

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: Roman Catholic Episcopal Corporation of the Diocese of
London Ontario (c/o Zelinka Priamo Ltd.)
1 Fallons Lane
File Number: Z-9728, Ward 3
Public Participation Meeting

Date: July 16, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Roman Catholic Episcopal Corporation of the Diocese of London Ontario (c/o Zelinka Priamo Ltd.) relating to the property located at 1 Fallons Lane:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting July 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** an Neighbourhood Facility (NF1) Zone, **TO** a Residential R8 Special Provision (R8-4(_)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) The Owner shall provide two (2) additional tree plantings along the Huron Street frontage in addition to the minimum requirements of the Site Plan Control By-law.

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

- i) The recommended amendment is consistent with the Provincial Policy Statement, 2020 (PPS), which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- ii) The recommended amendment conforms to The London Plan, including, but not limited to the Key Directions, City Design and Building policies, the Neighbourhoods Place Type policies, and the Zoning to the Upper Maximum Height;
- iii) The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the context of the site and surrounding neighbourhood; and
- iv) The recommended amendment support's Council's commitment to increase housing supply and affordability, and initiatives related to the Housing Accelerator Fund that will support the creation of affordable housing units.

Executive Summary

Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the property from a Neighbourhood Facility (NF1) Zone to a Residential R8 Special Provision (R8-4(_)) Zone. Requested special provisions include a maximum height of 22.0 metres, maximum density of 182.5 unit per hectare, minimum front yard setback of

4.3 metres, minimum interior (east) side yard depth of 3.0 metres, and reduced bicycle parking spaces.

Purpose and the Effect of Recommended Action

Staff are recommending approval of the requested Zoning By-law Amendment with special provisions to permit the development of the 6 storey apartment building with **73 residential units** and 37 parking spaces.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Report to London Consent Authority – 1 Fallons Lane, B.016-24 – June 6, 2024

1.2 Planning History

A Consent Application was submitted in April of 2024, and conditionally approved by the London Consent Authority. The application sought to sever a lot with an area of 4,041.52m² and a lot frontage of 84.8m along Huron Street and retain a lot with an area of 11,172.0m² and a lot frontage of 59.9m along Fallons Lane to facilitate the proposed residential apartment building.

1.3 Property Description and Location

1 Fallons Lane is located on the northwest corner of the intersection of Fallons Lane and Huron Street within the Huron Heights Planning District. The site has a total area of approximately 1.52 hectares, with 59.9 metres of frontage along Fallons lane, and 145.62 metres along Huron Street. The subject lands are currently owned by the Roman Catholic Episcopal Corporation of the Diocese of London Ontario, and are occupied by the church building, a surface parking area, a manse (residence of the minister), associated garage, and a storage shed. Vehicular access is provided from Fallons Lane and Huron Street.

The surrounding neighbourhood includes an elementary school (École élémentaire catholique Ste-Jeanne-d'Arc) to the north; low density residential development in the form of single detached dwellings across Fallons Lane to the east; low density residential development in the form of single detached dwellings and low-rise apartment buildings to the south; and medium density residential development in the form of townhouse developments (Chisolm Place Housing Co-operative) to the west.

Fallons Lane is classified as a Neighbourhood Connector on Map 3 – Street Classifications of The London Plan. Fallons Lane is a two-lane road with sidewalks on both sides. Huron Street is classified as a Civic Boulevard on Map 3 – Street Classifications of The London Plan, with a traffic volume of approximately 13,000 vehicles per day. Huron Street is also a two-lane road with sidewalks on both sides, and access to LTC transit routes, with several bus stops located at the intersection of Huron Street and Sandford Street. Further, there is a pedestrian crosswalk provided across Huron Street at the intersection of Fallons Lane and Huron Street.

Site Statistics:

- Current Land Use: Place of Worship and associated surface parking lot

- Frontage: 59.9 metres along Fallons Lane
- Depth: 145.62 metres
- Area: 1.52 hectares (3.75 acres)
- Shape: Regular (rectangle)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North: Elementary School (École élémentaire catholique Ste-Jeanne-d'Arc)
- East: Low Density Residential (Single detached dwellings)
- South: Low Density Residential (Single detached dwellings)
- West: Medium Density Residential (Chisolm Place Housing Co-operative)

Existing Planning Information:

- The London Plan Place Type: Neighbourhoods Place Type at the intersection of a Neighbourhood Street (Fallons Lane) and Civic Boulevard (Huron Street)
- Existing Special Policies: N/A
- Existing Zoning: Neighbourhood Facility (NF1) Zone

Additional site information and context is provided in Appendix "B".

