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File: Z-8372  
Planner: Mike Davis

<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: CORPORATION OF THE COUNTY OF MIDDLESEX 50 KING STREET PUBLIC PARTICIPATION MEETING ON DECEMBER 14, 2015</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the Corporation of the County of Middlesex relating to the property located at 50 King Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 21, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning on a portion of the subject property **FROM** a Community Facility/Downtown Area (CF1/DA2•D350•H15) Zone **TO** a Holding Downtown Area Special Provision Bonus (h-3•h-5•h-18•h-149•h-(\_))•DA1•D350•H15•B(\_)) Zone. The bonus zone is intended to facilitate a development design which includes a mixed-use apartment building with a maximum height of 95 metres (28-storeys) and a maximum density of 750 units per hectare, which shall be implemented through a development agreement in return for the facilities, services and matters prescribed in the site-specific "Bonusing Criteria" attached hereto as Schedule "1" to the amending by-law.

<b>EXECUTIVE SUMMARY</b>
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The following report provides a recommendation to Municipal Council regarding a Zoning By-law amendment application submitted by the Corporation of the County of Middlesex. The requested amendment would facilitate the development of a mixed-use apartment building at 50 King Street; a property adjacent to the east bank of the "Forks of the Thames River" on the north side of King Street in the City's Downtown.

The report provides a detailed overview of the characteristics of the site and the proposed development, a summary of the Zoning By-law amendment application process, a summary of comments relating to a number of planning and technical issues, a detailed planning evaluation of the Zoning By-law amendment application and, a recommendation from Staff regarding the appropriate zoning framework for this site. It is important to note that a previous report was submitted by Planning Staff on this file in October of 2014 recommending approval of a Zoning By-law amendment that would have provided for a similar development framework. This report has generally been prepared to be read as a stand-alone report but some reference has been made to the previous report as it relates to public feedback through the 2014 re-zoning process.

Based on the detailed planning evaluation conducted by Staff, and comments received throughout the public and agency circulation process, Staff have tabled a recommendation which would result in the subject site being rezoned to allow for a maximum height of 28-storeys (95m) and a maximum density of 750 units per hectare. In return for these height and density increases, the County of Middlesex would be required to enter into an agreement with the City of London to provide a series of facilities, services and matters outlined in the "Bonusing Criteria" document which has been attached to the amending Zoning By-law. The "Bonusing Criteria" document includes an extensive range of urban design and on and off-site improvements criteria that must be achieved by the development. These matters serve a public benefit which may be difficult to secure through the standard development process should the owner develop the lands in accordance with the existing zoning. Compliance with the bonusing criteria (a prerequisite to the

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height and density increases) will result in a well-designed, integrated and iconic development at this important location providing an important contribution to the City’s skyline and an appropriate urban backdrop to one of the City’s most important public spaces. It will serve to increase views from the public realm and pedestrian connectivity to the river and important heritage resources, and enhance opportunities for public enjoyment of these lands.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

**October 7, 2014 Report to the Planning and Environment Committee – 50 King Street (Z-8372)** – This report from the Managing Director, Planning and City Planner recommended approval of a Zoning By-law amendment for the subject lands that would have allowed for the development of a mixed-use apartment building with a maximum height of 95 metres and maximum density of 750 units per hectare in return for entering into a development agreement with the City of London that implements a series of “Bonusing Criteria” included in the amending by-law and developed through the application review process.

<http://sire.london.ca/cache/2/jxqrtl552yadck45zzinvd45/15842511102015111609491.PDF>

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of the recommended Zoning By-law amendment is to allow for the development of a 28-storey (95m) mixed-use apartment building that may contain a variety of commercial, retail, restaurant, entertainment, office and residential uses. The ground floor of the proposed building would be comprised of commercial, restaurant and retail uses providing an estimated 2,160m<sup>2</sup> of gross floor area with communal pedestrian areas providing connections through the site. An estimated 10,000m<sup>2</sup> of office space is intended to be provided within the proposed building, above the ground floor commercial space. The remaining floors would provide approximately 152 residential units.

The proposed development will be facilitated through a site-specific bonus zone which will allow for an increased density of 750 units per hectare and a maximum height of 95 metres in return for entering into an agreement with the City of London which implements a variety of features and amenities outlined in a “Bonusing Criteria” guideline which has been attached to the amending zoning by-law.

**RATIONALE**

- i) The recommended amendment is consistent with the policies of the *Provincial Policy Statement (PPS), 2014*, which promote intensification, redevelopment and compact form in strategic locations in order to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- ii) The recommended amendment is consistent with the policies of the *Provincial Policy Statement, 2014* which require planning authorities to facilitate pedestrian and non-motorized movement by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes;
- iii) The recommended amendment is supported by the objectives of the Downtown Area designation of the City of London Official Plan which encourages growth in the residential population of the downtown through high density residential development and design features which serve to enhance the pedestrian environment;

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- iv) The recommended amendment will allow for the proposed development including the required increases to height and density, through a bonus zone which requires that the ultimate form of development be consistent with the “Bonusing Criteria” document. Should the applicant not satisfy all of the provisions of the bonus zone, the increased height and density will not be permitted;
- v) The recommended “Bonusing Criteria” will require a “point tower” form which includes an architecturally defined base, middle and top with the base serving to frame the pedestrian realm at a human-scale, provide for significant step-backs and variation in the massing of the proposed structure which reduce the visual impact of the tower and provide for effective integration with the surrounding built context of the downtown, and provides for an iconic tower which enhances the City skyline and provides an attractive urban backdrop to public space at the forks of the Thames River;
- vi) The requirement to enter into an agreement with the City which ensures the development implements the “Bonusing Criteria” will result in a benefit to the general public through enhanced design and communal facilities which would be difficult to secure through the normal development process, or by way of the as-of-right zoning permissions on the subject lands in accordance with Section 19.4.4 of the Official Plan;
- vii) The recommended holding provisions will address requirements of the Official Plan related to the submission of a wind study, a public site plan meeting, an archaeological assessment, servicing studies and a heritage impact assessment; and,
- viii) The recommended amendment maintains the spirit and intent of the various Council approved Guideline Documents including *Our Move Forward: London’s Downtown Plan* and the *Downtown Heritage Conservation District Guidelines* which provide direction for development in the Downtown.

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<b>BACKGROUND</b>
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<p><b>Date Application Accepted:</b> June 12, 2014  <b>Date Deferred by Council:</b> October 14, 2014  <b>Date Re-initiated by Applicant:</b> October 9, 2015</p>	<p><b>Agent:</b> N/A</p>
<p><b>REQUESTED ACTION:</b> Change Zoning By-law Z.-1 from a Community Facility (CF1) Zone and a Downtown Area (DA2•D350•H15) Zone <b>TO</b> a Holding Downtown Area Special Provision Bonus (h-3•h-5•h-18•h(*)•h(**)•DA1•D350•H15•B(_)) Zone which would permit a the development of a mixed-use apartment building with a range of commercial, service, office, and residential uses, with a bonus zone which would allow for a maximum density of 750 units per hectare and a maximum height of 95 metres in return for entering into an agreement with the City of London which implements the “Bonusing Criteria” proposed for the site which requires enhanced building and site design, and public realm improvements.</p>	

<p><b>SITE CHARACTERISTICS:</b></p>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Middlesex-London Health Unit Office</li> <li>• <b>Frontage</b> – 56.5 metres (Ridout Street)</li> <li>• <b>Depth</b> – 91.3 metres (King Street)</li> <li>• <b>Area</b> – 0.516 hectares</li> <li>• <b>Shape</b> – Rectangular</li> </ul>

<p><b>SURROUNDING LAND USES:</b></p>
<ul style="list-style-type: none"> <li>• <b>North</b> – Community Facility</li> <li>• <b>South</b> – Residential and Commercial</li> <li>• <b>East</b> – Budweiser Gardens</li> <li>• <b>West</b> – Ivey Park and Thames River</li> </ul>

<p><b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)</p>
<ul style="list-style-type: none"> <li>• Downtown Area</li> </ul>
<p><b>EXISTING ZONING:</b> (refer to Zoning Map)</p>
<ul style="list-style-type: none"> <li>• Community Facility/Downtown Area (CF1/DA2•D350•H15) Zone</li> </ul>

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### LOCATION MAP

Subject Site : 50 King St  
Applicant: Middlesex County  
File Number : Z-8372

Planner : BT  
Created By : MB  
Date : 2014/09/08  
Scale : 1:2000

### Legend

 Subject Site

Prepared by : Graphics & Information Services , Planning Division  
Corporation of the City of London  
File-p:\planning\projects\p\_bcat\0\maps\MXD5







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<b>PLANNING HISTORY</b>
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The subject site is located at 50 King Street on the northwest corner of Ridout Street and King Street. The site is part of a larger parcel owned by the County of Middlesex, known historically as the “Courthouse Block”. The Courthouse Block is comprised of the existing historic Courthouse and Gaol, a provincially and municipally designated heritage building. The block also contains a 3-storey office building which is currently home to the Middlesex-London Health Unit administration offices as well as associated surface parking. The subject application applies to the portion of the site which currently accommodates the 3-storey office building.

**Original Application:** The City of London originally accepted a complete Zoning By-law amendment application for the subject site in June of 2014. This application requested an amendment to allow for a maximum density of 900 units per hectare and a maximum building height of 110 metres.

**Design Performance Measures:** Given the unique procurement requirements requiring the undertaking of a request for proposals prior to initiating a development such as the one permitted through the recommended bonus zone, a defined development concept which could be tied to the bonusing provisions of the proposed by-law amendment, has not been submitted as part of this application. As such, City Staff, in consultation with the applicant and considering relevant policy guidance and public feedback, prepared a series of site-specific design performance measures that would ensure a high-quality development that resulted in measurable public benefits. This design performance measures document was then proposed to form the basis for the requested height and density increases.

**Council Decision:** On October 14, 2014, Council considered a report from Planning Staff that recommended approval of a Zoning By-law amendment which would provide for a maximum density of 750 units per hectare and a maximum height of 95 metres, in return for the execution of an agreement which would ensure all matters outlined in the design performance measures document were implemented. At the October 14, 2014 meeting, Municipal Council resolved that, *“the application by the Corporation of the County of Middlesex relating to the property located at 50 King Street BE REFERRED back to Civic Administration for further review and work and discussion with the area residents and the applicant, and to incorporate additional details into the application, with a report back at a future meeting of the Planning and Environment Committee”.*

**Subsequent Steps:** In response to City Council’s October 14, 2014 resolution noted above, the County of Middlesex has prepared and submitted conceptual illustrations of the proposed development for 50 King Street. The illustrations are intended to assist in the interpretation of the “Bonusing Criteria” (formerly referred to as “design performance measures”) by demonstrating the type and scale of development that the “Bonusing Criteria” aim to secure. These “additional details” stem from Council’s October 14, 2014 request.

Further, on November 4<sup>th</sup>, 2015, the County conducted a community information meeting to solicit further feedback on the proposal and address the desire of Municipal Council for further work and discussion with area residents. Approximately 30 members of the public were in attendance at this meeting.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**Environmental and Parks Planning:**

*The site is not within the trigger distance for an environmental impact study.*

**Upper Thames River Conservation Authority:**

*The UTRCA has no objections to this application.*

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**Wastewater and Drainage Engineering:**

*The outlet for 50 King Street is the 900mm trunk sanitary sewer on King Street which flows to the overloaded Becher Street trunk.*

*WADE is seeking a “Holding Provision” requiring a sanitary report later in the process. The County is advised that the information related to **existing** sources of sanitary and storm flows would need to be collected prior to any significant changes to the site such as demolition of existing buildings.*

**Transportation Planning and Design:**

*A Transportation Impact Assessment will be required through the site plan review process to determine the impact of this development will have on abutting roads and the infrastructure required to accommodate the development, particularly along the King Street frontage. We do not anticipate any access to either Ridout Street or Dundas Street.*

**Geomatics:**

*According to Zoning By-law Z.-1, Ridout Street North lying adjacent to this property requires 13 metres from centerline of the road allowance. Presently street line is 10.058 metres from the centerline so a 2.942 mere road widening would be required.*

*According to Zoning By-law Z.-1, King Street lying adjacent to this property requires 10 metres from the centerline of the road allowance. Presently street line is 10.058 metres from the centre-line therefore no road widening would be required.*

*A 6m x 6m daylight triangle would be required on the widened limit save and except any structures.*

**London Advisory Committee on Heritage (LACH):**

*The London Advisory Committee on Heritage (LACH) reviewed the Notice of Revised Application dated October 28, 2015, from M. Davis, Planner II, with respect to an application from the Corporation of the County of Middlesex relating to the property located at 50 King Street, and reiterated the previous comment from the LACH from its meeting held on July 9, 2014, which read:*

*“The London Advisory Committee on Heritage (LACH) reviewed and received a Notice dated June 18, 2014, from B. Turcotte, Senior Planner, with respect to an application submitted by The Corporation of the County of Middlesex relating to the property located at 50 King Street. The LACH expressed concern about the impact of the proposed amendment on Heritage buildings within and surrounding the site, recognizing that the site falls within the Downtown Heritage Conservation District and near the Forks of the Thames; it being noted that the LACH looks forward to receiving the Heritage Impact Assessment for this area”.*

**Ontario Heritage Trust:**

*The Trust feels that any views to and from the Middlesex County Courthouse should be preserved and/or enhanced. The Courthouse occupies a prominent position within the community and is an important landmark within the downtown. The adjacent development should not diminish its land mark value and should look at ways of enhancing it along with the views to and from the site. The trust also agrees that a view-shed analysis should be undertaken and the results of this analysis should inform the adjacent development.*

*Any landscape features that contribute to the heritage value of the site should be identified and conserved. The Heritage Impact Assessment (HIA) states that historic landscape features should be highlighted through interpretation and in the treatment of any new work. Please note that any alterations to the easement property (e.g. excavation, hard landscaping, plantings, signage, etc.) must be approved by the Trust prior to their undertaking.*

*Due to the proposed height of the adjacent development there will be shadows cast onto the Middlesex County Courthouse property. Efforts should be made to minimize this and this includes the courtyard space between the Courthouse and proposed development. It is also expected that any new design will complement the existing character of the Heritage Conservation District*

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(HCD) and, in particular, be sympathetic to the Middlesex County Courthouse by respecting the heritage character and attributes of the site.

