



## **PLANNING JUSTIFICATION REPORT**

**150 King Edward Avenue**

### **PROPOSED ZONING BY-LAW AMENDMENT TO PERMIT A PLACE OF WORSHIP AS AN ADDITIONAL USE**

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## **1 INTRODUCTION**

Strik, Baldinelli, Moniz (SBM) Ltd. has been retained by SMSMCC (the “Applicant”) to prepare a Planning Justification Report in support of a Zoning By-law Amendment (ZBA) application to permit a place of worship within the existing building at 150 King Edward Avenue. The report demonstrates that the proposed use is in keeping with Provincial and Municipal land use planning policies, is suitable for the context and location, and would be compatible with neighbouring land uses. This report is being prepared as part of a “complete” application for rezoning and is reflective of prior discussions held with City of London staff as part of the pre-application consultation process. The required pre-application consultation meeting was held on July 18, 2023 and the Record of Pre-Application Consultation being included in the ZBA submission package was provided.

## **2 SITE DESCRIPTION**

The subject property is municipally identified as 150 King Edward Avenue and legally described as PT LT 248 PLAN 836 AS IN 761066; S/T 231623; T/W 608287, SUBJECT TO 83618 LONDON/WESTMINSTER, hereafter referred to as the “Subject Property”. It is located east of King Edward Avenue and approximately 55 metres south of Thompson Road in the Glen Cairn Planning District. The lot has a frontage of approximately 119 metres along King Edward Avenue, a depth of approximately 105 metres, and a total area of 12,802.9 square metres (approximately 1.3 hectares). It is improved with a single storey vacant building, which is a former commercial plaza, with a gross floor area of approximately 2,427 square metres and a large surface parking lot that can accommodate approximately 260 vehicle parking spaces (see **Figure 1** below). Vehicular access into the surface parking lot is directly from King Edward Avenue via two access points. A site visit was conducted on October 19, 2023 and the photos of the existing building and parking lot are identified as **Figure 2** and **Figure 3** below.

King Edward Avenue is a secondary collector road with two travel lanes and average daily traffic volume of 3,000 vehicles per day, per the City of London’s online ‘City Map’. A sidewalk is located on the west side of the street but there is no sidewalk abutting the Subject Property. Public transit is available within a short walking distance – there are London Transit Commission bus stops on the west side of King Edward Street as well as on Thompson Street serving route 1 (Kipps Lane at Adelaide – Shelborne at Deveron).

The existing building is provided with municipal services. There is an abutting watermain on King Edward Drive. The Subject Property is tributary to the existing 200 mm diameter sanitary sewer and the existing 450 mm diameter storm sewer to the east through existing easements via the property municipally identified as 409 Thompson Road.

