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S. Bellaire
File No: SP12-004340

TO:	CHAIR AND MEMBERS – PLANNING AND ENVIROMENT COMMITTEE MEETING
FROM:	GEORGE KOTSIFAS DIRECTOR OF BUILDING CONTROLS AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: DIOCESE OF LONDON 806 VICTORIA STREET PUBLIC SITE PLAN MEETING MARCH 26, 2012 after 4:10 PM

RECOMMENDATION

That on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of the Diocese of London relating to the property located at 806 Victoria Street:

- a) On behalf of the Approval Authority, the Planning and Environment Committee **BE REQUESTED** to conduct a public meeting and **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval to permit the construction of 274 crypts including one storage room;
- b) Council **SUPPORTS** the Approval Authority granting approval of the attached site plan, landscape plan, and elevations; and,
- c) the applicant **BE ADVISED** that the Director, Development Finance has projected claims and revenues information shown below.

CLAIMS AND REVENUE INFORMATION

The Director of Development Finance has projected the following claims and revenue information:

	<u>Estimated Revenue</u>	<u>Estimated Claims</u>
Urban Works Charges	\$4,643.60	\$NIL
City Services Charges	\$4,787.90	\$NIL
TOTAL	\$9,431.50	\$NIL

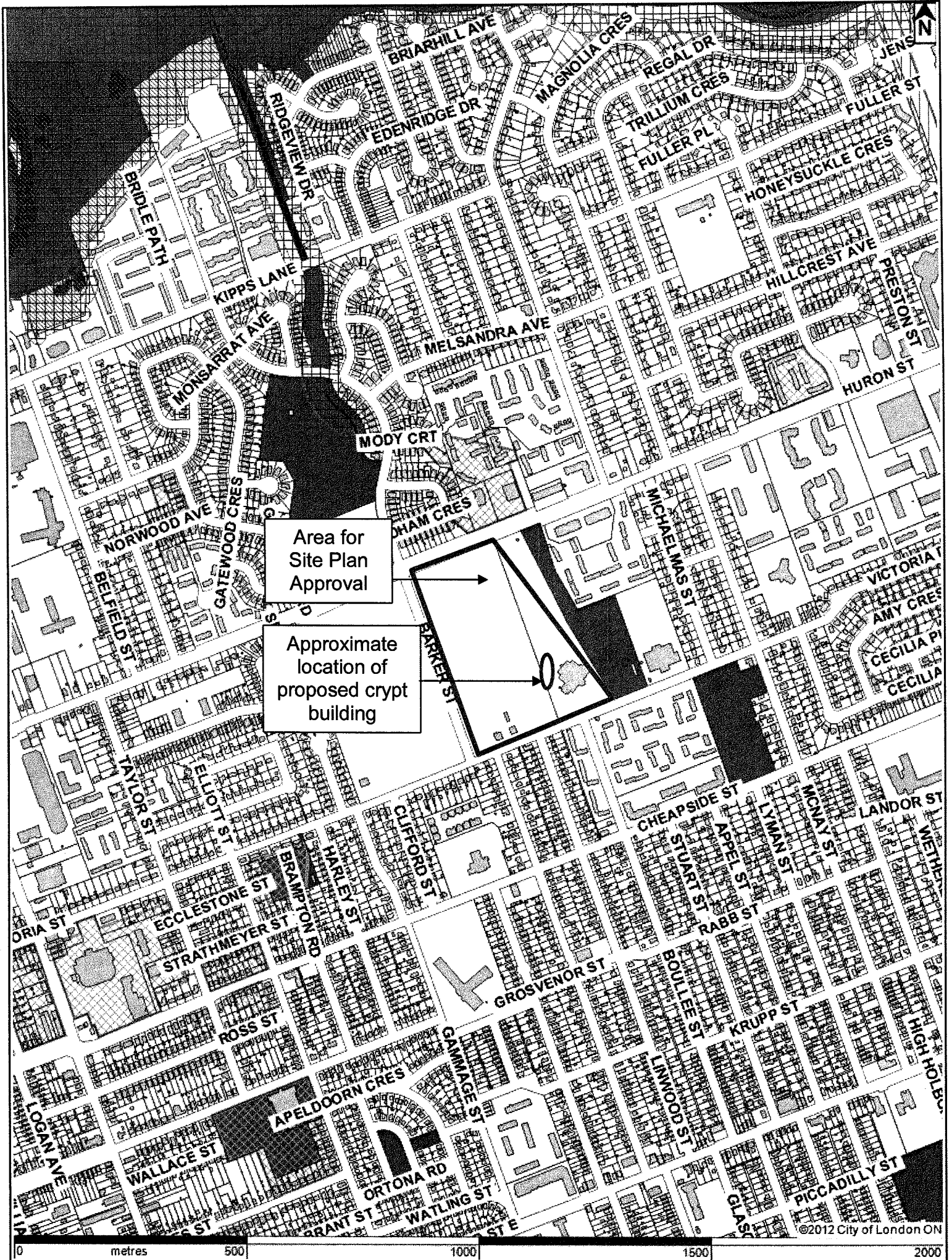
PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of this application is to obtain site plan approval for the construction of 274 crypts including one storage room on lands known municipally as 806 Victoria Street within the existing St. Peter's Cemetery. In accordance with the Cemeteries Act (S3.4), the municipality may hold a public meeting to determine if the approval is in the public interest.

