

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: Housing Development Corporation, London (c/o MBPC)
1958 Duluth Crescent
File Number: OZ-9814, Ward 2
Public Participation Meeting

Date: January 7, 2025

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of the Housing Development Corporation, London (HDC) relating to the property located at 1958 Duluth Crescent:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 21, 2025 to amend the Official Plan, The London Plan, to **AMEND** Specific Policy 1057D_ in the Neighbourhoods Place Type to permit apartments with a maximum height of five (5) storeys.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 21, 2025 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, as amended in part (a) above, to change the zoning of a portion of the subject property **FROM** a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18)/R6-5(93)) Zone **TO** a Residential R5 Special Provision/Residential R6 Special Provision (R5-6(18)/R6-5(93)) Zone;
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Provide an all-season landscape buffer along the rear property line to screen the parking and minimize potential negative impacts on the adjacent low-rise residential uses to the west.

IT BEING NOTED, that the above noted amendments are being recommended for the following reasons:

- i) The recommended amendment is consistent with the *Provincial Planning Statement, 2024 (PPS)*;
- ii) The recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Design Policies, Urban Corridor Place Type policies, and the Our Tools policies; and
- iii) The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and surrounding neighbourhood.

Executive Summary

Summary of Request

The applicant has requested an amendment to The London Plan to amend Specific Policy 1057D_ in the Neighbourhoods Place Type to permit a maximum building height of 5 storeys for Block 5 and Block 7 of the Duluth Crescent Subdivision.

The applicant has also requested an amendment to the Zoning By-law Z.-1 to rezone Block 5 from a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18)/R6-5(93)) Zone to a Residential R5 Special Provision/Residential R6 Special Provision (R5-6(18)/R6-5(93)) Zone with special

provisions to implement the proposed development.

Purpose and the Effect of Recommended Action

Staff are recommending approval of the Official Plan and Zoning By-law Amendment and special provisions. The recommended action will permit a maximum building height of 5 storeys on Blocks 5 and 7, as well as the development of two 5-storey apartment buildings containing 120 dwelling units on Block 5, an increase of **20 dwelling units** from the previously approved Official Plan and Zoning By-law Amendment. The recommended action would also remove the existing holding provisions.

Linkage to the Corporate Strategic Plan

This recommendation will contribute to the advancement of Municipal Council's 2023-2027 Strategic Plan in the following ways:

- **Housing and Homelessness**, by supporting faster/ streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.
- **Strategic Plan Area of Focus: 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

OZ-9638/39T-23504 – 1958 Duluth Crescent – November 7, 2023

1.2 Planning History

The subject lands are the former site of the St. Robert's Catholic Elementary School which closed in 2018. Through a public acquisition process, the property was evaluated for municipal purposes including affordable housing, parkland and community facilities.

In 2023, a concurrent Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision (OZ-9638/39T-23504) was submitted by Monteith Brown Planning Consultants on behalf of the City of London's Municipal Housing Development division to redesignate a portion of the subject lands from a Neighbourhoods Place Type to Green Space Place Type in The London Plan. Additionally, an Official Plan amendment was requested to add a Specific Policy to the Neighbourhoods Place Type and to add the lands to Map 7: Specific Policy Areas to permit buildings up to four (4) storeys in height, and to add low-rise apartments, small-scale community facilities and mixed-use buildings as permitted uses. The applicant requested a Zoning By-law amendment to rezone the property from a Neighbourhood Facility (NF1) Zone to a range of residential zones and an open space zone.

The Official Plan Amendment, Zoning By-law Amendment application and Draft Plan of Subdivision (OZ-9638/39T-23504) were approved at the Municipal Council meeting on November 7, 2023, to facilitate a total of 224 residential units, including two apartment buildings with a total of 100 units on Block 5.

1.3 Property Description and Location

The subject lands, municipally known as 1958 Duluth Crescent, are located in a Draft Plan of Subdivision (39T-23504) on the west side of the planned Duluth Crescent extension, in the Argyle Planning District. The requested Official Plan amendment pertain to Blocks 5 and 7 in 39T-23504, identified in yellow and orange in Figure 1 below. The requested Zoning By-law amendment pertains to Block 5 only. At this time, there are no development plans for Block 7.

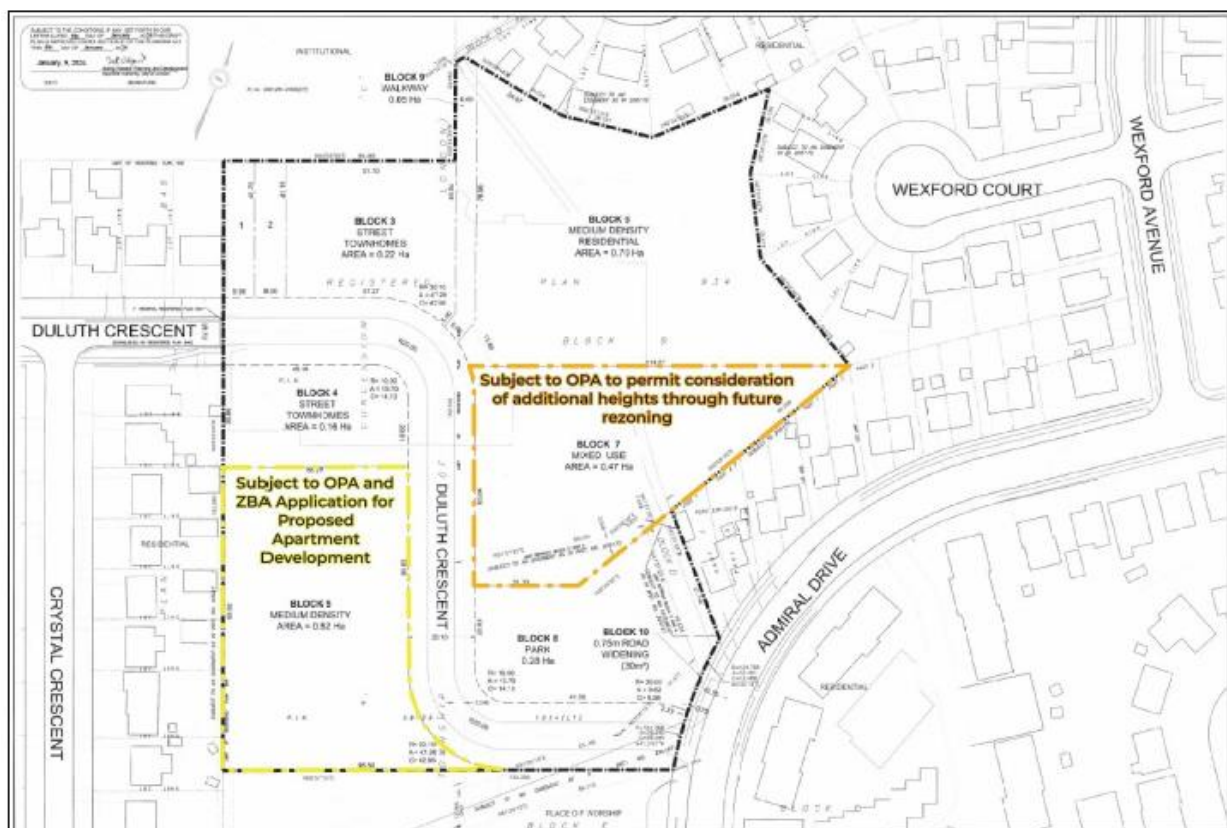


Figure 1: Proposed Draft Plan of Subdivision with Block 5 and Block 7 outlined.