**Urban Design Peer Review Panel:**

1. *The Panel is supportive in general of the development of 50 King Street and commends the applicant for the quality explanation and illustration of the project.*
2. *Of particular importance in this regard is the illustration of the 50 King Street, Middlesex County site and the adjacent City land between the County site and Ivey Park as an integrated site plan and design. That is merited and essential to this project and as such represents a fundamental project principle that should be upheld. Commitment by the County and City to this principle is recommended and could constitute a bonus provision.*
3. *A mixed-use development is merited given the existing site use, core location and surrounding land use.*
4. *Parking incorporated in the building above grade should be behind a face building to ensure active uses at the street in keeping with the City's Downtown design guidelines. We agree with that but also recommend further exploration of underground parking.*
5. *The extent of site redevelopment lends itself to the construction of below grade parking, especially in conjunction with the redevelopment of the City property. Attempting to accommodate parking above grade has resulted in limiting and massive structure that detracts from the overall architecture. We note that the first floor appears squashed or pinched by the parking garage structure above. While there may be an architectural design solution to that through greater first floor height, better proportion of elements or a face building, for example, the basic goal of accommodating parking so that a street can be animated more fully and genuinely is not met.*
6. *The combination of a tower and mid-rise block and their proposed locations is a good response to the site with respect to shadowing, views and micro-climate. This upholds the principle of respecting the importance of the existing heritage buildings by not diminishing the quality of their site; however, as illustrated, the height of the parking and office block, especially the upslope to the north, results in a negative impact on the heritage site and relationship to the street.*
7. *The latter principle is further supported and enhanced by the use of an east-west, pedestrian route and axial view from Ridout Street to Ivey Park also functioning as a visual extension of an east-west pedestrian route in front of Budweiser Gardens from Talbot Street to Ridout Street. Another significant visual axis from King Street to the heritage County building is conceptually proposed. We support the maintenance of such axial design determinants in further building and landscape architectural iterations.*
8. *The tower form as conceived conceptually suggests a quality of building more akin to One London Place than the nearby residential towers. A landmark building is preferable and recommended in this location. In relation to that, a four-sided tower design is critical in keeping with the principle of design diversity in response to the different exposures and views of the building. A design that better links its base and shaft may improve the project. Unified design will result from the architectural form and use of building materials as yet unresolved.*
9. *Building functions (residential and commercial) need not be expressed so obviously as currently illustrated through a change in architectural form and materials. The quality of the building's base is most critical as it pertains to the way a building is intended to address a street relative to building and street use, the scale of the street, the scale and experience of the pedestrian realm, its quality and use, and the urban context. As illustrated, the base of the proposed building is defined by the quality, type and use of building materials, pedestrian scale relative to the street and the provision of shelter as with an arcade and building overhang. The modification of the overhang with an upturn at a corner to open the base of the building to the adjacent heritage site is an appropriate design gesture that contributes to base definition, for example. With respect to the tower form itself, further articulation of balconies could be used to exaggerate tower height to good effect. A slimmer tower form is preferable.*
10. *While attention has been paid to the relationship of the building to the street, the treatment of*

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*the public realm on Ridout and King Streets is lacking. Further direction from the city with respect to paving, site furniture, lighting and street planting is necessary. It is recommended that this be resolved in conjunction with the general improvement of traffic function at the King and Ridout intersection for the benefit of pedestrians, and the integration of the City's land adjacent to Ivey Park with the County site especially as pertains to underground parking.*

11. We are supportive in principle of a zoning by-law amendment to allow for the redevelopment of the 50 King Street site.

11.1 We commend the applicant for the quality of the conceptual site plan and design. It facilitates constructive review of the project; however, and most importantly, while the conceptual design is illustrative of a design quality to be upheld, it is not at a level of architectural resolution that allows for specific bonus provisions relating to building and landscape form, layout and materials.

11.2 One bonus provision that could be fixed at this stage is the necessity to complete an integrated sites design to ensure the coordination of the 50 King Street development with that of the adjacent City site.

*This UDPRP review is based on City planning and urban design policy, the submitted brief and noted presentation. It is intended to inform the ongoing planning and design process in support of a landmark development of 50 King Street and the adjacent City land.*

<b>PUBLIC LIAISON:</b>	<p>On June 18, 2014, Notice of Application was sent to 238 property owners in the surrounding area and published in <i>The Londoner</i>. Following the submission of an Urban Design Brief by the County of Middlesex a subsequent Notice of Application was circulated in the manner described above on October 28, 2015. A "Possible Land Use Change" sign was also posted on the site.</p>	<p>Thirty-one <b>(31)</b> replies were received to the original Notice of Application.</p> <p>Eight <b>(8)</b> replies were received to the 2015 Revised Notice of Application.</p>
<p><b>Nature of Liaison:</b> The purpose and effect of the requested Zoning By-law amendment is to permit the development of a 28-storey mixed-use apartment building which would contain approximately 152 residential units, 2,160m<sup>2</sup> of commercial/retail space and 10,125m<sup>2</sup> of office space.</p> <p><i>This proposed Zoning By-law amendment was previously initiated by the County of Middlesex in June of 2014 and considered by Municipal Council in October of 2014. On October 14, 2014, Council resolved that the application by the Corporation of the County of Middlesex relating to the property located at 50 King Street be referred back to Civic Administration for further review and work and discussion with the area residents and the applicant, and to incorporate additional details into the application, with a report back at a future meeting of the Planning and Environment Committee. The revised Zoning By-law amendment, as described in this notice, will result in a similar form of development as proposed through the original application but will include additional details within the proposed design performance measures stemming from the preparation of a detailed conceptual site plan for the site.</i></p> <p>Change Zoning By-law Z.-1 from a Community Facility (CF1) Zone and a Downtown Area (DA2•D350•H15) Zone <b>TO</b> a Holding Downtown Area Special Provision Bonus (h-3•h-5•h-18•h-149•h( )•DA1•D350•H15•B( )) Zone which would permit a the development of a mixed-use apartment building with a range of commercial, service, office, and residential uses, with a bonus zone which would allow for a maximum density of 750 units per hectare and a maximum height of 95 metres in return for entering into an agreement with the City of London which implements the "Bonusing Criteria" proposed for the site which requires enhanced building and site design, and public realm improvements. The proposed holding provisions will ensure that an archaeological assessment, heritage impact assessment and servicing study</p>		

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are completed. The holding provisions will also require a public site plan meeting.	
<b>Summary of Public Responses to October 2015 Liaison:</b>	
Support	Concern
<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Concern this project will undermine the “Back to the River” initiative.</li> <li>Detrimental impact on adjacent heritage building (Middlesex County Courthouse)</li> <li>This site should be preserved for public use.</li> <li>Development will block views to the river.</li> <li>Traffic congestion resulting from the additional development.</li> <li>Height of the building.</li> <li>Other sites in the downtown more suited for high-rises.</li> </ul>

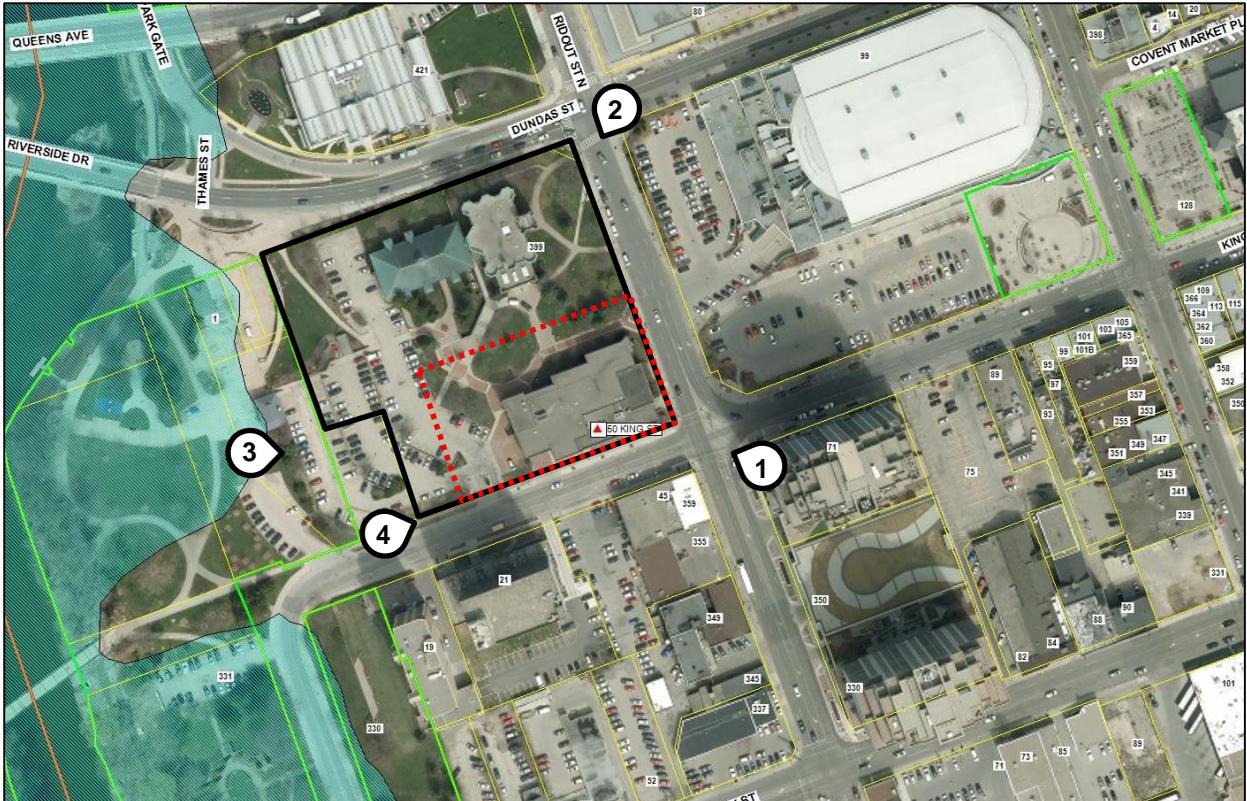
<b>ANALYSIS</b>
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**Subject Site:**

The subject site forms part of the property municipally known as 50 King Street. The site is located at the northwest corner of the intersection of King Street and Ridout Street within the City’s Downtown. As noted previously in this report, the site is located directly east of Ivey Park at the “Forks of the Thames River”, and west of other important cultural facilities including the Budweiser Gardens and the Covent Garden Market. The “Forks of the Thames” is identified in London’s Downtown Plan as “the founding place of London and one of the City’s preeminent public spaces” and the subject site serves as a backdrop to this important public space. It is also important to note that lands to the north contain the historic Middlesex County Courthouse. This structure is a significant heritage resource and is designated under Part IV of the Ontario Heritage Act.

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Figure 1: Site Location – Aerial View.



**Note:** Location of numbered icons corresponds to vantage point of street-level views below.

The subject site is rectangular in shape and includes approximately 56 metres of frontage along Ridout Street, spans a depth of 91 metres along King Street resulting in a total site area of approximately 0.52 hectares (1.3 acres). The subject site contains an existing three-storey office building and associated surface parking. Vehicular access is provided to the site from King Street and with parking being shared between the County administration offices (Historic Courthouse) and the Middlesex-London Health Unit administration offices. The proposed development site is relatively flat. The lands slope downward toward the Thames River beyond the western boundary of the proposed development site.

**Street View:** Looking northwest toward site at Ridout Street and King Street.



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**Street View:** Looking southwest toward site at Ridout Street and Dundas Street.



