

16TH REPORT OF THE
PLANNING AND ENVIRONMENT COMMITTEE

Special meeting held on June 24, 2013, commencing at 3:00 PM, in Committee Room #3, Second Floor, London City Hall.

PRESENT: Councillor B. Polhill (Chair), Councillors N. Branscombe, D.G. Henderson and P. Hubert and H. Lysynski (Secretary).

ABSENT: Councillor S. White.

ALSO PRESENT: Mayor J.F. Fontana, Councillors J.P. Bryant and H.L. Usher, J.P. Barber, G. Barrett, J. Braam, J.M. Fleming, T. Grawey, G. Kotsifas, B. Krichker, J. Lucas, C. Saunders, C. Smith, E. Soldo, M. Tomaznicic and J. Yanchula.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

III. SCHEDULED ITEMS

IV. ITEMS FOR DIRECTION

2. Properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street (OZ-8114)

Recommendation: That, on the direction of the Municipal Council, the following actions be taken with respect to the application of the Fincore Group, relating to the properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street:

- a) the attached, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 25, 2013, to amend Section 3.5 (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, as appended to the staff report dated June 24, 2013, BE INTRODUCED at the Municipal Council meeting to be held on June 25, 2013, to amend Section 3.5 (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, as appended to the staff report dated June 24, 2013, BE INTRODUCED at the Municipal Council meeting to be held 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 22m 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, appended to the staff report dated June 24, 2013, as Appendix "E", 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 appended to the staff report dated June 24, 2013, as 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; and,
- 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 per hectare with a bonus zone to facilitate a development design that is consistent with the text and illustrations as appended to the staff report dated June 24, 2013, as Appendix "E", 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 appended to the staff report dated June 24, 2013, as 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; and,
- 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;

e) the proposed by-law, as appended to the staff report dated June 24, 2013, BE INTRODUCED at the Municipal Council meeting to be held 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 22m 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 30m 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 per hectare with a bonus zone to facilitate a development design that is consistent with the text and illustration appended to the staff report dated June 24, 2013, as Appendix "E", 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 1,000m² 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 appended to the staff report dated June 24, 2013, as 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; and,
 - 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;
- 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 22m 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 30m 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 80m and maximum density of 265 units per hectare, 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; and,
 - 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 appended to the staff report dated June 24, 2013, as 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 there was 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; it being noted that 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;
- 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. (2013-D14A)

3. Properties located at 3313-3405 Wonderland Road South and 1789 Wharnccliffe Road South (OZ-7072/OZ-7073)

Recommendation: That, the following actions be taken with respect to the application of 1279059 Ontario Inc. (York Developments), CLF1 (Wonderland Road) and 1699259 Ontario Inc., relating to the properties located at 3313-3405 Wonderland Road South and 1789 Wharnccliffe Road South:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 25, 2013, to amend the Official Plan to change the land use designation of the lands known as 3313-3405 Wonderland Road South and 1789 Wharnccliffe Road South FROM an "Urban Reserve – Community Growth" designation TO a "New Format Regional Commercial Node" designation to permit a range of retail, convenience, personal and financial service, restaurant, commercial recreation, office, community facility and limited automotive uses; and,
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 25, 2013, (in conformity with the Official Plan, as amended in part a) above), to change the zoning of the lands known as 3313-3405 Wonderland Road South and 1789 Wharnccliffe Road South FROM an Urban Reserve (UR4) Zone, which permits existing dwellings, agricultural uses, conservation lands, managed woodlots, wayside pits, passive recreation uses, kennels, private outdoor recreation clubs, and riding stables TO an Associated Shopping Area Commercial Special Provision (h-5*h-_*h-_*ASA3/ASA5/ASA6/ASA8(_)) Zone, which permits a broad range of large and small scale retail outlets, including supermarkets and food stores, department stores, retail warehouses, building supply, service commercial uses, offices, automotive related uses and other uses such as restaurants, studios, day care centres, commercial recreation establishments and home improvement stores, subject to the following holding provisions:
- in order to ensure the orderly development of the lands, no development shall occur until a development agreement has been entered into between the applicant and The Corporation of the City of London to ensure that the development is consistent with and conforms to the vision and guidelines of the South West Area Plan; and,
 - to ensure the adequate provision of a temporary sanitary service for the land and to ensure that development will not have a negative impact on existing municipal infrastructure or the City of London's sanitary servicing strategy for the area, no development shall occur until the Owner has entered into an agreement with the City of London which specifies the conditions associated with the provision of temporary sanitary servicing for the land; and,
- c) a public site plan meeting BE HELD at a future meeting of the Planning and Environment Committee. (2013-D14A)

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. ADJOURNMENT

The meeting adjourned at 3:58 PM