Site Statistics:

- Current Land Use: Vacant
- Frontage: 91 metres (299 ft)
- Depth: 65.5 metres (215 ft)
- Area: 0.5 hectares (2.5 acres)
- Shape: Irregular

Surrounding Land Uses:

- North: Future Residential
- East: Future Residential & Future Park
- South: Place of Worship
- West: Low Density Residential

Existing Planning Information:

- The London Plan Place Type: Neighbourhoods Place Type
- Existing Specific Policies: Policy 1057D_ in the Neighbourhoods Place Type
- Existing Zoning: Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18)/R6-5(93)) Zone
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No



LOCATION MAP

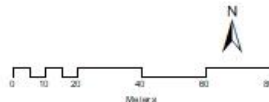
Address: 1958 Duluth Cres cent

File Number: OZ-9814

Planner: Isaac DeCeuster

Date: 2024/11/28

Corporation of the City of London
Prepared By: Planning and Development



Scale 1:1,800

Legend


 Assessment Parcels

Figure 2- Aerial Photo of 1958 Duluth Crescent and surrounding lands.



Figure 3 - Streetview of 1958 Duluth Crescent (view looking east from Duluth Crescent)



Figure 4 - Streetview of 1958 Duluth Crescent (view looking northwest from Admiral Drive)

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing two five (5) storey apartment buildings containing a total of 120 residential units, with a maximum height of 16.5 metres and a maximum density of 225 units per hectare. The proposed development includes outdoor amenity space with a pavilion/gazebo on both the north and south portions of the site, as well as an internal amenity area. Vehicular access to the subject lands is proposed via a two-way driveway from the planned extension of Duluth Crescent and a total of 61 surface parking spaces are proposed. Further, bicycle parking is provided at a minimum rate of 0.9 long term spaces per unit and 0.1 short-term spaces per unit.

The proposed apartment buildings are designed to provide for a mix of affordable and market-rate studio units (51 units) and one-bedroom units (9 units). Each apartment building will provide 44 studio units and 6 one-bedroom units at an affordable rent rate (83% of the total units within each building, while the remaining 7 studio units and 3 one-bedroom units will be provided at market rent (17% of the total units within each building). The ground floors of each building are anticipated to include first floor residential units, lobby vestibule with mailboxes, amenity room with kitchenette, universal accessible washroom, long-term bicycle storage, a common-use laundry room and garbage/recycling storage.

The proposed development includes the following features:

- Land use: Residential
- Form: Apartment building

- Height: 5 storeys (16.5m)
- Residential units: 120
- Density: 225 units per hectare
- Building coverage: 23%
- Parking spaces: 61 surface spaces
- Bicycle parking spaces: 0.9 long-term spaces per unit/ 0.1 short-term spaces per unit.
- Landscape open space: 36%

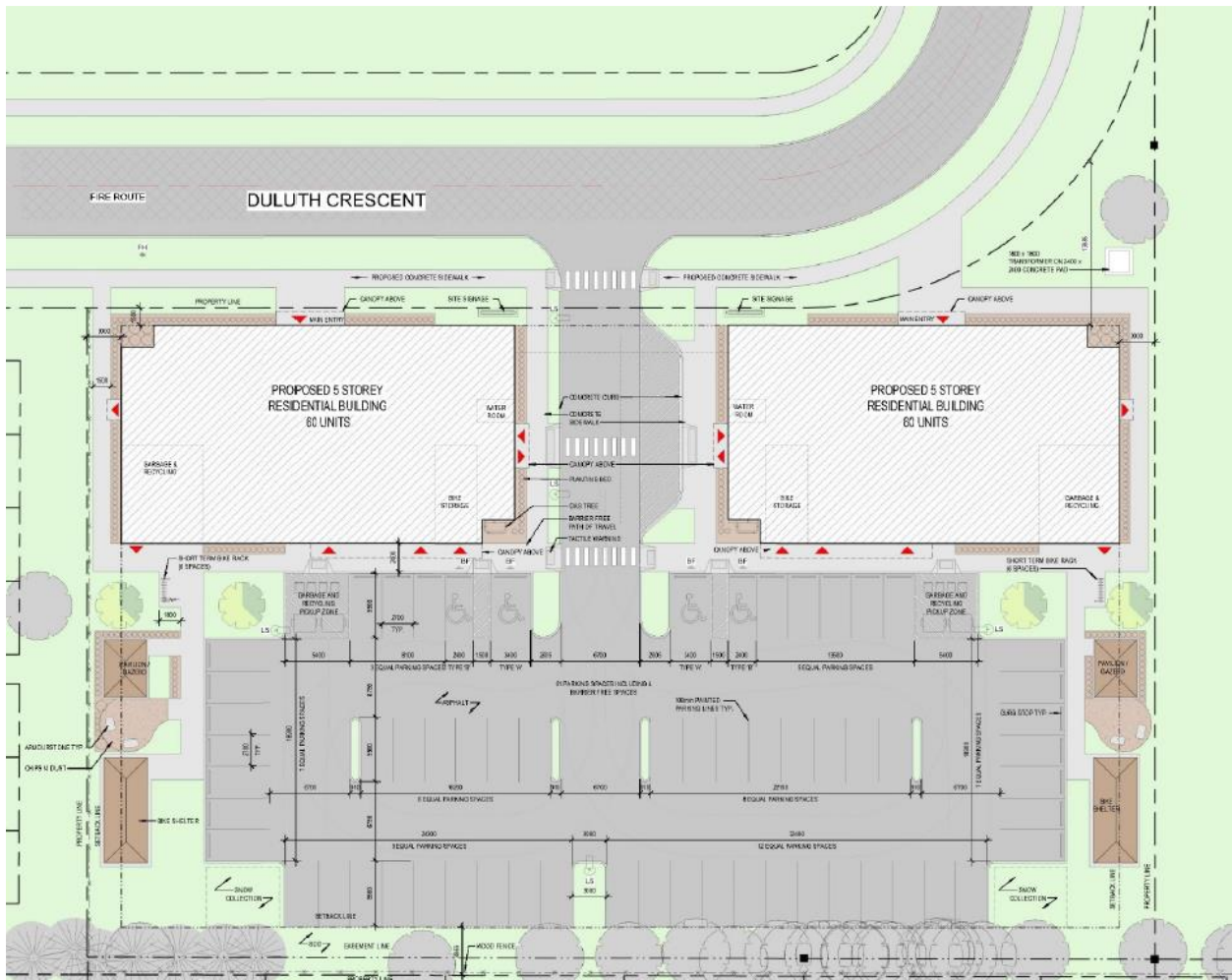


Figure 5 – Conceptual Site Plan (received November 2024).



Figure 6 – Perspective Rendering, looking North-west at front façade along Duluth Crescent extension (received November 2024).

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

2.2 Requested Amendments

The applicant has requested an amendment to The London Plan to amend Specific Policy 1057D_ in the Neighbourhoods Place Type to permit a maximum height of 5 storeys for Block 5 and 7.

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone Block 5 from a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18)/R6-5(93)) Zone to a Residential R5 Special Provision/Residential R6 Special Provision (R5-6(18)/R6-5(93)) Zone with special provisions to implement the proposed development.