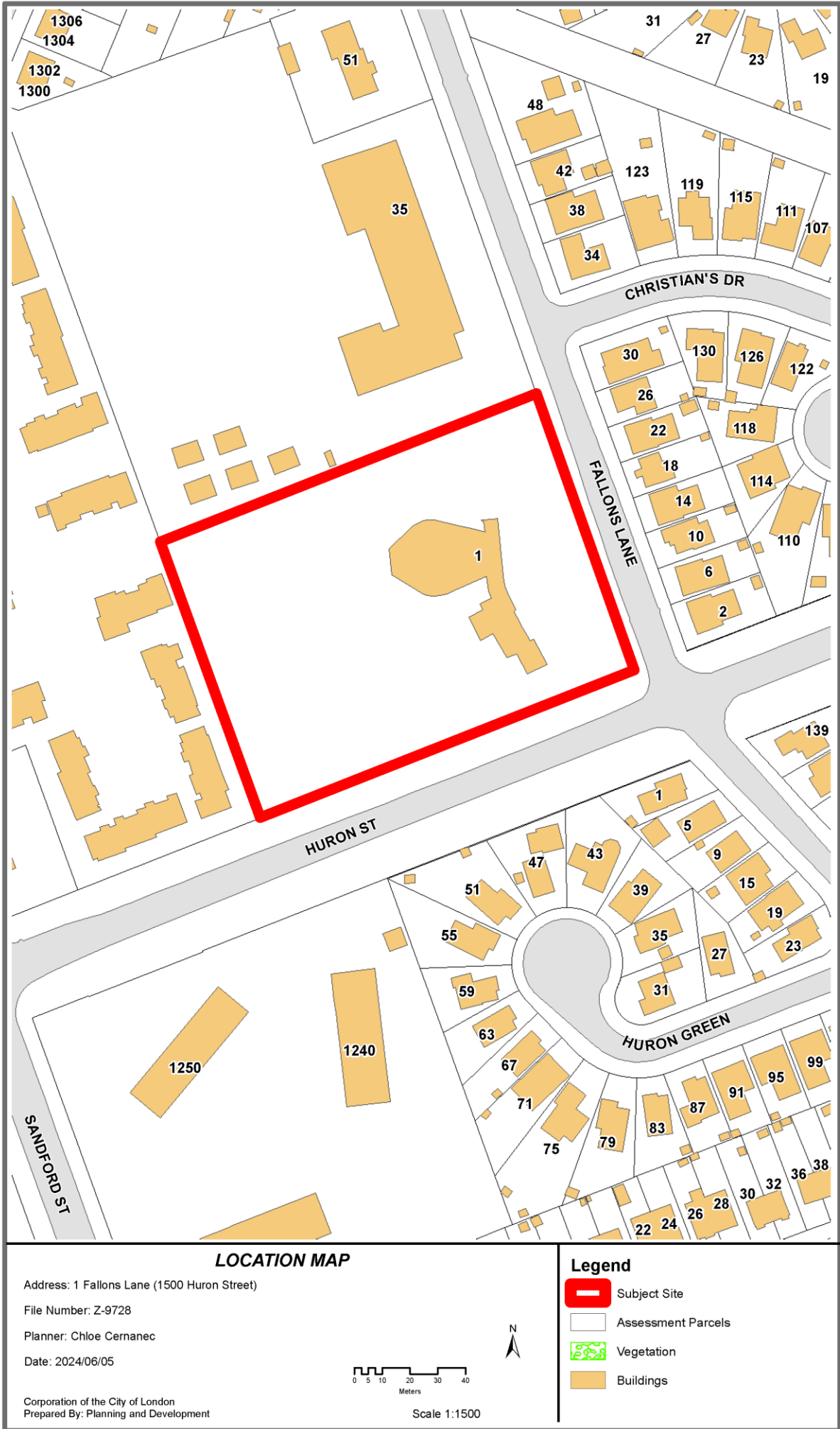


Figure 1- Aerial Photo of 1 Fallons Lane and surrounding lands



Figure 2 - Streetview of the southeast corner of 1 Fallons Lane (view looking West)



Figure 3 - Streetview of the southwest corner of 1 Fallons Lane (view looking North)

2.0 Discussion and Considerations

2.1 Development Proposal

A Consent application has been submitted and is currently under review by City staff. The proposed Consent would create a new lot in the southwest corner of the subject lands to accommodate the proposed apartment building, together with associated parking and landscaped open space. All current uses are proposed to continue on the retained lands.

The proposed development consists of a 6 storey apartment building with 73 dwelling units, landscaped areas, an outdoor amenity space, and 37 surface parking spaces (0.5 spaces per unit). The apartment building is intended to be entirely comprised of affordable housing units developed by St. Vincent DePaul. An outdoor amenity area is to be located northeast of the building, generally screened from the public, providing future residents with privacy from surrounding uses. A full movement vehicular access is proposed in the same general location as the existing access from Huron Street. A new walkway will be established parallel to the access driveway, providing convenient and safe pedestrian access to the building from Huron Street.

The proposed development includes the following features:

- Land use: Place of Worship (existing) and Residential (proposed)
- Form: Apartment building
- Height: 6 storeys (22.0m)
- Residential units: 73
- Density: 182.5 units per hectare
- Gross floor area: 1,100m²
- Building coverage: 27%
- Parking spaces: 37 surface parking spaces
- Bicycle parking spaces: 26 long-term spaces, 5 short-term spaces
- Landscape open space: 39%
- Functional amenity space: 404m²