**Street View:** Looking east toward the site from Ivey Park.



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Street View: Looking east toward site along King Street



**Nature of Application:**

The proposed amendment is intended to facilitate the development of a 28-storey mixed-use apartment building that may, in accordance with the concept plan submitted by Middlesex County, contain a variety of commercial, retail, restaurant, entertainment, office and residential uses. The ground floor of the proposed building would be comprised of commercial, restaurant and retail uses providing an estimated 2,160m<sup>2</sup> of gross floor area with open space and pedestrian plazas providing connections through the site. An estimated 10,000m<sup>2</sup> of office space is intended to be provided within the proposed building, above the ground floor in a mid-rise building form. The remaining floors would accommodate approximately 152 residential units. It is important to highlight that the building design submitted by the applicant will not necessarily be constructed in the exact form depicted in the Urban Design Brief. Rather, the applicant has submitted a development concept that will be used to inform their request for proposals process. This concept has been used to inform and develop the “Bonusing Criteria” that must be met by any future development of the site in order to achieve the greater height and density allowed by the bonus zone. This report should be reviewed with this context.

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Figure 2: Conceptual illustration of building components

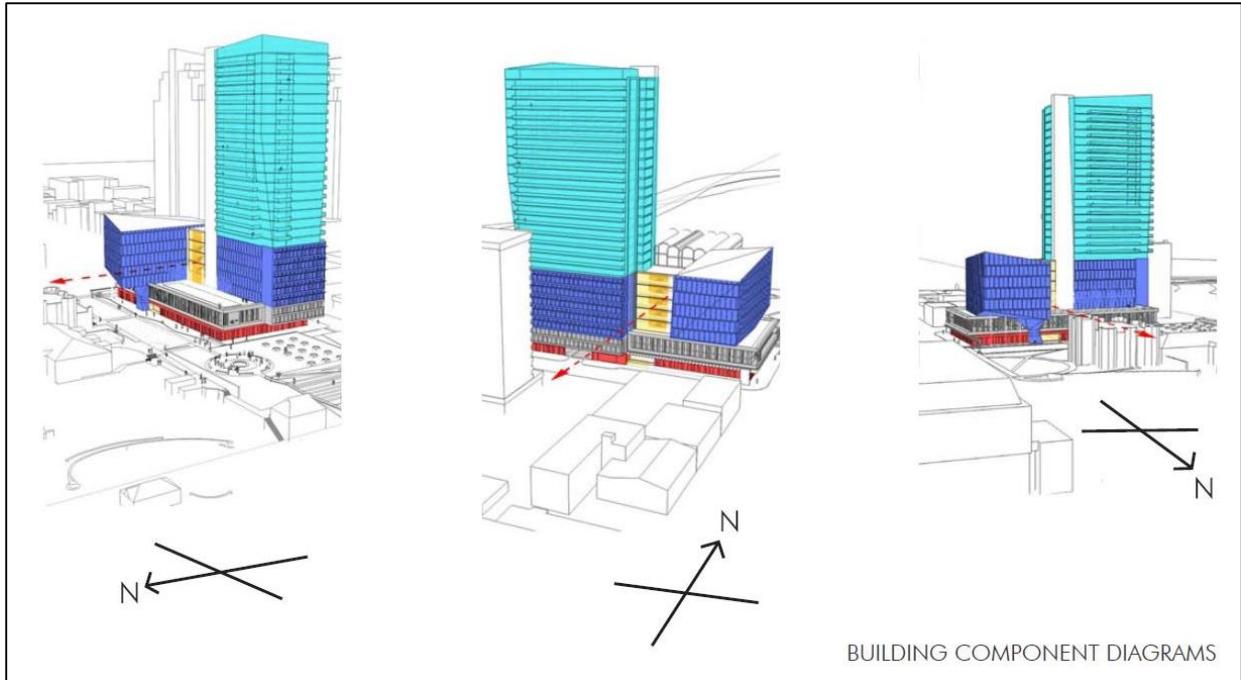
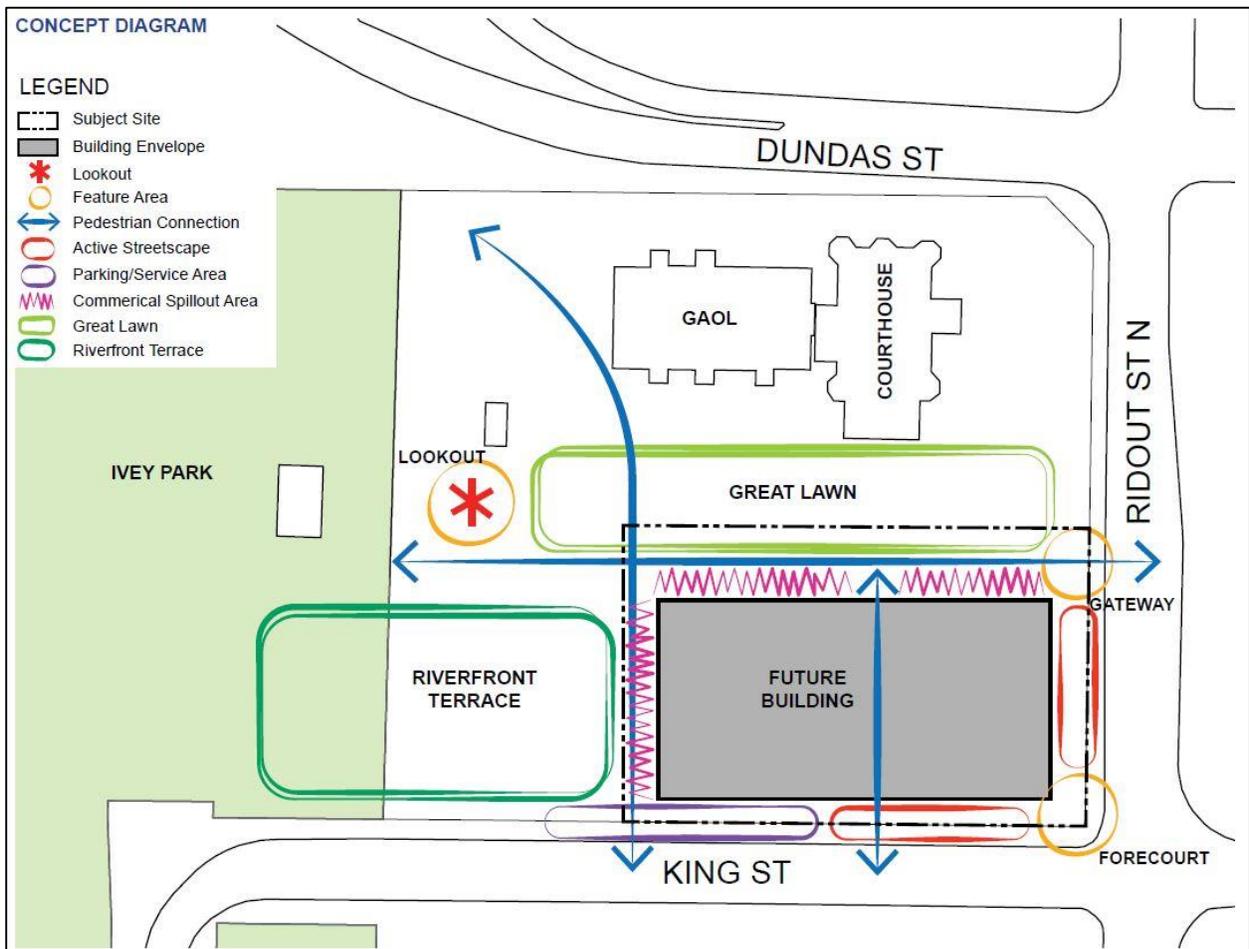


Figure 3: Site Plan



The proposed amendment would replace the existing Community Facility/Downtown Area (CF1/DA2•D350•H15) Zone which permits a wide range of commercial, community facility, office and high density residential uses up to a maximum density of 350 units per hectare and maximum height of 15 metres, with a Holding Downtown Area Special Provision Bonus (h-3•h-5•h-18•h-149•h( )•DA1•D350•H15•B( )) that permits a similarly wide range of commercial, office and

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high density residential uses up to a maximum density of 750 units per hectare, has a height limit of 95 metres (28-storeys) and includes reduced front and exterior side yard setbacks for the residential component of the building.

The recommended holding provisions are intended to ensure that a range of technical and engineering studies are completed and that a public site plan review is conducted. The nature of the proposed zoning regulation changes is summarized by the chart below. All other regulations not noted in the chart below will remain the same.

**Table 1: Proposed Zoning Changes**

<b>Existing vs. Requested Zone</b>			
<b>Zone provisions</b>	<b>Existing DA2</b>	<b>Standard DA1</b>	<b>Proposed Bonus Zone</b>
Permitted Uses	Wide range of residential, commercial and institutional uses	Wide range of residential, commercial and institutional uses	-
Lot Frontage (m) MINIMUM	3.0	3.0	-
All Yard Depths (m) MINIMUM	0.0	0.0; The required setback for the residential portion of buildings shall be 1.2 metres (3.9 feet) per 3.metres (9.8 feet) of main building height or a fraction thereof above 15 metres (49.2 feet).	0.0 for all components of building
All Yard Depths Abutting a Residential Zone (m) MINIMUM	0.5 metres for each 4.0 metres of building height or fraction thereof, but in no case less than 6.0 metres	<b>0.0</b>	-
Landscaped Open Space (%) MINIMUM	5	<b>0</b>	-
Lot Coverage (%) MAXIMUM	95	<b>100</b>	-
Height (m) MAXIMUM	15	90	<b>95</b>
Density – Units Per Hectare MAXIMUM	350	350	<b>750</b>
Floor area Ratio for non-residential uses	6:1	6:1	-
Gross Floor Area Retail (m) MAXIMUM	The lesser of 20% or 5,000	<b>N/A</b>	-
Location of Residential Uses	N/A	<b>Restricted to the 2<sup>nd</sup> floor or higher</b>	-
Location of Retail Uses	Restricted to the 1 <sup>st</sup> and 2 <sup>nd</sup> floors	<b>N/A</b>	-

**Bonusing Criteria:**

Section 37 of the Planning Act provides that municipalities may authorize increases in the permitted height and density of a development in return for the provision of specified facilities, services and matters. The County of Middlesex application proposes to attach a series of “Bonusing Criteria” to the amending zoning by-law which will be implemented through a development agreement through the site plan process. Generally, the proposed “Bonusing Criteria” document contains a series of urban design guidelines as well as requirements for public

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**File: Z-8372**  
**Planner: Mike Davis**

connections through the site, the provision of public art and other public realm improvements including the removal of tiered surface parking west of the proposed development. The “Bonusing Criteria” document can be found in full on pages 43-48 of this report for further reference. The height and density bonuses noted in the amending by-law will only apply if the owner of the lands complies with the “Bonusing Criteria” document. Otherwise, the zoning will revert to the existing regulations.

**Use:**

As noted throughout this report, Middlesex County’s Zoning By-law amendment application is intended to facilitate the development of a 28-storey, mixed-use apartment building with commercial and retail uses on the ground floor and a mix of office uses and residential apartments above the ground floor. In this regard, Section 1.1.3.2 of the Provincial Policy Statement, 2014 provides that land uses patterns in settlement areas shall be based on densities and a mix of uses which *“efficiently uses land and resources; are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available; minimizes negative impacts to air quality and climate change; supports active transportation; and are transit-supportive”*.

The City’s Official Plan designates the subject lands as “Downtown Area”. The Downtown Area designation policies reflect and implement this provincial policy directive by providing for a broad range of retail; service; office; institutional; entertainment; cultural; high density residential; transportation; recreational; and open space uses.

In accordance with Section 4.1.6 of the Official Plan, generally outlined above, the range and mix of uses sought through the proposed Zoning By-law amendment area expressly permitted within the Downtown Area designation. Further, the existing Downtown Area (DA2) Zone variation which currently applies to the site serves to implement these policies by providing for a wide range and mix of land uses. The proposed Zoning By-law amendment would replace the existing Downtown Area (DA2) Zoning with a Downtown Area (DA1) Zone variation. It is important to note that from a land use perspective, the existing DA2 zone variation would permit the range of mix of uses sought by the County of Middlesex. The primary difference between the existing DA2 zone and the proposed DA1 zone is that the DA1 variation restricts Office and Residential uses to those areas above the second floor, meaning that active retail and commercial uses must be provided at-grade as opposed to the DA2 zone which would allow for residential and office uses at-grade.

This change would facilitate the development of a mixed-use building intended to contain a range of commercial and retail uses on the ground floor, and a mix of office uses and residential uses above the ground floor. In this regard, the proposed zoning change will contribute to a positive and active street-level pedestrian experience as supported by the objectives of Section 4 of the Official Plan.