The submitted site plan conforms to the Open Space (OS3) Zone. The proposed elevation has been reviewed by the City's Community Planning and Urban Design Section. Development of the lands in conformity with the zoning by-law and as shown on the attached elevation will result in the construction of 274 crypts including one storage room.

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Location Map



Area for
Site Plan
Approval

Approximate
location of
proposed crypt
building

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APPLICATION DETAILS

Date Application Accepted: February 16, 2012	Agent: Rosario Muscedere
REQUESTED ACTION: Site Plan Approval Application of submitted drawings to permit the construction of 274 crypts and one storage room.	

SITE CHARACTERISTICS	
Land Use	St. Peter's Cemetery
Frontage	649.44 m
Depth	411 m
Area	266,920 m ² (26.6 ha)
Shape	Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Single Detached Dwellings • South – Single Detached Dwellings and Cluster Townhouses • East – Northeast Park • West – Single Detached Dwellings and Semi-Detached Dwellings

OFFICIAL PLAN DESIGNATION: Open Space
EXISTING ZONING: - Open Space (OS3)

BACKGROUND

Cemeteries Act

The property at 806 Victoria Street is the existing and registered St. Peter's Cemetery; therefore the City is compelled to follow the *Cemeteries Act* when making a decision on the site plan application. The relevant sections of the Act are as follows:

Section 1 Definitions

“cemetery” means land set aside to be used for the interment of human remains and includes a mausoleum, columbarium or other structure intended for the interment of human remains;

Section 3.2 Application for consent and prior approvals.

If the cemetery or crematorium is proposed to be established or already exists in an area with municipal organization, the applicant, before applying for the consent of the Registrar, must obtain the approval to the proposal of the appropriate municipality. R.S.O. 1990, c. C.4, s. 3 (2).

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Section 4 Public Hearings

A municipality that receives a request for an approval required by subsection 3 (2) may hold public hearings to determine if the approval is in the public interest. R.S.O. 1990, c. C.4, s. 4.

Upon review of the above-noted sections of the Cemeteries Act, staff determined that the public shall have the opportunity to comment on this application through a public meeting at Planning and Environment Committee.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Storm Water Management Unit

- The subject lands are located in the Thames River Central Area Watershed. The Developer shall be required to apply the proper SWM practices to ensure that the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site that is designed by a Professional Engineer for review.
- The owner must allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- The subject lands or adjacent lands are to ensure that stormwater run-off from these lands will not cause any adverse effects to these lands and/or adjacent lands.

PUBLIC LIAISON:	On February 21, 2012, Notice of the Application was sent out to area property owners within 120 metres of the subject lands and Notice of the Application was published in the Living in the City section of the London Free Press on February 25, 2012. On March 6, 2012, Notice of Site Plan Public Meeting was sent out to area property owners within 120 metres of the subject lands and Notice of the Application was published in the Living in the City section of the London Free Press on March 10, 2012.	2 responses
Nature of Liaison: Same as Requested Action		
Responses:		
One resident located at 213 Barker Street, inquired about the development and any construction noise it may generate along with the length of time to construct the building.		
Second respondent, inquired about the development.		