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

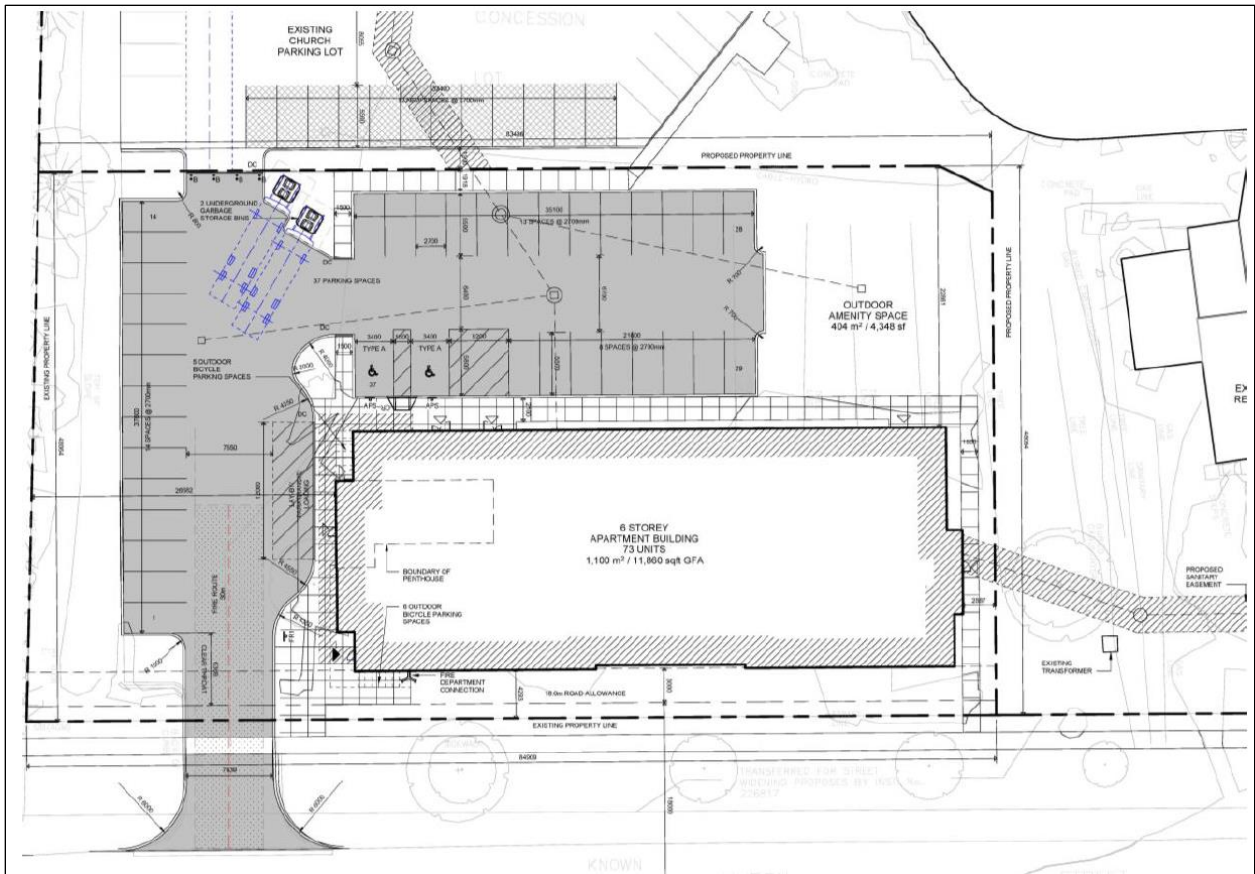


Figure 3 - Conceptual Site Plan (April 2024)



Figure 4 – Rendering of proposed building – view from Huron Street (April 2024)



Figure 5 – Rendering of proposed building – rear view (April 2024)

Additional plans and drawings of the development proposal are provided in Appendix “C”.

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Neighbourhood Facility (NF1) Zone to a Residential R8 Special Provision (R8-4(_)) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (R8-4)	Required	Proposed
Front Yard Setback (minimum)	7.0m	4.3m
Interior (East) Side Yard Setback (minimum)	7.2m	3.0m
Building Height (maximum)	13.0m	22.0m
Density (maximum)	75 units per hectare	182.5 units per hectare
Bicycle Parking Spaces (minimum)	Long-term = 66 Short-term = 8	Long-term = 26 Short-term = 5

2.3 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application; however, no major concerns were identified by staff.

Detailed internal and agency comments are included in Appendix “D” of this report.

2.4 Public Engagement

On May 16, 2024, Notice of Application was sent to 67 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 23, 2024. A “Planning Application” sign was also placed on the site.

There was one (1) response received during the public consultation period in support of the proposed development. 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*.

Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, and accommodating an appropriate affordable and market-based range and mix of residential types (1.1.1.a) & 1.1.1.b)).

The proposed development meets the intent of the PPS policies by introducing a compact, mixed-use, residential high-rise development that would intensify an existing commercial centre in an area designated for commercial and residential uses.

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.

The London Plan includes a framework of heights that includes standard maximum and upper maximum heights (TLP Table 8). Our Tools includes policies for zoning to the upper maximum height (TLP 1638-1641).

To provide certainty and to ensure that impacts of the additional height and density are mitigated, a site-specific zoning by-law amendment is required to exceed the standard maximum height. This will provide assurance that measures, such as special provisions and Site Plan considerations, will be implemented to address public and Council concerns.

3.0 Financial Impact/Considerations

3.1 Financial Impact

There are no direct municipal financial expenditures with this application.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed residential use is supported by the policies of the Provincial Policy Statement, 2020 (PPS) and is contemplated in the Neighbourhoods Place Type on a Civic Boulevard in The London Plan (TLP, Table 10 – Range of Permitted Uses in Neighbourhood Place Type). It is noted that following the creation of the lot, the lot frontage would be deemed to be Huron Street, a Civic Boulevard. As such, the proposed use is in conformity with the policies of The London Plan.

4.2 Intensity

The proposed intensity is consistent with the policies of the PPS that encourage residential intensification (1.1.3.4), an efficient use of land (1.1.1 a), and a diversified mix of housing types and densities (1.4.1). The proposed intensity conforms with Table 8 – Summary of Minimum and Maximum Heights by Place Type and Table 11 – Range of Permitted Heights in Neighbourhoods Place Type, which contemplates a minimum height of 2 storeys (8 metres), a standard maximum height of 4 storeys and an upper maximum height of 6 storeys. As a maximum height of 6 storeys is proposed in the presence of other 6-storey and mid-rise apartment buildings nearby, the proposed development is considered in keeping with The London Plan policies.