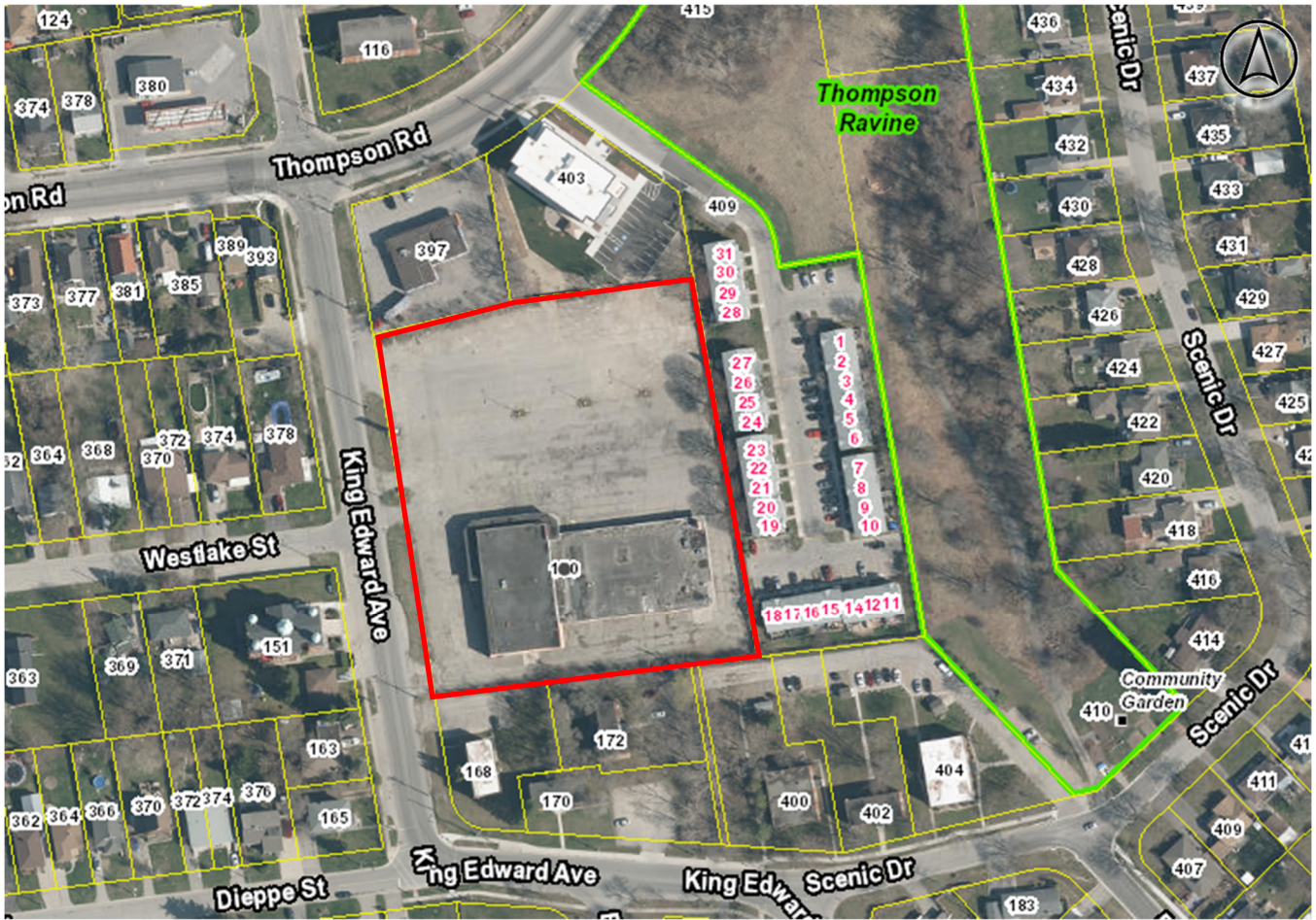


Figure 1. Aerial View of Subject Property and surrounding neighbourhood  
Source: London City Map



Figure 2. View of Subject Property existing building looking southeast  
Source: Oct.19/23 site visit



**Figure 3. View of Subject Property surface parking lot looking east**  
Source: Oct. 19/23 site visit

### **3 SURROUNDING LAND USES**

The Subject Property is surrounded by a mix of low and medium density residential land uses with park/open space, convenience commercial, and institutional land uses within a 400-metre radius corresponding to an approximately 5-minute walk.

**North:** Commercial (NSA1 Zone) consisting of a small commercial plaza at 397 Thompson Road and a four-storey apartment building at 403 Thompson Road.

**East:** Medium Density Residential (R5-4 Zone) townhouse development (Pond Mills Estates); further east is Parkland (OS1 Zone) consisting of mature trees, walking path and community garden (i.e., Thompson Ravine).

**South:** Medium Density Residential (R8-4 Zone) consisting of 3-storey low rise apartments.

**West:** Across King Edward Avenue, there is the Ukrainian Orthodox Church (NF Zone) and the surrounding low density Residential (R2-2 Zone) neighbourhood consisting primarily of single detached dwellings.

An overview of surrounding existing land uses is illustrated in **Figure 4** below.

