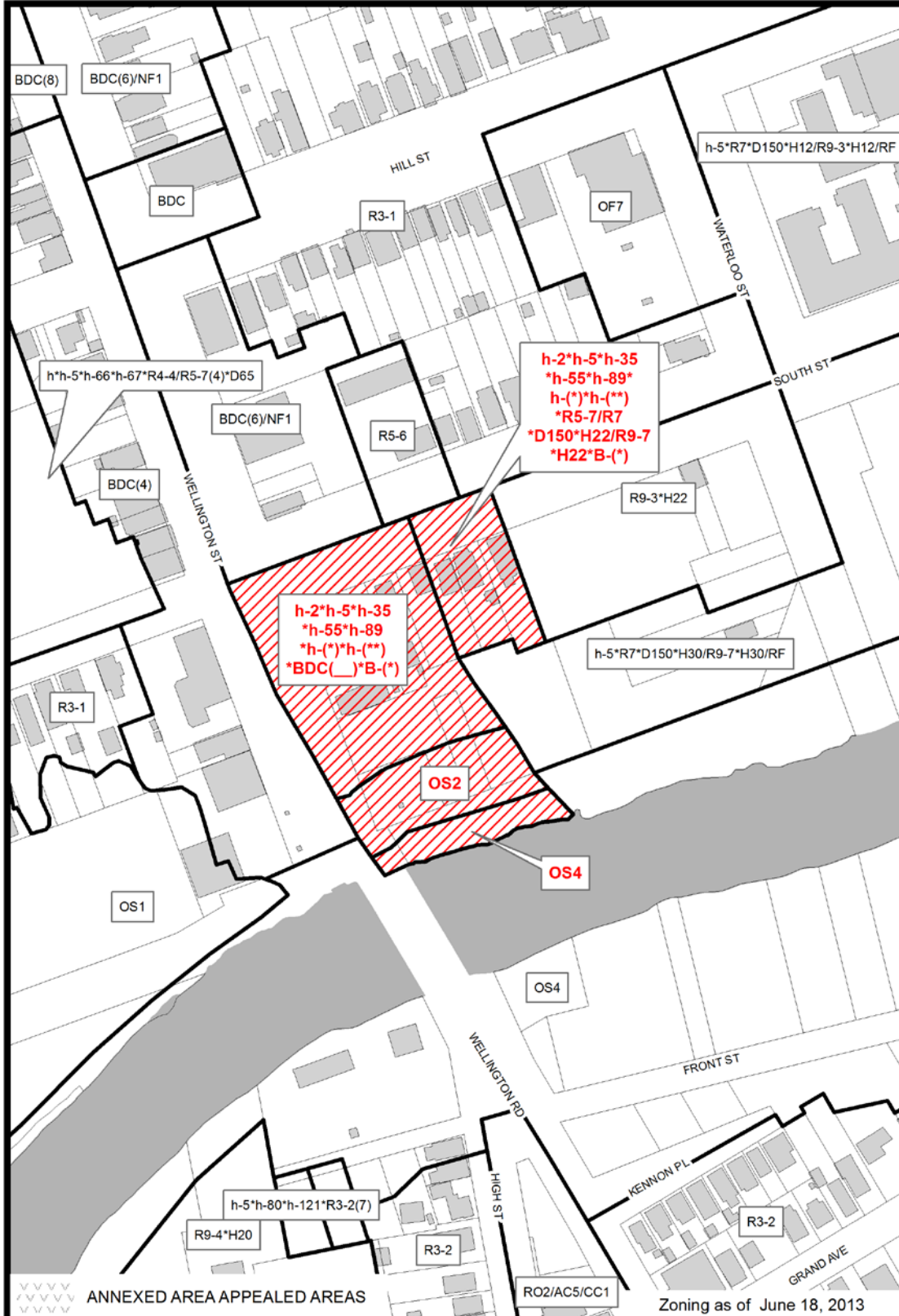
Joe Fontana
Mayor

Catharine Saunders
City Clerk


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

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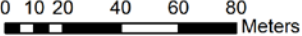
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: OZ-8114
 Planner: CS
 Date Prepared: 2013/06/19
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters 



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File: OZ-8114
Planner: C. Smith

Appendix "D"

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 303 - 323 South Street and 69 - 77 Waterloo Street.

WHEREAS the Fincore Group Inc. has applied to rezone an area of land located at 303 - 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:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 303 - 323 South Street and 69 - 77 Waterloo Street, as shown on the attached map comprising part of Key Map No. A.107, from 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 an Open Space (OS2) 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.