The residential intensification policies in The London Plan require intensification to be undertaken well in order to add value to neighbourhoods rather than undermine their character, quality, and sustainability (TLP, Policy 937_). The London Plan defines residential intensification as development of a property at a higher residential intensity than currently exists (TLP, Policy 938_). Proposals for intensification are required to be appropriately located and fit well within the receiving neighbourhood (TLP, Policy 937_ and 940_).

When zoning to the upper maximum height, a development should include features required to mitigate the impacts of the additional height and densities whereby the increase in building height may be permitted where the resulting intensity and form of the proposed development represents good planning within its context (TLP, Policies 1640_, 1641_).

Staff are of the opinion that the site is in an appropriate location for intensification, given its proximity to existing services and transit, while contributing to the ongoing need for apartment units and affordable units specifically.

4.3 Form

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of site layout, access points, driveways, landscaping, amenity areas, building location and parking, building and main entrance orientation, building line and setback from the street, height transitions with adjacent development, and massing (953_ 2, a. to f.).

All planning and development applications will conform with the City Design policies of The London Plan (TLP, 194_). These policies direct all planning and development to foster a well-designed building form, and ensure development is designed to be a good fit and compatible within its context (TLP, 193_1 and 193_2). The site layout of new development should be designed to respond to its context, the existing and planned character of the surrounding area, and promote connectivity and safe movements for pedestrians, cyclists, and motorists between and within sites (TLP, 252_ and 255_). In terms of built form, buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings and minimize the visual exposure of parking areas to the street (TLP, 256_ & 269_).

The built form consists of a 6 storey (22.0 metre) residential apartment building oriented towards Huron Street. As proposed, the built form directs the height and intensity

toward a higher order street (Huron Street) (TLP, 918_13) with appropriate buffering and setbacks towards the existing residential uses to the east (TLP, 953_2). The proposed built form and massing have consideration for the adjacent low density residential uses and is appropriate within the context of the surrounding neighbourhood (TLP, 953_2).

Access to the subject lands is proposed via a driveway onto Huron Street, promoting connectivity and safe movement for pedestrians, cyclists, and motorists (TLP, 255_). As proposed, the parking is to be visually screened from the street, thereby encouraging a pedestrian oriented streetscape (TLP, 936_4).

The proposed built form is consistent with the Neighbourhoods Place Type policies and the City Design policies of The London Plan by facilitating a compatible form of development that will help support the growing demands of London residents (TLP, 937_). Specifically, facilitating a development that supports aging in place, affordability, and the effective use of land in neighbourhoods (TLP, 193_7).

4.4 Zoning Provisions

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Neighbourhood Facility (NF1) Zone to a Residential R8 Special Provision (R8-4(_)) Zone. The following summarizes the special provisions that have been proposed by the applicant and recommended by staff.

Front Yard Depth – The applicant is requesting a special provision to permit a front yard depth of 4.3 metres, whereas a minimum of 7.0 metres is required. The reduced front yard setback is supported by the policies of The London Plan, which states that buildings should be sited close to the street to maintain and reinforce the prevailing street wall and create an inviting and comfortable pedestrian environment (The London Plan, 259_). Staff are supportive of the reduced front yard setback as the proposed building will create a human-scale relationship with the public realm that is comfortable for pedestrians.

Interior Side Yard Depth – The applicant is requesting a special provision to permit an interior (east) side yard setback of 3.0 metres, whereas a minimum of 7.2 metres is required. The requested easterly interior side yard setback provides a total building separation of 14.2 metres to the existing building and does not abut residential uses. Staff are supportive of the reduced setback, as the development maintains appropriate spacing between buildings to allow for sunlight, landscape buffering, and fencing.

Increased Height – The applicant is requesting a special provision to permit a maximum building height of 6 storeys, or 22.0 metres, whereas 13.0 metres is the maximum permitted. Staff are supportive of the increased height, as it is appropriate for the subject site given the street classification in Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type in The London Plan. Further, the site is located in proximity to other mid-rise apartment buildings therefore the proposed height aligns with existing context of the surrounding area.

Increased Density – The applicant is requesting a special provision to permit a maximum density of 182.5 units per hectare, whereas 75 units per hectare is the maximum permitted. The increased density will allow for the implementation of the proposed redevelopment, facilitating an appropriate scale of development that is compatible within the existing neighbourhood character (TLP 918_13). Further, the proposed development is located in proximity of existing transit routes, which will support the use of transit by future residents. On this basis, staff are supportive of the proposed density of 182.5 units per hectare.

4.5 Affordable Housing

In the case of rental housing, The London Plan defines *affordable housing* as either; “a) A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or b) A unit for which the rent is at or below

the average market rent of a unit in the City of London” (TLP, 1795_). For the purposes of this application, the proposed affordable housing development aims to supply housing at lower-than-average rent which will contribute to the range of options for housing affordability in a well-connected neighbourhood with convenient access to employment opportunities, recreational areas and goods and services within walking distance.

Confirmation of the number of units and any City funding provided to support the development would be addressed through a future municipal contribution agreement. Contact has been made by the applicant with the City’s Municipal Housing Development group who administer funding and associated agreements to support affordable housing.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Neighbourhood Facility (NF1) Zone to a Residential R8 Special Provision (R8-4(_)) 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 the development of a 6 storey apartment building containing 73 residential units.