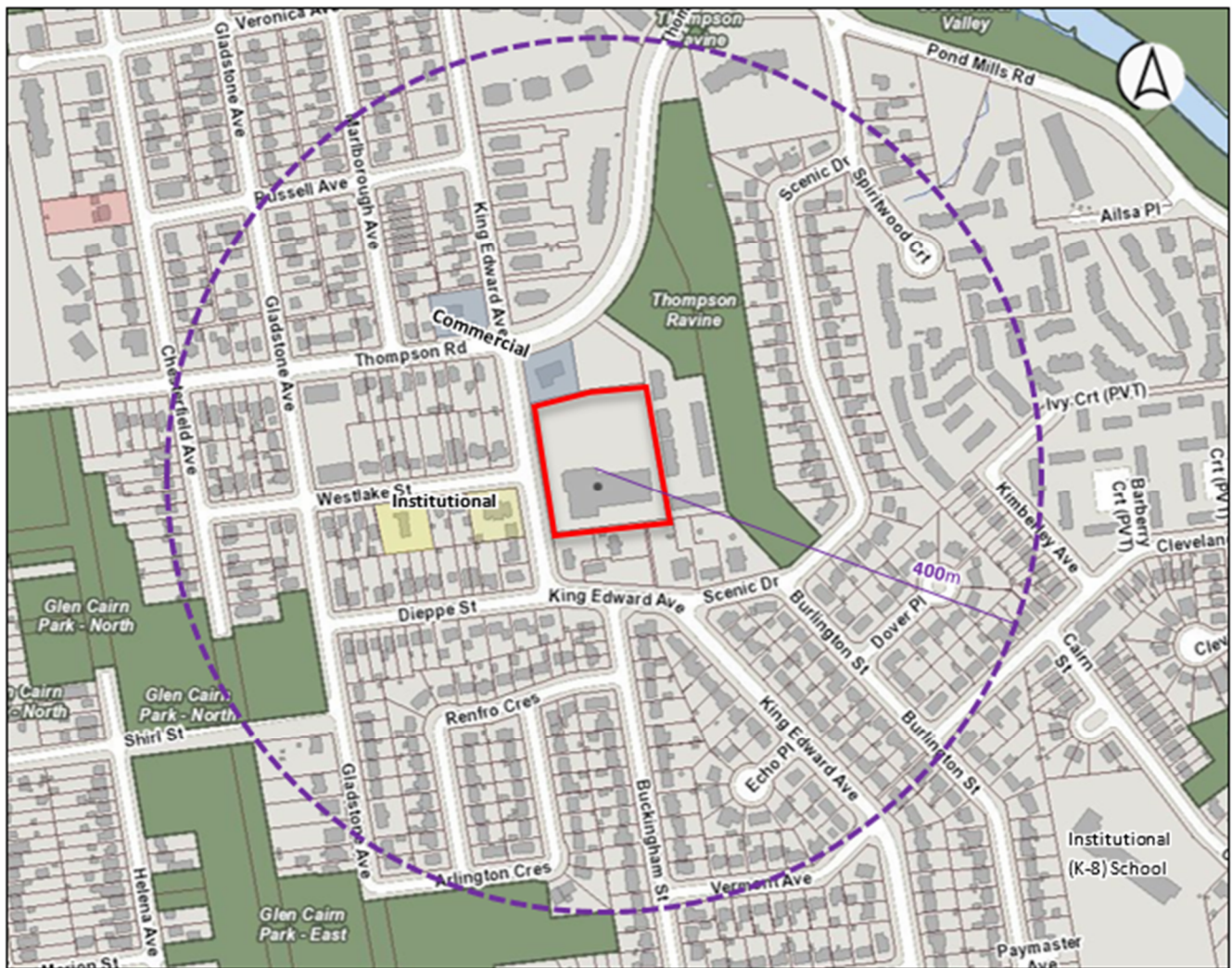


Figure 4. Map illustrating Subject Property and surrounding context within a 400 metre walking distance  
Source: London City Map

#### 4 PROPOSAL

The Subject Property has been underutilized and substantially vacant for several years as the previous commercial and non-profit tenants gradually left. The Applicant, who is also the current owner, purchased it on August 23, 2023 to use and repurpose the existing one-storey building, with an approximate gross floor area of 2,427 square metres, into a place of worship (i.e., church).