**Intensity:**

**Density & Height:**

The Provincial Policy Statement, 2014 provides the overarching guidance for land use and development in Ontario. Of specific relevance to the Middlesex County proposal, Section 1.1.1 of the PPS provides that “healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.” Further Section 1.1.3.2 of the PPS directs that “land use patterns within settlement areas shall be based on: a) densities and mix of land uses which: efficiently use land and resources and b) a range of uses and opportunities for intensification and redevelopment”.

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**Planner: Mike Davis**

In general, the above noted objectives of the PPS encourage municipalities to provide for a range of housing types and encourage development standards which minimize land consumption and servicing costs. In this regard, the City of London Official Plan implements the direction provided by the PPS by designating lands for a wide range of residential uses and intensities. The subject site falls within the City's Downtown Area. Section 4.1.7 of the City's Official Plan, relating to scale of development in the downtown, intends that *"the Downtown will accommodate the greatest height and density of retail, service, office and residential development permitted in the City of London."*

Section 4.1.7 of the Official Plan further provides that, *"Development in the Downtown may be permitted up to a maximum floor area ratio of 10:1 for commercial uses and will normally not exceed 350 units per hectare (140 units per acre) for residential uses."* The Official Plan notes *"limitations on the scale of development will be less restrictive in the Downtown and policies will allow for flexibility in the application of these limitations."* Increases in density *"may be permitted without amendment to this Plan provided the proposal satisfies density bonusing provisions of Section 3.4.3. iv) and 19.4.4. of the Plan, conforms to the Site Plan Control By-law and addresses standards in the Downtown Design Guidelines."*

The proposed amendment seeks to increase the maximum height permitted on the subject site from 15 metres (normal height restriction in the Downtown is 90 metres) to 95 metres and to increase the density permitted on the subject lands from 350 units per hectare to 750 units per hectare. Both of these increases are requested to be provided through the application of a Bonus Zone. The standard limits of the Downtown Area (DA1) Zone would remain in place should a development not meet the criteria outlined by the bonus zone.

In accordance with the City's Official Plan policy referenced above, increasing height and density is only appropriate where it meets the density bonus policies of the Plan, where it can be shown that such increases are compatible with the surrounding context, the development represents a good fit within its surrounding neighbourhood, where services can accommodate the greater intensity and where the proposed form of development mitigates the greater height and density that is proposed.

A considerable portion of the planning analysis that follows addresses these issues, considering the way in which the proposed development:

- Addresses the relationship with the heritage building to the north;
- Increases pedestrian connectivity through the site and to the river;
- Maintains important public view-sheds;
- Establishes a pedestrian-oriented streetscape through the form and design treatment of the of the podium;
- Mitigates the massing of the building through a point tower form and with the use of light building materials including substantial amounts of glass cladding;
- Establishes a building that will enhance the Downtown skyline.

Neighbourhood Context:

As noted throughout this report, the subject site lies at the northwest corner of the intersection of Ridout Street and King Street. On the southeast corner of Ridout Street and King Street are two 28-storey residential buildings. Directly south of the subject site, along King Street, are two high-rise residential buildings (19 & 21 King Street) standing at 19 and 13 storeys respectively. The lands at the northeast corner of Ridout Street and King Street accommodate the Budweiser Gardens facility. The balance of the undeveloped lands on this site are currently zoned to permit a range of uses, including apartment buildings, up to a maximum height of 150 metres. The proposed height is comparable to other buildings seen in the downtown. In fact, the proposed 95 metre height limit is less than recent applications approved by Council in the Downtown. Further, juxtaposition in building heights within the Downtown Area designation is anticipated as this designation is specifically intended to accommodate high-rise structures, acknowledging that not all sites will be developed for that level of intensity.

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**File: Z-8372**  
**Planner: Mike Davis**

Servicing/Infrastructure Issues:

An important consideration in determining the appropriateness of a given site to accommodate the requested level of intensity is the availability of municipal services. In this regard, existing hard services (sanitary sewers, water mains, storm sewers, road connections, etc.) are available to the site from Ridout and King Streets. Through the site plan approval process, detailed engineering studies will be completed to determine the extent of improvements and/or upgrades necessary to adequately service the proposed development. Necessary local improvements would be completed at the expense of the future developer. The development is proposed to utilize the existing road network and nearby public transit services. Both King Street and Ridout Street North have been identified as Arterial roadways on Schedule C – Transportation to the City of London Official Plan.

The County has proposed, and the City has accepted, that the following servicing and infrastructure reports are to be completed at the detailed design stage of the redevelopment project:

- A traffic report detailing expected traffic volumes and any required improvements to the local road infrastructure;
- A sanitary servicing report identifying existing and expected peak flows; and
- A stormwater management report detailing expected minor and major flows and storm water management measures.

Bonusing:

Bonus Zoning is provided for in the Planning Act and Section 19.4.4 of the Official Plan to encourage development features which result in a public benefit which cannot be obtained through the normal development process. The Official Plan notes *“facilities, services or matters that would be provided in consideration of a height or density bonus should be reasonable, in terms of their cost/benefit implications, for both the City and the developer and must result in a benefit to the general public and/or an enhancement of the design or amenities of a development to the extent that a greater density or height is warranted.”*

The density increase requested in the Zoning By-law regulations in this application and the resulting height differential above that provided in the existing zoning, warrant the provision of the following facilities, services, or matters, recommended by Staff. These matters are set out in the “Bonusing Criteria” document and appended as a schedule to the recommended Zoning By-law attached to this report. Consistent with the Planning Act and Official Plan, these matters will be secured in one or more agreements between the City and the applicant, and registered against the land to which it applies.

The following aspects of the “Bonusing Criteria” document relate to and provide the basis for bonusing:

- Required compliance with the site-specific “Bonusing Criteria” which implement the City’s Urban design principles outlined in Chapter 11 of the Official Plan as well as the Downtown Design Guidelines, the Heritage Conservation District Guidelines, and other site-specific design considerations relating to the site’s prominent location;
- The creation of a “Great Lawn” open space between the proposed building and the existing historic courthouse that serves to maintain open views and enhance pedestrian connectivity from the Covent Garden Market and the Budweiser Gardens through the site to the Thames River;
- The provision of an east-west public walkway north of the proposed building that provides a public connection through the site to the Forks of the Thames;
- The creation of a public look-out at the west end of the “Great Lawn” with open views to the Thames River and associated public spaces;

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**File: Z-8372  
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- The creation of a north-south pedestrian link between King Street and Riverside Drive/Dundas Street along the western edge of the future building;
- The provision of 178 underground parking spaces;
- The removal of surface parking on adjacent lands to the west and northwest of the proposed development and the rehabilitation of this space for use as public open space;
- A standard of sustainable design equivalent to a LEED silver certification;
- Public art contribution in the amount of 1% of construction value up to \$250,000.

**Form:**

The ultimate form of development that will result on the subject site will be guided by the general regulations contained in the Downtown Area (DA1) Zone variation, the Downtown Design Guidelines, the Downtown Heritage Conservation District Plan and, more specifically, the criteria outlined in the site-specific “Bonusing Criteria” document which forms the basis for the height and density bonusing. The importance of site and building design in the Downtown Area is highlighted through Official Plan policy that places an emphasis on design considerations for development. *“The proponents of development projects in the Downtown will be encouraged to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11, conform to the Site Plan Control By-law and address standards in Downtown Design Guidelines. It is intended that Downtown development should enhance the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses.”* (Section 4.1.17.ii). Further, London’s Downtown Plan: Our Move Forward policy direction is to: *Ensure new buildings are consistent with the Downtown Design Manual...and reviewed by the Urban Design Peer Review Panel.*

The “Bonusing Criteria” have been developed by Planning Staff in consultation with the applicant, considering the range of input received through the process from technical stakeholders and the public. The “Bonusing Criteria” are intended to facilitate a development that achieves the form-based policy directions provided in the Official Plan, Downtown Design Guidelines and London’s Downtown Plan. The “Bonusing Criteria” further consider the specific context of this site which includes a heritage designated property to the north, the proximity to the Thames River, as well as the overall appearance as a high rise building among the city’s skyline and provide a detailed level of direction not present in the City’s general documents noted above.

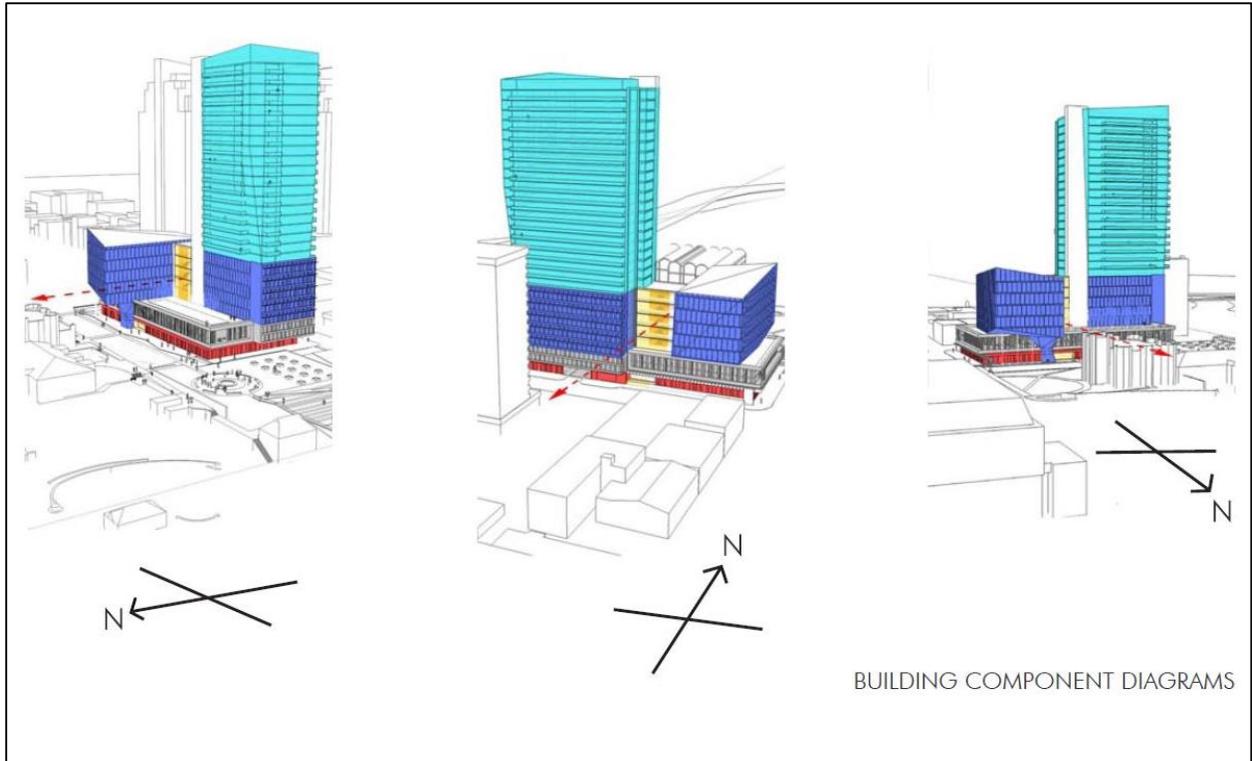
This section of the report summarizes how the site-specific “Bonusing Criteria” ensure that the ultimate form of development on the site meets the goals and objectives of the City’s Official Plan and other relevant guideline documents pertaining to this area of the downtown. The recommended “Bonusing Criteria” will be achieved by agreements through Bonus Zone provision and Site Plan Approval process. Generally, the following aspects of the “Bonusing Criteria” address the key standards and intentions of the Official Plan, Downtown Design Guidelines, and Our Move Forward:

**Building Design:**

The “Bonusing Criteria” require breaking the mass of the building into a defined base, middle and top to address its urban context and provide an appropriate design response that enhances the pedestrian realm and ensures the tower fits within the context of the city’s Skyline. In this regard, subsequent to Council’s 2014 resolution, the County has prepared a design concept which serves to illustrate the principles embedded within the Bonusing Criteria. The following graphics may be referenced to assist in the interpretation of the design elements required by the Bonusing Criteria but do not necessarily represent an exact version of the ultimate built form.

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Figure 4: Conceptual Building Component Diagram



Base:

Figure 5: Conceptual illustration of building base



- The base or podium portion of the building which addresses King and Ridout streets shall be 3-storeys in height to allow for a human-scale presence where the building abuts public sidewalks and to be sympathetic to the historic courthouse to the north.
- The first floor height of the building is required to be in keeping with the first floor heights of adjacent buildings in order to contribute to the development of pedestrian-oriented streetscape at the intersection of King and Ridout Streets.