Prepared by: **Chloe Cernanec**
Planner, Planning Implementation

Reviewed by: **Catherine Maton, 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
Mike Corby, Manager, Site Plans
Brent Lambert, 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 1 Fallons Lane.

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 1 Fallons Lane, as shown on the attached map **FROM** a Neighbourhood Facility (NF1) Zone, **TO** a Residential 8 Special Provision (R8-4()) Zone.
2. Section Number 12.4 of the Residential R8-4 Zone is amended by adding the following Special Provisions:

R8-4() 1 Fallons Lane
 - a. Regulations
 - i) Front Yard Depth (min) – 4.3 metres
 - ii) Interior (East) Side Yard Setback (min) – 3.0 metres
 - iii) Building Height (max) – 22.0 metres
 - iv) Density (max) – 182.5 units per hectare
 - v) Bicycle Parking Spaces (min) – 26 long-term spaces and 5 short-term spaces
3. This Amendment shall come into effect 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.

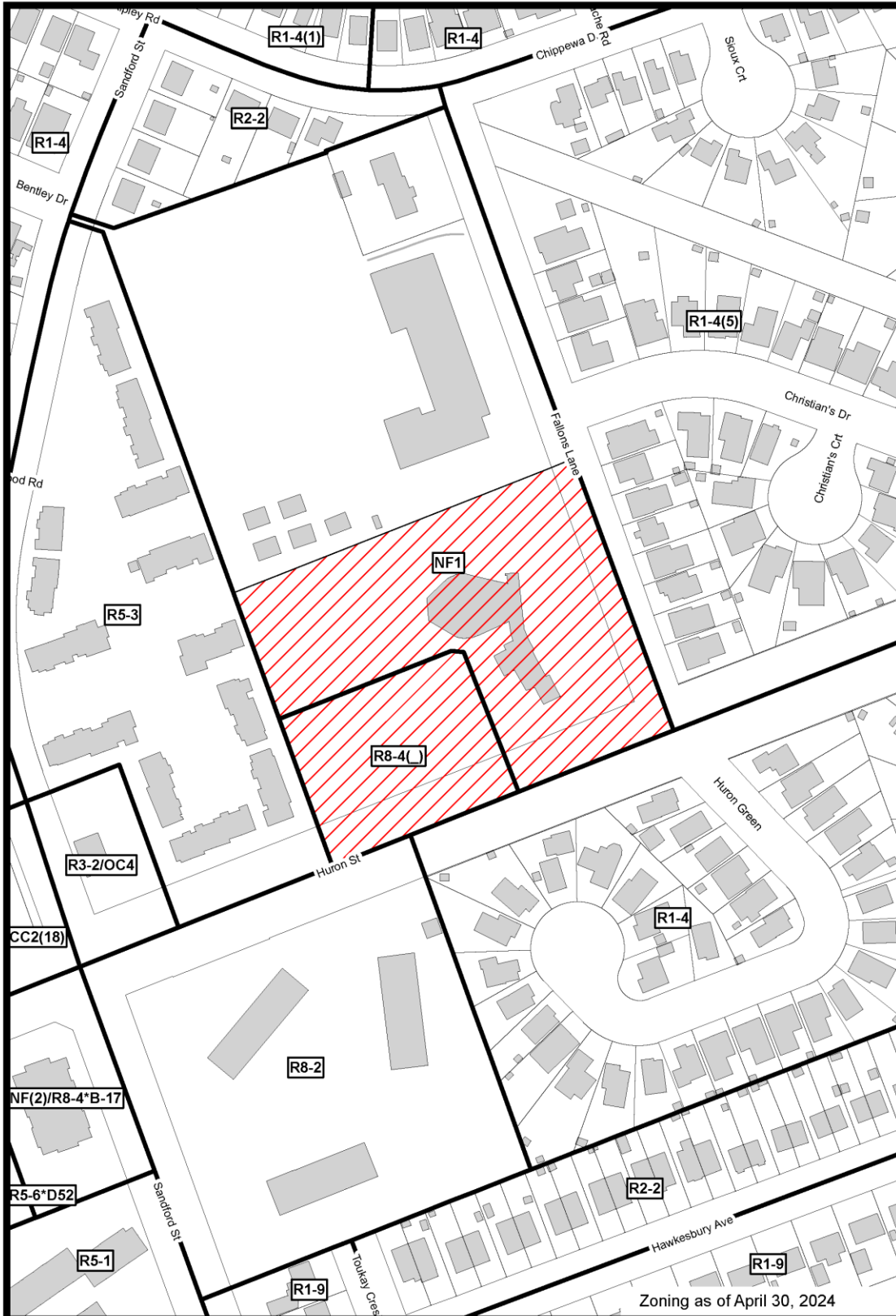
PASSED in Open Council on August 27, 2024, subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk


First Reading – August 27, 2024
Second Reading – August 27, 2024
Third Reading – August 27, 2024

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



Zoning as of April 30, 2024

File Number: Z-9728
 Planner: CC
 Date Prepared: 2024/06/05
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Institutional
Frontage	104.84 metres (Fallons Lane)
Depth	144.82 metres (Huron Street)
Area	1.5 hectares (3.7 acres)
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	Institutional (École Élémentaire Catholique Sainte-Jeanne-d'Arc)
East	Residential (single detached dwellings)
South	Residential (mid-rise apartment buildings, housing co-operatives, and single detached dwellings)
West	Residential (townhouses and single detached dwellings)