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

Regulation (R5-6(18))/(R6-5(93))	Required	Proposed	Recommended
Front Yard Setback (Minimum)	3.0 metres	1.5 metres	1.5 metres
Front Yard Depth (Maximum)	6.0 metres	Remove Provision	Remove Provision
Building Height (Maximum)	15.0 metres	16.5 metres	16.5 metres
Density (Maximum)	200 units per hectare	225 units per hectare	225 units per hectare
Yard Encroachments (Maximum)	1.5 metres provided the projection is no closer than 3.0 metres to the lot line	0.0 metres from the lot line for balconies architectural features, terraces, patios, porches, and canopies	0.0 metres from the lot line for balconies architectural features, terraces, patios, porches, and canopies

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 and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Urban Design may support a maximum height of 5 storeys at this location provided the proposed development achieves a high-quality, street-oriented design and as long as there are no negative impacts on the adjacent low-rise residential uses.
- Site Plan recommends all-seasons landscape buffer along the rear property line to screen the parking and minimize potential negative impacts on the adjacent low-rise residential uses to the west
- Engineering staff has no objection with the Official Plan and Zoning By-law Amendment and are supportive of the removal of the h & h-100 holding zone provisions.

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

2.4 Public Engagement

On December 4, 2024 Notice of Application was delivered to 370 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 December 5, 2024. Two “Planning Application” signs were also placed on the site.

There was one response received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Fencing and privacy.

2.5 Policy Context

The Planning Act and the Provincial Planning Statement, 2024

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Planning Statement, 2024 (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.

Section 2.2 of the PPS speaks to create complete communities by: accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs; improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups, promote densities for new housing which efficiently use land, resources, and infrastructure; and, requiring transit supportive development and promoting active transportation.

Further, subsection 2.2.1 directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents by: establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinate land use planning and housing to address the full range of housing options including affordable housing needs (PPS 2.2.1.a)). Finally, Section 2.3 notes that settlement areas shall be the focus of growth and development. This contributes to resilient development and the creation of healthy, livable, and safe communities.

The proposed planning approvals are consistent with the PPS policies with respect to building homes and sustaining strong and competitive communities by focusing growth and development within the City's Urban Growth Boundary, through infill and intensification on an underutilized and vacant institutional property (PPS 2.3.1.1). Further, the proposed development provides for a range and mix of housing and densities which efficiently use land and resources, optimize infrastructure and public service facilities, and are transit supportive (PPS 2.3.1.2).

As the application for an Official Plan and Zoning By-law amendments 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.

The London Plan includes conditions for evaluating the appropriateness of Specific Area Policies where the applicable place type policies would not accurately reflect the intent of City Council with respect to a specific site or area (TLP 1729-1734).

The following conditions apply when considering a new Specific Area Policy:

1. The proposal meets all other policies of the Plan beyond those that the specific policy identifies.
2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan.
3. The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area.
4. The proposed use cannot be reasonably altered to conform to the policies of the place type.
5. The proposed policy is in the public interest and represents good planning.

An existing specific policy applies to the subject lands and staff are of the opinion that the requested amendments to this policy satisfy all of the above conditions.

Finally, 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.

Staff are of the opinion that the proposed zoning provisions sufficiently mitigate the impacts of the additional height and density.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The subject lands are located in the Neighbourhoods Place Type on Map 1 – Place Types, fronting a future Neighbourhood Street (Duluth Crescent) on Map 3 – Street Classifications in The London Plan. Through the 2023 Official Plan Amendment (OZ-9638), a site-specific Specific Policy Area was established to permit apartment buildings, small-scale community facilities and mixed-use buildings to be permitted in addition to the uses identified in Table 10, with an upper maximum height of 4 storeys (TLP 1057D_). As such, the apartment building use is contemplated in accordance with policy 1057D_ of The London Plan.

The proposed residential use is supported by the policies of the PPS 2024 and aligns with the vision of the Neighbourhoods Place Type by contributing to a diversity and mix of different housing types, intensities and forms (TLP 918_2). As the proposed use is

contemplated by specific policy 1057D_, staff is satisfied the proposed apartment building use is in conformity with The London Plan and is appropriate within the existing and planned context.

4.2 Intensity

The proposed residential intensity is consistent with the policies of the PPS 2024 that encourage all types of residential intensification, including redevelopment which results in a net increase in residential uses (PPS 2.2.1.2), compact form (PPS 2.4.1.3.c), and an appropriate mix of housing options and densities (PPS 2.3.1.3). In the Neighbourhoods Place Type, the range of permitted building heights are identified in Table 11 – Range of Permitted Heights in Neighbourhoods Place Type. At this location, a maximum height of three (3) storeys is permitted in Table 11, however the Specific Area Policies augment and prevail over the more general policies of the Place Type.

Based on the redefined development proposal for Block 5 and recent changes to The London Plan as part of the City-initiated Height Framework Review, the applicant is seeking a site-specific policy amendment to The London Plan to uplift the maximum permitted height in The London Plan for Blocks 5 and 7. Currently, Specific policy 1057D_ permits a maximum height of 4 storeys, and the applicant has requested amendments to allow for five (5) storeys on Blocks 5 and 7.

The proposed development for Block 5 will serve to increase the supply of both market-rate and affordable housing within the City's Urban Growth Boundary and Built Area Boundary. The proposed increase in height for Blocks 5 and 7 will allow the subject lands to be developed for mid-rise apartment developments to accommodate a greater mix of housing forms to support ageing in place and affordability, with a focus on intensification and growing 'inward and upward' (TLP 59_ & 193_). The proposed development takes advantage of existing services and facilities and is conveniently located in proximity to transit, active transportation options, and employment, commercial, institutional and recreational amenities. In addition, Blocks 5 and 7 are adjacent to the proposed public parkland as part of the approved Draft Plan of Subdivision. The recommended zoning would facilitate the development of two 5-storey apartment developments, which supports Key Direction #5 by planning for a compact, contiguous pattern of growth and managing outward growth by supporting infill and intensification (TLP 59_2 & _8).

Staff are satisfied that the subject lands are of a sufficient size and configuration to accommodate the requested increase in height to five stories to address the need to meet critical housing needs and accelerate greater housing supply, including affordable housing. The proposed inclusion of a significant portion of affordable housing units in Block 5 will contribute to the Provincial target of 47,000 units and the City's Housing Stability Action Plan (2019-2024) to achieve the Council endorsed target of 3,000 new affordable housing units by 2026. On this basis, staff is satisfied the recommended amendments are consistent with the PPS, and in conformity with the intensity policies of The London Plan.

4.3 Form

The London Plan encourages compact forms of development for planning new growth, including "inward and upward" compact forms of development (TLP 7_, 59_2, 66_, 79_). Various forms of infill and intensification are accommodated to realize the compact, inward and upward patterns of planned growth (TLP 59_4). Within the Neighbourhoods Place Type, all planning and development applications will conform with the City Design policies of The London Plan (TLP 936_1). These policies direct all planning and development to foster a well-designed built form, and ensure development is designed to be a good fit and compatible within its context (TLP 193_1 & 193_2).

The proposed built form is supported by the policies of the PPS 2024 and is consistent with the Neighbourhoods Place Type and the City Design policies of The London Plan by facilitating an appropriate form and scale of residential intensification that is compatible with the existing neighbourhood character (TLP 953_2). The greater Duluth

Subdivision has been designed to minimize impacts on the surrounding area, including a transition from higher density uses to single-detached dwellings on the north-westerly portion of the subject site and stepping down of building heights. The proposed development for Block 5, and any future development for Block 7, will advance a site design that maintains and reinforces the prevailing or planned street wall or street line of the Duluth Crescent frontage, and away from neighbouring low-rise residential development (TLP 256_). Enhanced rear yard and side yard setbacks, landscape buffering and fencing are proposed to beautify the pedestrian realm and provide a natural privacy buffer to adjacent land uses. Blocks 5 and 7 are also adjacent to the proposed parkland block of 0.28 hectare, providing opportunities for passive surveillance. Further, the surface parking is located to the rear to minimize the visual impact of parking areas on the public realm (TLP 272). Finally, a diversity of design materials will visually break up massing, reducing visual bulk and add interest to the building design (TLP 301_). Additional urban design features will be addressed and refined through the Site Plan Control process.