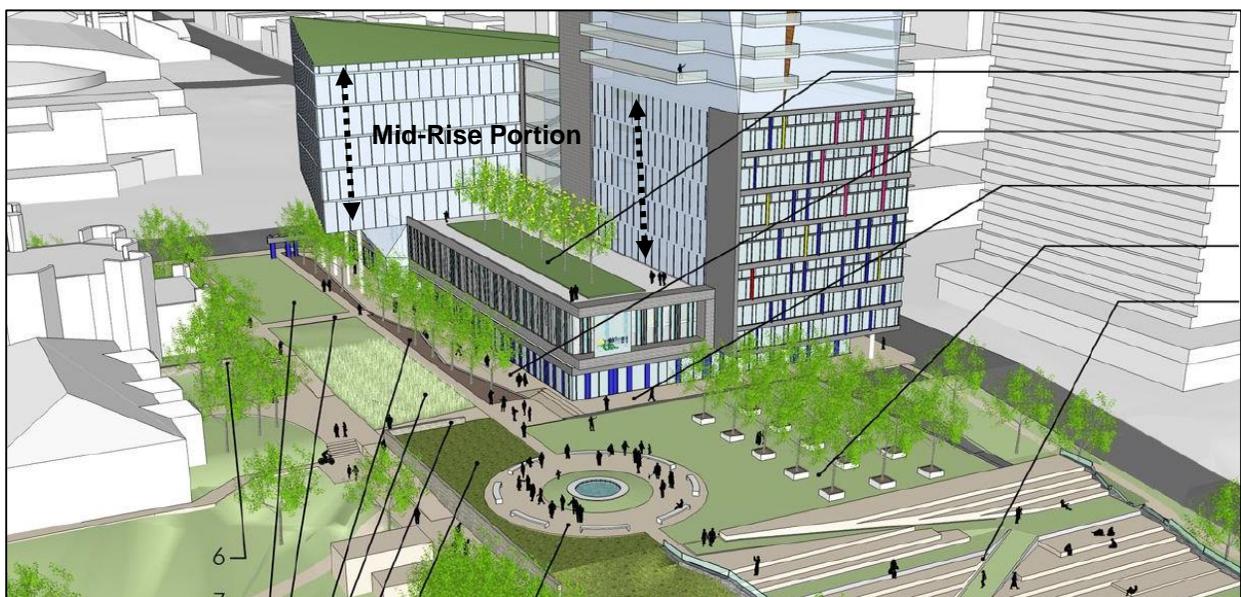
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- The base of the building will be architecturally defined and articulated with design elements such as cornice lines, window bays, canopies, varying building materials in a pattern and proportion that creates a human-scale presence along King and Ridout Street and appropriately relates to the scale of surrounding buildings including the County Courthouse.
- Multiple entrances will be provided along the King and Ridout Street frontages in order to encourage pedestrian activity, facilitate pedestrian circulation and activate the building facades.
- A north-south passage must be provided through the building at street-level, centered on the existing courthouse door on the southern façade to allow for views to the courthouse from King Street and to provide a pedestrian connection to the courthouse lands and future public open space.
- Active commercial uses must be provided along all ground floor facades to activate the building and the adjacent public sidewalks.
- A minimum of 60% clear glazing must be provided on the ground floor facades to allow for views into and out of the building which will encourage visual and physical interaction between the interior building space and the public realm.
- Any required parking to be provided within the base of the building (on 2<sup>nd</sup> and/or 3<sup>rd</sup> floor) shall be wrapped with high quality building materials and a minimum of 40% of animated elements along King and Ridout Streets. Animated elements may include the extension of commercial windows upwards, or the provision of commercial space along the second and third floor building facades. The requirement for animated elements will assist in breaking down and activating blank facades where parking is to be provided in an above-ground structured form.

Mid-Rise Portion:

**Figure 5:** Conceptual illustration of mid-rise mass



Key design features embedded in the Bonus Criteria relating to the mid-rise component of the development include:

- Ensuring the mid-rise building mass is differentiated from both the base and the tower portion by providing step-backs, terraces and overhangs.

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- Requiring a cantilevered mass over the base of the building toward the north-eastern corner of the site to act as a gateway to the on-site pedestrian connections to the river and the future “great lawn” public open space adjacent to the courthouse.
- The provision of a transparent atrium that provides a visual connection from King Street to the southern entrance of the courthouse.

Tower:

- Locating the tower on the western portion of the site in order to minimize shadowing onto the historic courthouse.
- Designing the tower to have a floor-plate of 1000m<sup>2</sup> or less to ensure a slender “point-tower” that minimizes shadowing and view disruption.
- Providing a minimum of 50% transparent glazing on the tower facades to lighten the appearance of the tower mass.

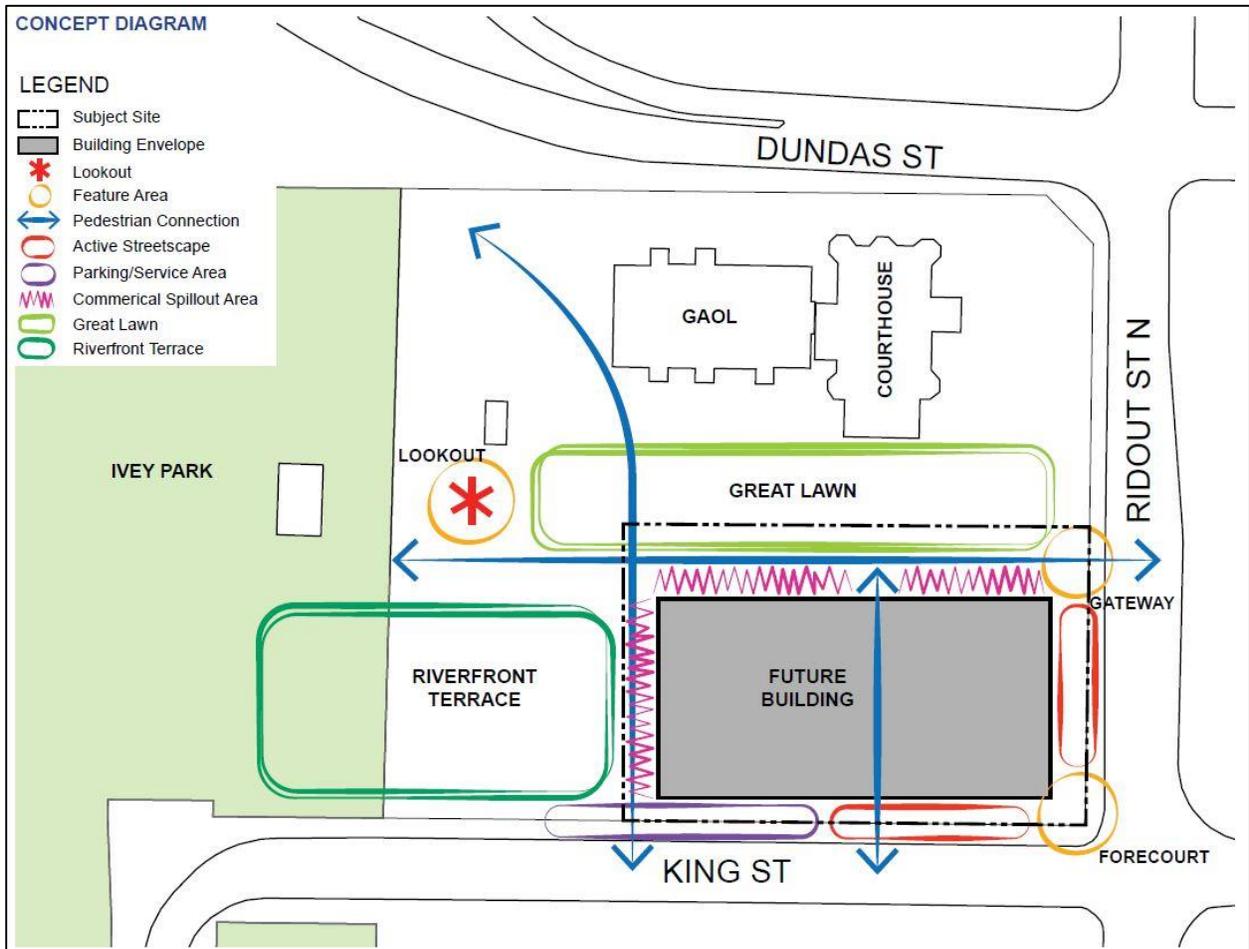
**Figure 6:** Conceptual illustration of tower mass



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Site Design:

Figure 7: Excerpt from Bonusing Criteria document



- The creation of a network of pedestrian connections and public spaces across the site including a “Great Lawn” between the historic courthouse and the proposed building, an east-west pedestrian plaza along the northern boundary of the proposed building connecting Ridout Street to Ivey Park, the creation of a public lookout at the west end of the “Great Lawn” to provide for a viewing platform to the Forks of the Thames, and a north-south pedestrian link connecting King Street to Riverside Drive.
- The removal of the tiered surface parking on lands to the west of the proposed building include that which exists on both the County and City-owned lands, and the rehabilitation of this space for public open space which will include terraced seating areas, planting, gathering areas and other features that may be deemed desirable through coordination with the City of London.

**Other Issues:**

Cultural Heritage Resources:

As noted previously in this report, the subject site is located within the Downtown Heritage Conservation District designated underpart V of the Ontario Heritage Act and is located adjacent to the historic Middlesex County Courthouse which is designated under Part IV of the Ontario Heritage Act. Section 13 of the City’s Official Plan provides “Where a heritage building is protected under Parts IV, V or VI of the Ontario Heritage Act, development, site alteration or demolition may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement and demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained.”

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**Planner: Mike Davis**

Given the site’s location within a heritage conservation district and adjacent to a designated structure, it is required that a heritage impact statement be prepared prior to development. Generally, the recommended Bonusing Criteria have been reviewed to ensure that compliance with these guidelines would not hinder the ability of the owner to achieve a design which fits with the heritage context of the site. Similarly, compliance with the Bonusing Criteria will not ensure in and of themselves that the ultimate design respects its heritage context. As such, a holding provision has been included which will require a heritage impact statement at such time as a detailed and specific design concept has been finalized by the applicant. No development of the site can occur until such time as the HIA is submitted and accepted by the City. As such, the necessary safeguards are in place to ensure heritage resources are protected. It is also important to note that any development of the site would require a heritage alteration permit under the Ontario Heritage Act.

It is also important to note that the subject site is identified in the City’s archaeological master plan as having the potential to contain significant archaeological resources. A phase I archaeological assessment was completed by the County and submitted with the zoning by-law amendment application. The Phase I archaeological study confirmed the site’s potential for archaeological resources and recommended further, on-site study prior to undertaking development. As such, a holding provision has been recommended to ensure that further study is completed is completed prior to the development taking place.

*Back to the River:*

“Back to the River” (BTTR) is a planning initiative which has been driven by the London Community Foundation in partnership with the City of London and the Upper Thames River Conservation Authority. To-date, the initiative has involved an international design competition to prepare a vision for revitalization and public investments along a 5-kilometre stretch of the Thames River. The winning design from Civitas and Stantec includes a concept for an inaugural project at the Forks of the Thames. Through the public consultation process for the 50 King Street zoning by-law amendment application, questions have arisen regarding the impact of the proposed development on the City’s future investments at the forks as envisioned by the Civitas/Stantec design.

Firstly, it is important to note that the Civitas/Stantec design is a concept and subject to revisions and refinement through more technical design stages and has yet to be approved by Municipal Council. The proposed development at 50 King Street was identified in the Civitas/Stantec document as a site with an “active planning application”, and anticipated for a future redevelopment project. The following matters address concerns that have been raised pertaining to the proposed zoning by-law amendment and questions relating to its compatibility with the “Back to the River” initiative:

- The subject site is under the ownership of Middlesex County and is zoned for development;
- The Civitas/Stantec concept does not contemplate the use of the County lands subject to the current zoning by-law amendment proposal for public park space;
- The subject site could be developed at 95% lot coverage under the existing zoning which would severely diminish opportunities for publically accessible, on-site open space and pedestrian connections to the River as opposed to the increased connections that would be achieved through the proposed bonusing agreement;
- The proposed redevelopment would be subject to the Bonusing Criteria which require the construction of pedestrian plazas and connections through the site with access to be provided to the public, thereby increasing connectivity across the site well beyond what exists today, and well beyond what the City could expect should the property be redeveloped under the existing zoning regulations;
- The proposed development would provide an appropriate urban backdrop to the Forks of