ANALYSIS

Description of the Site Plan

The applicant is proposing to construct a building to hold 274 crypts, which include 5 oversized crypts and one storage room. The applicant has indicated this development is to meet the ever

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increasing needs for more burial options in the existing St. Peter's Cemetery. It has been purposefully located as close as possible to the existing mausoleum building which complies with the Zoning By-law and supports the functioning of the cemetery. Access to the building is through the existing internal driveways within the site. Through the site plan approval process, a landscape plan was generated which proposed to relocate all of the deciduous and coniferous trees in the construction area to nearby planter beds. The exterior of the building is proposed to be granite shutters over the individual crypts (east elevation) and masonry veneer surrounding the north, south, and west elevations of the building. The plan also proposes to create a new asphalt lay-by complete with concrete curb to function as a small temporary parking area for visitors of the crypt building. The existing internal driveways for the Cemetery which provide access to this new crypt building are planned to remain unchanged.

Is the Proposed Site Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?

The proposed crypt building conforms to the Official Plan and is consistent with the Provincial Policy Statement. This property is designated as Open Space and the Open Space (OS3) Zone variation is applied specifically to cemeteries which have no alternative uses.

Does the Plan Conform to the Open Space OS3 Zoning?

Lands zoned Open Space (OS3) specifically permits the use of cemeteries. The OS3 Zone also contains regulations regarding lot area, lot frontage, minimum setbacks; front, rear and interior; minimum open space, maximum lot coverage, and maximum height. The proposed crypt building was reviewed against the regulations of the OS3 Zone and the General Provisions of the Zoning By-law and conforms to the requirements. Development of the lands as proposed is considered good development.

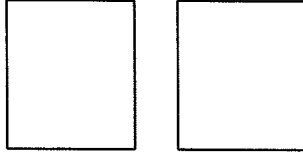
Is the Site Plan Compatible with Adjacent Properties and Appropriate for the Development of the Lands?

The subject lands are currently used for the existing St. Peter's Cemetery which includes a mausoleum structure. The proposed crypt building is to be located northwest of the existing mausoleum and is proposed to be only 4.68m in height. There are a large amount of coniferous and deciduous trees and shrubs on the property making it difficult for this proposed structure to be visible from any of the streets surrounding the subject property. Properties in the area contain a mix of residential housing types and the proposed development will maintain the character of the area. The proposed crypt building conforms to the regulations of the Open Space (OS3) Zone. Through the site plan review process, the Community Planning and Urban Design group indicated they had no concerns with the character of the building.

The site plan as submitted is in conformity with the Site Plan Control By-law.