Although interior renovations would be required to facilitate this proposal, no exterior physical changes are proposed to the existing site and building except for the installation of a cross, which is a standard symbol for a church. City of London staff have advised that the cross is characterized as a “sign” under the City’s Sign By-law (S.-5868-183) and that a sign is not an accessory structure. Therefore the proposed cross has no zoning

implications and its proposed location will be finalized at the building permit stage. Email communication with staff regarding this is included in the submission package.

SBM Ltd. has prepared an existing conditions plan (the “Existing Conditions Plan”) that shows that existing surface parking lot can accommodate approximately 260 vehicle parking spaces, which is sufficient to accommodate the expected worshippers. The Subject Property is also accessible by public transit.

By way of background, the previous owner, 1767289 Ontario Inc., submitted ZBA application (City of London File Z-9398), which was approved by City Council and resulted in the adoption of site-specific zoning by-law amendment By-law No. Z.-1-222 (Bill No. 82 2022) on January 25, 2022. Except for the addition of a place of worship inside the existing building as an additional permitted use, the existing site-specific by-law is not proposed to be changed. As previously noted, municipal infrastructure is available to service the proposal – detailed engineering drawings would be provided at the building permit stage. As the building footprint is not proposed to expand and no other exterior physical changes except for the above-noted cross are proposed, a site plan control application is not anticipated.

The subject proposal should be supported as it represents an active, beneficial use of the existing vacant building that is compatible with the surrounding neighbourhood and represents an adaptive reuse of an existing building, which is an important planning principle. Moreover, the existing zoning approved for the mixed-use development would continue to apply and the Subject Property could be redeveloped accordingly. In the interim, the proposed use would activate the existing vacant site and prevent further deterioration of the existing building. Frequent use of the site and building by worshippers and church staff should mitigate safety concerns typically associated with large vacant properties.

## **5 PLANNING POLICY FRAMEWORK AND ANALYSIS**

### **5.1 Provincial Policy Statement (PPS)**

The Provincial Policy Statement (PPS) issued under the authority of Section 3 of the Planning Act “*provides policy direction on matters of provincial interest related to land use planning*” to ensure efficient, cost-efficient development and the protection of resources. The proposed use is consistent with the PPS and more specifically supports the following policies:

- Direct growth and development to existing settlement areas (Policy 1.1.3.1).
- Provide for land use patterns within settlement areas that are based on densities and a mix of land uses that:
  - efficiently use land and resources,

- are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
- support active transportation (Policy 1.1.3.2).
- Municipal sewage and water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety (Policy 1.6.6.2)

The proposed adaptive reuse of the Subject Property as a place of worship on full municipal services within a settlement area would enhance the surrounding Glen Cairn community. The ZBA application required to implement the proposed change of use is consistent with the PPS.

## 5.2 City of London Official Plan (*The London Plan*)

The Subject Property is designated “Shopping Area” Place Type in the Official Plan and fronting onto a Neighbourhood Connector (i.e., King Edward Avenue), as per by **Figure 5** below.



**Figure 5. Subject Property Official Plan land use designation**  
(Source: Map 1 - Place Types)

As per policy 877, the Shopping Area Place Type is envisioned to accommodate a “broad range of retail, service, office, entertainment, recreational, educational, *institutional*, and residential uses...” (italics mine) within easy walking distance for neighbourhoods (Policy 871). Policy 876\_4 also encourages “the *repurposing*, reformatting, infill and intensification of existing centres to take advantage of existing services, use land more efficiently, and



reduce the need for outward expansion.”(italics mine). As noted, the proposal is an example of repurposing because the existing building is proposed to be retained and retrofitted internally to accommodate the proposed place of worship (institutional use).