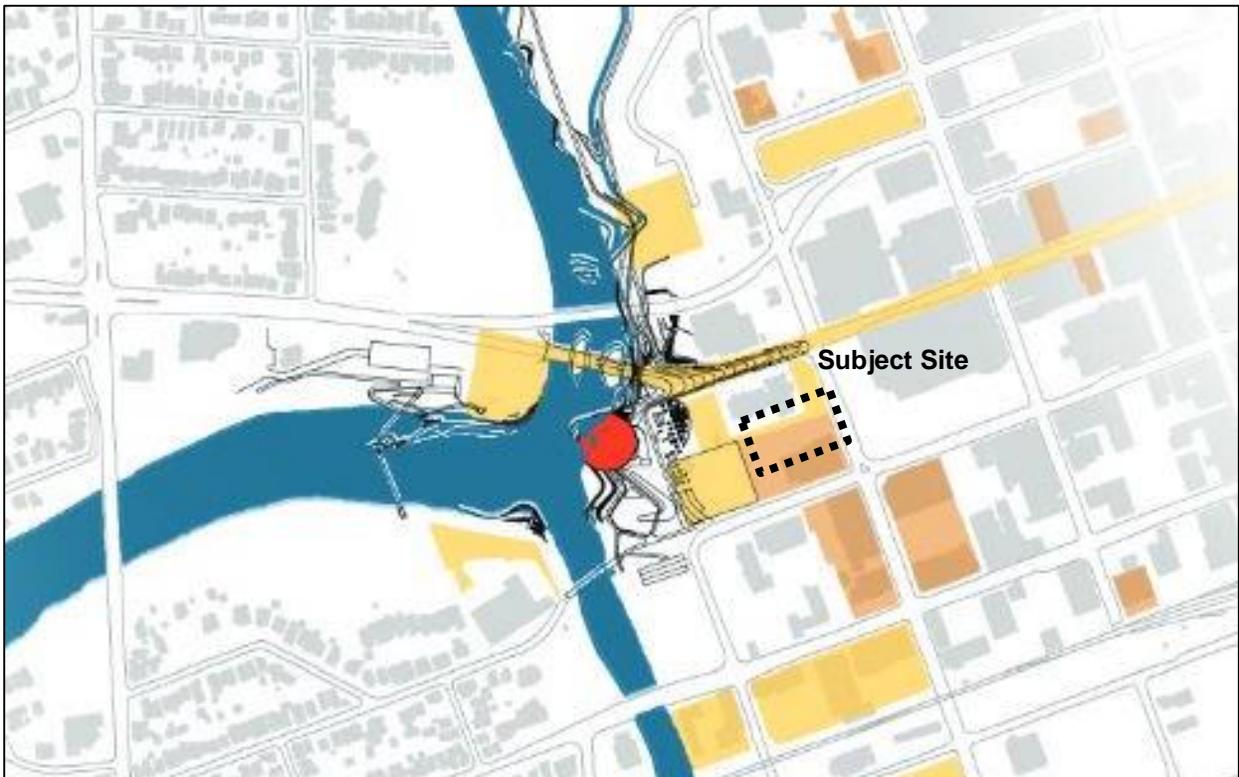
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**File: Z-8372**  
**Planner: Mike Davis**

the Thames and serve to increase pedestrian activity in this area;

- The County, through the bonus zone will be required to remove all exiting tiered surface parking and construct a well-designed landscaping solution on those lands. The Bonusing Criteria guideline allows for future opportunities to incorporate landscaping features which contribute to or complement the back to the river initiative.

**Figure 8:** Excerpt from Civitas/Stantec BTTR Design Brief



**Figure 9:** Excerpt from Civitas/Stantec Design Brief showing Forks of the Thames Concept



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**File: Z-8372**  
**Planner: Mike Davis**

<b>CONCLUSION</b>
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The recommendation for approval of the proposed Zoning By-law amendment has been supported by the foregoing planning analysis. The proposal has been evaluated in the context of the applicable land use policy and is supported by the broad objectives of the Provincial Policy Statement, 2014, and the City of London Official Plan which promote intensification, redevelopment and compact form and encourage the provision of densities and mix of uses which minimizes land consumption and servicing costs, efficiently uses infrastructure and public service facilities and supports active transportation and transit. The recommended amendment, which requires compliance with site-specific “Bonusing Criteria” is also supported by more local and specific planning initiatives relating to the development of the Downtown as a vibrant, 24/7, pedestrian-oriented destination that serves to attract people and business to the City. The proposal contributes to various goals outlined in London’s Downtown Plan including *Build a Great Neighbourhood: Continue to support the development of a larger residential community in the downtown to foster a local trade market to offer a diverse array of neighbourhood ‘daily needs’ commercial enterprises.*

The recommended site-specific bonus zone regulations will allow for an increase to the maximum allowable height to 95 metres (28-storeys) and an increase in the maximum allowable density to 750 units per hectare in return for a building and site design which is in compliance with the “Bonusing Criteria” document attached to the amending by-law. The site-specific Bonusing Criteria mandate that the development feature a range of elements that are identified in Section 19.4.4 of the City’s Official Plan as bonusable features and will generally facilitate an iconic and outstanding design, worthy of its prominent location adjacent to the forks of the Thames. Compliance with the Bonusing Criteria will provide for public benefits such as new public pedestrian connections across the site, significant public art contributions and removal of existing surface parking on adjacent lands which currently detracts from the aesthetics the public realm. Such improvements would be difficult to achieve through the normal development process utilizing the existing zoning permission on the subject lands. In this regard, the recommended amendment represents sound land use planning.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>MIKE DAVIS, B.U.R.PI. PLANNER II, CURRENT PLANNING</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

November 18, 2015  
 Mike Davis  
 Y:\Shared\implemen\DEVELOPMENT APPS\2014 Applications 8309 to\8372Z - 50 King St (BT)\2015 Report\OPA-ZBL Amendment Report.docx

**Acknowledgements:** Brian Turcotte – Senior Planner, Current Planning.

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**File: Z-8372**  
**Planner: Mike Davis**

**Responses to October 28, 2015 Public Liaison Letter and Publication in “The Londoner”**

<u>Telephone</u>	<u>Written</u>
N/A	B & S Tomassini 1203-330 Ridout Street N London, ON. N6A 0A7
	David Keith 501-19 King Street London, ON. N6A 5N8
	John Berry 901-19 King Street London, ON. N6A 5N8
	Mike & Isle Ansari 1101-19 King Street London, ON. N6A 5N8
	Steve & Valerie Martens 2308-330 Ridout Street N London, ON. N6A 0A7
	David Marr 2102-330 Ridout Street N London, ON. N6A 0A7
	John Palmer 602-19 King Street London, ON. N6A 5N8
	Murray Kelly 1201-19 King Street London, ON. N6A 5N8

**(Note:** Full record of responses to June 18, 2014 public liaison can be found in October 7, 2014 report to Planning and Environment Committee.)

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**File: Z-8372  
Planner: Mike Davis**

**Davis, Michael W.**

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**From:** Bruno Tomassini [REDACTED]  
**Sent:** Wednesday, October 28, 2015 8:42 AM  
**To:** Davis, Michael W.  
**Subject:** Rezoning of 50 King St

This is in response to your invitation to provide input regarding the new proposed development of 50 King st.

As discussed and opposed last year we oppose again any private development on public land. Public land should be exclusively for public use.

In addition, we are all awaiting the development of the project regarding the revitalization of the Thames. Any land zone changes at 50 King may not be in keeping with the Thames revitalization plan. I'm surprised at the timing of this new review of the rezoning of 50 King.

Regards,

Bruno Tomassini  
330 Ridout St

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**File: Z-8372**  
**Planner: Mike Davis**

**Davis, Michael W.**

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**From:** Sarah Tomassini [REDACTED]  
**Sent:** Thursday, October 29, 2015 8:42 AM  
**To:** Davis, Michael W.  
**Subject:** 50 King st

The previous City Council voted down a similar project submitted by the County of Middlesex with the message "the land should be used to the benefit of the people of the County and the people of London".

I'm surprised that the County totally disregarded the previous City of London position and submitted a new but similar to the old proposed development at 50 King.

Please record my opposition to the County project as public land should be left for public benefits.

Regards,

Serafina Tomassini

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**File: Z-8372**  
**Planner: Mike Davis**

**Davis, Michael W.**

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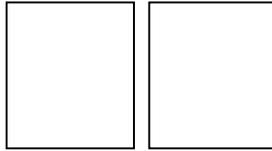
**From:** David Keith [REDACTED]  
**Sent:** Friday, October 30, 2015 6:29 PM  
**To:** Davis, Michael W.  
**Subject:** 50 King St

I received a document regarding the rezoning of 50 King Street.  
What is not outlined is whether the footprint of the building will change and what will happen to the existing outdoor parking lot.

In addition how will this project work in conjunction with the 'Back to the River' Project ?

Could you please respond before the meeting on November 4th.

Thanks  
David Keith  
19 King Street



**File: Z-8372**  
**Planner: Mike Davis**

**Davis, Michael W.**

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**From:** Carbert, Neale  
**Sent:** Monday, November 09, 2015 5:49 PM  
**To:** Davis, Michael W.  
**Subject:** FW: waterfront and 50 king street.

Hi Mike,

Please see below.

Thanks,  
Neale

**Neale Carbert**  
Special Projects Coordinator | Office of Mayor Matt Brown  
City of London  
[ncarbert@london.ca](mailto:ncarbert@london.ca)  
Office: 519-661-2500 X 4882

**From:** Valerie Martens [REDACTED]  
**Sent:** Tuesday, November 03, 2015 12:49 PM  
**To:** Park, Tanya; City of London, Mayor  
**Subject:** waterfront and 50 king street.

As a resident and business owner in downtown London I am thrilled to see the plans for the back to the River competition. I hope that the city finds the means to make this plan happen. I am also thrilled to see so much residential development in the planning stages for the core. The more residents living here is a huge bonus to all of us. I do however have an issue with the proposed ideas for the middlesex county land at 50 King Street. The landscape at this block at the present time is all ready beautiful and I hope the plans take into account the old court house and the museum. A high rise on this corner is the wrong way to go.

Please do not approve the re zoning of this property.

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Valerie Martens  
[REDACTED]

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**File: Z-8372  
Planner: Mike Davis**

November 9, 2015.

The City of London,  
Planning Services,  
P.O. Box 5035,  
London, ON N6A 4L9

**Attention: Mr. Mike Davis, Planner**

**Re: Z-8372 – 50 King Street, London, Ontario.**  
**Proposed Zoning Amendment initiated by the County of Middlesex County**

Dear Mr. Mike Davis:

Ilse Ansari and Mike Ansari are filing an objection for this change of Zoning for the following reasons:

1. It will affect the Heritage Site. We are proud about our history and heritage.
2. The existing building is bad enough blocking the site of a nice view of the River and the Park.
3. We should enhance the site and make it attractive for our residences and children.
4. We should have a plan to attract Tourists and Visitors from other cities.
5. If we want to develop the site, a lot of thought should be put into it.
6. The height of the building is not acceptable in this location.
7. The amount of traffic now is already a congested area. How about 750 unit plus? It will make the area just look like a garage.
8. Economically, who will benefit from this proposed project? The City or the Middlesex County!
9. Why does the City not exchange the site with another site the City owns or purchase it outright?
10. Why would the City think about the money revenue and destroy the jewel site in the City?
11. The site should be the best example in design to attract Visitors and have our families and children enjoy something to be proud of.
12. This Project will destroy the character and the image of this site and the view.
13. This site is good for an Art Centre and entertainment and recreation.
14. The City Staff's duty is to create an attraction centre that every citizen should be proud of for years to come.
15. This is the best location in the City. The most beautiful and could attract Tourists and Visitors. This will create the income to benefit the down town businesses.

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**File: Z-8372**  
**Planner: Mike Davis**

16. If there is no other choice to modify this zoning, the City and the Middlesex County to co-operate to make the site the most acceptable and attractive to benefit everybody concerned.
17. Most people getting married come to the Court House for their pictures and celebrations.
18. Final idea. If the budget of the City does not permit the purchase of this site from Middlesex County, why don't we have a lottery to the public to raise the money.

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November 11, 2015

City of London Planning Division.

Attention: Mike Davis

Re: File Number Z-8372 - 50 King Street

Dear Mr Davis,

We would like to thank you for offering us this opportunity for feedback regarding the rezoning of 50 King Street. We are so very fortunate in the city of London to have you and your team value the opinions of the downtown citizens in our community regarding this matter. I am positive you will make decisions that are incorporating the vision and future of the the riverfront and the downtown area. We live in the core, in fact within walking distance to the riverfront. We would like to now share our view and offer some feedback for your reflection.

This piece of property is currently owned by the county and is considered to be public property. We believe that it is crucial to be cautious and hesitant in finalizing an outcome for this property before the final decision for the revitalizing of the river front is complete. You may want to consider the final decision of the river front plan and see how this piece of property could augment the development of the river area. Much conversation has revolved around the idea of a performing arts centre on this property. Perhaps an amphitheatre, open air in summer and closed in by glass in the winter. Another possibility may be a park that provides a gateway to forks of the Thames River. This would blend with potential river development, the museum and our precious architectural delight, the old jail. We must be cognisant of our heritage and preserve the area as much as we can. Imagine all the potential business opportunity from that with this type of revitalization. If you have visited downtown Detroit, you will have noticed the many restaurants and shops that have revitalized the downtown core in that area.

Putting a high rise apartment building on prime riverfront seems counter intuitive. There are many other locations in the core that could support high rise living. An example is Ridout and Horton parking area. This area is close to the proposed site and yet not on the river, yet still provides a river view.

I trust your good judgement, in that you would not let this prime piece of real estate be used for such a purpose. This is our only opportunity to insure that space be redeemed until final decisions have been made regarding our riverfront. Once lost, it is lost forever. Once public property is sold or commercialized, it may never become public again.