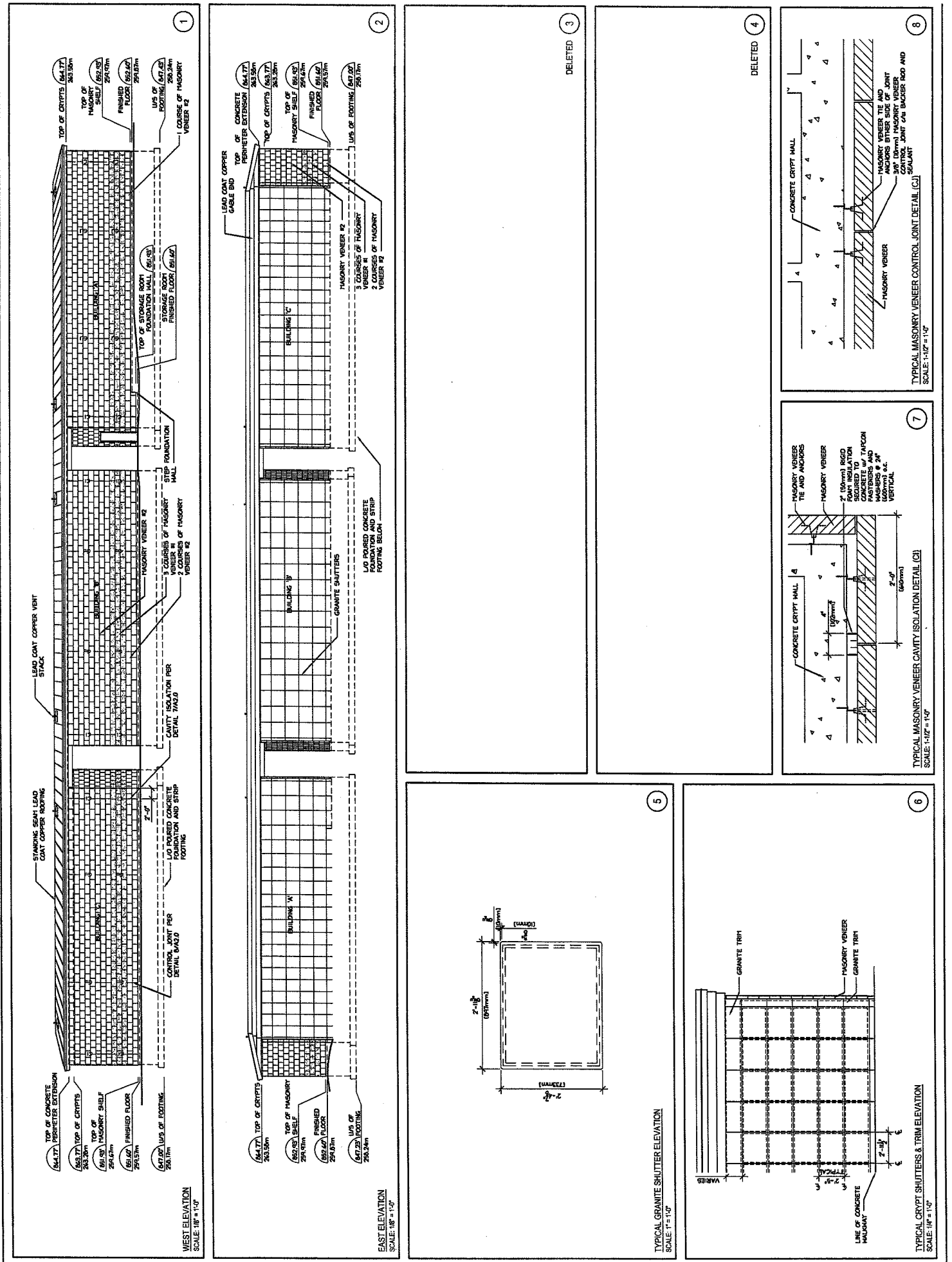
Response to Area Residents

Two residents phoned in to express an interest in the development of this site and had a few more questions about the process. Neither respondent had any concerns with the proposed building or drawings.



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Proposed Exterior Elevations







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CONCLUSION

The proposed site plan has been reviewed against the Provincial Policy Statement, the applicable Official Plan policies, Zoning By-law Z.-1 and the Site Plan Control Manual and been determined in conformity with the applicable policies and regulations. As per the *Cemeteries Act*, the municipality may hold a public meeting to determine if the proposal is in the public interest. It is the opinion of staff that the proposed site plan and elevations will result in development that represents a good proposal. Development of the lands in accordance with the submitted site plan and elevations is considered good land use planning and is recommended for approval.

PREPARED BY:	RECOMMENDED BY:
	
SARA BELLAIRE, OALA CSLA LANDSCAPE PLANNER DEVELOPMENT PLANNING	JEFF LEUNISSEN, MCIP RPP MANAGER OF DEVELOPMENT PLANNING (TEAM EAST)
REVIEWED BY:	SUBMITTED BY:
	
D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING	GEORGE KOTSIFAS, P.Eng DIRECTOR OF BUILDING CONTROL and CHIEF BUILDING OFFICIAL

March 16, 2012

JL/SB

c: John Braam, Acting Executive Director, PEES Department

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Bibliography of Information and Materials

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

City of London, Notice of Application, February 21, 2012.

City of London, Living in the City – Saturday, February 25, 2012.

City of London, Notice of Site Plan Public Meeting, March 6, 2012.

City of London, Living in the City – Saturday, March 10, 2012.

City of London, Site Plan By-law C.P.-1455-451

Provincial Policy Statement, March 1, 2005

City of London, Site Plan Application, SP12-004340