

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: Eparchy of Mississauga
150 King Edward Avenue
File Number: Z-9670, Ward 1
Public Participation Meeting

Date: January 9, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of (Eparchy of Mississauga) relating to the property located at 150 King Edward Avenue:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting January 23, 2024 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area Special Provision (NAS3(3)) Zone and Residential R6 Special Provision (R6-5(80)) Zone, **TO** a Neighbourhood Shopping Area Special Provision (NAS3(_)) Zone and Residential R6 Special Provision (R6-5(_)) Zone;

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the PPS 2020;
- ii) The recommended amendment conforms to The London Plan, including, but not limited to the Shopping Area Place Type and Key Directions; and
- iii) The recommended amendment facilitates the adaptive reuse of an existing building within the Built Area Boundary.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Neighbourhood Shopping Area Special Provision (NAS3(3)) Zone and Residential R6 Special Provision (R6-5(80)) Zone to a Neighbourhood Shopping Area Special Provision (NAS3(_)) Zone and Residential R6 Special Provision (R6-5(_)) Zone.

Purpose and the Effect of Recommended Action

The recommended action will permit a Place of Worship on the subject lands as an additional permitted use.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Wellbeing and Safety**, by ensuring Londoners have a strong sense of belonging and sense of place.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Z-9398 – January 10, 2022

1.2 Planning History

A previous Zoning By-law Amendment for the subject lands was submitted in July 2021, seeking to develop the property as a mixed-use development. The proposed development would contain mainly fourplexes, with the northwest corner of the lot being proposed to be used for a mixed-use building containing offices and commercial uses at the ground floor and residential units in the two floors above. The Zoning By-law Amendment was approved by council in January 2022.

1.3 Property Description and Location

The subject site is located on King Edward Avenue, approximately 55 metres south of Thompson Road. The site currently contains a vacant commercial plaza (Glen Cairn Plaza) and large surface parking lot.

The site is located within an existing neighbourhood, consisting of a mix of single detached dwellings to the west, a townhouse development to the east, and low-rise apartments to the north and south. The area also contains other neighbourhood commercial uses (at the corner of Thompson Road and King Edward Avenue) and places of worship (Ukrainian Orthodox Church, Chelsea Heights Gospel Hall).

Site Statistics:

- Current Land Use: Vacant commercial plaza / parking lot
- Frontage: 119 metres
- Area: 1.29 hectares
- Shape: Irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

Surrounding Land Uses:

- North: Convenience store, laundromat, and vacant residential zoned land. Across Thompson Road, low-rise apartment buildings and a gas station
- East: Two-storey townhouses and green space
- South: Low-rise apartment buildings
- West: Single detached dwellings and a place of worship

Existing Planning Information:

- Existing The London Plan Place Type: Shopping Area
- Existing Special Policies: Primary Transit Area
- Existing Zoning: Neighbourhood Shopping Area Special Provision (NAS3(3)) and Residential R6 Special Provision (R6-5(80))

Additional site information and context is provided in Appendix B.



Figure 1- Aerial Photo of 150 King Edward Avenue and surrounding lands



Figure 2 - Streetview of 150 King Edward Avenue (view looking east from King Edward Avenue)

2.0 Discussion and Considerations

2.1 Proposal

The applicant is proposing to add the land use “Place of Worship” to the subject lands. The intent would be to repurpose a portion of the existing building to accommodate the new use. The applicant is proposing internal changes to the building, with no exterior changes other than the addition of a cross. The existing parking lot (approximately 260 parking spaces) would remain in place and accommodate future users of the site.

Additional information on the development proposal is provided in Appendix B.

Concerns expressed by the public relate to:

- Parking

Detailed public comments are included in Appendix E of this report.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in The London Plan analysis below.

As the application for a Zoning By-law amendment complies with The London Plan, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The Shopping Area Place Type contemplates a broad range of uses including retail, service, office, entertainment, recreational, educational, institutional, and residential uses (TLP 877). The place of worship use is considered an institutional use which is permitted within the Place Type.

4.2 Intensity

The proposal seeks to add the Place of Worship within the existing building. No external changes or additions to the building are proposed, only the internal conversion to accommodate the new use.