The proposed built form with special provisions is supported by the policies of the PPS 2024, contemplated in the Neighbourhoods Place Type and City Building policies of The London Plan.

4.4 Zoning

The Applicant has requested an amendment to Zoning By-law Z.-1 to rezone Block 5 of the subject lands from a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18)/R6-5(93)) Zone to a Residential R5 Special Provision/Residential R6 Special Provision (R5-6(18)/R6-5(93)) Zone, with amended special provisions to implement the proposed development. The following summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Front Yard Setback – The applicant has requested a special provision for a reduced front yard depth from 3.0 metres to a minimum 1.5 metres. The intent is to site the apartment blocks with minimal setbacks from the public right-of-way (future extension Duluth Crescent) to create a street edge, and establish a sense of enclosure and comfortable pedestrian environment. Staff are supportive of the requested special provision for a reduced front yard depth.

Removal of Maximum Front Yard Depth Regulation – The existing R6-5(93) Zone prescribes a maximum front yard depth of 6.0 metres. Due to the curvature of the extension of Duluth Crescent, Block 5 forms an irregular shape whereby the proposed development provides for a front yard depth of 1.5 metres in the northeast corner, and increases to 13.9 metres in the southeast corner, as shown in Figure 7 below. The requested removal of the maximum front yard depth regulation for Block 5 would allow for the development to provide a continuous built edge, despite the curvature of the road and irregular shape of the block.

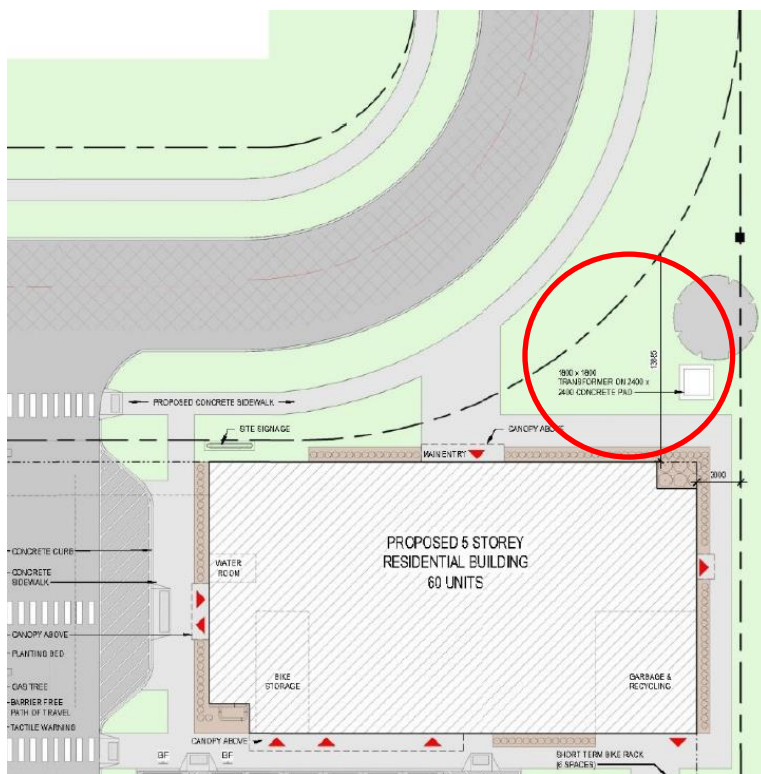


Figure 7 – Excerpt Site Concept Plan Block 5 - 1958 Duluth Crescent with requested maximum front yard setback indicated with red circle.

Increase in Building Height – The applicant is requesting a special provision for an increased building height of 16.5 metres whereas 15.0 metres is currently permitted based on the previously approved Official Plan and Zoning By-law Amendment. The proposed buildings are sited close to the extension of Duluth Crescent, in close proximity to the public park block, and include significant landscape buffering. A significant rear yard setback of 36.4 metres is included to provide separation to the existing low-density residential dwellings along Crystal Crescent to the west.

Increase in Density – The applicant is requesting a special provision to permit an increased density of 225 units per hectare. The proposed maximum density will allow for the implementation of the proposed development, facilitating an appropriate scale of development that is sensitive to adjacent land uses (TLP 840_1). The requested increase in density will not result in a deficiency in parking, lot coverage or landscaped open space. Staff are supportive of the increased density to facilitate intensification on an underutilized lot within the Urban Growth Boundary and in proximity to public transit, and existing commercial, institutional and recreational uses.

Yard Encroachments – The applicant is requesting a special provision for reduced yard encroachments to allow any building features such as balconies, architectural features, terraces, patios, porches and canopies to encroach up to the front property line. In this instance, the extension of Duluth Crescent provides for a large right-of-way to allow for sufficient distance between the front façade of the building and the municipal sidewalk and curb edge. As such, the projection from the building allows any projection from the building to remain distant from the sidewalk to allow for maintenance and avoid any interference from any projections. Staff is supportive of the requested special provision for yard encroachments.

4.5 Holding Provisions

The 2023 Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision (OZ-9638/39T-23504) applied the following holding zone provisions to the subject lands:

- h holding provision: Purpose – To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or

subdivision agreement is executed by the applicant and the City prior to development. Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.

- h-100 holding provision: Purpose – To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Permitted Interim Uses: A maximum of 80 residential units.

The applicant has requested the removal of the existing holding zones as part of this application. Engineering is supportive of the removal of the h & h-100 holding zone provisions.

Conclusion

The applicant has requested an amendment to The London Plan to amend Specific Policy 1057D_ in the Neighbourhoods Place Type to permit a maximum building height of 5 storeys for Block 5 and Block 7 of the Duluth Crescent Subdivision at 1958 Duluth Crescent. The applicant has also requested an amendment to the Zoning By-law Z.-1 to rezone Block 5 of the subject lands from a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18)/R6-5(93)) Zone to a Residential R5 Special Provision/Residential R6 Special Provision (R5-6(18)/R6-5(93)) Zone with amended special provisions to implement the proposed development.

The recommended action is consistent with the PPS 2024, conforms to The London Plan and will permit a maximum building height of 5 storeys on Blocks 5 and 7, as well as the development two 5-storey apartment buildings containing 120 dwelling units on Block 5

Prepared by: Isaac de Ceuster,
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, City Plans
Brent Lambert, Manager, Development Engineering

Appendix A – Official Plan Amendment

Bill No. (number to be inserted by Clerk's Office)
2025

By-law No. C.P.-XXXX-

A by-law to amend the Official Plan, The London Plan for the City of London, 2016 relating to 1958 Duluth Crescent.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan, The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) or 17(27.1) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on January 21, 2025 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – January 21, 2025
Second Reading – January 21, 2025
Third Reading – January 21, 2025

AMENDMENT NO.
to the
OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend the Specific Policy 1057D_ for the Neighbourhoods Place Type to permit an upper maximum height of 5 storeys on those lands denoted as Block 5 and Block 7 on Draft Approved Plan 39T-23504.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1958 Duluth Crescent in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment to the existing specific policy would allow for two 5 storey apartment buildings with a total of 120 units (225 units per hectare) on Block 5 on Draft Approved Plan 39T-23504. The requested Official Plan Amendment is consistent with the *PPS 2024* which directs planning authorities to provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents and contributes to resilient development and the creation of healthy, livable, and safe communities. The recommended amendment conforms to *The London Plan* including, but not limited to the evaluation criteria for Specific Policy Areas, the Neighbourhoods Place Type, and the City Building policies. The recommended amendment facilitates infill and intensification on an underutilized and vacant institutional property at an appropriate scale and intensity within the Built Area Boundary and Urban Growth Boundary.