We beseech you to consider this feedback with great care, our future for the city and the riverfront depend on it. We trust good judgement will prevail. We greatly appreciate all the excellent work you have been providing here in the city and we are confident you have the best interests of the down town and community at heart.

Kind Regards  
David and Julie Marr  
330 Ridout St. North Unit 2102  
London, Ontario  
N6A 1A7

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**File: Z-8372  
Planner: Mike Davis**

November 17, 2015

Dear Mr. Davis,

I'm writing because I have many concerns regarding the Middlesex County proposal for redevelopment of 50 King St.

**The artist's drawing, as presented in the London Free Press is misleading.** For many years I owned a printing business here in London and am fully aware how subtle "artist's licence" can glamourize any proposal, such as:

- >The space between the buildings on King Street is exaggerated. It depicts about 50% more space than would exist.
- >With the exception of the proposed highrise, all other buildings are subdued in order to make building spectacular.
- >A light blue colour glorifies the building, so it doesn't stand out against the sky. This is deceitfull.

**A former Council decided to protect this area.** Years ago, a London City Council, in their wisdom, enacted By-law Z.i limiting future building heights on the site at 50 King Street because of its proximity to the historic Courthouse, the Gaol and the Forks of the Thames. That Council wanted to protect the area surrounding the Courthouse and prevent exactly what County is planning to-day.

**Proposed parking is woefully inadequate.** The County's proposal provides parking spaces for only 344 cars. The Health Unit now uses 156 spaces approx. Providing parking, only 1 car per residential unit, would require 152 additional spaces for a total of 308. That means only 36 spaces are available for all of the following:

- \* Parking, if desired, for a second car by any of the 152 residential units.
- \*Parking for guests of residents.
- \*Parking for staff and customers of 1<sup>st</sup> floor retail and restaurant tenants.
- \*Parking for staff working on the additional floors of office space.

City planning staff stated that the present outdoor parking areas would be grassed over as originally planned. The County will no doubt renege on this if there isn't adequate parking in the proposed new building.

Moreover, the concerns I had about the original proposal still exist. A 28 storey highrise will still dwarf the Courthouse, cast a vast shadow over it and the surrounding area and create a visual barrier between the Forks and the downtown. The frequent, fearful winds coming up from the Thames Valley will be intensified. Traffic flow exiting onto King Street will triple and create impossible traffic congestion. Also, any changes to the rezoning by-law must conform to the official, long-range City planning document. It should support, not undermine the Back to the River Project.

In addition, I feel the County should not have sole, discretionary power over any changes to a final proposal.

Sincerely,

Murray Kelly,  
19 King Street, London, ON

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**File: Z-8372  
Planner: Mike Davis**

RE: Application for rezoning of 50 King Street; file Number Z-8372

Attn: Mike Davis and members of the Planning and Environment Committee.

As City of London residents and taxpayers, we are strongly opposed to the application by Middlesex County for the severance and rezoning of lands at 50 King Street for the purpose of building a 2200 metre<sup>2</sup> shopping mall, office space and 28 storey apartment tower.

Major arguments and objections were presented by residents to Council on October 14, 2014. These prompted Council to send this proposal back for reconsideration. Sadly, the revised proposal that is now being brought forward “will result in a similar form of development”<sup>1</sup>. In other words, the objections raised on October 2014 have not been seriously addressed. This sends a strong signal that the many objections raised a year ago remain in place and need careful consideration by the Planning and Environment Committee and, if necessary, by Council. These objections moved Council to reject the proposed re-zoning application a year ago by a vote of 14 – 0! The extra detail now available in the “Urban Design Brief” only serves to increase the force of the original objections to re-zoning.

As well, there has been a major new dimension to the challenge of effective city planning for what is perhaps the most important block of downtown land in the city: The Back to the River Project.

The City’s taxpayers have now committed at least \$400,000 to this visionary redevelopment. At taxpayers’ expense, Civitas/Stantec is developing a signature inaugural project on City-owned land at the Forks budgeted at nearly \$5 million. This is designed to link downtown “Back to the River” on a site they describe as “**perhaps the most iconic in the city and (which) deserves a major public destination use**”<sup>2</sup> This site is, of course, Ivey Park and the land immediately to the East between Dundas and King Street, immediately adjacent to 50 King Street.

The proposed building at 50 King, unfortunately, is intended to create “**a strong visual terminus**” from the **Covent Garden Market**”<sup>3</sup>. So from the heart of downtown, it won’t be “Back to the River” but “back to a 28 storey apartment tower”. Worse still, the servicing access: garbage, deliveries, etc. for the ground floor shopping mall, several stories of offices and 150 apartment units are to be on the west side of the building: **immediately adjacent to Ivey Park**”<sup>4</sup>. So the “iconic site” and “major public destination use” envisaged by Civitas/Stantec will connect not to downtown but to the service lane for an apartment block and shopping mall!

The major access at present to the forks, for pedestrians, cyclists, joggers, etc., is along King Street. While the redesign of Dundas as a flex Street may change this to a degree, the natural geography of the forks, the position of the old King Street bridge (cycle/pedestrian) and the alignment with Covent Garden Market and Budweiser Gardens, all suggest that the main pedestrian thoroughfare from Downtown to the

<sup>1</sup> See Notice of Revised Application to Amend the Zoning By-law, 28 October 2015.

<sup>2</sup> See page 15 of the Civitas/Stantec proposal

<sup>3</sup> See the Urban Design Brief for 50 King Street from Tillman Ruth Robinson, page 14.

<sup>4</sup> This information was provided by the architects at the 4 November information meeting.

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**File: Z-8372  
Planner: Mike Davis**

River will remain as it is now: King Street. The visual flow should not be blocked by a huge tower block, shopping mall and offices. The increased vehicle traffic and an additional two or three parking garage entrances along a narrow relatively quiet street is a total contradiction to the vision of “back to the River” as a “people place:

“We propose to develop the terraces of the Forks Cove as the Inaugural Project. This will allow for the earliest access to the river, the creation of new events and gathering spaces ...opening up the “front” of downtown to the Forks.”<sup>5</sup>

Except that the “Front of Downtown” will have a “strong visual terminus” in an apartment block if the rezoning of 50 King Street is approved.

A suggestion: Instead of rezoning the 50 King lands, we suggest that the officials of City and the County work together to find a win-win alternative. Here’s the challenge: The proposed design by Tillmann Ruth Robinson is a stunning piece of urban architecture that would be a great asset to downtown London. But not if located on this “iconic” public land. It should be possible to negotiate a land swap through which the City could recover ownership of the 50 King Lands (and the old Courthouse) and then incorporate them into the Back to the River concept. In return, vacant City Land (not adjacent to the river) could be transferred to the County, on which it could pursue its land development and revenue generating goals. City holds the trump cards in this negotiation, since the high potential value of the 50 King land is contingent on approval of rezoning. This would require vision and imagination from our elected officials, who we elected to provide this high quality of leadership!

**The 50 King property is in fact public land, owned by the taxpayers through the County. It should be devoted to public purposes. In the spirit of the Downtown Master Plan Action #2 (Reconnecting with the River) and respecting the vision of the Back to the River development as a people-friendly public space, this rezoning application must be rejected.**

Sincerely,

Dr. John Berry

Dr. Dean B. Berry

901 - 19 King Street LONDON N6A5N8



<sup>5</sup> See Civitas/Stantec Proposal page 19. Indeed the entire proposal, particularly pages 17-19 defines a vision for the Forks into which the 50 King development simply does not fit!

Two empty rectangular boxes for agenda item and page numbers.

File: Z-8372  
Planner: Mike Davis

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)  
2016

By-law No. Z.-1-16\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 50 King Street.

WHEREAS the Corporation of the County of Middlesex has applied to rezone an area of land located at 50 King Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms 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 50 King Street, as shown on the attached map comprising part of Key Map No. A107, from a Community Facility/Downtown Area (CF1/DA2•D350•H15) Zone to a Holding Downtown Area Bonus (h-3•h-5•h-18•h-149•h-(\_)•DA1•D350•H15•B-( )) Zone.
- 2) Section Number 3.8 of the Holding "h" Zones to By-law No. Z.-1 is amended by adding the new holding provision:

h-( ) **Purpose:** To ensure that no development occurs on lands adjacent to a protected heritage property except where the proposed development has been evaluated and it is demonstrated that the heritage attributes of the protected property will be conserved, the removal of the h-(\*) shall not occur until such time as a Heritage Impact Assessment has been prepared and accepted to the satisfaction of the Managing Director, Planning and City Planner.

Permitted Interim Uses: existing uses.

- 3) Section Number 4.3 (Bonus Zones) of the General Provisions to By-law No. Z.-1 is amended by adding the following Site-Specific Bonus Provision:

4.3) B( ) 50 King Street

This bonus zone is intended to facilitate a development design which includes a mixed-use apartment building with a maximum height of 95 metres (28-storeys) and a maximum density of 750 units per hectare, which shall be implemented through a development agreement in return for the facilities, services and matters outlined in the site-specific "Bonusing Criteria" attached hereto as Schedule "1" to the amending by-law.

The following regulations apply within the bonus zone:

- a) Regulations:
  - i) Density (Max.) 750 units per hectare
  - ii) Height (Max.) 95 metres
  - iii) Setback for residential component of building (Min.) 0 metres

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**File: Z-8372**  
**Planner: Mike Davis**

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

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

PASSED in Open Council on December 21, 2015.

Matt Brown  
Mayor

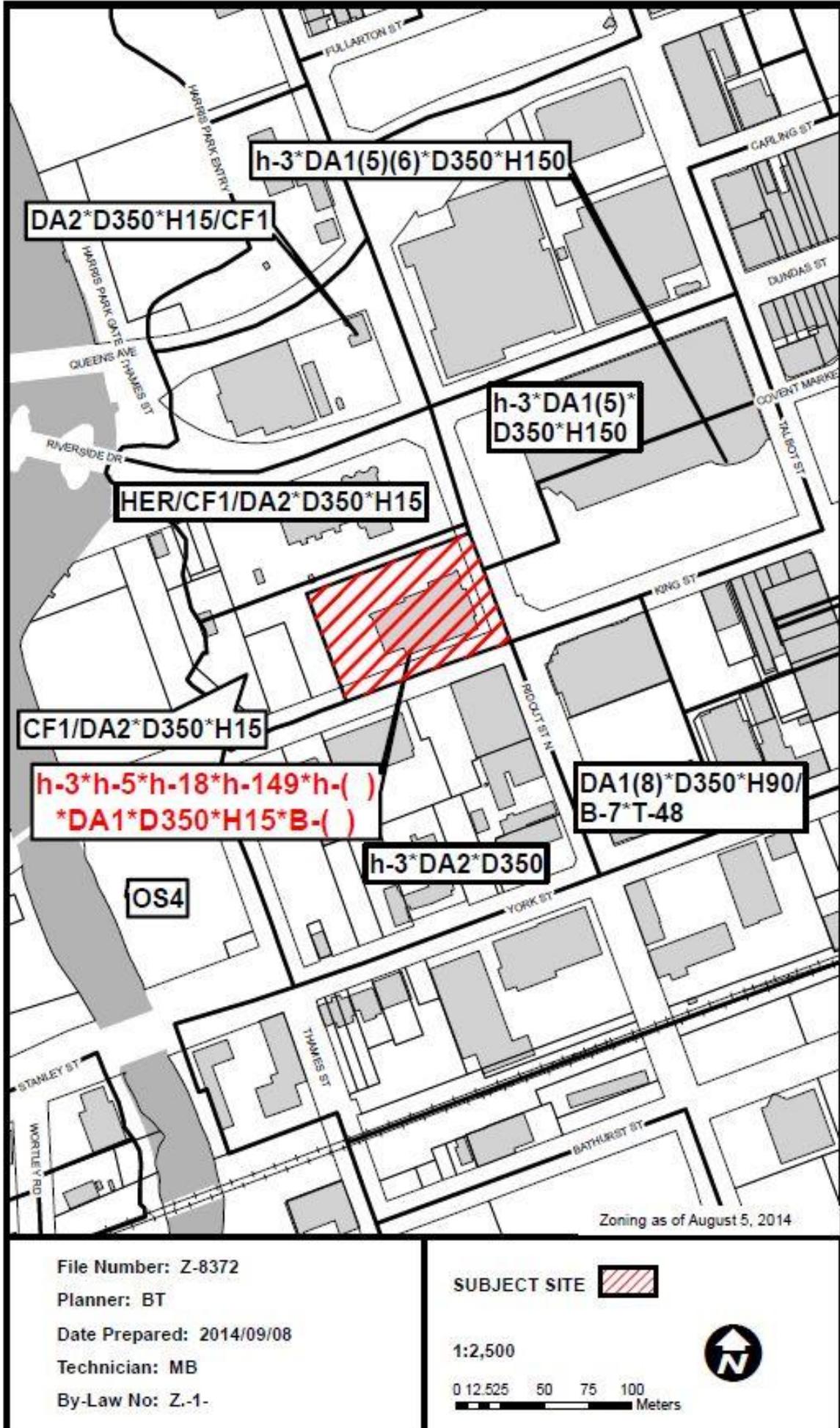
Catharine Saunders  
City Clerk

First Reading – December 21, 2015  
Second Reading – December 21, 2015  
Third Reading – December 21, 2015

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File: Z-8372  
Planner: Mike Davis

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



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**Schedule “1”**

**50 KING STREET | Bonusing Criteria**  
 Prepared by The City of London to form part of Z-8372

**INTRODUCTION**

**Subject Lands**

The subject site is located at 50 King Street on the northwest corner of Ridout Street North and King Street. The site is part of a larger block owned by the County of Middlesex, known historically as the ‘Courthouse Block’.