Parking was raised as a concern by the public as the parking lot occasionally

accommodates users of nearby properties, such as the Ukrainian Orthodox Church (directly across the street from 150 King Edward Avenue). Ultimately parking for the surrounding land uses cannot be dependant on the onsite parking at 150 King Edward Avenue and are required to find alternative parking arrangements for their users. That being said, given the size of the existing parking lot (approximately 260 spaces) it would still be able to accommodate overflow parking from surrounding uses if the property owner was willing to let them use their parking lot.

4.3 Form

No physical external changes are proposed for the existing commercial plaza building, other than the addition of a cross. Form is not considered to be an issue for the proposed Zoning By-law Amendment.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Neighbourhood Shopping Area Special Provision (NAS3(3)) Zone and Residential R6 Special Provision (R6-5(80)) Zone to a Neighbourhood Shopping Area Special Provision (NAS3(_)) Zone and Residential R6 Special Provision (R6-5(_)) Zone. Staff are recommending approval of the requested Zoning By-law amendment with special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit a Place of Worship.

Prepared by: Noe O'Brien
Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Copy:
Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Brent Lamber, Manager, Development Engineering

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 150 King Edward Avenue.

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 150 King Edward Avenue, as shown on the attached map comprising part of Key Map No. A107, **FROM** a Neighbourhood Shopping Area Special Provision (NAS3(3)) Zone and Residential R6 Special Provision (R6-5(80)) Zone **TO** a Neighbourhood Shopping Area Special Provision (NAS3(_)) Zone and Residential R6 Special Provision (R6-5(_)) Zone;
2. Section Number 23.4 of the NSA Zone is amended by adding the following special provisions:

NSA3(_) 150 King Edward Avenue
 - a) Additional Permitted Uses
 - i) Place of Worship
3. Section Number 10.4 of the R6 Zone is amended by adding the following special provision

R6-5(_) 150 King Edward Avenue
 - a) Additional Permitted Uses
 - i) Place of Worship