D. THE AMENDMENT

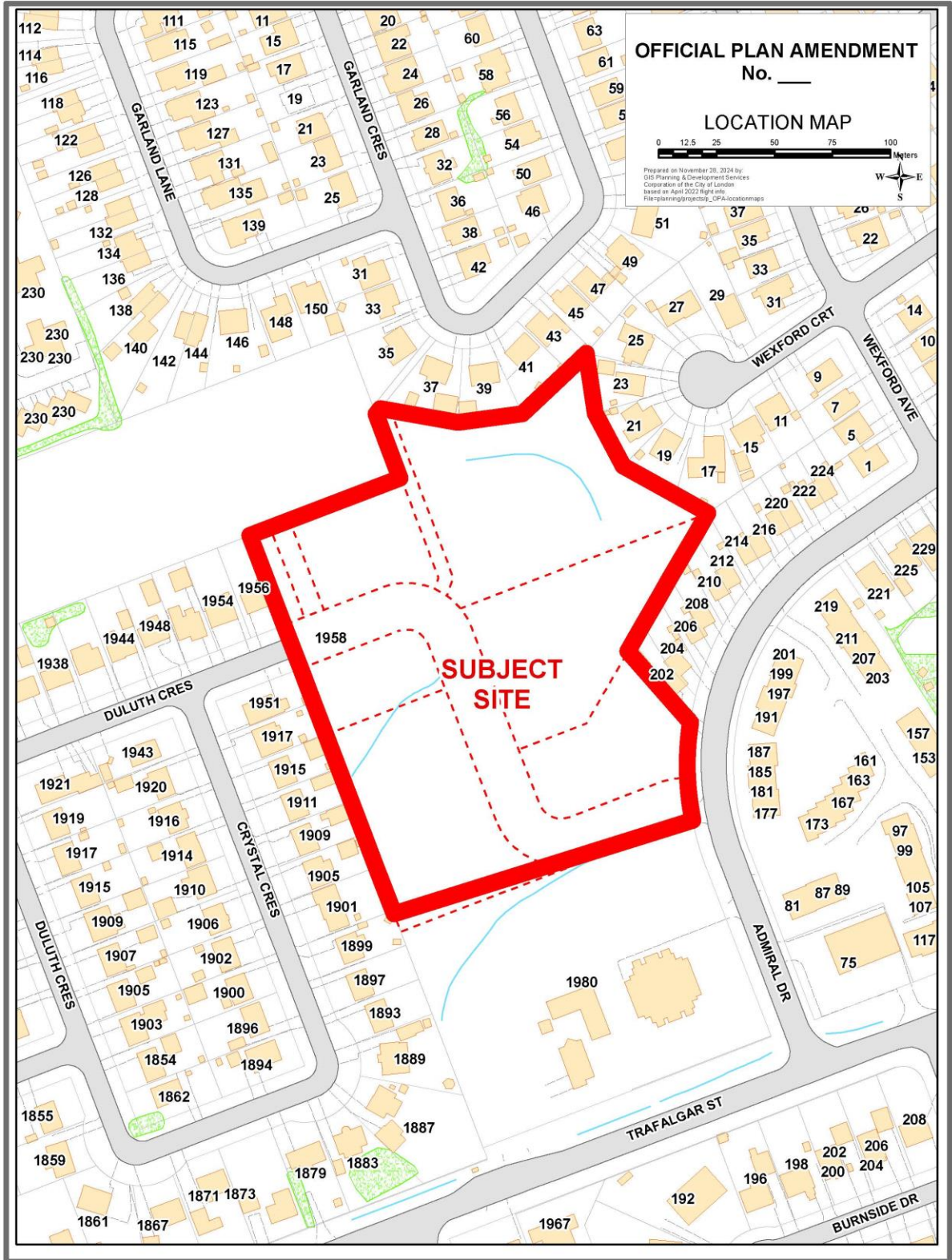
The London Plan for the City of London is hereby amended as follows:

1. Specific Policies for the Neighbourhoods Place Type of Official Plan, The London Plan, for the City of London is amended by deleting and replacing policy 1057D with the following text:

1057D_ 1958 Duluth Crescent

For the lands in the Neighbourhoods Place Type located at 1958 Duluth Crescent, as shown on Map 7 – Specific Policy Areas, apartment buildings, small-scale community facilities and mixed-use buildings shall be permitted in addition to the uses identified in Table 10, with an upper maximum height of 4 storeys. An upper maximum height of 5 storeys is permitted on Blocks 5 and 7 (39T-39T-23504).

“Schedule 1”



Appendix B – Zoning By-law Amendment

Bill No. (number to be inserted by Clerk's Office)
2025

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1958
Duluth Crescent

WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

NOW 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 a portion of the lands located at 1958 Duluth Crescent, as shown on the attached map **FROM** a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18))/R6-5(93) Zone **TO** a Residential R5 Special Provision/Residential R6 Special Provision (R5-6(18)/R6-5(93)) Zone.
2. Section Number 9.4 of the Residential R5 Zone is amended by deleting and replacing the following special provision:

R5-6(18) 1958 Duluth Crescent (Southwest Apartment Block)
 - a. Regulations
 - i) Front Yard Depth (Minimum): 1.5 metres
 - ii) Interior Side Yard Depth (Minimum): 4.5 metres when the wall of a unit contains windows to habitable rooms.
 - iii) Height (Maximum): 16.5 metres
 - iv) Density (Maximum): 225 units per hectare
 - v) Landscaped Open Space Buffer (Minimum): 3.0 metres required for rear and interior side yards adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.
 - vi) To permit unlimited encroachments for balconies and canopies.
3. Section Number 10.4 of the Residential R6 Zone is amended by deleting and replacing the following special provision:

R6-5(93) 1958 Duluth Crescent (Southwest Apartment Block)
 - a. Regulations
 - i) Permitted Uses: All uses within the R6-5 zone variation with the exception of single-detached dwellings.
 - ii) Front Yard Depth (Minimum): 1.5 metres
 - iii) Interior Side Yard Depth (Minimum): 4.5 metres when the wall of a unit contains windows to habitable rooms.
 - iv) Height (Maximum): 16.5 metres
 - v) Density (Maximum): 225 units per hectare
 - vi) Landscaped Open Space Buffer (Minimum): 3.0 metres required for rear and interior side yards adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.
 - vii) To permit unlimited encroachments for balconies and canopies.
4. 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.