Proximity to Nearest Amenities

Major Intersection	Huron Street & Sandford Street, 105 metres
Dedicated cycling infrastructure	Huron Street – bike lane, 100 metres
London Transit stop	Huron Street – LTC stop, 145 metres
Public open space	Stronach Park, 470 metres
Commercial area/use	Highbury Avenue North & Huron Street Commercial Plaza, 940 metres
Food store	Walmart, 1,245 metres
Primary school	École Élémentaire Catholique Sainte-Jeanne-d'Arc, 245 metres
Community/recreation amenity	Stronach Arena & Community Centre, 470 metres

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods Place Type, fronting a Civic Boulevard
Current Special Policies	N/A
Current Zoning	Neighbourhood Facility 1 (NF1) Zone

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Residential R8 Special Provision (R8-4(_)) Zone

Requested Special Provisions

Regulation (R8-4)	Required	Proposed
Front Yard Setback (minimum)	7.0m	4.3m
Interior (East) Side Yard Setback (minimum)	7.2m	3.0m
Building Height (maximum)	13.0m	22.0m
Density (maximum)	75 uph	182.5 uph

C. Development Proposal Summary

Development Overview

The purpose and effect of the recommended action is to permit the development of a 6-storey apartment building consisting of 73 apartments proposed for affordable units. An outdoor amenity area is to be located northeast of the building, generally screened from the public, providing future residents with privacy from surrounding uses. Surface parking areas will be located to the west and north of the building, and vehicular access will be in the same general location as the current access off of Huron Street. A new walkway will be established parallel to the access driveway.

Proposal Statistics

Land use	Residential
Form	6 storey apartment building
Height	6 storeys (22.0 metres)
Residential units	73
Density	182.5 uph
Gross floor area	1,100m ²
Building coverage	27%
Landscape open space	39%
Functional amenity space	404m ²
New use being added to the local community	No

Mobility

Parking spaces	37 surface parking spaces
Vehicle parking ratio	0.5 spaces per unit
New electric vehicles charging stations	N/A
Secured bike parking spaces	31 parking spaces total
Secured bike parking ratio	0.4 spaces per unit
Completes gaps in the public sidewalk	NA
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	NA

Environmental Impact

Tree removals	9
Tree plantings	32 (potential)
Tree Protection Area	No
Loss of natural heritage features	NA
Species at Risk Habitat loss	NA
Minimum Environmental Management Guideline buffer met	NA
Existing structures repurposed or reused	NA
Green building features	Unknown

Appendix C – Additional Plans and Drawings



Building Rendering: southwest corner view along Huron Street

Appendix D – Internal and Agency Comments

Upper Thames River Conservation Authority – Received May 15, 2024

- The subject lands are not affected by any regulations (Ontario Regulation 41/24) made pursuant to Section 28 of the *Conservation Authorities Act*.

Site Plan – Received May 30, 2024

Major Issues

- none

Matters for OPA/ZBA

- Special provisions required for front yard depth, interior side yard depth, height, density, **long-term bicycle parking and short-term bicycle parking.**

Matters for Site Plan

- Site Plan Application SPA24-030 has been received and is under active review. Site plan matters will be addressed through the site plan process.

To note: the proposed development parcel has been assigned a draft address of 1500 Huron Street, which will be used in all site plan matters going forward.

Heritage – Received May 22, 2024

- I have received and reviewed the Stage 1-2 Archaeological Assessment as well as the Ministry's clearance for this application. This is to confirm that the archaeological matters have been addressed.

Parks – Received May 24, 2024

Major Issues

- None.
-

Matters for OPA/ZBA

- None.

Matters for Site Plan

- Parkland dedication is not required as per Section 4.2 1.2 of the Planning Act which states that a by-law passed under this section does not apply to non-profit housing development defined in subsection 4.2 (1) of the Development Charges Act.
- The applicant is to provide a letter of confirmation of non-profit status per the Act as provided below:

Planning Act:

Exception, non-profit housing development
(1.2) A by-law passed under this section does not apply to non-profit housing development defined in subsection 4.2 (1) of the Development Charges Act, 1997. 2022, c. 21, Sched. 9, s. 12 (4).

Development Charges Act:

Exemption for non-profit housing development

Definition

4.2 (1) In this section,

“non-profit housing development” means the development of a building or structure intended for use as a residential premises and developed by,

(a) a corporation to which the Not-for-Profit Corporations Act, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing,

(b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing, or

(c) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act, 2022, c. 21, Sched. 3, s. 4.

Urban Design – Received May 29, 2024

Major Issues:

- This site is located within the Neighbourhoods Place Type, along a Civic Boulevard in The London Plan, which generally contemplates the proposed use and height. Urban Design are supportive of the proposed development and commend the applicant for proposing a site layout and building design which incorporates locating the building close to the public street, for providing a robust network of pedestrian connections into and through the site, and for providing a highly distinguishable and articulated principal building entrance close to the public street.

Matters for ZBA:

- Urban Design is supportive of the special provisions proposed for the R8-4() zone and has no further concerns as all of our previous comments have been addressed.

Matters for Site Plan:

- The following comment was provided through the Site Plan Application process:
 - Explore opportunities to provide increased transparent glazing (more / larger windows) on the ground floor facing Huron Street to allow for increased passive surveillance into the public realm. [TLP Policy 291]

Landscape Architecture – Received May 17, 2024

Major Issues

- No potential grounds for refusal, or issues that could require significant changes to the proposal.

Matters for OPA/ZBA

- No boundary trees were identified on the tree preservation plan.