The Shopping Area Place Type has policies regarding form and intensity that would normally be relevant to a development proposal. I would not characterize the proposed change of use within the existing building as an example of “development” or “intensification” relative to the existing vacant condition, or even to the previous largely commercial uses, which featured multiple tenants and frequent (i.e., daily) visits/trips to the site. The existing site layout and building are not proposed to change. The site would experience its greatest intensity of use several times a week when a church event is held. The City Design policies would normally be applicable if the proposal was deemed to be “development”. In this case, regardless of its design merits, the proposal would allow the existing building to be repurposed to a desirable, active use that is preferred over the status quo, which is a vacant, underutilized building that would continue to deteriorate and be a blight on the neighbourhood in the absence of appropriate management.

Finally, policy 1578 of the Official Plan outlines the criteria that will be used to evaluate all planning applications, which includes “potential impacts on adjacent and nearby properties in the area” (Policy 1578\_6) and the “degree to which the proposal fits within its context” (Policy 1578\_7). The change of use proposal would be desirable and beneficial for the surrounding neighbourhood by reactivating the property with a use that would have no negative impacts. Places of worship exist throughout the city, including the Neighbourhoods Place Type, and are compatible with a wide variety of uses. For instance, the existing church on the west side of King Edward Avenue abuts a Neighbourhoods Place Type. The proposed change of use would permit a similar type of institutional use across this same street, which would also be compatible with the surrounding area and appropriate for its context. In my opinion, the proposal conforms to the relevant Official Plan policies.

## **6 PROPOSED ZONING BY-LAW AMENDMENT**

### **6.1 Existing Zoning**

As per the site-specific by-law (File Z-9398) that was approved on January 25, 2022 to permit the mixed-use development, the Subject Property is split zoned into NSA3(3) and R6-5(80), as illustrated in **Figure 6** below.