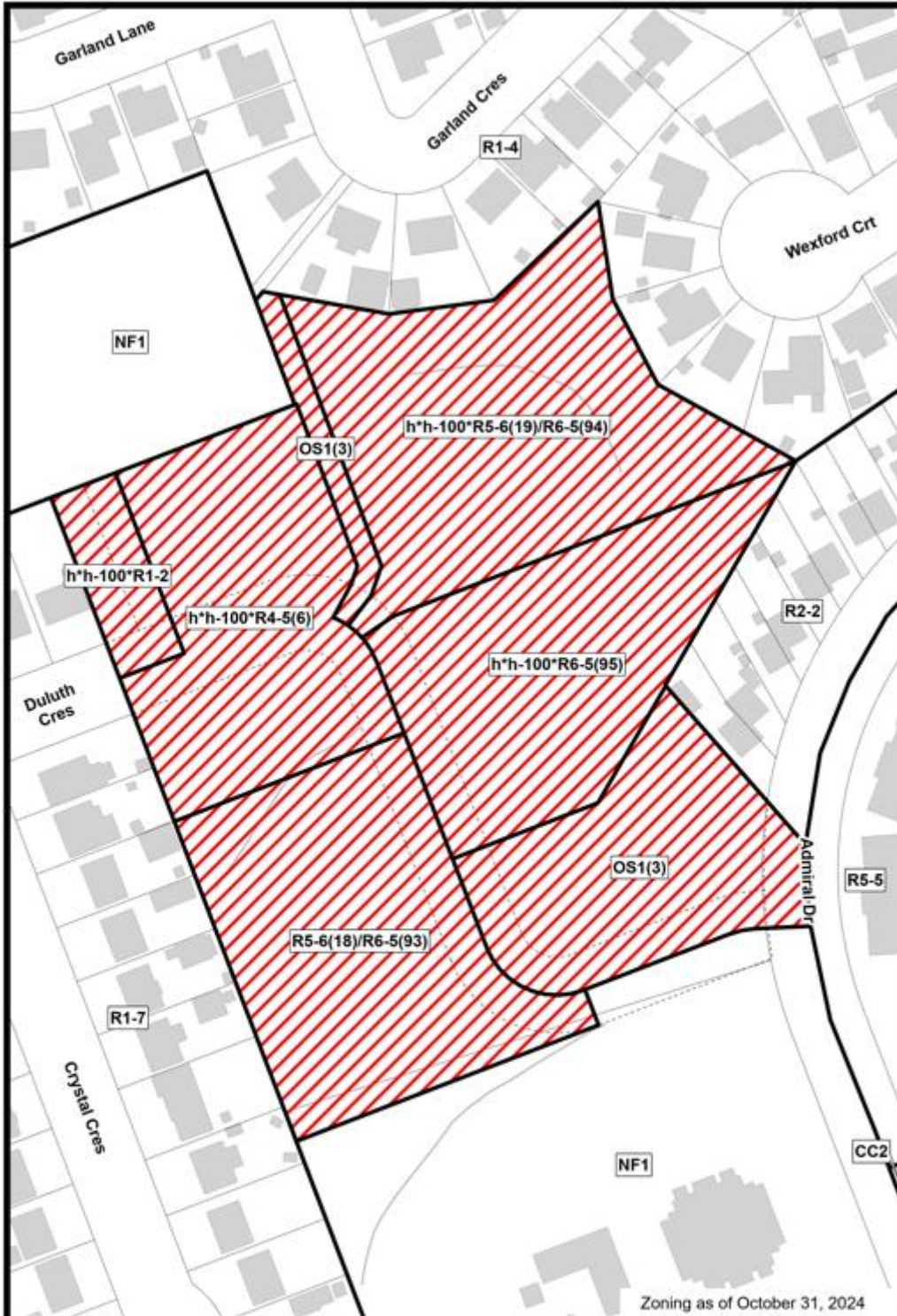
PASSED in Open Council on January 21, 2025 subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.

Josh Morgan
Mayor


Michael Schulthess
City Clerk

First Reading – January 21, 2025
Second Reading – January 21, 2025
Third Reading – January 21, 2025

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



File Number: OZ-9814
Planner: IDC
Date Prepared: 2024/11/28
Technician: JI
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 25 50 Meters