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 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 1000m² 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 accordance with section 37 of the *Planning Act*, R.S.O. 1990, c.P.13, in a form that shall be consistent with the text and illustrations contained in Appendix "E" attached to the Staff Report dated June 20, 2013 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 "E" attached to the

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File: OZ-8114
 Planner: C. Smith

Staff Report dated June 20, 2013”, 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 therefore 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)
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 275 units per hectare and a building height not greater than 67metres.

3. 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.

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File: OZ-8114
Planner: C. Smith

4. 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.

5. 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 June 25, 2013.

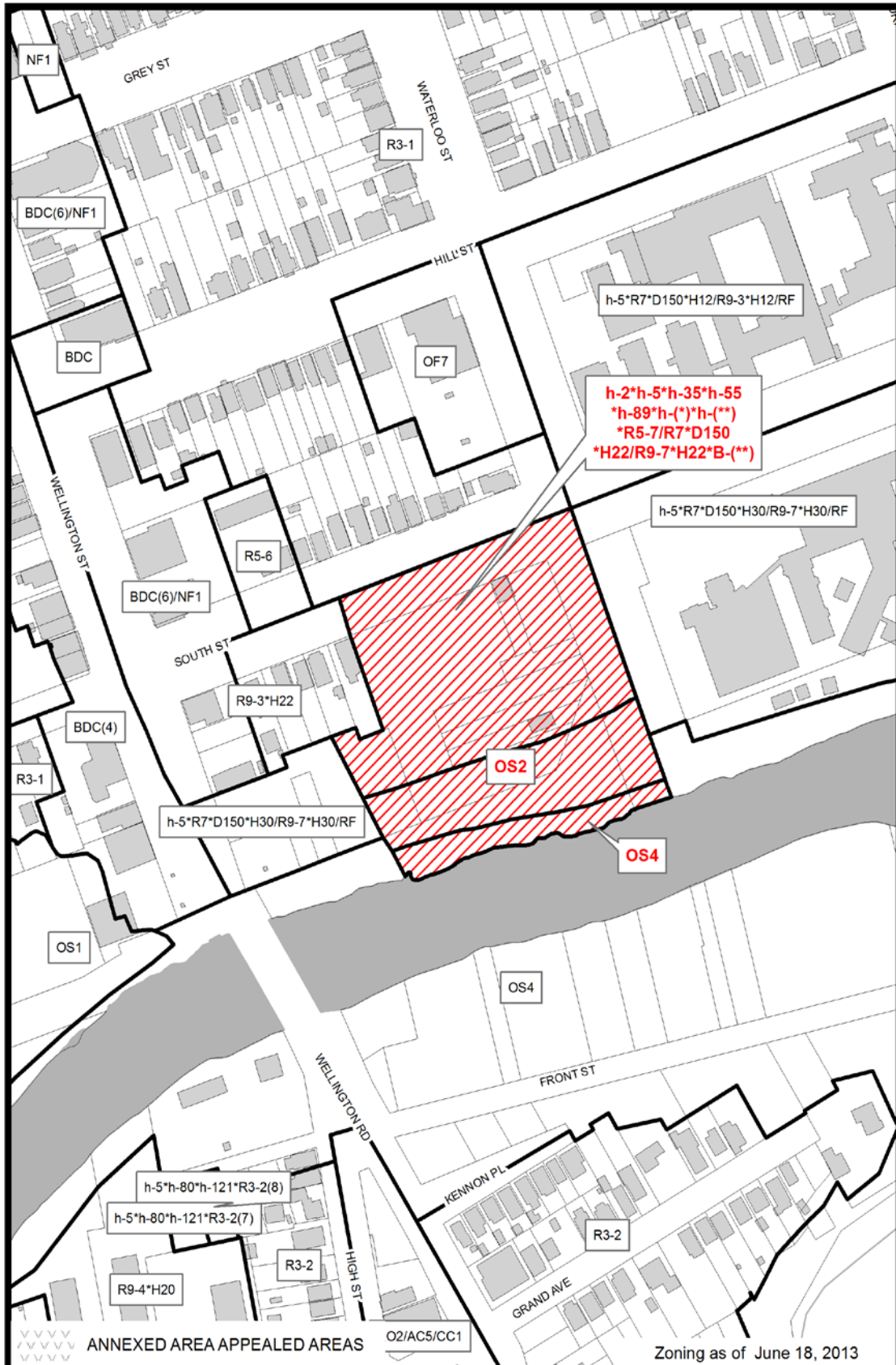
Joe Fontana
Mayor

Catharine Saunders
City Clerk

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

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



<p>File Number: OZ-8114 CS Date Prepared: 2013/06/19 Technician: ZZ By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,441</p> <p>0 10 20 40 60 80 Meters</p> <div style="text-align: right;"> </div>
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