The Courthouse Block is comprised of the existing historic Middlesex County Court House and Gaol, a provincially and municipally designated heritage property. The block also contains a three-storey office building and surface parking near Ivey Park, which will be removed as part of the implementation of these bonusing criteria.

**Proposed Development**

The purpose and effect of the recommended Zoning By-law amendment is to allow for the development of a 95 metre tall mixed use apartment building with commercial, retail, restaurant, entertainment, office and residential components. The proposed density is 750 units per hectare in return for satisfying the bonus criteria included in this document.

The bonus requirements shall apply irrespective of ownership on both the subject lands and the adjacent lands that make up the ‘Courthouse Block’. In this way, the bonus provisions relate to both on-site and off-site improvements required to receive additional height and density.

**Implementation**

These bonusing criteria establish the framework for the redevelopment of the subject site to ensure that any future development complies with the urban design objectives established during the consultation process.

Future development of the subject lands will be regulated through a site-specific bonus zone that is contingent on the execution of an agreement with the City of London which ensures these bonusing criteria are implemented to the satisfaction of the Managing Director of Planning and City Planner, through the site plan approval process.

Future development of the subject lands must meet the requirements of the Downtown Heritage Conservation District and archeological concerns must be addressed. A Heritage Alteration Permit and Heritage Impact Study will be required.

**DESIGN OBJECTIVES**

Overall, the following design objectives for the subject site will assist in integrating the future built form and landscape design with the Forks of the Thames and ensure compatibility with the Downtown. It is through this bonusing criteria that any future development will provide a positive interface with the Thames River, adjacent cultural heritage resources and Downtown streetscapes.

**Design Objectives:**

1. Develop the site to integrate with the Forks of the Thames.
2. Enhance views and vistas of surrounding heritage resources and the Thames River.
3. Provide and enhance the pedestrian circulation network through the site to connect with routes into Downtown and the open space network.
4. Develop a design solution that provides active edges to all facades and encourages interaction between interior and exterior spaces.
5. Minimise the impact of vehicles and parking.
6. Design the future built form to contribute to a pedestrian scale streetscape and an attractive city skyline.
7. Create an iconic landmark building that will redefine the standard of development in London, Ontario.
8. Avoid and mitigate adverse impacts on adjacent cultural heritage resources.

**SITE & LANDSCAPE DESIGN**

Landscape and site design shall be coordinated to ensure a seamless transition between on-site and off-site improvements.

**A. On-Site Improvements**

1. Provide an east-west walkway north of the building that passes through a gateway defined by the building's extending canopy overhead. Ensure landscaping and associated features integrate with the overall design of the great lawn to the north of the site.
2. Create a high quality north-south pedestrian link between King Street and Dundas Street along the western edge of the future building.
3. Provide enhanced forecourts at important entryways to the site and the building, particularly at the intersection of Ridout Street North and King Street. Coordinate the design of forecourts with other design elements and works in the public realm.
4. Select and locate plant species and landscape elements so that they will not obstruct views to cultural heritage resources.
5. Select materials for sidewalks, pathways, gathering spaces and boulevards that are compatible with the Courthouse and site features.
6. Public art valuing 1% of construction value up to \$250,000 shall be provided and integrated into the building and site design.
7. Provide green roofs and active roof-top terraces to be used as amenity space.

**B. Off-Site Improvements**

1. Create a 'great lawn' between the building and existing Courthouse that maintains open views from the Covent Garden Market (128/130 King Street) and Budweiser Gardens (99 Dundas Street) through the site to the Thames River.
2. Develop a look-out at the west end of the great lawn with open views to the Thames River and the associated public open spaces.
3. Incorporate landscape planters, tree plantings and street furniture along the Ridout Street North and King Street boulevards.
4. Consider sufficient setbacks to provide for patios and/or retail uses to spill out into the right-of-way.
5. Remove all surface parking on the adjacent property west of the site
6. Rehabilitate the area west of the future building for use as 'riverfront terrace' public open space. The design of this space should include:
  - terraced seating areas,
  - planting and/or landscape features to provide a sense of enclosure,
  - accessible gathering areas, and
  - other matters deemed desirable through studies or consultation related to the Thames River and associated open space development.

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**SITE IMPROVEMENTS DIAGRAM**

**LEGEND**

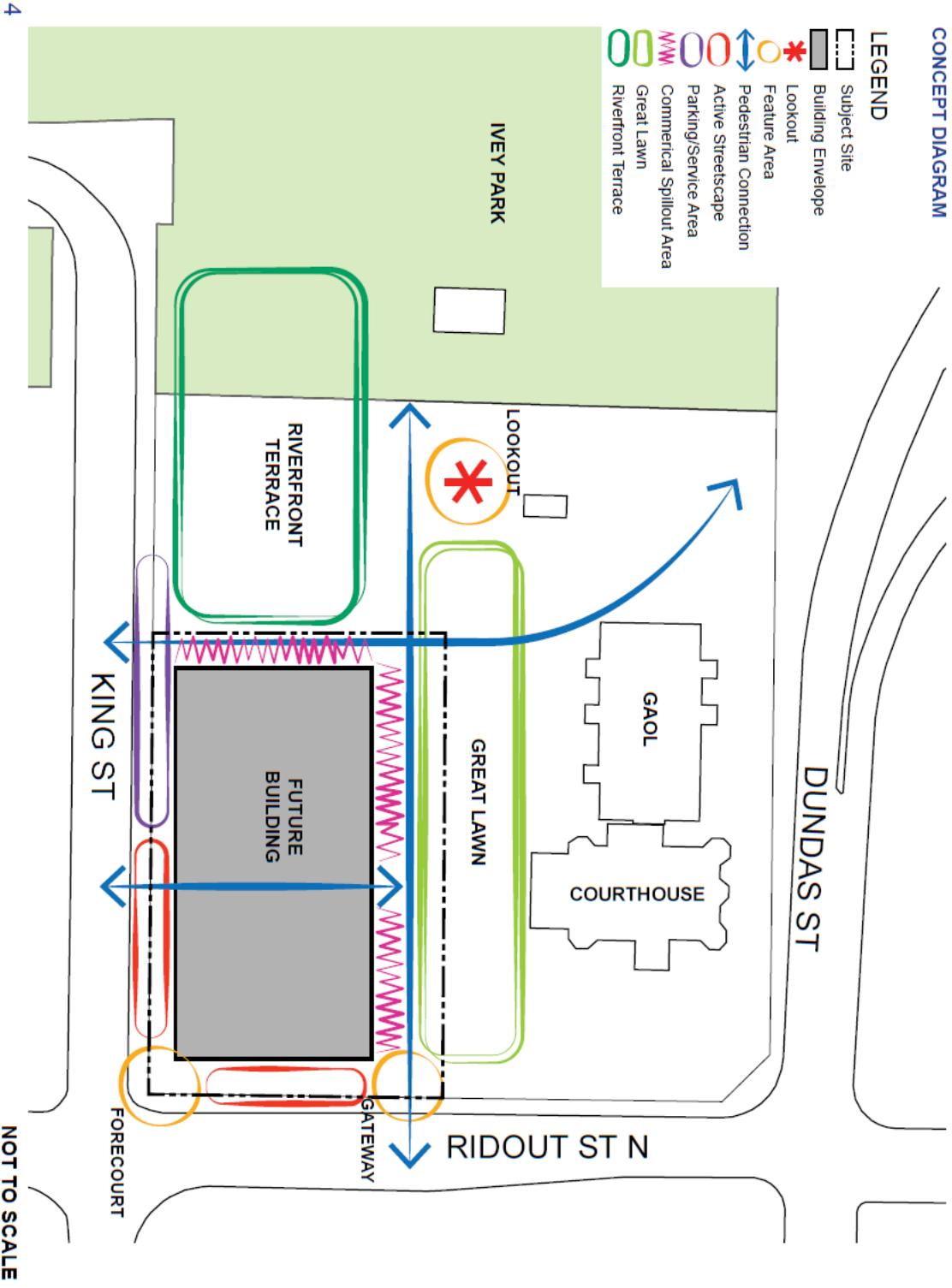
OFF-SITE IMPROVEMENTS



**C: Access & Parking**

1. Concentrate primary vehicular access to King Street, away from the intersection with Ridout Street North. Access should be aligned with existing driveways on King Street.
2. Parking on site shall be contained within the building and/or underground. Ensure all vehicular access points, ramps and aisles are wrapped with at-grade pedestrian uses.
3. Locate all loading and back-of-house functions along the west portion of the building on King Street. Where possible, these facilities should be located internal to the building.
4. The King Street frontage should be designed to minimise gaps in the streetwall and break up large expanses of blank walls.

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**BUILDING DESIGN**

Develop the building to include a three-storey base, a five-storey mid-rise mass, and a 20-storey tower, to a maximum height of 95m.

**D. Base**

1. Define the pedestrian zone around the building with a three-storey base that is compatible in scale to the Middlesex County Court House and Gaoi building to the north, and the existing building fabric on the southwest corner of King Street and Ridout Street North.
2. Provide a first floor height that is in keeping with, and appropriately proportioned with, the first floor heights of adjacent buildings. Horizontal rhythm and visual transition between floors must be articulated in facade design.
3. Ensure the building has multiple entrances along the street frontage and consider a principle entrance at the intersection of Ridout Street and King Street.
4. Provide a north-south passage through the building that is highly transparent, offers views to the Courthouse and is centered on the existing Courthouse door on the southern facade. The passage may act as the formal lobby for both the residential and office components of the building.
5. Provide active commercial uses along all ground floor facades.
6. Provide 60 to 80% vision glazing for commercial facades.
7. Wrap parking levels with active and animated elements along a minimum of 40% of the King Street and Ridout Street upward and in front of the parking structure.
8. Articulate the base with design elements, such as cornice lines, window bays, entrances, canopies, high-quality building materials, and fenestration, in an appropriate pattern, scale, and proportion that relates to adjacent buildings and enhances the pedestrian realm.
9. Provide overhead weather protection over all pedestrian entrances through building recesses, cantilevered masses and/or canopies.

**E. Mid-Rise Mass**

1. Ensure the mid-rise mass is differentiated from, yet compatible with, the tower of the building.
2. Provide variations in the relationship between the mid-rise mass and the base below to create setbacks, terraces and outdoor rooms, as well as define entrances and gateways to the river beyond.
3. Setbacks and overhangs should be incorporated into the design of the building prevent downwashing.
4. Cantilever the mid-rise mass on the north side of the building to create a gateway to the river and a formal outdoor room adjacent to the great lawn.
5. Cantilever the mid-rise mass at the southwest corner to form a covered terrace on the west side, a gateway to the river and portico entrance to the parking on the south.
6. Provide a transparent atrium that creates a visual connection through the building from King Street to the Courthouse, and connects with the north-south passage on the ground floor. The atrium will provide natural light and views into and out of the central common area.

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**BUILDING DESIGN CONTINUED**

**F. Tower**

1. Located the tower on the west portion of the mid-rise mass, to minimise shadowing onto the Courthouse.
2. Design the tower to have a floorplate less than 1000 square metres.
3. Integrate balconies into the overall design of the building so that they do not add bulk or extra mass.
4. Provide a minimum of 50% glazing on tower facades.
5. Develop the height of the tower to provide dramatic interest and a visual sense of movement as it rises.
6. Enclose and/or integrate roof-top mechanical and telecommunications equipment into the design and massing of the top of the tower.
7. Create a sculpted roof form to the top of the tower to contribute to the quality and character of the city skyline.

**G. General Design**

1. Design the building to minimise the impact of wind and shadows on other buildings, heritage resources and open spaces.
2. Use a material palette composed of three primary elements:
  - Brick masonry to define formal elements and anchor the base of the building.
  - Glass to provide transparency, openness, and lightness throughout the building.
  - Metal for shading and screening devices, architectural details, signage bands, canopies and public art elements, etc.
3. The use of exposed concrete or similar material shall be minimised as much as possible.
4. Using the LEED Canada for New Construction checklist as a baseline, the development should achieve a standard of sustainable design equal to a LEED Silver certification.

Agenda Item # Page #