Appendix C – Additional Plans and Drawings

MHD - DULUTH CRESCENT - BUILDING A + B



LEVEL 1 FLOOR PLAN

SCALE: 1:50
DATE: NOVEMBER 16, 2024



SK-201

Level 1 Floor Plan, 1958 Duluth Crescent

MHD - DULUTH CRESCENT - BUILDING A + B



LEVEL 2-5 FLOOR PLAN

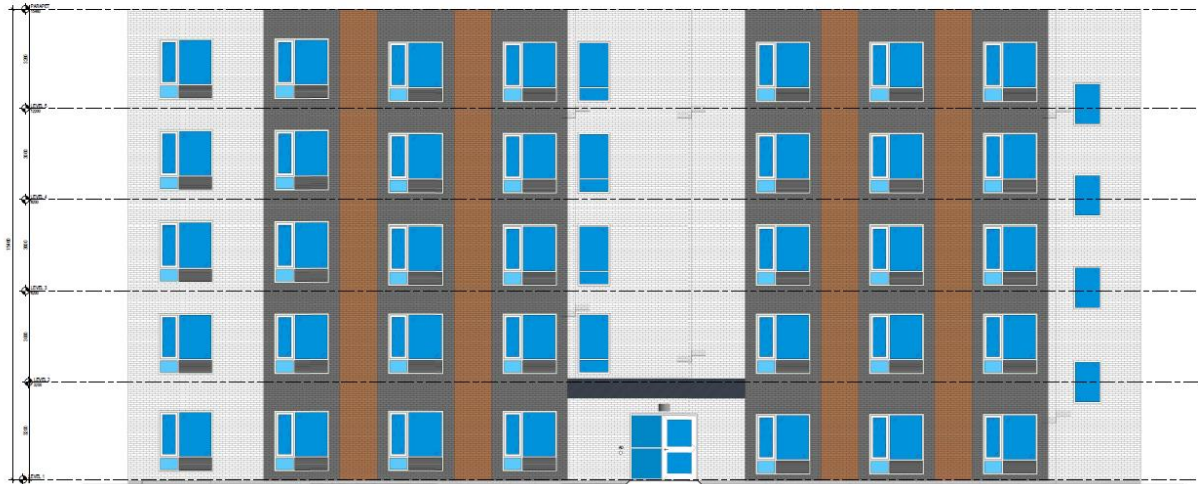
SCALE: 1:50
DATE: NOVEMBER 16, 2024



SK-202

Level 2-5 Floor Plan, 1958 Duluth Crescent

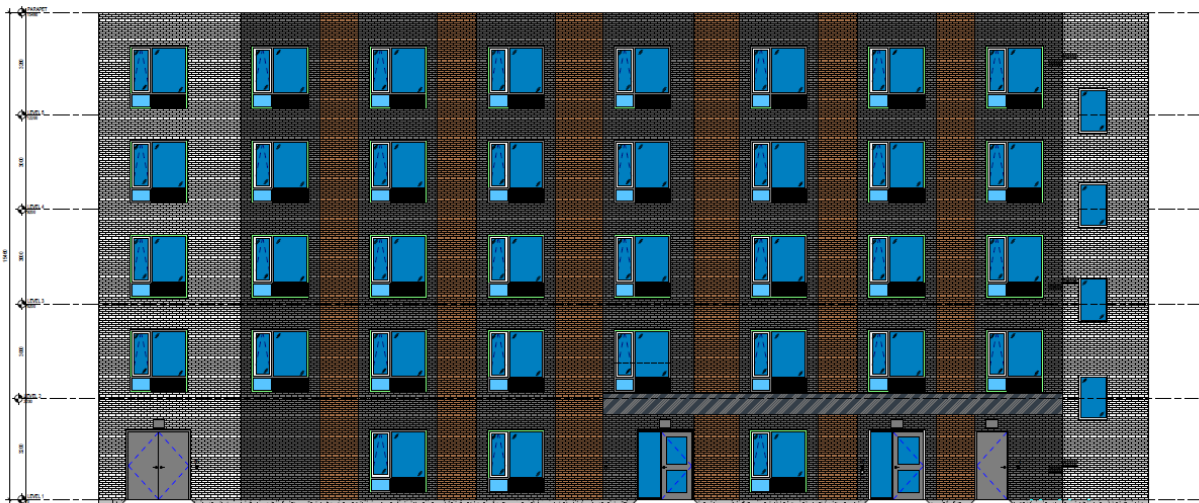
MHD - DULUTH CRESCENT - BUILDING A + B



EAST ELEVATION

East Elevation, 1958 Duluth Crescent

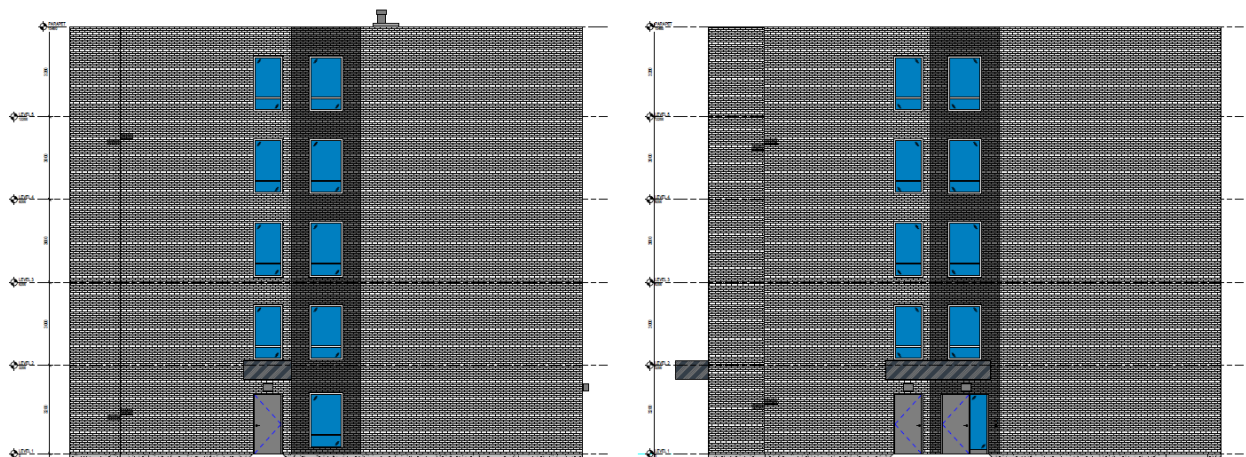
MHD - DULUTH CRESCENT - BUILDING A + B



WEST ELEVATION

West Elevation, 1958 Duluth Crescent

MHD - DULUTH CRESCENT - BUILDING A + B



NORTH ELEVATION

SOUTH ELEVATION

North and South Elevation, 1958 Duluth Crescent

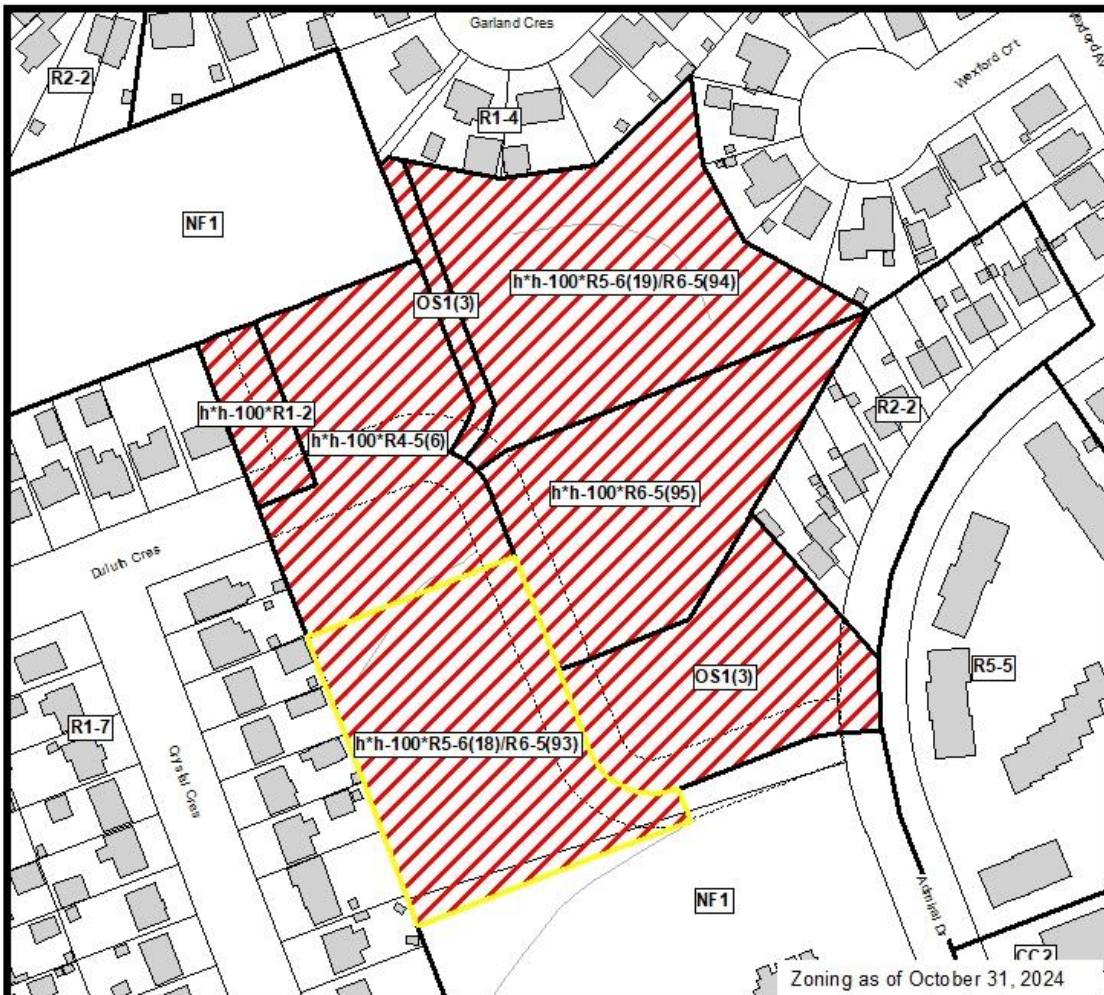


Birds-Eye View Rendering, looking South-east at rear façade of Apartment buildings



Perspective Rendering, Looking South-East at Rear Façade of Apartment Building and Parking Area

Current Zoning By-law Z.-1 Excerpt



 **COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*h-100*R5-6(18)/R6-5(93)**

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

- | | |
|---|---|
| <p>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</p> <p>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</p> <p>OR - OFFICE/RESIDENTIAL
 OC - OFFICE CONVERSION
 RO - RESTRICTED OFFICE
 OF - OFFICE</p> | <p>RF - REGIONAL FACILITY
 CF - COMMUNITY FACILITY
 NF - NEIGHBOURHOOD FACILITY
 HER - HERITAGE
 DC - DAY CARE</p> <p>OS - OPEN SPACE
 CR - COMMERCIAL RECREATION
 ER - ENVIRONMENTAL REVIEW</p> <p>OB - OFFICE BUSINESS PARK
 LI - LIGHT INDUSTRIAL
 GI - GENERAL INDUSTRIAL
 HI - HEAVY INDUSTRIAL
 EX - RESOURCE EXTRACTIVE
 UR - URBAN RESERVE</p> <p>AG - AGRICULTURAL
 AGC - AGRICULTURAL COMMERCIAL
 RRC - RURAL SETTLEMENT COMMERCIAL
 TGS - TEMPORARY GARDEN SUITE
 RT - RAIL TRANSPORTATION</p> <p>h* - HOLDING SYMBOL
 D* - DENSITY SYMBOL
 H* - HEIGHT SYMBOL
 B* - BONUS SYMBOL
 T* - TEMPORARY USE SYMBOL</p> |
|---|---|

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:

OZ-9814

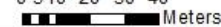
IDC

MAP PREPARED:

2024/11/28

JL

1:1,700

0 5 10 20 30 40
 Meters

Appendix D – Internal and Agency Comments

Landscape Architect

No comments to provide.