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 January 23, 2024

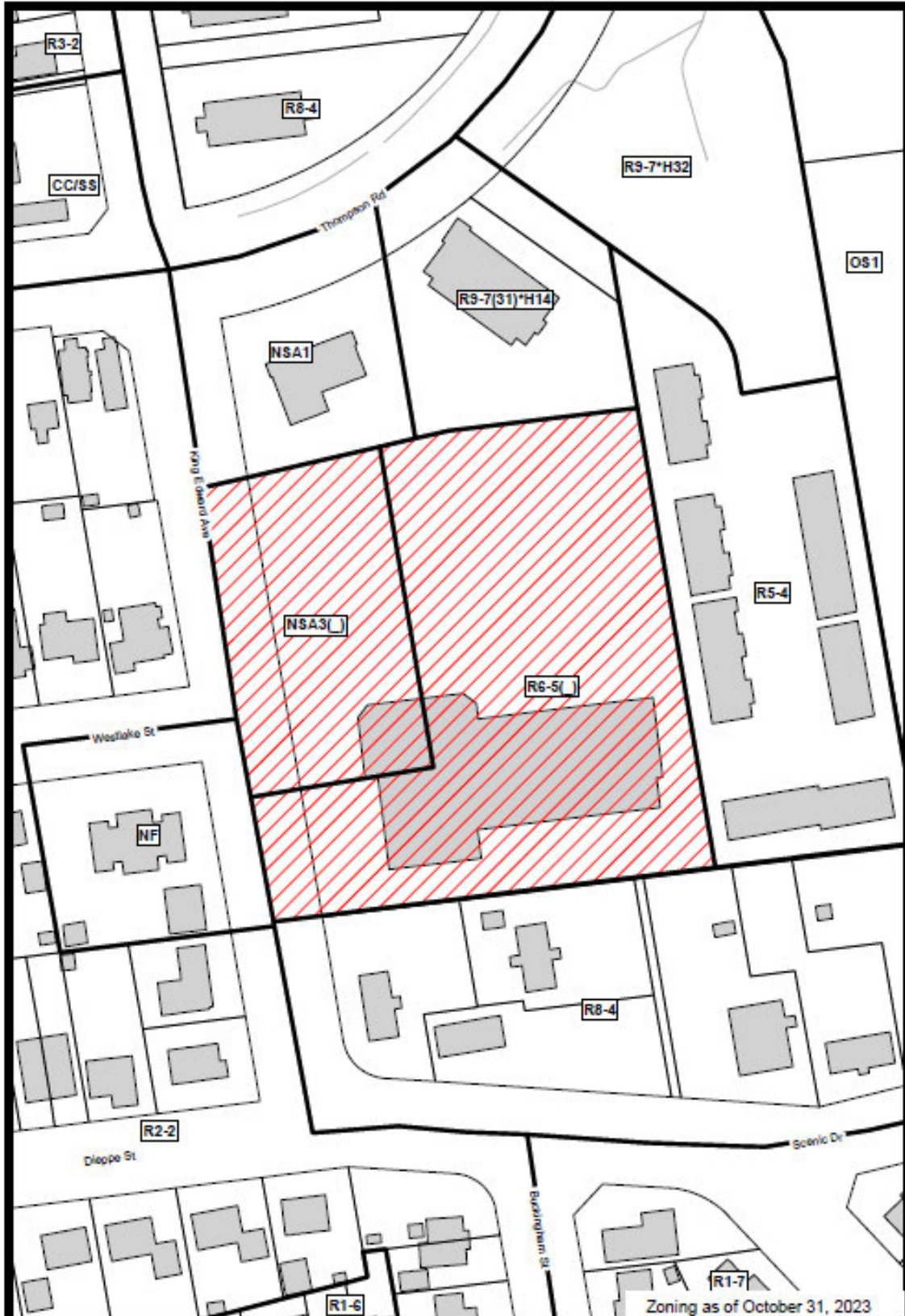
Josh Morgan

Mayor


Michael Schulthess
City Clerk

First Reading – January 23, 2024
Second Reading – January 23, 2024
Third Reading – January 23, 2024

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



File Number: Z-9670
Planner: NO
Date Prepared: 2023/11/23
Technician: RC
By-Law No: Z-1-

SUBJECT SITE 
1:1,250
0 5 10 20 30 40 Meters



Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant commercial plaza / parking lot
Frontage	119 metres
Area	1.29 hectares
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Convenience store, laundromat, and vacant residential zoned land. Across Thompson Road, low-rise apartment buildings and a gas station
East	Two-storey townhouses and green space
South	Low-rise apartment buildings
West	Single detached dwellings and a place of worship

Proximity to Nearest Amenities

Major Intersection	King Edward Avenue & Commissioners Road East, 1.1km
Dedicated cycling infrastructure	King Edward Avenue, adjacent
London Transit stop	Thompson Road and King Edward Avenue, adjacent
Public open space	Glen Cairn Park, 300m

B. Planning Information and Request

Current Planning Information

Current Place Type	Shopping Area Place Type along a Neighbourhood Connector
Current Special Policies	Primary Transit Area
Current Zoning	NSA3(3)/R6-5(80)