Matters for Site Plan

- The inventory captured 52 individual trees including a number of recently planted trees under 10cm dbh; 9 to be removed from subject site due to direct conflict with proposed construction. Replacement trees to be recommendation to Site Plan Review based on total dbh removed. **141** cm dbh is proposed for removal, in accordance with LP Policy 399, **14** replacement trees are required. However, the City's Tree Protection Bylaw will be used to calculate replacement trees as the city develops a bylaw to implement Policy 399. To this end **0 replacement** trees would be required.

Ecology – Received June 6, 2024

- No concerns.

Engineering – Received June 21, 2024

Engineering has no comments for this zoning application. Please note that we are concurrently reviewing site plan application SPA24-030 1500 Huron Street (formerly 1 Fallons lane).

The following items are to be considered during a future site plan application stage:

FYI-The Owner shall register on title of the severed and retained lands, easements and joint use and maintenance agreements, for accesses and shared private services (if required) over the severed and retained parcels.

- **FYI-**If required, the Owner shall register on title of the subject lands, an appropriate easement and maintenance use agreement for the shared private driveway between the severed parcel and 1 Fallons Lane, all in accordance with the reference plan accepted by the City.

- **FYI-**A letter of undertaking to be provided by the current property owner to confirm that if shared services are proposed, an Environmental Compliance Approval (ECA) issued by the Ministry of Environment, Conservation and Parks (MECP) shall be obtained for the subject lands.

Wastewater:

- The municipal sanitary sewer available is the 200mm diameter sewer on Fallons Lane, City drawing no. 11838 shows related information. As a condition of the severance, a private servicing easement and/or joint use and maintenance agreement was previously required by SED and registered on title of properties regarding provisions of independent sanitary servicing. I was under the assumption this apartment building would get an easement over the adjacent lands but have independent servicing which would be preferred to avoid shared mixed servicing.
- Based on the engineering drawings provided, the proposed apartment is connecting internally to the existing private sewer for the Church and should field verify which may require CCTV inspection that the existing internal private sewer and PDC connection is adequate for the proposed additional flows.
- If the internal private sewer or PDC cannot be certified by the applicants engineer that it is adequate for the additional flows, then a new PDC and private sewer will have to be constructed which should have independent servicing from the church with the appropriate easements in place.

Water:

- Water is available from the 300mm municipal watermain and the 600mm Steel municipal watermain on Huron St. However, the submitted site plan application identifies that two separate easements will be taken – one for stormwater servicing, and one for sanitary over the retained lands out to Fallons Lane in favour of the severed land. It is Water Engineering's preference that the applicant also obtain a water easement (or one general Municipal Services easement wide enough for all three) over the retained land such that they have the ability to extend their water service to connect to the **300mm CI watermain on Fallons Lane**.
- A water servicing report will be required to address the domestic demands, fire flows, water quality (adequate turnover) and resulting pressures based on connection to the 300mm watermain on Fallons Lane as the source.
- The proposed apartment building development is to be serviced by their own individual water service.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- All new water servicing is to be designed and constructed in accordance with City Standards.

Stormwater:

- As per as-constructed sheet 11839, the site is tributary to the existing 300mm storm sewer on Fallons Lane at a C 0.65. For proposed development in exceedance of the approved C-value of the downstream storm sewer design, the site is to store volumes in excess of the allowable release rate. The consultant is to investigate the existing servicing layout of the property and provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure appropriate SWM controls are proposed to achieve the release targets. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
- The proposed land use of medium/high density residential will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.

- As per the City of London’s Design Requirements for Permanent Private Systems, the proposed application falls within case 3a, therefore the following design criteria should be implemented:
 - i. the flows from a site being developed are to be restricted to those flows which were allowed for the site in the design of the receiving storm sewer; and,
 - ii. the major flows are to be controlled on site up to the 100-year event and the site grading is to safely convey up to the 250-year storm event; and,
 - iii. 100% of quality and erosion controls are to be provided for the lands to be developed, as per the applicable Subwatershed Study.
- The number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devices, along with the required inspection maintenance hole.
- To manage stormwater runoff quantity and quality, the applicant’s consulting engineer may consider implementing infiltration devices in the parking area in the form of “Green Parking” zones as part of the landscaping design.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, it’s infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- As part of climate change resiliency objectives the consultant is to use best efforts to maximize the provided site storage. The consultant is encouraged to make use of rooftop storage via drain controls.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review. Stormwater runoff from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP standards and requirements. This plan is to include measures to be used during all phases of construction and clearly communicated on engineering drawings. Any supportive design information may be included in the Storm/Drainage Servicing Report.

Transportation:

- A 6m x 6m daylight triangle is required at the intersection. No other widening requirements.
- Detailed comments regarding access design will be made through the site plan process.

Appendix E – Public Engagement

Community Engagement:

Notice of Application - On May 16, 2024, Notice of Application was sent to 67 property owners and residents in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on May 23, 2024. A “Planning Application” sign was also placed on the site.

There was one response received during the public consultation period.

Public Comment #1 – Logan Predy

Hi there,

Just saw the planning application sign go up for this new apartment building so I thought I'd submit my input as a resident of [REDACTED].

My wife and I think it's an excellent idea and addition to the neighbourhood. We are proud that the church is ceding some of its property to allow for much needed housing stock to be built.

We have some NIMBY neighbours here who seem opposed to the development in some kind of strange principle, but I'm actually surprised at how small of a footprint the proposed building is going to have.

My only question would be what percentage of the units are set to be properly affordable and what “affordable” would mean in this case. Also how many wheelchair accessible units they're being required to have. Affordable and accessible units are areas of immense need in London and we'd hope that those are large and present concerns for the city when approving new builds like this.