UTRCA

- The subject lands are not affected by any regulations (Ontario Regulation 41/24) made pursuant to Section 28 of the Conservation Authorities Act.
- The UTRCA has no objections to the application and we have no Section 28 approval requirements.

Urban Design

Please find below the Urban Design comments for the OZ at 1958 Duluth Crescent (OZ-9814):

The subject site is located in the Neighbourhoods Place Type fronting onto a Neighbourhood Street which does not contemplate the proposed intensity as per The London Plan (TLP). Urban Design may support a maximum height of 5 storeys at this location provided the proposed development achieves a high-quality, street-oriented design and as long as there are no negative impacts on the adjacent low-rise residential uses. TLP 953_

Matters for Zoning

General (for Block 5 & 7)

Provide a minimum front yard setback from Duluth Crescent to encourage street-orientation while avoiding encroachment of footings and canopies. TLP 259, 286, 288

For Block 5

1. **Provide a minimum rear yard setback of 30m** to avoid potential negative impacts on the low-rise residential uses to the west. TLP 253
2. **Provide a minimum parking setback of from the west property line** to allow for a landscape buffer. TLP 253
3. **Provide a maximum building height of 16.5m** to provide appropriate transition to the low-rise residential uses. TLP 298

Matters for Site Plan

General (for Block 5 & 7)

1. Ensure the street-facing and park-facing facades of the buildings are well-articulated to provide depth and variation in the built form to enhance the pedestrian environment. TLP 286, 288, 289_1
 - Consider incorporating a material palette that is consistent with the surrounding context and visually break up massing, reduce visual bulk and add interest to the building design. TLP 301, 302
2. Design the buildings to have a distinct base and differentiate the mid-rise portion of the building through the use of a massing and articulation. TLP 286, 288, 289_1
 - Include individual ground floor unit entrances with related courtyards or “front porches” to face Duluth Crescent with individual or shared walkway connection to the public sidewalk in order to activate the street front. TLP 286, 289_1
 - Include balconies or terraces along the street frontage and the park frontage to break up the building mass, add interest to the façade and offer passive surveillance. TLP 289_2
 - Differentiate the top of the building through an articulated roof form, step-backs, cornices, material change and/or other architectural details. TLP 289_3
3. Articulate the primary building entrance. Ensure that it is well-defined, clearly visible, and universally accessible from the public street. TLP 291

For Block 5

1. To support safe and comfortable pedestrian circulation, provide additional windows/transparent glazing on the south and north façades of buildings facing the drive aisle to offer passive surveillance and address potential Crime Prevention Through Environmental Design (CPTED) matters. TLP 286, 290, 228
2. Provide an all-season landscape buffer along the rear property line to screen the parking and minimize potential negative impacts on the adjacent low-rise residential uses to the west. TLP 253
3. Ensure an enhanced view terminus is created while approaching from Duluth Crescent into the site. TLP257
 - o Position the landscape island on the central axis of the drive aisle and providing landscape features that establishes a focal point.

Further site layout and building design related comments may be provided once detail design proposals for Block 5 and 7 are submitted through the site plan approval process.

Site Plan

Major Issues:

- None.

OPA/ZBA Comments:

- Provide an all-season landscape buffer along the rear property line to screen the parking and minimize potential negative impacts on the adjacent low-rise residential uses to the west
- Provide a sufficient number of long-term bicycle spaces. The current plan shows bicycle parking at a rate of 0.5 spaces per unit (60 spaces total), whereas the minimum requirement in the Zoning By-law is 0.9 spaces per unit (108 spaces total).

Site Plan Comments:

- Provide a paratransit pick-up/drop-off with dimensions of 3.5m x 12.0m. Note each building will be required to provide an individual pick-up/drop-off with no greater distance than 15m to a barrier-free entrance.
- Provide 2.1m walkway where the sidewalk abuts parking spaces directly to accommodate vehicle overhang.
- Show setback/dimension from the annunciator panel to the back of curb to confirm if a fire route will be required.

Parks Planning & Design

Parkland dedication will be resolved through the Plan of Subdivision.

Heritage

There are no cultural heritage or archaeological concerns with this application.

Engineering:

- Engineering has no objection with this official Plan and zoning bylaw amendment to allow an upper maximum height of 6 Stories. As the applicant is seeking additional heights for block 5 & 7 located within 1958 Duluth Crescent Subdivision under 39T-23504. All necessary Servicing and drainage requirements should be provided as part of the subdivision development agreement.
- Engineering is supportive of the removal of the h & h-100 holding zone provisions.

Appendix E – Public Engagement

Community Engagement

Public Liaison: Information regarding the requested Zoning By-law Amendment application and opportunities to provide comments were provided to the public as follows:

- Notice of Public Meeting was published in the Public Notices and Bidding Opportunities section of The Londoner on December 5, 2024.
- Information about the application were posted on the website on Wednesday November 27, 2024.
- Notice of Application was delivered to 370 property owners and residents in the surrounding area on December 4, 2024.
- Two “Planning Application” signs were also placed on the site.

Notice of Application – Londoner December 5, 2024.

1958 Duluth Crescent – The purpose and effect of this Official Plan and zoning change is to permit building heights up to 6 storeys, and to permit the development of two 5-storey, 60-unit apartment buildings (225 units per hectare). Possible amendment to the Official Plan, The London Plan, to amend Specific Policy 1057D_ in the Neighbourhoods Place Type to permit a maximum building height of 6 storeys. Possible change to Zoning By-law Z.-1 **FROM** a Holding Residential R5 Special Provision/Residential R6 Special Provision (h*h-100*R5-6(18)/R6-5(93)) Zone **TO** a Residential R5 Special Provision/ Residential R6 Special Provision (R5-6(_)/R6-5(_)) Zone with special provisions to implement the proposed development. The City may also contemplate alternative zoning such as a different base zone, additional permitted uses, additional special provisions (i.e. height and/or density), and/or the use of holding provisions. File: OZ-9814. Planner I. de Ceuster

Public Comment #1 – Sean Nicholas

Hello my name is Sean N. a resident living very close by the official plan to build 3 buildings from what I've read. My concerns is comments on this is what is going to happen to those homes off of admiral, Garland Cres, and Wexford Crt regarding the fence lining. Not only does privacy seem to be invaded but more concerning will there be compensation on what can be done for the residents. I believe a new fence avoiding visuals and invasion of privacy along everyone's property whose on that fence line of development should be made. I intend on attending the meeting on Jan 7th, 2025 also. Thanks for your invitation. Hope the residents of this community can be heard.

Sean