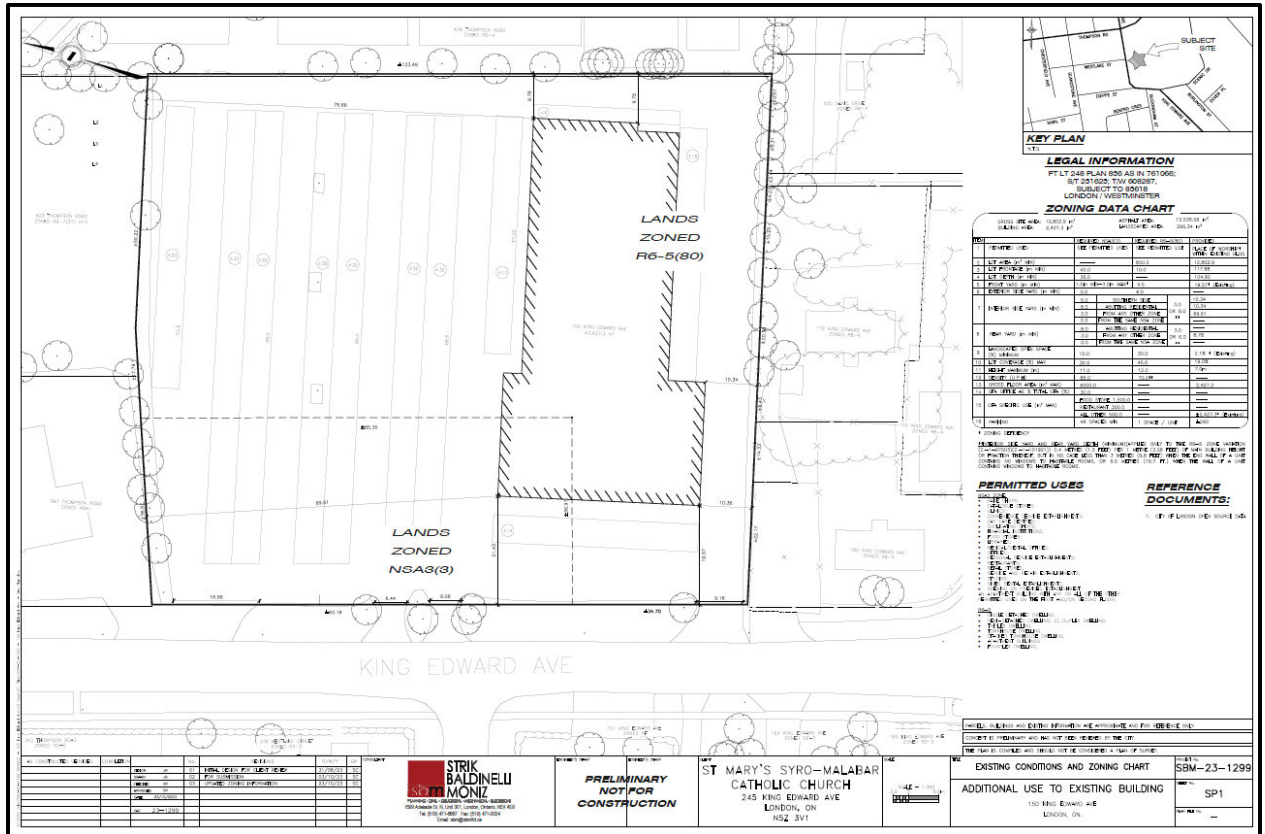
Requested Designation and Zone

Requested Place Type	No change requested
Requested Special Policies	No change requested
Requested Zoning	NSA3()/R6-5()

Requested Special Provisions

Regulation (NSA3()/R6-5())	Required	Proposed
Permitted use	N/A (Standard)	Place of Worship

Appendix C – Additional Plans and Drawings



Appendix D – Internal and Agency Comments

Ecology – November 20

- No ecological planning issues related to this property and/or associated study requirements.

Engineering – November 23

- No comments.

UTRCA – October 13

- The UTRCA has no objections to the application and has no Section 28 approval requirements.

Urban Design – October 31

- No comments

Parks Planning – November 3

- No comments.

Landscape Architecture – November 20

- No comments.

Site Plan – October 31

- Site Plan not required.

London Hydro – November 15

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Appendix E – Public Engagement

Dear Mr. O'Brien,

We are the property owners at [REDACTED], London, ON, NSZ 4K8. We are submitting comments with respect to this application FILE#Z-9670. Our concern is with the impact of parking as we have people parking on our lot from the Ukrainian Orthodox Church of Holy Trinity at 151 King Edward Avenue, London, ON, NSZ 3T5.

Church goes park at 150 King Edward Avenue, London, ON, NSZ 3T4 because there is not enough parking to accommodate everyone at this Ukrainian church premises. The parking issue is more evident during the snowy winter season as the previous landlord only plowed a small section of 150 King Edward Avenue. Therefore, our small parking lot is being used during mass service/events. Our parking lot is very important to our highly valued customers and we lose that business every time our customers leave go somewhere else.

The planning application is for residential/commercial plus a place of worship for the Eparchy of Mississauga. We strongly feel that according to the existing planning justification report there will not be enough parking to accommodate this type of development. The commercial portion of the plan does not seem to be adequate to provide enough parking and navigation of the traffic flow in and out of this site location especially with the residential dwellings. Home owners will have parking for their own vehicles and their visitors vehicles. Furthermore, where will people from Ukrainian church and the new Catholic Eparchy of Mississauga park? Our property has our customers and our delivery trucks frequenting our premises. Parking will be a big problem!

Regards,