Thanks and hope you have a great long weekend,

-Logan Predy

Public Comment #2 – Liz Norris

Good afternoon everyone. My name is Liz Norris. I'm here today with some tenants from [REDACTED]. We're the property that's [REDACTED]. First and foremost I'd like to say we're not **NIMBY** neighbours, we're **YIMBY** neighbours with a few important questions/concerns.

1. **Traffic** during construction on Huron and Cheapside. Due to the Oxford/Highbury construction, Huron and Cheapside have become the de facto cut throughs to avoid this major construction. Huron is normally quite busy and now it's even worse between 3-6. Cheapside is the same now. Some days it's taken me 9 light cycles to turn left onto Highbury from both Cheapside and Huron. Most often the traffic is backed up past Fallon's Lane during this time of day. On the weekends when the church parking lot is pretty full. Cars leaving the parking lot from the Huron exit, take quite a bit of time to get out into traffic, leaving many cars idling for a long time.

We were told privately after our meeting that the church plans on putting in a berm to avoid cut through traffic. **We'd like a commitment from the church that this will happen in a timely fashion.**

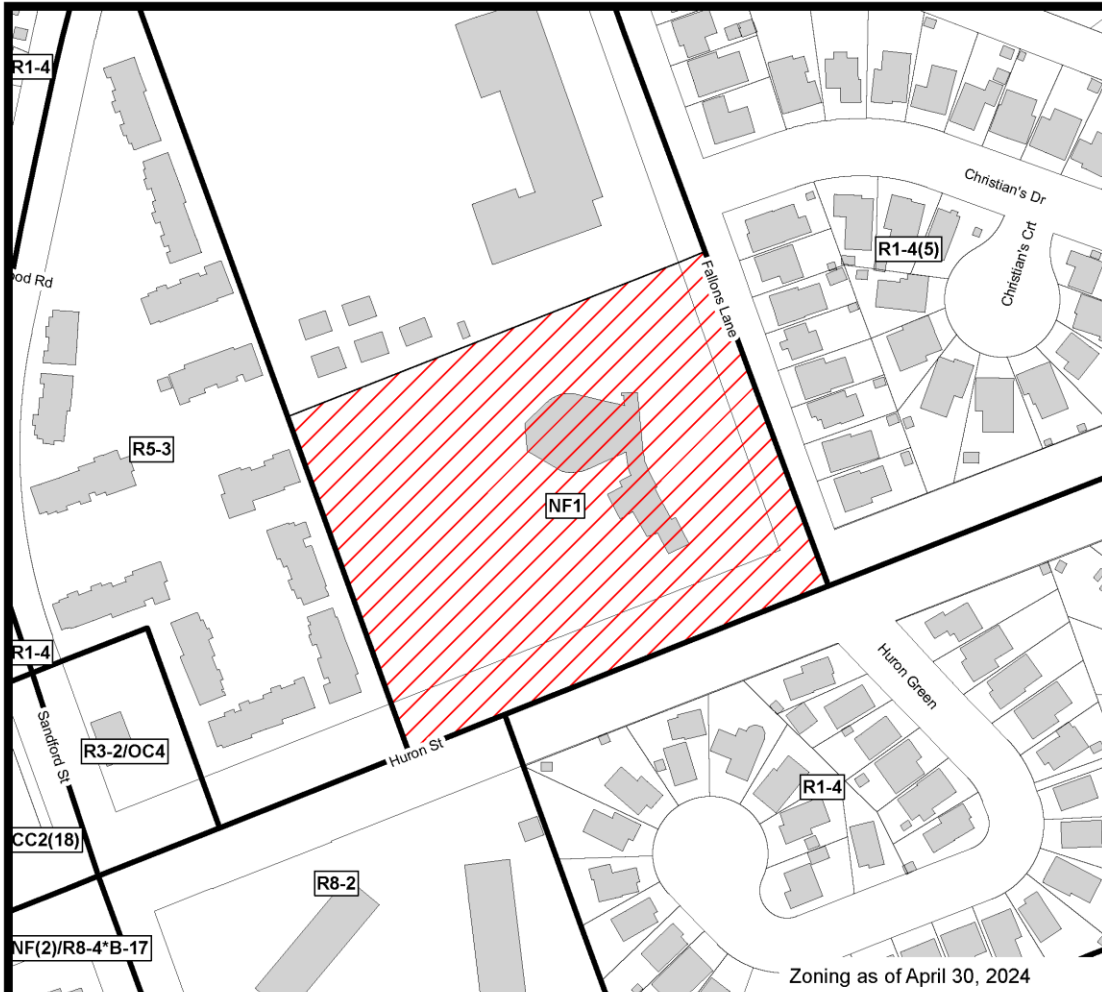
2. We've had many **power surges** lately and a few major power outages over the last few years, as well as issues with internet service. Will the city be doing power/communication and infrastructure upgrades as well, or are you just tying in to the existing overloaded one? This could be a problem

3. **Drainage** - What are the plans for drainage? **We're worried about our backyards being flooded.** They're confident that drainage won't be an issue. **We're not confident with the answer given.** There's one catch basin on the new property. The apartment will only have one. Not sure if the building will be on top of it when it's built. There's no curbs or gutters on Huron between Fallon's and the property line?

With that being said we're requesting that this plan be put on pause until these concerns can be addressed and the Oxford and Highbury construction is complete.

Appendix F – Relevant Background

Zoning By-law No. Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: NF1

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "d" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:

Z-9728

CC

MAP PREPARED:

2024/06/05

RC

1:2,000

0 10 20 40 60 80

Meters