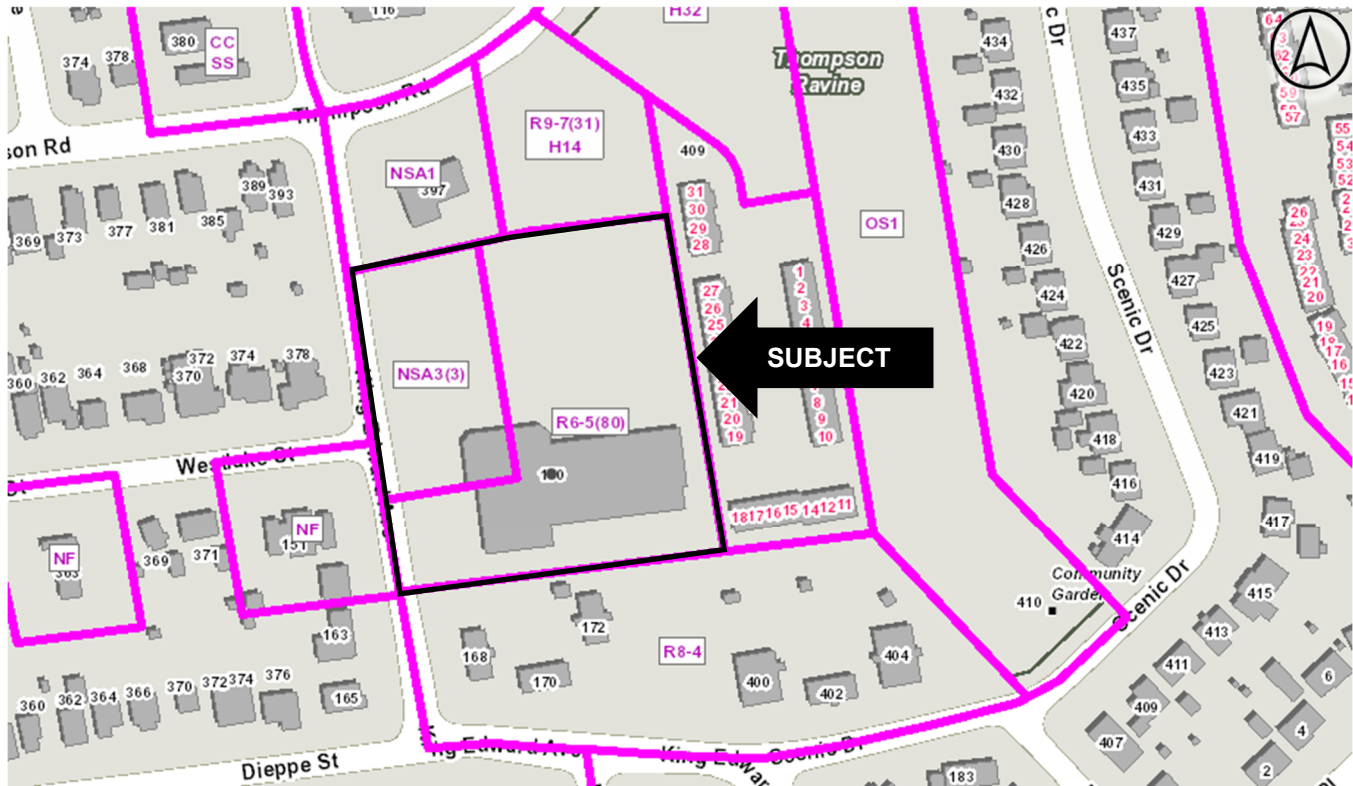


Figure 6. Existing zoning for the Subject Property  
(Source: City of London)

## 6.2 Proposed Zoning

The only change proposed to each of the two existing site-specific zones is to add “place of worship inside the existing building” as an additional permitted use. No other zoning changes are proposed.

The Existing Conditions Plan includes a zoning chart identifying relevant standards for each applicable zone. As requested by the City of London, a Zoning Data Sheet was also completed for each of the two site-specific zones comprising the Subject Property. In addition to the permitted use that is the subject of this ZBA application, the zoning analysis identified four other (4) zoning deficiencies that can be characterized as existing or legal non-conforming and which are not proposed to change as a result of the subject ZBA application:

- **Front Yard Depth:** a maximum of 3.0 metres is required under the NSA3(3) zone and the existing is 19.57 metres
- **Landscaped Open Space:** a minimum of 15.0% is required under the NSA3(3) zone and 30.0% under the R6-5(80) zone whereas the existing is 2.1%

- **Gross Floor Area (GFA) (specific use):** “all other uses” must have a maximum of 500 square metres and the place of worship use would have an approximate GFA of 2,427.3 square metres, assuming the entire building is used for the proposed use.
- **Bicycle parking spaces:** the minimum number of spaces required varies depending on the type of use; the existing site has 0 (zero) allocated spaces.

As part of the pre-application consultation process, staff noted that while they wanted all zoning deficiencies identified, any other zoning deficiencies besides use could be deemed existing or legal non-conforming since these deficiencies existed before the recent site-specific zoning by-law came into force and effect on January 25, 2022.

The proposed ZBA application to implement the proposed change of use is appropriate as it would reactivate and revitalize the existing vacant state of the Subject Property that would continue to deteriorate if the status quo continues.

## **7 CLOSING**

Based on a review of the relevant policies and regulatory framework for the Subject Property, the proposed ZBA application to permit a place of worship inside the existing building is consistent with the PPS, substantially conforms to the relevant provisions of the Official Plan and would allow the existing building to be repurposed to an active use that is preferred over the status quo. Based on a review of the Subject Property, surrounding context and applicable planning documents and policies, the proposed ZBA represents sound land use planning practice.

Respectfully submitted,

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Planning • Civil • Structural • Mechanical • Electrical



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